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本工作報告涵蓋2020年4月1日至2021年3月31日。期間，社會公共秩序顯著回復平靜，而當局就控制2019冠狀病毒病疫情而採取的防疫措施，亦限制了公眾集會。此外，於2020年6月30日正式生效的《港區國安法》（「國安法」）旨在遏止分裂國家、煽動叛亂、恐怖主義，以及協助或煽動這些罪行的行為。該項法例發揮即時效用，並可長期穩定公共秩序，對恢復治安是極其重要的一步，協助社會重回正軌。

過去兩年，大規模擾亂公共秩序的行為，以及破壞財產等事件，令本港經濟遭受重創，加上為控制2019冠狀病毒病疫情擴散而採取的措施，更令情況雪上加霜。如今是時候重振經濟，處理市民大眾面對的各項社會議題。

This Report covers the period of 1 April 2020 to 31 March 2021. During this time, the public order situation in the Community has calmed down considerably. The measures taken to contain the spread of COVID-19 have restricted public gatherings. Also, on 30 June 2020, the National Security Law (“NSL”) came into effect. The NSL was aimed at stemming acts of secession, sedition, terrorism, and also acts which aided or incited these offences. This Law also acted to calm the public order situation then and for the longer term. It was an important step towards the return of law and order, allowing the Community to turn to more positive things.

The economy has been considerably weakened by the massive public disorder and the destruction of property in the past two years. The measures needed to contain COVID-19 also added to the Community's woes. It is time to rebuild the economy and address the social issues faced by the Hong Kong's Community.

《國安法》固然對社會曾經經歷的大規模動亂發揮必要且有效的遏制作用，但要有效執法，始終需要警民通力合作。這正是會方於報告期內，在《監警會條例》賦予職權的規範下致力開展的工作。

一如既往，監警會堅守法定框架下四大原則：(一) 重法規；(二) 重事實及公道；(三) 重優化；及(四) 重合作，而報告期內的工作均彰顯了這四項原則。

## 專題報告 釐清事實

監警會於2020年5月15日發表了專題審視報告，內容涵蓋六個特定事件日子的詳細事實，包括2019年6月9日、6月12日、7月1日、7月21日、8月11日和8月31日，每個特定事件日子均在報告內以獨立章節探討。

為了更全面地審視這六個特定事件日子，專題審視報告在「序言」、「審視方法及資料來源」、「投訴摘要」及「結論」四章之外，亦另有六個章節探討以下議題：

- 法定權力、限制及影響
- 概覽 —《逃犯條例》修訂草案引發的大型公眾活動
- 警方處理公眾活動的武力使用
- 大型公眾活動期間的警員身份識別
- 新屋嶺扣留中心的拘留安排
- 警務人員、示威者和公眾人士的觀感

在專題審視報告中，所有事實陳述均經過嚴謹比對和佐證。監警會呼籲公眾人士提供與大型公眾活動相關的資料，以協助會方釐清特定事件日子的相關事實，務求作出完整的事實紀錄。最終，公眾人士向監警會提供了超過23,500張圖片以及22,500段影片／連結。會方亦參考了逾1,350篇新聞報道以及650小時的新聞片段，以核實事件的時序。此外，會方檢視了現行法例及警隊的《程序手冊》，並與最相關的國際標準及慣例進行比較，以評估警隊現行的指引是否與國際標準相符，並檢視如何改善警務工作，以避免將來發生類似情況時出現投訴。此外，監警會亦委託獨立學者分別就公眾意見及警務人員看法進行意見調查，並納入報告當中，作為紀錄的一部分。

Whilst the NSL does act as a necessary and helpful deterrent to the kind of mass disorder that the Community has experienced, effective law enforcement requires cooperation between the Community and the Police. That was what the Independent Police Complaints Council (IPCC) undertook to do in the period under review, in keeping with its remit as defined by the IPCC Ordinance.

As before, the IPCC guided itself by Four Principles distilled from its statutory remit. They are (1) “Respect for Law”, (2) “Respect for Fact and Fairness”, (3) “Respect for Best Practices”, and (4) “Respect for Collaboration”. The application of one or more of these Four Principles will be apparent from the activities under review.

## The Thematic Study

The IPCC published the Thematic Study on 15 May 2020. This Study covered the detailed facts relating to six Incident Days, including 9 and 12 June, 1 and 21 July, and 11 and 31 August 2019. Each of these Incident Days was covered in an individual chapter in the Report.

To put these six Incident Days in proper context, the Study comprised six other chapters covering, in addition to an opening chapter, a chapter on methodology and sources of information, a chapter on synopsis of complaints, and a concluding chapter, the following matters:

- Legal Powers, Constraints and Implications
- An Overview of the Public Order Events (POEs) arising from the Fugitive Offenders Bill since June 2019
- Police Use of Force in Public Order Policing
- Police Identification during POEs
- Detention Arrangement at San Uk Ling Holding Centre
- Perceptions of Police Officers, Protesters and General Public

In the Thematic Study, all assertions of fact were carefully cross-referenced to a verifiable source. The IPCC appealed to members of the public for POEs-related information to facilitate the Council in ascertaining facts pertinent to selected Incident Days so that a full factual record could be made. The IPCC ultimately received over 23,500 photo attachments and 22,500 video attachments/links from the public. The IPCC also took reference of over 1,350 news articles and 650 hours of video footage to verify the chronology of incidents. The IPCC studied current laws and manuals of the Police and benchmarked them against the most relevant international standards and practices to evaluate whether the existing guidelines adopted by the Police were on par with such international standards and determine how to improve policing and avoid future complaints, if similar situations arise in the future. In addition, the IPCC commissioned two surveys by independent parties, one of public opinion and one among police officers, to form part of this record.

監警會在專題審視報告作出52項具前瞻性的改善建議，以提升警隊的服務質素，從而加強公眾對警隊的信任。會方亦透過定期舉行的聯席會議，積極關注警方落實52項改善建議的進度。

為了跟進專題審視報告中改善建議的落實情況，監警會到訪警方各單位，檢視經優化的設施及改善措施。2021年2月，監警會更到訪紅磡警署，親自視察臨時羈留處的優化工作成果。截至2021年3月，警方已完成處理26項建議，並推出49項改善措施，涵蓋四大範疇，包括：(一)加強公眾訊息發放和檢討與傳媒關係；(二)改善臨時羈留處的安排；(三)優化警方行動部署和策略；以及(四)加強警隊內部管理、協調和培訓。(備註：截至2021年6月，警方已完成專題審視報告52項改善建議當中的32項。)

## 兩層架構 公平公正

在每一宗須匯報投訴，若果投訴人要求進行全面調查，監警會定必委派觀察員出席並監察所有現場調查，以及與投訴人和被投訴人的會面。因此，每宗調查均需要觀察員投入大量時間。

在2020/21年度，觀察員一共出席了2,198次觀察，出席率高達98.7%，為連續第五年上升。至於與大型公眾活動相關的投訴個案，觀察員的出席率更達100%。自2009年以來，觀察員已合共進行逾15,000小時觀察工作。每位觀察員的竭誠投入，克盡厥職，實在值得高度表揚。對於觀察員服務社會的熱誠，監警會謹此致以崇高敬意！

專題審視工作提供了充分的背景資料，讓監警會得以履行法定職能，全面及公平地監察警方就2019年6月9日至2021年3月31日期間的大型公眾活動相關投訴個案的調查工作。截至2021年3月31日，監警會已通過333宗與2019年6月9日起的大型公眾活動相關的投訴個案。

In the Thematic Study Report, the IPCC made 52 forward-looking recommendations with a view to improving service quality of the Police and enhancing public trust in the Police. The IPCC has actively followed up with the Police on their implementation progress of the 52 recommendations through regular Joint Meetings.

As part of the follow-up to the recommendations in the Thematic Study Report, the IPCC also visited various Police units to examine the enhanced facilities and improvement measures. In February 2021, the IPCC visited Hung Hom Police Station to examine the enhanced Temporary Holding Area. As of March 2021, the Police have completed 26 recommendations and rolled out a total of 49 improvement measures, covering four major areas: (i) enhancing release of public information and review of media relations; (ii) improvement of arrangements for temporary holding areas; (iii) enhancement of police operational deployment and strategies; and (iv) strengthening of the Police's internal management, coordination and training. (For reference, as of June 2021, the Police have already completed 32 out of 52 recommendations put forward in the Thematic Study Report.)

## Dealing with Complaints

For each Reportable Complaint where a Complainant had requested a full investigation, the IPCC ensured that an Observer would attend and monitor all site investigations and interviews of the Complainant and the Complainee or Complainees. Thus, each investigation requires a substantial investment of time by the Observer.

In 2020/21, our Observers attended 2,198 observations with an attendance rate of 98.7%, which was on the rise for the fifth consecutive year. As for POEs-related complaint cases, our Observers even attained an attendance rate of 100%. Since 2009, Observers have spent over 15,000 hours conducting observations. The Community owes a great debt to each Observer for their dedication. The IPCC salutes their public spiritedness!

The Thematic Study did provide the proper context to inform the IPCC in the performance of its statutory duty to fully and fairly monitor the work of the Police in investigation of the complaints arising from the POEs between 9 June 2019 and 31 March 2021. By 31 March 2021, the IPCC endorsed 333 complaints arising from the POEs from 9 June 2019.

須匯報投訴數字持續呈下降趨勢，在2009/2010年度，監警會一共接獲3,686宗須匯報投訴的調查報告，並通過投訴警察課對3,827宗須匯報投訴的調查結果。在2020/2021年度，監警會僅接獲1,363宗須匯報投訴的調查報告，並通過投訴警察課對1,390宗須匯報投訴的調查結果。

監警會一直致力研究須匯報投訴數字呈下降趨勢的原因，以及這些投訴個案所涉及的指控性質。過去兩年，除了由大型公眾活動衍生的投訴之外，其餘投訴均圍繞警務人員在執行日常警務工作時的態度。監警會已就此類投訴向警務處處長作出適當的改善建議。事實上，監警會在過去12年透過審核投訴警察課的投訴調查結果，已向警務處處長作出多達180項改善建議，當中尚未包括專題審視報告提出的52項改善建議。

在接獲的須匯報投訴當中，被列為「投訴撤回」和「無法追查」投訴個案比率持續高企，源於投訴人沒有出席會面或拒絕向投訴警察課提供進一步協助。投訴警察制度的有效運作很大程度上有賴投訴人合作，適時提供正確、準確及全面的資料，讓投訴個案得以公正、徹底地審核，確保可以還投訴人和被投訴人一個公道。

會方重申，投訴是極為嚴肅的事情。每當投訴人行使權利進行投訴時，亦有責任提供全面及準確的資料以及有效的聯絡方法，讓兩層架構投訴警察制度得以有效運作，確保投訴個案得到公平公正的處理，從而改善警隊的服務質素。

因此，根據《警隊條例》，提供虛假或具誤導性的資料即屬犯罪。若果任何人被發現作出虛假指控，投訴警察課經徵詢律政司的意見之後，可能會控告投訴人誤導警務人員。在2020年6月，一名因盜竊而被捕的男子虛報在警署內遭警務人員毆打。然而，警方檢視閉路電視片段後，發現該名男子其實是自己撞向牆壁導致頭部受傷。該名男子最終因盜竊以及虛報有人犯罪被判處監禁七個月。監警會及投訴警察課對於虛假投訴一律嚴肅處理。投訴人有權就警務人員任何不當行為作出投訴，然而，監警會及投訴警察課亦會保障警務人員免遭誣告。

Reportable Complaints have been trending downward. In the year 2009/2010, the IPCC received reports of 3,686 Reportable Complaints and for that year endorsed 3,827 investigation results of Complaints Against Police Office (CAPO). Between 2020/2021, the IPCC only received reports of 1,363 Reportable Complaints and endorsed the results of 1,390 CAPO investigations.

The IPCC has been studying the reasons for the trending down of Reportable Complaints and the nature of allegations involved in these complaints. Apart from the complaints relating to the POEs of the past two years, the types of complaints have been clustering around attitudes of officers while undertaking regular police work. The IPCC has made appropriate recommendations to the Commissioner in response to such clustering. Indeed, over the past 12 years the IPCC has made some 180 recommendations to the Commissioner through examination of the complaint investigation results by CAPO. This does not include the 52 recommendations made in the Thematic Study.

Out of the total number of Reportable Complaints received, the percentage of Withdrawn complaints and Not Pursuable complaints remained at a high level because the Complainants failed to turn up at interviews or refused to provide further assistance to CAPO. The effectiveness of the police complaints system relies heavily on Complainants' cooperation to provide correct, accurate and complete information in a timely manner to facilitate an impartial and thorough examination of the cases and ensure justice for both Complainants and Complainees.

The Council would like to reiterate that lodging a complaint is a very serious matter. Whenever a Complainant exercises his/her right to lodge a complaint, he/she also has the responsibility to provide complete and accurate information as well as valid contact method so that the two-tier police complaints system can function effectively to ensure fair and impartial handling of complaint cases, and thus improve service quality of the Police.

Thus, the provision of false or misleading information is a crime under the Police Force Ordinance. If anyone is found to have made false allegations, CAPO may, in consultation with the Department of Justice, prosecute the Complainant for misleading police officers. In June 2020, a man who was arrested for theft falsely claimed that he was beaten up by a police officer inside the police station. However, after examination of the security camera footage, the Police found that the man indeed created the injuries himself by banging his head against the wall. The man was eventually sentenced to seven months of imprisonment for theft and making false report of commission of offence. Both the IPCC and CAPO treat false complaints seriously. While Complainants have the right to complain about any misconduct of police officers, the IPCC and CAPO will also protect police officers from being falsely accused.

## 深入社群 多說多聽

監警會一直積極與持份者聯繫。在報告期內，我和一眾委員合共出席了27場新聞發布會及傳媒訪問。會方亦延續傳統，透過監警會網頁和官方YouTube頻道，直播會方與投訴警察課的聯席會議，讓會方即使在2019冠狀病毒病疫情期間仍然維持高透明度。

除了接受傳媒訪問之外，監警會在過去四年亦透過各式各樣的活動，與超過31,000名持份者互動，例如為警務人員舉行簡介會，為青少年團體、中學及大學舉行講座，以及舉辦「監警少青同樂日2019」等。會方亦與地區撲滅罪行委員會及專業團體保持互動，並製作了一套劇集，讓公眾更加了解會方的工作。

監警會舉辦的「觀察員工作坊」邀得約50名觀察員親臨分享經驗，其他未能赴現場參與的觀察員亦透過視頻收看當日活動。此外，我亦在警察總部舉行了一場分享會，與警務人員分享過去三年擔任監警會主席的經驗，以及過去50年公職生涯的體驗。近200名警務人員在警察總部出席這場分享會，另有200多名警務人員在兩個新界總區透過視像會議形式參與這次活動。

監警會深信真誠及理性的溝通以及與社區緊密的合作，對兩層架構投訴警察制度的有效運作至關重要，即先由投訴警察課調查投訴，而監警會則按照《監警會條例》的規定，監察並確保投訴調查工作徹底及公平。

## 延續使命 由衷感謝

卸任在即，我謹此鳴謝監警會委員及觀察員一直以來作出的重大貢獻，同時感謝秘書處同事竭誠付出，在史無前例最艱鉅的時期，仍然以超乎預期的勇氣及承擔，克服重重難關。在過去12年，秘書處職員對警務工作累積了豐富的專業知識，是警隊以外任何機構都無法比擬的。這份專業值得會方及政府的肯定，他們應當享有事業發展路徑，晉升至最高級別管理位置。

## Stakeholder Engagement

The IPCC continues to reach out to all of its stakeholders. During the period under review, my fellow Members and I gave 27 media briefings and interviews. Continuing a long-standing tradition, the IPCC has been offering live webcasts of Joint Meetings with CAPO via IPCC website and official YouTube channel to maintain high transparency amidst the COVID-19 pandemic.

Apart from media interviews, the IPCC has reached out to over 31,000 stakeholders in the past four years through various activities, such as briefings for police officers, talks in youth groups, secondary schools and universities, functions such as the Youth Day in 2019. In addition, the IPCC engaged with District Fight Crime Committees and professional associations. A series of short films explaining the work of the IPCC were being produced.

The IPCC held an Observers Workshop attended by close to 50 Observers. Others who could not attend were invited to access the occasion by way of video link. Also, a Sharing Session was held with police officers at the Police Headquarters where I shared my experience of the past three years as the IPCC Chairman and my experience generally in public service in the past 50 years. The Session was attended by nearly 200 officers at the Police Headquarters and another 200 through video link in two New Territories Regions.

The IPCC believes that sincere and rational communication and collaboration with the community are crucial for the effective operation of the two-tier police complaints system, namely, investigation of complaints by CAPO and monitoring of such investigations by the IPCC to ensure thoroughness and fairness, as required by the IPCC Ordinance.

## Acknowledgments

As the out-going Chair, I would like to acknowledge the contribution of the Members of the IPCC and the IPCC's team of Observers. I would also like to acknowledge the great contribution of the Secretariat during arguably one of the most difficult periods in the existence of the IPCC. They have faced these difficulties with courage and commitment to duty at a level that is well beyond ordinary expectations. In the past 12 years, Secretariat staff have acquired an accumulation of expertise in police work that cannot be found in any organisation outside of the Police. This expertise deserves recognition by the IPCC and the Government, and should be provided with a career path leading to the top management position.

最後，我很榮幸能夠擔任主席一職，與監警會共渡三載充實的時光。監警會在過去三年能夠經得起風浪，全憑堅守四大原則：(一)重法規；(二)重事實及公道；(三)重優化；及(四)重合作，我深信新任主席定必會延續這優良傳統。

Finally, I would like to state that I have been privileged and honoured to have served as Chair for the past three eventful years of the IPCC. The IPCC has weathered the storm of the past three years because of its steadfastness in observing the Four Principles, (1) "Respect for Law", (2) "Respect for Fact and Fairness", (3) "Respect for Best Practices", and (4) "Respect for Collaboration". I am sure that the next Chair will continue with this fine tradition.



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時任監警會主席  
The then IPCC Chairman