

**Meeting of the Independent Police Complaints Council (IPCC)
with the Complaints & Internal Investigations Branch (C&IIB) held at
the IPCC Secretariat Office at 1545 hours on Thursday, 9 June 2011**

Present :

Mr JAT Sew-Tong, SC	(Chairman)
Dr Hon Joseph LEE Kok-long, SBS, JP	(Vice-chairman)
Dr the Hon LAM Tai-fai, BBS, JP	(Vice-chairman)
The Hon Abraham SHEK Lai-him, SBS, JP	(Vice-chairman)
Dr Lawrence LAM Chi-kit, BBS, MH	
Ms Emily CHEUNG Mui-seung	
Mr Eric CHEUNG Tat-ming	
Prof Stephen CHEUNG Yan-leung, BBS, JP	
Ms Christine FANG Meng-sang, BBS, JP	
Mr Eddie NG Hak-kim, JP	
Dr CHAN Pui-kwong	
Mr Albert Jinghan CHENG, GBS, JP	
Mr David FONG Man-hung, JP	
Mr Simon IP Shing-hing, JP	
Ms Noeline LAU Yuk-kuen	
Mr Kenneth LEUNG Kai-cheong	
Miss Sandy WONG Hang-yee	
Dr Helena WONG Pik-wan	
Miss Mary WONG Tak-lan	
Mr Adrian YIP Chun-to, MH, JP	
Mr Eddie WONG, DSG (Acting)	(Joint Secretary)
Mr TANG How-kong, DMS	
Mr WONG Fook-chuen, ACP SQ	
Mr Duncan McCosh, CSP C&IIB	
Mr CHUNG Siu-yeung, SSP CAPO	
Ms YIP Yuk-ping, SP CAPO HQ	(Joint Secretary)

In Attendance :

Mr Ricky CHU, SG	
Ms Cherry CHAN, LA	
Ms Celia LEE, M(P&CS)1	
Ms LEE Nga-lai, SP CAPO K	
Mr CHENG Wai-kin, CIP CAPO HQ	
Mr TSE Chun-chung, CIP Team 1 CAPO K	
Mr CHAU Chung-mun, CIP Team 4 CAPO K	

Mr CHAN Wan-hung, CIP Team 9 CAPO NT
Mr SOO Wan-lok, SIP SD 2 CAPO HQ
Mr MA Chi-wai, SIP IPCC C&IIB
Mr LUI Man-chap, SIP Team 5c CAPO HKI
Ms TONG Chung-fan, SIP Team 8b CAPO NT
Mr LI Kar-wai, IP Team 3a CAPO K
Mr CHENG Shiu-kin, IP Team 5a CAPO HKI

Absent with Apologies: Dr Helena YUEN CHAN Suk-ye
Mr Lawrence MA Yan-kwok
Dr Carol MA Hok-ka
Miss Belinda TANG Lai-fong

PART B OPEN MEETING

OPENING ADDRESS

The Chairman welcomed all to the meeting.

I CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 1st MARCH 2011 (Open Part)

2. The minutes of the last meeting (Open Part) were confirmed without amendment.

II MATTERS ARISING

3. The Chairman invited CAPO to report on the results of their analysis of the circumstances which gave rise to minor complaints such as mannerism and neglect of duty, and the initiatives to reduce those complaints.

4. CSP C&IIB referred to the paper ‘Analysis on circumstances of minor (and possibly avoidable) complaints’, which had been forwarded to the IPCC earlier. He explained in detail the analysis carried out and the results found. He also introduced the Force’s efforts and the variety of initiatives now being pursued to prevent minor or avoidable complaints.

5. The Chairman thanked CSP C&IIB for the presentation and invited comments from members.

6. Mr Eric CHEUNG appreciated the good initiatives in preventing minor or avoidable complaints. He referred to the statistics relating to 'stop and search' and requested the police to review the legality, necessity and effectiveness of conducting 'stop and search'. He recalled the number of 'stop and search' conducted in a year was nearly a million, but there was no statistics as to the number of arrests resulting from such operations or crimes being detected from the same. He believed over 90% of 'stop and search' operations conducted met with fruitless result, yet they were prone to attract complaints. Through his examination of complaint cases, he felt that conducting searches on individuals attracted complaints easily whereas a simple check of ID card would not. He considered an officer was required to have reasonable suspicion before searching an individual and mere subjective suspicion was not sufficient. He said previously many police officers did not record the reason for their suspicion in their police notebooks, but he noted the situation had gradually improved. However, he still considered the recorded reason was not enough to justify the searches being carried out on individuals. He quoted UK as an example, where in the past over 90% of the searches were met with negative result and many of the persons being searched were from ethnic minorities. He said a reform conducted in UK, whereby police officers were required to properly document the justifications for the searches and to provide a copy of same to the persons being searched, saw the number of searches conducted being reduced. He was not asking the police to adopt the entire UK model but suggested the police and members discuss the issue further.

7. Mr Albert CHENG added that the number of complaints arose from 'stop and search' was not small. He requested CAPO to provide the number of crime cases and arrests made as a result of 'stop and search' so that its effectiveness could be examined. He agreed that crime could be prevented through conducting 'stop and search', but there was a perception that youngsters, like the post-80 group, were being targeted. He echoed Mr Eric CHEUNG's views that reasonable suspicion should be required for conducting a search. He also commented that the public might not be aware of their right to request not to be searched in a public place to avoid embarrassment. He suggested the police explain to members of the public what reasonable suspicion they held before the search as well as inform them of their right to be searched in a secluded area. This might perhaps reduce conflict between the police and the public.

8. The Chairman invited CSP C&IIB to comment.

9. CSP C&IIB thanked members for their comments. He stressed that 'stop and search' was a very effective crime prevention tool, but one which had to be enforced very carefully. He said officers had rules and guidelines governing the conduct of 'stop and search'; and they were also trained as regards what formed reasonable suspicion, which aligned to consideration over issues such as the demeanour of the subject, situational circumstances of time

and particular location as well as the known crime situation thereat. At the end of the day, officers were required to make the judgement call based on a range of factors and most importantly be prepared to properly justify their actions, and properly document the same. CSP C&IIB further stated that the relevant figures were not available at hand and said there may be technical difficulties in retrieving figures of this nature. He undertook to check if any other form of related statistics could be provided.

10. Mr Albert CHENG requested CAPO to provide statistics to show that ‘stop and search’ was an effective tool in crime prevention. He believed the number of crimes and arrests made arising from stop and search could be obtained easily.

11. CSP C&IIB undertook to look into what figures could be made available to the IPCC, but reiterated that eliciting the statistics was not as straight forward as perceived. He referred to another comment made by IPCC Members and stated there were clear police guidelines stipulating the subject person could request to be searched in a secluded area or at a police station to avoid embarrassment. He would refer IPCC Members’ suggestion to the policy wing for consideration of the operational practicability of proactively informing an individual that he could select to be searched in a secluded area.

12. Mr Albert CHENG added that there were public concerns as regards whether the Force management encouraged officers to conduct more ‘stop and search’ and that it would be used to measure officers’ performance.

13. CSP C&IIB replied in the negative and stressed that setting “quotas” was not a Force policy. In areas of high crime, officers may well conduct more ‘stop and search’ but this would be based on reasonable suspicion being formed and the raft of aligned factors mentioned earlier being considered.

14. Dr Helena WONG said that figures relating to ‘stop and search’ were required because the public need to know how effective it was and decide whether it should continue. She further requested that the ‘stop and search’ related arrest statistics be broken down by age, gender, nationality, background and appearance of the targets in order to examine whether there was potential discrimination.

15. CSP C&IIB reiterated that the Force saw ‘stop and search’ as an effective tool in discouraging criminals. He undertook to examine what kind of figures could be made available to the IPCC.

16. Mr Eric CHEUNG echoed the suggestion made by Mr Albert CHENG as regards informing target persons of their right to be searched in a secluded area before the search because they might not understand their rights or did not have time to make the request before a search took place.

17. Mr Albert CHENG said the assertion that ‘stop and search’ was an effective crime prevention tool had to be supported by statistics.

18. The Chairman noted several members had requested for statistics in relation to ‘stop and search’. He suggested the issue be discussed in the next meeting when more information would be available.

19. ACP SQ noted also the high percentage of minor complaints. He said much emphasis was placed in complaints prevention and thus, as reported in the last meeting, the Complaint Prevention Committee had been upgraded to Force level with regional sub-committees. He thanked members who had participated in the last Regional Complaint Prevention Committee meeting held in Kowloon West Region. He said there was a complaint prevention talent quest last year with participants from different major formations. One of the winning video ‘Different perceptions on complaints against police’ had won the Silver Award for the category of Corporation Staff Training in the 2011 Questar Awards, which was an international award for excellence in video communications produced by corporations, NGOs, governments, military, educational facilities, associations and foundations from around the world.

20. Mr Simon IP asked if training in ‘stop and search’ from a complaints prevention perspective would be provided to officers and how frequent it was.

21. The Chairman suggested this matter be discussed in the next joint meeting.

22. Dr Helena WONG said she had participated in the Kowloon West Regional Complaints Prevention Committee meeting. She quoted one of the committee members had said that police appreciated complaints because it helped the Force understand its own weaknesses and helped them pursue continual quality improvement. She considered the police and IPCC should not be concerned about any increase in complaints, but should focus on how to reduce unreasonable or abusive complaints through educating the public. She therefore suggested to rename the Committee to reflect this.

23. The Chairman clarified that one of the roles of IPCC and the police was to seek to prevent avoidable or abusive complaints, but not stop or discourage people from making genuine ones. Nevertheless, he agreed that emphasis should be placed on preventing avoidable or abusive complaints. He said measures should be taken to deal with minor complaints as they accounted for about 75-80% of the total complaints received in the past few years.

24. The Chairman referred to another matter relating to policing of public order event, especially from a complaints prevention perspective. He recalled that this issue had been discussed in previous joint meetings as well as

in IPCC's visit to Hong Kong Island Region in 2010, during which constructive discussions were made with suggestions for the police to follow up. He said there were concerns over the use of OC foam by the police during the public order event on 6 March 2011. IPCC had requested CAPO to provide information as regards the guidelines governing the use of OC foam. He invited CSP C&IIB to report.

25. CSP C&IIB reported that circumstances leading to the incident and the guidelines governing the use of OC foam had been provided to members shortly after the incident. Whilst the case was still the subject of an ongoing criminal investigation, initial analysis suggested that officers had acted appropriately on the day in question. He stressed that in accordance with the Force's "Use of force continuum", only the minimum level of force should be used to effect the purpose. All of the rules governing the use of Force are clearly laid down in the Police General Order ("PGO") and Force Procedures Manual ("FPM"), of which IPCC had been given a copy.

26. Mr Kenneth LEUNG said he had read the Force guidelines on the use of force, which were written in detail. He was however concerned if there was sufficient training provided to officers in the proper use of OC foam to prevent it inadvertently falling on innocent parties. He requested police to provide training details in respect of the use of OC foam. He also asked if the Force would conduct any internal review after each similar major operation and what were the issues covered.

27. CSP C&IIB replied that a "wash-up" would be conducted after each major event in order to look into what had taken place and to see whether improvements to the police approach were necessary. Instructions on the use of force are clearly laid out, however, there may be circumstances where police are called upon to respond to very sudden violent, and chaotic situations created by some individuals who do not heed warnings or consider the dangers inherent in their actions and conduct themselves in a disorderly manner. In accordance with Force guideline, OC foam would be used in such circumstances. Where practicable, warning would be given and OC foam would be directed at specific target. Nevertheless, there may well be circumstances where the target person or persons with him behave so violently and create such a chaotic situation that the spray might fall elsewhere. Officers will endeavour to consider these circumstances as well before making a judgement call to resort to the use of force but again it must be stressed in violent, chaotic scenes police officers must respond in the face of great difficulties.

28. Mr Kenneth LEUNG clarified that his question was with regard to how officers were specifically trained in applying OC foam, e.g. spray in mid-air, spray within close range or aim at specific target. He asked if there were

detailed training guidance notes in this aspect.

29. CSP C&IIB reiterated that there were written guidelines. The aim of the use of force was to bring any situation under control. In very chaotic situations involving scores of violent people, as seen, for example, in incidents during the Sixth Hong Kong Ministerial Conference in Wanchai in 2005, there could be more than one specific target when OC foam was used in such circumstances.

30. The Chairman followed up on Mr Kenneth LEUNG's question and believed officers had received training in the use of force. He wished to clarify what were the steps to be taken before applying OC foam, e.g. warn the target to desist from his actions or else force, and the type of force, would be used.

31. CSP C&IIB replied there were very clear guidelines stipulating that, where practicable, warnings on the use of force and the nature of that force would be given. The target would be allowed, where practicable, to desist from continuing their violent conduct before force was used. There would be circumstances, however, where the conduct of the target was so violent or sudden that force had to be used before warning could be given. He stressed that situations were often very volatile and sometimes specific warning might not be practicable.

32. The Chairman conceded that whether warnings could be given depended very much upon the circumstances at the scene. He summarized what CSP C&IIB had stated as regards the use of force in three steps. First, the officer would warn the subjects to stop their acts, either verbally or by using banner. Second, where practicable, opportunity would be given to the subjects to stop or behave properly. Third, appropriate level of force would be used if the subjects continue their actions.

33. CSP C&IIB agreed with the summary made by the Chairman. He added that the justification for the use of force ceased when a subject "backed off".

34. Mr Eric CHEUNG requested for clarification on the wordings of warning that would be given by officers. He asked if officers would specifically say that OC foam would be used or just that force would be used.

35. CSP C&IIB replied that the warning should be clear and that the force to be deployed, for example, OC foam, should be articulated to the targets.

36. Mr Eric CHEUNG requested the Force to clarify this to the public as they might have received incorrect information from the media that it was not

necessary to say the nature of the force to be used. He agreed that the PGO and FPM provided clear guidelines in this regard. In addition, he had observed in a demonstration during a visit to the Hong Kong Police College that specific warning on the use of OC foam had been given to the subject.

37. CSP C&IIB reiterated that the relevant guidelines were clear, requiring officers to, if circumstances permitted, give warning on the use of force and the nature of the force to be used. Having given the warning, if the person desisted, the justification to use force would cease. However, and again he wished to stress sitting and talking about such situations was one thing, the speed at which such events developed in reality on the ground was another. The whole process might take place in a split second.

38. Dr Hon LAM Tai-fai believed there were clear guidelines and the officers were well trained. He said the emotion of both the protestors and police officers were volatile especially during confrontations in public order events. This might affect how well the warning could be communicated. He asked how the police could ensure that the warning was communicated effectively to the protestors. He also asked if there were officers designated to discharge OC foam during public order events as these officers would be more psychologically prepared and consequently better “able” in the terms of marksmanship, in particularly chaotic situations.

39. CSP C&IIB replied that deployment and briefing to officers were very important prior to every police operation. Officers were given clear guidance, especially “the bottom line” acceptable to police in violent situations as well as what response the officers could and should consider. However, the specific timing and use of force was a matter of judgment made by the officers themselves depending on circumstances there and then. The officer must go through a thought process of why and how force is to be used, with his justification for it in the circumstances. In training, officers were prepared mentally for the fact they could be abused or assaulted whilst policing public order activities.

40. Dr Hon LAM Tai-fai further asked whether there were officers designated to discharge OC foam in major operations.

41. CSP C&IIB explained that normally it depended on the nature of operation and the perceived threat resulting from assessments made. Briefing would be given to officers before any operation. Different officers might be given different pieces of equipment depending on particular circumstance. The use of such equipment depended on the prevailing threats and the ‘bottom line’ of protestor behavior that would be accepted. The use of force was also subject to the level of violence put up by those opposing police action in accordance with the Force’s ‘Use of force continuum’.

42. The Chairman said IPCC had, during a visit to Central District in

2010, suggested to enlarge the size of the banners so that warning could be effectively communicated to protestors who tried to charge police cordons in a chaotic manner. He was glad to see the Force had taken the suggestions on board and improved the banners. He asked if there were other improvement measures being considered by the Force.

43. CSP C&IIB replied that Mr CHEUNG's suggestion of notifying the public prior to major public order activities had been taken on board by the Force. The matter was being taken forward for Force-wide consultation as to what could be disseminated to the public, probably via the police webpage or other media. He added that the size of banners had been enlarged with the message thereon simplified but rendered more specific. However, in chaotic situations and where police and protestors were "going nose-to-nose" officers can only really rely, in practical terms on issuing verbal warnings themselves.

44. The Chairman suggested that the police advise the public on the likely scenarios or potential threats that one might face in a public order event a few days earlier through Police Magazine or other public media. He understood there were protestors, who would charge police cordon, regardless of warnings given. There were however participants who had no intention to charge the police at the start but only became agitated by others when emotions started to run high. He considered continuous education of the public prior to the event could reduce confrontation.

45. CSP C&IIB thanked the Chairman for his suggestions. He said this was the direction that the Force was pursuing and certainly raising the public's awareness of such issues would benefit the Force. The Force welcomed, and was very happy to assist and facilitate lawful and peaceful public order activities. The Force also recognized the need to pass to the public the respective 'do's' and 'don'ts' to facilitate safe, peaceful and lawful events. However, the Force also has to be cautious of the messages it sends out to ensure that anything it says is not mis-interpreted as the Force attempting to discourage or dampen public order activities.

46. The Chairman appreciated the Force for taking the suggestions further.

47. Dr Helena WONG commented that those event organizers who were willing to have meetings with the police rarely would charge the police, and considered pre-event meetings did not serve much useful purpose. She followed up on display of banners, which had spelt out sharply and clearly the warning, which however was only a general one on the use of force. She suggested the Force to design a banner, stating specifically that OC foam would be used if the crowd did not desist from their actions. She considered by displaying such a banner, the protestors could decide whether to continue their actions.

48. CSP C&IIB replied that existing banners gave general warning on the use of force and displaying warnings on the specific nature of the force to be used should be carefully considered from a practical perspective. He commented that existing banners conveyed a clear message to the protestors, irrespective of the nature of the force to be used, and could be displayed to a group in general; whereas in a close confrontation a more specific warning on the use of force should be used. He added that the suggestion might fall into mass confusion or legal challenge if the eventual use of force was different from what was put up on any banner. Also he highlighted the likely confusion which would arise within a large unruly crowd within which different sections were behaving in many different ways.

49. Mr Albert CHENG agreed that the message relating to the use of force was clear enough to convey the message to the public. He also welcomed the role of the police in facilitating public order activities. However, he read from the newspaper that the police had been obstructing the public in entering the June 4 night vigil venue. He requested the police to provide explanation.

50. Mr Kenneth LEUNG added that with reference to the document of “Law and Principles governing the assessment in policing of public order event” provided by CAPO, there were two principles relevant to assessment. One was that the police was seen to be impartially carrying out the duties required by law. Another principle required the police to establish dialogues with the organizers. He held the view that a continuous dialogue with organizers was required. He asked if the police had failed to do enough in the June 4 incident in accordance with the two principles.

51. Dr Helena WONG said she was at the Victoria Park that evening and found the last football pitch in Victoria Park near Causeway Bay was not yet full at around 1930 hours, however the entrance near Causeway Bay was already closed. She was also told by Mr CHEUNG Man-kwong and Mr YEUNG Sum of ‘Hong Kong Alliance in Support of Patriotic Democratic Movements in China’ (支聯會) (ASPDM) that the entrance near Tin Hau was also closed at about the same time. She asked what consideration police had taken before determining the closure of entrances. She also asked why a narrower path was chosen to redirect the flow as it took participants nearly 45 minutes to enter Victoria Park. She noted the ASPDM was collecting evidence before lodging a formal complaint to CAPO.

52. CSP C&IIB reported that no reportable complaint relating to the incident had yet been received. He welcomed any complaint and ensured that it would be investigated thoroughly. In respect of closure of the gates, it was an operational decision based on safety considerations. The gates were reopened as soon as these safety considerations were satisfied. He stressed that police had been working closely with the same event organizers for many years.

If there was a communication breakdown between the organizer and the police, it would be examined. Like in all other major events, thorough “wash-up” and debrief would be conducted after the event. Police would also contact the organizer to discuss how things could be improved, if necessary next time.

53. Mr Eric CHEUNG recalled that he entered Victoria Park via the entrance on Causeway Road at 1950 hours on the day and the flow was smooth. He reminded members that, under the IPCCO, IPCC could only monitor police actions in matters arising from reportable complaints. In respect of the issue on use of OC foam, he stated that PGO and FPM had expressly stipulated the requirement to warn the target on the nature and degree of the force to be used. He further commented that in some situations police did not take enforcement action despite several warnings being given. He suggested to warn the target that force would be applied, for example, in five minutes, in the hope that the target could have time to determine his own conduct. He considered it could prevent accusations that police used force unexpectedly.

54. The Chairman clarified that the “force” discussed earlier referred to the nature of force to be used as displayed on the banner. He said the feasibility of using different warning banners for the use of different types of force had been considered but was not operationally practical and that general warning would be used to a group of protestors. Regarding the five-minute lead time as recommended by Mr CHEUNG, the Chairman worried that the protestors might turn more violent immediately without waiting for the five minutes.

55. CSP C&IIB agreed with the Chairman’s interpretations. He appreciated the suggestion made by Mr Eric CHEUNG and agreed that it was theoretically feasible. Nevertheless, there were many practical issues to be considered, for example, whether or not the group would stand still, allowing officers to take enforcement actions. He would take on board the recommendations, especially as regards how to get the message across effectively in chaotic situations.

56. Ms Christine FANG commented that police should remind the public order event organizers of their duties and inform them and the public how police would act and under what powers. She also requested police to examine the issue of illegal fund raising activities in public order events. She asked what actions police would take when no prior approval for fund raising was obtained, and whether members of the public would be informed of such actions.

57. CSP C&IIB replied that what could be or could not be done during a public order event was made very clear during negotiations with the organizers. He stressed that police had to do it carefully without sending a badly

perceived message to the public that police were seeking to restrict people joining or taking part in a lawful event. In terms of practices and legal enforcement, police look for consistency in public order policing. CSP C&IIB said he did not have information at hand relating to the said illegal fund raising activities during the June 4 incident.

58. The Chairman suggested that the subject could be discussed further at a later stage through other avenues with the police. He moved on to another issue concerning IPCC Observers' comments. He briefly introduced the function of IPCC Observers under the IPCCO and the reporting mechanism after the observers finished the observations. He invited SG to update the meeting as regards comments made by the Observers in the past 12 months.

59. SG reported that the Secretariat had received 5,432 notifications from CAPO for complaint investigation interview or collection of evidence last year, of which 1,979 notifications (or 36.5%) were attended by IPCC Observers. Comments made by the observers were referred to CAPO for follow-up actions. He summarized that between May 2010 and April 2011, 11 observers had reported that they wished to obtain more background information of the case prior to carrying out the observation. There were six instances where the duty officers at police stations were unsure where the interview was to take place. Whereas four observers reported that complainees had failed to attend the interview. CAPO had later replied that the absences were due to unexpected operational commitments. On two occasions, observers reported that they wished to read the documents relating to the case during the observations. Some of the observers also highlighted that they wished officers to have better interview techniques, for example, in the area of posing follow-up questions. One observer reported that an interviewee asked him questions irrelevant to the complaint case. SG requested CAPO to remind interviewees of the role of observers and that if they had questions on the Observers Scheme, they should be directed to the Secretariat. He added that the above comments from observers only accounted for a small percentage (less than 2%) out of the 1,979 observations conducted. There were also positive comments to praise CAPO officers who handled the interview or collection of evidence well, for example, some observers complimented the great patience of officers in handling irrational or uncooperative complainants.

60. The Chairman stated that IPCC observers perform an important function in safeguarding the transparency and thoroughness of complaint investigations. He encouraged more understanding and cooperation between the police and observers. He invited CSP C&IIB for comments.

61. CSP C&IIB agreed with the comments made by the Chairman. He stressed that comments were raised in only 3 to 4% of the observations. Majority of the observations conducted with no comments afterwards, which

suggested they were conducted satisfactorily. He said CAPO would forward the observers' comments to the concerned formation once they were received from the Secretariat. CSP C&IIB on the other hand requested observers to reflect the professionalism of officers in their reports especially in situations where the officers had displayed patience in dealing with unreasonable complainants. He commented that the system had been working very well on the whole.

62. The Chairman considered there were rooms for improvement in the scheme, say, the number of observations could be increased. He said observers played an important role in complaint investigations, ensuring the process was fair and impartial. He commented that delays to observe an interview due to arrangement problem at police station should be avoided as far as possible.

63. Ms Christine FANG stated that the IPCC was accountable to the public in upholding the transparency of complaints investigation conducted by the police and observers were helping perform this function. She asked if police could educate the public and frontline officers on the role of IPCC observers.

64. The Chairman agreed with the comments made by Ms FANG and added that observers perform their role voluntarily with only minimal travelling allowance for each observation.

65. CSP C&IIB replied that the Force had been adopting a proactive approach in putting forward the observers' comments to frontline officers for service improvements.

66. The Chairman thanked CSP C&IIB for his responses and invited CAPO to report on the complaint statistics.

67. CSP C&IIB reported that 1,198 reportable complaints were received in the first five months in 2011, which represented a decrease of 28% when compared with 1,665 cases for the same period of last year. The number of "Neglect of Duty" marked a decrease of 29.3% from 833 cases in 2010 to 589 cases in 2011. The number of "Misconduct/Improper Manner & Offensive Language" decreased 25.6% from 511 cases in 2010 to 380 cases in 2011. There was a significant decrease in "Assault" for 32.7% from 168 cases in 2010 to 55 cases in 2011. The pattern of complaints received in the first five months of 2011 is consistent with that of the same period of last year. There were two "spikes" repeated year on year. The first one was in March 2010 with 424 reportable complaints. The second was in March 2011 with 299 cases. Other than the "spike" in March 2011, the number of complaints received in the first five months of 2011 remained within a consistent band between 200 to 250 cases.

68. The Chairman noted the number of reportable complaints had been decreasing. He anticipated the annual number of reportable complaints received in 2011 would be around 2,800 cases which was similar to that for 2008. The Chairman invited an update on the Criminal and Disciplinary Checklist (“DCL”).

69. CSP C&IIB highlighted that he had nothing particular to raise other than there had been no case of follow-up actions having deviated from the endorsed recommendation.

70. The Chairman invited the Working Group for Handling of Minor Complaints to report the progress and way forward in next meeting. He added that IPCC had received invitations from CAPO to attend three ACP SQ’s Formations Visits in June and encouraged members to participate.

71. Mr Albert CHENG said members had visited various police formations and had close communications with CAPO management. However, members had not yet visited CAPO and meet their officers at working level.

72. The Chairman welcomed the suggestion.

73. CSP C&IIB stated that CAPO would hold a joint workshop with IPCC on 15th June 2011 for new CAPO officers and IPCC vetting officers. He also welcomed IPCC members to visit and discuss issues with CAPO officers.

(V) **ANY OTHER BUSINESS AND CONCLUSION OF THE MEETING**

74. There being no other business, the meeting concluded at 1730 hours. The next meeting was scheduled for 1 September 2011 (pm).

(Ms YIP Yuk-ping)
Joint Secretary
Complaints and Internal
Investigations Branch

(Eddie WONG)
Joint Secretary
Independent Police
Complaints Council