

Absent with Apologies: Dr Hon Joseph LEE Kok-long, SBS, JP (Vice-chairman)
The Hon Abraham SHEK Lai-him, SBS, JP (Vice-chairman)
Mr YEUNG Yiu-chung, BBS, JP
Dr Helena YUEN CHAN Suk-yee
Ms Carmen CHAN Ka-mun, JP
Ms Christine FANG Meng-sang, BBS, JP

PART A CLOSED MEETING

This was the Closed Part of the meeting for the IPCC and representatives of C&IIB to discuss matters of mutual concern. The minutes of the meeting will not be uploaded onto the IPCC Homepage.

PART B OPEN MEETING

OPENING ADDRESS

The Chairman welcomed all to the meeting.

I CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 04 MAR 2010 (Open Part)

2. The minutes of the last meeting (open part) were confirmed without amendment.

II MATTERS ARISING

3. The Chairman briefed the meeting that the Police considered that IPCC's request to examine the manual which governs policing of Public Order Event was not feasible. The Chairman invited CSP C&IIB to explain the reason.

4. CSP C&IIB replied that the relevant Policy Wing was drafting the Public Order Manual and it was not available at the moment. The Force noted IPCC's request to be consulted over the Public Order Manual. Observations and suggestions raised by IPCC members in respect of complaint prevention and reduction issues and comments by the Council in public order activity had been reported to the relevant Policy Wing for consideration.

5. The Chairman requested CAPO to maintain communication with IPCC in this regard.

6. Mr Eric CHEUNG requested to clarify if the Force would submit the draft of the Manual to IPCC for comments before it is promulgated. In addition, Mr CHEUNG asked if the Force will promulgate the Manual before informing IPCC.

7. CSP C&IIB explained that internal consultation will be conducted within the Force. As for the finalized draft, the Police Force Ordinance stipulates that the Commissioner of Police is responsible for the performance and administration of the Force. In addition to IPCC, which provides oversight in terms of the police complaint process, the work of the Force is overseen by many other external bodies, for example, the Independent Commission Against Corruption which provides advice on corruption prevention, the Audit Commission ensuring we are providing value for money, the Privacy Commissioner in terms of privacy and data issues, the Civil Service Bureau on recruitment and conditions of services, etc. The Force respects and values comments from all of these external bodies inclusive of IPCC. Nevertheless, it is not the Force's policy to release a draft to any external body for scrutiny before the promulgation. CSP C&IIB reemphasized that any views or observations made by any bodies will always be taken into consideration during the drafting process. The Public Order Manual, like other documents of the Force, is subject to continuous review, and therefore any issues of concern relating to the Manual can be reviewed at a later stage.

8. Mr Eric CHEUNG stated that he personally held a different view in this regard. According to IPCC Ordinance (IPCCO), the IPCC can perform the function to monitor possible loopholes or suggest any room for improvement in the Force. IPCC was empowered to perform this function after the implementation of IPCCO. He requested the Police to provide the draft of the Manual to IPCC for comments before the order is promulgated because such police procedures are likely to attract complaints. Examining a draft can reduce the need to amend the order at a later stage, minimizing resource concerns, e.g. training. He opined that if there is already a solid proposal on the changes as well as some forms of written material, it would be desirable to let IPCC comment on the contents before promulgation.

9. CSP C&IIB noted Mr CHEUNG's views. He reiterated that the Force issues its own guidelines and orders and these are always subject to review. He accepted the point that the Council wishes to look into potential areas where complaints may arise or to consider complaint prevention issues. In this regard, the Force can provide a comprehensive briefing to the Council which will explain the Manual's outline, the rationale behind the document being produced, the contents and the guidelines offered to officers. The views from the Council would then be taken into consideration before final promulgation.

10. The Chairman stated that the Council and CAPO will keep this issue in view.

11. The Chairman requested the Force to provide more information in respect of the upgrading of the CCTV system, an issue mentioned in the last Joint meeting. CSP C&IIB reported the relevant Policy Wing is still handling the issue. The installation of the 57 digital video recorders was completed on 7th May 2010. The User Acceptance Test of the system was conducted by the Electrical and Maintenance Services Department

(EMSD) and the Force was waiting for written confirmation from EMSD. The digital video recorders have been running automatically without the need for report room staff to input the tape. No problem has been reported so far and supervisory officers will provide regular functionality checks. The Policy Wing will work with frontline officers in respect of positioning of the CCTV cameras and consult them with regard to how often the system should be checked. The EMSD, the contractor and the relevant Policy Wing are finalizing and standardizing checking procedures for the new equipment. The relevant guidelines are in their final stage and will be available soon.

12. Mr Eric CHEUNG raised a question on the retention period of the CCTV footage as to whether the Force will retain the CCTV footage for a period longer than one or two months. Mr CHEUNG quoted an example that an officer had wrongly used a tape which was supposed to be used for another date. Subsequently, CAPO could not seize the CCTV footage relevant to the complaint. The officer responsible claimed that he did not receive any training in regard to the use of video tape and his version was supported by his supervisory officer. Mr CHEUNG asked if CAPO will ensure the correct tape will be seized.

13. CSP C&IIB asked if it was an old case.

14. Mr Eric CHEUNG stated that the case was reported about one year ago.

15. CSP C&IIB thanked Mr CHEUNG for pointing out the case and he agreed to have a look into the matter. In respect of the retention of the tape, the Force has approached the contractor and discussed the issue of maintaining CCTV images for two years in order to run parallel with requirements in the IPCCO. However technical, financial and legal implications have been observed. The contractor has been requested to explore the financial and technical practicability by expanding the storage medium of the existing system. The Force is also examining whether keeping the CCTV images for a long period of time in any way will contravene data privacy protection principles under the Personal Data (Privacy) Ordinance. The contractor replied that it is technically difficult to expand the system to keep images for two years because it is difficult to source such a powerful storage medium in the market. Even if the medium is available, the existing software will need re-programming to effect the change. Financially, the cost is about HK\$15 million for the Government to revamp the existing system. The Policy Wing had expressed to CAPO their concerns over value for money considerations in respect of lengthening the retention period. The Policy Wing questions how many complaints had been made over one month after the incident; and secondly, how many report room related complaints were resolved solely based on the recorded CCTV images. As regards the report room officer mismatching the tape, the new digital video recorders would be operated automatically and all the CCTV images would be stored in hard disks without the need for replacing storage medium manually.

16. The Chairman thanked CSP C&IIB for the explanation given.

17. The Chairman requested the Force to provide information in relation to

Professional Sensitivity. SP FTO introduced a presentation on ‘Professional Sensitivity’. The content of the presentation included the background of the concept; how the Force progresses from Professionalism to Professional Sensitivity; how to identify training needs through the concept; what does the Police College Steering Group Committee do in relation to the concept and how to embed professional sensitivity into the training spectrum. A copy of the presentation materials is at **Annex**.

18. The Chairman thanked SP FTO for the presentation. He stated that most of the complaints were minor in nature. Should police officers have a stronger sense of professional sensitivity, some complaints might not have been made. Complaints are an indicator reflecting the public’s acceptance of police service quality. A lack of professional sensitivity will probably affect the overall image and impression of the police service. IPCC is delighted to see that the Force has done so much on this subject.

19. Professor Stephen CHEUNG stated that most of the complaints were minor in nature and arose from language misunderstandings or traffic summons action being taken. Professor CHEUNG was concerned however that although new recruits received training, there was no mention of serving officers who may have a different culture of service delivery and approach in their minds.

20. SP FTO responded that the Force is conducting training for serving officers. For example, she would personally conduct lectures on Professional Sensitivity, by way of cases studies, to all ranks of officers who undergo continuation courses at the Police College. This is done regularly every month.

21. Professor Stephen CHEUNG suggested that officers under complaint investigation who receive a finding of ‘Unsubstantiated’ should receive similar continuation training for service improvement.

22. The Chairman welcomed Professor CHEUNG’s suggestion. He supplemented that it could be extended to those officers who have had allegations arise from conversations they have had with members of the public.

23. Mr Albert CHENG suggested that some pamphlets could be issued to serving officers (to convey the message of Professional Sensitivity).

24. SP FTO responded that the Force has prepared a variety of training packages, e.g. training day and living-the-value workshops on this issue for all officers in different postings. Documents are provided during the training package.

25. Mr Albert CHENG further suggested that the size of the documents should be portable for easy reference. In addition, the Force can further consider other medium of storage, e.g. DVD.

26. SP FTO responded that the Force has issued a Behavioral Guideline for the officers’ reference whilst on duty.

27. ACP SQ supplemented that the Behavioral Guideline has also been printed on the back of Police Notebooks, stating clearly the things to be considered prior to any action. A blue card similar to the size of a bank credit card has been issued to officers to convey the same message. In addition, ACP SQ further stated that in respect of training, wave seven of the Living-the-value workshop which focused on 'Professionalism in the Changing World' will be launched in September 2010. The training package will take 18 months for all officers from the Commissioner of Police to Police Constable and civilian officers are to be trained. In respect of the training format, it would involve one day's training which included video case studies. ACP SQ also pointed out that during the making of the training package, a competition on video making was launched and the response was overwhelming. Some of the winning videos will be put into the training package. ACP SQ further pointed out that one of the videos had won an award in the United States, which was on the topic of internal communication.

28. The Chairman suggested the videos be published to members of the public in addition to being used for internal training purpose only. Some IPCC members commented that the public did not understand the work of the Police. As such, more education to members of the public in regard to the police service could probably reduce the number of complaints.

29. Mr Eddie NG appreciated the work of the Force on training for every employee and asked how the Police Force evaluates the effectiveness of its training. He asked whether there was an evaluation conducted after training.

30. ACP SQ responded that the Force does not have any evaluation in this regard due to resources constraints. Nevertheless, the Force has continuously conducted surveys on both employee and public satisfaction levels, which can be seen as a reasonable indication of training impact.

31. Mr Albert CHENG suggested to better utilize the Police Magazine to convey the message (of Professional Sensitivity) to members of the public, e.g. by putting the winning video clips displaying how officers are trained.

32. Mr Lawrence MA opined that police officers to a certain extent are increasingly being asked to be too "soft" in their approach. Apart from incorporating Professionalism Sensitivity, Mr MA requested the Police to have a functional differentiation between situations when they need to deal with violent crime and in more ordinary situations involving normal members of the public.

33. CSP C&IIB responded that how officers interact with members of the public would depend on the circumstances, which would be part of the officers' training, experience and judgment. Special units have different approaches to the diverse situations with which they deal just as individual officers gauge their reactions to different situations dependent on who and what circumstances are facing them.

34. Mr Eric CHEUNG suggested that, in addition to 'Professional Sensitivity', the

officers should adopt an appropriate attitude in dealing with different situations, e.g. confrontational situations involving license checks, etc. He mentioned that officers should not misinterpret professional sensitivity into avoiding taking firm action against triad elements or those who deliberately challenge officers at scene.

35. CSP C&IIB guaranteed that the officers would act in accordance with the situation and of course the law. In regard to the training aspect, CSP C&IIB stated that a great deal of training is in place to address different operational circumstances. In addition, CAPO and IPCC are working on joint workshops to brief new IPCC and CAPO officers through case studies on how to scrutinise complaints. There are also a lot of other activities in addition to formal training. The Commissioner of Police has, for example, also assigned ACP SQ to set up a Force level complaint prevention committee focusing on complaint prevention.

36. The Chairman commented that officers should possess Professional Sensitivity and work in accordance with the law. With more training to officers, the chance of confrontational situations will be reduced. It is unavoidable that the public would be aggrieved in certain situations when police execute arrest action or conduct license checks. IPCC, however, focuses on reducing avoidable complaints. IPCC requested CAPO to fairly investigate the complaint and bring justice to both complainants and complainees. The Chairman stated that on the basis of more thorough analysis, a 'finding of facts' could be arrived at. If complainees are found not to be at fault, they should be clearly informed of the result. On some occasions after IPCC endorsed the complaint case, IPCC would recommend CAPO to compliment the officers who had correctly performed their work.

37. Lastly, the Chairman invited CAPO to brief the meeting on complaint figures and the Criminal and Disciplinary Checklist. CSP C&IIB briefed the meeting that a total of 1,411 complaints were received in the first four months of 2010. It represents an increase of 274 cases, or 24.1% when compared with 1,137 cases of the same period of last year. Neglect of Duty remains the most prevalent type of allegations making up 47.6%, followed by 'Misconduct and Improper Manner', which was 30.8%, and 'Assault' of 10.2%. Taking the total number of reportable complaints received in the first four months of 2010, the annual figure is projected to be 4,233 which is akin to the 2009 figure of 4,257. Among the 672 complaints of 'Neglect of Duty', 'Failing to Investigate Case Properly/Thoroughly' accounted for 59.4% (399 cases) continued to be the major cause. Among the 435 complaints of 'Misconduct / Improper Manner', 'Impoliteness' accounted for 51.5% while 'Conduct unbecoming of a police officer' and 'Inducement to make a confession' each made up another 22%. The top three sub-categories which noted a significant increase in the first four months of 2010 when compared to the same period of 2009 are 'Impoliteness' (49.3%), 'Conduct unbecoming of a police officer' (34.3%) and 'Inducement to make a confession' (28%). Among the 1,411 cases received, 596 complaints (42.2%) related to 'Crime Report', 350 complaints (24.8%) related to 'Traffic Matter', 247 complaints (17.5%) arose from 'Miscellaneous Report' and 185 cases (13.1%) stemmed out from 'Day to day duties'. January recorded 338 cases, February 280, March 432, April 361, May 302 and June 79 (as of the morning of 2010-06-10). No trend analysis could be provided at this stage as

the figures for May and June had yet been rationalized but a slight downward trend was observed.

38. The Chairman stated that it was too early to comment on the trend of 2010. Notwithstanding there may be a slight difference when compared with 2009 figure, he hopes that the Working Group can come up with suggestions to streamline the investigation process. The Chairman then requested CAPO to brief on the Criminal and Disciplinary Checklist.

39. CSP C&IIB briefed that there was nothing in particular to be highlighted in regard to the Criminal and Disciplinary Checklist, except a number of cases which related to the oversight by duty officers in the report room who failed to input some basic data into the computer system.

40. Mr Eric CHEUNG expressed his concern over the number of cases outstanding. Mr CHEUNG stated that the situation had not improved in the last few months and the figure of outstanding cases remained at about 2,800 cases. Among the 2,800 cases, about 1,600 cases were being handled by CAPO whilst the remainder were under scrutiny by IPCC. Given the current trend of complaints, additional resources are required for both IPCC and CAPO to deal with this outstanding caseload. Mr CHEUNG asked CAPO to speed up clearance of the 1,600 outstanding cases.

41. CSP C&IIB responded that CAPO found it difficult with the increase in figures, which requires prompt yet thorough investigation for complaints. Initiatives including streamlining the investigation process are being considered. In terms of extra resources, CAPO is making a bid for extra resources under the Resources Allocation Exercise.

42. The Chairman stated that additional resources are also required by IPCC in order to deal with the current situation. The Chairman agreed with Mr Eric CHEUNG that from February to April of 2010, the outstanding cases remained at about 2,800, with about 1,200 cases held by IPCC and 1,600 cases with CAPO. It is hoped that the figures could be brought down soon.

III ANY OTHER BUSINESS AND CONCLUSION OF THE MEETING

43. There being no other business, the meeting was concluded at 1650 hours.

(SIU Kit-hung)
Joint Secretary
Complaints and Internal
Investigations Branch

(Brandon CHAU)
Joint Secretary
Independent Police
Complaints Council

Professional Sensitivity

Annie Fonda
Force Training Officer
Service Improvement
Police College

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Background

- 虐貓狂徒橫行 團體轟警方懶理
- 「紫藤」遊行促警方保護鳳姐
- 團體責警方未盡力追查虐貓案
- 拜神釀火警 警預長者疏散

Background

Over the past decade, Hong Kong has been undergoing rapid changes:

- Increasing community involvements and engagements in various kinds of police activities;
- Increasing media coverage on different kinds of police activities; and
- Increasing community demands on greater transparencies of Force policies and decisions.

From Professionalism to Professional Sensitivity

Core concept of applying Professional Sensitivity to police work:

- One should be aware whether he has his own personal biases and prejudice towards different groups of people
- One should have a good understanding of others' needs and feeling
- One should be aware that personal biases and prejudice might have negative impact on service delivery.

Identification of Training Needs

- Professional Sensitivity must start from personal awareness and appreciation of situations.
- Identification of training needs and scope of contents of the requisite training.



College Steering Committee

Terms of reference are:

- to develop policies and strategies in promoting Professional Sensitivity Training and
- to monitor, evaluate and implement the various Professional Sensitivity Training activities



Seven Key Behavioral Expectations:

- respecting members of the public at all times
- considering the manner they interact with a citizen
- the Force maintains zero tolerance towards inappropriate behavior
- recognizing that different ways of interacting with public are dependent upon the circumstances of their interaction
- accepting that, they must conform to the Force's corporate expectations
- considering the proportionality of the circumstance and the proper use of police power.
- Force members committed to seeking public support at all times

Implementation

Embedding Professional Sensitivity into other training spectrum

Vision & Statement of Common Purpose

- Since 1996, the Force Vision and Statement of Common Purpose and Values had been integrated gradually into all training courses.

Training objective adopted to ensure that officers:

- have the appropriate attitude, skills and up-to-date knowledge necessary for their duties and responsibilities
- can fulfill the Force Values.

Implementation

Recruit Police Constables/Probationary Inspectors Foundation Training/Junior Police Officers Development Training & other Continuation Courses

- Force Vision and Statement of Common Purpose and Values, Bills of Rights and Basic Law.
- Empathic Listening, Victim Psychology, Conflict Management, Policing Ethnic Minority and other multicultural issues.





Implementation

Psychology Competency Training

- Launched in 2005 with HKU and CUHK lecturers
- The workshops address psychological competencies of Conflict Management, Victim Psychology, Interpersonal Communication Skills and Emotional Regulation.
- Includes officers working in PTU, EU, CAPO, CPPU and other Regions.



Implementation

Command Courses

- Since 2009, Professional Sensitivity had been a presentation topic for all Command Courses.
- Other topics include Human Rights and Racial Discrimination Ordinance, etc.

Implementation

Training Day Package

- For all officers on contemporary issues.
- 10 Training Day Packages for all officers per two-year cycle
- Many touched on professionalism, attitude, empathy and sensitivity.
- Others included Conflict Management, Communication Skills and Victim Psychology.

Implementation

Living the Values Workshops

- Introduced in 1996 and are held every 18 months.
- Involved all Force members and civilian counterparts.
- Included some coverage on attitude, empathy and sensitivity.
- 6 Workshops so far
- In late 2010: Wave 7 – Professionalism in a Changing World.

Implementation

E-Learning Package for all ranks

- To reinforce the concept of Professional Sensitivity
- To enhance self-awareness
- To increase understanding of the needs and feelings of service users of the Force
- To communicate with the public in a professional manner



Conclusion

- The Force is fully aware of the importance of Professional Sensitivity in carrying out its duties.
- The core concept of Professional Sensitivity and the Seven Key Behaviors are identified and included in various training throughout the Force.
- Police College Steering Committee will continue to monitor and evaluate the implementation of Professional Sensitivity
- Appropriate initiatives will continue to be introduced to inculcate such behaviors.



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