

立法會
Legislative Council

LC Paper No. CB(2)1085/08-09
(These minutes have been seen
by the Administration)

Ref : CB2/SS/6/08

**Subcommittee on
Independent Police Complaints Council Ordinance (Commencement) Notice**

**Minutes of meeting
held on Thursday, 19 February 2009, at 4:30 pm
in Conference Room A of the Legislative Council Building**

Members present : Hon LAU Kong-wah, JP (Chairman)
Hon James TO Kun-sun
Dr Hon Philip WONG Yu-hong, GBS
Hon Miriam LAU Kin-ye, GBS, JP
Hon Emily LAU Wai-hing, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon LEUNG Kwok-hung
Hon Cyd HO Sau-lan
Hon WONG Kwok-kin, BBS
Hon IP Kwok-him, GBS, JP

Members absent : Hon WONG Yung-kan, SBS, JP
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon Alan LEONG Kah-kit, SC

Public Officers attending : Item I
The Administration
Mrs Jessie TING, JP
Deputy Secretary for Security

Mr David LAU
Principal Assistant Secretary for Security

Mr Vincent WONG
Assistant Commissioner of Police (Service Quality Wing)

Ms WONG Ching-han
Senior Inspector of Police

Independent Police Complaints Council

Mrs Philomena LEUNG
Secretary, Independent Police Complaints Council

Mr Brandon CHAU
Deputy Secretary, Independent Police Complaints Council

Clerk in attendance : Mrs Eleanor CHOW
Senior Council Secretary (2) 4

Staff in attendance : Mr LEE Yu-sung
Senior Assistant Legal Adviser 1

Miss Josephine SO
Senior Council Secretary (2) 1

Miss Helen DIN
Legislative Assistant (2) 1

I. Meeting with the Administration

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

2. Members noted the Administration's intention to defer the commencement of the Independent Police Complaints Council (IPCC) Ordinance to 1 June 2009 to allow more time for Members to examine the resources allocated to the future statutory IPCC. According to the Administration, it would repeal the Independent Police Complaints Council Ordinance (Commencement) Notice by publishing a notice in the Gazette in the first instance, and would separately publish a new commencement notice in the Gazette in due course, with a view to concluding the negative vetting procedure in early May 2009.

3. Members noted that a verbal report of the Subcommittee would be made by the Chairman at the House Committee meeting on 20 February 2009, followed by a written report for the House Committee on 27 February 2009.

4. The meeting ended at 4:45 pm.

Council Business Division 2
Legislative Council Secretariat
13 March 2009

**Proceedings of meeting of the
Subcommittee on
Independent Police Complaints Council Ordinance (Commencement) Notice
on Thursday, 19 February 2009, at 4:30 pm
in Conference Room A of the Legislative Council Building**

| Time marker | Speaker | Subject(s) | Action Required |
|--------------------|---------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| 000220 - 000305 | Chairman | Opening remarks | |
| 000306 - 000658 | Admin | <p>Indicating intention to defer the commencement of operation of the statutory Independent Police Complaints Council (IPCC) to allow more time for Members to examine the resources allocated to the future statutory IPCC</p> <p>Taking into account the views expressed by members at the meeting on 13 February 2009, and in response to the Subcommittee's request, the Administration would repeal the original commencement notice by publishing a notice in the Gazette in the first instance, and issue a new notice in due course to appoint 1 June 2009 as the new commencement date for the IPCC Ordinance</p> <p>Briefing on the Administration's paper (LC Paper No. CB(2)908/08-09(01)) which provided supplementary information on the latest progress of preparation made by IPCC and the Complaints Against Police Office (CAPO) of the Hong Kong Police Force for the establishment of the statutory IPCC</p> | |
| 000659 - 001352 | Hon Emily LAU Chairman Admin Secretary of IPCC | <p>Welcomed the Administration's decision to defer the commencement of the IPCC Ordinance to 1 June 2009</p> <p>Suggested that a subcommittee should be formed to examine the new commencement notice after its gazettal</p> <p>Supplementary information on the</p> | |

| Time marker | Speaker | Subject(s) | Action Required |
|--------------------|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| | | rules on the proceedings of IPCC's meetings and the meetings of IPCC's committees in respect of language used at meetings, quorum for committee meetings and declaration of interest | |
| 001353 - 001715 | Chairman | <p>Pointed out that as a statutory body, IPCC would have a high degree of flexibility and independence in working out its procedures and guidelines. However, it should take note of the views of members that the meeting procedures of the statutory IPCC had room for further improvement</p> <p>Suggested that the preparatory arrangements for the establishment of the statutory IPCC and the relevant procedures and guidelines of IPCC and CAPO would be followed up by the subcommittee on the future commencement notice, if formed</p> | |