## 立法會 Legislative Council

LC Paper No. CB(2)618 /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 Friday, 23 November 2007, at 8:30 am in Conference Room A of the Legislative Council Building

**Members** : Hon LAU Kong-wah, JP (Chairman)

**present** Hon LEE Cheuk-yan

Dr Hon LUI Ming-wah, SBS, JP

Hon Margaret NG

Hon Mrs Selina CHOW LIANG Shuk-yee, GBS, JP

Hon James TO Kun-sun

Hon Howard YOUNG, SBS, JP Hon Emily LAU Wai-hing, JP

Hon Timothy FOK Tsun-ting, GBS, JP

Hon TAM Yiu-chung, GBS, JP Hon Audrey EU Yuet-mee, SC, JP

Hon Andrew LEUNG Kwan-yuen, SBS, JP

Hon Alan LEONG Kah-kit, SC Hon LEUNG Kwok-hung Hon KWONG Chi-kin

**Members** : Hon Bernard CHAN, GBS, JP

**absent** Dr Hon Philip WONG Yu-hong, GBS

Hon WONG Yung-kan, SBS, JP Dr Hon Joseph LEE Kok-long, JP Hon Daniel LAM Wai-keung, SBS, JP

**Public Officers**: The Administration attending

Mrs Jessie TING, JP

Deputy Secretary for Security

Ms Manda CHAN

Principal Assistant Secretary for Security

Ms Jane LEE

**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

Acting Deputy Law Draftsman

Ms Lonnie NG

Senior Government Counsel

<u>Independent Police Complaints Council Secretariat</u>

Mrs Brenda FUNG

Secretary, Independent Police Complaints Council

Clerk in attendance

Mrs Sharon TONG

ance 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

#### I. Meeting with the Administration

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

- 2. The Bills Committee requested the Administration -
  - (a) to provide information on the number of complainants, complainees and witnesses interviewed under the Independent Police Complaints Council (IPCC) Interviewing Witnesses Scheme;

- (b) to provide information on the power and composition of the Appeal Board on Public Meetings and Processions and consider the suggestion of empowering IPCC to determine the results of investigation into complaints; and
- (c) to provide, before the meeting on 13 December 2007, a list of all statutory bodies in Hong Kong and a comparison between the proposed statutory IPCC and six similar statutory bodies as well as the Securities and Futures Commission, the Equal Opportunities Commission, the Office of The Ombudsman and Office of the Privacy Commissioner for Personal Data, setting out their functions, the honorarium for members, workload of members, financial provision, manpower establishment and caseload of the respective secretariats.

#### II. Date of next meeting

- 3. The Bills Committee noted that the next meeting had been scheduled for 6 December 2007 at 2:30 pm to receive the views of the public on the Bill.
- 4. The meeting ended at 10:25 am.

Council Business Division 2
<u>Legislative Council Secretariat</u>
13 December 2007

# Proceedings of meeting of the Bills Committee on

### Independent Police Complaints Council Bill on Friday, 23 November 2007, at 8:30 am in Conference Room A of the Legislative Council Building

Time marker	Speaker	Subject(s)	Action Required
000000 - 000450	Chairman	Opening remarks	
000451 - 001203	Admin	Briefing on the Administration's response to issues raised by members at the meeting on 14 November 2007 (LC Paper No. CB(2)410/07-08(01))	
001204 - 002341	Hon James TO Chairman Admin	Whether the Independent Police Complaints Council (IPCC) should be empowered to determine the results of investigation conducted by the Complaints Against Police Office (CAPO)	
002342 - 003337	Hon Emily LAU Admin	Whether IPCC should be provided with independent investigative power; whether decisions of IPCC were binding; number of persons interviewed under the IPCC Interviewing Witnesses Scheme	Admin to provide information on the number of complainants, complainees and witnesses interviewed under the IPCC Interviewing Witnesses Scheme
003338 - 010748	Hon Selina CHOW Hon James TO Hon Emily LAU Hon LEUNG Kwok-hung Chairman Admin	Whether IPCC should be empowered to determine the results of investigation conducted by CAPO	
010749 - 012210	Hon James TO Hon LEUNG Kwok-hung Admin Chairman	Whether there had been cases where CAPO refused to disclose information to IPCC on the grounds that such disclosure would likely prejudice the security of Hong Kong or the investigation of any crime; power and composition of the Appeal Board on Public meetings and Processions; whether IPCC should be empowered to determine the results of	Admin to provide information on the power and composition of the Appeal Board on Public Meetings and Processions and consider the suggestion of empowering IPCC to determine the results

Time marker	Speaker	Subject(s)	Action Required
		investigation into complaints	of investigation into complaints
012211 - 012242	Chairman	Administration's second batch of response to issues raised at the Bills Committee meeting on 6 November 2007	
012243 - 012539	Admin	Briefing on the Administration's second batch of response to issues raised at the Bills Committee meeting on 6 November 2007 (LC Paper No. CB(2)406/07-08(01))	
012540 - 015912	Hon Emily LAU Hon James TO Hon Howard YOUNG Hon LEUNG Kwok-hung Hon Alan LEONG Admin Chairman	Whether the statutory bodies referred to in the Administration's paper were comparable to IPCC and whether there were other comparable statutory bodies; date of next meeting	Admin to provide a list of all statutory bodies in Hong Kong; to provide a comparison between the proposed statutory IPCC and six similar statutory bodies as well as the Securities and Futures Commission, the Equal Opportunities Commission, the Office of The Ombudsman and Office of the Privacy Commissioner for Personal Data, setting out their functions, the honorarium for members, workload of members, financial provision, manpower establishment and caseload of the respective secretariats