

# 主席前言

## Chairman's foreword



主席 Chairman  
郭琳廣，BBS，JP  
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我代表委員會欣然向大家發表獨立監察警方處理投訴委員會（簡稱監警會）2015/16年的工作報告。

在我首兩年監警會主席的任期內，本港先後經歷佔領事件及旺角騷亂，社會的政治氣氛變得兩極化，公眾不單只關注警察的執法，亦關注監警會作為獨立監察警方處理投訴的機構，如何履行其法定職責。這些轉變為會方帶來新挑戰，但挑戰往往會帶來機遇，我們會積極、正面地回應。

2016年3月會方委託港大民意研究計劃進行公眾意見調查，調查結果具有重要的參考價值，讓我們了解到公眾對監警會的認知和觀感。首先，調查發現公眾對會方的認知度維持在高水平，但只有半數受訪者能正確分辨監警會的法定職能。例如，有部分受訪者誤以為監警會會直接調查投訴案件和監察警務人員的行為或操守。第二、年輕受訪者當中，錯誤認識監警會職能的人，明顯較正確認識的多。外界亦曾經有評論指監警會沒有處分違規警務人員；事實上法例賦

It is my pleasure to present the Independent Police Complaints Council (IPCC) report for the year 2015/16 on behalf of the Council.

In my first two years serving as the IPCC Chairman, Hong Kong has experienced the Occupy Movement and subsequently the Mong Kok riot. The city's political climate has become divisive. What concerns the public is not just the Police's law enforcement, but how the IPCC, as an independent body monitoring the handling of police complaints, fulfils its statutory duties. These changes have brought us new challenges, which often come with opportunities which we would respond in a positive and proactive manner.

In March 2016, we commissioned The University of Hong Kong's Public Opinion Programme to conduct a public opinion survey. The findings have given us a significant reference in understanding awareness and perception of the IPCC by the public. Firstly, public awareness of the Council was found to have remained at a high level, but only about half of the respondents managed to correctly identify our statutory duties. Some respondents, for example, misunderstood that the IPCC would directly investigate complaint cases and monitor the behaviour or conduct of the police officers. Secondly, young respondents who could identify our duties correctly were significantly outnumbered by those who could not. There were also comments that the IPCC did not take disciplinary actions directly

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予會方權力就處分提出意見，但執行處分是由警方負責。這些誤解正正提醒我們在宣傳及教育工作上仍有發展空間。會方期待未來有更多機會和社會各界人士溝通，包括警方、各專業團體、關注遊行活動的持份者等，並會走進校園和學生交流，以提升大眾對會方的認識。

公眾意見調查亦發現，跟大型公眾活動所衍生的投訴有關的新聞，會更吸引或引起公眾對投訴警察以至監警會的關注。雖然這些投訴佔整體數字仍屬少數，但爭議性大，我們定當嚴肅處理。但我們同樣希望公眾理解，無論是備受社會矚目的案件，抑或是警察日常執法引起的個案，會方也一視同仁，以證據為依歸、不偏不倚地去審視每一個投訴警察課呈交的調查報告。再者，監警會嚴謹的審核程序是公眾可以賴以信任的，這程序有專業的審核主任及來自社會各界的委員參與，他們會充分討論及釐清不同的觀點，並可向投訴警察課提出質詢，在有效的監察和制衡下達成結論，這樣的機制能使投訴人及被投訴人士得到公平、公正的對待。

在本財政年度，投訴警察個案的整體數字繼續下跌，會方接獲投訴警察課新個案的調查報告，按年減少約兩成七。報告期內，會方通過了3,360項指控的調查結果，當中有約三成六需要接受全面調查；但有約六成指控，是分類為「無法追查」或「投訴撤回」，這些個案通常是因為投訴人自行撤回投訴、或不能確定被投訴警員的身份、或未能取得投訴人的合作而未能繼續調查。雖然如此，監警會仍會審視這些個案，有需要時向投訴警察課提出質詢跟進，確保投訴人沒有受到不恰當的影響。

整體投訴數字減少可能反映現時兩層架構投訴警察制度的成效。其一是警方在

against police officers at fault. As a matter of fact, we have statutory power to provide recommendations on the disciplinary actions to be taken, yet it is the duty of the Police to execute the disciplinary actions. These misconceptions are a resounding reminder that there is still room for us to step up our publicity and education work. We look forward to having more opportunities to liaise with different sectors such as the Police, professional bodies and procession stakeholders, and interact with students on campus with a view to promote understanding of the IPCC by the public.

The public opinion survey also revealed that news coverage connected with complaints arising from large-scale public order events would attract more attention or concern from the public on complaints against the Police and the IPCC. Though such complaints were just a tiny fraction of the overall figures, they are highly controversial and would be tackled seriously. However, we also hope the public understands that the IPCC will review every investigation report submitted by the Complaints Against Police Office (CAPO) independently and impartially with a consistent, evidence-based approach, be it a case attracting widespread attention or a case concerning day-to-day law enforcement by the Police. Furthermore, our stringent case examination process is worthy of public trust with the participation of professional vetting officers and Members from various sectors. They will thoroughly discuss and clarify different viewpoints, raise Queries to the CAPO and reach a conclusion with effective monitoring and check-and-balance. Under this mechanism, both complainant and complainees are accorded a fair, impartial treatment.

During this financial year, the overall number of complaints against the Police continued to fall with a drop of around 27% year-on-year for investigation reports on new cases received from the CAPO. During the reporting period, the IPCC endorsed the findings of 3,360 allegations. Among them, approximately 36% required full investigation, while some 60% were classified as "not pursuable" or "withdrawn". Investigation could not be proceeded often because the cases were withdrawn by the complainants; the identity of the officer in the complaint could not be ascertained; or the cooperation of the complainant could not be obtained. Nevertheless, the IPCC would still examine and, when necessary, follow up these cases by raising Queries to the CAPO, so as to ensure that no undue influence had been exerted on the complainant.

The overall decrease in complaints might have reflected the effectiveness of the current two-tier police complaints system. The

年前推出表達不滿機制，將較輕微的投訴分流處理，讓我們可以集中資源，處理較嚴重的投訴個案。另外，多年來會方除了審核投訴個案，亦會就警方常規及程序提供改善建議，目的是防止類似投訴再發生，有助提升警隊的服務質素。以本財政年度為例，會方提出了10項建議並獲投訴警察課接納及跟進。這些建議主要是關於警方處理大型公眾活動，包括與主辦單位建立特定溝通渠道、更高級別警務人員參與主辦單位舉行的籌備會議的需要、提高發布人流管制及交通安排資訊的透明度等。於2013/14年度及2014/15年度，會方亦分別提出了六項及九項改善警隊常規和程序的建議，獲投訴警察課接納。

自監警會條例於2009年生效以來，會方成為獨立法定機構雖已七年，但對一個機構來說仍在成長階段。過去多年憑著各委員及秘書處同事的努力，會方在本港兩層架構的投訴警察制度下，確立了既重要兼具公信力的角色。未來會方會進一步改善審核過程的效率，並繼續讓公眾了解會方的職能。

最後，我代表委員會感謝過去一年卸任的委員陳培光醫生、馬恩國大律師、鄭承隆先生及陳章明教授，他們對會方的各方面工作有莫大貢獻。我亦感謝所有現任委員、新加入的委員和秘書處的職員，同心合力維護香港這套公平、有效、具透明度的兩層投訴警察機制。我們定必秉承監警會獨立、公正和誠信的價值觀，繼續推展我們的工作。

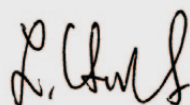


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first is the Expression of Dissatisfaction Mechanism (EDM) introduced by the Police in years before which diverted relatively minor complaints for separate handling. As a result, our resources could focus on handling complaints of a more serious nature. In addition, apart from reviewing complaint cases, we have been offering recommendations on improvements to police practices and procedures over the years. Our objective is to prevent similar complaints in future and help improve the service quality of the Police. Using this financial year as an illustration, we made 10 recommendations which were accepted and followed up by the CAPO. These recommendations were mainly related to the Police's handling of large-scale public order events, including the establishment of specific communication channels with the organisers, the necessity for more senior police officers to join the preparatory meeting with the organisers, and higher transparency in disseminating crowd management and transport arrangement information, etc. In 2013/14 and 2014/15, six and nine improvement measures to the police practices and procedures were accepted by the CAPO respectively.

It has been seven years since the Council became an independent statutory body after the promulgation of the IPCC Ordinance in 2009, but we are still a developing organization. Thanks to the efforts of our Members and Secretariat colleagues over the years, our role as an important and credible component in Hong Kong's two-tier police complaints system has been well established. In future, we will further enhance the efficiency of the examination process and continue to inform the public of our duties.

Lastly, on behalf of the IPCC, I would like to extend our gratitude to the Members who retired last year – Dr CHAN Pui-kwong, Mr Lawrence MA Yan-kwok, Mr Edwin CHENG Shing-lung and Prof Alfred CHAN Cheung-ming – for their invaluable contributions to multiple aspects of the Council's work. I also thank all the current Members, our new Members and our Secretariat staff for working together to safeguard the two-tier police complaints system that has proved impartial, effective and transparent. In taking our work forward, we will uphold the IPCC's core values of independence, impartiality and integrity.



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