

**Replies to initial written questions raised by Finance Committee
Members in examining the Estimates of Expenditure 2010-11**

Head : 121 Independent Police Complaints Council

Programme : Police Complaints Administration

Reply Serial No.	Question Serial No.	Name of Member
SB168	0749	Hon. LEE Kok-long, Joseph
SB169	0511	Hon. LI Fung-ying
SB170	0822	Hon. TO Kun-sun, James
SB171	0831	Hon. TO Kun-sun, James
SB172	3112	Hon. TO Kun-sun, James

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Head : 121 – Independent Police Complaints Council Subhead (No. & title) :

Programme : Police Complaints Administration

Controlling Officer : Secretary-General, Independent Police Complaints Council

Director of Bureau : Secretary for Security

Question :

The Administration intends to gradually employ its own staff to replace civil servants seconded from the Government. Will the Government advise:

- (a) How many employees have been recruited so far to replace civil servants seconded from the Government?
- (b) Whether there is a timetable for the recruitment exercise? What are the manpower and expenditure required for the whole recruitment exercise?

Asked by : Hon. LEE Kok-long, Joseph

Reply :

(a) As at 5 March 2010, the Independent Police Complaints Council (IPCC) has employed 10 staff to replace civil servants seconded from the Government. The civil servants replaced include a seconded Senior Government Counsel who was under the establishment of the Department of Justice in the past.

(b) As at 5 March 2010, 13 posts in IPCC are filled by civil servants seconded from the Government. IPCC intends to conduct recruitment exercises for these posts in 2010-11. The detailed timetable would have to depend on whether suitable candidates are identified in the recruitment exercises, and the wastage of existing and new employees. The recruitment work is mainly undertaken by one Senior Manager and one Manager, and the estimated expenditure for this is \$904,000.

Signature	_____
Name in block letters	PHILOMENA LEUNG
	Secretary-General, Independent Police Complaints Council
Post Title	_____
Date	19.3.2010

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Head : 121 – Independent Police Complaints Council Subhead (No. & title) :

Programme : Police Complaints Administration

Controlling Officer : Secretary-General, Independent Police Complaints Council

Director of Bureau : Secretary for Security

Question :

In 2010-11, the Independent Police Complaints Council (IPCC) will employ its own staff to gradually replace civil servants seconded from the Government. In this regard, please provide the following information:

- (a) a breakdown by rank and function of the number of staff to be employed.
- (b) has the Administration set any specific entry requirements to ensure that the IPCC could monitor the handling of the complaints in a thorough, impartial and efficient manner? If yes, please list out by rank and function the entry requirements for appointment. If no, what are the reasons?

Asked by : Hon. LI Fung-ying

Reply :

- (a) As at 5 March 2010, 13 posts in the Independent Police Complaints Council (IPCC) are filled by civil servants seconded from the Government, including one Secretary-General, one Deputy Secretary-General, two Senior Vetting Officers and three Vetting Officers responsible for vetting complaint cases, one Senior Manager responsible for administrative duties, one Personal Secretary and four clerical staff. IPCC intends to conduct recruitment exercises for these posts in 2010-11. The detailed timetable would have to depend on whether suitable candidates are identified in the recruitment exercises, and the wastage of existing and new employees.

(b) Basic entry requirements for the posts at Manager and Vetting Officer level or above include: a bachelor's degree, good command of both Chinese and English and relevant working experience. Basic entry requirements for Personal Secretary and clerical staff include: a pass in five subjects at Grade E/Level 2 in the Hong Kong Certificate of Education Examination or equivalent, good command of both Chinese and English and relevant working experience.

Signature	_____
Name in block letters	PHILOMENA LEUNG
Post Title	Secretary-General, Independent Police Complaints Council
Date	19.3.2010

Examination of Estimates of Expenditure 2010-11

Reply Serial No.

SB170

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Question Serial No.

0822

Head : 121 – Independent Police Complaints Council Subhead (No. & title) :

Programme : Police Complaints Administration

Controlling Officer : Secretary-General, Independent Police Complaints Council

Director of Bureau : Secretary for Security

Question :

Please provide the establishment and strength of the Secretariat of the Independent Police Complaints Council in 2009-10 and the estimated figures for 2010-11.

Asked by : Hon. TO Kun-sun, James

Reply :

The establishment and strength position of the Independent Police Complaints Council in 2009-10 and the estimated figures for 2010-11 are as follows:-

	<u>2009-10</u> (as at 31 March)	<u>2010-11</u> (as at 31 March)
Establishment	28	28
Strength	28	28

Signature	_____
Name in block letters	PHILOMENA LEUNG
Post Title	Secretary-General, Independent Police Complaints Council
Date	19.3.2010

Examination of Estimates of Expenditure 2010-11

Reply Serial No.

SB171

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Question Serial No.

0831

Head : 121 – Independent Police Complaints Council Subhead (No. & title) :

Programme : Police Complaints Administration

Controlling Officer : Secretary-General, Independent Police Complaints Council

Director of Bureau : Secretary for Security

Question :

Regarding the work of the Independent Police Complaints Council (IPCC), please provide the following information:

- (a) the number of complaints classified as substantiated after review by the IPCC in 2009-10 and the number of police officers involved;
- (b) the number of complaints in respect of which the IPCC disagreed with the Complaints Against Police Office's investigations after review in 2009-10, and the follow up actions taken by the IPCC on these complaints; and
- (c) concerning the complaints reviewed in 2009-10, on how many occasions did the IPCC comment on the disciplinary actions taken against and warnings given to the police officers concerned as well as on the misconduct of the officers? On how many occasions were these comments accepted by the Police? On how many occasions did recommendations have to be made to the Commissioner of Police or the Chief Executive?

Asked by : Hon. TO Kun-sun, James

Reply :

- (a) In 2009, the classification in 131 reportable complaints (involving 169 allegations) endorsed by IPCC was substantiated or partly substantiated. These cases involved 174 police officers.

(b) In examining investigation reports submitted by the Complaints Against Police Office (CAPO), IPCC may propose to CAPO to re-classify the investigation results based on the information available. In 2009, IPCC raised 276 queries of this kind with CAPO. As a result of these queries, the classification in 154 allegations was changed and endorsed by IPCC. For the remaining 122 queries, IPCC endorsed CAPO's classification following the latter's explanation and clarification.

(c) In 2009, IPCC made 67 comments on follow-up actions taken by the Police on matters relating to the conduct of police officers. The Police accepted 59 of them and provided satisfactory explanations on the other eight. As a result, IPCC did not make any recommendations in this regard to the Commissioner of Police personally or to the Chief Executive in 2009.

Signature	_____
Name in block letters	PHILOMENA LEUNG
Post Title	Secretary-General, Independent Police Complaints Council
Date	19.3.2010

Examination of Estimates of Expenditure 2010-11

Reply Serial No.

SB172

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Question Serial No.

3112

Head : 121 – Independent Police Complaints Council Subhead (No. & title) :

Programme : Police Complaints Administration

Controlling Officer : Secretary-General, Independent Police Complaints Council

Director of Bureau : Secretary for Security

Question :

Please provide the number of observers, the resources required and the number of observations conducted and complaint cases involved in 2009-10 and the estimated figures for 2010-11.

Asked by : Hon. TO Kun-sun, James

Reply :

As at 7 March 2010, there were 91 Observers in the Independent Police Complaints Council (IPCC). In 2009-10 (up to 7 March 2010), 1 731 observations (involving 1 015 complaint cases) were conducted by Observers and IPCC Members. Expenses incurred were mainly in the form of travelling allowances. In 2009-10 (up to 7 March 2010), \$272,416 was paid as travelling allowances.

The estimated number of IPCC Observers and number of observations to be conducted in 2010-11 are not available, especially when a number of serving Observers may retire while additional Observers may be appointed during the year. Expenditure on travelling allowances to be incurred in 2010-11 would depend on the number of observations made and the rate of travelling allowances.

Signature	_____
Name in block letters	PHILOMENA LEUNG
	Secretary-General, Independent Police Complaints Council
Post Title	_____
Date	19.3.2010
