



獨立監察警方處理投訴委員會  
Independent Police Complaints Council

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# 監警會通訊 IPCC Newsletter

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# 主題 Highlight

## 與持份者聯繫

監警會一向重視與持份者聯繫，我們的委員定期和不同的持份者會面，包括警方和其他關注團體，以確保他們可以直接向委員會表達意見。

2011年6月9日 9 June 2011

### 監警會公開會議 IPCC Open Meeting

在監警會和投訴警察課的聯席會議上，監警會委員和投訴警察課代表討論了警方處理大型活動、監警會觀察員的意見等議題。監警會委員在會上亦有向投訴警察課查詢警方在六四燭光晚會人流控制的安排，監警會將繼續和投訴警察課跟進相關事宜。



## Stakeholder Engagement

Engaging stakeholders is always on top of IPCC's priority, our members regularly reach out to various stakeholders including police and other concerned groups to ensure their views are recognized.

In the IPCC/CAPO joint meeting, IPCC members discussed various issues with CAPO representatives including policing public order events and observations from IPCC observers. IPCC members also enquired CAPO regarding the handling of crowd control for 4 June candle light vigil and the Council will continue to follow up with CAPO on this.

2011年6月2日 2 June 2011

### 參與九龍西總區研究預防投訴警察委員會會議 Attend the Kowloon West Complaints Prevention Committee Meeting

馬恩國先生、張達明先生、劉玉娟女士、黃碧雲博士和葉振都先生五位監警會委員，一同參與九龍西總區研究預防投訴警察委員會會議，進一步認識警方如何在工作層面避免不必要的投訴。



Five IPCC members Mr Lawrence Ma, Mr Eric Cheung, Ms Noeline Lau, Dr Helena Wong and Mr Adrian Yip attended the Kowloon West Complaints Prevention Committee meeting in an attempt to better understand how police could avoid unnecessary complaints at the operational level.



2011年5月31日 31 May 2011

## 與警察員工協會會面 Meeting with Police Staff Associations

為了加強和警方的溝通，監警會首次和四個警務人員協會的代表會面交流。警司協會、香港警務督察協會、海外督察協會和警察員佐級協會的代表和監警會委員分享他們在工作上遇到的挑戰。



To better communicate with police, IPCC has met with the four police staff associations for the very first time for ideas exchange and opinions sharing. Representatives from the four police staff associations, namely the Superintendents Association, The Hong Kong Police Inspectors Association, Overseas Inspectors Association and Junior Police Officers' Association shared with IPCC members the challenges that they faced at work.

2011年5月18日 18 May 2011

## 翟主席在香港教育學院談警隊專業化 Chairman Jat Discusses Police Professionalism at Hong Kong Institute of Education

監警會主席翟紹唐先生和人權監察主席兼香港教育學院教育政策與領導學系專業導師莊耀洸先生，一同就警隊專業化這題目演講。是次「香港的執法體制與警隊的專業化」講座是香港教育學院「人文香港」公開講座系列的其中之一。翟先生在演講中強調投訴警察制度是警隊專業化不可或缺的一環。講座的觀眾包括香港教育學院的職員、學生和市民，會上大家一同分享警隊專業化在處理多個公眾議題上的意見。這些討論和見解對未來監警會在監察警察處理投訴方面的工作計劃有莫大裨益。

IPCC Chairman Mr Jat Sew Tong was invited to deliver a presentation on police's professionalism in Hong Kong together with Mr Chong Yiu Kwong, Chairperson of Human Rights Monitor and Teaching Fellow of Department of Education Policy and Leadership from Hong Kong Institute of Education. The public lecture entitled "Law enforcement and professionalization of Police Force in Hong Kong" was one of the topics of discussion under the "Hong Kong Citizens, Institutional and Culture" research project by the Hong Kong Institute of Education. Mr Jat highlighted the importance of police complaints system to ensure police force's professional service and quality. The public lecture was well attended by students and staff of Hong Kong Institute of Education as well as members of the public. It has also generated a lot of fruitful sharing and discussion on police professionalism in handling various public issues. These views are helpful for IPCC's future planning to oversee police's complaints handling.



2011年4月19日 19 April 2011

## 參觀警察學院了解警察學員培訓

### Visit Police College to Know More about Police Training

監警會委員於四月參觀香港警察學院，了解警察的培訓。在這半天的參觀，學院代表向委員介紹「心理才能訓練」課程和示範「武力使用訓練」，以及展示警方的行動演習，如急救，處理搶劫和遊行示威等。監警會委員在參觀後與學員和其他前線警務人員交流預防投訴方面的意見。

IPCC members paid a visit to the Hong Kong Police College in April to learn more about police training. During the half-day visit, members were introduced to a course on "Psychological Competency Training", a demonstration on "Use of force continuum focusing on decision-making" and a simulation on how police handle cases and issues such as first aid, robbery and protest. IPCC members also exchanged views with the police cadet and other frontline officers on issuer of revolving complaints prevention.



2011年2月11日 21 February 2011

## 探訪支援部

### Meeting with Support Wing

副主席李國麟議員和委員張達明先生、吳克儉先生、馬恩國先生、葉成慶先生、劉玉娟女士和馬學嘉博士一同參加了此次活動，並與支援部代表交流。

Vice-Chairman Dr the Hon Joseph Lee together with Mr Eric Cheung, Mr Eddie Ng, Mr Lawrence Ma, Mr Yip Shing-hing, Ms Noeline Lau and Dr Carol Ma attended the event and shared views with representatives from Support Wing.



2010年12月4日 14 December 2010

## 探訪九龍東總區

### Visit Kowloon East Region

主席翟紹唐先生聯同副主席林大輝議員，以及楊耀忠先生、林志傑先生、張達明先生、陳培光先生及馬恩國先生一同到訪九龍東總區，了解及商討與交通案件相關的投訴。

Chairman Jat Sew Tong together with Vice-chairman Dr the Hon Lam Tai-fai, Mr Yeung Yiu Chung, Dr Lawrence Lam, Mr Eric Cheung, Dr Chan Pui-kwong and Mr Lawrence Ma visited Kowloon East Region to discuss traffic related complaints.

# 監警會2010年統計數字 IPCC Statistics 2010

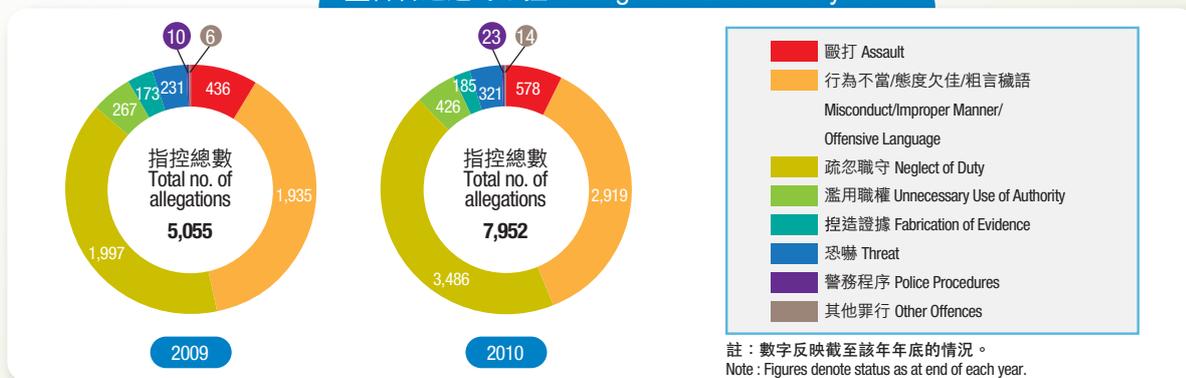
監警會於2010年內共審核並通過了4,368宗須匯報投訴的調查結果，涉及7,952項指控，較2009年的3,025宗和5,055項指控分別上升了44.4%和57.3%。

In 2010, IPCC reviewed and endorsed the findings of 4,368 reportable complaint cases, involving 7,952 allegations, an increase of 44.4% and 57.3% respectively of the 3,025 endorsed cases and 5,055 allegations in 2009.

在通過的調查結果中，涉及最主要的三類指控分別是「疏忽職守」(3,486項)、「行為不當/態度欠佳/粗言穢語」(2,919項)及「毆打」(578項)。這三類指控佔指控總數的87.8%。

The three most common allegations were "Neglect of Duty" (3,486 counts), "Misconduct/Improper Manner/Offensive Language" (2,919 counts) and "Assault" (578 counts), which constituted 87.8% of the total allegations.

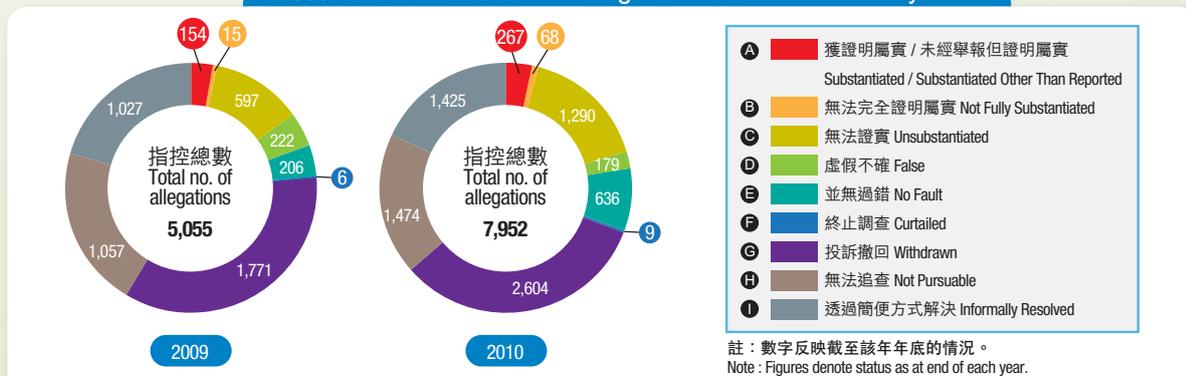
## 監警會通過的指控 Allegations Endorsed by IPCC



在7,952項指控中，經全面調查的有2,440項，證明屬實的比率為13.7%，較2009年的數字輕微下降了0.5%。毋須進行全面調查的指控，其分類包括「無法追查」、「投訴撤回」、「終止調查」或「透過簡便方式解決」。

Of the 7,952 allegations, 2,440 were fully investigated and the substantiation rate was 13.7%, a slight drop of 0.5% as compared to the figure of 2009. Allegations which were not fully investigated were those classified as "Not Pursuable", "Withdrawn", "Curtailed" or resolved by "Informal Resolution".

## 監警會通過的調查結果 Investigation Results Endorsed by IPCC



### 證明屬實比率 Substantiation Rate:

14.2%

13.7%

$$\frac{A+B \text{ (歸納為「屬實」類別的指控 allegations belong to "Substantiated" category)}}{A+B+C+D+E \text{ (經全面調查的指控 fully investigated allegations)}} \times 100\%$$

去年，監警會對投訴警察課的調查報告共提出了3,108項質詢或建議，因為這些質詢或建議，有250項指控的調查結果須予更改，包括：

- ◎ 31項調查結果由「無法追查」/「並無過錯」/「無法證實」改列為「獲證明屬實」/「無法完全證明屬實」/「未經舉報但證明屬實」
- ◎ 2項調查結果由「無法完全證明屬實」改列為「獲證明屬實」
- ◎ 107項調查結果由「無法證實」改列為「並無過錯」

此外，經監警會提出質詢後，共增加了35項「未經舉報但證明屬實」的指控。

監警會於2010年內繼續致力強化其監察角色。在觀察員計劃方面，監警會委員和觀察員共出席了1,888次投訴警察課就須匯報投訴進行的會面或觀察有關的證據收集工作，確保調查徹底和公正。就上述觀察而言，當中有643次屬突擊觀察，較2009年的331次有幾近一倍的增長。截至2010年底，監警會觀察員共有110人。

監警會為了考慮調查報告，可以會見任何能夠就調查報告向監警會提供資料或其他協助的人士。於2010年內，監警會就6宗投訴個案一共進行了9次會面，而當中分別會見了1名投訴人、6名被投訴的警務人員及2名監警會認為能就審核個別投訴個案調查結果提協助的證人/ 相關人士。

In 2010, IPCC raised 3,108 queries or suggestions on CAPO's investigations. As a result the classifications of 250 allegations were changed including:

- ◎ 31 investigation results changed from "Not Pursuable" / "No Fault" / "Unsubstantiated" to "Substantiated" / "Not Fully Substantiated" / "Substantiated Other Than Reported"
- ◎ 2 investigation results changed from "Not Fully Substantiated" to "Substantiated"
- ◎ 107 investigation results changed from "Unsubstantiated" to "No Fault"

Apart from this, 35 "Substantiated Other Than Reported" allegations were added as a result of queries raised by IPCC.

During the reporting period, IPCC has also continued efforts to strengthen our monitoring role. Under the IPCC Observers Scheme, IPCC Members and Observers attended interviews conducted by CAPO or observed the evidence collection process to ensure that investigation was conducted in a thorough and impartial manner. In 2010, a total of 1,888 observations were conducted, including 643 surprise observations which were almost twice the figure of 2009 for the same category. As at end of 2010, there were 110 IPCC Observers.

IPCC may, for the purpose of considering investigation reports, interview any person who can provide information or other assistance to IPCC. In 2010, IPCC conducted a total of 9 interviews in respect of 6 complaint cases. Insofar as the profile of interviewees is concerned, IPCC has interviewed 1 complainant, 6 complainees and 2 witnesses/concerned persons to whom the Council considered useful in assisting the deliberation of the investigation result.

# 任命 Appointment

## 擴大監警會成員數目 及新委任成員

為進一步強化監警會履行其法定職能的能力，並令投訴警察制度運作更有效率，當局於2011年1月1日起，將監警會成員的數目由18名增加至24名。因應有4名成員的任期於2010年12月31日屆滿，當局該次一共任命了10名新成員，為期兩年。監警會定必善用及發揮各名新成員之所長，務求令每宗投訴警察個案得到不偏不倚及完滿的處理。本會亦藉此機會向各位介紹10名新成員，並分享他們對這項任命的看法：

### 方文雄先生, JP

“很榮幸有機會為監警會服務。我期望在任內能秉持「警民權益、同樣重視」這一原則。我亦希望投訴個案數字能隨着雙方增進認識和了解而日漸降低。”

### 葉成慶先生, JP

“有意見認為監警會的成立是為了解決香港仍未有一個獨立調查投訴警察事宜組織的權宜之計。今次的任命能夠讓我從一個新角度去了解及探討這個課題。我期望在任內能得出一個滿意的結論。”

### 劉玉娟女士

“非常高興獲委任為監警會成員。我會繼續確保本會的獨立性，並透過確立一套公平及具透明度的投訴警察機制，增強大眾對投訴警察課負責調查的公信力。”

### 梁繼昌先生

“良好法治乃香港賴以成功的其中一項重要支柱。就此，監警會擔綱着重要角色：一方面要協助提升警隊的表現及其服務質素水平；另一方面要確保投訴警察個案得到公正及適時的處理。雖然我的任命僅開展了五個月，但這份經驗既豐實，亦具有挑戰性。”

### 馬學嘉博士

“作為監警會成員，我有責任確保所有投訴警察個案得到透徹及公正的調查。”

## Expanded IPCC Membership and the New Faces

In a bid to further strengthen IPCC's capability in performing its statutory functions and contribute to the efficient operation of the police complaints system, the Administration has expanded the membership of IPCC from 18 to 24 members as from 1 January 2011. Having taken into account the retirement of 4 members on 31 December 2010, a total of 10 new members were appointed for a term of 2 years on this occasion. The Council would surely capitalize on their professional expertise, experience and talents with a view to ensuring that all police complaints are handled in a full, fair and impartial manner. We would also like to take this opportunity to introduce the new faces and share with you their thoughts about the appointment:

### Mr. David FONG Man-hung, JP

'I am honoured to serve the IPCC. It is my wish that during my tenure as IPCC member, I can bring fairness to citizens as well as the Police. And with improved mutual understanding, complaint statistics will decline in time.'

### Mr. IP Shing-hing, JP

'IPCC is seen to be a compromise of not having an independent institution in resolving complaints against Police. Becoming part of it will definitely bring me a new dimension in understanding this issue. Hopefully, I can come to a better judgement at the end of the day.'

### Ms. LAU Yuk-kuen

'I am most pleased to be appointed as a Member of IPCC. I will continue to safeguard the independence of IPCC, and enhance the credibility of investigation by CAPO through a fair and transparent police complaints system.'

### Mr. Kenneth LEUNG Kai-cheong

'Law and order is one of the most important pillars to guarantee the success of Hong Kong. IPCC has an important role to play to help enhance the performance standards of the Police Force and to ensure that complaints are handled fairly and expeditiously. I have been a Member of IPCC for barely five months and I find the experience extremely rewarding and challenging.'

### Dr. MA Hok-ka

'As a Member of IPCC, I am entrusted with a public duty to make sure all complaints against the police are thoroughly and justly investigated.'

**鄧麗芳女士**

“作為監警會新的一員，我會秉承本會的抱負及價值觀，並確信大家能為香港建立一套公平、有效及具透明度的投訴警察機制。”

**Miss Belinda TANG Lai-fong**

‘As a new team member of IPCC, I am fully committed to its vision and values. I am positive that we will be able to achieve a fair, effective and transparent police complaints system in Hong Kong.’

**黃幸怡女士**

“在任內我期望有關良好投訴調查的常規和準則能被規範化並輯錄成文。在達致公義的同時，我亦希望當中能充分彰顯本會一直秉持有關不偏不倚、理性務實、多元共容及鼓勵學習的元素。”

**Miss Sandy WONG Hang-ye**

‘During my tenure at IPCC, I would like to see standards and best practices in investigating complaints consolidated into documentation, and that impartiality, sensitivity to diversity and a culture of learning and improvement being ingrained in every element of achieving justice.’

**黃碧雲博士**

“一個民主社會得以健康發展，關鍵在於能否在維護法紀和保障人民政治及公民權利兩者之間找到一個合理的平衡點。在兩年的任期內，我會促請監警會(i)審視和監察警方處理公眾秩序活動和涉及重大公眾利益的相關事宜；以及(ii)接觸和聆聽弱勢持份者和關注警權及人權的組織。”

**Dr. Helena WONG Pik-wan**

‘For a healthy development of a democratic society, it is of utmost importance to seek a reasonable balance in maintaining law and order and protecting civil and political rights of its citizens. In the coming 2-year term of service, I will urge IPCC to (i) examine and monitor police handling of public order events and other related issues of major public interest; and (ii) reach out and listen to under-privileged stakeholders and concerned groups.’

**黃德蘭女士**

“很榮幸獲委任為監警會成員。希望在我卸任時，聽到警界及更多市民說「有監警會是一件好事！」。這確實不易，但我會盡我所能，達致目標。”

**Miss Mary WONG Tak-lan**

‘It is an honor to be appointed. I hope at the end of it, I can hear more of the general public and the Police say they are glad we have an IPCC. This is indeed not an easy task. But I will do what I can towards achieving this goal.’

**葉振都先生, MH, JP**

“作為監警會成員，我希望本會繼續致力維持一套公平、有效及具透明度的投訴警察機制。”

**Mr. Adrian YIP Chun-to, MH, JP**

‘As a Member of IPCC, I hope we will continue to maintain a fair, effective and transparent police complaints system.’

**新獲委任監警會觀察員**

**New IPCC Observers Appointed**

以下人士獲委任為監警會觀察員：

The following persons were appointed as IPCC Observers:

**由2011年1月1日起**

鄭承隆先生  
李德權先生  
廖啟明醫生

**With effect from 1 January 2011**

Mr Edwin CHENG Shing-lung  
Mr LEE Tak-kuen  
Dr LIU Kai-ming

**由2011年4月1日起**

周沁女士  
廖珮珊女士  
楊耀忠先生，BBS，JP

**With effect from 1 April 2011**

Ms CHAU Sum  
Ms LIU Pui-shan  
Mr YEUNG Yiu-chung, BBS, JP

\*監警會觀察員是由保安局局長委任，協助委員會觀察警方處理和調查須匯報投訴的工作。

\*IPCC Observers are appointed by the Secretary for Security. They assist IPCC to observe the manner in which Police handles or investigates reportable complaints.

# 投訴警察真實個案

## REAL COMPLAINT CASE AGAINST POLICE

以下的投訴警察個案彰顯監警會發揮其獨立監察機構的角色，確保投訴個案得到公正，透徹及不偏不倚的處理。

The following complaint case highlights IPCC's role as an independent oversight body in ensuring that complaint against police cases are conducted justly, thoroughly and without prejudice.

### 個案背景 Case Background

2008年3月，投訴人因發現她一枚名貴手錶不翼而飛，遂向警方舉報一宗「盜竊」案件。警方隨後於一所當舖尋獲該枚手錶，並將與案有關的兩名人士[分別為投訴人的家庭傭工(A女士)及其友人(B女士)]拘捕。

警方調查顯示B女士透過典當該枚手錶獲得6,300港元。經徵詢律政司意見後，警方決定落案起訴她一項「處理贓物」罪名，而A女士則獲無條件釋放。B女士於審訊後被判罪名成立，而法庭亦頒令將該枚手錶發還警方處置並充公該6,300港元贓款。投訴人不滿有關法庭頒令，因此舉令她須與當舖商討該枚手錶的擁有權。投訴人認為警方在處理此事上有疏忽，並對負責處理該宗刑事案件的調查人員(被投訴人一)及案件主管(被投訴人二)分別作出三項「疏忽職守」的指控。其中的一項指控尤其令人關注，因為投訴人指稱被投訴人一及二沒有妥善告知投訴人有權就法庭的頒令作出上訴，亦沒有就處理有關財物的處置作出一個較為公平的決定。

### CAPO's Investigation

### Observation

### 回應 CAPO's Response

The complainant (COM) made a report of '**Theft**' in March 2008 when she discovered that a valuable watch of hers was missing. The watch was then recovered from a pawnshop with COM's domestic helper (Ms. A) and a friend (Ms. B) of Ms A arrested.

Upon legal advice, Ms. B was charged for one count of '**Handling Stolen Goods**' as she had pawned the watch for HK\$6,300, whereas Ms. A was released unconditionally for want of evidence. Ms. B was convicted after trial, and the court ordered that the watch be returned to the Police for disposal and to confiscate the HK\$6,300 proceeds of crime. COM was dissatisfied with the court order which resulted in her having to enter into negotiation with the pawnshop on the ownership of the watch. COM therefore opined that the Police was negligent in discharging their duties. COM subsequently lodged a complaint consisting of three counts of '**Neglect of Duty**' against the Investigating Officer (COME 1) and the Office-in-Charge of the case (COME 2) respectively. Of concern is one allegation in which COM alleged that COME 1 and 2 had failed to handle the disposal of property properly, namely informing COM of her right of appeal on the court order and considering a more equitable decision in disposing the property.

### 個案背景 Case

### 投訴警察課的調查 CAPO's Investigation

### Observation

### 回應 CAPO's Response

經調查後，投訴警察課認為被投訴人一及二均已採取恰當的行動處置有關財物的擁有權，過程中亦沒有錯失，因此該指控列為「並無過錯」。

After investigation, CAPO classified that allegation as '**No Fault**' because COME 1 and 2 had taken the proper course of action to deal with the ownership of the stolen property, and hence no impropriety was found on their parts.

## 個案背景 Case Back

## 投訴警察課的調查

## 監警會的觀察 IPCC's Observation

## CAPO's Response

經審閱相關檔案文件後，監警會對該指控的「並無過錯」調查結果有保留，並就此事向投訴警察課提出兩輪質詢，詳情如下：

(i) 監警會得悉經投訴警察課進一步查詢後，被投訴人二始澄清他已指示下屬接觸投訴人，以及告知她可於法庭頒令14天內提出上訴權利一事。雖然如此，被投訴人二已忘記他指派那一位下屬負責有關事宜。由於被投訴人二以上的陳述從未有出現在他原來的供詞或與該宗刑事案件有關的記錄，監警會質疑被投訴人二這一說法的可靠及可信性。此外，投訴人2008年7月8日致律政司的信件顯示，警方通知她於2008年7月7日前往警署就處置案中財物安排一事錄取口供。投訴人亦於2008年7月8日從檢控官，而非警方方面得知有關她可於法庭頒令14天內提出上訴權利一事，而她更於同日向律政司提出逾期上訴的呈請。有鑑於投訴人被盜的手錶價值甚殷，倘若警方於審訊完結後立即告知投訴人可於14日內作出上訴權利一事，投訴人着實沒有一個可以令人置信的理由不就處置案中財物採取任何行動。因此監警會認為投訴人的說法相對較為可信，並要求投訴警察課重新考慮該指控的「並無過錯」調查結果；以及

(ii) 監警會從“案情摘要”得知被投訴人二建議法庭充公6,300港元贖款。由於當押舖乃該枚手錶的真實買家，亦並不會在毫無補償的情況下放棄有關財物擁有權，因此就手錶最終擁有權一事而言，法庭的頒令無疑對投訴人及當押舖兩者的利益構成衝突。監警會因此要求投訴警察課考慮(1)被投訴人二在建議法庭充公有關贖款前未有徵詢投訴人及當押舖一事上有否疏忽；以及(2)在顧及與案各方利益的前提下，若被投訴人二建議法庭暫時保管被檢取的贖物，好使法庭能一併處理手錶擁有權及贖款事宜是否較為恰當。

IPCC had reservation over the 'No Fault' finding of the allegation. On review of the case materials, IPCC raised two rounds of query with CAPO with details as follows:

(i) IPCC noted that when further enquired by CAPO, COMEE 2 clarified that he had instructed his subordinate to contact COM and informed her of the right of appeal within 14 days. However, he could not recall which officer he had instructed. As this self-serving version of events given by COMEE 2 was never mentioned in his original complaint statement nor supported by any record in the crime case file, IPCC cast doubt on its credibility and reliability. Moreover, COM's letter of 8 July 2008 to the Department of Justice (DOJ) suggested that she was only informed by the Police to attend the police station to give a statement on disposal of the watch on 7 July 2008. She learnt about her right to appeal from the prosecutor rather than the Police on 8 July 2008, i.e. after the lapse of the 14 days' appeal period, and then immediately filed a belated appeal to DOJ on the same day. Given the substantial value of the watch, it appeared inconceivable for COM to take no action if she were really informed of her right to appeal by the Police within 14 days after trial. IPCC therefore considered COM's version was inherently probable, and requested CAPO to re-visit the 'No Fault' classification of this allegation; and

(ii) IPCC noted from the Brief Facts of Case that COMEE 2 recommended the crime proceeds of HK\$6,300 be confiscated by the court. As it was unlikely for the pawnshop, as a bona fide purchaser, to give up the ownership of the watch in the absence of any compensation, the order to confiscate the HK\$6,300 would create a conflict on the interest of COM vis-à-vis the interest of the pawnshop on the ownership of the watch. IPCC therefore requested CAPO to comment (1) whether there was any omission on the part of COMEE 2 not to consult COM and the pawnshop prior to his recommendation to confiscate the crime proceeds by the court, and (2) whether it was more appropriate for COMEE 2 to recommend retention of the crime proceeds so that they could be disposed of with the watch in one-go by the court with regard to the interests of all relevant parties.

## 個案背景 Case Back

## 投訴警察課的調查 CAPO's Investigation

## 投訴警察課的回應 CAPO's Response

監警會及投訴警察課在工作會議上進一步討論該宗個案。經投訴警察課再三考慮後，該課決定將調查結果改列為「無法完全證明屬實」，理由如下：

(i) 投訴警察課的調查顯示沒有充分證據證明，被投訴人一和二就告知投訴人有關處置財物上訴權利一事上有明顯缺失；

(ii) 然而，投訴警察課認為就處置有關財物及贖款一事而言，與其建議法庭充公贖款，一個較為公平及恰當的做法便是將該筆款項及手錶分別交還予當押舖及投訴人，這樣一來與案各方便不會因此蒙受損失。

為此，被投訴人一及二均會被訓諭，將來在處理歸還財物事宜上要格外小心及保持專業。

The case was further discussed at the Working Level Meeting held between CAPO and IPCC. After further consideration, CAPO re-classified the allegation as 'Not Fully Substantiated' on the following grounds:

(i) CAPO's investigation revealed that there was insufficient evidence to prove that COMEEs 1 and 2 had neglected their duties to inform COM her right of appeal on the disposal instruction; and

(ii) notwithstanding (i) above, CAPO considered that the disposal of the property could have been handled in a more equitable way by considering returning the watch to COM whereas the money seized from the culprit could be returned to the pawnshop instead of being confiscated by court, which meant that no party would suffer any loss in the incident.

COMEEs 1 and 2 were to be advised without divisional record file entry to be mindful in handling the property disposal in a more professional way in future.

# 監警會話你知 Informative Corner

## 監警會的會面

## IPCC interviews

會見計劃於1994年推出。在該計劃下，監警會可為考慮投訴警察課調查報告，會見任何能夠向監警會提供資料或協助的人士。如監警會認為有需要直接會見某些人士，便會邀請他們出席會面。這些人士可以是投訴人、被投訴人或其他人士。

會面由不少於兩位監警會成員組成的小組主持，目的主要是向有關人士澄清事宜，藉以協助監警會考慮投訴調查結果。

The Interview Scheme was introduced in 1994. Under the Scheme, IPCC may interview persons who can provide information or assistance to IPCC for the purpose of considering CAPO's investigation reports. If IPCC considers it necessary to meet with certain persons to hear from them direct, IPCC may invite these persons for interviews. Such persons may be complainants, complainees, or any other persons.

Each interview is conducted by a panel of no less than two IPCC Members. The primary purpose of the interview is to clarify matters with the concerned persons with a view to assisting the Council in considering the findings of the investigation.

本通訊網上版可在監警會網頁下載

On-line version of this Newsletter is available at

[www.ipcc.gov.hk](http://www.ipcc.gov.hk)

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