

**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 1530 hours on Tuesday, 16 March 2021**

Present:	Dr Anthony Francis NEOH, QC, SC, JP	(Chairman)
	Hon Frankie YICK Chi-ming, SBS, JP	(Vice-chairman)
	Hon Ronick CHAN Chun-ying, JP	(Vice-chairman)
	Hon Jimmy NG Wing-ka, BBS, JP	(Vice-chairman)
	Mr Clement CHAN Kam-wing, MH, JP	
	Mr Alex CHU Wing-yiu	
	Mr Roland WONG Ka-yeung	
	Mr Paul LAM Ting-kwok, SC, JP	
	Ms Ann AU Chor-kwan	
	Mr Barry CHIN Chi-yung	
	Mr Wilson KWONG Wing-tsuen	
	Miss Sylvia LEE Hiu-wah	
	Dr David LEE Ka-yan, BBS, MH, JP	
	Prof Martin WONG Chi-sang	
	Dr Anissa CHAN WONG Lai-kuen, SBS, MH, JP	
	Ms Jane Curzon LO, JP	
	Mrs Helen YU LAI Ching-ping, SBS	
	Dr Daniel CHAN Ching-yan, MH	
	Miss Mabel CHAN Mei-bo	
	Mr Randy YU Hon-kwan, MH, JP	
	Mr Daniel MUI, SG (Atg.)	
	Ms Regina LAU, DSG (OPS) (Atg.)	
	Ms Rebecca LUK, DSG (MGT)	(Joint Secretary)
	Ms Cherry CHAN, LA	
	Ms Rebecca LAM, DMS	
	Ms Anna TSANG, ACP SQ	
	Ms Monica AU YEUNG, CSP C&IIB	
	Mr Sam LAW, SSP CAPO	
	Mr Simon CHAN, SSP SD CAPO	
	Ms Daisy CHIU, SP CAPO HQ	(Joint Secretary)
Absent with apologies:	Mr Douglas LAM Tak-yip, SC	
	Ms Melissa Kaye PANG, BBS, MH, JP	
	Mr Johnny YU Wah-yung, JP	
	Mr LEE Man-bun, MH, JP	

In Attendance: Mr Alvin WONG, SP SD 3 CAPO
Mr Ken LAM, SP SD 2 CAPO
Mr Jamie LEE, SP CAPO HKI
Mr Derek TAM, SP CAPO K
Ms Jenny KWONG, SP CAPO NT
Mr Terence TSANG, CIP HQ (1) CAPO
Mr Alvin WONG, SIP IPCC CAPO
Ms Cynthia SHAM, SIP SD3a CAPO
Ms Loretta AU, SIP SD2a CAPO
Ms Kara KWOK, IP SUP CAPO
Ms Kit TSE, SSP SC PPRB

PART B OPEN MEETING

Opening Address

The Chairman welcomed all to the meeting, in particular, the newly appointed Vice-Chairmen Hon Ronick CHAN and Hon Jimmy NG, the newly appointed Members Dr Daniel CHAN, Miss Mabel CHAN and Mr Randy YU, as well as Mr Daniel MUI and Ms Regina LAU as SG (Atg.) and DSG (OPS) (Atg.) respectively. On behalf of the Council, he would like to put on record his heartfelt appreciation to Mr Richard YU, for his outstanding contributions and support during his four-and-a-half-year tenure as the SG.

I. Confirmation of Minutes of the Meeting held on 15 December 2020 (Open Part)

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

II. Presentation on Dissemination of Information to the Public

3. SSP CAPO made an introduction to the presentation on the work of Police Public Relations Branch ('PPRB') which he emphasised has always played a crucial role as the communication bridge between the Police and the public. To enhance Police capability in information dissemination was one of the recommendations in the IPCC's Thematic

Study Report[△]. The PPRB has regularly reviewed and enhanced its approaches on information dissemination, particularly with the use of social media.

4. SSP SC PPRB, Ms Kit TSE, delivered a presentation covering the changes that PPRB had ventured, in response to the IPCC's recommendations, with the objectives of enhancing transparency on the Police work, as well as rebutting fake news and revealing truth to the public.

5. In enhancing transparency, ensuring timely dissemination of accurate information, and propagating rebuttals on unfounded speculations and malicious rumours, the PPRB (a) broadcasted a weekly live show titled '*Off Beat on Air*'; (b) conducted exclusive interviews with the Force's senior management; (c) microfilmed on topical issues featuring government bureaux and professional communities, leveraged an extensive reach of social media for instant feeds; (d) sent out countless rebuttal letters to the media; and (e) took the lead to organise press conferences with other government departments or institutions.

6. In enhancing community relations and communications with the public on Police's intention to use force and related precautionary measures during major incidents, the PPRB has established effective communication platforms with 20 community sectors and live-streamed major incidents at multi-locations to disseminate prompt and accurate information.

7. Upon conclusion of the presentation, SSP SC PPRB invited the meeting to follow the social media feeds of the Force by scanning the QR codes provided. The Chairman appreciated the preparation of the codes for the meeting.

8. Mr Clement CHAN enquired about the principles on selecting information for dissemination when there was no major incident or public event, and whether the PPRB had the manpower to venture and sustain these changes. SSP SC PPRB explained that enquiries received via the newsroom and the key feeds circulating on the social media, and at times from professional instinct, were indications of public and media interest. The PPRB has reformed its

internal coordination and restructured the work flow to maximise productivity. DMS pledged that the Force will continue to enhance the Police capability on information dissemination to meet the growing need of the public.

9. Hon Frankie YICK asked about the platforms used for live-streaming, media's response to the rebuttal letters and the composition of the educational sector reached. He also suggested rebuttals to be publicised via the Junior Police Call ('JPC') Scheme. SSP SC PPRB replied that live-streams were channelled on 'Facebook' and 'YouTube' whilst chat-groups were maintained with a number of educational bodies and associations. She acknowledged Hon Frankie YICK's suggestion of leveraging the JPC's membership and briefed the meeting that a 'JPC App' would soon be launched to highlight the existing cooperation with the Education Bureau. Both the Chairman and DMS supported Hon Frankie YICK's suggestion to link up IPCC Members with a chat group to follow the Police Force's live-streams if the information so circulated was pertinent to complaints.

10. Upon question by Hon Jimmy NG in respect of PPRB's replies to 'Facebook' comments, SSP SC PPRB explained that it was not feasible, due to manpower limitations, for PPRB to respond to each individual comment made to the 'Facebook' feeds. Nevertheless, the PPRB endeavoured to address the public's simultaneous comments and enquiries using the live chat function during 'Off Beat on Air'.

11. Mr Wilson KWONG enquired about the challenges encountered by the PPRB and their new initiatives. SSP SC PPRB considered that ensuring absolute accuracy and timeliness in the dissemination of information were the biggest challenges. She added that the PPRB's initiatives had transitioned from projecting the Police's professional image to rebuilding the ties with the community, including the recent promotional film 'Defend Hong Kong' and the song 'Safeguard Hong Kong'.

12. Mr Alex CHU was curious whether surveys had been done to assist the PPRB in determining topics or themes of information. SSP SC PPRB explicated that, to meet the interest of the target audience, infographics or videos were customised and disseminated via different social media platforms.

III.

Matters for Information

(a) CAPO's Monthly Statistics

13. SSP CAPO reported that in 2020, 1,211 Reportable Complaints ('RCs') were registered, representing a decrease of 432 cases (-26.3%) when compared with 1,643 cases in 2019.

14. In the first two months of 2021, 185 RCs were registered, representing a decrease of 2 cases (-1.1%) when compared with 187 cases in the same period of 2020. There were 65 cases resolved by '*Expression of Dissatisfaction Mechanism*' ('EDM'), representing a decrease of 4 cases (-5.8%) when compared with 69 cases in the same period of 2020.

15. The 185 RCs comprised 177 minor complaints (95.7%) and 8 serious complaints (4.3%).

16. The 177 minor complaints comprised 114 cases of '*Neglect of Duty*' (61.6%), 62 cases of '*Misconduct/Impoliteness*' (33.5%), and 1 case of '*Offensive Language*' (0.5%). When compared with the 142 cases in the same period of 2020, the minor complaints increased by 35 cases (24.6%).

17. The 8 serious complaints comprised 4 cases of '*Assault*' (2.2%), 1 case of '*Threat*' (0.5%) and 3 cases of '*Unnecessary Use of Authority*' (1.6%). No case of '*Fabrication of Evidence*' was registered. When compared with the 45 cases in the same period of 2020, the serious complaints decreased by 37 cases (-82.2%).

18. Comparing the minor complaint figures with the same period of 2020, '*Neglect of Duty*' increased by 39 cases from 75 to 114 cases (52%), '*Misconduct/Impoliteness*' increased by 1 case from 61 to 62 cases (1.6%) and '*Offensive Language*' decreased by 5 cases from 6 to 1 case (-83.3%).

19. Comparing the serious complaint figures with the same period of 2020, '*Assault*' decreased by 19 cases from 23 to 4 cases (-82.6%), '*Threat*' decreased by 3 cases from 4 to 1 case (-75%), '*Unnecessary Use of Authority*' decreased by 11 cases from 14 to 3

cases (-78.6%) and '*Fabrication of Evidence*' decreased from 4 cases to null.

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

20. SSP SD CAPO updated the meeting of the figures of FOO related complaints. As at 5 March 2021, there were a total of 1,950 complaints lodged by 9,141 complainants (COMs), including 621 RCs (31.8%) from 676 COMs and 1,329 NCs (68.2%) from 8,465 COMs.

21. The majority of RCs allegations, i.e. 374 (60.2%), were minor in nature comprising 195 '*Misconduct*' (31.4%); 109 '*Neglect of Duty*' (17.5%); 43 '*Impoliteness*' (6.9%); 15 '*Rudeness*' (2.4%), 11 '*Offensive Language*' (1.8%) and 1 '*Police Procedures*' (0.2%). There were a total of 247 (39.8%) serious allegations, including 112 '*Assault*' (18.1%); 121 '*Unnecessary Use of Authority*' (19.5%); 12 '*Threat*' (1.9%) and 2 '*Fabrication of Evidence*' (0.3%).

22. Amongst the 676 COMs of the 621 RCs, the Police had contacted 538 COMs (79.6%). Amongst them, 185 (27.4%) opted for '*Full Investigation*', 146 (21.6%) opted for '*Withdrawal*', 71 (10.5%) opted for '*Sub-Judice Procedures*', 10 (1.5%) opted for '*Informal Resolution*', 52 (7.7%) had yet to express their stances, and 74 (10.9%) were '*Not Pursuable*'. The remaining 138 COMs (20.4%) had yet made any reply to the Police.

23. Upon question by Hon Frankie YICK on the time spent and progress of the investigation, SSP SD CAPO replied that many complaints were lodged by authorised persons other than the aggrieved subjects, whereas CAPO often encountered difficulties in contacting these authorised persons, who were usually lawyers or District Councillors. On the other hand, many complainants of Sub-Judice cases were unreachable upon the conclusion of their criminal cases. Nevertheless, he undertook to closely monitor the progress of the investigation.

24. Hon Frankie YICK further enquired about the time frame in respect of contacting complainants stipulated under the IPCCO. SSP SD CAPO explained that due to the significant public interest in the

FOO related complaints, CAPO had taken further steps on top of the established manual, endeavouring to reach the complainants. LA supplemented that despite the IPCCO stipulated no time frame on this regard, CAPO might consider imposing a reasonable period upon soliciting response from the authorised persons. SG (Atg.) understood the difficulties and undertook to work with the Serious Complaints Committee and CAPO to reach a resolution. The Chairman and Hon Frankie YICK shared the view of enhancing transparency on CAPO's effort in contacting complainants to avoid unnecessary speculations from the public. The Chairman also reminded the meeting that authorised persons were required to present authorisation letters upon lodging complaints.

(c) Update on 52 Recommendations

25. CSP C&IIB updated the meeting that in February 2021, the Task Force submitted its third progress report to the Chief Executive.

26. Between November 2020 and January 2021, the Police had completed 16 recommendations [(12), (13), (18), (19), (21), (25), (27), (28), (29), (31), (32), (42), (43), (46), (50) & (51)] and made significant progress on four recommendations [(11), (14), (36) & (37)]. A total of 25 improvement measures were introduced, covering four aspects, namely (i) '*Public Information Dissemination and Media Relations*', (ii) '*Arrangements for Temporary Holding Area (THA)*', (iii) '*Operation Planning and Strategy*', and (iv) '*Internal Management, Coordination and Training*'. By January 2021, the Police had completed half of the 52 recommendations, and introduced a total of 49 improvement measures.

27. Under '*Public Information Dissemination and Media Relations*', the Police had (i) formulated tailor-made spokesperson training for officers from ranks of Chief Inspector of Police to Senior Superintendent of Police by the PPRB, ii) organised sharing sessions between frontline reporters and frontline Police officers, and iii) maintained regular liaison with media agencies/associations.

28. Under '*THA*', a set of guidelines on THA operation was promulgated in January 2021. The procurement and installation of new equipment and facilities would be completed in Q1 2021. On 4

February 2021, the Chairman led a delegation comprising 16 IPCC Members to visit the Hung Hom Police Station to examine the enhanced facilities and measures of the THA.

29. CSP C&IIB summarised the 19 improvement measures under '*Operation Planning and Strategy*', which were introduced to bolster the Police capability and operational effectiveness in three different facets, namely i) communication with the public and organisers of public order events, ii) command and control, as well as internal coordination, and iii) security and interdepartmental coordination.

30. Under '*Internal Management, Coordination and Training*', training programmes were formulated to enhance coordination among teams and officer's judgement on the use of irritant agent devices and less lethal weapons during dispersals, and a 'Simulated Interactive Multi-media System' training was delivered to assess and strengthen the commanders' ability in the deployment and application of tactics.

31. The Police would follow-up the remaining recommendations proactively.

32. Upon enquiry by Hon Frankie YICK about Police's progress on drawing up the recommended 'Code of Practice' for frontline reporters and officers, CSP C&IIB reported that the Police had been proactively approaching the media in pursuit of devising an agreed code. Although the media had yet made any positive response, the Police would continue to approach them in the safety interest of both the Police and the media. SSP SD CAPO supplemented that the media-related RCs had been analysed with six prominent scenarios summarised, which had been forwarded to the PPRB and the Police Tactical Unit ('PTU') as basis of constructive discussion during media sharing sessions and PTU trainings. SSP SD CAPO reaffirmed that the Police would, as far as possible, facilitate media activities in the field without jeopardising operational and safety priorities.

33. SG (Atg.) opined that, as seen in the scenarios, the lack of understanding between the frontline reporters and officers often resulted in escalating conflicts. Despite the practicability of drawing up the 'Code of Practice', the Police was encouraged to enhance

coordination with the media prior to any major incidents. CSP C&IIB addressed that the Police was determined to bring forth a constructive partnership with the media. To achieve this, 10 sharing sessions were organised to exchange views and resolve divergence, and the manpower of the Force Media Liaison Cadre ('FMLC') was doubled to engage the media on ground. The Chairman suggested reference be drawn from the overseas authorities' adoption of a 'Cordon Sanitaire' and he offered to assist the liaison with media if necessary.

34. Mr Clement CHAN enquired about whether any specific means of information dissemination has been considered to promptly update the public of the progress of major incidents, to relieve the burden of members of the public calling or making reports to the Police console. CSP C&IIB explained that in general, a daily average of 6,000 calls were received by the three regional consoles. To relieve burden arising from ad-hoc major incidents, the Police offered alternative reporting methods to the public and has been collaborating with other government departments to explore possible means to apprise the public of the situation of major incidents.

35. Hon Ronick CHAN sought clarification on the procurement and installation of CCTV at the THAs and whether the Police had planned to procure extra equipment to cope with mass arrests. SSP SD CAPO clarified that amongst the 10 designated THAs, six had been set up and were ready for use. The remaining four, with equipment and facilities already procured, would be in place for use by 1Q 2021. The Police considered that 10 THAs were sufficient for operation needs.

36. Dr Daniel CHAN asked if any records or analysis on the identities of the reporters at the scenes of major incidents had been made to address the surmise about media authenticity. ACP SQ replied that the Police had amended the definition of 'media representatives' in September 2020; enabling frontline officers to verify the authenticity of the reporters' identities. Media representatives in possession of proof of identity issued by media agencies registered under the Government News and Media Information System ('GNMIS') or internationally recognised and reputable non-local agencies, would be granted access to police premises for media briefings or to enter operational scenes. ACP SQ reiterated that

regardless of the authenticity of their identities, any person conducting media activities at the scenes of major incidents should accord priority to safety. The Chairman agreed and stated that the media shall not, in any event, obstruct the Police's duty of maintaining law and order.

37. SG (Atg.) appreciated the Police's work on following up with the recommendations regarding the capacity of 999 console. In addition to enhancing the capacity of 999 console, he proposed educating the public on the capacity and limitations of the console as a means of complaint prevention. He also stated that the use of tear gas, despite the necessity and justification for the use, might inevitably affect the citizens due to the population density in Hong Kong. He asked about the measures put in place to avoid complaints in this regard and the progress of equipping the Digital Action Camera ('DAC'). The Chairman believed that communication with the public on the use of tear gas should play a part in the Police's plans on re-engaging the public.

38. CSP C&IIB informed the meeting that the Police has been proactively exploring enhancement of equipment and the feasibility of introducing a hand-held DAC to assist the collection of evidence in riot situations. ACP SQ shared her experience on the use of tear gas in the local community during the social unrest. Police Community Relations Officers ('PCROs') were deployed in pre-planned operations to inform the public of the possible use of tear gas in advance and the field commanders ceased the use of tear gas as soon as the protesting rioters were successfully dispersed. The related guidelines were also strengthened. SSP SD CAPO supplemented the data on the capacity of the Police console and the definition of 'Media Representative'. DMS thanked the Members for their questions and advice. She reiterated that the Police Force were endeavoured to enhance transparency of Police work by strengthening information dissemination with different parties of the community, as well as to improve the handling capacity of the 999 console in emergencies.

39. Upon enquiry by Mr Alex CHU regarding Police's prospects on the accomplishment of the 52 recommendations, DMS reassured the meeting that the Police's follow-up actions were closely monitored by the Senior Force Management, and subject to regular review by the Security Bureau. So far, half of the 52 recommendations had already

been accomplished with a total of 49 measures introduced to improve the transparency and operational effectiveness in different areas of concerns. While some recommendations might take more time to work on due to operational complexity, the Police would strive to achieve them as soon as possible.

(d) CAPO's Criminal and Disciplinary Checklist

40. SSPCAPO 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

41. DMS thanked the Chairman for his valuable advice and support to the Police during his three-year tenure, which have greatly solidified the integrity of the two-tier complaints system amidst the unprecedented challenges. The Chairman pledged to continue supporting the work of the IPCC and the Police after his retirement.

42. There being no other business, the meeting concluded at 1730 hrs.

(Daisy CHIU)
Joint Secretary
Complaints and Internal
Investigations Branch

(Rebecca LUK)
Joint Secretary
Independent Police
Complaints Council