

Press release

The latest developments of the IPCC's review of the complaint case involving the alleged assault by a Police Superintendent

(HONG KONG – 19 July 2015) The Independent Police Complaints Council (IPCC) held a special in-house meeting on 10 July 2015, the purpose of which was to review a complaint case involving the alleged assault by a Police Superintendent during the discharge of his duties in Mong Kok last November. Based on the investigation report and relevant evidence submitted by the Complaints Against Police Office (CAPO), Members came to a conclusion and sent the IPCC's decision to CAPO on 13 July. On 17 July at around noon, the IPCC Secretariat received a reply from CAPO along with an amended investigation report.

Under the two-tier police complaints system, CAPO's complaint investigation report is first submitted to the IPCC Secretariat for vetting. The Secretariat will then scrutinise the report and either raise queries with CAPO, or request for clarification or more information. If the Secretariat does not have any queries regarding the investigation report, it will then submit the report to Council Members for their review. Since Members had already held in-depth discussions on this case (please refer to the chronology of the IPCC's work below), once the Secretariat received a reply from CAPO, it immediately reported the case's latest developments to all Council Members via email on 17 July afternoon. In the email, the Secretariat notified Members that the relevant documents (including CAPO's reply, the amended investigation report and the Secretariat's analysis document) will be circulated to them on 20 July for their review, and recommended Members to respond to the case again the latest by 22 July in order to conclude the case as soon as possible.

In regards to whether Members need to reconsider or discuss the case again based on the amended investigation report from CAPO, it depends on the Members' judgment after reviewing the information. Since the relevant documents have not yet been circulated to Members, it is too early to say whether the new arguments raised by CAPO entail further examination or discussion. In order to ensure that every complaint case is handled in a fair and just manner, if either the complainant or complainees presents new evidence or new arguments and the complaint case has

not yet been endorsed, the IPCC has a duty to review the case to see whether there is a need for further examination and consideration.

The IPCC understands that this case is a matter of immense public interest, and that as a result there are a lot of concerns and presumptions amongst the public about the vetting process and attempts to understand the process and related discussions through various sources. The Council would like to emphasise that during the vetting process of every case, the IPCC has always strictly adhered to the principle of confidentiality in order to avoid external influences affecting the vetting work and the Members' judgments, because this will in turn affect the Council's impartiality in handling the complaint case.

Mr Larry Kwok Lam-kwong, Chairman of the IPCC, said, "The rumours among the public are, in actuality, oversensitive presumptions and are not helpful to handling matters in a rational way. Regardless, the IPCC will always take an evidence-based approach to review the investigation report of every complaint case in a fair and just manner. We understand that this case is a matter of immense public concern; therefore Members have been working tirelessly in order to vet and conclude this case as soon as possible. Since the procedures relating to the handling of this case have yet to be completed, the details of the case will not be disclosed at this stage to avoid affecting the Council's impartiality."

Chronology of the IPCC's work

Date	Particulars
20 May	IPCC received CAPO's investigation report on this case
9 June	IPCC raised a query to CAPO based on the report contents
18 June	IPCC received CAPO's reply
23 June	IPCC held a Serious Complaints Committee meeting to discuss the case details
30 June	IPCC and CAPO held a working level meeting for both sides to state their views
7 July	IPCC received supplementary information from CAPO and an amended investigation report
10 July	IPCC called a special in-house meeting to discuss this case
17 July	IPCC Secretariat received CAPO's reply and reported the case's latest developments to all Council Members via email
Estimated 20 July	Relevant documents (including CAPO's reply, the amended investigation report and the Secretariat's analysis document) to be circulated to all Council Members

Notes to editor:**About the Independent Police Complaints Council**

The Independent Police Complaints Council (IPCC) is an independent body established under the Independent Police Complaints Council Ordinance (IPCCO) (Cap. 604) to observe, monitor and review the handling and investigation of reportable complaints (RCs) against the Police by the Commissioner of Police (CP). The IPCC has become a statutory body since the commencement of IPCCO on 1 June 2009.