

The Police Complaints System in Hong Kong: Where Are We Heading?

Chairman Welcome Speech at Independent Police Complaints Council Symposium on 27 May 2014

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Mr Justice Tang, Honourable Guests, Ladies and Gentlemen,

May I first welcome you all to this Symposium jointly organised by the IPCC, the Centre for Comparative and Public Law and the Policing Studies Forum of the University of Hong Kong.

The theme for this Symposium is “The Police Complaints System in Hong Kong: Where are we Heading?” That was probably the question I should have asked myself when I was asked to be the Chairman of the pre-statutory IPCC in 2008. Six years down the line, I have witnessed the IPCC’s transformation from a “back-seat monitoring body” to an independent statutory body with a reasonable degree of public recognition.

The past six years have been, at least for me, an Unexpected Journey. And as far as I am concerned, that journey is fast coming to an end. It is perhaps difficult to avoid the temptation of looking back and ask: “what have we done?”

I am fully conscious that “What have we done?” is not exactly the theme of the Symposium, but it is, in a sense, the prior question to “where are we heading” because one must have a reasonable understanding of what has been done in the past in order to project oneself into the future.

So what have we, the IPCC, done since 2009 when we became an independent statutory body which are relevant for today?

I will mention three things in particular.

First, we have transformed from a relatively unknown body into one which, according to our most recent survey carried out by HKU’s Public Opinion Programme, is known to more than half of those who have been kind enough to respond. That is quite an achievement, at least when compared to the current government: some of you might have read recently in the press, that most people in Hong Kong do not know who are the undersecretaries or political assistants to our principal officials.

Second, we are not just known to the public, but have garnered an image of fairness and impartiality. I am proud to say that we are a symbol of independence and integrity, important values that are treasured by a free and inclusive society like Hong Kong.

Third, we have gained the trust not only of the public, but also of the Police. We have been told by senior management of the Police that the IPCC enjoys a positive image amongst many in the force now. There are bound to be skeptics, but by and large, we have gained the confidence of the force as well.

At least from the above perspectives, I am pleased to say that we have managed to achieve a reasonable degree of success. So what is the way forward? How do we build on what we have achieved?

I am not sure what the answer is, which is why we have invited you here today to share with us where do you think we should be heading. But it seems to me that building from what we have done in the past, there are a few pointers.

First, although we are told that a decent portion of the population knows us, as Mr Justice Tang just said, reality and public perception may differ. I certainly agree with him that what can be done to improve public perception is a continuing quest. We can certainly do more to let the people of Hong Kong know who we are, and what we do. But the communication should not be one way: in my view the IPCC can strive harder to know what our stakeholders expect us, what they want us to do. This is a topic that will be canvassed in the first and second plenary sessions of today, and I look forward to some interesting discussions there.

Second, the IPCC must strive to maintain and enhance its image of independence, impartiality and integrity. We cannot, and must not, be complacent. We must continue to gain and retain the trust of our stakeholders. But one question will forever be raised: should the existing two-tier police complaints system in Hong Kong be preserved? Or should complaints against the Police be handled independently of the force – and if so, how? Should the IPCC transform into a wholly independent one-stop complaints handling body instead of remaining a monitoring body? Or are there hybrid models which would better suit the political and social fabric of Hong Kong? I would look forward to a lively debate over these interesting, and fundamental questions, which need to be addressed.

Third, while we are discussing the future shape of the police complaints system in Hong Kong, there is still work to be done on the ground. Our last two public opinion surveys identified the police's handling of public order events as the issue with which most Hong Kong people are concerned. Sadly, given the political landscape, it is perhaps inevitable that public order events will remain in the headlines in the foreseeable future. I hope that our third plenary session will provide some insight into what role the IPCC can play in helping to strike the proper balance between police powers and civil rights.

Ladies and gentlemen, I will not keep you from your eagerly awaited next programme, which is, of course, your coffee break. I trust that when the IPCC celebrates its 10th anniversary five years from now, and looks back at what will have been done over those five years, it will say: we have done this because of an idea that was raised in the 5th anniversary Symposium; or some important progress was made because of a debate that took place during the Symposium.

I thank you again for gracing the event with your presence today.