

立法會
Legislative Council

LC Paper No. CB(2)1315/07-08
(These minutes have been seen
by the Administration)

Ref : CB2/BC/13/06

**Bills Committee on
Independent Police Complaints Council Bill**

**Minutes of meeting
held on Thursday, 21 February 2008, at 10:45 am
in Conference Room A of the Legislative Council Building**

- Members present** : Hon LAU Kong-wah, JP (Chairman)
Hon Margaret NG
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon WONG Yung-kan, SBS, JP
Hon Howard YOUNG, SBS, JP
Hon Emily LAU Wai-hing, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Dr Hon Joseph LEE Kok-long, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
- Members absent** : Hon LEE Cheuk-yan
Dr Hon LUI Ming-wah, SBS, JP
Hon James TO Kun-sun
Hon Bernard CHAN, GBS, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon TAM Yiu-chung, GBS, JP
Hon Daniel LAM Wai-keung, SBS, JP
Hon KWONG Chi-kin
- Public Officers attending** : Mrs Jessie TING, JP
Deputy Secretary for Security
- Ms Manda CHAN
Principal Assistant Secretary for Security

Ms Jane LEE
Assistant Secretary for Security

Mr FAN Sik-ming
Chief Superintendent of Police (Complaints and Internal
Investigations Branch)

Ms WONG Ching-han
Senior Inspector of Police

Ms Fanny IP
Senior Assistant Law Draftsman

Ms Lonnie NG
Senior Government Counsel

**Clerk in
attendance** : Mrs Sharon TONG
Chief Council Secretary (2)1

**Staff in
attendance** : Mr LEE Yu-sung
Senior Assistant Legal Adviser 1

Mr Raymond LAM
Senior Council Secretary (2)5

I. Meeting with the Administration

The Bills Committee deliberated (index of proceedings attached at **Annex**).

2. The Bills Committee requested the Administration -
 - (a) to consider amending clause 27 of the Bill to require the Commissioner of Police to provide information or materials relating to a complaint to the Independent Police Complaints Council (IPCC), subject to safeguards against the disclosure of certain information by IPCC; and
 - (b) to consider the suggestion of taking on board all IPCC's proposals to the Bill, unless there were very strong grounds for not doing so.

II. Date of next meeting

3. The Bills Committee noted that the next meeting had been scheduled for 6 March 2008 at 2:30 pm to continue discussion with the Administration.

4. The meeting ended at 11:50 am.

Council Business Division 2
Legislative Council Secretariat
10 March 2008

**Proceedings of meeting of the
Bills Committee on
Independent Police Complaints Council Bill
on Thursday, 21 February 2008, at 10:45 am
in Conference Room A of the Legislative Council Building**

| Time marker | Speaker | Subject(s) | Action Required |
|--------------------|---|---|--|
| 000000 - 000644 | Chairman | Opening remarks | |
| 000645 - 000857 | Admin | Briefing on paragraphs 2 and 3 of the Administration's response to issues raised at the meeting held on 6 November 2007 (fourth batch) and 13 December 2007 (LC Paper No. CB(2)950/07-08(01)) | |
| 000858 - 001719 | Hon Emily LAU Admin Chairman | Whether the Commissioner of Police (CP) should comply with all requests of the Independent Police Complaints Council (IPCC) on the provision of information or materials related to a complaint; safeguards against the disclosure of certain information by IPCC | Admin to consider amending clause 27 of the Bill to require CP to provide information or materials relating to a complaint to IPCC, subject to safeguards against the disclosure of certain information by IPCC |
| 001720 - 001909 | Admin | Briefing on paragraphs 4 to 6 of LC Paper No. CB(2)950/07-08(01) | |
| 001910 - 002150 | Hon Emily LAU Chairman Admin | Views of IPCC on clause 27 of the Bill | |
| 002151 - 002304 | Admin | Briefing on paragraph 7 of LC Paper No. CB(2)950/07-08(01) | |
| 002305 - 003440 | Chairman Hon Emily LAU Hon LEUNG Kwok-hung Admin | Whether the practice in respect of the provision of information to the Operations Review Committee of the Independent Commission Against Corruption could be adopted for IPCC | |
| 003441 - 004222 | Hon Alan LEONG Chairman | The Administration should take on board all IPCC's proposals to the | Admin to consider the suggestion of |

| Time marker | Speaker | Subject(s) | Action Required |
|--------------------|------------------------------------|--|---|
| | Admin | Bill, unless there were very strong and valid grounds for not doing so | taking on board all IPCC's proposals to the Bill, unless there were very strong and valid grounds for not doing so |
| 004223 - 004402 | Hon Emily LAU Chairman Admin | Administration's position on member's views/suggestions on the Bill | |
| 004403 - 004728 | Admin | Briefing on paragraphs 2 and 3 of the Administration's response to issues raised at the meeting held on 15 January 2008 (first batch) (LC Paper No. CB(2)1040/07-08(01)) | |
| 004729 - 005349 | Hon Audrey EU Chairman Admin | Whether IPCC should be empowered to determine the final categorisation of a complaint | |
| 005350 - 005536 | Admin Chairman | Briefing on paragraphs 4 and 5 of LC Paper No. CB(2)1040/07-08(01) | |
| 005537 - 005624 | Hon Audrey EU Chairman Admin | Whether a complaint lodged by a person other than the aggrieved should be categorised as a reportable complaint | |
| 005625 - 005756 | Admin | Briefing on paragraph 6 of LC Paper No. CB(2)1040/07-08(01) | |
| 005757 - 010120 | Admin Chairman | Briefing on the Administration's response to issues raised at the meeting held on 6 November 2007 (third batch) (LC Paper No. CB(2)576/07-08(02)) | |
| 010121 - 010425 | Chairman Hon Audrey EU | Outstanding papers to be provided by the Administration; date of next meeting | |