

Legislative Council Panel on Security

Review of the Police's Video Interview Scheme

Purpose

At the meeting of the LegCo Panel on Security in 6 June 2002, members requested the Administration to provide relevant information available to facilitate a comparison of the use of video-recorded and non-video recorded interviews. This paper provides members with the requested information.

The Administration's response

2. Following the recommendations of the Panel in July 1999, the police conducted a review of the video interview scheme. The review addressed a number of aspects but mainly focused on the effectiveness, acceptability and application of video recorded interviews. During the review, the effectiveness and application of non-video recorded interviews was therefore not addressed and assessed. As a result, no forcewide statistics on the non-video recorded interview have been collated in the past few years. Accordingly, the Administration is unable to provide comprehensive statistics to reflect the effectiveness etc. of non-video recorded interviews to the Panel.

3. In the absence of complete statistics on non-video recorded interviews, a direct comparison of the effectiveness and admissibility of video recorded interviews and non-video recorded interviews is considered not viable. However, a sampling has been able to be achieved which revealed a high admissibility rate for both video and non-video recorded interviews. This is explained in the following paragraphs.

The Review

4. The review of video interview scheme completed in March 2002 was conducted mainly in the form of a Force-wide survey, where input was

obtained from all crime unit officers who had conducted or participated in one or more video interviews in the preceding 12 months. The survey involved a review questionnaire where 650 officers completed and returned it. The questionnaire consists of 8 parts addressing different aspects including equipment, training, case preparation, and prosecution and defence issues.

5. Table 1 depicts statistics on admissibility of video recorded interviews in court proceedings worked out based on respondents' replies in the survey -

Table 1 - The admissibility of video recorded interviews in year 1999 & 2000

	1999	2000
Total number of video interviews	1229	1907
Total number of video interviews adduced in courts	392	381
Video recorded interviews admitted without challenge	290 (74%)	325 (85%)
Video recorded interviews admitted after challenge	96 (24.5%)	49 (13%)
Video recorded interviews rejected after challenge	6 (1.5%)	7 (2%)

() denotes % of the total video interviews produced in court proceedings

6. Though figures on non-video recorded interviews have not been collated during the police's review of video interview scheme, a survey was conducted in 1996-1997 addressing the effectiveness of non-video recorded interviews of serious crimes cases tried in the District Court and the Court of First Instance. The pertinent statistics collated in this survey were tabularized as follows -

Table 2 - figures of Video and Non-video recorded interviews of serious crimes cases tried in the District Court and High Court in Year 1996 & 1997

	1996		1997		Total of 96 & 97	
	Video Interview	Non-video Interview	Video Interview	Non-video Interview	Video Interview	Non-video Interview
Total no. of interview	193	1,576	320	1,760	513	3,336
Interviews adduced in the District Court and High Court	99	909	165	1,111	264	2,020
Challenged Interviews	32	545	44	611	76 (29%)	1,156 (57%)
Admitted without challenge	67 (67.7%)	364 (40%)	121 (73.3%)	500 (45%)	188 (71%)	864 (43%)
Admitted after challenge	26 (26.3%)	421 (46.3%)	34 (20.6%)	452 (40.7%)	60 (23%)	873 (43%)
Rejected after challenge	6 (6%)	124 (13.7%)	10 (6.1%)	159 (14.3%)	16 (6%)	283 (14%)

() denotes % of the total interviews adduced in the District Court and High Court

7. Arising from the statistics in table 2, the following salient points are highlighted -

- The number of video recorded interviews has increased from 193 in 1996 to 320 in 1997 representing 66% increase.
- Both video and non-video recorded interviews had high admission rate in courts with 94% and 86% respectively;
- The rejection rate of non-video recorded interviews after challenge in courts was 14% which was slightly higher than 6% for video recorded interviews;

- 71% of video recorded interviews were unchallenged in courts while only 43% for non-video recorded interviews.

A sampling of Hong Kong Island Region

8. To provide additional statistics on non-video recorded interviews to the Panel, a sampling was compiled with figures collated in the Hong Kong Island Region on the admissibility of video and non-video recorded interviews between 1999 and 2001. Pertinent figures were depicted in Table 3 below -

Table 3 - a sampling of Hong Kong Island Region on admissibility of video and non-video recorded interviews in the past 3 years

	1999		2000		2001	
Persons arrested for crime cases in HKI Region	6213		6397		6257	
	Video Interview	Non Video Interview	Video Interview	Non Video Interview	Video Interview	Non Video Interview
Suspects interviewed (% of total no. of arrested persons)	279 (4.5%)	not available	464 (7.25%)	not available	637 (10.2%)	not available
Total number of interviews produced in court	1	1086	31	708	46	422
admitted without challenge	1 (100%)	1032 (95%)	30 (96.8%)	665 (94%)	46 (100%)	396 (94%)
admitted after challenge	0 (0%)	44 (4.1%)	1 (3.2%)	36 (5%)	0 (0%)	13 (3%)
rejected after challenge	0 (0%)	10 (0.9%)	0 (0%)	7 (1%)	0 (0%)	13 (3%)

() denotes % of the total video interviews produced in court proceedings

9. There was a very high admissibility of non-video recorded interviews in court in the past 3 years. On average, over 94% of non-video interviews adduced as evidence in court were admitted without challenge. Only a small percentage of interviews about 1.4% on average was rejected by court after challenge.

10. The actual non-video recorded interviews taken in Hong Kong Island in the past 3 years has decreased from 1086 interviews in 1999 to 422 interviews in 2001 respectively. The decrease of non-video recorded interviews could be attributed to a number of factors but were mainly the increased availability of video interview facilities and the wider use and acceptance of video interview facilities to interview suspects.

11. There was a very high admissibility of video recorded interviews of Hong Kong Island Region in the past 3 years. On average, over 98.7% of video recorded interviews adduced as evidence in court was admitted without challenge. Of note is the fact that no video recorded interviews were rejected by court during the same period.

12. The percentage of arrested persons who were interviewed on video in Hong Kong Island Region increased from 4.5% in 1999 to 10.2% in 2001. The actual number of suspects interviewed on video has also increased from 279 in 1999 to 637 in 2001 representing an increase of 128%. On the one hand, this reflected the wider use of video interview facilities in the region and the reduction of taking non-video recorded interviews with suspects on the other.

Conclusion

13. The sample of Hong Kong Island Region has provided some representative implications on the effectiveness and application of both video and non-video recorded interviews that show -

- video interview facilities have been widely used which is corroborated with the increase of number of suspects being interviewed on video;
- both video and non-video recorded interviews are effective and have high admissibility rate in court;
- only a small number of video and non-video recorded interviews

were challenged and subsequently ruled out in court;

- the actual number of non-video recorded interviews is decreasing steadily corresponding to the increase in the number of video recorded interviews; and
- very few complaints from courts and legal profession resenting the usage and application of video interview facilities.

Security Bureau
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