

**Views of the Independent Police Complaints Council (IPCC)  
on the IPCC Bill**

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The IPCC has been notified of the Administration's proposal to resubmit the IPCC Bill to the Legislative Council and has discussed the Administration's proposals for the Bill and other related issues within the Council. The views of the Council are as follows :

- (a) Council Members unanimously agree that public confidence in the IPCC and the police complaints system would be enhanced if the Council is established as a statutory body.
- (b) On the issue of whether the IPCC should be given the power to investigate complaints, in the present circumstances, the majority of Council Members are of the view that it is important for investigating and monitoring work to remain separate and the IPCC should maintain its role as a monitoring and reviewing body in the police complaints system.
- (c) Through a number of measures implemented over the past years, although the IPCC does not have the power to actually investigate a complaint under the existing police complaints system, it has a wide range of powers to closely scrutinize and "investigate" the process and manner in which CAPO handles complaints. Such powers include
  - gaining access to information;
  - interviewing witnesses;
  - ordering CAPO to re-investigate a complaint;
  - raising queries;
  - making recommendations to the Commissioner of Police;
  - making recommendations to the Chief Executive.

These powers have enabled the IPCC to discharge its monitoring duties effectively.

- (d) It is up to the Legislature to decide what powers should be given to the IPCC. On its part, the IPCC is always keen to work with the Administration to enhance public confidence in the police complaints system.
- (e) The IPCC considers that the Observers Scheme is useful in assisting the Council to monitor CAPO's investigation work under the existing system. Currently, the Council is studying, in consultation with the Administration, the feasibility and implementation of various measures to improve the Observers Scheme, viz. to enlarge the pool of Observers, to recruit retired professionals to serve as Observers, to offer them dedicated briefings, to streamline procedures and to introduce better logistics.