

**立法會**  
**Legislative Council**

LC Paper No. CB(2)2767/07-08  
(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 Monday, 16 June 2008, at 8:30 am  
in the Chamber of the Legislative Council Building**

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

Ms Manda CHAN  
Principal Assistant Secretary for Security

Mr MA Wai-luk  
Assistant Commissioner of Police (Service Quality Wing)

Ms WONG Ching-han  
Senior Inspector of Police

Ms Fanny IP  
Senior Assistant Law Draftsman

Ms Lonnie NG  
Senior Government Counsel

Independent Police Complaints Council

Mrs Philomena LEUNG  
Secretary, Independent Police Complaints Council

**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

Miss Helen DIN  
Legislative Assistant (2) 1

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**I. Continue discussion on the Bill**

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

2. The Bills Committee requested the Administration -

- (a) to provide information on the total number of complaints/allegations where the investigation reports were endorsed by the Independent Police Complaints Council (IPCC) in 2005-2007, the number of complaints/allegations on which IPCC or its Secretariat had raised queries/suggestions on the

appropriateness of the classifications by the Complaints Against Police Office (CAPO), the number of complaints/allegations in respect of which CAPO changed the classification after considering the IPCC or its Secretariat's queries/suggestions and the number of complaints/allegations where IPCC accepted CAPO's original classification after CAPO's explanation;

- (b) to advise on the total number of reportable complaints received in 2007 and the number of "informal resolution" cases referred to the relevant police formations for handling; and
- (c) to consider including the reasons for not being able to complete the investigation within six months in an interim investigation report.

## **II. Date of next meeting**

- 3. The Bills Committee noted that the next meeting would be held on the same day at 5:30 pm.
- 4. The meeting ended at 12:50 pm.

Council Business Division 2  
Legislative Council Secretariat  
10 September 2008

**Proceedings of meeting of the  
Bills Committee on  
Independent Police Complaints Council Bill  
on Monday, 16 June 2008, at 8:30 am  
in the Chamber of the Legislative Council Building**

| <b>Time marker</b> | <b>Speaker</b>   | <b>Subject(s)</b>  | <b>Action Required</b> |
|--------------------|--|--|------------------------|
| 000000 -<br>000149 | Chairman   | Opening remarks  |                        |
| 000150 -<br>000426 | Admin<br>Chairman<br>Hon Emily LAU   | Paragraph 10 of the Administration's response to issues raised at the meetings on 28 March, 15 and 24 April and 8 May 2008 (LC Paper No. CB(2)2246/07-08(01))        |                        |
| 000427 -<br>003150 | Admin<br>Hon James TO<br>Chairman<br>Dr Hon LUI Ming-wah<br>Hon Mrs Selina CHOW<br>Hon Emily LAU | Paragraphs 11 to 14 of the Administration's response to issues raised at the meetings on 28 March, 15 and 24 April and 8 May 2008 (LC Paper No. CB(2)2246/07-08(01)) |                        |
| 003151 -<br>004052 | Admin<br>Chairman<br>Hon James TO<br>Hon Mrs Selina CHOW<br>Dr Hon LUI Ming-wah                  | Paragraphs 15 to 16 of the Administration's response to issues raised at the meetings on 28 March, 15 and 24 April and 8 May 2008 (LC Paper No. CB(2)2246/07-08(01)) |                        |
| 004053 -<br>004139 | Admin  | Paragraph 17 of the Administration's response to issues raised at the meetings on 28 March, 15 and 24 April and 8 May 2008 (LC Paper No. CB(2)2246/07-08(01))        |                        |
| 004140 -<br>004937 | Admin<br>Hon James TO<br>Chairman  | Paragraph 18 of the Administration's response to issues raised at the meetings on 28 March, 15 and 24 April and 8 May 2008 (LC Paper No. CB(2)2246/07-08(01))        |                        |
| 004938 -<br>005247 | Admin<br>Hon James TO<br>Chairman  | Paragraph 19 of the Administration's response to issues raised at the meetings on  |                        |

| Time marker     | Speaker  | Subject(s)   | Action Required  |
|-----------------|--|--|--|
|                 |  | 28 March, 15 and 24 April and 8 May 2008 (LC Paper No. CB(2)2246/07-08(01))  |  |
| 005248 - 010115 | Chairman<br>Admin<br>Hon James TO<br>Hon Emily LAU | Paragraph 2 of the Administration's response to issues raised at the meeting on 13 May 2008 (LC Paper No. CB(2)2265/07-08(01)) | <b>Admin to provide information on the total number of complaints/ allegations where the investigation reports were endorsed by the Independent Police Complaints Council (IPCC) in 2005 to 2007, the number of complaints/ allegations on which IPCC or its Secretariat had raised queries/ suggestions on the appropriateness of the classifications by the Complaints Against Police Office (CAPO), the number of complaints/ allegations in respect of which CAPO changed the classification after considering the IPCC or its Secretariat's queries/suggestions and the number of complaints/ allegations where IPCC accepted CAPO's original classification after CAPO's explanation</b> |

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|--------------------|--|--|--|
| 010116 -<br>010948 | Admin<br>Hon James TO<br>Dr Hon LUI Ming-wah<br>Chairman | Paragraphs 3 to 4 of the Administration's response to issues raised at the meeting on 13 May 2008 (LC Paper No. CB(2)2265/07-08(01))   |  |
| 010949 -<br>011558 | Admin<br>Hon James TO                                    | Paragraphs 5 to 8 of the Administration's response to issues raised at the meeting on 13 May 2008 (LC Paper No. CB(2)2265/07-08(01))   | <b>Admin to advise on the total number of reportable complaints received in 2007 and the number of "informal resolution" cases referred to the relevant police formations for handling</b> |
| 011559 -<br>011645 | Admin  | Paragraphs 9 to 10 of the Administration's response to issues raised at the meeting on 13 May 2008 (LC Paper No. CB(2)2265/07-08(01))  |  |
| 011646 -<br>012428 | Hon James TO<br>Chairman<br>Admin                        | Whether complaints not to be resolved by "informal resolution" should be investigated by a police formation other than the one to which the Police officer who is the subject of complaint is attached |  |
| 012429 -<br>012516 | Admin<br>Chairman  | Paragraph 11 of the Administration's response to issues raised at the meeting on 13 May 2008 (LC Paper No. CB(2)2265/07-08(01))  |  |
| 012517 -<br>015229 | Admin<br>Hon James TO<br>Chairman<br>Hon Mrs Selina CHOW | Paragraph 12 of the Administration's response to issues raised at the meeting on 13 May 2008 (LC Paper No. CB(2)2265/07-08(01))  |  |

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|--------------------|--|---|--|
| 015230 -<br>015335 | Admin  | Paragraph 13 of the Administration's response to issues raised at the meeting on 13 May 2008 (LC Paper No. CB(2)2265/07-08(01))         |  |
| 015336 -<br>020424 | Hon James TO<br>Chairman<br>Admin<br>Hon Mrs Selina CHOW | Contents of an investigation report on a reportable complaint   |  |
| Break              |  |   |  |
| 022421 -<br>023734 | Admin<br>Chairman<br>Hon James TO<br>Hon Mrs Selina CHOW | Paragraph 14 of the Administration's response to issues raised at the meeting on 13 May 2008 (LC Paper No. CB(2)2265/07-08(01))         |  |
| 023735 -<br>025930 | Admin<br>Hon James TO<br>Chairman<br>Hon Mrs Selina CHOW | Paragraphs 15 and 16 of the Administration's response to issues raised at the meeting on 13 May 2008 (LC Paper No. CB(2)2265/07-08(01)) | <b>Admin to consider including the reasons for not being able to complete the investigation within six months in an interim investigation report</b> |
| 025931 -<br>030048 | Admin<br>Hon James TO<br>Chairman                        | Paragraph 17 of the Administration's response to issues raised at the meeting on 13 May 2008 (LC Paper No. CB(2)2265/07-08(01))         |  |
| 030049 -<br>030711 | Admin<br>Hon James TO<br>Secretary of IPCC<br>Chairman   | Paragraph 18 of the Administration's response to issues raised at the meeting on 13 May 2008 (LC Paper No. CB(2)2265/07-08(01))         |  |
| 030712 -<br>031913 | Admin<br>Hon James TO                                    | Paragraphs 19 to 23 of the Administration's response to issues raised at the meeting on 13 May 2008 (LC Paper No. CB(2)2265/07-08(01))  |  |

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|--------------------|---|--|------------------------|
| 031914 -<br>032640 | Admin<br>Hon James TO<br>SALA1<br>Chairman                        | Paragraphs 24 to 25 of the Administration's response to issues raised at the meeting on 13 May 2008 (LC Paper No. CB(2)2265/07-08(01)) |                        |
| 032641 -<br>034845 | Admin<br>Hon James TO<br>Chairman<br>Hon Mrs Selina CHOW<br>SALA1 | Paragraph 26 of the Administration's response to issues raised at the meeting on 13 May 2008 (LC Paper No. CB(2)2265/07-08(01))        |                        |
| 034846 -<br>040328 | Admin<br>Hon James TO<br>Chairman<br>Secretary of IPCC            | Paragraphs 2 to 3 of the Administration's response to issues raised at the meeting on 22 May 2008 (LC Paper No. CB(2)2280/07-08(01))   |                        |
| 040329 -<br>040402 | Admin   | Paragraph 4 of the Administration's response to issues raised at the meeting on 22 May 2008 (LC Paper No. CB(2)2280/07-08(01))         |                        |
| 040403 -<br>041948 | Admin<br>Hon James TO<br>Chairman<br>Secretary of IPCC<br>SALA1   | Paragraph 5 of the Administration's response to issues raised at the meeting on 22 May 2008 (LC Paper No. CB(2)2280/07-08(01))         |                        |