

主席前言

Chairman's foreword



我謹代表獨立監察警方處理投訴委員會（監警會）發表第八份工作報告。

自2014年本人接任監警會主席一職以來，委員會和市民一起經歷了多次的大型公眾事件和社會氣氛的轉變。我們克服了佔領事件和旺角騷亂帶來的衝擊和挑戰，事實上，監警會沉著捍衛其獨立公平的核心價值和維護以證據為依歸的原則，絕不會因輿論壓力而倉促對社會事件或個別投訴個案表態或評論。這三年多以來，我們不忘固本，同時致力完善兩層架構投訴警察制度，以及提升監警會審核和行政管理的工作效率，期望在各方面都精益求精。

I hereby present the eighth Independent Police Complaints Council (IPCC) Report on behalf of the Council.

I assumed office as the IPCC Chairman in 2014. From then on, the Council has experienced with the public a number of public order events and changes in social climate. We have risen above the impacts and challenges of the Occupy Movement and the Mong Kok Riot. As a matter of fact, the IPCC upholds its core values of independence and impartiality with poise while staying true to its evidence-based principle, and never gives any rushed opinion or comment on any social event or individual complaint case. Over the past three years we continued to strengthen the base while strive to enhance the integrity of the two-tier police complaints system and increasing the efficiency for complaints handling and administrative work. In this way we can continue to improve and excel in every aspect of our work.

處理投訴

不偏不倚處理與佔領事件和旺角騷亂有關的投訴

2014年佔領事件衍生了172宗須匯報投訴及357宗須知會投訴。截至本報告期末，委員會已完成了絕大部分的審核工作並通過了168宗(97%)須匯報投訴，包括一宗涉及警官的毆打個案。餘下個案尚待投訴警察課的調查跟進，或因牽涉司法程序而停止調查。至於2016年旺角騷亂所引起的29宗須匯報投訴，委員會亦已通過了16宗個案，四宗個案尚在審核中，其餘有待投訴警察課完成調查。

獨立公正處理嚴重投訴

至於其他的嚴重投訴個案，年內委員會處理了多宗公眾關注的投訴，包括一宗誤控智障人士誤殺事件，在17項指控中有10項「獲證明屬實」，部分是經監警會審核後而更改調查結果分類，共九名警務人員需要接受紀律行動。

積極提升審核投訴效率

監警會與投訴警察課舉行的工作層面會議，由以往每三個月一次增加至兩個月一次，以加快處理個案的效率；並全力處理積壓已久的複雜個案。此類個案的數目，由2015年雙位數字的高位，回落到本報告期末的四宗。而報告期內，審核個案時間縮短了近10%，平均日數由對上一年的144日下降至今年的133日。

更改調查結果分類

監警會一直致力確保投訴指控的調查結果分類公平、公正。在本年度，共有209項指控在監警會要求下重新分類，按年增加近60%，包括21項由「無法證實」、「並無過錯」等再分類為「獲證

Handling complaints

Handling complaints arising from the Occupy Movement and the Mong Kok Riot objectively

The 2014 Occupy Movement gave rise to a total of 172 Reportable Complaints and 357 Notifiable Complaints. As of the end of this reporting period, the Council finished reviewing most of these complaints and endorsed 168 (97%) of the Reportable Complaints, including an assault case involving a senior police officer. The rest of the cases either required further investigation by the Complaints Against Police Office (CAPO) or were suspended due to legal proceedings. Out of the 29 Reportable Complaints arising from the 2016 Mong Kok Riot, 16 were endorsed by the Council, while four are under review and the remaining awaiting full investigation by CAPO.

Handling serious complaints independently and impartially

As for other serious cases, we handled a number of complaints of public interest during the year, including the incident where a mentally incapacitated person (MIP) was mistakenly accused of manslaughter. 10 of the total 17 allegations were classified as "Substantiated", some of which were so reclassified following the IPCC's review, and disciplinary action would be taken against a total of nine police officers.

Improving efficiency of complaint review proactively

In order to improve the efficiency in case handling, we increased the frequency of working level meeting between the IPCC and CAPO from once every three months to once every two months, and spared no effort in processing complicated, long-pending cases. The number of cases falling within this category decreased to four at the end of this reporting period from high double-digit level in 2015. In the meantime, we shortened the time required for reviewing complaint cases by approximately 10% during the reporting period, from an average of 144 days in the previous year to 133 days.

Changing the classification of investigation results

As always, the IPCC is committed to ensuring a fair and impartial classification of investigation results for all allegations. During the year, a total of 209 allegations were reclassified, an increase of nearly 60% year-on-year, as requested by the IPCC. 21 of them were reclassified as "Substantiated" from "Unsubstantiated" or "No Fault"

明屬實」及九項由「無法證實」、「並無過錯」等再分類為「無法完全證明屬實」，充分彰顯監警會審核工作的嚴謹性。

改善大型遊行活動安排

會方重視提升警隊的服務質素，透過審核投訴就警察工作的常規和程序提供改善建議，包括大型遊行活動的處理等。多年來多項建議均獲得警方接納和跟進，今年已是連續第二年再無接獲七一遊行衍生的投訴。

提出改善警隊服務的建議

過去三年，會方亦向警方提出逾40項改善建議，當中包括今年的10項建議，例如是改善處理精神上無行為能力人士的程序等。不少警方程序也在期內得到優化，包括警方處理性罪行受害者的指引、警方在大型公眾活動使用攝錄機的指引等。

優化觀察員計劃

近年會方另一個工作重點，是進一步強化觀察員的監察角色，加強對他們的支援，以便他們出席投訴警察課就調查投訴所進行的會面及證據收集工作。期內，會方提升了觀察員計劃的網上系統，方便觀察員隨時預約，又舉行了工作坊，讓他們交流經驗及即場向投訴警察課反映意見。此外，會方也積極和警方及其他部門協調，改善觀察行動的行政安排，例如在一些拘留設施撥出特定時段供投訴會面之用，縮短觀察員在現場等候的時間。今年的觀察員出席率達87.9%，是連續第二年超過八成半的水平。

etc., and nine as “Not Fully Substantiated” from “Unsubstantiated” or “No Fault” etc. This shows the stringency of IPCC’s monitoring process.

Improving arrangement for large-scale processions

The IPCC attaches great importance to enhancing service quality of the Police. Through reviewing complaint cases, we make recommendations for improving police practices and procedures, including those related to the handling of large-scale processions. The Police adopted and followed up on many of our recommendations during the years. 2016 marked the second consecutive year without any complaints arising from the 1 July procession.

Making recommendations for improving police services

Over the past three years, we have also made more than 40 recommendations to the Police for improvement. These include 10 which were given this year, covering the improvement of procedure for dealing with the MIPs. During the period, several police procedures were improved including the police guidelines on dealing with sexual offence victims as well as those on using video cameras during public order events.

Enhancing the Observers Scheme

Another recent focus of the IPCC is to strengthen the monitoring function of Observers and stepping up support to them, facilitating their observation of interviews for complaints investigation and collection of evidence conducted by CAPO. During the period, in addition to upgrading the online system for the Observers Scheme to enable appointment booking at any time, workshops were organised for Observers to share their experiences and give direct feedback to CAPO. Furthermore, we actively coordinated with the Police and other Government departments to improve the administrative arrangements in relation to observations, such as assigning time slots at certain detention facilities for complaint-related interviews, thus reducing the on-site waiting time of Observers. Observer attendance rate was 87.9% for this year, the second consecutive year achieving above the 85% level.

機構管治

全面強化管治和行政

委員會於2014年增設副秘書長(管理)一職，以優化管治及增強秘書處的行政管理能力。隨著新秘書長於2016年履新，秘書處亦於同年完成了人力資源管理顧問報告。根據顧問建議，為秘書處職員推行年度表現評核計劃，並加強培訓和挽留人才的措施，讓員工有系統化的培訓計劃。另外，秘書處在本年度增設了兩個助理秘書長的職位，進一步加強審核工作的監督和效率。

加強法律支援及研究工作

本會在委員會下增設第五個專責委員會——法律事務委員會，就委員會日常事務及審核投訴個案所產生的法律問題等提出意見。在法律顧問的督導下亦成立了研究組，目的是加強管理和分析與審核投訴個案相關的統計數字和資料，為法律事務委員會提供支援，並研究在投訴處理機制、警察指引及程序等事情上的國際做法，以協助委員會更好地審核投訴及履行各項法定職能。

加強資訊科技應用

會方在年內進行各項紀錄系統電子化，包括投訴個案資料及人力資源管理系統等，藉此協助員工提升日常工作的效率，加強數據分析和管理的工作。

推廣公眾及青少年教育

監警會自2016年9月起以試驗形式走進校園，與中、小學生接觸，分享兩層架構投訴警察制度、審核個案的原則、監警會的價值觀，及投訴的權利和責任等。另一方面，會方亦走訪了全港18區的撲滅罪行委員會，向地區人士推廣監警會的工作並聆聽意見。與此同時，我們在網站增設「主席專欄」，

Corporate governance

Stepping up governance and administrative efforts on all fronts

In 2014, the Council has established a new position, Deputy Secretary-General (Management), to enhance governance and strengthen the administrative capability of the Secretariat. The new Secretary-General took office in 2016 and the consultancy report on Human Resources Management was completed in the same year. In light of the recommendations from the consultant, annual performance appraisal for the IPCC Secretariat staff as well as enhanced measures for training and retaining talents were pursued so that staff could benefit from a structured training scheme. In addition, two Assistant Secretary-General positions have been established during the year to further improve the supervision and efficiency of the case reviewing process.

Enhancing legal support and research

The Council set up its fifth Committee, the Legal Committee, which comments and expresses views on legal issues arising from daily operations of the Council and examination of complaint cases. Under the supervision and guidance of the Legal Adviser, a research team was also formed to better manage and analyse the statistics and information related to the review of complaint cases while providing support to the Legal Committee. The team also studies international practices in complaint handling mechanisms as well as police guidelines and procedures, facilitating the review of complaints and the discharge of statutory duties by the Council.

Enhancing the application of information technology

During the year, a number of information management systems have been automated including those for complaint case information and human resources management, with a view to increase the work efficiency of our staff while strengthening data analysis and management functions.

Promoting public and youth education

The IPCC began its school pilot programme in September 2016, sharing with secondary and primary school students the two-tier police complaints system, the principles of reviewing complaint cases, the IPCC core values, and the rights and responsibilities of making complaints. Furthermore, the IPCC visited the Fight Crime Committees across the 18 districts in Hong Kong, introducing its work to the local communities and listening to their views. At the same time, a "Chairman's column" was added to our website to provide more

適時提供更多關於監警會工作和審核個案的資訊。

投訴數據分析

至於整體的投訴情況，監警會在2016/17年度接獲1,567宗新個案的調查報告，數字與去年度相若。監警會通過的調查報告有1,550宗，涉及逾2,800項指控，按年分別下跌約13%及17%。各指控類別中排首位的指控依然是「疏忽職守」（例如：警務人員在執行任務時未能採取適當行動，或未能全面調查案件），佔約45%，其次是「行為不當/態度欠佳/粗言穢語」，佔約35%。

調查結果分類方面，我們注意到分類為「虛假不確」的指控明顯上升，較去年增加超過40%。雖然這比率佔整體數字不足3%，但委員會希望大眾明白，投訴機制是開明社會的一大基石，投訴人在行使公民權利的同時，也有責任確保所提供的資料真確，令處理投訴的公共資源用得其所。

感謝榮休委員

最後，我衷心感激各位榮休的委員——葉成慶先生、劉玉娟女士、梁繼昌議員、馬學嘉博士、馬恩國先生、黃碧雲議員、黃幸怡女士、黃德蘭女士、葉振都先生和任景信先生，他們在任期內不遺餘力地審核個案及處理各專責委員會的事務，對本會作出了莫大的貢獻。我同時感謝全體委員及觀察員、秘書長和秘書處職員，期望大家繼續同心協力，秉承監警會獨立、公正、誠信的價值觀，攜手鞏固香港的兩層架構投訴警察制度，共建美好香港。



郭琳廣，SBS，JP
主席

information about the work of the IPCC and complaint cases where appropriate.


Complaint statistics analysis

As for the overview of complaints, the IPCC received investigation reports of 1,567 new cases during 2016/17, levelling off the previous year. The IPCC endorsed 1,550 investigation reports involving more than 2,800 allegations, decreasing 13% and 17% year-on-year, respectively. "Neglect of Duty" (e.g. police officers failing to take proper action or conduct full investigation when carrying out their duties) remained the most common allegation, accounted for approximately 45% of the total, followed by "Misconduct/ Improper Manner/Offensive Language", representing about 35% of the total.

As for the classification of investigation results, we noticed a sharp increase in the number of allegations classified as "False", a jump of over 40% compared to that of previous year. While the figure represents less than 3% of the total, we hope the public understand that a complaint mechanism is one of the cornerstones for a liberal society. Therefore, a Complainant should make sure that all information provided is accurate when executing his/her civil rights, so that our public resources for complaint handling could be effectively deployed.

Gratitude for retired Members

Last but not least, I would like to extend our sincere gratitude to each of the retired Members: Mr Simon Ip Shing-hing, Ms Noeline Lau Yuk-kuen, Hon Kenneth Leung Kai-cheong, Dr Carol Ma Hok-ka, Mr Lawrence Ma Yan-kwok, Dr Hon Helena Wong Pik-wan, Ms Sandy Wong Hang-ye, Ms Mary Wong Tak-lan, Mr Adrian Yip Chun-to and Mr Peter Yan King-shun, who made tremendous contributions to the Council in their years of service by dedicating their effort to reviewing cases and addressing Committee matters. I would also like to thank all our Members, Observers, Secretary-General and Secretariat staff. Let us continue to work together to uphold the IPCC's core values of independence, impartiality and integrity, strengthen Hong Kong's two-tier police complaints system and create a better future for our home.



Larry KWOK Lam-kwong, SBS, JP
Chairman