Press release

Survey shows the IPCC maintains a high level of public awareness

Higher tendency for respondents to take a stance

(HONG KONG – 11 July 2016) The Independent Police Complaints Council (IPCC) today released its nineteenth issue of the *IPCC Newsletter*. The cover story recapitulates the results of the IPCC Public Opinion Survey conducted by the Public Opinion Programme of the University of Hong Kong (HKUPOP). The Viewpoint from IPCC will include a sharing from the four new Members who were appointed to the IPCC in 2016. Other content include the Council's recent activities and a real complaint case.

This is the fourth consecutive year in which the Council has commissioned the University of Hong Kong's Public Opinion Programme to conduct a public opinion survey, the purpose of which is to measure changes in the public awareness and perception of the IPCC. Mr Larry Kwok Lam-kwong, Chairman of the IPCC, said, "The survey results assisted the Council in assessing and mapping out the direction of its public education and communication initiatives, which in turn assists the IPCC in discharging its statutory duty, 'to promote public awareness of the role of the Council', under section 8(1)(e) of the Independent Police Complaints Council Ordinance (IPCCO). We would like to express our appreciation to Dr Chung's professional team for their dedication."

Results of the 2016 survey show that the IPCC maintained a high level of public awareness, with 81% of the 1,002 respondents indicating that they had heard of the IPCC. While this represents a drop of four percentage points from 2015, it is still significantly higher than the awareness levels of 67% in 2014 and 68% in 2013. Among respondents who have heard of the IPCC, half (49%) could correctly identify at least one of the IPCC's duties, with 37% correctly answering that the IPCC's duties include 'monitoring the Complaints Against Police Office (CAPO)'s case handling process", significantly higher than the level of 23% in 2015. On the other hand, 55% of respondents incorrectly identified the IPCC's duties. Mr Kwok said, "The results show that there is still room for enhancing public awareness of the IPCC. We will continuously monitor the public's correct understanding of the IPCC and the relevant comments on this matter."

Almost one-third (30%) of respondents believe that the IPCC is the most effective channel for complaints against the Police, which nearly doubles the percentage of those who

believe that CAPO is the most effective channel (16%). Mr Kwok added, “The results reflect the public’s recognition of the IPCC’s work.”

Lastly, the survey results also show the public’s confidence in and perception of the IPCC has declined when compared with last year’s results. In particular, respondents aged between 18 and 29 show a more significant increase in perceiving the IPCC negatively when compared with other age groups. Analysis show that with the continued polarization of society, the public’s focus on the Police’s work has shifted, and in turn, the public perception and image of the IPCC has also changed accordingly. Mr Kwok said, “The Council will step up its efforts in enhancing publicity and strengthening its engagement with stakeholders. We aim to increase their understanding of the operation of the IPCC and the two-tier police complaints system, so as to increase the transparency of the IPCC. Regardless of the changes in the political climate, the IPCC will rise up to these challenges and continue to uphold its core values of independence, impartiality and integrity.”

Mr Daniel Mui, Deputy Secretary-General of the IPCC, shared a real complaint case where the IPCC holistically examines a complaint in relation to a police investigation involving a mentally incapacitated person. In this particular case, the Complainant (COM), a mentally incapacitated person (MIP), was arrested for “Murder”. Whilst the alibi evidence was being gathered, the Superintendent (SP) in charge of the case decided to hold a stand-up briefing to inform the public of COM’s arrest, and eventually charged COM with the offence of “Manslaughter” after COM had been detained for almost 48 hours. After COM’s alibi was established, COM was eventually released on Police bail a few hours later.

The elder brother of COM lodged a complaint on his brother’s behalf with 11 allegations (“Neglect of Duty (NOD)”, “Misconduct”, “Fabrication of Evidence” and “Unnecessary Use of Authority (UUOA)”) against various officers. CAPO found that a Sergeant (SGT) had put forward to COM some leading questions during a cautioned interview and classified the “UUOA” allegation as “Substantiated”; CAPO considered that three police officers on the crime team had failed to take the earliest opportunity to verify COM’s alibi, hence the allegation of “NOD” is “Substantiated”. As to the remaining allegations, CAPO classified them either as “No Fault” or “Unsubstantiated”. During the investigation, CAPO registered three counts of “Substantiated Other Than Reported (SOTR)” (NOD) for some procedural and documentation errors made by different officers.

In view of the serious nature of this case and the public interest arising therefrom, this complaint investigation was monitored by the Serious Complaints Committee of the IPCC. Upon examination of the case, the IPCC disagreed with some classifications and raised some

queries with CAPO. In response, CAPO reclassified some allegations, including:

- reclassified an "NOD" allegation about failure to arrange medical care for COM from "Unsubstantiated" to "Substantiated";
- reclassified an "UUOA" allegation about lengthy detention from "Unsubstantiated" to "Substantiated";
- reclassified a "Misconduct" allegation about the inappropriate stand-up briefing from "No Fault" to "Not Fully Substantiated";
- registered an additional "SOTR" count of "UUOA" for the Police's inappropriate decision to charge COM with "Manslaughter";
- registered two more "SOTR" counts of "NOD" and two more counts of "Outwith" matters to address the officers' mistakes in their handling of COM 1 during the criminal investigation; and
- escalated the penalties against the officers concerned.

Mr Mui said, "Throughout the review process of this case, the Council meticulously examined all the available police records, evidence at the scene etc., and after a series of discussions, we reached this conclusion. This demonstrates how rigorous, independent, and impartial the Council's vetting process is." In addition, the Council also suggested the Police to consider enhancing the guidelines with respect to conducting criminal investigation on an MIP. The Police has already formed a designated working group to enhance the relevant procedures.

The nineteenth issue of the *IPCC Newsletter* is now available on the IPCC's website at: http://www.ipcc.gov.hk/en/publications/newsletters/2016.html

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Notes to editor:

About the Independent Police Complaints Council

The Independent Police Complaints Council (IPCC) is an independent body established under the Independent Police Complaints Council Ordinance (IPCCO) (Cap. 604) to observe, monitor and review the handling and investigation of "Reportable Complaints" (RCs) against the Police by the Commissioner of Police (CP). The IPCC has become a statutory body since the commencement of IPCCO on 1 June 2009.

監警會公眾意見調查比較資料

The IPCC Public Opinion Survey Results Comparison Fact Sheet

	2013	2014	2015	2016
電話訪問進行日期 **Fieldwork period**	3 月 5 日至 12 日 5 to 12 March	3 月 3 日至 14 日 3 to 14 March	3 月 3 日至 13 日 3 to 13 March	3 月 7 日至 17 日 7 to 17 March
樣本數目 **Total sample size**	N=1,009	N=1,039	N=1,014	N=1,002

Q1: 在電話訪問前，你有否聽過「投訴警方獨立監察委員會」，或簡稱「監警會(IPCC)」這個機構？
Q1: Have you heard of the Independent Police Complaints Council, the IPCC in short?

	2013*	2014*	2015*	2016*
有 Yes	68%	67%	85%	81%
沒有 No	31%	32%	14%	18%

*<1% - 1% 不知道 Don't Know

Q3: 據你的了解，監警會的主要工作是甚麼呢？還有嗎？ (不讀答案，可選多項)
Q3: From your understanding, what are the official duties of the IPCC? (Respondents can name more than one duty)

	2013	2014	2015	2016
能正確說出監警會職責 IPCC's official duty	49%^	40%^	49%^	49%^
不能正確說出監警會職責 Non-IPCC's official duty	53%^	59%^	54%^	55%^
不知道 Don't know	10%^	14%^	11%^	8%^

^受訪者淨比率 Net % of Respondents

Q4: 有聽過監警會的受訪者認為監警會是:
Q4: The IPCC is (respondents aware of the Council):

	2013	2014	2015	2016
完全獨立，不隸屬於警隊 Independent of the Police	60%	63%	67%	63%
屬於警隊的一部份 Part of the Police	35%	31%	25%	29%
不知道 Don't know	5%	6%	7%	8%

Q5: 你認為市民投訴警察最有效的渠道是哪一種呢? (不讀答案，只選一項)
Q5: Which is the most effective channel to complain against the Police?

	2013	2014	2015	2016
警方 (沒有註明部門) Police (not specified)	11%	11%	8%	7%
投訴警察課 CAPO	20%	21%	20%	16%
監警會 IPCC	24%	24%	35%	30%
其他 Others	19%	18%	18%	20%
不知道 Don't know	27%	27%	19%	18%

Q9: 你覺得監警會能否以一個獨立的身份，監察和覆檢市民投訴警察的個案? (讀出答案，只選一項)
Q9: Do you think the IPCC is independent in monitoring and reviewing police complaints?

	2013	2014	2015	2016
獨立 Independent	53%	53%	52%	46%
一般 Half-half	19%	19%	18%	16%
不獨立 Not independent	19%	17%	22%	29%
不知道 Don't know	9%	11%	7%	9%

以上問題號碼依照 2016 年監警會公眾意調查問卷編號。The question number listed above follows the numbering in the questionnaire of the 2016 IPCC public opinion survey.
由於進位原因，百分率的總和可能與總數略有出入。Percentage shares may not add up to the total due to rounding.

Q10: 你覺得監警會能否公平公正地監察和覆檢「投訴警察課」的調查工作? (讀出答案，只選一項)
Q10: Do you think the IPCC is impartial and objective in monitoring and reviewing police complaints?

	2013	2014	2015	2016
客觀及公平 Impartiality and Objectivity	46%	47%	44%	40%
一般 Half-half	28%	27%	27%	23%
不客觀及不公平 Not impartiality and objectivity	13%	14%	19%	26%
不知道 Don't know	13%	13%	10%	11%

Q11: 你覺得監警會監察和覆檢投訴個案的效率如何? (讀出答案，只選一項)
Q11: Do you think the IPCC is efficient in monitoring and reviewing police complaints?

	2013	2014	2015	2016
有效率 Efficient	26%	27%	27%	22%
一般 Half-half	35%	32%	32%	29%
沒有效率 Not efficient	13%	13%	20%	29%
不知道 Don't know	27%	29%	20%	20%

Q12: 你覺得監警會的監察和覆檢投訴個案的透明度如何? (讀出答案，只選一項)
Q12: Do you think the IPCC is transparent in monitoring and reviewing police complaints?

	2013	2014	2015	2016
具透明度 Transparent	21%	20%	22%	18%
一般 Half-half	40%	39%	37%	36%
低透明度 Not transparent	24%	24%	27%	34%
不知道 Don't know	15%	18%	13%	12%

Q13: 你對監警會有沒有信心? (2013 年調查新加入題目)
Q13: Are you confident in the IPCC? (Question introduced in the 2013 survey)

	2013	2014	2015	2016
有信心 Confident	43%	48%	44%	39%
一般 Half-half	32%	26%	27%	22%
沒有信心 Not confident	19%	20%	24%	34%
不知道 Don't know	7%	6%	5%	5%

Q15: 你對現時兩層架構投訴制度有沒有信心? (2013 年調查新加入題目)
Q15: Are you confident in the two-tier complaints system? (Question introduced in the 2013 survey)

	2013	2014	2015	2016
有信心 Confident	44%	52%	44%	39%
一般 Half-half	28%	22%	25%	20%
沒有信心 Not confident	18%	19%	24%	32%
不知道 Don't know	9%	7%	7%	9%

Q17: 整體上你覺得監警會的形象如何? (讀出答案，只選一項)
Q17: Generally speaking, how do you think the image of the IPCC?

	2013	2014	2015	2016
正面 Positive	57%	60%	56%	52%
一般 Half-half	32%	26%	28%	28%
負面 Negative	4%	6%	10%	13%
不知道 Don't know	6%	8%	5%	7%

以上問題號碼依照 2016 年監警會公眾意調查問卷編號。The question number listed above follows the numbering in the questionnaire of the 2016 IPCC public opinion survey.
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