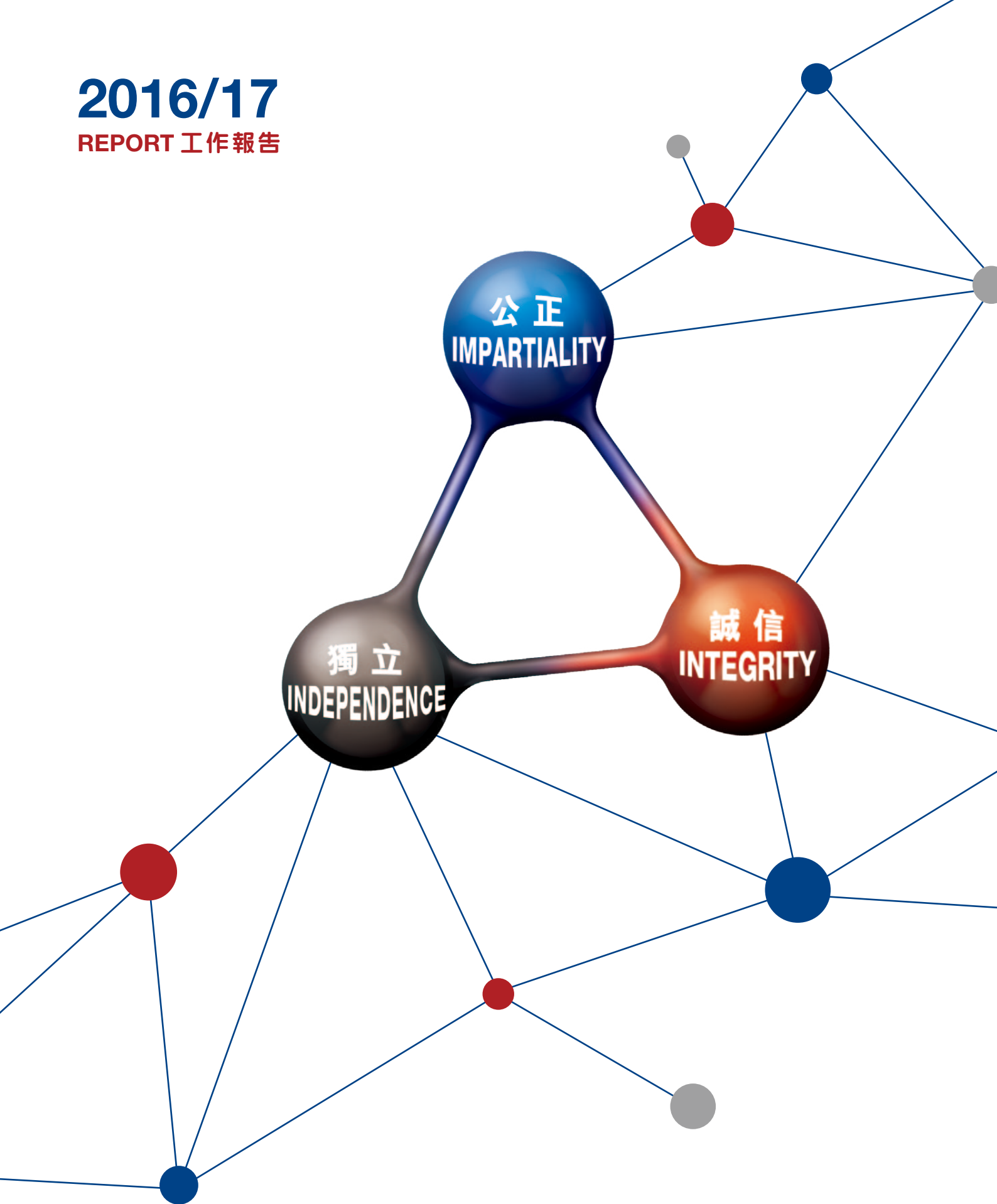


2016/17

REPORT 工作報告



獨立監察警方處理投訴委員會
Independent Police Complaints Council

目錄

Contents

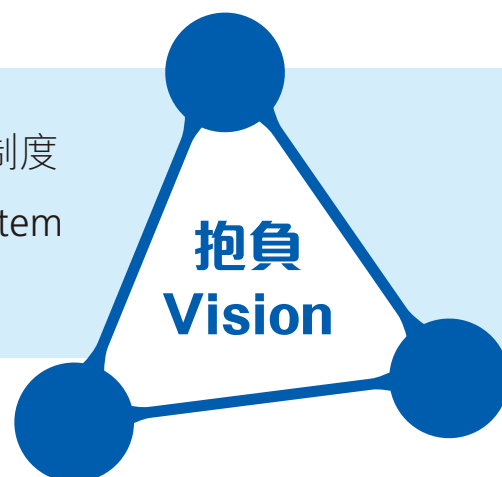
監警會的抱負、使命及價值觀 Vision, Mission and Values of the IPCC	2
主席前言 Chairman's foreword	3
監警會委員 Members of the IPCC	8
年度概覽 Highlights of the year	15
 關於監警會 About the IPCC	18
 監察投訴處理 Monitoring the handling of complaints	38
 真實投訴個案 Complaint cases	58
 與持份者聯繫 Engaging with stakeholders	72
 傳訊工作及機構形象 Communications and corporate image	84
 組織架構 Organisational structure	92
 財務報表 Financial statements	116

監警會的抱負、使命及價值觀

Vision, Mission and Values of the IPCC

一個公平、公正、對公眾問責的投訴警察制度

A fair and impartial police complaints system accountable to the public



使命
Mission

確保對警方的投訴能公平公正、有效率、具透明度地處理，並對警隊工作提供改善建議，以提高服務質素及向公眾問責

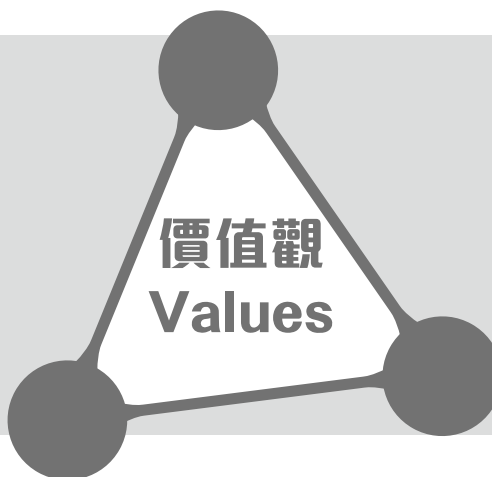
Ensure police complaints are handled in a fair, impartial, effective and transparent manner, and advise on improvement to police procedures to enhance service quality and public accountability

獨立 Independence

公正 Impartiality

誠信 Integrity

價值觀
Values



主席前言

Chairman's foreword



我謹代表獨立監察警方處理投訴委員會（監警會）發表第八份工作報告。

自2014年本人接任監警會主席一職以來，委員會和市民一起經歷了多次的大型公眾事件和社會氣氛的轉變。我們克服了佔領事件和旺角騷亂帶來的衝擊和挑戰，事實上，監警會沉著捍衛其獨立公平的核心價值和維護以證據為依歸的原則，絕不會因輿論壓力而倉促對社會事件或個別投訴個案表態或評論。這三年多以來，我們不忘固本，同時致力完善兩層架構投訴警察制度，以及提升監警會審核和行政管理的工作效率，期望在各方面都精益求精。

I hereby present the eighth Independent Police Complaints Council (IPCC) Report on behalf of the Council.

I assumed office as the IPCC Chairman in 2014. From then on, the Council has experienced with the public a number of public order events and changes in social climate. We have risen above the impacts and challenges of the Occupy Movement and the Mong Kok Riot. As a matter of fact, the IPCC upholds its core values of independence and impartiality with poise while staying true to its evidence-based principle, and never gives any rushed opinion or comment on any social event or individual complaint case. Over the past three years we continued to strengthen the base while strive to enhance the integrity of the two-tier police complaints system and increasing the efficiency for complaints handling and administrative work. In this way we can continue to improve and excel in every aspect of our work.

處理投訴

不偏不倚處理與佔領事件和旺角騷亂有關的投訴

2014年佔領事件衍生了172宗須匯報投訴及357宗須知會投訴。截至本報告期末，委員會已完成了絕大部分的審核工作並通過了168宗(97%)須匯報投訴，包括一宗涉及警官的毆打個案。餘下個案尚待投訴警察課的調查跟進，或因牽涉司法程序而停止調查。至於2016年旺角騷亂所引起的29宗須匯報投訴，委員會亦已通過了16宗個案，四宗個案尚在審核中，其餘有待投訴警察課完成調查。

獨立公正處理嚴重投訴

至於其他的嚴重投訴個案，年內委員會處理了多宗公眾關注的投訴，包括一宗誤控智障人士誤殺事件，在17項指控中有10項「獲證明屬實」，部分是經監警會審核後而更改調查結果分類，共九名警務人員需要接受紀律行動。

積極提升審核投訴效率

監警會與投訴警察課舉行的工作層面會議，由以往每三個月一次增加至兩個月一次，以加快處理個案的效率；並全力處理積壓已久的複雜個案。此類個案的數目，由2015年雙位數字的高位，回落到本報告期末的四宗。而報告期內，審核個案時間縮短了近10%，平均日數由對上一年的144日下降至今年的133日。

更改調查結果分類

監警會一直致力確保投訴指控的調查結果分類公平、公正。在本年度，共有209項指控在監警會要求下重新分類，按年增加近60%，包括21項由「無法證實」、「並無過錯」等再分類為「獲證

Handling complaints

Handling complaints arising from the Occupy Movement and the Mong Kok Riot objectively

The 2014 Occupy Movement gave rise to a total of 172 Reportable Complaints and 357 Notifiable Complaints. As of the end of this reporting period, the Council finished reviewing most of these complaints and endorsed 168 (97%) of the Reportable Complaints, including an assault case involving a senior police officer. The rest of the cases either required further investigation by the Complaints Against Police Office (CAPO) or were suspended due to legal proceedings. Out of the 29 Reportable Complaints arising from the 2016 Mong Kok Riot, 16 were endorsed by the Council, while four are under review and the remaining awaiting full investigation by CAPO.

Handling serious complaints independently and impartially

As for other serious cases, we handled a number of complaints of public interest during the year, including the incident where a mentally incapacitated person (MIP) was mistakenly accused of manslaughter. 10 of the total 17 allegations were classified as "Substantiated", some of which were so reclassified following the IPCC's review, and disciplinary action would be taken against a total of nine police officers.

Improving efficiency of complaint review proactively

In order to improve the efficiency in case handling, we increased the frequency of working level meeting between the IPCC and CAPO from once every three months to once every two months, and spared no effort in processing complicated, long-pending cases. The number of cases falling within this category decreased to four at the end of this reporting period from high double-digit level in 2015. In the meantime, we shortened the time required for reviewing complaint cases by approximately 10% during the reporting period, from an average of 144 days in the previous year to 133 days.

Changing the classification of investigation results

As always, the IPCC is committed to ensuring a fair and impartial classification of investigation results for all allegations. During the year, a total of 209 allegations were reclassified, an increase of nearly 60% year-on-year, as requested by the IPCC. 21 of them were reclassified as "Substantiated" from "Unsubstantiated" or "No Fault"

明屬實」及九項由「無法證實」、「並無過錯」等再分類為「無法完全證明屬實」，充分彰顯監警會審核工作的嚴謹性。

改善大型遊行活動安排

會方重視提升警隊的服務質素，透過審核投訴就警察工作的常規和程序提供改善建議，包括大型遊行活動的處理等。多年來多項建議均獲得警方接納和跟進，今年已是連續第二年再無接獲七一遊行衍生的投訴。

提出改善警隊服務的建議

過去三年，會方亦向警方提出逾40項改善建議，當中包括今年的10項建議，例如是改善處理精神上無行為能力人士的程序等。不少警方程序也在期內得到優化，包括警方處理性罪行受害者的指引、警方在大型公眾活動使用攝錄機的指引等。

優化觀察員計劃

近年會方另一個工作重點，是進一步強化觀察員的監察角色，加強對他們的支援，以便他們出席投訴警察課就調查投訴所進行的會面及證據收集工作。期內，會方提升了觀察員計劃的網上系統，方便觀察員隨時預約，又舉行了工作坊，讓他們交流經驗及即場向投訴警察課反映意見。此外，會方也積極和警方及其他部門協調，改善觀察行動的行政安排，例如在一些拘留設施撥出特定時段供投訴會面之用，縮短觀察員在現場等候的時間。今年的觀察員出席率達87.9%，是連續第二年超過八成半的水平。

etc., and nine as “Not Fully Substantiated” from “Unsubstantiated” or “No Fault” etc. This shows the stringency of IPCC’s monitoring process.

Improving arrangement for large-scale processions

The IPCC attaches great importance to enhancing service quality of the Police. Through reviewing complaint cases, we make recommendations for improving police practices and procedures, including those related to the handling of large-scale processions. The Police adopted and followed up on many of our recommendations during the years. 2016 marked the second consecutive year without any complaints arising from the 1 July procession.

Making recommendations for improving police services

Over the past three years, we have also made more than 40 recommendations to the Police for improvement. These include 10 which were given this year, covering the improvement of procedure for dealing with the MIPs. During the period, several police procedures were improved including the police guidelines on dealing with sexual offence victims as well as those on using video cameras during public order events.

Enhancing the Observers Scheme

Another recent focus of the IPCC is to strengthen the monitoring function of Observers and stepping up support to them, facilitating their observation of interviews for complaints investigation and collection of evidence conducted by CAPO. During the period, in addition to upgrading the online system for the Observers Scheme to enable appointment booking at any time, workshops were organised for Observers to share their experiences and give direct feedback to CAPO. Furthermore, we actively coordinated with the Police and other Government departments to improve the administrative arrangements in relation to observations, such as assigning time slots at certain detention facilities for complaint-related interviews, thus reducing the on-site waiting time of Observers. Observer attendance rate was 87.9% for this year, the second consecutive year achieving above the 85% level.

機構管治

全面強化管治和行政

委員會於2014年增設副秘書長(管理)一職，以優化管治及增強秘書處的行政管理能力。隨著新秘書長於2016年履新，秘書處亦於同年完成了人力資源管理顧問報告。根據顧問建議，為秘書處職員推行年度表現評核計劃，並加強培訓和挽留人才的措施，讓員工有系統化的培訓計劃。另外，秘書處在本年度增設了兩個助理秘書長的職位，進一步加強審核工作的監督和效率。

加強法律支援及研究工作

本會在委員會下增設第五個專責委員會——法律事務委員會，就委員會日常事務及審核投訴個案所產生的法律問題等提出意見。在法律顧問的督導下亦成立了研究組，目的是加強管理和分析與審核投訴個案相關的統計數字和資料，為法律事務委員會提供支援，並研究在投訴處理機制、警察指引及程序等事情上的國際做法，以協助委員會更好地審核投訴及履行各項法定職能。

加強資訊科技應用

會方在年內進行各項紀錄系統電子化，包括投訴個案資料及人力資源管理系統等，藉此協助員工提升日常工作的效率，加強數據分析和管理工作。

推廣公眾及青少年教育

監警會自2016年9月起以試驗形式走進校園，與中、小學生接觸，分享兩層架構投訴警察制度、審核個案的原則、監警會的價值觀，及投訴的權利和責任等。另一方面，會方亦走訪了全港18區的撲滅罪行委員會，向地區人士推廣監警會的工作並聆聽意見。與此同時，我們在網站增設「主席專欄」，

Corporate governance

Stepping up governance and administrative efforts on all fronts

In 2014, the Council has established a new position, Deputy Secretary-General (Management), to enhance governance and strengthen the administrative capability of the Secretariat. The new Secretary-General took office in 2016 and the consultancy report on Human Resources Management was completed in the same year. In light of the recommendations from the consultant, annual performance appraisal for the IPCC Secretariat staff as well as enhanced measures for training and retaining talents were pursued so that staff could benefit from a structured training scheme. In addition, two Assistant Secretary-General positions have been established during the year to further improve the supervision and efficiency of the case reviewing process.

Enhancing legal support and research

The Council set up its fifth Committee, the Legal Committee, which comments and expresses views on legal issues arising from daily operations of the Council and examination of complaint cases. Under the supervision and guidance of the Legal Adviser, a research team was also formed to better manage and analyse the statistics and information related to the review of complaint cases while providing support to the Legal Committee. The team also studies international practices in complaint handling mechanisms as well as police guidelines and procedures, facilitating the review of complaints and the discharge of statutory duties by the Council.

Enhancing the application of information technology

During the year, a number of information management systems have been automated including those for complaint case information and human resources management, with a view to increase the work efficiency of our staff while strengthening data analysis and management functions.

Promoting public and youth education

The IPCC began its school pilot programme in September 2016, sharing with secondary and primary school students the two-tier police complaints system, the principles of reviewing complaint cases, the IPCC core values, and the rights and responsibilities of making complaints. Furthermore, the IPCC visited the Fight Crime Committees across the 18 districts in Hong Kong, introducing its work to the local communities and listening to their views. At the same time, a "Chairman's column" was added to our website to provide more

適時提供更多關於監警會工作和審核個案的資訊。

投訴數據分析

至於整體的投訴情況，監警會在2016/17年度接獲1,567宗新個案的調查報告，數字與去年度相若。監警會通過的調查報告有1,550宗，涉及逾2,800項指控，按年分別下跌約13%及17%。各指控類別中排首位的指控依然是「疏忽職守」（例如：警務人員在執行任務時未能採取適當行動，或未能全面調查案件），佔約45%，其次是「行為不當/態度欠佳/粗言穢語」，佔約35%。

調查結果分類方面，我們注意到分類為「虛假不確」的指控明顯上升，較去年增加超過40%。雖然這比率佔整體數字不足3%，但委員會希望大眾明白，投訴機制是開明社會的一大基石，投訴人在行使公民權利的同時，也有責任確保所提供的資料真確，令處理投訴的公共資源用得其所。

感謝榮休委員

最後，我衷心感激各位榮休的委員——葉成慶先生、劉玉娟女士、梁繼昌議員、馬學嘉博士、馬恩國先生、黃碧雲議員、黃幸怡女士、黃德蘭女士、葉振都先生和任景信先生，他們在任期內不遺餘力地審核個案及處理各專責委員會的事務，對本會作出了莫大的貢獻。我同時感謝全體委員及觀察員、秘書長和秘書處職員，希望大家繼續同心協力，秉承監警會獨立、公正、誠信的價值觀，攜手鞏固香港的兩層架構投訴警察制度，共建美好香港。



郭琳廣，SBS，JP
主席

information about the work of the IPCC and complaint cases where appropriate.

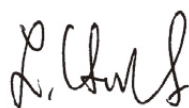
Complaint statistics analysis

As for the overview of complaints, the IPCC received investigation reports of 1,567 new cases during 2016/17, levelling off the previous year. The IPCC endorsed 1,550 investigation reports involving more than 2,800 allegations, decreasing 13% and 17% year-on-year, respectively. “Neglect of Duty” (e.g. police officers failing to take proper action or conduct full investigation when carrying out their duties) remained the most common allegation, accounted for approximately 45% of the total, followed by “Misconduct/ Improper Manner/Offensive Language”, representing about 35% of the total.

As for the classification of investigation results, we noticed a sharp increase in the number of allegations classified as “False”, a jump of over 40% compared to that of previous year. While the figure represents less than 3% of the total, we hope the public understand that a complaint mechanism is one of the cornerstones for a liberal society. Therefore, a Complainant should make sure that all information provided is accurate when executing his/her civil rights, so that our public resources for complaint handling could be effectively deployed.

Gratitude for retired Members

Last but not least, I would like to extend our sincere gratitude to each of the retired Members: Mr Simon Ip Shing-hing, Ms Noeline Lau Yuk-kuen, Hon Kenneth Leung Kai-cheong, Dr Carol Ma Hok-ka, Mr Lawrence Ma Yan-kwok, Dr Hon Helena Wong Pik-wan, Ms Sandy Wong Hang-ye, Ms Mary Wong Tak-lan, Mr Adrian Yip Chun-to and Mr Peter Yan King-shun, who made tremendous contributions to the Council in their years of service by dedicating their effort to reviewing cases and addressing Committee matters. I would also like to thank all our Members, Observers, Secretary-General and Secretariat staff. Let us continue to work together to uphold the IPCC's core values of independence, impartiality and integrity, strengthen Hong Kong's two-tier police complaints system and create a better future for our home.



Larry KWOK Lam-kwong, SBS, JP
Chairman

監警會主席及副主席 (截至2017年3月31日) Council Chairman and Vice-Chairmen (As at 31 March 2017)

郭琳廣先生，SBS，JP

Mr Larry
KWOK Lam-kwong,
SBS, JP

主席 Chairman

- 於2014年6月1日獲委任
- 法律界
- Appointed on 1 June 2014
- Legal Sector

陳健波議員，GBS，JP

Hon CHAN Kin-por, GBS, JP

副主席 Vice-Chairman

嚴重投訴個案委員會主席
Serious Complaints
Committee Chairman

- 於2013年1月1日獲委任
- 保險界
- Appointed on
1 January 2013
- Insurance Sector

張華峰議員，SBS，JP

Hon Chris
CHEUNG Wah-fung,
SBS, JP

副主席 Vice-Chairman

- 於2015年1月1日獲委任
- 金融服務界
- Appointed on
1 January 2015
- Financial Services Sector

謝偉銓先生，BBS

Mr Tony
TSE Wai-chuen, BBS

副主席 Vice-Chairman

- 於2015年1月1日獲委任
- 建築、測量、都市規劃及
園境界
- Appointed on 1 January 2015
- Architectural, Surveying,
Planning and Landscape
Sector

委員會主席 Committee Chairmen



甄孟義資深大律師，SC
Mr John
YAN Mang-ye, SC
法律事務委員會主席
Legal Committee
Chairman

- 於2012年10月1日獲委任
- 法律界
- Appointed on 1 October 2012
- Legal Sector



劉文文女士，BBS，MH，JP
Miss Lisa LAU Man-man,
BBS, MH, JP
宣傳及意見調查委員會主席
Publicity and Survey
Committee Chairman

- 於2014年1月1日獲委任
- 藝術及設計界
- Appointed on 1 January 2014
- Arts and Design Sector



許宗盛先生，SBS，MH，JP
Mr Herman HUI Chung-
shing, SBS, MH, JP
運作及程序諮詢委員會主席
Operations Advisory
Committee Chairman

- 於2015年1月1日獲委任
- 法律界
- Appointed on 1 January 2015
- Legal Sector



關治平工程師，JP
Ir Edgar
KWAN Chi-ping, JP
管理委員會主席
Management Committee
Chairman

- 於2015年1月1日獲委任
- 特許土木工程師
- Appointed on 1 January 2015
- Chartered Civil Engineer

委員 Members



杜國鑾先生，BBS，JP
Mr Clement TAO
Kwok-lau, BBS, JP

- 於2012年10月1日獲委任
- 保險及金融服務界
- Appointed on 1 October 2012
- Insurance and Financial Services Sector




陳建強醫生，BBS，JP
Dr Eugene CHAN
Kin-keung, BBS, JP

- 於2013年1月1日獲委任
- 醫學界
- Appointed on 1 January 2013
- Medical Sector



何世傑教授、工程師
Ir Prof Vincent HO

- 於2013年1月1日獲委任
- 工程界
- Appointed on 1 January 2013
- Engineering Sector



陸貽信資深大律師，
BBS
Mr Arthur
LUK Yee-shun,
BBS, SC

- 於2013年1月1日獲委任
- 法律界
- Appointed on 1 January 2013
- Legal Sector

蘇麗珍女士，MH，JP
Ms Ann SO Lai-chun,
MH, JP



- 於2014年1月1日獲委任
- 區議會
- Appointed on 1 January 2014
- District Council

鄭錦鐘博士，
BBS，MH，OStJ，JP
Dr Eric
CHENG Kam-chung,
BBS, MH, OStJ, JP



- 於2015年1月1日獲委任
- 公共服務及慈善界
- Appointed on 1 January 2015
- Public Services and Philanthropic Sector

何錦榮先生
Mr Richard
HO Kam-wing



- 於2015年1月1日獲委任
- 會計界
- Appointed on 1 January 2015
- Accountancy Sector

錢志庸先生
Mr Barry
CHIN Chi-yung



- 於2016年1月1日獲委任
- 法律界
- Appointed on 1 January 2016
- Legal Sector

委員 Members

毛樂禮資深大律師

Mr José-António
MAURELLET, SC

- 於2016年1月1日獲委任
- 法律界
- Appointed on 1 January 2016
- Legal Sector



陳錦榮先生

Mr Clement
CHAN Kam-wing

- 於2016年6月1日獲委任
- 會計界
- Appointed on 1 June 2016
- Accountancy Sector



鄺永銓先生

Mr Wilson KWONG
Wing-tsun

- 於2016年6月1日獲委任
- 商界
- Appointed on 1 June 2016
- Commercial Sector



歐楚筠女士

Ms Ann
AU Chor-kwan

- 於2017年1月1日獲委任
- 銀行界
- Appointed on 1 January 2017
- Banking Sector



朱永耀先生
Mr Alex
CHU Wing-yiu

- 於2017年1月1日獲委任
- 金融 / 保險界
- Appointed on 1 January 2017
- Finance/Insurance Sector



藍德業資深大律師
Mr Douglas
LAM Tak-yip, SC

- 於2017年1月1日獲委任
- 法律界
- Appointed on 1 January 2017
- Legal Sector



李曉華女士
Miss Sylvia LEE

- 於2017年1月1日獲委任
- 法律界
- Appointed on 1 January 2017
- Legal Sector



李家仁醫生，
BBS，MH，JP
Dr David
LEE Ka-yan,
BBS, MH, JP

- 於2017年1月1日獲委任
- 醫學界
- Appointed on 1 January 2017
- Medical Sector



委員 Members



彭韻僖女士，MH，JP
Ms Melissa Kaye
PANG, MH, JP

- 於2017年1月1日獲委任
- 法律界
- Appointed on 1 January 2017
- Legal Sector




宋菝苓女士
Ms Shalini Shivan
SUJANANI

- 於2017年1月1日獲委任
- 銀行界
- Appointed on 1 January 2017
- Banking Sector



黃至生教授
Prof Martin
WONG Chi-sang

- 於2017年1月1日獲委任
- 醫學界
- Appointed on 1 January 2017
- Medical Sector



楊華勇先生，JP
Mr Johnny YU
Wah-yung, JP

- 於2017年1月1日獲委任
- 商界
- Appointed on 1 January 2017
- Commercial Sector

年度概覽 Highlights of the year



法律事務委員會成立，就會方工作有關的法律問題提出意見，並由新設的研究組提供支援。

Legal Committee was established to express views on the legal issues related to the Council's work.

The Committee is supported by the newly established Research Team.

監警會推行校園推廣試驗計劃，到訪中、小學向學生簡介兩層架構投訴警察制度及監警會的職能和工作。
The IPCC launched the school pilot programme and introduced the two-tier police complaints system and IPCC's functions and work to secondary and primary school students during these school visits.



委員到訪多區撲滅罪行委員會，介紹監警會的工作及聆聽他們的意見。

Members visited various District Fight Crime Committees to introduce the work of the IPCC and listen to their views.



監警會舉行了兩次新聞發布會發表年度工作報告及《監警會通訊》。

Two press conferences were held for the release of the annual report and IPCC Newsletter.



監警會分別到訪旺角警區及機動部隊粉嶺總部，了解警隊各部門的運作。

The IPCC visited the Mong Kok District and Police Tactical Unit Headquarters in Fanling to understand different department's operation in the Force.



監警會與投訴警察課於年內舉行四次聯席會議。

Four joint meetings were held between the IPCC and CAPO during the reporting period.

郭琳廣主席在香港中華總商會午餐會上，介紹兩層架構投訴警察制度及監警會的工作。

Mr Larry Kwok Lam-kwong (Chairman) introduced the two-tier police complaints system and IPCC's work at a luncheon at the Chinese General Chamber of Commerce.





委員現場觀察警方處理七一遊行。
Members conducted on-site observation of the Police handling of the 1 July procession.

委員與香港組織協會會面，討論有關警署拘留室設施等事宜。
Members had a meeting with Society for Community Organization to discuss matters relating to the Police detention facilities.



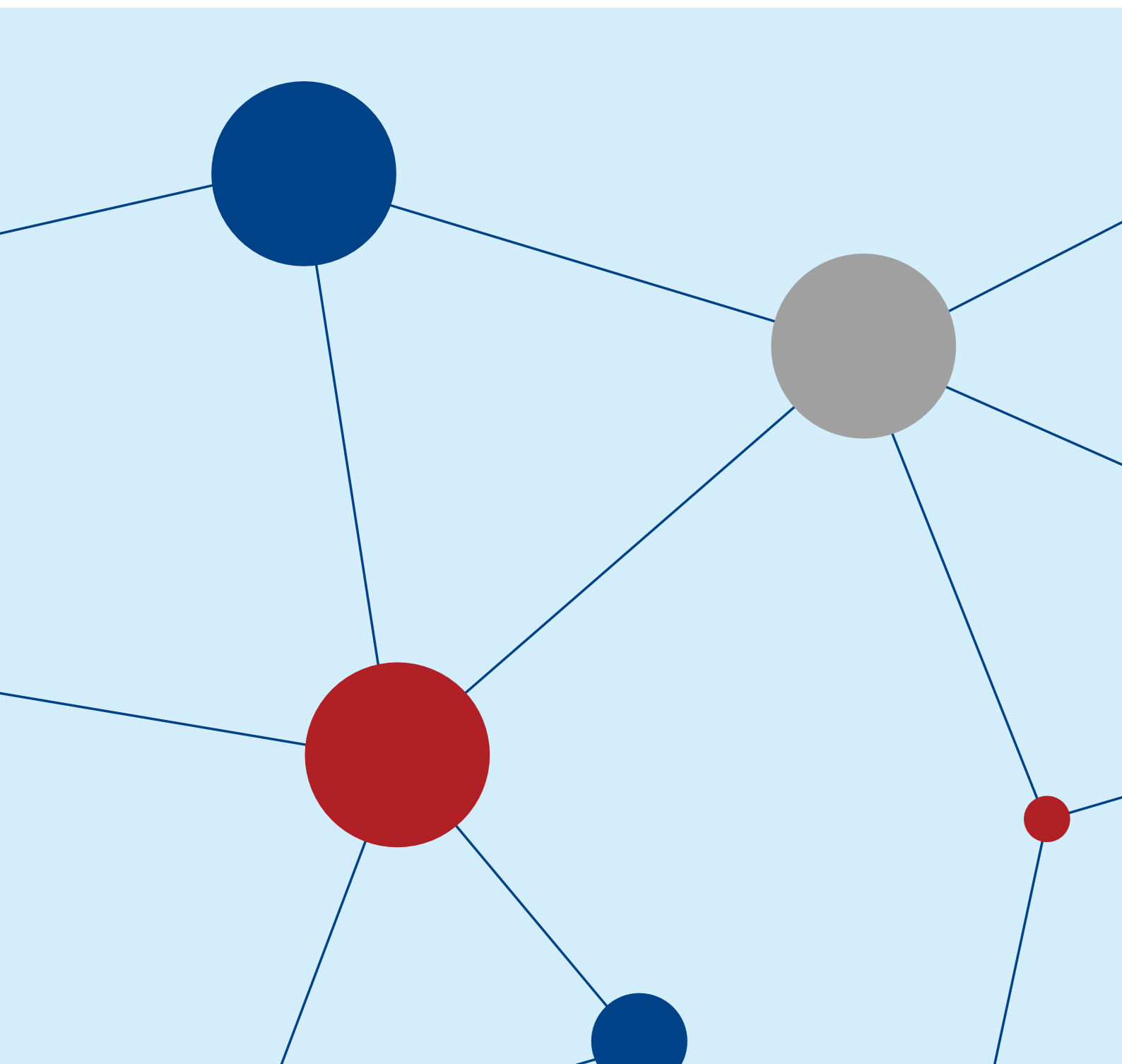
委員與澳洲維多利亞獨立反貪腐委員會代表團會面，就各地區的監察警察投訴制度交換意見。
Members had meeting with delegates from the Independent Broad-Based Anti-Corruption Commission Committee from Victoria, Australia, to exchange views on systems for monitoring complaints against police officers in different jurisdictions.

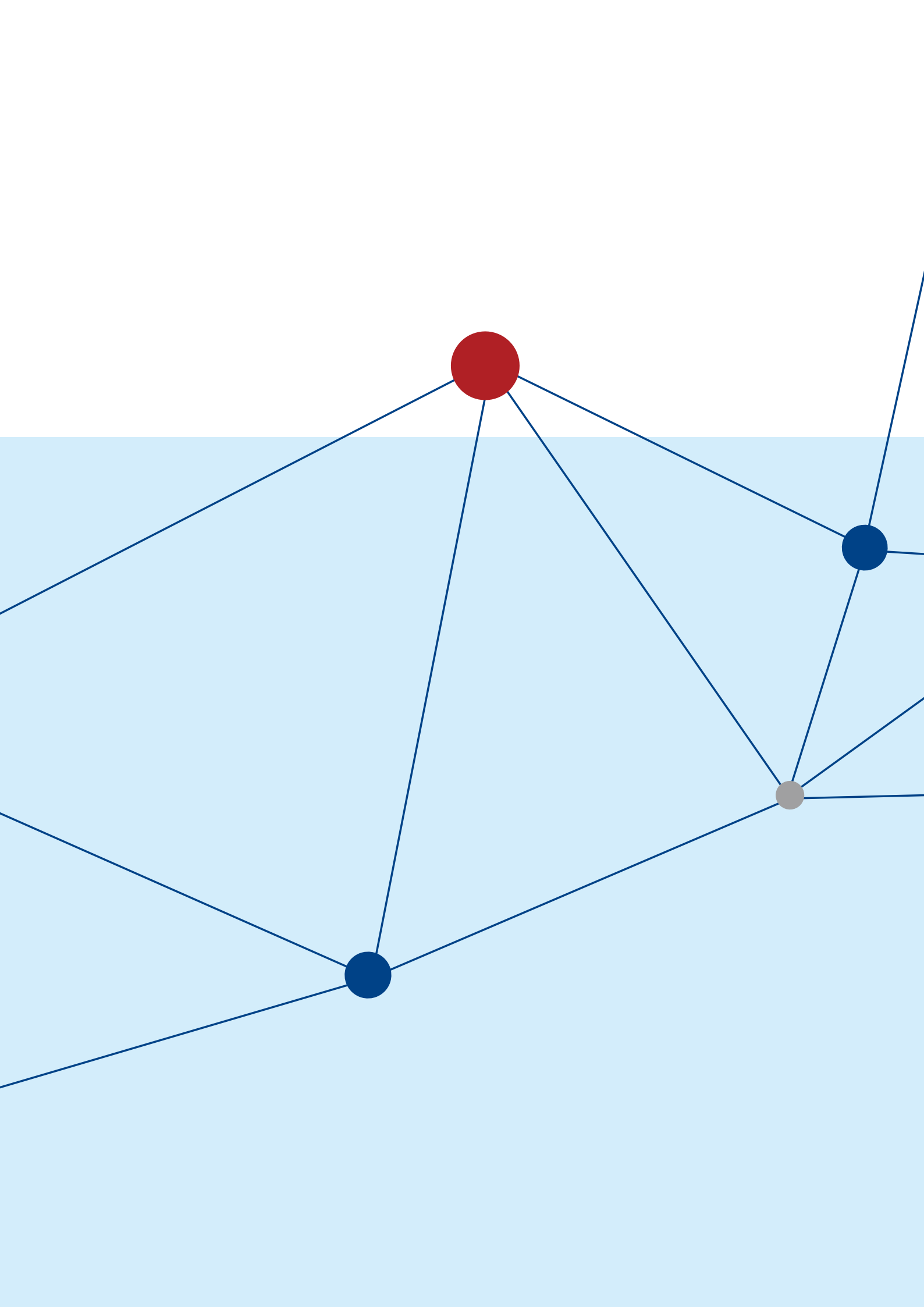


第 1 章 CHAPTER 1

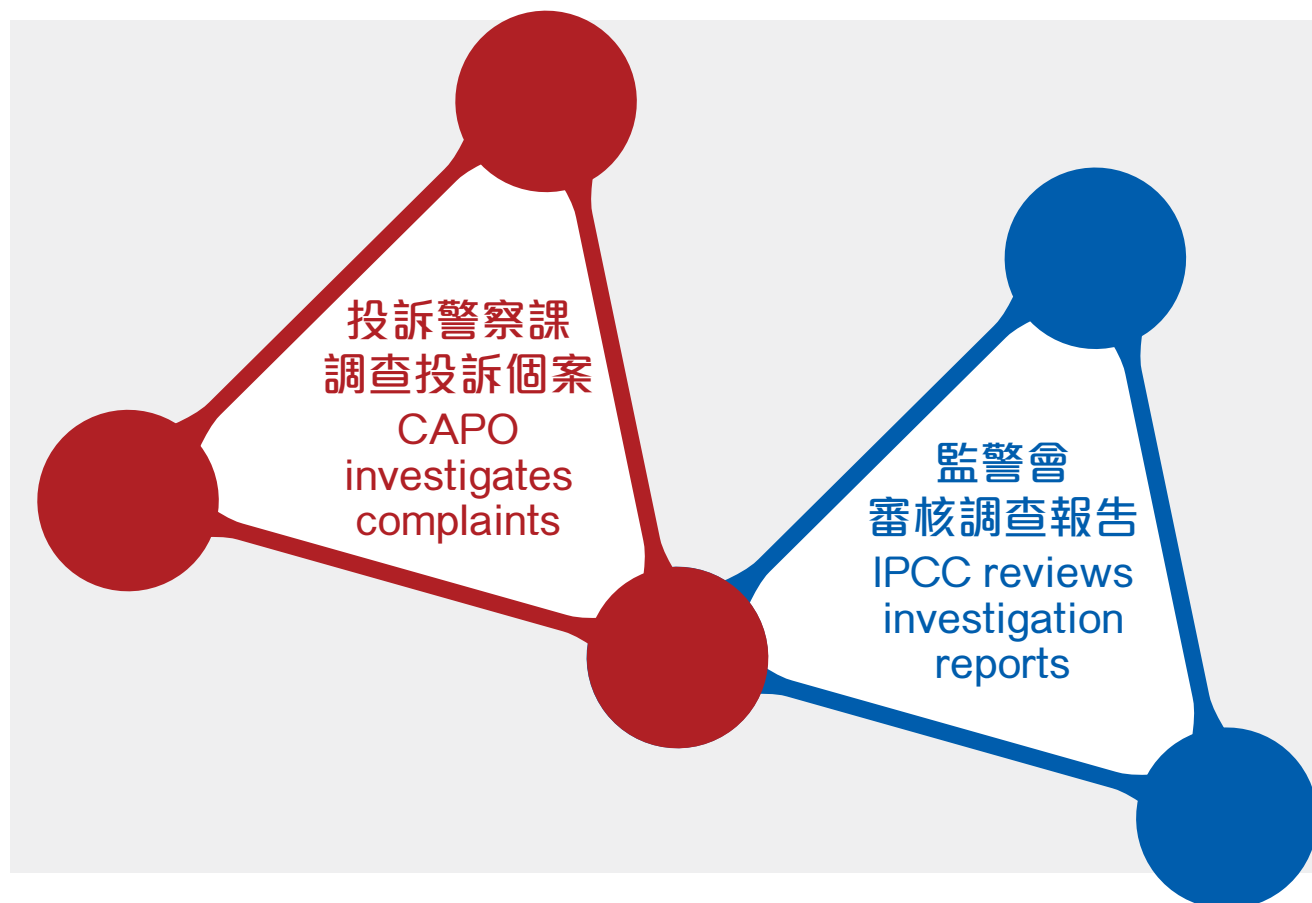
關於監警會

About the IPCC





香港的投訴警察制度 Police complaints system in Hong Kong



香港的投訴警察制度是由兩層架構組成。所有投訴警察的個案，均交由香港警務處轄下的投訴警察課處理及調查。此為投訴警察制度的第一層。

待投訴警察課完成投訴調查後，便會把須匯報投訴的調查報告，連同所有調查的相關檔案、文件及材料，提交予獨立監察警方處理投訴委員會（監警會）審核。

監警會在審核調查報告及相關資料時，如察覺有疑點，會要求投訴警察課澄清或提供更多資料；如發現有不足之處，可要求該課重新調查。監警會在完全同意投訴個案處理得當後，才會通過調查結果。此為投訴警察制度的第二層。

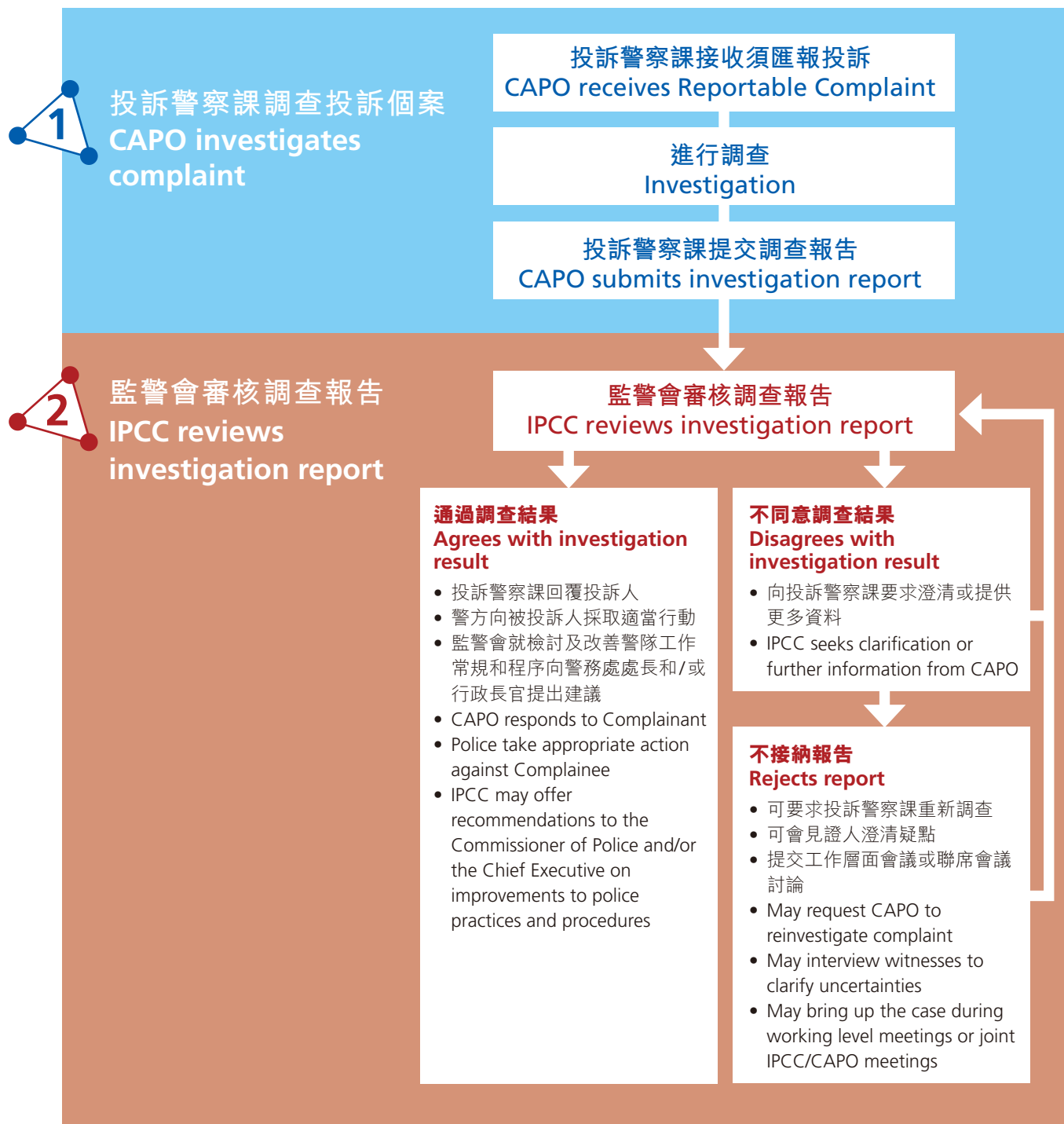
Hong Kong has adopted a two-tier police complaints system. All complaints against the Police are referred to the Complaints Against Police Office (CAPO) of the Hong Kong Police Force for handling and investigation. This is the first tier of the police complaints system.

When CAPO has completed the investigation of a Reportable Complaint, it will submit the investigation report, together with relevant files, documents and materials, to the Independent Police Complaints Council (IPCC) for scrutiny.

If any doubt arises during its review of the investigation report and the relevant materials, the IPCC will ask CAPO for clarification or further information. If the IPCC finds the investigation inadequate, it will request that the case be further investigated. Only when the IPCC completely agrees that the complaint case has been properly handled will it endorse the investigation report. This is the second tier of the police complaints system.

香港投訴警察制度的兩層架構

Hong Kong's two-tier police complaints system

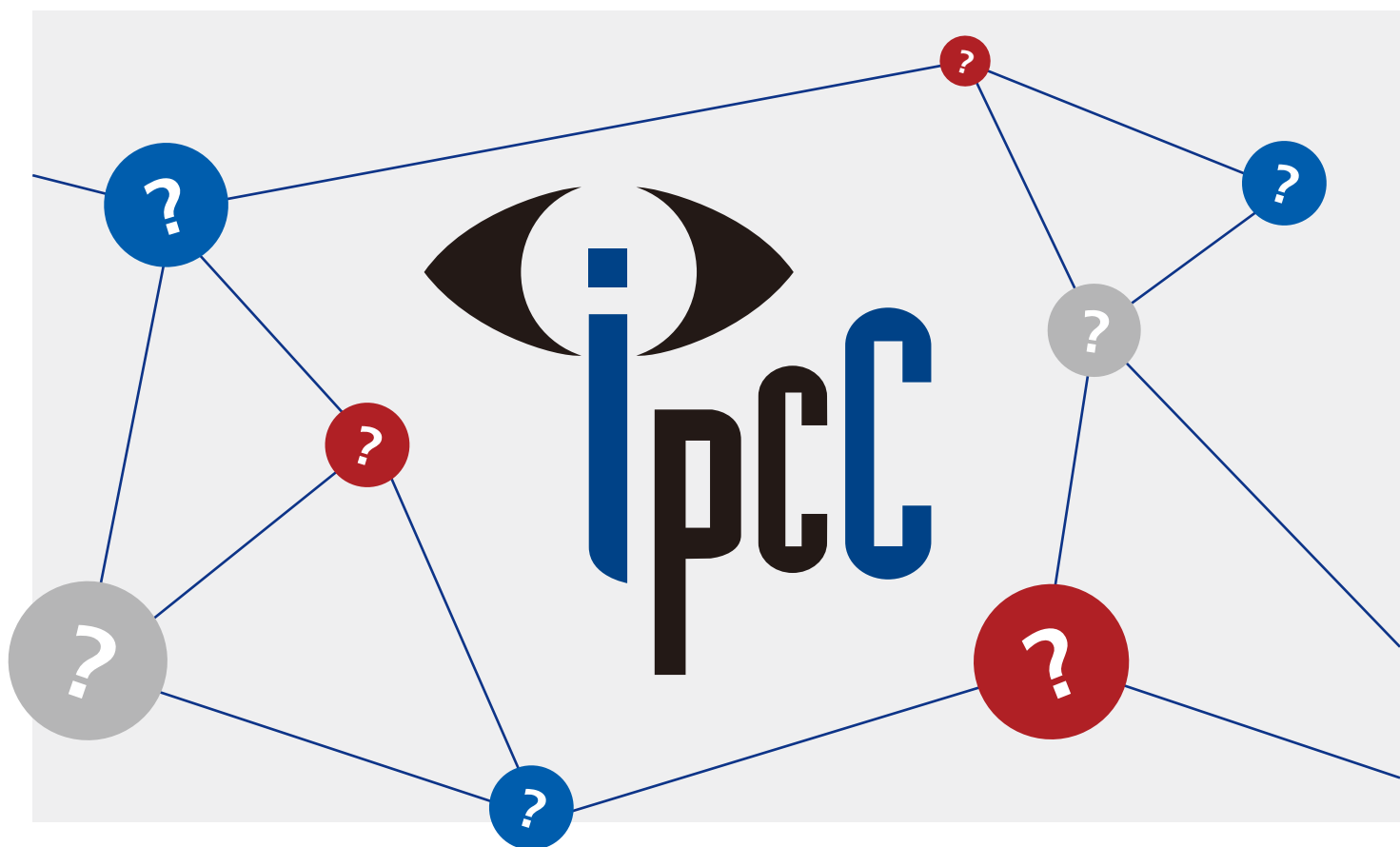


兩層架構的優點是確保投訴警察個案可以得到公平公正的處理。監警會作為獨立法定機構，可以客觀地觀察、監察和覆檢警務處處長對須匯報投訴的處理和調查，並向警務處處長和行政長官提供與須匯報投訴有關的意見和建議。

The advantage of the two-tier system is that it ensures the fair and just handling of complaints against the Police. As an independent statutory body, the IPCC can objectively observe, monitor and review the handling and investigation of Reportable Complaints by the Commissioner of Police, and put forward opinions and recommendations regarding such complaints to the Commissioner of Police and the Chief Executive.

監警會的角色和職能

The role and functions of the IPCC



監警會是於2009年6月1日根據《獨立監察警方處理投訴委員會條例》(簡稱《監警會條例》)(香港法例第604章)成立的法定機構。其職能是觀察、監察和覆檢警務處處長就須匯報投訴的處理和調查工作。隨著《監警會條例》生效，警方有法定責任遵從監警會根據條例所提出的要求。條例進一步提高監警會的獨立性，以履行其監察職能。

監警會由一名主席、三名副主席和不少於八名委員組成，委員全部由行政長官委任，分別來自社會不同界別。監警會借助委員多方面的專業知識及社會經驗，獨立、公正、透徹地監察投訴警察課的調查工作。截至2017年3月31日，監警會共有28名委員。

The IPCC was established as a statutory body on 1 June 2009 under the Independent Police Complaints Council Ordinance (IPCCO) (Cap. 604, Laws of Hong Kong) to observe, monitor and review the Commissioner of Police's handling and investigation of Reportable Complaints against the Police. With the IPCCO taking effect, the Police have a statutory duty to comply with the IPCC's requests. The Ordinance enhanced the independence of the IPCC in carrying out its monitoring functions.

The IPCC comprises a Chairman, three Vice-Chairmen and not less than eight Members, all appointed by the Chief Executive. This composition enables the IPCC to draw upon the diverse professional expertise and experience of its Members to monitor CAPO's investigation of complaints against the Police in an independent, impartial and thorough manner. As of 31 March 2017, the IPCC comprises 28 Members.

《監警會條例》賦予監警會的主要職能如下：

The main functions of the IPCC as provided for under the IPCCO are:



觀察、監察和覆檢警務處處長處理和調查須匯報投訴的工作
To observe, monitor and review the handling and investigation of Reportable Complaints by the Commissioner of Police



監察警務處處長已經或將會向與須匯報投訴有關的警務人員採取的行動
To monitor actions taken or to be taken in respect of any police officer by the Commissioner of Police in connection with Reportable Complaints



找出警隊工作常規或程序中引致或可能引致須匯報投訴的缺失或不足之處
To identify any fault or deficiency in police practices or procedures that has led to or might lead to a Reportable Complaint



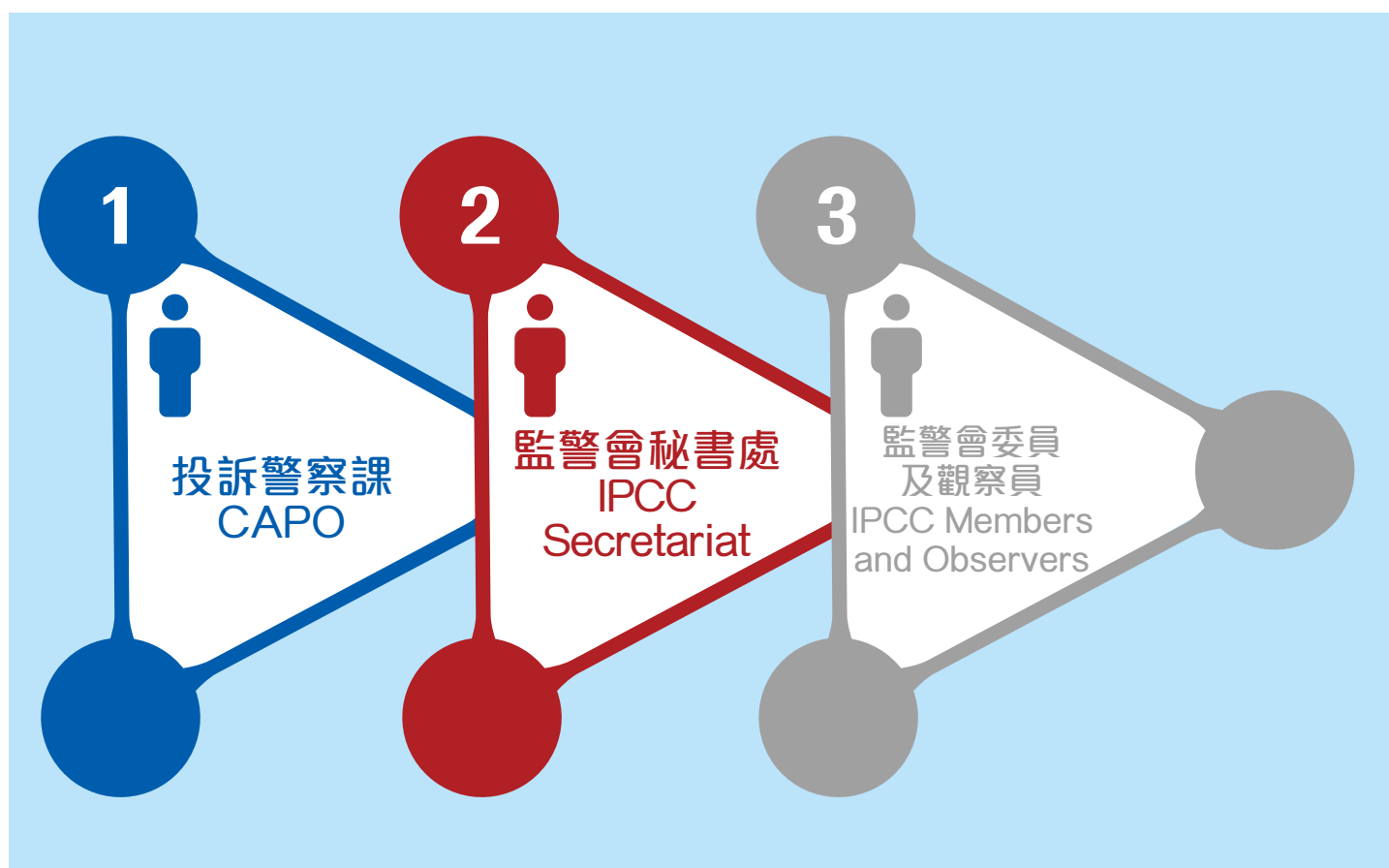
向警務處處長和/或行政長官提供與須匯報投訴有關的意見和/或建議
To advise the Commissioner of Police and/or the Chief Executive of its opinion and/or recommendations in connection with Reportable Complaints



加強公眾對監警會的角色認識
To promote public awareness of the role of the Council

監警會的監察程序

Monitoring procedures of the IPCC



在投訴警察制度的兩層架構下，當監警會收到投訴警察課呈交的須匯報投訴調查報告後，會交由秘書處進行初步審核，並就調查報告向投訴警察課提出質詢及要求該課澄清或提供更多資料。若秘書處對調查報告沒有質詢，便會將調查報告提交予監警會委員審核。如有需要，委員可進一步提出質詢，並與投訴警察課召開工作層面會議或聯席會議討論。

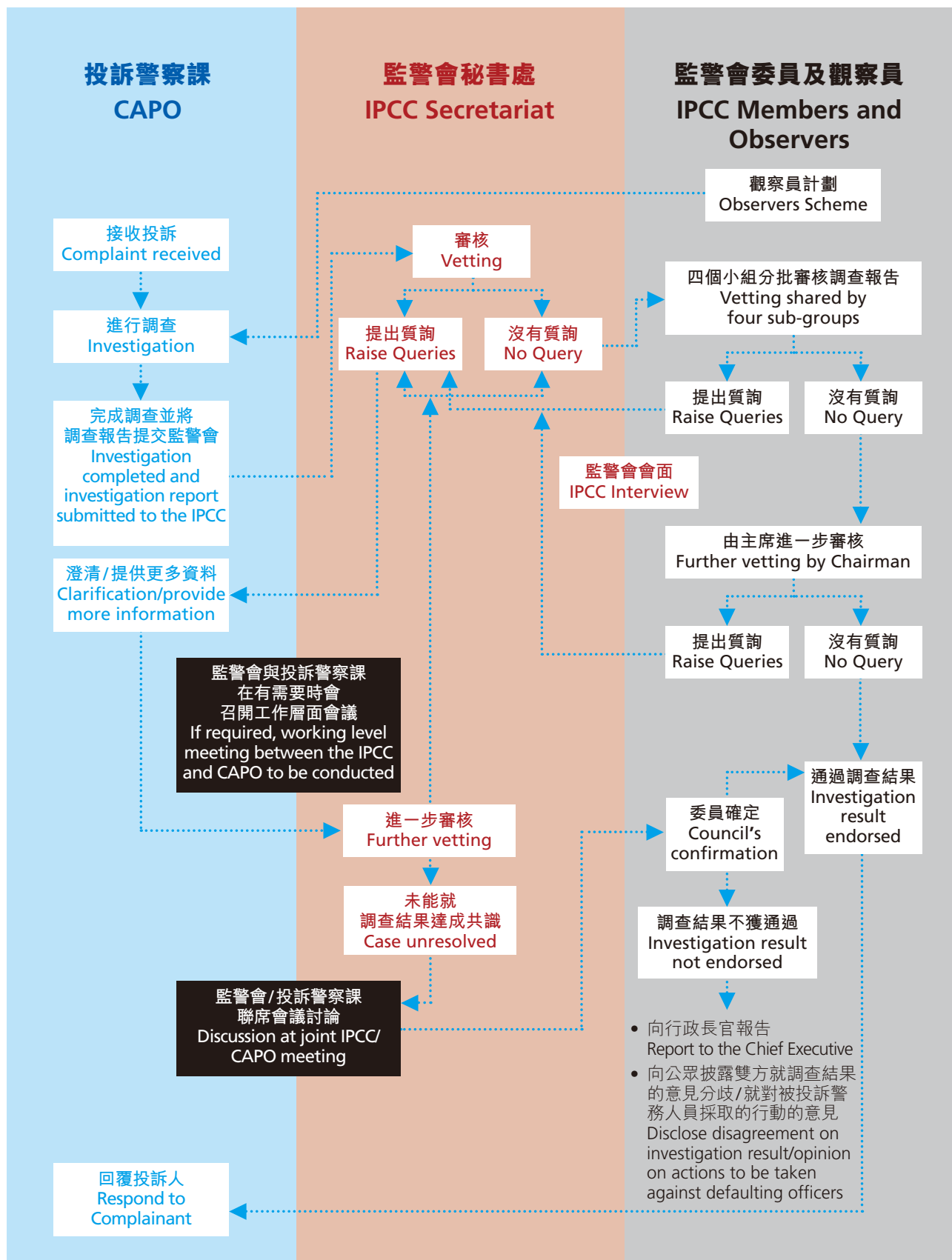
如監警會最終未能與投訴警察課達成共識而決定不通過某宗投訴個案的調查結果，可向行政長官報告和/或向公眾披露雙方對調查結果的意見分歧。

Under the two-tier police complaints system, when an investigation report of a Reportable Complaint is submitted by CAPO to the IPCC, the Secretariat will conduct a preliminary examination on it and may raise Queries and ask for clarification or further information from CAPO. If the Secretariat has no Queries, the report will be submitted to Members for scrutiny. If necessary, members can make further Queries and discuss the case with CAPO at working level or joint meetings.

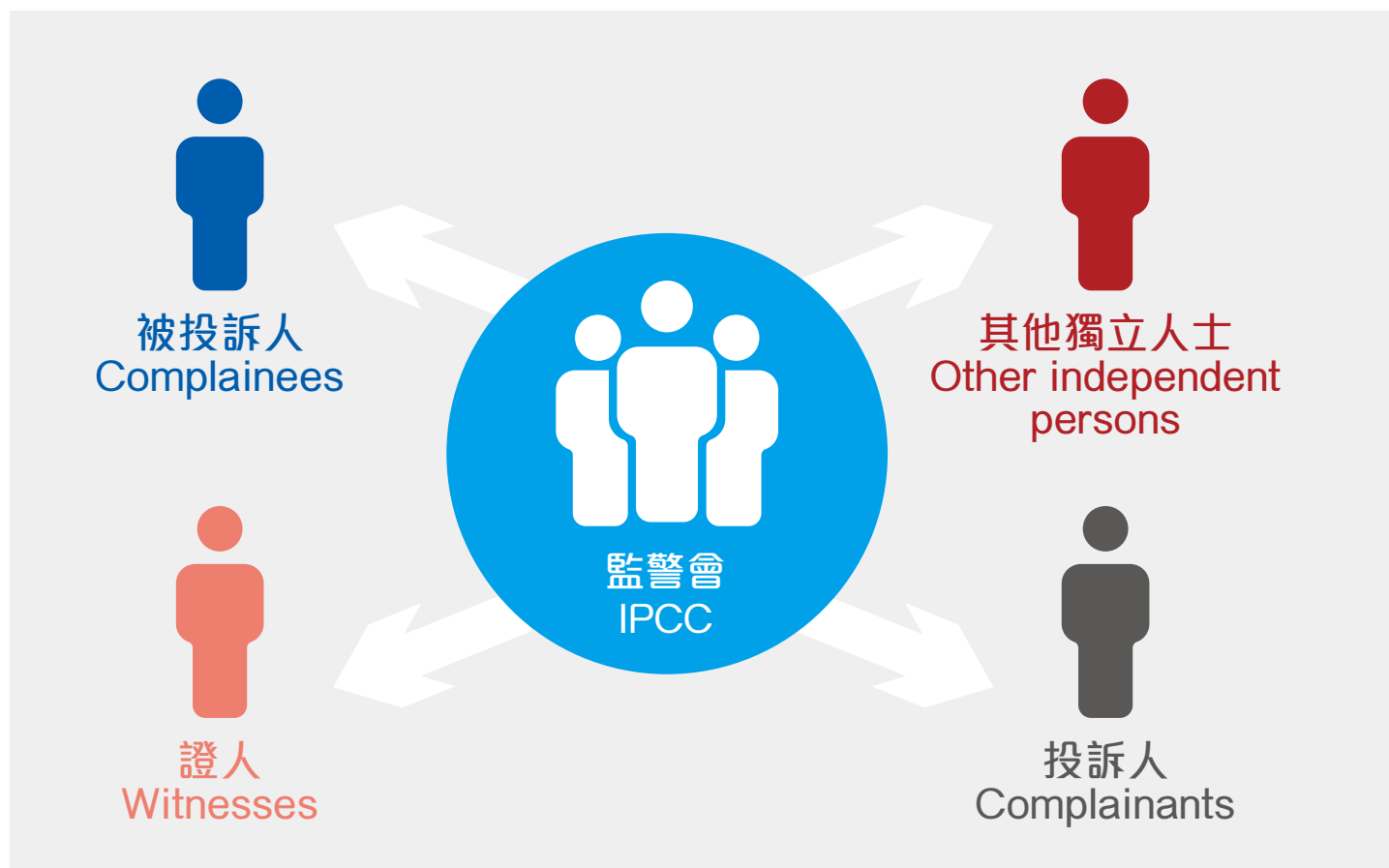
If the IPCC's final decision is not to endorse the investigation results of a particular case, it may disclose the disagreement of both parties on the findings of the investigation to the Chief Executive and/or the public.

監警會監察程序

IPCC monitoring procedures



監警會的會面 The IPCC Interview



除了審核調查報告外，監警會亦可要求和個案相關人士會面，以澄清事項。會面計劃於1994年開始推行，在這計劃下，監警會為考慮投訴警察課的調查報告，可以會見任何能夠就調查報告向監警會提供資料或其他協助的人士，包括投訴人、被投訴人、證人或其他獨立人士等。

In addition to reviewing the investigation report, the IPCC may ask for interviews with persons related to the case to clarify matters. The IPCC Interview was introduced in 1994, and the IPCC may, for the purpose of considering CAPO's investigation reports, interview any persons who may provide relevant information or assistance, including complainants, complainees, witnesses, or other independent persons.

觀察員計劃

Observers Scheme

觀察員計劃於1996年開始推行，旨在加強監警會的監察職能，協助監警會觀察投訴警察課處理和調查須匯報投訴的方式。在這計劃下，由保安局局長委任的觀察員，可出席投訴警察課就調查須匯報投訴而進行的會面和證據收集工作。監警會委員同樣可進行觀察。

投訴警察課會盡量在會面或證據收集行動前至少48小時通知監警會，以便監警會秘書處知會觀察員有關安排。除了預先安排的會面和證據收集工作外，觀察員亦可以在未經預約的情況下，出席和觀察警方上述行動。

觀察員的角色是觀察和匯報，基於公平公正的原則，在觀察期間，觀察員不會作出任何干預或發表個人意見，以免影響會面或證據收集的進行。

在觀察完畢後，觀察員須向監警會報告會面或證據收集的工作是否公平公正地進行，若觀察員發現當中有任何不當之處，監警會便會和投訴警察課跟進。

所有就須匯報投訴與投訴警察課會面的人士，均可要求觀察員出席有關會面。倘監警會接到這些要求，定當盡力安排。

截至2017年3月31日，監警會共有107名觀察員。

The Observers Scheme was introduced in 1996 to strengthen the IPCC's monitoring function. Under the Scheme, Observers appointed by the Secretary for Security may attend interviews and observe the collection of evidence in connection with CAPO's investigation of Reportable Complaints. IPCC Members can likewise conduct such observations.

Insofar as practicable, CAPO will notify the IPCC at least 48 hours in advance of any impending interview or collection of evidence. The IPCC Secretariat will then notify Observers of the observations. Apart from prearranged observations, Observers can also attend and observe investigations without prior appointment.

The role of an Observer is primarily to observe and report. The Observer is to remain impartial, without interfering or offering personal opinions, while observing the conduct of interviews or collection of evidence.

After each observation, the Observer will submit to the IPCC a report stating whether the interview or collection of evidence was conducted in a fair and impartial manner. Should any irregularities be reported, the IPCC will follow up with CAPO.

All persons who are to be interviewed by CAPO in connection with a Reportable Complaint can request an Observer to be present during the interview. Upon receipt of such a request, the IPCC will make every effort to arrange the observation accordingly.

As of 31 March 2017, there were 107 IPCC Observers.

觀察員的委任

Appointment of Observers

(《監警會條例》第33條)

監警會觀察員是由保安局局長委任。為確保觀察員的中立角色，以下人士均不會被委任為觀察員：

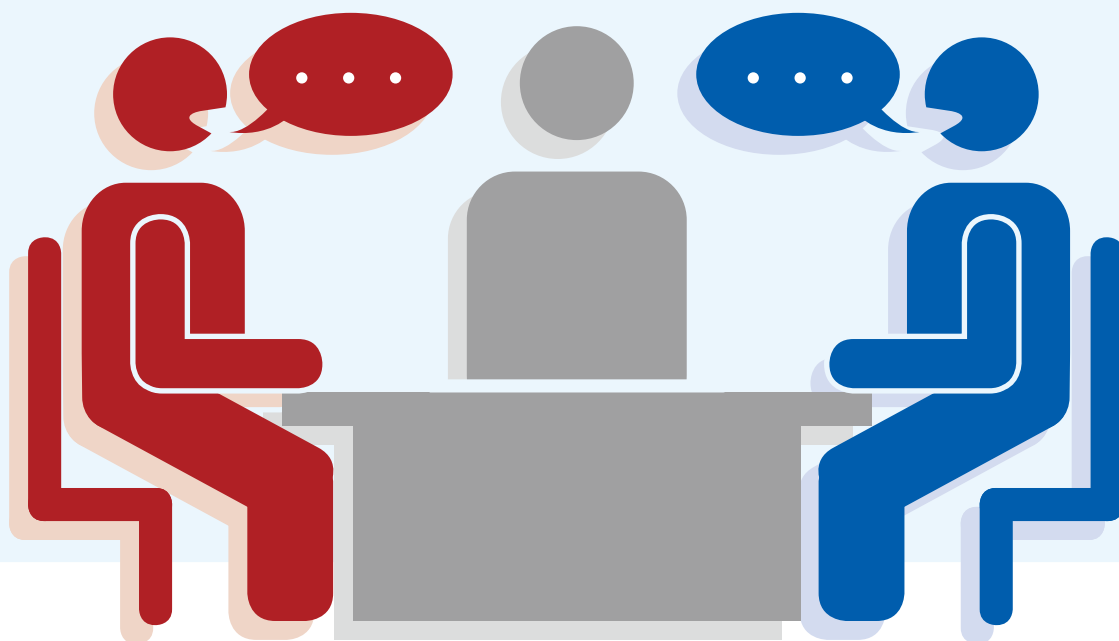
1. 在政府政策局或部門擔任受薪職位（不論屬長設或臨時性質）的人士
2. 監警會秘書長、法律顧問或任何其他僱員
3. 曾屬警隊成員的人士

(Section 33 of IPCCO)

The IPCC Observers are appointed by the Secretary for Security. To ensure their impartiality, the following persons are not eligible for appointment as Observers:

1. A person who holds an office of emolument, whether permanent or temporary, in a Government bureau or department
2. The Secretary-General, the Legal Adviser or any other employee of the Council
3. A former member of the Police Force

監警會觀察員 IPCC OBSERVER



監警會和投訴警察課的聯席會議

Joint meetings: IPCC and CAPO



監警會和投訴警察課會定期舉行季度聯席會議，討論投訴警察的相關事宜。

為了讓公眾更了解監警會的工作，聯席會議設有公開部分讓市民及傳媒旁聽。聯席會議的日期和議程會在開會前於監警會的網頁公布，公開部分會議的會議紀錄亦會上載至監警會網站 (www.ipcc.gov.hk)。

The IPCC and CAPO conduct quarterly joint meetings to discuss matters relating to police complaints.

To enable the public to better understand the work of the IPCC, part of each joint meeting is open to the public and the media. The dates and agendas of the joint meetings are published in advance on the IPCC's website. Minutes of the open part of each meeting are also uploaded to the IPCC's website (<http://www.ipcc.gov.hk>).

須匯報投訴和須知會投訴 Reportable Complaints and Notifiable Complaints

須匯報投訴

「須匯報投訴」是指市民就當值的警務人員或表明是警隊成員的休班人員的行為所作出的投訴。這些投訴必須由直接受影響的人士（或其代表）真誠地作出，而且並非瑣屑無聊或無理取鬧的投訴。

投訴警察課必須按條例規定，提交須匯報投訴的調查報告予監警會審核。不過，下列投訴個案的調查報告和資料則無須提交監警會：

- 純粹關乎發出傳票或施加定額罰款通知書是否有效而引致的投訴
- 投訴人以自己作為警務人員的身份作出的投訴
- 屬於其他法定機構調查範圍內的投訴

Reportable Complaints

“Reportable Complaints” refer to complaints, lodged by members of the public, that are not vexatious or frivolous and are made in good faith, relating to the conduct of police officers while on duty or who identify themselves as police officers while off duty. The complaint should be made by or on behalf of a person directly affected by the police misconduct.

CAPO must submit investigation reports to the IPCC for scrutiny as stated in the Ordinance. However, investigation reports and information on the following complaints need not be submitted to the IPCC:

- Complaints arising from the issue of a summons or imposition of a fixed penalty, which solely relate to the validity of the issue
- Complaints lodged by a person in his official capacity as a member of the Police Force
- Complaints that fall under the scope of investigation of other statutory bodies





須知會投訴

凡不屬「須匯報投訴」，亦非前文所述無須提交監警會的投訴，一律歸類為「須知會投訴」。例如：由匿名人士作出的投訴，或由並非直接受影響的人士作出的投訴。

投訴警察課須定期提交「須知會投訴」的個案撮要予監警會審核。若監警會認為某宗投訴應歸類為「須匯報投訴」，可向投訴警察課作出相應的建議，投訴警察課便須重新考慮該宗投訴的歸類。此外，監警會可要求投訴警察課提供支持將某宗投訴歸類的解釋及資料。







Notifiable Complaints

“Notifiable Complaints” are complaints not categorised as “Reportable Complaints”, or complaints that need not be submitted to the IPCC as listed above. These include anonymous complaints or complaints lodged by persons who are not directly affected by the case.

CAPO must regularly submit a summary of “Notifiable Complaints” to the IPCC for scrutiny. If the IPCC considers any of these cases to be “Reportable Complaints”, the IPCC may raise relevant suggestions to CAPO, and CAPO will then need to reconsider the categorisation of the complaint. Moreover, the IPCC may request CAPO to submit further supporting information or explanation regarding any particular complaint.

調查結果分類 Classification of investigation results

一宗投訴可涉及一項或多於一項的指控。指控經投訴警察課全面調查後，會根據調查結果分類為下列六項之一：



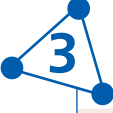

	獲證明屬實	如投訴人提出的指控有足夠的可靠證據支持，指控會被列為「獲證明屬實」。
	未經舉報但證明屬實	如在投訴人提出的原有指控以外，發現其他與投訴本身有密切關係和對調查有重要影響的事宜，並且證明屬實，則該事宜會被列為「未經舉報但證明屬實」。
	無法完全證明屬實	如投訴人的指控有若干可靠的證據支持，但這些證據未能充分證明投訴屬實，指控會被列為「無法完全證明屬實」。
	無法證實	如投訴人的指控沒有充分的證據支持，指控會被列為「無法證實」。
	並無過錯	在下述兩種情況下，投訴通常會被列為「並無過錯」：第一，投訴人可能對事實有所誤解；第二，被投訴人是按照其上司的合法指示或警方的既定做法行事。
	虛假不確	<p>如有足夠的可靠證據顯示投訴人的指控並不真確，不論這些指控是懷有惡意的投訴，抑或不含惡意但亦非基於真確理由而提出的，指控會被列為「虛假不確」。</p> <p>當一宗投訴被列為「虛假不確」時，投訴警察課會視乎情況，徵詢律政司的意見，考慮控告投訴人誤導警務人員。</p>

A complaint may consist of one or more allegations. After CAPO has conducted a full and thorough investigation into an allegation, it will be classified as one of the following six types according to the findings:

Substantiated	An allegation is classified as “Substantiated” when there is sufficient reliable evidence to support the allegation made by the Complainant.
Substantiated Other Than Reported	An allegation is classified as “Substantiated Other Than Reported” when matters other than the original allegations raised by the Complainant, which are closely associated with the complaint and have a major impact on the investigation, have been discovered and are found to be substantiated.
Not Fully Substantiated	An allegation is classified as “Not Fully Substantiated” when there is some reliable evidence to support the allegation made by the Complainant, but it is insufficient to fully substantiate the complaint.
Unsubstantiated	An allegation is classified as “Unsubstantiated” when there is insufficient evidence to support the allegation made by the Complainant.
No Fault	Two common reasons for classifying a complaint as “No Fault” are, first, the Complainant may have misunderstood the facts; and second, the Complainee was acting under lawful instructions from his superior officer or in accordance with established police practices.
False	<p>An allegation is classified as “False” when there is sufficient reliable evidence to indicate that the allegation made by the Complainant is untrue, be it a complaint with clear malicious intent, or a complaint which is not based upon genuine conviction or sincere belief but with no element of malice.</p> <p>When a complaint is classified as “False”, CAPO will consider, in consultation with the Department of Justice as necessary, prosecuting the Complainant for misleading a police officer.</p>

其他投訴分類 Other complaint classifications

有些投訴是透過其他方法處理，無需進行全面調查。這些投訴的分類為：

 1 投訴撤回	<p>「投訴撤回」是指投訴人不打算追究。</p> <p>即使投訴人撤回投訴，監警會仍會審視個案，確保投訴人沒有受到任何不恰當的影響而撤回投訴，以及警方能從合適的個案中汲取教訓，並確保投訴警察課採取相應的補救行動。</p> <p>此外，投訴人如撤回投訴，其個案亦不一定被列為「投訴撤回」。監警會及投訴警察課會審閱所得證據，決定是否需要進行全面調查，並根據所得資料，考慮任何一項指控是否屬實。</p>
 2 無法追查	<p>在下述情況下，指控會被列為「無法追查」：</p> <ul style="list-style-type: none">• 不能確定被投訴的警務人員的身份• 未能取得投訴人的合作，以致無法繼續追查 <p>上述定義並不表示若果投訴人未能確定被投訴人的身份，投訴警察課便不會採取進一步行動。投訴警察課會根據所得資料，盡量追查被投訴人的身份；只有追查不果時，才會作出未能確定被投訴人身份的結論。</p> <p>假如投訴人拒絕合作以致投訴被列為「無法追查」，警方可在投訴人願意提供所需資料時，重新展開調查。</p>
 3 終止調查	<p>「終止調查」是指有關投訴已由投訴警察課備案，但鑑於特殊情況（例如證實投訴人精神有問題）而獲投訴及內部調查科總警司授權終止調查。</p>
 4 透過簡便方式解決	<p>「透過簡便方式解決投訴」旨在迅速解決一些性質輕微的投訴，例如態度欠佳或粗言穢語的指控。</p> <p>適宜透過簡便方式解決的輕微投訴，不會有全面調查。投訴會由一名總督察或以上職級的人員處理，並擔任調解角色，向投訴人及被投訴人了解實情。如果他認為事件適宜透過簡便方式解決而又得到投訴人同意，有關投訴便可循此途徑解決。</p>

Some complaints are handled by other means, so that no full investigation is necessary. These complaints can be classified as:

<p>Withdrawn</p>	<p>A complaint is classified as “Withdrawn” when the Complainant does not wish to pursue the complaint after making it.</p> <p>Even when a Complainant initiates the withdrawal of a complaint, the IPCC will ensure that no undue influence has been exerted on the Complainant, and that the Police can learn from the complaint. The IPCC will also ensure that CAPO will take appropriate remedial actions.</p> <p>A Complainant’s withdrawal does not necessarily result in the case being classified as “Withdrawn”. The IPCC and CAPO will examine the available evidence to ascertain whether a full investigation is warranted despite the withdrawal and/or whether any of the allegations are substantiated on the basis of information available.</p>
<p>Not Pursuable</p>	<p>An allegation is classified as “Not Pursuable” when:</p> <ul style="list-style-type: none"> • The identity of the officer in the complaint cannot be ascertained • The cooperation of the Complainant cannot be obtained to proceed with the investigation <p>The above definition does not mean that no further action will be taken when the Complainant cannot identify the Complainee. CAPO will make an effort to identify the Complainee(s) on the basis of the information available. Only after such an effort has been made to no avail will the conclusion be reached that the identity of the Complainee cannot be ascertained.</p> <p>If a complaint has been classified as “Not Pursuable” due to lack of cooperation from the Complainant, it may be reactivated later when the Complainant comes forward to provide the necessary information.</p>
<p>Curtailed</p>	<p>A complaint is classified as “Curtailed” when it has been registered with CAPO but is curtailed – i.e. not fully investigated – on the authorisation of the Chief Superintendent (Complaints and Internal Investigations Branch), owing to special circumstances such as known mental condition of the Complainant.</p>
<p>Informally Resolved</p>	<p>The Informal Resolution Scheme aims at a speedy resolution of minor complaints, such as allegations of impoliteness or use of offensive language, the nature of which is considered relatively minor.</p> <p>A minor complaint suitable for Informal Resolution will not be subject to a full investigation. Instead, a senior officer, of at least the rank of Chief Inspector of Police, will act as the Conciliating Officer and make separate enquiries with the Complainant and the Complainee regarding the facts of a complaint. If the Conciliating Officer is satisfied that the matter is suitable for Informal Resolution, and the Complainant is in agreement, the complaint will be informally resolved.</p>

監警會歷史 History of the IPCC

行政立法兩局非官守議員警方投訴事宜常務小組

監警會的成立，可以追溯至1974年，當時警務處處長成立投訴警察課，專責調查市民對警方的投訴。1977年，當局認為這些調查應由不屬警方的獨立機構介入，於是警務處處長便邀請當時處理警察及保安事務的行政立法兩局非官守議員常務小組，負責監察投訴警察課的調查工作，是兩層架構投訴警察制度的雛型。1978年行政立法兩局非官守議員警方投訴事宜常務小組向當時的總督提交第一份報告（報告期為1977年9月1日至1978年4月30日），並在1978年8月16日呈交立法會審閱，此後，行政立法兩局非官守議員警方投訴事宜常務小組每年均會編製工作報告書。

行政立法兩局非官守議員警方投訴事宜常務小組自成立以來，所監察的投訴個案數目急劇上升。工作量的大幅增加，顯示有加強及擴展這個監察架構的需要。政府因此在1984年初成立工作小組，專責檢討行政立法兩局非官守議員警方投訴事宜常務小組，對投訴警察課所進行的監察工作。

投訴警方事宜監察委員會

1986年，政府在審慎研究過工作小組的建議後，由當時的總督將行政立法兩局非官守議員警方投訴事宜常務小組，改組為一個獨立的投訴警方事宜監察委員會。根據重組計劃，在委員會成員中加入太平紳士，以及成立一個輔助秘書處，並命名為投訴警方事宜監察委員會。

UMELCO Police Group

The establishment of the IPCC can be traced back to 1974, when the Commissioner of Police set up CAPO to investigate police complaints from the public. Having considered that the investigations should involve an independent body, the Commissioner of Police invited the sub-committee of the Unofficial Members of the Executive and Legislative Councils (UMELCO), which was responsible for handling police and security matters, to monitor CAPO complaint investigations in 1977; this was the prototype of the two-tier police complaints system. In 1978, the UMELCO Police Group presented its first report on police complaints to the Governor (reporting period from 1 September 1977 to 30 April 1978), which was then submitted to the Legislative Council for review on 16 August 1978. From then on, the UMELCO Police Group prepared an annual progress report.

After the UMELCO Police Group was established, there was a drastic increase in the number of police complaints which required it monitoring. The high workload indicated there was a need to strengthen and broaden the monitoring system structure. Thus, the Government set up a working group to review the UMELCO Police Group's monitoring of CAPO in early 1984.

Police Complaints Committee

In 1986, after the Government meticulously reviewed the working group's recommendations, the then Governor restructured the UMELCO Police Group and set up an independent police complaints monitoring Committee. According to the new organisational structure, the Committee included Justices of the Peace as members, and a supporting secretariat was set up. The group was renamed the Police Complaints Committee.

投訴警方獨立監察委員會 (警監會)

1994年12月，投訴警方事宜監察委員會改稱為投訴警方獨立監察委員會(警監會)，以新名稱反映其獨立地位，並著手策劃將委員會轉為一個獨立的法定組織，以便更清楚訂明委員會的權力和職能。

1996年7月，將警監會轉變為法定組織的條例草案提交立法局。該立法建議清楚界定警監會的權力和職能，以鞏固其在處理投訴警察制度方面所擔當的角色，讓市民更加認識警監會的獨立監察職能。

由於前立法局議員在委員會審議階段所提出的部份修訂建議，會為當時的投訴警察制度帶來根本性的改變，因此政府在1997年6月23日的立法會會議上撤回條例草案。

獨立監察警方處理投訴委員會 (監警會)

自2004年開始，政府再次計劃為警監會的運作模式賦予法律依據，以提高公眾對兩層架構投訴警察制度的信心，《投訴警方獨立監察委員會條例草案》於2007年6月29日刊憲，並於7月11日提交立法會首讀。

立法會於2008年7月通過《監警會條例》。保安局局長其後指定2009年6月1日為《監警會條例》的生效日期。投訴警方獨立監察委員會(警監會)改稱為獨立監察警方處理投訴委員會(監警會)，以強調其獨立監察職能。監警會於《監警會條例》生效同日成為法定機構。

Independent Police Complaints Council – before becoming a statutory body

In December 1994, the Committee was further revamped to pave the way for becoming an independent statutory body, clarifying the Council's powers and functions. Both the English and Chinese names of the Council were modified to better reflect its independence.

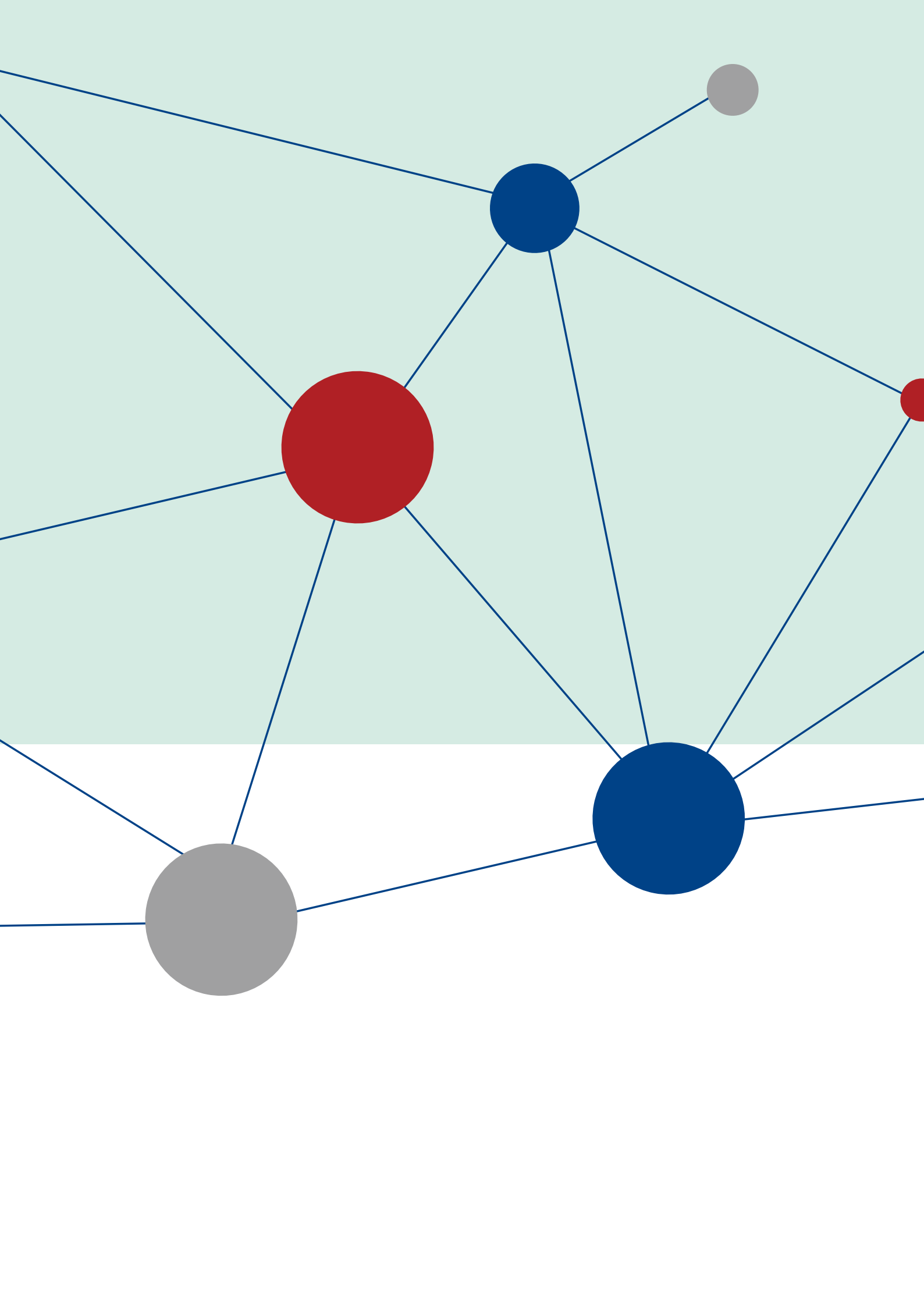
The Bill that suggested changing the then IPCC into a statutory body was introduced to the Legislative Council in July 1996. The Bill proposed clarifying the powers and functions of the then IPCC, in order to reinforce its authority in handling police complaints, and to heighten public awareness of the Council as an independent monitoring entity.

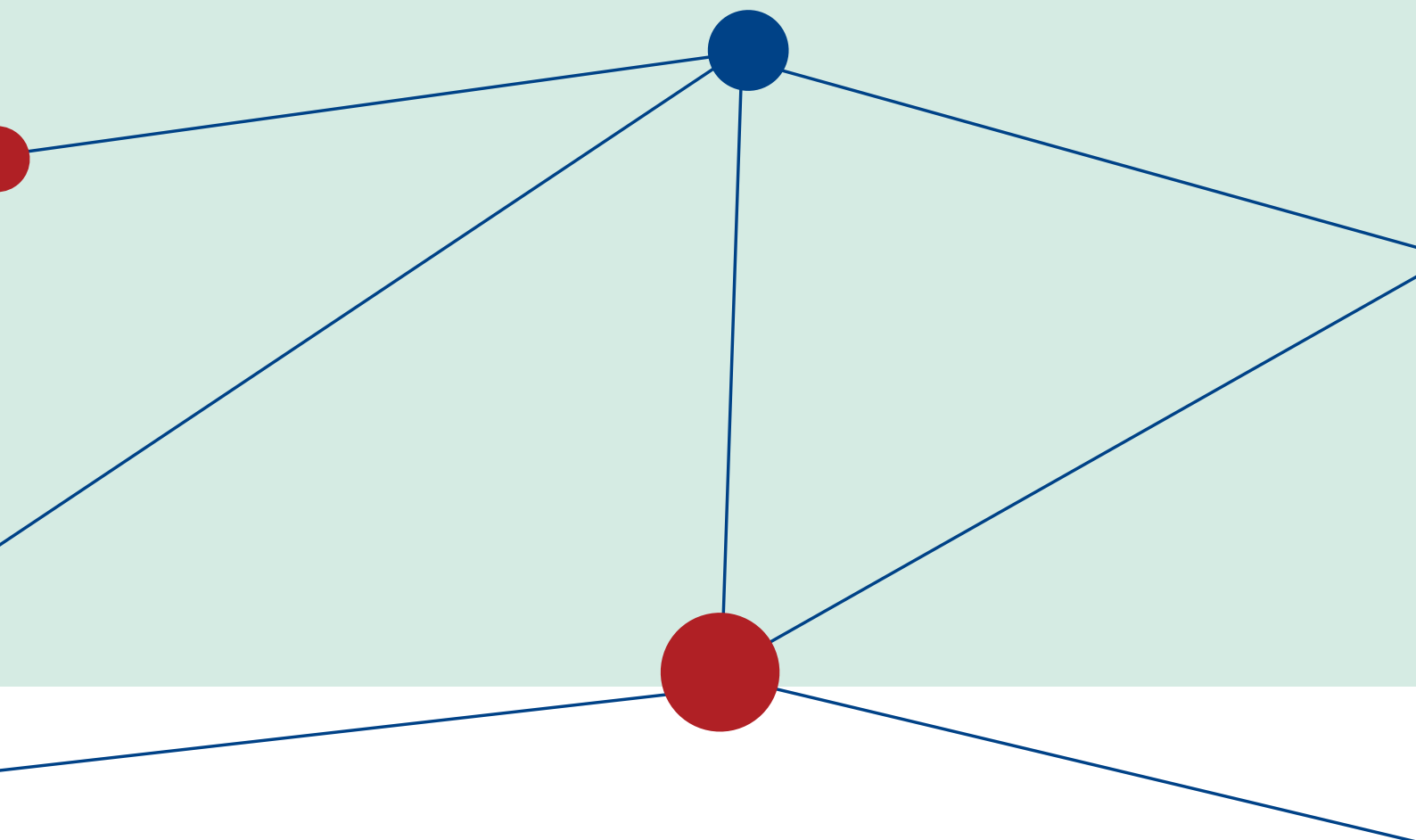
As some Legislative Council Members raised a number of Committee Stage Amendments that might bring fundamental change to the police complaints system, the Bill was withdrawn by the Government on 23 June 1997.

Independent Police Complaints Council – after becoming a statutory body

In 2004, the Government relaunched its plan to change the then IPCC into a statutory body, with a view to empowering it with a legal basis to discharge its functions and raise public confidence in the two-tier police complaints system. On 29 June 2007, the Independent Police Complaints Council Bill was gazetted. The Bill was tabled at the Legislative Council on 11 July 2007 for First Reading.

The Legislative Council passed the IPCCO in July 2008. The Secretary of Security then decided that the IPCCO would come into effect on 1 June 2009 and the IPCC would become a statutory body on the same date. The Chinese name of the Council was modified to highlight its monitoring role, while the English name was retained.





第 2 章 *CHAPTER 2*

監察投訴處理 Monitoring the handling of complaints

調查報告及指控數字

Number of investigation reports and allegations

通過及接獲的須匯報投訴個案數字

Number of Reportable Complaint cases endorsed and received

	2016/17	2015/16
接獲的須匯報投訴個案 Reportable Complaint cases received	1,567	1,572
通過的須匯報投訴個案 Reportable Complaint cases endorsed	1,550	1,784

在本報告期內（2016年4月1日至2017年3月31日），監警會共接獲投訴警察課就1,567宗新的須匯報投訴個案的調查報告，按年減少了約0.3%。

同期，監警會通過了1,550宗須匯報投訴個案的調查結果（包括107宗的覆檢個案），按年減少13.1%。除了覆檢個案外，涉及的指控有2,807項，按年下跌了16.5%，其中主要的三項指控依次序為「疏忽職守」、「行為不當/態度欠佳/粗言穢語」及「毆打」。

During the reporting period (1 April 2016 to 31 March 2017), the IPCC received reports from CAPO on the investigation of 1,567 new Reportable Complaint cases, a decrease of 0.3% compared to that of last year.

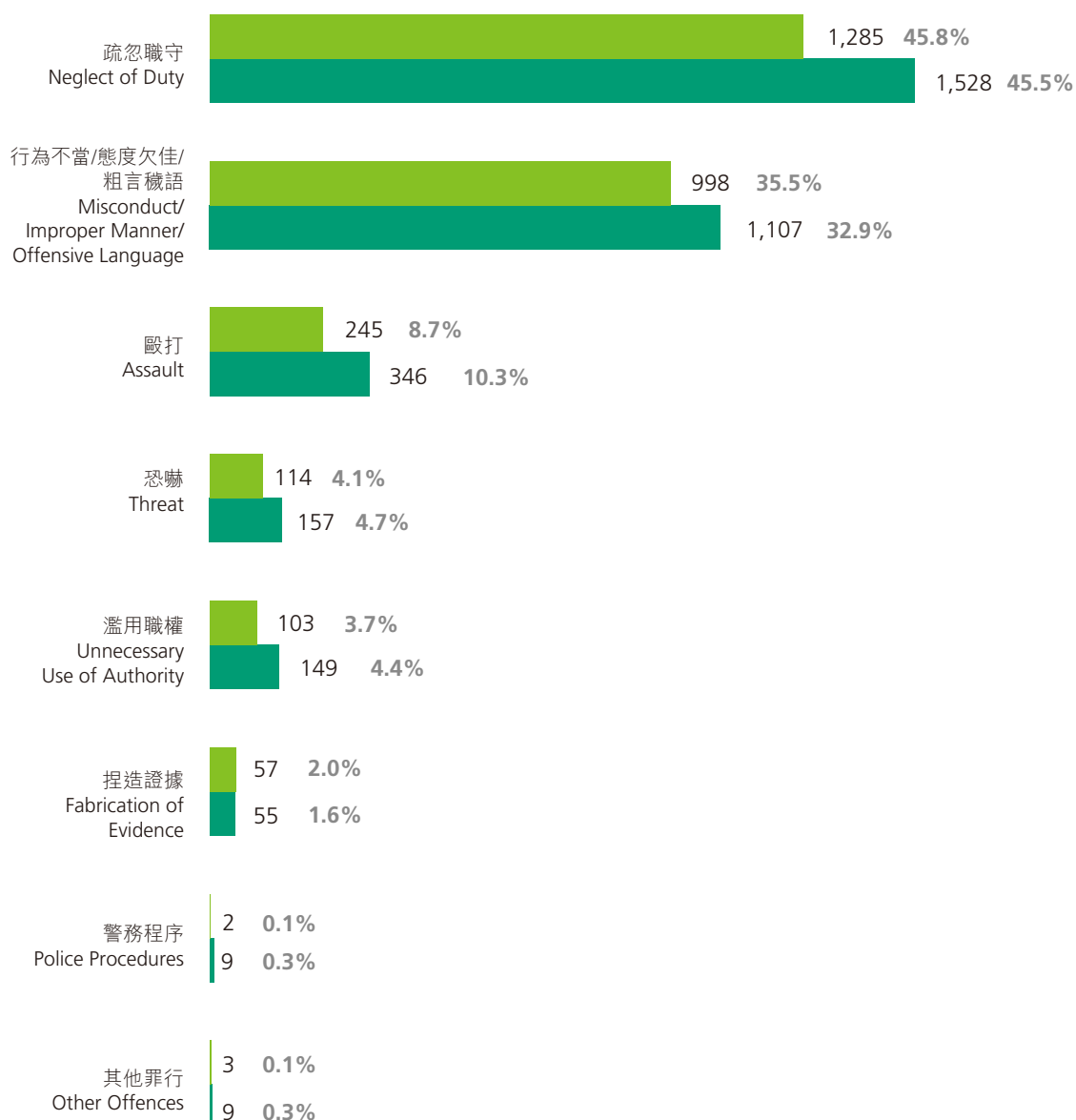
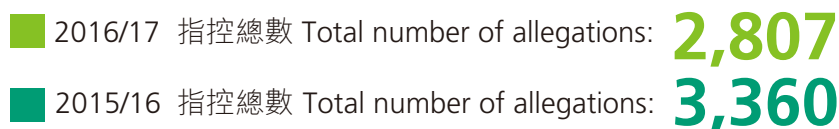
In the same period, the IPCC endorsed the results of investigations for 1,550 Reportable Complaint cases (including 107 reviewed cases), a decrease of 13.1% compared to that of previous year. There was a total of 2,807 allegations, excluding the reviewed cases, a decrease of 16.5% compared to that of last year. The three major allegations in descending order were "Neglect of Duty", "Misconduct/ Improper Manner/ Offensive Language" 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 at 31 March of the respective reporting year.

調查結果 Investigation findings



在2016/17年獲通過的2,807項指控中，經全面調查的指控有936項，當中49項被列為「獲證明屬實」，佔所有經全面調查指控的5.2%。40項被列為「未經舉報但證明屬實」，佔4.3%；10項被列為「無法完全證明屬實」，佔1.1%；389項被列為「無法證實」，佔41.5%；375項被列為「並無過錯」，佔40.1%；73項則被列為「虛假不確」，佔總數的7.8%。

在其餘的1,871項無需進行全面調查的指控中，204項是屬於「透過簡便方式解決」，佔無需進行全面調查指控中的10.9%。653項被列為「投訴撤回」，佔34.9%；1,014項被列為「無法追查」，佔54.2%。沒有指控被列為「終止調查」。

Of the 2,807 allegations endorsed in 2016/17, 936 were fully investigated. Of these, 49 (5.2% of fully investigated allegations) were classified as "Substantiated"; 40 (4.3%) as "Substantiated Other than Reported"; 10 (1.1%) as "Not Fully Substantiated"; 389 (41.5%) as "Unsubstantiated"; 375 (40.1%) as "No Fault" and 73 (7.8%) as "False".

Of the remaining 1,871 allegations which did not require full investigation, 204 (10.9% of those not fully investigated) were "Informally Resolved"; 653 (34.9%) were classified as "Withdrawn"; 1,014 (54.2%) as "Not Pursuable". There was no allegation classified as "Curtailed".

2015/16 年和 2016/17 年的調查結果數據比較可見下表：

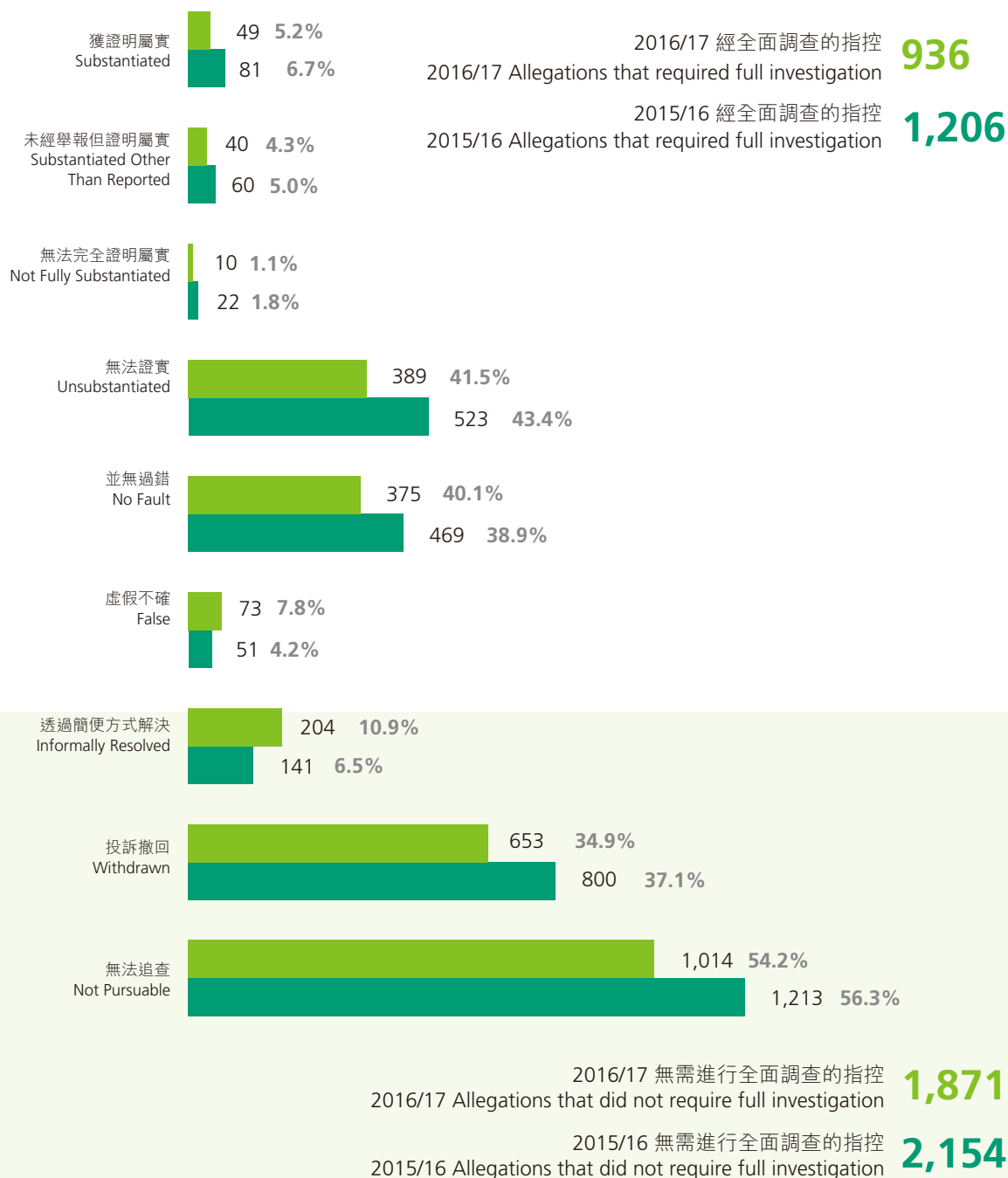
The following table shows a comparison of the figures regarding investigation results between 2015/16 and 2016/17:

監警會通過的調查結果

Investigation results endorsed by the IPCC

2016/17 指控總數 Total number of allegations **2,807**

2015/16 指控總數 Total number of allegations **3,360**



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 at 31 March of the respective reporting year.

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 Complaints cases endorsed by the IPCC (by nature and by results of investigations)

	疏忽職守 Neglect of Duty		行為不當/態度欠佳/ 粗言穢語 Misconduct/ Improper Manner/ Offensive Language		毆打 Assault		恐嚇 Threat	
年份 Year	2016-17	2015-16	2016-17	2015-16	2016-17	2015-16	2016-17	2015-16
經全面調查的指控 Allegations that required full investigation								
獲證明屬實 Substantiated	35	67	11	7	0	1	0	1
未經舉報但證明屬實 Substantiated Other Than Reported	36	53	1	1	0	0	0	1
無法完全證明屬實 Not Fully Substantiated	3	14	5	4	0	2	1	0
無法證實 Unsubstantiated	151	229	190	220	17	29	4	10
並無過錯 No Fault	260	353	72	62	8	10	4	5
虛假不確 False	8	2	18	15	14	8	8	4
小計 Subtotal	493	718	297	309	39	50	17	21
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 Informal Resolution	97	77	107	62	0	0	0	0
投訴撤回 Withdrawn	312	349	228	276	60	91	32	60
無法追查 Not Pursuable	383	384	366	460	146	205	65	76
小計 Subtotal	792	810	701	798	206	296	97	136
總數 Total	1,285	1,528	998	1,107	245	346	114	157

	濫用職權 Unnecessary Use of Authority		捏造證據 Fabrication of Evidence		警務程序 Police Procedures		其他罪行 Other Offences		總數 Total	
	2016-17	2015-16	2016-17	2015-16	2016-17	2015-16	2016-17	2015-16	2016-17	2015-16
	3	4	0	0	0	0	0	1	49	81
	2	2	0	0	1	3	0	0	40	60
	1	2	0	0	0	0	0	0	10	22
	22	25	5	8	0	0	0	2	389	523
	25	26	5	8	1	3	0	2	375	469
	0	2	25	20	0	0	0	0	73	51
	53	61	35	36	2	6	0	5	936	1,206
	0	0	0	0	0	2	0	0	204	141
	13	17	7	5	0	0	1	2	653	800
	37	71	15	14	0	1	2	2	1,014	1,213
	50	88	22	19	0	3	3	4	1,871	2,154
	103	149	57	55	2	9	3	9	2,807	3,360

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 89 名警務人員需接受紀律聆訊或其他內部行動，涉及 77 宗個案。分項數字見下表：

In this reporting year, disciplinary proceedings or internal actions were taken against 89 police officers regarding 77 cases endorsed by the IPCC. The following table shows the breakdown of figures:

警方於 2015/16 及 2016/17 年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 2015/16 and 2016/17

	人員數目 Number of officers	
	2016/17	2015/16
A. 刑事訴訟 Criminal proceedings	0	1
B. 紀律處分 Disciplinary proceedings	9	15
C. 其他內部行動 Other internal actions		
警告 Warnings	18	35
訓諭 Advice	62	109
總數 Total	89	160

註：2015/16 年的數字已因應部分個案覆核後，予以調整。

Note: Figures for 2015/16 have been adjusted following case reviews.

監警會進行會面

IPCC interviews conducted

	2016/17	2015/16
涉及的須匯報投訴個案 Number of Reportable Complaint cases involved	3	1
出席會面的人數 Number of persons attending interviews	3	2

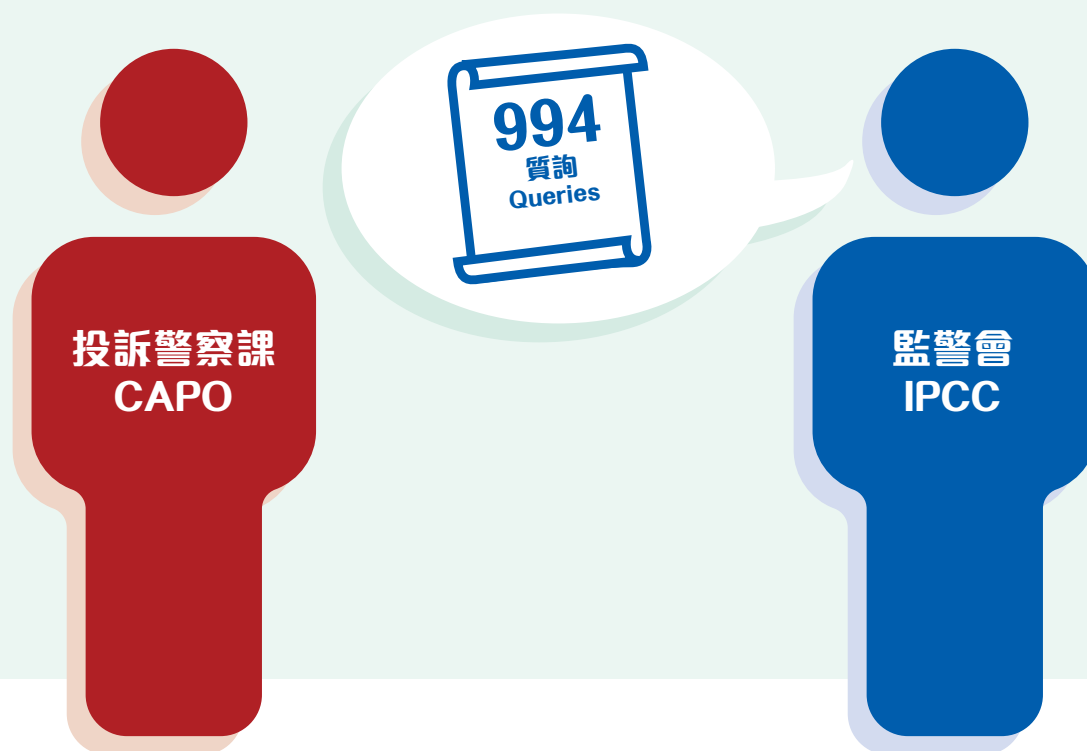
《監警會條例》第20條列明，監警會在審核報告期間，可以會見任何能夠或可能就報告向委員會提供資料或協助的人士。會見目的純粹是為了向有關人士澄清事項，監警會不會取代投訴警察課的調查角色。

報告期內，共有三位人士，包括兩名投訴人及一名被投訴人應監警會邀請出席會面，共涉及三宗投訴個案。

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 report. The purpose of interviews is solely to clarify matters with the concerned persons. The IPCC will not take over the investigative role of CAPO.

During the reporting period, three persons including two Complainants and one Complainee were invited by the IPCC to attend interviews involving three complaint cases.

向投訴警察課提出質詢 Queries raised with CAPO



在2016/17年度，監警會向投訴警察課合共提出994項質詢，內容包括監警會向投訴警察課提出的各類要求，例如更改調查報告的內容，就報告內容提供更多資料及澄清、及監警會就警方的工作提供改善建議等。

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是否接納其回覆。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，或將事項提交到工作層面會議上和投訴警察課商討，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574項質詢獲投訴警察課接納，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。

IPCC raised a total of 994 Queries to CAPO in 2016/17. These Queries included various requests to CAPO, for example, changing the content of the investigation reports, providing more information and clarification regarding the report, and the IPCC giving improvement suggestions on the Police's works, etc.

According to the IPCCO, CAPO must reply the IPCC's Queries. When the IPCC receives the responses from CAPO, the vetting team will scrutinize the information, explanations and views before passing on to the Members of the vetting sub-group for consideration of accepting the reply. When necessary, the IPCC can raise follow-up Queries regarding the same matters, or bring up the matters to the working level meetings for further discussion with CAPO until the IPCC is satisfied with the explanation, and so endorses the case.

During the reporting period, 574 Queries were accepted by CAPO. The remaining Queries were given satisfactory explanation and resolved after further Queries by the IPCC's 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: 994

投訴警察課接受的質詢

Number of Queries accepted by CAPO: 574

年份 Year	質詢總數 Total number of Queries		投訴警察課接受的質詢 Number of Queries accepted by CAPO	
	2016-17	2015-16	2016-17	2015-16
質詢性質 Nature of Queries				
調查結果分類 Classification of investigation results	360	324	198	162
改善警隊常規和程序的建議 Recommended improvements to police practices and procedures	10	17	6	10
遵從警務常規和程序 Compliance with police practices and procedures	22	12	4	4
行使警權的理由 Reasons for exercising police power	9	9	1	1
對處理違規人員的行動提出意見 Comments on actions against defaulting officers	26	18	18	11
澄清調查報告資料 Clarification of information in investigation reports	329	251	204	106
調查透徹度 Investigation thoroughness	132	61	84	34
其他質詢 Other Queries	106	101	59	53
總數 Total	994	793	574	381

調查結果分類

監警會在2016/17年就調查結果分類提出360項質詢，而獲投訴警察課全面接納的則有198項，因此予以修正調查結果的指控有209項，包括：

Classification of investigation results

Out of a total of 360 Queries raised by the IPCC in 2016/17 regarding the classification of findings, CAPO accepted 198 of them and as a result, the investigation results of 209 allegations were reclassified, including:

9

項由「無法證實」改列為「獲證明屬實」
reclassified from "Unsubstantiated" to "Substantiated"

5

項由「並無過錯」改列為「獲證明屬實」
reclassified from "No Fault" to "Substantiated"

4

項由「並無過錯」改列為「無法完全證明屬實」
reclassified from "No Fault" to "Not Fully Substantiated"

43

項由「並無過錯」改列為「無法證實」
reclassified from "No Fault" to "Unsubstantiated"

26

項由「無法證實」改列為「並無過錯」
reclassified from "Unsubstantiated" to "No Fault"

11

項由「無法追查」改列為「虛假不確」
reclassified from "Not Pursuable" to "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 classifications:

2016/17 年度監警會通過的再分類調查結果

Changes of classification endorsed by the IPCC in 2016/17

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	1	0	0	0	0	1
無法完全證明屬實 Not Fully Substantiated	4	N/A	0	0	0	0	0	4
無法證實 Unsubstantiated	9	4	N/A	26	0	7	0	46
並無過錯 No Fault	5	4	43	N/A	7	2	0	61
虛假不確 False	0	0	6	6	N/A	4	0	16
無法追查 Not Pursuable	2	0	4	37	11	N/A	1	55
投訴撤回 Withdrawn	1	1	4	14	4	2	N/A	26
總數 Total	21	9	58	83	22	15	1	209

此外，監警會年內通過了40項「未經舉報但證明屬實」的指控，當中有20項是經監警會提出質詢後而增加的，另外有36宗事件記錄為「旁支事項」*。

Moreover, the IPCC endorsed 40 counts of “Substantiated Other Than Reported” allegations; of these, 20 were registered after the IPCC had raised Queries. Another 36 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 a 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提出了10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 a police practice or procedure that has led to or might lead to a complaint. During this reporting period, the IPCC suggested 10 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22項。

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九項質詢。

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26項質詢。

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329項質詢，例如要求投訴警察課就投訴的背景提供更多資料。

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。

Compliance with police practices and procedures

The IPCC may raise Queries with CAPO to ascertain if the police officers involved in a complaint case have complied with relevant police practices and procedures in exercising their constabulary powers. During this reporting period, 22 Queries were raised under this category.

Reasons for exercising police power

The use of police power by officers in the discharge of their duties is also a concern of the IPCC. During this reporting period, the IPCC raised nine Queries with respect to the reasons for the use of police power.

Comments on actions against defaulting officers

While the dispensing of advice or disciplinary action to 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 commensurate with the gravity of the offence. The IPCC raised 26 Queries on such actions during the reporting period.

Clarification of information in investigation reports

During this reporting period, the IPCC raised 329 Queries regarding the ambiguous points in investigation reports. For example, CAPO was requested to provide more background information of the complaint cases.

Investigation thoroughness

During this reporting period, the IPCC raised 132 Queries regarding the thoroughness of police investigations. These Queries included asking CAPO to conduct more in-depth investigation, including conducting interview with witness and collection of more evidence.

審核個案所需時間

Time required for examining complaint cases

審核投訴個案所需日數會因應個案的複雜情況、監警會是否同意投訴警察課的觀點等多個因素而定。現在很多性質輕微或瑣碎的投訴，已循「透過簡便方式解決」及表達不滿機制處理，所以需要經全面調查後提交給監警會的投訴個案，性質相對複雜，審查時間亦較長。

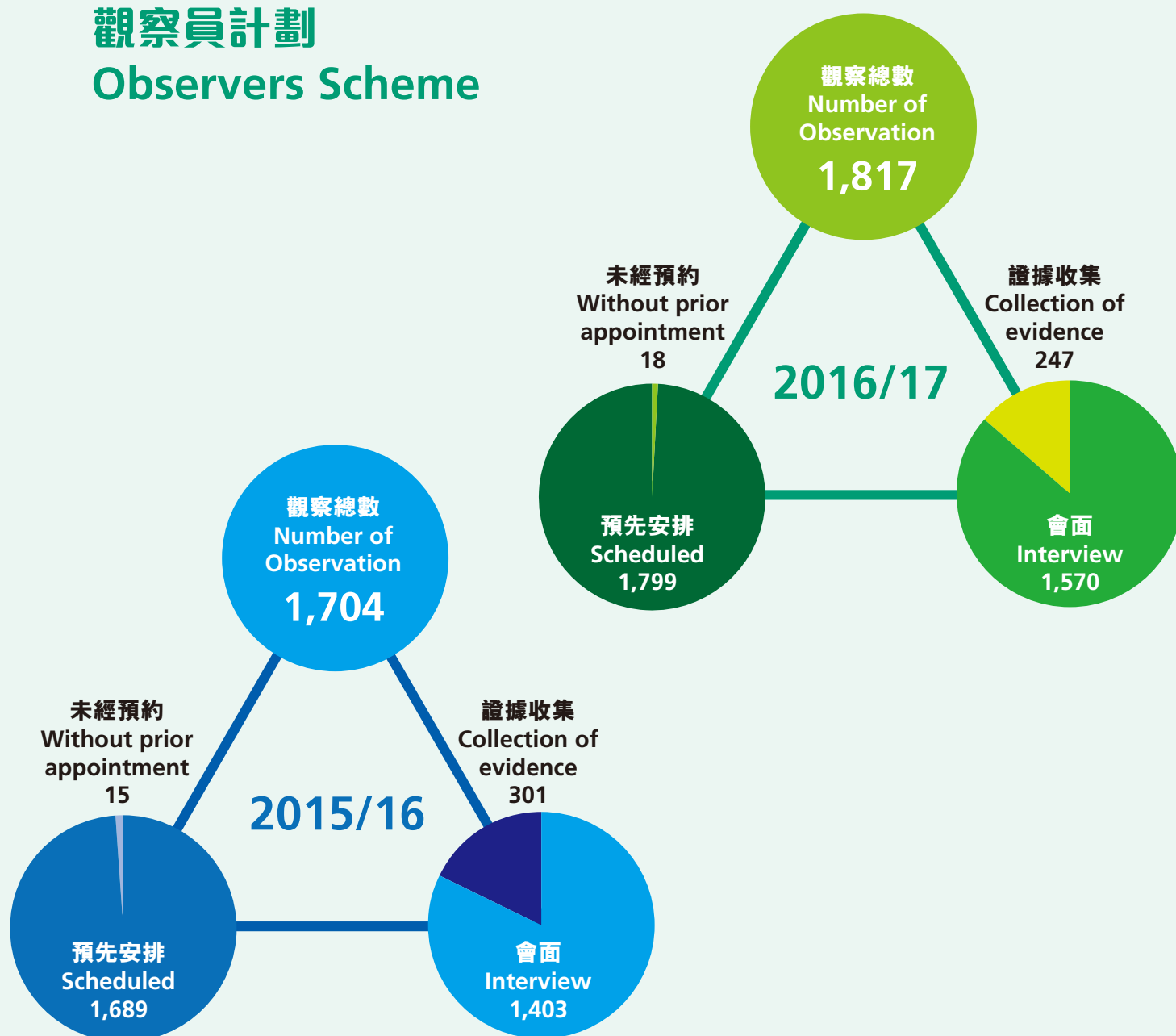
The number of days required to examine a complaint case depends on a number of factors, such as the complexity of the case and whether the IPCC agrees with CAPO's views. Complaints that are relatively minor or frivolous in nature are now handled via "Informal Resolution" and Expression of Dissatisfaction Mechanism, the complaint cases that are handled via full investigation are of a more complicated nature, and to meticulously scrutinise this type of complaint cases requires more time.

審核個案的平均所需日數由2015/16年度的144天下降至2016/17年度的133天。

The average number of days required to examine an investigated case decreased from 144 days in 2015/16 to 133 days in 2016/17.

	2016/17	2015/16
審核個案所需的平均日數 Average number of days required to examine a complaint case	133	144

觀察員計劃 Observers Scheme



2016/17年，監警會的委員及觀察員通過觀察員計劃共進行了1,817次觀察，較上年上升了6.6%，當中預先安排的有1,799次，未經預約的有18次。這1,817次觀察，有1,570次是觀察會面，其餘247次是觀察證據收集的工作。

Under the Observers Scheme, 1,817 observations were conducted by Members and Observers of the IPCC in the year 2016/17, a 6.6% increase compared to that of last year. Those observations included 1,799 scheduled observations and 18 observations without prior appointment. Of the 1,817 observations, 1,570 involved the conducting of interviews and 247 involved the collection of evidence.

觀察員出席觀察及接獲通知的數字

Number of observations attended by IPCC Observers and notifications received

年份 Year	出席觀察 Observations attended	接獲通知 Notifications received	出席比率 Attendance rate (觀察/接獲通知) (Observations/Notifications received)
2016/17	1,817	2,068	87.9%
2015/16	1,704	1,928	88.4%

投訴警察課的通知

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2016/17年，監警會接獲投訴警察課共2,068次通知。

在本報告期內，監警會觀察員出席了1,817次觀察，包括觀察會面和證據收集，佔整體通知的87.9%，出席比率和前一年相若。

Notifications from CAPO

CAPO has agreed that, insofar as practicable, the IPCC will be notified at least 48 hours in advance of any impending interview or collection of evidence. In 2016/17, 2,068 notifications were received from CAPO.

During this reporting period, IPCC Observers attended 1,817 observations, including interviews and the collection of evidence, comprising 87.9% of the notifications received. The attendance rate is similar to that of previous year.

須知會投訴 Notifiable Complaints

須知會投訴個案數字

Number of Notifiable Complaint cases

	2016/17	2015/16
經監警會審核的須知會投訴個案 Notifiable Complaint cases examined by the IPCC	729	479
重新歸類為須匯報投訴 Cases re-categorised as Reportable Complaints	6	3

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，並解釋將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，投訴警察課需相應重新考慮該宗投訴的歸類。

在報告期內，監警會審核了729宗須知會投訴的個案撮要，較去年同期上升52.2%。經審核後，其中六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 a 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 give relevant suggestions to CAPO, and CAPO will then need to reconsider the categorisation.

During the reporting period, the summary of 729 Notifiable Complaints as examined by the IPCC, an increase of 52.2% compared to that of the previous year. After the examination, six cases have been re-categorised as Reportable Complaints as per the IPCC's recommendations.

表達不滿機制

Expression of Dissatisfaction Mechanism (EDM)

表達不滿機制的個案數字

Number of EDM cases

	2016/17	2015/16
經監警會審核的表達不滿機制個案 EDM cases examined by the IPCC	1,229	1,331
重新歸類為須匯報投訴 Cases re-categorised as Reportable Complaints	18	10
重新歸類為須知會投訴 Cases re-categorised as Notifiable Complaints	1	0

為更有效處理性質輕微的投訴個案和善用資源，監警會和投訴警察課於2015年制訂了表達不滿機制，在正式投訴程序以外，為投訴人提供處理輕微投訴的另一項選擇。

在機制下，作出投訴的市民能透過投訴警察課把其不滿及意見直接向有關警區的指揮官反映，如投訴人不滿意表達不滿機制處理投訴的結果，亦可要求重新以正式投訴的方式處理投訴。為確保機制不被濫用及個案分類恰當，投訴警察課需定期提交有關表達不滿機制個案的列表予監警會審核。

在報告期內，監警會共檢視了1,229宗經由表達不滿機制處理的個案，較去年下跌了6.3%，其中18宗個案應監警會建議被重新歸類為須匯報投訴，一宗則被重新歸類為須知會投訴。

To handle minor complaints more effectively and make optimal use of investigation resources, the IPCC and CAPO introduced the EDM in 2015 as an alternative to the formal complaint investigation process for handling minor complaints.

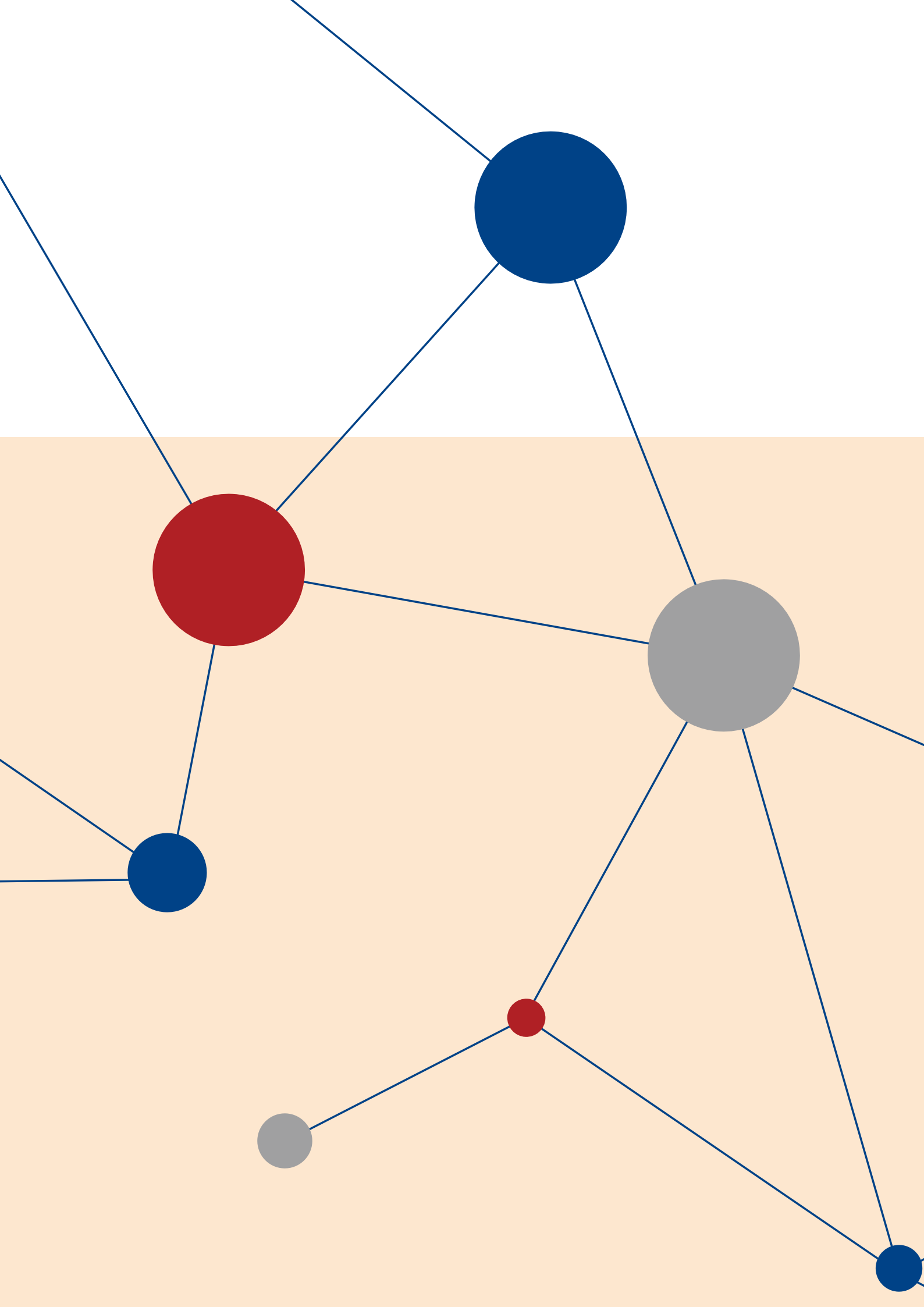
Through the EDM, a Complainant can directly reflect his/her dissatisfaction and views to the commander of the Formation concerned. If the Complainant is still not satisfied with the results of the EDM, he/she may lodge a formal complaint. In order to maintain the integrity of the EDM and ensure appropriate categorisation, CAPO is required to regularly submit a gist of the EDM cases to the IPCC for vetting.

During the reporting period, the IPCC examined 1,229 cases handled via the EDM, a decrease of 6.3% compared to the previous year. Among these cases, 18 cases have been re-categorised as Reportable Complaints as per the IPCC's recommendations and one case has been re-categorised as Notifiable Complaint.

公眾查詢 Public enquiries

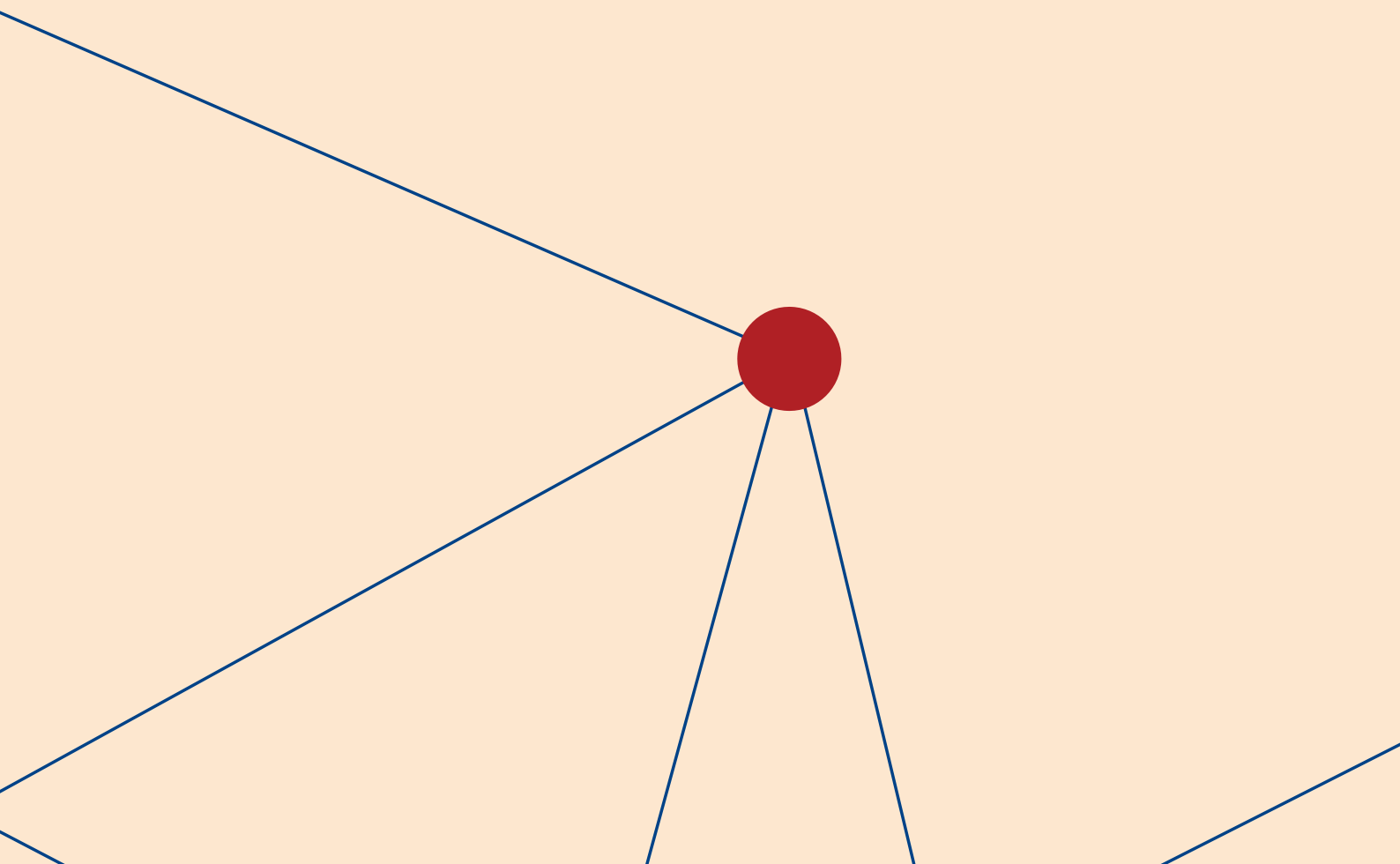
為提高透明度，監警會設立了不同途徑供市民向會方查詢或表達意見。在報告期內，監警會共收到6,349宗公眾透過電話、電郵、傳真及親臨的查詢。除部分與監警會無直接關係的查詢外，其餘有關兩層架構投訴警察制度，包括投訴個案和觀察員計劃等查詢或意見，會方均已按服務承諾的時間回覆及適時跟進。

In order to enhance transparency, the IPCC has set up various channels for the public to enquire or express their opinion to the IPCC. During the reporting period, the IPCC received 6,349 public enquiries via telephone, email, fax and in person. Except for enquiries that are not directly related to the IPCC, all enquiries regarding the two-tier police complaint system, including those relating to complaint cases and Observers Scheme, are replied and followed up within the time under the IPCC's performance pledge.



第 3 章 CHAPTER 3

真實投訴個案 Complaint cases



個案一 Case 1



指控 Allegation(s)	被投訴人 Complainee(s)	投訴警察課的原本分類 Original Classification(s) by CAPO	最終分類 Final Classification(s)
1 疏忽職守 Neglect of Duty	女偵緝督察 Woman Detective Inspector (WDIP)	並無過錯 No Fault	獲證明屬實 Substantiated
2 疏忽職守 Neglect of Duty		並無過錯 No Fault	無法證實 Unsubstantiated
3 疏忽職守 Neglect of Duty		無法證實 Unsubstantiated	無法證實 Unsubstantiated
4 疏忽職守 Neglect of Duty		並無過錯 No Fault	獲證明屬實 Substantiated
5 疏忽職守 Neglect of Duty	偵緝警員 Detective Police Constable (DPC)	並無過錯 No Fault	並無過錯 No Fault

此個案反映監警會仔細審視一宗有關警方處理的傷人案件。當中一名女偵緝督察因未有及早就案中受害人的傷勢進行證據搜集，便決定以較輕的控罪起訴施襲者，而事後又拒絕向受害人提供資訊，協助她辦理民事訴訟，被受害人投訴四項「疏忽職守」的指控。其中兩項指控經過監警會的審核後，由投訴警察課最初建議的「並無過錯」改為「獲證明屬實」。

This case highlights the meticulous approach adopted by the IPCC in scrutinising a complaint case in relation to the Police's handling of a wounding case. When handling wounding case, a Woman Detective Inspector (WDIP) had not taken reasonable steps as soon as possible to ascertain the seriousness of the victim's injury before laying a lenient charge against the offender. Subsequently, the WDIP refused to provide necessary information for the victim to proceed with the civil claim. There were four allegations of "Neglect of Duty" made against the WDIP by the victim. After the IPCC's vetting, two of those allegations were re-classified from "No Fault", as suggested by CAPO initially, to "Substantiated".

個案背景

一名投訴人（女受害人）在一宗傷人案中遇襲受傷，案中的被告（男襲擊者）後來被控《侵害人身罪條例》第19條「傷人或對他人身體加以嚴重傷害」（簡稱「傷人十九」），他認罪並被判罪成。根據法官指示，處理這宗案件的女偵緝督察（被投訴人一）致電女受害人，跟進其健康狀況及所承受的損失，以供法庭考慮對被告的判刑。

Case background

A Complainant (a female victim) had been hit and injured in a wounding case. The defendant (a male offender) was later charged with "Wounding or Inflicting Grievous Bodily Harm", contrary to Section 19 of Offences Against The Person Ordinance ("Wounding 19"). The defendant pleaded guilty and was convicted. Upon the court's instruction, the WDIP who had been handling the case called the Complainant to obtain an update on her health condition and the losses she suffered for the court's consideration of the defendant's sentence.

投訴人得知判刑結果後，向女偵緝督察（被投訴人一）索取資料以向被告提出民事索償。由於投訴人不滿女偵緝督察的處理方式，她提出四項「疏忽職守」的指控，包括女偵緝督察沒有考慮到女事主傷勢的嚴重程度，不恰當地起訴被告較輕的控罪，而不是較嚴重的《侵害人身罪條例》第17條「意圖造成身體嚴重傷害而傷人」（簡稱「傷人十七」）【指控一：疏忽職守】；未有告知檢控官有關投訴人在電話中向女偵緝督察所講述的所有傷勢的檢驗結果【指控二：疏忽職守】；未有告知檢控官有關投訴人在電話中要求法庭向被告發出賠償令【指控三：疏忽職守】，以及未有應投訴人要求，提供案情摘要的文件，以便她作出民事訴訟【指控四：疏忽職守】。

與此同時，投訴人亦指控另一名處理案件的偵緝警員（被投訴人二）未有向女偵緝督察報告其傷勢的嚴重程度【指控五：疏忽職守】。

投訴警察課的調查

【指控一：疏忽職守】

投訴警察課最初的調查報告指，裁判官在審理此案時並無就控罪本身提出質疑，加上被告認罪，因此女偵緝督察向被告控以「傷人十九」罪，是「並無過錯」。

【指控二：疏忽職守】

投訴警察課的調查發現，女偵緝督察已按法庭指令向投訴人了解其最新的健康狀況，並以書面及電話通知檢控官，因此認為女偵緝督察已向檢控官全面披露投訴人的傷勢，將此指控列為「並無過錯」。

【指控三：疏忽職守】

女偵緝督察否認女事主曾在電話中表示，要求法庭向被告發出賠償令。基於沒有獨立證據證明雙方的說法，因此該課將這項指控分類為「無法證實」。監警會經審核後同意此分類。

Knowing the sentence, the Complainant requested the WDIP (Complainee 1) to provide information for her filing for a civil suit against the defendant. Dissatisfied with the WDIP's handling approach, the Complainant lodged a complaint with four allegations of "Neglect of Duty" against the WDIP, including: laid an inappropriate lenient charge of "Wounding 19" against the defendant but not the more serious charge of "Wounding or Striking with Intent to Do Grievous Bodily Harm", contrary to Section 17 of Offences Against The Person Ordinance ("Wounding 17") without considering the seriousness of the victim's injury, [Allegation 1: Neglect of Duty]; failed to inform the prosecutor of the full medical findings conveyed by the Complainant to the WDIP on the phone [Allegation 2: Neglect of Duty]; failed to notify the prosecutor that the Complainant had requested a compensation order by court over the phone [Allegation 3: Neglect of Duty]; and failed to provide the Complainant with the Brief Facts of the case to facilitate her civil action against the defendant [Allegation 4: Neglect of Duty].

Meanwhile, the Complainant also complained another Detective Police Constable (DPC/ Complainee 2) who had handled this case and failed to report the seriousness of her injury to the WDIP [Allegation 5: Neglect of Duty].

CAPO's investigation

【Allegation 1: Neglect of Duty】

According to CAPO's original investigation report, the Magistrate had no doubt about the charge to which the defendant pleaded guilty. Therefore, the WDIP had "No Fault" in laying the charge of "Wounding 19" against the defendant.

【Allegation 2: Neglect of Duty】

CAPO's investigation found that the WDIP had inquired the Complainant about her latest health condition as directed by the court and reported to the prosecutor the same by memo and over the phone. Therefore, CAPO classified this allegation as "No Fault" because the WDIP had fully disclosed the injury of the Complainant to the prosecutor.

【Allegation 3: Neglect of Duty】

The WDIP denied that the Complainant had told her to request the court for compensation order. As there was no independent evidence of what was said by both parties, CAPO classified this allegation as "Unsubstantiated". The IPCC agreed with this classification after vetting.

【指控四：疏忽職守】

女偵緝督察向投訴警察課解釋，她拒絕向投訴人提供案情摘要，是因為投訴人從來沒有表明要就案件提出民事訴訟，同時是為了符合《個人資料（私隱）條例》的要求（案情摘要包含了被告的個人資料）。投訴警察課認為女偵緝督察的做法「並無過錯」。

【指控五：疏忽職守】

投訴警察課的調查顯示，偵緝警員有向公立醫院索取投訴人的初步驗傷結果，及後他從投訴人得知其私家醫院的詳細醫療結果後，亦有如實向其上級女偵緝督察報告最新資料。由於他已盡本份向上級匯報調查所得資料，所以投訴警察課認為偵緝警員「並無過錯」。監警會經審核後同意此分類。

旁支事項

此外，投訴警察課在調查過程中，發現女偵緝督察未有按《個人資料（私隱）條例》的要求，在限期內以書面回覆投訴人的書面查詢，而向她多加一項旁支事項，並向她作出訓諭但無須記入其分區報告檔案中。

監警會的觀察

監警會在審核投訴警察課的調查報告及所有證據後，不同意該課就部分指控（即指控一、二及四）的調查結果分類，雙方召開工作層面會議討論個案。

【指控一：疏忽職守】

監警會留意到女偵緝督察向投訴警察課供稱，沒有證據顯示被告的襲擊是早有預謀，因此向被告起訴「傷人十九」罪，而不是較嚴重的「傷人十七」罪。然而，監警會認為女偵緝督察誤解了這兩項控罪的分別。兩項控罪的主要分別不只限於疑犯是否早有預謀去傷人，而是疑犯有沒有意圖使他人傷殘，因此傷勢是考慮控罪的關鍵。加上案情指出，投訴人與被告在地鐵車廂爭執後，已步

[Allegation 4: Neglect of Duty]

The WDIP explained to CAPO that she refused to provide the Complainant with the Brief Facts of the case because the Complainant did not clearly state her intention to proceed with a civil claim and the refusal was to fulfill the obligations of the Personal Data (Privacy) Ordinance (PDPO) (Brief Facts would include the defendant's personal data). CAPO considered that the WDIP had "No Fault" in refusing the request.

[Allegation 5: Neglect of Duty]

CAPO's investigation shows that the DPC had obtained the victim's preliminary medical report from a public hospital, and once he was notified of the victim's detailed medical findings by a private hospital, the DPC reported the same to the WDIP. CAPO was of the view that the DPC did perform his duty to submit all the information collected to his supervisor and thus had "No Fault" in this allegation. The IPCC agreed with this classification after vetting.

Outwith Matter

In addition, during CAPO's investigation, it was found that the WDIP did not comply with the provision of the Personal Data (Privacy) Ordinance to reply to the Complainant's written request in writing within the time limit. An Outwith matter was registered against the WDIP who should be advised without Divisional Record File (DRF) entry.

IPCC's observation

After scrutinising CAPO's investigation report and all the available evidence, the IPCC disagreed with CAPO's classification of investigation results concerning some of the allegations (i.e. Allegations 1, 2 and 4). A working level meeting was held between the two parties to discuss the case.

[Allegation 1: Neglect of Duty]

According to CAPO's statement, the WDIP considered that there was no evidence showing that the defendant had planned to wound the Complainant. As such, she classified the case as "Wounding 19" but not the more serious charge of "Wounding 17". The IPCC opined that the WDIP had misunderstood the difference between these two offences. The main difference between the two offences is not just whether the suspect had premeditated to wound the victim, but whether the suspect had the intent "to maim" the victim. Therefore, the seriousness of the injury is the crux when considering what charge to be laid. Furthermore, the facts of the case show that after disputing

行一段距離才遇襲，令人相信投訴人離開地鐵車廂後，被告一直尾隨著她，然後等待機會兩度用玻璃樽從後襲擊她的頭部。基於投訴人的傷勢和案情，監警會認為「傷人十九」的控罪不足以反映案情的嚴重性。

女偵緝督察承認在落案起訴前，已從偵緝警員得知投訴人在公立醫院求診後，再到私家醫院求診（投訴人表示她在私家醫院留院四日、傷口縫針13針、右手斷腱）。女偵緝督察解釋由於當時投訴人沒有提供私家醫院的病歷，亦無授權她去領取相關紀錄，因此她只按著手上公立醫院初步驗傷報告來撰寫案情摘要，但當中並沒有提及縫針或斷腱的情況。

監警會認為女偵緝督察的做法不合理、不恰當，她應該主動地取得投訴人的同意，索取其私家醫院的詳細醫療結果，確定投訴人的傷勢，才決定合適的控罪。監警會建議將這項指控由「並無過錯」改為「獲證明屬實」，獲投訴警察課接納。

【指控二：疏忽職守】

資料顯示女偵緝督察有因應法庭的要求向檢控官報告投訴人的健康情況。然而，女偵緝督察向檢控官報告投訴人的傷口縫了11針，而非投訴人報稱在電話中所說的13針。由於沒有獨立證據證明女偵緝督察和投訴人的電話對話內容，因此監警會同意投訴警察課將這項指控由「並無過錯」改為「無法證實」。

【指控四：疏忽職守】

監警會翻查警方的內部指令，當中列明警務人員不應一律拒絕市民索取資料的要求。假如部分文件，例如案情摘要，有助受害人就索償或庭外和解等進行初步評估，警務人員有責任向受害人提供必要的資料（當中包括被告人士的個人資料）。在這情況下向第三方披露個人資料，可獲《個人資料（私隱）條例》豁免法律責任。

with the defendant in the MTR compartment, the Complainant had walked for some distance before she was attacked. It was believed that once she left the MTR, she was followed by the defendant looking for a chance to hit her head twice with a glass bottle from behind. Based on the victim's serious injury and the facts of the case, the IPCC was of the view that "Wounding 19" was not a charge that adequately reflected the seriousness of the case.

The WDIP admitted that before laying the charge, she was informed by the DPC that the Complainant sought medical consultation at a private hospital after consulting at a public hospital (the Complainant said that she had been admitted to the private hospital for four days and received 13 stitches on the wound and suffered from a broken tendon in her right hand). The WDIP explained that she wrote the brief facts of the case (without mentioning the stitches or the broken tendon) only based on the medical findings from the public hospital because she did not have the findings from the private hospital and was not given the consent to obtain them.

The IPCC opined that the WDIP's way of handling was unreasonable and inappropriate. She should have taken reasonable steps to ask the Complainant for her consent to obtain the medical findings from the private hospital in order to ascertain the injury and decide the appropriate charge. The IPCC suggested to reclassify this allegation from "No Fault" to "Substantiated", which was accepted by CAPO.

【Allegation 2: Neglect of Duty】

Available evidence shows that the WDIP provided the information regarding the Complainant's health condition, including 11 stitches on the wound, to the prosecutor as instructed by the court. However, the Complainant claimed that it was 13 stitches as conveyed to the WDIP on the phone. Since there was no independent evidence of their phone conversation, the IPCC agreed with CAPO's reclassification of this allegation from "No Fault" to "Unsubstantiated".

【Allegation 4: Neglect of Duty】

According to the Police's internal directives, the Police should not issue blanket refusal to all requests for information from the members of the public. If some documents, such as Brief Facts of the case, may help the prospective plaintiff assess the merits of their claims or to explore pre-action settlement at the pre-wit stage, the Police are obliged to provide the victim with necessary information (including the defendant's personal data). In this circumstance, the PDPO does not inhibit such disclosure of the third party's personal data.

監警會認為投訴人明顯是受害人，考慮到被告經已被定罪，加上她蒙受健康及經濟損失，她有足夠理由向被告索償，並符合上述警方內部指令的條件索取被告的資料。女偵緝督察拒絕投訴人的要求，明顯沒有依照上述指令行事。監警會建議將這項指控，由「並無過錯」改為「獲證明屬實」，獲投訴警察課接納。

女偵緝督察最後需要接受警告並記入其分區報告檔案中。

The IPCC opined that the Complainant was obviously the victim in the incident. Considering the defendant's guilty plea, the Complainant's health condition and economic loss, the Complainant was justified and eligible to claim compensation from the defendant under the above-mentioned police's internal directive. Apparently, the WDIP did not follow the internal directive when declining the request. The IPCC suggested to reclassify this allegation from "No Fault" to "Substantiated", which was accepted by CAPO.

Finally, the WDIP should be warned with Divisional Record File (DRF) entry.



指控 Allegation(s)	被投訴人 Complainee(s)	投訴警察課的原本分類 Original Classification(s) by CAPO	最終分類 Final Classification(s)
1 疏忽職守 Neglect of Duty	警員 Police Constable (PC)	無法證實 Unsubstantiated	無法證實 Unsubstantiated
2 疏忽職守 Neglect of Duty	高級督察 Senior Inspector of Police (SIP)	並無過錯 No Fault	獲證明屬實 Substantiated

此個案反映監警會仔細審視一宗有關交通意外的投訴個案。一名高級督察因未有充分考慮所有證據，不恰當地控告投訴人「行人疏忽」。經監警會的審核後，其「疏忽職守」指控分類由「並無過錯」改為「獲證明屬實」。

This case demonstrates that the IPCC was meticulous in examining a complaint case that involved a traffic accident. A Senior Inspector of Police (SIP) failed to carefully consider all evidence before summoning the Complainant for "Pedestrian Negligence". Upon the IPCC's review, the "Neglect of Duty" allegation was reclassified from "No Fault" to "Substantiated".

個案背景

投訴人(一名女士)橫過行車路時被迎面而來的私家車撞倒，她手部多處擦傷、門牙被撞碎和感到頭暈，坐在路邊等待救護人員協助。一名警員(被投訴人一)接報到場處理及調查事件。投訴人稱私家車當時並無按響號。

之後案件交由一名高級督察負責(被投訴人二)，並安排了投訴人及私家車司機錄取警誡供詞。投訴人在警誡下承認當時戴著耳機行過馬路，而司機則供稱私家車當時以每小時五至六公里行駛，在撞車前先按響號再剎車。基於上述因素，高級督察認為司機是一名負責任的駕駛者，因此票控投訴人「不小心過馬路」。投訴人於庭上否認控罪，審訊後，法官認為司機的說法存疑，因此裁定投訴人無罪。

投訴人隨後向投訴警察課投訴，指到達意外現場的警員未有準確記錄其口供【指控一：疏忽職守】；而負責調查意外的高級督察，則在未有充分考慮司機的口供及現場照片前，便決定票控她【指控二：疏忽職守】。

投訴警察課的調查

涉事的兩名警務人員接受投訴警察課的查問時均否認指控。關於指控一，該名警員重申他於案發現場已妥善地和投訴人錄取口供，並抄寫在筆記簿上。當時投訴人向他表示過路時正在聽音樂和趕時間。

及後，投訴人卻認為警員在案發現場未有準確記錄她的說法。投訴人表示當時向警員承認意外發生時戴著耳機，但沒有在聽音樂。由於投訴人和警員各執一詞，又沒有其他證據和獨立證人，因此投訴警察課將指控一分類為「無法證實」。

至於指控二，有關負責調查案件的高級督察是否有充分考慮所有證供才提出起

Case background

When the Complainant (a woman) was crossing a carriageway, she was hit by a moving vehicle. Suffering from abrasion on her hand, a broken incisor and dizziness, the Complainant sat at the roadside waiting for the help of ambulance men. A Police Constable (PC/Complainee 1) responded to the scene for enquiry and investigation. The Complainant stated that the private vehicle's horn did not sound.

The case was subsequently taken over by an SIP (Complainee 2), and both the Complainant and the private vehicle driver had provided a cautioned statement. The Complainant admitted under caution that she was wearing a pair of earphones when crossing the carriageway. The driver stated that he was driving at about 5 to 6 km per hour, and that he had firstly sounded the horn and applied the brake right before the incident happened. In view of the above, the SIP considered the driver a responsible driver, and thus summonsed the Complainant for "Pedestrian Negligence". The Complainant pleaded not guilty. After the trial, the court decided that the driver's account of the event was doubtful and acquitted the Complainant accordingly.

The Complainant later lodged a complaint to CAPO, alleging that the PC at the scene failed to make an accurate record regarding what she had said [Allegation 1: Neglect of Duty]; the SIP in charge of the investigation failed to carefully consider the statement of the driver and the photos of the scene before summonsing the Complainant for the traffic offence [Allegation 2: Neglect of Duty].

CAPO's investigation

When interviewed by CAPO, both police officers concerned denied the allegations. Regarding Allegation 1, the PC reiterated that he properly conducted enquiry with the Complainant at the scene, and jotted down what she said in his notebook. The Complainant told the PC that she was listening to music with earphones and in a rush at the material time.

Subsequently, the Complainant alleged that the PC had inaccurately recorded what she said at the scene. The Complainant insisted that she had only admitted wearing a pair of earphones but not listening to music when the accident occurred. CAPO considered that in the absence of any independent witness and corroborative evidence, the case was a one-against-one situation. Therefore, Allegation 1 should be classified as "Unsubstantiated".

As for Allegation 2, the only fact in dispute was whether the SIP in charge of the case had carefully considered all the available evidence

訴，高級督察表示他在作出票控之前，已考慮了司機所提供的口供、現場照片、車速及投訴人的警誡供詞等證據，而且投訴人在警誡下承認戴著耳機。因此，投訴警察課認為高級督察的決定是公平和合理的，故將指控二分類為「並無過錯」。

監警會的觀察

關於指控一，監警會同意投訴警察課的調查結果分類，但並不同意指控二的分類。監警會認為意外發生在寬闊的馬路上，以投訴人的傷勢（包括手部擦傷以及門牙被撞碎）、私家車的擋風玻璃碎裂的情況來看，司機指車速為每小時五至六公里的說法並不可信。再者，私家車與投訴人相距僅四至五米，事發時應立即剎車而非先按響號。

基於高級督察在票控投訴人前未有考慮這些因素，監警會建議投訴警察課將指控二重新分類為「獲證明屬實」，最終獲投訴警察課接納。高級督察需接受警告和將事件記入其分區報告檔案中。

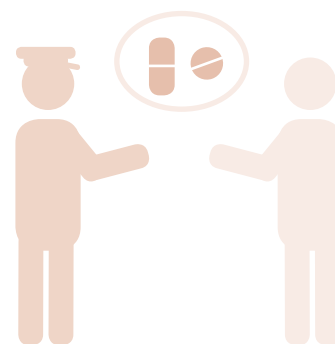
before summoning the Complainant. The SIP reiterated that he had considered the available evidence, including the statement of the driver, photos of the scene, driving speed and the Complainant's cautioned statement. He noted in particular the Complainant's admission of wearing a pair of earphones in the cautioned statement. CAPO considered that the decision made by the SIP was fair and reasonable. Therefore, Allegation 2 should be classified as "No Fault".

The IPCC's observations

The IPCC agreed with CAPO's classification of Allegation 1 but not that of Allegation 2. Having considered that the carriage way in question was wide, the injury sustained by the Complainant (including abrasion on the hand and a broken incisor) and the way the private car's windshield was broken, the IPCC decided that the driver's account of driving at 5 to 6 km per hour was unreliable. Furthermore, as the private vehicle was only 4 to 5 meters away from the Complainant, the driver should have immediately stopped the car instead of sounding the horn first.

Since the SIP had not carefully considered the above factors before summoning the Complainant, the IPCC suggested CAPO to reclassify Allegation 2 to "Substantiated". CAPO finally subscribed to the IPCC's view and the SIP would be warned with Divisional Record File (DRF) entry.

個案三 Case 3



指控 Allegation(s)	被投訴人 Complainee(s)	投訴警察課的原本分類 Original Classification(s) by CAPO	最終分類 Final Classification(s)
1 恐嚇 Threat	警長；警員 Sergeant (SGT); Police Constable (PC)	並無過錯 No Fault	虛假不確 False
2 疏忽職守 Neglect of Duty	警員 Police Constable (PC)	並無過錯 No Fault	虛假不確 False
3 行為不當 Misconduct	督察 Inspector of Police (IP)	並無過錯 No Fault	虛假不確 False

此個案反映監警會仔細審視一宗典型的策略性投訴個案。投訴人在法庭上否認控罪並質疑警誡供詞的自願性及可接納性，並向警方投訴有關警務人員在執行職務時行為失當。但當法庭裁定接納他的警誡供詞為證供後，投訴人即時改為認罪。其後更一直拒絕回覆投訴警察課的跟進。監警會最終認為投訴人的指控全屬「虛假不確」，並希望藉此個案提醒公眾有關投訴的權利和責任。

個案背景

某日凌晨，警方在一公共屋邨展開反危險藥物行動，數名警務人員（包括本個案的四名被投訴人）持搜查令進入投訴人的單位，行動中搜獲一個懷疑載有危險藥物的膠袋。在警誡下，投訴人承認該些藥物屬其自用，他同日被捕並獲准保釋。

該些藥物經化驗後證實為氯胺酮，投訴人因而被控「管有危險藥物」。審訊期間，他否認控罪，並投訴警方恐嚇他，

This case highlights the meticulous approach adopted by the IPCC in scrutinising a typical tactical complaint. The Complainant initially pleaded not guilty at court and challenged the voluntariness and admissibility of his cautioned statements, and later raised complaint allegations against the police officers for misconduct when performing duties. However, right after the cautioned statements were ruled admissible, the Complainant pleaded guilty instead. Upon conclusion of his court case, he failed to respond to CAPO's investigation. The IPCC opines that all allegations should be classified as "False" and would like to take this opportunity to reiterate the rights and responsibilities for lodging complaints.

Case background

One early morning, the Police mounted an anti-dangerous drug operation in a public housing estate. Several police officers (including the four Complainees in this case) entered the Complainant's residence with a search warrant, upon which a plastic bag containing suspected dangerous drug was found. Under caution, the Complainant admitted that the drug was for self-consumption. He was arrested on the same day and released on bail.

After chemical examination, the suspected drug was confirmed to be Ketamine. The Complainant was thus charged with "Possession of a Dangerous Drug". During the trial, he pleaded not guilty and made

在錄取警誡口供期間曾作出誘導。投訴警察課其後接手跟進，透過電話錄音系統聯絡投訴人，解釋個案已進入「有案尚在審理中」的程序，投訴人未有異議。

在及後的兩次提堂中，投訴人提出警誡供詞並非在其自願情況下作出，故不可接納為證供。他對警方提出三項指控：分別指一名警長（被投訴人一）舉起中指並恐嚇他，如不認罪便會一併拘捕其家人，而另一警員（被投訴人二）則威嚇他自行拿出危險藥物，否則後果會更嚴重【指控一：恐嚇】；一名警員（被投訴人三）未有在警察記事冊內記錄他否認控罪，亦無向他解釋其權利【指控二：疏忽職守】；及一名督察（被投訴人四）作出不恰當言論，誘導他承認控罪【指控三：行為不當】。

投訴警察課的調查

經檢視相關刑事個案資料後，投訴警察課發現投訴人分別於現場及警誡下的會面中承認「管有危險藥物」，而所作出的招認則分別記錄在有關警務人員的警察記事冊及警誡供詞中，並由投訴人簽署確認有關內容真確無誤。此外，投訴人亦在《發給被羈留人士或接受警方調查人士的通知書》中簽署確認已獲悉有關權利。

另一方面，投訴人曾經在庭上向警方提出三項指控，但在法庭裁定他的警誡供詞屬自願性質，並接納為證供後，投訴人立刻改為認罪並同意案情摘要的內容，最終投訴人被定罪及判往勞教中心。隨著審訊完結，投訴警察課再次開展調查工作，向投訴人發出掛號信件，惟一直未獲回覆。

鑑於上述情況，投訴警察課根據法庭裁決，把全部指控歸類為「並無過錯」。

a complaint allegation that the Police had threatened and induced him during cautioned statement taking. The complaint case was then referred to CAPO. CAPO contacted the Complainant via the Telephone Recording System (TRS) and explained that his case was being treated as “Sub-Judice”. He had no objection.

During the two subsequent court trials, the Complainant challenged the admissibility of his cautioned statements as they were not voluntarily made and raised three allegations against the Police. He alleged that a Sergeant (Complainee 1) pointed his middle finger towards him and threatened to arrest his whole family if he did not admit the offence, whereas a Police Constable (Complainee 2) threatened him to take out the dangerous drug by himself or else his situation would be really bad [Allegation 1: Threat]; another Police Constable (Complainee 3) failed to record his denial in the Police Notebook and explain to him his rights [Allegation 2: Neglect of Duty]; and an Inspector of Police (Complainee 4) induced him to admit the offence by making inappropriate verbal remarks [Allegation 3: Misconduct].

CAPO's investigation

Having reviewed the relevant criminal case file, CAPO noted that the Complainant had admitted to “Possession of a Dangerous Drug” both at scene and during an interview under caution. His admission was recorded in the Police Notebook and the cautioned statements, where the Complainant had signed to confirm the content was true and accurate. He also signed on the “Notice to Persons in Police Custody or Involved in Police Enquiries” to confirm that the rights concerned had been explained to him.

On the other hand, the Complainant raised three allegations against the Police, but when the court ruled that his cautioned statements were voluntary and admissible, he soon pleaded guilty instead and agreed to the brief facts of the case. The Complainant was convicted and eventually sentenced to a detention centre. Upon conclusion of the court case, CAPO relaunched the investigation and tried to contact the Complainant by registered post but no response had been received.

In view of the above, CAPO classified all three allegations as “No Fault” in accordance with the court findings.

監警會的觀察

監警會認為這個案的投訴人是基於抗辯上的需要而作出策略性的投訴，企圖令案件產生疑點。當法庭裁定投訴人的警誡供詞是在自願的情況下提供，投訴人隨即轉為認罪，由此證明，投訴人的指控並非基於真確理據而提出，故應歸類為「虛假不確」。在此個案中，投訴人因濫用投訴程序而被嚴正警告。

當投訴被列為「虛假不確」，投訴警察課會視乎情況，在徵詢律政司的意見後，考慮控告投訴人誤導警務人員。監警會希望藉此個案提醒公眾，投訴人在行使投訴權利的同時，亦有責任提供真實可信的資料，確保各方得到公正無私的對待。



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。以下是報告期內，警方因應監警會提出的建議而優化警務程序的例子。

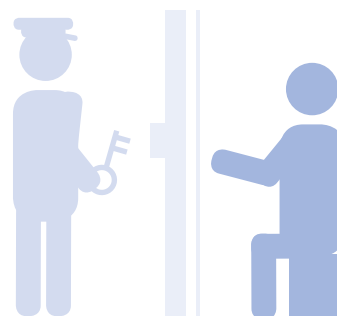
個案背景

監警會於報告期內通過一宗有關警方錯誤起訴一名精神上無行為能力人士（投訴人）「誤殺」的投訴。事發時，負責此案的警務人員在投訴人被拘留期間，發現其可能有不在場證據，但仍召開臨時簡報會向公眾公布投訴人被拘捕的消

IPCC's observations

The IPCC considered the case a tactical complaint exploited by the Complainant as a line of defence at court with a view to creating doubts. The allegations made by the Complainant have been proven untrue as he pleaded guilty right after the cautioned statements were ruled voluntary. As such, all allegations should be classified as "False". In this case, the Complainant was sternly warned for abusing the complaint procedures.

If an allegation is classified as "False", CAPO will consider, in consultation with the Department of Justice as necessary, prosecuting the Complainant for misleading police officer(s). By sharing the above case, the IPCC would like to remind the public that it is the responsibility of the complainant to provide authentic and credible information while exercising the right to complain to ensure that all parties involved receive fair and impartial treatment.



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 a police practice or procedure that has led to or might lead to a complaint. The following is an example during the reporting period where the Police had implemented refined procedures based on the IPCC's recommendations.

Case background

In the reporting period, a complaint case was endorsed by the IPCC. In this case, the Police mistakenly charged the Complainant, a mentally incapacitated person (MIP), with "Manslaughter". At the time of the incident, the police officer in charge of the case decided to hold a stand-up briefing to inform the public of the Complainant's arrest when the Complainant was being detained even though there were

息，並在投訴人被扣留接近48小時後，才向他起訴「誤殺」罪。其後當警方確定投訴人有不在場證據後，仍然將他扣留多個小時才准保釋。投訴人的哥哥其後投訴多名警務人員處理失當，共涉及11項指控，包括警方沒有在拘捕投訴人期間，安排一位合適成人在場陪同、在錄影會面中發問引導性問題等等。

監警會最終通過10項指控「獲證明屬實」或「未經舉報但證明屬實」，包括「行為不當」、「疏忽職守」、「濫用職權」等，共九名警務人員需要接受不同程度的紀律行動。

優化現行處理精神上無行為能力人士的程序

監警會早在2015年9月收到投訴警察課的調查報告，得悉在此投訴個案出現時，警方既定的程序只要求在精神上無行為能力人士錄取口供時，有一位合適成人在場，但沒有明確的指引列出當他們成為刑事調查的對象時，應如何處理。因此監警會與投訴警察課討論後，建議警方需要優化有關對精神上無行為能力人士進行刑事調查的指引。

警方及後回應指他們已成立一個工作小組，檢視如何優化處理涉及精神上無行為能力人士案件的程序。工作小組分別與不同的家長組織和關注團體會面，就可行的改善措施交換意見。其後，監警會分別於2016年6月及10月的公開會議中，要求投訴警察課交代檢視和優化程序的進度，並適時向會方提供新修訂或新增的指引和培訓資料。投訴警察課於會後回覆了監警會的質詢，並提供了相關資料供委員參考。

likely alibi that the Complainant was not at the scene. Furthermore, the offence of “Manslaughter” was not charged until almost 48 hours after the Complainant was detained. Later when the Complainant’s alibi that he was not at the scene was established, the Complainant had to wait for a few more hours before being released on bail. Subsequently, the Complainant’s elder brother lodged a complaint with 11 allegations against several police officers for their mishandling of the case including the Police failed to arrange for an appropriate adult to accompany the Complainant at the scene after arrest and had put forward to the Complainant some leading questions during the video recorded interview (VRI).

The IPCC eventually endorsed 10 allegations which were classified as “Substantiated” or “Substantiated Other Than Reported”. These allegations included “Misconduct”, “Neglect of Duty” and “Unnecessary Use of Authority”. A total of nine police officers were subject to disciplinary actions of different degrees.

Enhancing existing procedures for handling MIPs

The investigation report was first submitted by CAPO in September 2015. The IPCC learned that at the time when this incident occurred, the laid-down police procedure only required an appropriate adult to be present when a statement is taken from an MIP. There was, however, no specific guideline on the handling of an MIP if he or she was the subject of a criminal investigation. Therefore, after the discussion between the IPCC and CAPO, the IPCC suggested that the Police consider enhancing the guidelines with respect to conducting criminal investigation of an MIP.

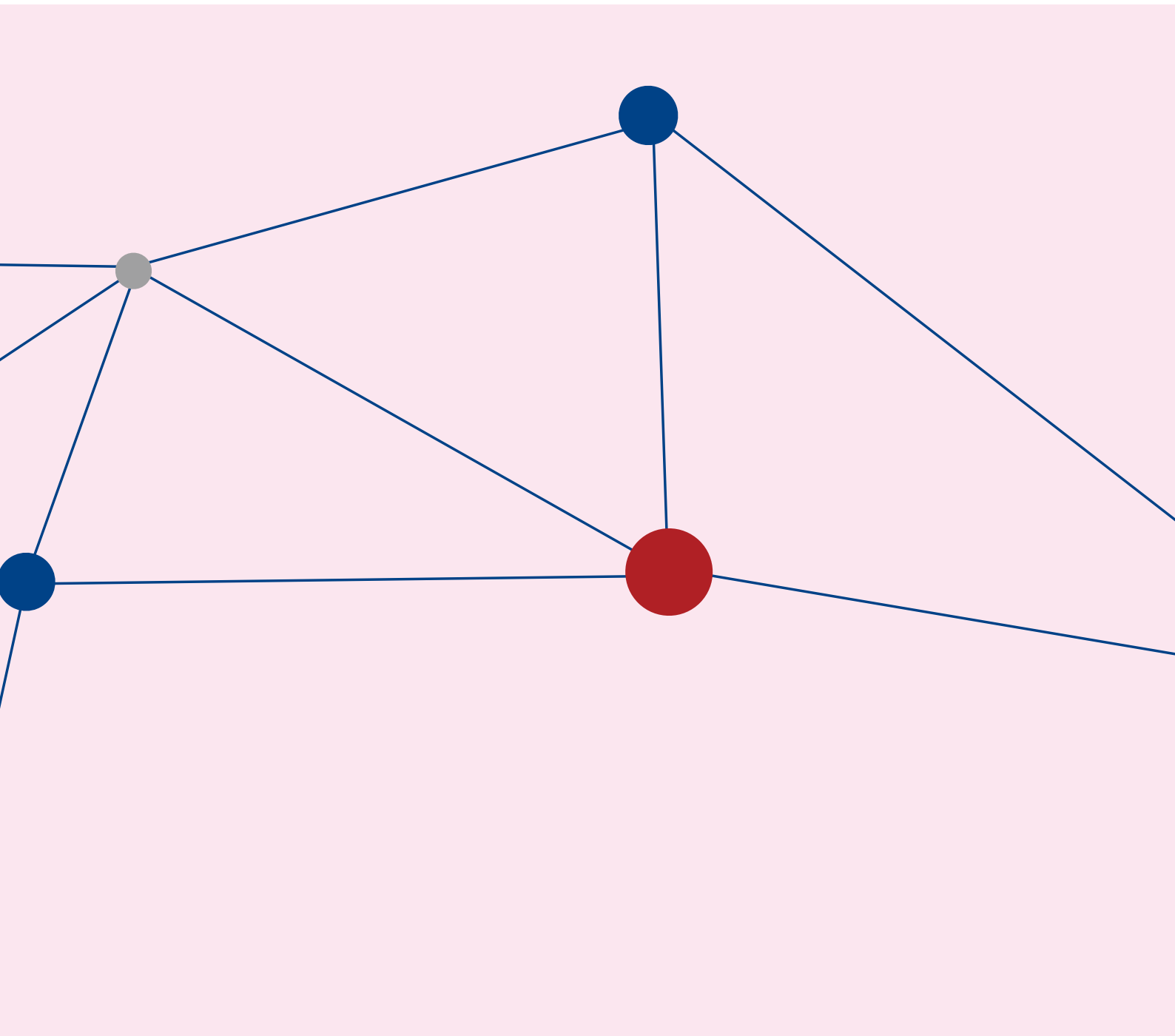
The Police later responded that a working group had been formed to review and enhance the procedures for handling of MIP. The working group had held meetings with different parent associations and concern groups to exchange views on possible improvements. Later, at the open meetings between the IPCC and CAPO in June and October 2016, the IPCC requested CAPO to report on the progress of the review and enhancement measures, and to provide the IPCC with any revised or newly formulated guidelines and training materials in due course. CAPO responded to the Queries raised by the IPCC after the meetings and relevant information was provided for Members’ reference.

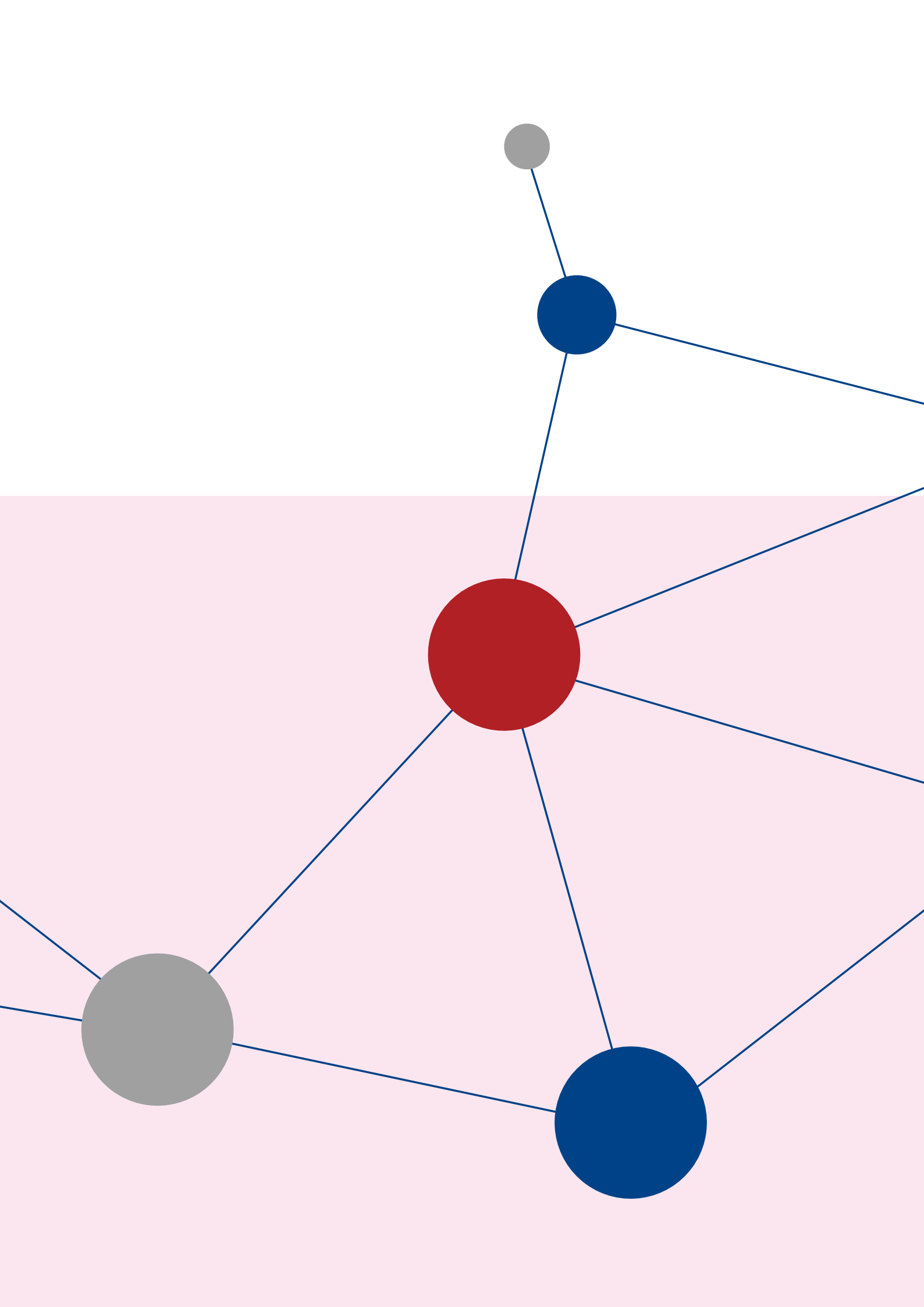
綜合相關團體的意見後，警方於2016年11月推出了一系列的改善措施，包括（一）推出「守護咭計劃」，精神上無行為能力人士可自願攜帶此咭，在緊急情況或被執法人員調查時，警務人員可憑咭上資料得悉他們在溝通和醫療方面的需要；（二）訂立一套「行為指標」，列出一些精神上無行為能力人士的常見特徵，讓執法人員能盡早識別他們；（三）以及推出「合適成人通知書」，讓當事人自己認清作為一名合適成人的角色、法律權利和責任。在推出新措施的同時，警隊亦為前線警員舉辦專題培訓，以提昇他們在處理精神上無行為能力人士時的技巧和敏感度。

Having integrated suggestions made by relevant organisations, the Police rolled out in November 2016 a series of enhancement measures, including (1) the launch of “Care Card Scheme” to allow an MIP to bring along the card voluntarily and in case of emergency or a law enforcement investigation, the card can help police officers understand the MIP’s medical and communication needs; (2) the formulation of “Behavioural Indicators Guide”, which lists out some of the common characteristics of MIPs and serves as a quick reference for law enforcement officers’ early identification of MIPs; and (3) the introduction of “Notice to Appropriate Adult”, which aims to better inform appropriate adults of their roles, legal rights and responsibilities. Whilst new measures have been implemented, the Force has also provided thematic trainings to frontline officers with a view to enhancing their skills and sensitivity when dealing with MIPs.

第 4 章 CHAPTER 4

與持份者聯繫 Engaging with stakeholders





為了履行《監警會條例》第8條(1)(e)的職能，加強公眾對監警會的認識，監警會一直以來積極透過不同的途徑與持份者聯繫，包括警方、地區人士、青少年、關注團體、其他地區的監察機構等，向他們介紹監警會的工作和職能。報告期內，監警會展開了校園推廣試驗計劃，完成到訪各區撲滅罪行委員會，希望藉著主動走進社區更直接地與更多市民溝通，加深他們對監警會的認識。

In order to better discharge its function of promoting public awareness of the IPCC's role under section 8(1)(e) of the IPCCO, the Council continues to proactively leverage on different channels to engage stakeholders including the Police, the community representatives, youth, concern groups, and monitoring bodies from other regions. During the reporting period, the IPCC initiated a school pilot programme and visited various District Fight Crime Committees (DFCCs). Through proactive outreach to the public, we hope to communicate with the wider community directly and thus deepen their understanding of the IPCC.

外展活動 Reaching out

校園推廣試驗計劃 School pilot programme



2016年11月9日至2017年3月27日
9 November 2016 to 27 March 2017



因應近年監警會公眾意見調查的結果顯示，年輕受訪者較其他受訪者對監警會職能的認識有較大落差，監警會於2016年11月起推行校園推廣試驗計劃，向中、小學生簡介香港兩層架構投訴警察制度及監警會的職能。

報告期內，監警會共到訪了八間中學及一間小學，在通識課或早會中，透過播放《監警有道》劇集和遊戲，向學生深入淺出地說明監警會審核投訴調查報告的原則和程序。宣傳及意見調查委員會主席劉文文女士亦參與了部分探訪，分享她作為委員在審核個案方面的經驗。

In recent years, the IPCC's public opinion surveys revealed that youth respondents have relatively less knowledge on the IPCC's functions than other respondents. Thus, the IPCC launched a school pilot programme in November 2016 to introduce Hong Kong's two-tier police complaints system and the IPCC's functions to secondary and primary school students.

During the reporting period, the IPCC visited a total of eight secondary schools and one primary school. At Liberal Studies classes or morning assemblies, the IPCC's principles and procedures of reviewing complaint investigation reports were illustrated through the *IPCC Files* series and games. Miss Lisa LAU Man-man, Chairman of the Publicity and Survey Committee, attended some of the visits and shared her experience in case review as an IPCC Member.

會方期望透過此計劃讓學生了解監警會獨立、公正、誠信的價值觀，及認識投訴的權利與責任。

Through this programme, the Council aims to enhance students' understanding of the IPCC's values i.e. independence, impartiality and integrity, and recognise the rights and responsibilities when making a complaint.

到訪撲滅罪行委員會

Visits to the District Fight Crime Committees (DFCCs)



2016年5月4日至2016年10月19日
4 May 2016 to 19 October 2016



監警會自2015年年底開始逐一到訪各區撲滅罪行委員會，介紹監警會的工作和兩層架構投訴警察制度。報告期內，副主席張華峰議員、宣傳及意見調查委員會主席劉文文女士、委員鄭錦鐘博士及葉振都先生，先後出席了元朗、南區、東區、西貢、大埔、北區、離島、葵青、灣仔及荃灣區的撲滅罪行委員會會議，並聆聽各區委員對監警會工作的寶貴意見。

監警會期望透過各區撲滅罪行委員會的成員，加強和社區的聯繫，掌握公眾意見，進一步改善監警會各方面的工作。

Starting from late 2015, the IPCC has visited various DFCCs to introduce the work of the IPCC and the two-tier police complaints system. During the reporting period, Hon Chris Cheung Wah-fung (Vice Chairman), Miss Lisa Lau Man-man, Chairman of the Publicity and Survey Committee and Members Dr Eric Cheng Kam-chung and Mr Adrian Yip Chun-to attended the DFCC meetings of Yuen Long, Southern, Eastern, Sai Kung, Tai Po, North, Islands, Kwai Tsing, Wan Chai and Tsuen Wan districts, and listened to the valuable opinions from DFCC members on the work of the IPCC.

Through members of the DFCCs, the Council aimed to strengthen the connection with the community, understand the public's view and further improve the work of the IPCC in various aspects.

與警方交流

Engaging with the Police

監警會的主要工作是監察警方處理對警務人員的須匯報投訴，因此委員會有需要與警隊各部門和各階層代表保持溝通，從而了解警務人員執行職務的情況，以便監警會以獨立、公平、公正的角度審核投訴，及提出改善警隊服務的建議。

監警會委員和警方在年內的交流活動如下：

The main duty of the IPCC is to monitor the Police in handling the Reportable Complaints against police officers. It is thus essential for the Council to maintain communication with representatives from different departments and levels of the Police for a better understanding on police officers' performance of their duties. This facilitates the IPCC's review of complaints in an independent, just and fair manner and offering of suggestions to improve police services.

Details of the police engagement activities during the year are as follows:



2016年5月6日
6 MAY 2016

馬恩國先生、馬學嘉博士、黃幸怡女士、黃德蘭女士、杜國鑒先生、何世傑教授、劉文文女士、鄭錦鐘博士及關治平工程師參與警隊服務質素監察部運動會。

Mr Lawrence Ma Yan-kwok, Dr Carol Ma Hok-ka, Ms Sandy Wong Hang-ye, Ms Mary Wong Tak-lan, Mr Clement Tao Kwok-lau, Ir Prof Vincent Ho, Miss Lisa Lau Man-man, Dr Eric Cheng Kam-chung, and Ir Edgar Kwan Chi-ping attended the Police Service Quality Wing Sports Day.





2016年5月31日
31 MAY 2016

郭琳廣主席和11位委員探訪機動部隊粉嶺總部，觀察警方處理大型公眾活動中衝突的示範及機動部隊的裝備。委員亦藉此機會與前線人員交流，了解他們處理大型公眾活動時遇到的情況。

Mr Larry Kwok Lam-kwong (Chairman) and 11 Members visited the Police Tactical Unit (PTU) Headquarters in Fanling. They observed the demonstration of Police's management of confrontations at public order events (POEs) and the equipments used by PTU. Council Members also seized the opportunity to discuss with frontline officers to understand how they manage different situations in POEs.



2016年6月8日
8 JUN 2016

葉振都先生、何世傑教授、錢志庸先生及歐楚筠女士獲邀出席「少訴一族」2週年封面設計比賽頒獎禮，並擔任頒獎嘉賓，頒獎予得獎的警員。

Mr Adrian Yip Chun-to, Ir Prof Vincent Ho, Mr Barry Chin Chi-yung and Ms Ann Au Chor-kwan presented awards to winners of the Complaints Prevention e-Newsletter Second Anniversary Cover Page Design Competition.



2016年6月27日
27 JUN 2016



郭琳廣主席、葉成慶先生、黃幸怡女士、陸貽信資深大律師、劉文文女士、關治平工程師、錢志庸先生及陳錦榮先生出席警方舉辦的七一遊行安排簡報會，了解警方在公眾安全的前提下，處理大型公眾活動的程序，並就警方的安排交換意見。

Mr Larry Kwok Lam-kwong (Chairman), Mr Simon Ip Shing-hing, Ms Sandy Wong Hang-ye, Mr Arthur Luk Yee-shun (SC), Miss Lisa Lau Man-man, Mr Edgar Kwan Chi-ping, Mr Barry Chin Chi-yung and Mr Clement Chan Kam-wing attended the Police's briefing on 1 July procession. The aim of the event was to help increase Members' understanding on how police officers would ensure public safety at public order events. Council Members also exchanged views with the Police's arrangements for the procession.



2016年7月1日
1 JUL 2016



郭琳廣主席和 14 名委員到現場觀察七一遊行。觀察分為兩部分，上半部分委員先到警方指揮中心聽取簡報，隨後觀察維多利亞公園起點的情況，並沿著遊行路線進行觀察。下半部分則是觀察遊行隊伍到達終點夏慤道北面行人路政府總部外的情況。

Mr Larry Kwok Lam-kwong (Chairman) and 14 Members conducted on-site observation of 1 July procession. The observation comprised two parts. Part One consisted of a detailed briefing at the Police command centre. Members then proceeded to the event's starting point in Victoria Park and continued to observe along the procession route. The second part was to observe the procession at its finishing point on the northern side of Harcourt Road outside the Central Government Offices.



2016年11月24日
24 NOV 2016



郭琳廣主席和11名監警會委員應投訴警察課邀請到訪旺角警區，觀察警方執行反罪惡行動，包括檢查牌照、巡查色情場所以及與入境處的聯合行動。此活動旨在加深委員會對警察程序的認識，以協助委員審核相關的投訴個案。

CAPO invited Mr Larry Kwok Lam-kwong (Chairman) and 11 Members to visit Mong Kok District to observe the Police's work in relation to vice activities. They observe licence checks and operations against vice establishments by the Police as well as its joint operations with the Immigration Department. The aim of the event was to enhance participants' understanding of Police work procedures which will help Members' vetting of the complaints in this area.



2017年1月10日
10 JAN 2017

劉文文女士和何世傑教授為「勵影計劃(二)」的「專業對白由你創」配音比賽擔任評審成員。活動由投訴警察課主辦，旨在進一步提升前線人員處理衝突事件的能力，從而減低被投訴的機會。比賽提供三套模擬警務人員與市民發生衝突的短片，參賽者需發揮創意，為短片配上全新對白，藉以展示警務人員冷靜和專業的態度。

Miss Lisa Lau Man-man and Ir Prof Vincent Ho participated as members of the Adjudicating Panel for the Video Dubbing Competition of Project LIGHTHOUSE II. Hosted by CAPO, the competition was designed to promote frontline officers' ability to handle conflicts with a view to minimize the chance of being complained against. Three short videos depicting confrontational situations between police officers and members of the public were provided for participants to develop new voiceovers and dialogue by demonstrating police officers' composure and professionalism.



2017年3月13日
13 MAR 2017

許宗盛先生應邀出席由警隊服務質素監察部舉辦的2016年優質服務獎勵計劃的準決賽，並就警隊各部門呈交的計劃進行評審。

Mr Herman Hui Chung-shing was invited to attend the semi-final presentation for the Service Quality Award Scheme 2016 organised by the Police Force's Service Quality Wing, and served in the adjudicating panel to appraise projects submitted by different formations.



2017年3月14日
14 MAR 2017



郭琳廣主席及23名委員與警務處處長及警隊高層共晉午餐，就處理警察投訴的工作交流意見。郭琳廣主席表示，雙方需緊守崗位，維護一個具透明度、有效率、及獲得公眾信任的投訴警察制度，亦希望警方繼續採納監警會提出的改善措施，在預防投訴方面做得更好。

Mr Larry Kwok Lam-kwong (Chairman) and 23 Members attended a networking luncheon with the Commissioner of Police and other senior police officers to exchange views on handling of complaints against the Police. Mr Larry Kwok said that both parties should perform their respective roles to uphold a transparent, efficient and reliable Police complaints system. He also hoped that the Police would continue to adopt the IPCC's recommended improvement measures and further enhance complaint prevention efforts.

與其他團體會面

Liaison with other organisations



2016年4月20日
20 APR 2016



郭琳廣主席應邀出席中華總商會青年委員會的專題午餐會並擔任主講嘉賓，就議題「監警會職能與面對的挑戰」與成員交流意見。

Mr Larry Kwok Lam-kwong (Chairman) was invited to deliver the keynote speech at a luncheon at the Youth Executives' Committee of the Chinese General Chamber of Commerce. He exchanged views with Chamber members on the topic "The functions and challenges faced by the IPCC".

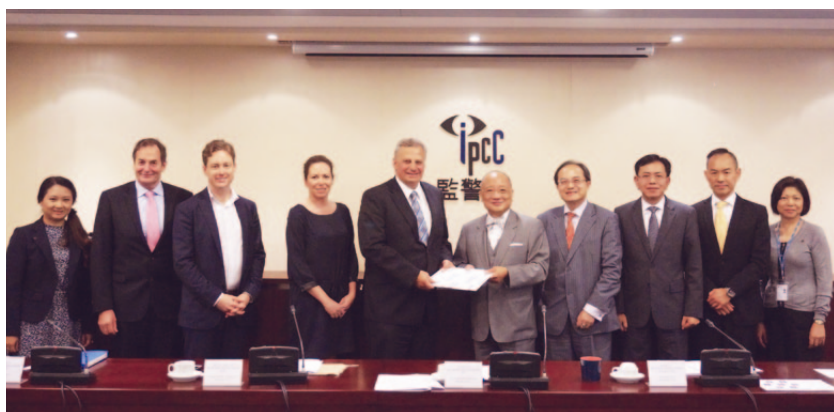


2016年7月25日
25 JUL 2016



謝偉詮副主席及八名監警會委員與香港社區組織協會代表會面，討論有關警署拘留室設施及被拘留人士在警署所受待遇的事宜，例如被拘留人士的醫療權利。會面內容及後已匯報給全體委員會，希望有助委員處理類似投訴。

Mr Tony Tse Wai-chuen (Vice-Chairman) and eight IPCC Members met with representatives from the Society for Community Organization to discuss the conditions of the Police detention facilities, as well as the treatment of detainees at these facilities including rights for medical treatment. Salient points of the discussions were reported to the Council to facilitate the vetting of complaint cases relating to police facilities.



2016年10月4日
4 OCT 2016

關治平工程師及何錦榮先生會見了維多利亞州獨立反貪腐委員會代表團。會方向代表團介紹監警會的職能及香港兩層架構投訴警察制度。雙方就各地區的監察警察投訴制度交換意見。

Ir Edgar Kwan Chi-ping and Mr Richard Ho Kam-wing met with delegates from the Independent Broad-Based Anti-Corruption Commission Committee from Victoria. During the meeting, the IPCC introduced its functions and the Hong Kong's two-tier police complaints system. Views on systems for monitoring complaints against police officers in different jurisdictions were also exchanged.

公開會議 Open meetings



監警會在報告期內共舉行了四次和投訴警察課的聯席會議。為提高透明度和增加市民大眾對監警會工作的認識，每次會議均設有公開部分予公眾旁聽及傳媒採訪。在本年度的會議，警方及監警會除了就有關佔領事件及旺角騷亂的投訴，匯報調查及審核的進度外，雙方亦討論了有助避免投訴及提升警隊服務質素的措施。

During the reporting period, the IPCC held four joint meetings with CAPO. Part of the meetings was open to the public and the media to enhance transparency and understanding of the IPCC's work. At meetings of this reporting period, the Police and the IPCC reported their progress of investigation and review complaints concerning the Occupy Movement and the Mong Kok Riot. Furthermore, measures to facilitate prevention of complaints and enhance quality of the Police's services were discussed.



2016年6月23日
23 JUN 2016

警方在會上向監警會簡介「2016 重點交通執法項目」，希望有助委員審核與交通執法有關的投訴。此外，警方匯報了工作小組在檢視改善精神上無行為能力人士處理手法的工作進度，並向委員會交代2016年5月時，人大委員長張德江訪港期間的公眾活動區、採訪區及傳媒聯絡的安排。

At the meeting, the Police briefly introduced the “Selected Traffic Enforcement Priorities (STEP) 2016” to the IPCC with a view to help Members’ review of complaints concerning enforcement of traffic regulations. In addition, the Police reported the progress of the working group in evaluating the improvement measures for the handling of mentally incapacitated persons, and explained to the IPCC the arrangements regarding public activity areas, press areas and media liaison during the visit of Mr Zhang Dejiang, Chairman of the Standing Committee of the National People’s Congress, to Hong Kong in May 2016.

警方在會上向監警會簡介了「新聘警員的預防投訴訓練」，訓練旨在為新入職的前線警務人員提供指引，增加他們在處理突發事件時的信心及專業能力，避免不必要的投訴。



2016年10月4日
4 OCT 2016

At the meeting, the Police introduced the “Complaint Prevention Training for New Recruits” to the IPCC. The aim of the training programme is to provide guidelines for the newly employed front-line police officers to enhance their confidence and professionalism in response to emergencies, so as to prevent unnecessary complaints.



2016年12月19日
19 DEC 2016

警方向監警會簡介了「奮進行動」。該計劃旨在透過運動幫助邊緣青年，為他們帶來正面的影響並減低犯案的機會。

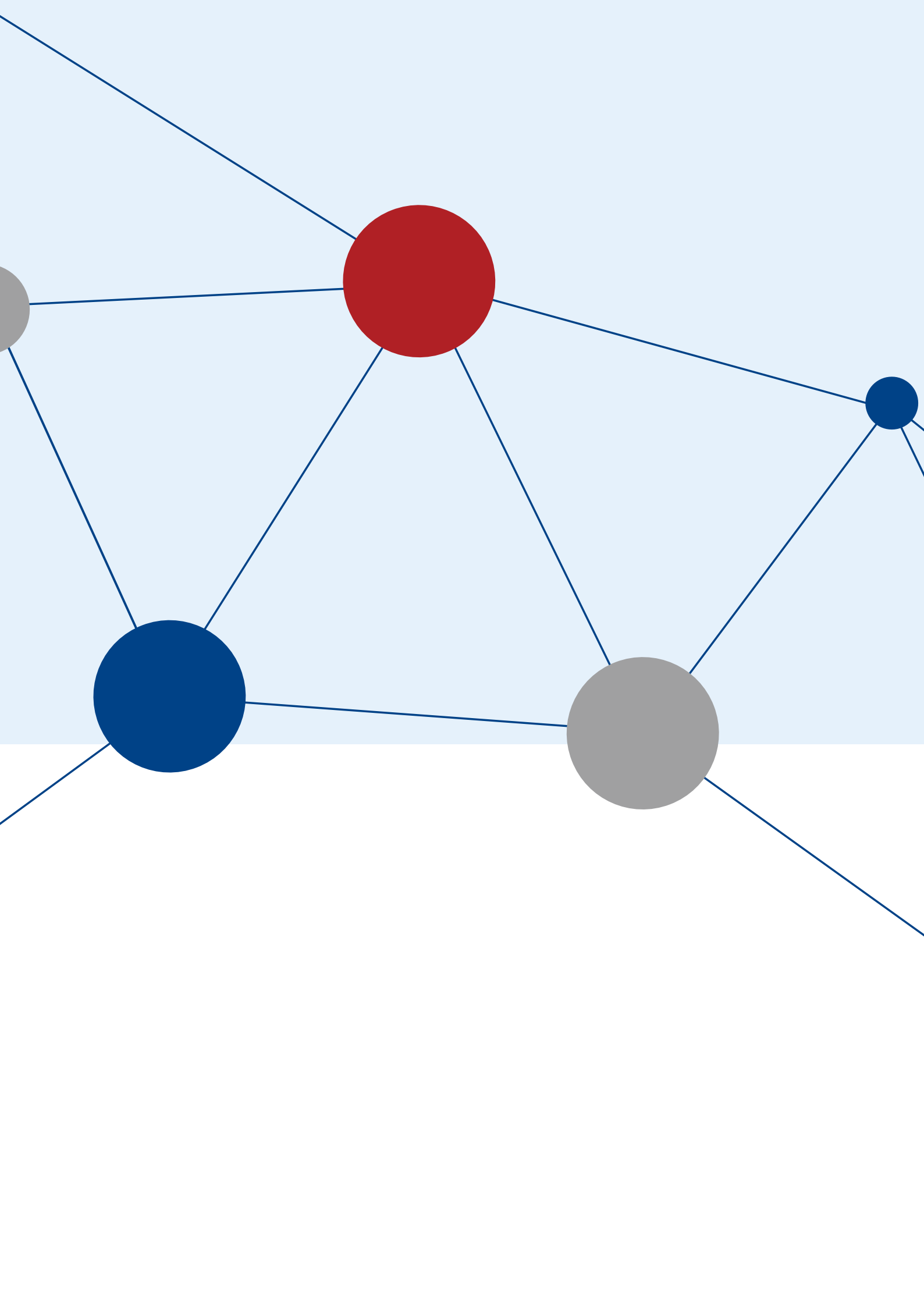
The Police introduced the “Operation Breakthrough” project to the IPCC. The aim of this project is to help the youth at risk through sports, so as to influence them positively and reduce the chances of their committing criminal acts.

監警會委員在會上向警方跟進一宗涉及記者投訴在採訪旺角騷亂期間涉嫌被警員毆打的個案，並促請投訴警察課盡快完成調查，及提交報告予監警會審核。



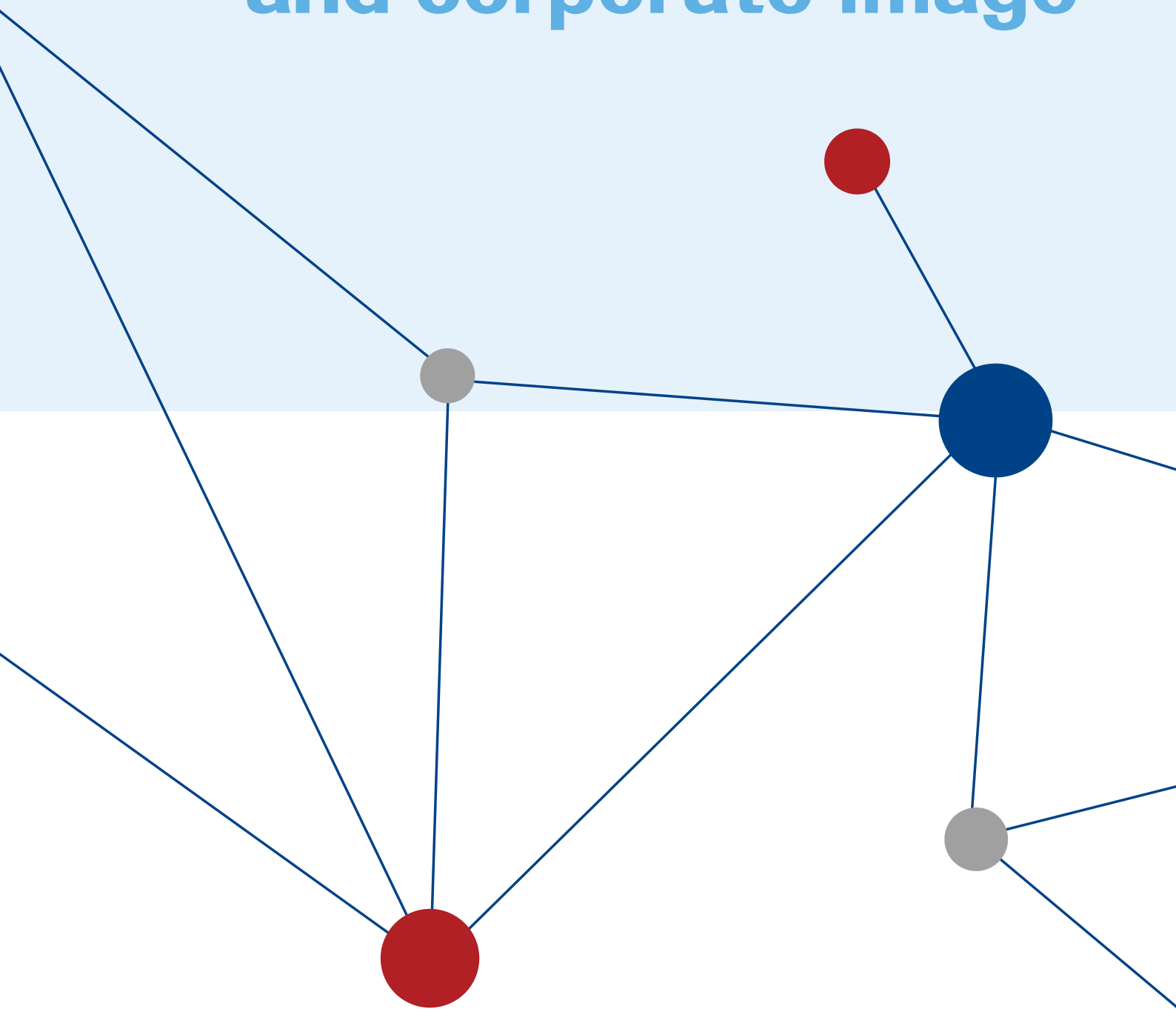
2017年3月21日
21 MAR 2017

At the meeting, Members of the IPCC followed up with the Police on a case concerning a reporter who complained about being assaulted by police officers while covering the Mong Kok Riot. The IPCC urged CAPO to complete the investigation and submit the investigation report for review as soon as possible.



第 5 章 CHAPTER 5

傳訊工作及機構形象 Communications and corporate image



監警會自2009年6月1日隨《監警會條例》的生效，由一個在幕後默默耕耘，審核警察投訴個案的單位，蛻變為更透明及有前瞻性的監察警察投訴工作的獨立法定機構。除了就公眾關注的議題和警方及持份者加強聯繫外，亦加強對外傳訊工作，增加公眾對香港投訴警察制度的認識。

監警會透過傳媒、機構刊物、監警會網頁、YouTube「監警會頻道」及各類宣傳單張，向公眾發布監警會的最新訊息。

Since the IPCCO went into effect on 1 June 2009, the IPCC has transformed from a “back-seat” reviewer to a more transparent and forward-looking independent police complaints oversight body. Apart from strengthening its engagement with the Police and stakeholders regarding issues of public interest, it also continues to enhance external communications to enhance the public’s understanding of Hong Kong’s police complaints system.

The IPCC releases its latest information to the public through the media, official publications and website, the IPCC Channel on YouTube and all kinds of leaflets.

傳訊工作 Communications

主席專欄 Chairman’s Column

監警會於報告期內在網站增設了「主席專欄」，提供多一個平台以短文形式介紹監警會的工作，透過講解監警會通過的投訴例子，深入淺出地讓讀者認識審核投訴的程序、原則和觀點。文章可供其他媒體自由轉載。報告期內刊登的文章分別簡述了「無法追查」、「虛假不確」的投訴，及介紹監警會委員的職責，詳情可瀏覽監警會網站 (<http://www.ipcc.gov.hk>)。



During the reporting period, a Chairman’s Column was added to the IPCC website in which the IPCC’s work is introduced through short articles. The additional platform enables readers to understand the IPCC’s vetting procedures, principles and viewpoints easily through complaint cases endorsed by the IPCC. The articles are open for reproduction by other media. The passages published during the reporting period covered “Not Pursuable” complaints or “False” complaints, as well as the IPCC’s duties. For details, please visit the IPCC website (<http://www.ipcc.gov.hk>).

《監警會通訊》及其他刊物

IPCC Newsletter and other publications



監警會定期出版《監警會通訊》，報道委員會近期工作、審核個案的統計數字，以及投訴警察的真實個案等，讓公眾得知會方的最新動向。《監警會通訊》除了會以郵寄、電郵形式發放給持份者外，還會上載至監警會網站(<http://www.ipcc.gov.hk>)。在報告期內，會方分別在2016年7月及12月出版了兩期《監警會通訊》，並以監警會2016年公眾意見調查的結果及佔領事件投訴的最新審核進度作封面故事。

按《監警會條例》的要求，監警會每年必須在其財政年度完結後六個月內向行政長官呈交監警會工作報告，報告其財政及整體工作狀況，監警會亦會對外公布年報，向公眾問責。

此外，監警會亦編製了《關於監警會的10個為甚麼》小冊子和觀察員計劃單張，簡介監警會的由來和職能、香港的兩層架構投訴警察制度和審核投訴的程序等，以解答市民對會方的普遍疑問。

The IPCC releases the *IPCC Newsletter* on a regular basis to update the public on the Council's latest work, statistics of cases reviewed and real complaint cases. *The IPCC Newsletter* is distributed to stakeholders by post or email and uploaded to the IPCC website (<http://www.ipcc.gov.hk>). During the reporting period, the IPCC released two issues of the *IPCC Newsletter*, in July and December 2016 respectively. The cover stories featured the 2016 IPCC public opinion survey results and an update on the IPCC's review of complaints related to the Occupy Movement.

As stipulated in the IPCCO, the IPCC must submit to the Chief Executive an annual report on the IPCC's financial and overall work status not later than six months after the end of the financial year. The IPCC also publishes the annual report for public accountability.

In addition, the IPCC published the "10 Qs on the IPCC" booklet and the Observers Scheme leaflet, which cover the IPCC's origin and functions, the two-tier police complaints system and the IPCC's vetting procedures in response to the common enquiries about the IPCC.

與傳媒聯繫 Media liaison

每次發表《監警會通訊》及年度工作報告，監警會均會舉行新聞發布會，向公眾交代工作情況，回應傳媒提問，以增加透明度。

To enhance transparency, the IPCC holds a press conference for release of each *IPCC Newsletter* or annual report in order to explain to the public its work and respond to the media .



2016年7月11日
11 JUL 2016



監警會推出第十九期《監警會通訊》，郭琳廣主席向傳媒講解監警會的最新活動，並邀請了為監警會進行公眾意見調查的香港大學民意研究計劃總監鍾庭耀博士，講解2016年的調查結果。此外，梅達明副秘書長（行動）則講述一宗涉及一名精神上無行為能力人士的投訴個案。其他委員亦有一同出席午餐會，和傳媒代表午膳交流。

A media briefing was held to launch the *IPCC Newsletter* issue no.19. During the briefing, Mr Larry Kwok Lam-kwong (Chairman) presented highlights of the IPCC's latest publicity initiatives. Dr Robert Chung Ting-yiu, Director of the University of Hong Kong Public Opinion Programme (HKUPOP) was also invited to give an account of the results of the public opinion survey 2016 commissioned by the IPCC. In addition, Mr Daniel Mui (Deputy Secretary-General, Operations) explained a complaint case involving a mentally incapacitated person. Other Members were also present for networking lunch with the media representatives.



2016年12月7日
7 DEC 2016



副主席陳健波議員代表監警會向立法會提交《監警會 2015/16 工作報告》。同日下午，郭琳廣主席在俞官興秘書長及梅達明副秘書長（行動）陪同下主持《監警會 2015/16 工作報告》及第二十期《監警會通訊》傳媒發布會暨午餐會。他們向傳媒講解監警會年度工作回顧及統計數字，並匯報佔領事件投訴衍生的個案的審核進度。其他委員亦有一同出席午餐會，和傳媒代表午膳交流。

On behalf of the IPCC, Hon Chan Kin-por (Vice-Chairman) submitted the *IPCC Report 2015/16* to the Legislative Council. Mr Larry Kwok Lam-kwong (Chairman), accompanied by Mr Richard Yu (Secretary-General) and Mr Daniel Mui (Deputy Secretary-General, Operations), hosted a media briefing and luncheon to launch the report and *IPCC Newsletter* issue no. 20. They presented a yearly overview and the statistics of the IPCC's work in the past financial year, and updated the progress of the IPCC's monitoring work on the complaint cases arising from the Occupy Movement. Other Members were also present for networking lunch with the media representatives.

傳媒專訪

Media interviews



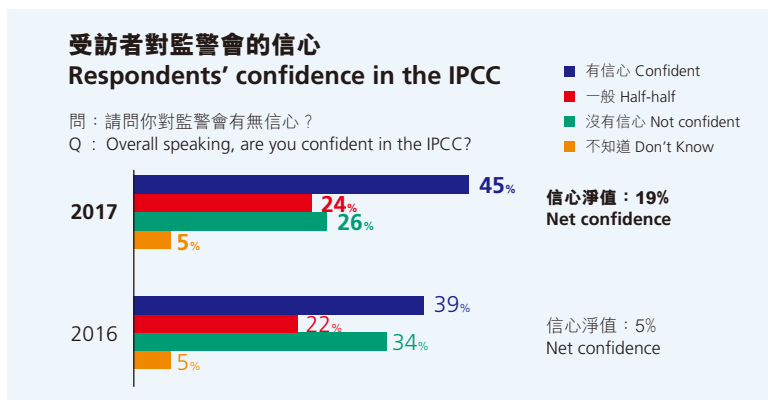
監警會代表透過接受傳媒訪問及查詢，向市民介紹監警會的職能及工作。報告期內，郭琳廣主席、朱敏健前秘書長及俞官興秘書長等，分別接受了多間媒體的專訪，包括南華早報、星島日報、香港電台節目《自由風自由PHONE》等。而郭琳廣主席亦會在每一次與投訴警察課舉行的聯席會議後，即場回應傳媒提問。

By conducting media interviews and answering enquiries, the IPCC representatives introduce the IPCC's function and work to the public. During the reporting period, Mr Larry Kwok Lam-kwong (Chairman), Mr Ricky Chu (former Secretary-General) and Mr Richard Yu (Secretary-General) were interviewed by various media, including *South China Morning Post*, *Sing Tao Daily*, and RTHK programme "Open Line Open View". Mr Kwok also responded to questions from the media after each joint meeting between the IPCC and CAPO.

機構形象 Corporate image

香港大學民意研究計劃 公眾意見調查

Public opinion survey
conducted by HKUPOP



今次是監警會自成為獨立法定機構後進行的第六次公眾意見調查，以了解公眾對監警會的認知度、滿意度和整體形象的觀感。調查結果有助會方評估及擬定推廣及傳訊的方向，以便更有效履行《監警會條例》第8條(1)(e)賦予的法定職能——「加強公眾對監警會的角色認識」。

本年度的公眾意見調查結果發現，公眾對監警會的信心、觀感及滿意度比去年均有所提升。調查於今年三月初以隨機抽樣電話訪問形式進行，訪問了1,010名成年人。五成半受訪者對監警會的形象感到正面，比去年上升三個百分點。受訪者對監警會的信心淨值（即正面減去負面的百分比），由去年的五個百分點，大幅上升至今年的19個百分點。他們對會方的滿意度評分亦由去年的56.1分上升至今年的60.5分。

就多個評估監警會在「監察及覆檢警察投訴個案」的工作指標中，受訪者對監警會的「獨立性」及「公正性」的評分普遍較高，分別有五成及四成半人認為監警會獨立、公正，兩者均比去年上升五個百分點。至於「效率」及「透明度」性方面，過去受訪者對這兩個指標的意見比較兩極化，但今年分歧大幅收窄，當中認為監警會沒有效率或透明度低的受

Since the IPCC became an independent statutory body, the IPCC has conducted six public opinion surveys to understand the public awareness of and satisfaction with the IPCC, as well as the overall perception of the IPCC's image. The survey results help the IPCC to assess and map out the direction for its promotion and communication efforts in order to effectively discharge its statutory function – “to promote public awareness of the role of the Council” under section 8(1)(e) of the IPCCO.

This year's survey results show improvement in the areas of public confidence in, perception of and satisfaction with the IPCC. The survey was conducted through telephone interviews on a random sampling basis in early March 2017 and 1,010 adults were interviewed. 55% of the respondents felt positive about the IPCC's image, an increase of 3 percentage points over that of previous year. The respondents' net confidence in the IPCC (i.e. the percentage of positive minus that of negative) rose significantly from 5 percentage points last year to 19 percentage points this year. The satisfaction rating increased from last year's 56.1 to this year's 60.5.

As for the indicators of the IPCC's work concerning “monitoring and reviewing complaint cases”, the respondents generally gave a higher rating on the IPCC's “independence” and “impartiality”, of which 50% and 45% believed that the IPCC was independent and impartial respectively. Both ratings increased by 5 percentage points from that of last year. With regard to “efficiency” and “transparency”, though views on these two indicators used to be more polarised, the divergence was significantly narrowed this year. The percentage of respondents who opined the IPCC being not efficient or not

訪者明顯減少，分別下降九個及八個百分點。

因應過去幾年的公眾意見調查結果，會方一直致力優化審核投訴的程序。為了加快處理投訴，監警會年初向投訴警察課提出多項要求。首先，會方要求投訴警察課應盡量於收到投訴後四個月內完成調查，並於六個月內向監警會呈交調查報告。其次，投訴警察課在呈交報告時應一次過提交齊全的文件和檔案，減少不必要的延誤。第三，投訴警察課應盡量在四個星期內回覆監警會提出的質詢。此外，會方將與投訴警察課舉行的工作層面會議，由三個月一次增加至兩個月一次，以改善處理個案的效率，並致力在收到調查報告後六個月內通過報告。

在透明度方面，為了維持審核個案的公正性及遵守保密責任，監警會在未完成審核個案前，不宜對外披露投訴的細節或作出評論，這難免會影響市民對透明度方面的觀感。有見及此，監警會已加強透過《監警會通訊》及網上渠道分享已通過的個案，讓公眾了解監警會在審核個案時的實際工作情況及所秉持全面和嚴謹的態度。

與往年一樣，今年調查結果顯示年紀越輕的受訪者，傾向對監警會持有較負面觀感。因此自2016年9月的學年起，會方推行校園推廣試驗計劃，讓中、小學生對監警會的角色及職能有正確的認識。委員及秘書處人員到訪學校，透過個案分享，與學生研討審核個案的原則、監警會的價值觀、兩層架構投訴警察制度及投訴的權利和責任等。試驗計劃初步獲得師生的正面回應，會方將繼續推展相關的工作。

監警會委託香港大學民意研究計劃進行公眾意見調查的結果已上載至港大民研網站(<http://www.hkupop.hku.hk/chinese/report/ipcc2017/index.html>)。

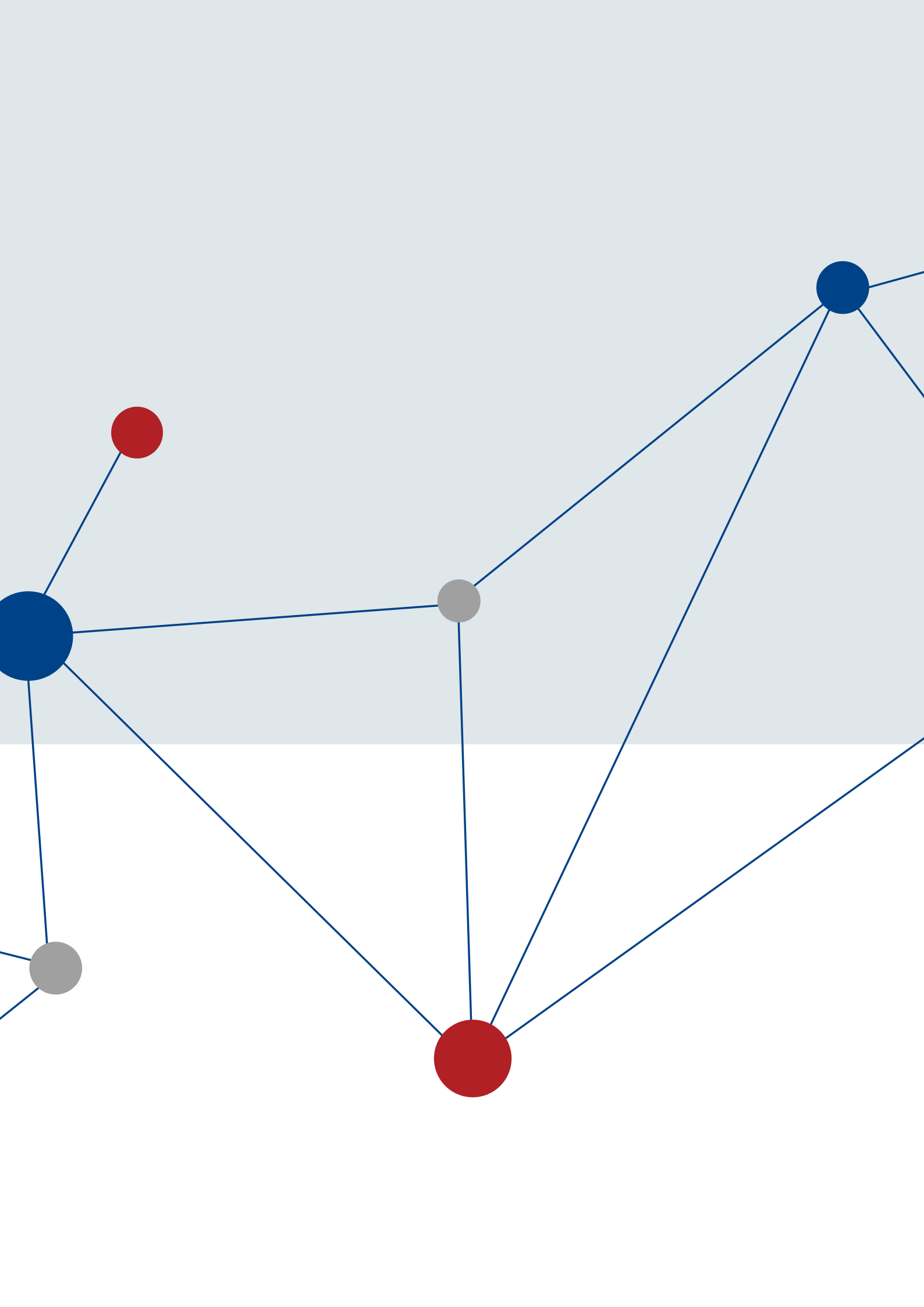
transparent has dropped by 9 percentage points and 8 percentage points respectively.

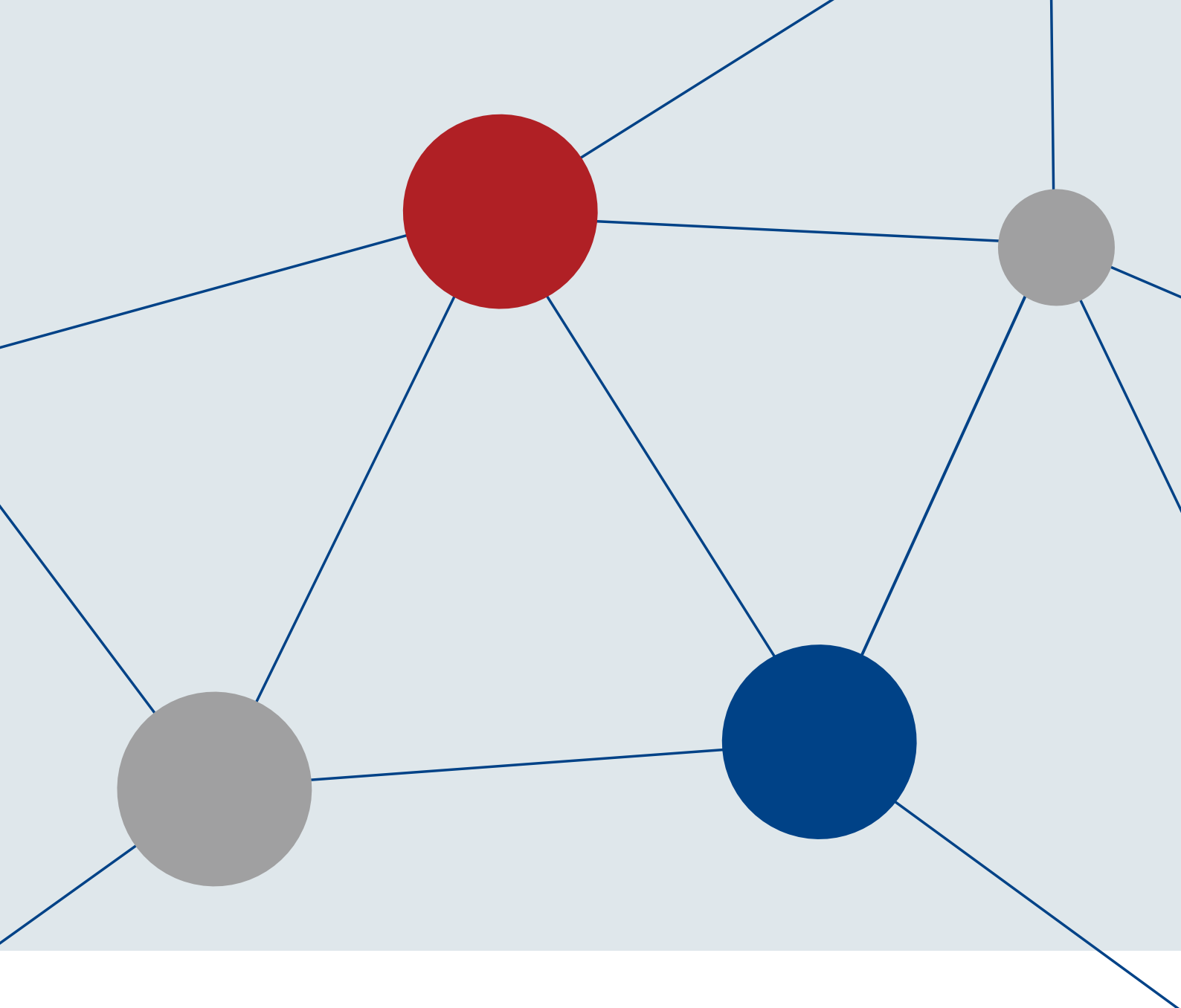
In view of the survey results for the past few years, the IPCC has strived to enhance the vetting process. Earlier this year, several requests have been raised to CAPO in order to expedite the vetting procedures. First of all, the IPCC requested CAPO to complete investigation within four months after receiving the complaint; and submit investigation reports to the IPCC within six months. Secondly, CAPO should provide the IPCC with all relevant files and documents when submitting the investigation reports in order to minimize unnecessary delay. Thirdly, CAPO should endeavor to respond to Queries raised by the IPCC within four weeks. In addition, the frequency of working level meetings with CAPO has been increased from once every three months to once every two months to improve the efficiency for case handling. The Council will also strive to endorse every investigation report within six months after receiving it.

With respect to transparency, the IPCC would not disclose any details or make any comments on a complaint before the vetting process is completed in order to maintain impartiality during case vetting and to comply with confidential obligation. This inevitably affects the public perception of the IPCC's transparency. In this regard, the IPCC has been stepping up efforts in sharing endorsed cases through the *IPCC Newsletter* and online channels to enable public understanding of actual work process, as well as the comprehensiveness and serious manner undertaken by the IPCC in case vetting.

As in previous years, the latest survey results show that younger respondents tend to have more negative perception about the IPCC. Therefore, the IPCC launched a school pilot programme last September reaching out to secondary and primary students to enable a proper understanding of the IPCC's role and functions. The IPCC Members and Secretariat staff jointly visited the schools, and through case sharing, the principles for vetting cases, values of the IPCC, the two-tier police complaints system and the rights and responsibilities involved in a complainant were deliberated with students. The school pilot programme was well received by both teachers and students, and the IPCC will continue to expand its efforts in this year.

The public opinion survey commissioned by the IPCC and conducted by HKUPOP is available at HKUPOP's website (<http://www.hkupop.hku.hk/english/report/ipcc2017/index.html>).





第 6 章 *CHAPTER 6*

組織架構

Organisational structure

委員會 The Council

監警會是根據《監警會條例》成立的獨立法定機構，主席、三位副主席和委員全部由行政長官委任。報告期內委員名單如下：

The IPCC is an independent statutory body established under the IPCCO. The Chairman, three Vice-Chairmen and Members are all appointed by the Chief Executive. The membership of the IPCC during this reporting period is as follows:

主席 Chairman

任期 Appointment

郭琳廣律師，SBS，JP
Mr Larry KWOK Lam-kwong, SBS, JP

2014年6月1日起
Since 1 June 2014

副主席 Vice-Chairmen

任期 Appointment

陳健波議員，GBS，JP
Hon CHAN Kin-por, GBS, JP

嚴重投訴個案委員會主席
Serious Complaints Committee Chairman

2013年1月1日起
Since 1 January 2013

張華峰議員，SBS，JP
Hon Chris CHEUNG Wah-fung, SBS, JP

2015年1月1日起
Since 1 January 2015

謝偉銓測量師，BBS
Mr Tony TSE Wai-chuen, BBS

2015年1月1日起
Since 1 January 2015

委員 Members

任期 Appointment

葉成慶律師，JP
Mr Simon IP Shing-hing, JP

管理委員會主席（至2016年12月）
Management Committee Chairman
(Till Dec 2016)

2011年1月1日至2016年12月31日
From 1 January 2011 to
31 December 2016

黃德蘭律師
Ms Mary WONG Tak-lan

運作及程序諮詢委員會主席
（至2016年11月）
Operations Advisory Committee Chairman
(Till Nov 2016)

2011年1月1日至2016年12月31日
From 1 January 2011 to
31 December 2016

甄孟義資深大律師
Mr John YAN Mang-ye, SC

法律事務委員會主席（由2017年2月起）
Legal Committee Chairman
(Since Feb 2017)

2012年10月1日起
Since 1 October 2012

劉文文女士，BBS，MH，JP
Miss Lisa LAU Man-man,
BBS, MH, JP

宣傳及意見調查委員會主席
Publicity and Survey Committee Chairman

2014年1月1日起
Since 1 January 2014

許宗盛律師，SBS，MH，JP
Mr Herman HUI Chung-shing,
SBS, MH, JP

運作及程序諮詢委員會主席
（由2016年11月起）
Operations Advisory Committee Chairman
(Since Nov 2016)

2015年1月1日起
Since 1 January 2015

關治平工程師，JP
Ir Edgar KWAN Chi-ping, JP

管理委員會主席（由2017年1月起）
Management Committee Chairman
(Since Jan 2017)

2015年1月1日起
Since 1 January 2015

委員 Members

任期 Appointment

馬恩國大律師 Mr Lawrence MA Yan-kwok	2010年6月1日至2016年5月31日 From 1 June 2010 to 31 May 2016
劉玉娟律師 Ms Noeline LAU Yuk-kuen	2011年1月1日至2016年12月31日 From 1 January 2011 to 31 December 2016
梁繼昌議員 Hon Kenneth LEUNG Kai-cheong	2011年1月1日至2016年12月31日 From 1 January 2011 to 31 December 2016
馬學嘉博士 Dr Carol MA Hok-ka	2011年1月1日至2016年12月31日 From 1 January 2011 to 31 December 2016
黃幸怡律師，JP Ms Sandy WONG Hang-ye, JP	2011年1月1日至2016年12月31日 From 1 January 2011 to 31 December 2016
黃碧雲議員 Dr Hon Helena WONG Pik-wan	2011年1月1日至2016年12月31日 From 1 January 2011 to 31 December 2016
葉振都先生，BBS，MH，JP Mr Adrian YIP Chun-to, BBS, MH, JP	2011年1月1日至2016年12月31日 From 1 January 2011 to 31 December 2016
杜國鑒先生，BBS，JP Mr Clement TAO Kwok-lau, BBS, JP	2012年10月1日起 Since 1 October 2012
陳建強醫生，BBS，JP Dr Eugene CHAN Kin-keung, BBS, JP	2013年1月1日起 Since 1 January 2013
何世傑教授、工程師 Ir Prof Vincent HO	2013年1月1日起 Since 1 January 2013
陸貽信資深大律師，BBS Mr Arthur LUK Yee-shun, BBS, SC	2013年1月1日起 Since 1 January 2013
蘇麗珍區議員，MH，JP Ms Ann SO Lai-chun, MH, JP	2014年1月1日起 Since 1 January 2014
鄭錦鐘博士，BBS，MH，OSTJ，JP Dr Eric CHENG Kam-chung, BBS, MH, OSTJ, JP	2015年1月1日起 Since 1 January 2015
何錦榮會計師 Mr Richard HO Kam-wing	2015年1月1日起 Since 1 January 2015
任景信先生 Mr Peter YAN King-shun	2015年1月1日至2016年12月31日 From 1 January 2015 to 31 December 2016
錢志庸律師 Mr Barry CHIN Chi-yung	2016年1月1日起 Since 1 January 2016

委員 Members	任期 Appointment
毛樂禮資深大律師 Mr José-Antonio MAURELLET, SC	2016年1月1日起 Since 1 January 2016
陳錦榮會計師 Mr Clement CHAN Kam-wing	2016年6月1日起 Since 1 June 2016
鄭永銓先生 Mr Wilson KWONG Wing-tsuen	2016年6月1日起 Since 1 June 2016
歐楚筠女士 Ms Ann AU Chor-kwan	2017年1月1日起 Since 1 January 2017
朱永耀先生 Mr Alex CHU Wing-yiu	2017年1月1日起 Since 1 January 2017
藍德業資深大律師 Mr Douglas LAM Tak-yip, SC	2017年1月1日起 Since 1 January 2017
李曉華大律師 Miss Sylvia LEE Hiu-wah	2017年1月1日起 Since 1 January 2017
李家仁醫生，BBS，MH，JP Dr David LEE Ka-yan, BBS, MH, JP	2017年1月1日起 Since 1 January 2017
彭韻僖律師，MH，JP Ms Melissa Kaye PANG, MH, JP	2017年1月1日起 Since 1 January 2017
宋菂苓女士 Ms Shalini Shivan SUJANANI	2017年1月1日起 Since 1 January 2017
黃至生教授 Prof Martin WONG Chi-sang	2017年1月1日起 Since 1 January 2017
楊華勇先生，JP Mr Johnny YU Wah-yung, JP	2017年1月1日起 Since 1 January 2017

監警會內務會議出席紀錄

IPCC Members' attendance at in-house meetings

時期：2016年4月至2017年3月
Period: April 2016 to March 2017

監警會每季舉行內務會議，由全體委員討論監警會的內部工作。如有需要，亦會召開特別內務會議。報告期內委員會額外召開了三次特別內務會議。

The IPCC holds in-house meetings every quarter, for the full Council to discuss internal matters. Special in-house meeting would be held when necessary. During this reporting period, three additional special in-house meetings were held.

	2016						2017	總數 Total
	4月19日 19 APR	6月6日 6 JUN	7月25日 25 JUL	9月12日 12 SEP	11月1日 1 NOV	12月5日 5 DEC	3月17日 17 MAR	
主席 Chairman								
郭琳廣律師，SBS，JP Mr Larry KWOK Lam-kwong, SBS, JP	◆	◆	◆	◆	◆	◆	◆	7/7
副主席 Vice-Chairmen								
陳健波議員，GBS，JP Hon CHAN Kin-por, GBS, JP	◆	◆	◆	◆	◆	◇	◆	6/7
張華峰議員，SBS，JP Hon Chris CHEUNG Wah-fung, SBS, JP	◆	◆	◆	◇	◇	◇	◇	3/7
謝偉銓測量師，BBS Mr Tony TSE Wai-chuen, BBS	◇	◆	◇	◆	◆	◆	◆	5/7
委員 Members								
葉成慶律師，JP（至2016年12月31日） Mr Simon IP Shing-hing, JP (Till 31 Dec 2016)	◆	◆	◆	◆	◆	◆	N/A	6/6
黃德蘭律師（至2016年12月31日） Ms Mary WONG Tak-lan (Till 31 Dec 2016)	◇	◆	◆	◆	◆	◆	N/A	5/6
甄孟義資深大律師 Mr John YAN Mang-yee, SC	◇	◆	◆	◆	◇	◇	◇	3/7
劉文文女士，BBS，MH，JP Miss Lisa LAU Man-man, BBS, MH, JP	◆	◆	◆	◆	◇	◆	◆	6/7
許宗盛律師，SBS，MH，JP Mr Herman HUI Chung-shing, SBS, MH, JP	◇	◆	◆	◆	◆	◆	◆	6/7
關治平工程師，JP Ir Edgar KWAN Chi-ping, JP	◆	◆	◇	◇	◆	◇	◆	4/7
馬恩國大律師（至2016年5月31日） Mr Lawrence MA Yan-kwok (Till 31 May 2016)	◆	N/A	N/A	N/A	N/A	N/A	N/A	1/1
劉玉娟律師（至2016年12月31日） Ms Noeline LAU Yuk-kuen (Till 31 Dec 2016)	◆	◆	◇	◆	◇	◆	N/A	4/6

	2016						2017	總數 Total
	4月19日 19 APR	6月6日 6 JUN	7月25日 25 JUL	9月12日 12 SEP	11月1日 1 NOV	12月5日 5 DEC	3月17日 17 MAR	
委員 Members								
梁繼昌議員 (至2016年12月31日) Hon Kenneth LEUNG Kai-cheong (Till 31 Dec 2016)	◆	◆	◇	◆	◆	◆	N/A	5/6
馬學嘉博士 (至2016年12月31日) Dr Carol MA Hok-ka (Till 31 Dec 2016)	◆	◆	◇	◆	◇	◆	N/A	4/6
黃幸怡律師, JP (至2016年12月31日) Ms Sandy WONG Hang-ye, JP (Till 31 Dec 2016)	◆	◆	◆	◆	◆	◆	N/A	6/6
黃碧雲議員 (至2016年12月31日) Dr Hon Helena WONG Pik-wan (Till 31 Dec 2016)	◆	◆	◇	◆	◇	◇	N/A	3/6
葉振都先生, BBS, MH, JP (至2016年12月31日) Mr Adrian YIP Chun-to, BBS, MH, JP (Till 31 Dec 2016)	◆	◆	◇	◇	◇	◇	N/A	2/6
杜國鑾先生, BBS, JP Mr Clement TAO Kwok-lau, BBS, JP	◆	◆	◆	◇	◆	◆	◆	6/7
陳建強醫生, BBS, JP Dr Eugene CHAN Kin-keung, BBS, JP	◇	◆	◆	◆	◇	◆	◆	5/7
何世傑教授、工程師 Ir Prof Vincent HO	◇	◆	◆	◆	◇	◇	◆	4/7
陸貽信資深大律師, BBS Mr Arthur LUK Yee-shun, BBS, SC	◆	◆	◇	◆	◆	◆	◇	5/7
蘇麗珍區議員, MH, JP Ms Ann SO Lai-chun, MH, JP	◇	◆	◆	◆	◇	◆	◆	5/7
鄭錦鐘博士, BBS, MH, OSTJ, JP Dr Eric CHENG Kam-chung, BBS, MH, OSTJ, JP	◆	◆	◆	◆	◇	◇	◆	5/7
何錦榮會計師 Mr Richard HO Kam-wing	◆	◆	◆	◇	◆	◆	◆	6/7
任景信先生 (至2016年12月31日) Mr Peter YAN King-shun (Till 31 Dec 2016)	◇	◇	◇	◇	◆	◆	N/A	2/6
錢志庸律師 Mr Barry CHIN Chi-yung	◆	◆	◆	◆	◇	◆	◆	6/7
毛樂禮資深大律師 Mr José-Antonio MAURELLET, SC	◇	◇	◇	◆	◇	◆	◆	3/7

	2016						2017	總數 Total
	4月19日 19 APR	6月6日 6 JUN	7月25日 25 JUL	9月12日 12 SEP	11月1日 1 NOV	12月5日 5 DEC	3月17日 17 MAR	
委員 Members								
陳錦榮會計師 (2016年6月1日起) Mr Clement CHAN Kam-wing (Since 1 Jun 2016)	N/A	◆	◆	◆	◇	◆	◆	5/6
鄭永銓先生 (2016年6月1日起) Mr Wilson KWONG Wing-tsuen (Since 1 Jun 2016)	N/A	◇	◆	◆	◆	◆	◆	5/6
歐楚筠女士 (2017年1月1日起) Ms Ann AU Chor-kwan (Since 1 Jan 2017)	N/A	N/A	N/A	N/A	N/A	N/A	◆	1/1
朱永耀先生 (2017年1月1日起) Mr Alex CHU Wing-yiu (Since 1 Jan 2017)	N/A	N/A	N/A	N/A	N/A	N/A	◆	1/1
藍德業資深大律師 (2017年1月1日起) Mr Douglas LAM Tak-yip, SC (Since 1 Jan 2017)	N/A	N/A	N/A	N/A	N/A	N/A	◇	0/1
李曉華大律師 (2017年1月1日起) Miss Sylvia LEE Hiu-wah (Since 1 Jan 2017)	N/A	N/A	N/A	N/A	N/A	N/A	◆	1/1
李家仁醫生, BBS, MH, JP (2017年1月1日起) Dr David LEE Ka-yan, BBS, MH, JP (Since 1 Jan 2017)	N/A	N/A	N/A	N/A	N/A	N/A	◇	0/1
彭韻僖律師, MH, JP (2017年1月1日起) Ms Melissa Kaye PANG, MH, JP (Since 1 Jan 2017)	N/A	N/A	N/A	N/A	N/A	N/A	◆	1/1
宋筱苓女士 (2017年1月1日起) Ms Shalini Shivan SUJANANI (Since 1 Jan 2017)	N/A	N/A	N/A	N/A	N/A	N/A	◇	0/1
黃至生教授 (2017年1月1日起) Prof Martin WONG Chi-sang (Since 1 Jan 2017)	N/A	N/A	N/A	N/A	N/A	N/A	◆	1/1
楊華勇先生, JP (2017年1月1日起) Mr Johnny YU Wah-yung, JP (Since 1 Jan 2017)	N/A	N/A	N/A	N/A	N/A	N/A	◇	0/1

◆ 出席 Attended ◇ 缺席 Did not attend N/A 不是會議成員 Not a Member of the meeting
 ■ 內務會議 In-house meeting ■ 特別內務會議 Special in-house meeting

監警會和投訴警察課聯席會議出席紀錄

日期：2016年4月至2017年3月
Date: April 2016 to March 2017

IPCC Members' attendance at joint IPCC/CAPO meetings

	2016			2017	總數 Total
	6月23日 23 JUN	10月3日 3 OCT	12月19日 19 DEC	3月21日 21 MAR	
主席 Chairman					
郭琳廣律師，SBS，JP Mr Larry KWOK Lam-kwong, SBS, JP	◆	◆	◆	◆	4/4
副主席 Vice-Chairmen					
陳健波議員，GBS，JP Hon CHAN Kin-por, GBS, JP	◆	◆	◇	◆	3/4
張華峰議員，SBS，JP Hon Chris CHEUNG Wah-fung, SBS, JP	◆	◆	◇	◆	3/4
謝偉銓測量師，BBS Mr Tony TSE Wai-chuen, BBS	◆	◆	◆	◆	4/4
委員 Members					
葉成慶律師，JP（至2016年12月31日） Mr Simon IP Shing-hing, JP (Till 31 Dec 2016)	◆	◆	◆	N/A	3/3
黃德蘭律師（至2016年12月31日） Ms Mary WONG Tak-lan (Till 31 Dec 2016)	◆	◆	◆	N/A	3/3
甄孟義資深大律師 Mr John YAN Mang-ye, SC	◇	◆	◇	◆	2/4
劉文文女士，BBS，MH，JP Miss Lisa LAU Man-man, BBS, MH, JP	◆	◆	◆	◆	4/4
許宗盛律師，SBS，MH，JP Mr Herman HUI Chung-shing, SBS, MH, JP	◆	◆	◆	◆	4/4
關治平工程師，JP Ir Edgar KWAN Chi-ping, JP	◆	◆	◆	◆	4/4
馬恩國大律師（至2016年5月31日） Mr Lawrence MA Yan-kwok (Till 31 May 2016)	N/A	N/A	N/A	N/A	N/A
劉玉娟律師（至2016年12月31日） Ms Noeline LAU Yuk-kuen (Till 31 Dec 2016)	◆	◆	◆	N/A	3/3
梁繼昌議員（至2016年12月31日） Hon Kenneth LEUNG Kai-cheong (Till 31 Dec 2016)	◇	◇	◆	N/A	1/3
馬學嘉博士（至2016年12月31日） Dr Carol MA Hok-ka (Till 31 Dec 2016)	◆	◇	◇	N/A	1/3

	2016			2017	總數 Total
	6月23日 23 JUN	10月3日 3 OCT	12月19日 19 DEC	3月21日 21 MAR	
委員 Members					
黃幸怡律師，JP（至2016年12月31日） Ms Sandy WONG Hang-ye, JP (Till 31 Dec 2016)	◆	◆	◆	N/A	3/3
黃碧雲議員（至2016年12月31日） Dr Hon Helena WONG Pik-wan (Till 31 Dec 2016)	◆	◆	◆	N/A	3/3
葉振都先生，BBS，MH，JP（至2016年12月31日） Mr Adrian YIP Chun-to, BBS, MH, JP (Till 31 Dec 2016)	◆	◆	◆	N/A	3/3
杜國鑾先生，BBS，JP Mr Clement TAO Kwok-lau, BBS, JP	◇	◆	◆	◆	3/4
陳建強醫生，BBS，JP Dr Eugene CHAN Kin-keung, BBS, JP	◆	◆	◆	◆	4/4
何世傑教授、工程師 Ir Prof Vincent HO	◆	◆	◆	◆	4/4
陸貽信資深大律師，BBS Mr Arthur LUK Yee-shun, BBS, SC	◆	◆	◆	◆	4/4
蘇麗珍區議員，MH，JP Ms Ann SO Lai-chun, MH, JP	◆	◆	◆	◆	4/4
鄭錦鐘博士，BBS，MH，OSTJ，JP Dr Eric CHENG Kam-chung, BBS, MH, OSTJ, JP	◆	◆	◆	◇	3/4
何錦榮會計師 Mr Richard HO Kam-wing	◆	◆	◆	◇	3/4
任景信先生（至2016年12月31日） Mr Peter YAN King-shun (Till 31 Dec 2016)	◇	◇	◇	N/A	0/3
錢志庸律師 Mr Barry CHIN Chi-yung	◇	◆	◆	◇	2/4
毛樂禮資深大律師 Mr José-Antonio MAURELLET, SC	◇	◇	◇	◇	0/4
陳錦榮會計師（2016年6月1日起） Mr Clement CHAN Kam-wing (Since 1 Jun 2016)	◇	◆	◆	◇	2/4
鄭永銓先生（2016年6月1日起） Mr Wilson KWONG Wing-tsuen (Since 1 Jun 2016)	◆	◆	◆	◆	4/4
歐楚筠女士（2017年1月1日起） Ms Ann AU Chor-kwan (Since 1 Jan 2017)	N/A	N/A	N/A	◆	1/1
朱永耀先生（2017年1月1日起） Mr Alex CHU Wing-jiu (Since 1 Jan 2017)	N/A	N/A	N/A	◆	1/1

	2016			2017	總數 Total
	6月23日 23 JUN	10月3日 3 OCT	12月19日 19 DEC	3月21日 21 MAR	
藍德業資深大律師 (2017年1月1日起) Mr Douglas LAM Tak-yip, SC (Since 1 Jan 2017)	N/A	N/A	N/A	◇	0/1
李曉華大律師 (2017年1月1日起) Miss Sylvia LEE Hiu-wah (Since 1 Jan 2017)	N/A	N/A	N/A	◆	1/1
李家仁醫生, BBS, MH, JP (2017年1月1日起) Dr David LEE Ka-yan, BBS, MH, JP (Since 1 Jan 2017)	N/A	N/A	N/A	◆	1/1
彭韻僖律師, MH, JP (2017年1月1日起) Ms Melissa Kaye PANG, MH, JP (Since 1 Jan 2017)	N/A	N/A	N/A	◇	0/1
宋莪苓女士 (2017年1月1日起) Ms Shalini Shivan SUJANANI (Since 1 Jan 2017)	N/A	N/A	N/A	◇	0/1
黃至生教授 (2017年1月1日起) Prof Martin WONG Chi-sang (Since 1 Jan 2017)	N/A	N/A	N/A	◆	1/1
楊華勇先生, JP (2017年1月1日起) Mr Johnny YU Wah-yung, JP (Since 1 Jan 2017)	N/A	N/A	N/A	◆	1/1

◆ 出席 Attended

◇ 缺席 Did not attend

N/A 不是會議成員 Not a Member of the meeting

專責委員會 Committees

監警會委員分為四個小組，審核投訴警察課提交的調查報告。此外，監警會就不同工作範疇設立了五個專責委員會，以便更有效地履行職能。

五個專責委員會的職權範圍和成員名單如下：

Members of the IPCC are divided into four groups to examine the investigation reports submitted by CAPO. The IPCC has also set up five Committees, to help perform its functions more efficiently.

The terms of reference and members of the five Committees are as follows:

嚴重投訴個案委員會 Serious Complaints Committee

職權範圍

- (a) 訂定準則，用以界定應受委員會監察的嚴重個案；
- (b) 研究和制定監察嚴重投訴個案的特別程序；
- (c) 研究是否需要尋求外間的专业意見或服務，協助審核嚴重投訴個案；
- (d) 審核嚴重投訴個案的調查結果，並向主席提出建議；
- (e) 提出委員會認為適當並與監察嚴重投訴個案有關的任何事項，供監警會考慮。

Terms of reference

- (a) To determine the criteria of serious cases that should come under the monitoring of the Committee;
- (b) To examine and determine special procedures for monitoring serious complaints;
- (c) To examine the need to seek outside professional advice or service to facilitate the scrutiny of complaint cases;
- (d) To examine the findings of serious complaint cases after investigation has been completed, and put forward recommendations to the Chairman;
- (e) To put forward any issues in relation to the monitoring of serious complaint cases for the IPCC's deliberation, as the Committee deems appropriate.

嚴重投訴個案委員會 Serious Complaints Committee

成員

主席

陳健波議員，GBS，JP

委員

張華峰議員，SBS，JP

謝偉銓測量師，BBS

葉成慶律師，JP（至2016年12月）

黃德蘭律師（至2016年12月）

甄孟義資深大律師

劉文文女士，BBS，MH，JP

許宗盛律師，SBS，MH，JP

馬恩國大律師（至2016年5月）

劉玉娟律師（至2016年12月）

黃幸怡律師，JP（至2016年12月）

黃碧雲議員（至2016年12月）

葉振都先生，BBS，MH，JP

（至2016年12月）

杜國鑒先生，BBS，JP

陳建強醫生，BBS，JP

（至2017年1月）

何世傑教授、工程師

陸貽信資深大律師，BBS

蘇麗珍區議員，MH，JP

鄭錦鐘博士，BBS，MH，OSTJ，JP

（2017年1月起）

陳錦榮先生（2016年7月起）

歐楚筠女士（2017年1月起）

李曉華大律師（2017年1月起）

李家仁醫生，BBS，MH，JP

（2017年1月起）

黃至生教授（2017年1月起）

Membership

Chairman

Hon CHAN Kin-por, GBS, JP

Members

Hon Chris CHEUNG Wah-fung, SBS, JP

Mr Tony TSE Wai-chuen, BBS

Mr Simon IP Shing-hing, JP (Till Dec 2016)

Ms Mary WONG Tak-lan (Till Dec 2016)

Mr John YAN Mang-yee, SC

Miss Lisa LAU Man-man, BBS, MH, JP

Mr Herman HUI Chung-shing, SBS, MH, JP

Mr Lawrence MA Yan-kwok (Till May 2016)

Ms Noeline LAU Yuk-kuen (Till Dec 2016)

Ms Sandy WONG Hang-yee, JP (Till Dec 2016)

Dr Hon Helena WONG Pik-wan (Till Dec 2016)

Mr Adrian YIP Chun-to, BBS, MH, JP

(Till Dec 2016)

Mr Clement TAO Kwok-lau, BBS, JP

Dr Eugene CHAN Kin-keung, BBS, JP

(Till Jan 2017)

Ir Prof Vincent HO

Mr Arthur LUK Yee-shun, BBS, SC

Ms Ann SO Lai-chun, MH, JP

Dr Eric CHENG Kam-chung, BBS, MH, OSTJ, JP

(Since Jan 2017)

Mr Clement CHAN Kam-wing (Since Jul 2016)

Ms Ann AU Chor-kwan (Since Jan 2017)

Miss Sylvia LEE Hiu-wah (Since Jan 2017)

Dr David LEE Ka-yan, BBS, MH, JP

(Since Jan 2017)

Prof WONG Chi-sang (Since Jan 2017)

管理委員會

Management Committee

職權範圍

- (a) 監督監警會秘書處的主要工作；
- (b) 審議和批准：
 - 周年預算的任何改動；
 - 高級審核主任/高級經理或以下級別僱員的委任、停職及終止僱用；
 - 對監警會服務有所影響的主要行政事宜；
 - 估計價值港幣5萬元或以上或涵蓋新項目範疇的擬訂新合約，但不包括宣傳及意見調查委員會權限內的合約或活動；
- (c) 提出委員會認為適當的任何行政及管理事宜，供監警會考慮。

Terms of reference

- (a) To oversee major areas of work of the Secretariat;
- (b) To consider and approve:
 - Any changes to the annual budget;
 - The appointment, interdiction from duty, and termination of employment of employees at or below Senior Vetting Officer/Senior Manager ranks;
 - Key administrative matters that affect the service of the IPCC;
 - Proposed new contracts with estimated value at or above HK\$50,000 or covering a new area of activity, with the exception of those contracts or activities that come under the purview of the Publicity and Survey Committee;
- (c) To put forward any administrative or management issues for the IPCC's deliberation as the Committee deems appropriate.

成員

主席

葉成慶律師，JP（至2016年12月）
關治平工程師，JP（2017年1月起）

委員

郭琳廣律師，SBS，JP
謝偉銓測量師，BBS（2017年1月起）
黃德蘭律師（至2016年12月）
馬恩國大律師（至2016年5月）
黃幸怡律師，JP（至2016年12月）
葉振都先生，BBS，MH，JP
（至2016年12月）
杜國鑒先生，BBS，JP
何世傑教授、工程師
鄭錦鐘博士，BBS，MH，OSTJ，JP
何錦榮會計師
任景信先生（至2016年12月）
鄭永銓先生（2016年8月起）
李曉華大律師（2017年2月起）
彭韻僊律師，MH，JP
（2017年2月起）

Membership

Chairman

Mr Simon IP Shing-hing, JP (Till Dec 2016)
Mr Edgar KWAN Chi-ping, JP (Since Jan 2017)

Members

Mr Larry KWOK Lam-kwong, SBS, JP
Mr Tony TSE Wai-chuen, BBS (Since Jan 2017)
Ms Mary WONG Tak-lan (Till Dec 2016)
Mr Lawrence MA Yan-kwok (Till May 2016)
Ms Sandy WONG Hang-yee, JP (Till Dec 2016)
Mr Adrian YIP Chun-to, BBS, MH, JP
(Till Dec 2016)
Mr Clement TAO Kwok-lau, BBS, JP
Mr Prof Vincent HO
Dr Eric CHENG Kam-chung, BBS, MH, OSTJ, JP
Mr Richard HO Kam-wing
Mr Peter YAN King-shun (Till Dec 2016)
Mr Wilson KWONG Wing-tsuen (Since Aug 2016)
Miss Sylvia LEE Hiu-wah (Since Feb 2017)
Ms Melissa Kaye PANG, MH, JP
(Since Feb 2017)

宣傳及意見調查委員會 Publicity and Survey Committee

職權範圍

- (a) 審議可提升監警會形象和讓市民加深認識監警會的措施；
- (b) 審議和批准已編入預算的宣傳及相關活動，包括：
 - 宣傳物品的內容和設計，例如年報、網頁、短片、刊物和其他宣傳品；
 - 推展宣傳活動；
 - 挑選和委聘承辦商協助推展有關計劃；
- (c) 審議和批准推展已編入預算的意見調查工作，以及挑選和委聘承辦商協助推展有關工作；
- (d) 監察(b)和(c)項所載計劃的進度和質素；
- (e) 審議年度宣傳計劃並就計劃提出意見，供監警會考慮；
- (f) 提出委員會認為適當並與宣傳有關的任何事宜，供監警會考慮。

Terms of reference

- (a) To consider measures that could enhance the image and public understanding of the IPCC;
- (b) To consider and approve publicity-related activities which have been budgeted for, including:
 - Content and design of publicity materials, such as annual reports, website, videos, publications and other promotional materials;
 - Launching of publicity activities;
 - Selection and commissioning of contractors to assist in such projects;
- (c) To consider and approve the launching of surveys that have been budgeted for, and the selection and commissioning of contractors to assist in such projects;
- (d) To monitor the progress and quality of the projects in (b) and (c);
- (e) To consider and advise on an annual publicity plan for the IPCC's consideration;
- (f) To put forward any publicity-related issues for the IPCC's deliberation as the Committee deems appropriate.

成員

主席

劉文文女士，BBS，MH，JP

委員

馬學嘉博士 (至2016年12月)
黃幸怡律師，JP (至2016年12月)
葉振都先生，BBS，MH，JP
(至2016年12月)
杜國鑒先生，BBS，JP
陳建強醫生，BBS，JP
何世傑教授、工程師
蘇麗珍區議員，MH，JP
鄭錦鐘博士，BBS，MH，OSTJ，JP
陳錦榮先生 (2016年7月起)
朱永耀先生 (2017年1月起)
楊華勇先生，JP (2017年1月起)

Membership

Chairman

Miss Lisa LAU Man-man, BBS, MH, JP

Members

Dr Carol MA Hok-ka (Till Dec 2016)
Ms Sandy WONG Hang-yee, JP (Till Dec 2016)
Mr Adrian YIP Chun-to, BBS, MH, JP
(Till Dec 2016)
Mr Clement TAO Kwok-lau, BBS, JP
Dr Eugene CHAN Kin-keung, BBS, JP
Ir Prof Vincent HO
Ms Ann SO Lai-chun, MH, JP
Dr Eric CHENG Kam-chung, BBS, MH, OSTJ, JP
Mr Clement CHAN Kam-wing (Since Jul 2016)
Mr Alex CHU Wing-yiu (Since Jan 2017)
Mr Johnny YU Wah-yung, JP (Since Jan 2017)

運作及程序諮詢委員會 Operations Advisory Committee

職權範圍

- (a) 就因監察及審核須匯報投訴、須知會投訴類別及表達不滿機制解決的個案，以及就報告通過後的跟進事項而產生的一般問題及重要事項向秘書處提供意見，以及在適當情況下作出建議，供監警會考慮；
- (b) 與投訴警察課協調及召開工作層面會議，以及提名監警會成員擔任工作層面會議主席；
- (c) 於秘書處審核、觀察或報告後，就現有的警務投訴程序提供意見，並在適當及有需要時作出建議，以精簡現有的投訴處理工作流程（包括由接獲至完成處理投訴中間的各個環節），以進一步提升監警會個案審核程序的效率及成效；以及為此而接受秘書處關於對監警會個案審核手冊、警務手冊、命令、常規程序、與投訴或投訴處理有關的指示或指引所作審核的諮詢，並在適當情況下作出建議，供監警會考慮；
- (d) 就秘書處涉及監警會工作所展開的研究計劃向秘書處提供意見，並在適當情況下作出建議，供監警會考慮。

Terms of reference

- (a) To advise the Secretariat on general issues and matters of significant importance arising from the scrutiny and examination of Reportable Complaints (RC), Notifiable Complaints (NC) categorisation and cases resolved by Expression of Dissatisfaction Mechanism (EDM) as well as monitoring actions on post endorsement issues, and, where it deems appropriate, make recommendations for the IPCC's consideration;
- (b) To co-ordinate Working Level Meetings (WLM) with CAPO and nominate IPCC Members to chair the WLM;
- (c) Upon review, observations or report of the Secretariat, to advise on the existing police complaint process and, where appropriate and necessary, make recommendations to streamline the existing workflows for complaint handling, from the intake to disposal of complaints, with a view to further improving the efficiency and effectiveness of the IPCC case examination process; and to this end it will be consulted by the Secretariat on the review of the *IPCC Case Examination Manual*, police manuals, orders, standing procedures, instructions or guidelines which are related to complaints or complaints handling; and, where it deems appropriate, make recommendations for the IPCC's consideration;
- (d) To advise the Secretariat on research projects and studies to be undertaken by the Secretariat in relation to the work of IPCC, and, where it deems appropriate, make recommendations for the IPCC's consideration.

運作及程序諮詢委員會 Operations Advisory Committee

成員

主席

黃德蘭女士 (至2016年11月)
許宗盛律師, SBS, MH, JP
(2016年11月起)

委員

葉成慶律師, JP (至2016年12月)
甄孟義資深大律師 (至2017年1月)
劉文文女士, BBS, MH, JP
馬恩國大律師 (至2016年5月)
劉玉娟律師 (至2016年12月)
馬學嘉博士 (至2016年12月)
黃幸怡律師, JP (至2016年12月)
杜國鑾先生, BBS, JP
陳建強醫生, BBS, JP
(至2017年1月)
陸貽信資深大律師, BBS
(2017年2月起)
鄭錦鐘博士, BBS, MH, OStJ, JP
(至2017年2月)
陳錦榮會計師 (2016年7月起)
鄭永銓先生 (2017年2月起)
歐楚筠女士 (2017年2月起)
黃至生教授 (2017年2月起)

Membership

Chairman

Ms Mary WONG Tak-lan (Till Nov 2016)
Mr Herman HUI Chung-shing, SBS, MH, JP
(Since Nov 2016)

Members

Mr Simon IP Shing-hing, JP (Till Dec 2016)
Mr John YAN Mang-ye, SC (Till Jan 2017)
Miss Lisa LAU Man-man, BBS, MH, JP
Mr Lawrence MA Yan-kwok (Till May 2016)
Ms Noeline LAU Yuk-kuen (Till Dec 2016)
Dr Carol MA Hok-ka (Till Dec 2016)
Ms Sandy WONG Hang-ye, JP (Till Dec 2016)
Mr Clement TAO Kwok-lau, BBS, JP
Dr Eugene CHAN Kin-keung, BBS, JP
(Till Jan 2017)
Mr Arthur LUK Yee-shun, BBS, SC
(Since Feb 2017)
Dr Eric CHENG Kam-chung, BBS, MH, OStJ, JP
(Till Feb 2017)
Mr Clement CHAN Kam-wing (Since Jul 2016)
Mr Wilson KWONG Wing-tsuen (Since Feb 2017)
Ms Ann AU Chor-kwan (Since Feb 2017)
Prof WONG Chi-sang (Since Feb 2017)

法律事務委員會 Legal Committee

法律事務委員會是一個於本報告期內新成立的專責委員會。

職權範圍

法律事務委員會於監警會或秘書處需要時，會就以下事項提出及發表意見。

- (a) 審核投訴個案所產生的法律問題；
- (b) 對《監警會條例》及監警會內部規則與守則的詮釋；
- (c) 監警會的工作所產生或附帶的法律研究；
- (d) 監警會的運作及/或管理所產生的法律問題；及
- (e) 任何與監警會的工作有關或其所附帶的其他法律問題。

法律事務委員會可要求秘書處協助執行上述事項。

Legal Committee is a new committee that was set up during this reporting period.

Terms of reference

Legal Committee is to comment and express views on the following as may be required by the Council or Secretariat from time to time.

- (a) Legal issues arising from the examination of complaint cases;
- (b) Interpretation of the IPCCO and the IPCC's internal rules and regulations;
- (c) Legal research arising from or incidental to the Council's work;
- (d) Legal issues arising from the operation and/or administration of the Council; and
- (e) Any other legal issues related or incidental to the Council's work.

Legal Committee may require the Secretariat to assist in carrying out the above.

成員

主席

甄孟義資深大律師

委員

許宗盛律師，SBS，MH，JP

毛樂禮資深大律師

藍德業資深大律師

李曉華大律師

彭韻僖律師，MH，JP

Membership

Chairman

Mr John YAN Mang-ye, SC

Members

Mr Herman HUI Chung-shing, SBS, MH, JP

Mr José-Antonio MAURELLET, SC

Mr Douglas LAM Tak-yip, SC

Miss Sylvia LEE Hiu-wah

Ms Melissa Kaye PANG, MH, JP

觀察員 Observers

在觀察員計劃之下，保安局局長會委任合適人士出任監警會觀察員，協助監警會觀察投訴警察課處理和調查須匯報投訴的方式。報告期內監警會觀察員的名單如下：

Under the Observers Scheme, the Secretary for Security may appoint persons deemed fit as IPCC Observers, to assist the Council in observing the manner in which CAPO handles and investigates Reportable Complaints. The following is a list of Observers in the current reporting period:

觀察員名單		Name of Observers
1	歐楚筠女士	Ms AU Chor-kwan
◆ 2	鮑誠業先生	Mr BOU Shing-ip
3	湛家雄先生，BBS，MH，JP	Mr Daniel CHAM Ka-hung, BBS, MH, JP
4	陳杏女士，MH	Ms CHAN Hang, MH
5	陳稼晉先生	Mr Patrick CHAN Ka-chun
6	陳銘華先生	Mr CHAN Ming-wah
7	陳茂強先生	Mr Haydn CHAN Mou-keung
◆ 8	陳東岳先生	Mr Tony CHAN Tung-ngok
9	陳郁傑博士	Dr CHAN Yuk-kit
10	周嘉弘先生	Mr Calvin CHAU
◆ 11	錢志庸先生	Mr Barry CHIN Chi-yung
◆ 12	錢丞海先生	Mr Gordon CHIN Shing-hoi
13	鄭發丁博士	Dr Gary CHENG Faat-ting
◆ 14	鄭建曦女士	Ms Hattie CHENG Kin-hei
◆ 15	鄭國杰博士，MH	Dr Edwin CHENG Kwok-kit, MH
16	鄭木林先生，MH	Mr Mathew CHENG Muk-lam, MH
◆ 17	鄭承隆先生，MH	Mr Edwin CHENG Shing-lung, MH
18	張焯堯先生	Mr Charles CHEUNG Cheuk-yiu
19	張智彥先生	Mr Human CHEUNG
20	張國慧先生	Mr CHEUNG Kwok-wai
21	張俊勇先生，MH	Mr Thomas CHEUNG Tsun-yung, MH
22	張漪薇女士	Ms Mimi CHEUNG Yee-may
23	趙令昌先生	Mr Anthony CHIU Ling-cheong
◆ 24	蔡永璣先生	Mr Wilkie CHOI Wing-kee
25	莊創業先生，BBS，JP	Mr CHONG Chong-yip, BBS, JP
26	張詩培女士，MH	Ms Joanne CHONG Sze-pui, MH
27	鄧燦林先生，MH	Mr Charles CHOW Chan-lum, MH

觀察員名單		Name of Observers
28	周耀明先生，MH	Mr Alan CHOW Yiu-ming, MH
29	朱志明先生	Mr Samson CHU Chi-ming
30	鍾靖薇女士	Ms CHUNG Ching-may
31	范凱傑先生	Mr Alex FAN Hoi-kit
32	方文傑先生	Mr James Mathew FONG
33	方平先生，BBS，JP	Mr FONG Ping, BBS, JP
34	馮卓能先生	Mr Clement FUNG Cheuk-nang
35	何偉權博士	Dr HO Wai-kuen
36	何逸雲先生	Mr Alec HO Yat-wan
37	許慶得先生	Mr Simon HUI Hing-tak
38	許嘉灝先生，BBS，MH	Mr HUI Ka-hoo, BBS, MH
39	許文傑先生	Mr HUI Man-kit
40	葉天祐先生，MH	Mr IP Tin-yau, MH
◆ 41	甘艷梅女士	Ms KAM Yim-mui
◆ 42	簡汝謙先生	Mr Ronald KAN Yu-him
◆ 43	姜志剛先生	Mr Lawrence KEUNG Chi-kong
44	高明東先生	Mr Edward KO Ming-tung
45	顧明仁博士，MH	Dr Charles KOO Ming-yan, MH
46	黎達生先生，MH，JP	Mr David LAI Tat-sang, MH, JP
47	林赤有先生，BBS，MH，JP	Mr Billy LAM Chek-yau, BBS, MH, JP
48	林子麒先生	Mr LAM Chi-ki
49	林志傑醫生，BBS，MH，JP	Dr Lawrence LAM Chi-kit, BBS, MH, JP
◆ 50	林傳華女士	Ms Carine LAM Chuen-wa
51	林振昇先生	Mr LAM Chun-sing
52	林發耿先生，MH	Mr LAM Faat-kang, MH
53	林浩揚先生	Mr LAM Ho-yeung
◆ 54	林開利先生	Mr Laurie LAM Hoy-lee
55	林大輝博士，SBS，JP	Dr LAM Tai-fai, SBS, JP
56	劉興華先生，MH，JP	Mr LAU Hing-wah, MH, JP
57	樓家強先生，MH，JP	Mr LAU Ka-keung, MH, JP
58	劉嘉華先生	Mr LAU Kar-wah
59	劉文東先生	Mr Benjamin LAU Man-tung
60	劉偉光先生	Mr Billy LAU Wai-kwong
61	羅綺琦女士	Ms LAW Yee-ki
62	李綺華女士	Ms Eva LEE
63	李富芬女士	Ms LEE Fu-fan

觀察員名單		Name of Observers
◆	64 李錦明先生，MH	Mr Daeren LEE Kam-ming, MH
◆	65 李世基先生	Mr LEE Sai-kee
	66 李三元博士，BBS	Dr John LEE Sam-yuen, BBS
	67 李偉昌先生	Mr Patrick LEE Wai-cheong
◆	68 梁志剛先生	Mr LEUNG Chi-kong
◆	69 梁志明先生	Mr Pat LEUNG Chi-ming
	70 梁文廣先生	Mr LEUNG Man-kwong
	71 梁秀志先生，JP	Mr LEUNG Sau-chi, JP
	72 梁淑莊女士	Ms LEUNG Suk-chong
◆	73 李超華先生	Mr Joseph LI Chiu-wah
◆	74 李國祥醫生，JP	Dr Lawrence LI KWOK-chang, JP
◆	75 李世榮先生	Mr LI Sai-wing
◆	76 梁新燕女士	Ms Cecilia LIANG Sun-yin
	77 廖啟明醫生，MH	Dr LIU Kai-ming, MH
	78 廖錦興先生	Mr LIU Kam-hing
	79 羅啟富先生	Mr Vincent LO Kai-fu
	80 盧錦華先生，MH，JP	Mr Norman LO Kam-wah, MH, JP
◆	81 羅沛然博士	Dr LO Pui-yin
	82 盧子安先生	Mr LO Tze-on
	83 羅仁禮先生，JP	Mr LO Yan-lai, JP
	84 陸海女士，MH，JP	Ms LU Hai, MH, JP
	85 呂志豪先生	Mr LUI Chi-ho
	86 馬盧金華女士	Mrs Virginia MA LO Kam-wah
◆	87 麥樂嫦女士	Ms Mabel MAK Lok-sheung
	88 麥偉光先生	Mr Vincent MAK Wai-kwong
	89 莫仲輝先生，MH，JP	Mr Rex MOK Chung-fai, MH, JP
	90 吳玲玲女士，JP	Ms NG Ling-ling, JP
◆	91 吳少強先生，MH，JP	Mr Thomas NG Siu-keung, MH, JP
	92 吳永嘉議員，JP	Hon Jimmy NG Wing-ka, JP
	93 顏少倫先生	Mr NGAN Siu-lun
◆	94 白富鴻先生，JP	Mr Frank PAK Fu-hung, JP
	95 潘國華先生	Mr PUN Kwok-wah
◆	96 石禮謙議員，GBS，JP	Hon Abraham SHEK Lai-him, GBS, JP
	97 蕭澤宇先生，BBS，JP	Mr Simon SIU Chak-yu, BBS, JP
	98 蕭楚基先生，BBS，MH，JP	Mr SIU Chor-kee, BBS, MH, JP
	99 蘇慧賢女士	Ms Herdy SO Wai-yin

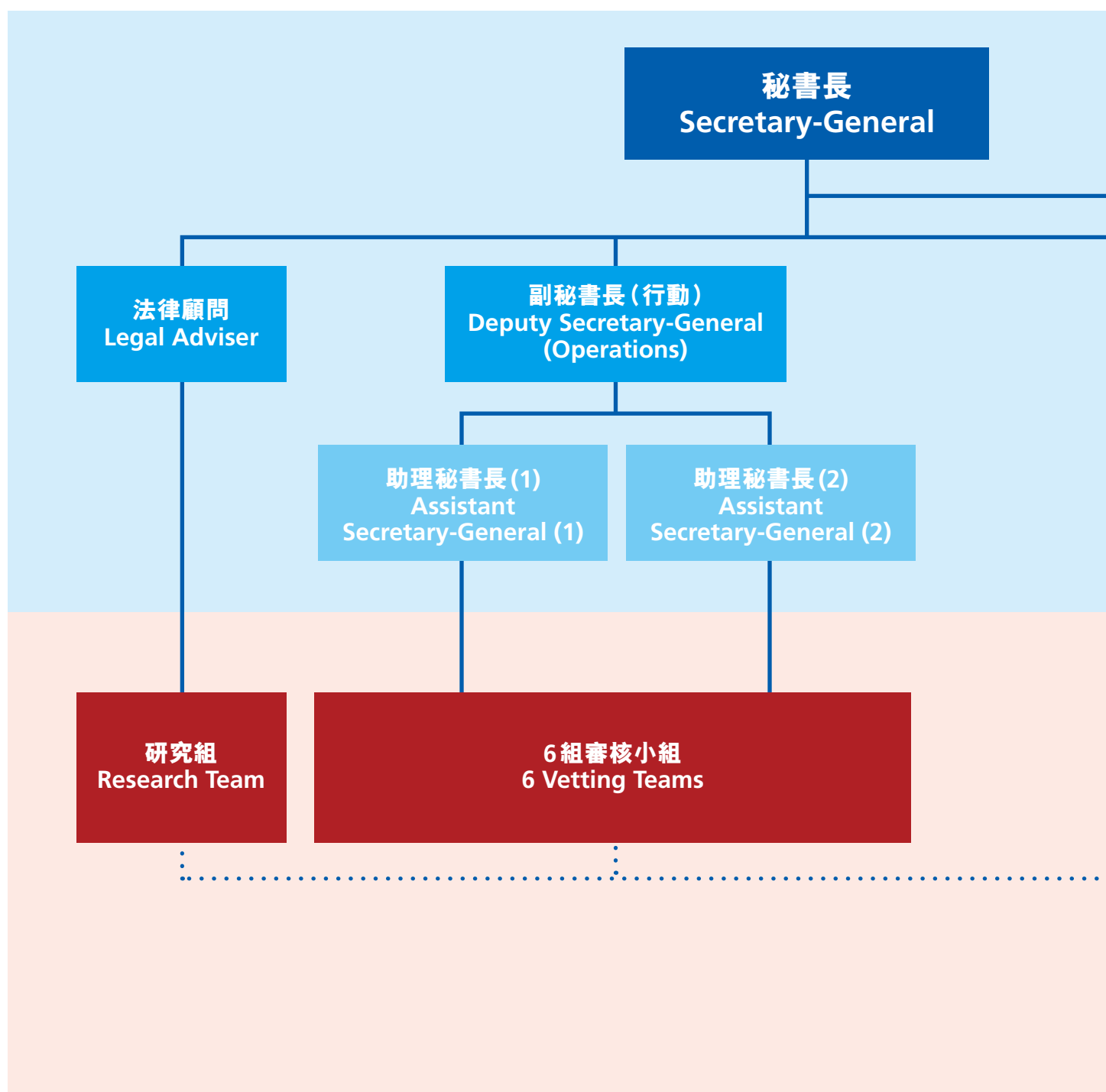
觀察員名單	Name of Observers
100 譚兆炳先生	Mr George TAM Siu-ping
101 丁健華先生	Mr TING Kin-wa
◆ 102 唐子恩女士	Ms TONG Tze-yan
◆ 103 曾嘉麗女士	Ms TSANG Ka-lai
104 曾文興先生	Mr TSANG Man-hing
◆ 105 曾耀民先生	Mr Newman TSANG Yiu-man
106 謝焯全博士	Dr Patrick TSE Kwing-chuen
107 徐福樂醫生	Dr Michael TSUI Fuk-sun
108 雲維熹先生	Mr Wesley WAN Wai-hei
109 王嘉恩博士，MH	Dr Albert WONG, MH
110 黃頌良博士，JP	Dr WONG Chung-leung, JP
111 黃美斯女士	Ms Macy WONG Mei-sze
◆ 112 王惠貞女士，SBS，JP	Ms WONG Wai-ching, SBS, JP
113 黃宏滔先生，MH	Mr WONG Wang-to, MH
114 黃耀聰先生，MH	Mr WONG Yiu-chung, MH
115 胡楚南先生，JP	Mr WU Chor-nam, JP
◆ 116 胡潔瑩博士，JP	Dr Kitty WU Kit-ying, JP
◆ 117 吳德龍先生	Mr Bernard WU Tak-lung
118 任志浩博士	Dr Michael YAM Chi-ho
119 楊學明牧師，MH	Rev David YEUNG Hok-ming, MH
◆ 120 楊位醒先生，MH	Mr YEUNG Wai-sing, MH
121 楊耀忠先生，BBS，JP	Mr YEUNG Yiu-chung, BBS, JP
◆ 122 葉禮德先生，JP	Mr Dieter YIH Lai-tak, JP
123 葉振南先生，BBS，MH，JP	Mr Stephen YIP Chun-nam, BBS, MH, JP
124 楊添燦先生	Mr Alan YOUNG Tim-tsan
125 袁達堂先生	Mr YUEN Tat-tong

- ◆ 2016年4月1日新任命 Newly-appointed Observers (1 Apr 2016)
- ◆ 2016年11月1日新任命 Newly-appointed Observers (1 Nov 2016)
- ◆ 2016年4月1日退休 Retired Observers (1 Apr 2016)
- ◆ 2016年11月1日退休 Retired Observers (1 Nov 2016)
- ◆ 已離任 Resigned Observers

監警會秘書處 IPCC Secretariat

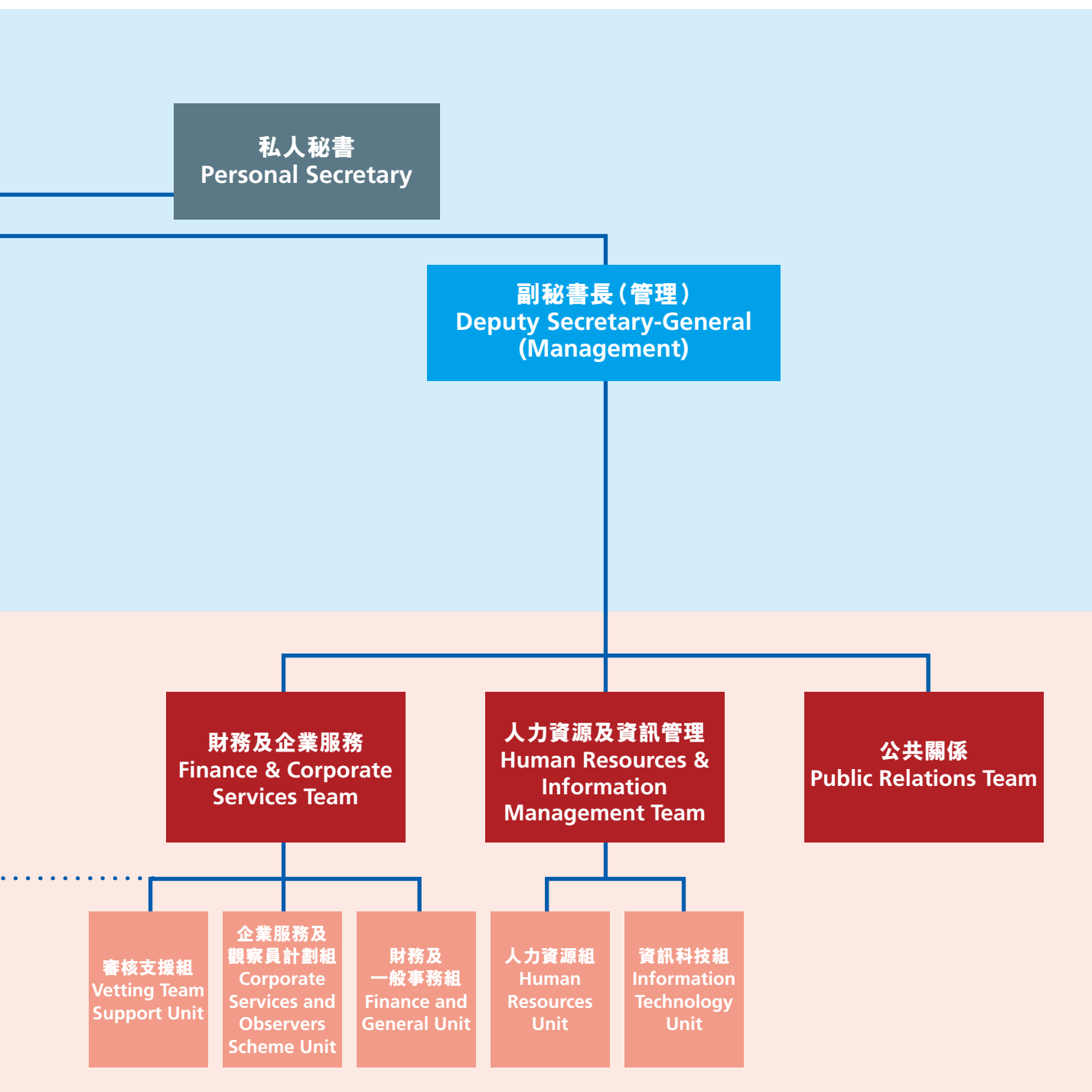
監警會由一個全職的秘書處支援。秘書處由秘書長領導，2016/17年編制共有57名職員。秘書處的主要職責是協助委員審核投訴個案的調查報告和推廣委員會的工作。

監警會秘書處截至2017年3月31日的組織圖如下：



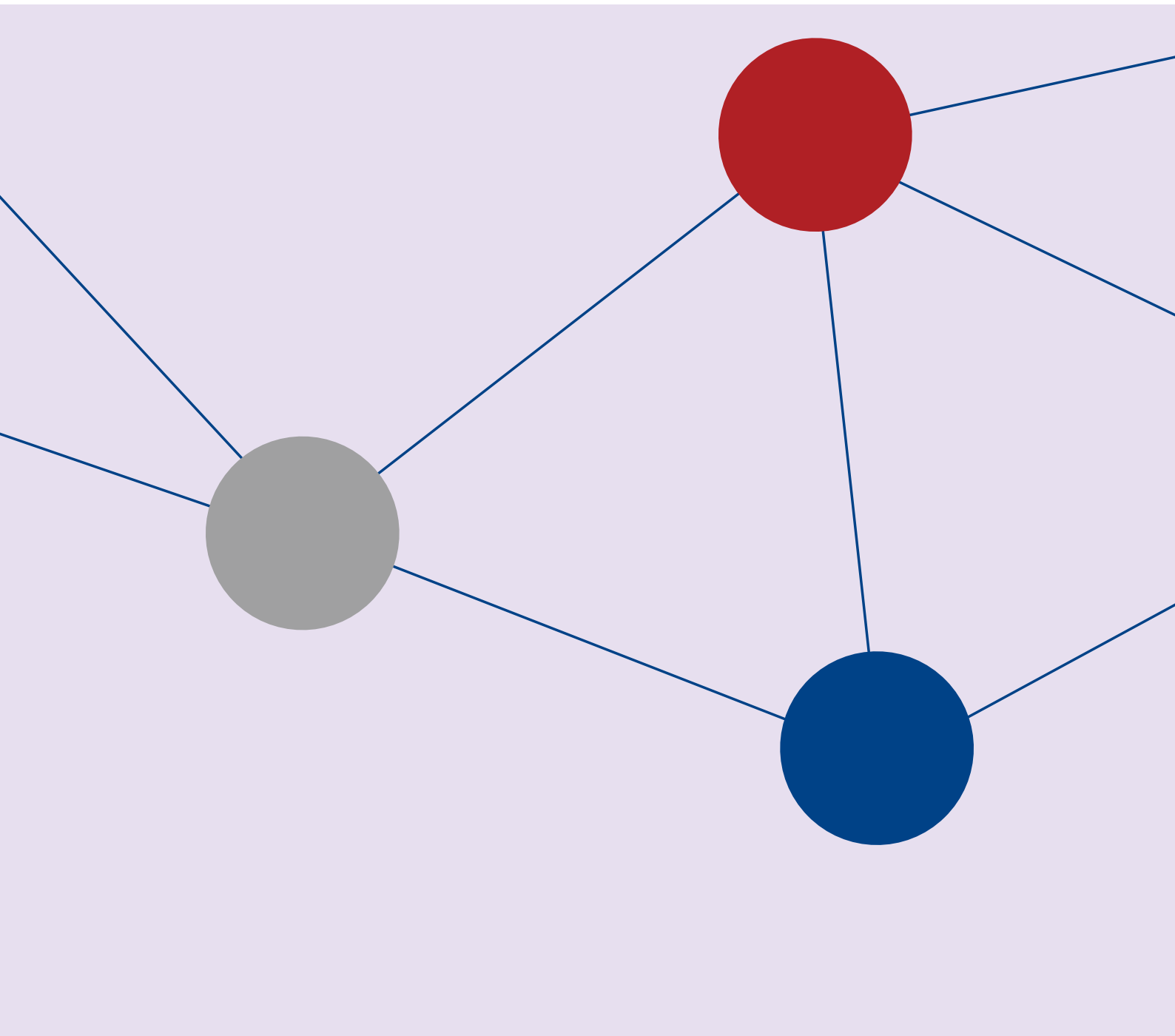
The IPCC is supported by a full-time Secretariat, headed by Secretary-General, with a total of 57 staff members in 2016/17. The major function of the Secretariat is to assist Council Members in examining complaint investigation reports and in promoting the work of the IPCC.

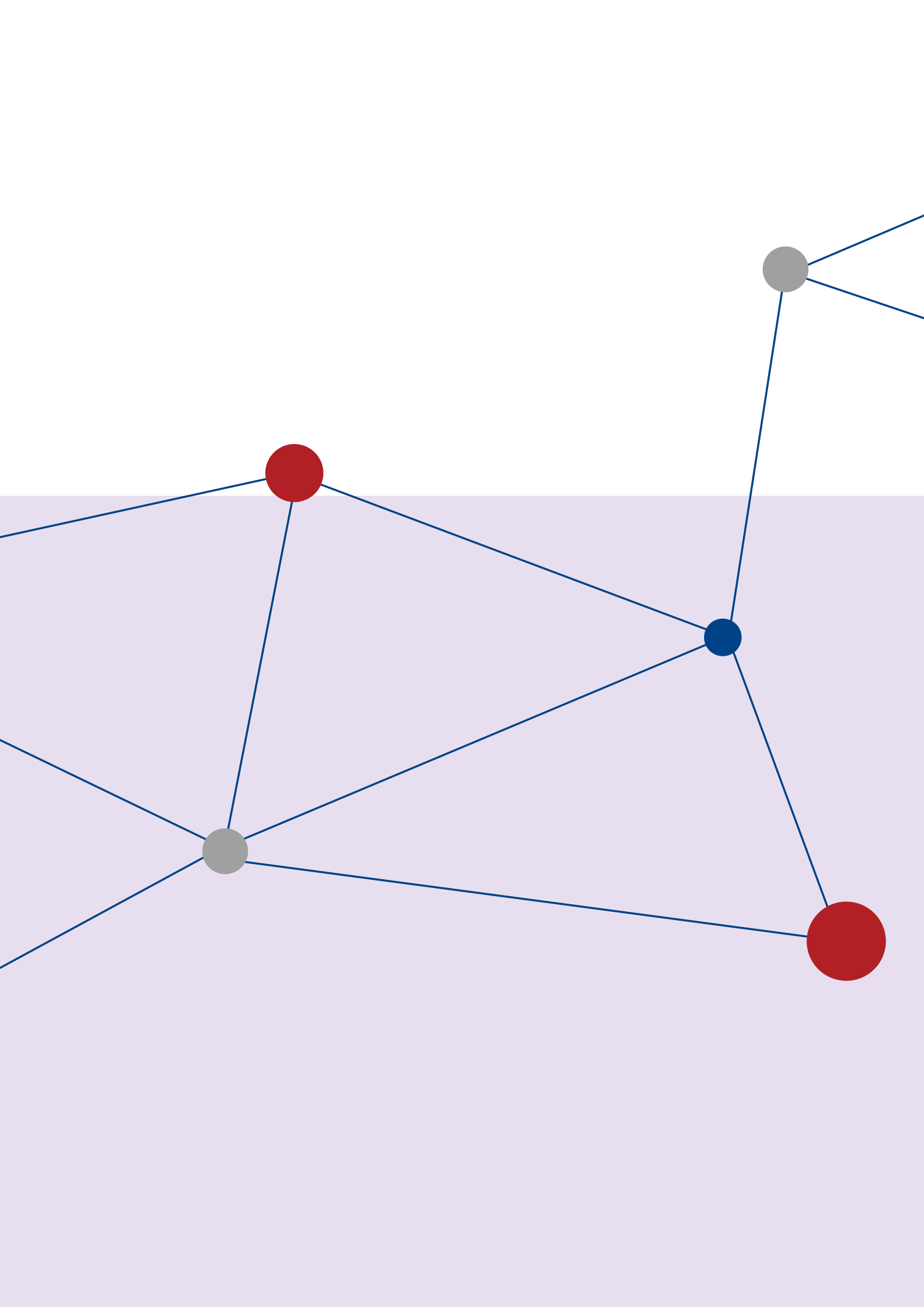
The organisational chart of the IPCC Secretariat, as at 31 March 2017, is as below:



第 7 章 *CHAPTER 7*

財務報表 Financial statements





目錄 Contents

	頁數 Page
獨立核數師報告 Independent Auditor's Report	119-122
全面收益表 Statement of Comprehensive Income	123
財務狀況表 Statement of Financial Position	124
儲備變動表 Statement of Changes in Reserves	125
現金流量表 Statement of Cash Flows	126
財務報表附註 Notes to the Financial Statements	127-141

(以港幣計算，除非另作說明)

(All amounts in Hong Kong Dollars unless otherwise stated)

獨立核數師報告致獨立監察警方處理投訴委員會

Independent auditor's report to Independent Police Complaints Council

(根據《獨立監察警方處理投訴委員會條例》成立)

(Established under the Independent Police Complaints Council Ordinance)



意見

本核數師(以下簡稱「我們」)已審計列載於第123至141頁的**獨立監察警方處理投訴委員會**(以下簡稱「貴會」)的財務報表,此財務報表包括於二零一七年三月三十一日的財務狀況表與截至該日止年度的全面收益表、儲備變動表和現金流量表,以及財務報表附註,包括主要會計政策概要。

我們認為,該等財務報表已根據香港會計師公會頒布的《香港財務報告準則》真實而中肯地反映了貴會於二零一七年三月三十一日的財務狀況及截至該日止年度的財務表現及現金流量。

意見之基礎

我們已根據香港會計師公會頒布的《香港審計準則》進行審計。我們在該等準則下承擔的責任已在本報告「核數師就審計財務報表承擔的責任」部分中作進一步闡述。根據香港會計師公會頒布的《專業會計師道德守則》(以下簡稱「守則」),我們獨立於貴會,並已履行守則中的其他專業道德責任。我們相信,我們所獲得的審計憑證能充足及適當地為我們的審計意見提供基礎。

Opinion

We have audited the financial statements of the **Independent Police Complaints Council** (the "Council") set out on pages 123 to 141, which comprise the statement of financial position as at 31 March 2017, the statement of comprehensive income, the statement of changes in reserves and the statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the financial statements give a true and fair view of the financial position of the Council as at 31 March 2017, and of its financial performance and its cash flows for the year then ended in accordance with Hong Kong Financial Reporting Standards ("HKFRSs") issued by the Hong Kong Institute of Certified Public Accountants ("HKICPA").

Basis for opinion

We conducted our audit in accordance with Hong Kong Standards on Auditing ("HKSAs") issued by the HKICPA. Our responsibilities under those standards are further described in the auditor's responsibilities for the audit of the financial statements section of our report. We are independent of the Council in accordance with the HKICPA's Code of Ethics for Professional Accountants ("the Code"), and we have fulfilled our other ethical responsibilities in accordance with the Code. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

財務報表及其核數師報告以外的信息

貴會需對其他資訊負責。其他資訊包括刊載於工作報告內的資訊，但不包括財務報表及我們的核數師報告。

我們對財務報表的意見並不涵蓋其他資訊，我們亦不對該等其他資訊發表任何形式的鑒證結論。

結合我們對財務報表的審計，我們的責任是閱讀其他資訊，在此過程中，考慮其他資訊是否與財務報表或我們在審計過程中所瞭解的情況存在重大抵觸或者似乎存在重大錯誤陳述的情況。基於我們已執行的工作，如果我們認為其他資訊存在重大錯誤陳述，我們需要報告該事實。在這方面，我們沒有任何報告。

貴會及治理層就財務報表須承擔的責任

貴會須負責根據香港會計師公會頒佈的《香港財務報告準則》擬備真實而中肯的財務報表，並對其認為為使財務報表的擬備不存在由於欺詐或錯誤而導致的重大錯誤陳述所需的內部控制負責。

在擬備財務報表時，貴會負責評估其持續經營的能力，並在適用情況下披露與持續經營有關的事項，以及使用持續經營為會計基礎，除非貴會有意將其清盤或停止經營，或別無其他實際的替代方案。

治理層須負責監督貴會的財務報告過程。

Information other than the financial statements and auditor's report thereon

The Council is responsible for the other information. The other information comprises the information included in the Annual report, but does not include the financial statements and our auditor's report thereon.

Our opinion on the financial statements does not cover the other information and we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

Responsibilities of Council and those charged with governance for the financial statements

The Council is responsible for the preparation of the financial statements that give a true and fair view in accordance with HKFRSs issued by the HKICPA and for such internal control as the Council determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Council is responsible for assessing the Council's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Council either intends to liquidate the Council or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Council's financial reporting process.

核數師就審計財務報表承擔的責任

我們的目標，是對財務報表整體是否不存在由於欺詐或錯誤而導致的重大錯誤陳述取得合理保證，並出具包括我們意見的核數師報告。我們是按照《獨立監察警方處理投訴委員會條例》(第604章)附表1第29條的規定，僅向貴會報告。除此以外，我們的報告不可用作其他用途。我們概不會就本報告內容，對任何其他人士負責及承擔責任。我們概不就本報告的內容，對任何其他人士負上或承擔任何責任。合理保證是高水平的保證，但不能保證按照《香港審計準則》進行的審計，在某一重大錯誤陳述存在時總能發現。錯誤陳述可以由欺詐或錯誤引起，如果合理預期它們單獨或滙總起來可能影響財務報表使用者依賴財務報表所作出的經濟決定，則有關的錯誤陳述可被視作重大。

在根據《香港審計準則》進行審計的過程中，我們運用了專業判斷，保持了專業懷疑態度。我們亦：

- 識別和評估由於欺詐或錯誤而導致財務報表存在重大錯誤陳述的風險，設計及執行審計程序以應對這些風險，以及獲取充足和適當的審計憑證，作為我們意見的基礎。由於欺詐可能涉及串謀、偽造、蓄意遺漏、虛假陳述，或凌駕於內部控制之上，因此未能發現因欺詐而導致的重大錯誤陳述的風險高於未能發現因錯誤而導致的重大錯誤陳述的風險。
- 了解與審計相關的內部控制，以設計適當的審計程序，但目的並非對貴會內部控制的有效性發表意見。
- 評價貴會所採用會計政策的恰當性及作出會計估計和相關披露的合理性。

Auditor's responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. This report is made solely to you, as a body, in accordance with section 29 of Schedule 1 of the Independent Police Complaints Council Ordinance (Cap.604), and for no other purposes. We do not assume responsibility towards or accept liability to any other person for the contents of this report. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with HKSA's will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.


As part of an audit in accordance with HKSA's, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Council's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Council.

- 對貴會採用持續經營會計基礎的恰當性作出結論。根據所獲取的審計憑證，確定是否存在與事項或情況有關的重大不確定性，從而可能導致對貴會的持續經營能力產生重大疑慮。如果我們認為存在重大不確定性，則有必要在核數師報告中提請使用者注意財務報表中的相關披露。假若有關的披露不足，則我們應當發表非無保留意見。我們的結論是基於核數師報告日止所取得的審計憑證。然而，未來事項或情況可能導致貴會不能持續經營。
- 評價財務報表的整體列報方式、結構和內容，包括披露，以及財務報表是否中肯反映交易和事項。
- Conclude on the appropriateness of the Council's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Council's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Council to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

除其他事項外，我們與貴會溝通了計劃的審計範圍、時間安排、重大審計發現等，包括我們在審計中識別出內部控制的任何重大缺陷。

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.



黃龍德會計師事務所有限公司

執業會計師

劉旭明

香港執業會計師

執業證書號碼：P05468

二零一七年八月二十五日

香港

PATRICK WONG C.P.A. LIMITED

Certified Public Accountants

LAU YUK MING HAROLD

F CPA (Practising)

Certified Public Accountant (Practising), Hong Kong

Practising Certificate Number: P05468

25 August 2017

Hong Kong

全面收益表 — 截至二零一七年三月三十一日止年度

Statement of comprehensive income — for the year ended 31 March 2017

	附註 Notes	2017 \$	2016 \$
收入 Income			
政府補助 Government grants	6	66,056,879	55,657,321
其他收入 Other income	7	6,967	54,683
		66,063,846	55,712,004
支出 Expenditure			
員工成本 Staff costs	8	38,573,851	33,887,467
一般及行政費用 General and administrative expenses	8	16,909,310	16,672,219
本會成員酬金 Honorarium to Council members	17	808,450	790,120
		56,291,611	51,349,806
本年度盈餘及全面收益總額 Surplus and total comprehensive income for the year	8	9,772,235	4,362,198

財務狀況表 — 於二零一七年三月三十一日
Statement of financial position — at 31 March 2017

	附註 Notes	2017 \$	2016 \$
非流動資產 Non-current asset			
固定資產 Fixed assets	10	4,325,600	5,893,070
流動資產 Current assets			
按金及預付款項 Deposits and prepayments		3,586,060	2,448,511
現金及現金等價物 Cash and cash equivalents	11	56,456,194	48,878,330
		60,042,254	51,326,841
流動負債 Current liabilities			
遞延政府補助 Deferred government grants	12	1,746,072	2,182,156
其他應付款項及應計費用 Other payables and accruals	13	2,715,113	3,282,911
		4,461,185	5,465,067
流動資產淨值 Net current assets			
		55,581,069	45,861,774
資產總值減流動負債 Total assets less current liabilities			
		59,906,669	51,754,844
非流動負債 Non-current liabilities			
遞延政府補助 Deferred government grants	12	1,598,611	3,004,406
員工約滿酬金撥備 Provision for staff gratuities	14	4,086,567	4,301,182
		5,685,178	7,305,588
資產淨值 Net assets			
		54,221,491	44,449,256
儲備 Reserves			
累計盈餘 Accumulated surplus		54,221,491	44,449,256

本會於二零一七年八月二十五日批准並授權公佈本財務報表。
 Approved and authorised for issue by the Council on 25 August 2017.



郭琳廣，SBS，JP

主席

Larry KWOK Lam-Kwong, SBS, JP

Chairman

儲備變動表 — 截至二零一七年三月三十一日止年度

Statement of changes in reserves — for the year ended 31 March 2017

	累計盈餘 Accumulated surplus \$
於二零一五年四月一日之結餘 Balance at 1 April 2015	40,087,058
年內盈餘及全面收益 Surplus and total comprehensive income for the year	4,362,198
於二零一六年三月三十一日及四月一日之結餘 Balance at 31 March 2016 and at 1 April 2016	44,449,256
年內盈餘及全面收益 Surplus and total comprehensive income for the year	9,772,235
於二零一七年三月三十一日之結餘 Balance at 31 March 2017	54,221,491

現金流量表 — 截至二零一七年三月三十一日止年度
Statement of cash flows — for the year ended 31 March 2017

	附註 Note	2017 \$	2016 \$
營運活動 Operating activities			
年內盈餘及其他全面收益 Surplus and other comprehensive income for the year		9,772,235	4,362,198
已就下列各項作出調整 Adjustments for :			
— 折舊 Depreciation		2,568,640	2,560,682
— 利息收入 Interest income		(3,971)	(51,998)
營運資金變動前之營運盈餘 Operating surplus before working capital changes		12,336,904	6,870,882
按金及預付款項之(增加)/減少 (Increase)/decrease in deposits and prepayments		(1,137,549)	231,626
遞延政府補助之(減少)/增加 (Decrease)/increase in deferred government grants		(1,841,879)	3,245,679
其他應付款項及應計費用之(減少)/增加 (Decrease)/increase in other payables and accruals		(567,798)	1,397,795
員工約滿酬金撥備之(減少)/增加 (Decrease)/increase in provision for staff gratuities		(214,615)	968,154
營運活動產生的現金流流入 Net cash generated from operating activities		8,575,063	12,714,136
投資活動 Investing activities			
購入固定資產 Purchase of fixed assets		(1,001,170)	(4,970,518)
已收利息 Interest received		3,971	51,998
投資活動之現金流出淨額 Net cash used in investing activities		(997,199)	(4,918,520)
現金及現金等價物之增加淨額 Net increase in cash and cash equivalents		7,577,864	7,795,616
年初之現金及現金等價物 Cash and cash equivalents at the beginning of year		48,878,330	41,082,714
年末之現金及現金等價物 Cash and cash equivalents at the end of year	11	56,456,194	48,878,330

財務報表附註 — 二零一七年三月三十一日

Notes to the financial statements — 31 March 2017

1. 概述

獨立監察警方處理投訴委員會(「本會」)是根據《獨立監察警方處理投訴委員會條例》成立的一個法團，根據《獨立監察警方處理投訴委員會條例》(第604章)(「本會條例」)，本會擔任法定機構的角色，獲授權負責觀察、監察及覆檢須匯報投訴個案的處理和調查工作，並就本會條例所指明的須匯報投訴個案的處理和調查工作向警務處處長或行政長官或兼向上述兩者提出建議。本會亦會就處長因應須匯報投訴個案而已經或將會對任何相關警務人員作出的行動進行監察，並對有關行動提供意見。

由於本會並非牟利機構，且無須遵守任何外間訂立的資本規定，因此本會的主要財務及資本管理目標是維持每年收支平衡，從而能夠持續運作及履行法定機構的角色和職能。

本會的資金主要源自政府撥款。任何營運盈餘必須結轉至下一個財政年度，以應付未來本會運作所需的開支。整體資本管理政策與上年比較並無作出任何改變。

2. 採納香港財務報告準則

本會的財務報表乃根據香港會計師公會頒佈的所有適用的香港財務報告準則，包括所有個別適用的香港財務報告準則、香港會計準則及註釋和香港公認會計原則編製。主要會計政策已載於附註3。

1. GENERAL INFORMATION

The Independent Police Complaints Council (the “Council”) is a body corporate established under the Independent Police Complaints Council Ordinance. Under the Independent Police Complaints Council Ordinance (Cap. 604) (the “Ordinance”), the Council assumes its statutory role as the authority for observing, monitoring and reviewing the handling and investigation of reportable complaints, and making recommendations to the Commissioner of Police or the Chief Executive or both of them in respect of the handling or investigation of reportable complaints as specified in the Ordinance. The Council also monitors actions taken or to be taken in respect of any member of the police force by the Commissioner in connection with reportable complaints, and to advise them of its opinion on such actions.

Since the Council is not profit-oriented and is not subject to any externally imposed capital requirements, its primary financial and capital management objectives are to maintain a balance between annual income and expenditure, so that it has the ability to operate as a going concern and perform its statutory roles and functions.

The Council is primarily financed by government subventions. Any operating surplus shall be carried forward to the following financial year to meet future expenditure required for the operations of the Council. The overall capital management strategy remains unchanged from prior year.

2. STATEMENT OF COMPLIANCE WITH HONG KONG FINANCIAL REPORTING STANDARDS

The Council's financial statements have been prepared in accordance with all applicable Hong Kong Financial Reporting Standards (“HKFRSs”), which includes all applicable individual Hong Kong Financial Reporting Standards, Hong Kong Accounting Standards (“HKASs”) and Interpretations issued by the Hong Kong Institute of Certified Public Accountants (“HKICPA”) and accounting principles generally accepted in Hong Kong. A summary of significant accounting policies is set out in note 3.

3. 主要會計政策

(a) 財務報表編製基準

本財務報表採用歷史成本會計基準編製。

(b) 固定資產

固定資產是以成本減去隨後累計折舊和隨後減值虧損後（如有）記入財務狀況表。

計算折舊是以固定資產項目之估計可使用年期內，按直線法撇銷成本，減彼等之估計餘值，並載述如下：—

• 租賃裝修工程	3 年
• 辦公室設備	5 年
• 電腦設備	3 年
• 傢俱及裝置	3 年

估計可使用年期、剩餘價值及折舊方法乃於各報告期末檢討，並計算未來任何估計變動之影響。

固定資產會在出售或預期繼續使用資產不會帶來未來經濟利益時終止確認。於出售或報廢固定資產項目時產生之任何損益以出售所得款項與該資產賬面值之差額計量，並於損益中確認。

(c) 租賃

租賃是出租人與承租人在商定的時期內以換取支付或支付一系列資產使用權的一項協議。決定一個安排是否，或包含，租賃是取決於該安排的本質，及當履行該安排時，是否取決於特定資產的使用和資產使用權的轉移。

3. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

(a) Basis of preparation of the financial statements

The measurement basis used in preparing the financial statements is at historical cost.

(b) Fixed assets

Fixed assets are stated in the statement of financial position at cost less subsequent accumulated depreciation and subsequent impairment losses, if any.

Depreciation is recognised so as to write off the cost of assets less their residual values over their estimated useful lives, using the straight-line method, as follows:—

• Leasehold improvements	3 years
• Office equipment	5 years
• Computer equipment	3 years
• Furniture and fixtures	3 years

The estimated useful lives, residual values and depreciation method are reviewed at the end of each reporting period, with the effect of any changes in estimate accounted for on a prospective basis.

An item of fixed assets is derecognised upon disposal or when no future economic benefits are expected to arise from the continued use of the asset. Any gain or loss arising on the disposal or retirement of an item of fixed assets is determined as the difference between the sales proceeds and the carrying amount of the asset and is recognised in profit or loss.

(c) Leases

A Lease is an agreement whereby the lessor conveys to the lessee in return for a payment or series of payments the right to use an asset for an agreed period of time. Determining whether an arrangement is, or contains, a lease is based on the substance of the arrangement and requires an assessment of whether fulfilment of the arrangement is dependent on the use of a specific asset or assets and the arrangement conveys a right to use the asset.

3. 主要會計政策 (續)

(c) 租賃 (續)

租賃的資產被列為融資租賃時，租賃實質上是將該資產所有權所附帶的風險和報酬轉移給本會。所有其他租賃歸類為營運租賃。

營運租賃

營運租賃之付款於租賃期內以直線法在收益表內列為開支。為取得在營運租賃下持有的土地所付出的款項，以土地租賃溢價確認於財務狀況表中。

難以預料的租金在發生時確認為當期的費用。

(d) 按金及預付款項

按金及預付款項按公允價值初始確認，其後按攤銷成本減去呆賬減值撥備計算後所得的金額入賬，但如折現影響並不重大則除外。在此情況下，應收款項會按成本減去呆壞賬減值撥備後所得的金額入賬。

(e) 現金及現金等價物

現金及現金等價物包括銀行及手頭現金，以及可隨時轉換為已知數額現金，並幾乎不受價值變動風險所影響之短期高度流通投資項目。

(f) 其他應付款項

其他應付款項均於初期按公平值確認，其後按攤銷成本列賬，惟倘若折現之影響並不重大，則按成本列賬。

3. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

(c) Leases (continued)

Leases are classified as finance leases when the terms of leases transfer substantially all the risks and rewards of ownership to the lessee. All other leases are classified as operating leases.

Operating leases

Lease payments under an operating lease are recognised as an expense on a straight-line basis over the lease term. The payments made on acquiring land held under an operating lease are recognised in the statement of financial position as lease premium for land.

Contingent rents are charged as an expense in the periods in which they are incurred.

(d) Deposits and prepayments

Deposits and prepayments are initially recognised at fair value and thereafter stated at amortised cost less allowance for impairment of doubtful debts, except where the effect of discounting would be immaterial. In such cases, the receivables are stated at cost less allowance for impairment of doubtful debts.

(e) Cash and cash equivalents

Cash comprises cash on hand and at bank. Cash equivalents are short-term, highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

(f) Other payables

Other payables are initially measured at fair value and, after initial recognition, at amortised cost, except for short-term payables with no stated interest rate and the effect of discounting being immaterial, that are measured at their original invoice amount.

3. 主要會計政策 (續)

(g) 撥備及或有負債

如果本會須就已發生的事件承擔法定或推定義務，因而預期很可能會導致經濟利益流出，在有關金額能夠可靠地估計時，本會便會對該時間或金額不確定的負債計提撥備。如果貨幣時間價值重大，則按預計所需費用的現值計提撥備。

如果經濟利益流出的可能性較低，或是無法對有關金額作出可靠的估計，便會將該義務披露為或有負債，但經濟利益流出的可能性極低則除外。如果本會的義務須視乎某項或多項未來事件是否發生才能確定是否存在，該義務亦會被披露為或有負債，但經濟利益流出的可能性極低則除外。

(h) 收入確認

收入乃按已收或應收代價之公平值計算。如果經濟利益很可能會流入本會，而收入和支出（如適用）又能夠可靠地計量時，下列各項收入便會在全面收益表中確認：

(i) 政府補助

當可以合理地確定本會將會收到政府補助並履行該補助的附帶條件時，政府補助便會按其公允價值確認。

有關購置固定資產的政府補助歸入遞延政府補助，並於相關資產的預計可用期限內按直線法計入全面收益表。

(ii) 利息收入

利息收入是使用有效的利率方法確認。

3. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

(g) Provisions and contingent liabilities

Provisions are recognised for liabilities of uncertain timing or amount when the Council has a legal or constructive obligation arising as a result of a past event, it is probable that an outflow of economic benefits will be required to settle the obligation and a reliable estimate can be made. Where the time value of money is material, provisions are stated at the present value of the expenditure expected to settle the obligation.

Where it is not probable that an outflow of economic benefits will be required, or the amount cannot be estimated reliably, the obligation is disclosed as a contingent liability, unless the probability of outflow of economic benefits is remote. Possible obligations, whose existence will only be confirmed by the occurrence or non-occurrence of one or more future events are also disclosed as contingent liabilities unless the probability of outflow of economic benefits is remote.

(h) Income recognition

Income is measured at the fair value of the consideration received or receivable. Provided that it is probable that the economic benefits associated with the income transaction will flow to the Council and the income and the costs, if any, in respect of the transaction can be measured reliably, income is recognised as follows:

(i) Government grants

Government grants are recognised at their fair value where there is a reasonable assurance that the grant will be received and the Council will comply with all attached conditions.

Government grants relating to the purchase of fixed assets are included in deferred income and are credited to the statement of comprehensive income on a straight-line basis over the expected lives of the related assets.

(ii) Interest income

Interest income is recognised using the effective interest method.

3. 主要會計政策 (續)

(i) 員工福利

(i) 僱員可享有的假期

僱員所累積的應得有薪年假會被計入。在報告期末，由僱員提供服務而產生的預計有薪年假會被計提撥備。

僱員可享有的病假及身孕假期會於假期開始時才計算。

(ii) 退休福利成本

本會非公務員合約的僱員已經加入強制性公積金條例下成立的強制性公積金計劃(強積金計劃)。本會為該等僱員向強積金計劃作出有關入息的5%供款，以每月\$1,500為上限。該計劃之資產與本會之資產分開持有，並由信託人以基金託管。

向強積金計劃支付的供款於到期日列作支出。

- (j) 除商譽以外的有形及無形資產減值
- 於各報告期末，本會會檢討具有有限可使用年期的有形及無形資產的賬面值，以判斷該資產是否出現減值虧損。當顯示可能出現減值虧損時，該資產的可收回值會被評估以計算其虧損幅度。如該資產的可收回值並不可能被評估，本會會評估該資產所屬的現金產生單位可收回值。當確定了一個合理及一致的分類基礎時，企業資產會被分類為獨立現金產生單位或現金產生單位的最小組別。

3. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

(i) Employee benefits

(i) Employee leave entitlements

Employee entitlements to annual leave are recognised when they accrue to employees. A provision is made for the estimated liability for annual leave as a result of services rendered by employees up to the end of reporting period.

Employee entitlements to sick leave and maternity or paternity leave are not recognised until the time of leave.

(ii) Retirement benefit costs

The Council has joined the Mandatory Provident Fund Scheme (the MPF Scheme) established under the Mandatory Provident Fund Ordinance for non-civil service contract staff. The Council contributes 5% of the relevant income of staff members under the MPF Scheme and subject to ceiling of \$1,500 per month. The assets of the Scheme are held separately from those of the Council, in funds under the control of trustee.

Payments to the MPF Scheme are charged as an expense as they fall due.

- (j) Impairment of tangible and intangible assets other than goodwill
- At the end of reporting period, the Council reviews the carrying amounts of its tangible and intangible assets with finite useful lives to determine whether there is any indication that those assets have suffered an impairment loss. If any such indication exists, the recoverable amount of the asset is estimated in order to determine the extent of the impairment loss, if any. When it is not possible to estimate the recoverable amount of an individual asset, the Council estimates the recoverable amount of the cash-generating unit to which the asset belongs. When a reasonable and consistent basis of allocation can be identified, corporate assets are also allocated to individual cash-generating units, or otherwise they are allocated to the smallest group of cash-generating units for which a reasonable and consistent allocation basis can be identified.

3. 主要會計政策 (續)

(k) 關聯方

a) 一名人士或其近親被視為本會的關聯方，如果該人士：

- (i) 能控制或共同控制本會；
- (ii) 能對本會構成重大影響力；或
- (iii) 為本會的關鍵管理人員。

b) 一個實體可視為本會的關聯方，如果該實體符合以下任何情況：

- (i) 一個實體是為本會或為本會關聯方的僱員福利而設的離職後福利計劃；
- (ii) 一個實體由(a)中描述的人士控制或共同控制；或
- (iii) (a)(i)中描述的一名人士對一個實體構成重大影響，或為一個實體的關鍵管理人員。

3. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

(k) Related parties

a) A person or a close member of that person's family is related to the Council if that person:

- (i) has control or joint control over the Council;
- (ii) has significant influence over the Council; or
- (iii) is a member of the key management personnel of the Council.

b) An entity is related to the Council if any of the following conditions applies:

- (i) The entity is a post-employment benefit plan for the benefit of employees of either the Council or an entity related to the Council.
- (ii) The entity is controlled or jointly controlled by a person identified in (a).
- (iii) A person identified in (a)(i) has significant influence over the entity or is a member of the key management personnel of the entity.

4. 會計政策更新

於二零一七年，本會已應用香港會計師公會頒佈於二零一六年四月一日或之後開始之年度生效包括以下或與本會業務及財務報表有關的香港財務報告準則：

4. CHANGES IN ACCOUNTING POLICIES

The Council has initially applied the new and revised HKFRSs issued by the HKICPA that are first effective for accounting periods beginning on or after 1 April 2016, including:-

香港財務報告準則(修訂本)香港財務報告準則二零一二年至二零一四年週期之年度改進
Amendments to HKFRSs, Annual Improvements to HKFRSs 2012-2014 Cycle

香港會計準則第1號(修訂本)披露計劃
Amendments to HKAS 1, Disclosure initiative

香港會計準則第16號及第38號(修訂本)澄清折舊及攤銷可接納的方法
Amendments to HKAS 16 and HKAS 38, Clarification of acceptable methods of depreciation and amortisation

於本年度應用該等香港財務報告準則對本會的財政表現及狀況並沒有重大影響。

The application of the new and revised HKFRSs has no material effects on the Council's financial performance and positions.

5. 重要會計推算及判斷

按照香港財務報告準則編製財務報表時，本會管理層會為影響到資產、負債、收入及開支的會計政策的應用作出判斷、估計及假設。這些判斷、估計及假設是以過往經驗及多項其他於有關情況下視作合理之因素為基準。儘管管理層對這些判斷、估計及假設作出持續檢討，實際結果可能有別於此等估計。

5. CRITICAL ACCOUNTING ESTIMATES AND JUDGEMENT

The Council's management makes assumptions, estimates and judgements in the process of applying the Council's accounting policies that affect the assets, liabilities, income and expenses in the financial statements prepared in accordance with HKFRSs. The assumptions, estimates and judgements are based on historical experience and other factors that are believed to be reasonable under the circumstances. While the management reviews their judgements, estimates and assumptions continuously, the actual results will seldom equal to the estimates.

有關財務風險管理的某些主要假設及風險因素列載於附註16。對於本財務報表所作出的估計及假設，預期不會構成重大風險，導致下一財政年度資產及負債的賬面值需作大幅修訂。

Certain key assumptions and risk factors in respect of the financial risk management are set out in note 16. There are no other key sources of estimation uncertainty that have a significant risk of causing a material adjustment to the carrying amounts of asset and liabilities within the next financial year.

6. 政府補助

政府補助是指政府撥款以供本會履行服務的資金。有關補助是按照本會的需要(已載列於年度預算及建議項目中)而釐定。

6. GOVERNMENT GRANTS

Government grants represent the funds granted by the Government for the Council's services which is determined with regard to the needs of the Council as presented in its annual budget and proposed projects.

7. 其他收入

7. OTHER INCOME

	2017 \$	2016 \$
利息收入 Interest income	3,971	51,998
雜項收入 Sundry income	2,996	2,685
	6,967	54,683

8. 年內盈餘及全面收益

8. SURPLUS AND TOTAL COMPREHENSIVE INCOME FOR THE YEAR

年內盈餘及全面收益已計入：

Surplus and total comprehensive income for the year is arrived at after charging:

	2017 \$	2016 \$
(a) 員工成本 Staff costs		
— 強制性公積金供款 Contributions to Mandatory Provident Funds	851,588	768,012
— 薪金、工資及其他福利 Salaries, wages and other benefits	37,722,263	33,119,455
	38,573,851	33,887,467
(b) 一般及行政費用 General and administrative expenses		
核數師酬金 Auditor's remuneration	38,000	38,000
物業的營運租賃及管理費用 Rent, rates and management fee	9,188,656	8,379,140
公眾及教育事務費用 Public and educational affairs expenses	627,205	1,598,240
觀察員計劃費用 Observers' scheme expenses	1,116,218	432,667
保險費用 Insurance	48,316	48,881
維修和保養 Repair and maintenance	1,768,042	961,493
海外職務訪問費用 Overseas duty visit	—	322,116
公用設施費用 Utilities	318,539	308,779
折舊 Depreciation	2,568,640	2,560,682
專業服務費用 Professional services	350,000	600,000
其它 Miscellaneous	885,694	1,422,221
	16,909,310	16,672,219

9. 稅項

9. TAXATION

根據《稅務條例》第 87 條的規定，本會獲豁免課稅，因此本會無須在本財務報表計提香港利得稅撥備。

No provision for Hong Kong Profits Tax has been made in the financial statements as the Council is exempted from profits tax pursuant to section 87 of the Inland Revenue Ordinance.

10. 固定資產

10. FIXED ASSETS

	租賃裝修工程 Leasehold improvements \$	傢俱及裝置 Furniture and fixtures \$	辦公室設備 Office equipment \$	電腦設備 Computer equipment \$	總額 Total \$
成本 Cost					
於二零一五年四月一日 At 1 April 2015	3,775,450	420,811	1,322,347	5,057,188	10,575,796
增置 Additions	43,900	60,658	11,068	4,854,892	4,970,518
棄置 Disposals	–	(2,509)	–	–	(2,509)
於二零一六年三月三十一日 At 31 March 2016	3,819,350	478,960	1,333,415	9,912,080	15,543,805
累計折舊 Accumulated depreciation					
於二零一五年四月一日 At 1 April 2015	2,921,586	275,057	1,089,674	2,806,245	7,092,562
年內折舊 Charge for the year	850,822	97,446	99,318	1,513,096	2,560,682
棄置核銷 Write back on disposals	–	(2,509)	–	–	(2,509)
於二零一六年三月三十一日 At 31 March 2016	3,772,408	369,994	1,188,992	4,319,341	9,650,735
賬面淨值 Net book value					
於二零一六年三月三十一日 At 31 March 2016	46,942	108,966	144,423	5,592,739	5,893,070
成本 Cost					
於二零一六年四月一日 At 1 April 2016	3,819,350	478,960	1,333,415	9,912,080	15,543,805
增置 Additions	17,500	115,948	–	867,722	1,001,170
於二零一七年三月三十一日 At 31 March 2017	3,836,850	594,908	1,333,415	10,779,802	16,544,975
累計折舊 Accumulated depreciation					
於二零一六年四月一日 At 1 April 2016	3,772,408	369,994	1,188,992	4,319,341	9,650,735
年內折舊 Charge for the year	24,592	76,028	81,482	2,386,538	2,568,640
於二零一七年三月三十一日 At 31 March 2017	3,797,000	446,022	1,270,474	6,705,879	12,219,375
賬面淨值 Net book value					
於二零一七年三月三十一日 At 31 March 2017	39,850	148,886	62,941	4,073,923	4,325,600

11. 現金及現金等價物

11. CASH AND CASH EQUIVALENTS

	2017 \$	2016 \$
銀行存款 Cash at banks	56,456,194	48,878,330
財務狀況表及現金流量表之現金及現金等價物 Cash and cash equivalents in the statement of financial position and the statement of cash flows	56,456,194	48,878,330

12. 遞延政府補助

12. DEFERRED GOVERNMENT GRANTS

	2017 \$	2016 \$
於二零一六年 / 二零一五年四月一日的結餘 Balance as at 1 April 2016/2015	5,186,562	1,940,883
已收補助 Grants received	350,000	4,500,000
年內確認為收入的數額 Recognised as income in the year	(2,191,879)	(1,254,321)
於二零一七年 / 二零一六年三月三十一日的結餘 Balance as at 31 March 2017/2016	3,344,683	5,186,562
減：歸入「流動負債」的數額 Less: Amount included in "current liabilities"	(1,746,072)	(2,182,156)
歸入「非流動負債」的數額 Amount included in "non-current liabilities"	1,598,611	3,004,406

有關已收補助主要是用於委員、觀察員及秘書處所用的電子平台的防火牆軟件升級。

The grants received are mainly for the firewall upgrade for the electronic platform used among Members, Observers and the Secretariat.

13. 其他應付款項及應計費用

13. OTHER PAYABLES AND ACCRUALS

	2017 \$	2016 \$
財務負債 Financial liabilities	1,370,769	2,002,349
未放取的有薪年假 Unutilized annual leave	1,344,344	1,280,562
	2,715,113	3,282,911

其他應付款項及應計費用預計於下年內償還。

Other payables and accruals are expected to be settled within one year.

14. 員工約滿酬金撥備

14. PROVISION FOR STAFF GRATUITIES

	2017 \$	2016 \$
於二零一六年 / 二零一五年四月一日的結餘 Balance as at 1 April 2016/2015	4,301,182	3,333,028
已計提撥備 Provision made	3,262,283	2,799,663
已動用撥備 Provision utilised	(3,476,898)	(1,831,509)
於二零一七年 / 二零一六年三月三十一日的結餘 Balance as at 31 March 2017/2016	4,086,567	4,301,182

員工約滿酬金撥備是為了支付受聘當日起計已完成兩年或三年合約的員工的約滿酬金而設立。

Provision for staff gratuities is set up for the gratuity payments which will be payable to employees of the Council who complete their two or three-year contracts commencing from the date of their employment.

15. 承擔

於二零一七年三月三十一日，根據不可解除的營運租賃在日後應付的物業最低租賃付款總額如下：

15. COMMITMENTS

At 31 March 2017, the total future minimum lease payments under non-cancellable operating leases in respect of properties are payable as follows:

	2017 \$	2016 \$
一年內 Within 1 year	11,687,556	2,716,789
一年後但五年內 After 1 year but within 5 years	15,583,408	–
	27,270,964	2,716,789

16. 金融工具

本會將其財務資產分為以下類別：

16. FINANCIAL INSTRUMENTS

The Council has classified its financial assets in the following categories:

	貸款及應收款項 Loans and receivables	
	2017 \$	2016 \$
按金 Deposits	2,962,157	2,000,703
現金及現金等價物 Cash and cash equivalents	56,456,194	48,878,330
	59,418,351	50,879,033

本會將其財務負債分為以下類別：

The Council has classified its financial liabilities in the following categories:

	按攤銷成本計量的財務負債 Financial liabilities measured at amortised cost	
	2017 \$	2016 \$
其他應付款項及應計費用 Other payables and accruals	1,370,769	2,002,349

所有金融工具的賬面值相對二零一六年及二零一七年三月三十一日年底時的公平值均沒有重大差別。

All financial instruments are carried at amounts not materially different from their fair values as at 31 March 2016 and 2017.

本會的營運活動及金融工具使其面對信貸風險，流動資金風險及市場風險。本會透過以下政策管理該等風險，以減低該等風險對本會的財務表現及狀況的潛在不利影響。

The Council is exposed to credit risk, liquidity risk and market risk arising in the normal course of its operation and financial instruments. The Council's risk management objectives, policies and processes mainly focus on minimising the potential adverse effects of these risks on its financial performance and position by closely monitoring the individual exposure.

16. 金融工具 (續)

(a) 信貸風險

本會並無重大集中信貸風險，而最高風險相等於財務資產所載有關賬面值。本會的信貸風險主要來自其銀行存款。銀行存款的信用風險是有限，因受存款之銀行均為受香港銀行條例規管的財務機構。

16. FINANCIAL INSTRUMENTS (continued)

(a) Credit risk

The Council has no concentration of credit risk. The maximum exposure to credit risk is represented by the carrying amount of the financial assets. The Council is exposed to credit risk on financial assets, mainly attributable to deposits with banks. The credit risk on bank deposits is limited because the counterparties are authorised financial institutions regulated under the Hong Kong Banking Ordinance.

	2017 \$	2016 \$
數據一覽 Summary quantitative data		
按金 Deposits	2,962,157	2,000,703
銀行存款 Bank balances	56,456,194	48,878,330
	59,418,351	50,879,033

(b) 流動資金風險

本會的流動資金風險是財務負債。本會對資金作出謹慎管理，維持充裕的現金和現金等價項目，以滿足連續運作的需要。

(b) Liquidity risk

The Council is exposed to liquidity risk on financial liabilities. It manages its funds conservatively by maintaining a comfortable level of cash and cash equivalents in order to meet continuous operational need. The Council ensures that it maintains sufficient cash which is available to meet its liquidity.

	賬面值 Carrying amount \$	合約的未折現 現金流量總額 Total contractual undiscounted cash flow \$	一年內或 於要求時 Within 1 year or on demand \$
2017			
其他應付款項及應計費用 Other payables and accruals	1,370,769	1,370,769	1,370,769
2016			
其他應付款項及應計費用 Other payables and accruals	2,002,349	2,002,349	2,002,349

16. 金融工具 (續)

(c) 市場風險
利率風險

本會的利率風險主要來自銀行存款，並以貸款及應收款項作為財務資產分類。

本會的銀行存款主要為活期存款，利率風險較低。因此，本會預期不會面對任何重大利率風險。

16. FINANCIAL INSTRUMENTS (continued)

(c) Market risk
Interest rate risk

The Council's exposure on fair value interest rate risk mainly arises from its cash deposits with bank which are classified as loans and receivables.

The Council mainly holds deposits with bank in saving account and the exposure is considered not significant. In consequence, no material exposure on fair value interest rate risk is expected.

	2017 \$	2016 \$
數據一覽 Summary quantitative data		
浮息財務資產 Floating-rate financial assets		
銀行結存 Deposits with banks	28,193,734	26,421,262

本會沒有對所產生的利率風險作敏感性分析，因為管理層評估此風險對本會的財務狀況不會產生重大影響。

No sensitivity analysis for the Council's exposure to interest rate risk arising from deposits with bank is prepared since based on the management's assessment the exposure is considered not significant.

(d) 以公平值計量之金融工具
於報告期末，本會並沒有金融工具以公平值列賬。(d) Financial instrument at fair value
At the end of reporting period, there were no financial instruments stated at fair value.

17. 關聯方交易

除披露在財務報表的交易及結餘外，本會與關聯方於年內進行之交易摘要如下：

17. MATERIAL RELATED PARTY TRANSACTIONS

The Council had the following material related party transactions during the year:

	2017 \$	2016 \$
本會成員酬金 Honorarium paid to Council members	808,450	790,120

有關採購貨品及服務的所有交易（當中涉及本會的成員及主要管理人員可能持有權益的機構）是在日常業務過程中按照本會的財務責任及正常採購程序進行。

All transactions related to the procurement of goods and services involving organisations in which a member of the Council and key management personnel may have an interest are conducted in the normal course of business and in accordance with the Council's financial obligations and normal procurement procedures.

18. 報告期末後事項

於報告期末後，本會有下列非調整事項。

根據政府與本會在2017年6月22日簽訂的《行政安排備忘錄》（「備忘錄」）第6節，本會可以保留及累積未動用之經常性資助作為儲備，而該累積儲備不應超出該財政年度經常性資助額的25%。如該財政年期末之儲備超出該財政年度經常性資助額的25%，除非得到財經事務及庫務局局長批准，本會須把超出上限的數額從下一個財政年度的資助中扣減以退還予政府。

19. 已頒佈但於年內尚未生效的香港財務報告準則

以下乃已頒佈但於年內尚未生效之香港財務報告準則，這些準則或與本會營運及財務報表有關：

18. EVENTS AFTER THE END OF REPORTING PERIOD

Subsequent to the end of reporting period, the Council had the following non-adjusting event.

In accordance with section 6 of the Memorandum of Administrative Arrangements ("MAA") dated 22 June 2017 signed between the Government of the Hong Kong Special Administrative Region ("the Government") and the Council, the Council is allowed to keep and accumulate any unspent recurrent subvention as reserve, subject to the condition that the reserve accumulated should not exceed 25% of its recurrent subvention of that financial year. If the reserve as at the end of the financial year exceeds 25% of the recurrent subvention of that financial year, the Council shall return the amount in excess of the limit to the Government, except with the approval of Secretary for Financial Services and the Treasury, by means of deducting the excessive reserve from its subvention of the next financial year.

19. HONG KONG FINANCIAL REPORTING STANDARDS ISSUED BUT NOT YET EFFECTIVE FOR THE YEAR

HKFRSs that have been issued but are not yet effective for the year include the following HKFRSs which may be relevant to the Council's operations and financial statements:

	於以下年度期間或以後生效 Effective for annual periods beginning on or after
香港會計準則第7號（修訂本）：現金流量表－披露動議 Amendments to HKAS 7, <i>Statement of cash flows: Disclosure initiative</i>	於二零一七年一月一日 1 January 2017
香港財務報告準則第9號：金融工具 HKFRS 9, <i>Financial Instrument</i>	於二零一八年一月一日 1 January 2018
香港財務報告準則第15號：客戶合約收益 HKFRS 15, <i>Revenue from contracts with customers</i>	於二零一八年一月一日 1 January 2018
香港財務報告準則第16號：租賃 HKFRS 16, <i>Leases</i>	於二零一九年一月一日 1 January 2019

該等香港財務報告準則於本年度並無被採納。初步評估顯示採納該等香港財務報告準則不會對本會首次採納年度的財務報表產生重大影響。本會將繼續評估該等香港財務報告準則及其他就此識別的重大變動的影響。

These HKFRSs have not yet been adopted in this year. Initial assessment has indicated that the adoption of these HKFRSs would not have a significant impact on the Council's financial statements in the year of initial application. The Council will be continuing with the assessment of the impact of these HKFRSs and other significant changes may be identified as a result.

20. 通過財務報表

本財務報表已於二零一七年八月二十五日得到本會的同意下發佈。

20. APPROVAL OF FINANCIAL STATEMENTS

These financial statements were authorised for issue by the Council on 25 August 2017.





服務承諾

Performance pledges

監警會重視工作效率和優質表現，訂下一系列的服務承諾：

We attach great importance to efficient and quality performance.

Our performance pledges are:

Handling of cases 個案的處理		 Performance target (standard response time) 表現指標 (標準回應時間)
Enquiries 查詢	By telephone / in person 致電 / 親臨	Immediately 即時
	In writing 書面	Within 10 days 10 天內
Monitoring of complaints 監察投訴	 Normal cases 一般個案	Within 3 months 3 個月內
	 Complicated cases 複雜個案	Within 6 months 6 個月內
	 Review cases 覆核個案	Within 6 months 6 個月內



由接獲投訴警察課最終調查報告 / 回應的日期起計

Counting from the date of receipt of CAPO's final investigation report/ response



一般個案：向投訴警察課提出不多於一輪質詢的輕微個案（例如沒有禮貌或疏忽職守）

Normal cases: minor cases (such as Impoliteness or Neglect of Duty) with no more than one round of Query raised by the IPCC with CAPO



複雜個案：所有嚴重的個案（例如毆打或捏造證據），或向投訴警察課提出多於一輪質詢的輕微個案

Complicated cases: all serious cases (such as Assault or Fabrication of Evidence) and minor cases with two or more rounds of Queries raised by the IPCC with CAPO

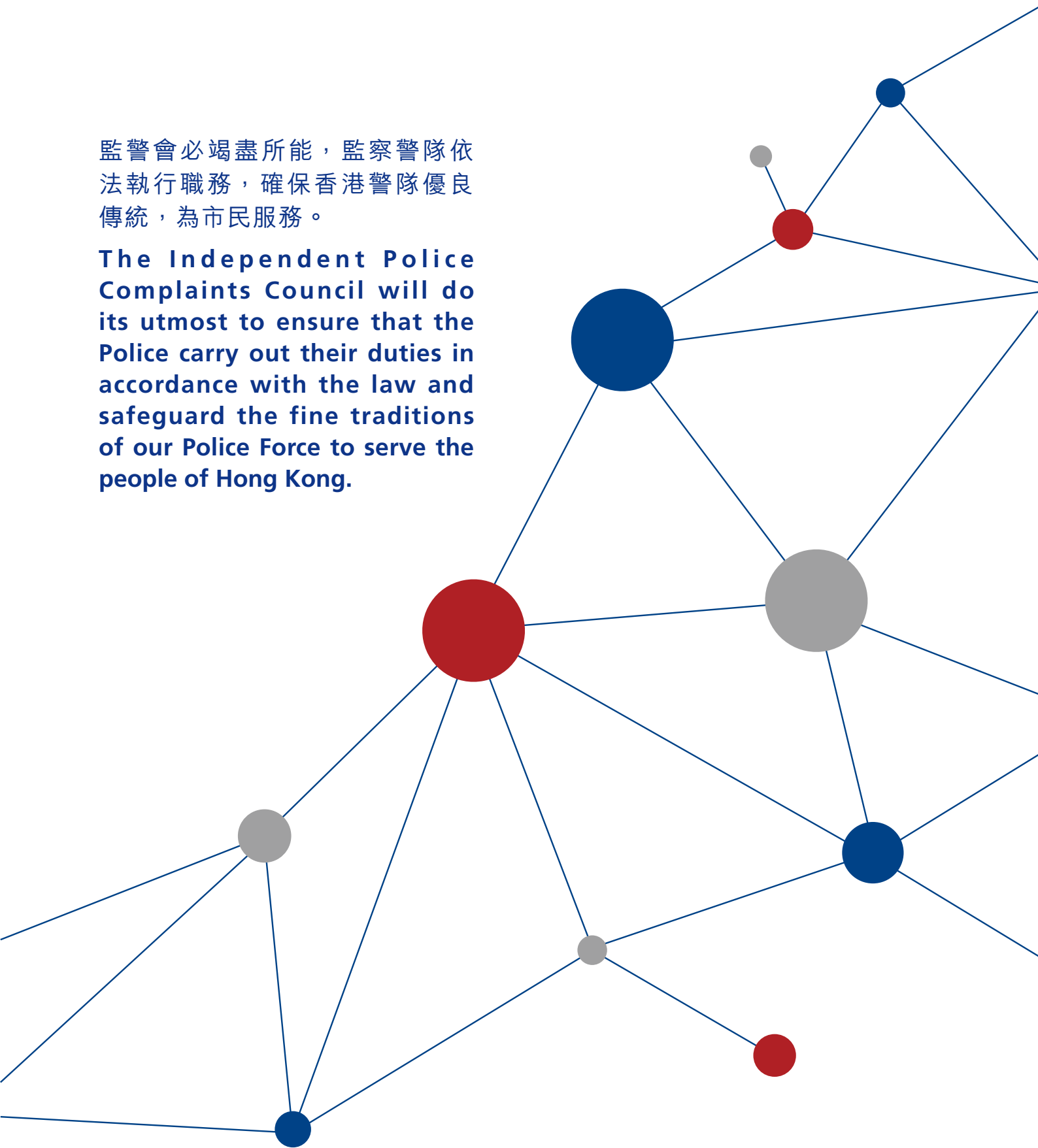


覆核個案：要求覆核須匯報投訴的調查結果分類的個案

Review cases: requests for reviewing the classification of Reportable Complaints

監警會必竭盡所能，監察警隊依法執行職務，確保香港警隊優良傳統，為市民服務。

The Independent Police Complaints Council will do its utmost to ensure that the Police carry out their duties in accordance with the law and safeguard the fine traditions of our Police Force to serve the people of Hong Kong.



封面設計以分子結構為主題，一個晶體組合由三個分子組成，分別代表監警會的核心價值「獨立」、「公正」及「誠信」，象徵監警會秉持這三個價值觀去審核每一宗投訴個案。

The cover design carries the theme "molecule". A molecular compound is a composite of three atoms with each of them representing a core value of the IPCC, i.e. "Independence", "Impartiality" and "Integrity". The design signifies that the IPCC upholds these three core values when scrutinising every complaint case.



香港灣仔港灣道26號華潤大廈10樓1006-10室
Rooms 1006-10, 10/F, China Resources Building,
No. 26 Harbour Road, Wan Chai, Hong Kong

電話 Tel : 2524 3841

傳真 Fax : 2524 1801 / 2525 8042

電郵 Email : enq@ipcc.gov.hk

網址 Website : www.ipcc.gov.hk



監警會網站
IPCC Website



監警會 YouTube 頻道
IPCC YouTube Channel

