



監察投訴處理 Monitoring the Handling of Complaints



調查報告及指控數字 Number of Investigation Reports and Allegations

接獲及通過的須匯報投訴個案數字

Number of Reportable Complaint cases received and endorsed

	2022/23	2021/22
接獲的須匯報投訴個案 Reportable Complaint cases received	1,413	1,590
通過的須匯報投訴個案 Reportable Complaint cases endorsed	1,419	1,705

在本報告期內（2022年4月1日至2023年3月31日），監警會共接獲投訴警察課1,413宗新的須匯報投訴個案的調查報告，按年減少11.1%。

同期，監警會通過了1,419宗須匯報投訴個案的調查結果（包括47宗覆檢個案），按年減少16.8%。除了覆檢個案外，涉及的指控有2,218項，按年減少19.3%，其中首三類指控依次序為「疏忽職守」、「行為不當／態度欠佳／粗言穢語」及「毆打」。

經監警會嚴謹審核後，被列為「獲證明屬實」、「未經舉報但證明屬實」或「無法完全證明屬實」的「疏忽職守」指控共有81項（佔該指控的7.8%），「行為不當／態度欠佳／粗言穢語」指控共有17項（佔該指控的1.8%），「毆打」指控則共有零項（佔該指控的0%）（詳細數字請參閱第42至43頁）。

During the reporting period (1 April 2022 to 31 March 2023), the IPCC received reports from CAPO on the investigation of 1,413 new Reportable Complaint cases, representing a decrease of 11.1% compared to the previous year.

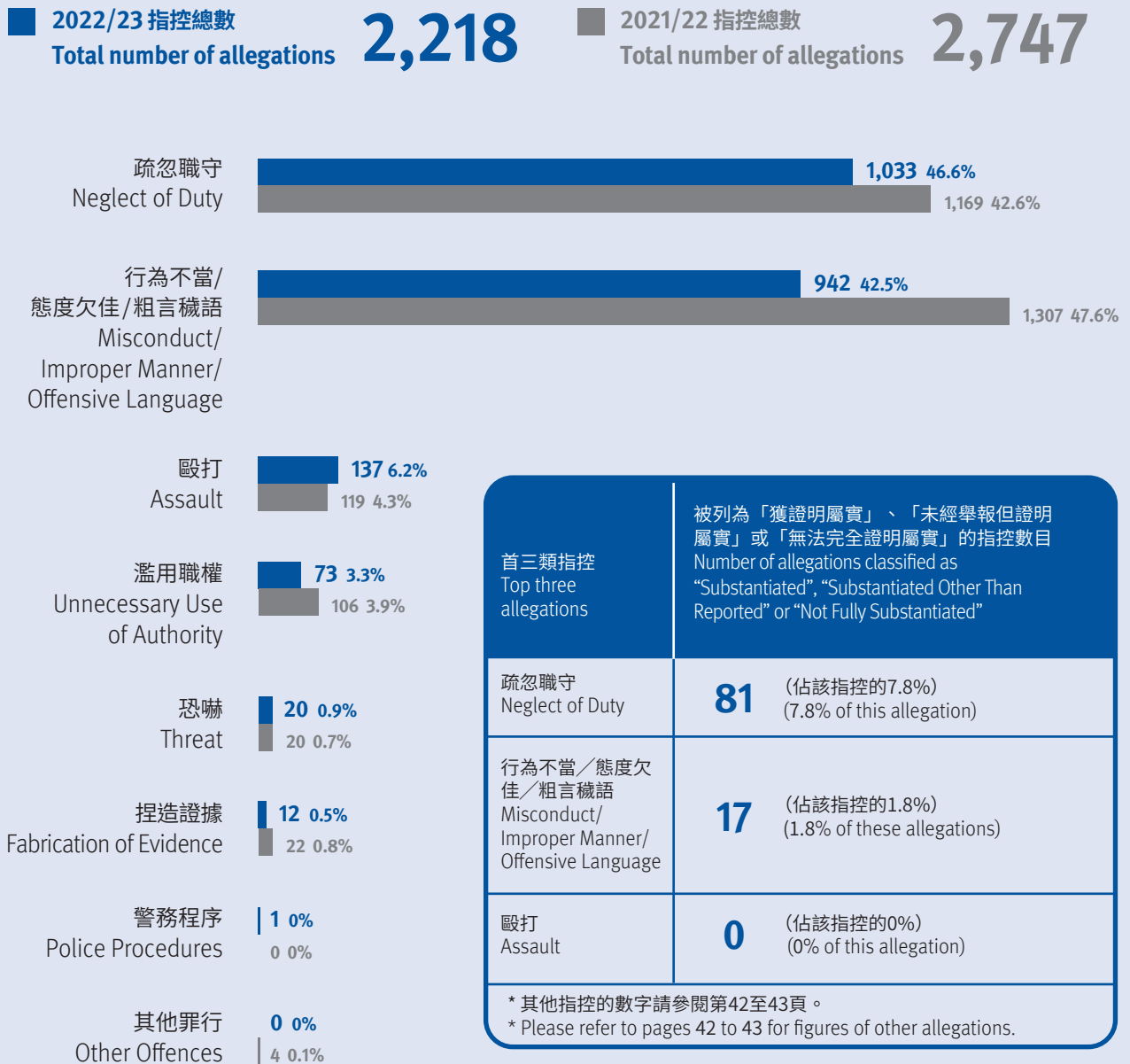
In the same period, the IPCC endorsed the results of investigation for 1,419 Reportable Complaint cases (including 47 reviewed cases), representing a decrease of 16.8% compared to the previous year. There were a total of 2,218 allegations excluding the reviewed cases, representing a decrease of 19.3% compared to the previous year. The top three allegations in descending order were “Neglect of Duty”, “Misconduct/Improper Manner/Offensive Language” and “Assault”.

After IPCC’s meticulous examination, a total of 81 counts of “Neglect of Duty” allegation (7.8% of this allegation) were classified as “Substantiated”, “Substantiated Other Than Reported” or “Not Fully Substantiated” (S/SOTR/NFS), while 17 counts (1.8% of these allegations) of “Misconduct/Improper Manner/Offensive Language” allegation and zero count (0% of this allegation) of “Assault” allegation were classified as S/SOTR/NFS respectively (please refer to pages 42 to 43 for detailed figures).

通過的指控數字(按性質分類)可見下表：

The following chart shows details of the number of allegations endorsed (by nature):

監警會通過的指控 Allegations endorsed by the IPCC



註：由於進位原因，百分率的總和可能未必是100%。
年度數字截至該年度的3月31日。

Note: Percentage shares may not add up to exactly 100% due to rounding of figures.
Figures are as of 31 March of the respective reporting year.

調查結果 Investigation Results

在2022/23年度獲通過的2,218項指控中，經全面調查的指控有554項，當中52項被列為「獲證明屬實」，佔所有經全面調查指控的9.4%。45項被列為「未經舉報但證明屬實」（佔8.1%），3項被列為「無法完全證明屬實」（佔0.5%），177項被列為「無法證實」（佔32.0%），234項被列為「並無過錯」（佔42.2%），43項則被列為「虛假不確」，佔總數的7.8%。

在其餘的1,664項無需進行全面調查的指控中，389項「透過簡便方式解決」，佔無需進行全面調查指控中的23.4%。665項被列為「投訴撤回」（佔40.0%），610項被列為「無法追查」（佔36.6%）。沒有指控被列為「終止調查」。

Among the 2,218 allegations endorsed in 2022/23, 554 were fully investigated. 52 (9.4% of those fully investigated) were classified as “Substantiated”, 45 (8.1%) as “Substantiated Other Than Reported”, 3 (0.5%) as “Not Fully Substantiated”, 177 (32.0%) as “Unsubstantiated”, 234 (42.2%) as “No Fault”, and 43 (7.8%) as “False”.

Among the remaining 1,664 allegations which did not require full investigation, 389 (23.4% of those not fully investigated) were “Informally Resolved”, 665 (40.0%) were classified as “Withdrawn”, 610 (36.6%) as “Not Pursuable”. There was no allegation classified as “Curtailed”.



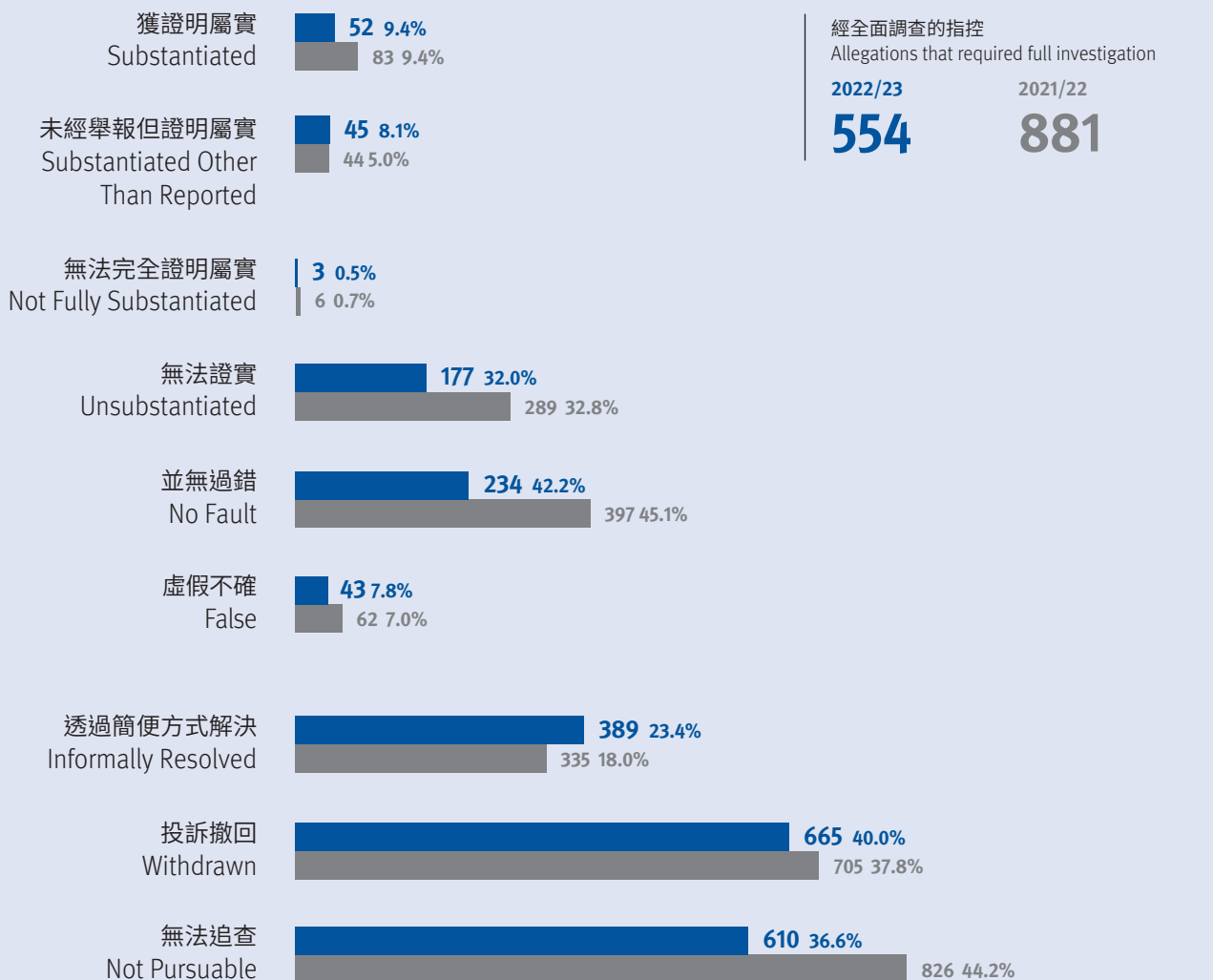
2021/22 和 2022/23 年度的調查結果數據比較可見下表：

The following table shows a comparison of figures regarding investigation results in 2021/22 and 2022/23:

監警會通過的調查結果

Investigation results endorsed by the IPCC

■ 2022/23 指控總數 **2,218** ■ 2021/22 指控總數 **2,747**
 Total number of allegations



註：由於進位原因，百分率的總和可能未必是100%。
 年度數字截至該年度的3月31日。

Note: Percentage may not add up to exactly 100% due to rounding of figures.
 Figures are as of 31 March of the respective reporting year.

監警會通過的須匯報投訴個案的指控數字(根據性質和調查結果劃分)

Number of allegations involved in the Reportable Complaint cases endorsed by the IPCC
(by nature and by results of investigations)

年份 Year	疏忽職守 Neglect of Duty		行為不當/ 態度欠佳/粗言穢語 Misconduct/ Improper Manner/ Offensive Language		毆打 Assault		濫用職權 Unnecessary Use of Authority	
	2022/23	2021/22	2022/23	2021/22	2022/23	2021/22	2022/23	2021/22
經全面調查的指控 Allegations that required full investigation								
獲證明屬實 Substantiated	36	52	14	26	0	3	2	2
未經舉報 但證明屬實 Substantiated Other Than Reported	44	41	1	3	0	0	0	0
無法完全證明屬實 Not Fully Substantiated	1	2	2	1	0	0	0	1
無法證實 Unsubstantiated	49	97	106	159	14	16	7	15
並無過錯 No Fault	159	244	37	103	2	11	35	38
虛假不確 False	6	7	12	25	17	10	1	0
小計 Subtotal	295	443	172	317	33	40	45	56
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	158	113	231	222	0	0	0	0
投訴撤回 Withdrawn	339	325	280	349	34	23	4	3
無法追查 Not Pursuable	241	288	259	419	70	56	24	47
小計 Subtotal	738	726	770	990	104	79	28	50
總數 Total	1,033	1,169	942	1,307	137	119	73	106

	恐嚇 Threat		捏造證據 Fabrication of Evidence		警務程序 Police Procedures		其他罪行 Other Offences		總數 Total	
	2022/23	2021/22	2022/23	2021/22	2022/23	2021/22	2022/23	2021/22	2022/23	2021/22
	0	0	0	0	0	0	0	0	52	83
	0	0	0	0	0	0	0	0	45	44
	0	0	0	2	0	0	0	0	3	6
	0	1	1	1	0	0	0	0	177	289
	0	0	0	0	1	0	0	1	234	397
	2	4	5	15	0	0	0	1	43	62
	2	5	6	18	1	0	0	2	554	881
	0	0	0	0	0	0	0	0	389	335
	5	4	3	0	0	0	0	1	665	705
	13	11	3	4	0	0	0	1	610	826
	18	15	6	4	0	0	0	2	1,664	1,866
	20	20	12	22	1	0	0	4	2,218	2,747

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，共有102名警務人員需接受跟進行動，涉及69宗個案。分項數字見下表：

During the reporting year, actions were taken against 102 police officers regarding 69 cases endorsed by the IPCC. The following table shows the breakdown of figures:

警方於2021/22及2022/23年度就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 regarding cases endorsed by the IPCC during 2021/22 and 2022/23

	人員數目 Number of officers	
	2022/23	2021/22
A 刑事訴訟 Criminal proceedings	0	7 ¹
B 紀律覆檢 Disciplinary review	0	2
C 其他內部行動 Other internal actions		
警告 Warnings	20	34
訓諭 Advice	82	96
總數 Total	102	139

註1： 七名警務人員分別涉及兩宗刑事事件。當中，兩名警務人員因於2019年在北區醫院襲擊被羈押人士而遭起訴，並於2020年被判「公職人員行為失當」罪成；另一宗事件，五名警務人員因於2014年在中環襲擊一名參與佔領事件的示威人士而遭起訴，於2017年分別被判「襲擊致造成身體傷害」和「普通襲擊」罪成。在刑事訴訟完結後，投訴警察課重啟投訴調查，參考法庭裁決完成調查報告，並提交予監警會審核。

Note 1: Seven police officers were involved in two separate criminal cases. In one case, two police officers were charged with assaulting a detainee in the North District Hospital in 2019 and convicted of "Misconduct in Public Office" in 2020. In the other case, five police officers were charged with assaulting an Occupy Movement protester in Central in 2014 and convicted of "Assault Occasioning Actual Bodily Harm" and "Common Assault" respectively in 2017. After conclusion of the criminal proceedings, CAPO re-opened the complaint investigation and submitted the investigation reports with reference to the court's rulings to the IPCC for examination.

向投訴警察課提出質詢 Queries Raised with CAPO

在2022/23年度，監警會向投訴警察課合共提出941項質詢，內容包括監警會向投訴警察課提出的各類要求，例如修正調查報告的內容，以及就報告內容提供更多資料及澄清。監警會亦就警方的工作常規或程序提供改善建議。

根據《監警會條例》，投訴警察課必須回覆監警會的質詢。每當監警會收到投訴警察課的回覆，審核團隊會研究當中的資料、解釋及觀點，然後提交予委員組成的審核小組考慮。有需要時，監警會可以就同一事項向投訴警察課再提出質詢，或把事項提交到工作層面會議與投訴警察課商討，直至監警會滿意其解釋，才會通過該宗投訴個案。

報告期內，共有574項質詢需要再作跟進，其餘的質詢則經由投訴警察課作澄清或解釋後得以圓滿解決。

The IPCC raised a total of 941 Queries with CAPO in 2022/23. These Queries included various requests to CAPO, for example, amending the content of investigation reports, and providing more information and clarification regarding the reports. The IPCC also made improvement recommendations on the police practices and procedures.

Pursuant to the IPCCO, CAPO must reply to IPCC's Queries. When the IPCC receives responses from CAPO, the vetting teams will scrutinise the information, explanation and views before passing them to Members of Vetting Sub-groups for consideration. The IPCC may raise follow-up Queries regarding the same matters or bring up the matters to Working Level Meetings for further discussion with CAPO. Investigation reports will be endorsed only when the IPCC is satisfied with CAPO's explanation.

During the reporting period, there were 574 Queries requiring further actions. The remaining Queries were satisfactorily resolved upon clarification or explanation by CAPO.



監警會提出質詢的詳細數據請見下表：

The following table shows the breakdown of figures regarding Queries raised by the IPCC:

質詢總數 Total number of Queries		941		需要再作跟進的質詢 Number of Queries requiring further actions		574	
		質詢總數 Total number of Queries		需要再作跟進的質詢 Number of Queries requiring further actions			
年份 Year		2022/23	2021/22	2022/23	2021/22		
質詢性質 Nature of Queries							
調查結果分類 Classification of investigation results		227	377	113	209		
改善警隊常規和程序的建議 Recommended improvements to police practices and procedures		19	24	19	24		
遵從警務常規和程序 Compliance with police practices and procedures		10	8	4	2		
行使警權的理由 Reasons for exercising police power		5	6	1	1		
對處理違規人員的行動提出意見 Comments on actions against defaulting officers		16	17	11	12		
澄清調查報告資料 Clarification of information in investigation reports		474	663	324	431		
調查透徹度 Investigation thoroughness		143	132	78	73		
其他質詢 Other Queries		47	57	24	36		
總數 Total		941	1,284	574	788		

調查結果分類

監警會在2022/23年度就調查結果分類提出227項質詢，而投訴警察課需要再作跟進的質詢共有113項，因此予以修訂調查結果的指控有116項，包括：

Classification of investigation results

A total of 227 Queries were raised by the IPCC in 2022/23 regarding the classification of investigation results, of which 113 required further actions by CAPO and consequently the investigation results of 116 allegations were reclassified, including:

8	項 reclassified from	「無法證實」 “Unsubstantiated”	改列為 → to	「獲證明屬實」 “Substantiated”
4	項 reclassified from	「並無過錯」 “No Fault”	改列為 → to	「獲證明屬實」 “Substantiated”
5	項 reclassified from	「無法追查」 “Not Pursuable”	改列為 → to	「獲證明屬實」 “Substantiated”
1	項 reclassified from	「投訴撤回」 “Withdrawn”	改列為 → to	「獲證明屬實」 “Substantiated”
20	項 reclassified from	「並無過錯」 “No Fault”	改列為 → to	「無法證實」 “Unsubstantiated”
21	項 reclassified from	「無法證實」 “Unsubstantiated”	改列為 → to	「並無過錯」 “No Fault”
12	項 reclassified from	「無法追查」 “Not Pursuable”	改列為 → to	「並無過錯」 “No Fault”
1	項 reclassified from	「無法證實」 “Unsubstantiated”	改列為 → to	「虛假不確」 “False”
10	項 reclassified from	「無法追查」 “Not Pursuable”	改列為 → to	「虛假不確」 “False”
2	項 reclassified from	「並無過錯」 “No Fault”	改列為 → to	「虛假不確」 “False”

經修訂分類的詳細數據請參考下表：

The following table shows the breakdown of figures regarding changes of classification:

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	N/A	0	0	0	0	0	0	0	
無法完全證明屬實 Not Fully Substantiated	1	N/A	0	0	0	0	0	1	
無法證實 Unsubstantiated	8	1	N/A	21	1	4	4	39	
並無過錯 No Fault	4	0	20	N/A	2	6	5	37	
虛假不確 False	0	0	0	3	N/A	0	1	4	
無法追查 Not Pursuable	5	0	2	12	10	N/A	1	30	
投訴撤回 Withdrawn	1	0	0	4	0	0	N/A	5	
總數 Total	19	1	22	40	13	10	11	116	

此外，監警會年內通過了45項「未經舉報但證明屬實」的指控，當中有九項是經監警會提出質詢後而增加的。另外有25宗事件記錄為「旁支事項」*。

Moreover, the IPCC endorsed 45 counts of “Substantiated Other Than Reported” allegations, nine of which were registered after the IPCC raised Queries. Another 25 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 complaint investigation but is not closely related to the complaint.

改善警隊常規和程序的建議

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，向警務處處長和／或行政長官作出建議。報告期內，監警會就改善警隊常規和程序作出了19項建議。

Recommended improvements to police practices and procedures

Under section 8(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 the police practices or procedures that has led to or might lead to complaint. During the reporting period, the IPCC suggested 19 improvement measures to the police.

遵從警務常規和程序

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常規和程序。報告期內，屬於這類的質詢共有10項。

Compliance with police practices and procedures

The IPCC may raise Queries with CAPO to ascertain whether the police officers involved in a complaint have complied with relevant police practices and procedures in exercising their constabulary powers. During the reporting period, 10 Queries were raised under this category.

行使警權的理由

監警會亦關注警務人員在執勤時的警權運用。報告期內，監警會就警務人員在運用警權時的理據提出五項質詢。

Reasons for exercising police powers

The use of police powers by officers in the discharge of their duties is a concern to the IPCC. During the reporting period, the IPCC raised five Queries in respect of reasons for the use of police powers.

對處理違規人員的行動提出意見

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。報告期內，監警會曾就有關事項提出16項質詢。

Comments on actions against defaulting officers

While the dispensing of advice or disciplinary action against 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 seriousness of the offences. The IPCC raised 16 Queries on such actions during the reporting period.

澄清調查報告資料

報告期內，監警會就投訴調查報告內含糊不清的地方，共提出了474項質詢，例如要求投訴警察課就投訴的背景提供更多資料。

Clarification of information in investigation reports

During the reporting period, the IPCC raised 474 Queries regarding ambiguous points in the investigation reports. In such cases, CAPO was requested to provide more background information on the complaints.

調查透徹度

報告期內，監警會共提出143項有關調查透徹程度的質詢，即要求投訴警察課就調查採取更深入的行動，例如會見證人和收集更多證據等。

Investigation thoroughness

During the reporting period, the IPCC raised 143 Queries regarding the thoroughness of police investigations. These Queries included requests to CAPO for more in-depth investigation by conducting interviews with witnesses and collection of more evidence.

觀察員計劃 Observers Scheme

2022/23 觀察總數
Total number of observation

1,915

2021/22 觀察總數
Total number of observation

1,848

預先安排和未經預約觀察的分項數字 Number of scheduled observation and observation without appointment			觀察會面和證據收集工作的分項數字 Number of observation of interviews and collection of evidence		
	2022/23	2021/22		2022/23	2021/22
預先安排 Scheduled	1,905	1,832	觀察會面 Interviews	1,427	1,443
未經預約 Without appointment	10	16	證據收集 Collection of evidence	488	405
總數 Total	1,915	1,848	總數 Total	1,915	1,848

2022/23年度，監警會的委員及觀察員共進行了1,915次觀察，較去年上升3.6%，當中預先安排的有1,905次，未經預約的有10次。在1,915次觀察中，有1,427次是觀察會面，其餘488次是觀察證據收集的工作。

Under the Observers Scheme, 1,915 observation sessions were conducted by Members and Observers of the IPCC in the year 2022/23, representing an increase of 3.6% compared to the previous year. Among them, 1,905 were scheduled observation sessions and 10 were conducted without appointment. Out of the 1,915 observation sessions, 1,427 involved the conduct of interviews and 488 involved the collection of evidence.

投訴警察課的通知 Notification from CAPO

觀察員出席觀察及接獲通知的數字

Number of observation attended by IPCC Observers and notification received

	2022/23	2021/22
出席觀察 Observation attended	1,915	1,848
接獲通知 Notification received	1,953	1,864
出席比率(觀察/接獲通知) Attendance rate (Observation/Notification received)	98.1%	99.1%

投訴警察課會盡量在可行的情況下，於進行會面或證據收集前，給予監警會不少於48小時的通知。在2022/23年度，監警會接獲投訴警察課1,953次通知。

在本報告期內，監警會觀察員出席了1,915次觀察，包括觀察會面和證據收集，佔整體通知的98.1%，出席比率和前一年相若。

CAPO has agreed that, as practicable, the IPCC will be notified at least 48 hours in advance of any impending interview or collection of evidence. In 2022/23, 1,953 counts of notification were received from CAPO.

During the reporting period, IPCC Observers attended 1,915 observation sessions, including interviews and collection of evidence, amounting to 98.1% of the notification received. The attendance rate is similar to that of the previous year.

須知會投訴 Notifiable Complaints

須知會投訴數字 Number of Notifiable Complaints

	2022/23	2021/22
經監警會檢視的須知會投訴 Notifiable Complaints examined by the IPCC	766	690
重新歸類為須匯報投訴 Re-categorised as Reportable Complaint	1	2

根據《監警會條例》第9條，投訴警察課須定期向監警會提交載有「須知會投訴」摘要的列表以供檢視，並解釋把該投訴歸類為須知會投訴的理由。若監警會認為某宗投訴應歸類為須匯報投訴，便會向投訴警察課作出相應的建議，投訴警察課亦需重新考慮該宗投訴的歸類。

在報告期內，監警會檢視了766宗須知會投訴的摘要，較去年同期上升11.0%。經監警會檢視後，投訴警察課應監警會建議將其中一宗投訴重新歸類為須匯報投訴。

Under section 9 of the IPCCO, CAPO must regularly submit a list of Notifiable Complaints with brief description to the IPCC for examination and explain the reasons for categorising the complaints as Notifiable Complaints. If the IPCC considers that any of these complaints should be classified as Reportable Complaints instead, the IPCC will make suggestions to CAPO accordingly. CAPO will then need to reconsider the categorisation.

During the reporting period, brief description of 766 Notifiable Complaints were examined by the IPCC, representing an increase of 11.0% compared to the previous year. After examination by the IPCC, CAPO re-categorised one case as Reportable Complaint on the IPCC's recommendation.

監警會進行會面 IPCC Interviews Conducted

《監警會條例》第20條列明，監警會在審核報告期間，可以會見任何能夠或可能就調查報告向委員會提供資料或協助的人士。投訴警察課會維持調查的角色，監警會進行會面是為了向有關人士澄清事項，以便會方更全面地了解證據和情況。

According to section 20 of the IPCCO, in the course of examining CAPO's investigation reports, the IPCC may interview any person who is or may be able to provide information or assistance to the Council in relation to the investigation reports. While CAPO maintains its investigative role, the purpose of IPCC interview is to clarify matters with the concerned persons to obtain more comprehensive understanding of evidence and circumstances.

公眾查詢 Public Enquiries

為提高透明度，監警會設立了不同途徑供市民向會方查詢或表達意見。在報告期內，監警會共收到5,304宗公眾透過電話、郵寄、電郵、傳真及親臨的查詢。與監警會工作有關的查詢，會方均已按服務承諾的時間回覆及適時跟進。

In order to enhance transparency, the IPCC has set up various channels for the public to make enquiry or express their opinions. During the reporting period, the IPCC received 5,304 public enquiries via telephone, post, email, fax and in person. Enquiries relating to the work of IPCC were handled in accordance with the timeframe specified under the IPCC's performance pledge.