

**Meeting of the Independent Police Complaints Council (IPCC)  
with the Complaints & Internal Investigations Branch (C&IIB) (Open Part) held at  
the IPCC Secretariat Office at 1515 hours on Tuesday, 8<sup>th</sup> December 2015**

Present :

Mr Larry KWOK Lam-kwong, BBS, JP (Chairman)  
Hon CHAN Kin-por, BBS, JP (Vice-chairman)  
Hon Tony TSE Wai-chuen, BBS (Vice-chairman)  
Dr CHAN Pui-kwong  
Mr Lawrence MA Yan-kwok  
Mr IP Shing-hing, JP  
Ms LAU Yuk-kuen  
Dr MA Hok-ka  
Ms WONG Hang-ye  
Mr Adrian YIP Chun-to, BBS, MH, JP  
Mr Edwin CHENG Shing-lung, MH  
Mr Clement TAO Kwok-lau, BBS, JP  
Ir Dr Vincent Simon HO  
Mr Arthur LUK Yee-shun, BBS, SC  
Miss Lisa LAU Man-man, BBS, MH, JP  
Ms SO Lai-Chun, MH, JP  
Prof Alfred CHAN Cheung-ming, BBS, JP  
Dr Eric CHENG Kam-chung, BBS, MH, JP  
Mr Richard HO Kam-wing  
Mr Herman HUI Chung-shing, SBS, MH, JP  
Ir Edgar KWAN Chi-ping, JP  
Mr Ricky CHU, SG  
Mr Daniel MUI, DSG (OPS)  
Ms Rebecca LUK, DSG (MGT) (Joint Secretary)  
Ms CHIU Wai-yin, DMS  
Mr LI Kin-fai, ACP SQ  
Mr CHEUNG Kin-kwong, CSP C&IIB  
Mr WONG Kwok-yin, SSP CAPO  
Ms AU Siu-ping, SP CAPO HQ (Joint Secretary)  
Dr CHIU Sau-mee, WSSP SL  
Ms LEUNG Ka-mei, WSP LS SSL

In Attendance :

Mr SO Chun-kwong, SP CAPO HKI  
Mr CHAN Kwok-ho, SP CAPO K  
Mr LAW Shui-sum, SP CAPO NT  
Ms MAN Ngar-man, CIP CAPO HQ (1)

Mr HUI Chun-ho, CIP CAPO HQ (2)  
Mr WONG Shun-shing, CIP H3 CAPO HKI  
Mr CHAN Tak-wai, CIP H4 CAPO HKI  
Mr TAM Wing-leung, CIP NT2 CAPO NT  
Ms MAO Lee-sha, CIP NT3 CAPO NT  
Miss HUNG Kit-har, CIP NT4 CAPO NT  
Mr LAW Rocken, SIP IPCC CAPO  
Miss LI Ka-yan, SIP H2a CAPO HKI  
Mr TSANG Kwok-wai, SIP K4a CAPO K  
Absence with Hon Christopher CHEUNG Wah-fung, SBS, JP (Vice-chairman)  
apologises: Hon Kenneth LEUNG Kai-cheong  
Dr Hon Helena WONG Pik-wan  
Ms Mary Teresa WONG Tak-lan  
Mr John YAN Mang-ye, SC  
Dr Eugene CHAN Kin-keung, JP  
Mr Peter YAN King-shun  
Ms Cherry CHAN, LA

## **PART B OPEN MEETING**

### **Opening Address**

The Chairman welcomed all to the meeting.

#### **I. Confirmation of Minutes of the Meeting held on 24<sup>th</sup> September 2015 (Open Part)**

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

#### **II. Presentation on Emotional Fitness Training**

3. CSP C&IIB briefed the meeting that emotional fitness training was very essential for all police officers including those recruits under Police College training. Recently, a frontline young police constable showcased the positivism of this emotional training as he had demonstrated high level of tolerance and emotional resilience in handling a rude and hostile driver who had contravened traffic offence. The emotional fitness programme also won the gold prize in the 2015 Civil Service Outstanding Award. He then invited

Dr CHUI Sau-mee, SSP SL and SP Cammie LEUNG, SP LS to give a presentation on the training programme.

4. SSP SL gave an overview of the organisational structure of Police College and the development of emotional fitness training in the Force over the past decades. She explained that emotional fitness training and psychological support services within the Force developed hand in hand to achieve the goals of enhancing officers' emotional strengths and providing higher quality service to the public.

5. SP LS presented the content and evaluations of emotional fitness training with elaborations on the effective instilling of positive thinking among officers. In addition, she highlighted that the Force was one of the pioneer among the Asian law enforcement agencies in introducing emotional fitness training.

6. The Chairman, Dr. Vincent HO, Hon CHAN Kin-por and Mr Edgar KWAN showed their appreciation to the training programmes. They raised relevant concerns on (i) the continuity of the emotional fitness training, (ii) the contemporary Police College training mode adhering less focus on discipline, (iii) the baseline for police in response to hostile challenges and (iv) tips on addressing personal emotion fluctuations.

7. SSP SL replied that the emotional fitness training was a continuous programme. They would frequently examine and revise the programme content for regular, auxiliary and civilian staff of all ranks and the Police College had a quality assurance mechanism to monitor the quality of training. Besides, frontline commanding officers would be consulted to ensure the training programmes were pitched at the right level with adequate scenarios quoted to address individual and organisational needs. In addition, she advised the meeting that in order to maintain a stable emotional status, one had to timely acknowledge his or her own personal and emotional needs.

8. DMS supplemented that the Force had all along attached great importance to the high standard of training on discipline. Besides, the Force was obliged to make every endeavour to strengthen officers' overall capabilities to face the ever-changing challenges at the operational front. The Police College would continuously devise

practical scenario-based training materials for the trainees to better equip and empower them to be confident in facing the current challenges. The recruitment and selection process was very stringent and all officers were always reminded of observing the high discipline and physical fitness standards.

9. CSP C&IIB added that police officers were trained to be impartial and fair in upholding law and justice in all our dealings. The conduct and behaviour of police officers were easily captured on social media for wide circulation. The Force would compliment those best practices and rectify the less desirable by way of education through out-reach visits and complaints prevention campaigns. He added that it was not practical to expect police to resolve all matters they handled in the course of duties. Taking the instances of land or family dispute cases, Police might not be the immediate authorities to provide instant resolution as perceived by members of the public. However when there was a breach of peace or commission of offences, Police would take resolute actions.

### **III. Update on complaint statistics and progress of investigation in the illegal Occupy Central Movement (OCM) series of incidents**

10. CSP C&IIB reported that as at 26<sup>th</sup> November 2015, 2,079 complainants had lodged complaints in relation to the illegal OCM. A total of 172 cases were classified as ‘Reportable Complaints’ (RC) and 356 cases were classified as ‘Notifiable Complaints’ (NC).

11. CSP C&IIB went on to report the breakdown of the cases by allegations. Among the 172 RCs involving 177 complainants, there were 64 allegations of ‘Assault’, 53 allegations of ‘Misconduct/Abusive Language/Impoliteness’, 39 allegations of ‘Neglect of Duty’, 12 allegations of ‘Unnecessary Use of Authority’, two allegations of ‘Threat’ and two allegations of ‘Fabrication of Evidence’. Regarding the 356 NCs involving 1,902 complainants, the major allegations included 698 ‘Assault’, 560 ‘Unnecessary Use of Authority’, 359 ‘Neglect of Duty’, 279 ‘Misconduct/Abusive Language/Impoliteness’ and six ‘Fabrication of Evidence’.

12. Among the 2,079 complainants, only 177 or 9% were directly affected by the police conduct. Among the 172 RCs, 20

cases or 11.6% were under full investigation while another six cases were categorized as 'Sub-Judice'. There were 30 cases classified as 'Withdrawn' and seven cases dealt with by way of 'Informal Resolution'. A total of 108 cases with complainants not coming forward to give evidence or statements had rendered further investigations not possible.

13. As at 26<sup>th</sup> November 2015, CAPO had completed the investigation of 162 cases (94.2% of all the RCs) and submitted the investigation reports to IPCC for endorsement. Among these 162 reports, there were 20 'Full Investigation' Reports, 30 'Withdrawn' Reports, seven 'Informal Resolution' Reports and 105 'Not Pursuable' Reports. IPCC had endorsed 111 reports with queries raised on 102 of them. The breakdown of the ten outstanding cases was : six 'Sub-Judice' in nature, three 'Not Pursuable' cases ready for submission and one case re-opened from 'Sub-Judice' after criminal investigation.

14. CSP C&IIB concluded that CAPO was highly committed to complete investigations on all the illegal OCM related complaints within 2015.

#### **IV. Monitoring of complaints investigation in connection with Police actions in the illegal Occupy Central Movement (OCM)**

15. DSG (OPS) reported that there were only ten outstanding cases from CAPO, six were 'Sub-Judice', three were 'Not Pursuable' and one case pending response from the complainant.

16. IPCC had endorsed 111 cases with eight 'Full Investigation' and 103 others on 'Withdrawn', 'Not Pursuable' and 'Informal Resolution'.

17. Regarding the 172 RCs, IPCC had so far issued 123 queries to CAPO. In addition, 16 Working Level Meetings were held to discuss progress of cases.

18. IPCC aimed at the completion of scrutiny on all OCM related cases within the first quarter of 2016.

**V. Matters Arising**

19. No matter was raised by the meeting.

**VI. CAPO's Monthly Statistics**

20. CSP C&IIB reported that 1,437 RCs were received in the first 11 months of 2015. When compared with the 2,029 RCs in the same period in 2014, it recorded a decrease of 31.3%.

21. Minor complaints such as 'Neglect of Duty', 'Misconduct' and 'Improper Manner & Offensive Language' constituted 73.8% of the total complaints. 'Neglect of Duty' remained as the most prevalent allegation with 678 cases recorded in the first 11 months of 2015, representing a decrease of 43.1% when compared with the same period of 2014. 383 cases of 'Misconduct/Improper Manner & Offensive Language' were recorded in the first 11 months and it marked a decrease of 17.6% when compared with the same period of 2014.

22. Turning to serious complaints, 182 cases of 'Assault' were recorded in the first 11 months of 2015, representing a marked decrease of 28.3% when compared with the same period of 2014. There was also a decrease (-15.2%) of 'Fabrication of Evidence' from 46 cases to 39 cases in the first 11 months of 2015. 103 cases of 'Threat' were recorded in the first 11 months of 2015, which represented an increase of 24.1% when compared with the same period of 2014. Analysis revealed that around 20% of these cases were registered as 'Sub-Judice'. Besides, the allegation of 'Unnecessary Use of Authority' recorded an increase of eight cases from 42 to 50 when compared with the first 11 months of 2014.

23. According to the complaint trend and figures, it was anticipated that the total number of complaints in 2015 would drop by 30 % approximately. Minor complaints such as 'Neglect of Duty' accounted for majority of the complaint. Although there was a slight increase in the number of serious complaints, the figures remained at a relatively low level. The continuous decreasing trend in the complaints number reflected the Force-wide effort in complaint

prevention and determination of officers across the rank to enhance personal and professional qualities. The Regional Committees on Complaints Prevention (RCCP) had been diligent and effective in the promotion and implementation of complaints prevention initiatives. He added that some IPCC Members would be occasionally invited to attend the RCCP meetings and the recent RCCP KW meeting attended by the Chairman saw the frank and fruitful sharing and exchange of views. Furthermore, the reliability and integrity of the current two-tier complaints system was contributive to the downward complaint trend.

24. The Chairman recognized the contributions made by the HK police including the persistent complaint prevention endeavors made by the Force and the low crime rate of Hong Kong that the Force had been accredited by the World Economic Forum as one of the ten most reliable police services in the world.

## **VII. CAPO's Criminal and Disciplinary Checklist**

25. Nothing was raised for discussion on this part.

## **VIII. Any Other Business**

26. CSP C&IIB reported that on 7 December 2015, CAPO had received the legal advice from the Department of Justice in relation to the complaint against a retired Police Superintendent. CAPO needed some time to peruse the legal points in the advice and would provide a written reply to IPCC within one week.

27. There being no other business, the meeting concluded at 1630 hours.

( AU Siu-ping, Pinky)  
Joint Secretary  
Complaints and Internal  
Investigations Branch

( Rebecca LUK)  
Joint Secretary  
Independent Police  
Complaints Council