

監警會通訊

IPCC NEWSLETTER



監警會繼續積極與持份者溝通

The IPCC continuously outreaches to various stakeholders



本通訊網上版可在監警會網頁下載
On-line version of this newsletter is available at
www.ipcc.gov.hk

查詢 Enquiries

電話 Tel : 2524 3841
傳真 Fax : 2524 1801 / 2525 8042
電郵 Email : enq@ipcc.gov.hk

地址 Address

香港灣仔港灣道26號華潤大廈10樓1006-10室
Rooms 1006-10, 10/F, China Resources Building,
No. 26 Harbour Road, Wan Chai, Hong Kong

監警會頻道 IPCC Channel

<http://www.youtube.com/user/ipccchannel>



監警會網頁
IPCC Website



監警會YouTube頻道
IPCC YouTube channel

p.2-5 封面故事 **Cover story**

監警在線 **IPCC online** p.6

p.7-13 最新動態 **Recent activities**

監警觀點 **Viewpoint from IPCC** p.14-17

p.18 監警會委員和觀察員
IPCC Members and Observers

真實投訴個案 **Real complaint case** p.19-20

監警會繼續積極與持份者溝通

The IPCC continuously outreaches to various stakeholders



監警會定期與警隊各部門和各階層的代表會面，了解他們對投訴警察制度的看法以及在執行職務時遇到的困難
The IPCC regularly meets with with police units and formations at different levels to better understand their views on the police complaints system and the difficulties they encounter when discharging their duties

獨立監察警方處理投訴委員會(簡稱監警會)於2009年6月1日成為法定機構。隨著《獨立監察警方處理投訴委員會條例》(簡稱《監警會條例》)生效，監警會被賦予《監警會條例》第8條1(e)的法定職能——加強公眾對監警會的角色認識。為履行這項新的法定職能，監警會不但透過各種渠道向公眾介紹會方的工作，還定期與不同的持份者會面，從而了解更多他們對兩層架構投訴警察制度的看法。

Since becoming a statutory body on 1 June 2009, the Independent Police Complaints Council (IPCC) has been tasked by the Independent Police Complaints Council Ordinance section 8(1)(e) with a statutory function of promoting public awareness of the role of the Council. In discharging this new statutory function, not only has the IPCC made use of various channels to introduce our work to the public, it has also met regularly with various stakeholders to learn more about their views on the two-tier police complaints system.

封面故事

Cover story



海外督察協會的代表向監警會委員表示他們對監警會的公正性的關注

OIA representatives voice their concerns about the IPCC's impartiality

與警察職方協會聯繫

警方是監警會最主要的持份者之一，因此委員會有需要與警隊各部門和各階層的代表持續會面，從中了解他們對投訴警察制度的看法以及在執行職務時遇到的困難。

監警會於2011年首次與四個警察職方協會進行會面。在2014年，會方認為是適當時候與各警察職方協會再次見面。由於警方需要處理在2014年下旬發生的佔領事件，監警會在2014年3月與警隊員佐級協會會面後，餘下與香港警務督察協會、警司協會及海外督察協會的會面都因此延期。在投訴警察課的安排下，監警會於2015年成功約見餘下三個協會。

在這些會面中，監警會的公正性是其中一項受到警察職方協會代表共同關注的議題。這是由於個別委員在投訴個案未完成審核程序前便以個人身份對該個案作出評論。這些評論讓公眾覺得監警會委員在判斷警方的行動時已有既定立場，是可以理解的。

Engaging police staff associations

The Police is one of the IPCC's major stakeholders, so it is essential for the Council to continue meeting with police units and formations at different levels, to better understand their views on the police complaints system and the difficulties they encounter when discharging their duties.

The Council first met with the four police staff associations in 2011, and in 2014 it was considered an opportune time to meet with them again. Due to the police's commitment in connection with the Occupy Movement in late 2014, after the meeting with the Junior Police Officers Association (JPOA) in March 2014, the meetings with the Hong Kong Police Inspectors' Association (HKPIA), the Superintendents' Association (SPA) and the Overseas Inspectors' Association (OIA) were postponed. Through arrangements by the Complaints Against Police Office (CAPO), the IPCC successfully met with the HKPIA, SPA and OIA in late 2015.

During these meetings, one of the common concerns raised by the police staff associations' representatives was the IPCC's impartiality. This concern arose from individual Members commenting on particular cases in their personal capacities before the review procedures for these cases have been completed. Understandably, this gave the impression that some IPCC Members had default positions when it comes to judging the actions taken by the Police.

封面故事

Cover story



鄭承隆先生(第一排右五)到訪黃大仙區撲滅罪行委員會，以加強委員會成員對監警會的認識

Mr Edwin Cheng Shing-lung (first row, fifth from right) visits the Wong Tai Sin DFCC to increase their members' awareness of the IPCC



鄭錦鐘博士(右二)到訪屯門區撲滅罪行委員會，介紹監警會的歷史和職能

Dr Eric Cheng Kam-chung (second from right) visits the Tuen Mun DFCC to introduce the history and functions of the IPCC

劉文文女士(左二)到訪中西區撲滅罪行委員會，向委員會成員介紹監警會的工作

Miss Lisa Lau Man-man (second from left) visits the Central and Western DFCC to introduce the work of the IPCC

監警會委員向警方代表解釋，委員分成數個小組審核個案，故每一宗個案的決定都經過數名委員審核才會達成，絕非任何個別委員可以隨意主宰的。再者，每名委員都有自己的思考過程，並會獨立地作出決定。監警會委員來自社會不同界別，確保監警會能夠全面代表香港廣大社會，有助提高會方的認受性。

另一個在會面上受關注的議題是警方處理公眾活動時所面對的困難和挑戰。委員了解監警會常予人閉門造車的印象，並認為多聆聽前線警務人員在日常工作時遇到的困難是十分重要的。因此，監警會開始現場觀察大型公眾活動，例如每年的七一遊行以及2014年發生的佔領事件期間。委員在過往幾年亦經常到不同的警區探訪，聆聽前線警務人員面對的困難。

總括而言，監警會委員認為與警察職方協會的會面獲益良多，有助監警會理解不同階層的警務人員的觀點。警方代表亦感謝監警會在大型公眾活動進行觀察，並歡迎監警會繼續探訪不同的警區。會方期望與警方進一步聯繫，並落實於三月中約見警隊員佐級協會，了解前線警務人員的想法。

IPCC Members reassured the police representatives that the Council is split into sub-groups for reviewing complaint cases, so every case must be reviewed by several Members before a decision could be reached, and the outcome could not be arbitrarily decided by a single Member. Moreover, every Member has his or her own thought process and makes his or her decisions independently. A Council encompassing a wide political spectrum ensures that the IPCC is fully representative of the broader Hong Kong society, which in turn helps the Council gain public recognition.

The other common concern brought up at these meetings was the Police's difficulties and challenges in handling public order events. Members acknowledged that there was an impression that the IPCC reviews cases in a vacuum, and recognised the importance of understanding the frontline police officers' difficulties from the operational point of view. To this end, the IPCC has been conducting on-site observations of large-scale public order events, such as during the annual July 1 protests and throughout the Occupy Movement in 2014. Members have also frequently visited different police districts over the past several years, to chat with frontline police officers about the challenges they face.

All in all, IPCC Members found the meetings with the police staff associations immeasurably fruitful, as they helped the Council understand the Police's perspective from various levels within the Police Force. Police representatives also expressed their appreciation of the IPCC's observations at public order events, and welcomed the IPCC's visits to different police regions. The Council looks forward to further engagement with the Police and meet with the JPOA in mid-March to better understand the views of frontline police officers.

封面故事

Cover story

葉振都先生(右五)和鄭錦鐘博士(右四)到訪深水埗區撲滅罪行委員會，向委員講解監警會委員審核投訴個案的準則

Mr Adrian Yip Chun-to (fifth from right) and Dr Eric Cheng Kam-chung (fourth from right) visit the Sham Shui Po DFCC to explain the standard that Members apply when reviewing complaint cases



鄭錦鐘博士(右三)到訪沙田區撲滅罪行委員會，向委員分享了數宗較為特別的投訴個案

Dr Eric Cheng Kam-chung (third from right) visits the Sha Tin DFCC to share several prominent complaint cases



鄭錦鐘博士(右一)到訪油尖旺區撲滅罪行委員會，向委員講解監警會的工作和兩層架構投訴警察制度的運作

Dr Eric Cheng Kam-chung (first from right) visits the Yau Tsim Mong DFCC to introduce the work of the IPCC and the operation of two-tier police complaints system

到訪各區撲滅罪行委員會

撲滅罪行委員會在社區中推廣撲滅罪行及鼓勵公眾參與預防罪案發生方面擔當著一個重要的角色，他們亦會代表社區就著各區關注的法治事宜與警方合作。

鑑於分區滅罪委員會與警方及市民均有緊密聯繫，以及為了加強各區撲滅罪行委員會對監警會及兩層投訴警察制度的認識，會方去年開始到訪十八區的撲滅罪行委員會，介紹其職能和工作。在報告期內，監警會到訪了黃大仙區、屯門區、中西區、深水埗區、油尖旺區及沙田區的撲滅罪行委員會。

在會議中，宣傳及意見調查委員會成員在秘書長的陪同下，介紹監警會的歷史和職能，並分享了數宗較為特別的投訴個案。監警會的簡介深受撲滅罪行委員會的好評，他們亦就會方的工作提出了寶貴的意見。這些交流令會方獲益良多，有助會方持續改進。

監警會感謝撲滅罪行委員會抽空聆聽會方的介紹，並期望在未來幾個月繼續到訪其餘各區的撲滅罪行委員會。

Visits to District Fight Crime Committees

District Fight Crime Committees (DFCCs) play an important role in promoting the fight against crime and encouraging public participation in fight crime initiatives at the district level. They represent the community in working with the Police concerning law and order issues in every district.

Considering the DFCCs' close working relations with both the Police and the citizens and with a view to increasing the DFCCs' understanding of the IPCC and the two-tier police complaints system, the Council launched an outreach initiative last year to introduce the role and work of the IPCC to the DFCCs of all 18 districts. During this reporting period, the IPCC visited the DFCCs of Wong Tai Sin District, Tuen Mun District, Central and Western District, Sham Shui Po District, Yau Tsim Mong District and Sha Tin District.

In these meetings, Members of the Publicity and Survey Committee (PSC), accompanied by the Secretary-General, introduced the history and functions of the IPCC, and shared several prominent complaint cases. The presentations were well received by DFCC members, who also shared valuable feedback on the IPCC's work. These fruitful exchanges will surely assist the Council in seeking to continuously improve.

The IPCC appreciates the DFCCs making time in their meetings for the IPCC's presentation, and looks forward to visiting the remaining DFCCs in the coming months.

監警會在2015年10月至2016年3月的網上動態

IPCC's online activities from October 2015 to March 2016



The screenshot shows the IPCC website's 'Publications' section. The 'Annual Reports' list includes '2014/15' as the current selection. The report cover is displayed, titled 'Report of IPCC 2014/15'. A table of contents lists 13 chapters, including 'Cover', 'Contents, Vision, Mission and Values', 'Chairman's foreword', 'Year at a glance', and various chapters on IPCC operations, stakeholder engagement, and financial statements. A 'Download IPCC Annual Report 2014/15 (Full version)' link is provided. Social media sharing options for Twitter, Facebook, and LinkedIn are visible, along with a prompt to download Adobe Reader for PDF files.

《監警會2014/15工作報告》網上版已上載至監警會網站，公眾可下載全本工作報告或按內容章節分別下載
The IPCC Report 2014/15 is available on the IPCC website. It can be downloaded by section or as a full report

《監警會2014/15工作報告》可於 監警會網站下載

監警會於去年12月2日發佈《監警會2014/15工作報告》，總結會方在2014/15財政年度的工作。報告內容包括監警會監察投訴的處理、處理投訴警察議題和改善建議、真實投訴個案、會方與持份者的聯繫及傳訊工作等。報告的電子版亦於發佈當日上載至監警會網站，訪客可按閱讀興趣及習慣下載全本工作報告或按個別章節查閱。

The IPCC Report 2014/15 is available on the IPCC website

The IPCC Report 2014/15, released on 2 December 2015, summarises the IPCC's work in the fiscal year 2014/15. Contents include the IPCC's monitoring of CAPO's complaints handling, police complaints-related issues and recommendations, complaint cases, the Council's engagement with stakeholders, and communications work. The electronic version of the report was also made available on the IPCC website on the day of release. Members of the public can choose between downloading the whole report or individual chapters according to their interests and reading preferences.

監警會在2015年10月至2016年3月的活動

IPCC's recent activities from October 2015 to March 2016

12

10月 OCT

第十七期《監警會通訊》傳媒發佈會

Release of the IPCC Newsletter issue no. 17



監警會推出第十七期《監警會通訊》，並舉行新聞發佈會介紹通訊內容。發佈會當日，郭琳廣主席在梅達明副秘書長(行動)陪同下，向傳媒講解監警會的最新活動。該期通訊包括監警會就佔領事件的最新工作進展、監警會嚴重投訴個案委員會內的特別工作小組主席陸貽信資深大律師和朱敏健秘書長的訪問，並專題報道監警會委員觀察七一遊行的情況。此外，梅達明副秘書長詳細講述一宗警方在證據不足以控告投訴人的情況下不斷延長其保釋期的投訴個案。

A media briefing was held to release the seventeenth issue of the *IPCC Newsletter*. During the briefing, Mr Larry Kwok Lam-kwong (Chairman) and Mr Daniel Mui (Deputy Secretary-General, Operations) presented highlights of the IPCC's latest publicity initiatives. The newsletter included the IPCC's work update on the Occupy Movement; an interview with Mr Arthur Luk Yee-shun, SC, (Chairman of the Special Task Force under the Serious Complaints Committee), and Mr Ricky Chu, (Secretary-General); and a special feature on the IPCC's observation of the 1 July procession. Mr Daniel Mui then illustrated how the IPCC reviewed a complaint case concerning the Police's action in repeatedly extending bail without sufficient evidence to charge the complainant.

17-21

10月 OCT

參與廣西考察團

Delegation to Guangxi



朱敏健秘書長應中央人民政府駐香港特別行政區聯絡辦公室的邀請，參與廣西考察團，與其他代表交流意見，並向他們介紹監警會的架構和職能及香港的投訴警察制度。

Mr Ricky Chu (Secretary-General) was invited by the Liaison Office of the Central People's Government to join a delegation to Guangxi. He exchanged views with other participants and introduced the role and functions of the IPCC, as well as the police complaints system in Hong Kong.



最新動態

Recent activities

7-8

11月 Nov



出席香港法定機構研討會

Attended the Hong Kong statutory bodies seminar

任景信先生(前排右一)與秘書處職員應邀出席於深圳舉行的香港法定機構研討會，與其他法定機構代表就「國家治理現代化」的主題交流意見。

Mr Peter Yan King-shun (first row, first from right) and Secretary staff were invited to attend the Hong Kong statutory bodies seminar in Shenzhen, where they exchanged views with other representatives on the topic "Modern Governance of China".

12

11月 Nov

與警司協會會面

Meeting with the Superintendents' Association (SPA)



郭琳廣主席、馬恩國先生、劉玉娟女士、黃幸怡女士、鄭錦鐘博士、何錦榮先生、許宗盛先生及關治平工程師與警司協會代表會面，聆聽他們就監警會的公正性，及投訴警察的趨勢的意見。

Mr Larry Kwok Lam-kwong (Chairman), Mr Lawrence Ma Yan-kwok, Ms Noeline Lau Yuk-kuen, Ms Sandy Wong Hang-ye, Dr Eric Cheng Kam-chung, Mr Richard Ho Kam-wing, Mr Herman Hui Chung-shing and Ir Edgar Kwan Chi-ping met with representatives of the SPA to listen to their opinions on the impartiality of the IPCC, and their thoughts on the trend of complaints against the Police.

27

11月 Nov

與海外督察協會會面

Meeting with the Overseas Inspectors' Association (OIA)



郭琳廣主席、葉成慶先生、黃幸怡女士及關治平工程師與海外督察協會代表會面，聆聽他們就監警會的公正性及監警會會面的機制的意見。

Mr Larry Kwok Lam-kwong (Chairman), Mr Simon Ip Shing-hing, Ms Sandy Wong Hang-ye and Ir Edgar Kwan Chi-ping met with representatives of the OIA to listen to their opinions on the impartiality of the IPCC and the mechanism of the IPCC interviews.

最新動態

Recent activities

30
11月 Nov

出席西九龍總區預防投訴委員會會議

Attended the Kowloon West Regional Committee on Complaints Prevention meeting

郭琳廣主席應邀出席西九龍總區預防投訴委員會會議。投訴警察課代表於會上報告，總區最新投訴數字較去年及上一季均呈下跌趨勢，郭琳廣主席注意到總區在預防投訴工作以及表達不滿機制的成效。

Mr Larry Kwok Lam-kwong (Chairman) was invited to attend the Kowloon West Regional Committee on Complaints Prevention meeting. CAPO officers reported that the Region showed a decreasing trend in complaints. Mr Larry Kwok noted the Region's efforts in complaint prevention and the effectiveness of the Expression of Dissatisfaction Mechanism.



2
12月 DEC

《監警會2014/15工作報告》新聞發佈會

IPCC Report 2014/15 media briefing



副主席陳健波議員代表監警會向立法會提交監警會2014/15工作報告。同日中午，郭琳廣主席與朱敏健秘書長主持《監警會2014/15工作報告》傳媒發佈會暨午餐會，向傳媒朋友講解工作報告的內容。劉玉娟女士、梁繼昌議員、黃幸怡女士、陳建強醫生、何世傑博士、劉文文女士及陳章明教授亦有一同出席午餐會，和傳媒代表一同午膳交流。

On behalf of the IPCC, Hon Chan Kin-por (Vice-Chairman) submitted the IPCC Report 2014/15 to the Legislative Council. Mr Larry Kwok Lam-kwong (Chairman) and Mr Ricky Chu (Secretary-General) hosted a media briefing and luncheon to launch the report to the press. Ms Noeline Lau Yuk-kuen, Hon Kenneth Leung Kai-cheong, Ms Sandy Wong Hang-ye, Dr Eugene Chan Kin-keung, Ir Dr Vincent Simon Ho, Miss Lisa Lau Man-man and Prof Alfred Chan Cheung-ming were also present and had lunch with reporters.



最新動態

Recent activities

3

12月 DEC

到訪黃大仙區撲滅罪行委員會

Visit to the Wong Tai Sin District Fight Crime Committee

為增加撲滅罪行委員會的成員對監警會及其職能的認識，監警會宣傳及意見調查委員會主席鄭承隆先生與朱敏健秘書長出席黃大仙區撲滅罪行委員會的會議，介紹監警會的架構與職能以及兩層架構投訴警察制度的運作。

In order to increase DFCC Members' awareness of the role of the IPCC, Mr Edwin Cheng Shing-lung (Chairman of the Publicity and Survey Committee) and Mr Ricky Chu (Secretary-General) attended the Wong Tai Sin DFCC Meeting. They explained the structure and functions of the IPCC, and the operation of two-tier police complaints system.



8

12月 DEC

監警會和投訴警察課聯席會議

Joint IPCC and CAPO meeting

是次聯席會議上，警方向監警會簡介「正向情緒及心理韌性」培訓課程的內容及成效，以及報告與佔領事件投訴統計數據和調查進度，雙方並討論有關議題。

At a joint meeting between the IPCC and CAPO, the Police introduced the implementation and effectiveness of their "Emotional Fitness Training" programme, and reported the number of complaints they had received in relation to the Occupy Movement, and progress with complaints investigations. The two parties proceeded to discuss matters related to these topics.



11

12月 DEC

與新加坡管理大學法律學院會面

Meeting with the Singapore Management University's School of Law



梁繼昌議員及朱敏健秘書長與新加坡管理大學法律學院代表會面交流，介紹監警會的歷史、職能和工作。

Hon Kenneth Leung Kai-cheong and Mr Ricky Chu (Secretary-General) met with representatives from the Singapore Management University's School of Law and introduced the history, role and work of the IPCC.



13

1月 Jan

到訪屯門區撲滅罪行委員會 Visit to the Tuen Mun District Fight Crime Committee



鄭錦鐘博士及朱敏健秘書長出席屯門區撲滅罪行委員會的會議，介紹監警會的工作和職能，並向委員講解監警會的公正性及審核投訴個案的程序。

Dr Eric Cheng Kam-chung and Mr Ricky Chu (Secretary-General) attended the Tuen Mun DFCC meeting. They introduced the work and functions of the IPCC, and explained the impartiality of the IPCC and the procedures for reviewing complaint cases.



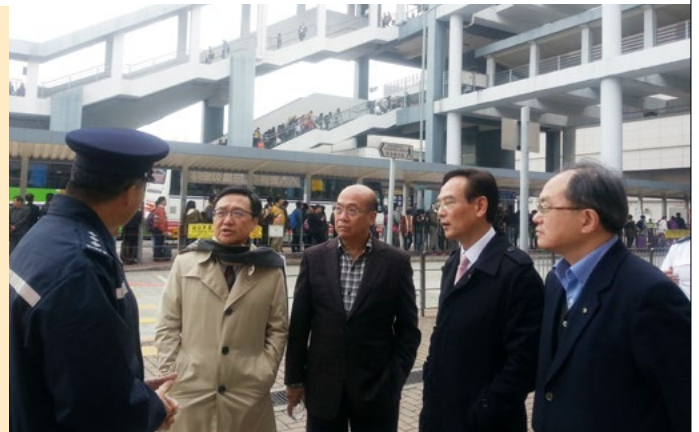
14

1月 Jan

探訪邊界警區及上水分區 Visit to Border District and Sheung Shui Division



郭琳廣主席、副主席謝偉銓議員、馬恩國先生、黃幸怡女士、陳建強醫生、何世傑教授、劉文文女士、陳章明教授、鄭錦鐘博士、何錦榮先生及許宗盛先生一同探訪邊界警區及上水分區。落馬洲及上水分區代表向委員講解區內的水貨活動情況，委員並藉此機會與前線人員代表交流，了解他們處理水貨活動時的困難。其後，委員分別到落馬洲邊境管制站、上水港鐵站及石湖墟附近地方進行現場觀察，以助他們理解水貨活動在該區的實際情況。



Mr Lary Kwok Lam-kwong (Chairman), Hon Tony Tse Wai-chuen (Vice-Chairman), Mr Lawrence Ma Yan-kwok, Ms Sandy Wong Hang-ye, Dr Eugene Chan Kin-keung, Ir Prof Vincent Ho, Miss Lisa Lau Man-man, Prof Alfred Chan Cheung-ming, Dr Eric Cheng Kam-chung, Mr Richard Ho Kam-wing and Mr Herman Hui Chung-shing visited Border District and Sheung Shui Division. Representatives from the Lok Ma Chau and Sheung Shui Divisions explained the situation regarding “General Merchandise Operators” (also known as “parallel traders”) activities in the two districts. Council Members took this opportunity to talk with frontline officers to understand the difficulties they face in dealing with these activities. Members then transited to the Lok Ma Chau Spur Line Border Control Point, Sheung Shui train station and Shek Wu Hui to conduct on-site observations there. The observations helped them better understand the actual situation regarding “General Merchandise Operator” activities.



15

1月 Jan



到訪中西區撲滅罪行委員會

Visit to the Central and Western District Fight Crime Committee

監警會宣傳及意見調查委員會主席劉文文女士及朱敏健秘書長出席中西區撲滅罪行委員會的會議，介紹監警會的歷史和工作，並向委員講解投訴個案調查結果的分類。

Miss Lisa Lau Man-man (Chairman of the Publicity and Survey Committee) and Mr Ricky Chu (Secretary-General) attended the Central and Western DFCC meeting. They introduced the history and work of the IPCC, and explained the classification of investigation results of complaint cases.

26

1月 Jan

出席香港樹仁大學講座

Presentation at Hong Kong Shue Yan University

朱敏健秘書長應邀到香港樹仁大學出席新聞與傳播學系的周會講座，介紹監警會的歷史和職能，並接受了《樹仁新傳網》的訪問，討論監警會的角色及公信力。

Mr Ricky Chu (Secretary-General) was invited by the Department of Journalism and Communication of Hong Kong Shue Yan University to attend their weekly assembly, and introduced the history and functions of the IPCC. He was then interviewed by the "Shue Yan Media Lab", to discuss the role and credibility of the IPCC.



27

1月 Jan

到訪深水埗區撲滅罪行委員會

Visit to the Sham Shui Po District Fight Crime Committee



葉振都先生、鄭錦鐘博士及朱敏健秘書長出席深水埗區撲滅罪行委員會的會議，介紹監警會的工作和職能，並向委員講解監警會委員審核投訴個案的準則。

Mr Adrian Yip Chun-to, Dr Eric Cheng Kam-chung and Mr Ricky Chu (Secretary-General) attended the Sham Shui Po DFCC meeting. They introduced the work and functions of the IPCC, and explained the standard that Members apply when reviewing complaint cases.

29

1月 Jan

監警會觀察員研討會 Observers seminar

監警會於1月29日舉辦監警會觀察員研討會暨午餐會，郭琳廣主席向一眾觀察員介紹監警會的職能及觀察員的角色。馬學嘉博士及何世傑教授在會上分享觀察經驗及觀察員計劃問卷調查結果，觀察員亦藉此分享經驗。鄭錦鐘博士、何錦榮先生、許宗盛先生、劉文文女士、黃幸怡女士、蘇麗珍女士、錢志庸先生及毛樂禮先生也一同出席午餐會，和觀察員一同午膳交流。

The IPCC organised a seminar and luncheon for its Observers on 29 January. Mr Larry Kwok Lam-kwong (Chairman) introduced the functions of the IPCC and the role of Observers. Dr Carol Ma Hok-ka and Ir Prof Vincent Ho shared their experiences of being Observers, and the survey results of the Observers Scheme. Dr Cheng Kam-chung, Mr Richard Ho Kam-wing, Mr Herman Hui Chung-shing, Miss Lisa Lau Man-man, Ms Sandy Wong Hang-ye, Ms Ann So Lai-chun, Mr Barry Chin Chi-yung and Mr José-Antonio Maurellet also attended and exchanged views with the Observers during lunch.



2

3月 MAR

到訪油尖旺區撲滅罪行委員會 Visit to the Yau Tsim Mong District Fight Crime Committee

鄭錦鐘博士及朱敏健秘書長出席油尖旺區撲滅罪行委員會的會議，介紹監警會的職能和工作，並向委員講解兩層架構投訴警察制度的運作。

Dr Eric Cheng Kam-chung and Mr Ricky Chu (Secretary-General) attended the Yau Tsim Mong DFCC meeting. They introduced the functions and work of the IPCC, and explained the operation of two-tier police complaints system.



4

3月 MAR

到訪沙田區撲滅罪行委員會 Visit to the Sha Tin District Fight Crime Committee

鄭錦鐘博士及朱敏健秘書長出席沙田區撲滅罪行委員會的會議，介紹監警會的歷史和工作，並與委員分享了數宗較為特別的投訴個案。

Dr Eric Cheng Kam-chung and Mr Ricky Chu (Secretary-General) attended the Sha Tin DFCC meeting. They introduced the history and work of the IPCC, and shared several prominent complaint cases.



難忘可貴的五年經歷

An unforgettable five-year experience

服務監警會的五年是一段難忘及可貴的經歷。我在2011年被委任為觀察員後，便開始接觸監警會的工作，並積極履行觀察員的職責，觀察了近90次投訴警察課的投訴調查工作，確保所有投訴調查工作均獲公平公正的處理。在觀察投訴調查的過程中，我有機會看到社會上的眾生相，同時感受到前線警員在處理市民訴求時的無奈及難處。一年後，我獲委任為監警會委員，並加入了宣傳及意見調查委員會。

出任委員的四年間我獲益良多。上任不久，我便和其他委員一起與民間人權陣線(民陣)會面，了解他們對警方處理大型公眾活動的意見。這次會面亦為日後監警會積極和持份者聯繫及實地觀察大型公眾活動揭開序幕。聽取了民陣的意見後，委員便開始研究進行實地觀察的可行性及其他技術問題。至六月底，民陣正式邀請監警會現場觀察七一遊行。委員在遊行當天在當時的主席翟紹唐資深大律師領導下，由中午開始進行觀察，在七一遊行完結後，仍轉往中聯辦門外觀察該處的示威活動，接近午夜時分才離開。當時所有委員大家都不辭勞苦，毫無怨言，大家都只是希望可以在監警會的職權範圍下，協助減少警民衝突，工作饒富意義。

在2013年底，我有幸在委員推選下接替鄭經翰先生出任宣傳及意見調查委員會主席。珠玉在前，我只是希望能順利繼承鄭大班的工作，並維持會方的獨立形象。可幸在秘書處專業熱誠的公關團隊協助下，我們開展了很多新計劃，

The past five years of serving the IPCC have been unforgettable. I was appointed as an IPCC Observer in 2011 and started getting involved in the IPCC's work. I actively carried out my Observer's duties and attended almost 90 observations of complaints investigations by CAPO, to ensure that they were handled in a fair and impartial manner. During these observations, I had the opportunity to see people from all walks of life; and at the same time, I experienced the frustration and challenges faced by frontline police officers when handling complaints from the public. A year later, I was appointed as an IPCC Member and joined the PSC.

There were many unforgettable memories during my four-year tenure as an IPCC Member. Shortly after my appointment, I joined my fellow IPCC Members in a meeting with the Civil Human Rights Front (CHRF), during which we listened to their opinions on the Police's handling of large-scale public order events. This meeting initiated the IPCC's proactive engagement with stakeholders and the subsequent on-site observations at large-scale public order events. After listening to the CHRF's views, Members started exploring the feasibility and technical difficulties of conducting on-site observations. At the end of June that year, the CHRF officially invited the IPCC to conduct an on-site observation of the 1 July procession. On 1 July, under the leadership of the then IPCC Chairman Mr Jat Sew-Tong (SC), we began the observation at noon. After the 1 July procession ended, we then proceeded to observe the protests outside the Liaison Office of the Central People's Government and stayed there until midnight. At that time, we only hoped to help minimise confrontations between the Police and citizens within the boundaries of the IPCC's authority and had no complaints about how exhausting it was, because the hard work was worthwhile and purposeful.

At the end of 2013, I was honoured to be elected to take up the role of PSC Chairman, as successor to Ir Albert Cheng. Given his tremendous achievements and impeccable legacy, I only wished to continue the good work of what Albert had begun and to uphold the independent image of the IPCC. Thankfully, with assistance from the professional



包括和香港電台聯合製作電視劇《監警有道》，建立新網站及研究社交媒體。監警會的認知度也屢見新高，由2014年的67%上升至2015年的85%。

在我出任宣傳及意見調查委員會主席期間，會方應付了各種挑戰，包括前所未有的佔領事件。在傳媒聯繫方面，我們在不違反資料保密的原則下盡量做到公開透明，回答傳媒的查詢。我自己也親自接了不少記者朋友的來電。但希望記者朋友明白監警會處理的是敏感資料，在個案完結前並不能夠透露任何資料，還望記者朋友多多包涵。

最後，我僅在此多謝前主席翟紹唐資深大律師、前副主席林大輝議員、前副主席石禮謙議員、前副主席李國麟教授、副主席陳健波議員及前宣傳及意見調查委員會主席鄭經翰。全賴他們的領導，令我有機會在他們身上學習，並順利做好我在監警會的工作。還有監警會各委員會的主席們，以及一眾委員，他們很多現在已成為我的好朋友、好知己。我也感激朱敏健秘書長和秘書處的協助，特別是和我合作無間的宣傳及意見調查委員會秘書高級經理(公共關係)江佩玲及其公關團隊，大家一同順利渡過了不少難關。我亦必須感謝政府給予我機會，讓我在五年任期內服務監警會，並結識了很多不同崗位的好朋友。這種種難忘經歷，都是我人生寶貴的回憶。在未來的日子裡，我希望監警會能穩守獨立、公開、公正、公平的基本原則，繼續為市民服務。

作者：鄭承隆先生於2011年1月1日獲委任為監警會觀察員，並於2012年1月1日獲委任為監警會委員。2014年及2015年獲委員推選出任監警會宣傳及意見調查委員會主席。服務委員會五年。

and enthusiastic public relations team of the IPCC Secretariat, we launched numerous new projects, including our collaboration with RTHK to produce the TV drama series *IPCC Files*, revamping the IPCC website and exploring social media initiatives. Public awareness of the IPCC continued to increase – from 67% in 2014 to 85% in 2015.

During my tenure as PSC Chairman, the Council was met with various challenges, including the unprecedented Occupy Movement. Regarding media relations, under the premise of not violating the principle of confidentiality, we aim to be as transparent as possible when responding to media enquiries. I have personally answered a lot of calls from the press. However, we hope that our friends in the media could understand that the IPCC handles a considerable of confidential information, which cannot be disclosed before the case has been concluded. Therefore, we would appreciate everyone's understanding in this area.

Lastly, I would like to express my gratitude towards the former IPCC Chairman Mr Jat Sew-Tong (SC), former Vice-Chairman Hon Lam Tai-fai, former Vice-Chairman Hon Abraham Shek Lai-him, former Vice-Chairman Prof Joseph Lee Kok-long, Vice-Chairman Hon Chan Kin-por and former PSC Chairman Ir Albert Cheng. Thanks to their guidance, I have had the opportunity to learn from them and to smoothly carry out my work at the IPCC. Additionally, thanks are due to all the IPCC Committee Chairmen and Council Members, many of whom have become my close friends. I am also grateful for the assistance from the Secretary-General Mr Ricky Chu and the Secretariat, especially the secretary of the PSC and Senior Manager of Public Relations, Charlotte Kong, and her team, who have supported me flawlessly through times of adversity; together we have overcome countless hurdles. I would like to thank the Government for granting me the opportunity to serve the IPCC in the past five years, during which I have made many friends from different positions in society. All these unforgettable experiences will be part of my most treasured memories. I hope that in the future, the IPCC will continue to uphold its principles of independence, transparency, impartiality and fairness, and continue to serve the citizens of Hong Kong.

Author: Mr Edwin Cheng Shing-lung was appointed as an IPCC Observer on 1 January 2011 and as an IPCC Member on 1 January 2012. He was elected as the PSC Chairman for 2014 and 2015. He served the Council for five years.



最具挑戰性的公職

My most challenging public appointment

過往二十年來我出任過的公職中，當監警會委員可算是最具挑戰性、需要極大的承擔和投入。委員除了要出席頻繁的會議和探訪活動外，還需要每個週末審閱大量文件，並且要經常用電郵來聯絡秘書處和其他委員。這都需要付出很多時間的。委員接受了委任，就必須履行職務。委員的會議出席紀錄也會在年度工作報告中刊登，傳媒亦曾多次報道出來。

近年來，監警會致力宣傳本會的職能。港大民意研究計劃做的定期公眾意見調查中，也證實了公眾對本會的認識明顯增加了。隨著公眾對監警會的認識增加了，公眾對監警會的期望亦同樣增加了。就算委員以個人身份，發表有關警方的言論時也需十分謹慎。任何令公眾懷疑本會公正性的言論，都會惹來批評和投訴。這些事看來頗令人困擾，但這卻反映出公眾對本會職能的認同。這些批評和投訴時刻提醒我們，在履行職務時必須慎守獨立、公平和誠信的原則。

2014年發生的佔領事件，把監警會的挑戰推至新高。正如所料，事件衍生了大量投訴。除了針對個別前線警務人員的投訴外，也有不少是

Among all the public appointments that I have served over the last twenty years, IPCC Council Member definitely proved to be the most challenging, requiring considerable commitment and dedication. Besides frequent meetings and visits, there were many files to read through every weekend. Frequent e-mail communications with the Secretariat and Members were also very time consuming. Furthermore, one cannot just accept this appointment without doing the job. Members' attendance at the meetings would be listed in the annual reports and have appeared in the media.

Over the last few years, the IPCC has done much to promote public awareness about its role. Periodic public opinion surveys conducted by the University of Hong Kong's Public Opinion Programme have confirmed that public awareness of the IPCC and its role has significantly increased. With enhanced public awareness, there comes enhanced public expectation. Members have to be very careful about expressing their opinion on matters related to the Police, even in capacities other than as IPCC Members. Any opinion that may be perceived to be affecting their impartiality in carrying out their IPCC duties would readily draw criticisms and complaints. These criticisms and complaints may seem annoying, but I would see them as an affirmation of the public awareness about us. They are reminders that we must carry out our duties with independence, impartiality and integrity constantly in mind

With the occurrence of the Occupy Movement in 2014, the challenges to the IPCC reached a new height. As expected, there were many complaints arising from the Movement. Besides complaints against



針對全警隊的。由於公眾對事件的看法呈兩極化，投訴的調查結果實在難以令人人都滿意。再者，我認為現時處理投訴的程序、分類和調查結果，都是為投訴個別前線警務人員而設計的。如果用同樣的制度來處理對整個警隊的投訴，實在難以回應所有投訴人的訴求。此外，為要盡快處理投訴和完成最終的調查報告，監警會也面對很大的壓力。

雖然要面對以上種種的挑戰，但我卻無悔完成了過去六年的任期。同時我也很珍惜當中的經歷，特別是佔領事件期間及之後的日子。我覺得監警會的工作是十分有意義，即使耗用了時間也是值得的。能擁有具公信力的警隊是每個香港市民的福分。不過在現行的制度下，所有調查都是由警方自行處理。而監警會的角色就是要令投訴制度更加公平，從而加強警方的公信力。這也就是驅使我能完成任期的原動力。

最後，我想藉此機會感謝郭琳廣主席、監警會全體委員以及所有秘書處職員的協助和支持。沒有他們的幫助，我在監警會擔任委員期間便不會有如此愉快的經歷。

作者：陳培光醫生於2010年1月1日獲委任為監警會委員，服務委員會六年。

individual frontline police officers, there were many complaints against the Police as a whole. As the public's views on the Movement are polarised, it would almost be an impossible task to have the complaints concluded to everybody's satisfaction. Furthermore, the existing complaint handling procedures, classification of complaints and investigation results are, in my opinion, designed for complaints against individual frontline officers. By applying exactly the same system to complaints against the Police as a whole, it would be difficult to address all the complainants' concerns. The IPCC is also under great pressure to try concluding the complaints cases in the shortest possible time, so as to produce the final report in a timely manner.

Despite all the above, I have no regrets for having completed six years of service with the IPCC. I do treasure my experience over this period, in particular, the time during and after the Occupy Movement. I found the work in the IPCC meaningful and the time spent worthwhile. It is in the interest of every citizen to have a credible Police Force in Hong Kong. Under the present system, all investigations into complaints against Police are conducted by the Police themselves. The IPCC has a role to play in promoting the fairness of complaints handling and hence the credibility of the Police. This is the driving force behind me to complete my tenure.

Lastly, I would like to take this opportunity to thank the Chairman, Mr Larry Kwok, all Council Members and all staff of the Secretariat for their assistance and support. Without their help, I would not have had a pleasant experience while performing my role as a Council Member of the IPCC.

Author: Dr Chan Pui-kwong was appointed as an IPCC Member on 1 January 2010. He served the Council for six years.



監警會委員和觀察員

IPCC Members and Observers

新任命的監警會委員 Names of newly appointed IPCC Members:

1. 錢志庸先生 Mr Barry CHIN Chi-yung
2. 毛樂禮大律師 Mr José-Antonio MAURELLET

(任期由2016年1月1日至2017年12月31日 Appointment period from 1 January 2016 to 31 December 2017)

再獲任命的監警會委員 Names of re-appointed IPCC Members:

1. 劉文文女士 · BBS · MH · JP Miss Lisa LAU Man-man, BBS, MH, JP
2. 蘇麗珍女士 · MH · JP Ms Ann SO Lai-chun, MH, JP

(任期由2016年1月1日至2017年12月31日 Appointment period from 1 January 2016 to 31 December 2017)

任期已屆滿的監警會委員 Names of retired IPCC Members:

1. 陳培光醫生 Dr CHAN Pui-kwong
2. 鄭承隆先生 · MH Mr Edwin CHENG Shing-lung, MH

(任期於2015年12月31日屆滿 Terms of appointment ended on 31 December 2015)

新任命的監警會觀察員 Names of newly appointed IPCC Observers:

1. 鄭發丁博士 Dr Gary CHENG Faat-ting
2. 王嘉恩博士 · MH Dr Albert WONG, MH
3. 許慶得先生 Mr Simon HUI Hing-tak
4. 葉禮德先生 · JP Mr Dieter YIH Lai-tak, JP
5. 伍兆榮先生 Mr Ludwig NG Siu-wing
6. 鄒燦林先生 · MH Mr Charles CHOW Chan-lum, MH
7. 李三元先生 · BBS Mr John LEE Sam-yuen, BBS
8. 范凱傑先生 Mr Alex FAN Hoi-kit
9. 丁健華先生 Mr TING Kin-wa
10. 馮卓能先生 Mr Clement FUNG Cheuk-nang
11. 張詩培女士 · MH Ms Joanne CHONG Sze-pui, MH
12. 劉文東先生 Mr Benjamin LAU Man-tung
13. 鄭木林先生 · MH Mr Mathew CHENG Muk-lam, MH
14. 劉偉光先生 Mr Billy LAU Wai-kwong
15. 黃美斯女士 Ms Macy WONG Mei-sze
16. 羅啟富先生 Mr Vincent LO Kai-fu
17. 許文傑先生 Mr HUI Man-kit
18. 高明東先生 Mr Edward KO Ming-tung
19. 袁達堂先生 Mr YUEN Tat-tong
20. 趙令昌先生 Mr Anthony CHIU Ling-cheong
21. 周嘉弘先生 Mr Calvin CHAU
22. 方文傑先生 Mr James Mathew FONG
23. 呂志豪先生 Mr LUI Chi-ho

(任期由2015年11月1日至2017年10月31日 Appointment period from 1 November 2015 to 31 October 2017)

再獲任命的監警會觀察員 Names of re-appointed IPCC Observers:

1. 湛家雄先生 · BBS · MH · JP Mr Daniel CHAM Ka-hung, BBS, MH, JP
2. 顧明仁博士 · MH Dr Charles KOO Ming-yan, MH
3. 徐福樂醫生 Dr Michael TSUI Fuk-sun
4. 顏少倫先生 Mr NGAN Siu-lun
5. 胡楚南先生 · JP Mr WU Chor-nam, JP
6. 譚兆炳先生 Mr George TAM Siu-ping
7. 任志浩博士 Dr Michael YAM Chi-ho
8. 潘國華先生 Mr PUN Kwok-wah
9. 陳稼晉先生 Mr Patrick CHAN Ka-chun
10. 馬盧金華女士 Mrs Virginia MA LO Kam-wah
11. 吳玲玲女士 · JP Ms NG Ling-ling, JP

(任期由2015年11月1日至2017年10月31日 Appointment period from 1 November 2015 to 31 October 2017)

任期已屆滿的監警會觀察員 Names of retired IPCC Observers:

1. 林啟暉先生 · MH Mr LAM Kai-fai, MH
2. 李子榮先生 Mr Alvin LEE Chi-wing
3. 吳守基先生 · SBS · MH · JP Mr Wilfred NG Sau-kee, SBS, MH, JP
4. 賴心先生 Mr Sam LAI Sum
5. 陳偉坤先生 Mr Andie CHAN Wai-kwan
6. 江澤濠先生 · MH Mr KONG Chack-ho, MH
7. 梁心端女士 Ms Cynthia LEUNG Sum-tuen
8. 傅鄭穎婷女士 Ms Francine FU KWONG Wing-ting
9. 梁啟元博士 Dr Kelvin LEUNG Kai-yuen
10. 朱兆麟先生 Mr Ivan CHU Siu-lun
11. 張嫻珠女士 Ms Diana CHEUNG Han-chu
12. 蘇紹聰博士 Dr Thomas SO Shiu-tsung
13. 何鉅業先生 Mr HO Kui-yip
14. 陳耀雄先生 Mr Jimmy CHAN Yiu-hung
15. 鄭偉雄先生 Mr Nelson CHENG Wai-hung
16. 黃志偉先生 Mr WONG Chi-wai
17. 曾憲強先生 · MH Mr TSANG Hin-keung, MH
18. 楊明悌先生 Mr YEUNG Ming-tai
19. 陳偉佳博士 Dr CHAN Wai-kai
20. 龐朝輝醫生 Dr PONG Chiu-fai
21. 趙耀年先生 · MH Mr CHIU Yiu-nin, MH
22. 陳毅生先生 Mr Kenny CHAN Ngai-sang
23. 陳文佑先生 Mr Henry CHAN Man-yu

(任期於2015年10月31日屆滿 Terms of appointment ended on 31 October 2015)

監警會審視一宗警方因調查「失竊」案所衍生的「濫用職權」投訴

The IPCC examines a complaint of “Unnecessary Use of Authority” in the Police investigation into a “Theft” report

	指控 Allegation(s)	被投訴人 Complainee(s)	投訴警察課原來分類 Original classification(s) by CAPO	最後分類 Final classification(s)
1	濫用職權 Unnecessary Use of Authority	一名高級偵緝督察 A Detective Senior Inspector of Police	並無過錯 No Fault	獲證明屬實 Substantiated

個案重點

此個案反映監警會仔細審視一宗警方因調查「失竊」案所衍生的「濫用職權」投訴。經監警會提出質詢後，投訴指控最終由「並無過錯」重新分類為「獲證明屬實」。

在這次事件中，投訴人是一名租客，他向警方報稱「失竊」，指房東在沒有知會他的情況下進入其住宅，而他部分私人物品亦不翼而飛。負責調查此個案的高級偵緝督察決定在未能釐清二人關係之前，將住宅暫時封鎖。兩日後，警方把住宅歸還給投訴人。投訴人指控該名高級偵緝督察在沒有充分理據的情況下封鎖其住宅。經調查後，投訴警察課將指控分類為「並無過錯」，認為該名高級偵緝督察在未經證實投訴人是該住宅的居住者之前將單位封鎖的決定是公平和恰當的。

監警會認為該名高級偵緝督察在完成現場取證後，調查「失竊」案期間應將單位迅速交還予投訴人。投訴警察課認同監警會觀點，並將指控重新分類為「獲證明屬實」。

Highlights of the case

This case demonstrates that the IPCC was meticulous in examining a complaint of “Unnecessary Use of Authority” in the Police investigation into a “Theft” report made by the complainant. The complaint allegation was eventually re-classified from “No Fault” to “Substantiated” after IPCC Queries.

In the incident, the complainant, who was a tenant of a premises, made a “Theft” report to the Police against his landlord, when he found the latter had entered his premises without his knowledge and some of his personal belongings went missing. The Detective Senior Inspector of Police (DSIP) responsible for the criminal investigation decided to lock up the premises before the relationship between two parties could be ascertained. Two days later, the premises were returned to the complainant. The complainant alleged that the DSIP had locked up his residence without justification. After investigation, CAPO classified the allegation as “No Fault”, having considered the DSIP’s decision was fair and proper in temporarily taking control of the flat until the complainant was proved to be the occupant of the premises.

IPCC opined that the DSIP could have swiftly returned the flat to the complainant while the investigation into the “Theft” case was continuing after the necessary actions were taken at the scene. CAPO subscribed to IPCC’s views and re-classified the allegation as “Substantiated”.

真實投訴個案

Real complaint case

個案背景

投訴人與其友人共同租住一個單位，但隨後與該名友人失去聯絡。自此，投訴人因為租約問題與房東發生多次爭執，並數次向警方報稱受到「騷擾」、「刑事毀壞」和「刑事恐嚇」。有一日，投訴人回到該單位時，發現房東在屋內，並帶著一些裝修工具。投訴人發現部分私人物品亦不知所蹤。投訴人隨即向警方報案，指控房東偷取其個人物品。

警察到達現場，並以「盜竊」罪名拘捕房東。該名高級偵緝督察決定封鎖單位，以防在繼續調查時單位被進一步干擾，或有物品再度失竊。兩日後，該名高級偵緝督察在證明投訴人是單位的真正居住者，以及指稱闖入者是單位的擁有人後，便將單位歸還予投訴人。

投訴人遂投訴該名高級偵緝督察「濫用職權」，因他在沒有充分理據的情況下封鎖其住宅。

投訴警察課的調查

在投訴警察課的調查過程中，該名高級偵緝督察解釋當時不論房東或投訴人皆無法拿出證據證明他們是單位的真正居住者，以及在單位內存有他們的個人物品。因此，該名高級偵緝督察認為在調查未能確認單位屬誰，和「盜竊」罪名是否成立前，警方應暫時看管單位，防止任何一方進入。投訴警察課認為該名高級偵緝督察的決定是公平的，故將指控分類為「並無過錯」。

監警會的觀察

在審閱過個案的文件後，監警會認為，投訴人與指稱闖入者從事件一開始已明顯是租客和房東的關係。再者，在把單位歸還予投訴人之前，警方幾乎沒有為釐清二人關係而作出任何調查。因此，該名高級偵緝督察在沒有文件證明二人的關係之前封鎖該單位，並於兩日後在沒有進一步證據的情況下將單位歸還投訴人的決定是不公平和不合理的。

經進一步商議，投訴警察課認同監警會的觀點，並將指控重新分類為「獲證明屬實」。投訴警察課建議對涉事的高級偵緝督察作出訓誡，但無須把此事記入其分區報告檔案中。

Case background

The complainant jointly rented a flat with his friend, with whom he subsequently lost contact. Since then, the complainant had arguments with the landlord about the lease and made several reports of “Harassment”, “Criminal Damage” and “Criminal Intimidation” to the Police. One day, when the complainant returned to the flat, he found his landlord was present inside with some decoration tools, and some of the complainant’s personal property was missing. The complainant made a report to the Police and alleged that the landlord had stolen his personal property.

Police arrived at the scene and arrested the landlord for “Theft”. The DSIP decided to lock up the flat to secure it from further tampering or theft of property for further investigation. Two days later, the DSIP returned the flat to the complainant, after it was proved that the complainant was the genuine occupant of the flat and the alleged intruder was the owner.

The complainant then lodged the complaint of “Unnecessary Use of Authority” that the DSIP had locked up his residence without justification.

CAPO’s investigation

During CAPO’s investigation, the DSIP explained that neither the landlord nor complainant could produce any proof at the scene that they were the bona fide occupant of the flat and they had their own personal belongings in the flat at that time. Therefore, the DSIP considered it appropriate for the Police to temporarily take control of the flat by preventing entry by either party, while the Police continued its investigation to confirm to whom the flat belonged and whether any crime of theft was substantiated. CAPO considered that the decision of the DSIP was fair and classified the allegation as “No Fault”.

IPCC’s observations

Upon examining the crime case documents, IPCC noticed that the roles of the complainant and the alleged intruder as the tenant and landlord were clear from the outset of the incident. Furthermore, there was hardly any investigation conducted to clarify their relationship before the premises was returned to the complainant after two days of the report. So the decision of the DSIP to lock up the premises in absence of any documentary proof of their relationship and return the premises to the complainant after two days without any furtherance of evidence, was not fair or reasonable.

Upon further deliberation, CAPO agreed with IPCC’s views and reclassified the allegation to “Substantiated”. CAPO recommended advising the DSIP without a Divisional Report File entry.