

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

**Response to issues raised at the Bills Committee meeting
held on 6 March 2008 (1)**

Purpose

At the Bills Committee meeting held on 6 March 2008, after considering LC Paper No. CB(2)1281/07-08(01), Members requested the Administration to further consider substituting the terms “reportable complaint” (“須具報投訴”) and “non-reportable complaint” (“無須具報投訴”) with layman terminology. This note sets out the Administration’s proposal in response to the request.

“Reportable complaint”

2. Clauses 10 to 12 of the Independent Police Complaints Council (IPCC) Bill set out the scope of complaints that must be categorized as “reportable complaints”. The Police must submit investigation reports or interim investigation reports on these complaints to the IPCC in accordance with clauses 16 and 17, as applicable, for the IPCC’s monitoring and review. As the English term of “reportable complaint” accurately conveys the meaning that the Police must submit to the IPCC detailed reports (i.e. investigation reports), we suggest it be retained. Having taken into account Members’ concern, we suggest that the Chinese term “須具報投訴”, which is currently used in the Bill, be replaced by “須匯報投訴”.

“Non-reportable complaints”

3. The existing clause 13 provides that a complaint received by the Police is a “non-reportable complaint” if it is not a “reportable complaint”. Clause 8(1)(b) requires the Police to submit lists of “non-reportable complaints” to the IPCC regularly. Clause 15 provides for the IPCC’s powers to monitor the categorization of “non-reportable complaints”.

4. To better reflect the requirement for the Police to inform the IPCC of such complaints while clearly distinguishing them from those complaints on which the Police are required to submit detailed reports, we suggest that “non-reportable complaint” (“無須具報投訴”) be replaced by “notifiable complaint” (“須知會投訴”).

Committee Stage Amendments

5. Subject to Members’ comments on the above proposal, we will submit the necessary proposed Committee Stage Amendments to the clauses concerned for Members’ consideration in due course.

Security Bureau
April 2008