

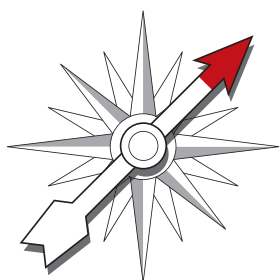


獨立監察警方處理投訴委員會  
Independent Police Complaints Council

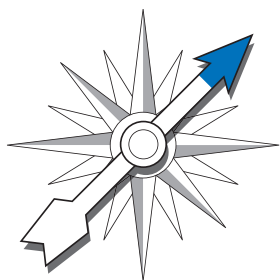
**2013/14**

工作報告 Report





監警會必竭盡所能，  
監察警隊依法執行職務，  
確保香港警隊優良傳統，  
為市民服務。



The Independent Police  
Complaints Council will do  
its utmost to ensure that  
the Police carry out their  
duties in accordance with  
the law and safeguard the  
fine traditions of our Police  
Force to serve the people  
of Hong Kong.



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## 抱負 Vision



一個公平、公正、對公眾問責的投訴警察制度



**A fair and impartial police complaints system accountable to the public**

## 使命 Mission



確保對警方的投訴能公平公正、有效率、具透明度地處理，並對警隊工作提供改善建議，以提高服務質素及向公眾問責



**Ensure police complaints are handled in a fair, impartial, effective and transparent manner, and advise on improvement to police procedures to enhance service quality and public accountability**

## 價值觀 Values



獨立



公正



誠信



**Independence**



**Impartiality**



**Integrity**





# ipcc 年度概覽 Year at a Glance



2013  
08  
4月 APR

與澳洲警政與安全卓越研究中心首席調查主任及澳洲昆士蘭格里菲斯大學犯罪學和刑事司法學院教授會面

Met with the Chief Investigator of the Australian Research Council Centre of Excellence in Policing and Security and Professor of the School of Criminology and Criminal Justice at Griffith University, Queensland, Australia



2013  
30  
4月 APR

監警會和投訴警察課聯席會議

Joint IPCC/CAPO open meeting



2013  
13-16  
5月 MAY

為天津市公安局及北京市公安局兩名官員安排培訓

Arranged an attachment programme for two officials from Public Security Bureau of the Tianjin Municipality and Public Security Bureau of the Beijing Municipality

2013  
20-31  
5月 MAY

出席由加拿大公民監察執法協會於查洛城舉辦的「公民監察：促進問責性、獨立性和透明度」會議

Attended a conference "Civilian Oversight: Promoting Accountability, Independence and Transparency" organised by the Canadian Association for Civilian Oversight of Law Enforcement in Charlottetown, Prince Edward Island



2013  
29  
5月 MAY

舉行第九期《監警會通訊》傳媒發佈會

Media briefing to release the "IPCC Newsletter" No. 9



2013  
31  
5月 MAY

訪問警察東九龍交通總部，了解藥後駕駛損害測試、反超速駕駛執法行動及反車輛超載執法行動

Visited the Traffic Kowloon East to understand the drug driving impairment test and the enforcement of laws concerning speeding and loading



2013  
26  
6月 JUN

出席警方七一遊行安排簡報會

Attended a briefing on the 1 July procession held by the Police

2013  
01  
7月 JUL

現場觀察警方處理七一遊行安排

On-site observations of police handling of the 1 July procession



2013  
15  
7月 JUL

監警會和投訴警察課聯席會議

Joint IPCC/CAPO open meeting

2013  
30  
7月 JUL

與泰國申訴專員公署的代表會面

Met with a delegation from the Office of the Ombudsman of Thailand

2013  
09  
8月 AUG

與民間人權陣線代表會面，聆聽他們對警方處理七一遊行的意見

Met with the Civil Human Rights Front representatives to understand their views on police arrangements during the 1 July procession



2013  
30  
8月 AUG

訪問警察新界北衝鋒隊，了解日常處理突發事件的工作及衝鋒隊的裝備

Visited the Emergency Unit New Territories North to understand its routine in impromptu situations and its equipment



# 年度概覽 Year at a Glance

2013  
13  
9月 SEP

與工黨代表會面，聆聽他們對警方執法的意見

Met with Labour Party representatives to gather their views on the Police in enforcing the law

2013  
09  
10月 OCT

訪問投訴警察課總部，了解警隊的願景、架構及警察巡邏小隊的工作

Visited CAPO headquarters to understand the vision of the Police, their structure and the daily operations of Patrol Units

2013  
17  
10月 OCT

舉行第十期《監警會通訊》傳媒發佈會

Media briefing to release the "IPCC Newsletter" No. 10

2013  
22  
10月 OCT



與香港人權監察代表會面，聆聽他們就警權及警察處理集會示威手法的意見

Met with representatives from the Hong Kong Human Rights Monitor to understand their views on police powers and how the Police handle demonstrations

與關注婦女暴力協會代表會面，聆聽他們對警方處理性暴力受害人的意見

Met with representatives from the Association Concerning Sexual Violence Against Women to learn of their views on the way the Police handle victims of sexual violence

2013  
31  
10月 OCT

監警會和投訴警察課聯席會議

Joint IPCC/CAPO open meeting

2013  
27  
11月 NOV

向立法會提交監警會2012/13工作報告並舉行傳媒發佈會

Submitted the IPCC Report 2012/13 to the Legislative Council and hosted a media briefing session

2013  
03  
12月 DEC

訪問香港仔黃竹坑的香港警察學院，了解香港警察訓練課程所涵蓋的範圍

Visited the Hong Kong Police College at Wong Chuk Hang, Aberdeen to understand the scope of police training



2013  
30  
12月 DEC

出席警方元旦遊行安排簡報會

Attended a briefing on the 1 January procession held by the Police

2014

2014  
01  
1月 JAN

現場觀察警方處理元旦遊行安排

On-site observations of police handling of the 1 January procession



2014  
20  
2月 FEB

舉行第十一期《監警會通訊》傳媒發佈會

Media briefing to release the "IPCC Newsletter" No. 11

YouTube「監警會頻道」啟動

Launch of the YouTube "IPCC Channel"

2014  
27  
2月 FEB

監警會和投訴警察課聯席會議

Joint IPCC/CAPO open meeting

2014  
03-14  
3月 MAR

委託香港大學民意研究計劃，進行公眾意見調查電話訪問

Commissioned the University of Hong Kong Public Opinion Programme to conduct a public opinion survey by telephone interviews

2014  
18  
3月 MAR

與Now TV聯合製作的《監警透視》播出，並上載於「監警會頻道」

"IPCC Perspective", produced in collaboration with Now TV, was broadcast and uploaded onto the YouTube "IPCC Channel"

2014  
25  
3月 MAR



與的士司機團體代表會面，聆聽他們就交通警執法的意見

Met with representatives from taxi drivers' groups to obtain their opinions on current traffic police law enforcement

2014  
26  
3月 MAR



與香港警察隊員佐級協會代表會面，聆聽前線警務人員的意見

Met with representatives of the Junior Police Officers' Association in order to obtain their opinions





## 主席前言 Chairman's Foreword



我很慶幸能在2008至2014這六年間，服務獨立監察警方處理投訴委員會（監警會）。在我首個任期上任一年以後，即2009年6月1日，監警會成為法定機構。這段期間，我有幸帶領監警會由一家在幕後默默耕耘的審查監管單位，蛻變為獨立的法定機構，並得到公眾的認同，為此我引以為傲。

雖然人不應該只顧緬懷過去，但我有時仍不禁回想自問：自2009年監警會成為獨立的法定機構後，我們做了甚麼成就今天的監警會呢？在這我有三方面值得分享。

首先，我們由最初一個鮮為人知的機構，到近期香港大學民意研究計劃進行的公眾意見調查顯示，過半數受訪者認識監警會。公眾認知度能在短時間內大幅提升，實非易事。此外，公眾不單認識監警會，更認同監警會的公平公正。我可以自豪地說，監警會是獨立誠信的象徵，其代表的是香港這個崇尚自由和包容的社會所珍惜的價值。再者，我們除了獲得公眾信任之外，同時也獲警方的信任。警隊的高層曾表示監警會在警隊內獲普遍的正面評價，當然難免有人對我們仍然抱持懷疑態度，但我們已取得警隊大部份人的信任。

I am honoured and privileged to have served the Independent Police Complaints Council (IPCC) for six years from 2008 to 2014. One year into my first term of office, the IPCC became a statutory body on 1 June 2009. I am very proud to have led the IPCC's transformation from a "back-seat" monitoring body to an independent statutory body with a respectable degree of public recognition.

While one should perhaps not indulge in nostalgia, it may nevertheless be pertinent to look back and ask: What has the IPCC accomplished since becoming an independent statutory body in 2009 that is of relevance today? There are three things in particular that I would like to mention.

First, the Council has transformed from a relatively unknown body into one which, according to our most recent survey carried out by the University of Hong Kong's Public Opinion Programme, is known to more than half of those who were kind enough to respond. It is no mean feat to have raised our profile so tremendously. Second, we are not merely better known to the public; we have earned an image of fairness and impartiality. I am proud to say that the IPCC is a symbol of independence and integrity: important values that are treasured in a free and inclusive society like Hong Kong. Third, we have gained the trust not only of the public, but also of the Police. We have been told by senior management of the Police that the IPCC now enjoys a positive image among many in the Force. There are bound to be skeptics, but by and large we have gained the confidence of the Force as well.

## 主席前言 Chairman's Foreword

凡此種種，反映了監警會已取得一定成就。那我們應該如何走下去呢？又怎樣從現有的基礎上更上一層樓呢？我深信新一任的主席、委員會和持份者均會為會方訂下目標。總結我們以往的經驗，在此我謹提出一些建議。

一、雖然公眾意見調查的結果顯示監警會已為大部份市民所認識，然而公眾對監警會的印象或與現實不符，所以持續改善公眾對我們的觀感是必要的，讓市民大眾認識我們、了解我們的工作。訊息的傳達不應是單向的；我們要竭力了解持份者對監警會的期望，以及他們希望我們可以做什麼。二、監警會要貫徹及加強其獨立、公正及誠信的形象，不能自滿，要持續爭取持份者的信任。三、近兩年的公眾意見調查結果，反映市民關注警方處理大型公眾活動的安排。在目前的政治環境，大型公眾活動勢必繼續成為社會的焦點，我希望監警會可以在平衡警權和民權之間作出貢獻。

過去六年變故多挑戰亦多，對我而言是一個難忘的經歷。我謹此由衷感謝監警會的所有委員、觀察員、秘書處及投訴警察課的職員，若欠缺他們盡心竭力的支持和幫助，監警會也難以在我的任期內取得卓越成就。

監警會主席一職自2014年6月1日起由郭琳廣先生接任，亦有很多委員將於2014年年底任期滿六年榮休，新主席和新委員將帶領監警會邁進新里程。我深信在他們的英明領導下，監警會將繼續力求進步，服務社會、貢獻社會。謹此祝願監警會工作順利。

From this perspective, I am pleased to say that we have managed to achieve a reasonable degree of success. So what is the way forward? How do we build on what we have achieved? I am sure that the new Chairman, the Council and other stakeholders will identify their own goals. However, based upon what we have done in the past, I would like to offer a few suggestions.

First, although we are told that a decent portion of the population knows of us, the reality and public perception may differ. Improving public perception is a continuing quest. We can certainly do more to let the people of Hong Kong know who we are and what we do. At the same time, the communication should not be one way; in my view the IPCC can strive harder to discover what our stakeholders expect of us and what they want us to do. Second, the IPCC must strive to maintain and enhance its image of independence, impartiality and integrity. We cannot, and must not, be complacent. We must continue to gain and retain the trust of our stakeholders. Third, our last two public opinion surveys identified the police's handling of public order events as the issue with which most Hong Kong people are concerned. Sadly, given the current political landscape, it is perhaps inevitable that large-scale public order events will remain in the headlines in the foreseeable future. I hope the IPCC can contribute positively in helping to strike the proper balance between the exercise of police powers and the protection of civil rights.

The past six years have been eventful and challenging. It has been an unexpected journey for me in many ways. I would like to take this opportunity to express my most sincere gratitude to all Council Members, Observers, Secretariat staff and colleagues from the Complaints Against Police Office. Without their unfailing support and diligent efforts, the IPCC would not have had such commendable achievements during my term of office.

Starting from 1 June 2014, Mr Larry Kwok will succeed me as Chairman. A large number of Members who will have served the Council for six years will retire by the end of 2014. The IPCC will enter into a new phase with a new Chairman and a new generation of Members. I am confident that under their able leadership, the IPCC will continue to make further progress, and to serve the community with distinction. I wish the IPCC, every success.



翟紹唐 資深大律師，SBS，JP  
監警會主席

JAT Sew-Tong, SBS, SC, JP  
Chairman



# 1

## 第一章 Chapter 1

# 關於監警會 About the IPCC



MONITOR • 監察 INTEGRITY • 誠信

INTEGRITY • 誠信 MONITOR • 監察

MONITOR • 監察 INTEGRITY • 誠信

INTEGRITY • 誠信 MONITOR • 監察

MONITOR • 監察 INTEGRITY • 誠信



## 香港的投訴警察制度

## Hong Kong Police Complaints System

### 投訴警察課調查投訴個案

### CAPO investigates

### complaint

### 監警會審核調查報告

### IPCC reviews

### investigation report

香港的投訴警察制度是一個兩層的架構。所有投訴警察的個案，不論來源，均交由香港警務處投訴警察課處理及調查。此為香港投訴警察制度的第一層。

Hong Kong has adopted a two-tier police complaints system. Regardless of their origin, all complaints against the Police are referred to the Complaints Against Police Office (CAPO) of the Hong Kong Police Force for handling and investigation. This is the first tier of the system.

待投訴警察課完成投訴調查後，便會把須匯報投訴的調查報告，連同所有調查的相關檔案、文件及材料，提交予獨立監察警方處理投訴委員會（簡稱監警會）審核。

When CAPO has completed the investigation of a Reportable Complaint, it will submit the investigation report, together with relevant files, documents and materials, to the Independent Police Complaints Council (IPCC) for scrutiny.

監警會在審核調查報告及其他材料時，如察覺有疑點，將會要求投訴警察課澄清或提供更多資料；如發現有不足之處，更會要求該課重新調查。監警會在完全同意投訴個案處理得當後，才會通過調查結果。此為投訴警察制度的第二層。

If any doubt arises during its review of the investigation report and other materials, the IPCC will ask CAPO for clarification or further information. If the IPCC finds the investigation inadequate, it will request that the case be further investigated. Only when the IPCC completely agrees that the complaint has been properly handled will it endorse the investigation report. This is the second tier of the police complaints system.



## 香港投訴警察制度的兩層架構

## Hong Kong's two-tier police complaints system

1

投訴警察課調查投訴個案  
CAPO investigates complaint

投訴警察課接收須匯報投訴  
Receives Reportable Complaint

進行調查  
Investigation

投訴警察課提交調查報告  
Submits investigation report

2

監警會審核調查報告  
IPCC reviews investigation report

監警會審核報告  
Reviews investigation report

通過調查結果  
Agrees with investigation result

- 投訴警察課回覆投訴人
- 警方向被投訴人員採取適當行動
- 監警會就檢討及改善警隊工作常規和程序向警務處處長和/或行政長官提出建議
- CAPO responds to complainant
- Police take appropriate action against complainee
- IPCC may offer recommendations to the Commissioner of Police and/or the Chief Executive on refinement of police practices and procedures

不同意調查結果  
Disagrees with investigation result

- 向投訴警察課提出質詢、要求澄清或提供更多資料
- IPCC seeks clarification or further information from CAPO

不接納報告  
Rejects report

- 可要求投訴警察課重新調查
- 可會見證人澄清疑點
- 提交工作層面會議或聯席會議討論
- May request CAPO to reinvestigate complaint
- May interview witnesses to clarify uncertainties
- May bring up the case during working level meetings or joint IPCC/CAPO meetings

兩層架構的優點是確保投訴警察個案可以得到公平公正的處理。監警會作為獨立機構，可以客觀地觀察、監察和覆檢警務處處長對須匯報投訴的處理和調查，並向警務處處長和行政長官提供與須匯報投訴有關的意見和建議。

The advantage of the two-tier system is that it ensures the fair and just handling of complaints against the Police. As an independent body, the IPCC can objectively observe, monitor and review the handling and investigation of Reportable Complaints by the Commissioner of Police, and put forward opinions and recommendations regarding such complaints to the Commissioner of Police and the Chief Executive.

## 監警會的角色和功能

## The Role and Functions of the IPCC



監警會是根據《獨立監察警方處理投訴委員會條例》（《監警會條例》）（香港法例第604章）成立的獨立機構，其職能是觀察、監察和覆檢警務處處長就須匯報投訴的處理和調查工作。

監警會由一名主席、三名副主席和不少於八名委員組成。委員全部由行政長官委任，分別來自社會不同界別，包括法律界、醫學界、教育界、社福界、傳播界、商界和立法會議員等。監警會借助委員多方面的專業知識，獨立、公正、透徹地監察投訴警察課的調查工作。截至2014年3月31日，監警會共有24名委員。

監警會於2009年6月1日成為法定機構。隨著《監警會條例》生效，警方有法定責任遵從監警會根據條例所提出的要求。條例進一步提高監警會的獨立性，以履行其監察職能。

The Independent Police Complaints Council (IPCC) is an independent body established under the Independent Police Complaints Council Ordinance (IPCCO) (Cap. 604, Laws of Hong Kong) to observe, monitor and review the handling and investigation of Reportable Complaints against the Police by the Commissioner of Police.

The IPCC comprises a Chairman, three Vice-Chairmen and no less than eight Members, all appointed by the Chief Executive. They are drawn from a wide spectrum of society including the legal, medical, education, social welfare, communications and business sectors, and Legislative Council Members. This composition enables the IPCC to draw upon the diverse expertise of its Members to monitor CAPO's investigation of complaints against the Police in an independent, impartial and thorough manner. As of 31 March 2014, the IPCC comprises 24 Members.

The IPCC became a statutory body when the IPCC Ordinance went into effect on 1 June 2009. The Police have a statutory duty to comply with the IPCC's requests. The Ordinance enhanced the independence of the IPCC in carrying out its monitoring functions.

## 《監警會條例》賦予監警會的主要職能如下： The main functions of the IPCC as provided for under the IPCCO are:



01

觀察、監察和覆檢警務處處長處理和調查須匯報投訴的工作

To observe, monitor and review the handling and investigation of Reportable Complaints by the Commissioner of Police



02

監察警務處處長已經或將會向與須匯報投訴有關的警務人員採取的行動

To monitor actions taken or to be taken in respect of any police officer by the Commissioner of Police in connection with Reportable Complaints



03

找出警隊工作常規或程序中引致或可能引致須匯報投訴的缺失或不足之處

To identify any fault or deficiency in police practices or procedures that has led to or might lead to a Reportable Complaint



04

向警務處處長和/或行政長官提供與須匯報投訴有關的意見和/或建議

To advise the Commissioner of Police and/or the Chief Executive of its opinion and/or recommendation in connection with Reportable Complaints



05

加強公眾對監警會的角色認識

To promote public awareness of the role of the Council

## 監警會的監察程序

## Monitoring Procedures of the IPCC



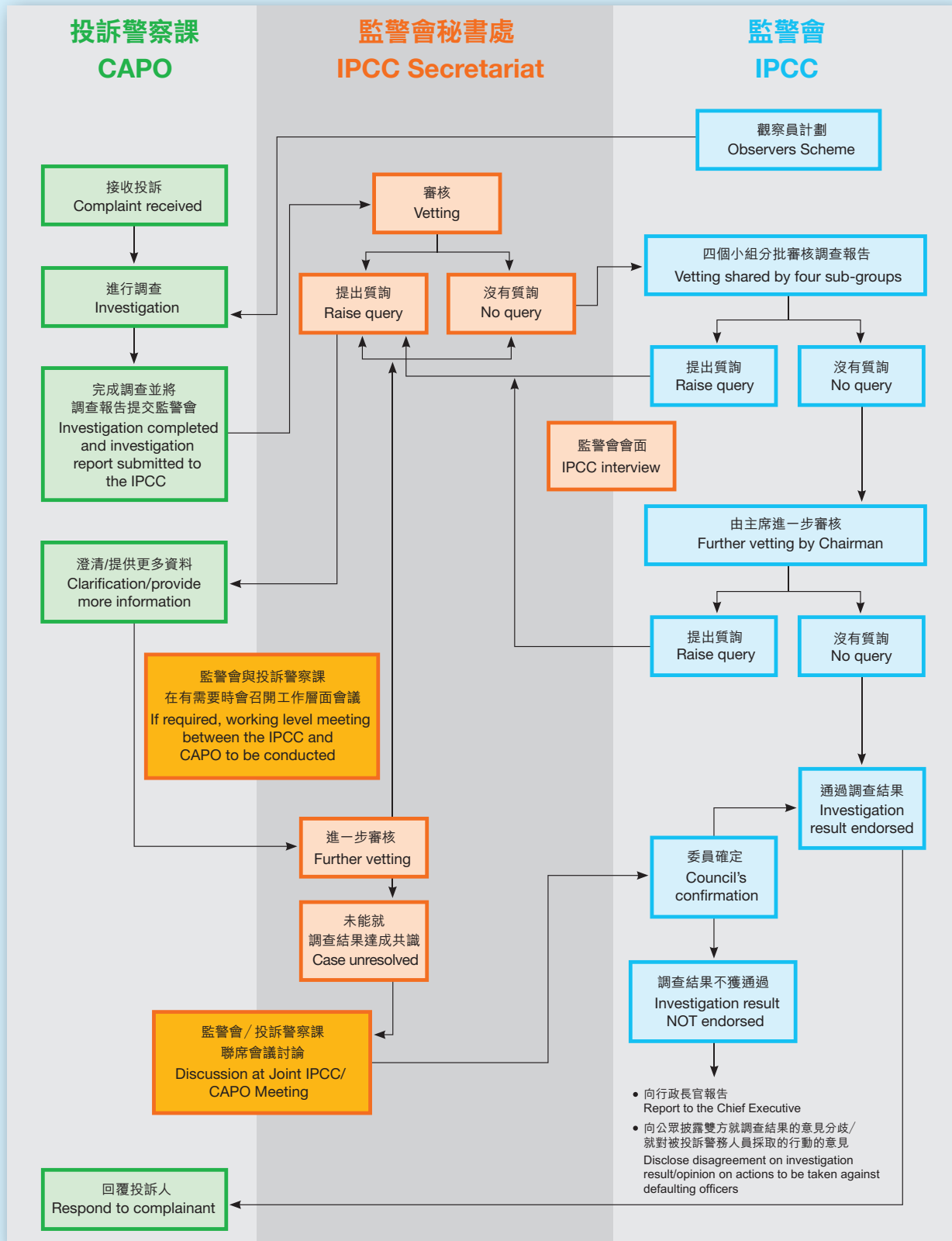
在投訴警察制度的兩層架構下，投訴警察課在完成投訴調查後，便會把須匯報投訴的調查報告提交予監警會秘書處審核，秘書處可就調查報告向投訴警察課提出質詢、要求該課澄清或提供更多資料。若秘書處對調查報告沒有質詢，便會將調查報告提交予監警會委員審核。

若監警會和投訴警察課未能就調查結果達成共識，雙方可在工作層面會議或聯席會議上討論。如監警會最後決定不通過某宗投訴個案的調查結果，可向行政長官報告或向公眾披露雙方對調查結果的意見分歧，包括向行政長官或警務處處長表達監警會對警務處處長就須匯報投訴向被投訴的警務人員採取行動的意見。

Under the two-tier police complaints system, after CAPO has investigated a Reportable Complaint, it will submit the investigation report to the IPCC Secretariat for examination. Based on the report, the Secretariat may pose questions and ask for clarification or further information. If the Secretariat has no query about the report, it will be submitted to the Council Members for scrutiny.

If the IPCC and CAPO cannot agree on the findings of an investigation, they can discuss the case at working level meetings or at the joint IPCC/CAPO meeting. If the IPCC's final decision is not to endorse the investigation results of a particular case, it may disclose the disagreement of both parties on the findings of the investigation to the Chief Executive or the public, including expressing its views to the Chief Executive and the Commissioner of Police on the actions to be taken by the Commissioner of Police regarding the police officer against whom the Reportable Complaint has been lodged.

## 監警會監察程序 IPCC Monitoring Procedures



## 監警會的會面 IPCC Interview

In addition to reviewing the investigation report, the IPCC may ask for interviews with persons related to the case to clarify matters. The IPCC interview was introduced in 1994, under which the IPCC may, for the purpose of considering CAPO's investigation reports, interview any persons who may provide relevant information or assistance.

If the IPCC deems it necessary to meet with certain individuals, it will invite them to interviews. These individuals may be complainants, complainees, witnesses, or other independent persons. The interviews are conducted by a panel of no less than two Council Members. The IPCC Secretariat is responsible for providing necessary arrangements and assistance.

除了審核調查報告外，監警會亦可要求和個案相關人士會面，以澄清事項。會面計劃於1994年開始推行，在這計劃下，監警會為考慮投訴警察課的調查報告，可以會見任何能夠就調查報告向監警會提供資料或其他協助的人士。

如監警會認為有需要直接會見某些人士，便會邀請他們出席會面。這些人士可以是投訴人、被投訴人、證人或其他獨立人士。監警會的會面由不少於兩位監警會委員組成的小組主持，而秘書處則負責有關的安排及協助。



## 觀察員計劃 Observers Scheme

觀察員計劃於1996年開始推行，旨在加強監警會的監察職能，協助監警會觀察投訴警察課處理和調查須匯報投訴的方式。在這計劃下，由保安局局長委任的觀察員，可出席投訴警察課就調查須匯報投訴而進行的會面和證據收集工作。監警會委員同樣亦可進行觀察。

投訴警察課會盡量在會面或證據收集行動前至少48小時通知監警會。收到通知後，監警會秘書處便會知會觀察員有關安排。觀察員可觀察任何警方為了調查投訴而與投訴人、被投訴人或證人進行的會面，以及證據收集工作。除了預先安排的會面和證據收集工作外，觀察員亦可以在突擊的情況下，出席和觀察警方這些活動。

觀察員的角色是觀察和匯報，基於公平公正的原則，在觀察會面及證據收集工作期間，觀察員不會作出任何干預或發表個人意見，以防影響會面或證據收集的進行。

在觀察完畢後，觀察員須向監警會報告會面或證據收集工作是否公平公正地進行，以及有否察覺任何不當之處。若觀察員匯報有任何不當之處，監警會便會和投訴警察課跟進。

所有就須匯報投訴與投訴警察課會面的人士，均可要求觀察員出席有關會面。倘監警會接到這些要求，定當盡力安排。

截至2014年3月31日，監警會共有108名觀察員。

The Observers Scheme was introduced in 1996 to strengthen the IPCC's monitoring function. Under the Scheme, Observers appointed by the Secretary for Security may attend interviews and observe the collection of evidence in connection with CAPO's investigation of Reportable Complaints. The IPCC Members can likewise conduct such observations.

Insofar as practicable, CAPO will notify the IPCC at least 48 hours in advance of any impending interview or collection of evidence. The IPCC Secretariat will then inform Observers of the appointment. Observers can observe any interview with a complainant, complainee or witness, or any collection of evidence conducted in the course of a complaint investigation. Apart from prearranged observations, Observers can attend and observe investigations on a surprise basis.

The role of an Observer is primarily to observe and report. The Observer is to remain impartial without interfering or offering personal opinions while observing the conduct of interviews or collection of evidence.

After each observation, the Observer will submit to the IPCC a report stating whether the interview or collection of evidence was conducted in a fair and impartial manner, and if any irregularities were detected. Should any irregularities be reported, the IPCC will follow up with CAPO.

All persons who are to be interviewed by CAPO in connection with a Reportable Complaint can request an Observer to be present during the interview. Upon receipt of such a request, the IPCC will make an effort to arrange the observation accordingly.

As of 31 March 2014, there were a total of 108 IPCC Observers.



## 觀察員的委任

(監警會條例第33條)

監警會觀察員是由保安局局長委任。為確保觀察員的中立角色，以下人士均不會被委任為觀察員：

1. 在政府政策局或部門擔任受薪職位（不論屬長設或臨時性質）的人士
2. 秘書長、法律顧問或監警會任何其他僱員
3. 曾屬警隊成員的人士

## Appointment of Observers

(Section 33 of IPCCO)

The IPCC Observers are appointed by the Secretary for Security. To ensure their impartiality, the following persons are not eligible for appointment as Observers:

1. A person who holds an office of emolument, whether permanent or temporary, in a Government bureau or department
2. The Secretary-General, the Legal Adviser or any other employee of the Council
3. A former member of the Police Force



## 監警會和投訴警察課的聯席會議 Joint Meetings: IPCC and CAPO



監警會和投訴警察課一直保持緊密聯繫，除了工作層面會議外，監警會和投訴警察課每季會舉行一次聯席會議，討論投訴警察的相關事宜。

為了讓公眾更了解監警會的工作，聯席會議設有公開部份讓市民及傳媒旁聽。聯席會議的日期和議程會在開會前於監警會的網頁公佈，公開部份會議的會議紀錄亦會上載至監警會網頁 ([www.ipcc.gov.hk](http://www.ipcc.gov.hk))。

The IPCC and CAPO maintain close contact. Apart from working level meetings, the IPCC and CAPO conduct a joint meeting every quarter to discuss matters relating to police complaints.

To enable the public to better understand the work of the IPCC, part of the joint meeting is open to the public and the media. The dates and agendas of the joint meetings are published on the IPCC's website before the meetings. Minutes of the open part of the meetings are also uploaded to the IPCC's website ([www.ipcc.gov.hk](http://www.ipcc.gov.hk)).

## 須匯報投訴和須知會投訴 Reportable Complaints and Notifiable Complaints

### 須匯報投訴

「須匯報投訴」是指市民就當值的警務人員或表明是警隊成員的休班人員的行為所作出的投訴。這些投訴必須由直接受影響的人士(或其代表)真誠地作出，而且並非瑣屑無聊或無理取鬧的投訴。

不過，下列投訴個案的調查報告和資料則毋須提交監警會：

- 純粹關乎發出傳票或施加定額罰款通知書是否有效而引致的投訴
- 投訴人以自己作為警務人員的身份作出的投訴
- 屬於其他法定機構調查範圍內的投訴

投訴警察課必須按條例規定，提交須匯報投訴的調查報告予監警會審核。

### Reportable Complaints

“Reportable Complaints” refer to complaints, lodged by members of the public, that are not vexatious or frivolous and are made in good faith, relating to the conduct of police officers while on duty or who identify themselves as police officers while off duty. The complaint should be made by or on behalf of a person directly affected by the police misconduct.

CAPO must submit investigation reports to the IPCC for scrutiny as stated in the Ordinance. However, investigation reports and information on the following complaints need not be submitted to the IPCC:

- Complaints arising from the issue of a summons or imposition of a fixed penalty, which solely relate to the validity of the issue
- Complaints lodged by a person in his official capacity as a member of the Police Force
- Complaints that fall under the scope of investigation of other statutory bodies





## 須知會投訴

「須知會投訴」是指既不屬須匯報投訴，亦非前文所述無須提交監警會的投訴，一律歸類為「須知會投訴」。例如：由匿名人士作出的投訴，或由並非直接受影響的人士作出的投訴。

投訴警察課須定期提交「須知會投訴」的個案撮要予監警會審核。若監警會認為某宗投訴應歸類為「須匯報投訴」，可向投訴警察課作出相應的建議，投訴警察課便須重新考慮該宗投訴的歸類。此外，監警會可要求投訴警察課提供支持將某宗投訴歸類的解釋及資料。

## Notifiable Complaints

“Notifiable Complaints” are complaints not categorised as “Reportable Complaints”, or complaints that need not be submitted to the IPCC as listed above. These include anonymous complaints or complaints lodged by persons who are not directly affected by the police misconduct.

CAPO must regularly submit a summary of “Notifiable Complaints” to the IPCC. If the IPCC considers any of these cases to be “Reportable Complaints”, the IPCC may suggest that CAPO reconsider the categorisation of the complaint. Moreover, the IPCC may request CAPO to submit further supporting information or explanation regarding any particular complaint.

## 調查結果分類

## Classification of Investigation Results

一宗投訴可涉及一項或多於一項的指控。指控經投訴警察課全面調查後，會根據調查結果分類為下列六項之一：

A complaint may consist of one or more allegations. After CAPO has conducted a full and thorough investigation into an allegation, it will be classified as one of the following six types according to the findings:

1

### 獲證明屬實

如投訴人提出的指控有足夠的可靠證據支持，指控會被列為「獲證明屬實」。

2

### 未經舉報但證明屬實

如在投訴人提出的原有指控以外，發現其他與投訴本身有密切關係和對調查有重要影響的事宜，並且證明屬實，則該事宜會被列為「未經舉報但證明屬實」。

3

### 無法完全證明屬實

如投訴人的指控有若干可靠的證據支持，但這些證據未能充份證明投訴屬實，指控會被列為「無法完全證明屬實」。

4

### 無法證實

如投訴人的指控沒有充份的證據支持，指控會被列為「無法證實」。

5

### 並無過錯

在下述兩種情況下，投訴通常會被列為「並無過錯」：第一，投訴人可能對事實有所誤解；第二，被投訴人是按照其上司的合法指示或警方的既定做法行事。

6

### 虛假不確

如有足夠的可靠證據顯示投訴人的指控並不真確，不論這些指控是懷有惡意的投訴，抑或不合惡意但亦非基於真確理由而提出的，指控會被列為「虛假不確」。

當一宗投訴被列為「虛假不確」時，投訴警察課會視乎情況，徵詢律政司的意見，考慮控告投訴人誤導警務人員。

### Substantiated

An allegation is classified as “Substantiated” where there is sufficient reliable evidence to support the allegation made by the complainant.

### Substantiated Other Than Reported

An allegation is classified as “Substantiated Other Than Reported” where matters other than the original allegations raised by the complainant, which are closely associated with the complaint and have a major impact on the investigation, have been discovered and are found to be substantiated.

### Not Fully Substantiated

An allegation is classified as “Not Fully Substantiated” where there is some reliable evidence to support the allegation made by the complainant, but it is insufficient to fully substantiate the complaint.

### Unsubstantiated

An allegation is classified as “Unsubstantiated” where there is insufficient evidence to support the allegation made by the complainant.

### No Fault

Two common reasons for classifying a complaint as “No Fault” are, first, the complainant may have misunderstood the facts; and second, the complaine was acting under lawful instructions from his superior officer or in accordance with established police practice.

### False

An allegation is classified as “False” where there is sufficient reliable evidence to indicate that the allegation made by the complainant is untrue, be it a complaint with clear malicious intent or a complaint which is not based upon genuine conviction or sincere belief but with no element of malice.

When a complaint is classified as “False”, CAPO will consider, in consultation with the Department of Justice as necessary, prosecuting the complainant for misleading a police officer.

## 其他投訴分類

## Other Complaint Classifications

有些投訴是透過其他方法處理，無需進行全面調查。這些投訴的分類為：

Some complaints are handled by other means so that no full investigation is necessary. These complaints can be classified as:

### 1

#### 投訴撤回

「投訴撤回」是指投訴人不打算追究。

即使投訴人撤回投訴，監警會仍會審視個案，確保投訴人沒有受到任何不恰當的影響而撤回投訴，以及警方能從合適的個案中汲取教訓，並確保投訴警察課採取相應的補救行動。

此外，投訴人如撤回投訴，其個案亦不一定被列為「投訴撤回」。監警會及投訴警察課會審閱所得證據，決定是否須要進行全面調查，並根據所得資料，考慮任何一項指控是否屬實。

### 2

#### 無法追查

在下述情況下，指控會被列為「無法追查」：

- 不能確定被投訴的警務人員的身份
- 資料不足而未能繼續調查
- 未能取得投訴人的合作，以致無法繼續追查

上述定義並不表示若果投訴人未能確定被投訴人的身份，投訴警察課便不會採取進一步行動。投訴警察課會根據所得資料，盡量追查被投訴人的身份；只有追查不果時，才會作出未能確定被投訴人身份的結論。

假如投訴人拒絕合作以致投訴被列為「無法追查」，警方可在投訴人願意提供所需資料時，重新展開調查。

### 3

#### 終止調查

「終止調查」是指有關投訴已由投訴警察課備案，但鑑於特殊情況（例如證實投訴人精神有問題）而獲投訴及內部調查科總警司授權終止調查。

### 4

#### 透過簡便方式解決

「透過簡便方式解決投訴」旨在迅速解決一些性質輕微的投訴，例如態度欠佳或粗言穢語的指控。

適宜透過簡便方式解決的輕微投訴，不會有全面調查。投訴會由一名總督察或以上職級的人員處理，並擔任調解人員。調解人員會分別向投訴人及被投訴人了解實情。如果他認為事件適宜透過簡便方式解決而又得到投訴人同意，有關投訴便可循此途徑解決。



## Withdrawn

A complaint is classified as “Withdrawn” when the complainant does not wish to pursue the complaint after making it.

Even when a complainant initiates the withdrawal of a complaint, the IPCC will ensure that no undue influence has been exerted on the complainant, and that the Police can learn from the complaint. The IPCC will also ensure that CAPO will take any appropriate remedial action.

A complainant’s withdrawal does not necessarily result in the case being classified as “Withdrawn”. The IPCC and CAPO will examine the available evidence to ascertain whether a full investigation is warranted despite the withdrawal and/or whether any of the allegations are substantiated on the basis of information available.

## Not Pursuable

An allegation is classified as “Not Pursuable” when:

- The identity of the officer(s) in the complaint cannot be ascertained
- There is insufficient information to proceed with the investigation
- The cooperation of the complainant cannot be obtained to proceed with the investigation

The above definition does not mean that no further action will be taken when the complainant cannot identify the complainee. CAPO will make an effort to identify the complainee(s) on the basis of the information available. Only after such an effort has been made to no avail will the conclusion be reached that the identity of the complainee cannot be ascertained.

If a complaint has been classified as “Not Pursuable” due to the lack of cooperation from the complainant, it may be reactivated later when the complainant comes forward to provide the necessary information.

## Curtailed

A complaint is classified as “Curtailed” where it has been registered with CAPO but on the authorisation of the Chief Superintendent (Complaints and Internal Investigations Branch), is curtailed, i.e. not to be investigated further, owing to special circumstances such as known mental condition of the complainant.

## Informally Resolved

The Informal Resolution Scheme aims at a speedy resolution of minor complaints, such as allegations of impoliteness or use of offensive language, the nature of which is considered relatively minor.

A minor complaint suitable for Informal Resolution will not be subject to a full investigation. Instead, a senior officer, at least at the rank of Chief Inspector of Police, will act as the Conciliating Officer. He will make enquiries into the facts of a complaint with the complainant and the complainee separately. If he is satisfied that the matter is suitable for Informal Resolution, and with the agreement of the complainant, the complaint will be informally resolved.

## 監警會歷史

## History of the IPCC

### 行政立法兩局非官守議員 警方投訴事宜常務小組

監警會的成立，可以追溯至1974年，當時警務處處長成立投訴警察課，專責調查市民對警方的投訴。1977年，當局認為這些調查應由不屬警方的獨立機構介入，於是警務處處長便邀請當時處理警察及保安事務的行政立法兩局非官守議員常務小組，負責監察投訴警察課的調查工作，是兩層架構投訴警察制度的雛型。1978年行政立法兩局非官守議員警方投訴事宜常務小組向當時的總督提交第一份報告（報告期為1977年9月1日至1978年4月30日），並在1978年8月16日呈交立法會審閱。此後，行政立法兩局非官守議員警方投訴事宜常務小組每年均會編製工作報告書。

行政立法兩局非官守議員警方投訴事宜常務小組自成立以來，所監察的投訴個案數目急劇上升。工作量的大幅增加，顯示有加強及擴展這個監察架構的需要。政府因此在此1984年初成立工作小組，專責檢討行政立法兩局非官守議員警方投訴事宜常務小組，對投訴警察課所進行的監察工作。

### 投訴警方事宜監察委員會

1986年，政府在審慎研究過工作小組的建議後，由當時的總督將行政立法兩局非官守議員警方投訴事宜常務小組，改組為一個獨立的投訴警方事宜監察委員會。根據重組計劃，在委員會成員中加入太平紳士，以及成立一個輔助秘書處，並命名為投訴警方事宜監察委員會。

### UMELCO Police Group

The establishment of the IPCC can be traced back to 1974 when the Commissioner of Police set up CAPO, responsible for investigating police complaints from the public. In 1977, it was believed that the investigations should involve an independent body not under the Police. The Commissioner of Police thus invited a sub-committee of the Unofficial Members of the Executive and Legislative Councils (UMELCO), which was responsible for handling police and security matters, to monitor CAPO complaint investigations; this was the prototype of the two-tier police complaints system. In 1978, the UMELCO Police Group presented its first report to the Governor (reporting period from 1 September 1977 to 30 April 1978), which was then submitted to the Legislative Council to review on 16 August 1978. From then on, the UMELCO Police Group prepared a progress report annually.

After the set-up of the UMELCO Police Group, the number of police complaints it monitored rose dramatically. The high workload indicated there was a need to strengthen and broaden the monitoring system structure. Thus, in 1984 the Government set up a working group to review the UMELCO Police Group's monitoring of CAPO.

### Police Complaints Committee

In 1986, after the Government meticulously reviewed the recommendations offered by the working group, the Governor restructured the UMELCO Police Group to become an independent police complaints monitoring council. According to the new organisational structure, the Council Members included Justices of the Peace and a supporting secretariat was set up. The group was renamed the Police Complaints Committee (PCC).

## 投訴警方獨立監察委員會 (警監會)

1994年12月，投訴警方事宜監察委員會改稱為投訴警方獨立監察委員會(警監會)，以新名稱反映其獨立地位，並著手策劃將委員會轉為一個獨立的法定組織，以便更清楚訂明委員會的權力和職能。

1996年7月，將警監會轉變為法定組織的條例草案提交立法局。該立法建議清楚界定警監會的權力和職能，以鞏固其在處理投訴警察制度方面所擔當的角色，讓市民更加認識警監會的獨立監察職能。

由於立法會議員在委員會審議階段所提出的部份修訂建議，會為當時的投訴警察制度帶來根本性的改變，因此政府在1997年6月23日的立法會會議上撤回條例草案。

## 獨立監察警方處理投訴委員會 (監警會)

自2004年開始，政府再次計劃為警監會的運作模式賦予法律依據，以提高公眾對兩層架構投訴警察制度的信心。《投訴警方獨立監察委員會條例草案》於2007年6月29日刊憲，草案並於7月11日提交立法會首讀。

立法會於2008年7月通過《監警會條例》。保安局局長其後指定2009年6月1日為《監警會條例》的生效日期。投訴警方獨立監察委員會(警監會)改稱為獨立監察警方處理投訴委員會(監警會)，以強調其獨立監察職能。監警會於《監警會條例》生效同日成為法定機構。

## Independent Police Complaints Council – before becoming a statutory body

In December 1994, the Council was further revamped to pave the way for becoming an independent statutory body, which clarified the Council's powers and functions. Both the English and Chinese names of the Council were modified to better reflect its independence.

The Bill that suggested changing the then IPCC into a statutory body was introduced to the Legislative Council in July 1996. The Bill proposed to clarify the powers and functions of the then IPCC in order to reinforce its authority in handling police complaints, and to heighten public awareness of the Council as an independent monitoring entity.

As some Legislative Council Members raised a number of Committee Stage Amendments that might bring fundamental change to the police complaints system, the Bill was withdrawn by the Government on 23 June 1997.

## Independent Police Complaints Council – after becoming a statutory body

In 2004 the Government relaunched its plan to change the then IPCC into a statutory body, giving it a legal basis to discharge its functions and to raise public confidence in the two-tier police complaints system. On 29 June 2007, the Independent Police Complaints Council Bill was gazetted. The bill was tabled at the Legislative Council on 11 July 2007 for First Reading.

The Legislative Council passed the IPCC Ordinance (IPCCO) in July 2008. The Secretary of Security then decided that the IPCCO would come into effect on 1 June 2009, at which time the IPCC became a statutory body. The Chinese name of the Council was modified to highlight its monitoring role, while the English name was retained.

# 2

## 第二章 Chapter 2

# 監察投訴處理 Monitoring the Handling of Complaints



MONITOR • 監察 INDEPENDENCE • 獨立

INTEGRITY • 誠信 MONITOR • 監察 INDEPENDENCE • 獨立

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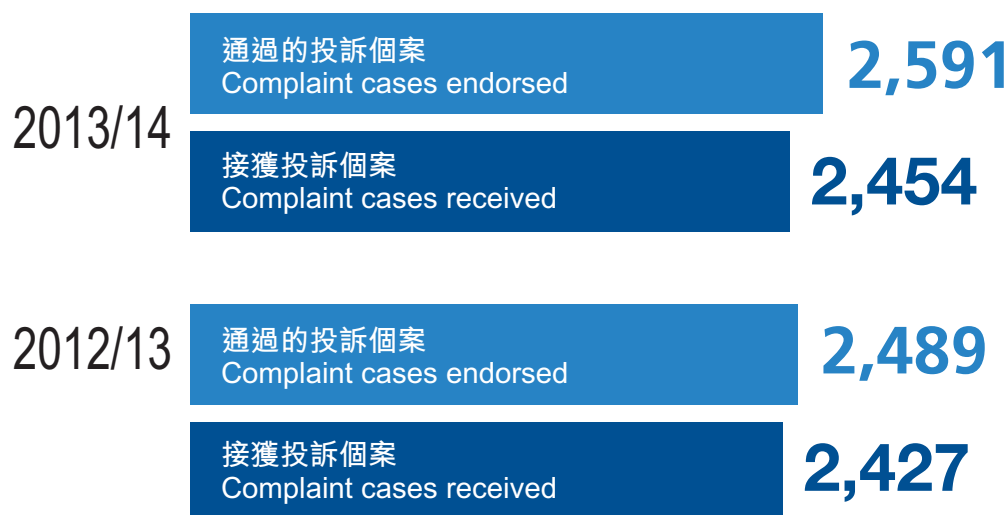


## 調查報告及指控數字

## Number of Investigation Reports and Allegations

通過及接獲的投訴個案數字

Number of complaint cases endorsed and received



在本報告期內(2013年4月1日至2014年3月31日)，監警會共接獲投訴警察課就2,454宗新個案的調查報告，較去年同期的2,427宗個案增加了約1.1%。

同期，監警會通過了2,591宗投訴個案的調查結果(包括118宗的覆核個案)，比去年同期的2,489宗投訴個案增加4.1%。除了覆核個案外，涉及的指控有4,740項，其中主要的三項指控為「疏忽職守」(48.6%)、「行為不當/態度欠佳/粗言穢語」(36.6%)及「毆打」(6.7%)。指控的數字比2012/13年的4,884項指控輕微下跌2.9%。

During the reporting period (1 April 2013 to 31 March 2014), the IPCC received reports from CAPO on the investigation of 2,454 new cases, an increase of 1.1% compared to the 2,427 cases in the same period last year.

In the same period, the IPCC endorsed the results of investigations into 2,591 complaint cases (including 118 reviewed cases), an increase of 4.1% compared to the previous year's figure of 2,489. Total allegations involved were 4,740, excluding the reviewed cases. The three major allegations were "Neglect of Duty" (48.6%), "Misconduct/Improper Manner/Offensive Language" (36.6%), and "Assault" (6.7%). The number of allegations slightly decreased by 2.9%, compared to 4,884 in 2012/2013.

2012/13 和 2013/14 年通過的指控數字(按性質分類)可見下表：

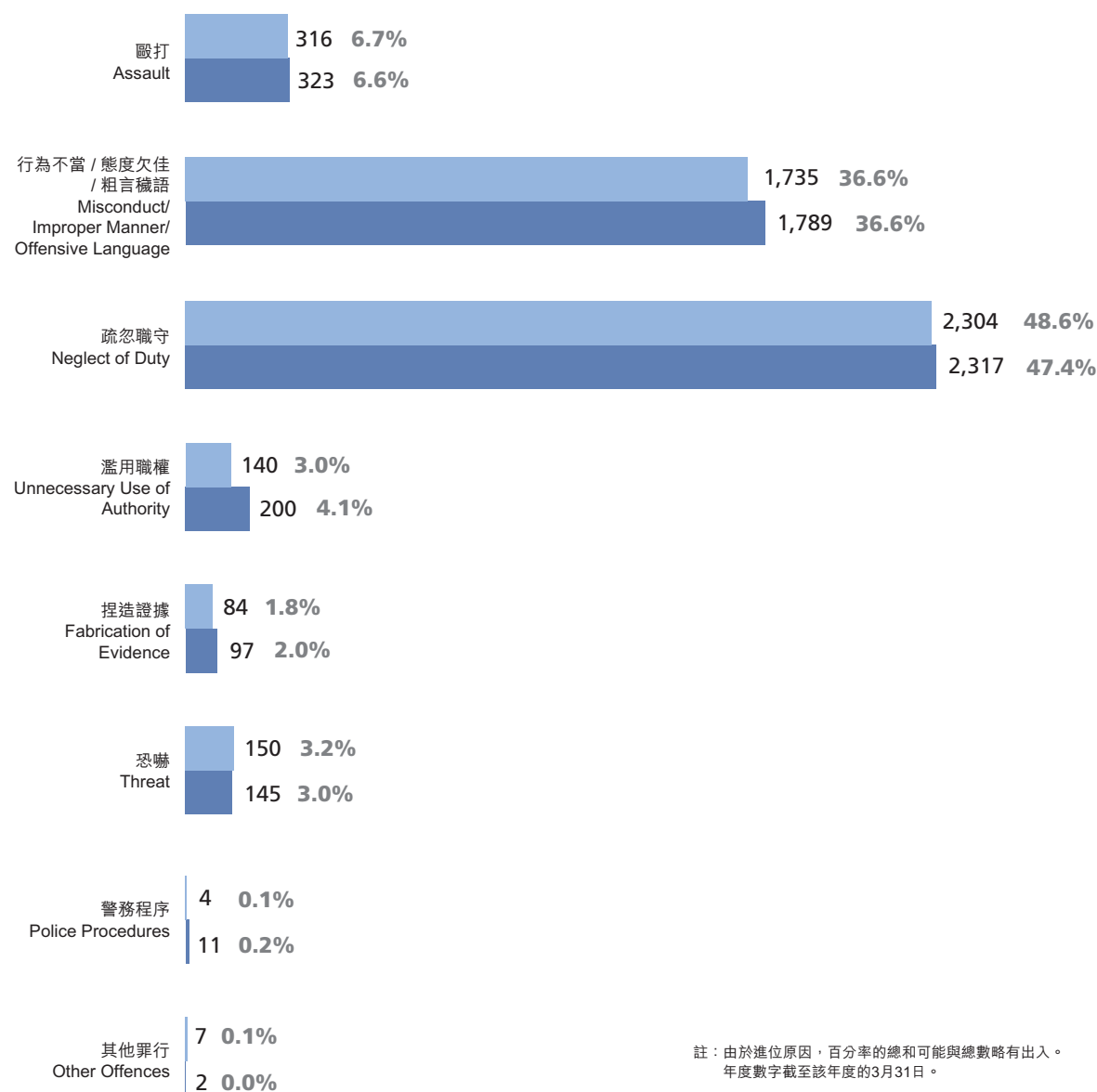
The following chart shows the number of allegations (by nature) endorsed for the years 2012/13 and 2013/14:

### 監警會通過的指控

#### Allegations endorsed by the IPCC

2013/14 指控總數 Total number of allegations **4,740**

2012/13 指控總數 Total number of allegations **4,884**



註：由於進位原因，百分率的總和可能與總數略有出入。  
年度數字截至該年度的3月31日。

Percentage shares may not add up to the total due to rounding.  
Figures as at 31 March of respective reporting year.



## 調查結果

## Investigation Findings



在2013/14年獲通過的4,740項指控中，經全面調查的指控有1,318項，當中86項被列為「獲證明屬實」，佔所有經全面調查指控的6.5%。72項被列為「未經舉報但證明屬實」佔5.5%，43項被列為「無法完全證明屬實」佔3.3%，557項被列為「無法證實」佔42.3%，467項被列為「並無過錯」佔35.4%，93項則被列為「虛假不確」佔總數的7.1%。

在其餘的3,422項無需進行全面調查的指控中，396項「透過簡便方式解決」，佔無需進行全面調查指控中的11.6%。2,058項被列為「投訴撤回」佔60.1%，968項被列為「無法追查」佔28.3%。沒有指控被列為「終止調查」。

Of the 4,740 allegations endorsed in 2013/14, 1,318 were fully investigated. Of these, 86 (6.5% of fully investigated allegations) were classified as "Substantiated"; 72 (5.5%) as "Substantiated Other than Reported"; 43 (3.3%) as "Not Fully Substantiated"; 557 (42.3%) as "Unsubstantiated"; 467 (35.4%) as "No Fault" and 93 (7.1%) as "False".

Of the remaining 3,422 allegations that were not fully investigated, 396 (11.6% of those not fully investigated) were "Informally Resolved"; 2,058 (60.1%) were classified as "Withdrawn"; 968 (28.3%) as "Not Pursuable" and none for "Curtailed".

2012/13 年和 2013/14 年的數據比較可見  
下表：

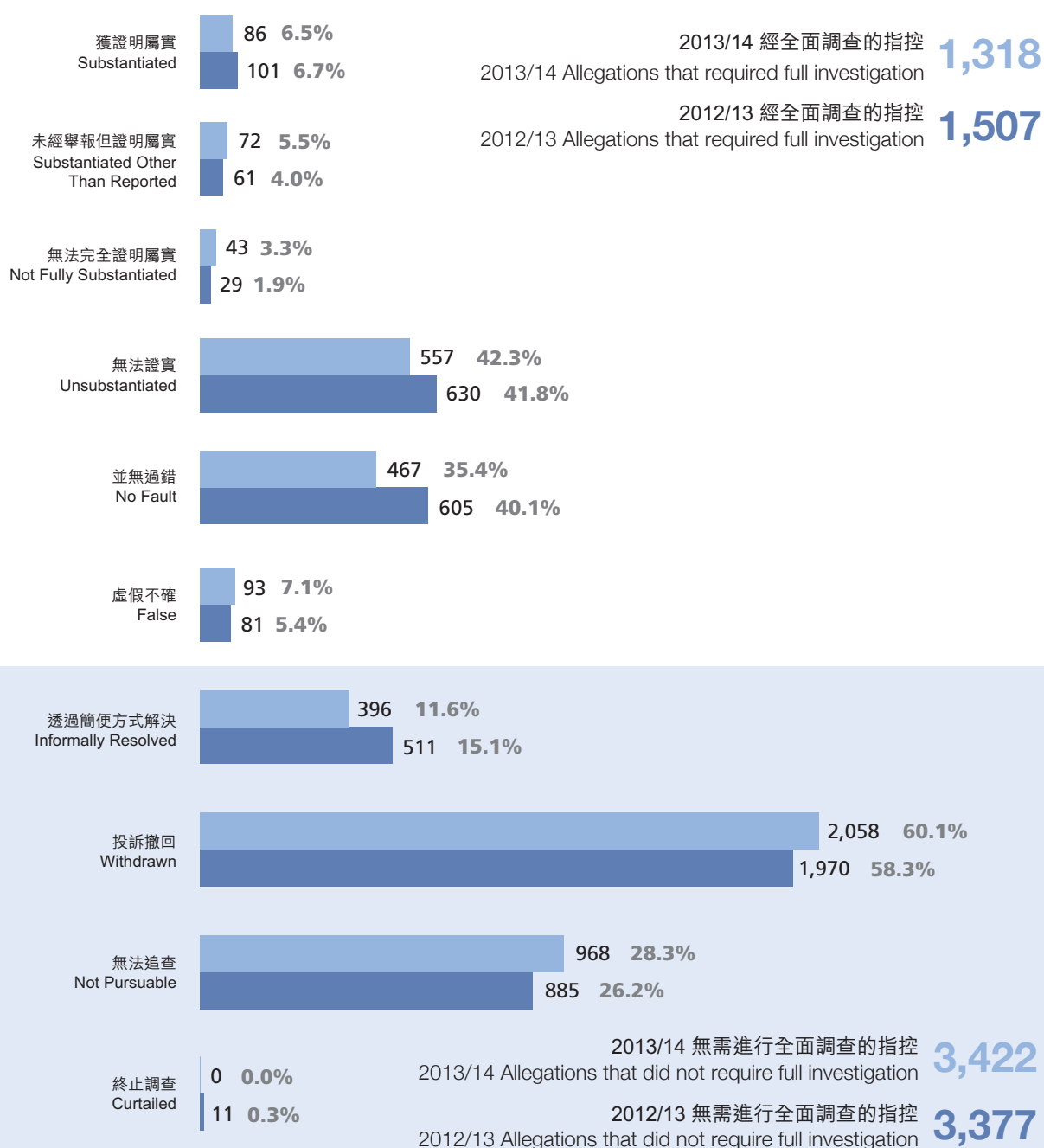
The following table shows a comparison of the 2012/13 and  
2013/14 figures:

### 監警會通過的調查結果

### Investigation results endorsed by the IPCC

2013/14 指控總數 Total number of allegations **4,740**

2012/13 指控總數 Total number of allegations **4,884**



監警會通過投訴警察課個案的指控數字(根據性質和調查結果劃分)  
Number of allegations involved in CAPO cases endorsed by the IPCC  
(by nature and by results of investigations)

	毆打 Assault		行為不當/態度欠佳/ 粗言穢語 Misconduct/ Improper Manner/ Offensive Language		疏忽職守 Neglect of Duty		濫用職權 Unnecessary Use of Authority	
年份Year	2013-14	2012-13	2013-14	2012-13	2013-14	2012-13	2013-14	2012-13
經全面調查的指控 Allegations that required full investigation								
獲證明屬實 Substantiated	0	0	11	15	70	77	5	8
未經舉報但證明屬實 Substantiated Other Than Reported	0	0	1	7	64	52	6	1
無法完全證明屬實 Not Fully Substantiated	1	1	12	5	25	17	4	6
無法證實 Unsubstantiated	19	19	257	294	231	258	29	38
並無過錯 No Fault	13	15	96	102	314	416	26	40
虛假不確 False	20	15	14	20	5	8	9	2
小計 Sub-total	53	50	391	443	709	828	79	95
無需進行全面調查的指控 Allegations that did not require full investigation								
透過簡便方式解決 Informally Resolved	0	0	195	258	201	252	0	0
投訴撤回 Withdrawn	99	130	794	774	1046	916	31	51
無法追查 Not Pursuable	164	143	355	310	348	317	30	51
終止調查 Curtailed	0	0	0	4	0	4	0	3
小計 Sub-total	263	273	1344	1346	1595	1489	61	105
總數 Total	316	323	1735	1789	2304	2317	140	200

捏造證據 Fabrication of Evidence		恐嚇 Threat		警務程序 Police Procedures		其他罪行 Other Offences		總數 Total	
2013-14	2012-13	2013-14	2012-13	2013-14	2012-13	2013-14	2012-13	2013-14	2012-13
0	1	0	0	0	0	0	0	86	101
0	0	0	0	0	1	1	0	72	61
1	0	0	0	0	0	0	0	43	29
6	11	13	8	0	2	2	0	557	630
15	20	0	6	3	6	0	0	467	605
29	25	15	10	0	0	1	1	93	81
51	57	28	24	3	9	4	1	1318	1507
0	0	0	0	0	1	0	0	396	511
20	26	67	71	0	1	1	1	2058	1970
13	14	55	50	1	0	2	0	968	885
0	0	0	0	0	0	0	0	0	11
33	40	122	121	1	2	3	1	3422	3377
84	97	150	145	4	11	7	2	4740	4884

## 警方對違規人員採取的跟進行動

## Police Actions against Defaulting Officers

在本報告年度獲監警會通過的個案中，要接受紀律聆訊或其他內部行動的警務人員共177名，涉及133宗個案。分項數字可見下表：

In this reporting year, disciplinary proceedings or internal actions were taken against 177 police officers with respect to 133 cases endorsed by the IPCC. The following table shows the breakdown of figures:

警方就2012/13至2013/14年監警會通過的投訴個案  
向違規的警務人員採取的行動

Police actions taken against defaulting officers with respect to  
cases endorsed by the IPCC from 2012/13 to 2013/14

	警務人員數目 Number of officers	
	2013/14	2012/13
A. 刑事訴訟 Criminal proceedings	0	0
B. 紀律處分 Disciplinary proceedings	11	12
C. 其他內部措施 Other internal actions		
警告 Warnings	30	40
訓諭 Advice	136	123
總數 Total	177	175

註：2012/13年的數字已因應部份個案覆核後，予以調整。

Note: Figures for 2012/13 have been adjusted following case reviews.



## 觀察員計劃

## Observers Scheme



在2013/14年，監警會的委員及觀察員共進行了2,471次觀察（預先安排的有2,128次，突擊的有343次），較2012/13年的2,012次觀察上升了22.8%。在2,471次觀察中，有2,055次是觀察會面的進行，其餘416次是觀察證據收集的工作。

在觀察投訴調查和透過簡便方式解決會面的數字方面，觀察透過簡便方式解決的會面為611次，比去年同期的595次增加了2.7%。投訴調查的觀察則為1,860次，比2012/13的1,417次增加了31.3%。

Under the Observers Scheme, 2,471 observations were conducted by Members and Observers of the IPCC (2,128 scheduled observations and 343 surprise observations) in the year 2013/14. The number of observations increased by 22.8%, compared with the 2,012 observations in 2012/13. Of the 2,471 observations, 2,055 involved the conducting of interviews and 416 involved the collection of evidence.

Among informally resolved cases, 611 involved IPCC observation in interviews, an increase of 2.7% from last year's figure of 595. Another 1,860 cases involved IPCC observation of investigations, an increase of 31.3%, from 1,417 in 2012/13.

觀察員(包括委員)進行觀察的每月分項數字可見下表：

The following tables show the monthly breakdown of observations conducted by Observers (including Members):

### 預先安排和突擊觀察的分項數字

#### Number of scheduled and surprise observations

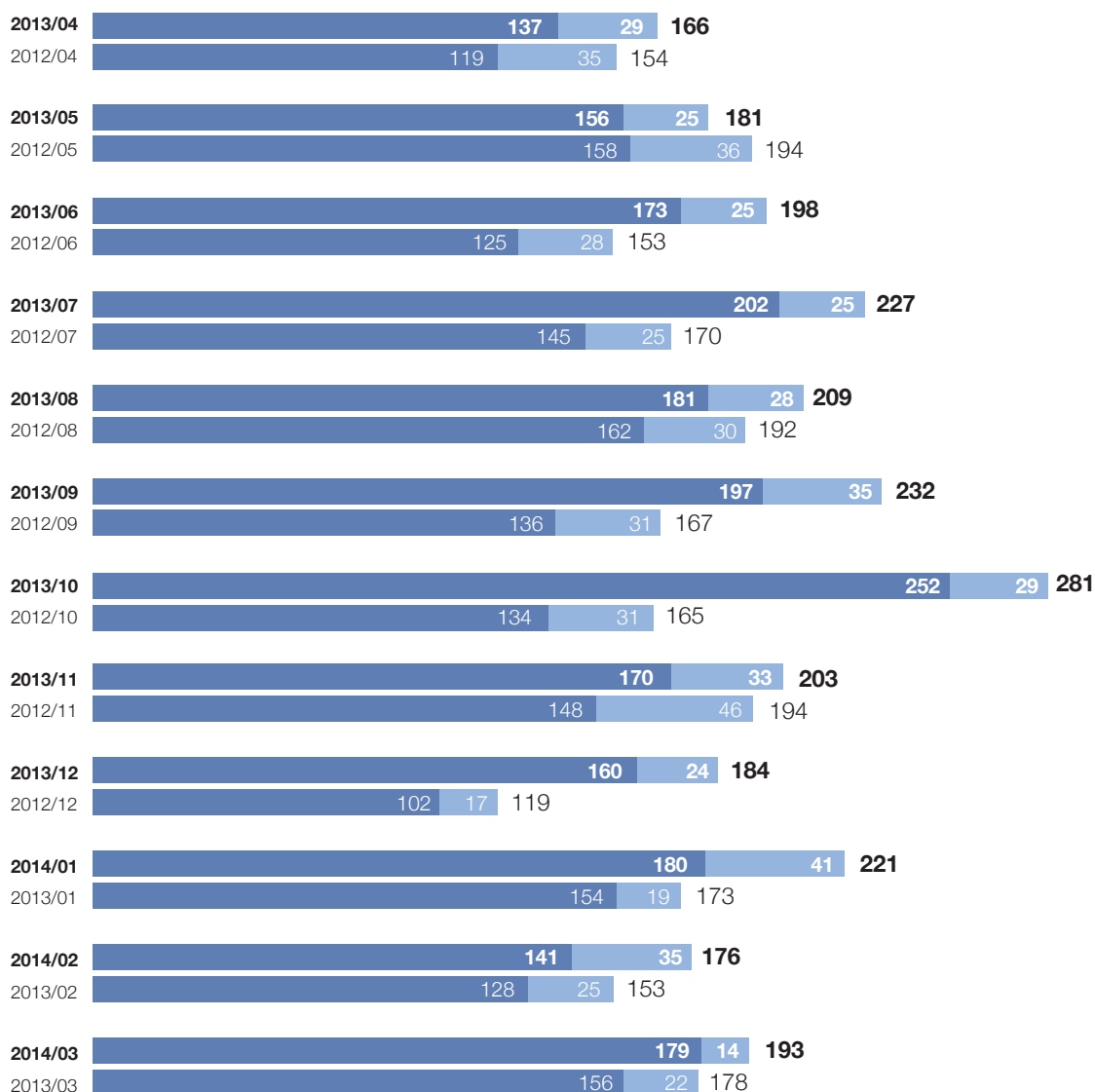
**2013/2014**  
小計 Subtotal ■ **2,128** ■ **343** 總數 Total **2,471**

**2012/2013**  
小計 Subtotal ■ **1,667** ■ **345** 總數 Total **2,012**

年/月

Year/Month

■ 預先安排 Scheduled ■ 突擊 Surprise



## 觀察會面和證據收集工作的分項數字

Number of observations of interviews and the collection of evidence

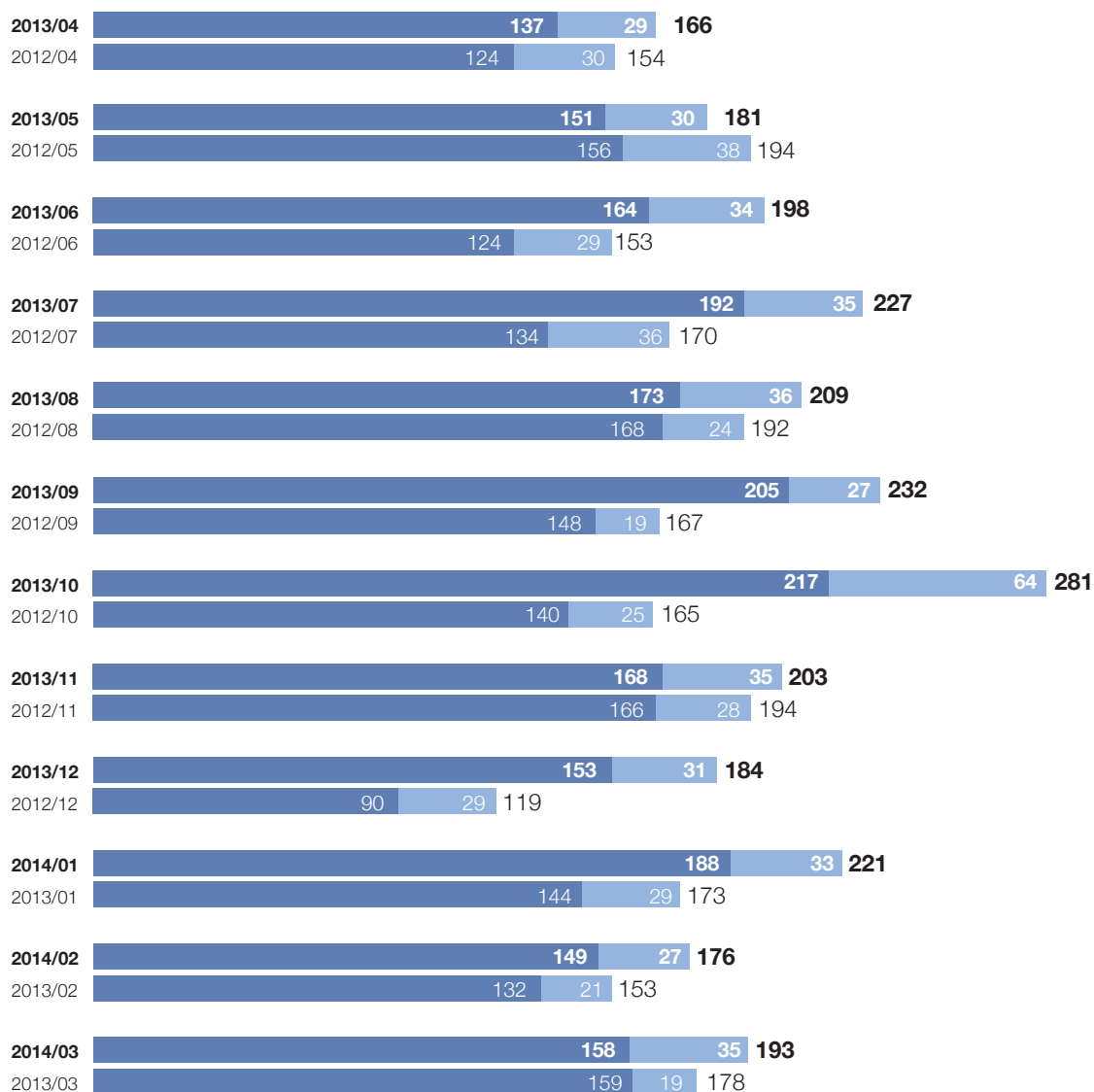
**2013/2014**  
小計 Subtotal ■ **2,055** ■ **416** 總數 Total **2,471**

**2012/2013**  
小計 Subtotal ■ **1,685** ■ **327** 總數 Total **2,012**

年/月  
Year/Month

■ 會面 Interviews

■ 證據收集 Collection of evidence



## 2013/14 觀察投訴調查和透過簡便方式解決會面的分項數字

## 2013/14 Number of observations of complaint investigations and interviews for informal resolutions

投訴調查的觀察

Observations of complaint investigations:

■ 會面 Interviews

■ 證據收集 Collection of evidence

■ 透過簡便方式解決的會面

Number of informal resolution interviews

2013/14 透過簡便方式解決的會面總數  
2013/14 Interviews conducted for informal resolution

611

2012/13 透過簡便方式解決的會面總數  
2012/13 Interviews conducted for informal resolution

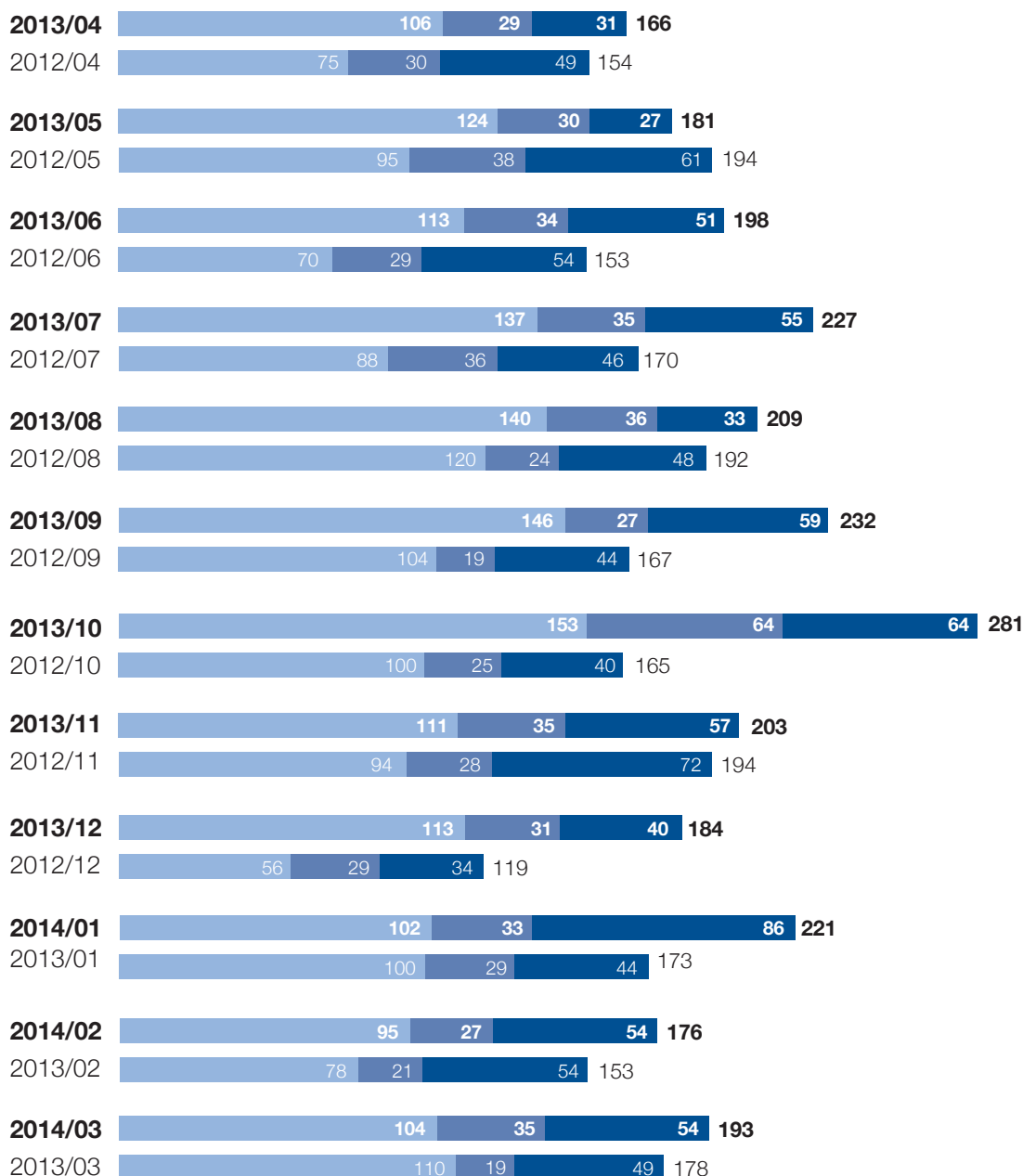
595

2013/14 觀察投訴調查總數  
2013/14 Observations conducted for complaints investigation

1,860

2012/13 觀察投訴調查總數  
2012/13 Observations conducted for complaints investigation

1,417



## 投訴警察課的通知

## Notifications from CAPO

投訴警察課會盡量在可行的情況下，於會面或證據收集進行前，給予監警會不少於48小時的通知。在2013/14年，逾九成(92.3%)的通告是在不少於48小時前收到；比起2012/13年的89.4%為多。

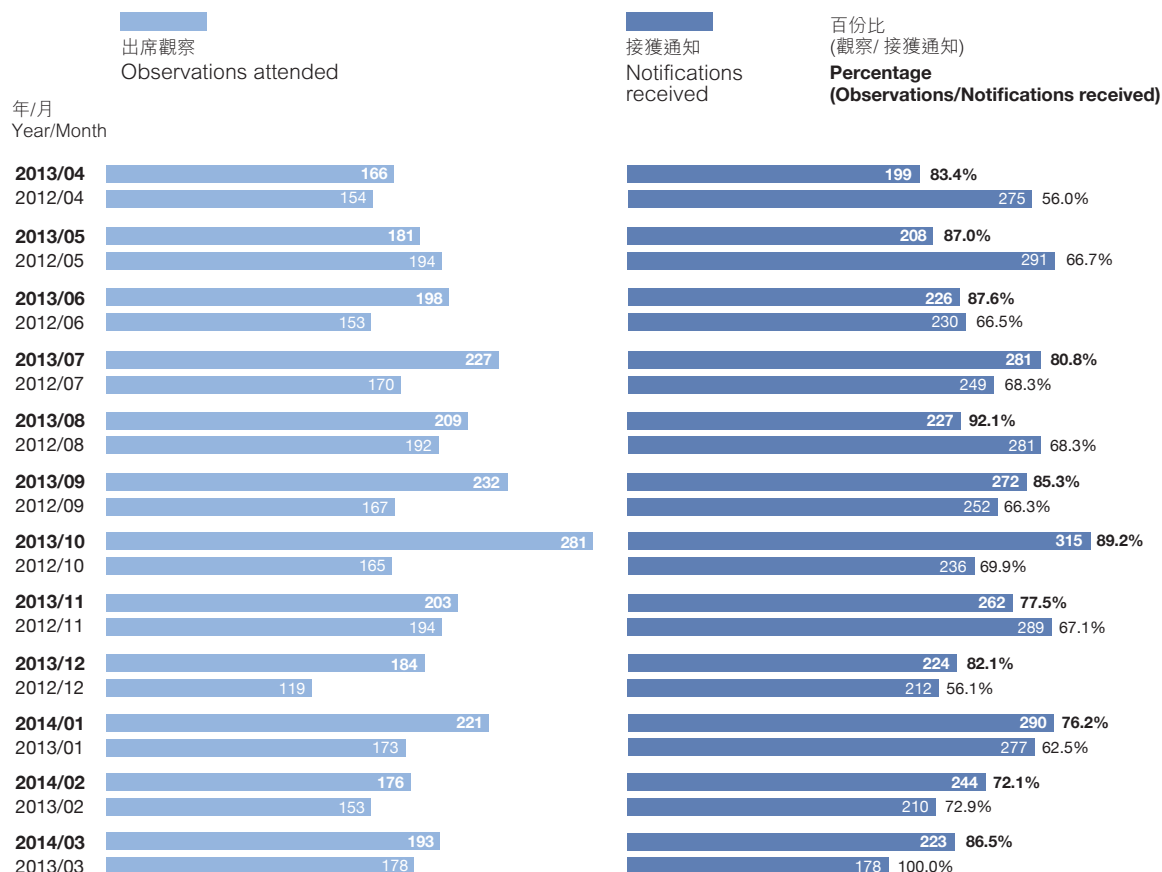
在本報告期內，監警會接獲投訴警察課共2,971次通知，觀察員出席了當中的2,471次，包括觀察會面工作和證據收集工作，佔整體的83.2%，較2012/13年的67.5%多15.7%（接獲投訴警察課的2,980次通知並出席當中2,012次），比2011/12年的47.5%大幅增加35.7%（接獲投訴警察課的4,258次通知並出席當中2,021次）。

Insofar as practicable, CAPO has agreed to notify the IPCC at least 48 hours in advance of any impending interview or collection of evidence. In 2013/14, 92.3% of such notifications were given within at least 48 hours, which was higher than the 89.4% recorded in 2012/13.

In this reporting period, IPCC Observers attended 2,471 observations, including interviews and the collection of evidence, comprising 83.2% of 2,971 notifications received from CAPO. The percentage represents an increase of 15.7% over the 67.5% in 2012/13 (2,012 observations out of 2,980 notifications received) and 35.7% over the 47.5% in 2011/12 (2,021 observations out of 4,258 notifications received).

## 觀察員出席觀察及接獲通知數字

## Number of observations attended by IPCC Observers and notifications received





## 監警會進行會面

## IPCC Interviews Conducted

在本報告期內，監警會曾邀請12位人士（四位投訴人、四位被投訴人及四位警務人員）出席監警會會面，涉及三宗投訴個案，當中11位均有出席會面。

During the reporting period, the IPCC invited 12 persons (four complainants, four complainees and four police officers) to attend interviews involving three complaint cases. Among these, 11 persons attended the interviews.

進行會面的數據如下：

Number of IPCC interviews conducted:

### 監警會進行會面的數字

### Number of IPCC interviews conducted

邀請會面的人數  
Persons invited to  
interviews

12  
2013/14

2  
2012/13

出席會面的人數  
Number of persons  
attending interviews

11  
2013/14

2  
2012/13

## 審核個案所需時間

## Time Required for Reviewing Complaint Cases

為加快審核個案的速度和處理投訴個案的效率，監警會秘書處於2011/12年度簡化內部審核個案的程序。以往每宗投訴個案的調查報告均先由審核團隊檢視，向投訴警察課提出質詢。在收到投訴警察課的回覆後，才再將報告呈交予秘書長及副秘書長審核，並再根據秘書長及副秘書長的疑問向投訴警察課提出質詢。

在2011年年初開始，秘書長、副秘書長及法律顧問每周主持內部會議，和審核團隊一同討論每宗投訴個案，再將秘書處的疑問加以整合，一次過向投訴警察課提出質詢，在收到投訴警察課的回覆後，便將調查報告呈交予委員審核，藉此簡化了秘書處的內部審核程序，加快個案審核速度。

在這安排下，審核個案的平均所需日數，由2012/13年度的105天降至2013/14年的97天。

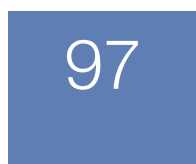
In order to accelerate the process of case reviews, the IPCC Secretariat simplified its internal procedures in the year 2011/12. Previously, each report on a complaint investigation had to be checked by a vetting team and queries raised with CAPO. Only after CAPO's reply was received was a report delivered to the Secretary-General and the Deputy Secretary-General for review; additional questions were then raised with CAPO based on their queries.

Beginning in early 2011, the Secretary-General, the Deputy Secretary-General and the Legal Advisor conducted weekly internal meetings to discuss each complaint case with a vetting team. The Secretariat then consolidated their queries and forwarded them to CAPO collectively. Once CAPO's reply was received, the investigation report would be reviewed by Members. This streamlined procedure has accelerated the case review process.

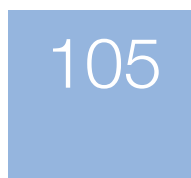
The average number of days required to review an investigated case decreased from 105 days in 2012/13 to 97 days in 2013/14.

### 審核個案所需的平均日數

Average number of days required to review a complaint case



2013/14



2012/13

## 向投訴警察課提出質詢

## Queries Raised with CAPO

在2013/14年，監警會向投訴警察課分別提出802項質詢或建議。在這些質詢或建議中，有426項獲投訴警察課全面接納，餘者則由投訴警察課作出滿意解釋。接納質詢或建議的比率為53.1%。

監警會秘書處在收到這些解釋後，審核小組會再研究，並提交予委員考慮。有需要時並會將相關的質詢資料和解釋，在工作層面會議上和投訴警察課商討尋求共識，待監警會秘書處和委員均接受投訴警察課的解釋，才會通過該投訴個案。

The IPCC raised a total of 802 queries and suggestions with CAPO in 2013/14. Among these queries and suggestions, 426 were accepted by CAPO and the remainder received satisfactory explanations from CAPO. The acceptance rate was 53.1%.

After the IPCC Secretariat received the explanations, the vetting team studied them and passed them on to the vetting sub-group Members for consideration. When necessary, the queries and explanations were discussed at working level meetings with CAPO. Only when the IPCC Secretariat and Members accepted CAPO's explanation would a complaint case be endorsed.

### 更改分類

### Classification Changes

監警會在2013/14年就調查結果分類提出352項質詢，而為投訴警察課全面接納的則有183項，因此而須予修正的調查結果有147項。包括：

CAPO accepted 183 out of a total of 352 queries raised by the IPCC in 2013/14 regarding the classification of findings. As a result CAPO reclassified the results of 147 investigations, including:

16

項由「無法證實」改列為「並無過錯」  
reclassified from "Unsubstantiated" to "No Fault"

12

項由「無法證實」改列為「無法完全證明屬實」  
reclassified from "Unsubstantiated" to "Not Fully Substantiated"

6

項由「無法證實」改列為「獲證明屬實」  
reclassified from "Unsubstantiated" to "Substantiated"

10

項由「無法追查」改列為「並無過錯」  
reclassified from "Not Pursuable" to "No Fault"

1

項由「無法追查」改列為「獲證明屬實」  
reclassified from "Not Pursuable" to "Substantiated"

9

項由「投訴撤回」改列為「並無過錯」  
reclassified from "Withdrawn" to "No Fault"

2

項由「投訴撤回」改列為「獲證明屬實」  
reclassified from "Withdrawn" to "Substantiated"

詳細數據可參考下表：

The following table shows the breakdown of figures:

## 2013/14年度監警會通過的再分類調查結果

### Changes of classification endorsed by the IPCC in 2013/14

原來分類 Original Classification	最後分類 Final Classification							總數 Total
	獲證明屬實 Substantiated	無法完全證明屬實 Not Fully Substantiated	無法證實 Unsubstantiated	並無過錯 No Fault	虛假不確 False	無法追查 Not Pursuable	投訴撤回 Withdrawn	
獲證明屬實 Substantiated	NA	0	1	0	0	0	0	1
無法完全證明屬實 Not Fully Substantiated	7	NA	0	0	0	0	0	7
無法證實 Unsubstantiated	6	12	NA	16	2	1	1	38
並無過錯 No Fault	5	7	37	NA	6	2	1	58
虛假不確 False	0	0	1	9	NA	2	2	14
無法追查 Not Pursuable	1	0	0	10	1	NA	0	12
投訴撤回 Withdrawn	2	1	0	9	3	2	NA	17
總數 Total	21	20	39	44	12	7	4	147

此外，監警會年內通過了72項「未經舉報但證明屬實」的指控，當中有28項是經監警會提出質詢後而增加的，另有13宗事件記錄為「旁支事項」\*。

Moreover, the IPCC endorsed 72 counts of “Substantiated Other Than Reported” allegations; of these, 28 were included after the IPCC raised queries. In addition, another 13 incidents were recorded as “Outwith” matters\*.

\*「旁支事項」是指任何違反紀律或警隊通令的事項。這些事項在調查過程中被披露，但與投訴內容並無密切關係。

\* An “Outwith” matter refers to any breach of discipline or Police Force orders that has been disclosed in the course of a complaint investigation but is not closely related to the complaint.



## 改善警隊常規和程序的建議

### Suggested Improvements to Police Practices and Procedures

根據《監警會條例》第8條(1)(c)，監警會可就警隊常規或程序中引致或可能引致投訴的缺失或不足之處，向警務處處長或行政長官作出建議。年內監警會就改善警隊常規和程序提出了15項建議，當中有六項建議為投訴警察課所全面接納。

Under S8(1)(c) of the IPCCO, the IPCC may make recommendations to the Commissioner of Police and/or the Chief Executive if it identifies any fault or deficiency in a police practice or procedure that has led to or might lead to a complaint. During this reporting period, the IPCC suggested 15 improvement measures to the Police, of which six were accepted by CAPO.

## 遵從警務程序和常規

### Compliance with Police Procedures and Practices

監警會可向投訴警察課提出質詢，以確定投訴個案涉及的警務人員在行使職權時，是否已遵從有關警務程序和常規。2013/14年，屬於這類的質詢共有12項，投訴警察課完全同意監警會在其中五項質詢中的觀點。

The IPCC may raise queries with CAPO to ascertain if the police officers involved in a complaint case have complied with relevant police procedures and practices in exercising their constabulary powers. In 2013/14, out of 12 queries raised under this category, CAPO agreed with five observations by the IPCC.





## 行使警權的理由

### Reasons for Exercising Police Power

此外，監警會亦關注警務人員在執勤時的警權運用。在2013/14年，監警會就警務人員在運用警權時的理據提出兩項質詢。

The use of police power by officers in the discharge of their duties is also a concern of the IPCC. In 2013/14, the IPCC raised two queries with respect to the reasons for the use of police power.

## 對處理違規人員的行動提出意見

### Comments on Actions against Defaulting Officers

雖然向警務人員發出訓諭或採取紀律行動屬警務處處長的職權，但監警會仍可就已經或將會採取的行動提出意見，例如行動是否能適當反映過失的嚴重性等。2013/14年，監警會曾在有關事項上共提出15次意見，其中10次獲投訴警察課全面接納。

While the dispensing of advice or disciplinary action to police officers is a matter for the Commissioner of Police, the IPCC will examine the actions taken or to be taken to ascertain whether they are commensurate with the gravity of the offence. The IPCC commented on such actions on 15 occasions in 2013/14, of which 10 were accepted by CAPO.



## 澄清調查報告資料

## Clarification of Information in Investigation Reports

2013/14 年，監警會共提出 176 項關於調查報告內含糊不清之處的質詢及意見，其中 119 項獲投訴警察課全面接納。其餘的質詢則獲該課給予圓滿解釋。

In 2013/14, the IPCC raised questions and comments on 176 ambiguous points, of which 119 were accepted by CAPO. The IPCC received satisfactory explanations from CAPO for the rest.



## 調查透徹度

## Investigation Thoroughness

2013/14 年，監警會共提出 68 項有關調查的透徹程度的質詢，其中 38 項獲投訴警察課全面接納，並就監警會提出的事項作進一步調查和提供更多資料。其餘的質詢則獲該課給予圓滿解釋。

In 2013/14, the IPCC raised 68 questions regarding the thoroughness of police investigations. Of these, 38 were accepted by CAPO, which led to their further investigation and the provision of additional information on the issues raised by the IPCC. As to the rest, the IPCC received satisfactory explanations from CAPO.

監警會在2012/13年及2013/14年提出質詢或建議的數目和性質可見下表：

The following chart shows the number and nature of the queries and suggestions raised by the IPCC in 2012/13 and 2013/14:

### 監警會通過個案提出的質詢/建議

### Queries/suggestions raised in respect of cases endorsed by the IPCC

2013/14 質詢總數 Total number of query points

802

2013/14 投訴警察課接受的質詢 Number of query points accepted by CAPO

426

	質詢總數 Total number of query points		投訴警察課接受的質詢 Number of query points accepted by CAPO	
年份 Year	2013/14	2012/13	2013/14	2012/13
質詢性質 Nature of query				
分類 Classification	352	401	183	176
改善警隊常規和程序的建議 Suggested Improvements to Police Practices and Procedures	15	11	6	6
遵從警務程序和常規 Compliance with Police Practices and Procedures	12	12	5	1
行使警權的理由 Reason for Exercising of Police Powers	2	3	0	1
對處理違規人員的行動提出意見 Comments on Actions against Defaulting Officers	15	19	10	12
澄清調查報告資料 Clarification of Information in Investigation Reports	176	298	119	175
調查透徹度 Investigation Thoroughness	68	50	38	32
其他質詢 Other queries	162	144	65	65
總數 Total	802	938	426	468



# 3

## 第三章 Chapter 3

# 處理投訴警察 議題和改善建議 Police Complaints- related Issues and Recommendations





## 警方處理大型公眾活動

# Police Handling of Large-scale Public Order Events

警方處理大型公眾活動不時引起市民關注，監警會自2009年起便和警方跟進處理大型公眾活動的相關事宜，包括邀請警方的代表出席聯席會議，為監警會委員簡介警方處理有關活動的原則和主要考慮因素。

為更全面了解公眾及關注團體對警方處理大型公眾活動的意見，監警會委員在2011年開始和主辦示威遊行的團體及其他持份者會面。持份者除向委員表達對警方處理大型公眾集會的意見外，並建議監警會現場觀察這些活動。此後，監警會便開始研究在不影響會方中立公正的情況下，以何種形式觀察大型遊行示威活動。

自2012年開始，監警會現場觀察七一遊行及2013年的元旦遊行。其後於2013年七一遊行、2014年元旦遊行及2014年七一遊行，除了派員現場觀察外，亦列席主辦團體與警方的預備會議，期望在不影響會方中立公正的情況下，盡量以多角度觀察大型遊行示威活動，增進委員在這方面的知識，協助委員考慮這些活動衍生的投訴個案。

監警會期望繼續與警方及持份者聯繫，作為雙方的橋樑以加強彼此的溝通，藉此減少不必要的投訴。

In view of complaints arising from time to time over large-scale public order events, the IPCC had voiced concerns over police handling of such events since 2009. For instance, the IPCC invited police representatives to attend the IPCC/CAPO joint meeting to brief participants on the guiding principles and factors considered in their handling of such events.

To gain a comprehensive understanding of the views of the public and interested parties on how the Police handle large-scale public order events, starting in 2011 the IPCC Members have held meetings with the organisers of large-scale processions and other stakeholders. Apart from offering their opinions to the Members on how the Police handle large-scale public order events, stakeholders invited the IPCC to observe such events on site. With this suggestion, the IPCC started to examine the feasibility of observing large-scale processions while maintaining its impartiality and fairness.

Subsequent to its first on-site observation held on 1 July 2012, the IPCC conducted on-site observations of the processions held on 1 January and 1 July in 2013 and 2014. Since the 1 July 2013 procession, apart from observing on site, secretarial staff also attended preparatory meetings held by procession organisers and the Police, in order to consider public order events from various points of view while maintaining the Council's impartiality. This gave Members a more complete grasp of such events in order to help them better understand complaint cases duly derived.

The IPCC's intention was to serve as a bridge between the Police and stakeholders in order to lessen the number of unnecessary complaints.



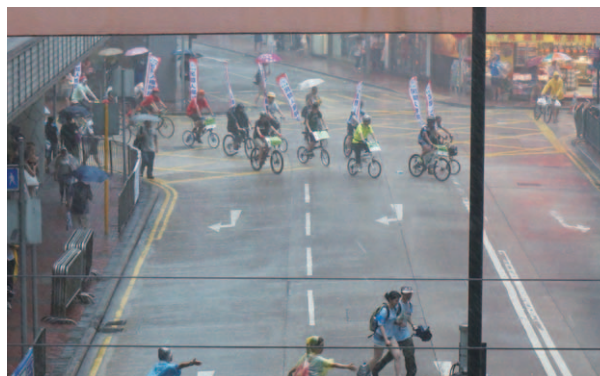
## 觀察2013年七一遊行

## Observation of 1 July Procession in 2013



維園起點情況

The starting point at Victoria Park



遊行於銅鑼灣出發

The procession started at Causeway Bay



軒尼詩道遊行情況

The procession at Hennessey Road



遊行至中環集會

Participants arrived the public gathering in Central

監警會一直與持份者及警方溝通，並鼓勵七一遊行的主辦團體民間人權陣線（民陣）與警方提早進行會議商討活動安排。2013年的七一遊行預備會議便提早至5月中召開。雙方的四次會議就遊行安排、路線規劃、集會地點以及不反對通知書的內容等議題討論及交流意見，讓彼此有更充裕的時間作出完善的籌備工作。

同時，監警會更首次派遣秘書處的職員，以獨立身份列席這些預備會議，從旁觀察，以便了解組織大型遊行活動的規劃、籌備，以至活動當日執行的具體情況及整個過程。出席的職員會將觀察所得向委員會報告，以便討論有關事宜。

The IPCC, being in close contact with both stakeholders and the Police, recommended that the Civil Human Rights Front (CHRF), the organiser of the 1 July procession, hold early meetings to discuss arrangements for this event. The first preparatory meeting for the 1 July 2013 procession was moved up to mid-May, followed by three more meetings. The agenda included arrangements for the procession, its route, the location of gathering points, and the content of the Letter of No Objection. Both parties had ample time to refine the preparatory arrangements.

Moreover, for the first time the IPCC assigned Secretariat staff members to attend, in an independent capacity, the 1 July procession preparatory meetings, to understand how a large-scale event is planned and prepared, and how those plans are executed on the day of the event. Staff members who attended the preparatory meetings then reported their observations to the Council in order to help Members in further discussions.



觀察維園起點情況

Observed the starting point at Victoria Park



委員於維園一帶觀察遊行出發

Members observed the starting point of the procession at Victoria Park



沿怡和街現場觀察

On-site observation along Yee Wo Street



至中環集會情況

Proceeded to the public gathering in Central

監警會委員於6月26日出席警方的簡報會，了解警方在公眾安全的前提下處理大型公眾活動的程序，並就警方的安排交流意見後，多位監警會委員及秘書處職員一同現場觀察七一遊行。

委員除了由警方陪同下到多個據點觀察外，秘書處的職員亦分成多個小組，在不同地點觀察，以掌握更全面的資料，了解遊行起點的安排、警方的人流及交通管制措施、街站的情況，和中環遮打道行人專用區的集會情況。

其後，監警會於8月先後約見主辦團體民陣的代表以及和警方會面，聆聽民陣提出的多項意見，包括警方處理封路及部份中環港鐵站出入口、街站及天眼的設置、攝錄裝置的使用及購買長距離揚聲器等，會方然後再將有關意見向警方反映，以供考慮。

On 26 June, IPCC Members attended a briefing held by the Police. The briefing enhanced IPCC Members' understanding of police's handling of public order events on the premise of ensuring public safety. A number of IPCC Members and Secretariat staff members then observed on-site for the arrangement of 1 July procession.

Members proceeded to various strategic locations with the Police while Secretariat staff, in various groups, observed proceedings at different locations to gather comprehensive information on police arrangements at the starting point of the procession; the handling of pedestrian and traffic flows and street stalls; and the gathering outside the pedestrian precinct on Chater Road, Central.

The IPCC then had meetings with the procession organiser, CHRF, and the Police in August. The IPCC gathered views from the CHRF on a number of issues, including police's closure of lanes for the procession and certain exits of the Central MTR station, the installation of street stalls and "sky eyes", and the use of recording equipment and procurement of long-range acoustic devices. Following internal discussions, the IPCC relayed the suggestions to the Police for their reference.



## 觀察2014年元旦遊行

## Observation of 1 January Procession in 2014



委員於維園一帶觀察遊行出發

Members observed the starting point of the procession at Victoria Park



沿銅鑼灣、灣仔一帶現場觀察

On-site observation at Causeway Bay and Wan Chai

2014年的元旦遊行，監警會應持份者的邀請，列席主辦團體與警方的預備會議，並現場觀察元旦遊行的安排。

委員先在2013年12月30日出席警方元旦遊行安排的簡報會，元旦當日委員及秘書處職員一同出席2014年元旦遊行，實地了解警方在公眾安全的前提下處理大型公眾活動的程序。

委員由警方陪同下到多個據點觀察，包括先在維園了解遊行起點的安排，然後沿遊行路線到銅鑼灣崇光百貨外、灣仔軒尼詩道一帶觀察，了解警方的人流及交通管制措施、街站的設置等，最後到中環觀察遮打道行人專用區的集會情況。同時，秘書處的職員亦分成多個小組，在不同地點觀察，以掌握更全面的資料。

監警會認為2014年的元旦遊行大致暢順和平，整體安排亦比去年為佳，這與主辦團體及警方提早展開預備會議就遊行安排進行討論及交流，以及有更充裕的準備時間不無關係。

In 2014, IPCC Members were invited by stakeholders to attend the preparatory meeting held by the organiser and the Police, then observed on-site for the arrangement of 1 January procession.

Members first attended a briefing by the Police on 30 December 2013, then made observation with Secretariat staff on 1 January 2014 to understand how the Police handle public order events under the mandate of ensuring public safety.

Accompanied by the Police, IPCC Members went to various strategic locations, including Victoria Park, where they observed the arrangements at the starting point. The group then proceeded to the area outside Sogo department store in Causeway Bay and walked along Hennessy Road to understand police arrangements for handling pedestrian flow, traffic, and street stalls, as well as the gathering outside the pedestrian precinct on Chater Road, Central. Secretariat staff were divided into small groups to observe at different sites along the route of the procession in order to acquire a comprehensive understanding of the situation.

The IPCC opined that the 1 January procession was generally smooth and the overall arrangements were better than the previous year, mainly because of the early preparatory meetings between the organiser and the Police, which allowed ample time to refine the preparations.

## 觀察2014年七一遊行

## Observation of 1 July Procession in 2014



沿軒尼詩道觀察遊行  
Observed the procession along Hennessy Road



監警會委員先到警方指揮中心聽取簡報  
Council Members first attended a briefing by the Police at command centre



委員由警方陪同下到中環觀察集會情況  
Members proceeded to the public gathering in Central accompanied by the Police



於維園一帶觀察遊行起點情況  
Observed the starting point at Victoria Park



監警會應持份者的邀請出席2014年七一遊行的預備會議，及於七一當日現場觀察遊行的安排。監警會委員於6月26日出席警方的簡報會，了解警方在公眾安全的前提下處理大型公眾活動的程序，並就警方的安排交流意見後，多位監警會委員及秘書處職員一同出席現場觀察七一遊行。

委員除了由警方陪同下到多個據點觀察外，秘書處的職員亦分成多個小組，在不同地點觀察，以掌握更全面的資料，了解遊行起點的安排、警方的人流及交通管制措施、街站的情況，和中環遮打道行人專用區的集會情況。

其後，監警會約見主辦團體民陣的代表，在聆聽民陣的意見後，監警會再將有關意見向警方反映，以供考慮。

IPCC Members were invited again by stakeholders to attend the 1 July procession preparatory meeting as well as on-site observation in 2014. On 26 June, IPCC Members attended a briefing held by the Police, to understand how the Police handle public order events under the mandate of ensuring public safety. After exchanging views on police arrangements, a number of Members and Secretariat staff observed on-site the 1 July procession.

Accompanied by the Police, IPCC Members went to various strategic locations while Secretariat staff were divided into small groups to observe at different sites along the route of the procession. Their aim was to acquire a comprehensive grasp of the situation, including the arrangements at the starting point; police arrangements on handling pedestrian flow, traffic, and street stalls; and the gathering outside the pedestrian precinct on Chater Road, Central.

The IPCC then had meetings with the procession organiser, CHRF. After gathering the views of the CHRF representatives, the IPCC relayed their opinions to the Police for deliberation.

## 改善警隊常規和程序建議的具體情況

# Recommended Improvements to Police Practices and Procedures

本報告期內，監警會向警方提出了以下的改善建議：

During the reporting period, the IPCC raised the following recommendations for improvements to the Police:

### 處理「保釋」的改善建議及修改有關程序

### Suggested Improvement on Procedure Regarding “On Bail”

「保釋」的作用在疑犯被逮捕後，申請以現金或旅遊證件作抵押或遵守其他條件，以免被警察或法庭羈留扣押，所以「保釋」可分為兩類，一類是警察保釋，而另一類是法庭保釋。警方對於用作「保釋」抵押現金的處理方法，大致可分為「退還」、「充公」、「無人領取」、「延長」及「更改成法庭保釋」等。

在保釋候查時，保釋者需要在指定的時間往警署報到，待警方調查完畢後不予起訴，就會退還「保釋金」。當保釋者未有在指定的時間往警署報到，警方則有權延長保釋期或充公保釋金。然而，部分保釋者在非自願的情況下，如因其他案件被囚禁或因傷入院留醫，以致無法在指定的時間往警署報到。監警會在審核相關投訴個案調查報告時，認為警方處理的程序上有改善的空間。

The purpose of “bail” is to allow an arrested suspect to be released from custody by the Police or the Court by providing cash or a travel document as security, or by adhering to other conditions. There are two kinds of bail – police bail and court bail. There are five ways of classifying the handling of money received as police bail: “Refund”, “Estreat”, “Unclaimed”, “Extend” and “Change to Court Bail”.

When an arrested person is released on bail, the bailee has to report to the police station at a designated time. The money will only be refunded after the Police have completed the investigation and if the bailee is not prosecuted. If the bailee fails to report to the police station, the Police have the right to extend the bail period or estreat the money. However, sometimes a bailee faces circumstances that force him or her to skip bail involuntarily, such as being imprisoned or hospitalised. In reviewing a complaint case regarding this issue, the IPCC found that police procedures for handling such matters could be improved.





在一宗投訴個案中，投訴人正待警方保釋候查，並需於指定的時間往警署報到，但投訴人卻因牽涉另一宗毒品案被海關拘捕在囚，故未能如期前往警署報到。監警會認為警方在處理案件時，未有徹底翻查《單位資訊通用紀錄》，警員換班時及與上級之間亦缺乏溝通，致使未有發現投訴人是在非自願的情況下沒有如期前往警署報到，因而充公投訴人的保釋金，對投訴人並不公平。

監警會委員認為現行的《警察通例》對於警員如何處理保釋及保釋金的程序缺乏清晰的指引，尤其在當保釋者因事未能往警署報到的情況下，警員的處理程序有可以改善的空間。警方同意監警會的建議，要求警員在翻查保釋者的資料時，需同時查詢入境事務處出入境紀錄、懲教署囚禁紀錄及醫院管理局入院紀錄，以了解保釋者未能往警署報到是否有其他非自願的原因。而有關建議已向警隊前線單位作出諮詢，並將會於《警察通例》作出相關修改。

In one complaint case, the complainant had been released on bail by the Police and was required to report to a police station. However, as he was involved in a drug-related case, he had been detained by the Customs and Excise Department and therefore could not report to the police station as scheduled. The IPCC found that in handling this case, the Police had not thoroughly searched the Formation Information Communal System, and the communication among police officers between shifts and with their superior had been inadequate; therefore they failed to realise that the complainant's failure to report to the police station was involuntary, causing his bail to be unfairly estreated.

In the opinion of IPCC Members, the procedures outlined in the "Police General Orders" for handling bail were not clear, especially when the bailee was unable to report to the police station due to reasons beyond his control; therefore there was room for improvement of the guidelines. The Police agreed that in reviewing information on a bailee, police officers should refer to the travel records of the Immigration Department, the detention records of the Correctional Services Department, and the in-patient records of the Hospital Authority, in order to ascertain whether the bailee had skipped bail involuntarily. Opinions are being sought from front-line police officers and supplements will be made to relevant sections in the "Police General Orders".





## 修改記錄「記事冊」的程序

### Amendment of the Procedures for Keeping Records in a Police Notebook

總督察級以下的警務人員均會獲發一本警察記事冊，以在事件發生時或在其後合理可行的情況下，儘快將執勤事件記錄下來，當中包括接獲的舉報或投訴、報案人或證人的資料，以及隨後採取行動的詳情。若記錄有刪改或增添字句，須由有關警員或作供者簽署，以作核實。

當警員接獲一般爭吵糾紛案件的舉報，待調查完畢確定案件並無牽涉刑事後，通常只會在「記事冊」記錄雙方協議和解的原因。不過，在一宗投訴個案中，報案人向警方舉報鄰居滋擾恐嚇但其後銷案，惟報案人的家人隨後否認曾自願銷案並投訴警方未有妥善跟進處理。

監警會在審議投訴調查報告時，認為警方可以修改記錄「記事冊」的程序，如在報案人自願銷案後，要求報案人於「記事冊」簽署確認，可避免引致不必要的投訴。警方亦從善如流，修改《警察通例》/《警察程序手冊》中關於記錄「記事冊」的程序，列明如案件不涉及刑事罪行而報案人自願銷案時，警員需要求報案人於「記事冊」簽署確認，如報案人拒絕簽署確認，警員則需要寫明報案人拒絕的原因，以作記錄。

Police officers at the rank below Chief Inspector are each given a police notebook in which to keep records of incidents as they take place, or immediately afterward. These incidents may include reports of crimes or complaints, information on the person who filed the report, relevant witnesses, and details of follow-up actions. If a record is amended, the changes must be endorsed by the relevant officer and the person who provided the information.

Generally, when a police officer receives a report of a dispute and has confirmed that it is not a criminal case, he will keep a record of the incident and the reconciliation of the involved parties in his police notebook. However, in one complaint case, a person had filed a report with the Police concerning a neighbour's harassment and intimidation but later withdrew. A family member of this person then filed a complaint against the Police, claiming that the report was not withdrawn voluntarily and that the Police did not follow up on the case.

After reviewing the complaint, the IPCC considered that the Police could amend their procedures for keeping records in a police notebook. In a case where a person filed a report and then voluntarily withdrew it, that person should countersign the record in the police notebook as confirmation; this would avoid unnecessary complaints. The Police accepted this advice and revised the entry regarding keeping records in a police notebook in the "Police General Orders"/"Force Procedures Manual", stating that in non-criminal cases, the police officer should ask that person to countersign the record in the police notebook when the report is withdrawn voluntarily. If the person refused to sign, the officer should write clearly the reason for the refusal.



## 處理貴重「失物」的改善建議

## Suggestion for Improving the Handling of Valuable Lost Property

貴重的個人物品如名錶、珠寶、相機及其他電子器材，往往成為賊人偷竊的目標，然後再轉售圖利。有見及此，警方會在刑事紀錄科系統中，登記及儲存被盜的貴重物品資料，如製造商序號，以便核實物品是否屬於賊贓。與此同時，鑒於賊人會將賊贓轉售，警方亦會將刑事紀錄科系統內的有關資訊，載列於《警察憲報》發出予當舖參考，當舖負責人在接收典當財物前，有責任查閱賊贓清單以免接收賊贓。

監警會在審視一宗投訴個案時，發現《警察程序手冊》只清楚列明警員如何處理貴重的「失竊物品」，並沒有處理貴重「失物」的程序，建議可以加入指引避免衍生不必要的投訴。

Valuable personal belongings such as watches, jewellery, cameras or electronic equipment are often targets of thieves, who sell them for profit. In view of this, the Police keep a record of valuables reported as stolen in the Criminal Records Bureau System, including the manufacturer's serial number. The Police then publish the information in the Criminal Records Bureau System in the "Police Gazette", which is distributed to pawnshops for reference. Pawnshop keepers bear the responsibility of checking the list of stolen properties before receiving any goods.

In reviewing a complaint, the IPCC noted that the existing guidelines in the "Force Procedures Manual" stated procedures for handling stolen property, but not the procedures for handling valuable "lost property". The Council thus suggested that an entry should be included in the guidelines to avoid unnecessary complaints.



在一宗投訴個案中，投訴人因宿醉遺失名錶並到警署報失，警員根據程序記錄於失物資料庫。由於案件不涉及刑事或偷竊，故未有記錄於刑事紀錄科系統中，發出予當舖參考的《警察憲報》，因此亦未有載列該枚名錶的資料。

隨後，有警員在巡查當舖時發現該枚名錶，當舖店主因不知名錶屬於失物而付款接收作典當，致令失主需要支付部份典當金額取回自己的失錶，失主因此向警方作出投訴。監警會認為警方在處理這類貴重財物時，由於刻有製造商的序號，易於辨認，故無論是「失物」或「失竊財物」都應採取相同的程序，將有關資料載列於刑事紀錄科系統中，並發出《警察憲報》予當舖參考，減低當舖店主因接收不明來歷的典當物品而蒙受損失的機會。

警方接納監警會的建議，在《警察程序手冊》加入有關指引，提示警員在處理有關貴重的「失物」時，需要採取與「失竊財物」相同的程序，作出適當的記錄程序，以便更有效查證貴重物品的來歷。

In one complaint case, the complainant reported to a police station that he had lost his luxury watch while he was drunk. The police officer followed normal procedures and filed a report in the Lost Property Database. As the case did not involve a crime or theft, it was not entered into the Criminal Records Bureau System or included in the "Police Gazette", so pawnshops did not have information on this watch.

Subsequently, when a police officer visited a pawnshop while making his rounds, he discovered the watch. Since the pawnshop owner had not been informed that the watch was lost property and he had paid for the watch, the actual owner of the watch was required to pay part of that amount to get his watch back. The watch owner then filed a complaint with the Police. The IPCC suggested that valuable items that could easily be identified by their serial number should be handled in the same manner, whether reported as lost property or stolen property. Information on such items should be input into the Criminal Records Bureau System and released to pawnshops through the "Police Gazette", so as to minimise the loss of pawnshop owners in case they bought items of unknown origin.

The Police accepted the IPCC's suggestion and added an entry in the "Force Procedures Manual" instructing police officers to treat valuable lost property in the same manner as stolen property, by entering a record by which the origin of a valuable item could be verified.



# 4

## 第四章 Chapter 4

# 真實投訴個案 Complaint Cases



MONITOR • 監察 MONITOR • 獨立 INDEPENDENCE

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個案一  
Case 1

指控 Allegation	被投訴人 Complainee	投訴警察課原來分類 Original Classification by CAPO	最後分類 Final Classification
疏忽職守 Neglect of Duty	偵緝總督察 Detective Chief Inspector	無法證實 Unsubstantiated	獲證明屬實 Substantiated

## 個案重點

此個案反映監警會以仔細、公平的態度來衡量投訴個案中所有的資料和證據。

投訴人在警方一宗「詐騙」案作為證人以協助調查，期間提供一份書面供詞予警方。然而在警方要求投訴人進一步提供協助時，投訴人未有合作，警方因此沒有參閱投訴人提供的書面證供，便終止調查該宗案件。投訴人得悉後，認為警方終止調查的決定屬疏忽行為並作出投訴。投訴警察課調查後把指控（指控：[疏忽職守]）分類為「無法證實」，惟監警會在審閱有關文件時，並不認同警方在未有考慮投訴人書面證供的情況下終止案件調查的決定，經監警會質詢後，投訴警察課把指控重新分類為「獲證明屬實」。

## 個案背景

投訴人任職公司的一名董事就一宗「詐騙」案報警，指有數名前僱員偽造出勤及薪金紀錄。警方在初步調查時，一名警員為投訴人錄取證供。其後警方知悉案件已交由勞資審裁處處理，而投訴人沒有提供資料支持他的供詞，故終止初步調查該宗案件。其後投訴人提供一篇14頁的書面供詞，要求警方重新調查案件。警方於是安排與投訴人會面以獲取更多資料，但會面未能成功安排，退而由刑事調查隊提出問題，投訴人只需將回覆傳真予警方。投訴人在接近兩個月後才回覆，惟在此之前偵緝總督察基於未有收到證人的正式證供而下令終止調查。投訴人得悉警方再次終止

## Highlights of the Case

This case illustrates the IPCC's analytical and equitable approach in the assessment of available information and evidence in a complaint case.

The complainant was a witness to a "Deception" case reported by his company director. In assisting the enquiry, the complainant elected to provide a self-prepared written statement to the Police. However, the complainant was reluctant to assist in the subsequent police enquiry despite being contacted by the Police and invited to do so. Therefore the Police curtailed the case without taking into consideration the information contained in the self-prepared written statement submitted by the complainant, who therefore alleged that the Police were negligent in curtailing the crime case investigation without justification. After investigation, CAPO classified the allegation (Allegation: [Neglect of Duty]) as "Unsubstantiated". However, the IPCC queried the classification, as it was clear from documentary records that the Police had not considered the information contained in the complainant's self-prepared written statement prior to curtail the crime case. In response to the IPCC's query, CAPO reclassified the allegation as "Substantiated".

## Case Background

A director of the complainant's company submitted a "Deception" report to the Police, alleging that some former employees of the company had falsified their attendance records and salary payments. During the initial police investigation, a witness statement was taken from the complainant by a Police Constable. Nonetheless, as the police enquiry revealed that the case had been taken to the Labour Tribunal, and that the complainant had failed to provide supplementary documentary evidence to support his report, the initial investigation was subsequently curtailed. The complainant, in requesting a case review, provided the Police with further information in the form of a 14-page self-prepared statement. The Police then attempted to make



調查該案件後，隨即去信警方解釋延誤回覆的原因，然而偵緝總督察維持終止調查的決定。

投訴人遂投訴該名偵緝總督察，指控他無理終止案件調查（指控：[疏忽職守]）。

### 投訴警察課的調查

經調查後，投訴警察課認為投訴人沒有在合理的時間內回覆警方的提問，警方終止調查是公平和合理的決定，故把指控分類為「無法證實」。

### 監警會的觀察

監警會對投訴警察課的見解並不認同，在審閱投訴人較早前提交的書面證供後，認為該證供已給予警方充足的資料作進一步的調查，所以偵緝總督察應該就投訴人的書面證供繼續跟進案件，而非因投訴人所提供的供詞，未有沿用警方特定的口供表格(POL 154)而終止調查。

投訴警察課認同監警會的見解，重新把指控分類為「獲證明屬實」。鑑於該偵緝總督察服務警隊多年且具資歷，今次的疏忽屬調查延誤，所以對他作出警告，但毋須記入分區報告檔案內。

監警會通過這宗個案的調查結果。與此同時，投訴警察課通知監警會警方正就投訴人所提供的補充資料，繼續調查該宗案件。

arrangements to take a further statement from him, but were unable to secure an appointment. The Police eventually abandoned their request for a formal interview and asked the complainant to provide written answers to questions raised by the investigation team, and to submit the written answers by fax. It took the complainant almost two months to submit his written answers, and before the answers reached the investigation team, a Detective Chief Inspector (DCIP) directed that the enquiry be curtailed on the grounds that a formal witness statement had not been forthcoming. Learning that the case had again been curtailed, the complainant wrote to the Police explaining the reason for the delay. The DCIP, however, maintained his decision of curtailing the case.

The complainant then lodged a complaint alleging that the DCIP had curtailed the case enquiry without justification (Allegation: [Neglect of Duty]).

### CAPO's Investigation

After investigation, CAPO took the view that the curtailment was fair and reasonable as the complainant had not responded to the police enquiry in a timely manner, and thus classified this allegation as "Unsubstantiated".

### The IPCC's Observation

Nevertheless, the IPCC disagreed with CAPO's finding. It noted that the complainant had already provided the Police with sufficient information by way of self-prepared statements. Having read the statements, the IPCC was of the view that the statements contained sufficient information for the Police to have developed new lines of enquiry. Therefore, the DCIP should have initiated further investigative action and should not have curtailed the crime case investigation simply because the information supplied by the complainant was not in the prescribed format of a witness statement (POL 154).

CAPO subscribed to the IPCC's view and changed the classification to "Substantiated". Concerning the action to be taken against the DCIP, since the consequence of his negligence was the failure to investigate the crime case reported by the complainant in a timely manner, and in view of his long service and seniority in the Police Force, it was considered appropriate to warn the DCIP without a Divisional Record File (DRF) entry.

The IPCC endorsed CAPO's findings in this case. On a separate note, CAPO informed the IPCC that the crime case review, on the basis of further information supplied by the complainant, was ongoing.



個案二  
Case 2

指控 Allegation	被投訴人 Complainee	投訴警察課原來分類 Original Classification by CAPO	最後分類 Final Classification
疏忽職守 Neglect of Duty	一名督察 An Inspector	並無過錯 No Fault	無法完全證明屬實 Not Fully Substantiated

## 個案重點

此個案說明監警會和投訴警察課如何公平有效地調查投訴。雖然投訴警察課未能找到個案中的投訴人提供協助，監警會和投訴警察課仍盡量就有關的資料，為投訴指控作出明確合適的分類。

投訴人因「毆打」及「企圖行劫」被警方拘捕及保留起訴。投訴人於是作出投訴，指控警方在未有調查清楚前作出起訴（指控：[疏忽職守]）。在徵詢法律意見後，投訴人獲警方無條件釋放，而投訴人的所有控罪獲撤銷後，投訴警察課無法再聯絡到投訴人，以提供資料調查有關的投訴個案，投訴警察課於是把指控分類為「並無過錯」。經監警會的質詢及工作層面會議的討論後，投訴警察課同意把指控分類改為「無法完全證明屬實」。

## 個案背景

一名男子（受害人）指稱於公廁內被投訴人毆打，警方基於受害人和另外一名證人的證供，以「毆打」及「企圖行劫」拘捕投訴人。由於投訴人在案件中亦告受傷，警方遂安排投訴人入住醫院羈留病房兩日接受治療。

案件由一名警員及一名督察負責調查，該名警員為受害人和另外兩名當時在場的證人錄取證供外，亦為投訴人錄取警誠供詞。投訴人堅稱自己沒有毆打他人或企圖

## Highlights of the Case

This case demonstrates the effectiveness and impartiality of the case examination process adopted by both the IPCC and CAPO. It also shows that both the IPCC and CAPO are mindful of achieving a definitive finding on allegations whenever practicable, even if the complainant is unreachable and fails to provide assistance in CAPO's investigation.

The complainant was arrested by the Police in relation to a case of "Assault" and "Attempted Robbery" and was held-charged by the Police. The complainant alleged that, among other things, the Police had failed to investigate the case thoroughly before charging him (Allegation: [Neglect of Duty]). However, the complainant was released unconditionally after legal advice was sought. Subsequently, the complainant disappeared and provided no further assistance in CAPO's investigation after the prosecution dropped all charges against him. CAPO initially classified the allegation as "No Fault". Following the IPCC's queries and further discussion at a working level meeting, CAPO reclassified the allegation as "Not Fully Substantiated".

## Case Background

A man (the victim) reported that he had been assaulted by the complainant inside a public toilet. Based on the evidence provided by the victim and one witness, police arrested the complainant on suspicion of "Assault" and "Attempted Robbery". The complainant was detained and medically treated in the custodial ward of a hospital for two days, as he had sustained physical injuries in the incident.

The crime case was investigated by a Police Constable (PC) and an Inspector (IP). The PC took statements from the victim and located two additional witnesses who had been at the scene. The PC also took a cautioned statement from the complainant, who denied the offenses of assault and attempted robbery but did not provide any information to

行劫，但未有解釋當時身處現場的原因。該名督察因此以「普通襲擊」和「意圖盜竊」兩項控罪起訴及拘留投訴人，並等待進一步調查及法律諮詢。

投訴人感到不滿並作出投訴，當中包括投訴該名督察在未有仔細調查案件便提出起訴（指控：[疏忽職守]）。該名督察在調查後徵詢律政司的法律意見，律政司建議不對投訴人提出起訴，投訴人因此獲無條件釋放。

### 投訴警察課的調查

投訴警察課認為該名督察在調查過程中的行動適當，亦有考慮到現有的證據，並曾聯絡法庭檢控主任討論案情。因此投訴警察課把指控分類為「並無過錯」。

### 監警會的觀察

監警會在審視檔案資料時，發現受害人和一名證人的證供存在很大的分歧，該名證人在事發時路過現場，目睹案件發生並致電報警，但在警方到場前已經離開。其後警員聯絡該名證人並錄取口供，證人表示當時目睹投訴人在公廁外被三男一女毆打。此外，監警會亦留意到負責警員的記事簿紀錄，顯示需入院兩日接受治療的投訴人，傷勢比沒有表面傷痕的受害人明顯嚴重。同時，記事簿載有投訴人表示被人毆打和失去銀包的記錄，其後因投訴人在錄取警誠供詞時未有提及，警方因此未有作出跟進。

經監警會的質詢及工作層面會議的討論後，投訴警察課指出偵緝警員不時遇上類似的情況，由於投訴人在錄取警誠供詞時未有為自己辯護，該名督察難以作出判斷。最後投訴警察課同意監警會的見解，認為證據足以支持但未能完全證實投訴人的指控，把指控由「並無過錯」重新分類為「無法完全證明屬實」。該名督察需要接受警告，但毋須記入的分區報告檔案內。

監警會通過這宗個案的調查結果。

account for his presence at the scene. The IP then charged the complainant with “Common Assault” and “Attempted Robbery” and held him in custody pending further enquiry and legal advice.

Feeling aggrieved, the complainant lodged an instant complaint (Allegation: [Neglect of Duty]). Among other allegations, the complainant alleged that the IP had failed to investigate the case thoroughly before charging him. Upon completion of the investigation, the IP sought legal advice from the Department of Justice, which recommended that the Police not proceed with the charges. As a result the complainant was released unconditionally.

### CAPO's Investigation

CAPO classified the allegation as “No Fault” on the grounds that the IP's actions had been necessary to the investigation and were consistent with the available evidence. CAPO also took into consideration that the IP had liaised with and communicated with the Court Prosecutor with respect to the details of the case.

### The IPCC's Observations

The IPCC's examination of the crime file revealed that the evidence given by the victim and that provided by one of the witnesses (the witness) were significantly different. The witness was a passer-by who reported to the Police by making a telephone call after she saw the incident, but had left the scene by the time the Police arrived. She was subsequently approached by the PC and provided a statement, in which she said she had seen the complainant being assaulted by three males and one female outside the toilet. The IPCC further noted, from the notebook record of the arresting officer and the fact that the complainant was hospitalised for two days for medical treatment after his arrest, that the complainant's injuries were obviously more serious than those of the victim, who suffered no superficial injury. The arresting officer's notebook entry also showed that the complainant had briefly mentioned that he had been assaulted and that his wallet was missing, albeit the complainant had not raised these matters when subsequently interviewed under caution. As a result, his earlier claim of being assaulted and the matter of the missing wallet were not further pursued.

Following the IPCC queries and the discussion at a working level meeting, while CAPO further explained that it was not uncommon for police detectives to face similar situations and that the decision of the IP was made extremely difficult as the complainant did not attempt to vindicate himself under caution, it was eventually agreed that the above observations by the IPCC constituted reliable evidence in support of the complainant's allegation, albeit not to the extent of fully substantiating the allegation. CAPO therefore reclassified the allegation from “No Fault” to “Not Fully Substantiated”. The IP was warned without a DRF entry.

The IPCC endorsed CAPO's findings.

### 個案三 Case 3

指控 Allegation	被投訴人 Complainee	投訴警察課原來分類 Original Classification by CAPO	最後分類 Final Classification
1) 疏忽職守 Neglect of Duty	一名警員 A Police Constable	投訴撤回 Withdrawn	投訴撤回 Withdrawn
2) 疏忽職守 Neglect of Duty		無 Nil	未經舉報但證明屬實 Substantiated Other Than Reported

#### 個案重點

此個案的投訴人雖然撤銷投訴，惟監警會繼續審視投訴個案，反映會方鍥而不捨地尋找指控分類的明確結論。

在一個清晨，正在踏單車的13歲投訴人遭一名警員截查，並被質問該單車的來歷。投訴人未能解答，隨後承認偷竊該單車。警員於是在投訴人的父母不在場的情況下警誡投訴人。投訴人其後聲稱警員誤導他認罪（指控1：[疏忽職守]），但最終撤回投訴，投訴警察課把指控分類為「投訴撤回」。監警會審視個案後向投訴警察課作出質詢，認為警員未有按照現有的指引警誡投訴人，建議投訴警察課加入一項「未經舉報但證明屬實」的「疏忽職守」指控（指控2：[疏忽職守]）。

#### 個案背景

事發時，13歲的投訴人和一位17歲朋友於清晨在街上踏單車時遭兩名警員截查，投訴人未能解釋單車的來歷，及後承認兩日前偷竊該單車，其中一名警員於是對他作出警誡及以「偷竊」罪名拘捕投訴人，並要求投訴人提供偷單車的位置。其後投訴人被帶到警署，同時警方亦要求投訴人父親到警署。

在警署內，該名警員在記事簿內寫上投訴人較早前認罪的記錄，並在投訴人的父親到達警署後，要求父子二人在警誡供詞上簽署確認，二人相應簽署。

#### Highlights of the Case

This case illustrates the meticulous approach taken by the IPCC in seeking a definitive finding in a complaint case, notwithstanding the fact that the complainant had withdrawn the complaint.

The complainant, aged 13, was stopped and questioned by a Police Constable (PC) in the early hours of the morning when he was found riding a bicycle on the street. As the complainant had failed to explain how he had come by the bicycle, the PC, in the absence of the complainant's parents, cautioned the complainant, who admitted he had stolen the bicycle. The complainant later alleged that the PC had misled him to get him to admit the offence, but eventually withdrew the complaint (Allegation 1: [Neglect of Duty]). CAPO therefore classified the allegation as "Withdrawn". Following the IPCC's queries, CAPO registered a "Substantiated Other Than Reported" (SOTR) count of "Neglect of Duty" for the PC's failure to caution the complainant in accordance with established guidelines (Allegation 2: [Neglect of Duty]).

#### Case Background

In the early hours of the day in question, the complainant (aged 13) and his friend (aged 17) were riding bicycles on the street. They were intercepted by two Police Constables. Since the complainant failed to explain how he had come by the bicycle, one of the Police Constables (the PC) cautioned the complainant, who admitted that he had stolen the bicycle two days earlier. The PC then arrested the complainant for "Theft" and asked the complainant to lead him to the location where he had stolen the bicycle. The complainant was later taken to the police station, where his father was contacted and requested to go to the police station.

At the police station, the PC made a notebook entry of the complainant's earlier confession. Upon the arrival of the complainant's father, the PC invited the complainant and his father to sign the cautioned statement in his notebook. The complainant and his father did accordingly.



在法庭審訊時，投訴人的辯護律師對投訴人認罪的自願性及警員記事簿的紀錄提出質疑，裁判官鑒於投訴人在父母均不在現場時被警誡，因而違反保安局局長頒佈的「查問疑犯及錄取口供的規則及指示」（「規則及指示」），故裁定投訴人的認罪不成立。投訴人並指控警員誤導他認罪（指控1：[疏忽職守]）。

## 投訴警察課的調查

由於該宗偷竊案件已交由投訴人的律師處理，投訴人其後撤銷投訴。投訴警察課遂把指控分類為「投訴撤回」。

## 監警會的觀察

根據法庭裁定，警員在投訴人父母不在場的情況下查問投訴人的行為違反「規則及指示」，監警會認為有足夠證據證明警員未有遵守有關指引，故建議投訴警察課對警員加入一項「未經舉報但證明屬實」的「疏忽職守」指控（指控2：[疏忽職守]）。

投訴警察課接受警員解釋，指當時懷疑投訴人及其17歲朋友的單車來歷，如只查問該名17歲的朋友，會延誤對投訴人的查詢，以至無法了解整件案件的真相及評估罪行的嚴重性。惟監警會留意到該名警員當時只是合理懷疑投訴人，而非投訴人犯案而當場被捕，故沒有即時查詢的必要，亦沒有證據顯示延遲查問會可能妨礙執法。警員因此不應在投訴人父母不在場時查問及警誡投訴人。

經監警會質詢後，投訴警察課同意加入一項「未經舉報但證明屬實」的「疏忽職守」指控。警員在投訴人未有家長陪同下作出警誡，違反《警察程序手冊》第21-35條及「規則及指示」第5條指示。警員需被警告但毋須記入分區報告檔案內。

監警會通過這宗個案的調查結果。

為提高警隊的专业服務質素及預防發生同類違規事情，投訴警察課於《醒目警察小貼士》中載列有關資訊，提醒前線警務人員處理16歲以下疑犯合規的方法和程序。

During the court trial, the defense counsel representing the complainant challenged the voluntariness of the complainant's confession, as recorded in the PC's notebook. The Magistrate ruled the complainant's confession under caution inadmissible, since the questioning of the complainant in the absence of his parent violated the guidelines in the "Rules and Directions for the Questioning of Suspects and the Taking of Statements" (R&D) issued by the Secretary for Security. The complainant lodged a complaint against the PC for misleading him to admit the offence (Allegation 1: [Neglect of Duty]).

## CAPO's Investigation

The complainant withdrew the complaint since the theft case was handled by his solicitor. CAPO classified the allegation as "Withdrawn".

## The IPCC's Observation

Given the court's ruling that the PC's questioning of the complainant without the presence of a parent violated the R&D, there was cogent evidence that the PC had been negligent in failing to comply with the relevant guidelines. The IPCC considered that CAPO should register an SOTR count of "Neglect of Duty" against the PC (Allegation 2: [Neglect of Duty]).

CAPO commented that the complainant had been intercepted together with a 17-year-old friend, who was also riding a stolen bicycle. If the PC had only conducted his enquiry with the 17-year-old suspect without questioning the complainant, this would have delayed the enquiry with the complainant and the PC might not have been able to obtain the full picture and assess the seriousness of the criminal acts committed by the complainant and his friend. The IPCC observed that the complainant was not arrested during the commission of an offence and it was not necessary for the Police to interview him immediately. Most importantly, there was no evidence to suggest that a delay in interviewing the complainant would have caused undue hindrance to the furtherance of justice. Therefore, the PC should not have interviewed the complainant by questioning him under caution immediately at the scene without the presence of the complainant's parent.

After the IPCC's queries, CAPO agreed to register one SOTR count of "Neglect of Duty" against the PC for questioning the complainant under caution at the scene without the presence of the complainant's parent, in contravention of Force Procedures Manual 21-35 and Direction 5 of the R&D. The PC was warned without a DRF entry.

The IPCC endorsed CAPO's findings in this case.

With a view to enhancing professionalism and preventing a recurrence of this mistake, CAPO issued an item in its "Tips for Smart Cops" to remind front-line officers of the procedures in the treatment and handling of suspects under 16.

個案四  
Case 4

指控 Allegation	被投訴人 Complainee(s)	投訴警察課原來分類 Original Classification(s) by CAPO	最後分類 Final Classification(s)
1) 疏忽職守 Neglect of Duty	兩名警員 Two Police Constables	獲證明屬實 Substantiated	獲證明屬實 Substantiated
2) 疏忽職守 Neglect of Duty	兩名警長 Two Sergeants	無 Nil	未經舉報但證明屬實 Substantiated Other Than Reported

## 個案重點

此個案顯示監警會如何全面審視投訴個案及其他相關警員的責任。

兩名投訴人分別是兩間食肆的負責人，遭兩名警員發出阻塞街道的傳票。由於傳票上該食肆被錯誤地列為有限公司，投訴人於是投訴警員未有妥善處理傳票。投訴警察課經調查後，把對兩名警員的指控分類為「獲證明屬實」。其後，投訴警察課接納監警會的建議，認為兩名警員的上司有責任核實警員提供的文件內容，故亦需要為事件負責。

## 個案背景

「X」麵店有兩間分店，分別由兩名投訴人負責。事發當日，兩名警員對兩間麵店分別發出阻塞街道傳票。在未清楚「X」是否有限公司的情況下，兩名警員均在傳票上把它列為有限公司，並把傳票申請遞給上司核實和發出。

投訴人收到了傳票後到裁判法院認罪。由於「X」是否有限公司是爭議點，案件被暫停審訊，等候警方澄清。經查證「X」並非有限公司後，兩名警員向投訴人重新發出傳票，兩名投訴人認罪並繳交罰款。投訴

## Highlights of the Case

This case demonstrates the IPCC's holistic approach in considering the liability of officers under complaint.

The complainants were persons-in-charge of two outlets of a restaurant. Two Police Constables (PCs) issued summonses to these two outlets for obstructing the street. In the summonses, the outlet was wrongly identified as a limited company. The complainants alleged that the PCs had failed to handle the summonses appropriately. After investigation, CAPO classified the allegation against the two PCs who had issued the summonses as "Substantiated". Upon the IPCC's query, CAPO agreed that the supervisors of the PCs were also responsible for the mistakes as they were duty-bound to check the contents of the documents prepared by the PCs.

## Case Background

The noodle restaurant called "X" has two outlets; the persons-in-charge of the two outlets were the two complainants respectively. On the day in question, two PCs issued a summons to each of the two outlets for obstructing the street. Although both PCs were unsure whether X was a limited company, they named "X" as a "limited company" on the summons application forms and submitted the forms to their supervisors to check and issue the summonses.

The complainants received the summonses and went to the Magistrates Court to enter their pleas. Since the type of defendant (i.e. whether "X" was a limited company or not) was in dispute, the case was adjourned for clarification by the Police. Upon clarification, it was confirmed that X was not



人並投訴兩名警員沒有妥當處理傳票（指控1：[疏忽職守]）。

### 投訴警察課的調查

投訴警察課調查後證實兩名警員未有核實「X」是否有限公司便發出傳票申請，故把指控分類為「獲證明屬實」。

### 監警會的觀察

監警會留意到在整個處理傳票申請過程中，警員所犯的錯誤至庭上被質詢前一直未被察覺。《警察程序手冊》第48條中列明負責的警務人員需核實傳票申請的內容，然而在這個案中，涉及傳票申請的所有警務人員均沒有履行職責，監警會因此建議投訴警察課識別其他有關的警務人員需為其疏忽負責。

投訴警察課其後確定兩名警長，即被投訴的兩名警員的上司，就未有仔細查核有關傳票申請的資料加上一項「未經舉報但證明屬實」的「疏忽職守」指控（指控2：[疏忽職守]），並向兩名警長作出訓諭，提醒他們在處理傳票申請時需加倍謹慎，但此事毋須記入分區報告檔案內。

監警會通過這宗個案的調查結果。

a limited company. Two fresh summonses were prepared by the PCs and were sent to the complainants, who later pleaded guilty and were fined. The complainants lodged an instant complaint alleging that the PCs had failed to handle the summonses appropriately (Allegation 1: [Neglect of Duty]).

### CAPO's Investigation

After CAPO's investigation, the allegations were found "Substantiated" since the PCs had failed to ascertain the identity of the defendant (i.e. whether "X" was a limited company) when filling in the summons application forms.

### The IPCC's Observations

The IPCC noted that the mistake made by the PCs had not been spotted throughout the application process until it was questioned by the Court. Although it is clearly specified in Force Procedures Manual 48 that it is the duty of individual officer to verify the contents of an application, none of the police officers along the chain had duly discharged their duty to identify the mistakes for rectification before forwarding the summonses to the Court. CAPO was therefore requested to identify all other officers accountable for the oversight.

In reply, CAPO identified two Sergeants (SGTs), the supervisory officers of the PCs, who had failed to check the accuracy of the information in the concerned summonses. An SOTR count of "Neglect of Duty" was registered against the two SGTs (Allegation 2: [Neglect of Duty]). While the two SGTs were advised without DRF entries, the two PCs were also advised to exercise due care and attention when making an application for a summons in future.

The IPCC endorsed CAPO's findings in this case.



# 5

## 第五章 Chapter 5

# 與持份者聯繫 Engaging Stakeholders



為履行《監警會條例》第8條(1)(e)的職能，加強公眾對監警會的認識，監警會繼續積極透過不同的途徑與持份者聯繫。

監警會相信定期和公眾、警方、關注團體和傳媒溝通，有助了解持份者對兩層架構投訴警察制度的意見，從而有效地履行《監警會條例》第8條(1)(c)的職能，向警方提出改善建議。

To discharge its function of promoting public awareness of the IPCC's role, under S8(1)(e) of the IPCCO, the Council continues to proactively make use of different channels to connect with stakeholders.

The IPCC believes that regular interaction with the public, the Police, concern groups and the media can help it better understand stakeholders' opinions of the two-tier police complaints system, and enable it to effectively discharge its function of making recommendations to the Police for improvements in their procedures, as also stipulated under IPCCO S8(1)(c).

## 外展活動 Reaching Out

### 聆聽多個持份者對警方處理大型公眾活動的意見

### Listening to the Views of Various Groups on Police Handling of Public Order Events

近年警方處理大型公眾活動、媒體採訪和發放消息等安排常引起公眾關注，自2011年起，監警會積極與相關持份者會面，了解他們的想法和對相關議題的意見。

此外，會方亦由2012年開始現場觀察警方處理七一遊行的安排，其後分別現場觀察2013年元旦遊行、2013年七一遊行及2014年元旦遊行。一如往年，監警會委員在遊行前先出席警方的簡報會，了解警方在公眾安全的前提下處理大型公眾活動的程序及交流意見，並於遊行當日實地觀察。監警會委員亦在遊行後分別約見活動的主辦單位及關注活動的持份者，聆聽他們對警方處理大型公眾活動的意見。這些會面亦提供較全面的資料，協助委員將來考慮大型公眾活動衍生的投訴調查報告。

In recent years, the public has voiced increasing concerns over the ways the Police handle large-scale public order events, media interviews and the dissemination of information. Since 2011, the IPCC has held meetings with stakeholders in order to understand their views on matters related to these concerns.

Moreover, in 2012 the Council observed police arrangements for the 1 July procession on-site, and similar arrangements were made for the processions on 1 January 2013, 1 July 2013, and 1 January 2014. For each of these procession observations, the IPCC first attended a briefing held by the Police to understand how the Police handle public order events with priority given to public safety and exchanged views. Members then observed the processions on-site and had meetings with organisers of the processions and stakeholders to listen to their opinions of police handling of the events afterwards. These meetings provided more comprehensive information for Members in reviewing complaint cases arising from public order events.



在報告期內，監警會應警方及遊行主辦單位的邀請，派遣秘書處的職員，以獨立身份列席2013年七一遊行及2014年元旦遊行的預備會議，從旁觀察，以便了解組織大型遊行活動的規劃、籌備，以至活動當日執行的整體情況及全面的過程。出席的職員將觀察所得向委員會報告，以協助委員了解遊行活動的整體部署和安排。

During this reporting period, the IPCC was invited by the Police and the procession organiser to assign Secretariat staff members to attend the preparatory meetings for the 1 July 2013 and 1 January 2014 processions in an independent capacity. Secretariat staff members reported their observations of planning, preparation and execution of such events to the Council so as to enhance their understanding on the overall procedures and arrangements.



張達明先生、方敏生女士、劉玉娟女士、黃幸怡女士、鄭承隆先生、杜國鑒先生及何世傑博士與民間人權陣線代表會面，聆聽他們對警方處理七一遊行的意見。民間人權陣線代表向委員提出多項意見，包括警方處理遊行路線及封閉中環港鐵站部份出入口、街站及天眼的設置、攝錄裝置的使用及購買長距離揚聲器等，會方就相關建議向警方反映。

Mr Eric Cheung Tat-ming, Ms Christine Fang Meng-sang, Ms Noeline Lau Yuk-kuen, Miss Sandy Wong Hang-yee, Mr Edwin Cheng Shing-lung, Mr Clement Tao Kwok-lau and Ir Dr Vincent Simon Ho attended the meeting with the Civil Human Rights Front (CHRF) to understand their views on police arrangements during the 1 July procession.



Representatives from the CHRF expressed their opinions on a number of issues, including police's closure of traffic lanes for the procession and certain exits of the Central MTR station, the installation of street stalls and "sky eyes", and the use of recording equipment and procurement of long-range acoustic devices. Following internal discussions, the IPCC relayed the suggestions to the Police for their reference.



2013  
13  
9月SEP



翟紹唐主席、葉成慶先生、劉玉娟女士、黃幸怡女士、黃碧雲議員、鄭承隆先生及杜國鑾先生與工黨代表會面，聆聽他們就警方被指有欠政治中立事宜、處理公眾活動時執法不公及檢控時持雙重標準等事宜的意見。監警會在內部討論後將有關意見予警方參考。

Mr Jat Sew-Tong (Chairman), Mr Simon Ip Shing-hing, Ms Noeline Lau Yuk-kuen, Miss Sandy Wong Hang-ye, Dr Hon Helena Wong Pik-wan, Mr Edwin Cheng Shing-lung and Mr Clement Tao Kwok-lau attended the meeting with Labour Party representatives. The Labour Party members voiced opinions concerning what they perceived as a lack of political neutrality on the part of the Police, their unjust handling of public order events, and double standards in enforcing the law and pressing charges. Members discussed these issues internally and shared the Labour Party members' opinions with the Police for reference.

2013  
22  
OCT



張達明先生、劉玉娟女士及鄭承隆先生與香港人權監察代表會面，聆聽他們就警權及警察處理集會示威手法的意見。監警會將有關意見交予警方參考。

Mr Eric Cheung Tat-ming, Ms Noeline Lau Yuk-kuen and Mr Edwin Cheng Shing-lung had a meeting with delegates of the Hong Kong Human Rights Monitor to understand their views on police powers and how the Police handle demonstrations. The IPCC forwarded their assessments to the Police for their consideration.

## 聆聽關注婦女性暴力協會的意見

## Listening to the Views of the Association Concerning Sexual Violence Against Women



張達明先生、劉玉娟女士、黃幸怡女士、黃碧雲議員、鄭承隆先生及杜國鑊先生與關注婦女性暴力協會代表會面，聆聽他們對警方處理性暴力受害人的意見，如在報案過程中受到不友善或不合理對待的情況等。監警會建議關注婦女性暴力協會與警方會面交流。

Mr Eric Cheung Tat-ming, Ms Noeline Lau Yuk-kuen, Miss Sandy Wong Hang-ye, Dr Hon Helena Wong Pik-wan, Mr Edwin Cheng Shing-lung and Mr Clement Tao Kwok-lau had a meeting with representatives from the Association Concerning Sexual Violence Against Women to learn of their views on the way the Police handle victims of sexual violence, including unfriendly or unreasonable treatment when they report such crimes. The IPCC recommended that the Association meet with the Police for further discussion.



## 聆聽職業司機團體對交通警執法的意見

## Listening to the Views of Professional Drivers Groups on Law Enforcement by Traffic Police

2014  
25  
3月 MAR



張達明先生、方敏生女士、黃德蘭女士、鄭承隆先生、杜國鑒先生、何世傑博士及劉文文女士與的士司機團體代表會面，聆聽他們就交通警執法的意見。監警會在內部討論後就相關建議向警方反映。

Mr Eric Cheung Tat-ming, Ms Christine Fang Meng-sang, Miss Mary Wong Tak-lan, Mr Edwin Cheng Shing-lung, Mr Clement Tao Kwok-lau, Ir Dr Vincent Simon Ho and Miss Lisa Lau Man-man met with representatives from taxi drivers' groups to obtain their opinions on current traffic police law enforcement. The IPCC discussed these issues internally and relayed their opinions with the Police for reference.



## 與警方交流

## Engaging the Police

由於警方是監警會最重要的持份者之一，因此委員會有需要與警隊各部門和各階層的代表持續會面，了解他們執行職務時遇到的困難，以及聆聽他們對投訴制度的意見。這些交流活動，有助委員考慮調查報告的處理和提出改善警隊服務的建議。

除了定期訪問各不同警區，監警會委員亦積極了解警方內部投訴處理及預防方面的工作。自2011年6月開始，委員應邀出席警方研究預防投訴警察委員會會議，並支持警隊繼續改善服務質素。

監警會和警方在年內的交流活動如下：

As the Police Force is one of the IPCC's major stakeholders, it is necessary for the Council to continue to meet with police units and formations at different levels to better understand the difficulties they encounter in discharging their duties, and their views on the police complaints system. These exchanges are helpful to Members in their consideration of investigation reports and in making recommendations to improve the quality of police services.

In addition to regular visits to various formations, Members have also attempted to enhance their understanding of the work of the Police in handling complaints and in complaint prevention. Therefore, since June 2011, Members have attended Complaints Prevention Committee meetings in various police regions, upon invitation.

Details of the activities in this year are as follows:



張達明先生、陳培光醫生、馬恩國先生、鄭承隆先生以及秘書處職員，應邀出席投訴警察課品質管理 ISO 10002:2004 認證頒獎禮，支持警隊繼續改善服務質素。

Mr Eric Cheung Tat-ming, Dr Chan Pui-kwong, Mr Lawrence Ma Yan-kwok, Mr Edwin Cheng Shing-lung and Secretariat staff members were invited to attend the CAPO ISO 10002:2004 certificate presentation ceremony, to support the improvement of the quality of Police Force services.

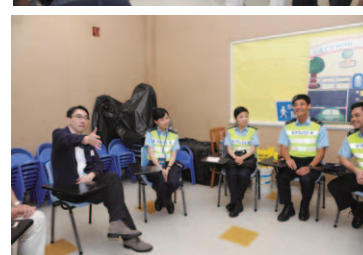




翟紹唐主席、張達明先生、陳培光醫生、黃幸怡女士、鄭承隆先生、鍾偉雄先生及秘書處職員一同訪問警察九龍東交通總部。總部代表向委員講解及示範交通警察的工作，包括藥後駕駛損害測試、反超速駕駛（鐳射槍）執法行動及反車輛超載執法行動，並參觀秀茂坪交通安全城。委員亦藉此機會與前線人員代表交流，了解他們執法時所面對的困難及遇到的衝突場面。



Mr Jat Sew-Tong (Chairman), Mr Eric Cheung Tat-ming, Dr Chan Pui-kwong, Miss Sandy Wong Hang-ye, Mr Edwin Cheng Shing-lung, Mr Gerard Chung Wai-hung and Secretariat staff members visited the Traffic Kowloon East. Representatives of Traffic Kowloon East explained and demonstrated the duties of a traffic officer, including conducting the drug driving impairment test and enforcing laws concerning speeding and overloading. The IPCC then visited the Road Safety Town in Sau Mau Ping. Members took this opportunity to talk with front-line officers to better understand the difficulties they face in enforcing the law and what kind of conflicts they encounter.



鄭承隆先生應邀出席新界南總區研究預防投訴警察委員會會議，總區代表向委員介紹警方預防投訴的工作，並指出該區於2013年1月至5月接獲的投訴數字較去年同期下跌約15%。

Mr Edwin Cheng Shing-lung was invited to attend the New Territories South Regional Complaints Prevention Committee Meeting, at which delegates from New Territories South introduced their methods of preventing police complaints. They stated that for January to May 2013 the number of complaints they received had dropped by 15% compared with figures from the same period last year.







鍾偉雄先生與秘書處職員應邀出席由警方與香港大學犯罪學中心合辦的「二十一世紀警政面臨的挑戰」研討會，就警察文化的改變、工作環境中的世代問題和公眾信任等範疇交流意見。

Mr Gerard Chung Wai-hung and Secretariat staff members were invited to attend a seminar, "Policing Challenges in the 21st Century", co-organised by the Police and the Centre for Criminology, University of Hong Kong. Discussion topics included changing police culture, generational issues in the workplace and public trust.



翟紹唐主席、張達明先生、方敏生女士、鄭承隆先生和陳健強醫生出席警方七一遊行安排簡報會。簡報會旨在讓監警會委員了解警方在公眾安全的前提下，處理大型公眾活動的程序，雙方並就警方的安排交流意見。

Mr Jat Sew-Tong (Chairman), Mr Eric Cheung Tat-ming, Ms Christine Fang Meng-sang, Mr Edwin Cheng Shing-lung and Dr Eugene Chan Kin-keung attended a briefing on the 1 July procession held by the Police. The briefing was to enhance IPCC Members' understanding of police procedures in handling public order events from the perspective of public safety and to exchange views on police arrangements.



副主席林大輝議員、張達明先生、方敏生女士、陳培光醫生、葉成慶先生、馬學嘉博士、黃幸怡女士、葉振都先生、鄭承隆先生、杜國鎰先生、陳健強醫生及陸貽信資深大律師，以及多位秘書處職員現場觀察七一遊行，以便進一步了解有關安排。

A group of IPCC Members including Dr Hon Lam Tai-fai (Vice-Chairman), Mr Eric Cheung Tat-ming, Ms Christine Fang Meng-sang, Dr Chan Pui-kwong, Mr Simon Ip Shing-hing, Dr Carol Ma Hok-ka, Miss Sandy Wong Hang-ye, Mr Adrian Yip Chun-to, Mr Edwin Cheng Shing-lung, Mr Mr Clement Tao Kwok-lau, Dr Eugene Chan Kin-keung and Mr Arthur Luk Yee-shun, together with a number of Secretariat staff members, attended the on-site observation of the 1 July procession.



2013  
12  
7月 JUL



張達明先生、馬恩國先生、葉成慶先生、劉玉娟女士、梁繼昌議員、葉振都先生、鄭承隆先生、杜國鎔先生及陳健強醫生出席警察機動部隊結業操。



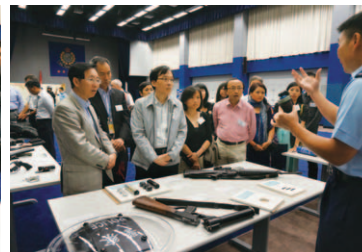
Mr Eric Cheung Tat-ming, Mr Lawrence Ma Yan-kwok, Mr Simon Ip Shing-hing, Ms Noeline Lau Yuk-kuen, Hon Kenneth Leung Kai-cheong, Mr Adrian Yip Chun-to, Mr Edwin Cheng Shing-lung, Mr Clement Tao Kwok-lau and Dr Eugene Chan Kin-keung attended the Police Tactical Unit Passing Out Parade.

2013  
22  
8月 AUG

張達明先生、葉成慶先生、劉玉娟女士、黃幸怡女士、鄭承隆先生、杜國鎔先生及陳健強醫生出席警方七一遊行安排的報告會活動，除了聆聽警方七一遊行安排的匯報外，委員在會上分享他們在現場的觀察，和與其他委員商議所得的觀點，並向警方反映民間人權陣線的意見，以供警方參考。



Mr Eric Cheung Tat-ming, Mr Simon Ip Shing-hing, Ms Noeline Lau Yuk-kuen, Miss Sandy Wong Hang-ye, Mr Edwin Cheng Shing-lung, Mr Clement Tao Kwok-lau and Dr Eugene Chan Kin-keung attended a debriefing by the Police on the 1 July procession. At the meeting, IPCC Members shared their on-site observations and their opinions after deliberation with other Members, and relayed the views of the CHRF to the Police for their reference.



副主席陳健波議員、張達明先生、陳培光醫生、劉玉娟女士及黃幸怡女士一同訪問警察新界北衝鋒隊。部隊代表向委員講解及示範日常處理突發事件的工作，並向他們介紹衝鋒隊的裝備。委員亦藉此機會與前線人員代表交流。

Hon Chan Kin-por (Vice-Chairman), Mr Eric Cheung Tat-ming, Dr Chan Pui-kwong, Ms Noeline Lau Yuk-kuen and Miss Sandy Wong Hang-yee visited the Emergency Unit New Territories North. Representatives of the Unit explained and demonstrated their routine for impromptu situations and the Unit's equipment. Members took this opportunity to exchange views with front-line officers.



翟紹唐主席、張達明先生、馬恩國先生、葉成慶先生、馬學嘉博士、黃幸怡女士、鍾偉雄先生、杜國鑒先生、甄孟義資深大律師及何世傑博士一同訪問投訴警察課總部。投訴警察課代表向主席及委員講解警隊的願景、架構、警察巡邏小隊一天內要應付的工作，以及香港近年的罪案率等等，讓主席及委員對警隊所面對的挑戰加深了解。投訴警察課代表亦感謝監警會自成為法定機構以來的努力，讓警隊一直進步，並希望共同發揮香港投訴警察制度兩層架構的功能。



Mr Jat Sew-Tong (Chairman), Mr Eric Cheung Tat-ming, Mr Lawrence Ma Yan-kwok, Mr Simon Ip Shing-hing, Dr Carol Ma Hok-ka, Miss Sandy Wong Hang-yee, Mr Gerard Chung Wai-hung, Mr Clement Tao Kwok-lau, Mr John Yan Mang-yee and Mr Dr Vincent Simon Ho visited the headquarters of CAPO. In order to give the Chairman and the Members a better understanding of the challenges the Police face, representatives of CAPO gave a presentation on the vision of the Police, their structure and the daily operations of Patrol Units. Representatives of CAPO expressed their appreciation to the IPCC for its efforts since becoming a statutory body, and their hope that the two parties will continue to work together to effectively fulfill the functions of the two-tier police complaints system.







張達明先生及梁繼昌議員為今年警隊主辦的第八輪實踐價值觀工作坊「微電影製作及劇本創作比賽」作評審，並獲邀出席該比賽的頒獎典禮作嘉賓。警隊每兩年均會舉辦一輪實踐價值觀工作坊，供在職人員參加，以便有效地持續改善警隊文化。

Mr Eric Cheung Tat-ming and Hon Kenneth Leung Kai-cheong acted as judges for the “Living-the-Values Wave VIII” Microfilm Production and Script Writing Competition held by the Police, and presented awards to the winners at a ceremony. The Police organise Living-the-Values workshops biannually for all serving officers, aimed at driving continuous improvement in the Force’s culture.



葉成慶先生及何世傑博士應邀出席港島總區預防投訴警察委員會會議，總區代表向委員介紹近期警方預防投訴工作，並指出於2013年1月至9月期間，該區接獲的投訴數字較去年同期下跌約18%。

Mr Simon Ip Shing-hing and Ir Dr Vincent Simon Ho were invited to attend the Hong Kong Island Regional Complaints Prevention Committee meeting. Representatives of the Committee introduced their latest endeavours to prevent complaints, and stated that from January to September 2013 the number of complaints reported in that region had declined 18% compared to the same period last year.

何世傑博士出席港島總區預防投訴警察委員會舉辦的「預防投訴文件夾設計比賽2013」頒獎典禮，並擔任頒獎嘉賓。

Ir Dr Vincent Simon Ho attended the “Complaints Prevention Folder Design Competition 2013” Award Presentation Ceremony organised by the Hong Kong Island Regional Complaints Prevention Committee of the Police and presented awards to the winners.





鄭經翰先生、劉玉娟女士、黃幸怡女士、葉振都先生、鍾偉雄先生及秘書處職員一同訪問香港仔黃竹坑的香港警察學院，並由警察學院代表向委員講解香港警察訓練課程所涵蓋的範圍及對學員的要求。委員觀察學員處理突發事件的模擬訓練，該訓練在警察學院的戰術訓練大樓進行，大樓內設有模擬香港街道的場景，讓學員更容易掌握於現實中面對類似情況的處理手法，委員亦藉此機會與導師及學員代表交流。

Ir Albert Cheng, Ms Noeline Lau Yuk-kuen, Miss Sandy Wong Hang-ye, Mr Adrian Yip Chun-to, Mr Gerard Chung Wai-hung and Secretariat staff members visited the Hong Kong Police College at Wong Chuk Hang, Aberdeen. Representatives of the College explained the scope of its police training and the requirements for its trainees. Members observed a training simulation on handling emergencies. The training took place in the Tactics Training Complex of the Police College, where the setting was a full-size model of Hong Kong streets to facilitate the trainees' mastery in handling similar scenarios in real life. Members also made use of this opportunity to exchange views with the representative instructors and trainees of the college.



張達明先生及陸貽信資深大律師擔任「勵影計劃」比賽評審。「勵影計劃」為預防投訴警察委員會舉辦的短片創作比賽，由投訴及內部調查科以五個警隊經常遇到的衝突情景為題，供全體警務人員參閱，再就情景提交最佳的處理方法和建議，創作成短片或劇本，最後由評審於50份參賽作品中選出最恰當的處理手法。

Mr Eric Cheung Tat-ming and Mr Arthur Luk Yee-shun were on the adjudicating panel of "Project Lighthouse", a short film competition held by the Force Committee on Complaints Prevention. The competition featured five videos of different scenarios depicting confrontational situations between the Police and members of the public. In response to one of the five videos of their choice, members of the Police were invited to submit a video or a written script suggesting how the scenario should be handled. From 50 entries, the adjudicating panel selected those that depicted the most appropriate method of handling each scenario.





# 5

## 第五章Chapter 5 與持份者聯繫 Engaging Stakeholders

2013  
30  
12月 DEC

副主席石禮謙議員、張達明先生、葉成慶先生、劉玉娟女士、葉振都先生、鄭承隆先生、杜國鎔先生、甄孟義資深大律師、陳建強醫生及陸貽信資深大律師出席警方元旦遊行安排的簡報會。會議旨在讓監警會委員了解警方在公眾安全的前提下，處理大型公眾活動的程序。



Hon Abraham Shek Lai-him (Vice-Chairman), Mr Eric Cheung Tat-ming, Mr Simon Ip Shing-hing, Ms Noeline Lau Yuk-kuen, Mr Adrian Yip Chun-to, Mr Edwin Cheng Shing-lung, Mr Clement Tao Kwok-lau, Mr John Yan Mang-yee, Dr Eugene Chan Kin-keung and Mr Arthur Luk Yee-shun attended a Police briefing for the 1 January procession. The briefing enabled Members to better understand how the Police manage public order events, with priority given to public safety.

2014  
01  
1月 JAN



監警會委員包括副主席林大輝議員、張達明先生、葉成慶先生、劉玉娟女士、梁繼昌議員、馬學嘉博士、葉振都先生、鄭承隆先生、杜國鎔先生、陳建強醫生、何世傑博士和蘇麗珍女士，以及秘書處職員一同現場觀察元旦遊行。

A group of IPCC Members comprising Dr Hon Lam Tai-fai (Vice-Chairman), Mr Eric Cheung Tat-ming, Mr Simon Ip Shing-hing, Ms Noeline Lau Yuk-kuen, Hon Kenneth Leung Kai-cheong, Dr Carol Ma Hok-ka, Mr Adrian Yip Chun-to, Mr Edwin Cheng Shing-lung, Mr Clement Tao Kwok-lau, Dr Eugene Chan Kin-keung, Mr Dr Vincent Simon Ho and Ms Ann So Lai-chun, with Secretariat staff members, attended the on-site observation of the 1 January procession.



2014  
29  
1月 JAN

何世傑博士及蘇麗珍女士應邀出席東九龍總區預防投訴警察委員會會議，總區代表向委員介紹近期警方預防投訴工作，並指出該區於2013年間接獲的投訴個案為352宗。

Ir Dr Vincent Simon Ho and Ms Ann So Lai-chun were invited to the Kowloon East Regional Complaints Prevention Committee meeting. Representatives of the Committee reported that the district had 352 complaint cases in 2013, and introduced the most recent police efforts to prevent complaints.



2014  
07  
3月 MAR

副主席陳健波議員、馬恩國先生、劉玉娟女士、黃德蘭女士及陸貽信資深大律師出席警隊預防投訴警察委員會舉辦的「勵影計劃」頒獎典禮。評審委員會從參賽的36段短片及14個劇本中，選出遇到衝突情景時最佳的處理方法和建議，並頒發17個獎項予以鼓勵。



Hon Chan Kin-por (Vice-Chairman), Mr Lawrence Ma Yan-kwok, Ms Noeline Lau Yuk-kuen, Miss Mary Wong Tak-lan and Mr Arthur Luk Yee-shun attended the "Project Lighthouse" Award Presentation Ceremony. Out of 36 videos and 14 written scripts, the adjudicating panel presented a total of 17 awards to the winners for those that depicted the most appropriate method of handling confrontational situations.



2014  
26  
3月 MAR

葉成慶先生、劉玉娟女士、黃幸怡女士、黃德蘭女士、葉振都先生、杜國鑒先生、陸貽信資深大律師及劉文文女士與香港警察隊員佐級協會會面，聆聽前線警務人員的意見。



Mr Simon Ip Shing-hing, Ms Noeline Lau Yuk-kuen, Miss Sandy Wong Hang-yee, Miss Mary Wong Tak-lan, Mr Adrian Yip Chun-to, Mr Clement Tao Kwok-lau, Mr Arthur Luk Yee-shun and Miss Lisa Lau Man-man met with the Junior Police Officers' Association in order to obtain their opinions.





## 與其他團體會面

## Liaison with Other Organisations



蘇幹明助理秘書長與澳洲警政與安全卓越研究中心首席調查主任及澳洲昆士蘭格里菲斯大學犯罪學和刑事司法學院 Tim Prenzler 教授會面，簡述監警會的角色及職能，雙方並就香港及澳洲兩地警察的執法情況作出交流。

Mr Henry So (Assistant Secretary-General) had a meeting with Professor Tim Prenzler, Chief Investigator of the Australian Research Council Centre of Excellence in Policing and Security and Professor of the School of Criminology and Criminal Justice at Griffith University, Queensland, Australia. The IPCC provided Mr Prenzler an introduction of its roles and functions, and exchanged views with him on how the Police enforce their duties in Hong Kong and Australia.



監警會為天津市公安局及北京市公安局的兩名官員安排了短期的培訓，期間他們了解監警會的角色和審核小組的工作，及到訪投訴警察課。

The IPCC arranged a short attachment programme for two officials from the Public Security Bureau of the Tianjin Municipality and the Public Security Bureau of the Beijing Municipality. During their stay with the IPCC, they learned about the role of the IPCC and the work of the vetting team. They also paid a visit to CAPO.



陳敏儀法律顧問、蘇幹明助理秘書長及林俊邦高級審核主任，應邀出席由加拿大公民監察執法協會 (Canadian Association for Civilian Oversight of Law Enforcement) 於查洛城舉辦的會議，就會議主題「公民監察：促進問責性、獨立性和透明度」與外地專家交流意見。訪問期間，他們亦參觀了加拿大的公眾投訴皇家騎警委員會、卑詩省警察投訴專員辦事處以及獨立警務督查主任辦事處，了解當地各個監察制度設立背後的立法框架和文化背景，以汲取經驗。

Ms Cherry Chan (Legal Adviser), Mr Henry So (Assistant Secretary-General), and Mr Samson Lam (Senior Vetting Officer) were invited by the Canadian Association for Civilian Oversight of Law Enforcement in Charlottetown, Prince Edward Island, to attend a conference. They exchanged views with overseas experts under the theme of the conference, "Civilian Oversight: Promoting Accountability, Independence and Transparency". During the trip they visited the Commission for Public Complaints against the Royal Canadian Mounted Police, the Office of the Police Complaint Commissioner and the Office of the Independent Police Review Director. Through this visit they learned of the legislative frameworks and cultural backgrounds under which different oversight systems operate.



葉成慶先生和秘書處代表應邀和泰國申訴專員公署首席申訴專員Mrs Panit Nitithanprapas、兩位申訴專員Prof Siracha Charoenpanij及Dr Pravich Rattanapian，以及公署其他部門的代表會面，雙方就兩地監察警察的情況作出交流。



Mr Simon Ip Shing-hing and representatives of the IPCC Secretariat were invited to attend a meeting with Mrs Panit Nitithanprapas, the Chief Ombudsman, Prof Siracha Charoenpanij and Dr Pravich Rattanapian, Ombudsmen, as well as delegates from different departments of the Office of the Ombudsman of Thailand. The meeting concerned police oversight in Thailand and Hong Kong.



朱敏健秘書長接受2013年兒童議會的兒童議員訪問，就「促請政府保障兒童參與政治活動的權利」議案討論監警會的角色。

Mr Ricky Chu (Secretary-General) was interviewed by Child Councilors from the Children's Council 2013. He discussed with them the IPCC's position on the motion "The government should protect children's right to political participation".



## 公開活動

## Public Activities



翟紹唐主席應邀出席由香港大學法律學院比較法與公法研究中心、公民社會與治理研究中心及政治與公共行政學系合辦的公開講學，演講題目是「香港公眾紛爭調解：實踐筆記」。

Mr Jat Sew-Tong (Chairman) was invited by the Centre for Comparative and Public Law, the Centre for Civil Society and Governance and the Department of Government and Public Administration of the Faculty of Law at the University of Hong Kong to give a public lecture on "Public Dispute Resolution in Hong Kong: A Practitioner's Note".



朱敏健秘書長擔任2013年兒童議會會議嘉賓，就「促請政府保障兒童參與政治活動的權利」議案及兒童議員的答辯表現提出意見。

Mr Ricky Chu (Secretary-General) attended the Children's Council Meeting 2013 and expressed his views on the motion: "The government should protect children's right to political participation." He offered suggestions to Child Councilors for their deliberation.



## 公開會議

## Open Meetings

監警會在報告期共舉行了四次和投訴警察課的聯席會議，每次會議均設有公開部份予公眾旁聽。為提高透明度和增加市民大眾對監警會工作的認識，公眾關注的投訴個案和重要的政策議題，都會安排在公開會議上討論。

Four joint IPCC/CAPO meetings were held during this reporting period, with part of each meeting open to the public. Complaint cases of public concerned and important policy issues were discussed during the open part of the meetings to enhance transparency and public understanding of the IPCC's work.



討論警方處理大型公眾活動相關事宜。委員表示現場觀察遊行後，曾與主辦單位和持份者會面，聆聽他們對開放行車線、設置街站，以及購買長距離揚聲器、使用隨身攝錄機等裝置的意見。監警會亦藉此機會感謝榮休的警務處監管處處長鄧厚光先生過去三年對監警會的貢獻和支持。

Discussion was held on police arrangements related to public order events. Members declared that after attending an on-site observation at a procession, they had meetings with the organiser and stakeholders to listen to their opinions on road closures, the set-up of street stalls, and the procurement of long-range acoustic devices and the use of body-worn video cameras. During the meeting, the IPCC expressed its gratitude to retiring Director of Management Services Mr Tang How-kong for his contributions and support to the IPCC for the past three years.



2013  
15  
7月 JUL



討論實地觀察七一遊行的情況。監警會秘書處職員首次以獨立身份列席警方與民間人權陣線的預備會議。委員表示由於警方開放東西行方向的電車軌道，是次遊行較去年暢順，不過建議警方考慮檢討東行線的用途及安排。

此外，雙方討論處理投訴性質輕微的「表達不滿機制」，投訴警察課表示超過八成投訴個案性質屬於輕微，「表達不滿機制」處理了當中一半的投訴，雙方同意此機制可提高處理投訴的速度。監警會並歡迎首次參加聯席會議的監管處處長劉業成先生。



Discussion was held on the on-site observation of the 1 July procession. Staff members of the IPCC Secretariat were invited for the first time to attend the preparatory meeting of the Police and CHRF in an individual capacity. Members stated that the Police's decision to open the eastbound and westbound tram lane improved the flow of the procession, but said the Police should review the use and arrangement of eastbound lanes.

Discussion then moved on to the "Expression of Dissatisfaction Mechanism", which handles minor complaints. CAPO stated that around 80% of complaints were minor in nature and the mechanism handled half of those complaints. Both parties agreed that the mechanism speed up the handling of complaints. The IPCC welcomed Director of Management Services Mr Lau Yip-shing, who attended the meeting for the first time.

2013  
31  
10月 OCT



討論「靈活執行交通法例政策」的執行情況。此政策旨在保持交通暢順及道路安全、減少致命及嚴重交通意外的發生、打擊酒後駕駛、藥駕、毒駕、超速駕駛及非法賽車，以及推廣單車安全。委員表示政策可為前線警務人員提供指引及執法依據，並建議警方提高執法的透明度以減少投訴。



Discussion was on the implementation of the "Selective Traffic Enforcement Policy" (STEP). The objective of the policy is to maintain traffic flow and road safety and reduce fatal and serious accidents by deterring drink driving, drug driving, speeding and illegal road racing, and promoting safe cycling. Members stated that the policy acted as a guideline to front-line officers in enforcing the law and suggested the Police should improve law enforcement transparency, which could lower the number of complaints.



討論實地觀察元旦遊行的情況。委員感謝警方接受監警會的建議，儘早與主辦單位會面溝通，故是次遊行的安排亦大致暢順。不過委員提出警方是否開放軒尼詩道東行線，將持續成為日後遊行的爭論點。

雙方並討論警員於大型公眾活動時使用隨身攝錄機、錄影片段的儲存或銷毀等，委員並建議警方增加有關錄影處理的透明度，以釋除公眾疑慮。



Discussion was on the observation of the 1 January procession. Members appreciated the acceptance by the Police of the IPCC's suggestion to hold early meetings with the procession organiser, so that the arrangements for the event were generally smooth. However, Members stated that whether the Police should have opened the eastbound Hennessy Road would continue to be a dispute.



Both parties expressed their opinion on the Police using body-worn video cameras at public order events, as well as the storage and disposal of the videos. Members suggested that the Police should make known to the public how they handle the videos, to alleviate public concern.



# 6

## 第六章 Chapter 6

### 傳訊工作及 機構形象

### Communications and Corporate Image





MONITOR • 獨立 INDEPENDENCE

ITY • 監察 MONITOR • 獨立 INDEPENDENCE

誠信 INTEGRITY • 監察 MONITOR • 獨立 INDEPENDENCE

ITY • 監察 MONITOR • 獨立 INDEPENDENCE • 公正

ITY • 監察 MONITOR • 獨立 INDEPENDENCE

監警會自2009年6月1日隨《監警會條例》的生效，由一家在幕後默默耕耘，審核警察投訴個案的單位，蛻變為全方位監察警察投訴工作的獨立法定機構。除了就公眾關注的議題和警方及持份者加強聯繫外，亦加強對外傳訊工作，增加公眾對投訴警察制度的信心。

Since the IPCCO went into effect on 1 June 2009, the IPCC has transformed from a “back-seat” review and monitoring body to a multifaceted independent police complaints oversight organisation. Not only has it strengthened its engagement with the Police and stakeholders on issues of public interest, the IPCC has also enhanced its external communications, in order to boost public confidence in the police complaints system.

## 傳訊工作

## Communications

互動電視節目《監警透視》

Interactive TV Programme – *The IPCC Perspective*



透過電視劇集介紹會方的角色及職能，不但簡單易明，而且更能引起大眾的興趣，故此監警會在報告期內與Now TV合作拍攝《監警透視》電視節目。《監警透視》乃一集30分鐘的互動電視節目，共分真實投訴個案改編故事，以及解答公眾疑問兩大部份節目，並加插監警會的歷史、角色、職能、監察程序、服務承諾，以及介紹香港投訴警察兩層架構等內容。

A TV series has been effective in introducing the role and functions of the IPCC in a way that is both easily understood and attracts public interest. The IPCC has collaborated with Now TV in producing “The IPCC Perspective” during the reporting period, a 30-minute interactive TV programme divided into two segments: complaint cases adapted from real life, and a question and answer segment. These were interspersed with information on the IPCC, including its history, role, functions, complaint procedures, performance pledges and Hong Kong’s two-tier police complaints system.



《監警透視》這個互動電視節目特別之處，在於與大眾交流聯繫，四個以真實投訴個案改編的故事，剪輯成約30秒的濃縮版本，先於Now TV各頻道播出，30秒的濃縮版本設有觀眾提問環節，以收集市民大眾對故事內容的意見，及現實遇到類似情況的疑問等，在綜合市民的提問後，監警會代表會在節目中向觀眾作出解答。

而四個詳盡版本的真實投訴個案故事，連同解答環節，以及其他監警會相關的重要資訊，組合成為30分鐘的電視節目於2014年3月18日在Now TV頻道播出。

《監警透視》並上載至YouTube的「監警會頻道」(<http://www.youtube.com/user/ipccchannel>)，方便觀眾重溫。

“The IPCC Perspective” is distinctive in its capacity to engage and interact with the public. Four stories adapted from real cases were edited into 30-second video clips and introduced on various channels of Now TV. Following the videos, viewers were invited to submit questions and opinions regarding the cases, or queries about similar situations. IPCC representatives then answered the consolidated questions in the programme.

Detailed versions of the four complaint cases with the question and answer segments, as well as related IPCC information, were broadcast as a 30-minute programme on 18 March 2014 on Now TV.

“The IPCC Perspective” has been uploaded to the IPCC Channel (<http://www.youtube.com/user/ipccchannel>) on YouTube for public review.



## 設立 YouTube「監警會頻道」 The IPCC Channel on YouTube



在 YouTube 的「監警會頻道」為監警會的影片庫，保存及載列了監警會不同時期的影片，以供公眾觀賞。此頻道的設立標誌著會方逐步開拓社交媒體與公眾聯繫，以影片來介紹監警會的職能及角色，務求讓市民更容易了解監警會的工作。

目前該頻道載列了多條監警會的影片，包括 2014 年與 Now TV 合作拍攝的互動電視節目《監警透視》、2012 年與香港電台聯合製作的迷你電視劇集《監警有道》、監警會主席及秘書長出席的傳媒訪問及公開活動的片段等。

為了進一步加深對監警會的認識，尤其是會方成為獨立機構前的資料，頻道亦特意收錄了警監會時期的影片，如 2008 年製作的企業影片、2003 年與香港電台電視部聯合製作的企業影片，以及 2001 至 2002 年和香港電台電視部聯合製作的電視劇集《警監特輯》。

會方將適時更新頻道內容，增加會方透明度，加深公眾對監警會的認識。

The IPCC Channel on YouTube allows the public to view archived footage of the IPCC from different periods. It reflects the IPCC's endeavour to increasingly make use of social media to introduce its work and functions and to communicate with the public, especially through videos.

At present the channel's videos include "The IPCC Perspective", an interactive TV programme made in collaboration with Now TV in 2014; "The IPCC Files", a mini TV series produced in collaboration with RTHK in 2012; and footage of media interviews with the IPCC Chairman and public activities attended by the Secretary-General.

To enhance viewers' understanding of the IPCC, the channel also includes footage from before it became an independent statutory body, such as a 2008 corporate video; a 2003 corporate video produced with RTHK; and "The IPCC TV series" co-produced with RTHK from 2001 to 2002.

The Council will regularly update the channel to improve its transparency and keep the public informed of its activities.



《監警會通訊》季刊  
IPCC Quarterly Newsletter

《監警會通訊》是在2010年5月1日推出的半年刊。為了增加監警會的透明度和加強與持份者聯繫，會方在2011年11月開始將《監警會通訊》由半年刊轉為季刊，讓公眾人士更快收到會方的資訊。監警會通訊以電子刊物的形式報道監警會的最新動向、審核個案的統計數字、委員會近期工作，以及投訴警察的真實個案等。監警會通訊除了會以電郵形式寄給持份者外，還上載至監警會網頁 ([www.ipcc.gov.hk](http://www.ipcc.gov.hk))。

在報告期內，會方分別在2013年5月、10月及2014年2月出版了三期《監警會通訊》，並以監警會委託香港大學民意調查計劃進行2013年公眾意見調查的結果、首次以獨立觀察員身份列席七一遊行預備會議，以及開拓社交媒體YouTube「監警會頻道」作封面故事。

會方同時安排傳媒發佈會發表《監警會通訊》，由監警會代表向傳媒介紹通訊的內容，每次均獲傳媒廣泛報道。

A biannual "IPCC Newsletter" was launched on 1 May 2010. To enhance the transparency of the IPCC and strengthen its connection with stakeholders, the newsletter became a quarterly publication in November 2011. It now provides the public with a timely understanding of the Council's work. The "IPCC Newsletter", released in electronic form, aims at informing the public of the IPCC's latest work, providing statistics on cases reviewed and examples of real complaint cases. The newsletter is distributed by email and uploaded onto the IPCC's website ([www.ipcc.gov.hk](http://www.ipcc.gov.hk)).

The cover stories for the three issues of the "IPCC Newsletter" released in May and October 2013 and February 2014 highlighted the results of a University of Hong Kong 2013 public opinion survey commissioned by the IPCC, the Council's attendance at preparatory meetings for the 1 July procession in an independent capacity for the first time, and the IPCC's efforts to enhance public awareness through the "IPCC Channel" on YouTube.

A media briefing was held with the release of each "IPCC Newsletter", at which Council representatives introduced the newsletter's contents.

## 與傳媒聯繫

## Media Liaison

除了監警會和投訴警察課的聯席會議外，會方亦會舉行新聞發佈會，向公眾交代工作情況以增加透明度，如2013年11月27日早上監警會的工作報告在呈交予立法會後，當天中午便即時向傳媒發佈。

To improve its transparency, apart from the newsletter media briefings and joint meetings between the IPCC and CAPO, the IPCC organises press conferences when necessary. On 27 November 2013, the IPCC presented its annual report to the Legislative Council in the morning and held a press briefing in the afternoon.

## 傳媒發佈會

## Media Briefings



監警會舉行第九期《監警會通訊》的傳媒發佈會，由翟紹唐主席分別介紹通訊精華及最新的宣傳活動，包括監警會委託香港大學民意研究計劃進行的公眾意見調查。香港大學民意研究計劃總監鍾庭耀博士亦在場為傳媒講解公眾意見調查內容及結果。此外，梅達明副秘書長詳細講述一宗經監警會審核後重新分類的投訴個案，彰顯了監警會面對「捏造證據」這等嚴重指控時，如何以證據為基礎仔細審視投訴個案。監警會委員張達明先生、葉成慶先生、葉振都先生及鄭承隆先生亦有出席是次活動。

A media briefing was held to release the ninth issue of the "IPCC Newsletter". Mr Jat Sew-Tong (Chairman) presented the highlights of the IPCC's latest publicity initiatives, including the commissioning of the University of Hong Kong's Public Opinion Programme (HKU POP) to conduct a public survey. Director of HKU POP Dr Robert Chung Ting-yiu also attended the briefing to present the findings of the survey. Moreover, Mr Daniel Mui (Deputy Secretary-General) detailed a complaint case in which the outcome was reclassified as a result of the IPCC's queries, illustrating the Council's meticulous evidence-based approach in examining a serious allegation of "Fabrication of Evidence". IPCC Members Mr Eric Cheung Tat-ming, Mr Simon Ip Shing-hing, Mr Adrian Yip Chun-to and Mr Edwin Cheng Shing-lung also attended this briefing.



監警會推出第十期《監警會通訊》，並舉行傳媒發佈會介紹通訊內容。發佈會當日，翟紹唐主席在梅達明副秘書長陪同下，向傳媒講解監警會的最新活動及通訊精華，包括監警會秘書處職員首次以獨立觀察員身份列席七一遊行預備會議、委員七一現場觀察所得、委員會近期的活動，以及訪問加拿大監察警方機構的經驗等。此外，梅達明副秘書長詳細講述一宗經監警會質詢後指控獲重新分類的投訴個案，反映監警會和投訴警察課以務實和積極的態度來處理雙方的意見分歧。

A media briefing was held to release the tenth issue of the "IPCC Newsletter". Mr Jat Sew-Tong (Chairman) and Mr Daniel Mui (Deputy Secretary-General) presented the highlights of the IPCC's latest publicity initiatives. These included the IPCC Secretariat staff's attendance at the 1 July procession preparatory meetings in an independent capacity for the first time; observations by Council Members during the 1 July procession; recent activities of the Council; and insights gained after visiting Canadian police oversight bodies. Moreover, Mr Daniel Mui detailed a complaint case in which the alleged conduct was reclassified after being reviewed by the IPCC. The case showed the pragmatic and positive attitude adopted by both the IPCC and CAPO in resolving differences of view.



副主席陳健波議員代表監警會向立法會提交《監警會 2012/13 工作報告》，並報告監警會在2012/13的工作情況和統計數字。同日中午，翟紹唐主席和朱敏健秘書長主持《監警會2012/13工作報告》傳媒發佈會，向傳媒講解工作報告的內容。委員張達明先生、馬恩國先生、葉成慶先生、劉玉娟女士及鄭承隆先生亦一同出席，與傳媒代表交流。



Hon Chan Kin-por (Vice-Chairman) presented the "IPCC 2012/13 Report" to the Legislative Council on behalf of the Council, and reported on the work and statistics of the IPCC during the year 2012/13. On the same afternoon, Mr Jat Sew-Tong (Chairman) and Mr Ricky Chu (Secretary-General) gave a media briefing on the "IPCC 2012/13 Report". Mr Eric Cheung Tat-ming, Mr Lawrence Ma Yan-kwok, Mr Simon Ip Shing-hing, Ms Noeline Lau Yuk-kuen and Mr Edwin Cheng Shing-lung also attended the briefing.







監警會推出第十一期《監警會通訊》，由翟紹唐主席向傳媒講解監警會的最新活動及通訊精華，包括在YouTube設立「監警會頻道」及與Now TV聯合製作互動電視節目《監警透視》，開拓社交媒體以加強公眾認知度。此外，梅達明副秘書長詳細講述一宗市民在自動櫃員機拾獲現金，並帶往警署報告「拾獲財物」的案件，反映警方在處理同類案件的警務程序上可改善的空間，以及監警會建議改善警務程序的法定職能，以避免將來衍生相類的投訴。



A media briefing was held to release the eleventh issue of the "IPCC Newsletter". Mr Jat Sew-Tong (Chairman) and Mr Daniel Mui (Deputy Secretary-General) presented the highlights of the IPCC's latest publicity initiatives. These included the setting up of an IPCC Channel on YouTube and collaboration with Now TV to produce an interactive TV programme named The "IPCC Perspective". Both are efforts to develop the IPCC's social media presence to enhance public awareness. Moreover, Mr Daniel Mui detailed a complaint case in which a complainant had found cash at a bank's automated teller machine (ATM) and filed a "Found Property" report at a police station. This case identified room for improvement in police procedures when dealing with similar cases, and highlighted the IPCC's statutory function in advising on police procedures with a view to preventing the recurrence of similar complaints.



傳媒專訪  
Media Interviews

監警會代表亦多次接受傳媒訪問，向市民介紹監警會職能及工作。報告期內，監警會主席及秘書長便分別接受了多家電視台、電台和報章的訪問。

Representatives of the IPCC were interviewed by the media on a number of occasions, allowing the public to better understand the work and functions of the Council. During the reporting period, the IPCC Chairman, and Secretary-General were interviewed by television, radio and newspaper.



原文刊於明報(A15)2013年4月30日  
Published in Ming Pao on 30 April 2013 (A15)  
監警研遊行衝突 翟紹唐籲警改僵化



原文刊於星島日報(A08)2013年8月15日  
Published in Sing Tao Daily on 15 August 2013 (A08)  
翟紹唐：參考外國承傳經驗 監警五年鴻圖 研警民衝突



原文刊於am730(A12)2013年4月30日  
Published in am730 on 30 April 2013 (A12)  
關注「佔中」武力清場 翟紹唐：警民缺互信



原文刊於信報財經新聞(A15) 2013年4月30日  
Published in Hong Kong Economic Journal on 30 April 2013 (A15)  
翟紹唐：警方示威者欠互信 監警會擔當溝通橋樑 找出搞事分子  
鳴謝信報財經新聞有限公司惠允轉載編號(2014AUG08002)  
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原文刊於頭條日報(P26)  
2013年8月15日  
Published in Headline Daily  
on 15 August 2013 (P26)  
翟紹唐籲勿將警察當出氣袋



翟紹唐  
主席  
Mr Jat  
Sew-Tong  
(Chairman)



報告期內，翟紹唐主席分別接受了南華早報、明報、信報、星島日報、AM 730、亞洲周刊、鳳凰衛視節目《時事大破解》、無線電視節目《講清講楚》及香港電台節目《千禧年代》的訪問，就投訴警察的相關議題發表意見。

During the reporting period, Mr Jat Sew-Tong (Chairman) was interviewed by South China Morning Post, Ming Pao, Hong Kong Economic Journal, Sing Tao Daily, AM730, Yazhou Zhoukan, Phoenix TV programme “News Decoder”, TVB programme “On the Record” and RTHK radio programme “Millennium Era”, on various issues related to police complaints.



朱敏健  
秘書長  
Mr Ricky  
Chu  
(Secretary-  
General)



朱敏健秘書長亦於報告期內接受鳳凰衛視節目《時事大破解》、有線電視節目《周日不講理》、Now電視節目《時事全方位》、香港電台英文節目《The Pulse》、香港電台節目《千禧年代》及《自由風自由Phone》，以及商業電台節目《左右大局》及《在晴朗的一天出發》的訪問，介紹監警會的職能及工作。

During the reporting period, Mr Ricky Chu (Secretary-General) was interviewed by Phoenix TV programme "News Decoder", Cable TV programme "Sunday Whiz", Now TV programme "News Magazine", RTHK English programme "The Pulse", RTHK radio programmes "Millennium Era" and "Open Line Open View", Commercial Radio programmes "The Tipping Point" and "On a Clear Day", on topics related to the IPCC and its work.

## 機構形象

## Corporate Image

港大公眾意見調查

Public Opinion Survey Conducted by University of Hong Kong



監警會繼去年後再次委任香港大學民意研究計劃進行公眾意見調查，這次調查於2014年3月3日至3月14日期間，以隨機抽樣電話訪問的形式進行，並成功訪問了1,039位18歲或以上的香港居民。

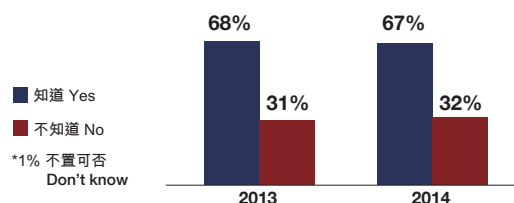
為了解市民對監警會及兩層架構投訴警察制度信心，會方特意於去年進行的公眾調查中，開始加入相關的問題，結果亦令人欣慰。今年整體受訪者當中對監警會有信心的佔48%，較去年的43%為高；另外有接近52%的受訪者對現時投訴警察兩層架構的制度有信心，較2013年的44%提升近兩成。

Subsequent to the survey conducted last year, the IPCC again commissioned a public opinion survey by the University of Hong Kong Public Opinion Programme (HKU POP) in March 2014. The survey was conducted by telephone interview on a random sample between 3 March and 14 March 2014. There were 1,039 successful interviews of Hong Kong residents aged 18 or above.

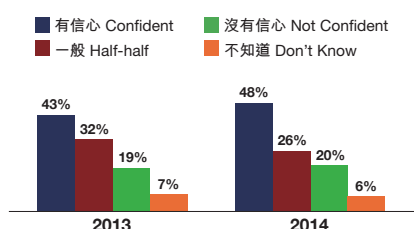
In order to assess public confidence in the two-tier police complaints system, the IPCC conducted a survey on this topic last year. The results were reassuring, as 48% of respondents expressed confidence in the IPCC, an increase from 43% over 2013. At the same time, the results revealed that 52% of respondents had confidence in the two-tier police complaints system, an increase of 20% over the 44% in 2013.



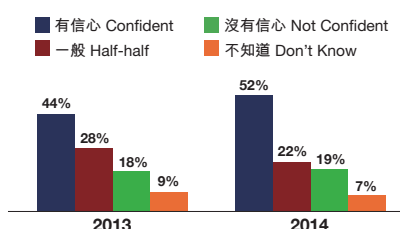
監警會公眾認知度維持高水平  
Public awareness of the IPCC remains at a high level



對監警會有信心佔整體受訪者的48%  
Overall 48% of respondents expressed confidence in the IPCC



超過一半受訪者對兩層架構投訴警察制度有信心  
Over half of respondents expressed confidence in the two-tier police complaints system



調查結果亦反映公眾認識監警會及其獨立性質的比率持續上升。2013年的調查顯示監警會的公眾認知度高達68%，今年亦維持於67%的高水平，較2010年會方成為獨立機構初期的33%，大幅提升逾倍。與此同時，調查顯示有63%有聽過監警會的受訪者知道監警會為獨立於警察部門的機構，較去年的60%，同樣錄得增幅，證明有更多市民了解監警會的獨立性質。

然而，對監警會職能認識方面，雖然有23%受訪者知道監警會主要工作為「監察投訴警察處理個案的程序」，所有受訪者當中更有近4成了解監警會的職能，但數字仍較去年的49%略遜。由此可見，公眾對監警會職能有所誤解的問題仍然存在，而是次調查議會方更了解市民的意見，聆聽大眾的建議，並且繼續提升效率，利用更多不同的渠道加強公眾對監警會角色的認識，進一步加強監警會的透明度，增強大眾對投訴警察制度的兩層架構的信心。

監警會委託香港大學民意研究計劃進行公眾意見調查的結果已上載至香港大學民意網站(<http://hkupop.hku.hk/chinese/report/ipcc2014/index.html>)。

The survey showed that public awareness of the IPCC as well as its independent nature continued to rise. In 2013 public awareness of the IPCC surged to 68%, and it remained at a similar level this year, at 67%. The figure has doubled compared with 33% in 2010 when the IPCC becoming a statutory body. At the same time, 63% of respondents who had heard of the IPCC were aware that the Council is independent of the Police, an increase from 60% over 2013. This shows that public awareness of the IPCC's independence has risen.

However, on questions concerning the IPCC's work, although 23% of respondents recognised that the main duty of the IPCC is to "monitor CAPO's case-handling process", and that around 40% of respondents understood the work of the IPCC; the finding was lower than the 49% in 2013. Thus concerns remain regarding public misunderstanding of the IPCC's function. The HKU POP survey allows the IPCC to better understand the views of the public and to solicit their suggestions. It also helps to identify different channels through which public understanding of the IPCC can be enhanced, to improve the IPCC's transparency, and to strengthen public confidence in the two-tier police complaints system.

Results of the survey conducted by HKU POP are available at the HKU POP website: <http://hkupop.hku.hk/english/report/ipcc2014/index.html>.



## 「獨立」「監察」機構形象

Promoting Awareness of the IPCC's  
Independence and Monitoring Function

為了突顯監警會的獨立性質和監察職能，監警會於2010/11年的工作報告開始以「獨立」和「監察」為主題，2011/12年及2012/13年的工作報告亦繼續沿用此為主題，貫徹及強化機構形象。工作報告亦多用圖表來描述及解釋監警會的審核個案工作，增加工作報告的可讀性。

To highlight the independence and the monitoring function of the IPCC, starting from the 2010/11 reporting period, the IPCC Report began using “independent” and “monitoring” as its theme. The 2011/12 and 2012/13 reports continued to highlight this theme in order to strengthen the IPCC's image. To improve the readability of the annual reports, diagrams and graphics were used where appropriate to illustrate how the IPCC reviews complaint cases.

## 其他傳訊途徑

## Other Publicity Initiatives

## 網頁

## Website

監警會網頁 ([www.ipcc.gov.hk](http://www.ipcc.gov.hk)) 是提供監警會最新消息和重要資訊的資料庫。監警會的年報、刊物、新聞稿、公開會議的議程及會議記錄均上載到網頁供市民查閱。

The IPCC website ([www.ipcc.gov.hk](http://www.ipcc.gov.hk)) serves as an archive of news and important information concerning the Council. Annual reports, publications and press releases, as well as the agendas and minutes of open meetings, are available online for public access.





## 刊物

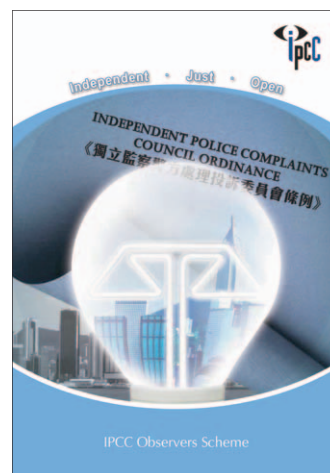
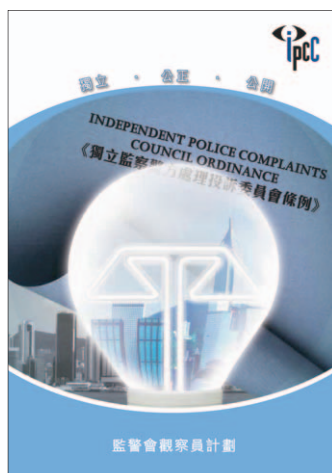
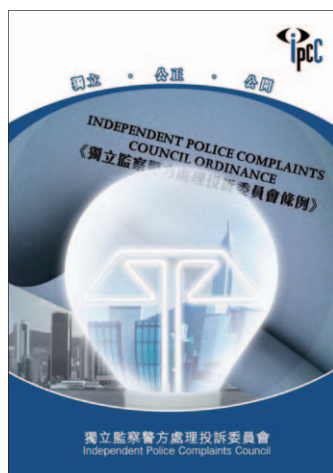
## Publications

監警會編製的《關於監警會的10個為什麼》小冊子，簡介監警會的由來、需要一個獨立法定地位的原因、委員會的組成、其職能、於香港投訴警察制度兩層架構中的角色、監察程序的運作等資訊，增加公眾對監警會的了解。

各區警署的報案室均備有監警會小冊子和觀察員計劃單張，供市民取閱。市民亦可到監警會位於灣仔的辦事處索取有關刊物。此外，監警會每年均會發表工作報告，概述監警會在該年度的工作詳情。

A booklet, "10 Qs on the IPCC", aims to enhance public understanding on the IPCC. The booklet includes a brief outline on the origin of the IPCC, the importance of its statutory status and independence, the membership of the Council, its functions, its role in the two-tier police complaints system and how the IPCC monitoring procedures work.

IPCC booklets and leaflets on the Observers Scheme are available at Police Report Rooms in all districts. The publications can also be obtained at the IPCC Office in Wan Chai. Moreover, the IPCC releases its annual report each year with updated information on its work.





## 「監警會五周年」研討會

## IPCC 5th Anniversary Symposium



隨著《監警會條例》生效，監警會於2009年6月1日正式成為法定機構，並被賦予觀察、監察和覆檢警務處處長處理和調查須匯報投訴的職能。

經過五年的運作，監警會由一家在幕後默默耕耘的審查監管單位，蛻變為工作多樣化的獨立警察投訴監察機構，舉辦《監警有道》研討會，可讓會方擬定未來的發展方向。

因此監警會與香港大學比較法與公法研究中心及犯罪學中心治安與警政研究論壇合辦《監警有道》研討會，以擬定香港投訴警察制度的未來發展方向。

The IPCC was incorporated as a statutory body on 1 June 2009 when the IPCCO came into effect. The role and functions of the IPCC are to observe, monitor and review complaint handling process and investigations conducted by Commissioner of Police.

Five years have passed since the enactment of IPCCO, the IPCC has transformed from a “back-seat” review and monitoring body to a multi-faceted independent police complaints oversight organisation. 2014 is an appropriate time for taking stock of what the IPCC has achieved and reflect on its way forward.

The IPCC organised a symposium “The Police Complaints System in Hong Kong: Where are we heading?” in collaboration with the Centre for Comparative and Public Law and Policing Studies Forum at the Centre for Criminology from the University of Hong Kong, with a view to mapping





out the future development of the police complaints system in Hong Kong.

The symposium, held on 27 May 2014 at the Large Moot Court of the University of Hong Kong, aimed to strengthen understanding of the IPCC as a monitor of police complaints and to promote the two-tier police complaints system, and also to gather views from the public and stakeholders regarding the two-tier police complaints system and the future direction of the IPCC.

研討會於2014年5月27日假香港大學模擬法庭舉行，旨在加深公眾對監警會作為監察處理警察投訴及推廣投訴警察制度的兩層架構，同時亦可了解公眾和持份者對兩層架構投訴警察制度的意見，以便制定監警會的未來發展路向。

會方邀請到前主席兼終審法院常任法官鄧楨法官擔任主禮嘉賓之外，亦分別邀請本港司法機關及海外監察機構的代表出席，在分三個環節進行討論：第一個環節是先由海外的講者概述世界各地的投訴警察制度及相關經驗，從宏觀的角度作出分享；第二個環節是結合世界各地的有關經驗，以剖析香港投訴警察制度之挑戰及機遇；最後一個討論環節探討如何平衡警權和民權，加入持份者及關注團體的意見，務求集思廣益，以擬定香港投訴警察制度的未來發展方向。

Apart from inviting the Honourable Mr Justice Robert Tang Ching Permanent Judge of the Hong Kong Court of Final Appeal and a former Chairman of the IPCC as guest of honour, the IPCC also invited representatives of the local judiciary, and representatives from overseas oversight bodies to attend the symposium. There were three main plenary sessions. In the first session, overseas speakers provided an overview of police complaints systems around the world, shared their international experience, and reviewed the systems from a macro perspective. In light of this experience, the second plenary session featured an analysis of the challenges and opportunities facing Hong Kong's police complaints system. In the third plenary session, stakeholders and concerned groups offered views and shared strategies on how to achieve a balance between police powers and civil rights. By bringing different perspectives together, the IPCC aimed to map out the future development of the police complaints system in Hong Kong.



為慶祝監警會成立五周年，會方特別設計了一個標誌用於文具及信紙。

A special logo commemorating the 5th anniversary of the IPCC was created for use on stationery and letterhead.

# 7

## 第七章 Chapter 7

# 組織架構 Organisational Structure



MONITOR • 獨立 INDEPENDENCE

ITY • 監察 MONITOR • 獨立 INDEPE

誠信 INTEGRITY • 監察 MONITOR • 獨

ITY • 監察 MONITOR • 獨立 INDEPENDENCE • 公正

ITY • 監察 MONITOR • 獨立 INDEPENDENCE • 公正

## 委員會 The Council

監警會是根據《獨立監察警方處理投訴委員會條例》(《監警會條例》)(香港法例第604章)成立的獨立機構，主席、副主席和委員全部由行政長官委任。當中包括一位主席和三位副主席，報告期內委員名單如下：

The IPCC is an independent body established under the Independent Police Complaints Council Ordinance (IPCCO) (Cap. 604, Law of Hong Kong). The Chairman, three Vice-Chairmen and Members are all appointed by the Chief Executive. The membership of the IPCC during this reporting period is as follows:

主席 Chairman	<b>翟紹唐資深大律師，SBS，JP</b> Mr JAT Sew-Tong, SBS, SC, JP	發展工作小組主席 Chairman, Development Work Group	任期：2008年6月1日起 Since 1 June 2008
副主席 Vice-Chairman	<b>林大輝議員，SBS，JP</b> Dr Hon LAM Tai-fai, SBS, JP		任期：2009年1月1日起 Since 1 January 2009
副主席 Vice-Chairman	<b>石禮謙議員，GBS，JP</b> Hon Abraham SHEK Lai-him, GBS, JP	嚴重投訴個案委員會主席 Chairman, Serious Complaints Committee	任期：2009年1月1日起 Since 1 January 2009
副主席 Vice-Chairman	<b>陳健波議員，BBS，JP</b> Hon CHAN Kin-por, BBS, JP		任期：2013年1月1日起 Since 1 January 2013
委員 Member	<b>張達明先生</b> Mr Eric CHEUNG Tat-ming		任期：2009年1月1日起 Since 1 January 2009
委員 Member	<b>方敏生女士，BBS，JP</b> Ms Christine FANG Meng-sang, BBS, JP	工作小組監警會方召集人 IPCC Convenor, Working Group	任期：2009年1月1日起 Since 1 January 2009
委員 Member	<b>陳培光醫生</b> Dr CHAN Pui-kwong		任期：2010年1月1日起 Since 1 January 2010
委員 Member	<b>鄭經翰先生，GBS，FHKIE，JP</b> Ir Albert CHENG, GBS, FHKIE, JP	宣傳及意見調查委員會主席 Chairman, Publicity and Survey Committee	任期：2010年1月1日至2013年12月31日 Appointment from 1 January 2010 to 31 December 2013
委員 Member	<b>馬恩國先生</b> Mr Lawrence MA Yan-kwok		任期：2010年6月1日起 Since 1 June 2010
委員 Member	<b>葉成慶先生，JP</b> Mr Simon IP Shing-hing, JP	管理委員會主席 Chairman, Management Committee	任期：2011年1月1日起 Since 1 January 2011
委員 Member	<b>劉玉娟女士</b> Ms Noeline LAU Yuk-kuen		任期：2011年1月1日起 Since 1 January 2011





委員 Member	梁繼昌議員 Hon Kenneth LEUNG Kai-cheong	任期：2011年1月1日起 Since 1 January 2011
委員 Member	馬學嘉博士 Dr Carol MA Hok-ka	任期：2011年1月1日起 Since 1 January 2011
委員 Member	黃幸怡女士 Miss Sandy WONG Hang-ye	任期：2011年1月1日起 Since 1 January 2011
委員 Member	黃碧雲議員 Dr Hon Helena WONG Pik-wan	任期：2011年1月1日起 Since 1 January 2011
委員 Member	黃德蘭女士 Miss Mary WONG Tak-lan	任期：2011年1月1日起 Since 1 January 2011
委員 Member	葉振都先生，BBS，MH，JP Mr Adrian YIP Chun-to, BBS, MH, JP	任期：2011年1月1日起 Since 1 January 2011
委員 Member	鄭承隆先生，MH Mr Edwin CHENG Shing-lung, MH	宣傳及意見調查委員會主席 Chairman, Publicity and Survey Committee
委員 Member	鍾偉雄先生 Mr Gerard CHUNG Wai-hung	任期：2012年1月1日起 Since 1 January 2012
委員 Member	鍾偉雄先生 Mr Gerard CHUNG Wai-hung	任期：2012年1月1日至2013年12月31日 Appointment from 1 January 2012 to 31 December 2013
委員 Member	杜國塗先生，BBS，JP Mr Clement TAO Kwok-lau, BBS, JP	任期：2012年10月1日起 Since 1 October 2012
委員 Member	甄孟義資深大律師 Mr John YAN Mang-ye, SC	任期：2012年10月1日起 Since 1 October 2012
委員 Member	陳建強醫生，JP Dr Eugene CHAN Kin-keung, JP	任期：2013年1月1日起 Since 1 January 2013
委員 Member	何世傑博士 Ir Dr Vincent Simon HO	任期：2013年1月1日起 Since 1 January 2013
委員 Member	陸貽信資深大律師，BBS Mr Arthur LUK Yee-shun, BBS, SC	任期：2013年1月1日起 Since 1 January 2013
委員 Member	劉文文女士，BBS，MH，JP Miss Lisa LAU Man-man, BBS, MH, JP	任期：2014年1月1日起 Since 1 January 2014
委員 Member	蘇麗珍女士，MH，JP Ms Ann SO Lai-chun, MH, JP	任期：2014年1月1日起 Since 1 January 2014



## 監警會內務會議出席紀錄

## IPCC Members' Attendance at IPCC In-house Meetings

日期: 2013年4月至2014年3月

Dates: April 2013 to March 2014

	18 APR 四月	19 JUN 六月	17 OCT 十月	20 FEB 二月
<b>主席 Chairman</b>				
翟紹唐資深大律師, SBS, JP Mr JAT Sew-Tong, SBS, SC, JP	●	●	●	●
<b>副主席 Vice-Chairmen</b>				
林大輝議員, SBS, JP Dr Hon LAM Tai-fai, SBS, JP	○	●	●	●
石禮謙議員, GBS, JP Hon Abraham SHEK Lai-him, GBS, JP	●	●	●	○
陳健波議員, BBS, JP Hon CHAN Kin-por, BBS, JP	●	●	●	○
<b>委員 Members</b>				
張達明先生 Mr Eric CHEUNG Tat-ming	●	●	●	●
方敏生女士, BBS, JP Ms Christine FANG Meng-sang, BBS, JP	●	●	●	●
陳培光醫生 Dr CHAN Pui-kwong	●	●	●	●
鄭經翰先生, GBS, FHKIE, JP (任期至2013年12月31日) Ir Albert Jinghan CHENG, GBS, FHKIE, JP (Till 31 December 2013)	●	●	●	N.A.
馬恩國先生 Mr Lawrence MA Yan-kwok	○	●	●	●
葉成慶先生, JP Mr Simon IP Shing-hing, JP	●	●	●	●
劉玉娟女士 Ms Noeline LAU Yuk-kuen	●	○	●	●
梁繼昌議員 Hon Kenneth LEUNG Kai-cheong	○	○	●	○
馬學嘉博士 Dr Carol MA Hok-ka	○	○	●	○
黃幸怡女士 Miss Sandy WONG Hang-yee	●	●	●	●
黃碧雲議員 Dr Hon Helena WONG Pik-wan	●	●	●	●
黃德蘭女士 Miss Mary WONG Tak-lan	●	●	●	●
葉振都先生, BBS, MH, JP Mr Adrian YIP Chun-to, BBS, MH, JP	●	●	●	○
鄭承隆先生, MH Mr Edwin CHENG Shing-lung, MH	○	●	○	●
鍾偉雄先生 (任期至2013年12月31日) Mr Gerard CHUNG Wai-hung (Till 31 December 2013)	○	●	●	N.A.
杜國鎰先生, BBS, JP Mr Clement TAO Kwok-lau, BBS, JP	●	●	●	●
甄孟義資深大律師 Mr John YAN Mang-yee, SC	○	●	●	○
陳建強醫生, JP Dr Eugene CHAN Kin-keung, JP	●	●	●	●
何世傑博士 Ir Dr Vincent Simon HO	○	●	●	●
陸胎信資深大律師, BBS Mr Arthur LUK Yee-shun, BBS, SC	●	●	○	●
劉文文女士, BBS, MH, JP (2014年1月1日起獲委任) Miss Lisa LAU Man-man, BBS, MH, JP (Since 1 January 2014)	N.A.	N.A.	N.A.	●
蘇麗珍女士, MH, JP (2014年1月1日起獲委任) Ms Ann SO Lai-chun, MH, JP (Since 1 January 2014)	N.A.	N.A.	N.A.	●

● 出席 Attended

○ 缺席 Not attended

N.A. 不是會議成員/未獲邀出席 Not a Member of the meeting/Not being invited

## 監警會和投訴警察課聯席會議出席紀錄

## IPCC Members' Attendance at Joint IPCC/CAPO Meetings

日期: 2013年4月至2014年3月

Dates: April 2013 to March 2014

	30 APR 四月	15 JUL 七月	31 OCT 十月	27 FEB 二月
<b>主席 Chairman</b>				
翟紹唐資深大律師, SBS, JP Mr JAT Sew-Tong, SBS, SC, JP	●	●	●	●
<b>副主席 Vice-Chairmen</b>				
林大輝議員, SBS, JP Dr Hon LAM Tai-fai, SBS, JP	●	○	●	○
石禮謙議員, GBS, JP Hon Abraham SHEK Lai-him, GBS, JP	●	○	●	●
陳健波議員, BBS, JP Hon CHAN Kin-por, BBS, JP	●	●	○	●
<b>委員 Members</b>				
張達明先生 Mr Eric CHEUNG Tat-ming	●	●	●	●
方敏生女士, BBS, JP Ms Christine FANG Meng-sang, BBS, JP	●	●	●	●
陳培光醫生 Dr CHAN Pui-kwong	●	●	○	●
鄭經翰先生, GBS, FHKIE, JP (任期至2013年12月31日) Ir Albert Jinghan CHENG, GBS, FHKIE, JP (Till 31 December 2013)	●	●	●	N.A.
馬恩國先生 Mr Lawrence MA Yan-kwok	●	●	●	●
葉成慶先生, JP Mr Simon IP Shing-hing, JP	●	●	●	●
劉玉娟女士 Ms Noeline LAU Yuk-kuen	●	●	●	●
梁繼昌議員 Hon Kenneth LEUNG Kai-cheong	●	●	●	●
馬學嘉博士 Dr Carol MA Hok-ka	●	●	●	●
黃幸怡女士 Miss Sandy WONG Hang-yee	●	●	●	●
黃碧雲議員 Dr Hon Helena WONG Pik-wan	●	●	●	●
黃德蘭女士 Miss Mary WONG Tak-lan	●	●	●	●
葉振都先生, BBS, MH, JP Mr Adrian YIP Chun-to, BBS, MH, JP	●	●	●	●
鄭承隆先生, MH Mr Edwin CHENG Shing-lung, MH	●	●	●	●
鍾偉雄先生 (任期至2013年12月31日) Mr Gerard CHUNG Wai-hung (Till 31 December 2013)	○	●	●	N.A.
杜國鑒先生, BBS, JP Mr Clement TAO Kwok-lau, BBS, JP	●	●	●	●
甄孟義資深大律師 Mr John YAN Mang-yee, SC	○	○	●	○
陳建強醫生, JP Dr Eugene CHAN Kin-keung, JP	●	●	○	●
何世傑博士 Ir Dr Vincent Simon HO	●	●	●	○
陸貽信資深大律師, BBS Mr Arthur LUK Yee-shun, BBS, SC	●	●	○	●
劉文文女士, BBS, MH, JP (2014年1月1日起獲委任) Miss Lisa LAU Man-man, BBS, MH, JP (Since 1 January 2014)	N.A.	N.A.	N.A.	●
蘇麗珍女士, MH, JP (2014年1月1日起獲委任) Ms Ann SO Lai-chun, MH, JP (Since 1 January 2014)	N.A.	N.A.	N.A.	●

● 出席 Attended

○ 缺席 Not attended

N.A. 不是會議成員/未獲邀出席 Not a Member of the meeting/Not invited



## 專責委員會 Sub-Committees

監警會委員分為四個小組，審核投訴警察課提交的調查報告。此外，監警會就不同工作範疇設立了三個專責委員會及兩個工作小組，以便更有效地履行職能。

三個專責委員會及兩個工作小組的職權範圍和成員名單如下：

Members of the IPCC are divided into four sub-groups to examine the investigation reports submitted by CAPO. The IPCC has also set up three Committees and two Working Groups so as to perform its functions more efficiently.

The Members and terms of reference of the three Committees and two Working Groups are as follows:

### 嚴重投訴個案委員會 Serious Complaints Committee

- (a) 訂定準則，用以界定應受委員會監察的嚴重個案；
- (b) 研究和制定監察嚴重投訴個案的特別程序；
- (c) 研究是否需要尋求外間的专业意見或服務，協助審核嚴重投訴個案；
- (d) 審核嚴重投訴個案的調查結果，並向主席提出建議；
- (e) 提出委員會認為適當並與監察嚴重投訴個案有關的任何事項，供監警會考慮。

- (a) To determine the criteria of serious cases that should come under the monitoring of the Committee;
- (b) To examine and determine procedures for monitoring serious complaints;
- (c) To examine the need to seek outside professional advice or services to facilitate the scrutiny of complaint cases;
- (d) To examine the findings of serious complaint cases after investigations have been completed, and put forward recommendations to the Chairman;
- (e) To put forward any issues in relation to the monitoring of serious complaint cases for the IPCC's deliberation, as the Committee deems appropriate.

#### 成員

##### 主席

石禮謙議員，GBS，JP

##### 委員

張達明先生  
陳培光醫生  
馬恩國先生  
葉成慶先生，JP  
劉玉娟女士  
黃碧雲議員  
葉振都先生，BBS，MH，JP  
鄭承隆先生，MH  
陳建強醫生，JP（由2013年3月起）  
何世傑博士  
劉文文女士，BBS，MH，JP（由2014年1月起）  
蘇麗珍女士，MH，JP（由2014年1月起）

#### Membership

##### Chairman

Hon Abraham SHEK Lai-him, GBS, JP

##### Members

Mr Eric CHEUNG Tat-ming  
Dr CHAN Pui-kwong  
Mr Lawrence MA Yan-kwok  
Mr Simon IP Shing-hing, JP  
Ms Noeline LAU Yuk-kuen  
Dr Hon Helena WONG Pik-wan  
Mr Adrian YIP Chun-to, BBS, MH, JP  
Mr Edwin CHENG Shing-lung, MH  
Dr Eugene CHAN Kin-keung, JP (Since March 2013)  
Mr Dr Vincent Simon HO  
Miss Lisa LAU Man-man, BBS, MH, JP (Since January 2014)  
Ms Ann SO Lai-chun, MH, JP (Since January 2014)



## 管理委員會 Management Committee

- (a) 監督監督會秘書處的主要工作；
- (b) 審議和批准：
- 周年預算的任何改動；
  - 高級審核主任/高級經理或以下級別僱員的委任、停職及終止僱用；
  - 對監督會服務有所影響的主要行政事宜；
  - 估計價值港幣 50,000 元或以上或涵蓋新項目範疇的擬訂新合約，但不包括宣傳及意見調查委員會權限內的合約或活動；
- (c) 提出委員會認為適當的任何行政及管理事宜，供監督會考慮。

- (a) To oversee major areas of work of the IPCC Secretariat;
- (b) To consider and approve:
- Any changes to the annual budget;
  - Appointment, interdiction from duty, and termination of employment of employees at or below Senior Vetting Officer/Senior Manager ranks;
  - Key administrative matters that affect the service of the IPCC;
  - Proposed new contracts with estimated value at or above HK\$50,000 or covering a new area of activity, with the exception of those contracts that come under the purview of the Publicity and Survey Committee;
- (c) To put forward any administrative or management issues for the IPCC's deliberation as the Committee deems appropriate.

### 成員

#### 主席

葉成慶先生，JP

#### 委員

翟紹唐資深大律師，SBS，JP  
 鄭經翰先生，GBS，FHKIE，JP (至2013年12月)  
 馬恩國先生  
 黃德蘭女士  
 鄭承隆先生，MH  
 杜國鎣先生，BBS，JP

### Membership

#### Chairman

Mr Simon IP Shing-hing, JP

#### Members

Mr JAT Sew-Tong, SBS, SC, JP  
 Ir Albert CHENG, GBS, FHKIE, JP (Till December 2013)  
 Mr Lawrence MA Yan-kwok  
 Miss Mary WONG Tak-lan  
 Mr Edwin CHENG Shing-lung, MH  
 Mr Clement TAO Kwok-lau, BBS, JP

## 宣傳及意見調查委員會 Publicity and Survey Committee

- (a) 審議可提升監警會形象和讓市民加深認識監警會的措施；
- (b) 審議和批准已編入預算的宣傳及相關活動，包括：
  - 宣傳物品的內容和設計，例如年報、網頁、短片、刊物和其他宣傳品；
  - 推展宣傳活動；
  - 挑選和委聘承辦商協助推展有關計劃；
- (c) 審議和批准推展已編入預算的意見調查工作，以及挑選和委聘承辦商協助推展有關工作；
- (d) 監察(b)和(c)項所載計劃的進度和質素；
- (e) 審議年度宣傳計劃並就計劃提出意見，供監警會考慮；
- (f) 提出委員會認為適當並與宣傳有關的任何事宜，供監警會考慮。

- (a) To consider measures that could enhance the image and public understanding of the IPCC;
- (b) To consider and approve publicity-related activities that have been budgeted for, including:
  - Content and design of publicity materials, such as annual reports, websites, videos, publications and other promotional materials;
  - Launching of publicity activities;
  - Selection and commissioning of contractors to assist in such projects;
- (c) To consider and approve the launching of surveys that have been budgeted for, and the selection and commissioning of contractors to assist in such projects;
- (d) To monitor the progress and quality of the projects in (b) and (c);
- (e) To consider and advise on an annual publicity plan for the IPCC's consideration;
- (f) To put forward any publicity-related issues for the IPCC's deliberation as the Committee deems appropriate.

### 成員

#### 主席

鄭經翰先生，GBS，FHKIE，JP(至2013年12月)  
鄭承隆先生，MH(由2014年1月起)

#### 委員

林大輝議員，SBS，JP  
方敏生女士，BBS，JP  
馬學嘉博士  
黃幸怡女士  
葉振都先生，BBS，MH，JP  
杜國鑒先生，BBS，JP  
劉文文女士，BBS，MH，JP(由2014年1月起)  
蘇麗珍女士，MH，JP(由2014年1月起)

### Membership

#### Chairman

Ir Albert CHENG, GBS, FHKIE, JP (Till December 2013)  
Mr Edwin CHENG Shing-lung, MH (Since January 2014)

#### Members

Dr Hon LAM Tai-fai, SBS, JP  
Ms Christine FANG Meng-sang, BBS, JP  
Dr Carol MA Hok-ka  
Miss Sandy WONG Hang-yee  
Mr Adrian YIP Chun-to, BBS, MH, JP  
Mr Clement TAO Kwok-lau, BBS, JP  
Miss Lisa LAU Man-man, BBS, MH, JP (Since January 2014)  
Ms Ann SO Lai-chun, MH, JP (Since January 2014)

## 工作小組 Working Group

監警會和投訴警察課在2010年組成了一個工作小組，著力研究一個更有效率的機制，依據投訴性質作分流處理，以便加快處理調查投訴個案的效率。

The IPCC and CAPO established a working group in 2010 to come up with a more efficient system of sorting complaints in order to enhance efficiency in investigating complaint cases.

### 成員

#### 監警會方召集人

方敏生女士，BBS，JP

#### 委員

張達明先生  
葉成慶先生，JP  
梁繼昌議員

### Membership

#### IPCC Convener

Ms Christine FANG Meng-sang, BBS, JP

#### Members

Mr Eric CHEUNG Tat-ming  
Mr Simon IP Shing-hing, JP  
Hon Kenneth LEUNG Kai-cheong

## 發展工作小組 Development Work Group

為研究監警會的未來發展方向，監警會組成了一個發展工作小組，並在2014年2月下旬經委員會討論及制定三年內的重點工作後，已經完成使命功成身退。

The IPCC established a development work group to identify its development plan. After the Council discussed its recommendations and decided on the key areas of focus for the coming three years by the end of February 2014, the work group was subsequently dissolved.

### 成員

#### 主席

翟紹唐資深大律師，SBS，JP

#### 委員

張達明先生  
方敏生女士，BBS，JP  
鄭經翰先生，GBS，FHKIE，JP（至2013年12月）  
葉成慶先生，JP  
鄭承隆先生，MH  
鍾偉雄先生（至2013年12月）  
杜國鑒先生，BBS，JP

### Membership

#### Chairman

Mr JAT Sew-Tong, SBS, SC, JP

#### Members

Mr Eric CHEUNG Tat-ming  
Ms Christine FANG Meng-sang, BBS, JP  
Mr Albert CHENG, GBS, FHKIE, JP (Till December 2013)  
Mr Simon IP Shing-hing, JP  
Mr Edwin CHENG Shing-lung, MH  
Mr Gerard CHUNG Wai-hung (Till December 2013)  
Mr Clement TAO Kwok-lau, BBS, JP



## 觀察員

## Observers

在觀察員計劃之下，保安局局長會委任合適人士出任監警會觀察員，協助監警會觀察投訴警察課處理和調查須匯報投訴的方式。

Under the Observers Scheme, the Secretary for Security may appoint persons deemed fit as IPCC Observers to assist the Council in observing the manner in which CAPO handles and investigates Reportable Complaints.

報告期內監警會觀察員的名單如下：

The following is a list of Observers in the current reporting period:

觀察員名單	Name of Observers
1 歐陽偉倫先生 ●	Mr Kelvin AU YEUNG Wai-lun ●
2 湛家雄先生，BBS，MH，JP	Mr Daniel CHAM Ka-hung, BBS, MH, JP
3 陳富明先生，MH	Mr CHAN Fu-ming, MH
4 陳慶明先生	Mr CHAN Hing-ming
5 陳學鋒先生	Mr CHAN Hok-fung
6 陳耀星先生，SBS，JP ●	Mr Star CHAN lu-seng, SBS, JP ●
7 陳文佑先生	Mr Henry CHAN Man-yu
8 陳茂強先生	Mr Haydn CHAN Mou-keung
9 陳博智先生	Mr CHAN Pok-chi
10 陳秀雲女士	Ms CHAN Sau-wan
11 陳少娟女士 ●●	Ms CHAN Siu-kuen ●●
12 陳少棠先生，MH	Mr CHAN Siu-tong, MH
13 陳仁川女士	Ms CHAN Yan-chuen
14 周厚立先生 ●	Mr CHAU Hau-lap ●
15 周沁女士 ●	Ms CHAU Sum ●
16 周賢明先生，MH ●	Mr Francis CHAU Yin-ming, MH ●
17 鄭國杰博士，MH	Dr Edwin CHENG Kwok-kit, MH
18 鄭阮培恩女士 ●	Mrs Betty CHENG YUEN Pui-yan ●
19 張焯堯先生	Mr Charles CHEUNG Cheuk-yiu
20 張妙嫦女士	Ms Emily CHEUNG Mui-seung
21 張仁良教授，BBS，JP ●	Prof Stephen CHEUNG Yan-leung, BBS, JP ●
22 張翼雄先生 ●	Mr Jackie CHEUNG Yick-hung ●
23 莊創業先生	Mr CHONG Chong-yip
24 周浩鼎先生	Mr Holden CHOW Ho-ding
25 周錦祥先生，MH	Mr CHOW Kam-cheung, MH
26 周耀明先生，MH	Mr Alan CHOW Yiu-ming, MH
27 周玉堂先生，BBS，MH	Mr CHOW Yuk-tong, BBS, MH



觀察員名單		Name of Observers
28	蔡鳳萍女士 ●	Dr Abril CHOY Fung-peng ●
29	朱靖女士	Ms Esther CHU Jing
30	朱德榮先生 ●	Mr CHU Tak-wing ●
31	鍾靖薇女士 ●	Ms CHUNG Ching-may ●
32	方平先生, JP	Mr FONG Ping, JP
33	馮美雲女士	Ms FUNG Mei-wan
34	何厚祥先生, BBS, MH	Mr HO Hau-cheung, BBS, MH
35	何顯明先生, MH ●	Mr HO Hin-ming, MH ●
36	何國華先生 ●	Mr George HO Kwok-wah ●
37	何逸雲先生 ●	Mr Alec HO Yat-wan ●
38	何綺蓮女士 ●	Ms Elaine HO Yee-lin ●
39	許嘉灝先生, BBS, MH	Mr HUI Ka-hoo, BBS, MH
40	洪為民先生	Mr Witman HUNG Wai-man
41	簡汝謙先生	Mr Ronald KAN Yu-him
42	金佩瑋女士	Ms Mary Ann KING Pui-wai
43	高錦祥先生, BBS, MH	Mr KO Kam-cheung, BBS, MH
44	高寶齡女士, BBS, MH, JP	Ms KO Po-ling, BBS, MH, JP
45	顧明仁博士, MH	Dr Charles KOO Ming-yan, MH
46	龔靜儀女士	Miss Athena KUNG Ching-yee
47	季霆剛先生	Mr KWAI Ting-kong
48	關治平工程師, JP ●	Ir Edgar KWAN Chi-ping, JP ●
49	郭秀英女士 ●	Ms KWOK Sau-ying ●
50	鄭因華先生 ●	Mr KWONG Yun-wah ●
51	黎達生先生, MH, JP	Mr David LAI Tat-sang, MH, JP
52	林赤有先生, BBS, MH, JP	Mr Billy LAM Chek-yau, BBS, MH, JP
53	林志傑醫生, BBS, MH, JP ●	Dr Lawrence LAM Chi-kit, BBS, MH, JP ●
54	林發耿先生, MH	Mr LAM Faat-kang, MH
55	林浩揚先生 ●	Mr LAM Ho-yeung ●
56	林家輝先生, JP ●	Mr Aaron LAM Ka-fai, JP ●
57	林寶苓女士	Ms Pearl LAM Po-ling
58	林德亮先生, MH, JP ●	Mr LAM Tak-leung, MH, JP ●
59	林玉珍女士, MH	Ms LAM Yuk-chun, MH
60	劉興華先生 ●	Mr LAU Hing-wah ●
61	樓家強先生	Mr LAU Ka-keung
62	劉偉章先生, MH ●	Mr Peter LAU Wai-cheung, MH ●
63	羅競成先生, MH ●	Mr LAW King-shing, MH ●



觀察員名單		Name of Observers
64	李志恒先生	Mr Sidney LEE Chi-hang
65	李子榮先生	Mr Alvin LEE Chi-wing
66	李正雅女士 ●	Ms LEE Ching-nga ●
67	李嘉騏先生	Mr LEE Kar-ki
68	李國麟教授，SBS，JP ●	Prof Hon Joseph LEE Kok-long, PhD, RN, SBS, JP ●
69	李冠美女士 ●	Ms LEE Koon-mei ●
70	梁志培先生 ●	Mr LEUNG Chi-pui ●
71	梁芙詠女士，BBS，MH	Ms LEUNG Fu-wing, BBS, MH
72	梁皓鈞先生，MH ●	Mr LEUNG Ho-kwan, MH ●
73	梁秀志先生，JP	Mr LEUNG Sau-chi, JP
74	梁秀清女士 ●	Ms Martha LEUNG Sau-ching ●
75	李世榮先生	Mr LI Sai-wing
76	李婉華女士	Ms Rainbow LI Yuen-wah
77	林亨利先生，MH	Mr Henry LIM, MH
78	廖啟明醫生	Dr LIU Kai-ming
79	廖珮珊女士	Ms LIU Pui-shan
80	盧錦華先生，MH，JP	Mr Norman LO Kam-wah, MH, JP
81	盧子安先生	Mr LO Tze-on
82	羅仁禮先生，JP	Mr LO Yan-lai, JP
83	馬盧金華女士	Mrs Virginia MA LO Kam-wah
84	莫仲輝先生，MH	Mr Rex MOK Chung-fai, MH
85	吳玲玲女士，JP	Ms NG Ling-ling, JP
86	吳敏生先生	Mr Alan NG Man-sang
87	吳少強先生，MH，JP	Mr Thomas NG Siu-keung, MH, JP
88	魏明德先生	Mr Michael NGAI Ming-tak
89	顏少倫先生	Mr NGAN Siu-lun
90	龐創先生，BBS，JP	Mr Edward PONG Chong, BBS, JP
91	卜坤乾先生 ●	Mr PUK Kwan-kin ●
92	潘國華先生	Mr PUN Kwok-wah
93	邵家輝先生	Mr SHIU Ka-fai
94	蕭澤宇先生，BBS，JP	Mr Simon SIU Chak-yu, BBS, JP
95	蘇慧賢女士	Ms Herdy SO Wai-yin
96	司徒建華先生 ●	Mr SZETO Kin-wa ●
97	譚見強先生	Mr Terry TAM Kin-keung
98	譚兆炳先生	Mr George TAM Siu-ping
99	鄧振強先生，MH，JP	Mr Teddy TANG Chun-keung, MH, JP



觀察員名單	Name of Observers
100 鄧仕堅先生	Mr Eric TANG Sze-kin
101 陶嘉穎女士●	Miss Alice TO Kar-wing ●
102 曾鳳珠女士	Ms TSANG Fung-chu
103 謝炯全先生●	Mr Patrick TSE Kwing-chuen ●
104 謝禮良先生，MH ●	Mr Jimmy TSE Lai-leung, MH ●
105 謝永齡博士，MH	Dr John TSE Wing-ling, MH
106 徐福榮醫生	Dr Michael TSUI Fuk-sun
107 尹志強先生，BBS，JP ●	Mr Aaron WAN Chi-keung, BBS, JP ●
108 溫國雄先生	Mr Joseph WAN Kwok-hung
109 黃志偉先生	Mr WONG Chi-wai
110 黃健興先生●	Mr WONG Kin-hing ●
111 王吉顯先生	Mr Peter WONG Kit-hin
112 黃江天博士	Dr James WONG Kong-tin
113 黃萬成先生，MH	Mr Barry WONG Man-sing, MH
114 黃碧嬌女士，MH ●	Ms Peggy WONG Pik-kiu, MH ●
115 黃舒明女士●	Ms WONG Shu-ming ●
116 王威信先生	Mr WONG Wai-shun
117 黃宏泰先生，MH ●	Mr WONG Wang-tai, MH ●
118 王婉芝女士	Miss WONG Yuen-chi
119 胡楚南先生，JP	Mr WU Chor-nam, JP
120 任志浩博士	Dr Michael YAM Chi-ho
121 楊凱山博士	Dr YEUNG Hoi-shan
122 楊學明牧師	Rev David YEUNG Hok-ming
123 楊子熙先生，MH ●	Mr YEUNG Tsz-hei, MH ●
124 楊耀忠先生，BBS，JP	Mr YEUNG Yiu-chung, BBS, JP
125 嚴玉麟先生，JP	Mr Stanley YIM Yuk-lun, JP
126 姚慧兒女士●	Ms April YIU Wai-yee ●
127 楊添燦先生	Mr Alan YOUNG Tim-tsan
128 余智榮先生●	Mr YU Chi-wing ●
129 阮陳寶馨女士●	Mrs YUEN CHAN Po-hing ●
130 翁志明先生，BBS，MH	Mr YUNG Chi-ming, BBS, MH
131 翁國忠先生	Mr Roger YUNG Kwok-chung

截至2014年3月31日監警會共有108位觀察員

- 2013年4月1日新任命
- 2013年9月1日新任命
- 2013年3月31日退休
- 2013年8月31日退休
- 2014年3月13日離世
- 2013年5月22日辭任

Total number of Observers on 31 March 2014 was 108.

- Newly-appointed Observers on 1 April 2013
- Newly-appointed Observers on 1 September 2013
- Retired Observers on 31 March 2013
- Retired Observers on 31 August 2013
- Passed away on 13 March 2014
- Resigned on 22 May 2013



## 監警會秘書處 IPCC Secretariat

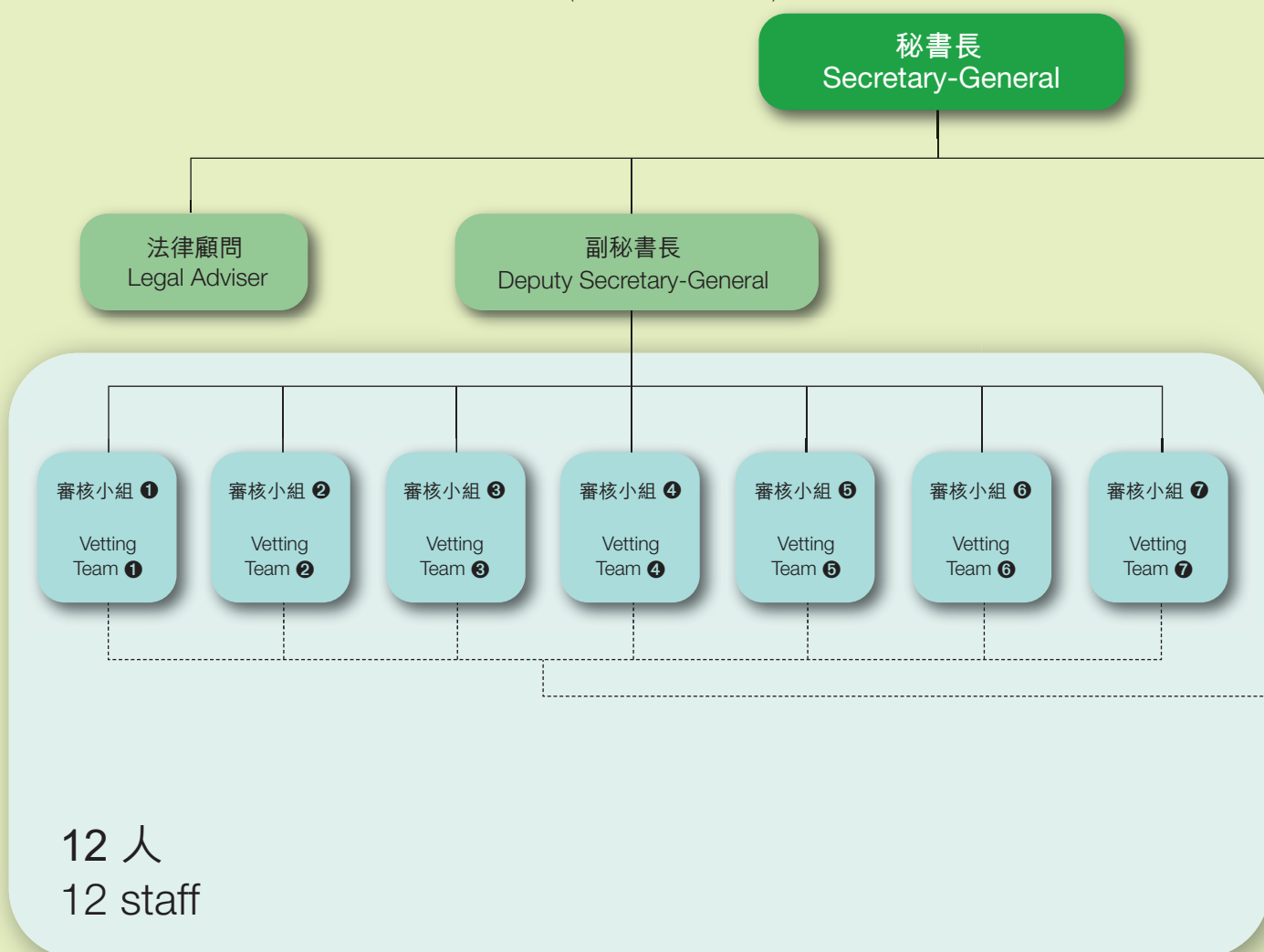
監警會由一個全職的秘書處支援。秘書處由一名秘書長領導，2013/14年編制共有42名職員。秘書處的主要職責是協助委員審核投訴個案的調查報告和推廣委員會的工作。

監警會秘書處截至2014年3月31日的組織圖如下：

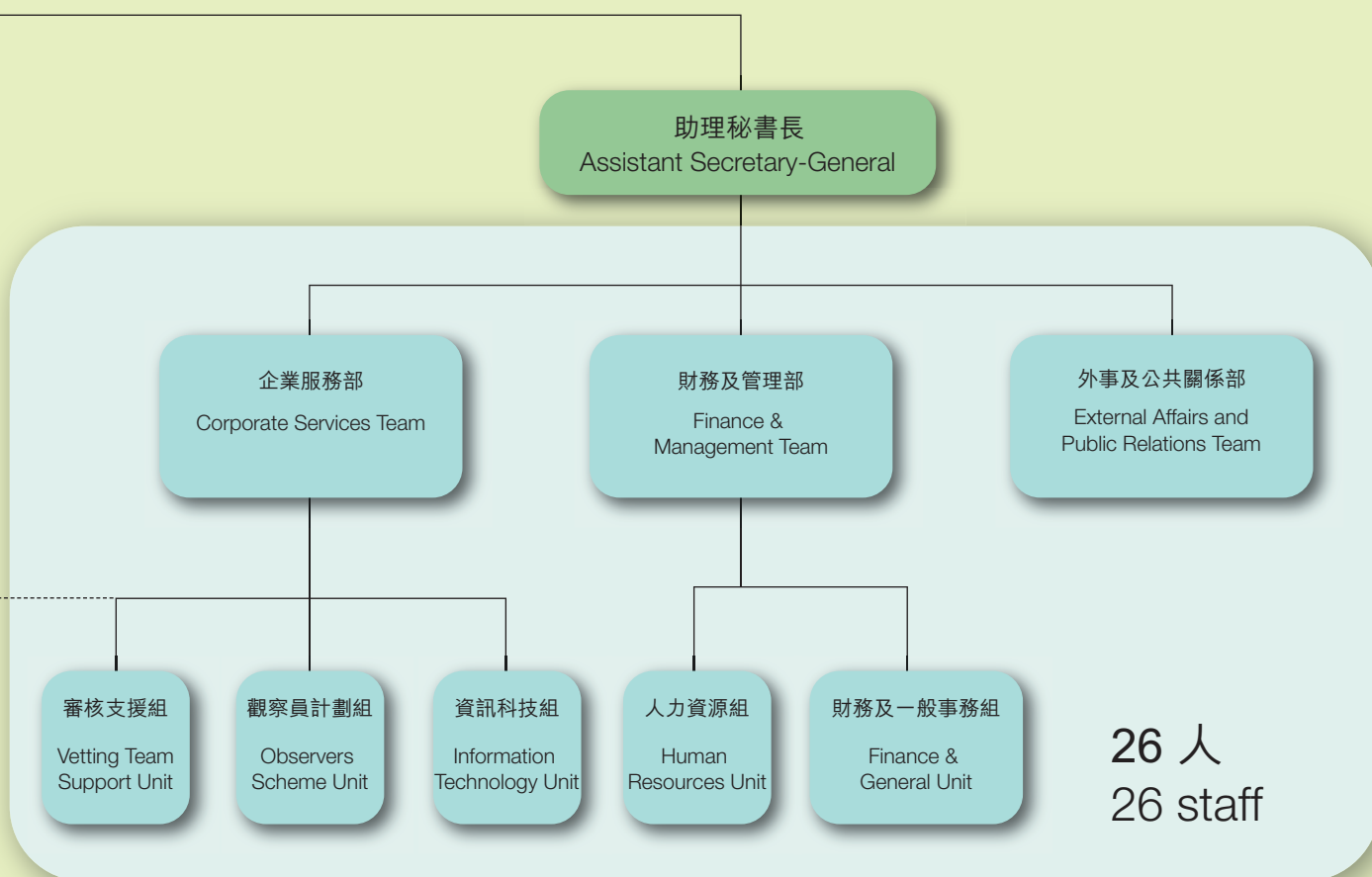
The IPCC is supported by a full-time Secretariat, headed by a Secretary-General, with a total of 42 staff members in 2013/14. The major function of the Secretariat is to assist Council Members in examining complaint investigation reports and in promoting the work of the IPCC.

The organisational chart of the IPCC Secretariat, as at 31 March 2014, is as below:

監警會秘書處架構圖 (2014年3月31日)  
IPCC Secretariat Structure (As at 31 March 2014)







# 8

## 第八章 Chapter 8

# 財務報表 Financial Statements



黃龍德會計師事務所有限公司  
香港執業會計師、英國特許會計師

PATRICK WONG C.P.A. LIMITED  
Certified Public Accountants (Practising), Hong Kong Chartered Accountants

獨立監察警方處理投訴委員會

(根據《獨立監察警方處理投訴委員會條例》成立)

Independent Police Complaints Council

(Established under the “Independent Police Complaints Council Ordinance”)

截至二零一四年三月三十一日止年度  
Year Ended 31 March 2014

(中英文版如有歧異，概以英文版為準)



MONITOR • 監察 INDEPENDENCE • 獨立

MONITOR • 監察 INDEPENDENCE • 獨立

MONITOR • 監察 INDEPENDENCE • 獨立

MONITOR • 監察 INDEPENDENCE • 獨立

MONITOR • 監察 INDEPENDENCE • 獨立



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(以港幣計算)

(All amounts in Hong Kong Dollars unless otherwise stated)





## 致獨立監察警方處理投訴委員會

## Independent auditor's report to Independent Police Complaints Council

(根據《獨立監察警方處理投訴委員會條例》成立)

(Established under the Independent Police Complaints Council Ordinance)



本核數師(以下簡稱「我們」)已審計列載於第133至150頁獨立監察警方處理投訴委員會(「貴會」)的財務報表，此財務報表包括貴會於二零一四年三月三十一日的財務狀況表與截至該日止年度的全面收益表、儲備變動表和現金流量表，以及主要會計政策概要及其他附註解釋資料。

## 貴會就財務報表須承擔的責任

貴會須負責根據香港會計師公會頒佈的《香港財務報告準則》編製財務報表，以令財務報表作出真實而公平的反映，及落實其認為編製財務報表所必要的內部控制，以使財務報表不存在由於欺詐或錯誤而導致的重大錯誤陳述。

## 核數師的責任

我們的責任是根據我們的審計對該等財務報表作出意見。我們是按照《獨立監察警方處理投訴委員會條例》(第604章)附表1第29條的規定，僅向貴會報告。除此以外，我們的報告不可用作其他用途。我們概不會就本報告內容，對任何其他人士負責及承擔責任。

我們已根據香港會計師公會頒佈的《香港審計準則》進行審計。該等準則要求我們遵守道德規範，並規劃及執行審計，以合理確定財務報表是否不存有任何重大錯誤陳述。

We have audited the financial statements of the Independent Police Complaints Council (the "Council") set out on pages 133 to 150, which comprise the statement of financial position as at 31 March 2014, the statement of comprehensive income, the statement of changes in reserves and the statement of cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

## The Council's Responsibility For The Financial Statements

The Council is responsible for the preparation of the financial statements that give a true and fair view in accordance with Hong Kong Financial Reporting Standards issued by the Hong Kong Institute of Certified Public Accountants and for such internal control as the Council determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

## Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit and to report our opinion solely to you, as a body, in accordance with section 29 of Schedule 1 of the Independent Police Complaints Council Ordinance (Cap.604), and for no other purposes. We do not assume responsibility towards or accept liability to any other person for the contents of this report.

We conducted our audit in accordance with Hong Kong Standards on Auditing issued by the Hong Kong Institute of Certified Public Accountants. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.





審計涉及執程序以獲取有關財務報表所載金額及披露資料的審計憑證。所選定的程序取決於核數師的判斷，包括評估由於欺詐或錯誤而導致財務報表存有重大錯誤陳述的風險。在評估該等風險時，核數師考慮與該會編製財務報表以作出真實而公平的反映相關的內部控制，以設計適當的審計程序，但目的並非對貴會內部控制的有效性發表意見。審計亦包括評價貴會所採用會計政策的合適性及作出會計估計的合理性，以及評價財務報表的整體列報方式。

我們相信，我們所獲得的審計憑證能充足和適當地為我們的審計意見提供基礎。

### 意見

我們認為，該等財務報表已根據《香港財務報告準則》真實而公平地反映 貴會於二零一四年三月三十一日的財務狀況及截至該日止年度的盈餘及現金流量。

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation of the financial statements that give a true and fair view in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonable of accounting estimates made by the Council, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

### Opinion

In our opinion, the financial statements give a true and fair view of the state of the Council's affairs as at 31 March 2014 and of its surplus and cash flows for the year then ended in accordance with Hong Kong Financial Reporting Standards.

*Patrick Wong CPA Ltd*

黃龍德會計師事務所有限公司

執業會計師

劉旭明

英國特許公認會計師

香港執業會計師

執業證書號碼：P05468

二零一四年五月二十九日

香港

**PATRICK WONG C.P.A. LIMITED**

Certified Public Accountants

LAU YUK MING HAROLD

CPA (Practising), FCCA

Certified Public Accountant (Practising), Hong Kong

Practising Certificate Number: P05468

29 May 2014

Hong Kong



## 全面收益表 — 截至二零一四年三月三十一日止年度

## Statement of comprehensive income year ended 31 March 2014

	附註 Notes	2014 \$	2013 \$
<b>收入 Income</b>			
政府補助 Government grants	6	49,830,408	46,468,615
其他收入 Other income	7	32,708	6,373
		49,863,116	46,474,988
<b>支出 Expenditure</b>			
員工成本 Staff costs	8	24,825,785	22,900,911
一般及行政費用 General and administrative expenses		15,159,802	15,477,765
本會成員酬金 Honorarium to Council members	17	668,760	634,100
		40,654,347	39,012,776
<b>本年度盈餘及其他全面收益總額</b> <b>Surplus and other comprehensive income for the year</b>	8	9,208,769	7,462,212



## 財務狀況表 — 於二零一四年三月三十一日

Statement of financial position as at 31 March 2014

	附註 Notes	2014 \$	2013 \$
<b>非流動資產 Non-current assets</b>			
固定資產 Fixed assets	10	5,822,994	6,476,605
<b>流動資產 Current assets</b>			
按金及預付款項 Deposits and prepayments		2,962,613	3,420,135
現金及現金等價物 Cash and cash equivalents	11	28,795,328	17,738,085
		31,757,941	21,158,220
<b>流動負債 Current liabilities</b>			
遞延政府補助 Deferred government grants	12	1,201,513	636,227
其他應付款項及應計費用 Other payables and accruals	13	1,320,976	1,965,297
		2,522,489	2,601,524
<b>流動資產淨值 Net current assets</b>		29,235,452	18,556,696
<b>資產總值減流動負債 Total assets less current liabilities</b>		35,058,446	25,033,301
<b>非流動負債 Non-current liabilities</b>			
遞延政府補助 Deferred government grants	12	1,529,137	1,009,331
員工約滿酬金撥備 Provision for staff gratuities	14	3,416,185	3,119,615
		4,945,322	4,128,946
<b>資產淨值 Net assets</b>		30,113,124	20,904,355
<b>儲備 Reserves</b>			
累計盈餘 Accumulated surplus		30,113,124	20,904,355

本會於二零一四年五月二十九日批准並授權公佈本財務報表。

Approved and authorised for issue by the Council on 29 May 2014

翟紹唐 資深大律師，SBS，JP

主席

JAT Sew-Tong, SBS, SC, JP

Chairman





## 儲備變動表

截至二零一四年三月三十一日止年度

Statement of changes in reserves for the year ended 31 March 2014

	\$
於二零一二年四月一日之結餘 <b>Balance at 1 April 2012</b>	13,442,143
年內盈餘及其他全面收益 Surplus and other comprehensive income for the year	7,462,212
於二零一三年三月三十一日之結餘 <b>Balance at 31 March 2013</b>	20,904,355
年內盈餘及其他全面收益 Surplus and other comprehensive income for the year	9,208,769
於二零一四年三月三十一日之結餘 <b>Balance at 31 March 2014</b>	30,113,124



## 現金流量表

截至二零一四年三月三十一日止年度

Statement of cash flows for the year ended 31 March 2014

	附註 Note	2014 \$	2013 \$
<b>營運活動之現金流動 Cash flows from operating activities</b>			
年內盈餘及其他全面收益 Surplus and other comprehensive income for the year		9,208,769	7,462,212
已就下列各項作出調整：Adjustments for:-			
– 折舊 Depreciation		2,527,806	1,408,611
– 利息收入 Interest income		(30,934)	(1,721)
– 固定資產處置損失 Loss on disposal of fixed assets		–	1,157,212
營運資金變動前之營運盈餘 Operating surplus before working capital changes		11,705,641	10,026,314
按金及預付款項之減少／(增加) Decrease/(increase) in deposits and prepayments		457,522	(1,537,721)
遞延政府補助之增加 Increase in deferred government grants		1,085,092	1,051,972
其他應付款項及應計費用之(減少)／增加 (Decrease)/increase in other payables and accruals		(644,321)	404,462
員工約滿酬金撥備之增加 Increase in provision for staff gratuities		296,570	1,020,191
營運活動產生的現金流入 Net cash generated from operating activities		12,900,504	10,965,218
<b>投資活動之現金流動 Cash flows from investing activities</b>			
購入固定資產 Purchase of fixed assets		(1,874,195)	(6,222,106)
已收利息 Interest received		30,934	1,721
投資活動之現金流出淨額 Net cash used in investing activities		(1,843,261)	(6,220,385)
現金及現金等價物之增加淨額 Net increase in cash and cash equivalents		11,057,243	4,744,833
年初之現金及現金等價物 Cash and cash equivalents at the beginning of the year		17,738,085	12,993,252
年末之現金及現金等價物 Cash and cash equivalents at the end of the year	11	28,795,328	17,738,085



## 財務報表附註 一 截至二零一四年三月三十一日止年度

## Notes to the financial statements – for the year ended 31 March 2014

**1. 概述**

獨立監察警方處理投訴委員會(「本會」)是根據《獨立監察警方處理投訴委員會條例》成立的一個法團，根據《獨立監察警方處理投訴委員會條例》(第604章)(「本會條例」)，本會擔任法定機構的角色，獲授權負責觀察、監察及覆檢須匯報投訴個案的處理和調查工作，並就本會條例所指明的須匯報投訴個案的處理和調查工作向警務處處長或行政長官或兼向上述兩者提出建議。本會亦會就處長因應須匯報投訴個案而已經或將會對任何相關警務人員作出的行動進行監察，並對有關行動提供意見。

由於本會並非牟利機構，且無須遵守任何外間訂立的資本規定，因此本會的主要財務及資本管理目標是維持每年收支平衡，從而能夠持續運作及履行法定機構的角色和職能。

本會的資金主要源自政府撥款。任何營運盈餘必須結轉至下一個財政年度，以應付未來本會運作所需的開支。整體資本管理政策與上年比較並無作出任何改變。

**2. 採納香港財務報告準則**

本會的財務報表乃根據香港會計師公會頒佈的所有適用的香港財務報告準則，包括所有個別適用的香港財務報告準則、香港會計準則及註釋和香港公認會計原則編製。主要會計政策已載於附註3。

**1. General information**

The Independent Police Complaints Council (the "Council") is a body corporate established under the Independent Police Complaints Council Ordinance. Under the Independent Police Complaints Council Ordinance (Cap. 604) (the "Ordinance"), the Council assumes its statutory role as the authority for observing, monitoring and reviewing the handling and investigation of reportable complaints, and making recommendations to the Commissioner of Police or the Chief Executive or both of them in respect of the handling or investigation of reportable complaints as specified in the Ordinance. The Council also monitors actions taken or to be taken in respect of any member of the police force by the Commissioner in connection with reportable complaints, and to advise them of its opinion on such actions.

Since the Council is not profit-oriented and is not subject to any externally imposed capital requirements, its primary financial and capital management objectives are to maintain a balance between annual income and expenditure, so that it has the ability to operate as a going concern and perform its statutory roles and functions.

The Council is primarily financed by government subventions. Any operating surplus shall be carried forward to the following financial year to meet future expenditure required for the operations of the Council. The overall capital management strategy remains unchanged from prior year.

**2. Statement of compliance with Hong Kong Financial Reporting Standards**

The Council's financial statements have been prepared in accordance with all applicable Hong Kong Financial Reporting Standards ("HKFRSs"), which includes all applicable individual Hong Kong Financial Reporting Standards, Hong Kong Accounting Standards ("HKASs") and Interpretations issued by the Hong Kong Institute of Certified Public Accountants ("HKICPA") and accounting principles generally accepted in Hong Kong. A summary of significant accounting policies is set out in note 3.





### 3. 主要會計政策

#### (a) 財務報表編製基準

本財務報表採用歷史成本會計基準編製。

#### (b) 固定資產

固定資產是以成本減去累計折舊和減值虧損後記入財務狀況表。

折舊是在扣減固定資產的預計剩餘價值(如有)後，按預計可用年限以直線法沖銷其成本，計算方法如下：

- 租賃裝修工程 3年
- 辦公室設備 5年
- 電腦設備 3年
- 傢俱及裝置 3年

資產的可用年限和剩餘殘值會每年檢討。

本會在每個報告日評估固定資產是否有任何減值跡象，並評估項目於以往確認的減值虧損是否有所減少。如果這種跡象存在，本會便會估計項目的可收回金額。減值虧損，即資產或現金的賬面價值超過其可收回金額，或減值損失的撥回，應立即確認在全面收益表中。

撤銷承認固定資產項目所產生的損益為處置所得款項淨額與項目賬面金額之間的差額，並於撤銷承認日在全面收益表中確認。

#### (c) 租賃

租賃是出租人與承租人在商定的時期內以換取支付或支付一系列資產使用權的一項協議。決定一個安排是否，或包含，租賃是取決於該安排的本質，及當履行該安排時，是否取決於特定資產的使用和資產使用權的轉移。

租賃的資產被列為融資租賃時，租賃實質上是將該資產所有權所附帶的風險和報酬轉移給本會。所有其他租賃歸類為營運租賃。

### 3. Summary of significant accounting policies

#### (a) Basis of preparation of the financial statements

The measurement basis used in preparing the financial statements is historical cost.

#### (b) Fixed assets

Fixed assets are stated in the statement of financial position at cost less accumulated depreciation and impairment losses, if any.

Depreciation is calculated to write off the cost of items of fixed assets, less their estimated residual value, if any, on a straight-line basis over their estimated useful lives as follows:

- Leasehold improvements 3 years
- Office equipment 5 years
- Computer equipment 3 years
- Furniture and fixtures 3 years

The residual value and the useful life of an asset are reviewed at least at each financial year-end.

The Council assesses at each reporting date whether there is any indication that any items of fixed assets may be impaired and that an impairment loss recognised in prior periods for an item may have decreased. If any such indication exists, the Council estimates the recoverable amount of the item. An impairment loss, being the amount by which the carrying amount of an asset or a cash-generating unit exceeds its recoverable amount, or a reversal of impairment loss is recognised immediately in statement of comprehensive income.

Gain or loss arising from the derecognition of an item of fixed assets is included in statement of comprehensive income when the item is derecognised and is determined as the difference between the net disposal proceeds, if any, and the carrying amount of the item.

#### (c) Leases

A Lease is an agreement whereby the lessor conveys to the lessee in return for a payment or series of payments the right to use an asset for an agreed period of time. Determining whether an arrangement is, or contains, a lease is based on the substance of the arrangement and requires an assessment of whether fulfilment of the arrangement is dependent on the use of a specific asset or assets and the arrangement conveys a right to use the asset.

Leases of assets are classified as finance leases when the leases transfer substantially all risks and rewards incidental to ownership of the assets to the Council. All other leases are classified as operating leases.





**3. 主要會計政策(續)****(c) 租賃(續)****營運租賃**

營運租賃之付款於租賃期內以直線法在收益表內列為開支。為取得在營運租賃下持有的土地所付出的款項，以土地租賃溢價確認於財務狀況表中。

難以預料的租金在發生時確認為當期的費用。

**(d) 按金及預付款項**

按金及預付款項按公允價值初始確認，其後按攤銷成本減去呆賬減值撥備計算後所得的金額入賬，但如折現影響並不重大則除外。在此情況下，應收款項會按成本減去呆壞賬減值撥備後所得的金額入賬。

**(e) 現金及現金等價物**

現金及現金等價物包括銀行及手頭現金，銀行活期存款，以及可隨時轉換為已知數額現金，並幾乎不受價值變動風險所影響之短期高度流通投資項目。

**(f) 其他應付款項**

其他應付款項均於初期按公平值確認，其後按攤銷成本列賬，惟倘若折現之影響並不重大，則按成本列賬。

**(g) 撥備及或有負債**

如果本會須就已發生的事件承擔法定或推定義務，因而預期很可能會導致經濟利益流出，在有關金額能夠可靠地估計時，本會便會對該時間或金額不確定的負債計提撥備。如果貨幣時間價值重大，則按預計所需費用的現值計提撥備。

如果經濟利益流出的可能性較低，或是無法對有關金額作出可靠的估計，便會將該義務披露為或有負債，但經濟利益流出的可能性極低則除外。如果本會的義務須視乎某項或多項未來事件是否發生才能確定是否存在，該義務亦會被披露為或有負債，但經濟利益流出的可能性極低則除外。

**3. Summary of significant accounting policies (continued)****(c) Leases (continued)****Operating leases**

Lease payments under an operating lease are recognised as an expense on a straight-line basis over the lease term. The payments made on acquiring land held under an operating lease are recognised in the statement of financial position as lease premium for land.

Contingent rents are charged as an expense in the periods in which they are incurred.

**(d) Deposits and prepayments**

Deposits and prepayments are initially recognised at fair value and thereafter stated at amortised cost less allowance for impairment of doubtful debts, except where the effect of discounting would be immaterial. In such cases, the receivables are stated at cost less allowance for impairment of doubtful debts.

**(e) Cash and cash equivalents**

Cash comprises cash on hand and at bank and demand deposits with bank. Cash equivalents are short-term, highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

**(f) Other payables**

Other payables are initially measured at fair value and, after initial recognition, at amortised cost, except for short-term payables with no stated interest rate and the effect of discounting being immaterial, that are measured at their original invoice amount.

**(g) Provisions and contingent liabilities**

Provisions are recognised for liabilities of uncertain timing or amount when the Council has a legal or constructive obligation arising as a result of a past event, it is probable that an outflow of economic benefits will be required to settle the obligation and a reliable estimate can be made. Where the time value of money is material, provisions are stated at the present value of the expenditure expected to settle the obligation.

Where it is not probable that an outflow of economic benefits will be required, or the amount cannot be estimated reliably, the obligation is disclosed as a contingent liability, unless the probability of outflow of economic benefits is remote. Possible obligations, whose existence will only be confirmed by the occurrence or non-occurrence of one or more future events are also disclosed as contingent liabilities unless the probability of outflow of economic benefits is remote.

**3. 主要會計政策(續)****(h) 收入確認**

收入乃按已收或應收代價之公平值計算。如果經濟利益很可能會流入本會，而收入和支出(如適用)又能夠可靠地計量時，下列各項收入便會在全面收益表中確認：

**(i) 政府補助**

當可以合理地確定本會將會收到政府補助並履行該補助的附帶條件時，政府補助便會按其公允價值確認。

有關購置固定資產的政府補助歸入遞延政府補助，並於相關資產的預計可用期限內按直線法計入全面收益表。

**(ii) 利息收入**

利息收入是使用有效的利率方法確認。

**(i) 員工福利****(i) 僱員可享有的假期**

僱員所累積的應得有薪年假會被計入。在財務狀況表日，由僱員提供服務而產生的預計有薪年假會被計提撥備。

僱員可享有的病假及身孕假期會於假期開始時才計算。

**(ii) 退休福利成本**

本會已經加入強制性公積金條例下成立的強制性公積金計劃(強積金計劃)。僱主的供款額為非公務員合約的僱員有關入息的5%，向每月入息高於\$25,000的僱員作出最高供款每月\$1,250。該計劃之資產與本會之資產分開持有，並由信託人以基金託管。

向強積金計劃支付的供款於到期日列作支出。

**3. Summary of significant accounting policies (continued)****(h) Income recognition**

Income is measured at the fair value of the consideration received or receivable. Provided that it is probable that the economic benefits associated with the income transaction will flow to the Council and the income and the costs, if any, in respect of the transaction can be measured reliably, income is recognised as follows:

**(i) Government grants**

Government grants are recognised at their fair value where there is a reasonable assurance that the grant will be received and the Council will comply with all attached conditions.

Government grants relating to the purchase of fixed assets are included in deferred income and are credited to the statement of comprehensive income on a straight-line basis over the expected lives of the related assets.

**(ii) Interest income**

Interest income is recognised using the effective interest method.

**(i) Employee benefits****(i) Employee leave entitlements**

Employee entitlements to annual leave are recognised when they accrue to employees. A provision is made for the estimated liability for annual leave as a result of services rendered by employees up to the statement of financial position date.

Employee entitlements to sick leave and maternity or paternity leave are not recognised until the time of leave.

**(ii) Retirement benefit costs**

The Council has joined the Mandatory Provident Fund Scheme (the MPF Scheme) established under the Mandatory Provident Fund Ordinance for non-civil service contract staff. The Council contributes 5% of the relevant income of staff members under the MPF Scheme. Contributions made for the Scheme by the Council are capped at \$1,250 for employees earning more than \$25,000 a month. The assets of the Scheme are held separately from those of the Council, in funds under the control of trustee.

Payments to the MPF Scheme are charged as an expense as they fall due.



## 3. 主要會計政策(續)

## (j) 除商譽以外的有形及無形資產減值

於各結算日，本會會檢討具有限可使用年期的有形及無形資產的賬面值，以判斷該資產是否出現減值虧損。當顯示可能出現減值虧損時，該資產的可收回值會被評估以計算其虧損幅度。如該資產的可收回值並不可能被評估，本會會評估該資產所屬的現金產生單位可收回值。當確定了一個合理及一致的分類基礎時，企業資產會被分類為獨立現金產生單位或現金產生單位的最小組別。

## (k) 關聯方

## (i) 一名人士或其近親被視為本會的關聯方，如果該人士：

- (a) 能控制或共同控制本會；
- (b) 能對本會構成重大影響力；或
- (c) 為本會的關鍵管理人員。

## (ii) 一個實體可視為本會的關聯方，如果該實體符合以下任何情況：

- (a) 一個實體是為本會或為本會關聯方的僱員福利而設的離職後福利計劃；
- (b) 一個實體由(a)中描述的人士控制或共同控制；或
- (c) (a)(i)中描述的一名人士對一個實體構成重大影響，或為一個實體的關鍵管理人員。

## 3. Summary of significant accounting policies (continued)

## (j) Impairment of tangible and intangible assets other than goodwill

At the end of reporting date, the Council reviews the carrying amounts of its tangible and intangible assets with finite useful lives to determine whether there is any indication that those assets have suffered an impairment loss. If any such indication exists, the recoverable amount of the asset is estimated in order to determine the extent of the impairment loss, if any. When it is not possible to estimate the recoverable amount of an individual asset, the Council estimates the recoverable amount of the cash-generating unit to which the asset belongs. When a reasonable and consistent basis of allocation can be identified, corporate assets are also allocated to individual cash-generating units, or otherwise they are allocated to the smallest group of cash-generating units for which a reasonable and consistent allocation basis can be identified.

## (k) Related parties

## (i) A person or a close member of that person's family is related to the Council if that person:

- (a) has control or joint control over the Council;
- (b) has significant influence over the Council; or
- (c) is a member of the key management personnel of the Council.

## (ii) An entity is related to the Council if any of the following conditions applies:

- (a) The entity is a post-employment benefit plan for the benefit of employees of either the Council or an entity related to the Council;
- (b) The entity is controlled or jointly controlled by a person identified in (a); or
- (c) A person identified in (a)(i) has significant influence over the entity or is a member of the key management personnel of the entity.



**4. 會計政策更新**

於二零一三年，本會已應用香港會計師公會頒佈於二零一三年一月一日或之後開始之年度生效包括以下或與本會業務及財務報表有關的香港財務報告準則：

**4. Changes in accounting policies**

The Council has initially applied the new and revised HKFRSs issued by the HKICPA that are first effective for accounting periods beginning on or after 1 January 2013, including:–

香港會計準則第1號(修訂本)：其他全面收益項目之呈列

Amendments to HKAS 1: Presentation of Items of Other Comprehensive Income

香港財務報告準則第13號：公平值之計量

HKFRS 13: Fair Value Measurement

香港會計準則第19號(二零一一年修訂)：僱員福利

HKAS 19 (as revised in 2011): Employee Benefits

香港財務報告準則第7號(修訂本)：抵銷金融資產與金融負債的披露

Amendments to HKFRS 7: Disclosures – Offsetting Financial Assets and Financial Liabilities

香港財務報告準則(修訂本)：香港財務報告準則二零零九年至二零一一年週期之年度改進

Amendments to HKFRSs: Annual Improvements to HKFRSs 2009 – 2011 Cycle

於本年度應用該等香港財務報告準則對本會的財政表現及狀況並沒有重大影響。

The application of the new and revised HKFRSs has no material effects on the Council's financial performance and positions.

**5. 重要會計推算及判斷**

按照香港財務報告準則編制財務報表時，本會管理層會為影響到資產、負債、收入及開支的會計政策的應用作出判斷、估計及假設。這些判斷、估計及假設是以過往經驗及多項其他於有關情況下視作合理之因素為基準。儘管管理層對這些判斷、估計及假設作出持續檢討，實際結果可能有別於此等估計。

**5. Critical accounting estimates and judgement**

The Council's management makes assumptions, estimates and judgements in the process of applying the Council's accounting policies that affect the assets, liabilities, income and expenses in the financial statements prepared in accordance with HKFRSs. The assumptions, estimates and judgements are based on historical experience and other factors that are believed to be reasonable under the circumstances. While the management reviews their judgements, estimates and assumptions continuously, the actual results will seldom equal to the estimates.

有關財務風險管理的某些主要假設及風險因素列載於附註16。對於本財務報表所作出的估計及假設，預期不會構成重大風險，導致下一財政年度資產及負債的賬面值需作大幅修訂。

Certain key assumptions and risk factors in respect of the financial risk management are set out in note 16. There are no other key sources of estimation uncertainty that have a significant risk of causing a material adjustment to the carrying amounts of asset and liabilities within the next financial year.

**6. 政府補助**

政府補助是指政府撥款以供本會履行服務的資金。有關補助是按照本會的需要(已載列於年度預算及建議項目中)而釐定。

**6. Government grants**

Government grants represent the funds granted by the Government for the Council's services which is determined with regard to the needs of the Council as presented in its annual budget and proposed projects.



## 7. 其他收入

## 7. Other income

	2014 \$	2013 \$
利息收入 Interest income	30,934	1,721
雜項收入 Sundry income	1,774	4,652
	32,708	6,373

## 8. 年內盈餘及全面收益

## 8. Surplus and other comprehensive income for the year

年內盈餘及全面收益已計入：

Surplus and other comprehensive income for the year is arrived at after charging:

	2014 \$	2013 \$
僱員福利開支 Employee benefits expense		
– 強制性公積金供款 Contributions to Mandatory Provident Funds	526,382	483,001
– 薪金、工資及其他福利 Salaries, wages and other benefits	24,299,403	22,417,910
	24,825,785	22,900,911
核數師酬金 Auditor's remuneration	38,000	36,000
折舊 Depreciation	2,527,806	1,408,611
物業的營運租賃費用 Operating lease charges for properties	7,954,438	7,494,143

## 9. 稅項

## 9. Taxation

根據《稅務條例》第87條的規定，本會獲豁免課稅，因此本會無須在本財務報表計提香港利得稅撥備。

No provision for Hong Kong Profits Tax has been made in the financial statements as the Council is exempted from profits tax pursuant to section 87 of the Inland Revenue Ordinance.



## 10. 固定資產

## 10. Fixed assets

	租賃裝修工程 Leasehold improvements	傢俱及裝置 Furniture and fixtures	辦公室設備 Office equipment	電腦設備 Computer equipment	總額 Total
<b>成本 Cost</b>	\$	\$	\$	\$	\$
於二零一二年四月一日 At 1 April 2012	1,778,149	117,679	1,073,831	596,289	3,565,948
增置 Additions	3,754,950	187,092	177,740	2,102,324	6,222,106
棄置 Disposals	(1,783,149)	(9,600)	(5,332)	–	(1,798,081)
於二零一三年三月三十一日 At 31 March 2013	3,749,950	295,171	1,246,239	2,698,613	7,989,973
<b>累計折舊 Accumulated depreciation</b>					
於二零一二年四月一日 At 1 April 2012	235,798	17,935	371,621	120,272	745,626
年內折舊 Charge for the year	812,166	54,921	223,723	317,801	1,408,611
棄置核銷 Written back on disposals	(631,304)	(6,528)	(3,037)	–	(640,869)
於二零一三年三月三十一日 At 31 March 2013	416,660	66,328	592,307	438,073	1,513,368
<b>賬面淨值 Net book value</b>					
於二零一三年三月三十一日 At 31 March 2013	3,333,290	228,843	653,932	2,260,540	6,476,605
<b>成本 Cost</b>					
於二零一三年四月一日 At 1 April 2013	3,749,950	295,171	1,246,239	2,698,613	7,989,973
增置 Additions	–	4,370	59,360	1,810,465	1,874,195
於二零一四年三月三十一日 At 31 March 2014	3,749,950	299,541	1,305,599	4,509,078	9,864,168
<b>累計折舊 Accumulated depreciation</b>					
於二零一三年四月一日 At 1 April 2013	416,660	66,328	592,307	438,073	1,513,368
年內折舊 Charge for the year	1,249,984	99,522	252,700	925,600	2,527,806
於二零一四年三月三十一日 At 31 March 2014	1,666,644	165,850	845,007	1,363,673	4,041,174
<b>賬面淨值 Net book value</b>					
於二零一四年三月三十一日 At 31 March 2014	2,083,306	133,691	460,592	3,145,405	5,822,994

## 11. 現金及現金等價物

## 11. Cash and cash equivalents

	2014 \$	2013 \$
銀行存款 Cash at banks	28,795,328	17,738,085
財務狀況表及現金流量表之現金及現金等價物 Cash and cash equivalents in the statement of financial position and the statement of cash flows	28,795,328	17,738,085

## 12. 遞延政府補助

## 12. Deferred government grants

	2014 \$	2013 \$
於二零一三年／二零一二年四月一日的結餘 Balance as at 1 April 2013/2012	1,645,558	593,586
已收補助 Grants received	1,770,500	1,302,495
年內確認為收入的數額 Recognised as income in the year	(685,408)	(250,523)
於二零一四年／二零一三年三月三十一日的結餘 Balance as at 31 March 2014/2013	2,730,650	1,645,558
減：歸入「流動負債」的數額 Less : Amount included in "current liabilities"	1,201,513	636,227
歸入「非流動負債」的數額 Amount included in "non-current liabilities"	1,529,137	1,009,331

有關補助主要是用作為資訊科技軟件及硬件升級和提升資訊科技的保安。

The grants are mainly for the upgrading of information technology (IT) software and hardware, as well as enhancing the IT security.

## 13. 其他應付款項及應計費用

## 13. Other payables and accruals

	2014 \$	2013 \$
財務負債 Financial liabilities	550,456	1,435,346
未放取的有薪年假 Unutilized annual leave	770,520	529,951
	1,320,976	1,965,297

其他應付款項及應計費用預計於下年內償還。

Other payables and accruals are expected to be settled within one year.

## 14. 員工約滿酬金撥備

## 14. Provision for staff gratuities

	2014 \$	2013 \$
於二零一三年/二零一二年四月一日的結餘 Balance as at 1 April 2013/2012	3,119,615	2,099,424
已計提撥備 Provision made	2,056,213	1,915,890
已動用撥備 Provision utilised	(1,759,643)	(895,699)
於二零一四年/二零一三年三月三十一日的結餘 Balance as at 31 March 2014/2013	3,416,185	3,119,615

員工約滿酬金撥備是為了支付受聘當日起計已完成兩年或三年合約的員工的約滿酬金而設立。

Provision for staff gratuities is set up for the gratuity payments which will be payable to employees of the Council who complete their two or three-year contracts commencing from the date of their employment.

## 15. 承擔

## 15. Commitments

於二零一四年三月三十一日，根據不可解除的營運租賃在日後應付的物業最低租賃付款總額如下：

At 31 March 2014, the total future minimum lease payments under non-cancellable operating leases in respect of properties are payable as follows:

	2014 \$	2013 \$
一年內 Within 1 year	7,642,409	8,487,585
一年後但五年內 After 1 year but within 5 years	10,189,878	17,543,271
	17,832,287	26,030,856



## 16. 金融工具

本會將其財務資產分為以下類別：

## 16. Financial instruments

The Council has classified its financial assets in the following categories:

	貸款及應收款項 Loans and receivables	
	2014 \$	2013 \$
按金 Deposits	1,883,616	2,479,321
現金及現金等價物 Cash and cash equivalents	28,795,328	17,738,085
	30,678,944	20,217,406

本會將其財務負債分為以下類別：

The Council has classified its financial liabilities in the following categories:

	按攤銷成本計量的財務負債 Financial liabilities measured at amortised cost	
	2014 \$	2013 \$
其他應付款項及應計費用 Other payables and accruals	550,456	1,435,346

所有金融工具的賬面值相對二零一三年及二零一四年三月三十一日年底時的公平值均沒有重大差別。

All financial instruments are carried at amounts not materially different from their fair values as at 31 March 2013 and 2014.

本會的營運活動及金融工具使其面對信貸風險，流動資金風險及市場風險。本會透過以下政策管理該等風險，以減低該等風險對本會的財務表現及狀況的潛在不利影響。

The Council is exposed to credit risk, liquidity risk and market risk arising in the normal course of its operation and financial instruments. The Council's risk management objectives, policies and processes mainly focus on minimising the potential adverse effects of these risks on its financial performance and position by closely monitoring the individual exposure.

## 16. 金融工具(續)

## (a) 信貸風險

本會並無重大集中信貸風險，而最高風險相等於財務資產所載有關賬面值。本會的信貸風險主要來自其銀行存款。銀行存款的信用風險是有限，因受存款之銀行均為受香港銀行條例規管的財務機構。

## 16. Financial instruments (continued)

## (a) Credit risk

The Council has no concentration of credit risk. The maximum exposure to credit risk is represented by the carrying amount of the financial assets. The Council is exposed to credit risk on financial assets, mainly attributable to deposits with banks. The credit risk on bank deposits is limited because the counterparties are authorised financial institutions regulated under the Hong Kong Banking Ordinance.

數據一覽 Summary quantitative data	2014 \$	2013 \$
按金 Deposits	1,883,616	2,479,321
銀行存款 Bank balances	28,795,328	17,738,085
	30,678,944	20,217,406

## (b) 流動資金風險

本會的流動資金風險是財務負債。本會對資金作出謹慎管理，維持充裕的現金和現金等價項目，以滿足連續運作的需要。

## (b) Liquidity risk

The Council is exposed to liquidity risk on financial liabilities. It manages its funds conservatively by maintaining a comfortable level of cash and cash equivalents in order to meet continuous operational need. The Council ensures that it maintains sufficient cash which is available to meet its liquidity.

	賬面值 Carrying amount \$	合約的未折現 現金流量總額 Total contractual undiscounted cash flow \$	一年內或 於要求時 Within 1 year or on demand \$
2014			
其他應付款項及應計費用 Other payables and accruals	550,456	550,456	550,456
2013			
其他應付款項及應計費用 Other payables and accruals	1,435,346	1,435,346	1,435,346

## 16. 金融工具(續)

## (c) 市場風險

## 利率風險

本會的利率風險主要來自銀行存款，並以貸款及應收款項作為財務資產分類。

本會的銀行存款主要為活期存款，利率風險較低。因此，本會預期不會面對任何重大利率風險。

## 16. Financial instruments (continued)

## (c) Market risk

## Interest rate risk

The Council's exposure on fair value interest rate risk mainly arises from its cash deposits with bank which are classified as loans and receivables.

The Council mainly holds deposits with bank in saving account and the exposure is considered not significant. In consequence, no material exposure on fair value interest rate risk is expected.

數據一覽 Summary quantitative data	2014 \$	2013 \$
浮息財務資產 Floating-rate financial assets		
銀行結存 Deposits with banks	18,174,197	10,832,121

本會沒有對所產生的利率風險作敏感性分析，因為管理層評估此風險對本會的財務狀況不會產生重大影響。

No sensitivity analysis for the Council's exposure to interest rate risk arising from deposits with bank is prepared since based on the management's assessment the exposure is considered not significant.

## (d) 以公平值計量之金融工具

於財務狀況表日，本會並沒有金融工具以公平值列賬。

## (d) Financial instrument at fair value

At the statement of financial position date, there were no financial instruments stated at fair value.

## 17. 關聯方交易

除披露在財務報表的交易及結餘外，本會與關聯方於年內進行之交易摘要如下：

## 17. Related party transactions

The Council had the following material related party transactions during the year:

	2014 \$	2013 \$
本會成員酬金 Honorarium paid to Council members	668,760	634,100

有關採購貨品及服務的所有交易（當中涉及本會的成員及主要管理人員可能持有權益的機構）是在日常業務過程中按照本會的財務責任及正常採購程序進行。

All transactions related to the procurement of goods and services involving organisations in which a member of the Council and key management personnel may have an interest are conducted in the normal course of business and in accordance with the Council's financial obligations and normal procurement procedures.



**18. 已頒佈但於年內尚未生效之香港財務報告準則**

以下乃已頒佈但於年內尚未生效之香港財務報告準則，這些準則或與本會營運及財務報表有關：

**18. Hong Kong Financial Reporting Standards issued but not yet effective for the year**

HKFRSs that have been issued but are not yet effective for the year include the following HKFRSs which may be relevant to the Council's operations and financial statements:

	於以下年度開始或以後生效 Effective for annual periods beginning on or after
香港財務報告準則(修訂本)：香港財務報告準則二零一零年至二零一二年週期之年度改進 Amendments to HKFRSs: Annual Improvements to HKFRSs 2010-2012 Cycle	二零一四年七月一日 1 July 2014
香港財務報告準則(修訂本)：香港財務報告準則二零一一年至二零一三年週期之年度改進 Amendments to HKFRSs: Annual Improvements to HKFRSs 2011-2013 Cycle	二零一四年七月一日 1 July 2014
香港財務報告準則第9號：金融工具 HKFRS 9: Financial Instruments	二零一五年一月一日 1 January 2015
香港財務報告準則第7號及第9號(修訂本)： 香港財務報告準則第9號強制生效日期及過渡披露 Amendments to HKFRS 9 and HKFRS 7: Mandatory Effective Date of HKFRS 9 and Transition Disclosures	二零一五年一月一日 1 January 2015
香港會計準則第19號(修訂本)：界定福利計劃－僱員供款 Amendments to HKAS 19: Defined Benefit Plans – Employee Contributions	二零一四年七月一日 1 July 2014
香港會計準則第32號(修訂本)：金融資產和金融負債之抵銷 Amendments to HKAS 32: Offsetting Financial Assets and Financial Liabilities	二零一四年一月一日 1 January 2014
香港會計準則第36號(修訂本)：非金融資產之可收回金額披露 Amendments to HKAS 36: Recoverable Amount Disclosures for Non-Financial Assets	二零一四年一月一日 1 January 2014

本會並無提早採納該等香港財務報告準則。初步評估顯示採納該等香港財務報告準則不會對本會首次採納年度的財務報表產生重大影響。本會將繼續評估該等香港財務報告準則及其他就此識別的重大變動的影響。

The Council has not early adopted these HKFRSs. Initial assessment has indicated that the adoption of these HKFRSs would not have a significant impact on the Council's financial statements in the year of initial application. The Council will be continuing with the assessment of the impact of these HKFRSs and other significant changes may be identified as a result.

**19. 通過財務報表**

本財務報表已於二零一四年五月二十九日得到本會的同意下發佈。

**19. Approval of financial statements**

These financial statements were authorised for issue by the Council on 29 May 2014.

# 服務承諾

## Performance Pledges

監警會重視工作效率和優質表現，定下一系列的服務承諾：

We attach great importance to efficient and quality performance.  
Our performance pledges are:

	Handling of Cases 個案的處理	Performance Target (standard response time) ● 表現指標 (標準回應時間) ●
<b>Enquiries</b> 查詢	By telephone / in person 致電 / 親臨	Immediately 即時
	In writing 書面	Within 10 days 10天內
<b>Monitoring of Complaints</b> 監察投訴	Normal Cases ● 一般個案 ●	Within 3 months 3個月內
	Complicated Cases ● 複雜個案 ●	Within 6 months 6個月內
	Review Cases ● 覆核個案 ●	Within 6 months 6個月內

● 由接獲投訴警察課最終調查報告 / 回應的日期起計

● 一般個案：向投訴警察課提出不多於一輪質詢的輕微個案（例如沒有禮貌或疏忽職守）

● 複雜個案：所有嚴重的個案（例如毆打或捏造證據），或向投訴警察課提出多於一輪質詢的輕微個案

● 覆核個案：要求覆核須匯報投訴的調查結果分類的個案

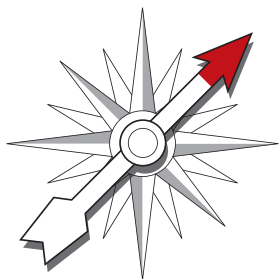
● Measured from the date of receipt of CAPO's final investigation report/response

● Normal cases: minor cases (such as Impoliteness or Neglect of Duty) with no more than one round of query raised by the IPCC with CAPO

● Complicated cases: all serious cases (such as Assault or Fabrication of Evidence) and minor cases with two or more rounds of queries raised by the IPCC with CAPO

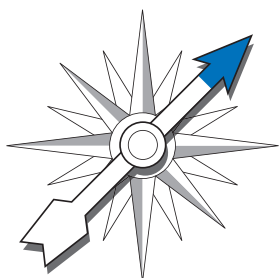
● Review cases: requests for reviewing the classification of Reportable Complaints





封面上指南針的指針指向「獨立」和「監察」的設計概念，突顯監警會的獨立性質及其監察職能。

除了「獨立」和「監察」外，指南針亦寫上「公正」和「誠信」，帶出監警會的使命和價值觀。



The cover design depicts the faces of two compasses, one pointing towards “Monitor”, highlighting the independent nature of the IPCC and its mission.

The words “Impartiality” and “Integrity” emphasise the character and values of the Council.



香港灣仔港灣道26號華潤大廈10樓1006-10室

Rooms 1006-10, 10/F, China Resources Building,  
No. 26 Harbour Road, Wan Chai, Hong Kong

電話 Tel : 2524 3841

傳真 Fax : 2524 1801 / 2525 8042

電郵 Email : [enq@ipcc.gov.hk](mailto:enq@ipcc.gov.hk)

網址 Website : [www.ipcc.gov.hk](http://www.ipcc.gov.hk)