

Press Release
1 June 2009

STATUTORY IPCC ESTABLISHED TODAY
FOR ENHANCED MONITORING OF POLICE COMPLAINTS HANDLING

With the coming into operation of the Independent Police Complaints Council (IPCC) Ordinance, the IPCC is formally established as a statutory body with effect from today (1 June 2009).

The IPCC Ordinance incorporates the previous IPCC and provides it with a legal framework to exercise its monitoring functions and powers. It marks an important step in enhancing the independence of the Council.

The main functions of IPCC as provided for under the IPCC Ordinance include:

- (i) To observe, monitor and review the handling and investigation of reportable complaints^{*}, and monitor actions taken or to be taken in respect of any police officer by the Police in connection with reportable complaints;
- (ii) To identify any fault or deficiency in police practices or procedures which has led to or might lead to reportable complaints; and
- (iii) To advise or make recommendations to the Commissioner of Police or/and the Chief Executive as appropriate.

“During examination of an investigation report, IPCC can require the Police to provide information or materials relating to a reportable complaint, and clarification on any facts, discrepancies or findings relating to a reportable complaint. If the Council finds the investigation inadequate, it has the statutory power to require the Police to investigate or re-investigate,” said Mr JAT Sew-Tong, SC, Chairman of IPCC. Only when IPCC is fully satisfied that the complaint has been properly dealt with, will it endorse the investigation result and the case be concluded.

The Ordinance also empowers IPCC and its Observers to observe any interviews and collection of evidence in respect of reportable complaints on a pre-arranged or surprise basis.

* “Reportable complaints” refer to public complaints, made in good faith, that relate to the conduct of police officers while on duty or who identify themselves as police officers while off duty. The complainant should be the person directly affected by the police misconduct.

Mr JAT added, “As a statutory oversight body, we operate totally independent of the Police and will ensure that all reportable complaints against the Police are investigated thoroughly, impartially, and expeditiously.”

IPCC comprises a Chairman, 3 Vice-Chairmen and 14 other Members, all appointed by the Chief Executive. They are drawn from a wide spectrum of society including members of the Legislative Council, and members from legal, medical, education, social welfare and business sectors. This composition enables IPCC to draw upon the diverse expertise of its Members in monitoring CAPO’s investigation of police complaints. Following incorporation, statutory IPCC will have its own funding and will proceed to recruit its own staff.

Independent Police Complaints Council