





監察投訴處理
Monitoring the Handling of
Complaints 2

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

	2021/22	2020/21
接獲的須匯報投訴個案 Reportable Complaint cases received	1,590	1,363
通過的須匯報投訴個案 Reportable Complaint cases endorsed	1,705	1,390

在本報告期內(2021年4月1日至2022年3月31日)，監警會共接獲投訴警察課1,590宗新的須匯報投訴個案的調查報告，按年增加16.7%。

同期，監警會通過了1,705宗須匯報投訴個案的調查結果(包括67宗覆檢個案)，按年增加22.7%。除了覆檢個案外，涉及的指控有2,747項，按年上升18.9%，其中主要的三項指控依次序為「行為不當／態度欠佳／粗言穢語」、「疏忽職守」及「毆打」。

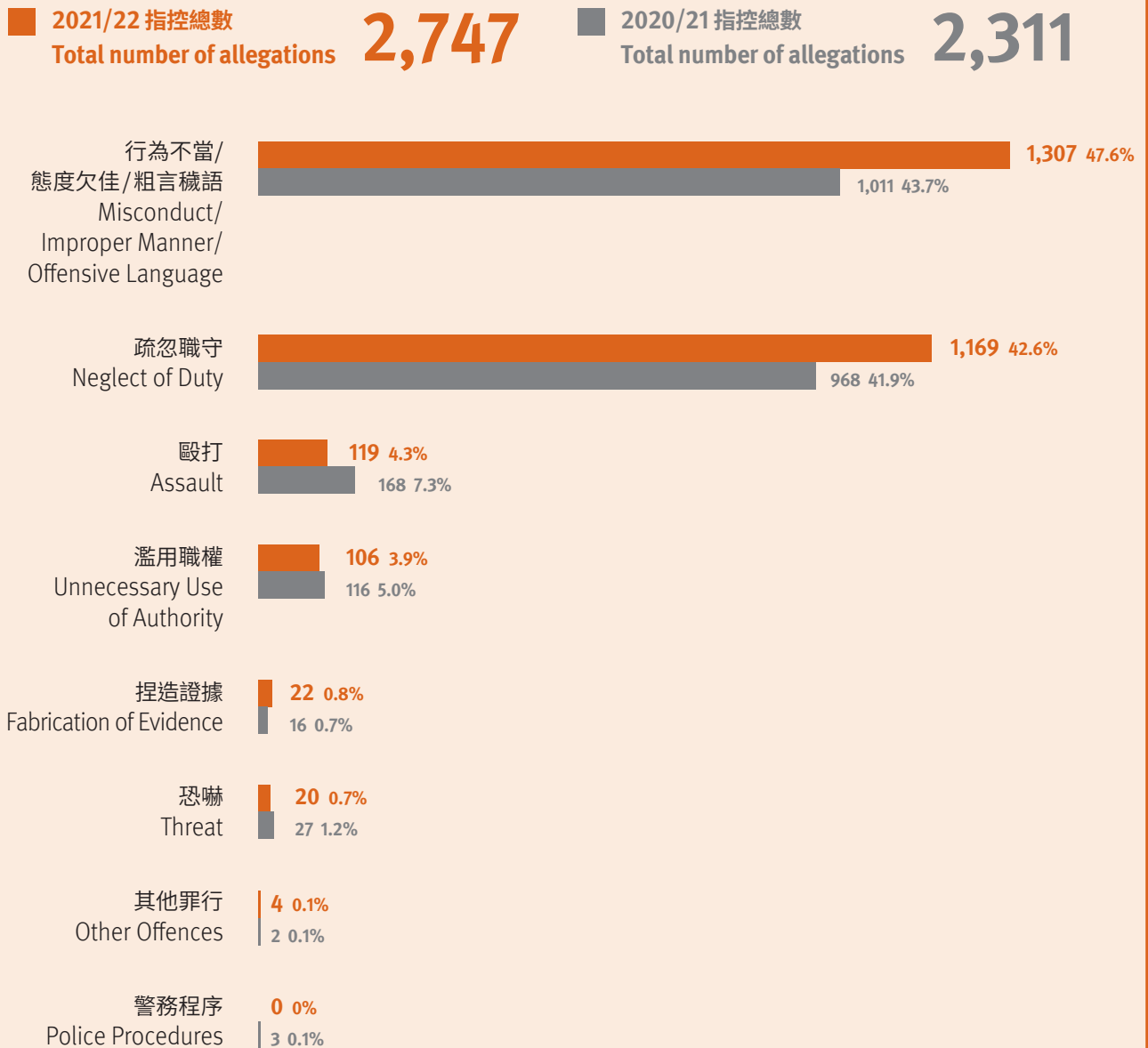
During the reporting period (1 April 2021 to 31 March 2022), the IPCC received reports from CAPO on the investigation of 1,590 new Reportable Complaint cases, representing an increase of 16.7% compared to the previous year.

In the same period, the IPCC endorsed the results of investigation for 1,705 Reportable Complaint cases (including 67 reviewed cases), representing an increase of 22.7% compared to the previous year. There were a total of 2,747 allegations excluding the reviewed cases, representing an increase of 18.9% compared to the previous year. The three major allegations in descending order were “Misconduct/Improper Manner/Offensive Language”, “Neglect of Duty” and “Assault”.

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2021/22年度獲通過的2,747項指控中，經全面調查的指控有881項，當中83項被列為「獲證明屬實」，佔所有經全面調查指控的9.4%。44項被列為「未經舉報但證明屬實」（佔5.0%），6項被列為「無法完全證明屬實」（佔0.7%），289項被列為「無法證實」（佔32.8%），397項被列為「並無過錯」（佔45.1%），62項則被列為「虛假不確」，佔總數的7.0%。

在其餘的1,866項無需進行全面調查的指控中，335項「透過簡便方式解決」，佔無需進行全面調查指控中的18.0%。705項被列為「投訴撤回」（佔37.8%），826項被列為「無法追查」（佔44.3%）。沒有指控被列為「終止調查」。

Among the 2,747 allegations endorsed in 2021/22, 881 were fully investigated. 83 (9.4% of those fully investigated) were classified as “Substantiated”, 44 (5.0%) as “Substantiated Other Than Reported”, 6 (0.7%) as “Not Fully Substantiated”, 289 (32.8%) as “Unsubstantiated”, 397 (45.1%) as “No Fault”, and 62 (7.0%) as “False”.

Among the remaining 1,866 allegations which did not require full investigation, 335 (18.0% of those not fully investigated) were “Informally Resolved”, 705 (37.8%) were classified as “Withdrawn”, 826 (44.3%) as “Not Pursuable”. There was no allegation being classified as “Curtailed”.

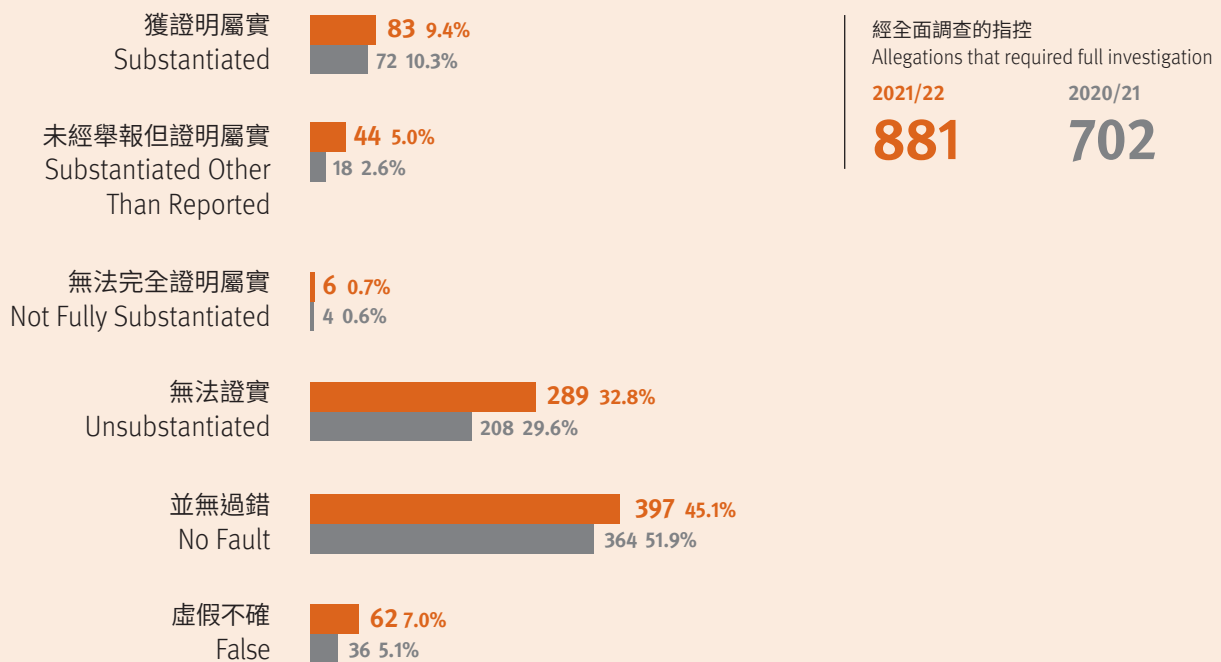


2020/21 和 2021/22 年度的調查結果數據比較可見下表：

The following table shows a comparison of figures regarding investigation results in 2020/21 and 2021/22:

監警會通過的調查結果 Investigation results endorsed by the IPCC

■ 2021/22 指控總數 **2,747** Total number of allegations
■ 2020/21 指控總數 **2,311** Total number of allegations



經全面調查的指控
Allegations that required full investigation

2021/22	2020/21
881	702

Category	2021/22	2020/21
透過簡便方式解決 Informally Resolved	335 18.0%	239 14.9%
投訴撤回 Withdrawn	705 37.8%	606 37.7%
無法追查 Not Pursuable	826 44.3%	764 47.5%

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.

無需進行全面調查的指控
Allegations that did not require full investigation

2021/22	2020/21
1,866	1,609

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	行為不當/ 態度欠佳/粗言穢語 Misconduct/ Improper Manner/ Offensive Language		疏忽職守 Neglect of Duty		毆打 Assault		濫用職權 Unnecessary Use of Authority	
	2021/22	2020/21	2021/22	2020/21	2021/22	2020/21	2021/22	2020/21
經全面調查的指控 Allegations that required full investigation								
獲證明屬實 Substantiated	26	16	52	54	3	0	2	2
未經舉報 但證明屬實 Substantiated Other Than Reported	3	1	41	16	0	0	0	1
無法完全證明屬實 Not Fully Substantiated	1	2	2	2	0	0	1	0
無法證實 Unsubstantiated	159	106	97	79	16	9	15	9
並無過錯 No Fault	103	90	244	239	11	4	38	27
虛假不確 False	25	13	7	6	10	9	0	1
小計 Subtotal	317	228	443	396	40	22	56	40
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	222	137	113	102	0	0	0	0
投訴撤回 Withdrawn	349	271	325	243	23	43	3	37
無法追查 Not Pursuable	419	375	288	227	56	103	47	39
小計 Subtotal	990	783	726	572	79	146	50	76
總數 Total	1,307	1,011	1,169	968	119	168	106	116

	捏造證據 Fabrication of Evidence		恐嚇 Threat		警務程序 Police Procedures		其他罪行 Other Offences		總數 Total	
	2021/22	2020/21	2021/22	2020/21	2021/22	2020/21	2021/22	2020/21	2021/22	2020/21
	0	0	0	0	0	0	0	0	83	72
	0	0	0	0	0	0	0	0	44	18
	2	0	0	0	0	0	0	0	6	4
	1	2	1	2	0	0	0	1	289	208
	0	1	0	0	0	3	1	0	397	364
	15	5	4	1	0	0	1	1	62	36
	18	8	5	3	0	3	2	2	881	702
	0	0	0	0	0	0	0	0	335	239
	0	3	4	9	0	0	1	0	705	606
	4	5	11	15	0	0	1	0	826	764
	4	8	15	24	0	0	2	0	1,866	1,609
	22	16	20	27	0	3	4	2	2,747	2,311

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139名警務人員需接受跟進行動，涉及91宗個案。分項數字見下表：

During the reporting year, actions were taken against 139 police officers regarding 91 cases endorsed by the IPCC. The following table shows the breakdown of figures:

警方於2020/21及2021/22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 2020/21 and 2021/22

	人員數目 Number of officers	
	2021/22	2020/21
A 刑事訴訟 Criminal proceedings	7¹	0
B 紀律覆檢 Disciplinary review	2	8
C 其他內部行動 Other internal actions		
警告 Warnings	34	28
訓諭 Advice	96	53
總數 Total	139	89 ²

註1： 七名警務人員分別涉及兩宗刑事案件。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；另一宗案件，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.

註2： 2020/21年度的數字已因應部分個案覆核後，予以調整。

Note 2: Figures for 2020/21 have been adjusted following case reviews.

向投訴警察課提出質詢 Queries Raised with CAPO

在2021/22年度，監警會向投訴警察課合共提出1,284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，就報告內容提供更多資料及澄清，以及監警會就警方的工作常規或程序提供改善建議等。

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788項質詢需要再作跟進，其餘的質詢則經由監警會再質詢或雙方開會討論後，得到滿意解釋及解決。

The IPCC raised a total of 1,284 Queries with CAPO in 2021/22. These Queries included various requests to CAPO, for example, amending the content of investigation reports, providing more information and clarification regarding the reports, and the IPCC making 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 788 Queries requiring further actions. The remaining Queries were given satisfactory explanation and resolved after further Queries by the IPCC or discussion with CAPO at meetings.



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		1,284		需要再作跟進的質詢 Number of Queries requiring further actions		788	
年份 Year	質詢總數 Total number of Queries		需要再作跟進的質詢 Number of Queries requiring further actions				
	2021/22	2020/21	2021/22	2020/21			
質詢性質 Nature of Queries							
調查結果分類 Classification of investigation results	377	391	209	207			
改善警隊常規和程序的建議 Recommended improvements to police practices and procedures	24	22	24	21			
遵從警務常規和程序 Compliance with police practices and procedures	8	12	2	5			
行使警權的理由 Reasons for exercising police power	6	10	1	0			
對處理違規人員的行動提出意見 Comments on actions against defaulting officers	17	23	12	16			
澄清調查報告資料 Clarification of information in investigation reports	663	736	431	439			
調查透徹度 Investigation thoroughness	132	184	73	85			
其他質詢 Other Queries	57	67	36	33			
總數 Total	1,284	1,445	788	806			

調查結果分類

監警會在2021/22年度就調查結果分類提出377項質詢，而投訴警察課需要再作跟進的質詢共有209項，因此予以修正調查結果的指控有225項，包括：

Classification of investigation results

A total of 377 Queries were raised by the IPCC in 2021/22 regarding the classification of findings, of which 209 required further actions by CAPO and consequently the investigation results of 225 allegations were reclassified, including:

14	項 reclassified from	「無法證實」 “Unsubstantiated”	改列為 → to	「獲證明屬實」 “Substantiated”
11	項 reclassified from	「並無過錯」 “No Fault”	改列為 → to	「獲證明屬實」 “Substantiated”
8	項 reclassified from	「無法追查」 “Not Pursuable”	改列為 → to	「獲證明屬實」 “Substantiated”
2	項 reclassified from	「投訴撤回」 “Withdrawn”	改列為 → to	「獲證明屬實」 “Substantiated”
40	項 reclassified from	「並無過錯」 “No Fault”	改列為 → to	「無法證實」 “Unsubstantiated”
38	項 reclassified from	「無法證實」 “Unsubstantiated”	改列為 → to	「並無過錯」 “No Fault”
29	項 reclassified from	「無法追查」 “Not Pursuable”	改列為 → to	「並無過錯」 “No Fault”
5	項 reclassified from	「無法證實」 “Unsubstantiated”	改列為 → to	「虛假不確」 “False”
6	項 reclassified from	「無法追查」 “Not Pursuable”	改列為 → to	「虛假不確」 “False”
11	項 reclassified from	「並無過錯」 “No Fault”	改列為 → to	「虛假不確」 “False”

更改分類的詳細數據請參考下表：

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

2021/22 年度監警會通過的再分類調查結果 Changes of classification endorsed by the IPCC in 2021/22

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	0	N/A	0	0	0	0	0	0
無法證實 Unsubstantiated	14	5	N/A	38	5	3	1	66
並無過錯 No Fault	11	1	40	N/A	11	19	4	86
虛假不確 False	0	0	2	3	N/A	3	0	8
無法追查 Not Pursuable	8	0	0	29	6	N/A	3	46
投訴撤回 Withdrawn	2	0	0	15	2	0	N/A	19
總數 Total	35	6	42	85	24	25	8	225

此外，監警會年內通過了44項「未經舉報但證明屬實」的指控，當中有18項是經監警會提出質詢後而增加的。另外有23宗事件記錄為「旁支事項」*。

Moreover, the IPCC endorsed 44 counts of “Substantiated Other Than Reported” allegations, 18 of which were registered after the IPCC raised Queries. Another 23 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24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 24 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八項。

Compliance with police practices and procedures

The IPCC may raise Queries with CAPO to ascertain whether the police officers involved in a complaint case have complied with relevant police practices and procedures in exercising their constabulary powers. During the reporting period, eight 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六項質詢。

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 six 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17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 17 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663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 663 Queries regarding ambiguous points in the investigation reports. In such cases, CAPO was requested to provide more background information of the complaint cases.

調查透徹度

報告期內，監警會共提出132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 132 Queries regarding the thoroughness of the 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

2021/22 觀察總數
Total number of observation **1,848**

2020/21 觀察總數
Total number of observation **2,198**

預先安排和未經預約觀察的分項數字 Number of scheduled observation and observation without prior appointment

	2021/22	2020/21
預先安排 Scheduled	1,832	2,158
未經預約 Without prior appointment	16	40
總數 Total	1,848	2,198

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

	2021/22	2020/21
觀察會面 Interviews	1,443	1,760
證據收集 Collection of evidence	405	438
總數 Total	1,848	2,198

2021/22年度，監警會的委員及觀察員共進行了1,848次觀察，較去年下降15.9%，當中預先安排的有1,832次，未經預約的有16次。在1,848次觀察中，有1,443次是觀察會面，其餘405次是觀察證據收集的工作。

Under the Observers Scheme, 1,848 observation sessions were conducted by Members and Observers of the IPCC in the year 2021/22, representing a decrease of 15.9% compared to the previous year. Among them, 1,832 were scheduled observation sessions and 16 were conducted without prior appointment. Out of the 1,848 observation sessions, 1,443 involved the conduct of interviews and 405 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

	2021/22	2020/21
出席觀察 Observation attended	1,848	2,198
接獲通知 Notification received	1,864	2,228
出席比率(觀察/接獲通知) Attendance rate (Observation/Notification received)	99.1%	98.7%

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2021/22年度，監警會接獲投訴警察課1,864次通知。

在本報告期內，監警會觀察員出席了1,848次觀察，包括觀察會面和證據收集，佔整體通知的99.1%，出席比率較去年上升了0.4%。

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 2021/22, 1,864 counts of notification were received from CAPO.

During the reporting period, IPCC Observers attended 1,848 observation sessions, including interviews and collection of evidence, amounting to 99.1% of the notification received. The attendance rate increased by 0.4% compared to the previous year.

須知會投訴 Notifiable Complaints

須知會投訴個案數字 Number of Notifiable Complaint cases

	2021/22	2020/21
經監警會審核的須知會投訴個案 Notifiable Complaint cases examined by the IPCC	690	860
重新歸類為須匯報投訴 Cases re-categorised as Reportable Complaints	2	1

根據《監警會條例》第9條，投訴警察課須定期向監警會提交須知會投訴的個案撮要以供檢視，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，監警會審核了690宗須知會投訴的個案撮要，較去年同期下降19.8%。經審核後，其中兩宗投訴個案應監警會建議被重新歸類為須匯報投訴。

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

During the reporting period, summaries of 690 Notifiable Complaints were examined by the IPCC, representing a decrease of 19.8% compared to the previous year. After examination, two cases were re-categorised as Reportable Complaints on the IPCC's recommendations.

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。

報告期內，共有兩位人士應監警會邀請出席會面，共涉及一宗投訴個案。

According to section 20 of the IPCCO, in the course of examining CAPO's investigation report, 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 report. 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.

During the reporting period, two persons were invited by the IPCC to attend interviews for one complaint.

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6,993宗公眾透過電話、郵寄、電郵、傳真及親臨的查詢。除部分與監警會無直接關係的查詢外，其餘有關大型公眾活動、兩層架構投訴警察制度，包括投訴個案和觀察員計劃等查詢或意見，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 6,993 public enquiries via telephone, post, email, fax and in person. Excluding enquiries that were not directly related to the IPCC, those enquiries concerning large-scale public order events, the two-tier police complaints system, including enquiries or suggestions relating to complaint cases and the Observers Scheme, were handled in accordance with the timeframe specified under the IPCC's performance pledge.