

**Replies to initial written questions raised by Finance Committee Members
in examining the Estimates of Expenditure 2018-19**

**Director of Bureau: Secretary for Security
Head: 121 Independent Police Complain Council
Programme: Police Complaints Administration**

Reply Serial No.	Question Serial No.	Name of Member
<u>SB260</u>	0589	Hon CHAN Chun-ying
<u>SB261</u>	1651	Hon CHEUNG Wah-fung, Christopher
<u>SB262</u>	1652	Hon CHEUNG Wah-fung, Christopher
<u>SB263</u>	1241	Hon YEUNG Alvin
<u>SB264</u>	1350	Hon YEUNG Alvin
<u>SB511</u>	6005	Hon KWOK Wing-hang, Dennis
<u>SB512</u>	6006	Hon KWOK Wing-hang, Dennis
<u>SB513</u>	6007	Hon KWOK Wing-hang, Dennis
<u>SB514</u>	6008	Hon KWOK Wing-hang, Dennis
<u>SB515</u>	5243	Hon TAM Man-ho, Jeremy
<u>SB516</u>	5344	Hon YEUNG Alvin

CONTROLLING OFFICER'S REPLY

(Question Serial No. 0589)

Head: (121) Independent Police Complaints Council

Subhead (No. & title): (000) Operational Expenses

Programme: (1) Police Complaints Administration

Controlling Officer: Secretary-General, Independent Police Complaints Council
(Richard YU)

Director of Bureau: Secretary for Security

Question:

The provision for 2018-19 is \$76.8 million under Programme (1), 2.8% higher than the revised estimate for 2017-18. This is mainly due to the increased provision for additional staff to establish a Research Team, strengthen technical capacity of the Information Technology Unit and enhance administrative support to Observers Scheme and Vetting Team. Please inform this Committee:

1. the number and post of additional staff and
2. the specific responsibilities of the Research Team.

Asked by: Hon CHAN Chun-ying (Member Question No. (LegCo use): 19)

Reply:

1. IPCC plans to recruit 1 Senior Research Officer, 1 Research Officer, 3 Clerical Officers and 1 Analyst/Programmer II in 2018-19.
2. The main duties of the Research Team include:
 - To research on legal issues arising from examination of complaint cases;
 - To review and make recommendations on streamlining the handling of complaint cases;
 - To research into the practices and procedures adopted by overseas monitoring agencies for handling complaints against Police ;
 - To review and make suggestions to the relevant police guidelines/manuals to facilitate follow-up actions; and
 - To compile statistics, analyse the latest trend of complaints and case handling progress with a view to enhancing IPCC's effectiveness in discharging its statutory functions.

CONTROLLING OFFICER'S REPLY

SB261

(Question Serial No. 1651)

Head: (121) Independent Police Complaints Council

Subhead (No. & title): ()

Programme: (1) Police Complaints Administration

Controlling Officer: Secretary-General, Independent Police Complaints Council
(Richard YU)

Director of Bureau: Secretary for Security

Question:

Given the increase in demonstrations and rallies in recent years resulting in direct confrontations between the participants and the Police, has IPCC assessed the possible rise in complaint figures afterwards? If yes, please provide details. Has the relevant authorities considered increasing the manpower of IPCC in order to cope with the heavy workload?

Asked by: Hon CHEUNG Wah-fung, Christopher (Member Question No. (LegCo use): 10)

Reply:

IPCC estimates that 1 600 reportable complaint cases will be received from the Complaints Against Police Office (CAPO) each in 2017-18 and 2018-19. As at 31 Jan 2018, IPCC has received 1 371 reportable complaint cases from CAPO for 2017-18. IPCC will keep reviewing its manpower situation and put in place appropriate arrangements in light of its overall workload and operational needs.

- End -

CONTROLLING OFFICER'S REPLY

SB262

(Question Serial No. 1652)

Head: (121) Independent Police Complaints Council

Subhead (No. & title): (000) Operational Expenses

Programme: (1) Police Complaints Administration

Controlling Officer: Secretary-General, Independent Police Complaints Council
(Richard YU)

Director of Bureau: Secretary for Security

Question:

One of the matters requiring special attention in 2018-19 is to further enhance public understanding of the role of the IPCC by reaching out to a wider community and organising publicity activities including school visits. How much did the IPCC spend in the past 3 years for the enhancement of public understanding of the role of the IPCC? What were the expenditure items? What is the estimated expenditure for 2018-19?

Asked by: Hon CHEUNG Wah-fung, Christopher (Member Question No. (LegCo use): 11)

Reply:

IPCC's expenditure on publicity and promotion-related items in the past 3 years is as follows:

Expenditure items	2015-16 ('000)	2016-17 ('000)	2017-18 ('000) (as at 31 Jan 2018)
IPCC Annual Report, Newsletter, booklet and leaflet	227	184	204
News monitoring service	213	197	209
Public opinion survey	125	168	4
Stakeholder engagement	985 ^{Note1}	6	128
Media liaison	42	72	79
Others	6	-	7
Total	1 598	627	631^{Note2}

Note 1: This amount has included the cost and other related expenditure on the production of TV program "IPCC Files".

Note 2: This amount has not included the cost of producing the corporate video and the conduct of public opinion survey. The estimated total expenditure for 2017-18 is \$997,000.

The estimated expenditure on publicity and promotion activities for 2018-19 is \$1.4 million.

CONTROLLING OFFICER'S REPLY

SB263

(Question Serial No. 1241)

Head: (121) Independent Police Complaints Council

Subhead (No. & title): ()

Programme: (1) Police Complaints Administration

Controlling Officer: Secretary-General, Independent Police Complaints Council
(Richard YU)

Director of Bureau: Secretary for Security

Question:

Regarding the handling of complaint cases, please inform this Committee:

1. The criteria for classifying complaint cases into “normal cases” and “complicated cases”;
2. The respective percentage of “normal cases” and “complicated cases” among the total number of complaint cases in 2016-17 and 2017-18;
3. The respective percentage of expenditure in handling “normal cases” and “complicated cases” in 2016-17 and 2017-18; and
4. The respective percentage of estimated expenditure in handling “normal cases” and “complicated cases” in 2018-19.

Asked by: Hon YEUNG Alvin (Member Question No. (LegCo use): 3)

Reply:

1. IPCC classifies complaint cases into “normal cases” and “complicated cases” according to the following criteria:

Classification	Criteria
Normal cases	Minor cases (such as impoliteness or neglect of duty) with IPCC raising no more than one round of query to the Complaints Against Police Office (CAPO).
Complicated cases	All serious cases (such as assault or fabrication of evidence) and minor cases with IPCC raising more than one round of queries to CAPO

2. The respective percentage of “normal cases” and “complicated cases” among the total number of complaint cases in 2016-17 and 2017-18 is as follows:

	2016-17	2017-18 (as at 31 Jan 2018)
Normal cases	67%	73%
Complicated cases	33%	27%

3. IPCC has not compiled information on the percentage of expenditure in handling “normal cases” and “complicated cases”.

4. IPCC has not estimated the percentage of expenditure in handling “normal cases” and “complicated cases” in 2018-19.

- End -

CONTROLLING OFFICER'S REPLY

SB264

(Question Serial No. 1350)

Head: (121) Independent Police Complaints Council
Subhead (No. & title): ()
Programme: (1) Police Complaints Administration
Controlling Officer: Secretary-General, Independent Police Complaints Council
(Richard YU)
Director of Bureau: Secretary for Security

Question:

Regarding the number of reportable complaints cases received from CAPO, please inform this Committee:

1. The number of police officers against whom disciplinary actions were taken in 2016-17 and 2017-18;
2. The number of police officers against whom criminal proceedings were taken in 2016-17 and 2017-18 and the number of persons convicted;
3. Details of the criminal charges under item 2 above.

Asked by: Hon YEUNG Alvin (Member Question No. (LegCo use): 63)

Reply:

Disciplinary actions were taken against 9 and 8 police officers in respect of the complaint cases endorsed by IPCC in 2016-17 and 2017-18 (as at 31 Jan 2018) respectively. No police officer was prosecuted or convicted for the reason of committing faults in the discharge of their duties in the same period.

CONTROLLING OFFICER'S REPLY

(Question Serial No. 6005)

Head: (121) Independent Police Complaints Council

Subhead (No. & title): ()

Programme: (1) Police Complaints Administration

Controlling Officer: Secretary-General, Independent Police Complaints Council
(Richard YU)

Director of Bureau: Secretary for Security

Question:

By what means did IPCC enhance public understanding of the role of the IPCC in the past 3 years? Please list out the details on dates, forms, number of participants and related expenditures of the activities. How will IPCC promote itself to the public in the coming year? If IPCC plans to do so by organising activities, please list out the details on anticipated dates, forms, number of participants and related expenditures.

Asked by: Hon KWOK Wing-hang, Dennis (Member Question No. (LegCo use): 99)

Reply:

In the past 3 years, IPCC enhanced public understanding of its role mainly through the organization of stakeholder engagement, media liaison and school programme, production of TV program, corporate video and other publications as well as conducting public opinion survey.

In 2015-16 and 2016-17, IPCC visited 18 District Fight Crime Committees (DFCC) to introduce the work of IPCC to approximately 900 community representatives and to exchange views with them. IPCC has also reached out to over 3 500 students and staff members in universities, secondary and primary schools through school programme implemented since 2016-17 and introduced to them the functions of IPCC and Hong Kong's two-tier police complaints system.

IPCC held regular press conferences on the release of Annual Reports and Newsletters, and opened up the quarterly joint meetings with the Complaints Against Police Office to the media and the public with a view to enhancing transparency of IPCC's work. Moreover, IPCC has enriched the content of its website since 2016-17 and 2017-18 to better illustrate the work of IPCC.

IPCC launched a TV programme "IPCC Files" in 2015-16 and started the production of a new series of biliterate and trilingual corporate video in 2017-18 with a view to promoting understanding of the police complaints system among the public and stakeholders.

IPCC's expenditure on publicity and promotion-related items in the past 3 years is as follows:

Expenditure items	2015-16 (‘000)	2016-17 (‘000)	2017-18 (‘000) (as at 31 Jan 2018)
IPCC Annual Report, Newsletter, booklet and leaflet	227	184	204
News monitoring service	213	197	209
Public opinion survey	125	168	4
Stakeholder engagement	985 ^{Note 1}	6	128
Media liaison	42	72	79
Others	6	-	7
Total	1 598	627	631 ^{Note 2}

Note ¹: This amount includes the cost of production and other related expenditure on the production of TV program “IPCC Files”.

Note ²: This amount does not include the cost of producing the corporate video and the conduct of public opinion survey. The total estimated expenditure for 2017-18 is \$997,000.

The estimated expenditure on publicity and promotion activities in 2018-19 is \$1.4 million, which is mainly for the expansion of school programme, production of publications, reaching out to stakeholders of different sectors and conducting public opinion survey.

- End -

CONTROLLING OFFICER'S REPLY

SB512

(Question Serial No. 6006)

Head: (121) Independent Police Complaints Council

Subhead (No. & title): ()

Programme: (1) Police Complaints Administration

Controlling Officer: Secretary-General, Independent Police Complaints Council
(Richard YU)

Director of Bureau: Secretary for Security

Question:

Please explain the purpose of setting up a Research Team in IPCC. What are its functions and objectives and the ranks of staff to be recruited?

Asked by: Hon KWOK Wing-hang, Dennis (Member Question No. (LegCo use): 101)

Reply:

IPCC plans to recruit 1 Senior Research Officer, 1 Research Officer and 1 Clerical Officer in 2018-19 for setting up a Research Team with a view to enhancing the effectiveness in discharging its statutory functions. The main duties of the Research Team include researching on legal issues arising from examination of complaint cases; reviewing and making recommendations on streamlining the handling of complaint cases; researching into the practices and procedures adopted by overseas monitoring agencies for handling complaints against Police; reviewing and making suggestions to the relevant police guidelines/manuals to facilitate follow-up actions; and compiling statistics to analyse the latest trend of complaints and case handling progress.

- End -

CONTROLLING OFFICER'S REPLY

SB513

(Question Serial No. 6007)

Head: (121) Independent Police Complaints Council

Subhead (No. & title): ()

Programme: (1) Police Complaints Administration

Controlling Officer: Secretary-General, Independent Police Complaints Council
(Richard YU)

Director of Bureau: Secretary for Security

Question:

How will IPCC strengthen the technical capacity of its Information Technology Unit through the increased provision? What are the objective, target and anticipated outcome?

Asked by: Hon KWOK Wing-hang, Dennis (Member Question No. (LegCo use): 102)

Reply:

With the increased provision, IPCC will recruit 1 Analyst/Programmer II to assist in enhancing the management of the existing computer systems and to prepare for the implementation of the new secure email system.

- End -

CONTROLLING OFFICER'S REPLY

SB514

(Question Serial No. 6008)

Head: (121) Independent Police Complaints Council

Subhead (No. & title): ()

Programme: (1) Police Complaints Administration

Controlling Officer: Secretary-General, Independent Police Complaints Council
(Richard YU)

Director of Bureau: Secretary for Security

Question:

Please list out all IPCC's recommendations regarding police practices and procedures in the past year and advise whether these have been accepted by the Police.

Asked by: Hon KWOK Wing-hang, Dennis (Member Question No. (LegCo use): 103)

Reply:

IPCC made 26 recommendations to the Police on improving Police practices and procedures out of the reportable complaints endorsed in 2017-18 (as at 28 Feb 2018). The Police has accepted 19 of them and provided satisfactory explanations on the remaining seven. The accepted recommendations include: reviewing the procedures for handling found property; reviewing the guidelines on transfer of mobility-handicapped persons under arrest; improving the guidelines on handling civil disputes and provision of relevant training; reminding frontline officers of procedures on handling domestic violence cases, and procedures for collection of evidence by the police officer who first arrived at the scene of minor traffic accidents, improving telephone system of the report room in order to enhance service quality, etc.

- End -

CONTROLLING OFFICER'S REPLY

(Question Serial No. 5243)

Head: (121) Independent Police Complaints Council

Subhead (No. & title): ()

Programme: (1) Police Complaints Administration

Controlling Officer: Secretary-General, Independent Police Complaints Council
(Richard YU)

Director of Bureau: Secretary for Security

Question:

(a) Please tabulate the information for the past 5 years regarding (i) total number of complaint cases received by the IPCC, (ii) number of police officers involved, (iii) number of cases classified as “expression of dissatisfaction”, and (iv) number of cases classified as formal complaints.

(b) Please tabulate the details by district.

(Relevant year)

	Number of complaint cases received	Number of police officers involved	Number of cases classified as “expression of dissatisfaction”	Number of cases classified as formal complaints
For example: Central				
Total				

(c) Please tabulate the details by district for the past 5 years regarding the number of cases that were finally classified as (i) full investigation, (ii) informal resolution, (iii) withdrawn, and (iv) not pursuable.

(Relevant year)

	Full investigation	Informal resolution	Withdrawn	Not pursuable
For example: Central				
Total				

(d) Out of the cases that required full investigation, please tabulate the details as below by district for the past 5 years regarding the number of cases that were finally classified as (i) substantiated, (ii) substantiated other than reported, (iii) not fully substantiated, (iv) unsubstantiated, (v) no fault, and (vi) false.

(Relevant year)

	Substantiated	Substantiated other than reported	Not fully substantiated	Unsubstantiated	No fault	False
For example: Central						
Total						

(e) Please tabulate the details by district for the past 5 years regarding the number of cases that were finally classified as (i) neglect of duty, (ii) misconduct/improper manner/offensive language, (iii) assault, (iv) threat, (v) unnecessary use of authority, (vi) fabrication of evidence, (vii) police procedures, and (viii) other offences, out of the cases received by the IPCC.

(Relevant year)

	Neglect of duty	Misconduct/improper manner/offensive language	Assault	Threat	Unnecessary use of authority	Fabrication of evidence	Police procedures	Other offences
Central								
Total								

(f) Please tabulate the details for the past 5 years regarding the attire of police officers involved in the complaint cases received by IPCC by (i) rank, (ii) whether they are uniformed officers, and (iii) whether they are plainclothes officers.

	2013-14	2014-15	2015-16	2016-17	2017-18
Rank:					
Police Constable					
Senior Police Constable					
Sergeant					
Station Sergeant					
Probationary Inspector					
Inspector					
Senior Inspector					
Chief Inspector					
Superintendent					
Senior Superintendent					
Chief Superintendent					
Dressing:					
Uniformed officer					
Plainclothes officer					

Asked by: Hon TAM Man-ho, Jeremy (Member Question No. (LegCo use): 637)

Reply:

(a) and (b) IPCC has not compiled information on complaint cases by district. The number of reportable complaints received from Complaints Against Police Office (CAPO) and endorsed by IPCC in the past 5 years is as follows:

	2013-14	2014-15	2015-16	2016-17	2017-18 (as at 28 Feb 2018)
Number of reportable complaints received and endorsed	2 591	2 241	1 784	1 550	1 542
Number of police officers involved in the reportable complaints	4 644	3 952	3 420	2 926	2 529
Number of “Expression of Dissatisfaction Mechanism” (EDM) cases vetted	Not applicable <small>Note 1</small>	Not applicable <small>Note 1</small>	1 331	1 229	744 ^{Note 2}

Note ¹: EDM is applicable since 2015.

Note ²: Figure as at 31 Jan 2018.

(c) and (d) The number of allegations, by investigation results, endorsed by the IPCC in the past 5 years is as follows:

Investigation result		2013-14	2014-15	2015-16	2016-17	2017-18 (as at 28 Feb 2018)
Cases required full investigation	Substantiated	86	76	81	49	68
	Substantiated other than reported	72	51	60	40	45
	Not fully substantiated	43	26	22	10	20
	Unsubstantiated	557	560	523	389	415
	No fault	467	522	469	375	395
	False	93	74	51	73	56
Informal resolution		396	328	141	204	305
Withdrawn		2 058	1 442	800	653	624
Not pursuable		968	1 009	1 213	1 014	827
Total		4 740	4 088	3 360	2 807	2 755

(e) The number of allegations, by nature, endorsed by the IPCC in the past 5 years is as follows:

Nature of allegation	2013-14	2014-15	2015-16	2016-17	2017-18 (as at 28 Feb 2018)
Neglect of duty	2 304	2 082	1 528	1 285	1 389
Misconduct/ improper manner/ offensive language	1 735	1 376	1 107	998	996
Assault	316	291	346	245	174
Threat	150	126	157	114	61
Unnecessary use of authority	140	123	149	103	91
Fabrication of evidence	84	76	55	57	40
Police procedures	4	9	9	2	1
Other offences	7	5	9	3	3
Total	4 740	4 088	3 360	2 807	2 755

(f) IPCC has not compiled information regarding the attire of police officers involved in the complaint cases. The ranks of police officers involved in the reportable complaint cases endorsed by IPCC in the past 5 years are as follows:

Rank	2013-14	2014-15	2015-16	2016-17	2017-18 (as at 28 Feb 2018)
Police Constable	2 539	2 096	1 618	1 452	1 246
Senior Police Constable	354	306	245	253	208
Sergeant	622	549	470	379	366
Station Sergeant	180	156	131	109	93
Inspector	171	166	151	151	155
Senior Inspector	156	145	111	89	88
Chief Inspector	42	40	40	34	20
Superintendent	11	8	14	15	5
Senior Superintendent	3	1	4	1	2
Chief Superintendent	2	2	8	4	1
Others ^{Note 3}	106	107	41	35	12
Not available ^{Note 4}	458	376	587	404	333
Total	4 644	3 952	3 420	2 926	2 529

Note ³: Include traffic warden and civilian staff etc.

Note ⁴: The identity of the involved police officer cannot be ascertained.

CONTROLLING OFFICER'S REPLY

SB516

(Question Serial No. 5344)

Head: (121) Independent Police Complaints Council

Subhead (No. & title): ()

Programme: (1) Police Complaints Administration

Controlling Officer: Secretary-General, Independent Police Complaints Council
(Richard YU)

Director of Bureau: Secretary for Security

Question:

The function of the IPCC includes handling complaints from the public against the Police. As such, please give the statistics for the nature of allegation of the complaints against police officers for the past 3 years.

Asked by: Hon YEUNG Alvin (Member Question No. (LegCo use): 75)

Reply:

In the past 3 years, the allegations against police officers in the complaint cases endorsed by the IPCC are listed as follows:

Nature of allegation	2015-16	2016-17	2017-18 (as at 28 Feb 2018)
Neglect of duty	1 528	1 285	1 389
Misconduct/ improper manner/ offensive language	1 107	998	996
Assault	346	245	174
Threat	157	114	61
Unnecessary use of authority	149	103	91
Fabrication of evidence	55	57	40
Police procedures	9	2	1
Other offences	9	3	3
Total	3 360	2 807	2 755