

Independent Police Complaints Council Bill

Response to outstanding issues raised at the Bill Committee meetings held on 21 June and 23 June 2008

Purpose

This note provides information in response to the outstanding issues raised by the Bills Committee at its meetings held on 21 June and 23 June 2008.

Statistics in relation to investigation reports

To provide information on the number of investigation reports where the classifications of the reportable complaints concerned were endorsed by the Independent Police Complaints Council (IPCC) by circulation of papers in 2007

2. In 2007, the IPCC endorsed the classifications of reportable complaints in 2 509 investigation reports. Of these 2 509 reports, 817 were “withdrawn” cases and 628 were “informal resolution” cases endorsed by the IPCC Secretary under delegated authority from the IPCC, while 1 056 were endorsed by the IPCC by circulation of papers and 8 at meetings.

To provide information on the number and nature of queries or suggestions raised by the IPCC/IPCC Secretariat on matters (other than the classifications of the reportable complaints concerned) in relation to investigation reports on reportable complaints

3. The requested statistics are set out at the Annex.

To provide information on the number of reportable complaints monitored by the IPCC Serious Complaints Committee in 2007

4. As set out in LC Paper No. CB(2) 321/07-08(01), the IPCC Serious Complaints Committee closely monitors reportable complaints involving allegations of assaults resulting in death or serious injuries, or involving wide public interest. In 2007, the Committee monitored three such complaints.

Chinese acronym of the statutory IPCC

To consider changing the Chinese acronym of the statutory IPCC from “警監會” to “監警會”

5. As suggested by the Bills Committee, we agree to change the Chinese acronym of the statutory IPCC from “警監會” to “監警會”, and have given notice to move Committee Stage Amendments to the relevant provisions in the Bill.

Interviews conducted by the IPCC

To advise on any mutual understanding between the Administration and the IPCC in respect of the circumstances under which the IPCC may conduct interviews

6. The purpose of the IPCC Interviewing Witnesses Scheme is solely for the IPCC to clarify facts directly with the witnesses of reportable complaints. The IPCC will not take over the investigative role of the Police. Before the introduction of the Scheme in 1994, the Administration and the IPCC had worked closely in drawing up the detailed arrangements for the Scheme. It has been the mutual understanding between the Administration and the IPCC that the IPCC would interview witnesses after receipt of the Police's investigation reports. This is reflected in clause 19(1) of the Bill. Clause 19(2)

further provides that the IPCC may conduct interviews for the purpose of considering interim investigation reports, i.e. before completion of the investigation of the reportable complaints concerned provided that such interviews would not be likely to prejudice the investigation of any crime or any complaint made to the Commissioner of Police.

Security Bureau

July 2008

**Statistics on complaints the classifications of which
were endorsed by the IPCC and complaints on which
the IPCC raised queries in 2005 to 2007**

	2005	2006	2007
(a) Number of complaints with classifications endorsed by IPCC	2 828	2 114	2 509
(b) Number of allegations with classifications endorsed by IPCC	4 695	3 518	4 341
(c) Number of queries/suggestions raised by IPCC/IPCC Secretariat on the appropriateness of CAPO's classifications	93	75	123
(d) Of (c) above, number accepted by CAPO	64	44	82
(e) Of (c) above, number satisfactorily explained/followed up by CAPO	29	31	41
(f) Number of queries/suggestions raised by IPCC/IPCC Secretariat on matters ^{Note} other than the appropriateness of CAPO's classifications	448	754	1 577

Note: Such matters include the thoroughness of investigation, clarification of facts/discrepancies, grounds for exercise of constabulary powers, compliance with police practices/procedures, suggested improvement to police practices/procedures and miscellaneous issues.