Hong Kong is a small metropolitan city in South East Asia. Population is over 7 millions of mainly local Chinese.

The Police Force in Hong Kong has around 28,000 police officers plus 4,600 civilian staff - 1 police officer per 250 citizens.

In 2012, Hong Kong had 75,930 crime reports (including 27 murder reports and 616 robbery reports), equivalent to 1061 per 100,000 of population.

Hong Kong is among the safest cities to live in.
Reliability of Police Service

World Economic Forum
Global Competitiveness Report (13/14)
“To what extent can police services be relied upon to enforce law and order?”

Out of 148 Economies

<table>
<thead>
<tr>
<th>Rank</th>
<th>Country/Economy</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Finland</td>
</tr>
<tr>
<td>2</td>
<td>New Zealand</td>
</tr>
<tr>
<td>3</td>
<td>Qatar</td>
</tr>
<tr>
<td>4</td>
<td>Hong Kong</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Netherlands</td>
</tr>
<tr>
<td>11</td>
<td>Denmark</td>
</tr>
<tr>
<td>16</td>
<td>Australia</td>
</tr>
<tr>
<td>17</td>
<td>Germany</td>
</tr>
<tr>
<td>18</td>
<td>Spain</td>
</tr>
</tbody>
</table>
Two-tier Police Complaints System

CAPO (1st Tier)
- Receives Reportable Complaints
- Investigates Complaints
- Submits Investigation Report to IPCC

IPCC (2nd Tier)
- Reviews Investigation Report
- Agrees / disagrees with investigation result or penalty against the complainees

1. Raises queries to CAPO
2. Working Level Meeting with CAPO
If disagrees
Classifications of Complaint

**Substantiated / Substantiated Other Than Reported (SOTR)**
- sufficient reliable evidence to substantiate the allegation

**Not Fully Substantiated**
- some reliable evidence to support the allegation

**Unsubstantiated**
- insufficient evidence to support the allegation

**No Fault**
- the allegation is made because of misunderstanding, OR
- sufficient reliable evidence showing that the complainees’ actions were fair and reasonable, done in good faith and followed the police procedures

**False**
- sufficient reliable evidence to show the complaint is made with clear intent of malice or not based upon genuine conviction or sincere belief
Penalty for ‘Substantiated’ & ‘Not Fully Substantiated’ Allegations

* Advice without entry
* Advice with entry
* Warning without entry
* Warning with entry
* Disciplinary Action
Classifications of Complaint

Substantiated / Substantiated Other Than Reported (SOTR)
- sufficient reliable evidence to substantiate the allegation

Not Fully Substantiated
- some reliable evidence to support the allegation

Unsubstantiated
- insufficient evidence to support the allegation

No Fault
- the allegation is made because of misunderstanding, OR
  - sufficient reliable evidence showing that the complainees’ actions
    were fair and reasonable, done in good faith and followed the
    police procedures

False
- sufficient reliable evidence to show the complaint is made with
  clear intent of malice or not based upon genuine conviction or
  sincere belief
The standard of proof is the civil standard of ‘Balance of Probabilities’

Nevertheless, the more serious the allegation (for instance, allegations of Assault, Fabrication of Evidence, etc), the more cogent evidence needed to substantiate it.
To observe, monitor and review the handling and investigation of reportable complaints by the Police.

To monitor actions taken or to be taken in respect of any police officer by the Police in connection with reportable complaints.
Powers of IPCC

* IPCC does not have any investigative powers.

* IPCC has the legal power to require the Police to provide clarification or any information or material relating to a reportable complaint, and the Police must comply with such request.

* The IPCC may interview the complainants, complainees or witnesses.

* The Police must consult IPCC on amending their complaint manuals in relation to handling or investigating reportable complaints.
The IPCC may submit a report in relation to a complaint case to the Chief Executive of Hong Kong Government for consideration.
Statutory Duties of IPCC

To observe, monitor and review the handling and investigation of reportable complaints by the Police

To monitor actions taken or to be taken in respect of any police officer by the Police in connection with reportable complaints

To identify any fault or deficiency in police practices or procedures that has led to or might lead to a reportable complaint
IPCC Establishment (I)

**IPCC Council**

- Chairman
- 3 Vice-Chairmen
- 20 Members

**IPCC Secretariat**

- Secretary General
- Deputy Secretary General
- Over 40 Secretariat Staff
IPCC is an independent organization established under the IPCC Ordinance.

IPCC is not a government department.

IPCC has 24 Members and a Secretariat which has over 40 staff members.

Among the 24 Members are a Chairman, three Vice Chairmen and 20 Members.

Among the Members, there are 5 Legislative Councilors, 1 District Councilor and 9 solicitors or barristers.

The Chairman is a Senior Counsel, equivalent to a Queens Counsel in the old days and a Member is the former Deputy Director of Public Prosecution.
Members and Secretariat staff have the expertise in examining complaint cases.

Public Support
- Awareness of IPCC work reached 68 percent of the public.
- Media interviews with Chairman and Secretary General
- Meetings with Stakeholders (e.g. Taxi Drivers Association)

IPCC maintains a close partnership with CAPO with a focus of complaint prevention and improvement of police service quality.
Liaison / Work with Police

- Written correspondences (complaint case related)
- Working Level Meetings (complaint case related)
- Visits to Police Formations
- Joint Meetings between IPCC and Police
- Special briefings by Police on new police procedures / policy / equipment
- Observations on Public Order Events and Post-observation Meetings with Police
Joint Meetings with Police
Visits to Frontline Officers
Visits to Police Formations
Meetings with Stakeholders
Meetings with Stakeholders
Media Interviews / Press Conferences
Observations on Public Order Events and Post-observation Meetings with Police
## Police Complaints Figures (I) (Year 2013/2014)

<table>
<thead>
<tr>
<th>Description</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. of Reportable Complaints Endorsed by IPCC</td>
<td>2,591</td>
</tr>
<tr>
<td>No. of Allegations Endorsed by IPCC</td>
<td>4,734</td>
</tr>
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</table>

### Categorizations of Allegations

<table>
<thead>
<tr>
<th>Allegation</th>
<th>Number</th>
<th>Percentage</th>
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</thead>
<tbody>
<tr>
<td>Assault</td>
<td>316</td>
<td>6.7%</td>
</tr>
<tr>
<td>Fabrication of Evidence</td>
<td>84</td>
<td>1.8%</td>
</tr>
<tr>
<td>Threat</td>
<td>150</td>
<td>3.2%</td>
</tr>
<tr>
<td>Unnecessary Use of Authority</td>
<td>140</td>
<td>3.0%</td>
</tr>
<tr>
<td>Misconduct / Improper Manner / Offensive Language</td>
<td>1,732</td>
<td>36.5%</td>
</tr>
<tr>
<td>Neglect of Duty</td>
<td>2,301</td>
<td>48.6%</td>
</tr>
<tr>
<td>Police Procedures</td>
<td>4</td>
<td>0.1%</td>
</tr>
<tr>
<td>Other Offences</td>
<td>7</td>
<td>0.1%</td>
</tr>
</tbody>
</table>
### Police Complaints Figures (II)
(Year 2013/2014)

<table>
<thead>
<tr>
<th>No. of Substantiated / Not Fully Substantiated Allegations</th>
<th>200</th>
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</thead>
<tbody>
<tr>
<td>- Assault</td>
<td>1</td>
</tr>
<tr>
<td>- Fabrication of Evidence</td>
<td>1</td>
</tr>
<tr>
<td>- Threat</td>
<td>0</td>
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<tr>
<td>- Unnecessary Use of Authority</td>
<td>15</td>
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<tr>
<td>- Misconduct / Improper Manner / Offensive Language</td>
<td>24</td>
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<tr>
<td>- Neglect of Duty</td>
<td>158</td>
</tr>
<tr>
<td>- Police Procedures</td>
<td>0</td>
</tr>
<tr>
<td>- Other Offences</td>
<td>1</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>No. of Police Officers involved</th>
<th>177</th>
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<tbody>
<tr>
<td>- Advised</td>
<td>136</td>
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<tr>
<td>- Warned</td>
<td>30</td>
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<tr>
<td>- Disciplined</td>
<td>11</td>
</tr>
</tbody>
</table>

| No. of Enhancement of Police Procedures                   | 16  |
Role of IPCC

- Oversight function of examining complaint cases
- Complaint prevention and improvement of police service quality
Work Together for the Good of the Society

Police

Public

CAPO

IPCC
~ Thank you ~
A 'reportable complaint' is a public complaint, made in good faith, that relates to the conduct of a police officer while on duty or who identifies himself as a police officer while off duty.

The complainant should be the person directly affected by the police misconduct.

Investigation reports or information on the following complaints will not be submitted to IPCC:

- Complaints arisen from the issue of a summons or imposition of a fixed penalty which solely relates to the validity of the issue; or
- Complaints lodged by a person in his official capacity as a member of the police force; or
- Complaints that fall under the scope of investigation of other statutory bodies.
Notifiable Complaint

* Other than reportable complaints and the cases mentioned above which will not be submitted to IPCC, all complaints are 'notifiable complaints'.

* For instance, complaints made by an anonymous complainant or by a complainant who is not the aggrieved party are notifiable complaints.

* Notifiable complaints are outside the purview of IPCC but CAPO is required to regularly submit the summaries of such complaints to IPCC for examination. This is to ensure that all complaints which should properly be categorised as reportable complaints are so categorised and that the investigations will consequentially be subject to IPCC's monitoring and review.
IPCC Members and Observers may attend interviews and observe the collection of evidence in connection with CAPO's investigation of reportable complaints.

The observations can be carried out on a pre-arranged or surprise basis.

Through observation, observers will advise IPCC whether or not the interview or collection of evidence is conducted in a fair and impartial manner.
IPCC released the final report on complaint cases against the Police arising from the visit by the Vice Premier Mr Li Keqiang and made a number of recommendations to the Police and the Chief Executive to improve the planning and execution of similar operations in the future.