

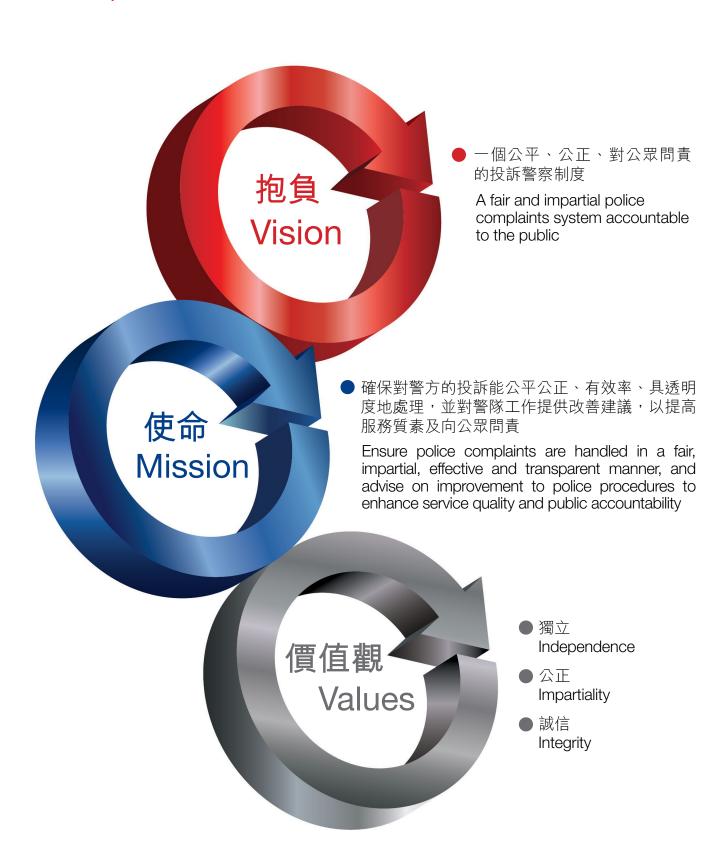


工作報告 2017/18 REPORT

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監警會的抱負、使命及價值觀 Vision, Mission and Values of the IPCC



回顧與前瞻

Retrospect and Prospect



回顧

我很榮幸在2014至2018年間,擔任獨立監察警方處理投訴委員會(監警會)主席一職。回顧這四年來的工作是充滿挑戰的。監警會委員和秘書處的同事都能同心協力無懼地逐一克服各種挑戰。上任不久,社會氣氛漸趨緊張。履新一個月後,我便與多名委員親赴七一遊行路線作現場觀察,由中午直至凌晨,長達十二小時。不足三個月,歷時七十多天的佔中事件亦揭開序幕。

Retrospect

I am deeply honoured to serve as the Council Chairman of the Independent Police Complaints Council (IPCC) from 2014 to 2018. Looking back at what has undergone in the past four years, it was full of challenges. With concerted efforts and high morale, we managed to overcome them one by one. The social climate gradually intensified when I took up the role. Several IPCC Members and I conducted a 12-hour on-site observation of the procession on 1 July 2014 i.e. from noon till midnight, which was just one month after my appointment; and barely three months after, the 70-day Occupy Central Movement (OCM) took place.

I can still recall how frequently my phone rang in the middle of nights then, with countless issues requiring my immediate attention. In addition to dealing with a number of complaints against IPCC Members for their political stances, we also met with various stakeholders and concern groups. Having to face all kinds of questions and queries, our Members and Secretariat staff were under extreme pressure which was beyond words. While we were still handling the large amount of OCM-related complaint cases, the Mongkok Riot occurred. Fortunately, we managed to work hand in hand and overcome all these challenges. Looking back, even those restless nights have now become a part of my treasured memories.

回首四載,我為能夠親身參與監警會的工作引以為傲。在整個團隊的齊心協力下不斷作出改善,監警會的管治及管理得以顯著提升,並在多方面反映出實質成效,當中包括(i)審核投訴個案的效率持續提升,令積存的複雜個案幾乎全部得以經善處理;(ii)審核個案的平均所需下降數是2015/16年度的高峰(144天),大幅下下降之一至本年度的96天;(iii)向投訴警察提出建議的接納比率由四年前的64%增至本年度的73%;以及(iv)觀察員協助監察警方工作,出席率由2014/15年度的79%,上升至本年度近95%等。

監警會的工作重點之一,是協助提升警隊的服務質素。多年來,會方一直密切注視和分析投訴個案的趨勢,並就改善警隊常規和程序向投訴警察課提出建議。今年,會方就修訂執行公務時使用私人手提電話的指引、加強處理家庭暴力案件的培訓等範疇提出建議,令警務程序在報告期內得以進一步優化。

Public order events that took place during the past few years did give rise to many complaints. Apart from keeping a close eye on how they were dealt with, the IPCC also proposed a number of practical improvement recommendations to the Police. It was encouraging to see those suggestions being accepted by the Police and procession organisers, and consequently the number of complaints arising from large-scale public order events has dropped significantly to almost none in the recent years. Another thing that touched me deeply was the compliment on IPCC's work received from citizens when I was walking in the streets. They understood how demanding it has been for the IPCC to carry out its duties in a polarised social climate, and the challenge to effectively implement an independent and impartial two-tier police complaints system.

It was my privilege to play a part in IPCC's work in the past four years. Through concerted efforts of the entire team, we strived to improve and have made substantial achievements in effective governance and management including: (i) continued enhancement in vetting efficiency with almost all complicated, long-pending cases being properly processed; (ii) a noticeable one-third reduction in average time required for vetting cases which dropped from the 144-day peak in 2015/16 to 96 days in the current year; (iii) the increased Complaints Against Police Office (CAPO's) acceptance rate of 73% in 2017/18 for recommendations made by the IPCC compared to 64% four years ago; and (iv) a surge in the attendance rate of Observers, who played a role in monitoring the work of the Police, from 79% in 2014/15 to nearly 95% in 2017/18.

One of the IPCC's key duties is to enhance the quality of police services. Over the years, the IPCC has been paying close attention to and analysing the trends in complaint cases, as well as advising CAPO on how to improve relevant police practices and procedures. Having made suggestions this year in relation to guidelines on the use of private mobile phones for official purposes and reinforced training on handling of domestic violence, the IPCC has helped enhance relevant police procedures during the reporting period.

The Observers Scheme enables the IPCC to monitor, as an independent party, the interviews and collection of evidence carried out by the Police during its initial investigation of Reportable Complaints. The IPCC is grateful to all Observers for spending their personal time to assist upholding of the two-tier police complaints system. Over the past few years, we have been providing Observers with enhanced support from multiple aspects, such as upgrading of the electronic booking system, organising workshops with CAPO, as well as coordinating administrative arrangements with the Police and other Government departments to reduce the on-site waiting time of Observers. With the efforts of all concerned parties, the effectiveness of Observers Scheme in monitoring has been greatly enhanced.

為加強與本港青少年的互動,鼓勵年輕一代以多角度分析時事,會方在2016年展開校園推廣計劃。在校長和師生們的支持下,該計劃持續擴大,在過去一年多,會方已透過32次學校探訪和演講,接觸逾3,200名大專和中小學師生,讓更多青少年認識並加深了解監警會的職能。

我希望藉此機會誠摯感謝全體委員會成員、觀察員和默默耕耘的秘書處同寅一直以來的協助和專業精神,讓監警會於過去一年再次取得長足的發展。我亦要鳴謝警方投訴警察課及市民的合作和支持,讓監警會秉持以證據為依歸的原則,全面及公平公正地審核投訴個案,還投訴人和被投訴人一個公道。

監警會主席一職自2018年6月1日由梁定邦資深大律師接任。梁先生無論在公職和法律方面均經驗豐富,我深信他定能帶領監警會全面履行法定職能,進一步協助優化警隊的服務質素,維護監警會獨立、公正、誠信的核心價值,繼續為廣大市民竭誠服務。謹此衷心祝願監警會工作順利,前程萬里。

郭琳赓

郭琳廣,SBS,JP 監警會時任主席 In order to strengthen its interaction with local youth and encourage the younger generation to analyse current affairs from multiple perspectives, the IPCC has launched its School Programme since 2016. With the support from school principals, teachers and students, we continue to expand the programme. Over the past year or so, the IPCC reached out to over 3,200 teachers and students from tertiary institutions as well as secondary and primary schools through 32 visits and talks, enabling more young people to better understand the IPCC's functions.

Apart from complaint handling and public education, the Council has also stepped up its efforts in corporate governance and administration on all fronts over the past four years, including: (i) revision of the Council and Committee rules; (ii) conduct of Human Resources Management Review and implementation of suggestions set out in the consultancy report; (iii) establishment of Research Team: (iv) introduction of a structured staff development and training programme; and (v) application of information technology such as introducing electronic database system for managing complaint cases and upgrading the electronic mail security system. Furthermore, the acquisitions of additional resources such as manpower and office space have remarkably improved both the work environment and efficiency of the organisation. Through these measures, the IPCC has laid down a solid foundation to be better equipped for future development and rise up to emerging challenges.

I would like to take this opportunity to express my most sincere gratitude to all of our Members, Observers and the Secretariat staff for their continued support and professionalism, without which the IPCC would not have made such significant achievements again in the past year. I would also like to thank CAPO and the general public for their cooperation and support which allowed the IPCC to serve justice to both the Complainants and the Complainees by comprehensively, fairly and impartially vetting each complaint case under its evidence-based principle.

Mr Anthony Francis Neoh, SC was appointed as the Council Chairman on 1 June 2018. With his extensive experience both in public services and the legal field, I have every faith that Mr Neoh will lead the IPCC to fully discharge its statutory duties, further enhance service quality of the Police, preserve the IPCC's core values of independence, impartiality and integrity, and continue to serve the people of Hong Kong with dedication. I wish the IPCC all the best in its future endeavours.

Larry KWOK Lam-kwong, SBS, JP Former IPCC Chairman

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前瞻

我在2018年中正式接任獨立監察警方處理 投訴委員會(監警會)主席一職,能夠擔重任,我深感榮幸;儘管上任時間尚短 重任,我深感受到各委員和秘書處同事與 業際員在九月舉行的周年工作坊會面 業際員在九月舉行的周年工作坊會面 們的我忱同樣令我印象深刻的殺命 們的我在其他公營組織和機關的行, 借助我在其他公營組織和機關的行, 能 維護香港的兩層架構投訴警察制度。

子曰:人而無信,不知其可也。作為個人,乃至機構,「信」是我們工作的主要基石。以下我希望透過三個「信」字,與大家分享我對監警會發展的期望。

Prospect

I assumed office as Chairman of the Independent Police Complaints Council (IPCC) in mid-2018. It is a great honour to be entrusted with this important role. Though I have only taken up this position for a short period of time, the professionalism, dedication and enthusiasm of the Council Members and Secretariat staff have deeply impressed me, as has the dedication of our Observers, whom I have had the pleasure of meeting at the annual workshop in September. This is such an impressive team, and I look forward to building on my experience and network at other public organisations and authorities, in working with the team to uphold Hong Kong's two-tier police complaints system.

Paraphrasing Confucius, a man or an organisation without credibility has no place in society. As an independent statutory body that serves a monitoring function, "credibility" is the cornerstone based on which IPCC's work is carried out. I would like to share with you my vision for the IPCC's development through three aspects involving "credibility", namely mutual trust, integrity and conviction.

互信:我們深明市民作出投訴時的不滿情緒,亦同樣理解被投訴警員所承受的無形壓力。作為獨立公正的法定機構,我們的中立角色正好平衡雙方的期望和訴求,是其是,非其非,本著一貫嚴謹、以證據為本的審核標準,確保投訴人和被投訴人對為不動行遇。唯有同時取得市民(投訴人)和警方(被投訴人)的信任,整個投訴警察制度才能更穩固,更能發揮其法定職能。

另外,監警會亦會繼續透過溝通和交流, 主動地接觸不同部門的前線警員,了解他 們的工作和面對的各種挑戰,令會方在審 核個案時更能設身處地理解情況,掌握不 同類型和性質的投訴個案在事發時的環境 及問題,有助還原真相。

Mutual trust: we are fully aware of people's frustration when making complaints, just as we understand the unseen pressure faced by police officers being complained against. As an independent and impartial statutory body, our neutral role allows us to find the right balance between the expectations and demands of both sides. Upholding the unyielding principle of truthfulness, the IPCC maintains a meticulous and evidence-based vetting standard, so as to ensure fair treatment for both the Complainants and Complainees. Only by gaining trust from both the public (the Complainants) and the Police (the Complainees) can we be able to strengthen the police complaints system and discharge the statutory duties fully.

The IPCC is also obliged to maintaining impartiality and complying with its confidentiality obligation for case vetting work. The IPCC is therefore not in a position to disclose any details of or make any comments on a complaint case before the conclusion of the vetting process even though we want to gain trust of parties involved. Though this approach may affect public perception about the Council's transparency, the IPCC has enhanced its efforts in releasing endorsed cases timely in a thematic basis through the IPCC Newsletter and its annual report, enabling the general public to gain a deeper insight into the Council's vetting process, classifications of investigation results and recommendations made to improve the service quality of the Police. By doing so, the IPCC hopes the community would better understand our efforts in scrutinising every single case based on its merits, evidence, as well as raising Queries and discussing case details with CAPO. The ultimate goal of our work is to attain an investigation result which is fair to both the Complainants and the Complainees.

In addition, the IPCC will continue to take the initiative to communicate and interact with frontline officers from different units, so as to learn about their duties and the challenges they faced. This allows the IPCC to place itself in other's position when vetting complaint cases and helps to restore case facts by understanding the setting and issues associated with different categories and nature of complaint cases.

Integrity: this is one of the IPCC's three core values. The 28 IPCC Members come from a wide spectrum of sectors, including the financial, business, political, engineering, legal, philanthropic, medical, academic and social services sectors. Each a leader in their respective fields with extensive experience in public services, the IPCC Members not only contribute with their professional insights, but are also acutely aware of social issues. Assisted by diversified opinions that cover multiple aspects, the IPCC can deliberate on matters from different perspectives, thereby improving its monitoring function. Each Member in the team makes judgement based on evidence and in accordance with applicable laws with an aim to reach impartial conclusion. The IPCC conducts thorough examination of each complaint case which demonstrates the Council's integrity, commitment and accountability in safeguarding the complaints system and fairness.



信念:監警會通過的每個調查結果均具示 範作用,調查結果除了為投訴個案下定 論,也是汲取經驗甚或教訓的途徑,有則 改之,無則加勉。

監警會將秉持「沒有最好,只有更好」的 信念,持之以恒,進一步優化警隊的服務 質素,預防投訴,鞏固兩層架構投訴警察 制度。

最後,我想藉此機會感謝上屆主席郭琳廣 先生對監警會的付出和貢獻,同時亦感謝 現任委員、秘書處職員及剛卸任的杜國鎏 先生和甄孟義資深大律師,對監警會盡心 竭力的支持和協助。 In addition to vetting cases, the IPCC also attaches great importance to the expectation of the society. Accordingly, further to effort in enhancing the transparency of our vetting procedures by sharing more complaint cases with the community through various channels, we also endeavour to explain the IPCC's roles to the public and how we properly exercise powers conferred under the functions as provided for under the IPCC Ordinance. For instance, Observers may observe the collection of evidence in connection with the Police's investigation as set out in the Observers Scheme: the Council may also conduct interviews with case-related persons or experts to obtain information. By educating the public about the IPCC's principles of independence and impartiality, it is hoped that we could gain more recognition from the society. As a monitoring body, the IPCC upholds integrity, adopts an open and transparent approach, and accepts monitoring of our work by the general public, concern groups and the media.

Conviction: each investigation result endorsed by the IPCC could be a good reference for future. Arriving at the classification for each complaint case does not just mark the completion of the examination of a complaint case, it also presents opportunity to learn from and reflect on past experience, enabling remedial or preventive actions be taken where necessary.

As the second tier of the police complaints system, the IPCC inevitably finds itself amid the growing public expectations towards governmental and public organisations. On this account, the IPCC sets out to enhance its research and analytical efforts, to identify the causes of issues using data collected over the years, and to provide the Police with practical suggestions to make improvements and reduce complaints. We will also study in depth relevant codes and practices of the Police based on findings from our vetting work as well as drawing lessons from overseas monitoring bodies with a view to offer effective and practical recommendations to the Police to improve in areas such as procedures, training, equipment and guidelines, for preventing the recurrence of similar complaints.

The IPCC is convinced that there is no "best", only "better" with regard to its work. It will therefore constantly keep up its effort to improve the quality of police services, to prevent complaints and to strengthen Hong Kong's two-tier police complaints system.

Last but not least, I would like to take this opportunity to express my heartfelt gratitude to my predecessor, Mr Larry Kwok Lamkwong, for his dedication and contribution to the IPCC. I would also like to thank all of our current Members, Secretariat staff, as well as Mr Clement Tao Kwok-lau and Mr John Yan Mangyee, SC, who retired from the IPCC service recently, for their unwavering support and assistance to the Council.

自監警會成立以來,九個寒暑匆匆而過, 我很高興能夠帶領監警會邁步向前,與大 家一同迎接10周年。監警會將秉承獨立、 公正、誠信的價值觀,以前瞻的信念並在 取得各持份者互信的基礎上,力求進步, 為香港市民服務。

Nine years since the IPCC's inception have swiftly passed and I am grateful for the opportunity to lead the IPCC forward and stride towards our 10th anniversary. Adhering to its values of independence, impartiality and integrity, the IPCC will continue to make improvement based on a forward-looking conviction and mutual trust built among various stakeholders, so as to better serve the people of Hong Kong.

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梁定邦,QC,SC,JP 監警會主席

Amer.

Anthony Francis NEOH, QC, SC, JP IPCC Chairman



監警會主席及副主席 (截至2018年3月31日)

Council Chairman and Vice-Chairmen (As at 31 March 2018)

郭琳廣先生[,]SBS[,]JP Mr Larry KWOK Lam-kwong, SBS, JP

主席 Chairman



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

- 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



謝偉銓議員[,]BBS Hon Tony TSE Wai-chuen, BBS

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
- 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 Mr John YAN Mang-yee, SC

法律事務委員會主席 Legal Committee Chairman



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

- 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



關治平工程師,BBS, JP Ir Edgar KWAN Chi-ping, BBS, JP

管理委員會主席 Management Committee Chairman

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

- 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**

杜國鎏先生, BBS, JP **Mr Clement TAO** Kwok-lau, BBS, JP



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



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



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

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



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



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



錢志庸先生 **Mr Barry CHIN Chi-yung**

- 於2015年1月1日獲委任
- 會計界
- Appointed on 1 January 2015
- Accountancy Sector
- 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-Antonio **MAURELLET, SC**



陳錦榮先生 **Mr Clement CHAN** Kam-wing



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

- 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-tsuen



歐楚筠女士 Ms Ann AU Chor-kwan

- 於2016年6月1日獲委任
- 商界

- Appointed on 1 June 2016
- Commercial Sector
- 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

藍德業資深大律師 Mr Douglas LAM Tak-yip, SC



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





- 於2017年1月1日獲委任
- 法律界
- Appointed on 1 January 201
- 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



宋莜苓女士 **Ms Shalini Shivan SUJANANI**



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

- 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**



楊華勇先生,JP **Mr Johnny YU** Wah-yung, JP

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

- 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





報告期內, 監警會共舉行了四次新聞發布會,向公眾發放年度工作報告、《監警會通訊》及公眾意見調查結果等資料。

During the reporting period, IPCC held four press conferences to release its annual report, *IPCC Newsletters* and the results of public opinion survey to the public.

監警會分別到訪元朗警區、港島總區衝鋒隊及少年警訊永久活動中心暨青少年綜合訓練營,了解警隊各部門的運作。

The IPCC visited the Yuen Long District, Emergency Unit Hong Kong Island and the Junior Police Call Permanent Activity Centre and Integrated Youth Training Camp to understand the operations of various departments in the Police Force.





委員親赴七一遊行現場,觀察警方 處理大型公眾活動的各項措施。

Members conducted on-site observation of measures taken by the Police in handling public order event on 1 July 2017.





監警會與投訴警察課於年內舉行四次聯席會議。 部分會議更公開讓市民及記者旁聽,以增加監警 會工作的透明度,以及加強公眾對會方工作的認 識。

Four joint meetings were held between the IPCC and CAPO during the reporting period. To enhance transparency and public awareness, part of these meetings were opened to the media and the public.





委員到訪多個地區校長聯會, 向各區校長介紹監警會的工作 及校園推廣計劃。

Members visited various District Principals' Associations to introduce the work of the IPCC and the School Programme.





監警會應邀出席香港樹仁大學新聞與傳播學系周 會講座演講,以及在香港浸會大學新聞系主修科 目課堂主講,與逾500名大學師生交流接觸。



The IPCC was invited by the Department of Journalism and Communication of Hong Kong Shue Yan University, and the Department of Journalism of Hong Kong Baptist University to speak at the General Assembly and a major course lecture respectively, reaching out to over 500 university students and members of the teaching staff.





監警會於本年度進一步擴大校園推廣計劃,報告期內共走訪了16間 中、小學,透過21次探訪接觸超過2,200名師生。

The IPCC further expanded the School Programme this year and visited 16 secondary and primary schools, reaching out to over 2,200 teachers and students through 21 visits during the reporting period.



監警會在報告期內分別訪問了加拿大公民監察執法協會和四個澳洲監察機構,以了解各地投訴處理機制, 並就投訴處理的議題交流意見。

The IPCC visited the Canadian Association for Civilian Oversight of Law Enforcement (CACOLE) and four oversight bodies in Australia to gain understanding of the complaint handling mechanisms of these countries and to exchange views on issues related to complaint handling.





監警會分別與廣東省公安廳紀律檢查組及 泰國申訴專員公署會面,向他們介紹監警 會的法定職能。

The IPCC met with the Supervision Committee of Guangdong Provincial Public Security Department and Ombudsman of Thailand and introduced the IPCC and our statutory roles to them.





委員與香港社區組織協會會面, 聆聽他們對預防羈留人士 自殺問題的意見。

Members met with Society for Community Organization and listened to their views on the prevention of suicide attempts by people detained in custody.





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.

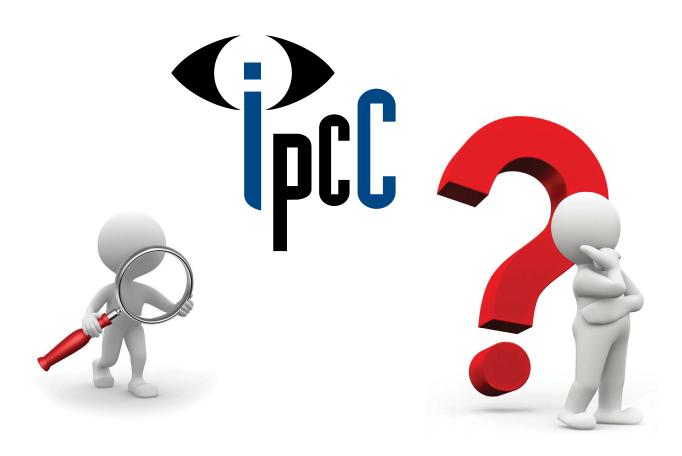
香港投訴警察制度的兩層架構 Hong Kong's two-tier police complaints system



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2018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 from a wide spectrum of society to monitor CAPO's investigation of complaints against the Police in an independent, impartial and thorough manner. As of 31 March 2018, 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

2

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

3

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

4

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的認識

To promote public awareness of the role of the Council



監警會的監察程序 Monitoring procedures of the IPCC



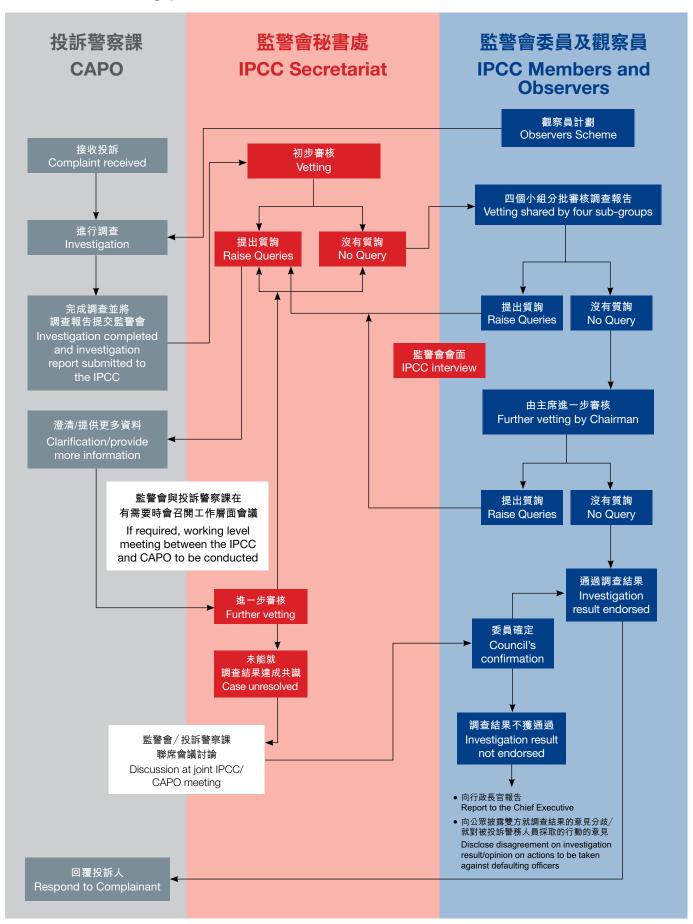
在投訴警察制度的兩層架構下,當監警會收到 投訴警察課呈交的須匯報投訴調查報告後,會 交由秘書處進行初步審核,並就調查報告向投 訴警察課提出質詢及要求該課澄清或提供更多 資料。若秘書處對調查報告沒有質詢,便會將 調查報告提交予監警會委員審核。如有需要, 委員可進一步提出質詢,並與投訴警察課召開 工作層面會議或聯席會議討論。

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 **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 reports, 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,協助會方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2018年3月31日,監警會共有109名 觀察員。 The Observers Scheme was introduced in 1996 to strengthen the IPCC's monitoring function and help the Council observe how Reportable Complaints have been handled and investigated by CAPO. 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 appointments.

The role of an Observer is primarily to observe and report. The Observer is to remain fair and 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 2018, there were 109 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
- 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 (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 the categorisation of 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 雷 | 。

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。

虚假不確

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」。

當一宗投訴被列為「虚假不確」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。

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

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.

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.



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:



投訴撤回

「投訴撤回」是指投訴人不打算追究。

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。

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。



無法追查

在下述情況下,指控會被列為「無法追查」:

- 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

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。

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。



終止調查

「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。



透過簡便 方式解決

「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。

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。

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

Withdrawn

A complaint is classified as "Withdrawn" when the Complainant does not wish to pursue the complaint after making it.

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.

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.

Not Pursuable

An allegation is classified as "Not Pursuable" when:

- The identity of the officer in the complaint cannot be ascertained
- The cooperation of the Complainant cannot be obtained to proceed with the investigation.

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.

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.

Curtailed

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.

Informally Resolved

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.

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.



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

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 its 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, comprising Justices of the Peace as members and a supporting secretariat. It was also renamed as 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。

由於前立法會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 enhance 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 changes 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 to 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 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.



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

接獲及通過的須匯報投訴個案數字 Number of Reportable Complaint cases received and endorsed

	2017/18	2016/17
接獲的須匯報投訴個案 Reportable Complaint cases received	1,616	1,567
通過的須匯報投訴個案 Reportable Complaint cases endorsed	1,617	1,550

在本報告期內(2017年4月1日至2018年3 月31日),監警會共接獲投訴警察課1,616 宗新的須匯報投訴個案的調查報告,按年 增加了約3.1%。

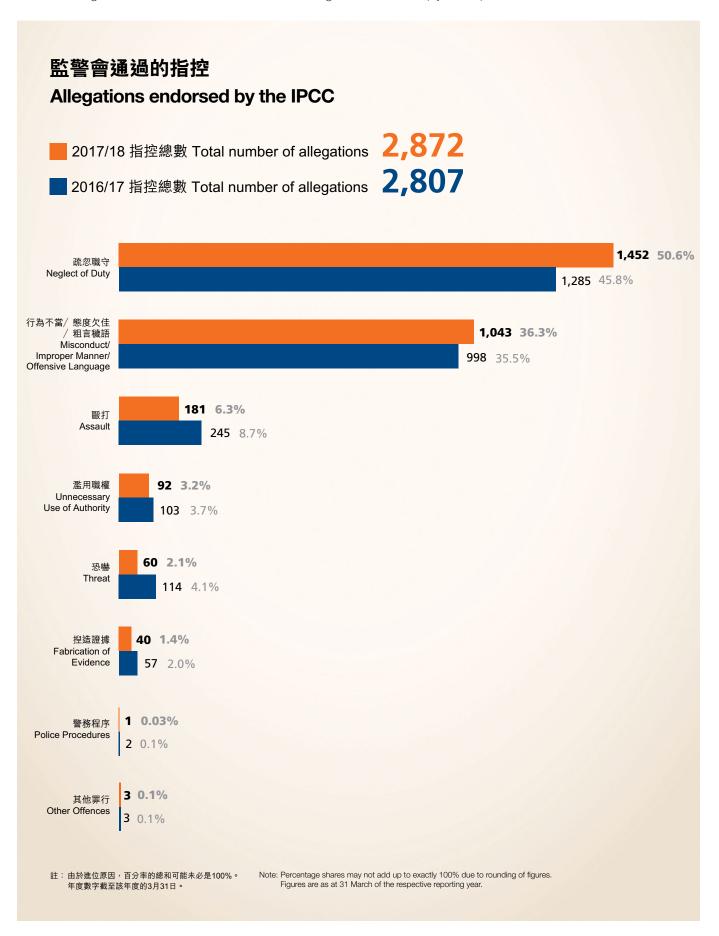
同期,監警會通過了1,617宗須匯報投訴 個案的調查結果(包括93宗的覆檢個案), 按年增加4.3%。除了覆檢個案外,涉及 的指控有2,872項,按年上升了2.3%, 其中主要的三項指控依次序為「疏忽職 守」、「行為不當 / 態度欠佳 / 粗言穢 語丨及「毆打丨。

During the reporting period (1 April 2017 to 31 March 2018), the IPCC received reports from CAPO on the investigation of 1,616 new Reportable Complaint cases, which represented an increase of 3.1% compared to last year.

In the same period, the IPCC endorsed the results of investigations for 1,617 Reportable Complaint cases (including 93 reviewed cases), an increase of 4.3% compared to the previous year. There were a total of 2,872 allegations, excluding the reviewed cases, an increase of 2.3% compared to 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):





調查結果

Investigation results



在2017/18年獲通過的2,872項指控中,經全面調查的指控有1,010項,當中68項被列為「獲證明屬實」,佔所有經全面調查指控的6.7%。45項被列為「未經舉報但證明屬實」佔4.5%,21項被列為「無法完全證明屬實」佔2.1%,419項被列為「無法證實」佔41.5%,401項被列為「並無過錯」佔39.7%,56項則被列為「虛假不確」,佔總數的5.5%。

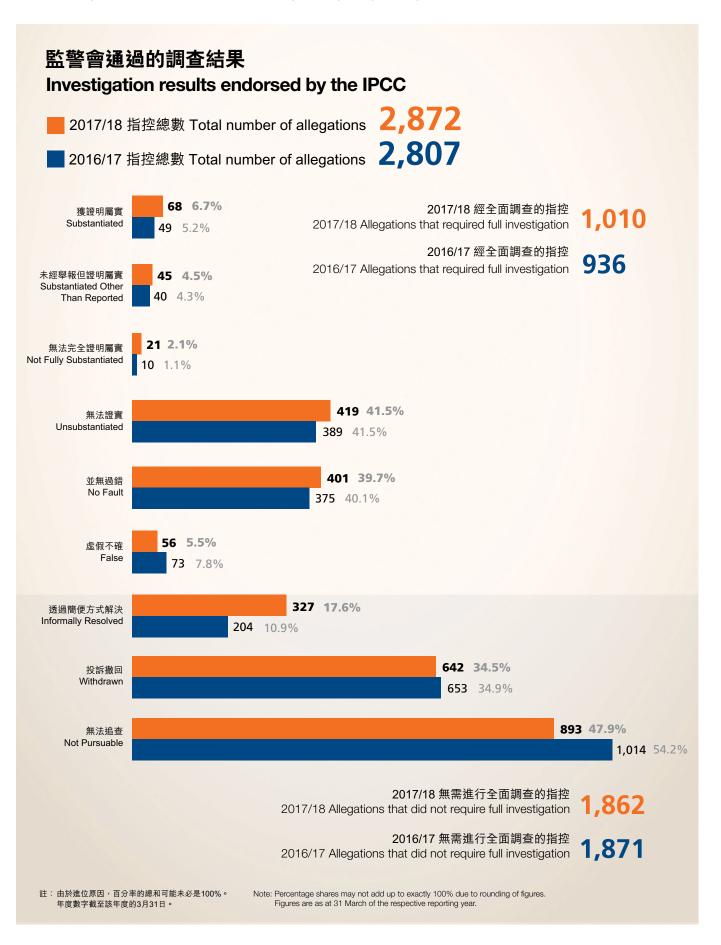
在其餘的1,862項無需進行全面調查的指控中,327項「透過簡便方式解決」,佔無需進行全面調查指控中的17.6%。642項被列為「投訴撤回」佔34.5%,893項被列為「無法追查」佔47.9%。沒有指控被列為「終止調查」。

Of the 2,872 allegations endorsed in 2017/18, 1,010 were fully investigated. Of these, 68 (6.7% of fully investigated allegations) were classified as "Substantiated"; 45 (4.5%) as "Substantiated Other than Reported"; 21 (2.1%) as "Not Fully Substantiated"; 419 (41.5%) as "Unsubstantiated"; 401 (39.7%) as "No Fault" and 56 (5.5%) as "False".

Of the remaining 1,862 allegations which did not require full investigation, 327 (17.6% of those not fully investigated) were "Informally Resolved"; 642 (34.5%) were classified as "Withdrawn"; 893 (47.9%) as "Not Pursuable". There was no allegation being classified as "Curtailed".

2016/17年和2017/18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 2016/17 and 2017/18:





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)

		職守 of Duty	粗言 Misco	nduct/ · Manner/		‡Ţ ault	Unnecess	職權 ary Use of ority	
年份 Year	2017/18	2016/17	2017/18	2016/17	2017/18	2016/17	2017/18	2016/17	
經全面調查的指控 Allegations that required full investigation									
獲證明屬實 Substantiated	52	35	12	11	1	0	3	3	
未經舉報但證明屬實 Substantiated Other Than Reported	38	36	4	1	0	0	2	2	
無法完全證明屬實 Not Fully Substantiated	11	3	5	5	2	0	2	1	
無法證實 Unsubstantiated	169	151	204	190	19	17	11	22	
並無過錯 No Fault	282	260	71	72	4	8	36	25	
虚假不確 False	11	8	11	18	15	14	0	0	
小計 Subtotal	563	493	307	297	41	39	54	53	
無需進行全面調查的指控 Allo	egations that	did not req	uire full inves	stigation					
透過簡便方式解決 Informal Resolution	139	97	188	107	0	0	0	0	
投訴撤回 Withdrawn	363	312	201	228	52	60	12	13	
無法追查 Not Pursuable	387	383	347	366	88	146	26	37	
小計 Subtotal	889	792	736	701	140	206	38	50	
總數 Total	1,452	1,285	1,043	998	181	245	92	103	

恐嚇 Threat		Fabrica	證據 ation of ence		程序 ocedures		罪行 Offences		數 tal
2017/18	2016/17	2017/18	2016/17	2017/18	2016/17	2017/18	2016/17	2017/18	2016/17
0	0	0	0	0	0	0	0	68	49
0	0	0	0	0	1	1	0	45	40
0	1	1	0	0	0	0	0	21	10
9	4	7	5	0	0	0	0	419	389
2	4	5	5	1	1	0	0	401	375
4	8	15	25	0	0	0	0	56	73
15	17	28	35	1	2	1	0	1,010	936
0	0	0	0	0	0	0	0	327	204
10	32	4	7	0	0	0	1	642	653
35	65	8	15	0	0	2	2	893	1,014
46	97	12	22	0	0	2	3	1,862	1,871
60	114	40	57	1	2	3	3	2,872	2,807



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130名警務人員需接受紀律聆訊或其他 內部行動,涉及91宗個案。分項數字見下 表:

In this reporting year, disciplinary proceedings or internal actions were taken against 130 police officers regarding 91 cases endorsed by the IPCC. The following table shows the breakdown of figures:

警方於2016/17及2017/18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 2016/17 and 2017/18

	人員數目 Num	ber of officers
	2017/18	2016/17
A. 刑事訴訟 Criminal proceedings	0	0
B. 紀律覆檢 Disciplinary review	10	9
C. 其他內部行動 Other internal actions		
警告 Warnings	31	17
訓諭 Advice	89	62
總數 Total	130	88

註: 2016/17 年的數字已因應部分個案覆核後,予以調整。 Note: Figures for 2016/17 have been adjusted following case reviews.

監警會進行會面

IPCC interviews conducted

	2017/18	2016/17
涉及的須匯報投訴個案 Number of Reportable Complaint cases involved	3	3
出席會面的人數 Number of persons attending interviews	4	3

《監警會條例》第20條列明,監警會在 審核報告期間,可以會見任何能夠或可能 就調查報告向委員會提供資料或協助的人 士。投訴警察課會維持調查的角色,監警 會進行會面是為了向有關人士澄清事項, 以便會方更全面地了解證據和情況。

報告期內,共有四位人士,包括一名投訴 人及三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 investigation report. While CAPO maintains its investigative role, the purpose of IPCC interview is to clarify matters with the concerned persons to obtain more comprehensive understanding of evidence and circumstance.

During the reporting period, four persons including one Complainant and three Complainees 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2017/18年度,監警會向投訴警察課合 共提出1,090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、及監警會就警方的常規或程序提 供改善建議等。

根據《監警會條例》,投訴警察課必須回 覆監警會的質詢。每當監警會收到投訴警 察課的回覆,審核團隊會研究當中的資 料、解釋及觀點,然後提交予委員組成的 審核小組考慮是否接納其回覆。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659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 1,090 Queries to CAPO in 2017/18. 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 making improvement recommendations on the Police practices and procedures, etc.

According to the IPCCO, CAPO must reply the IPCC's Queries. When the IPCC receives the responses from CAPO, the vetting team will scrutinise the information, explanations and views before passing on to the Members of vetting sub-group for consideration of accepting the reply. When necessary, the IPCC may raise follow-up Queries regarding the same matters, or bring up the matters to the working level meetings for further discussion with CAPO. Investigation reports will be endorsed only when the IPCC is satisfied with the explanations.

During the reporting period, 659 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 1,090

投訴警察課接受的質詢

Number of Queries accepted by CAPO 659

	Total nu	質詢總數 Total number of Queries		投訴警察課接受的質 Number of Queries accepted by CAPO		
年份 Year	2017/18	2016/17	2017/18	2016/17		
質詢性質 Nature of Queries						
調查結果分類 Classification of investigation results	404	360	238	198		
改善警隊常規和程序的建議 Recommended improvements to police practices and procedures	26	10	19	6		
遵從警務常規和程序 Compliance with police practices and procedures	26	22	5	4		
行使警權的理由 Reasons for exercising police power	6	9	0	1		
對處理違規人員的行動提出意見 Comments on actions against defaulting officers	31	26	23	18		
澄清調查報告資料 Clarification of information in investigation reports	320	329	210	204		
調查透徹度 Investigation thoroughness	184	132	109	84		
其他質詢 Other Queries	93	106	55	59		
總數 Total	1,090	994	659	574		



調查結果分類

監警會在2017/18年就調查結果分類提 出404項質詢,而獲投訴警察課全面接 納的則有238項,因此予以修正調查結 果的指控有223項,包括:

Classification of investigation results

Out of a total of 404 Queries raised by the IPCC in 2017/18 regarding the classification of findings, CAPO accepted 238 of them and as a result, the investigation results of 223 allegations were reclassified, including:

- **18** 項由「無法證實」改列為「獲證明屬實」 reclassified from "Unsubstantiated" to "Substantiated"
 - 項由「無法追查」改列為「獲證明屬實」 reclassified from "Not Pursuable" to "Substantiated"
 - 項由「投訴撤回」改列為「獲證明屬實」 reclassified from "Withdrawn" to "Substantiated"
 - 項由「並無過錯|改列為「獲證明屬實| reclassified from "No Fault" to "Substantiated"
 - 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"
- 項由「並無過錯|改列為「無法證實| reclassified from "No Fault" to "Unsubstantiated"
- 5 項由「無法證實」改列為「並無過錯」 reclassified from "Unsubstantiated" to "No Fault"
 - 項由「無法追查」改列為「虚假不確」 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:

2017/18年度監警會通過的再分類調查結果 Changes of classification endorsed by the IPCC in 2017/18

			最後分	類 Final cla	ssification			
原來分類 Original classification	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	虚假不確 False	無法追查 Not Pursuable	投訴撤回 Withdrawn	總數 Tota
獲證明屬實 Substantiated	N/A	0	0	0	0	0	0	0
無法完全證明屬實 Not Fully Substantiated	1	N/A	1	0	0	0	0	2
無法證實 Unsubstantiated	18	18	N/A	59	0	5	1	101
並無過錯 No Fault	3	3	26	N/A	5	9	1	47
虚假不確 False	0	0	0	3	N/A	3	0	6
無法追查 Not Pursuable	4	0	1	34	7	N/A	1	47
投訴撤回 Withdrawn	4	0	1	8	7	0	N/A	20
總數 Total	30	21	29	104	19	17	3	223

此外,監警會年內通過了45項「未經舉報但 證明屬實」的指控,當中有23項是經監警會 提出質詢後而增加的,另外有16宗事件記錄 為「旁支事項」*。

「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。 Moreover, the IPCC endorsed 45 counts of "Substantiated Other Than Reported" allegations; of these, 23 were registered after the IPCC raised Queries. Another 16 incidents were recorded as "Outwith" matters.

^{*} 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26項建議。

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26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 警權時的理據提出六項質詢。

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31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320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184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。

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 26 improvement measures to the Police.

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, 26 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 six Queries with respect to 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 seriousness of the offences. The IPCC raised 31 Queries on such actions during the reporting period.

Clarification of information in investigation reports

During this reporting period, the IPCC raised 320 Queries regarding the ambiguous points in investigation reports. For example, CAPO was requested to provide more background information of complaint cases.

Investigation thoroughness

During this reporting period, the IPCC raised 184 Queries regarding the thoroughness of police investigations. These Queries included requests to CAPO for more in-depth investigation by 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。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。

審核個案的平均所需日數由2016/17年度的133天下降至2017/18年的96天。

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 handled via "Informal Resolution" and Expression of Dissatisfaction Mechanism. The complaint cases requiring full investigation are of a more complicated nature and it is more time consuming to meticulously scrutinising this type of complaint cases.

The average number of days required to examine an investigated case dropped from 133 days in 2016/17 to 96 days in 2017/18.

	2017/18	2016/17
審核個案所需的平均日數 Average number of days required to examine a complaint case	96	133



觀察員計劃

Observers Scheme

2017/18 觀察總數 Total number of observation:1,999

2016/17 觀察總數 Total number of observation: 1,817

預先安排和突擊觀察的分項數字

Number of scheduled and surprise observations

	2017/18	2016/17
A. 預先安排 Scheduled	1,960	1,799
B. 未經預約 Without prior appointment	39	18
總數 Total	1,999	1,817

觀察會面和證據收集工作的分項數字

Number of observations of interview and collection of evidence

	2017/18	2016/17
A. 觀察會面 Interview	1,761	1,570
B. 證據收集 Collection of evidence	238	247
總數 Total	1,999	1,817

2017/18年,監警會的委員及觀察員共進 行了1,999次觀察,較去年上升10%,當 中預先安排的有1,960次,未經預約的有 39次。1,999次觀察中,有1,761次是觀 察會面,其餘238次是觀察證據收集的工 作。

Under the Observers Scheme, 1,999 observations were conducted by Members and Observers of the IPCC in the year 2017/18, representing a 10% increase compared to last year. Among them, 1,960 were scheduled observations and 39 were conducted without prior appointment. Of the 1,999 observations, 1,761 involved the conducting of interviews and 238 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

	2017/18	2016/17
A. 出席觀察 Observations attended	1,999	1,817
B. 接獲通知 Notifications received	2,116	2,068
C. 出席比率(觀察/接獲通知) Attendance rate (Observations / Notifications received)	94.5%	87.9%

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2017/18年,監警會接獲投訴警察課共2,116個通知。

在本報告期內,監警會觀察員出席了 1,999次觀察,包括觀察會面和證據收 集,佔整體通知的94.5%,出席比率較去 年上升了6.6%。

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 2017/18, 2,116 notifications were received from CAPO.

During this reporting period, IPCC Observers attended 1,999 observations, including interviews and the collection of evidence, comprising 94.5% of the notifications received. The attendance rate increased by 6.6% compared to last year.



須知會投訴

Notifiable Complaints

須知會投訴個案數字

Number of Notifiable Complaint cases

	2017/18	2016/17
經監警會審核的須知會投訴個案 Notifiable Complaint cases examined by the IPCC	765	729
重新歸類為須匯報投訴 Cases re-categorised as Reportable Complaints	11	6

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765宗須知會 投訴的個案撮要,較去年同期上升4.9%。 經審核後,其中11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, summaries of 765 Notifiable Complaints were examined by the IPCC, an increase of 4.9% compared to the previous year. After the examination, 11 cases were re-categorised as Reportable Complaints as per the IPCC's recommendations.

表達不滿機制

Expression of Dissatisfaction Mechanism (EDM)

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年引 入了表達不滿機制,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。

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.

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。

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.

在報告期內,監警會共檢視了866宗經由 表達不滿機制處理的個案,較去年下跌了 29.5%。經監警會審核後,其中11宗個案 應監警會建議被重新歸類為須匯報投訴。 During the reporting period, the IPCC examined 866 EDM cases, a decrease of 29.5% compared to the previous year. Among these cases, 11 cases were re-categorised as Reportable Complaints as per the IPCC's recommendations.

表達不滿機制的個案數字 Number of EDM cases

	2017/18	2016/17
經監警會審核的表達不滿機制個案 EDM cases examined by the IPCC	866	1,229
重新歸類為須匯報投訴 Cases re-categorised as Reportable Complaints	11	18
重新歸類為須知會投訴 Cases re-categorised as Notifiable Complaints	0	1

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9,322宗公眾透過電 話、郵寄、電郵、傳真及親臨的查詢。除 部分與監警會無直接關係的查詢外,其餘 有關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 the transparency, the IPCC has set up various channels for the public to put up enquiries or express opinion. During the reporting period, the IPCC received 9,322 public enquiries via telephone, post, email, fax and in person. Excluding enquiries that are not directly related to the IPCC, those regarding the two-tier police complaints system, including those relating to complaint cases and the Observers Scheme, were handled and followed-up within the timeframe specified under the IPCC's performance pledge.



真實投訴個案及 改善建議 Complaint cases and recommended improvements

有關使用手提電話的投訴個案 Complaint cases related to the use of mobile phones

個案一:兩名警員不恰當地使用手提電話錄影間接導致洩露涉案閉路電

視片段

Case 1: Two police officers inappropriately recorded CCTV video with their mobile phones, indirectly leading to the leakage of caserelated video clip

指控	被投訴人	投訴警察課的原本分類	最終分類
Allegations	Complainee(s)	Original classification(s) by CAPO	Final Classification(s)
1 疏忽職守 Neglect of Duty	警員一 Police Constable 1 警員二 Police Constable 2	無法完全證明屬實 Not Fully Substantiated	獲證明屬實 Substantiated

個案背景

個案中,一名男子涉嫌在便利店內偷竊不 果後折返並用刀刺傷店主,事後逃離現 場。數日後,店主傷重不治。兩名警員(被 投訴人一及二)當日在案發後到現場翻看 有關閉路電視錄影片段。便利店職員指該 兩名警員曾用手提電話攝錄有關片段。數 小時後,便利店負責人從互聯網見到這兩 段由警員拍攝的片段。警方於案發翌日鎖 定並拘捕疑犯。便利店負責人其後致函投 訴警察課,投訴兩名警員用手提電話拍攝 便利店內閉路電視片段後未有妥善處理影 片,以致影片在網上流傳【指控:疏忽職 守】。

Case background

In this complaint case, a man who was suspected of having unsuccessfully attempted to steal from a convenience store returned to the scene. The man stabbed a shopkeeper with a knife and fled. The shopkeeper sustained fatal injuries and passed away a few days later. On the same day after the incident, two Police Constables (Complainees 1 and 2) viewed the CCTV footages at the crime scene. A staff member of the convenience store claimed that the two Complainees had recorded the subject CCTV video clips with their mobile phones. Hours later, the person in charge of the convenient store saw two video clips taken by the Police Constables on internet. The suspect was located and arrested one day after the incident. The person in charge of the convenience store wrote a complaint letter to CAPO that two Complainees, after using their mobile phones to record the CCTV footages, failed to keep the footages in confidence which led to leakage of video clips on internet [Allegation: Neglect of Duty].

投訴警察課的調查

在接受投訴警察課查問時,兩名被投訴人 承認曾用私人手提電話拍攝閉路電視片 段,並透過手提電話即時通訊軟件以 方式將片段傳送給案發地區的同場 們能及早將疑犯逮捕歸案。二人均可 影片上傳至互聯網,並指該可 影片上傳至互聯網,並指該已被 影片上傳至互聯網 。投訴警察課進一步追蹤將影片上傳 員。投訴警察課會聯絡相關人士提供 資料及協助調查,但不成功。

投訴警察課認為,雖然兩名被投訴人使用 手機執行職務的行為違反了《警察通例》, 但根據二人的解釋,出發點是為了盡快拘 捕疑犯。他們也在疑犯被捕後,立即將通 訊群組刪除,將影片洩露的風險降至最 低。同時,有明確證據顯示兩名被投訴最 並非影片的上傳者,因此投訴警察課將指 控分類為「無法完全證明屬實」,並建議 對二人作出訓諭。

監警會的觀察

監警會不認同上述指控的調查結果分類。 監警會認為事件的關鍵在於兩名警員是是 疏忽洩露該錄影片段。二人傳送錄影片段的出發點並非指控的重點。雖然二人 說片的上傳者,並據稱盡量將影片內是 動態。根據《警察通例》第19章, 如警務人員需使用私人手提電話執行 如警務人員需使用私人手提電話執行 來 數計應先徵求上司同意;警員也感 以社交媒體或即時通訊等形式傳送敏感或 保密資料。

基於上述原因,監警會建議將指控重新分類為「獲證明屬實」,並應提高對二人的處分以反映事件的嚴重性。投訴警察課最終接納上述建議,將指控重新分類為「獲證明屬實」,並對二人作出警告。

CAPO's investigation

When interviewed by CAPO, the two Complainees admitted recording the CCTV footages with their private mobile phones, and shared the clips via a mobile messaging application chat group with colleagues working in the district where the crime occurred. Their intention was to alert these colleagues to apprehend the suspect as soon as possible. Both of them denied uploading the video clips to Internet. They claimed that the newly created chat group was a temporary one and was deleted immediately upon the arrest of the suspect. CAPO further investigated the source of video upload and found out that it was not done by police officers. CAPO contacted relevant persons for further information and assistance in investigation but the efforts were in vain.

CAPO considered that although the two Complainees failed to observe the Police General Orders by using their private mobile phones for official duty, they explained that their purpose were to ensure the suspect would be arrested as soon as possible. They also deleted the chat group immediately after the suspect was arrested to minimise the risk of video clips leakage. In addition, the available evidence strongly supported that two Complainees did not upload the footages. CAPO therefore classified the allegation as "Not Fully Substantiated" and recommended "Advices" against the two Complainees.

IPCC's observations

The IPCC disagreed with the classification of investigation result regarding the above allegation. The IPCC was of the view that the crux of matter was whether the Complainees' negligence led to the footages being leaked to the public. The rationale for the Complainees' sharing of footages with their colleagues was not the determining factor for the allegation. Although they did not upload the footages and had tried their utmost to minimise the risk of leakage, the available facts indicated that their actions indirectly led to the leakage. According to chapter 19 of the Police General Orders, a police officer shall seek prior approval from a supervisor before using personal mobile phone for official duty purposes; and the transmission of sensitive or classified data by any means of social media and instant messaging applications are prohibited.

Based on the above reasons, the IPCC recommended that the allegation should be re-classified as "Substantiated" and the penalty should be raised to reflect the seriousness of the incident. CAPO accepted these recommendations and re-classified the allegation as "Substantiated". The two Complainees were given warnings.

個案二:警員不恰當地使用手提電話錄影導致片段於網上流傳

Case 2: A police officer inappropriately recorded video with his mobile

phone, leading to its circulation on the Internet

指控	被投訴人	投訴警察課的原本分類	最終分類
Allegations	Complainee(s)	Original classification(s) by CAPO	Final Classification(s)
行為不當	警員	無法證實	無法證實
Misconduct	Police Constable (PC)	Unsubstantiated	Unsubstantiated
疏忽職守 Neglect of Duty	高級督察;警員 Senior Inspector of Police (SIP); Police Constable (PC)	_	

個案背景

個案中,一名的士司機(投訴人)與兩名乘 客發生爭執。投訴人聲稱乘客下車時導致 其的士車窗碎裂,遂報警求助。警方對的 士車窗損毀原因存疑,懷疑的士司機事前 刻意調較的十車窗玻璃,致使在乘客開關 車門時令玻璃碎裂,從而敲詐乘客賠償損 失。

為了調查車窗如何碎裂,警方遂安排政府 化驗所為涉事的士進行模擬測試。在模擬 測試中, 一名警員示範了車窗如何在車門 關上時自動碎裂。及後,該模擬測試的錄 影片段於網上流傳,投訴人的車輛更被形 容為「黑的」。投訴人不滿調查個案警務 人員的處理及調查案件手法,因此向投訴 警察課投訴。其中一項「行為不當」的指 控,投訴人懷疑參與模擬測試的警員向傳 媒指其的士是「黑的」,並洩露有關錄影 片段以致片段在互聯網上流傳。

投訴警察課的調查

參與警員否認指控,並表示沒有評論投訴 人及其的士。投訴警察課審視了網上流傳 的模擬測試片段,發現形容「黑的」的旁 白是傳媒在剪輯片段時自行加上。由於沒

Case background

In this complaint case, the Complainant, who was a taxi driver, had a dispute with two passengers. He claimed that the passengers caused the glass of one of his taxi windows to shatter when they were alighting, and hence made a report to the Police. The Police were suspicious regarding how the window was broken, and suspected that the taxi driver had adjusted the taxi window so that the glass would be shattered when a passenger opened / closed the door, in order to extort compensation from passengers.

To determine how the window was broken, the police arranged for a Government Chemist to conduct a simulation test (the Test) on Complainant's taxi. During the Test, a Police Constable (PC) demonstrated how the window was broken automatically when someone closed the taxi door. A video on the Test was later found online, describing the Complainant's taxi as a "black taxi". The Complainant alleged that the investigating police officers failed to handle and investigate his case properly, and thus lodged a complaint to CAPO. One of the allegations concerned "Misconduct". The Complainant speculated that the PC who attended the Test had told the media that the taxi was a "black taxi" and leaked the video, leading to its circulation on internet.

CAPO's investigation

The PC denied the allegation and made no comments about Complainant or his taxi. CAPO reviewed the video footage of the Test and found that the "black taxi" commentary was added by the media during post-production. Since there was no 有證據證明參與調查警員洩露模擬測試片 段,故將「行為不當」的指控分類為「無法 證實」。

監警會的觀察

基於上述原因,監警會建議對兩名警務人員分別增加一項「未經舉報但證明屬實」的「疏忽職守」指控。投訴警察課最終接納上述建議,並對二人作出訓諭但無須將事件記入其分區報告檔案中。

針對警員在執行公務時不恰當地使用私人 手提電話及即時通訊軟件的情況,監警會認為警方有責任審視現時的相關守則,並提點警務人員加以嚴格遵守。另外,監警會建議警方著手研究准許警務人員和人手提電話執行在 理情況下,並可在事後追溯上級批核會可。投訴警察課接納會方的建議,同意警會報告。 evidence to prove that the leakage of the video was caused by the PC, the allegation regarding "Misconduct" was classified as "Unsubstantiated".

As a result of the CAPO's investigation about the leakage of video on the Test, it was found that there had been similar incidents in which taxi drivers attempted to extort compensation from passengers for damage to the windows of their taxis during the same period. Therefore, several police officers who were working on similar cases also attended the Test to observe. Among them was a Senior Inspector who recorded the Test using his personal mobile phone and sent the video clip to his subordinate (another PC) via a mobile messaging application, for compiling a report on another case of similar nature. The subordinate further disseminated the video footage to other officers for experience sharing and educational purposes. However, both Senior Inspector and his subordinate denied having uploaded the video clip to the Internet. Since neither officers sought permission to film the Test or forward the video to others, they were advised by their supervisors to exercise caution when handling investigationrelated information.

IPCC's observations

The IPCC disagreed with CAPO's handling of the leakage of the video footage on the Test. The Council considered that the incident was serious, as the preamble to the video footage revealed the licence number of the Complainant's taxi and particulars of the Test. In addition, the video was filmed solely for compiling a report and internal reference instead of for public circulation. According to chapter 19 of the Police General Orders, a police officer shall seek prior approval in order to use a personal mobile phone for official duty purposes; and the transmission of sensitive or classified data by means of social media and instant messaging applications are not permitted. Therefore, it was inappropriate and reckless for the Senior Inspector to record the Test with his mobile phone and send the video clip to his subordinate who then re-sent it to other colleagues.

Based on the above reasoning, the IPCC recommended that two "Substantiated Other Than Reported" counts of "Neglect of Duty" be registered against each of the two police officers. CAPO finally subscribed to IPCC's view, and each officer was given an advice without Divisional Record File entry.

Regarding improper use of personal mobile phones and instant messaging applications by police officers for official duties, the IPCC considers that the Police are responsible to review the existing guidelines to ensure compliance. In addition, IPCC also recommended the Police to study the feasibility to allow certain flexibility in justified situations where officers may seek retrospective permission to use their private phones for carrying out certain duties. CAPO accepted these recommendations and agreed to review relevant guidelines and report to the IPCC in due course.

個案三:警員不恰當地使用手提電話拍攝投訴人資料

Case 3: Police officer inappropriately used mobile phone to record

Complainant's personal data

指控	被投訴人	投訴警察課的原本分類	最終分類
Allegations	Complainee(s)	Original classification(s) by CAPO	Final Classification(s)
1 行為不當 Misconduct	警員 Police Constable	無法證實 Unsubstantiated	無法完全證明屬實 Not Fully Substantiated

個案背景

個案中,投訴人將私家車駛離停車場轉入 一小路時,因未有停車讓路予行經該路 段之警車,導致警車須急閃避以免發生碰 撞。就此,駕駛警車的警員截停投訴人, 表示將票控他「不小心駕駛」,並要求他 出示身份證及駕駛執照以作紀錄。當時, 投訴人的同事(證人)一直坐在私家車乘客 前座位置。事後,投訴人向投訴警察課指 控警員不恰當地將其個人資料抄寫在個人 筆記簿上,並用私人手提電話拍攝其身份 證及駕駛執照【指控:行為不當】。投訴 人其後被票控「不小心駕駛」,並在法庭 認罪及被判罰款。

投訴警察課的調查

在投訴警察課調查期間,警員指稱當時環 境不適合詳細紀錄有關事件詳情,遂將 投訴人的個人資料抄寫在個人筆記簿上。 當他回到警署後,旋即將事件細節補錄在 警察記事冊上,然後將寫有投訴人資料的 筆記用碎紙機碎掉,再放入機密文件袋等 待銷毀。警員否認曾用手提電話拍攝投訴 人的身份證及駕駛執照。他指當時為了查 核事發地點街名,將筆記簿、投訴人的身 份證和駕駛執照放置警車車頭蓋上,再以 其私人手提電話內的手機應用程式查閱地 昌。

Case background

In this complaint case, when the Complainant drove his private car away from a carpark into a trail, he failed to give way to a police saloon which forced the police saloon to evade abruptly to avoid collision. The Police Constable (PC) who drove the police saloon stopped the Complainant and informed him that he would be summonsed for "Careless Driving". requested the Complainant to produce his HKID card and driving licence for record purpose. At the material time, a colleague of the Complainant sat in the front passenger seat of the private car. The Complainant lodged a complaint to CAPO and alleged that the PC inappropriately recorded his personal data onto a notepad and took photo of his HKID card and driving licence using his personal mobile phone [Allegation: Misconduct]. Subsequently, the Complainant pleaded guilty to the charge of "Careless Driving" and was fined accordingly.

CAPO's investigation

During CAPO's investigation, the PC claimed that the scene was not a suitable location for him to record incident details entry, thus he copied Complainant's personal particulars onto his notepad. When he returned to police station, he immediately recorded the details on the police notebook, shredded the relevant page from his notepad and then disposed of the remains by means of confidential materials disposal bag. The PC denied having taken photo of the Complainant's HKID card and driving licence using his mobile phone. He stated that at the material time, he placed his notepad, Complainant's HKID card and driving licence on the hood of his police saloon so that he could take out his mobile phone to check the street name of the incident location using mobile application.

投訴警察課認為警員將投訴人的資料抄寫在個人筆記簿上並無不當,因警員在事後已銷毀寫有投訴人資料的筆記。警察守則並無禁止警務人員把資料紀錄在警察記事冊以外的文件,只要做法符合《個人資料(私隱)條例》便可。投訴警察課認為,因應當時事發路面情況,要求警員即場將事件有條理地紀錄在警察記事冊上並不可行,亦無此急切需要。

至於有關指控警員使用手提電話拍攝投訴人資料方面,投訴警察課審視了投訴警察課審視了投訴警察問事可見警員的錄影片段,當中可見警員的錄影片段,當中可見警車的發展,當中使用的手機應用程式。此外,投資上繼而使用的手機應用程式。此外,過證人。由於並無獨立證據支持任何一方的說法,因此投訴警察課將「行為不當」的指控分類為「無法證實」。

監警會的觀察

監警會認為雖則個案中未有充分證據證明 指控完全屬實,但基於上述錄影片段, 可視作有若干可靠的證據支持投訴人的 指控,故此建議對警員的「行為不當」指 控,由「無法證實」改為「無法完全證明屬 實」。

投訴警察課接納監警會的建議,並對警員作出訓諭而無須將事件記入其分區報 告檔案中。 CAPO did not consider any impropriety for the PC to record the Complainant's personal details on his notepad, as he had shredded the relevant record after use. Police guidelines do not prohibit an officer from recording information in documents other than official notebook, as long as Personal Data (Privacy) Ordinance is adhered to. CAPO considered that it would be impracticable to require PC to make organised and detailed entries on the official notebook entries when PC would be heavily engaged in the investigation at the scene.

With regard to the allegation concerning the PC taking photo of Complainant's personal data using his mobile phone, CAPO reviewed the video clip captured by the dash camera in the Complainant's car. The video footage showed that the PC placed the Complainant's HKID card and driving licence on the hood of saloon, and then he used his mobile phone. However, the mobile application being used was not captured. In addition, CAPO also enquired the witnesses who indicated that he did not notice whether the PC had photographed the Complainant's personal particulars. As there was no independent evidence supporting either party in their counter-allegations, CAPO classified the "Misconduct" allegation as "Unsubstantiated".

IPCC's observations

The IPCC disagreed with the classification of investigation result regarding the above allegation. The IPCC opined that though the video footage captured by the dash camera system could not show the mobile application being used by the PC at the material time, the video footage revealed that the PC had put his mobile phone horizontally when he used his phone above the hood of police saloon, where the Complainant's HKID card and driving license were placed. This action lasted about 5 seconds. The IPCC was of the view that the PC appeared taking pictures rather than checking the location and the actions of the PC might cause suspicion on the creditability of his explanation that he took out his mobile phone only for checking the map.

Although the IPCC considered that there was insufficient evidence to substantiate the allegation, the above video footage could be regarded as some reliable evidence to support the Complainant's allegation. Therefore, the IPCC recommended the allegation of "Misconduct" against the PC to be changed from "Unsubstantiated" to "Not Fully Substantiated".

CAPO finally subscribed to IPCC's view, and the PC was given an advice without Divisional Record File entry.



修正調查結果分類的投訴個案

Complaint case relating to reclassification of investigation results

個案四:警員在反毒行動的濫用職權及疏忽職守指控屬「並無過錯 |

Case 4: Police officers who were alleged of Unnecessary Use of

Authority and Neglect of Duty during antinarcotic raid were

found "No Fault"

	指控 Allegations	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	濫用職權 Unnecessary Use of Authority	警長 Sergeant (SGT)	無法追查 Not Pursuable	並無過錯 No Fault
2	疏忽職守 Neglect of Duty	高級督察 Senior Inspector of Police (SIP)	無法追查 Not Pursuable	並無過錯 No Fault

個案背景

在一次反毒的突擊搜查行動中,一名警長 及其他警務人員在一個單位內搜出微量疑 似危險藥物、吸食工具,以及一副手銬。 因此,該名警長以「販運危險藥物」、「管 有適合於吸食危險藥物的設備或器具」及「 管有攻擊性武器」罪拘捕單位內的四名遊 客(包括投訴人)。該名警長亦撿取了投訴 人的手提電話、平板電腦及其他證物作進 一步調查。其後,法庭認為無足夠證據支 持檢控而將投訴人及其餘三人當庭釋放。 事後,投訴人不滿該名警長(被投訴人一) 在沒有合理理由的情況下拘捕她,並撿取 其手提電話、平板電腦和護照【指控一: 濫用職權】。她又指控一名高級督察(被投 訴人二)未有向入境事務處安排延長其在港 逗留期限,以便她取回被警方扣查作證物 的個人物品【指控二:疏忽職守】。

Case background

During an antinarcotic raid, a Sergeant (SGT) and other police officers discovered a small amount of suspected dangerous drugs, smoking apparatus and a pair of handcuffs from a flat. The SGT arrested four tourists (including Complainant) therein for "Trafficking in a Dangerous Drug", "Possession of Equipment Fit for Smoking Dangerous Drug" and "Possession of Offensive Weapon". The SGT also seised the Complainant's mobile phone, tablet computer and a number of exhibits for further investigation. Later on, the Complainant and three arrested persons were released by Court unconditionally due to insufficient evidence to support the charges. The Complainant was dissatisfied with the SGT for arresting her and seising her mobile phone, tablet computer and passport without justification [Allegation 1: Unnecessary Use of Authority]. Moreover, the Complainant alleged that the Senior Inspector (SIP) failed to liaise with Immigration Department to extend her stay in Hong Kong for collecting properties kept by the Police as case exhibits [Allegation 2: Neglect of Duty].

投訴警察課的調查

投訴警察課多次以電話、電郵及書信方式 聯絡投訴人協助調查投訴,但均不果。由 於無法聯絡投訴人以獲取更多資料作跟進 其投訴個案,投訴警察課將上述兩項指控 分類為「無法追查」。

監警會的觀察

監警會不認同上述指控的調查結果分類。 監警會認為即使投訴警察課未能聯絡投訴 人,仍可根據現有資料來判斷警員的處理 是否恰當,因此透過質詢要求投訴警察課 重新審視投訴個案,並應按照調查結果將 兩項指控重新分類。

投訴警察課的重新調查

至於指控二,投訴人及其餘被捕人士被法 庭無條件釋放時,該名高級督察已馬上聯 絡入境事務處安排延長其逗留期限,並告 知他們可到警署取回個人物品。除投訴人 外,所有被捕人士均於當日取回他們的物 品。警方期後亦為此聯絡投訴人但不果 最後,投訴人約於兩星期後才到警署取回 其個人物品。

投訴警察課認為該名高級督察已依照程序, 並採取所有切實可行的方法將投訴人的物品 歸還給她,過程中並無故意延誤,因此將 指控二由「無法追查」重新分類為「並無過 錯」。監警會認同投訴警察課對兩項指控的 分類,並通個這宗個案的調查結果。

CAPO's investigation

CAPO repeatedly contacted the Complainant by telephone, email and mail to seek her assistance in the investigation of complaint, but failed to reach her. As CAPO could not reach the Complainant to acquire further information to follow up this complaint case, CAPO classified the above two allegations as "Not Pursuable".

IPCC's observations

The IPCC disagreed with CAPO's classification of investigation result for the above-mentioned allegations. The IPCC was of the view that even if CAPO could not reach the Complainant, the appropriateness of police officer's handling can still be judged based on information available. The IPCC therefore requested CAPO to re-examine the complaint case and re-classify two allegations based on the result thereof.

CAPO's re-investigation

CAPO considered that as suspected dangerous drugs, smoking apparatus and a pair of handcuffs were found inside the flat, it was reasonable for the Police to suspect that the Complainant and three other persons committed the offence of "Trafficking / possession of Dangerous Drug", "Possession of Equipment Fit for Smoking Dangerous Drug" and "Possession of Offensive Weapon". The subsequent arrests and seising of the Complainant's mobile phone and tablet computers as exhibits were thus justified. The purpose of doing so was to collect evidence for the offence of "Trafficking/ possession of Dangerous Drug". In addition, the Complainant's passport was not seised as an exhibit but was transferred to the Court for the Complainant's first appearance at the court. As no impropriety was found on the part of the SGT during the investigation process, CAPO has reclassified Allegation 1 from "Not Pursuable" to "No Fault".

For Allegation 2, upon the release of the Complainant and the other arrested persons by Court, the SIP had immediately arranged with Immigration Department to extend their periods of stay in Hong Kong and informed them to collect personal properties from police station on the same day. All the arrested persons retrieved their belongings on that day except the Complainant who could not be located by the Police thereafter. In the end, the Complainant retrieved her belongings from police station two weeks later.

CAPO considered that the SIP had followed the procedures and had taken all practical and reasonable steps to return the properties to the Complainant without any undue delay. Therefore, CAPO reclassified allegation 2 from "Not Pursuable" to "No Fault". The IPCC agreed with CAPO's revised classification and endorsed CAPO's findings in this case.

警隊常規和程序改善建議 Recommended improvements to police practices and procedures

為履行《監警會條例》第8條(1)(c)的職 能,監警會於審核須匯報投訴時,若發現 警隊常規或程序有任何缺失或不足,均 會適時向警方提出改善建議。監警會秘 書處會透過「調查報告通過後的跟進工作 事項」,與投訴警察課跟進改善的相關事 宜。委員會亦會在季度聯席會議上,與警 方討論改善建議的實施進度,確保警方作 出妥善的跟進,進一步提升警隊的服務質

於報告期內,監警會向警方提出了26項改 善建議。這些建議可大致分為三個類別: 即(1)改善警隊指引及常規;(2)提升電腦記 錄系統的便利度;以及(3)向警務人員提供 建議並加強其知識及培訓。

以下是部份改善建議及相關投訴個案示 例。

(1) 改善警隊指引及常規

a. 修訂在執行公務時使用私人手提電話的 警隊指引

智能電話為日常生活帶來便利。然而,警 務人員不當使用智能電話或會導致違規, 甚或引起侵犯私隱等問題。過往幾年,曾 有數宗涉及警務人員於當值期間因警務工 作使用私人手提電話而衍生的投訴個案。 投訴警察課的調查顯示,這數宗投訴個案 涉及資料外洩,個案中的警務人員在未獲 得上級批准下,使用私人手提電話攝錄敏 感資料,以致相關資料在社交媒體上流 傳,因而涉嫌違反《警察通例》的規定。

To discharge the function under section 8(1)(c) of the IPCCO, the IPCC makes timely recommendations to the Police whenever it identifies any fault or deficiency in the police practices or procedures while vetting the Reportable Complaint reports. The IPCC Secretariat will monitor improvement-related matters via "Post-endorsement Issues Follow-up" with CAPO. The Council will also discuss the implementation progress of the recommended improvements at quarterly Joint Meetings with the Police to ensure their proper follow-up with a view to further enhance the service quality of the Police.

During the reporting period, the IPCC made 26 improvement recommendations to the Police. These recommendations can be broadly grouped into three categories: (1) enhancement of police guidelines and practices; (2) improvement in the userfriendliness of the computer record system; and (3) giving advice to and strengthening knowledge-building and training for police officers.

Provided below are examples of improvement recommendations illustrated by related complaint cases.

(1) Enhancement of police guidelines and practices

a. Modification of police guidelines on the use of personal mobile phones for official duty purposes

Smartphones bring convenience to our daily lives. However, improper use of smart phones by police officers may result in violation of police guidelines or lead to infringement of privacy issue. In the past few years, there were a number of complaints related to the use of personal mobile phones for official duty purposes by on-duty police officers. CAPO's investigations revealed data leakage issues in a few complaint cases in which the police officers concerned had allegedly violated the provisions in the "Police General Orders" by recording sensitive data on their personal mobile phones without seeking approval from their supervisors, leading to the leakage of the data on social media which resulted in unrestricted access of these sensitive information by the public.

監警會對於警員未經上級批准,使用私人 手提電話執行公務而違規的趨勢表示關 注,認為警隊的使用手提電話指引有必要 因應社會環境的演變而適時檢討及更新, 並確保警務人員充分理解和熟悉指引變 更的內容及應用,從而提升效率並減少違 規或侵犯私隱等問題。有鑒於此,監警會 要求警方深入了解警員利用私人電話的情 况,並檢視《警察通例》中的條文,確保指 引清晰明確及務實可行,讓警務人員能夠 有據可依並嚴格遵守。此外,監警會亦建 議警方考慮應否在合理情況下讓警務人員 靈活應變,因應公務所需使用私人手提電 話並於事後再行取得上司許可,及恰當地 處理所得到的個人資料,包括適時刪除等 措施。

b. 改善「表達不滿機制」程序的建議

成立「表達不滿機制」的目的,是讓投訴人在提出正式投訴以外,可選擇其他方式處理性質輕微的投訴,以便能有效地處理投訴人所表達的不滿,更能善用資源調查其他較為嚴重的個案。為幫助投訴人充分了解「表達不滿機制」的用途,以及可供選擇的投訴處理方式,投訴警察課的人員在開始與投訴人對話前,須播放一段關於「表達不滿機制」的錄音序言。

The IPCC is concerned about the trend of violation of police guidelines due to unauthorised use of personal mobile phones by police officers. The IPCC opined that the police guidelines relating to use of personal mobile phones should be reviewed and updated timely to reflect the latest development in the society. In addition, police officers should be communicated to attain sufficient understanding of the considerations for the modification and application of the guidelines such that violation of guidelines and infringement of privacy issues could be reduced while work efficiency of the police officers could also be enhanced. The IPCC therefore recommended the Police to deepen their understanding of situations involving the use of personal mobile phones, review the "Police General Orders" to ensure relevant guidelines are clear and pragmatic for policy officers to make reference and comply with. Furthermore, the IPCC suggested the Police consider the appropriateness of allowing some flexibility for the police officers to use personal mobile phones in warranted situations. Officers might seek retrospective permission for using their personal mobile phones for official duty purposes and proper handling of acquired personal data including timely removal as appropriate.

The Police accepted the IPCC's recommendations and formed a working group to review the relevant Force Policy and guidelines. After the review, the Police planned to modify the relevant sections in "Police General Orders" and "Force Procedures Manual" in several aspects, including more flexibility being allowed for officers to use personal mobile phones for performing official duty under justifiable situations. The IPCC will closely follow up on the revisions and progress in updating guidelines by the Police; as well as the Police's plan to explain and introduce related guidelines to the front line police officers with a view that the updated guidelines could achieve the objective in reducing related complaints and effectively enhancing the service quality and efficiency of the police force.

b. Suggested improvement on procedures regarding the Expression of Dissatisfaction Mechanism (EDM)

The aim of EDM is to provide Complainants with an alternative to filing a formal complaint for cases with minor nature. This not only can effectively cope with dissatisfaction expressed by Complainants but also make optimum use of investigation resources for cases that are of a more serious nature. To help Complainants fully understand the purpose of EDM and the available options for handling their complaints, CAPO officers are required to play an audio-recorded EDM preamble at the beginning of their conversation with the Complainants.



然而,在一宗投訴個案的調查過程中,投訴 人不滿投訴警察課在未有清楚講解「表達不 滿機制」且未經其同意下,即以該方式處理 其個案,因此對若干投訴警察課人員作出 投訴。

監警會審核投訴警察課的調查報告時發 現,在上述個案發生期間,投訴警察課人 員僅會在電話通話期間播放「表達不滿機 制」的錄音序言來解釋投訴程序,但播放序 言這程序卻不會用於面談。監警會認為投 訴警察課應加強有關常規做法,不論是電 話通話或會談方式,均須向投訴人解釋「表 達不滿機制」,確保投訴人清楚了解所有選 擇和權利,以防止未來出現類似投訴。

警方同意監警會的觀點,認同面談時也應 向投訴人播放「表達不滿機制」的錄音序 言,以便投訴人了解「表達不滿機制」的用 途,以及其他可供選擇的投訴處理方式。 此外,投訴警察課人員亦會將播放序言、 向投訴人解釋其他可供選擇的投訴處理方 式、投訴人就「表達不滿機制」所作的決 定,以口供形式或在警察記事冊內一一記 錄在案,然後請投訴人在警方的文件上簽 署確認。監警會認為這些措施能有效避免 誤會及有助統一投訴警察課人員向投訴人 解釋「表達不滿機制」的程序。

(2) 提升電腦紀錄系統的便利度

運輸紀錄系統的改善建議

警方肩負交通方面的執法工作,在履行職 責時經常要接觸市民大眾。在大多數情況 下,交通警員也須先查核駕駛人士的駕駛 執照。因此,一套準確易用的紀錄系統有 助前線警員有效執行職務。

During the investigation of a complaint, however, the Complainant was dissatisfied that CAPO dealt with his case by way of EDM without explaining to him the mechanism and seeking his consent. Therefore, he filed a complaint against certain CAPO officers.

Upon review of CAPO's investigation report, the IPCC found that CAPO officers would only play the audio-recorded EDM preamble during telephone interviews to explain the complaint procedures but such explanation were not provided in faceto-face interviews. In IPCC's opinion, CAPO should improve their operational practice by adopting the same arrangement to explain the mechanism to and seek consent from the Complainant regardless of whether the interview would be taken over phone or face-to-face. This is to ensure that the Complainants understand the choices available and their rights which will help avoid similar complaints in the future.

The Police accepted IPCC's recommendations that the audio-recorded EDM preamble should also be played to Complainants in face-to-face interviews to enable their understanding of the purpose of the EDM and other available options for handling a complaint. In addition, CAPO officers will record, either as a statement or in the police notebook, the broadcast of the preamble, the explanation to the Complainants of other available options for handling a complaint, and the Complainant's decision regarding the EDM. The Complainants will then be invited to sign and confirm the documentation. IPCC considered that the above measures would avoid mis-understanding and enable the adoption of uniform best practice for the EDM mechanism.

(2) Improvement in the user-friendliness of the computer record system

Suggested improvement to the transport record system

Having a major role in traffic enforcement, the Police frequently encounter members of the public when carrying out their duties. Checking the driver's driving licence is often the first thing a traffic police officer does in almost every scenario. An accurate and user-friendly recording system will facilitate the frontline police officer in performing his duty efficiently.

監警會認為警方運輸紀錄系統不便於使用,因而令類似誤會一再發生。由於控制中心人員對該運輸紀錄系統及所用的代碼並不熟悉,因此無法將正確訊息轉達給前線警務人員,導致投訴人因同一原因被兩度帶返警署,對他造成極大不便和困擾,監警會認為上述情況極不理想。

In one of the complaint cases, a taxi driver (the Complainant), whose driving instructor's licence (DIL) had been suspended, was involved in a traffic accident. The police officers who attended the scene made enquiry with Console about the Complainant's driving licence status. After checking the Police's transport record system, the Console officer told the police officer at the scene that all classes of the Complainant's driving licence had been suspended. The police officers therefore arrested the Complainant for "Driving without a Valid Driving Licence" and took him to the police station. The Complainant was eventually released unconditionally as it was later confirmed that only his DIL had been suspended while other classes of his driving licences were still valid. Six months later, the Complainant encountered a similar situation and the Console officer was again unsure about the validity of his driving licence. Though not arrested, the Complainant was taken to the police station for further enquiry.

The IPCC was of the view that the recurrence of similar misunderstanding was a result of Police's transport record system being somewhat not user-friendly. As the Console officers were not familiar with the transport record system and codes used, they were not able to provide accurate information to the frontline officers. The IPCC considered this unsatisfactory as it caused inconvenience and hassle to the Complainant for being taken to the police station twice.

In order to prevent recurrence of similar mistakes and enhance the work efficiency of the frontline and Console officers, the IPCC recommended the Police to review and improve the user-friendliness of the record system and avoid overusing abbreviations or codes, so that both Console officers and frontline officers could easily understand the meaning of the codes and discharge their duties efficiently and properly. In the interim, Console officers would be advised to consult the relevant police units and the Transport Department if there were ambiguities so as to avoid unnecessary misunderstanding and complaints. At the same time, relevant training should be provided to Console officers to ensure users are familiar with the meanings of the codes. The above recommendations were accepted by the Police. The IPCC will continue to monitor the implementation of these recommendations.

(3) 向警務人員提供建議並加強其知 識及培訓

加強處理家庭暴力案件的培訓

家庭暴力事件如處理失當,足以導致嚴重 後果。警方是家庭暴力事件的首要舉報機 構,角色舉足輕重,既要確保家暴受害者 獲得保護及支援,同時亦需將肇事者嫡時 繩之於法。前線警員能否有效處理家庭暴 力舉報個案,以及適當評估相關風險均非 常重要,因為家庭暴力案件與性命攸關, 不當處理或會導致嚴重後果。

在一宗投訴個案中,一名高級警員與兩名 警員接報處理投訴人與前夫之間的糾紛。 投訴人報稱前夫毆打她11歲的兒子,該名 高級警員雖發現投訴人兒子身上有傷,卻 只是將個案分類為「糾紛」。投訴警察課的 調查顯示,該名高級警員決定將案件分類 為「糾紛」的做法有誤,個案應分類為「家 庭暴力(刑事)」,並交由刑事調查隊跟進調 杳。

監警會認為警員將家庭暴力案件錯誤分類 為「糾紛」,很可能令無助的受害人面臨更 大危險,因而對他們的心理及生理造成長 遠損害。有見及此,監警會建議警方應定 期檢討家庭衝突案件的分類和準則,確保 前線警務人員掌握該等準則並作出相應處 理。此外,監警會亦建議警方加強前線警 員對處理家庭暴力個案的認識,並為他們 提供相關專業訓練,令家庭暴力案件得到 適時及恰當的處理。

(3) Giving advice to and Strengthening knowledge-building and training for police officers

Reinforced training on the handling of domestic violence cases

Domestic violence can cause serious consequence if not being appropriately handled. The Police, being the first point of contact for reported domestic violence, have an essential role in ensuring that victims of domestic violence are protected and supported, and perpetrators are held accountable timely for the harm they have caused. It is important that frontline police officers can handle domestic violence reports effectively and assess the risks appropriately as the consequences for such incidents could be serious and might be a matter of life and death.

In one complaint case, a Senior Police Constable (SPC) and two Police Constables (PC) handled a dispute between the Complainant and her ex-husband. The Complainant reported that her ex-husband had assaulted her 11-vear-old son. The SPC, however, merely classified the case as "Dispute" despite the injuries found on the Complainant's son. CAPO's investigation revealed that the SPC's decision to classify the case as "Dispute" was wrong. The case should have been classified as "Family Violence (Crime)" for further investigation by a crime unit.

The IPCC considered that the wrong classification of the domestic violence case to "Dispute" by the police officer might put those helpless victims who were already vulnerable under additional risks. This would also result in long-term adverse impact to victims psychologically and physically. In view of the above, the IPCC recommended the Police to regularly review the classification and assessment criteria of domestic violence cases to ensure that frontline police officers fully understand the assessment criteria and handle cases appropriately. In addition, the IPCC was of the view that the Police should promote the knowledge of frontline officers on the handling of domestic violence cases and provide professional training to them to ensure the domestic violence cases are handled properly in a timely manner.

警方接納監警會的建議,並保證家庭暴力議題已納入各級警員的必修培訓及溫故知新課程之中。此外,警務人員亦可通過警方的電子學習平台掌握最新資訊。警方會以上述投訴個案為例,提醒全體前線警員應如何根據準則正確分類及處理家庭暴力案件。

The Police accepted the IPCC's recommendations and affirmed that the subject matter is now included in the compulsory curriculum at all levels of police training. Besides, police officers will refresh their skills through refresher training and reference to the latest information posted on the Police's e-learning portal. The Police have also given all frontline police officers appropriate advice on how to classify and handle domestic violence cases, citing the instant complaint case as an example.



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,會方一 直以來積極透過多種途徑與持份者保持 緊密聯繫,包括警方、地區人士、青少 年、關注團體、其他國家和地區的監察 機構等,向他們介紹監警會的工作和職 能。報告期內,監警會繼續拓展校園推 廣計劃,並主動到訪各區的地區校長聯 會,爭取教育界人士的支持,並希望藉 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 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 various channels to closely engage with stakeholders including the Police, the community representatives, the youth, interest groups, and monitoring bodies from other countries and areas to introduce the IPCC's work and functions to them. During the reporting period, the IPCC expanded the School Programme and visited a number of District Principals' Associations (DPAs) to solicit their support. Through proactive outreaching initiatives, the IPCC hopes to stay connected with the wider community and deepen their understanding of its work.

外展活動 **Reaching out**

校園推廣計劃 **School Programme**







為了加強青少年對監警會的認識,監警 會於2016年11月起推行校園推廣計劃, 向本地大專及中、小學師生簡介香港兩 層架構投訴警察制度及監警會的職能。 有見上年度參與的師生反應熱烈, 監警 會於本年度進一步擴大及深化校園推廣 計劃,希望藉此接觸更多師生。

To enhance the youth's understanding of the IPCC, the IPCC has been promoting its School Programme since November 2016, to introduce Hong Kong's two-tier police complaints system and the IPCC's functions to teachers and students from local tertiary institutions, as well as secondary and primary schools. As the School Programme was well received by participating teachers and students last year, the IPCC will further expand and reinforce the Programme this year, hoping to reach out to more teachers and students.





參與活動的師生提問踴躍,他們對於投訴性質、個案審核程序、調查結果分類、市民的權利和義務,以至如何成為監警會審核團隊也深感與趣。監警會審核團隊也深感發問卷,了解會等會次完成簡介後亦派發問卷,了解的人類話動的看法,從而評估活動的成生對活動的看法,從而評估活動的成效。大部分學生認同活動有助增進確的效點警會的職能及指出正確的投訴程序。

會方期望藉著校園推廣計劃的活動和分享,讓更多年輕一代了解監警會獨立、 公正、誠信的價值觀,以及認識投訴的 權利和責任。

During this reporting period, the IPCC was invited by the Department of Journalism & Communication of Hong Kong Shue Yan University and the Department of Journalism of Hong Kong Baptist University to speak at the General Assembly and a major course lecture respectively. Enthusiastic response was received from the audience when the IPCC introduced the functions and roles of the IPCC and discussed complaint cases that it had vetted with over 500 university students and lecturers. The IPCC also visited 16 secondary schools and primary schools, reaching out to over 2,200 teachers and students through 21 visits. During Liberal Studies classes, morning and school assemblies, the IPCC's principles and procedures for vetting complaint investigation reports were illustrated to teachers and students through broadcasting episodes of the IPCC Files series, interactive games and discussing of cases. IPCC Members and representatives from the Secretariat vetting team also shared their experiences in vetting cases.

The participating teachers and students were very enthusiastic. In particular, they were very interested in the nature of complaints, case vetting procedures, classification of investigation results, the rights and obligations of citizens, and even how to become a member of the IPCC's vetting team. Questionnaires were distributed to all participants after every presentation to solicit their views and to evaluate the effectiveness of the activities. The majority of students agreed that the activities enhanced their understanding of the IPCC, and over 80% of students were able to correctly indicate the IPCC's functions and procedures for filing complaints.

The IPCC aims to promote its values, i.e. independence, impartiality and integrity, among the youth through activities and presentations under the School Programme, and enable them to understand their rights and responsibilities of making a complaint.



到訪地區校長聯會

Visits to the District Principals' Associations (DPAs)



2017年5月9日至2018年3月15日 9 May 2017 to 15 March 2018





為推動校園推廣計劃,監警會自2017 年5月開始主動到訪各區的校長聯會, 向校長介紹監警會的工作及校園推廣計 劃,呼籲他們參與及支持。報告期內, 宣傳及意見調查委員會主席劉文文女 士、五名委員及秘書長分別到訪了14個 地區校長聯會,向與會校長介紹兩層投 訴警察制度,並聆聽各區校長對監警會 工作的寶貴意見。

監警會期望透過各區校長聯會,加強與 學校師生和青少年的聯繫,增進他們對 監警會職能的認識。

To promote its School Programme, the IPCC has been taking the initiative to visit principals' associations in various districts since May 2017. The IPCC introduces its work and the School Programme to principals, soliciting their support and participation. During the reporting period, Miss Lisa Lau Man-man (Chairman of the Publicity and Survey Committee), five Members and Secretary-General paid visits to 14 DPAs, where they introduced the two-tier police complaints system to attending principals and listened to their valuable feedback on the IPCC's activities.

Leveraging on its connection with the DPAs, the IPCC aims to develop a closer bond with students and various youth groups, with a view to enhancing their understanding about the IPCC's functions.





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的代表保持溝 通,從而了解警務人員執行職務的情 况,以便監警會以獨立、公平、公正的 角度審核投訴,並提出適時可行的建議 以改善警隊服務。

The main duty of the IPCC is to monitor the Police in handling 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 Force to better understand their duties and operational circumstances. Such regular exchanges would facilitate the IPCC's examination of complaints in an independent, just and fair manner, as well as offering timely and feasible suggestions to improve the service quality of the Police Force.

監警會委員和警方在年內的交流活動如 下: Details of the police engagement activities during the year are as follows:



2017年5月17日 17 May 2017





謝偉銓副主席及七名委員一同探訪元朗 警區。警方向委員講解區內非華裔人士 和街頭色情行業的犯罪情況,雙方亦就 相關的投訴趨勢交換意見。 Hon Tony Tse Wai-chuen (Vice-Chairman) and seven Members visited Yuen Long District. Police representatives briefed the attending Members on the crimes involving non-ethnic Chinese, and street prostitution in the district. Views were also exchanged on the trends of complaints.





2017年5月19日 19 May 2017

許宗盛先生應警隊服務質素監察部邀請,出席2016/17年度卓越服務頒獎典禮暨警隊優質服務獎勵計劃。

Mr Herman Hui Chung-shing was invited by the Service Quality Wing of the Police Force to attend the 2016/17 Awards Presentation Ceremony for Service Excellence and Service Quality Award Scheme.



2017年6月9日 9 June 2017

何世傑教授、陳錦榮先生、鄺永銓先生、歐楚筠女士、彭韻 僖女士與秘書處職員一同參與警隊服務質素監察部舉行的運 動會。

Ir Prof Vincent Ho, Mr Clement Chan Kam-wing, Mr Wilson Kwong Wing-tsuen, Ms Ann Au Chor-kwan, Ms Melissa Kaye Pang and IPCC Secretariat staff took part in the Sports Day organised by the Police Service Quality Wing.











2017年6月28日 28 June 2017

郭琳廣主席及八名委員出席警方安排的七 一遊行簡報會,了解警方在七一當日處理 大型公眾活動的最新資訊及交流意見。

At the pre-1 July procession briefing, Mr Larry Kwok Lam-kwong (Chairman) and eight attending Members exchanged views with the Police on its latest plan for handling of the public order event.





2017年7月1日 1 July 2017





九名委員與17名秘書處職員赴現場觀察 七一遊行活動。當日,委員先到警方指 揮中心聽取簡報,再前往維多利亞公園 遊行起點,並沿遊行路線於銅鑼灣及灣 仔區進行觀察。

Nine Members and 17 Secretariat staff conducted an on-site observation of the 1 July 2017 procession. The observation began with a briefing at the Police command centre. Members then proceeded to the procession starting point in Victoria Park, and continued to observe along the procession route in Causeway Bay and Wan Chai districts.





2017年8月22日 22 August 2017





郭琳廣主席與10名委員一同探訪港島總區 衝鋒隊。衝鋒隊代表向委員講解其工作和 投訴情況,並向他們介紹衝鋒隊的裝備, 包括槍械配備和隨身攝錄機。委員亦藉此 機會與前線警務人員交流,了解他們日常 執行任務面對的挑戰。

Mr Larry Kwok Lam-kwong (Chairman) and 10 Members visited the Emergency Unit Hong Kong Island (EU HKI). Representatives of the EU introduced to the Members their work, complaint related issues, their gears including arms and body worn video cameras. Council Members also took this opportunity to learn more about the challenges faced by frontline officers in their daily operations.



2018年3月13日 13 March 2018



郭琳廣主席聯同六名委員及秘書處代表 一同參觀元朗八鄉少年警訊永久活動中 心暨青少年綜合訓練營(「少訊中心」), 並聽取警方代表簡介少年警訊計劃的宗 旨,以及少訊中心的背景、設施和訓練 理念。 Mr Larry Kwok Lam-kwong (Chairman), six Members and representatives from the Secretariat visited the Junior Police Call Permanent Activity Centre and Integrated Youth Training Camp ("JPC Camp") at Pat Heung, Yuen Long where they were briefed by the Police Force on the aim of the Junior Police Call Scheme, as well as the background, facilities and training concepts of the JPC Camp.









與其他團體會面 Liaison with other organisations



2017年4月7日 7 April 2017

監警會委員獲時任行政長官邀請到禮賓府出席禮節性 午宴。

IPCC Members were invited to attend a courtesy luncheon hosted by the then Chief Executive at Government House.







2017年5月28至31日 28 to 31 May 2017

監警會秘書處派出一名高級審核主任和一名審核主任前往加拿大紐芬蘭與拉布拉多省的首府聖約翰斯,出席加拿大公民監察執法協會(Canadian Association for Civilian Oversight of Law Enforcement)舉辦的周年會議。大會以「公民監察——由內到外」為主題,讓與會者就警務工作和投訴處理的議題交流意見。

A senior vetting officer and a vetting officer from the IPCC Secretariat attended the annual conference organised by the Canadian Association for Civilian Oversight of Law Enforcement (CACOLE) at St. John's, Newfoundland and Labrador, Canada. Themed "Civilian Oversight – Perspectives from the Inside Out", the conference provided a platform for attendees to share their views on policing and complaint handling issues.



2017年6月13日 13 June 2017

郭琳廣主席、謝偉銓副主席及俞官興秘書長等,與廣東省公安廳紀律檢查組組長蘇全貴先 生率領的代表團會面,並向各團員介紹香港的 兩層架構投訴警察制度以及監警會的架構和職 能。

Mr Larry Kwok Lam-kwong (Chairman), Hon Tony Tse Wai-chuen (Vice-Chairman) and Mr Richard Yu (Secretary-General) met with a delegation led by Mr Su Quangui, head of the Supervision Committee of Guangdong Provincial Public Security Department. During the meeting, the two-tier police complaints system in Hong Kong, as well as the organisation and functions of the IPCC were introduced.







2017年6月23日 23 June 2017

俞官興秘書長應大公國際傳媒學院邀請,擔任雲南省 政府信訪局代表團講座的主講嘉賓。俞秘書長闡述監 警會的工作和職能,並透過分享真實投訴個案,彰顯 香港警察投訴制度的優越性,及監警會獨立、公正的 審核程序。



Mr Richard Yu (Secretary-General) was invited by Ta Kung International Media College to act as the keynote speaker at a seminar for the delegation from Yunnan Province Bureau for Letters and Calls. Mr Yu covered the work and functions of the IPCC by highlighting the merits of the Hong Kong police complaints system, as well as the independence and impartiality of IPCC's vetting procedures through sharing of real complaint cases.



2017年6月28日 28 June 2017





劉文文女士、歐楚筠女士、李曉華女士和 俞官興秘書長與香港社區組織協會會面, 聆聽他們對預防羈留人士自殺問題的意 見。 Miss Lisa Lau Man-man, Ms Ann Au Chor-kwan, Miss Sylvia Lee Hiuwah and Mr Richard Yu (Secretary-General) met with the Society for Community Organization representatives to listen to their views on the prevention of suicide attempts of the persons detained in police custody.



2017年9月1日 1 September 2017



許宗盛先生、何錦榮先生和俞官興秘書長 與訪港的泰國申訴專員公署申訴專員Boon Tapanadul先生及其隨行代表團會面,就兩 地監察和處理公眾投訴交換意見。

Mr Herman Hui Chung-shing, Mr Richard Ho Kam-wing and Mr Richard Yu (Secretary-General) met with Mr Boon Tapanadul, the Ombudsman of Thailand, as well as the delegation from the Office of the Ombudsman of Thailand. During their visit to Hong Kong, both parties exchanged views on monitoring and handling of public complaints.





2017年11月13至21日 13 to 21 November 2017



俞官興秘書長率領法律顧問陳敏儀女士、高級審核主任佘嘉慶先生和審 核主任胡佩欣女士,訪問了四個澳洲監察機構,包括聯邦申訴專員公 署、執法與行動委員會(新南威爾斯州)、獨立反貪腐委員會(維多利亞 州)和公共廉潔辦公室(南澳)。考察期間,秘書處代表深入了解當地的投 訴機制,並與各個機構分享香港的兩層架構投訴警察制度。

Mr Richard Yu (Secretary-General) led a delegation comprising Ms Cherry Chan (Legal Adviser), Mr Anthony Ser (Senior Vetting Officer) and Miss Sofie Wu (Vetting Officer) to visit four oversight bodies in Australia, namely the Commonwealth Ombudsman, the Law Enforcement Conduct Commission (New South Wales), the Independent Broad-based Anti-Corruption Commission (Victoria) and the Office for Public Integrity (South Australia). During the visit, the Secretariat delegation gained an in-depth understanding of the complaint mechanisms of these Australian counterparts, and introduced the two-tier police complaints system in Hong Kong to them.







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,公眾關注的投訴個案和重要的政 策議題都會安排在公開會議上討論。在 本年度的會議,監警會向投訴警察課跟 進了警方使用隨身攝錄機的事宜,並就 延長錄影片段的保留期提出建議。

During the reporting period, the IPCC held four joint meetings with CAPO. Part of the meetings was open to the public and the media, so as to enhance transparency and understanding of the IPCC's work. Complaint cases of public concern and key policy issues were discussed in the open session of meetings. During the reporting period, the IPCC followed up with CAPO on the use of Body Worn Video Cameras by the Police, and made recommendations on extending the retention period for the recorded footage.





2017年6月20日 20 June 2017

在是次聯席會議上,警方報告最新的投訴統計數據,並簡介為方便非華裔人士向警方求助而設的「裔意通」計劃。監警會亦藉此機會向投訴警察課跟進警方使用隨身攝錄機的事宜。

During the joint meeting, the Police Force provided the latest update on complaint statistics and presented the "Project TRANSLINK", an initiative to facilitate non-ethnic Chinese in seeking assistance from the Police. The IPCC also took the opportunity to follow up with CAPO on the use of Body Worn Video Cameras by the Police.



2017年9月26日 26 September 2017

會議上,警方匯報最新投訴統計數據,並分享使用隨身攝錄機的程序、經驗和成效。監警會留意到部分投訴個案在事發後一段時間方提出,因此建議警方考慮延長隨身攝錄機的錄影片段保留期,方便日後萬證。

During the meeting, the Police provided the latest complaint statistics and shared the procedures, experiences and effectiveness of using Body Worn Video Cameras for frontline operations. Noticing that a number of complaints were lodged a certain period of time after the incidents had occurred, the IPCC recommended the Police to consider extending the retention period of footage recorded by the Body Worn Video Cameras to facilitate evidence collection.



2017年12月19日 19 December 2017

聯席會議上,警方匯報最新投訴統計數據,並簡介新成立的反詐騙協調中心,以 及其預防和打擊懷疑騙案的成效。 During the joint meeting, the Police updated all attendees on the latest complaint statistics, and introduced the newly established Anti-Deception Coordination Centre and its effectiveness in combating and preventing deception cases.



2018年3月20日 20 March 2018

警方在是次聯席會議上匯報2018年1月至 2月間的投訴統計數據,並向監警會簡介 警隊認證課程。雙方就有關課程在預防警 察投訴的貢獻交換意見。 During the joint IPCC and CAPO meeting, the Police reported the complaint statistics between January and February 2018, and gave a presentation on its accreditation of training programmes. Views were exchanged on the contributions of these programmes to preventing complaints against the Police.



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



踏入2018年,監警會自成為獨立法定機 構後,即將完成第九個里程碑。為了進 一步提升機構透明度,增加公眾對兩層 架構投訴警察制度的認識,會方除了與 持份者保持聯繫外,更充分運用多元化 媒體,包括印刷、廣播、電子和社交媒 體平台傳播最新資訊,同時透過到訪地 區組織、學校及大專院校加強與社區的 聯繫。此外,會方製作了一部企業宣傳 片於持份者活動時播放,期望透過影片 加深公眾對監警會工作的了解,並展示 會方獨立、公正和誠信的價值觀。

The IPCC will be completing its ninth year milestone in 2018 since it has become an independent statutory body. To further enhance public understanding of the IPCC's work and strengthen public knowledge of the two-tier police complaints system, the IPCC has progressively stepped up its communication activities through the years. While maintaining a strong network with its prevailing stakeholders, the IPCC has been disseminating information through a myriad of media channels including print, broadcast, electronic and social media platforms as well as reaching out to the community by conducting visits to district networks, schools and tertiary institutions. To further promote public understanding of IPCC's work and its core values, namely Independence, Impartiality and Integrity, a corporate video with online access features was produced for use at stakeholder visits.

傳訊工作 **Communications**

刊物 **Publications**



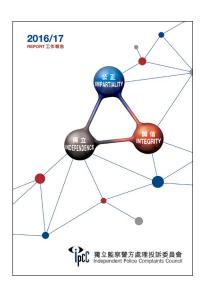


監警會定期出版《監警會通訊》,報道委員 會近期工作、審核個案的統計數字,以及分 享投訴警察的真實個案等,讓公眾了解監 警會的審核程序及以證據為依歸的審核原 則。《監警會通訊》除了以郵寄、電郵形式 發放給各界持份者外,亦上載至監警會網站 (www.ipcc.gov.hk)供網絡使用者瀏覽。在報 告期內,會方分別在2017年4月及9月出版了 兩期《監警會通訊》,並以休班警員及刑事 調查衍生的投訴個案作題材及封面故事。

The IPCC releases the IPCC Newsletter on a regular basis to update the public on the Council's latest work and statistics of cases reviewed. Real complaint cases are covered in the newsletter to illustrate the IPCC's vetting process and evidence-based principles. The IPCC Newsletter is distributed to stakeholders by post or email and uploaded to the IPCC website (www.ipcc.gov.hk) for online access. During the reporting period, the IPCC released two issues of the IPCC Newsletter. Complaint cases related to off-duty police officers and criminal investigations are featured as the theme and in the cover stories of the April and September 2017 issues respectively.

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年報,報告其財政及整體工作狀況,監警會亦在2017年12月6日提交《監警會2016/17工作報告》給立法會省覽及對外公布。

As stipulated in the IPCCO, the IPCC must submit to the Chief Executive a report on the IPCC's financial standing and overall work status not later than six months after the financial year end. The IPCC Report 2016/17 was tabled in the Legislative Council and made public on 6 December 2017.



資訊及教育

Publicity and Education





除了常規刊物,會方亦積極開闢其他平台或途徑進行宣傳及教育。報告期內,監警會於網站增設貼文,分享會方的各項工作、發布已通過的投訴個案,並涵蓋會方就個案細節向投訴警察課提出質詢和討論的過程等資訊。透過發放相關文章和個案,會方希望加深公眾監警工作的認知、澄清誤解,並加強市民正確對待投訴的觀念。

報告期內,網站分別刊登了介紹觀察員計劃和監警會會面等文章,並分享了有關使用手鐐鍊帶及搜查令等多宗投訴個案。文章開放予各媒體自由轉載,詳情可瀏覽監警會網站(www.ipcc.gov.hk)。

On top of regular publications, the IPCC also proactively explores other platforms and channels with an aim stepping up publicity and education. During the reporting period, the IPCC enhanced its website with new posts on a variety of the IPCC's work and endorsed complaint cases, information on the discussion process with CAPO and the Queries raised. Through publishing related articles and cases, the IPCC hoped to raise public understanding of its work, clarify areas of doubt and reinforce the correct understanding of lodging complaints.

During the reporting period, articles were released through the website, including the introduction of the Observers Scheme and the IPCC Interview. A number of complaint cases were shared encompassing topics like the use of handcuffs and search warrant. The articles are open for reproduction by the media. For details, please visit the IPCC website (www.ipcc.gov.hk).

監警會企業影片 IPCC corporate video









委員會於2017年上半年開始籌備監警會企業宣傳片,經過歷時一年的籌備、拍攝及後期製作,影片已於2018年5月完成。宣傳片會在校園推廣計劃及其他持份者活動時播放,期望透過影片加深公眾對監警會工作的了解。廣東話、英語及國語版本的影片亦已上載至監警會網站(www.ipcc.gov.hk)及YouTube頻道(www.youtube.com/user/ipccchannel)。

A corporate video was produced by the IPCC during the reporting period as an effective way to introduce the IPCC's work to the public and stakeholders. Animation was used to enable an in-depth but easy-to-understand introduction, such as the roles of the IPCC, its vetting procedures and classification of investigation results. It has enriched public understanding of the IPCC's role and functions. Moreover, the video illustrated situations that the public would come across in their daily lives. While resonating with the public, the video has also bought on the core values of the IPCC: "Independence, Integrity, Impartiality".

In the first half of 2017, the IPCC began preparing for its corporate video. After a year of groundwork, filming and post-production, the video was completed in May 2018. It will be shown in School Programme and other stakeholder activities with a view to facilitating public understanding of the IPCC's work. Three language versions (Cantonese/English/Putonghua voice-over) are available on the IPCC's website (www.ipcc. gov.hk) and YouTube channel (www.youtube.com/user/ipccchannel).

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,以增加機構的誘明度。

To enhance transparency, the IPCC holds press conferences for the release of each *IPCC Newsletter* and the annual report to explain to the public its work status and address media enquiries.

傳媒發布會 Media briefings



2017年4月26日 26 April 2017



監警會推出第二十一期《監警會通訊》。郭琳廣主席在梅達明副秘書長(行動)陪同下,舉行新聞發布會,向傳媒介紹封面故事中有關休班警員的投訴個案。其他通訊內容包括,九位新委員分享加入監警會的感想,及委員會近期與持份者聯繫的活動等。

The 21st issue of the *IPCC Newsletter* was released. Mr Larry Kwok Lam-kwong (Chairman), accompanied by Mr Daniel Mui (Deputy Secretary-General, Operations), hosted a media briefing to present the cover story on complaint cases related to off-duty police officers. The Newsletter also featured the sharing from nine newly appointed Members, and the Council's recent stakeholder engagement activities.



2017年7月31日 31 July 2017

俞官興秘書長與香港大學民意研究計劃總監鍾庭 耀博士在發布會上公布最新的監警會公眾意見調 查結果。調查以隨機抽樣電話訪問形式進行,訪 問了1,010名成年人。結果顯示公眾對監警會的信 心、觀感及滿意度比去年均有所提升。

Mr Richard Yu (Secretary-General) and Dr Robert Chung (Director of The Public Opinion Programme, The University of Hong Kong) announced at the media briefing the latest results of the IPCC public opinion survey. 1,010 adults were interviewed through telephone on a random sampling basis. The survey results showed improvements in public confidence, public perception and level of satisfaction with the IPCC as compared to last year.







2017年9月11日 11 September 2017





監警會推出第二十二期《監警會通訊》。郭琳廣主席在梅達明副秘書長(行動)陪同下,向傳媒闡述兩宗刑 事調查所衍生的投訴個案和有關策略性投訴的統計資料。

The 22nd issue of the IPCC Newsletter was released. Mr Larry Kwok Lam-kwong (Chairman), accompanied by Mr Daniel Mui (Deputy Secretary-General, Operations), hosted a media briefing to present two complaint cases arising from criminal investigations and statistics concerning tactical complaints.



2017年12月6日 6 December 2017





副主席陳健波議員代表監警會向立法會提 交《監警會2016/17工作報告》。其後, 郭琳廣主席在俞官興秘書長及梅達明副秘 書長(行動)陪同下主持傳媒發布會,回顧 年內會方的工作及相關統計數字。多名委 員亦有出席是次活動,並於隨後的午餐會 和傳媒代表交流。

The IPCC Report 2016/17 was submitted to the Legislative Council by Hon Chan Kin-por (Vice-Chairman) on behalf of the IPCC. On the same day, 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 to present an overview of the IPCC's work and statistics for the past financial year. Several Members also attended the event and exchanged views with media representatives during the networking lunch that followed.

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、委員彭 韻僖女士、俞官興秘書長及觀察員譚兆炳先生和廖錦興先生等,分別接受了多間媒體的專訪,包括經濟日 報、晴報、新城電台節目《原來生活好快樂》等,解釋監警會運作和觀察員計劃的詳情。而郭琳廣主席亦 會在每一季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), Ms Melissa Kaye Pang (Member), Mr Richard Yu (Secretary-General), Mr George Tam Siu-ping and Mr Liu Kam-hing (IPCC Observers) were interviewed by various media, including *Hong Kong Economic Times, Sky Post,* and Metro Radio's "Life is so happy". On these occasions, the operation of the IPCC and details of the Observer Scheme were explained and elaborated. Mr Kwok also responded to questions from the media after each quarterly joint meeting between the IPCC and CAPO.

原文刊於經濟日報 (A20) 2017年6月12日 Published in *Hong Kong Economic Times* on 12 June 2017 (A20)

監警保公正 110觀察員監察錄口供



原文刊於晴報 (P12) 2017年6月12日 Published in *Sky Post* on 12 June 2017 (P12) 監警觀察員 確保處理投訴公正

> 原文刊於東周刊 2017年10月4日 Published in *East Week magazine* on 4 October 2017 逾百「透明人」協力 監警會運作揭秘







機構形象 **Corporate image**

香港大學民意研究計劃 公眾意見調查 (2018年3月)

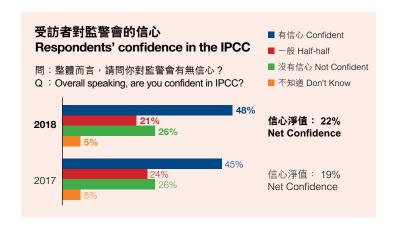
Public opinion survey conducted by HKUPOP (March 2018)

今次是監警會自成為獨立法定機構後進行 的第七次公眾意見調查,旨在了解公眾對 會方工作的認知度和趨勢。調查結果有助 會方評估及擬定推廣及傳訊的方向,以便 更有效地履行《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 角色的認識丨。

本年度的公眾意見調查於2018年3月誘過 固網電話和首次引入的手提電話隨機抽樣 形式,成功訪問了1,002名18歲或以上的本 港市民。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19個百分 點,上升至今年的22個百分點,亦是連續 第二年錄得升幅;滿意度評分為59.6分, 與去年相若;形象方面,半數受訪者認為 監警會形象正面或非常正面。

調查結果顯示年紀越輕及教育程度較高的 受訪者,傾向對監警會的觀感沒有其他年 齡組般正面,情況與往年大致相同。為深 入了解不同年齡組別受訪者對會方觀感的 同異,影響其看法的因素,以及探討如何 提升他們對會方的工作的了解,監警會透 過香港大學民意研究計劃,特別安排多 個不同年齡組別的焦點小組討論,聆聽他 們的意見和建議。結果顯示年紀較輕的受 訪者認為監警會應加強學校的宣傳工作, 提升年輕一代對監警會的認知。受訪的年 輕人亦表示,教育和宣傳工作必須深入社 區,累積時日方可見到成果。

受訪者的意見對會方自2016年11月起推 出的校園推廣計劃,以及赴大專院校進行 專題講座的方向給予肯定。過去一年,監 警會分別在香港中文大學逸夫書院、香港 樹仁大學新聞與傳播學系周會,以及香港



A total of seven public opinion surveys have been conducted to assess the public awareness of the IPCC's work and the related trend, since the IPCC became an independent statutory body. The survey results help the IPCC assess and map out the direction for its 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 was conducted through telephone interviews (landline and, for the first time, cellphone) on a random sampling basis in March 2018. A total of 1,002 local residents aged 18 or above were interviewed. The respondents' net confidence in the IPCC (i.e. the percentage of positive minus that of negative) rose from 19 percentage points last year to 22 percentage points this year, marking increases for two consecutive years. The satisfaction rating scored 59.6, similar to that of the previous year, while half of the respondents felt positive about the IPCC's image.

As in the previous years, the latest survey results revealed that younger and more educated respondents tended to have less positive perception of the IPCC compared with other age groups. With a view to examining the similarities and discrepancies between respondents of different age groups on their perception of the Council, the influencing factors, as well as exploring ways to enhance their understanding of the Council's work, the IPCC has specially arranged through HKUPOP several focus group sessions for diverse age groups to gather their opinions and suggestions. It was found that younger respondents hoped the Council could step up its publicity efforts at schools to raise youth's awareness of the IPCC's work. They also opined that education and publicity efforts should deeply penetrate into the community and hence would take time to come to fruition.

Feedback from the respondents has affirmed IPCC's direction in promoting youth education through the School Programme launched in November 2016 and talks at the tertiary institutions. In the past year, the IPCC visited Shaw College of The Chinese University of Hong Kong, Department of Journalism and Communication of Hong Kong Shue Yan University and 浸會大學新聞系主修科目課堂進行專題講座,向超過1,100名大學生和講師介紹監警會的職能、角色,以及講解已通過的投訴個案,獲得與會者熱烈回應。此外自校園計劃推出至今,會方積極走訪了25間中、小學,透過40次探訪接觸逾4,600名師生,以互動遊戲、個案分析和小組討論等形式,深入淺出地介紹監警會的工作。未來,會方將繼續透過更多學校、專業機構和商會探訪等活動,讓廣大持份者可以更直接地了解監警會的工作。

在「審閱或處理警察投訴個案」的四個指 標中,受訪者普遍認為「公平性」最重要, 「獨立性」緊隨其後,然後順序為「透明 度」及「效率」。監警會的工作一向以證據 為依歸、獨立、不偏不倚,符合市民對會方 的期望。透明度方面,監警會須維護審核個 案的公正性及遵守保密責任,因此在未完成 審核個案調查報告前,不宜對外披露投訴的 細節或作出評論,可能因而影響市民對透明 度方面的觀感。即便如此,為了讓大眾更明 瞭監警會的審核工作程序、調查結果分類, 以及如何協助警隊提升服務質素等工作, 會方近年已採取以主題方式,適時透過《監 警會通訊》及《工作報告》發布更多已通過 的投訴個案,讓公眾了解會方如何按每宗 個案的獨特性,採取以證據為依歸的原則 審視個案,並涵蓋會方就個案細節向投訴 警察課提出質詢和討論的過程,最後得出 對投訴人和被投訴者公平公正的調查結果 分類。

在效率方面,監警會近年透過不斷增強資訊科技應用,優化內部審核程序,加上達撥資源,審核每宗須匯報投訴調查新所需的平均時間逐年縮短。以2017/18年度為例,審核個案所需時間較上年度大幅減接近三成。會方將繼續檢視各方會縮減接近三成。會方將繼續檢視各方會的工作,尤其是在預防投訴方面,監警會的工作,尤其是在預防投訴方面,監警會對人工作,尤其是在預防投訴方面,監警會對人工作,尤其是在預防投訴方面,監警會對人工作,尤其是不可以表述。

監警會2018年度公眾意見調查結果已上載至監警會網頁:www.ipcc.gov.hk或可瀏覽香港大學民意研究計劃網頁:www.hkupop.hku.hk/chinese/report/ipcc2018/index.html

Department of Journalism of Hong Kong Baptist University to deliver talks at their assemblies and in major course lecture. These three talks, attended by more than 1,100 students and teachers, were well received. The functions and roles of the IPCC and some endorsed complaint cases were clearly explained at these talks. Since the introduction of the School Programme, the IPCC has conducted 40 visits, reaching out to over 4,600 teachers and students from 25 secondary and primary schools. The work of the Council was illustrated with the aids of interactive games, case studies and group discussions. In the future, the IPCC will continue to engage with more schools, professional organisations and business associations, enabling a wider range of stakeholders to have a more direct and better understanding of the Council.

Among the four attributes of "reviewing or handling of police complaint cases", the respondents generally regarded "fairness" as the most important attribute, closely followed by "independence", "transparency" and "efficiency". The IPCC has always upheld its principle to be independent, impartial and evidence-based tally with the expectation of the public. In order to maintain impartiality and to comply with the confidentiality obligation, IPCC is not in a position to disclose any details of or make any comments on a complaint case before the conclusion of the vetting process. This may in turn affect the public perception of the Council's transparency. Nevertheless, the IPCC has been making its efforts in releasing endorsed cases timely in a thematic basis through the IPCC Newsletter and its annual report, enabling the general public to gain a deeper insight of the Council's vetting process, classifications of investigation results and recommendations made to improve the service quality of the Police. By doing so, IPCC hopes the community would better understand its efforts in scrutinising every single case based on its merits, evidence, as well as CAPO's additional information responding to its Queries and the case discussion. The ultimate goal of IPCC's work is to attain an investigation result which is scrupulously fair to both the Complainants and the Complainees.

In terms of efficiency, the IPCC has been improving its internal vetting procedures continuously by enhancing the application of information technology. Coupled with the additional resource provision, the average time required to review each complaint case has been reducing progressively year by year. In 2017/18, the time required was shortened by nearly 30% compared to that of the previous year. The Council will continue to evaluate various aspects of its work, especially on complaint prevention. IPCC will make recommendations to the Police timely whenever it is identified improvement during the course of case vetting with a view to further enhancing the Police's service to Hong Kong people.

The result of IPCC Public Opinion Survey 2018 is available on the IPCC's website at: www.ipcc.gov.hk or on the HKUPOP's website at: www.hkupop.hku.hk/english/report/ipcc2018/index.html



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-Chairman		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
謝偉銓議員 [,] BBS Hon Tony TSE Wai-chuen, BBS		2015年1月1日起 Since 1 January 2015
委員 Member		任期 Appointment
甄孟義資深大律師 Mr John YAN Mang-yee, SC	法律事務委員會主席 Legal Committee Chairman	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 Operations Advisory Committee Chairman	2015年1月1日起 Since 1 January 2015
關治平工程師,BBS,JP Ir Edgar KWAN Chi-ping, BBS, JP	管理委員會主席 Management Committee Chairman	2015年1月1日起 Since 1 January 2015
杜國鎏先生,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

委員 Member	任期 Appointment
蘇麗珍區議員,MH,JP	2014年1月1日起
Ms Ann SO Lai-chun, MH, JP	Since 1 January 2014
鄭錦鐘博士,BBS,MH,OStJ,JP	2015年1月1日起
Dr Eric CHENG Kam-chung, BBS, MH, OStJ, JP	Since 1 January 2015
何錦榮會計師	2015年1月1日起
Mr Richard HO Kam-wing	Since 1 January 2015
錢志庸律師	2016年1月1日起
Mr Barry CHIN Chi-yung	Since 1 January 2016
毛樂禮資深大律師	2016年1月1日起
Mr José-Antonio MAURELLET, SC	Since 1 January 2016
陳錦榮會計師	2016年6月1日起
Mr Clement CHAN Kam-wing	Since 1 June 2016
鄺永銓先生	2016年6月1日起
Mr Wilson KWONG Wing-tsuen	Since 1 June 2016
歐楚筠女士	2017年1月1日起
Ms Ann AU Chor-kwan	Since 1 January 2017
朱永耀先生	2017年1月1日起
Mr Alex CHU Wing-yiu	Since 1 January 2017
藍德業資深大律師	2017年1月1日起
Mr Douglas LAM Tak-yip, SC	Since 1 January 2017
李曉華大律師	2017年1月1日起
Miss Sylvia LEE Hiu-wah	Since 1 January 2017
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 January 2017
彭韻僖律師,MH,JP	2017年1月1日起
Ms Melissa Kaye PANG, MH, JP	Since 1 January 2017
宋莜苓女士	2017年1月1日起
Ms Shalini Shivan SUJANANI	Since 1 January 2017
黃至生教授	2017年1月1日起
Prof Martin WONG Chi-sang	Since 1 January 2017
楊華勇先生,JP	2017年1月1日起
Mr Johnny YU Wah-yung, JP	Since 1 January 2017



監警會內務會議出席紀錄 IPCC Members' attendance at in-house meetings

時期: 2017年4月至2018年3月 Period: April 2017 to March 2018

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兩次特別內務會議。

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, two additional special in-house meetings were held.

	6月6日 6 Jun	20 6月20日 20 Jun		12月5日 5 Dec	20 1月29日 29 Jan	18 3月6日 6 Mar	總數 Total
主席 Chairman							
郭琳廣律師,SBS,JP Mr Larry KWOK Lam-kwong, SBS, JP	•	•	•	•	•	•	6/6
副主席 Vice-Chairman							
陳健波議員,GBS,JP Hon CHAN Kin-por, GBS, JP	•	•	0	•	•	•	5/6
張華峰議員,SBS,JP Hon Chris CHEUNG Wah-fung, SBS, JP	•	•	0	•	•	•	5/6
謝偉銓議員 [,] BBS Hon Tony TSE Wai-chuen, BBS	•	0	•	•	•	•	5/6
委員 Member							
甄孟義資深大律師 Mr John YAN Mang-yee, SC	•	0	0	0	0	•	2/6
劉文文女士,BBS,MH,JP Miss Lisa LAU Man-man, BBS, MH, JP	•	•	•	•	•	•	6/6
許宗盛律師,SBS,MH,JP Mr Herman HUI Chung-shing, SBS, MH, JP	•	0	•	•	•	•	5/6
關治平工程師,BBS,JP Ir Edgar KWAN Chi-ping, BBS, JP	•	•	•	•	•	•	6/6
杜國鎏先生,BBS,JP Mr Clement TAO Kwok-lau, BBS, JP	•	0	•	•	•	•	5/6
陳建強醫生,BBS,JP Dr Eugene CHAN Kin-keung, BBS, JP	•	0	0	•	•	•	4/6
何世傑教授、工程師 Ir Prof Vincent HO	•	0	0	•	•	•	4/6
陸貽信資深大律師,BBS Mr Arthur LUK Yee-shun, BBS, SC	•	0	•	•	•	0	4/6

		2017 6月6日 6月20日 9月5日 12月5日 6 Jun 20 Jun 5 Sep 5 Dec		2018 1月29日 3月6日 29 Jan 6 Mar		總數	
委員 Member	o Jun	20 Juli	ј з зер	5 Dec	29 Jan	o Mar	Total
蘇麗珍區議員,MH,JP Ms Ann SO Lai-chun, MH, JP	0	0	•	0	•	•	3/6
鄭錦鐘博士,BBS,MH,OStJ,JP Dr Eric CHENG Kam-chung, BBS, MH, OStJ, JP	•	•	•	•	•	•	6/6
何錦榮會計師 Mr Richard HO Kam-wing	•	•	•	•	•	•	6/6
錢志庸律師 Mr Barry CHIN Chi-yung	•	0	0	•	•	•	4/6
毛樂禮資深大律師 Mr José-Antonio MAURELLET, SC	0	0	•	0	•	•	3/6
陳錦榮會計師 Mr Clement CHAN Kam-wing	•	•	•	•	0	0	4/6
鄺永銓先生 Mr Wilson KWONG Wing-tsuen	•	•	•	0	•	•	5/6
歐楚筠女士 Ms Ann AU Chor-kwan	•	•	•	•	•	•	6/6
朱永耀先生 Mr Alex CHU Wing-yiu	•	•	0	•	•	0	4/6
藍德業資深大律師 Mr Douglas LAM Tak-yip, SC	0	0	•	0	•	0	2/6
李曉華大律師 Miss Sylvia LEE Hiu-wah	•	•	•	•	•	•	6/6
李家仁醫生,BBS,MH,JP Dr David LEE Ka-yan, BBS, MH, JP	•	0	0	•	•	•	4/6
彭韻僖律師,MH,JP Ms Melissa Kaye PANG, MH, JP	•	0	•	•	•	•	5/6
宋莜苓女士 Ms Shalini Shivan SUJANANI	•	0	0	•	0	0	2/6
黃至生教授 Prof Martin WONG Chi-sang	•	•	•	•	•	•	6/6
楊華勇先生,JP Mr Johnny YU Wah-yung, JP	•	•	•	•	0	•	5/6
特別內務會議 Special in-house meeting	● 出席 Attended ○ 缺席 Did not attend						



監警會和投訴警察課聯席會議出席紀錄 IPCC Members' attendance at joint IPCC/CAPO meetings

時期: 2017年4月至2018年3月 Period: April 2017 to March 2018

	6月20日 20 Jun	2017 9月26日 26 Sep	12月19日 19 Dec	2018 3月20日 20 Mar	總數 Total
主席 Chairman					
郭琳廣律師,SBS,JP Mr Larry KWOK Lam-kwong, SBS, JP	•	•	0	•	3/4
副主席 Vice-Chairman					
陳健波議員,GBS,JP Hon CHAN Kin-por, GBS, JP	•	•	•	•	4/4
張華峰議員,SBS,JP Hon Chris CHEUNG Wah-fung, SBS, JP	•	•	•	•	4/4
謝偉銓議員 [,] BBS Hon Tony TSE Wai-chuen, BBS	•	•	•	•	4/4
委員 Member					
甄孟義資深大律師 Mr John YAN Mang-yee, SC	0	0	0	0	0/4
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	0	•	•	•	3/4
關治平工程師,BBS,JP Ir Edgar KWAN Chi-ping, BBS, JP	•	•	•	•	4/4
杜國鎏先生,BBS,JP Mr Clement TAO Kwok-lau, BBS, JP	•	0	0	•	2/4
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	0	•	•	•	3/4
陸貽信資深大律師 [,] BBS Mr Arthur LUK Yee-shun, BBS, SC	0	•	•	•	3/4

	6月20日 20 Jun	2017 9月26日 26 Sep	12月19日 19 Dec	2018 3月20日 20 Mar	總數 Total
委員 Member					
蘇麗珍區議員,MH,JP Ms Ann SO Lai-chun, MH, JP	•	0	0	•	2/4
鄭錦鐘博士,BBS,MH,OStJ,JP Dr Eric CHENG Kam-chung, BBS, MH, OStJ, JP	•	•	•	•	4/4
何錦榮會計師 Mr Richard HO Kam-wing	•	0	•	•	3/4
錢志庸律師 Mr Barry CHIN Chi-yung	•	0	0	•	2/4
毛樂禮資深大律師 Mr José-Antonio MAURELLET, SC	0	0	0	0	0/4
陳錦榮會計師 Mr Clement CHAN Kam-wing	•	0	•	•	3/4
鄺永銓先生 Mr Wilson KWONG Wing-tsuen	•	•	•	•	4/4
歐楚筠女士 Ms Ann AU Chor-kwan	•	•	•	•	4/4
朱永耀先生 Mr Alex CHU Wing-yiu	•	•	•	•	4/4
藍德業資深大律師 Mr Douglas LAM Tak-yip, SC	0	•	•	0	2/4
李曉華大律師 Miss Sylvia LEE Hiu-wah	•	•	•	•	4/4
李家仁醫生,BBS,MH,JP Dr David LEE Ka-yan, BBS, MH, JP	•	0	•	•	3/4
彭韻僖律師 [,] MH [,] JP Ms Melissa Kaye PANG, MH, JP	0	•	0	•	2/4
宋莜苓女士 Ms Shalini Shivan SUJANANI	•	0	0	•	2/4
黃至生教授 Prof Martin WONG Chi-sang	•	•	•	•	4/4
楊華勇先生,JP Mr Johnny YU Wah-yung, JP	•	0	0	•	2/4
● 出席 Attended ○ 缺席 Did not attend					



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專業意見或 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.

成員

主席

陳健波議員,GBS,JP

委員

張華峰議員,SBS,JP

謝偉銓議員,BBS

杜國鎏先生, BBS, JP

甄孟義資深大律師

何世傑教授、工程師

陸貽信資深大律師,BBS

劉文文女士,BBS,MH,JP

蘇麗珍區議員,MH,JP

鄭錦鐘博士, BBS, MH, OStJ, JP

許宗盛律師, SBS, MH, JP

陳錦榮會計師

歐楚筠女士

李曉華大律師

李家仁醫生, BBS, MH, JP

黃至生教授

Membership

Chairman

Hon CHAN Kin-por, GBS, JP

Members

Hon Chris CHEUNG Wah-fung, SBS, JP

Hon Tony TSE Wai-chuen, BBS

Mr Clement TAO Kwok-lau, BBS, JP

Mr John YAN Mang-yee, SC

Ir Prof Vincent HO

Mr Arthur LUK Yee-shun, BBS, SC

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

Ms Ann SO Lai-chun, MH, JP

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

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

Mr Clement CHAN Kam-wing

Ms Ann AU Chor-kwan

Miss Sylvia LEE Hiu-wah

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

Prof Martin WONG Chi-sang

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

關治平工程師,BBS,JP

委員

郭琳廣律師, SBS, JP

謝偉銓議員,BBS

杜國鎏先生,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

鄺永銓先生

李曉華大律師

彭韻僖律師,MH,JP

Membership

Chairman

Ir Edgar KWAN Chi-ping, BBS, JP

Members

Mr Larry KWOK Lam-kwong, SBS, JP

Hon Tony TSE Wai-chuen, BBS

Mr Clement TAO Kwok-lau, BBS, JP

Ir Prof Vincent HO

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

Mr Richard HO Kam-wing

Mr Wilson KWONG Wing-tsuen

Miss Sylvia LEE Hiu-wah

Ms Melissa Kaye PANG, MH, JP

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;
- To put forward any publicity-related issues for the IPCC's (f) deliberation as the Committee deems appropriate.

成昌

主席

劉文文女士,BBS,MH,JP

委員

杜國鎏先生, 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

(至2018年1月)

陳錦榮會計師

歐楚筠女士 (由2017年7月起)

朱永耀先生

楊華勇先生,JP

Membership

Chairman

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

Members

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

(Till Jan 2018)

Mr Clement CHAN Kam-wing

Ms Ann AU Chor-kwan (Since Jul 2017)

Mr Alex CHU Wing-yiu

Mr Johnny YU Wah-yung, JP



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.

成員

主席

許宗盛律師,SBS,MH,JP

委員

杜國鎏先生, BBS, JP

陸貽信資深大律師,BBS

劉文文女士,BBS,MH,JP

陳錦榮會計師

鄺永銓先生

歐楚筠女士

朱永耀先生 (由2018年1月起)

黃至生教授

Membership

Chairman

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

Members

Mr Clement TAO Kwok-lau, BBS, JP

Mr Arthur LUK Yee-shun, BBS, SC

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

Mr Clement CHAN Kam-wing

Mr Wilson KWONG Wing-tsuen

Ms Ann AU Chor-kwan

Mr Alex CHU Wing-yiu (Since Jan 2018)

Prof WONG Chi-sang

法律事務委員會

Legal Committee

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
- (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。

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 I'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-yee, 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 Ann 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	陳香蓮女士	Ms Jenny CHAN Heung-lin
• 6	陳稼晉先生	Mr Patrick CHAN Ka-chun
• 7	陳家偉先生	Mr Calvin CHAN Ka-wai
8	陳銘華先生	Mr CHAN Ming-wah
9	陳茂強先生	Mr Haydn CHAN Mou-keung
10	陳東岳先生	Mr Tony CHAN Tung-ngok
11	陳郁傑博士	Dr CHAN Yuk-kit
12	周嘉弘先生	Mr Calvin CHAU
13	錢丞海先生	Mr Gordon CHIN Shing-hoi
• 14	鄭發丁博士	Dr Gary CHENG Faat-ting
15	鄭木林先生,MH	Mr Mathew CHENG Muk-lam, MH
1 6	鄭承峰先生,MH	Mr Baldwin CHENG Shing-fung, 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
2 0	張國慧先生	Mr CHEUNG Kwok-wai
21	張俊勇先生,MH	Mr Thomas CHEUNG Tsun-yung, MH
• 22	張欽龍先生	Mr CHEUNG Yam-lung
2 3	張依勵博士	Dr CHEUNG Yee-lai
24	張漪薇女士	Ms Mimi CHEUNG Yee-may
2 5	趙令昌先生	Mr Anthony CHIU Ling-cheong
26	蔡永璣先生	Mr Wilkie CHOI Wing-kee
2 7	莊創業先生,BBS,JP	Mr CHONG Chong-yip, BBS, JP

期交品		Name of Observers
即玩	₹ 1	Name of Observers
28	張詩培女士,MH	Ms Joanne CHONG Sze-pui, MH
29	鄒燦林先生,MH	Mr Charles CHOW Chan-lum, MH
3 0	周錦威博士,MH	Dr CHOW Kam-wai, MH
31	周耀明先生,BBS,MH	Mr Alan CHOW Yiu-ming, BBS, MH
32	朱志明先生	Mr Samson CHU Chi-ming
33	鍾婧薇女士	Ms CHUNG Ching-may
3 4	鍾燕婷女士	Ms CHUNG Yin-ting
35	范凱傑先生	Mr Alex FAN Hoi-kit
36	方文傑先生	Mr James Mathew FONG
37	方平先生,BBS,JP	Mr FONG Ping, BBS, JP
38	符美玉博士	Dr Shirley FU
39	馮卓能先生	Mr Clement FUNG Cheuk-nang
40	何偉權博士	Dr HO Wai-kuen
4 1	何子綱先生	Mr James HO Tsz-kong
42	何逸雲先生	Mr Alec HO Yat-wan
4 3	何婉嫻女士	Ms HO Yuen-han
• 44	許慶得先生	Mr Simon HUI Hing-tak
45	許嘉灝先生,BBS,MH	Mr HUI Ka-hoo, BBS, MH
4 6	許文傑先生	Mr HUI Man-kit
4 7	葉天祐先生,MH	Ms IP Tin-yau, MH
• 48	甘向華女士	Ms KAM Heung-wah
49	姜志剛先生	Mr Lawrence KEUNG Chi-kong
5 0	高明東先生	Mr Edward KO Ming-tung
51	顧明仁博士,MH	Dr Charles KOO Ming-yan, MH
52	郭錦鴻先生	Mr KWOK Kam-hung
53	黎達生先生,MH,JP	Mr David LAI Tat-sang, MH, JP
54	林赤有先生,BBS,MH,JP	Mr Billy LAM Chek-yau, BBS, MH, JP
5 5	林子麒先生	Mr LAM Chi-ki
56	林志傑醫生,BBS,MH,JP	Dr Lawrence LAM Chi-kit, BBS, MH, JP
57	林振昇先生	Mr LAM Chun-sing
58	林發耿先生,MH	Mr LAM Faat-kang, MH
59	林浩揚先生	Mr LAM Ho-yeung

胡索与		Name of Observers
缸分与		Name of Observers
61	林建康先生,MH	Mr Matthew LAM Kin-hong, MH
62	林大輝博士,SBS,BBS,JP	Dr Lam Tai-fai, SBS, BBS, JP
63	劉興華先生,MH,JP	Mr LAU Hing-wah, MH, JP
64	樓家強先生,MH,JP	Mr LAU Ka-keung, MH, JP
65	劉嘉華先生	Mr LAU Kar-wah
66	劉文東先生	Mr Benjamin LAU Man-tung
67	劉偉光先生	Mr Billy LAU Wai-kwong
68	劉應東先生	Mr Ellis LAU Ying-tung
69	羅綺琦女士	Ms LAW Yee-ki
70	李綺華女士	Ms Eva LEE
71	李富芬女士	Ms LEE Fu-fan
72	李世基先生	Mr LEE Sai-kee
73	李三元博士,BBS	Dr John LEE Sam-yuen, BBS
74	李穎詩女士	Ms Vivian LEE Ying-shih
75	李偉昌先生	Mr Patrick LEE Wai-cheong
76	李許美嫦女士,MH,JP	Mrs Tennessy LEE HUI Mei-sheung, MH, JP
77	梁文廣先生	Mr LEUNG Man-kwong
78	梁秀志先生,JP (至2017年11月)	Mr LEUNG Sau-chi, JP (Till Nov 2017)
79	梁淑莊女士	Ms LEUNG Suk-chong
80	李超華先生	Mr Joseph Ll Chiu-wah
81	廖啟明醫生,MH	Dr LIU Kai-ming, MH
82	廖錦興先生	Mr LIU Kam-hing
83	羅發強先生	Mr LO Fat-keung
84	羅啟富先生	Mr Vincent LO Kai-fu
85	盧錦華先生,MH,JP	Mr Norman LO Kam-wah, MH, JP
86	羅沛然博士	Dr LO Pui-yin
87	盧子安先生	Mr LO Tze-on
88	羅仁禮先生,JP	Mr LO Yan-lai, JP
89	陸海女士,MH,JP	Ms LU Hai, MH, JP
90	呂志豪先生	Mr LUI Chi-ho
91	陸勁光先生	Mr LUK King-kwong
92	馬盧金華女士	Mrs Virginia MA LO Kam-wah
93	麥樂嫦女士	Ms Mabel MAK Lok-sheung

觀察員		Name of Observers
_		
94	麥偉光先生	Mr Vincent MAK Wai-kwong
95	莫仲輝先生,MH ,JP	Mr Rex MOK Chung-fai, MH,JP
96	莫潤輝牧師	Rev MOK Yun-fai
97	伍海山先生 ————————————————————————————————————	Mr Aaron NG Hoi-shan
98	吳玲玲女士, JP	Ms NG Ling-ling, JP
99	吳宏增先生	Mr Andy NG Wang-tsang
100	吳永嘉議員 [,] JP	Hon Jimmy NG Wing-ka, JP
101	顏少倫先生	Mr NGAN Siu-lun
102	潘國華先生	Mr PUN Kwok-wah
103	蕭澤宇先生,BBS,JP	Mr Simon SIU Chak-yu, BBS, JP
104	蕭楚基先生,BBS,MH,JP	Mr SIU Chor-kee, BBS, MH, JP
105	蘇慧賢女士	Ms Herdy SO Wai-yin
106	施家殷先生,MH	Mr Kyran SZE, MH
107	譚紫樺女士,JP	Ms Angelique TAM Chi-wah, JP
108	鄧智宏先生	Mr TANG Chi-wang
109	譚兆炳先生	Mr George TAM Siu-ping
110	丁健華先生	Mr TING Kin-wa
111	唐子恩女士	Ms TONG Tze-yan
112	曾嘉麗女士	Ms TSANG Ka-lai
113	曾文彪先生	Mr TSANG Man-biu
114	曾文興先生	Mr TSANG Man-hing
115	曾耀民先生	Mr Newman TSANG Yiu-man
116	謝烱全博士	Dr Patrick TSE Kwing-chuen
117	徐福燊醫生	Dr Michael TSUI Fuk-sun
118	雲維熹先生	Mr Wesley WAN Wai-hei
119	王嘉恩博士,MH	Dr Albert WONG, MH
120	黃頌良博士,JP	Dr WONG Chung-leung, JP
121	王真妮女士	Ms Jacqueline WONG
122	王家揚先生	Mr Roland WONG Ka-yeung
123	黄美斯女士	Ms Macy WONG Mei-sze
124	黄宏滔先生,MH	Mr WONG Wang-to, MH
125	黄耀聰先生,MH	Mr WONG Yiu-chung, MH

觀察員	名單	Name of Observers
127	胡潔瑩博士,JP	Dr Kitty WU Kit-ying, JP
128	吳德龍先生	Mr Bernard WU Tak-lung
129	任志浩博士	Dr Michael YAM Chi-ho
130	甄懋強先生	Mr YAN Mou-keung
131	楊學明牧師,MH	Rev David YEUNG Hok-ming, MH
132	楊偉康博士	Dr YEUNG Wai-hong
133	楊耀忠先生,BBS,JP	Mr YEUNG Yiu-chung, BBS, JP
134	葉振南先生,BBS,MH,JP	Mr Stephen YIP Chun-nam, BBS, MH, JP
135	姚寶雅女士	Ms Christina YIU Po-nga
136	楊添燦先生	Mr Alan YOUNG Tim-tsan
137	余雅芳女士	Ms Avon YUE Nga-fong
138	袁達堂先生	Mr YUEN Tat-tong

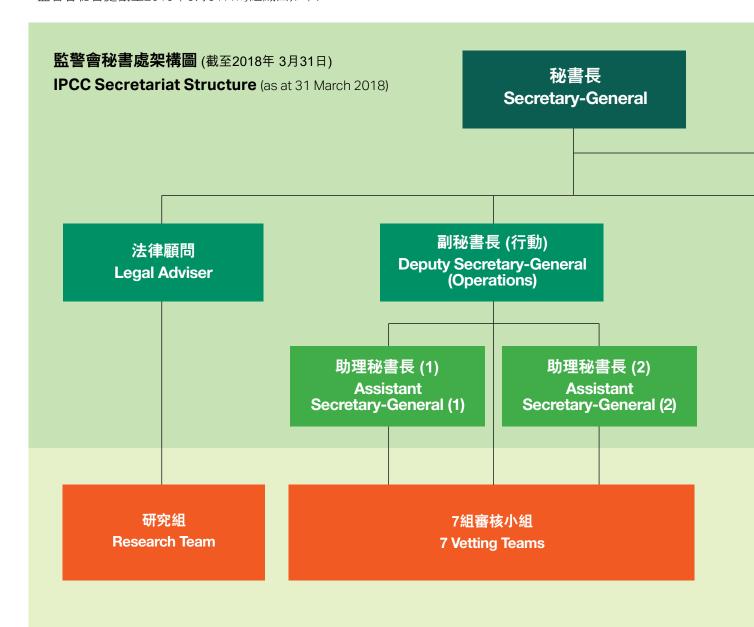
- 2017年4月1日新任命 Newly-appointed Observers (1 Apr 2017)
- 2017年11月1日新任命 Newly-appointed Observers (1 Nov 2017)
- 2017年4月1日退休 Retired Observers (1 Apr 2017)
- 2017年11月1日退休 Retired Observers (1 Nov 2017)



監警會秘書處 **IPCC Secretariat**

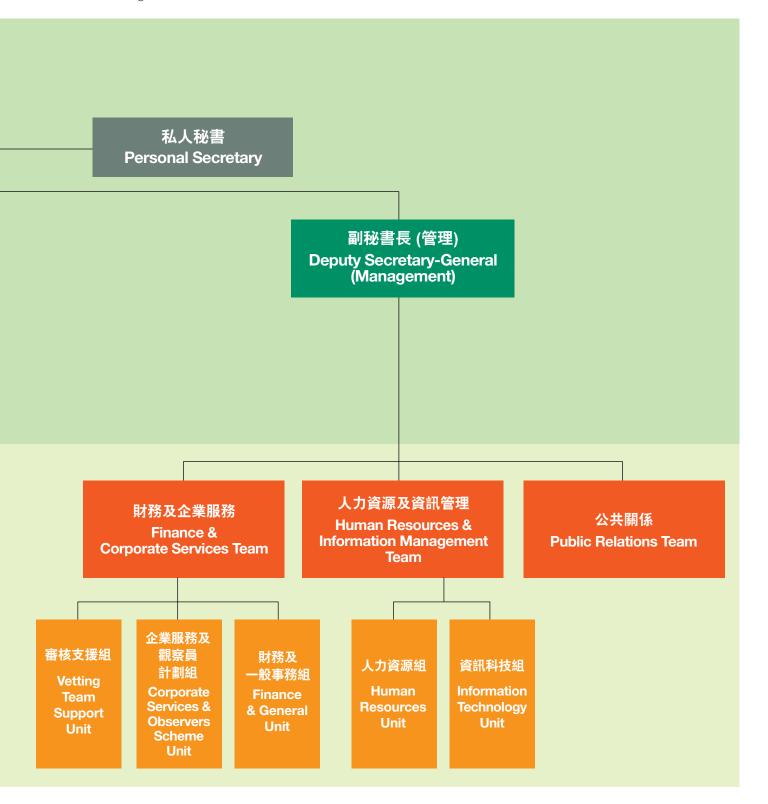
監警會由一個全職的秘書處支援。秘書處由秘書長領導,2017/18年編制共有54名職員。秘書處的主要職責 是協助委員審核投訴個案的調查報告和推廣委員會的工作。

監警會秘書處截至2018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 54 establishments in 2017/18. The major function of the Secretariat is to assist Council Members in examining complaint investigation reports and promoting the work of the IPCC.

The organisational chart of the IPCC Secretariat, as at 31 March 2018, is as below:





斯務報表 Financial statements

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(以港幣計算,除非另作説明)

(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127至147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, 此財務報表包括於二零一八年三月三十一 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二零一八年三月三 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 127 to 147, which comprise the statement of financial position as at 31 March 2018, 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 2018, 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。

青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 ceases 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。

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 HKSAs 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 HKSAs, 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.



- 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。
- 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。

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。

- · Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Council.
- 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.

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

二零一八年八月二十一日 香港

PATRICK WONG C.P.A. LIMITED

Certified Public Accountant

LAU YUK MING HAROLD FCPA (Practisina), MSCA Certified Public Accountant (Practising), Hong Kong Practising Certificate Number: P05468

Patrick Wong CPA Ist

21 August 2018 Hong Kong

全面收益表 — 截至二零一八年三月三十一日止年度 Statement of comprehensive income — for the year ended 31 March 2018

	附註 Note	2018 \$	2017 \$
收入 Income			
政府補助 Government grants 其他收入 Other income	6 7	74,479,489 65,689	66,056,879 6,967
		74,545,178	66,063,846
支出 Expenditure			
員工成本 Staff costs 一般及行政費用 General and administrative expenses 本會成員酬金 Honorarium to Council members	8 8 18	44,087,972 20,399,718 851,880	38,573,851 16,909,310 808,450
		65,339,570	56,291,611
本年度盈餘及其他全面收益總額 Surplus and other comprehensive income for the year	8	9,205,608	9,772,235



財務狀況表 一 於二零一八年三月三十一日 Statement of financial position — at 31 March 2018

	附註 Note	2018 \$	2017 \$
非流動資產 Non-current assets			
固定資產 Fixed assets	10	8,736,992	4,325,600
流動資產 Current assets			
按金及預付款項 Deposits and prepayments		4,308,411	3,586,060
應收利息 Interest receivable		5,893	-
現金及現金等價物 Cash and cash equivalents	11	61,764,933	56,456,194
		66,079,237	60,042,254
流動負債 Current liabilities			
遞延政府補助 Deferred government grants	12	2,156,666	1,746,072
其他應付款項及應計費用 Other payables and accruals	13	2,911,722	2,715,113
		5,068,388	4,461,185
流動資產淨值 Net current assets		61,010,849	55,581,069
資產總值減流動負債 Total assets less current liabiliti	es	69,747,841	59,906,669
非流動負債 Non-current liabilities			
遞延政府補助 Deferred government grants	12	1,381,528	1,598,611
員工約滿酬金撥備 Provision for staff gratuities	14	4,939,214	4,086,567
		6,320,742	5,685,178
資產淨值 Net assets		63,427,099	54,221,491
儲備 Reserves			
累計盈餘 Accumulated surplus	15	63,427,099	54,221,491

本會於二零一八年八月二十一日批准並授權公佈本財務報表。 Approved and authorised for issue by the Council on 21 August 2018.

梁定邦,QC,SC,JP

主席

Anthony Francis NEOH, QC, SC, JP

Chairman

儲備變動表 — 截至二零一八年三月三十一日止年度 Statement of changes in reserves — for the year ended 31 March 2018

	累計盈餘 Accumulated surplus \$
於二零一六年四月一日之結餘 Balance 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
於二零一七年四月一日之結餘 Balance at 1 April 2017	54,221,491
年內盈餘及全面收益 Surplus and total comprehensive income for the year	9,205,608
於二零一八年四月一日之結餘 Balance at 1 April 2018	63,427,099

現金流量表 — 截至二零一八年三月三十一日止年度 Statement of cash flows — for the year ended 31 March 2018

附註 Note	2018 \$	2017 \$
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	9,205,608	9,772,235
已就下列各項作出調整 Adjustments for: - 折舊 Depreciation - 利息收入 Interest income	3,254,523 (63,798)	2,568,640 (3,971)
營運資金變動前之營運盈餘 Operating surplus before working capital changes	12,396,333	12,336,904
按金及預付款項之增加 Increase in deposits and prepayments	(722,351)	(1,137,549)
遞延政府補助之增加/(減少) Increase/(decrease) in deferred government grants	193,511	(1,841,879)
其他應付款項及應計費用之增加/(減少) Increase/(decrease) in other payables and accruals	196,609	(567,798)
員工約滿酬金撥備之增加/(減少) Increase/(decrease) in provision for staff gratuities	852,647	(214,615)
營運活動產生的現金流流入 Net cash generated from operating activities	12,916,749	8,575,063
投資活動 Investing activities		
購入固定資產 Purchase of fixed assets 已收利息 Interest received	(7,665,915) 57,905	(1,001,170) 3,971
投資活動之現金流出淨額 Net cash used in investing activities	(7,608,010)	(997,199)
現金及現金等價物之增加淨額 Net increase in cash and cash equivalents	5,308,739	7,577,864
年初之現金及現金等價物 Cash and cash equivalents at the beginning of the year	56,456,194	48,878,330
年末之現金及現金等價物 Cash and cash equivalents at the end of the year	61,764,933	56,456,194

財務報表附註 — 二零一八年三月三十一日 Notes to the financial statements — 31 March 2018

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。

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.

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: -

● 柤賃裝修工桯	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 vears

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.

(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 歸類為營運和賃。

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 shortterm payables with no stated interest rate and the effect of discounting being immaterial, that are measured at their original invoice amount.



(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 straightline basis over the expected lives of the related assets.

(ii) Interest income

Interest income is recognised using the effective interest method.

(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。

(i) 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.

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.



(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。

4. 會計政策更新

於二零一八年,本會已應用香港會計師 公會頒佈於二零一七年四月一日或之後 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:

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:
 - 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. 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 2017, including:-

香港會計準則第7號(修訂本) 現金流報表:披露計劃

Amendments to HKAS 7, Statement of cash flows: Disclosure initiative

香港會計準則第12號(修訂本) 所得税:確認未實現虧損的遞延税項資產 Amendments to HKAS 12, Recognition of deferred tax assets for unrealised losses

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 壑。

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制財務報表 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 假設是以禍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。

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17。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。

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。

7. 其他收入

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.

Certain key assumptions and risk factors in respect of the financial risk management are set out in note 17. 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. 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. OTHER INCOME

	2018 \$	2017 \$
政府補助 Government grants 其他收入 Other income	63,798 1,891	3,971 2,996
	65,689	6,967



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:

	2018 \$	2017 \$
(a) 員工成本 Staff costs		
一強制性公積金供款 Contributions to Mandatory Provident Funds	945,607	851,588
-薪金、工資及其他福利 Salaries, wages and other benefits	43,142,365	37,722,263
	44,087,972	38,573,851
(b) 一般及行政費用 General and administrative expenses		
核數師酬金 Auditor's remuneration	39,500	38,000
物業的營運租賃及管理費用 Rent, rates and management fee	12,141,264	9,188,656
公眾及教育事務費用 Public and educational affairs expenses	1,051,629	627,205
觀察員計劃費用 Observers' scheme expenses	499,272	1,116,218
保險費用 Insurance	56,200	48,316
維修和保養 Repair and maintenance	1,509,971	1,768,042
海外職務訪問費用 Overseas duty visit	251,291	-
公用設施費用 Utilities	332,531	318,539
折舊 Depreciation	3,254,523	2,568,640
專業服務費用 Professional services	-	350,000
其它 Miscellaneous	1,263,537	885,694
	20,399,718	16,909,310

9. 税項

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

9. TAXATION

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					
於二零一七年四月一日 At 1 April 2017	3,836,850	594,908	1,333,415	10,779,802	16,544,975
增置 Additions	2,295,187	379,160	592,766	4,398,802	7,665,915
棄置 Disposals	-	(8,629)	(322,415)	(508,583)	(839,627)
於二零一八年三月三十一日 At 31 March 2018	6,132,037	965,439	1,603,766	14,670,021	23,371,263
累計折舊 Accumulated depreciation					
於二零一七年四月一日 At 1 April 2017	3,797,000	446,022	1,270,474	6,705,879	12,219,375
年內折舊 Charge for the year	661,560	178,376	133,121	2,281,466	3,254,523
棄置核銷 Write back on disposals	-	(8,629)	(322,415)	(508,583)	(839,627)
於二零一八年三月三十一日 At 31 March 2018	4,458,560	615,769	1,081,180	8,478,762	14,634,271
賬面淨值 Net book value					
於二零一八年三月三十一日 At 31 March 2018	1,673,477	349,670	522,586	6,191,259	8,736,992
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

	2018 \$	2017 \$
銀行存款 Cash at banks 到期期限少於三個月的定期存款 Time deposits with original maturity less than 3 months	43,915,433 17,849,500	56,456,194
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	61,764,933	56,456,194

12. 遞延政府補助

12. DEFERRED GOVERNMENT GRANTS

	2018 \$	2017 \$
於二零一七年 / 二零一六年四月一日的結餘 Balance as at 1 April 2017/2016 已收補助 Grants received 年內確認為收入的數額 Recognised as income in the year	3,344,683 1,995,000	5,186,562 350,000
於二零一八年 / 二零一七年三月三十一日的結餘 Balance as at 31 March 2018/2017	(1,801,489) 3,538,194	(2,191,879) 3,344,683
減:歸入「流動負債」的數額 Less: Amount included in "current liabilities"	(2,156,666) 1,381,528	(1,746,072) 1,598,611

有關已收補助主要是用於開發保密電子 郵件系統,供委員及秘書處以電子方式 進行溝通。

The grants received are mainly for the development of a secure email system for electronic communication among Members and the Secretariat.

13. 其他應付款項及應計費用

13. OTHER PAYABLES AND ACCRUALS

	2018 \$	2017 \$
財務負債 Financial liabilities 未放取的有薪年假 Unutilized annual leave	1,371,581 1,540,141	1,370,769 1,344,344
	2,911,722	2,715,113

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. 昌工約滿酬金撥備

14. PROVISION FOR STAFF GRATUITIES

	2018 \$	2017 \$
於二零一七年 / 二零一六年四月一日的結餘 Balance as at 1 April 2017/2016 已計提撥備 Provision made 已動用撥備 Provision utilised	4,086,567 3,467,545 (2,614,898)	4,301,182 3,262,283 (3,476,898)
於二零一八年 / 二零一七年三月三十一日的結餘 Balance as at 31 March 2018/2017	4,939,214	4,086,567

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. 累計盈餘

根據政府與本會在二零一七年六月二十 二日簽訂的《行政安排備忘錄》(「備忘 錄1)第六節,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。

本會認為由於直至報告日未能確定本財 政年度超額儲備的數額,故本會沒有就 該等退還予政府的超額儲備於二零一八 年三月三十一日進行撥備。

15. ACCUMULATED SURPLUS

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.

The Council considers the amount of excessive reserve for the year has not been conclusive up to the reporting date, no provision for the refund of excessive reserve to the Government has been made as at 31 March 2018 accordingly.



16. 承擔

於二零一八年三月三十一日,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:

16. COMMITMENTS

At 31 March 2018, the total future minimum lease payments under non-cancellable operating leases in respect of properties are payable as follows:-

	2018 \$	2017 \$
一年內 Within 1 year 一年後但五年內 After 1 year but within 5 years	11,689,999 3,896,666	11,687,556 15,583,408
	15,586,665	27,270,964

17. 金融工具

本會將其財務資產分為以下類別:

17. FINANCIAL INSTRUMENTS

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

	貸款及應收款項 Loans and receivables		
	2018 \$	2017 \$	
按金 Deposits 應收利息 Interest receivable 現金及現金等價物 Cash and cash equivalents	3,022,207 5,893 61,764,933	2,962,157 - 56,456,194	
	64,793,033	59,418,351	

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		
	2018 \$	2017 \$	
其他應付款項及應計費用 Other payables and accruals	1,371,581	1,370,769	

所有金融工具的賬面值相對二零一七年 及二零一八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 2017 and 2018.

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.

17. 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。

17. 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.

	貸款及應收款項 Loans and receivables		
	2018 \$	2017 \$	
數據一覽 Summary quantitative data			
按金 Deposits	3,022,207	2,962,157	
應收利息 Interest receivable	5,893	-	
銀行存款 Bank balances	43,915,433	56,456,194	
到期期限少於三個月的定期存款			
Time deposits with original maturity less than 3 months	17,849,500	-	
	64,793,033	59,418,351	

(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 \$
2018 其他應付款項及應計費用 Other payables and accruals	1,371,581	1,371,581	1,371,581
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



17. 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。

17. 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.

	2018 \$	2017 \$
數據一覽 Summary quantitative data		
浮息財務資產 Floating-rate financial assets		
銀行結存 Deposits with banks	24,223,802	28,193,734
到期期限少於三個月的定期存款 Time deposits with original maturity less than 3 months	17,849,500	-
	42,073,302	28,193,734

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。

(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。

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) Financial instrument at fair value

At the end of reporting period, there were no financial instruments stated at fair value.

18. 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:

18. MATERIAL RELATED PARTY TRANSACTIONS

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

	2018 \$	2017 \$
本會成員酬金 Honorarium paid to Council members	851,880	808,450

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.

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:

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
香港財務報告準則第9號 金融工具	二零一八年一月一日
HKFRS 9, Financial Instruments	1 January 2018
香港財務報告準則第15號 來自客戶合約的收益	二零一八年一月一日
HKFRS 15, Revenue from Contracts with Customers and the related Amendments	1 January 2018
香港財務報告準則第16號 租賃	二零一九年一月一日
HKFRS 16, Leases	1 January 2019
香港(國際財務報告詮釋委員會) - 詮釋第22號 外幣交易及墊付代價	二零一八年一月一日
HK(IFRIC) - Int 22, Foreign Currency Transactions and Advance Consideration	1 January 2018
香港(國際財務報告詮釋委員會) - 詮釋第23號 所得税處理之不確定性	二零一九年一月一日
HK(IFRIC) - Int 23, Uncertainty over Income Tax Treatments	1 January 2019
香港財務報告準則第2號(修訂本)以股份付款交易的分類和計量 Amendments to HKFRS 2, Classification and Measurement of Share-based Payment Transactions	二零一八年一月一日 1 January 2018
香港財務報告準則第4號(修訂本)對香港財務報告準則第4號保險合約應用香港財務報告準則第9號金融工具 Amendments to HKFRS 4, Applying HKFRS 9 Financial Instruments with HKFRS 4 Insurance Contracts	二零一八年一月一日 1 January 2018
香港財務報告準則第9號(修訂本)具有負補償之提前還款特點	二零一九年一月一日
Amendments to HKFRS 9, Prepayment Features with Negative Compensation	1 January 2019
香港財務報告準則第10號及香港會計準則第28號(修訂本)於聯營公司或合營企業之長期權益 Amendments to HKFRS 10 and HKAS 28, Sales or Contribution of Assets between an Investor and its Associate or Joint Venture	尚未釐定 To be determined
香港會計準則第40號(修訂本)轉移投資物業	二零一八年一月一日
Amendments to HKAS 40, Transfers of Investment Property	1 January 2018
香港財務報告準則之年度改進 二零一四至二零一六年周期香港財務報告準則之年度改進	二零一八年一月一日,如適用
Amendments to HKFRSs, Annual Improvements to HKFRSs 2014-2016	1 January 2018, as appropriate

該等香港財務報告準則於本年度並無被採 納。 除下文所述者外,本會預期應用所有 其他新訂香港財務報告準則及香港財務報 告準則的修訂本及詮釋於可見將來將不會 對本會的財務報表造成重大影響。

These HKFRSs have not yet been adopted in this year. Except as described below, the Council anticipates that the application of all other new and amendments to HKFRSs and interpretations will have no material impact on the financial statements of the Council in the foreseeable future.



19.已頒佈但於年內尚未生效的香 港財務報告準則 (續)

香港財務報告準則第16號租賃

香港財務報告準則第16號引入一個綜合 模式以供識別租賃安排及承租人的會計處 理。當香港財務報告準則第16號生效時, 它將取代香港會計準則第17號「租賃」及 相關的詮釋。

香港財務報告準則第16號以識別資產是否 由客戶控制之基準區分租賃及服務合約。 除短期租賃及低值資產租賃外,就承租人 會計處理而言經營租賃及融資租賃的區分 已被移除,並由一種承租人須確認所有租 賃使用權資產及相應負債的模式取代。

使用權資產初步按成本計量,而其後乃按 成本(若干例外情況除外)減累計折舊及減 值虧損計量,並就租賃負債任何重新計量 而作出調整。租賃負債初步按並非於該日 支付之租賃付款現值計量。其後,租賃負 債會就利息及租賃付款以及(其中包括)租 賃修訂的影響而作出調整。對於現金流量 分類,本會目前將經營租賃付款項呈列作 經營現金流量。於應用香港財務報告準則 第16號後,本會將有關租賃負債之租賃款 項分配至本金及利息部分,並以融資現金 流量呈列。

此外,香港財務報告準則第16號要求廣泛 披露。

於二零一八年三月三十一日,誠如附註16 所披露,本會有港幣15,586,665元的不可 撤銷的經營租賃承擔。初步評估顯示此等 安排將符合租賃之定義。於應用香港財務 報告準則第16號後,本會將於應用香港財 務報告準則第16號時確認所有此等租賃的 使用權資產和相應負債,惟屬於低價值或 短期租賃除外。

此外,應用新規定可能導致上述的計量、 呈列和披露的變化。

19. HONG KONG FINANCIAL REPORTING STANDARDS ISSUED BUT NOT YET EFFECTIVE **FOR THE YEAR (continued)**

HKFRS 16 Leases

HKFRS 16 introduces a comprehensive model for the identification of lease arrangements and accounting treatments for lessees. HKFRS 16 will supersede HKAS 17 "Leases" and the related interpretations when it becomes effective.

HKFRS 16 distinguishes lease and service contracts on the basis of whether an identified asset is controlled by a customer. Distinctions of operating leases and finance leases are removed for lessees accounting, and is replaced by a model where a rightof-use asset and a corresponding liability have to be recognised for all leases by leases, except for short-term leases and leases of low value assets.

The right-of-use asset is initially measured at cost and subsequently measured at cost (subject to certain exceptions) less accumulated depreciation and impairment losses, adjusted for any remeasurement of the lease liability. The lease liability is initially measured at the present value of the lease payments that are not paid at that date. Subsequently, the lease liability is adjusted for interest and lease payments, as well as the impact of lease modifications, amongst others. For the classification of cash flows, the Council currently presents operating lease payments are presented as operating cash flows. Upon application of HKFRS 16, lease payments in relation to lease liability will be allocated into a principal and interest portion which will be both presented as financing cash flows by the Council.

Furthermore, extensive disclosures are required by HKFRS 16.

As at 31 March 2018, the Council has non-cancellable operating lease commitments of \$15,586,665 as disclosed in note 16. A preliminary assessment indicates that these arrangements will meet the definition of a lease. Upon application of HKFRS 16, the Council will recognise a right-of-use asset and a corresponding liability in respect of all these leases unless they qualify for low value or short-term leases.

Furthermore, the application of new requirements may result in changes in measurement, presentation and disclosures as indicated above.

20.通過財務報表

本財務報表已於二零一八年八月二十一日 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 21 August 2018.

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:

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

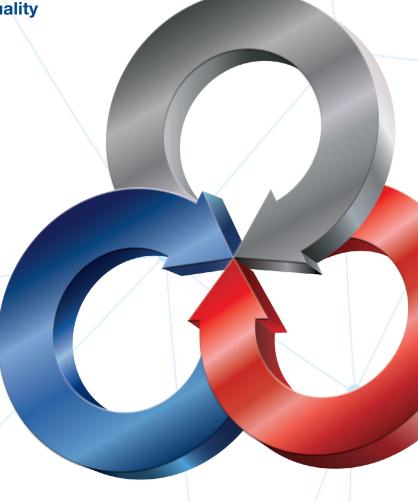


-般個案:向投訴警察課提出不多於一輪質詢的輕微個案(例如沒有禮貌或疏忽職守) Normal cases: minor cases (such as Impoliteness or Neglect of Duty) with no more than one round of Query raised by the IPCC with CAPO

複雜個案:所有嚴重的個案(例如毆打或揑造證據),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 監警會必竭盡所能履行法定職能,並 在審核過程中找出改善建議,以進一 步提升警隊的服務質素。

The Independent Police Complaints Council will do its utmost to discharge statutory duties and identify improvements during vetting to further enhance the service quality of the Police.



封面設計代表監警會的三個核心價值「獨立」、「公正」及「誠信」環環相扣,象徵會方始終貫徹宗旨審核每宗 投訴個案。背景縱橫交錯的網絡圖案則代表會方透過策略規劃,竭力擴闊、深化與持份者的溝通,促進公眾對 監警會工作和價值觀的認知。

The cover design signified that the IPCC has been upholding its three interlocking core values, i.e. "Independence", "Impartiality" and "Integrity", in vetting every complaint case. The extensive network pattern in the background showed the IPCC's strategic efforts to widen and deepen its scope of stakeholder engagement in promoting public understanding of IPCC's work and values.



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

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監警會網站 IPCC Website



監警會YouTube頻道 IPCC YouTube channel

