

**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 1500 hours on Thursday, 23rd June 2016**

Present :

Mr Larry KWOK Lam-kwong, BBS, JP (Chairman)
Hon CHAN Kin-por, BBS, JP (Vice-chairman)
Hon Chris CHEUNG Wah-fung, SBS, JP (Vice-chairman)
Hon Tony TSE Wai-chuen, BBS (Vice-chairman)
Mr IP Shing-hing, JP
Ms LAU Yuk-kuen
Dr MA Hok-ka
Ms Sandy WONG Hang-yea, JP
Dr Hon Helena WONG Pik-wan
Ms Mary WONG Tak-lan
Mr Adrian YIP Chun-to, BBS, MH, JP
Dr Eugene CHAN Kin-keung, BBS, JP
Ir Prof Vincent HO
Mr Arthur LUK Yee-shun, BBS, SC
Miss Lisa LAU Man-man, BBS, MH, JP
Ms SO Lai-chun, MH, 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 Wilson KWONG Wing-tsuen
Mr Ricky CHU, SG
Mr Daniel MUI, DSG (OPS)
Ms Rebecca LUK, DSG (MGT) (Joint Secretary)
Ms Cherry CHAN, LA
Mr LI Kin-fai, DMS
Mr CHEUNG Kin-kwong, CSP C&IIB
Mr WONG Kwok-yin, SSP CAPO
Ms AU Siu-ping, SP CAPO HQ (Joint Secretary)
In Attendance :

Mr AU YEUNG Siu-kong, SP CAPO K (Temp)
Mr LAW Shui-sum, SP CAPO NT
Miss WAT Yin-kum, CIP CAPO HQ (1)
Mr HUI Chun-ho, CIP CAPO HQ (2)
Mr WONG Shun-shing, CIP CAPO HQ (2) (Des)
Mr CHAN Tak-wai, CIP H4 CAPO HKI
Ms CHEUNG Pui-kay, CIP K1 CAPO K

Mr NG Chat, CIP K3 CAPO K
Ms LAW Lai-yi, CIP NT1 CAPO NT
Mr CHEUNG Lok-chuen, CIP NT3 CAPO NT
Mr LAW Rocken, SIP IPCC CAPO
Miss HO Tsz-in, SIP IPCC (Des) CAPO
Miss WONG Man-yan, SIP K5a CAPO K
Mr CHAN Ka-yeung, SIP NT1b CAPO NT
Absence with Hon Kenneth LEUNG Kai-cheong
apologises: Mr Clement TAO Kwok-lau, BBS, JP
Mr John YAN Mang-ye, SC
Mr Peter YAN King-shun
Mr Barry CHIN Chi-yung
Mr Jose Antonio MAURELLET, SC
Mr Clement CHAN Kam-wing

PART B OPEN MEETING

Opening Address

The Chairman welcomed all to the meeting and introduced a newly appointed IPCC Member Mr KWONG Wing-tsun.

I. Confirmation of Minutes of the Meeting held on 17^h March 2016 (Open Part)

2. The minutes of the last meeting (Open Part) were confirmed with no amendment proposed.

II. Matters Arising

3. Nothing was raised in this part.

III. Presentation on traffic enforcement priorities – ‘STEP 2016’

4. CSP C&IIB gave an overview of the latest traffic enforcement policy of ‘STEP’, which had been implemented since 1993 aiming at enhancing public awareness on road safety by means of arrests, ticketing and verbal warning. In 2016, it was renamed as ‘Selected Traffic Enforcement Priorities’ that gave a consistent

approach to take traffic enforcement actions by the Force. The objectives were to change the undesirable behaviour of road users that caused accidents or traffic obstruction; and to make it everyone's responsibility to ensure all other road users' safety. He then invited Superintendent YIP Siu-ming, SP ADM Traffic to give a presentation on 'STEP 2016'.

5. SP ADM Traffic first highlighted the rationale for giving the policy a title 'STEP'. He explained that the previous word 'Selective' was often interpreted as being 'flexible' in taking traffic enforcement actions. The term 'Selected' now referred to offences or factors that caused traffic accidents, traffic obstruction or traffic matter that affect the broader community. To achieve the Government's vision on 'Zero Accidents on the Road, Hong Kong's Goal', Police adopted a multi-agency three 'E's approach, namely Road Engineering, Public Engagement and Enforcement. He reiterated the aims of STEP and emphasized that road safety was one of the Commissioner of Police's operational priorities in 2016. Enforcement action under STEP would focus on selected offences causing traffic accidents or obstructing traffic flow.

6. SP ADM Traffic continued to introduce the fundamental principles underpinning STEP 2016, which included Public Awareness, Media Campaigns, Partnerships and Community Engagement. STEP 2016 was rolled out in April this year with a series of operational briefings given to respective Regional Management. Relevant information including the types of offences had also been uploaded on the Police Public Page. External briefing to stakeholders and press briefings were conducted in May 2016. He supplemented that in view of the significant fatality rate involving the elderly, the Force would take corresponding enforcement action to address the issue. Forcewide enforcement action against identified and selected traffic offences would be continued throughout the year.

7. HON Tony TSE enquired if Police, for the purpose of complaint prevention, had considered using IT to assist traffic enforcement action. The Chairman further enquired if there were any difficulties faced by the Police which caused the delay in launching e-ticketing system against illegal parking. He expressed that e-ticketing had been widely adopted in other countries as it

could tackle illegal parking effectively and at the same time help avoiding confrontations. CSP C&IIB replied that Police had been using Red Light Cameras and Speed Enforcement Cameras to deal with moving traffic offences. SP ADM Traffic supplemented that Traffic Headquarters had been examining the issue. However, there was limitation in using e-ticketing against parking offence under the current legislation.

8. Ms Sandy WONG expressed her support for and appreciation of 'STEP 2016'. To enhance public awareness, she suggested Police to include the penalty on each listed offences and to highlight that police would take stringent action without prior warning in the Police Public Page. She also proposed to include 'using mobile phones whilst driving' and 'switch off idling vehicles' in the selected offence list. CSP C&IIB replied that the suggestions would be referred to Traffic Headquarters for consideration. However, the offence of 'switch off idling vehicles' was not the main attributive factor to traffic accidents, it might not be appropriate to include in STEP.

IV. Update on complaint statistics and progress of complaint investigation arising from Occupy Central series of incidents and Mongkok Riot on 8 February 2016

9. CSP C&IIB reported that as at 20th June 2016, 2,079 complainants lodged a total of 528 complaints in relation to the illegal OCM, which included 172 cases of 'Reportable Complaints' (RC) and 356 cases of 'Notifiable Complaints' (NC).

10. Regarding the progress of the investigations, he reported that for the 172 RCs, 26 cases or 15.1% were fully investigated; 30 cases were classified as 'Withdrawn'; 106 cases were classified as 'Not Pursuable' and 7 cases had been dealt with by way of 'Informal Resolution'. The remaining 3 cases were still being categorized as 'Sub-Judice'.

11. As at 20th June 2016, CAPO had completed the investigation of 169 cases (98.3% of all RCs) and submitted the investigation reports to IPCC. IPCC had already endorsed 163 reports with 108 queries raised. For the remaining 3 'Sub-Judice' cases, CAPO would commence the complaint investigation once the

related criminal investigation or civil proceedings were concluded.

12. CSP C&IIB went on to report the complaint statistics relating to Mongkok Riot. As at 20th June 2016, CAPO had received a total of 28 RCs involving 30 complainants and 5 NCs involving 32 complainants.

13. Among the 28 RCs involving 30 principal allegations, there were a total of 21 allegations of ‘Assault’, 5 allegations of ‘Neglect of Duty’, 3 allegations of ‘Threat’ and 1 allegation of ‘Misconduct’. As for the 5 NCs involving 32 allegations, there were 20 allegations of ‘Neglect of Duty’, 8 allegations of ‘Unnecessary Use of Authority’, 3 allegations of ‘Assault’ and 1 allegation of ‘Misconduct’.

14. CSP C&IIB further reported the progress of the investigations. Among the 30 complainants of RCs; one opted for full investigation, 9 agreed to adopt ‘Sub-Judice’ procedure; 2 opted to withdraw their complaints and cases of 14 complainants were classified as ‘Not Pursuable’. For the remaining 4 complainants, CAPO was still waiting for their responses. Regarding the 32 complainants of NCs, CAPO had contacted 11 of them while another 16 had not responded to CAPO. For the remaining 5 complainants, CAPO was unable to contact them for lacking valid means of contact.

15. Dr HON Helena WONG requested CAPO to provide relevant statistical data and charts of the complaints arising from Mongkok Riot to IPCC Members prior to the meeting in future. In view of the large number of assault allegations arising from Mongkok occupation, she asked about the detailed circumstances under which the alleged assaults took place. CSP C&IIB clarified that the complaints were aroused from Mongkok Riot but not illegal occupation in Mongkok. He reiterated that 27 out of the 30 complainants of the RC cases were arrested by Police for ‘Participating in Riot’, ‘Arson’ and ‘Assaulting Police’. They were rioters who persistently and viciously attacked police officers. The complaints arose when Police took resolute action to disperse and arrest the rioters in order to protect life and maintain public safety. He went on to say that every people had the right to lodge any complaint when they were dissatisfied with the police and CAPO

would conduct investigation impartially and fairly.

16. Dr HON Helena WONG asked CAPO to further elaborate on the circumstances of the assault allegations, whether the alleged assault took place at the time of arrest or inside a police vehicle. She commented that as a result of incidents that took place inside police vehicles, CAPO should consider installing CCTV inside police vehicles as it would be a valuable evidence to assist in the CAPO investigation. She further queried that the large number of assault allegations was a result of police's inappropriate deployment on that night including the officers not having sufficient equipment to handle the incidents. She requested police to conduct investigation into the incident leading to Mongkok Riot and to submit the report to IPCC.

17. Ms Sandy WONG echoed that for complaint prevention, Police should consider the installation of CCTV inside police vehicle and suggested the topic be further discussed at the next meeting. She further enquired if Secretariat had any background information on the assault allegations available for further discussion.

18. CSP C&IIB replied that CAPO would consider the above suggestions proposed by the Members. He reiterated that the riot in Mongkok on 9th February 2016 was a premeditated, violent and organised incident of crimes. The rioters made use of the social media to assemble mobs within a short time and the chaotic situation quickly accelerated. Police had immediately deployed additional manpower including those tasked with crowd management duties in the night parade event and those from other Police districts to provide reinforcement. Off duty officers were also urgently mobilised and deployed to the scene bringing with them anti-riot equipments.

19. The Chairman proposed CAPO to provide the relevant information to IPCC at a later stage. DMS added that all the suggestions proposed by the Members would be duly considered by Police. CAPO would also provide the feedback and relevant statistical data to IPCC afterwards. Regarding the Mongkok Riot, he further explained that the investigation was conducted by the Organized Crime and Triad Bureau and that a number of arrests were being made. As the criminal cases were on going, the relevant

information would only be provided to IPCC after the conclusion of those cases. CSP C&IIB supplemented that CAPO would provide written reply after receiving the written request from IPCC.

(Post-meeting note: Memo dated 22 July 2016 from IPCC to CAPO refers. Information would be provided by CAPO prior to 3 Oct Joint Meeting.)

V. **Monitoring of complaint investigation work of CAPO in connection with Occupy Central series of incidents and Mongkok Riot on 8 February 2016**

20. DSG (OPS) reported the progress of monitoring of complaint investigation arising from Occupy Central. IPCC had received 169 RC cases from CAPO and had endorsed 163 cases so far. For the remaining 9 cases, 3 cases were ‘Sub-judice’; 4 cases were pending IPCC endorsement, 1 case was pending Members’ deliberation and 1 case was pending CAPO’s reply. Among the 163 endorsed cases, 25 cases were fully investigated, 30 cases were classified as ‘Withdrawn’, 101 cases were classified as ‘Not Pursuable’ and 7 cases were dealt with by ‘Informal Resolution’.

21. He went on to report the monitoring of complaint investigation arising from Mongkok Riot. There was a total 28 RCs and 5 NCs. The 28 RCs involved a total of 45 allegations, of which 28 allegations out of 23 cases related to ‘Assault’. He supplemented that CAPO had already submitted the progress report on Mongkok Riot related complaints to IPCC Secretariat. The progress of complaint investigations was closely monitored by the SCC and all information had been submitted to members of SCC for scrutiny.

22. As at 20th June 2016, IPCC received 15 reports from CAPO including 13 ‘Not Pursuable’ reports and 2 ‘Withdrawn’ reports. IPCC Secretariat was examining 5 cases and had issued 10 queries on 10 cases, mainly requesting CAPO to contact those unreachable complainants again; to submit to IPCC the TRS on ‘Withdrawn’ cases; and to take additional means to identify the complainees. DSG (OPS) continued to say that most of the unreachable complainants were arrested persons and their ‘Assault’ allegations related to the arrest at scene. As their cases were under

criminal proceedings, IPCC requested CAPO to monitor the court result and ascertain if there was any bearing on the findings. He supplemented that the allegation of assault inside police vehicle was very few.

23. Ms Sandy WONG enquired with DSG (OPS) the latest progress of criminal proceedings relating to those ‘Sub-judice’ complaint cases. DSG (OPS) replied that IPCC Secretariat would monitor the court proceedings of all ‘Sub-judice’ cases. Regarding the Mongkok Riot related complaint cases, the criminal proceedings of some of the cases were on-going and some cases would be mentioned in court on 28th June 2016. For those cases that the charges had been withdrawn, IPCC would obtain relevant court papers for examination.

VI. Progress report of the Force Working Group on reviewing the enhancement measures in the handling of MIPs

24. CSP C&IIB briefed that the Force Working Group (WG) chaired by an Assistant Commissioner of Police was formed in June 2015 to review the enhancement measures in the handling of MIPs. Members of the WG comprised representatives from Police Clinical Psychologist, Policy Wings, Training Wing, Frontline Formations, Social Welfare Department and two psychiatrists. So far, the WG had held 5 meetings with different Parents Associations and Concerns Groups to share and exchange views on Police’s proposed enhancement measures. The WG adopted the multi-agency and multi-sectoral approach to conduct a review focusing on four areas, namely procedure, training, enhancement and exchange. The progress was summarized as follows: -

Procedure:

- Revised guidelines on conducting video-recorded interview (VRI) with MIPs or blind persons;
- Issue of ‘Notice to Appropriate Adult for Person under Police Enquiry/in Police Custody who is MIP or aged under 16’ before interviewing MIP suspects;
- Consent from ‘Appropriate Adult’ before taking photographs of injuries from MIPs.

Training:

- To adopt multi-sectoral approach in enhancing trainings for frontline officers on handling MIPs;
- To devise a new training package for frontline officers;
- Topic of ‘Handling of MIPs’ to be included in Basic Trainings, Promotion Trainings and Standard Criminal Investigation Course;
- To design a checklist of behavioural indicators for identifying MIPs.

Enhancement:

- To enhance the ‘Notice to Person in Custody’ with Braille characters;
- To include ‘The Silence’ in the ‘922 Emergency Fax Line for the Hearing Impaired’;
- To promote the ‘Care Card System’.

Exchange:

- To maintain close liaison by sharing professional knowledge, information and concerns with NGOs, Parents Associations, Concerns Groups and professionals on reviewing the enhancement measures;
- Policy Wings to arrange various activities, visiting programmes and seminars to enhance mutual understandings.

25. CSP C&IIB supplemented that Police had conducted a briefing on 2016-06-11 during which a series of enhancement measures were introduced. A total of 77 representatives from 35 Parents Associations and Concerns Groups attended the briefing and they were satisfied and showed appreciation on the enhancement measures.

26. HON Chris CHEUNG suggested Police to conduct regular briefing to update the public on the afore-mentioned enhancement measures in view of the sensitivity and public interest on the relevant MIP complaint case.

27. The Chairman added that the MIP complaint case had been submitted to IPCC for examination. .

28. Ms Sandy WONG, Dr HON Helena WONG and Dr Carol MA requested CAPO to provide relevant guidelines and training

materials to IPCC. Ms Mary WONG enquired if there was any measure or training available to assist frontline officers in identifying MIPs. CSP C&IIB reaffirmed that the WG had been considering issuing a list of behavioural indicators for frontline officers to identify the MIPs and also a training package would be rolled out very soon.

(Post-meeting note: Email dated 12 August 2016 from IPCC to CAPO refers. Information would be provided by CAPO prior to 3 Oct Joint Meeting.)

VII. To address IPCC's concern on the Police handling of sexual crime cases committed against minors

29. CSP C&IIB briefed that the Force treated all reports of sexual crime against minors seriously, with sensitivity and professionalism in the pursuit of preventing further abuse on the victims and prosecuting the offenders. He went on to update members on the existing guidelines and trainings relating to the issue: -

- Child Abuse Investigation Unit (CAIU) was formed to investigate child sexual abuse cases involving victims under the age of 17, with offenders as family members or entrusted to take care of the victims. Cases involving multiple victims under the age of 17 would also come under the CAIU's charter.
- Family Conflict and Sexual Violence Policy Unit (FCSV) was formed to formulate and implement Force policies and procedures on abusive offences including child sexual abuse.
- To safeguard and relieve the child witnesses testifying in court, the special procedures for vulnerable witnesses giving evidence in court would be strictly followed. That included to conduct interview in the Force's Vulnerable Witness Interview Suite; to seek legal advice allowing evidence-in-chief to be given by way of video-recorded interviews as well as cross-examination to be conducted through live television link as per Section 79C and Section 79B of Criminal Procedure Ordinance (Cap 221).

- To equip frontline officers with the skills and knowledge to deal with those cases professionally, relevant topics including ‘Sexual Violence’, ‘Victim’s Charter’, ‘Psychological Skills in Handling Victims’, ‘Empathetic Listening’ and ‘Understanding Aggression, Violence and Handling Techniques’ etc had been covered in the curriculum of various training courses.
- Special training including ‘Video-recorded Interview with Child and Mentally Incapacitated Witness Training’ and experience sharing by professionals were jointly organized by FCSV and Social Welfare Department for CAIU and frontline officers, in order to enhance frontline officers’ professional knowledge and skills in handling abusive cases against child and mentally incapacitated witnesses. Over the years, a total of 213 officers had attended the training courses.

30. CSP C&IIB added that there were 677, 506 and 504 cases of sexual crimes committed on minors recorded from 2013 to 2015 and the detection rates were 77.4%, 83.4% and 85.5% respectively. Yet, the Force did not maintain the statistics on conviction rate nor the number of Identification Parades. He explained that in order to protect the best interest and rights of children, the Force had all along been working closely with relevant stakeholders through proactive engagement in public education and publicity campaigns with a view to raising public awareness and enhancing children’s self-protection ability.

31. Ms Sandy WONG expressed her appreciation on the Force’s commitment in the detection of sexual crime against minors and the provision of professional and high quality service to victims of sexual abuse. She commented that Police should maintain the conviction rate for the public to better apprise the effort of the Police in handling sexual abuse cases. Regarding the records of Identification Parades, she considered that such information would be helpful for Police to identify areas for improvement. She furthered that comprehensive guidelines to facilitate frontline officers to handle similar cases should be in place. Echoed with Dr HON Helena WONG, she requested CAPO to provide relevant guidelines for reference by IPCC.

(Post-meeting note: Memo dated 5 August 2016 from IPCC to CAPO refers. Information would be provided by CAPO prior to 3 Oct Joint Meeting.)

VIII. To address IPCC's concern on the arrangement of DPAA, DPA and media liaison during the visit of Mr ZHANG Dejiang between 17 and 19 May 2016

32. The Chairman remarked that on learning the visit of Mr ZHANG Dejiang in April 2016, IPCC had already requested Police to consider IPCC's recommendations made in the Final Report in respect of the visit of Vice Premier Mr LI Keqiang in 2011 when formulating the security measures. He would like CAPO to address if Police had adopted the IPCC's recommendations. CSP C&IIB briefed the meeting on the security measures implemented during the visit of Mr ZHANG Dejiang by highlighting the following points: -

- Police was duty-bound to ensure the personal safety of Mr ZHANG Dejiang and associated dignitaries during the visit, as well as the orderly conduct of the events at different venues that he would attend.
- Police respected the rights of peaceful public procession, public meeting and expression of views. The Force's policy was to facilitate all peaceful public order events to ensure public safety and public order with effective measures.
- When formulating security measures for Mr ZHANG Dejiang's visit, the Force had already made reference to past experience and considered IPCC's eight recommendations in connection with the complaints arising from the security operation of the visit of Mr LI Keqiang in 2011.
- 'Designated Public Activity Areas' (DPAA) and 'Forward Petition Area' (FPA) had been set up outside the security zone to facilitate members of the public to hold their public meetings or protests, and to forward their petitions when necessary.
- 'Designated Press Areas' (DPA) had been set up both inside and outside the venue of the Summit to facilitate the work of the media.
- To facilitate media reporting, meetings between Police

Public Relations Branch (PPRB) and media organizations had been conducted prior to the security operations to discuss on the actual arrangement.

- The 'Force Media Liaison Cadre' was established. Its main charter was to maintain a mediating role between the Police and the media in major security operations and public events; facilitate and engage the media, as well as handle issues arising from press activities on the ground.
- Police continued to maintain communication with the media organizations and journalist groups and facilitate their work on the basis of mutual respect and understanding.

33. Dr HON Helena WONG criticized the location of DPAA which was unreasonably far away from the venue and inconvenient to the public. She commented that Police had enlarged the security zone without grounds. CSP C&IIB reaffirmed that Police had adopted IPCC's recommendation when considering the set up of DPAA. The DPAA was set up at Central Plaza with an enlarged size. In fact, counter terrorism security measures had been implemented during the security operation. Police had to consider a series of factors including but not limited to global, Mainland and local situations, recent terrorist trends, latest intelligence and etc. when deciding the size of security zone and location of DPAA.

34. Dr HON Helena WONG, Ms Sandy WONG and Mr Simon IP enquired about the reason of setting up the Command Post at Fleming Road Garden facing Harbour Road. In particular, Dr HON Helena WONG queried on the reason why substantial area in the park near Fleming Road and Harbour Road had been cordoned off with barricades. They further requested Police to disclose more information relating to counter terrorism security measures. CSP C&IIB replied that the Police's Command Post was not set up at the area as alleged by the Members. Regarding the area being cordoned off by police, CAPO would address Members' query after consultation with the relevant operational unit.

35. Regarding the counter terrorism security measures, CSP C&IIB replied that Police would not release any information due to confidentiality. Echoed by Ir Prof Vincent HO, DMS

supplemented that like other overseas law enforcement agencies, Police would not release any confidential information such as the intelligence gathered, analysis of information and details of threat assessment. Police was duty-bound to ensure the personal safety of the CPG Leader and would put in place appropriate security measures based on the prevailing circumstances and professional risk assessment. In response to the Chairman's query, CSP C&IIB supplemented that the terrorist threat against Hong Kong remained at 'Moderate' level. However, the threat level during Vice Premier's visit in 2011 could not be provided at this stage.

36. Ms Noeline LAU and Dr Eric CHENG enquired about the number of complaints arising from the visit of Mr ZHANG Dejiang. CSP C&IIB reported that a total of 8 complaints including 1 RC and 7 NCs were received. In response to the Chairman's query on complaints relating to DPAA, DPA and media liaison, CSP C&IIB replied that no complaint related to the above issues had been received. A brief description of the complaint background was outlined. He added that prior to the visit of Mr ZHANG Dejiang, PPRB had communicated with the Hong Kong Journalist Association about the DPA set up and arrangement for media reporting. They had frankly exchanged views with suggestions adopted and arrangement made. In sum, Police had adopted the IPCC's recommendation.

37. Dr HON Helena WONG enquired about the status of the meeting with IPCC proposed by the Civil Human Right Front (CHRF) to discuss their dissatisfaction on the arrangement of DPAA during the visit. Mr Ricky CHU and Ms Lisa LAU updated that IPCC had indeed received CHRF's invitation but was still awaiting the reply from CHRF on meeting purpose.

38. Mr Adrian YIP expressed his appreciation of and satisfaction with Police's arrangement on the implementation of the security measures. He highlighted the good publicity and communication to appeal for the general public on road closure arrangement by Police. He noticed that Police had adopted the IPCC's recommendations, for instance, the considerate manner in the closure of footbridge. He further added that the low complaint figure was already a strong indicator of the professional handling of

the security operation by Police.

39. Dr HON Helena WONG suggested Police to hold pre-briefing and on-site observation for IPCC Members during future operations to enable Members more understanding on the location and arrangement of DPAA and DPA.

40. The Chairman rounded up that IPCC Secretariat would follow up with CAPO for the additional information and response to the Members' queries.

(Post-meeting note: Memo dated 22 July 2016 from IPCC to CAPO refers. Information would be provided by CAPO prior to 3 Oct Joint Meeting.)

IX. CAPO's Monthly Statistics

41. CSP C&IIB reported that a total of 505 RCs were received between January and May 2016. When compared with 778 RCs in the same period of 2015, it recorded a decrease of 35.1%. The projected complaint figure for 2016 was between 1200 and 1300 cases, showing a decrease of 16.0%.

42. Minor complaints such as 'Neglect of Duty', 'Misconduct/Improper Manner and Offensive Language' constituted 71.9% of the total complaints. For 'Neglect of Duty', a total of 229 cases were recorded between January and May 2016, representing a decrease of 39.4% when compared with the same period of 2015 (378 cases). For 'Misconduct/Improper Manner and Offensive Language', a total of 134 cases were recorded between January and May 2016, marking a decrease of 33% when compared with the same period of 2015 (200 cases).

43. Turning to serious complaints, there was a drop in the allegations of 'Assault', 'Threat', 'Unnecessary Use of Authority' and 'Fabrication of Evidence' between January and May 2016. 91 cases of 'Assault' were recorded, representing a decrease of 7.1% when compared with the same period of 2015 (98 cases). 32 cases of 'Threat' were recorded which represented a decrease of 38.5% when compared with the same period of 2015 (52 cases). For 'Unnecessary Use of Authority', 13 cases were recorded, marking a

decrease of 48% when compared with the same period of 2015 (25 cases). For ‘Fabrication of Evidence’, 4 cases were recorded, representing a marked decrease of 83.3% when compared with the same period of 2015 (24 cases).

44. In sum, a total of 505 RCs were recorded in the first 5 months in 2016. When compared with 273 RCs recorded in the same period of 2015, it represented a decrease of 35.1%. The continuous downward complaint trend in 2016 was a direct reflection of the implementation of the ‘Expression of Dissatisfaction Mechanism’ (EDM) which had effectively resolved some potential reportable complaints of minor nature. CSP C&IIB reiterated that CAPO would handle all the complaints professionally and impartially to safeguard the integrity of the two-tier complaints system. CAPO would continue the complaint prevention initiatives in order to enhance professionalism of police officers and provide quality service to members of the public.

45. Ms Mary WONG suggested CAPO to provide the EDM figures in the analysis for Members’ view. CSP C&IIB agreed to provide such information in future meetings and supplemented that a total of 427 cases and 534 cases were resolved by EDM during the period between January and May in 2015 and 2016 respectively.

46. Dr. Eric CHENG expressed concerns on whether the efficiency of CAPO officers in handling complaint investigations would be enhanced in view of the downward complaint trend. CSP C&IIB replied that with the implementation of EDM to handle minor complaints, more resources could be concentrated on handling complaint investigations with serious nature. He reiterated that CAPO would endeavour to handle complaint investigations in a professional and timely manner.

X. CAPO’s Criminal and Disciplinary Checklist

47. CSP C&IIB briefed the meeting that CAPO had been closely monitoring the progress of those disciplinary actions taken against the police officers as per the checklist. Nothing was highlighted in this part.

XI. Any Other Business

48. There being no other business, the meeting concluded at 1735 hours.

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

(Rebecca LUK)
Joint Secretary
Independent Police
Complaints Council