

**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, 18 June 2024**

Present:

IPCC

Ms Priscilla WONG Pui-sze, SBS, JP (Chairman)
Hon Frankie YICK Chi-ming, GBS, JP (Vice-chairman)
Hon Ronick CHAN Chun-ying, JP (Vice-chairman)
Hon Jimmy NG Wing-ka, BBS, JP (Vice-chairman)
Dr Daniel CHAN Ching-yan, BBS, MH
Mr CHAN Chak-ming
Miss Mabel CHAN Mei-bo, JP
Mr Randy YU Hon-kwan, MH, JP
Ms Cindi HUI Ming-ming
Prof LIN Feng
Mr Ivan SZE Wing-hang, BBS, JP
Mr Kevin CHAN Wing-tak
Dr Stanley YIM Yuk-lun, BBS, JP

Police

Mr Derek LUI Kam-ho, DMS
Ms Karen TSANG Shuk-yin, CSP C&IIB
Mr Joe CHAN Hin-kwan, SSP CAPO
Mr Stephen YU Wai-kit, SSP CAPO (Des)
Mr Eric LEUNG Ming-leung, SSP OPS PHQ
Mr Rick CHAN Wai-kei, SP HQ CAPO (Joint Secretary)
Mr Lawrence CHAN Yin-mat, SP CAPO HKI
Ms Dorothy NIEH, SP CAPO K
Mr Christie LAM Yiu, SP CAPO NT
Ms Ada SHUM Pok-yu, CIP HQ (1) CAPO
Ms Amina CHAI Nga-man, CIP HQ (3) CAPO
Ms Kaman CHEUNG Ka-man, CIP OPS 1B PHQ (T)

Secretariat

Mr Daniel MUI Tat-ming, SG
Ms Regina LAU Ngai-kit, DSG (OPS)
Ms Patricia WOO Wan-shan, DSG (MGT) (Joint Secretary)
Ms Vivian HO Wei-wun, LA

Absent with apologies:

IPCC

Mr LEE Man-bun, MH, JP
Ms Jane Curzon LO, BBS, JP
Dr Desmond NGUYEN Gia-hung
Mr Matthew LAM Kin-hong, BBS, MH, JP
Dr Jimmy WONG Chi-ho, SBS, BBS, JP

Opening Address

The Chairman welcomed all to the meeting. She took the opportunity to introduce the newly appointed IPCC Members, Mr Kevin CHAN, Mr Matthew LAM, Dr Jimmy WONG and Dr Stanley YIM.

2. The Chairman also expressed her appreciation to the outgoing IPCC Members, Mr Clement CHAN, Mr Wilson KWONG, Dr Anissa CHAN and Mr Roland WONG for their contribution during their tenure.

I. Confirmation of Minutes of the Meeting held on 19 March 2024 (Open Part)

3. The minutes of the last meeting were confirmed without amendment.

II. Presentation on ‘Electronic Closed Area Permit System (e-CAP)’

4. SSP OPS PHQ gave a presentation on the ‘Electronic Closed Area Permit System (e-CAP)’, which was one of the key Police initiatives to support the Government’s strategy in building a smart government by turning all government services online, alongside supporting the northern metropolis development, in particular the opening-up of Sha Tau Kok. After introducing the system features and the benefits brought about by the digitalisation of the application and inspection processes of CAPs, he concluded his presentation by reiterating the Police’s commitment to continuous service improvement by leveraging technology.

5. The Chairman thanked SSP OPS PHQ for his informative presentation and invited questions from Members.

6. Hon Ronick CHAN enquired whether the system would record the applicants’ visit records so that applicants who repeatedly failed to use the permits to Sha Tau Kok could be identified for suitable follow-up actions to prevent the wastage of visit quotas.

7. SSP OPS PHQ emphasized that the rollout of e-CAP was closely tied to the Sha Tau Kok opening-up plan. To strike a balance between visitors' convenience and access control, police officers would inspect permits on a need basis at the access control points, while the e-CAP would maintain corresponding inspection records for record purposes. The intended purpose of e-CAP was not to maintain a full record of the applicants' visits.

8. Hon Jimmy NG commended the Police's efforts in digitising public services and remarked that the Police could share the good practices with other government departments providing similar services, such as the application for Closed Road Permits for boundary-crossing vehicles under the ambit of the Transport Department.

9. In response to Dr Daniel CHAN's enquiry about vehicle access to Sha Tau Kok, SSP OPS PHQ clarified that a separate Closed Road Permit under the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap 374E), in addition to the CAPs for individuals, would be required.

10. Miss Mabel CHAN expressed her concerns over the security of the personal data stored in e-CAP. SSP OPS PHQ reassured Members that the Police would only collect the essential personal data for processing the application and sufficient measures were in place to guard against data leakage. In this regard, DMS supplemented that assessments on the impact on privacy and information security had been duly conducted by a third-party assessor before system roll-out to ensure that potential risks were identified and properly addressed.

11. Hon Frankie YICK enquired about the daily quotas set for tourists to Sha Tau Kok, and he was concerned that over-demand would give rise to quota scalping activities. SSP OPS PHQ replied that, based on previous experience, the daily quotas were capped at 1,300, including 600 for individual tourists and 700 for group tourists, yet it would be increased on special occasions when a large number of tourists were expected. He also highlighted that the CAPs were not transferable; using a permit registered under another person would be illegal.

12. Mr Kevin CHAN noted that a primary applicant could fill out the 'Tourism Closed Area Permit – Individual' application form on behalf of 11 other tourists, and he wondered how the number was determined. SSP OPS PHQ explained that the number was devised based on the estimation of the size of visiting groups. As for official tour groups, the 'Tourism Closed Area

Permit – Group’ allowed a maximum of 50 tourists to be applied for in one application form. Information of all tourists had to be provided in the form.

13. Dr Daniel CHAN enquired whether the primary applicant bore any legal responsibility for the others and whether his / her presence at the time of the others’ entry was essential. SSP OPS PHQ explained that the primary applicant had to comply with the terms and conditions set by the Police, for example, ensuring that the tourists were entering the area for tourism purposes only. CAPs would be issued to individual tourists upon successful application, and each individual tourist had to comply with all the permit terms and conditions. The primary applicant’s presence was not essential.

14. Hon Jimmy NG enquired about the quotas allocated for vehicle access to Sha Tau Kok. SSP OPS PHQ replied that individual tourists could not access Sha Tau Kok by their private cars. Only vehicles of residents and for work purposes would be eligible, and no quota was set.

15. The Chairman expressed her support for the opening-up of Sha Tau Kok but wondered if the increasing activities had brought any adverse impact to the local community. SSP OPS PHQ replied that the quota system in place would prevent an undesirable influx of tourists. The Government would also maintain continuous communication with the local community to ensure that the impact, if any, could be mitigated.

III. Matters for Information

(a) CAPO’s Monthly Statistics

16. SSP CAPO reported that 679 Reportable Complaints (RCs) were received in the first five months of 2024, representing a decrease of 33 complaints (-5%) when compared with 712 complaints in the same period of 2023. Breakdown of RC figures was detailed at Annex–Table 1.

17. Hon Frankie YICK noted that 31 ‘Assault’ complaints had been received in the first five months of 2024. While the figures could seem alarming, it was also worthy to note that most of these complaints might not be substantiated after investigation. He suggested that CAPO could enhance the public’s understanding of the situation by also reporting the results of the investigation.

18. SSP CAPO responded that most of these ‘Assault’ complaints were put under ‘sub-judice’ procedures with the investigation suspended. When looking into the complaints endorsed by IPCC in the same period, none of the ‘Substantiated’ complaints were ‘Assault’ or serious in nature.

19. Referring to SSP CAPO’s report on the number of complaints endorsed by IPCC by the breakdown of classifications in the first five months of 2024, SG recommended CAPO also to provide the breakdown by nature and its classification in the next meeting. SSP CAPO undertook to examine the recommendation, so as to give a better picture of the overall situation.

(b) CAPO’s Criminal and Disciplinary Checklist

20. SSP CAPO reported that relevant information had been provided to meeting members for their reference prior to the meeting. No question was raised under this item.

IV. Any Other Business

21. There being no other business, the meeting concluded at 1605 hours.

(Rick CHAN)
Joint Secretary
Complaints and Internal
Investigations Branch

(Patricia WOO)
Joint Secretary
Independent Police
Complaints Council

Table 1 - Detailed Breakdown and Comparison of RC figures

Year (January-May)		2024	2024 vs 2023
RC (Total)		679	-5%
Minor	Neglect of Duty	380 (56%)	-1%
	Misconduct/Impoliteness	241 (36%)	-14%
	Offensive Language	9 (1%)	-10%
Sub-total		630 (93%)	-7%
Serious	Assault	31 (5%)	+29%
	Threat	1 (less than 1%)	N/A
	Unnecessary Use of Authority	16 (2%)	+33%
	Fabrication of Evidence	1 (less than 1%)	N/A
Sub-total		49 (7%)	+32%