

**Replies to initial written questions raised by Finance Committee
Members in examining the Estimates of Expenditure 2008-09**

Head : 121 Independent Police Complaints Council

Programme : Police Complaints Administration

Reply Serial No.	Question Serial No.	Name of Member
<u>SB109</u>	1172	Hon. LAM Wai-keung, Daniel
<u>SB110</u>	0508	Hon. TO Kun-sun, James
<u>SB111</u>	0509	Hon. TO Kun-sun, James
<u>SB112</u>	0510	Hon. TO Kun-sun, James
<u>SB113</u>	0511	Hon. TO Kun-sun, James

Examination of Estimates of Expenditure 2008-09

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

SB109

Question Serial No.

1172

Head : 121 Independent Police Complaints Council

Subhead (No. & title) :

Programme : Police Complaints Administration

Controlling Officer : Secretary, Independent Police Complaints Council

Director of Bureau : Secretary for Security

Question :

The estimate for 2008-09 is \$1,129,000 over the revised estimate for 2007-08. In the circumstances that there will be no change in the manpower of the Secretariat (22 persons), on what aspects will the increased estimate be used mainly?

Asked by : Hon. LAM Wai-keung, Daniel

Reply :

The estimate for 2008-09 is \$1,129,000 higher than the revised estimate for 2007-08. This is mainly due to the increase in salary provision to accommodate two officers on pre-retirement leave, and the increase in operating expenses for employment of staff on non-civil service contract terms to undertake the preparatory work to establish the Independent Police Complaints Council as a statutory body.

Signature _____

Name in block letters PHILOMENA LEUNG

Secretary, Independent

Post Title Police Complaints Council

Date 26 March 2008

Reply Serial No.

SB110

Examination of Estimates of Expenditure 2008-09

Question Serial No.

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

0508

Head : 121 Independent Police Complaints Council Subhead (No. & title) :

Programme : Police Complaints Administration

Controlling Officer : Secretary, Independent Police Complaints Council

Director of Bureau : Secretary for Security

Question :

Please provide detailed reasons for the increase of 13.2% in the revised provision for 2007-08 as compared with the original estimate.

Asked by : Hon. TO Kun-sun, James

Reply :

The revised provision for 2007-08 is \$1.8 million (13.2%) higher than the original estimate. This is mainly due to increase in salary provision arising from the 2007 civil service pay adjustment; increase in salary provision to accommodate an officer on pre-retirement leave; as well as increase in expenses for employment of staff on non-civil service contract terms to undertake preparatory work to establish the Independent Police Complaints Council as a statutory body and to follow up on matters relating to the incident in March 2006 in which certain personal data were disclosed on the Internet.

Signature _____

Name in block letters PHILOMENA LEUNG

Secretary, Independent

Post Title Police Complaints Council

Date 26 March 2008

Reply Serial No.

SB111

Examination of Estimates of Expenditure 2008-09
CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION

Question Serial No.

0509

Head : 121 Independent Police Complaints Council

Subhead (No. & title) :

Programme : Police Complaints Administration

Controlling Officer : Secretary, Independent Police Complaints Council

Director of Bureau : Secretary for Security

Question :

Please provide :

- (a) the number of complaints classified as substantiated after review by the Independent Police Complaints Council (IPCC) in 2007-08 and the number of police officers involved;
- (b) the number of complaints in respect of which the IPCC disagreed with the Complaints Against Police Office's investigations after review in 2007-08, and the follow-up actions taken by the IPCC on these complaints; and
- (c) regarding the complaints reviewed in 2007-08, on how many occasions did the IPCC comment on the disciplinary actions taken against and warnings given to the police officers concerned as well as on the misconduct of the officers? On how many occasions were these comments accepted by the Police? On how many occasions did recommendations have to be made to the Commissioner of Police or the Chief Executive?

Asked by : Hon. TO Kun-sun, James

Reply :

- (a) Among the 2 509 cases endorsed by the Independent Police Complaints Council (IPCC) in 2007, 69 (involving 105 allegations) were found to be substantiated. These cases involved 98 police officers.

- (b) In examining complaints investigation reports submitted by the Complaints Against Police Office (CAPO), IPCC may propose to CAPO to re-classify the investigation results based on the evidence available. In 2007, IPCC raised 123 queries of this kind with CAPO. As a result of these queries, 82 investigation results were changed subsequently and endorsed by the IPCC. For the remaining 41 queries, IPCC endorsed CAPO's classification following the latter's explanation and clarification.
- (c) The imposition of disciplinary action and warning on police officers is the prerogative of the Commissioner of Police. IPCC may, however, comment on whether the level of disciplinary action or warning is commensurate with the gravity of the misconduct. IPCC made 39 such comments in 2007. Of these, 27 (69.2%) were accepted by the Police and 12 (30.8%) were satisfactorily explained/followed-up by the Police. IPCC raised no further question about the disciplinary action or warning imposed on police officers after explanation/clarification was furnished by the Police, and made no suggestion in this regard to the Commissioner of Police or the Chief Executive in 2007.

Signature _____

Name in block letters PHILOMENA LEUNG

Secretary, Independent

Post Title Police Complaints Council

Date 26 March 2008

Examination of Estimates of Expenditure 2008-09
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

SB112

Question Serial No.

0510

Head : 121 Independent Police Complaints Council

Subhead (No. & title) :

Programme : Police Complaints Administration

Controlling Officer : Secretary, Independent Police Complaints Council

Director of Bureau : Secretary for Security

Question :

Please provide the establishment and strength of the Secretariat of the Independent Police Complaints Council in 2007-08 and the estimated figures for 2008-09.

Asked by : Hon. TO Kun-sun, James

Reply :

The establishment and strength position of the Secretariat of the Independent Police Complaints Council for 2007-08 and the estimated figures for 2008-09 are as follows:-

	<u>2007-08</u>	<u>2008-09</u>
Establishment	22	22
Strength (as at 31 March)	22	22

Signature _____

Name in block letters PHILOMENA LEUNG

Secretary, Independent

Post Title Police Complaints Council

Date 26 March 2008

Examination of Estimates of Expenditure 2008-09
**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

SB113

Question Serial No.

0511

Head : 121 Independent Police Complaints Council

Subhead (No. & title) :

Programme : Police Complaints Administration

Controlling Officer : Secretary, Independent Police Complaints Council

Director of Bureau : Secretary for Security

Question :

Please provide the number of observers, resources involved and the numbers of observations and complaint cases involved in 2007-08 and the estimated figures for 2008-09.

Asked by : Hon. TO Kun-sun, James

Reply :

As at 6 March 2008, there were 89 IPCC Observers comprising 18 IPCC Members and 71 Lay Observers. The resources involved are mainly in the form of travelling allowances payable to the Lay Observers. In 2007-08 (up to 6 March 2008), 250 observations involving 183 complaint cases were conducted by IPCC Observers; and about \$35,700 was paid to the Lay Observers as travelling allowances.

The estimated number of IPCC Observers and number of observations made in 2008-09 are not available as serving Observers may retire while additional Observers may be appointed during the year. Expenditure on travelling allowances to be incurred in 2008-09 would depend on the number of observations made and the rate of travelling allowances payable. The current rate of the allowance is \$180 for each visit.

Signature _____

Name in block letters PHILOMENA LEUNG

Secretary, Independent

Post Title Police Complaints Council

Date 26 March 2008