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*By Fax : 2509 0775*  
*(Total : 18 pages)*

25 March 2009

Mr Raymond Lam  
Clerk to Subcommittee on Police's Handling of  
Sex Workers and Searches of Detainees  
Legislative Council  
3<sup>rd</sup> Floor Citibank Tower  
3 Garden Road  
Central  
Hong Kong

Dear Mr Lam,

**Follow Up to the Subcommittee Meeting held on 4 February 2009**

Thank you for your letter of 16 February 2009. We set out below the Administration's response to issues raised by Members of the Subcommittee at the meeting held on 4 February 2009.

*(a) The reasons why the use of handheld metal detectors could not preclude the need for conducting searches which involved complete removal of clothing*

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2. As the Police have explained previously, handheld metal detectors currently available in the market are unable to detect non-metallic objects (e.g. dangerous drugs, glass, plastic, etc.), which may be of evidential value to an offence, or which may be used by a detained person to cause self-harm or injury to others. Thus, while the use of such devices may be of assistance to the Police in certain circumstances, it cannot completely remove the need for conducting searches involving complete removal of clothing if the particular

circumstances of the case justify it. It is incumbent on the Duty Officer authorizing a search on a detainee to justify the scope of the search taking account of all relevant circumstances.

*(b) Results of review on the effectiveness of the use of handheld metal detectors in assisting Police officers in the conduct of searches*

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3. The Police conducted a trial scheme on the use of handheld metal detectors in all custody searches during the period from 1 October 2008 to 31 December 2008. Having reviewed the trial results, the Police concluded that although handheld metal detectors were unable to detect non-metallic objects and thus have limitations, the use of such detectors allows speedy detection of such items such as knives, blades, etc. which detainees may likely use to harm themselves, other people with whom they have contact and the searching officer. Moreover, with pre-screening using a metal detector, the searching officer can have a better assessment of the scope of the subsequent custody search that he is required to conduct on the detainee, and to do that more efficiently as he can focus on non-metallic items. The Police therefore have decided to continue to use handheld metal detectors prior to every custody search with effect from 1 January 2009.

*(c) Nature of offences involved in respect of searches involving full removal of underwear conducted on detainees since 1 January 2009*

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4. The figures for the first two months of 2009 are set out in the table at **Annex A**.

*(d) Ranking of authorizing officer for searches involving full removal of underwear*

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5. The Duty Officer is the most senior officer stationed in a police station round the clock to take charge of the report room, and is specifically authorized by the Commissioner of Police to be in charge of any person taken into the custody of the Police. The Duty Officer is normally at the Station Sergeant rank and has many years of frontline police experience. In particular, he would have served in report rooms previously with functional experience in handling and processing detained persons. He would also have received specialized training in report room procedures and handling detainees. With considerable relevant work experience and training, the Duty Officer is well equipped

to make professional assessment on the scope of searches for detainees.

6. Individuals may come into police custody throughout the day. As a general principle, all persons arrested by the Police must be processed quickly and should not be held in police custody for longer than is necessary. Moreover, to ensure the proper fulfilment of the Force's duty of care to the detainees and to ensure the safety of others who may come into contact with them, there is operational need for detainees to be searched promptly, especially if the persons concerned may be in possession of an article that can be used as a weapon. As the Duty Officer is available in the police station round the clock and in view of his professional capability, it is appropriate for him to decide on the scope of the search of a detainee. The alternative of assigning an officer other than the Duty Officer, who may not be readily available, could lead to considerable delays in conducting the searches and hence create unacceptable risks.

7. It is also important to note that the performance of the Duty Officer (including his handling of the searches of detainees) is subject to supervision. The Duty Officer is required to record the details of each search, including the reasons and scope, in the Force's Communal Information System (CIS). The immediate supervisor of the Duty Officer authorizing a search is required to review all cases entered into the system to ensure that they are properly dealt with, including compliance of searches on detainees with the prevailing requirements and guidelines.

8. Having regard to the above-mentioned considerations, the Police maintain the view that the Duty Officer of a police station is the most appropriate officer to authorize a search on a detained person, including that involving removal of underwear.

*(e) Internal review conducted by the Police regarding the Lee Tung Street incident*

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9. After the Lee Tung Street incident, the Police conducted an internal review on the circumstances surrounding the arrest of the protesters on 5 October 2007 and their subsequent allegations made at a press conference based on the information then available. The review concluded that actions taken by the police officers involved in the removal, arrest and subsequent handling of the arrestees were in line with

the Force procedures in place at that time.

10. This notwithstanding, the Police continue to review procedures for handling searches of detainees and have introduced a variety of improvement measures to better protect the human rights of detainees in police custody. Specifically, the Police have introduced new guidelines on custody search on 1 July 2008 to facilitate consistent considerations and procedures in conducting searches of detained persons. The new procedures stipulate clearly that a search involving the removal of underwear should not be conducted routinely but only in circumstances with strong justifications. All police officers must adhere strictly to the requirements of the Force in carrying out their constabulary duties and non-compliance with such requirements is subject to disciplinary action.

*(f) and (g) Search records contained in the Communal Information System and the Custody Search Form*

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11. The Police introduced a revised Custody Search Form (Pol. 1123) on 1 January 2009. The revised Form sets out for the detainee's information the key legal provisions concerning the rights of a detainee in respect of custody search, and the arrangements applicable to a detainee with special needs or who is a vulnerable person (including space on the form for signature by the interpreter and the parent/guardian of the detainee). For each search, the revised Form records the specific factor(s) considered by the Duty Officer in deciding the scope of the search and the actual scope of the search approved (with specification of the sub-categories of Level III searches in place from January 2009, if applicable). The revised Form also makes it a requirement for the Duty Officer to record the details of any concerns/objections raised by a detained person to the search. The search record contained in the Custody Search Form is fully reflected in the CIS Custody Search Record, either by structured fields or free text entry.

12. Representative screen displays of custody search records in the CIS are at **Annex B** for Members' reference.

*(h) Items which detainees might be allowed to retain while in Police custody*

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13. The Sub-committee suggested providing in the Custody Search Form a checklist of items which detainees might be allowed to retain

while in police custody, and recording the reasons for removing any personal item(s) from the detainees in the Form. Paragraph 11 of the Custody Search Form and paragraph 49-04(9) of the Force Procedures Manual already state that a detained person is allowed to retain essential clothing, spectacles, hearing aid, head-dress required by faith or custom, and copies of statements in paper form made by the detained person in custody unless the detained person has self-harm or suicidal tendency. If the detained person wishes to retain any personal item while in police custody, he may make a request to the Duty Officer. The Duty Officer will consider the request on a case-by-case basis.

14. Under the current police procedures, if any item is removed from a detained person, it will be recorded in the CIS and the detained person will receive a copy of the record. We consider that the above arrangement has fully addressed Members' concern in this regard.

*(i) Conditions/circumstances for considering repeated rounds of custody search stated in the Guidelines on the Searching of Detained Persons*

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15. Paragraph 12 of the Custody Search Form and paragraph 49-04(11) of the Police General Order state that a detainee may be searched again after admission into a police detention facility. Paragraphs 21 and 22 of the Guidelines on the Searching of Detained Persons set out the circumstances and procedures for conducting such searches on a detainee. The Duty Officer is required to explain to the detainee, upon his admission into detention facility, the possible need for subsequent search(es). The procedure for each subsequent search is the same as that for the initial search, and the Duty Officer is required to explain to the detainee the reason(s) for and the scope of the search as well as his rights before each subsequent search. The scope of each search is, however, case specific and should be no more than what is necessary and proportionate to achieve the purpose under the prevailing circumstances.

*(j) The Police's handling of the situation where a detainee took off his/her clothes of his/her own accord*

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16. There are no specific rules covering this type of behaviour and a practical and common sense approach is called for. Where a detainee takes off his/her clothes of his/her own accord while in Police custody,

the police officer handling the detainee at the time will ask the detainee to put his/her clothes back on immediately. If there are indications that the detained person may be distressed, emotionally unstable or suffering from mental illness, and the Duty Officer considers the detainee to be in need of medical attention, the Duty Officer will arrange for the person to be seen by a doctor in accordance with the requirement under paragraph 49-11(1) of the Force Procedures Manual. In addition, if a detained person appears to be insane and is acting in a manner that is dangerous to himself or others, the Duty Officer will take action in accordance with section 31 of the Mental Health Ordinance (Cap. 136) to convey the detained person to a hospital for medical treatment.

*(k) Study on the use of advanced technology and devices to assist Police officers in the conduct of searches*

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17. The Police have conducted a study on the following technical aids for conducting custody searches:

- (i) digital radiographic (X-ray) scanner;
- (ii) X-ray backscatter scanner;
- (iii) millimeter wave scanner;
- (iv) walk-through metal detector; and
- (v) handheld metal detector/gloves.

The findings of the study are at **Annex C**. Taking into account the cost and practicality considerations, the Police decided to use handheld metal detectors to assist officers in conducting custody searches following a trial scheme conducted from 1 October 2008 to 31 December 2008 (please also see paragraph 3 above). The Police will continue to explore and review technical aids that may provide practical assistance in conducting a custody search.

*(l) Police's investigation report in respect of the complaint case concerning Ms LI Yuen-yi and the findings of the Coroner's Inquest held into the death of Ms Li*

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*Police's investigation report in respect of the complaint case concerning Ms LI Yuen-yi*

18. The Complaints Against Police Office (CAPO) has carefully considered the request of the Subcommittee for access to the investigation report on the complaint case in respect of Ms LI Yuen-yi. The report contains information provided by the complainant, complainees and witnesses, which includes personal data of the individuals concerned, operational details of the Police's enforcement actions as well as assessments and comments made by the investigating officers and witnesses. Disclosing the investigation report in its entirety would infringe the privacy of the data subjects and disclose confidential information about the Police's operations. Moreover, such disclosure would seriously affect CAPO's ability to secure the assistance and cooperation of witnesses in future investigations of complaints against members of the police force and inhibit frankness and candour in the expression of opinions by witnesses during the investigation process.

19. Notwithstanding the above, given the concern of Members about the case, we set out in **Annex D** the gist of the complaint made against the Police and the investigation results for Members' reference. The Independent Police Complaints Council (IPCC) endorsed CAPO's report in November 2008. CAPO informed the complainant of the investigation results accordingly in December 2008.

20. Although the allegations in the case in question were found unsubstantiated, the Force fully appreciates the concern of the public regarding the handling of undercover anti-vice operations by the Police. Following a review of the internal guidelines governing undercover anti-vice operations, the Police introduced a set of updated guidelines from October 2007. We have provided a summary of the revised guidelines in our letter to the Subcommittee dated 24 January 2009.

21. Under the revised guidelines, officers at the rank of Deputy District Commander or Senior Superintendent are designated a specified role in supervising such undercover operations, with more vigorous control over the scope and extent of the evidence to be gathered (including the extent of body contact with sex workers). Moreover, the

guidelines require an undercover agent to obtain approval from a Senior Superintendent for the receipt of masturbation service before the operation, if such service is anticipated to be genuinely necessary to achieve the objective of the operation. The revised guidelines also reinforce the key principle that in the process of gathering evidence, police officers undertaking undercover operations are not allowed to receive oral sex or sexual intercourse service offered by sex workers. We consider that the enhanced monitoring arrangement provides for effective checks and balance in respect of undercover anti-vice operations undertaken by police officers.

*The findings of the Coroner's Inquest held into the death of Ms LI*

22. The Coroner, with a jury of five, held an inquest into Ms LI Yuen-yi's death in May 2006. After a four-day hearing, the jury returned a verdict of suicide. The Coroner did not make any recommendations or orders in respect of this case.

23. Details of the inquest are recorded in the transcript of the death inquest. Nonetheless, Rule 20 of the Coroners Rules (Cap. 504B) stipulates the procedure for a "properly interested person" to make an application for copies of the transcripts. "Properly interested person" is defined in section 2 and Schedule 2 of the Coroners Ordinance, and includes the family of the deceased, Government departments which are concerned with the death of the deceased, and other specified parties. In view of the specific procedure stated by Rule 20, the Police should not provide copies of the transcript. The Subcommittee may wish to consider separately whether to apply to the coroner for the transcript.

*(m) Police's criteria for overnight detention of arrested persons*

24. The Force Procedures Manual states that all arrested persons will be released unconditionally, on self-recognizance or on cash bail, as soon as possible following the arrest and that continued detention must be justified on reasonable grounds. The Police do not detain arrested persons overnight for administrative convenience.

25. Arrested persons will normally be released on bail except:

- (i) where the arrested person is arrested on a Court warrant which does not allow bail;

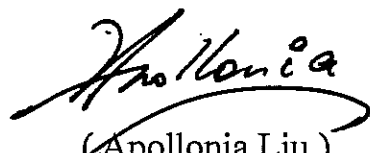


- (ii) where there are reasonable grounds to suggest that the arrested person may abscond or may repeat the offence;
  - (iii) where the arrested person may interfere with witnesses, impede the investigation or attempt to obstruct the course of justice;
  - (iv) where the arrested person should be detained in his own interests to protect him from acts committed by himself or others; or
  - (v) where the arrested person cannot produce a reasonable amount of bail money in circumstances where self-recognizance is not appropriate.
- (n) *Suggesting the Independent Police Complaints Council to conduct, on a random basis, reviews on the compliance with the Police's guidelines in cases of search involving full removal of underwear*
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26. The statutory function of the IPCC, as under the IPCC Ordinance, is to observe, monitor and review the handling and investigation of reportable complaints by the Police, including any complaints about searches of detainees. The IPCC does not have the function or power to carry out, for instance, a review on the compliance of search procedures by police officers.

27. That notwithstanding, the Police will inform the IPCC on any revisions or updates of guidelines on searches of detainees, and will continue to improve on the handling of searches of detainees taking into account the Council's views and suggestions.

Yours sincerely,



(Apollonia Liu)  
for Secretary for Security

## **Annex A**

### **Nature of Offences Involved in respect of Searches Involving Full Removal of Underwear Conducted in January and February 2009**

<b>Nature of offences involved</b>	<b>Percentage of all searches involving full removal of underwear</b>
(a) dangerous drugs-related offences	44.8%
(b) immigration-related offences	11.0%
(c) theft-related offences	19.3%
(d) violent crimes	7.3%
(e) wanted persons	4.5%
(f) others (e.g. criminal damage, possession of offensive weapon, claiming to be a member of triad society)	13.1%

## Making New Detention Record in the Communal Information System

**1 Selected Detained Person**

Rec. Report No. Name

**Please issue Pol 1123 to the subject person before conducting a custody search.**

**Search Details**

Has the detained person raised any concern/objection to the scope of search? ☐ Yes ☐ No

Has the scope of search changed as a result of concern/objection raised by detained person? ☐ Yes ☐ No

**Supplementary Information**

☐ Non-removal of Clothing ☐ Removal of Clothing ☒ Removal of Underwear

Search Date/Time

Search Location

Search Reason(s)

Factor(s) Considered

Any Weapon / Exhibit Found During Custody Search? ☐ Yes ☐ No

Authorised by D3242 F-name3242 G-name3242 M-name3242

Searched by

Witnessed by

Interpreter Name Registration No.

Handheld metal detector used? ☐ Yes ☐ No

Remarks

DO Authorization Cancel

The level of search should be recorded. Sub-categories of a search involving removal of underwear should be recorded in the "Remarks" box. Details of any special acts/posture required should also be recorded in this box.

**1 Selected Detained Person**

Rec. Report No. Name

**Please issue Pol 1123 to the subject person before conducting a custody search.**

**Search Details**

Has the detained person raised any concern/objection to the scope of search? ☐ Yes ☐ No

Has the scope of search changed as a result of concern/objection raised by detained person? ☐ Yes ☐ No

**Supplementary Information**

☐ Non-removal of Clothing ☐ Removal of Clothing ☒ Removal of Underwear

Search Date/Time

Search Location

Search Reason(s)

Factor(s) Considered

Any Weapon / Exhibit Found During Custody Search? ☐ Yes ☐ No

Authorised by D3242 F-name3242 G-name3242 M-name3242

Searched by

Witnessed by

Interpreter Name Registration No.

Handheld metal detector used? ☐ Yes ☐ No

Remarks

DO Authorization Cancel

The "Search Reason(s)" window will pop up when clicking the pull-down button. Search reason(s) should be recorded by clicking the corresponding box(es).

**TWDIST - D003\*\*\*\* HONG KONG POLICE - CIS**

System Case Adm Bail Property Detainee Reports Archive Eng Traffic Tools Help

**Custody Search**

1 Selected Detained Person

Rec. Report No. Name

**Please issue Pol 1123 to the subject person before conducting a custody search.**

**Factor(s) Considered**

Duty Officer will consider the following factors when deciding the scope of custody search (can select more than one):

- ☐ Offence(s) committed
- ☐ Criminal record, if any
- ☐ Level of violence exhibited during offence(s) and upon arrested
- ☐ Demeanour following the arrest and case processing
- ☐ Suicidal tendency exhibited
- ☐ Previous record of self-harm, if known
- ☐ Behavioural characteristics displayed
- ☐ Any other relevant factors

**Search Details**

Has the detained person raised any concern/objection to the scope of search? ☐ Yes ☐ No

Has the scope of search changed as a result of concern/objection raised by detained person? ☐ Yes ☐ No

**Supplementary Information**

☐ Non-removal of Clothing ☐ Removal of Clothing ☐ Removal of Underwear

Search Date/Time

Search Location

Search Reason(s)

Factor(s) Considered

Any Weapon / Exhibit Found During Custody Search? ☐ Yes ☐ No

Authorised by: D3242 F-name3242 G-name3242 M-name3242

Searched by

Witnessed by

Interpreter Name

Registration No.

Handheld metal detector used? ☐ Yes ☐ No

Remarks

DO Authorization Cancel

The "Factor(s) Considered" selection window will pop up when clicking the pull-down button. Factor(s) considered should be recorded by clicking the corresponding box(es).

Details of factor(s) considered (in particular the demeanour of detained person, behavioural characteristics displayed and any other relevant factors) should be recorded in the "Remarks" box.

**TWDIST - D003\*\*\*\* HONG KONG POLICE - CIS**

System Case Adm Bail Property Detainee Reports Archive Eng Traffic Tools Help

**Custody Search**

1 Selected Detained Person

Rec. Report No. Name

**Please issue Pol 1123 to the subject person before conducting a custody search.**

**Search Details**

Has the detained person raised any concern/objection to the scope of search? ☐ Yes ☐ No

Has the scope of search changed as a result of concern/objection raised by detained person? ☐ Yes ☐ No

**Supplementary Information**

☐ Non-removal of Clothing ☐ Removal of Clothing ☐ Removal of Underwear

Search Date/Time

Search Location

Search Reason(s)

Factor(s) Considered

Any Weapon / Exhibit Found During Custody Search? ☐ Yes ☐ No

Authorised by: D3242 F-name3242 G-name3242 M-name3242

Searched by

Witnessed by

Interpreter Name

Registration No.

Handheld metal detector used? ☐ Yes ☐ No

Remarks

DO Authorization Cancel

Supplementary information may include -

- any concern / objection raised by the detainee; and
- the original scope of search authorised.

Remarks may include details of weapon / exhibit found.

**Summary of Study on Technical Aids for Custody Searches**

<b>Instrument Features</b>	<b>Digital Radiographic (X-ray) Scanner</b>	<b>X-ray Backscatter Scanner</b>	<b>Millimeter Wave Scanner</b>	<b>Walk-through Metal Detector</b>	<b>Handheld Metal Detector / Gloves</b>
<b>Technology</b>	Low X-ray	Low X-ray	Radio frequency	Pulse Induction	Very low frequency or frequency oscillations
<b>Accuracy</b>	High accuracy – penetrate into human body	Penetrate clothes; detect both metallic and non-metallic objects	Penetrate clothes; detect both metallic and non-metallic objects	Detect only metallic objects	Detect only metallic objects
<b>Estimated Unit Cost<sup>1</sup></b>	\$2.5M	\$1.6M	\$1.6M	\$30,000 - \$80,000	Handheld metal detector: \$500-\$1,000 Metal detector gloves: \$3,000
<b>Legal Requirement</b>	Regulated by the Radiation Ordinance, Cap. 303	Regulated by the Radiation Ordinance, Cap. 303	Nil	Nil	Nil
<b>Training Requirement</b>	Only medical professionals are qualified to operate the equipment as stipulated in the Radiation Ordinance, Cap. 303	Only medical professionals are qualified to operate the equipment as stipulated in the Radiation Ordinance, Cap. 303	1-2 days' training	1-2 days' training	1-2 days' training
<b>Occupational Safety and Health Implications</b>	Regulated by the Radiation Ordinance, Cap. 303	Regulated by the Radiation Ordinance, Cap. 303	Minimal	Insignificant	Insignificant
<b>Manpower Implications</b>	Only medical professionals are qualified to operate the equipment as stipulated in the Radiation Ordinance, Cap. 303	Only medical professionals are qualified to operate the equipment as stipulated in the Radiation Ordinance, Cap. 303	Easy to train up a large number of staff	Easy to train up a large number of staff	Easy to train up a large number of staff

<sup>1</sup> The Police currently have detention facilities in 66 buildings across the territory.

Instrument Features	<b>Digital Radiographic (X-ray) Scanner</b>	<b>X-ray Backscatter Scanner</b>	<b>Millimeter Wave Scanner</b>	<b>Walk-through Metal Detector</b>	<b>Handheld Metal Detector / Gloves</b>
<b>Overseas Experience</b>	Used at airport, border control points, sensitive premises, etc.  Its use could be controversial	Used at airport, border control points, court buildings, etc.  A <u>voluntary</u> alternative for public to a pat-down search during secondary screening at airports. <u>Compulsory</u> for all entering court buildings.	Used at airports, border control points, court buildings, etc.  A <u>voluntary</u> alternative for public to a pat-down search during secondary screening in airports. <u>Compulsory</u> for all entering court buildings.	Commonly used by local and overseas LEAs for security screening; currently used at the Hong Kong International Airport	Handheld metal detector – commonly used by local and overseas LEAs for security screening; currently used at the Hong Kong International Airport  Metal detector gloves – not commonly used
<b>Other Local LEAs</b>	Not in use	Not in use	Not in use		
<b>Privacy Issues</b>	The system can prevent images from being printed, stored or transmitted	The system can prevent images from being printed, stored or transmitted	The system can prevent images from being printed, stored or transmitted	Not applicable	Not applicable
<b>Practicality</b>	Not viable because of the restrictive requirement for the operation of the equipment as well as the substantial cost implications	Not viable because of the restrictive requirement for the operation of the equipment as well as the substantial cost implications	Not viable because of the substantial cost implications	Practical, but only detects metallic objects. It compares less favourably with handheld metal detector/gloves in terms of steadiness in performance and cost.	Practical, but only detect metallic objects. The handheld detector is preferable to detector gloves in terms of cost and the level of perceived intrusiveness.

## Photos of Instruments and Scanning Images produced by the Instruments

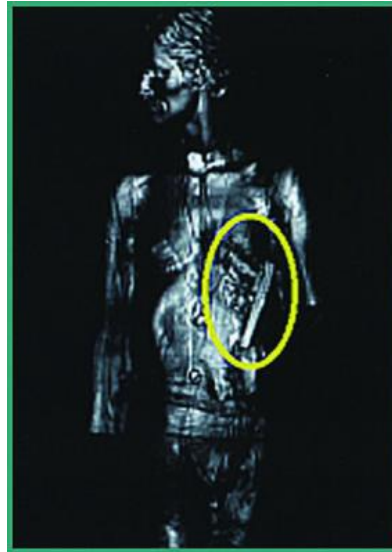
### 1. Digital Radiographic (X-ray) Scanner



### 2. X-ray Backscatter Scanner



### 3. Millimeter Wave Scanner



### 4. Walk-through Metal Detector



### 5. Handheld Metal Detector / Gloves





**Gist of the result of the investigation conducted by the Complaint Against Police Office on the complaint case concerning Ms LI Yuen-yi**

The deceased Ms LI Yuen-yi was arrested by the Police for “Blackmail” and “Theft” in an undercover operation in October 2005. While she was on police bail, Ms Li plunged to her death.

2. The complainant, a sister of the Ms Li, lodged a complaint with the Complaint Against Police Office (CAPO) in November 2005. The complaint consisted of allegations against the police officers of Wan Chai District who conducted the undercover operation and the police officers of the Regional Crime Unit, Kowloon East who investigated into the death of Ms Li.

Allegations against the police officers of Wan Chai District who conducted the undercover operation

3. The complainant alleged that the undercover officer had received oral sex service from Ms Li, assaulted her and framed her up for the alleged offence “Blackmail”. In addition, the complainant alleged that a woman police constable disposed of a condom used by the undercover officer during the operation to destroy the evidence.

4. In this regard, CAPO noted that as pointed out by the coroner to the jury during the inquest on the death of Ms Li held in mid-May 2006, the allegation on the receipt of oral sex service by the undercover officer was hearsay. Moreover, the legal representative of Ms Li and his assistant, who met Ms Li after her arrest, confirmed that Ms Li did not raise with them any complaint against the Police. On the basis that the allegation in respect of the undercover agent’s receipt of oral sex service from Ms Li was hearsay, the complainees’ denial of all allegations and there were no witnesses or corroborative evidence to support any particular allegation, CAPO classified these allegations as “Unsubstantiated”.

Allegations against the police officers of the Regional Crime Unit, Kowloon East who investigated into the death of Ms Li

5. The complainant alleged that an officer, who interviewed her and her family, told them not to talk too much to the press in an arrogant manner; seized

Ms Li's diary, bail receipt and a chit written by Ms Li from the complainant as exhibits without notifying her; and failed to provide her with copies of the seized documents as agreed. She also alleged that the officers who conducted the search at Ms Li's residence failed to explain the complainant's right beforehand and that the officers concerned had not provided her with a list of the property seized.

6. Regarding the allegations against the officer who interviewed the complainant and her family, the complaineer denied the allegations. His response was corroborated by other police officers. Moreover, CAPO's investigation revealed that the complainant's sister had signed written acknowledgment of the seizure of the items concerned. The officer had been liaising with the complainant and her family for handing over copies of the seized items to them and the Police subsequently served the copies to the complainant.

7. For the allegations against the officers who conducted the search at Ms Li's residence, Police records revealed that the complainant had confirmed her consent to the search, and had acknowledged the seizure of the items from Ms Li's residence. Since the items were not listed as exhibits, the Police returned them to the complainant after taking photocopies of them.

8. Since there were no witnesses or corroborative evidence to support the allegations, the allegations against the officers of the Regional Crime Unit, Kowloon East were classified as "Unsubstantiated".

9. The investigation report was endorsed by the Independent Police Complaints Council in November 2008 and the complainant was informed of the investigation results accordingly in December 2008.