

立法會
Legislative Council

LC Paper No. CB(2)2774/07-08
(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, 23 June 2008, at 8:30 am
in Conference Room B of the Legislative Council Building**

- Members present** : Hon LAU Kong-wah, JP (Chairman)
Dr Hon LUI Ming-wah, SBS, JP
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon James TO Kun-sun
Hon Bernard CHAN, GBS, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon WONG Yung-kan, SBS, JP
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 Alan LEONG Kah-kit, SC
Hon KWONG Chi-kin
- Members absent** : Hon LEE Cheuk-yan
Hon Margaret NG
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Daniel LAM Wai-keung, SBS, JP
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 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

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

Ms CHAU Kwan-bing
Legislative Assistant (2) 8

Mr William LEE
Legislative Assistant (2) 9

Miss Helen DIN
Legislative Assistant (2) 1

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 number and nature of queries or

suggestions raised by the Independent Police Complaints Council (IPCC) or its Secretariat on matters (other than the classifications of the reportable complaints concerned) in relation to investigation reports on reportable complaints;

- (b) to consider amending the Chinese acronym of the statutory IPCC from "警監會" to "監警會"; and
 - (c) to advise on any mutual understanding between the Administration and IPCC in respect of the circumstances under which IPCC might conduct interviews.
3. The Administration agreed to delete the proposed new clause 19B in its proposed Committee Stage amendments to the Bill.

II. Way forward

4. Members noted that the Bills Committee had completed scrutiny of the Bills and a written report on the deliberations of the Bills Committee would be submitted to the House Committee at its meeting on 27 June 2008.

5. The Bills Committee agreed that a further meeting would be held on 7 July 2008 at 2:30 pm to discuss the financial and transitional arrangements for the statutory IPCC.

6. The meeting ended at 4:45 pm.

Council Business Division 2
Legislative Council Secretariat
11 September 2008

**Proceedings of meeting of the
Bills Committee on
Independent Police Complaints Council Bill
on Monday, 23 June 2008, at 8:30 am
in Conference Room B of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action Required
000000 - 000230	Chairman	Opening remarks	
000231 - 000333	Chairman Admin	Administration's proposed Committee Stage amendments (CSAs) to clause 17 (LC Paper No. CB(2)2358/07-08(01))	
000334 - 000613	Admin Chairman Hon Emily LAU	Administration's proposed CSAs to clause 18 (LC Paper No. CB(2)2358/07-08(01))	
000614 - 003239	Chairman Admin Hon Emily LAU Hon James TO Hon Mrs Selina CHOW SALA1 Dr Hon LUI Ming-wah	Administration's proposed CSAs to clause 19 (LC Paper No. CB(2)2358/07-08(01))	
003240 - 003625	Chairman Admin Hon Alan LEONG	Administration's proposed CSAs to clause 20 (LC Paper No. CB(2)2358/07-08(01))	
003626 - 005428	Admin Hon James TO Chairman SALA1 Hon Mrs Selina CHOW	Administration's proposed CSAs to clause 21 (LC Paper No. CB(2)2358/07-08(01))	
005429 - 010609	Admin Chairman Hon James TO Secretary of IPCC	Administration's proposed CSAs to clauses 22 and 23 (LC Paper No. CB(2)2358/07-08(01))	
010610 - 011102	Hon Alan LEONG Admin Hon James TO	Administration's proposed CSAs to clauses 24 and 25 (LC Paper No. CB(2)2358/07-08(01))	
011103 - 011237	Admin Chairman	Administration's proposed CSAs to clause 26 (LC Paper No. CB(2)2358/07-08(01))	

Time marker	Speaker	Subject(s)	Action Required
011238 - 013000	Admin Hon James TO Chairman Hon Emily LAU Hon Mrs Selina CHOW Hon Alan LEONG	Administration's proposed CSAs to clause 27 (LC Paper No. CB(2)2358/07-08(01))	
013001 - 013017	Chairman Admin	Administration's proposed CSAs to clause 28 (LC Paper No. CB(2)2358/07-08(01))	
013018 - 013109	Admin Hon James TO	Administration's proposed CSAs to clauses 29 and 30 (LC Paper No. CB(2)2358/07-08(01))	
013110 - 013224	Admin Chairman	Administration's proposed CSAs to clauses 31 and 32 (LC Paper No. CB(2)2358/07-08(01))	
013225 - 014535	Admin Chairman Hon James TO Hon Emily LAU	Administration's proposed CSAs to clause 33 (LC Paper No. CB(2)2358/07-08(01))	
014536 - 014919	Chairman Admin	Administration's proposed CSAs to clause 34 (LC Paper No. CB(2)2358/07-08(01))	
014920 - 015718	Chairman Admin Hon Emily LAU Secretary of IPCC Hon James TO	Administration's proposed CSAs to clause 35 (LC Paper No. CB(2)2358/07-08(01))	
Break			
021435 - 021605	Chairman Admin	Administration's proposed CSAs to clause 36 (LC Paper No. CB(2)2358/07-08(01))	
021606 - 022921	Chairman Admin Hon James TO SALA1	Administration's proposed CSAs to clause 37 (LC Paper No. CB(2)2358/07-08(01))	
022922 - 023637	Chairman Admin Hon Emily LAU Hon James TO SALA1	Administration's proposed CSAs to clause 40 (LC Paper No. CB(2)2358/07-08(01))	

Time marker	Speaker	Subject(s)	Action Required
023638 - 024412	Chairman Admin Hon Emily LAU Hon James TO SALA1	Administration's proposed CSAs to clause 41 (LC Paper No. CB(2)2358/07-08(01))	
024413 - 024702	Chairman Admin Hon Emily LAU Secretary of IPCC	Administration's proposed CSAs to clauses 42 and 43 (LC Paper No. CB(2)2358/07-08(01))	
024703 - 030216	Admin Hon Emily LAU Chairman Hon James TO	Administration's proposed CSAs to Schedule 1 (LC Paper No. CB(2)2358/07-08(01))	
030217 - 030644	Chairman Admin Secretary of IPCC Hon James TO Hon Emily LAU	Paragraphs 2 to 3 of the Administration's response to issues raised at the meetings on 16 and 17 June 2008 (LC Paper No. CB(2)2359/07-08(01))	
030645 - 031906	Admin Hon Emily LAU Chairman Hon James TO Secretary of IPCC	Paragraph 4 of the Administration's response to issues raised at the meetings on 16 and 17 June 2008 (LC Paper No. CB(2)2359/07-08(01))	Admin to provide information on the number and nature of queries or suggestions raised by the Independent Police Complaints Council (IPCC) or its Secretariat on matters (other than the classifications of the reportable complaints concerned) in relation to investigation reports on reportable complaints
031907 - 032749	Admin Hon James TO	Paragraph 5 of the Administration's response to issues raised at the meetings on 16 and 17 June 2008 (LC Paper No. CB(2)2359/07-08(01))	

Time marker	Speaker	Subject(s)	Action Required
032750 - 032903	Chairman Admin Secretary of IPCC	Paragraph 6 of the Administration's response to issues raised at the meetings on 16 and 17 June 2008 (LC Paper No. CB(2)2359/07-08(01))	
032904 - 034251	Admin Secretary of IPCC Hon James TO Chairman Hon Emily LAU	Paragraph 7 of the Administration's response to issues raised at the meetings on 16 and 17 June 2008 (LC Paper No. CB(2)2359/07-08(01))	Admin to advise on any mutual understanding between the Administration and IPCC in respect of the circumstances under which IPCC might conduct interviews
034252 - 034644	Admin Hon Emily LAU Chairman Hon James TO	Paragraphs 8 to 9 of the Administration's response to issues raised at the meetings on 16 and 17 June 2008 (LC Paper No. CB(2)2359/07-08(01))	
034645 - 034955	Admin Hon James TO Chairman	Paragraph 10 of the Administration's response to issues raised at the meetings on 16 and 17 June 2008 (LC Paper No. CB(2)2359/07-08(01))	
034956 - 040059	Admin Hon James TO Chairman Hon Emily LAU	Paragraphs 11 to 12 of the Administration's response to issues raised at the meetings on 16 and 17 June 2008 (LC Paper No. CB(2)2359/07-08(01))	
040100 - 040235	Admin	Paragraphs 13 to 14 of the Administration's response to issues raised at the meetings on 16 and 17 June 2008 (LC Paper No. CB(2)2359/07-08(01))	
040236 - 043516	Chairman Hon James TO Admin Hon Emily LAU Hon Howard YOUNG Secretary of IPCC Hon Alan LEONG	Administration's paper on the financial and transitional arrangements for the statutory IPCC (LC Paper No. CB(2)2360/07-08(01))	

Time marker	Speaker	Subject(s)	Action Required
Break			
053640 - 054007	Admin Chairman	Revised draft CSAs proposed by the Administration to clause 9 (LC Paper No. CB(2)2386/07-08(01))	
054008 - 054124	Admin Chairman	Revised draft CSAs proposed by the Administration to clause 13 (LC Paper No. CB(2)2386/07-08(01))	
054125 - 055720	Admin Chairman Hon James TO SALA1 Hon Emily LAU	Revised draft CSAs proposed by the Administration to clause 34 (LC Paper No. CB(2)2386/07-08(01))	
055721 - 060658	Admin Hon James TO Chairman	Revised draft CSAs proposed by the Administration to Schedule 1 (LC Paper No. CB(2)2386/07-08(01))	
060659 - 060916	Hon James TO Chairman	Draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
060917 - 061002	Hon James TO	Item 1 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
061003 - 061147	Hon James TO	Item 2 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
061148 - 061214	Hon James TO	Item 3 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
061215 - 061514	Hon James TO	Items 4 and 5 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
061515 - 061627	Hon James TO	Item 6 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	

Time marker	Speaker	Subject(s)	Action Required
061628 - 061759	Hon James TO	Item 7 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
061800 - 061941	Hon James TO	Item 8 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
061942 - 062014	Hon James TO	Item 9 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
062015 - 062036	Hon James TO	Item 10 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
062037 - 062136	Hon James TO	Item 11 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
062137 - 062229	Hon James TO	Item 12 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
062230 - 062333	Hon James TO	Item 13 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
062334 - 062455	Hon James TO	Item 14 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
062456 - 062652	Hon James TO	Item 15 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
062653 - 062819	Hon James TO	Item 16 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
062820 - 062955	Hon James TO	Item 17 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
062956 - 063058	Hon James TO	Item 18 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	

Time marker	Speaker	Subject(s)	Action Required
063059 - 063201	Hon James TO	Item 19 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
063202 - 063237	Hon James TO	Item 20 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
063238 - 063308	Hon James TO	Item 21 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
063309 - 063448	Hon James TO	Item 22 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
063449 - 063806	Hon James TO	Item 23 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
063807 - 063920	Hon James TO	Item 24 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
063921 - 064243	Hon James TO	Item 25 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
064244 - 064350	Hon James TO Chairman	Item 26 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
064351 - 064417	Hon James TO	Item 27 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
064418 - 064538	Hon James TO	Item 28 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
064539 - 064613	Hon James TO	Item 29 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
064614 - 064647	Hon James TO	Item 30 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	

Time marker	Speaker	Subject(s)	Action Required
064648 - 064706	Hon James TO	Item 31 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
064707 - 064810	Hon James TO	Item 32 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
064811 - 064914	Hon James TO	Items 33 to 35 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
064915 - 065013	Hon James TO	Item 36 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
065014 - 065045	Hon James TO	Item 37 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
065046 - 065135	Hon James TO	Item 38 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
065136 - 065245	Hon James TO	Item 39 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
065246 - 065532	Hon James TO	Item 40 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
065533 - 065908	Hon James TO	Item 41 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
065909 - 065927	Hon James TO	Item 42 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
065928 - 070108	Hon James TO	Item 43 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
070109 - 070131	Hon James TO	Item 44 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	

Time marker	Speaker	Subject(s)	Action Required
070132 - 070244	Hon James TO Chairman Admin	Item 45 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
070245 - 070428	Hon James TO	Item 46 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
070429 - 070630	Hon James TO Chairman	Item 47 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
070631 - 070723	Hon James TO	Item 48 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
070724 - 070925	Hon James TO	Item 49 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
070926 - 071037	Hon James TO	Item 50 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
071038 - 071104	Hon James TO	Item 51 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
071105 - 071208	Hon James TO	Item 52 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
071209 - 071559	Hon James TO	Items 53 to 54 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
071600 - 071926	Hon James TO	Item 55 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
071927 - 072049	Hon James TO	Item 56 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
072050 - 072057	Hon James TO	Item 57 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	

Time marker	Speaker	Subject(s)	Action Required
072058 - 072338	Hon James TO	Item 58 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
072339 - 072502	Hon James TO Chairman	Item 59 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
072503 - 072525	Hon James TO	Item 60 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
072526 - 072753	Hon James TO	Item 61 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
072754 - 072900	Hon James TO Chairman	Items 62 to 63 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
072901 - 073252	Hon James TO	Items 64 to 65 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
073253 - 073444	Hon James TO	Item 66 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
073445 - 073636	Hon James TO	Item 67 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
073637 - 073957	Hon James TO Chairman	Item 68 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
073958 - 074118	Hon James TO	Item 69 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
074119 - 074141	Hon James TO	Item 70 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	

Time marker	Speaker	Subject(s)	Action Required
074142 - 074154	Hon James TO	Item 71 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
074155 - 074347	Hon James TO	Item 72 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
074348 - 074402	Hon James TO	Item 73 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
074403 - 074635	Hon James TO Chairman	Item 74 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
074636 - 074710	Hon James TO Chairman	Item 75 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
074711 - 074935	Hon James TO	Item 76 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
074936 - 074954	Hon James TO	Item 77 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
074955 - 075332	Hon James TO Chairman	Item 78 of the draft CSAs to be proposed by Hon James TO (LC Paper No. CB(2)2413/07-08(02))	
075333 - 081353	Admin Chairman Secretary of IPCC Hon James TO Hon Emily LAU	Revised draft CSAs to be proposed by the Administration to clauses 19B, 22 and 41 (LC Paper No. CB(2)2397/07-08(01))	Admin to consider amending the Chinese acronym of the statutory IPCC from "警監會" to "監警會"
081354 - 081625	Hon James TO Clerk Chairman Hon Emily LAU	Date of next meeting	