

**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 1545 hours on Tuesday, 17 December 2019**

Present:	Dr Anthony Francis NEOH, QC, SC, JP	(Chairman)
	Hon Chris CHEUNG Wah-fung, SBS, JP	(Vice-chairman)
	Hon Tony TSE Wai-chuen, BBS	(Vice-chairman)
	Hon Frankie YICK Chi-ming, SBS, JP	(Vice-chairman)
	Miss Lisa LAU Man-man, BBS, MH, JP	
	Mr Herman HUI Chung-shing, SBS, MH, JP	
	Ir Edgar KWAN Chi-ping, BBS, JP	
	Dr Eric CHENG Kam-chung, BBS, MH, OStJ, JP	
	Mr Barry CHIN Chi-yung	
	Mr Wilson KWONG Wing-tsuen	
	Ms Ann AU Chor-kwan	
	Mr Alex CHU Wing-yiu	
	Miss Sylvia LEE Hiu-wah	
	Dr Anissa CHAN WONG Lai-kuen, BBS, MH, JP	
	Mr Roland WONG Ka-yeung	
	Mr LEE Man-bun, MH, JP	
	Mr Paul LAM Ting-kwok, SC	
	Mrs Helen YU LAI Ching-ping, SBS	
	Mr Richard YU, CDSM, CMSM, SG	
	Ms Rebecca LUK, DSG(MGT)	(Joint Secretary)
	Ms Cherry CHAN, LA	
	Ms Regina LAU, ASG(1)	
	Ms Pauline WAN, ASG(2)	
	Ms LAU Chi-wai, DMS	
	Mr Andrew KAN Kai-yan, ACP SQ	
	Ms Tammy MAK Wai-man, CSP C&IIB	
	Mr YIP Wing-lam, SSP CAPO (T)	(Joint Secretary)
	Ms CHIU Yik-man, SP SD 1 CAPO	
	Mr KO Chun-pong, SP MR PPRB	
Absence with apologies:	Mr Douglas LAM Tak-yip, SC	
	Ms SO Lai-chun, MH, JP	
	Mr Richard HO Kam-wing	
	Mr José -Antonio MAURELLET, SC	

Mr Clement CHAN Kam-wing, MH
Dr David LEE Ka-yan, BBS, MH, JP
Ms Melissa Kaye PANG, MH, JP
Ms Shalini Shivan SUJANANI
Prof Martin WONG Chi-sang
Mr Johnny YU Wah-yung, JP
Ms Jane Curzon LO, JP
Mr Daniel MUI, DSG(OPS)
Mr LAW Shui-sum, SSP CAPO

In Attendance: Mr KU Chin-pang, SSP C&IIB
Mr LEE Chi-man, SP SD 2 CAPO
Ms KWONG Yim-chun, SP CAPO NT
Mr NG Chung-wai, SP CAPO HKI Ag.
Ms CHOI Sau-ken, CIP HQ (1) CAPO
Ms HUI Shui-lam, CIP HQ (2) CAPO
Mr HO Lik-hang, CIP SD 2 CAPO
Ms LAM Mui-chun, CIP H2 CAPO HKI
Ms SIU Wan-yin, CIP H4 CAPO HKI
Ms YEUNG Wan-ming, CIP K1 CAPO K
Mr LEUNG Wai-man, CIP K2 CAPO K
Mr HUNG Cheuk-fai, CIP NT IIO
Mr LAU Chi-chung, CIP HKI IIO
Ms MOK Lai-king, SIP IPCC CAPO

PART B OPEN MEETING

Opening Address

The Chairman welcomed all to the meeting.

I. Confirmation of Minutes of the Meeting held on 17 September 2019 (Open Part)

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

II.

Presentation on

(a) Media Liaison in Riot and Chaotic Situations

3. CSP C&IIB briefed the Meeting that frontline police officers had been facing unprecedented challenges and hardships during the past six months' turmoil. The relationship between the reporters and frontline officers had attracted extensive press coverage. The Force Media Liaison Cadre (FMLC) of Police Public Relations Branch (PPRB) played an indispensable role in media liaison with a view to facilitating the journalists' reporting works on ground.

4. SP MR PPRB then delivered his presentation by introducing the structure and works of FMLC which included facilitation of the media reporting works on ground, communication with Hong Kong Journalist Association, Hong Kong Press Photographers Association, The Foreign Correspondents' Club and Hong Kong News Executives Association since June 2019 with a view to enhancing mutual understanding and smoothing on ground co-operation. SP MR PPRB briefly compared the difficulties faced by FMLC before and during the recent social unrest incidents. He concluded his presentation with the challenges encountered by FMLC which were to maintain a safe distance between the police frontline and the reporters, identification of reporters and personal safety of FMLC members, during the Operation TIDERIDER in the past six months.

5. Hon Tony TSE stressed the importance of communication between the Police and the media both before and after the large-scale public order events so as to minimise the chance of complaints from the press. The Chairman echoed that close liaison with the press associations would greatly facilitate the works of the Police and the reporters during the large-scale public order events in the future. SP MR PPRB responded that PPRB would continue the commitment to enhance communication with the press associations. PPRB used to conduct prior communication, including closed-door briefing with the press, for arrangement of reporting works among the security operations during the visits of national leaders. Nevertheless, the scattered and pressing incidents during the recent unrest situations often deprived FMLC of the well-planned

communication with the press. Hon Chris CHEUNG also stressed the importance of police-press communication which would help strengthen mutual understanding.

6. Miss Lisa LAU enquired if PPRB had communicated with the student reporters or relevant associations during the public order events so as to enhance their safety awareness. SP MR PPRB replied that PPRB had kept co-operating with the Department of Journalism of the tertiary institutions on the general subject of journalism for a couple years already but the subject did not extend to the current riot situation. The Chairman encouraged seamless communication between PPRB and the tertiary institutions for future improvement on police-press cooperation. SP MR PPRB explained that FMLC had used loudhailer to advise the student reporters to walk aside or follow those professional reporters in order to ensure their safety. Miss Lisa LAU followed up that the student reporters lacked the professional knowledge and they did not realise that they were in a very dangerous position during a riot and their misunderstanding of police works might generate complaints.

7. Miss Sylvia LEE asked, in addition to maintaining a safe distance between police and the reporters, what additional measures that FMLC had adopted in order to ensure the safety of the reporters during riot. SP MR PPRB stressed that FMLC would endeavour to assist the reporters on the ground whenever the situations allowed.

8. Mr Alex CHU enquired if FMLC had undergone any basic training or taken any reference from the overseas counterparts regarding professional training. He also had concerns over the manpower of FMLC which comprised mainly part-time cadre members and asked whether PPRB would consider expanding the manpower of full-time cadre members for dealing with the heavy workload. SP MR PPRB replied that FMLC had selected officers with mass media background or experiences who could provide the cadre with professional knowledge. PPRB also invited tertiary institutions to provide training to FMLC and arranged media personnel to share experience and knowledge so that FMLC would understand the reporter's duties. FMLC also visited the press agencies to have a better understanding of the press profession.

FMLC members would be given not only the basic training but also on-the-job training throughout their attachment so as to keep abreast of their professional knowledge. SP MR PPRB added that the manpower of full-time FMLC was really tight and he would study the possibility of expanding the manpower in the near future.

(b) Update on Police Identification during protests

9. CSP C&IIB updated the meeting about the ‘Display of Operational Call Sign Card (行動呼號)’ with a view to addressing the concerns of the members of the public over the identification of individual police officers during the recent public order events. The new arrangement was rolled out on 27 November 2019 which provided a means for identification of the police officers, enhanced the operational efficiency and protected the officers and their family members from malicious doxxing. An Operational Call Sign Card, namely the ‘blue card’, was printed with a specific call-sign which is post-based, was issued to officers taking part in the public order operations only and the blue cards would be prominently displayed on the tactical vests of the officers. Uniformed beat patrol officers would carry their own cloth insignia or epaulettes of rank on their shoulder pads. No identical blue-card would be issued while its distribution was strictly governed by the standing administrative procedures. The ‘Display of Operation Call Sign Card’ was aimed at striking a balance between the public interest and the protection of personal data privacy of the police officers and their family members. Police would canvass views from frontline officers and members of the public regarding the effectiveness of the new measures and conduct review if necessary.

10. Hon Tony TSE queried if the ‘Operation Call Sign Card’ was displayed by all the officers taking part in the public order operations. CSP C&IIB replied positively and added that about 14,000 pieces of ‘blue cards’ were issued to officers from Field Command Teams, Emergency Units, Police Tactical Units and certain crime units.

11. Hon Chris CHEUNG was concerned about identity exposure of the officer in the long run if the ‘blue card’ was a personal

issued card. CSP C&IIB responded that the 'blue card' was issued to the officer who was serving the subject post and he would not carry the 'blue card' with him when he left the post.

12. Hon Tony TSE followed up his question by asking if the officers of Special Tactic Unit (STU) carried the 'blue cards'. CSP C&IIB elaborated that there was no pouch on the operational vest of STU to bear the 'blue card' so the 'call-signs' of the STU members were marked on their helmet instead.

13. SG suggested the 'blue card' being hooked on the tactical vests of the STU members so as to let members of the public identify the police officers. CSP C&IIB acceded to bring the suggestion to the relevant policy wing for feasibility study. The Chairman stressed that IPCC would closely monitor the development of the use of 'blue card' in the future operations.

III. Matters of Information

(a) CAPO's Monthly Statistics

14. CSP C&IIB reported that in the first eleven months of 2019, 1,551 Reportable Complaints (RCs) were registered, representing an increase of 197 cases (+14.5%) when compared with 1,354 RCs in the same period of 2018. 481 out of the 1,551 RC cases (31.0%) were Fugitive Offence Ordinance (FOO) related complaints and the remaining 1,070 (69.0%) RC complaints showed a decrease of 284 cases (-21.0%) when compared with the same period in 2018. There were 557 cases resolved by Expression of Dissatisfaction Mechanism (EDM), representing a decrease of 123 cases (-18.1%) when compared with 680 cases in the same period of 2018.

15. Of the 1,551 RCs, 1,297 cases (83.6%) were minor complaints while 253 cases (16.3%) were serious complaints, 1 case was others (0.1%). Minor complaints comprised 729 cases of '*Neglect of Duty*' (47.0%), 540 cases of '*Misconduct/Impoliteness*' (34.8%), and 28 cases of '*Offensive Language*' (1.8%). When compared with the same period of 2018, overall minor complaints

increased by 151 cases (+13.2%). Serious complaints comprised 166 cases of ‘*Assault*’ (10.7%), 16 cases of ‘*Threat*’ (1.0%), 59 cases of ‘*Unnecessary Use of Authority*’ (3.8%) and 12 cases of ‘*Fabrication of Evidence*’ (0.8%). The number of overall serious complaints in the first eleven months in 2019 showed an increase of 47 cases (+22.8%) when compared with the same period of 2018.

16. Comparing the minor complaint figures with the same period of 2018, ‘*Neglect of Duty*’ decreased by 46 cases from 775 to 729 cases (-5.9%). 105 out of 729 cases (14.4%) were FOO-related complaints. ‘*Misconduct/Impoliteness*’ increased by 185 cases from 355 to 540 cases (+52.1%) in which the majority involved officers’ impoliteness (208 cases or 38.5%) and ‘*Conduct Unbecoming of a Police Officer*’ (273 cases or 50.6%). 177 out of 540 cases (32.8%) were FOO-related complaints. ‘*Offensive Language*’ increased by 12 case from 16 to 28 cases (+75%) in which 10 cases (35.7%) were FOO-related complaints.

17. Comparing the serious complaint figures with the same period of 2018, ‘*Assault*’ increased by 17 cases from 149 to 166 cases (+11.4%) in which 76 cases (45.8%) were FOO-related complaints. ‘*Threat*’ decreased by 5 cases from 21 to 16 cases (-23.8%) in which 8 cases (50%) were FOO-related complaints. ‘*Unnecessary Use of Authority*’ increased by 42 cases, from 17 to 59 cases (+247%) in which 56 cases (94.9%) were FOO-related complaints. ‘*Fabrication of Evidence*’ decreased by 7 cases, from 19 to 12 cases (-36.8%) in which 2 cases (16.7%) were FOO-related complaints.

18. It is anticipated that the overall figures of 2019 would show a slight increase when compared 2018.

(b) Statistics – Complaints Arising from Fugitive Offenders Ordinance (FOO) related POEs

19. CSP C&IIB reported that as at 30 November 2019, a total of 1,314 complaints from 4,532 complainants (COMs) were received, including 481 RCs (36.6%) from 503 COMs and 833 NCs (63.4%) from 4,029 COMs.

20. Among the 481 RCs, there were totally 339 minor complaints (70.5%), including 105 cases of '*Neglect of Duty*' (21.8%), 177 cases of '*Misconduct*' (36.8%), 39 cases of '*Impoliteness*' (8.1%), 8 cases of '*Rudeness*' (1.7%), 10 cases of '*Offensive Language*' (2.1%). 142 cases (29.5%) of serious allegations were recorded and they were 76 cases of '*Assault*' (15.8%) in which the COMs of the 65 cases (85.5%) were arrested offenders, 8 cases of '*Threat*' (1.7%) and 56 cases of '*Unnecessary Use of Authority*' (11.6%), 2 cases of '*Fabrication of Evidence*' (0.4%).

21. 503 out of the 4,532 COMs (11.1%) were involved in the 481 RC cases. Among them, 87 COMs' cases (17.3%) required full investigation while 45 (8.9%) had entered into the Sub-judice (SJ) procedures. 6 COMs' cases (1.2%) were resolved by Informal Resolution, 90 (17.9%) were classified as 'Withdrawn' and 58 (11.5%) as 'Not Pursuable' ('NP'). CAPO would soon contact 97 COMs (19.3%) whereas 120 COMs (23.9%) had yet responded to CAPO.

22. Among the 4,029 COMs of the 833 NC cases, CAPO successfully contacted 634 (15.7%) of them and the complaint investigation was in progress. CAPO had been actively approaching 2,104 of the COMs (52.2%) but no response had been received. 610 COMs (15.2%) had not left any contact means to CAPO while CAPO would continue to contact the remaining 681 COMs (16.9%).

23. Hon Tony TSE asked if the manpower of CAPO was sufficient to handle the large number of complaints. He also asked about the handling of the complaints which were classified as 'NP'. CSP C&IIB briefed the meeting that CAPO had formed two special investigation teams to solely handle the large number of FOO-related complaints. Since the public order events were still ongoing, CAPO would review the manpower whenever necessary so as to ensure the quality and timely investigation of all the complaints.

24. CSP C&IIB continued that in case the COM failed to identify the subject police officer (Complainee (COMEE)) at the time of complaint lodged, the complaint would not be turned down. CAPO would continue the complaint investigation and endeavour to

identify the COMEE by viewing CCTV, online video clips, checking the duty list or operation logs and etc. In the event that the COMEE remained unidentified after the exhaustion of lines of enquires, CAPO would still complete the complaint investigation and submit the report with final findings to IPCC for endorsement.

(c) CAPO's Criminal and Disciplinary Checklist

25. CSP C&IIB briefed the Meeting that relevant information had been provided to IPCC Members for their reference prior to the meeting. Nothing was raised in this part.

IV. Any Other Business

26. There being no other business, the meeting concluded at 1710 hrs.

(YIP Wing-lam)
Joint Secretary
Complaints and Internal
Investigations Branch

(Rebecca LUK)
Joint Secretary
Independent Police
Complaints Council