



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

工作報告 REPORT
2019/20

公正 IMPARTIALITY

獨立 INDEPENDENCE

誠信 INTEGRITY



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監警會的抱負、使命及價值觀

Vision, Mission and Values of the IPCC

抱負 Vision

一個公平、公正、對公眾問責的投訴警察制度

A fair and impartial police complaints system accountable to the public

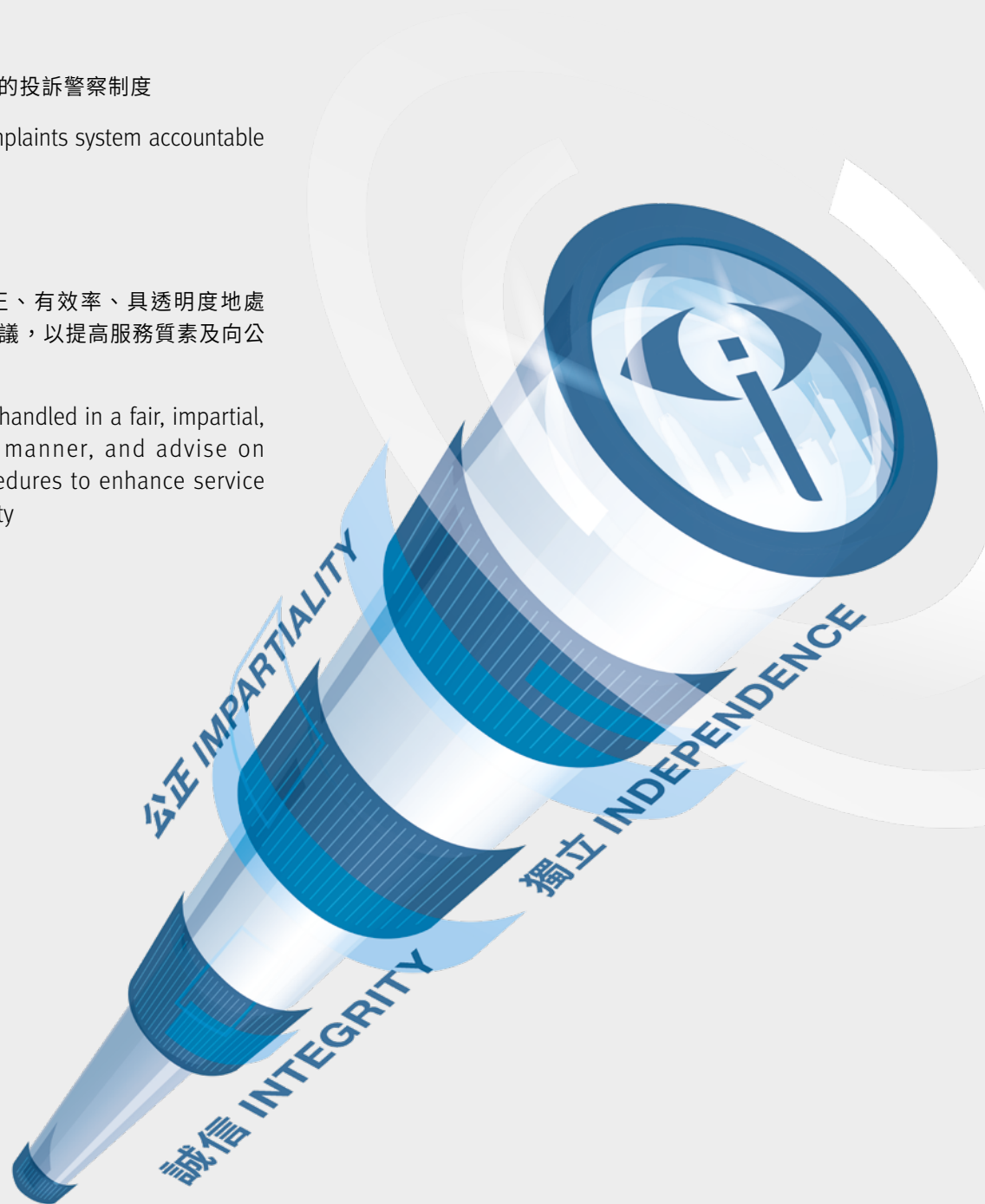
使命 Mission

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

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

價值觀 Values

- 獨立 Independence
- 公正 Impartiality
- 誠信 Integrity



主席前言 Chairman's Foreword



梁定邦博士, QC, SC, JP
Dr Anthony Francis NEOH,
QC, SC, JP

若以豐富多樣來形容獨立監察警方處理投訴委員會（監警會）過去一年的工作，或許略嫌輕描淡寫。這一年，監警會慶祝成為法定機構十周年。在這十年間，會方固然累積了不少寶貴經驗，但無論汲取經驗多少，都遠不足以應付擺在我們以及整個香港社會面前史無前例的艱鉅挑戰。

在監警會十周年的研討會上，會方回顧了過去十年各方面的工作成果。就在活動圓滿結束的三日後，由《逃犯及刑事事宜相互法律協助法例（修訂）條例草案》（《逃犯條例》修訂草案）引發的連串大型公眾活動開始席捲全城，導致我們的社會面臨開埠170多年以來最嚴峻的局面。高等法院上訴法庭在《禁止蒙面規例》案件的判詞開首（CACV 541, 542及583/2019，2020年4月9日頒下判詞）對香港的情況描述得十分貼切：

「1. 自2019年6月起，香港經歷了嚴重的社會動盪，公共秩序受到擾亂，全港各處出現示威、暴力升

It would be an understatement, if one were to say that the Independent Police Complaints Council (IPCC) has had an eventful year! This year the IPCC celebrated its tenth year of existence as a statutory body. We have certainly gathered experience but whatever we have learnt or experienced in the last ten years, did not prepare us adequately for the unprecedented challenges both we, and our City, have had to face.

Just three days after the successful conclusion of the IPCC's Symposium to take stock of its work in the past ten years, large-scale public order events (POEs) arising from the Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill (Fugitive Offenders Bill) swept across the city, leading to arguably the most serious crisis in the City's 170-year history. This situation could not be better described than what the Court of Appeal said in the opening paragraphs of their Judgment in the Anti-Mask Regulation Case (CACV 541, 542 and 583/2019 handed down on 9 April 2020):

“1. Since June 2019, Hong Kong has experienced serious social unrests and public disorders marked by protests, escalating violence, vandalisms and arsons across the territory. It is a dire

級、破壞及縱火。這是過去50年來未曾出現的危急情況。

2. 暴力升級造成大量財產損失、個人受到襲擊，以及主要的公共交通設施和公路受到嚴重破壞而中斷。這些暴力行為和破壞主要是由戴上口罩及身穿黑色裝束的示威者造成。與此同時，許多參與公眾集結及遊行的示威者並無參與暴力行為，但亦戴上口罩及穿上黑色裝束，這種現象成為常態。」

很不幸，直至2019年末暴力和破壞事件仍未停息。至2020年初，新型冠狀病毒疫情開始在本港肆虐之時，經濟已遭受無法估算的巨大衝擊。除了實質破壞之外，互聯網上亦流傳仇恨警務人員及其家屬的訊息，內容罔顧事實，言辭無禮。這些仇恨訊息以及示威活動和媒體的相關報道籠罩著整體社會，令周遭充斥仇恨和不满情緒。歷史的經驗告訴我們，只有明辨事實，才可以化解憤恨和不满。

鑑於獨立審視所獲得的示威活動相關事實，可協助會方之後審核有關的須匯報投訴個案調查報告，並讓社會大眾知悉這些事實，監警會在2019年7月決定首度在完成審核投訴警察課處理的大量相關投訴個案之前，主動展開關於2019年6月起《逃犯條例》修訂草案引發的大型公眾活動及相關的警方行動專題審視工作（專題審視工作）。

監警會作為法定公營機構，工作原則以公眾利益為前提，並嚴格按照法定框架行事，因此一如既往，監警會在履行法定職能時，一直堅守四大關鍵要素：（一）重法規；（二）重事實及公道；（三）重優化；及（四）重合作。

重法規

正如我多次提及，監警會是根據《監警會條例》所賦予的法定權力，履行法定職能。監警會成立的目標並非調查，而是旨在監察，以確保投訴警察課處理投訴調查工作時保持公平、全面，並向違反警隊紀律或法例的警務人員採取適當行動。監警會另一項法定職能，是向警務處處長（處

situation that has not been seen in the last 50 years.

2. The increasing violence has resulted in widespread property damage, assaults on persons, serious damage and interruptions to major public transport facilities and highways. The violence and damage are mostly caused by protestors wearing masks and dressed in black outfits. At the same time, it is a common phenomenon that many other protestors participating in public assemblies and processions who are not involved in violence are also wearing masks and dressed in black outfits.”

The violence and destruction unfortunately did not stop at the end of 2019. By the time the COVID-19 pandemic began to envelop Hong Kong in the beginning of 2020, incalculable damage has been done to the economy. Accompanying the physical damage were hate messages spread through the internet against the Police and members of their families with no regard for fact or respect for decency. These hate messages and the general atmosphere created by the protests and their reporting by the media turned the community into a tinderbox of hatred and discontent. Throughout history, resolution of hatred and discontent could only begin with understanding of the facts.

So that an independent study of the facts surrounding the protests may facilitate the Council's subsequent review of related Reportable Complaint investigation reports as well as make such facts available to the community, the IPCC, in July 2019, for the first time in its history, decided, before concluding its work on complaints which have begun to flood into the Complaints Against Police Office (CAPO), to proactively carry out a Thematic Study on the Public Order Events arising from the Fugitive Offenders Bill since June 2019 and the Police Actions in Response (Thematic Study).

As a public statutory body, the IPCC's actions have been guided by principles firmly tied to the public interest and to the statutory framework within which we operate. In this regard, the IPCC, as in the past, held fast to four crucial elements which have guided our actions in the performance of our statutory duties: (1) "Respect for Law", (2) "Respect for Fact and Fairness", (3) "Respect for Best Practices" and (4) "Respect for Collaboration".

Respect for Law

As I have mentioned on many occasions, it is the legal framework set out in the IPCC Ordinance that empowers and lays the foundation for IPCC to carry out its functions. The IPCC was set up not as an investigatory body but a body to ensure that investigations by CAPO are fairly and fully investigated and appropriate actions are taken against police officers who have been found to have infringed either police discipline or the law. It also has the function to bring to the attention

長)及行政長官提出可改善的警方常規或程序，以減少未來出現投訴的機會。

專題審視工作進行期間，曾有司法覆核挑戰專題審視工作的合法性，當中主要針對監警會的權力，質疑會方沒有權力主動展開專題審視工作，而須待會方先完成審核投訴警察課就個別投訴個案的調查。最終，法庭裁定監警會既然有權向處長作出建議，亦意味會方有權基於專題審視工作所陳述的理據，審視相關事實，尤其是《監警會條例》第8(2)條中訂明，監警會「可作出為執行它在本條例下的職能而合理地需要作出，或附帶於或有助於執行該等職能的所有事情。」

雖然會方堅信專題審視工作的法律基礎堅實穩固，但為了尊重司法程序，會方遂決定暫緩原定準備發表的中期報告，同時致力爭取司法覆核案早日獲得裁決。在高等法院裁定專題審視工作是在會方的法定職權範圍內進行後，會方和屬下專案組旋即全力推進工作，在2020年5月15日發表了一份全面的專題審視報告，報告全文可於監警會網站閱覽：www.ipcc.gov.hk。

重事實及公道

監警會認為，若要充分履行法定職能，必須先從宏觀角度釐清大型公眾活動所有相關事實。因此，專題審視工作並非一份調查個別警務人員操守的報告，而是旨在重組連串大型公眾活動的事實和時序，整理出大場景，讓會方深入了解大型公眾活動相關投訴個案的背景，有效監察和覆檢投訴警察課對個別投訴個案的調查工作，並向警方作出務實的建議。

除了呼籲各方提供相關資料之外，監警會亦就專題審視工作的相關議題進行研究，包括委託英國基爾大學，就警員身份識別制度的相關國際慣例進行研究；亦邀請倫敦大學學院，就本港警務人員對大型公眾活動和相關警務工作的觀感進行研究；以及委託香港中文大學傳播與民意調查中心，就示威者及公眾人士的觀感進行意見調查。這些研究結果為專題審視工作提供有用的背景資料，包括示威者、市民大

of the Commissioner of Police (Commissioner) and the Chief Executive any police practice or procedure which may be improved to reduce future complaints.

During the course of the Thematic Study, there was a Judicial Review (JR) against the legality of the Study. The main thrust of the legal attack on the IPCC's powers was that the IPCC had no power to proactively conduct a thematic study in the manner envisaged by the IPCC but must wait until it has completed its study of the individual complaints investigated by CAPO. In the end, the Court decided that the IPCC's powers to make recommendations to the Commissioner imply a power to study facts on the ground as envisaged in the Thematic Study, particularly in light of Section 8(2) of the IPCC Ordinance which states that the IPCC "may do all such things that are reasonably necessary for, or incidental or conducive to, the performance of its functions under this Ordinance".

Though IPCC held the view that it had strong legal basis for the Study, the Council respected the legal process and thus put on hold the release of the planned interim report while doing its utmost to solicit an early determination of the JR. Once the High Court ruled that the conduct of Thematic Study was within the remit of the IPCC's statutory authority, the Council and the Special Task Force stepped up its work and published a full Report on 15 May 2020. The Report may be read from the IPCC's website: www.ipcc.gov.hk.

Respect for Fact and Fairness

The Council considered that in order to fully perform its statutory functions, it was necessary to find out all relevant facts of the POEs from a macro perspective. Thus, the Thematic Study was not an investigation report into the conduct of individual police officers, but aimed at reconstructing the facts and chronology of the series of events and presenting a broad picture which would allow the Council to gain a deep understanding of the background of the POE-related complaint cases, so as to monitor and review investigation of individual complaint case submitted by CAPO effectively and make practical recommendations to the Police.

Apart from appealing for relevant information, the IPCC also conducted researches on issues relevant to the Thematic Study - the Keele University of the United Kingdom was commissioned to carry out a research on international practices of police identification system; the University College London was engaged to conduct a survey on police officers' perception of large-scale POEs and relevant policing duties; the Centre for Communication and Public Opinion Survey of The Chinese University of Hong Kong had also been appointed to conduct a study on the views of the protesters and members of the public. These research findings provided useful background information for

眾和警方在連月的大型公眾活動期間的情緒、觀感以及他們採取某些行動的目的。研究結果有助會方了解大型公眾活動的全貌，當中不僅包括示威活動期間發生過甚麼事情，還有推動示威行動的主因或理念。

當監警會全速進行專題審視工作之際，會方對恆常的監察投訴個案工作並未鬆懈。投訴警察課提交的每份投訴個案調查報告必須經會方根據嚴謹審核程序仔細審核，並透過向投訴警察課提出質詢，達到有效的監察和制衡，確保有效監察投訴個案的處理。報告期內，有220項指控經監警會質詢後，修正為更加明確和恰當的調查結果分類，按年增加約60%，包括162項指控由「無法證實」、「無法追查」、「投訴撤回」重新分類為「獲證明屬實」、「並無過錯」或「虛假不確」，充分顯示監警會審核工作的嚴謹度，以及鏗而不捨的精神。

我們的委員和觀察員在報告期內完成2,127次觀察，出席率高達96.5%，連續第四年有所攀升。此外，會方、觀察員和秘書處同事亦竭力確保所有與大型公眾活動相關的觀察工作均有100%出席率，以確保投訴警察課的證據收集工作在公平、公正的基礎上進行。

重優化

香港是一個國際都會，監管制度和法規均常與國際上最高水平的範例作對比。會方在審視投訴個案和進行專題審視工作時，參考了《警察通例》和《程序手冊》，並與相關的國際慣例進行比較，這不僅為了查證警方採取的行動是否符合現行指引，更寬廣的目的是為了汲取經驗，採納佳範，以便會方就警方的常規和程序作出改善建議。

監警會在進行專題審視工作期間，參考了大量海外地區的做法和經驗，例如武力使用以及示威活動期間的警員身份識別問題，旨在協助會方衡量警方現行的指引是否符合國際標準，以及將來面對類似情況時如何改進。會方在專題審視報告中作出52項具前瞻性的建議，以提升警隊的服務質素，及加強公眾對警方的信任。

the Thematic Study about the emotions, perceptions and intentions for some of the actions taken by the protesters, the community and the Police as POEs evolved through the months. It enabled the understanding of the complete picture of the POEs involving not only what had happened but also what had been the driving force or belief that caused actions taken by concerned parties.

While undertaking the Thematic Study at full speed, the IPCC also maintained its efforts in monitoring the on-going complaint cases. Every complaint investigation report submitted by CAPO must be scrutinised by the IPCC in accordance with stringent vetting procedures. Checks and balances have been achieved by Queries raised to CAPO, which also ensure effective monitoring of the complaint handling. During the reporting period, 220 allegations were reclassified to more definite and appropriate classification results following IPCC's Queries, representing 60% increase in comparison with the previous year. These included 162 allegations that were reclassified from "Unsubstantiated", "Not Pursuable", and "Withdrawn" to "Substantiated", "No Fault", and "False", which clearly indicated the robustness and perseverance of IPCC's vetting process.

Our Members and Observers attended 2,127 observations during the reporting period with an attendance rate of 96.5%, which was on the rise for the fourth consecutive year. Furthermore, extra effort was made by the Council, Observers and Secretariat staff to ensure all observations relating to POEs were 100% attended by the IPCC to ensure evidence collection work was performed in a fair and impartial manner by CAPO.

Respect for Best Practices

Hong Kong is an international city where oversight mechanism and regulatory regime have often been benchmarked with international best practices. In the course of reviewing complaint cases and proceeding with the Thematic Study, Police General Orders and Force Procedures Manual were referenced and compared against relevant international best practices. The objective is not just to verify if police actions conformed to prevailing guidelines. The broader aim is to capture lessons learnt and best practices around the world for making recommendations to the Police so that their practices and procedures may be improved.

During the conduct of the Thematic Study, the IPCC took reference of the practices and experience of many overseas regions in areas such as use of force, police identification during protests, with an aim to evaluate whether the existing guidelines adopted by the Force are on par with international standard and determine how to improve if similar situation arises in the future. In its Thematic Study Report, the IPCC had made 52 forward-looking recommendations with a view to improving the service quality of the Police and enhancing public trust in the Force.

行政長官、保安局及警方對這份專題審視報告的重視，令監警會備受鼓舞。行政長官要求保安局局長親自領導專責小組，跟進會方提出的建議。會方亦將繼續透過現行機制，監察警方實施改善建議的進度。除了這52項建議之外，會方過去十年亦向警方作出超過150項改善建議，協助警隊優化服務質素。

重合作

2019年監警會研討會的主題是「建立互信，迎向未來」。會方相信真誠及理性的溝通、與社區緊密合作，均對兩層投訴警察制度的有效運作至關重要。

專題審視工作能做到詳盡全面紀實，有賴特區政府、警隊以及會方接觸的機構等等的全力配合。公眾人士亦向監警會提供超過23,500張圖片和22,500段錄影片段/連結以作參考；會方也從不同途徑尋求協助，並將收獲的資料詳列在專題審視報告中。

報告期內，監警會與本地關注團體、專業組織、學術機構、學者、警察職方協會，以及海外、澳門特別行政區和內地監察機構加強交流經驗和分享挑戰。會方亦透過十周年的慶祝活動、會面、講座、校園計劃、探訪和刊物，在過去兩年間接觸超過30,000名持份者。會方亦加強傳媒聯繫活動，讓外界更加了解監警會的工作進展，尤其是這一年的專題審視工作，以提高會方的透明度。我和委員們亦分別接受了25個傳媒專訪（創下過去5年來的最高紀錄），向外界闡釋監警會的角色及專題審視工作。

社會須邁步向前

監警會希望專題審視工作羅列的事實，可以成為協助化解社會上嚴重分歧的一個起點。我們的社會必須繼續向前行，我再次呼籲市民大眾在行使集會權利的同時，以和平理性的方式表達意見，向暴力說不，擺脫分裂和爭拗，重新出發，讓我們的社會回歸務實與包容，以求同存異的態度凝聚共識。

The IPCC is encouraged that the Chief Executive, the Security Bureau and the Police attached great importance to the Thematic Study Report. As requested by the Chief Executive, the Secretary for Security is personally heading a task force to follow up on these recommendations. The Council will continue to monitor the implementation of improvement measures by the Police through the existing mechanisms. In addition to these 52 recommendations, the Council has put forward more than 150 improvement recommendations in the past ten years to the Police to help the Force improve their service quality.

Respect for Collaboration

The theme of the IPCC Symposium 2019 was: “Building Confidence and Trust – Role of IPCC in the Evolving Future”. The IPCC believes that sincere and rational communication and collaboration with the community are crucial for effective operation of the two-tier police complaints system.

The Thematic Study could not have been as well documented and covered as much ground without the full collaboration of the HKSAR Government, the Police Force and organisations we approached. The IPCC received over 23,500 photo attachments and 22,500 video attachments / links from the public and there were many sources which the IPCC had sought assistance. These are all documented in the Thematic Study Report.

During the reporting period, the IPCC strengthened its engagement with local concern groups, professional bodies, educational institutions, academics, police staff associations as well as oversight bodies from overseas, Macau SAR and the Mainland through sharing of experience and challenges. Through the IPCC 10th Anniversary activities, meetings, talks, School Programme, visits and publications, we have reached out to over 30,000 stakeholders in the past two years. The IPCC also stepped up media communication activities to promote transparency and understanding of IPCC’s work progress in particular on the Thematic Study this year. Council Members and I also took up 25 media interviews (record high in the past 5 years) to explain IPCC’s roles and the Thematic Study.

Our Community needs to move forward

It is hoped that the facts presented in the Thematic Study would begin to resolve the deep divisions within the community. Our society needs to move forward. Once again, I appeal to all members of the public to express their views in a peaceful and rational manner while exercising their right to assembly, and say no to violence. We need to mend the rift, resolve disputes, and regain momentum so that our community can forge a consensus by adopting a pragmatic, inclusive and accommodating mindset.

我謹藉此機會感謝一眾委員、觀察員和秘書處同事在過去一年緊守崗位，熱誠投入工作，即使面對社會上各種聲音、意見和繁重的工作量，仍然努力完成既複雜且前所未有的專題審視工作，並在履行監警會法定職能時保持專業，恪守公正和誠信的原則。

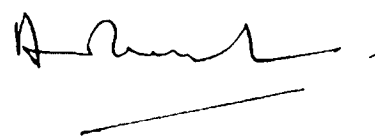
監警會必須與社會與時並進，並確保其法定權力能夠發揮最大效用，以服務市民大眾。會方已確定可進行專題審視工作，而政府亦接納專題審視工作提出的52項建議，並成立了專責小組跟進落實。我相信這是會方的新方向，指引會方更有效地履行其法定職能。展望來年，監警會將邁進第二個十年，我們將在法定框架以內發掘更多空間和途徑，為社會提供更好的服務。此外，監警會亦將進一步向公眾解釋其法定權限，邀請公眾參與，令兩層投訴警察制度更臻完善。投訴警察制度的目的，就是要確保公眾的投訴得到全面及公平的調查和監察，只有投訴人提供全面及完整的資料，制度才得以有效運作。因此，警方、監警會及公眾人士三方面均必須互相配合及溝通，方可達致有效合作。

即使前路挑戰重重，但我深信只要大家保持正面態度，展現同理心，尊重法律，在工作過程中及總結定論時均以事實為基礎，堅守公平原則，博採各地之長，並根據本港客觀環境融會貫通，與各界攜手合作，定能為社會開創一個更美好的將來。

I would like to take this opportunity to thank all Council Members, Observers and Secretariat staff for their commitment and contribution to IPCC's work over the past year. In the face of different voices, opinions and heavy workload, they had striven to complete the unprecedented and complex Thematic Study and maintain professionalism in upholding impartiality and integrity when performing IPCC's statutory functions.

The IPCC must move forward with the community in ensuring that its statutory powers are more thoroughly utilised to serve the community. The IPCC has now established that it may undertake thematic studies and the Government has accepted the 52 recommendations in the Thematic Study and has created task force for implementation. I believe that this is a new direction pointing to more effective performance of its statutory duties. In the coming year, since this is the beginning of the second decade of its existence, the IPCC can explore further avenues within its statutory framework to better serve the public. Furthermore, the IPCC can do more to explain its remit under the law to the public, so that the public's assistance may be enlisted in the improvement of the two-tier police complaints system. As this is a system to ensure that the public's complaints may be fully and fairly investigated and monitored, it can only work if Complainants provide full and complete information. What is needed is that all sides, the Police, the IPCC and the public must engage with each other in effective collaboration.

I am sure there will be daunting challenges ahead, but I firmly believe that as long as we maintain a positive and empathetic attitude, respect the law, plant our work and conclusions firmly upon fact and fairness, attempt to introduce the best practices around the world suited to our circumstances, and strive to work together, we will create a better future for the community.



梁定邦, QC, SC, JP
Anthony Francis NEOH, QC, SC, JP
監警會主席
IPCC Chairman

監警會主席及副主席
Council Chairman and Vice-Chairmen

主席 Chairman

梁定邦博士,
QC, SC, JP
**Dr Anthony
Francis NEOH,**
QC, SC, JP



- 於2018年6月1日獲委任
- Appointed on 1 June 2018
- 法律界
- Legal Sector

副主席 Vice-Chairman

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



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

副主席 Vice-Chairman

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

謝偉銓議員, BBS, JP
**Hon Tony TSE
Wai-chuen,** BBS, JP



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

副主席 Vice-Chairman

易志明議員, SBS, JP
**Hon Frankie YICK
Chi-ming,** SBS, JP



- 於2019年1月1日獲委任
- Appointed on 1 January 2019
- 航運交通界
- Transport Sector

監警會委員 Members of the IPCC

委員會主席 Committee Chairmen

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

許宗盛先生,
SBS, MH, JP
Mr Herman HUI
Chung-shing,
SBS, MH, JP



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

管理委員會主席
Management Committee
Chairman

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



- 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

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

陳錦榮先生, MH, JP
Mr Clement CHAN
Kam-wing, MH, JP



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

法律事務委員會主席
Legal Committee Chairman

藍德業資深大律師
Mr Douglas LAM
Tak-yip, SC



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

委員 Members

個案審核小組主席
Case Vetting
Sub-group Chairman

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



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

何錦榮先生
Mr Richard HO
Kam-wing



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

錢志庸先生
Mr Barry CHIN
Chi-yung



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

鄺永銓先生
Mr Wilson KWONG
Wing-tsuen



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

監警會委員 Members of the IPCC

委員 Members

歐楚筠女士
Ms Ann AU
Chor-kwan



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

朱永耀先生
Mr Alex CHU
Wing-yiu



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

李曉華女士
Miss Sylvia LEE
Hiu-wah



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

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



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

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



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

宋筱苓女士
Ms Shalini Shivan
SUJANANI



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

黃至生教授
Prof Martin WONG
Chi-sang



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

楊華勇先生, JP
Mr Johnny YU
Wah-yung, JP



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

監警會委員 Members of the IPCC

委員 Members

陳黃麗娟博士,
SBS, MH, JP
Dr Anissa CHAN
WONG Lai-kuen,
SBS, MH, JP



- 於2018年6月1日獲委任
- 教育界
- Appointed on 1 June 2018
- Education Sector

王家揚先生
Mr Roland WONG
Ka-yeung



- 於2018年6月1日獲委任
- 商界
- Appointed on 1 June 2018
- Commercial Sector

李文斌先生, MH, JP
Mr LEE Man-bun,
MH, JP



- 於2019年1月1日獲委任
- 商界
- Appointed on 1 January 2019
- Commercial Sector

羅孔君女士, JP
Ms Jane
Curzon LO, JP



- 於2019年1月1日獲委任
- 法律界
- Appointed on 1 January 2019
- Legal Sector

林定國
資深大律師, JP
Mr Paul LAM
Ting-kwok, SC, JP



• 於 2019 年 9 月 4 日 獲 委 任 • Appointed on 4 September 2019
• 法 律 界 • Legal Sector

余黎青萍女士, SBS
Mrs Helen YU LAI
Ching-ping, SBS



• 於 2019 年 9 月 4 日 獲 委 任 • Appointed on 4 September 2019
• 公 共 服 務 界 • Public Services Sector



1

關於監警會
About the IPCC

香港的投訴警察制度

Police complaints system in Hong Kong

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

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

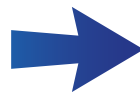
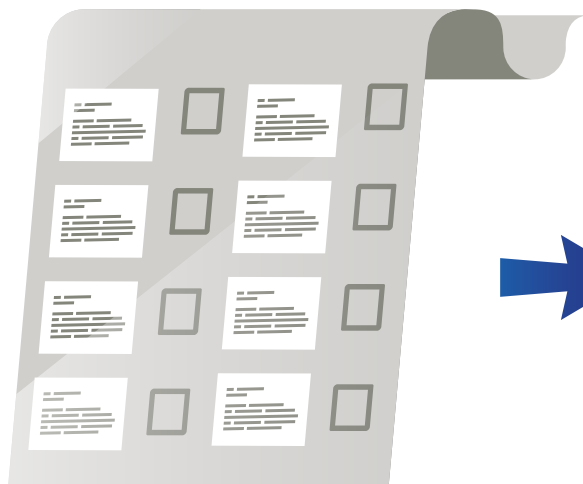
監警會在審核調查報告及相關資料時，如察覺有疑點，會要求投訴警察課澄清或提供更多資料；如發現有不足之處，可要求該課重新調查。監警會在完全同意投訴個案處理得當後，才會通過調查結果。此為投訴警察制度的第二層。

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

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

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

投訴警察課調查投訴個案 CAPO investigates complaints



監警會審核調查報告 IPCC reviews investigation reports

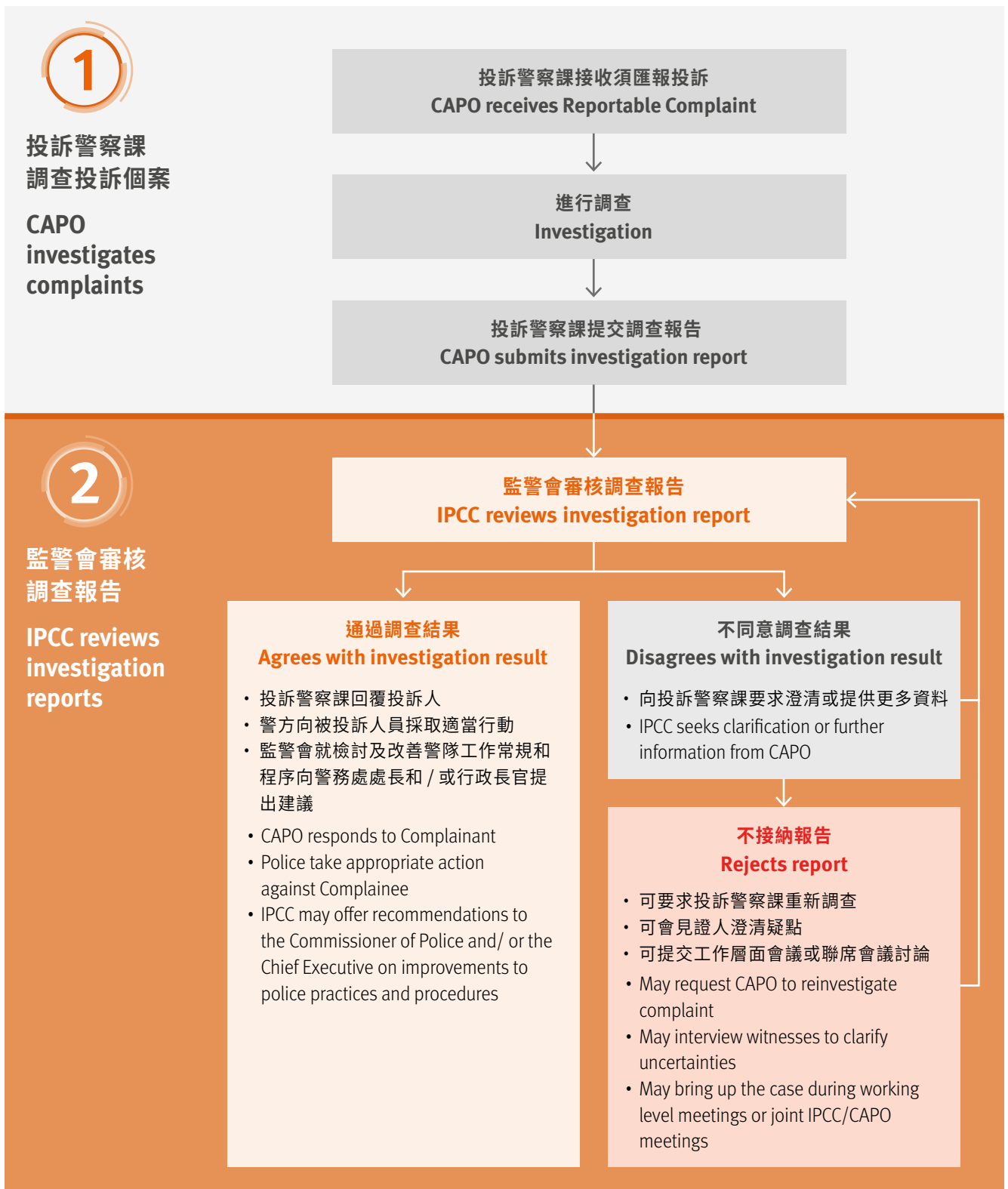


香港投訴警察制度的兩層架構

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。

Hong Kong's two-tier police complaints system

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

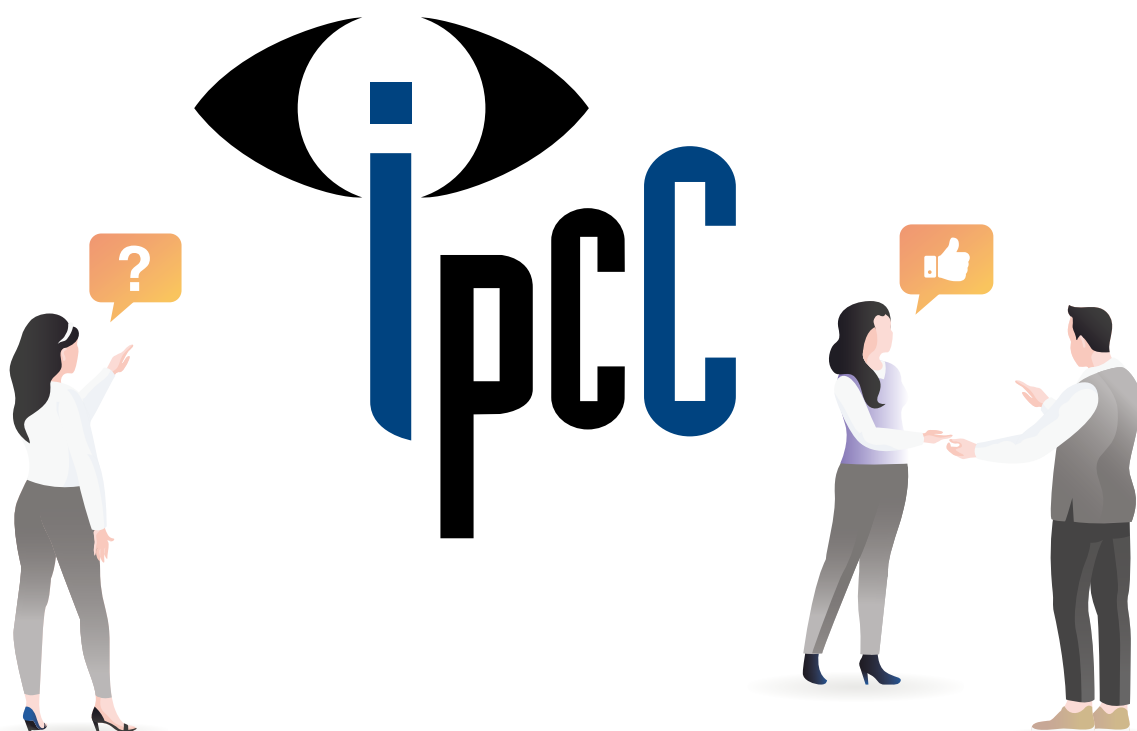
The role and functions of the IPCC

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2020年3月31日，監警會共有26名委員。

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

The IPCC comprises a Chairman, three Vice-Chairmen and not less than eight Members, all appointed by the Chief Executive. This composition enables the IPCC to draw upon the diverse professional expertise and experience of its Members to monitor CAPO's investigation of complaints against the Police in an independent, impartial and thorough manner. As of 31 March 2020, the IPCC comprises 26 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:

- 1** 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
- 5** 加強公眾對監警會的角色認識
To promote public awareness of the role of the Council

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

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

監警會亦設有觀察員計劃，發揮監察作用，確保在投訴警察課調查期間就投訴進行的會面及搜證工作公平、公正。另外，監警會可就個別情況進行會面，會見投訴人、被投訴人、證人等，協助委員了解投訴事宜及澄清疑點。兩項權力均能令監警會更有效履行法定職能。

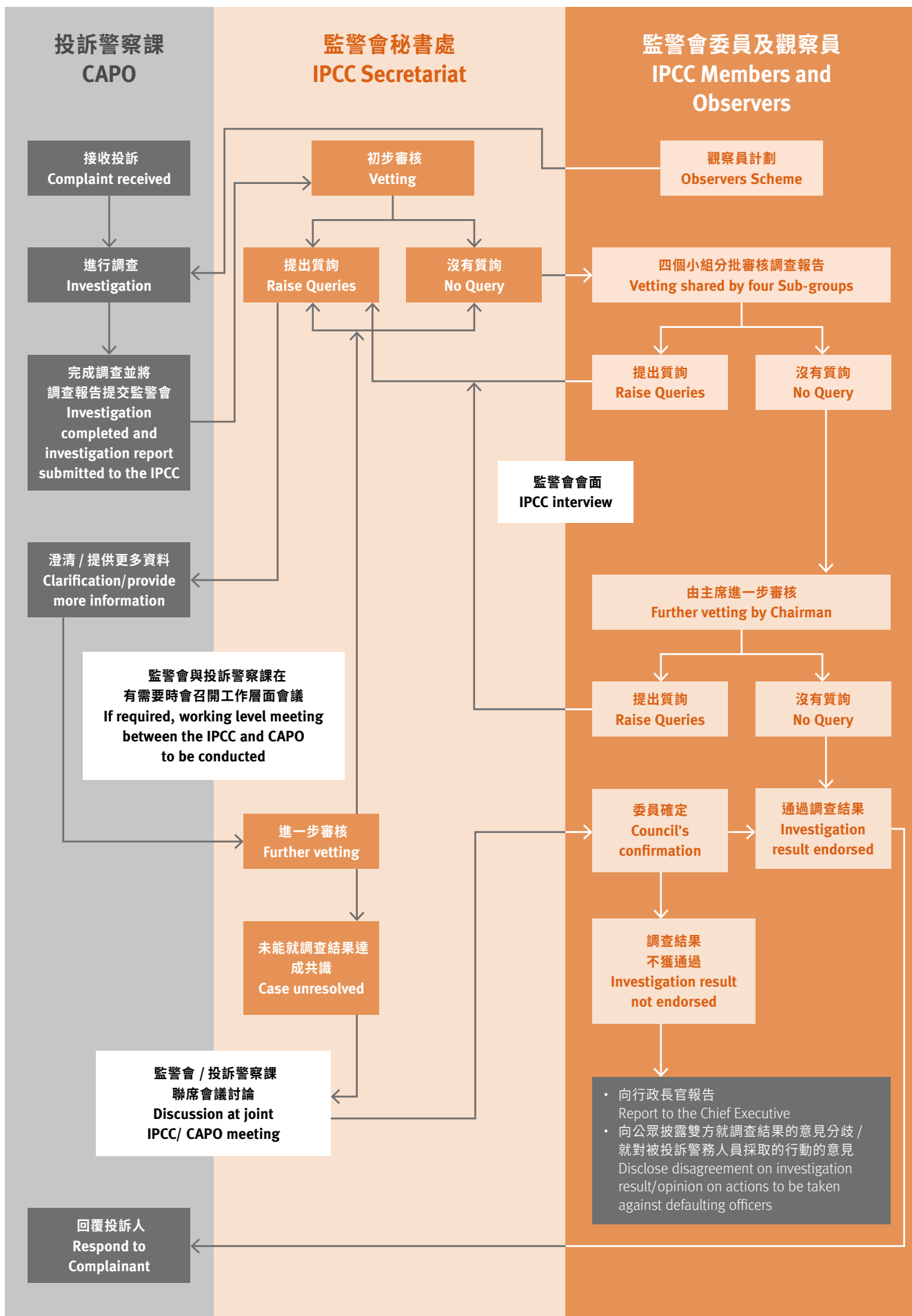
如監警會最終未能與投訴警察課達成共識而決定不通過某宗投訴個案的調查結果，可向行政長官報告和／或向公眾披露雙方對調查結果的意見分歧。

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.

The IPCC also administers an Observers Scheme to discharge its monitoring function, so as to ensure that the interviews and collection of evidence conducted by CAPO during investigation are handled in a fair and impartial manner. In addition, the IPCC may decide on a case-by-case basis to interview Complainants, Complainees, witnesses or other persons concerned with a view to assisting Members in understanding the complaints and clarifying any matter in doubt. Both powers will enable the IPCC to perform its statutory functions more effectively.

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 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。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，出席和觀察投訴警察課的上述工作。

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。

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。

The Observers Scheme was introduced in 1996 to strengthen the IPCC's monitoring function. Under the Scheme, Observers appointed by the Secretary for Security may attend interviews and observe 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 pre-arranged observations, Observers can also attend and observe investigations by CAPO without making 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.



截至2020年3月31日，
監警會共有120名觀察員。

As of 31 March 2020, there were 120 IPCC Observers.

觀察員的委任

《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

Appointment of Observers

Section 33 of IPCCO

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

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

監警會觀察員
IPCC Observer

投訴警察課
CAPO Officer

被投訴人
Complainant



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：

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:

1 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」。

2 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」。

3 無法完全證明屬實

如投訴人的指控有若干可靠的證據支持，但這些證據未能充分證明投訴屬實，指控會被列為「無法完全證明屬實」。

4 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」。

5 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。

6 虛假不確

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，抑或不合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「虛假不確」時，投訴警察課會視乎情況，徵詢律政司的意見，考慮控告投訴人誤導警務人員。



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：

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

1 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。

2 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。

3 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。

4 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。

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

1974

行政立法兩局非官守議員警方投訴事宜常務小組

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

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

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 then 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.

1986

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。

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.

1994

投訴警方獨立監察委員會 (警監會—成為獨立法定機構前)

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日的立法會議會上撤回條例草案。

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.

2004 – 2009

獨立監察警方處理投訴委員會 (監警會—成為獨立法定機構後)

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 – 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 for 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.



2

監察投訴處理 Monitoring the Handling of Complaints

調查報告及指控數字

Number of investigation reports and allegations

接獲及通過的須匯報投訴個案數字

Number of Reportable Complaint cases received and endorsed

	2019/20	2018/19
接獲的須匯報投訴個案 Reportable Complaint cases received	1,478	1,521
通過的須匯報投訴個案 Reportable Complaint cases endorsed	1,293	1,527

在本報告期內（2019年4月1日至2020年3月31日），監警會共接獲投訴警察課1,478宗新的須匯報投訴個案的調查報告，按年下降2.8%。

同期，監警會通過了1,293宗須匯報投訴個案的調查結果（包括55宗覆檢個案），按年下降15.3%。除了覆檢個案外，涉及的指控有2,209項，按年下降10.4%，其中主要的三項指控依次序為「疏忽職守」、「行為不當／態度欠佳／粗言穢語」及「毆打」。

During the reporting period (1 April 2019 to 31 March 2020), the IPCC received reports from CAPO on the investigation of 1,478 new Reportable Complaint cases, which represented a decrease of 2.8% compared to last year.

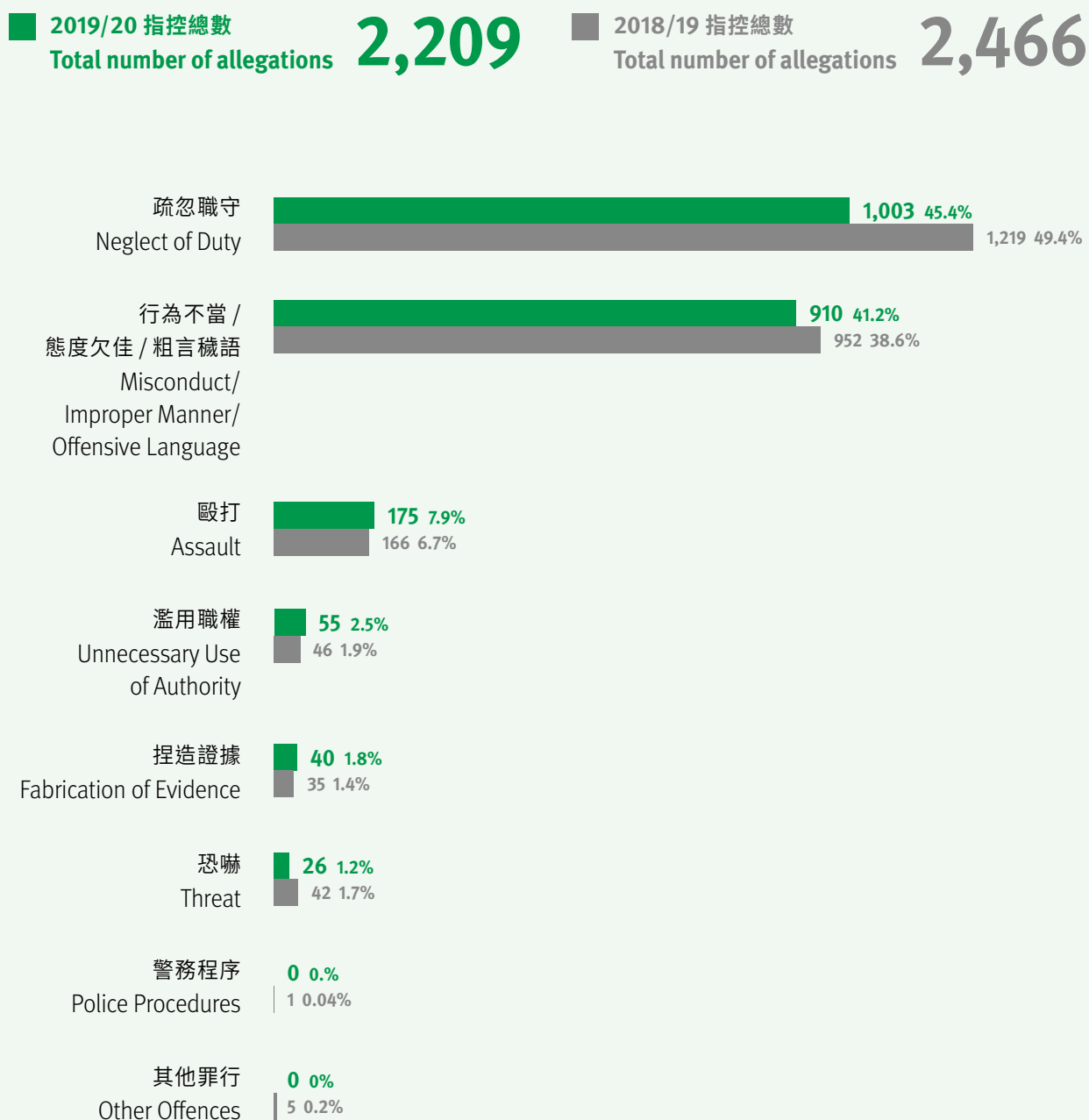
In the same period, the IPCC endorsed the results of investigations for 1,293 Reportable Complaint cases (including 55 reviewed cases), a decrease of 15.3% compared to the previous year. There were a total of 2,209 allegations, excluding the reviewed cases, a decrease of 10.4% compared to last year. 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):

監警會通過的指控

Allegations endorsed by the IPCC



註：由於進位原因，百分率的總和可能未必是100%。
年度數字截至該年度的3月31日。

Note: Percentage shares may not add up to exactly 100% due to rounding of figures.
Figures are as at 31 March of the respective reporting year.

調查結果

Investigation results

在2019/20年度獲通過的2,209項指控中，經全面調查的指控有797項，當中57項被列為「獲證明屬實」，佔所有經全面調查指控的7.2%。19項被列為「未經舉報但證明屬實」（佔2.4%），2項被列為「無法完全證明屬實」（佔0.3%），257項被列為「無法證實」（佔32.2%），403項被列為「並無過錯」（佔50.6%），59項則被列為「虛假不確」，佔總數的7.4%。

在其餘的1,412項無需進行全面調查的指控中，202項「透過簡便方式解決」，佔無需進行全面調查指控中的14.3%。462項被列為「投訴撤回」（佔32.7%），748項被列為「無法追查」（佔53.0%）。沒有指控被列為「終止調查」。

Of the 2,209 allegations endorsed in 2019/20, 797 were fully investigated. Of these, 57 (7.2% of fully investigated allegations) were classified as “Substantiated”; 19 (2.4%) as “Substantiated Other Than Reported”; 2 (0.3%) as “Not Fully Substantiated”; 257 (32.2%) as “Unsubstantiated”; 403 (50.6%) as “No Fault” and 59 (7.4%) as “False”.

Of the remaining 1,412 allegations which did not require full investigation, 202 (14.3% of those not fully investigated) were “Informally Resolved”; 462 (32.7%) were classified as “Withdrawn”; 748 (53.0%) as “Not Pursuable”. There was no allegation being classified as “Curtailed”.



2018/19和2019/20年度的調查結果數據比較可見下表：

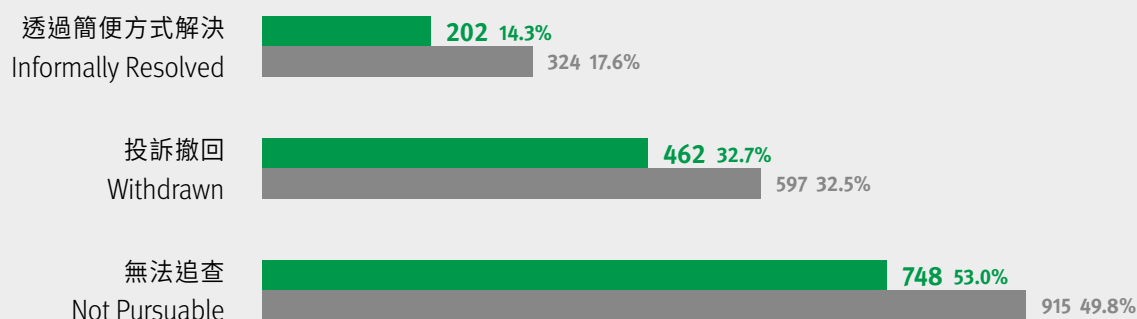
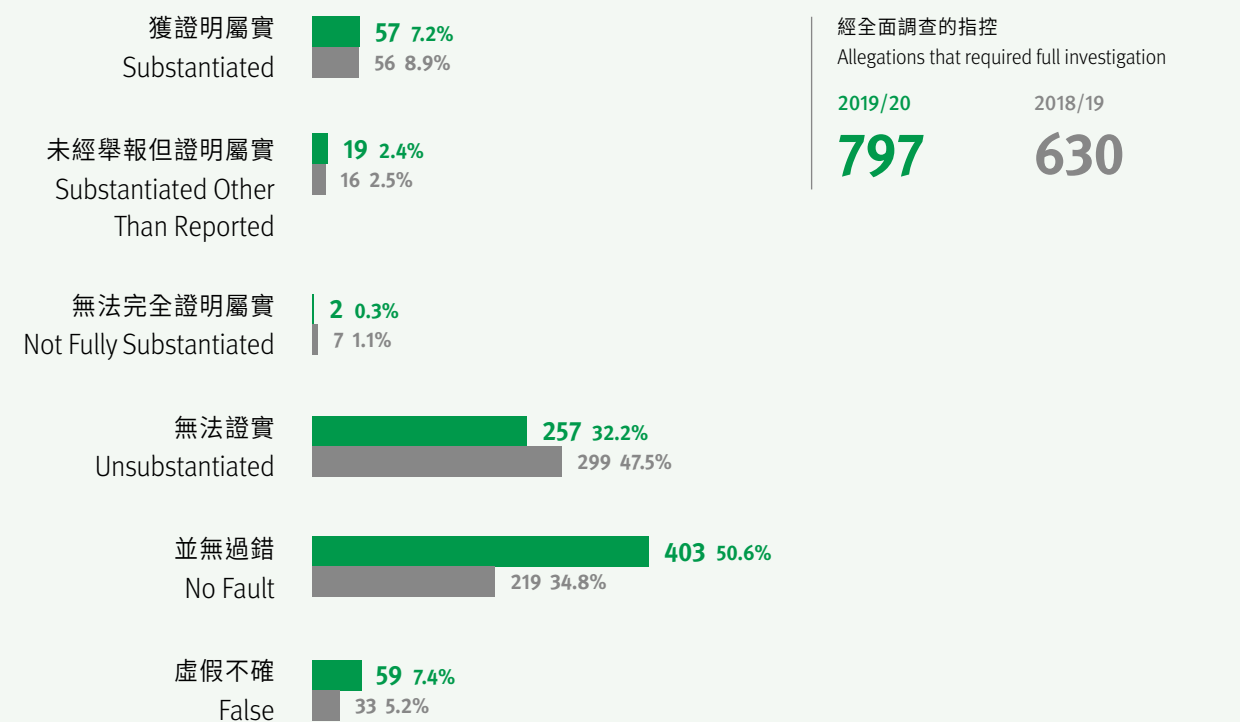
The following table shows a comparison of the figures regarding investigation results between 2018/19 and 2019/20:

監警會通過的調查結果

Investigation results endorsed by the IPCC

2019/20 指控總數 **2,209** Total number of allegations

2018/19 指控總數 **2,466** Total number of allegations



註：由於進位原因，百分率的總和可能未必是100%。
年度數字截至該年度的3月31日。

Note: Percentage shares may not add up to exactly 100% due to rounding of figures.
Figures are as at 31 March of the respective reporting year.

監警會通過的須匯報投訴個案的指控數字（根據性質和調查結果劃分）

Number of allegations involved in the Reportable Complaint cases endorsed by the IPCC (by nature and by results of investigations)

年份 Year	疏忽職守 Neglect of Duty		行為不當 / 態度欠佳 / 粗言穢語 Misconduct/ Improper Manner/ Offensive Language		毆打 Assault		濫用職權 Unnecessary Use of Authority	
	2019/20	2018/19	2019/20	2018/19	2019/20	2018/19	2019/20	2018/19
經全面調查的指控 Allegations that required full investigation								
獲證明屬實 Substantiated	41	41	15	14	0	0	1	1
未經舉報 但證明屬實 Substantiated Other Than Reported	17	16	1	0	0	0	1	0
無法完全證明 屬實 Not Fully Substantiated	1	3	0	2	1	1	0	0
無法證實 Unsubstantiated	76	123	147	145	19	14	9	13
並無過錯 No Fault	281	161	91	38	2	5	24	13
虛假不確 False	8	0	14	5	13	11	1	0
小計 Subtotal	424	344	268	204	35	31	36	27
無需進行全面調查的指控 Allegations that did not require full investigation								
透過簡便方式 解決 Informally Resolved	79	149	123	175	0	0	0	0
投訴撤回 Withdrawn	216	324	201	212	29	38	6	4
無法追查 Not Pursuable	284	402	318	361	111	97	13	15
小計 Subtotal	579	875	642	748	140	135	19	19
總數 Total	1,003	1,219	910	952	175	166	55	46

捏造證據 Fabrication of Evidence		恐嚇 Threat		警務程序 Police Procedures		其他罪行 Other Offences		總數 Total	
2019/20	2018/19	2019/20	2018/19	2019/20	2018/19	2019/20	2018/19	2019/20	2018/19
0	0	0	0	0	0	0	0	57	56
0	0	0	0	0	0	0	0	19	16
0	1	0	0	0	0	0	0	2	7
0	1	6	2	0	0	0	1	257	299
3	1	2	0	0	0	0	1	403	219
21	15	2	1	0	0	0	1	59	33
24	18	10	3	0	0	0	3	797	630
0	0	0	0	0	0	0	0	202	324
7	5	3	12	0	0	0	2	462	597
9	12	13	27	0	1	0	0	748	915
16	17	16	39	0	1	0	2	1,412	1,836
40	35	26	42	0	1	0	5	2,209	2,466

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80名警務人員需接受紀律聆訊或其他內部行動，涉及60宗個案。分項數字見下表：

In this reporting year, disciplinary proceedings or internal actions were taken against 80 police officers regarding 60 cases endorsed by the IPCC. The following table shows the breakdown of figures:

警方於 2018/19 及 2019/20 年度就監警會通過的投訴個案 向違規的警務人員採取的行動

Police actions taken against defaulting officers regarding cases endorsed by the IPCC during 2018/19 and 2019/20

	人員數目 Number of officers	
	2019/20	2018/19
A 刑事訴訟 Criminal proceedings	0	0
B 紀律覆檢 Disciplinary review	2	6
C 其他內部行動 Other internal actions		
警告 Warnings	25	15
訓諭 Advice	53	60
總數 Total	80	81

註：2018/19年度的數字已因應部分個案覆核後，予以調整。

Note: Figures for 2018/19 have been adjusted following case reviews.

向投訴警察課提出質詢

Queries raised with CAPO

在2019/20年度，監警會向投訴警察課合共提出1,244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，以及監警會就警方的工作常規或程序提供改善建議等。

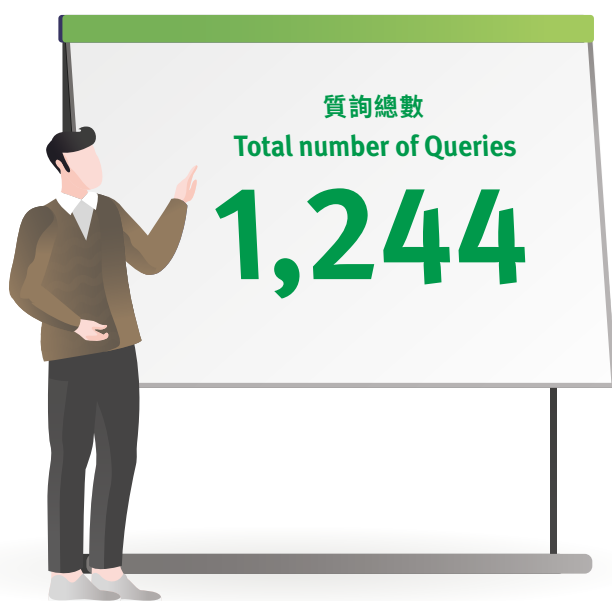
根據《監警會條例》，投訴警察課必須回覆監警會的質詢。每當監警會收到投訴警察課的回覆，審核團隊會研究當中的資料、解釋及觀點，然後提交予委員組成的審核小組考慮是否接納其回覆。有需要時，監警會可以就同一事項向投訴警察課再提出質詢，或將事項提交到工作層面會議上和投訴警察課商討，直至監警會滿意其解釋，才會通過該宗投訴個案。

報告期內，共有747項質詢需要再作跟進，其餘的質詢則經由監警會再質詢或雙方開會討論後，得到滿意解釋及解決。

The IPCC raised a total of 1,244 Queries to CAPO in 2019/20. These Queries included various requests to CAPO, for example, changing the content of the investigation reports, providing more information and clarification regarding the reports, and the IPCC making improvement recommendations on the Police practices and procedures, etc.

According to the IPCCO, CAPO must reply to 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-groups 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, there were 747 Queries requiring further actions. The remaining Queries were given satisfactory explanation and resolved after further Queries by the IPCC or discussion with CAPO at meetings.



監警會
IPCC



投訴警察課
CAPO

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		需要再作跟進的質詢 Number of Queries requiring further actions		
	1,244		747	
	質詢總數 Total number of Queries		需要再作跟進的質詢 Number of Queries requiring further actions	
年份 Year	2019/20	2018/19	2019/20	2018/19
質詢性質 Nature of Queries				
調查結果分類 Classification of investigation results	361	258	212	147
改善警隊常規和程序的建議 Recommended improvements to police practices and procedures	17	23	16	19
遵從警務常規和程序 Compliance with police practices and procedures	8	14	3	3
行使警權的理由 Reasons for exercising police power	2	9	1	0
對處理違規人員的行動提出意見 Comments on actions against defaulting officers	16	14	12	11
澄清調查報告資料 Clarification of information in investigation reports	628	301	398	202
調查透徹度 Investigation thoroughness	155	107	77	59
其他質詢 Other Queries	57	51	28	33
總數 Total	1,244	777	747	474

調查結果分類

監警會在2019/20年度就調查結果分類提出361項質詢，而投訴警察課需要再作跟進的質詢共有212項，因此予以修正調查結果的指控有220項，包括：

Classification of investigation results

A total of 361 Queries were raised by the IPCC in 2019/20 regarding the classification of findings, of which 212 required further actions by CAPO and in consequence, the investigation results of 220 allegations were reclassified, including:

23	項 reclassified from	「無法證實」 “Unsubstantiated”	改列為 → to	「獲證明屬實」 “Substantiated”
10	項 reclassified from	「並無過錯」 “No Fault”	改列為 → to	「獲證明屬實」 “Substantiated”
1	項 reclassified from	「無法追查」 “Not Pursuable”	改列為 → to	「獲證明屬實」 “Substantiated”
3	項 reclassified from	「投訴撤回」 “Withdrawn”	改列為 → to	「獲證明屬實」 “Substantiated”
17	項 reclassified from	「並無過錯」 “No Fault”	改列為 → to	「無法證實」 “Unsubstantiated”
69	項 reclassified from	「無法證實」 “Unsubstantiated”	改列為 → to	「並無過錯」 “No Fault”
6	項 reclassified from	「無法追查」 “Not Pursuable”	改列為 → to	「虛假不確」 “False”

更改分類的詳細數據請參考下表：

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

原來分類 Original classification	最後分類 Final classification							總數 Total
	獲證明屬實 Substantiated	無法完全 證明屬實 Not Fully Substantiated	無法證實 Unsubstantiated	並無過錯 No Fault	虛假不確 False	無法追查 Not Pursuable	投訴撤回 Withdrawn	
獲證明屬實 Substantiated	–	0	1	0	0	0	0	1
無法完全 證明屬實 Not Fully Substantiated	1	–	0	0	0	0	0	1
無法證實 Unsubstantiated	23	1	–	69	5	3	0	101
並無過錯 No Fault	10	0	17	–	9	6	3	45
虛假不確 False	0	0	0	0	–	2	0	2
無法追查 Not Pursuable	1	1	1	38	6	–	3	50
投訴撤回 Withdrawn	3	0	0	17	0	0	–	20
總數 Total	38	2	19	124	20	11	6	220

此外，監警會年內通過了19項「未經舉報但證明屬實」的指控，當中有五項是經監警會提出質詢後而增加的。另外有八宗事件記錄為「旁支事項」*。

Moreover, the IPCC endorsed 19 counts of “Substantiated Other Than Reported” allegations; of these, five were registered after the IPCC raised Queries. Another eight incidents were recorded as “Outwith” matters*.

*「旁支事項」是指任何違反紀律或警隊通令的事項。這些事項在調查過程中被披露，但與投訴內容並無密切關係。

* An “Outwith” matter refers to any breach of discipline or Police Force orders that has been disclosed in the course of a complaint investigation but is not closely related to the complaint.

改善警隊常規和程序的建議

根據《監警會條例》第8條(1)(c)，監警會可就警隊常規或程序中引致或可能引致投訴的缺失或不足之處，向警務處處長和/或行政長官作出建議。報告期內，監警會就改善警隊常規和程序作出了17項建議。

Recommended improvements to police practices and procedures

Under section 8(1)(c) of the IPCCO, the IPCC may make recommendations to the Commissioner of Police and/or the Chief Executive if it identifies any fault or deficiency in a police practice or procedure that has led to or might lead to a complaint. During this reporting period, the IPCC suggested 17 improvement measures to the Police.

遵從警務常規和程序

監警會可向投訴警察課提出質詢，以確定投訴個案涉及的警務人員在行使職權時，是否已遵從有關警務常規和程序。報告期內，屬於這類的質詢共有八項。

Compliance with police practices and procedures

The IPCC may raise Queries with CAPO to ascertain 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, eight Queries were raised under this category.

行使警權的理由

監警會亦關注警務人員在執勤時的警權運用。報告期內，監警會就警務人員在運用警權時的理據提出兩項質詢。

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 two Queries with respect to reasons for the use of police power.

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16項質詢。

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 16 Queries on such actions during the reporting period.

澄清調查報告資料

報告期內，監警會就投訴調查報告內含糊不清的地方，共提出了628項質詢，例如要求投訴警察課就投訴的背景提供更多資料。

Clarification of information in investigation reports

During this reporting period, the IPCC raised 628 Queries regarding the ambiguous points in investigation reports. For example, CAPO was requested to provide more background information of complaint cases.

調查透徹度

報告期內，監警會共提出155項有關調查透徹程度的質詢，即要求投訴警察課就調查採取更深入的行動，例如會見證人和收集更多證據等。

Investigation thoroughness

During this reporting period, the IPCC raised 155 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，審核時間亦較長。

審核個案的平均所需日數由2018/19年度的78天上升至2019/20年度的125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 scrutinise this type of complaint cases.

The average number of days required to examine an investigated case increased from 78 days in 2018/19 to 125 days in 2019/20.

觀察員計劃

Observers Scheme

2019/20 觀察總數

Total number of observation

2,127

2018/19 觀察總數

Total number of observation

1,874

2019/20年度，監警會的委員及觀察員共進行了2,127次觀察，較去年上升13.5%，當中預先安排的有2,117次，未經預約的有10次。在2,127次觀察中，有1,496次是觀察會面，其餘631次是觀察證據收集的工作。

Under the Observers Scheme, 2,127 observations were conducted by Members and Observers of the IPCC in the year 2019/20, representing a 13.5% increase compared to last year. Among them, 2,117 were scheduled observations and 10 were conducted without prior appointment. Of the 2,127 observations, 1,496 involved the conducting of interviews and 631 involved the collection of evidence.

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

	2019/20	2018/19
預先安排 Scheduled	2,117	1,841
未經預約 Without prior appointment	10	33
總數 Total	2,127	1,874

觀察會面和證據收集工作的分項數字 Number of observations of interviews and collection of evidence

	2019/20	2018/19
觀察會面 Interviews	1,496	1,629
證據收集 Collection of evidence	631	245
總數 Total	2,127	1,874

投訴警察課的通知 Notifications from CAPO

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

	2019/20	2018/19
出席觀察 Observations attended	2,127	1,874
接獲通知 Notifications received	2,204	1,969
出席比率 (觀察 / 接獲通知) Attendance rate (Observations / Notifications received)	96.5%	95.2%

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2019/20年度，監警會接獲投訴警察課2,204次通知。

在本報告期內，監警會觀察員出席了2,127次觀察，包括觀察會面和證據收集，佔整體通知的96.5%，出席比率較去年上升了1.3%。

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 2019/20, 2,204 notifications were received from CAPO.

During this reporting period, IPCC Observers attended 2,127 observations, including interviews and the collection of evidence, comprising 96.5% of the notifications received. The attendance rate increased by 1.3% 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

	2019/20	2018/19
經監警會審核的須知會投訴個案 Notifiable Complaint cases examined by the IPCC	1,686	617
重新歸類為須匯報投訴 Cases re-categorised as Reportable Complaints	6	2

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，投訴警察課亦需重新考慮該宗投訴的歸類。

在報告期內，監警會審核了1,686宗須知會投訴的個案撮要，較去年同期上升173.3%。經審核後，其中六宗投訴個案應監警會建議被重新歸類為須匯報投訴。

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

During the reporting period, summaries of 1,686 Notifiable Complaints were examined by the IPCC, an increase of 173.3% compared to the previous year. After examination, six 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年引入表達不滿機制，在正式投訴程序以外，為投訴人提供處理輕微投訴的另一項選擇。

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

在報告期內，監警會共檢視了528宗經由表達不滿機制處理的個案，較去年下跌了25.6%。經監警會審核後，其中三宗個案應監警會建議被重新歸類為須匯報投訴。

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

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

During the reporting period, the IPCC examined 528 EDM cases, a decrease of 25.6% compared to the previous year. Among these cases, three 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

	2019/20	2018/19
經監警會審核的表達不滿機制個案 EDM cases examined by the IPCC	528	710
重新歸類為須匯報投訴 Cases re-categorised as Reportable Complaints	3	8
重新歸類為須知會投訴 Cases re-categorised as Notifiable Complaints	0	1

註：2018/19年度的數字已因應部分個案經審視後，予以調整。
Note: Figures for 2018/19 have been adjusted following case examination.

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52,335宗公眾透過電話、郵寄、電郵、傳真及親臨的查詢。除部分與監警會無直接關係的查詢外，其餘有關大型公眾活動、兩層架構投訴警察制度，包括投訴個案和觀察員計劃等查詢或意見，會方均已按服務承諾的時間回覆及適時跟進。

In order to enhance transparency, the IPCC has set up various channels for the public to put up enquiries or express their opinion. During the reporting period, the IPCC received 52,335 public enquiries via telephone, post, email, fax and in person. Excluding enquiries that are not directly related to the IPCC, those regarding the public order events, 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.



3

**真實投訴個案及
改善建議**

**Complaint
Cases and
Recommended
Improvements**

不恰當地使用收集所得的個人資料作私人用途 Used personal data collected inappropriately for private purposes

	指控 Allegation	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	行為不當 Misconduct	警員 Police Constable	獲證明屬實 Substantiated	獲證明屬實 Substantiated
2	行為不當 Misconduct		-	未經舉報但證明屬實 Substantiated Other Than Reported

個案背景

投訴人致電「999」報案，指她的妹妹焦慮症復發，並在住所內攻擊投訴人。被投訴人與其他警務人員到達現場。調查期間，投訴人向被投訴人提供其香港身份證號碼及手提電話號碼，以作紀錄。經調查後，投訴人的妹妹被送往醫院接受治療。

其後，投訴人接獲數十通來自多個不明電話號碼的來電及 WhatsApp 訊息。投訴人接聽了其中一通來電，電話中的男子告訴投訴人其名字，並稱他是當日處理投訴人報案的警務人員之一（註：在投訴警察課調查期間，被投訴人承認他是致電投訴人的男子）。他亦向投訴人表示可協助她處理家事。是次通話後，投訴人繼續收到來自不同電話號碼的來電及 WhatsApp 訊息。投訴人注意到，這些電話號碼的 WhatsApp 帳號顯示了被投訴人的名字或外貌，因此相信所有電話及訊息均來自被投訴人。

數天後投訴人回家時，一名保安員遞給她一張字條，指一名警務人員曾致電保安室，留下其姓氏及電話號碼，並要求保安員請投訴人回電（註：投訴警察課發現字條上的電話號碼是被投訴人曾用過的，但姓氏不屬於被投訴人，而是屬於他的同袍，該名警務人員之前亦曾與被投訴人一起到過投訴人住所處理投訴人的報案）。投訴人沒有理會字條，也沒有回電。

投訴人感到遭電話和訊息滋擾，隨即作出投訴，指被投訴人濫用她的個人資料，透過手提電話聯絡她，並試圖追求她【指控一：行為不當】。

Case background

The Complainant (COM) made a “999” report that her younger sister relapsed into an anxiety disorder and attacked COM at their residence. The Complainee (COMEE) and other police officers attended the scene. During enquiry, COM provided her Hong Kong Identity Card number and her mobile phone number to COMEE for record purpose. After enquiry, COM’s sister was sent to hospital for medical treatment.

COM later received dozens of calls and WhatsApp messages from different unknown phone numbers. COM picked up one of the calls, in which a male told COM his name and said he was one of the officers who had handled COM’s report earlier that day (note: during CAPO’s investigation, COMEE admitted that he was the male calling COM). He also told COM that he could help her deal with her family matters. After this call, COM continued to receive phone calls and WhatsApp messages from different telephone numbers. COM noticed that the WhatsApp accounts of these phone numbers either showed COMEE’s name or COMEE’s appearance. COM thus believed that all these phone calls and messages were from COMEE.

A few days later, when COM returned home, a security guard gave her a note and stated that a police officer called at the security post earlier leaving his surname and phone number and requested the security guard to ask COM to call back (note: CAPO found that the phone number on the note was a number used by COMEE. The surname, however, did not belong to COMEE. Instead, it belonged to his colleague who attended COM’s residence together with COMEE to handle COM’s police report earlier). COM ignored the note and did not return call.

Disturbed by the calls and messages, COM lodged the instant complaint alleging that COMEE had misused her personal data by contacting her through mobile phone and trying to court her [Allegation 1: Misconduct].

投訴人作出投訴後，開始收到一些由其他不明電話號碼發出的追債訊息，但她和家人均無欠債。

After lodging the complaint, COM started to receive some dunning messages from other unknown phone numbers, but neither she nor her family members were in debt.

投訴警察課的調查

被投訴人承認，為了追求投訴人，曾透過不同電話號碼致電並發送訊息給她。他自動請纓向投訴人表示可幫忙處理其家事，是希望與她交朋友並保持聯繫。被投訴人亦承認曾致電保安室及向保安員留下訊息，請投訴人回電。但他否認曾使用同袍的姓氏來表明自己的身份，或在投訴人作出投訴後使用其他電話號碼向投訴人發送追債訊息。就該些發送給投訴人的追債訊息，投訴警察課的調查顯示它們是經由沒有用戶登記資料的預付電話卡發送，並無證據顯示被投訴人與這些電話有關。

根據《警察通例》，除非取得資料當事人的訂明同意，以及基於收集資料的原本目的或與該目的直接相關的目的，否則警務人員不得使用在執行公務期間所收集得來的個人資料。

根據投訴人的投訴資料、電話和 WhatsApp 訊息紀錄，以及被投訴人承認指控，投訴警察課認為被投訴人違反《警察通例》，濫用投訴人的個人資料展開追求，於是把指控一分類為「獲證明屬實」。鑑於該行為不當的嚴重性，投訴警察課認為有必要對被投訴人展開紀律覆檢。

監警會的觀察

監警會同意投訴警察課指控一的調查結果，同時要求投訴警察課調查透過保安員交給投訴人的字條。被投訴人的電話號碼通話紀錄顯示，在有關時間內有一通電話從他的電話號碼撥打至投訴人寓所大廈的保安室，而保安員同時在字條上記下了尋找投訴人的來電者提供的電話號碼，該電話號碼屬於被投訴人。因此，監警會認為儘管被投訴人否認了指控，但有證據證明被投訴人曾假扮其同袍，試圖通過保安員聯絡投訴人。

因此，監警會要求投訴警察課對被投訴人新增一項「未經舉報但證明屬實」的指控（指控二），而被投訴人的紀律覆檢亦須處理這項「行為不當」的指控。投訴警察課同意監警會的意見。監警會通過上述的指控分類及對被投訴人的懲處。

CAPO's investigation

COMEE admitted that he had called and sent messages to COM through some different phone numbers in order to court her. By offering COM his assistance in dealing with her family matters, he wished to make friend and to maintain contact with her. COMEE also admitted having called at the security post and left a message to the security guard for COM's return call. He, however, denied having used the surname of his colleague in identifying himself or used other phone numbers to send debt collecting messages to COM after COM had lodged the complaint. As to the debt collecting messages sent to COM, CAPO's enquiry revealed that they were sent from prepaid SIM cards which had no subscriber information. There was no evidence to prove the connection between COMEE and those phone calls.

According to the Police General Orders, a police officer shall not use personal data collected during the execution of official duties for any purposes other than for which they were collected or a purpose directly related to that purpose, unless prescribed consent has been obtained from the data subject.

Based on COM's complaint information, the records of the phone calls and WhatsApp messages and COMEE's admission to the allegation, CAPO concluded that COMEE breached the Police General Orders by misusing COM's personal data to court her and classified Allegation 1 as "Substantiated". Given the seriousness of the misconduct, CAPO considered that a disciplinary review against COMEE was warranted.

IPCC's observation

While agreeing with CAPO's finding on Allegation 1, the IPCC requested CAPO to address the note given to COM through the security guard. The call record of COMEE's phone number indicated that there was a call made from his phone number to the security post of COM's building at the material time, and the security guard had contemporaneously jotted down on the note the phone number provided by the caller looking for COM, which belonged to COMEE. The IPCC therefore considered that despite COMEE's denial of the allegation, there was evidence showing that COMEE had pretended to be his colleague in his attempt to contact COM via the security guard.

The IPCC thus recommended that CAPO register one count of "Substantiated Other Than Reported" (Allegation 2) against COMEE, and address such misconduct in the disciplinary review against COMEE as well. CAPO subscribed to the IPCC's view. The IPCC endorsed the aforementioned classifications of the allegations and the penalty awarded to COMEE.

未有妥善更新「通緝人士」紀錄 Failing to maintain the “Wanted Person” records properly

	指控 Allegation	被投訴人 Complainee(s)	投訴警察課的原本分類 Original classification(s) by CAPO	最終分類 Final classification(s)
1	疏忽職守 Neglect of Duty	文書助理 Clerical Assistant	獲證明屬實 Substantiated	獲證明屬實 Substantiated

個案背景

投訴人起初因違反輕微交通條例後未有繳付罰款而被警方列入「通緝名單」。最後，投訴人繳清罰款，法庭亦隨即以備忘錄通知警方中央交通違例檢控組，將投訴人從「通緝名單」中移除。中央交通違例檢控組一名隸屬警隊的文書助理負責跟進。

數年後，投訴人向警方報失財物。警方發現投訴人是一名被通緝人士，遂拘捕投訴人未有支付罰款。後經與中央交通違例檢控組澄清，法庭早已取消投訴人的通緝令，投訴人獲無條件釋放。

投訴人作出投訴，指控文書助理（被投訴人）在他清繳罰款後，未有將他從「通緝名單」中移除【指控：疏忽職守】。

投訴警察課的調查

投訴人其後決定撤回投訴。鑑於個案有表面證據支持，投訴警察課遂繼續調查。當與投訴警察課會面時，被投訴人承認，她在接獲法庭的備忘錄時，忽略了電腦系統中顯示投訴人被列作「通緝」。因此，她並未將此事通知她的上司，亦未有向刑事紀錄科提出將投訴人從「通緝名單」中移除。

投訴警察課將該指控分類為「獲證明屬實」，並建議被投訴人須接受警告，但無須將事件記入其分區報告檔案中。

Case background

The Complainant (COM) was initially placed on the “Wanted List” by the Police for an outstanding fine payment stemming from a conviction in relation to minor traffic offence. COM eventually settled the payment and the court informed the Central Traffic Prosecution Division (CTPD) of Police by memorandum to remove COM from the “Wanted List”. The Clerical Assistant (CA) at CTPD, a member of the Force, was responsible for following up on this action.

A few years later, COM made a lost property report to the Police. The Police noticed COM’s wanted status and arrested COM for non-payment of fine. Upon clarification with CTPD that the warrant against COM had already been cancelled by the court, COM was released unconditionally.

COM lodged the instant complaint alleging that the CA (COMEE) had failed to remove him from the “Wanted List” after he had settled the outstanding fine payment [Allegation: Neglect of Duty].

CAPO’s investigation

COM later on decided to withdraw the complaint. Given that the case was supported by prima facie evidence, CAPO proceeded with the investigation. When interviewed by CAPO, COMEE admitted that she had overlooked COM’s “Wanted” status in the computer system when she received the memorandum from the court. Thus, she did not notify her supervisor of the matter nor did she request the Criminal Records Bureau to remove COM from the “Wanted List”.

CAPO classified the allegation as “Substantiated” and proposed a “Warning without Divisional Record File (DRF) Entry” against COMEE.

監警會的觀察

監警會認同上述指控的分類。不過，監警會認為，被投訴人所犯錯誤嚴重，導致投訴人被「通緝」數年，最終令投訴人遭受不必要的拘捕。因此，應提高對被投訴人的處分，以充分反映事件的嚴重性。

投訴警察課接納監警會的意見，鑑於被投訴人的嚴重疏忽，將其處分提高至「書面警告」。

為解決程序上的明顯不足之處，中央交通違例檢控組亦推出了以下改善措施：(1) 所有法庭取消備忘錄須先送交至主管（即註冊處主管）以作分配；(2) 中央交通違例檢控組的當值警員將查核電腦系統，以確保已執行刪除操作。

IPCC's observation

The IPCC agreed with the classification of the allegation. Nevertheless, the IPCC was of the view that COMEE's mistake was serious as it had caused COM to remain on the "Wanted List" for several years, which eventually resulted in the unnecessary arrest of COM. As a result, the level of action against COMEE should be escalated to sufficiently reflect the seriousness of the incident.

CAPO subscribed to the IPCC's view and escalated the level of action to "Written Warning" in light of the severity of COMEE's negligence.

In order to address the apparent shortfall in the procedure, CTPD also took the initiative to introduce the following enhancement measures: (1) all court cancellation memorandum should be routed to the supervisor first (i.e. the Officer-in-charge of the Registry) for assignment; (2) a duty Police Constable at CTPD would cross check the computer system and ensure the deletion actions have been taken.

未有在時限內就不小心駕駛提出檢控 Failing to file prosecution for careless driving within the time bar period

	指控 Allegation	被投訴人 Complainee(s)	投訴警察課的原本分類 Original classification(s) by CAPO	最終分類 Final classification(s)
1	疏忽職守 Neglect of Duty	督察 Inspector	獲證明屬實 Substantiated	獲證明屬實 Substantiated

個案背景

投訴人駕駛一輛小巴在道路上行駛，一輛私家車突然從支路駛出，與投訴人的小巴相撞。在等候警方到場期間，投訴人注意到私家車內有一名乘客（被捕人一）在私家車司機（被捕人二）旁邊。警方調查期間，被捕人一聲稱自己是該私家車的司機。投訴人立即向警務人員指出，被捕人二才是肇事司機。因此，被捕人一及二因「串謀妨礙司法公正」被捕。由於被捕人二並未持有有效駕駛執照，被捕人二亦因「駕駛時無駕駛執照」及「駕駛時無第三者保險」被捕。

警區刑事調查隊負責調查「串謀妨礙司法公正」的刑事罪行，而一名意外調查隊的督察則獲指派為案件主管，負責調查與交通違例相關的罪行。

經初步調查，有證據顯示被捕人二干犯了「不小心駕駛」、「駕駛時無駕駛執照」及「駕駛時無第三者保險」。該名督察將該交通案件轉交刑事調查隊，以便就全部三項交通罪行連同「串謀妨礙司法公正」的刑事罪行，一併徵詢律政司的法律意見。

律政司審閱個案文件後發現，被捕人二就「不小心駕駛」所提供的警誡供詞缺少了一頁，要求警方補上該缺頁，並重新呈交該案件，以供進一步考慮。根據律政司指示，待被捕人二的刑事案件結束後，可能會起訴他「不小心駕駛」。因此，律政司以「串謀妨礙司法公正」罪起訴被捕人一及二，並以「駕駛時無駕駛執照」及「駕駛時無第三者保險」罪起訴被捕人二。經審訊後，針對被捕人一及二的各項控罪均被裁定罪名成立。

Case background

The Complainant (COM) was driving a minibus on a road when a private car suddenly emerged from a slip road and crashed with COM's minibus. While waiting for the Police, COM noticed that there was a passenger (AP1) in the private car besides the driver (AP2). During Police investigation, AP1 claimed himself was the driver of the private car. COM immediately pointed out to the police officer that AP2 instead of AP1 was the driver. As a result, AP1 and AP2 were arrested for "Conspiracy to Pervert the Course of Justice". As AP2 did not hold a valid driving licence, AP2 was also arrested for "Driving Without a Driving Licence" and "Driving Without Third Party Insurance".

District Investigation Team was responsible for making enquiry into the criminal offence of "Conspiracy to Pervert the Course of Justice" whereas an Inspector (IP) from the Accident Investigation Team was assigned as the Officer-in-charge for investigation of the traffic-related offences.

After initial investigation, evidence revealed that AP2 had committed "Careless Driving", "Driving Without a Driving Licence" and "Driving Without Third Party Insurance". The IP referred the traffic case to the crime team for seeking legal advice from Department of Justice (DoJ) on the three traffic offences together with the criminal offence of "Conspiracy to Pervert the Course of Justice".

Having examined the case documents, DoJ found that one page of AP2's cautioned statement in respect of the offence of "Careless Driving" was missing. DoJ requested the Police to resubmit the case with the missing page for further consideration. According to DoJ, the offence of "Careless Driving" might be laid against AP2 upon conclusion of the crime case ("Conspiracy to Pervert the Course of Justice") against him. As a result, AP1 and AP2 were charged with the offence of "Conspiracy to Pervert the Course of Justice", and the offences of "Driving without a Driving Licence" and "Driving without Third Party Insurance" against AP2 were proceeded. AP1 and AP2 were subsequently convicted of their respective charges after trial.

法庭判決後，該名督察並未跟進被捕人二「不小心駕駛」的罪行，並將案件結案歸檔，沒有採取進一步行動。投訴人表示，他曾就是次交通意外作出保險申索，惟保險公司以被捕人二未有被控「不小心駕駛」為由拒絕他的申索。投訴人不滿，遂投訴該名督察（被投訴人）未能就被捕人二「不小心駕駛」的罪行提出檢控。

投訴警察課的調查

被投訴人與投訴警察課會面時解釋，他認為在該交通意外中，須負上法律責任的是投訴人而非私家車司機，而他的小隊並未找到任何獨立證據，可支持或否定任何一方就意外成因的說法。被投訴人認為，在衡量各方可能性後，並無存在任何有力的證據，就「不小心駕駛」罪進行檢控。

然而，投訴警察課發現，在被投訴人的初步調查中，他認為造成該意外的責任是在於被捕人二而非投訴人，而被投訴人未能解釋他對該意外起因的評估為何前後不一。投訴警察課認為，被投訴人有關不檢控被捕人二「不小心駕駛」的解釋並不可信。

投訴警察課亦發現，在律政司指出被捕人二的「不小心駕駛」警誡供詞缺少了一頁後，被投訴人並無就該罪行作出跟進。交通意外的調查工作被擱置四個月後，被投訴人才向上司建議將該交通案件結案歸檔。

投訴警察課認為，被投訴人的處理欠專業，未有採取適時或合理的行動處理是次交通案件，尤其是沒有採取行動調查「不小心駕駛」的罪行。因此將此投訴個案分類為「獲證明屬實」，並建議向被投訴人作出訓諭但無須將事件記入其分區報告檔案中。

監警會的觀察

監警會認同投訴警察課調查結果的分類，但對於向被投訴人採取的建議行動，會方則有所保留。

監警會留意到被投訴人在其初步調查中特別強調，被捕人二在駕駛期間沒有注意到投訴人的小巴，以致兩車相撞。因此，按照合理預期被投訴人會以「不小心駕駛」票控被捕人二。

After the court case was concluded, the IP did not follow up with the offence of “Careless Driving” against AP2 and filed away the case with no further action taken. According to COM, he had filed an insurance claim in respect of the traffic accident but the insurance company rejected him on the ground that AP2 was not summonsed for “Careless Driving”. Dissatisfied, COM lodged a complaint against the IP (Complainee) for failure to prosecute AP2 for “Careless Driving”.

CAPO's investigation

When the Complainee (COM) was interviewed by CAPO, he said that it was COM rather than the driver of the private car who should be held liable for the traffic accident, and his team did not find any independent evidence to support or negate either party's version about the cause of the accident. COM considered that on the balance of probabilities, there was no conclusive evidence to proceed with the prosecution relating to the offence of “Careless Driving”.

However, CAPO noticed that COM concluded the preliminary investigation by stating that AP2 rather than COM was at fault for causing the accident. COM failed to explain his inconsistent assessment on the cause of the accident. CAPO considered that COM's subsequent explanation for not proceeding with the charge on “Careless Driving” against AP2 was not convincing.

CAPO further found out that COM did not follow up the said offence against AP2 after receiving DoJ's comments on the missing page of the cautioned statement for “Careless Driving”. The investigation of the traffic accident had been left idle for four months before COM recommended to his supervisor that the case be closed and filed away.

CAPO opined that COM lacked professionalism in taking timely or reasonable actions to deal with the entire traffic case, in particular his inaction to investigate the offence of “Careless Driving”. The complaint was classified as “Substantiated” and an “Advice without DRF Entry” against COM was proposed.

IPCC's observation

Whilst the IPCC agreed with CAPO's classification of investigation results, the Council had reservation about the proposed action against COM.

The IPCC took note that COM specially highlighted in his initial investigation that AP2 had driven without due observation of COM's minibus leading to the collision. It was reasonably expected that COM should summon AP2 for the offence of “Careless Driving”.

即使是在被捕人一及二其他罪名被定罪後，被投訴人仍可繼續追查「不小心駕駛」罪。然而，被投訴人並未採取進一步行動。最終，由於六個月的檢控時限屆滿，因而無法再票控被捕人二「不小心駕駛」。

經仔細考慮後，監警會認為，對被投訴人採取的行動應提升至「警告並記入其分區報告檔案中」，以反映被投訴人是次失職的嚴重性。經質詢後，投訴警察課接納監警會的建議，認為「警告並記入其分區報告檔案中」實屬恰當，以提醒警務人員日後避免重蹈覆轍。

COMEE could have pursued the offence of “Careless Driving” against AP2 even after the other offences against AP1 and AP2 were concluded. Nevertheless, COMEE took no further action thereafter. Eventually, AP2 could no longer be summonsed for “Careless Driving” since the prosecution time bar period of six months had already lapsed.

After careful consideration, the IPCC was of the view that the level of action against COMEE should be escalated to “Warning with DRF Entry” to reflect the seriousness of the misconduct. After Queries, CAPO subscribed to IPCC’s recommendation and considered that a “Warning with DRF Entry” would be appropriate to serve as an alert to officers to prevent recurrence.

個案四 Case 4

投訴人因未能從公仔機夾取公仔而報警求助 Making a police report for failure to beat a toy grabbing machine

指控 Allegation	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 不禮貌 Impoliteness	警員 Police Constable	無法追查 Not Pursuable	並無過錯 No Fault
2 疏忽職守 Neglect of Duty		無法追查 Not Pursuable	並無過錯 No Fault

個案背景

投訴人和她的兒子到一間夾公仔機商店，在輸掉遊戲後，投訴人與店員發生爭執，並致電附近警署的報案室求助。一名警務人員（被投訴人）接到投訴人的電話，向她解釋該個案屬消費者糾紛，建議投訴人向消費者委員會尋求協助。不過，投訴人堅持要求警方到場協助，因此被投訴人派遣警務人員到現場。在警務人員前往現場途中，投訴人再次致電警署，聲稱因為留在店內等候警務人員抵達對她和兒子造成不便，因此不需要警方協助。

投訴人在同一天作出投訴，指被投訴人對她不禮貌，對她說「又話要警察，依家又話唔要」【指控一：不禮貌】，以及未有妥善地處理她的報案【指控二：疏忽職守】。

Case background

The Complainant (COM) and her son went to play toy grabbing machine in a shop. After losing the game, COM had a dispute with the shop staff and called a nearby report room to make a “Dispute” report. A police officer (Complainee) answered her call and explained to COM that her case was a consumer dispute and advised her to seek assistance from the Consumer Council. However, COM insisted on police attendance. The Complainee (COMEE) thus assigned police officers to attend the scene. While the police officers were on their way to the scene, COM called the police station again saying that police assistance was no longer required as it was inconvenient for her and her son to stay at the shop and wait for the Police’s arrival.

COM lodged a complaint on the same day, alleging that COMEE had treated her impolitely by uttering “you insisted that police assistance was required, now you say it is no longer needed” [Allegation 1: Impoliteness] and failed to handle her report properly [Allegation 2: Neglect of Duty].

投訴警察課的調查

投訴警察課在接獲投訴後，以電話錄音系統嘗試聯絡投訴人四次，但均無人接聽。投訴人沒有向投訴警察課提供其他聯絡方式，因此投訴警察課將兩項指控分類為「無法追查」。

監警會的觀察

監警會審視了相關證據，特別是投訴人與被投訴人的對話錄音，認為即使投訴人沒有提供協助跟進調查，仍可就指控一和二得出明確結論。

關於指控一，監警會檢視過對話錄音，留意到儘管被投訴人已向投訴人解釋該案屬於消費者糾紛，但她仍然堅持要求警方協助。在整段錄音中，被投訴人並沒有不禮貌或不專業地對待投訴人。

至於指控二，警方的紀錄顯示了被投訴人曾調派警務人員到現場處理該案件。因此並沒有任何證據顯示被投訴人疏忽處理，相反所有證據均反駁投訴人的指控。

監警會考慮上述證據後，認為此投訴可得出明確結論，並建議投訴警察課重新考慮指控一及二的分類。這宗投訴個案的兩項指控被重新分類為「並無過錯」，而監警會亦通過其調查結果。

CAPO's investigation

After receiving this complaint, CAPO called COM via Telephone Recording System four times but the calls were not answered. Since COM did not provide other means of contact, CAPO therefore classified both allegations as "Not Pursuable".

IPCC's observation

Having examined the available evidence, in particular the audio recording of the conversations between COM and COMEE, the IPCC considered that even without the assistance of COM, a definite finding could be reached for both Allegations 1 and 2.

Regarding Allegation 1, the audio recording was examined. The IPCC noted that COM insisted on police attendance despite COMEE's explanation that her case was a consumer dispute. Throughout the audio recording, COMEE was neither impolite nor unprofessional to COM.

As to Allegation 2, the police records showed that COMEE did deploy police officers to the scene to handle COM's report. There was no evidence showing any negligence on COMEE's part. All the evidence rebutted COM's allegations.

Having considered the above-mentioned evidence, the IPCC was of the view that a definite finding for the complaint could be reached and recommended CAPO to revisit the classification of Allegations 1 and 2. CAPO reclassified the two allegations as "No Fault" and IPCC endorsed the 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之處，會適時向警方提出可行的改善建議。其後，監警會會透過「調查報告通過後的跟進工作事項」及與投訴警察課舉行的季度聯席會議，監察警方實施改善建議的進度，以進一步提升警隊的服務質素。

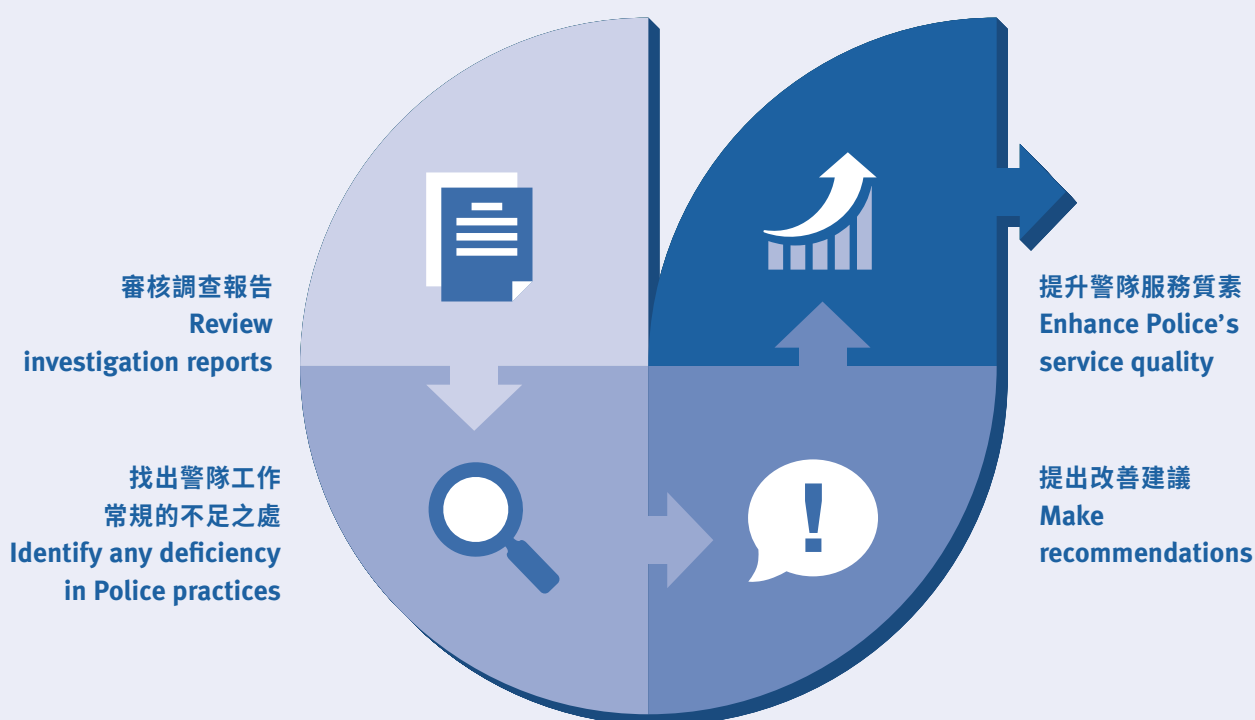
監警會於報告期內向警方提出了17項改善建議。這些建議不僅與投訴個案及提升警方服務質素有關，更與市民的日常生活息息相關，例如（一）加強《交通程序手冊》指引以減少投訴及提高「交通意外傷亡援助計劃」的成效；（二）加強處理接收市民信件的紀錄和監察系統以改善公共服務；以及（三）加強警方程序指引讓警務人員就交通相關罪行提出恰當控罪。

以下是改善建議及相關投訴個案的示例。

To discharge the function under section 8(1)(c) of the IPCCO, the IPCC makes timely and practical 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 will then monitor implementation status of the improvement-related matters by the Police via the “Post-endorsement Issues Follow-up” and quarterly Joint Meetings with CAPO, with a view to enhancing Police’s service quality.

During the reporting period, the IPCC made 17 improvement recommendations to the Police. These recommendations were not merely correlated with complaint cases and enhancement of the Police service quality, but also closely linked to the daily life of members of the public, including: (1) enhance guidelines of Traffic Procedures Manual to reduce complaints and promote effectiveness of the “Traffic Accident Victims Assistance Scheme”; (2) enhance record keeping and monitoring system for correspondence handled by the Police for betterment of public service; and (3) enhance guidance on police procedures to enable officers serving proper traffic offence-related charges.

Below are examples of improvement recommendations illustrated by related complaint cases.



1 加強《交通程序手冊》指引以減少投訴及提高「交通意外傷亡援助計劃」的成效

道路交通意外可能導致受影響人士死亡、身心受創及經濟損失。交通意外受害人可向社會福利署（社署）申請《交通意外傷亡援助計劃》（計劃），以獲得快速的經濟援助，減輕受害人和其家庭的經濟負擔。在2018/19年間，向警方呈報的交通意外傷亡人數有19,278人，而向這些受害人發放的援助金總額達2.802億港元（資料來源：社署發布的《交通意外傷亡援助基金2018/19年度年報》）。在一般情況下，負責調查交通意外的警務人員會盡快將該計劃告知受害人。有關表格必須經由警方協調，再提交予社署，以支持受害人的正式申請。然而，監警會觀察到，警務人員可能難以遵守《交通程序手冊》所規定的期限處理計劃的表格，從而導致警務人員遭到投訴。

報告期內的一宗個案中，投訴人被的士撞倒後送院治療。兩日後，一名警務人員向投訴人錄取口供，並協助她填寫計劃的「初步申請表」（表格）中甲部的個人資料。（註：表格由兩部分組成。表格甲部由受害人填寫及簽署，以提供受害人個人資料及交通意外資訊，而表格乙部則由警方填寫及簽署，以確認交通意外的詳情，包括交通事故中涉及的車輛保險資料。）根據《交通程序手冊》，非致命事故的表格必須在意外發生後七個工作天內填妥並提交給社署。然而，投訴人其後接到社署通知，指警方在意外發生一個半月後才提交有關表格。投訴人隨即作出投訴，指控該名警務人員耽延處理其表格。

監警會根據現時警方的指引審視事實後，發現投訴人已在時限內填妥及簽署表格甲部。但是，包含事故車輛保險資料的表格乙部在意外發生後一個半月才完成。該名警務人員表示，雖然他尚未從肇事的士司機取得所需的保險資料，而表格乙部亦不完整，但他仍在交通意外發生後兩天便將表格提交社署。該名警務人員進一步表示，當他在一個半月後從司機處取得必要的資料時，再次向社署提交了表格。然而，經向社署作出查詢後顯示，社署只收到過一次的表格，即在交通意外發生的一個半月後。因此，該名警務人員未有及時處理表格的指控被列為「獲證明屬實」。

1 Enhance guidelines of Traffic Procedures Manual to reduce complaints and promote effectiveness of the “Traffic Accident Victims Assistance Scheme”

Road traffic accidents could lead to deaths, physical and psychological injuries, and financial losses to the involved parties. Under the Traffic Accident Victims Assistance Scheme (TAVAS), victims of traffic accidents may apply for speedy financial aid through the Social Welfare Department (SWD) to alleviate financial burden on themselves and their families. In year 2018/19, 19,278 cases of traffic casualties were reported to the Police and the assistance paid to these victims amounted to HK\$280.2 million (Source: Traffic Accident Victims Assistance Fund Annual Report 2018/19 published by the SWD). Normally, the police officer who investigates the traffic accidents will introduce the scheme to the victims at the first opportunity. Relevant forms have to be coordinated and submitted by the Police to SWD as support for victim's formal application. Nevertheless, the IPCC observed that police officers might have difficulties in meeting the timeframe, as set out in the Traffic Procedures Manual (TPM), for the handling of the forms under the TAVAS, which could give rise to complaints against the officers.

During the reporting period, there was a case at which the Complainant (COM) was hit by a taxi and sent to hospital for treatment. Two days later, a Police Constable (PC) took a statement from COM and assisted her in filling in her personal information in Part A of a “Preliminary Application Form” (the Form) under the TAVAS. (Note: The Form comprises two parts. Part A of the Form is to be completed and signed by the victim to provide the victim's personal information and the traffic accident information; whereas Part B of the Form is to be completed and signed by the Police to confirm the traffic accident details including the insurance information of the vehicle involved in the traffic accident.) According to TPM, the Form in respect of non-fatal incidents has to be completed and referred to SWD within seven working days of the accident concerned. COM, however, was subsequently informed by SWD that the Police submitted the Form one and a half months after the accident. COM therefore lodged the instant complaint against the PC for the delay in the handling of her Form.

Upon examination of facts against the prevailing police guidelines, IPCC found that Part A of the Form had been timely completed and signed by COM. However, Part B of the Form containing insurance information of vehicle involved in the accident was only completed one and a half months after the date of incident. The PC claimed that he submitted the Form to the SWD two days after the traffic accident, even though he had not yet obtained the required insurance information from the taxi driver concerned and Part B of the Form was incomplete. The PC further stated that he submitted the Form to the SWD again one and a half months later when he obtained the necessary information from the driver. Nevertheless, enquiry with SWD revealed that SWD only received the Form one time, i.e. one and a half months after the traffic accident. The allegation that the PC failed to handle the Form timely was therefore classified as “Substantiated”.

監警會在審視投訴時注意到，在某些情況下，涉及交通意外的司機在提供其車輛保險資料時可能會拖延，因而導致前線警務人員未能在《交通程序手冊》規定的時間內向社署提交完整的表格。

監警會作出建議後，警方交通總部就《交通程序手冊》內的有關係文進行了檢討，並修訂了相關指引，對向社署提交表格所需的時限提供更清晰的界定，以及容許警務人員在一經收到車輛保險資料後再補交給社署。在改善《交通程序手冊》指引後，交通總部亦推出了外展宣傳活動並進行內部培訓，提醒前線警務人員注意上述改善內容，以及在認為有需要時，可以根據《汽車保險(第三者風險)條例》行使權力要求司機在五個工作天內提供車輛保險資料。新指引為前線警務人員在執行任務時提供了更清晰的指示，並確保交通意外受害人的計劃表格能及時處理。

While examining the complaint, the IPCC noticed that in some cases, drivers involved in traffic accidents might have delayed when providing their vehicle insurance information, resulting that the frontline officers could not submit complete Forms to the SWD within the timeframe required by the TPM.

At IPCC's recommendations, the Traffic Branch Headquarters (TBHQ) conducted a review on the relevant provisions in the TPM and revised the guidelines by providing a clearer definition on the timeframes required for submitting the Forms to SWD. In addition, the revised TPM also allows officers to supplement insurance information to SWD once available afterwards. Following the enhancement of TPM guidelines, TBHQ also launched an outreach programme and conducted internal training to alert frontline officers of the aforesaid enhancement and remind frontline officers that they may exercise power under Motor Vehicles Insurance (Third Party Risks) Ordinance to demand drivers to provide vehicle insurance information within five working days if deemed necessary. The new guidelines provide clearer instructions to the frontline officers to carry out their duties and ensure that the TAVAS Forms of the traffic accident victims be processed in a timely manner.

2 加強處理接收市民信件的紀錄和監察系統以改善公共服務

警方每日均接到大量市民來信和查詢。妥善的紀錄保存系統，可確保這些信件能夠得以追溯及處理得當，以便警務人員有效執行職務。

在一宗涉及處理來信的投訴個案中，投訴人在一場交通意外中受傷，而在交通案件調查結束後，投訴人向交通部的調查隊寄送一封雙掛號郵件，遞交「交通意外傷亡援助金初步申請」。交通部總務室的文書助理收到郵件，並在郵件收據上加蓋辦事處印章。其後，投訴人接獲來自香港郵政的確認書，指郵件已成功送達交通部。然而，一段時間後，投訴人仍未收到警方就他申請所作的任何回覆，於是投訴警方未有妥善處理他的郵件【指控：疏忽職守】。事後發現，投訴人的郵件並未送抵相關的交通組處理，而交通部亦未曾保存該郵件的出入紀錄。

投訴警察課的調查發現，投訴人的郵件可能在文書助理處理過程中遺失。為免類似事件再次發生，投訴警察課向五個交通部提出服務質素建議，藉以改善現行的收件處理程序，以助追蹤相關信件及文件在內部傳遞時的處理。

在審閱投訴警察課的調查報告後，監警會認為投訴人的信件未有得到妥善處理的原因可能是由於交通部內沒有適當的郵件出入登記冊所致。監警會注意到不時有投訴個案源於警方與市民往來的信件處理不當。然而，由於各警務單位／警署並無有效機制記錄所有往來信件，致使投訴警察課難以找出問題所在以及誰人應負責。

儘管投訴警察課已要求五個交通部改善其收件處理程序，但監警會認為這類投訴並不限於交通部及其對來信的處理方法，亦應包括外寄信件及經常與市民接觸的其他單位。

從預防投訴角度來看，監警會建議警方就妥善記錄警方與市民之間的所有往來信件，為整個警隊制定標準做法或程序，以掌握信件的動向，避免任何可能出現的誤會。警方接納監警會的建議，並同意檢視及加強郵件處理程序。監警會將繼續監察警方的跟進行動，以及其改善程序的實施情況。

2 Enhance record keeping and monitoring system for correspondence handled by the Police for betterment of public service

There is a significant amount of correspondence and incoming enquiries handled by the Police from members of the public every day. A proper record keeping system will ensure such correspondence can be traced and handled properly to facilitate performance of duties by police officers efficiently.

In a complaint case involving the handling of incoming mail, the Complainant (COM), a victim injured in a traffic accident, sent a double registered mail to an investigation unit of the Traffic Formation to apply for the “Traffic Accident Victims Assistance Preliminary Application” upon the conclusion of the traffic case investigation. The Clerical Assistant (CA) of the General Registry of the Traffic Formation received the mail and stamped the office chop on the mail receipt. Subsequently, COM received a confirmation of successful delivery of his mail to the Traffic Formation from Hong Kong Post. Not hearing any reply from the Police about his application after a while, COM lodged a complaint that the Police failed to handle his mail properly [Allegation: Neglect of Duty]. It was later found out that COM’s mail never reached the related traffic team for processing and no movement record regarding this mail had been kept by the Traffic Formation.

CAPO’s investigation revealed that COM’s mail might have been lost while being processed by the CA. To prevent the recurrence of such incidents, CAPO issued a Service Quality Advice to five Traffic Formations with a view to improving the existing incoming mail handling procedures and helping to track down the whereabouts of the correspondence/documents during the internal transferal process.

After reviewing CAPO’s investigation report, the IPCC considered that the absence of a proper mail movement register in the Traffic Formation might also lead to the mishandling of COM’s letter. The IPCC was of the view that from time to time, there were complaint cases arising from the mishandling of the correspondence between the Police and members of the public. However, CAPO was unable to identify what was wrong in the process and who should be held responsible for the missing mails as there was no effective mechanism for the Police Formations/police stations to locate all incoming and outgoing correspondence.

Whilst CAPO had requested the five Traffic Formations to improve their incoming mail handling procedures, the IPCC considered that this type of complaints was not limited to the incoming mail handling practice and traffic units but also the outgoing mail and other Formations which had frequent contacts with members of the public.

From a complaint prevention perspective, the IPCC recommended the Police to devise a standard Force-wide practice or procedures on maintaining a proper record of all incoming and outgoing correspondence between Police and members of public, so as to keep track of the movements of the correspondence and avoid any possible misunderstanding. The Police accepted the IPCC’s recommendation and agreed to review and enhance the mail handling procedures. The IPCC will continue to monitor the follow-up actions taken by the Police and the implementation of the enhanced procedures.

3 加強警方程序指引讓警務人員就交通相關罪行提出恰當控罪

根據政府的邊境禁區政策，司機必須遵守《道路交通（交通管制）規例》（第374G章）第27條，按需要向運輸署取得「封閉道路通行許可證」。而持有「封閉道路通行許可證」的人士必須遵守《道路交通（車輛登記及領牌）規例》（第374E章）第49(5)條所載的通行許可證條件。

在一宗投訴個案中，投訴人駕駛一輛輕型貨車在封閉道路上行駛時，被一名高級警員截停。在該名高級警員的要求下，投訴人向其出示他的「封閉道路通行許可證」。然而，他的許可證上並無記錄其輕型貨車的登記號碼。該許可證清楚列明，許可車輛的登記號碼應參照由運輸署發出的批准書。該許可證的背面亦印有一項條件，要求持有人須按警方要求出示該批准書。由於投訴人未能在現場出示該批准書，該名高級警員於是「無通行許可證在封閉道路上駕駛」為由票控投訴人。

其後，投訴人兩度要求中央交通違例檢控組覆檢對他發出的告票，但該組覆核後維持票控投訴人。投訴人向中央交通違例檢控組出示了有關批准信，而信上明確指出該輕型貨車獲准於有關封閉道路上行駛。投訴人的第二次覆檢由一名總督察處理。投訴人在是次覆檢中指出，他所干犯的罪行應為「未能遵守通行許可證的條件」，並非「無通行許可證在封閉道路上駕駛」。投訴人堅稱，他確實持有有效的通行許可證，只是未能遵守相關條件，向該名高級警員出示批准書。然而，該總督察考慮投訴人的觀點後，仍拒絕修訂對投訴人的控罪。

投訴人否認「無通行許可證在封閉道路上駕駛」的控罪。於審訊前，外判大律師主動將控罪修訂為「未能遵守通行許可證的條件」，並獲法庭接納。投訴人承認經修訂的控罪，而他亦被裁定罪名成立。其後，他投訴該名高級警員對他的票控並不適當，以及該名總督察未有恰當覆檢其告票還繼續對他提出檢控。

在審閱投訴警察課調查報告的過程中，監警會觀察到，投訴人未能在該名高級警員的要求下出示批准書，無疑違反其通行許可證的使用條件。然而，此舉並不構成「無通行許可證駕駛」的控罪。監警會認

3 Enhance guidance on police procedures to enable officers serving proper traffic offence-related charges

According to Government policy on Frontier Closed Area, drivers must obtain “Closed Road Permit” from the Transport Department on grounds of need pursuant to Regulation 27 of Road Traffic (Traffic Control) Regulations (Cap. 374G). People in possession of the “Closed Road Permits” must comply with conditions of the permit under Regulation 49(5) of Road Traffic (Registration and Licensing of Vehicles) Regulation (Cap. 374E).

In a complaint case, the Complainant (COM) drove a light goods vehicle (LGV) on a closed road and was intercepted by a Senior Police Constable (SPC). Upon the SPC’s request, COM produced his “Closed Road Permit” to the SPC for inspection. However, his permit did not record the registration mark of his LGV. Instead, the permit clearly stated that reference should be made to an approval letter issued by the Transport Department for the registration mark(s) of the permitted vehicle(s). A condition was also printed on the reverse side of the permit that the approval letter should be produced upon request by the Police. Since COM was unable to produce his approval letter on the spot, the SPC ticketed him for “Driving on Closed Road without Permit”.

Later, COM made request to the Central Traffic Prosecutions Division (CTPD) twice to review the ticket against him but CTPD decided to proceed with the ticket after reviews. COM produced to CTPD his approval letter which clearly stated that the LGV was permitted to enter the closed road. In the second review which was handled by a Chief Inspector (CIP), COM pointed out that the offence he had committed should be “Failing to Comply with Condition of Permit” rather than “Driving on Closed Road without Permit”. COM argued that he held a valid permit and that he only failed to comply with the condition by producing the approval letter to the SPC. Nevertheless, having considered COM’s viewpoint, the CIP still refused to amend the charge against COM.

COM pleaded not guilty to the offence of “Driving on Closed Road without Permit”. Before trial, the Counsel on fiat took the initiative to amend the charge to “Failing to Comply with Condition of Permit” which was accepted by the Court. COM was convicted of the amended charge upon his guilty plea. He subsequently lodged complaints against the SPC for failing to ticket him appropriately and the CIP for failing to review his ticket properly before deciding to proceed with the charge against him.

In the course of examining CAPO’s investigation report, the IPCC observed that COM had undoubtedly breached a condition of his permit when he failed to produce the approval letter upon the SPC’s request. However, this did not amount to driving without a permit. The IPCC considered that the Counsel on fiat’s decision to amend the charge indicated that COM

為，外判大律師決定修訂控罪一事，顯示投訴人確實干犯了「未能遵守通行許可證的條件」，而非「無通行許可證在封閉道路上駕駛」。

監警會與投訴警察課在工作層面會議上討論本案，並經監警會進一步質詢後，警方向律政司尋求法律意見，以釐清在相類似個案中應以哪一項控罪作出檢控。根據律政司的意見，違例司機宜應被控「未能遵守通行許可證的條件」。

監警會認為是次投訴個案顯示，就違反有關使用封閉道路而提出恰當的交通控罪，警方有需要檢討相關程序指引。監警會建議警方應就相關交通執法行動，詳細闡釋現行指引並提供支援，尤其是在需要時協助前線警務人員如何執法。警方接納監警會的建議並已採取措施，加強警務人員日後處理類似情況的能力。

had indeed committed the offence of “Failing to Comply with Condition of Permit” rather than “Driving on Closed Road without Permit”.

After discussion at a Working Level Meeting between the IPCC and CAPO and upon further Query raised by the IPCC, the Police sought legal advice from the Department of Justice (DoJ) as to what would be the appropriate charge in similar cases. According to DoJ’s advice, offending drivers should be summonsed for “Failing to Comply with Condition of Permit”.

The IPCC considered that the instant complaint revealed that it was necessary to call for a review of guidance on Police procedures with respect to serving proper charges on traffic offences related to the use of closed road. The IPCC made recommendations that the Police should elaborate the existing guidelines and review support on related traffic enforcement actions, in particular assistance to be provided to frontline officers when necessary. IPCC’s recommendations were accepted and enhancement actions were taken by the Police to improve their capability in handling similar situations effectively in future.



4

年度概覽
Highlights of
the Year

十周年紀念活動 10th Anniversary Activities

監警會在紀念成為獨立機構十周年之際舉辦了「監警會研討會 2019」，邀請來自香港、海外及大灣區的持份者出席，藉此與各方保持緊密溝通，並希望透過該活動瞭解世界各地監警工作的發展，協助會方前瞻未來方針，迎合社會更高的期望。

會方亦出版了十周年紀念特刊，細述會方過去十年的發展歷程和願景，以加深市民對會方的認識。

In commemoration of its 10th Anniversary since IPCC became independent, the Council held the IPCC Symposium 2019 and invited stakeholders from Hong Kong, overseas and the Greater Bay Area to attend this occasion with an aim to maintain close dialogue and keep abreast of the recent development of oversight bodies' work around the world. This would facilitate the IPCC to look ahead of future direction and meet the rising expectations of the community.

The IPCC also published a *10th Anniversary Commemorative Brochure* to provide an account of the Council's development over the past decade as well as its vision for the future to deepen the public understanding of its work.

監警會研討會 2019 IPCC Symposium 2019

2019年6月6日
6 June 2019



監警會於2019年6月6日假香港大學舉辦「監警會研討會 2019」，以「建立互信 迎向未來」為題，匯聚了300多名來自本港、海外和大灣區的傑出專才參加，就有關監察機構發展分享知識和寶貴的見解，會方亦藉此機會回顧過去，及擬定未來發展路向。

The IPCC organised a symposium themed “Building Confidence and Trust – Role of IPCC in the Evolving Future” on 6 June 2019, at the University of Hong Kong. More than 300 eminent professionals from local, overseas and the Greater Bay Area pooled their knowledge and valuable insights on the development of oversight bodies at the event. The IPCC also took this opportunity to review, evaluate and formulate its strategies for future.

是次研討會由香港特別行政區行政長官林鄭月娥女士，大紫荊勳賢，GBS 擔任主禮嘉賓並致開幕辭。監警會主席梁定邦博士，QC, SC, JP 和香港大學社會科學院院長夏偉立教授亦先後在活動上向與會嘉賓致歡迎辭。此外，大會邀得終審法院非常任法官兼前警監會主席鄧國楨先生，大紫荊勳賢，SBS, JP 作主題演講；以及時任保安局常任秘書長黎陳芷娟女士，GBS, JP 致閉幕辭。

The Honourable Mrs Carrie Lam Cheng Yuet-ngor, GBM, GBS, the Chief Executive of the Hong Kong Special Administrative Region, officiated at this event as the Guest of Honour and delivered the opening address. Dr Anthony Francis Neoh, QC, SC, JP, IPCC Chairman, and Professor William Hayward, Dean, Faculty of Social Sciences, the University of Hong Kong, delivered welcoming remarks to attending guests. Furthermore, the Honourable Mr Justice Robert Tang, GBM, SBS, JP, Non-Permanent Judge of the Court of Final Appeal and former IPCC Chairman and Mrs Marion Lai Chan Chi-kuen, GBS, JP, the then Permanent Secretary for Security were invited to deliver the keynote speech and the closing speech respectively.



研討會設有一系列專題演講及討論，旨在推動知識和經驗交流，探討警察監察制度、平衡警權和民權、加強相互了解、鞏固社會互信關係等相關議題。研討會雲集一眾傑出主持和菁英講者，包括歷任監警會主席、政府部門及法定機構代表、本地學者，及來自澳洲、加拿大、新西蘭和澳門特別行政區的監察機構代表，以及英、美著名學府的學者。

The Symposium comprised a series of plenary sessions, aiming to exchange and share knowledge and experience on various issues, including police oversight system, balancing police powers and civil rights, enhancing mutual understanding, and building trust and confidence among members of society. Celebrated moderators and speakers attending this occasion included the current and former Chairmen of the IPCC, representatives from Government departments and statutory bodies, local scholars, as well as representatives from oversight organisations in Australia, Canada, New Zealand, Macau SAR, and scholars from renowned universities in the United Kingdom and the United States of America.



「監警會研討會2019」的主持和講者介紹、簡報內容及活動花絮等詳情，已上載於監警會網頁 (<https://www.ipcc.gov.hk/symposium2019/view/index.html>)。

Details of the IPCC Symposium 2019 including biographies of moderators and speakers, presentation materials as well as event highlights have been uploaded to the IPCC website (<https://www.ipcc.gov.hk/symposium2019/view/index.html>).



監警會十周年紀念特刊 IPCC 10th Anniversary Commemorative Brochure

為慶祝成為獨立法定機構十周年，會方精心製作了《監警會十周年紀念特刊》，圖文並茂地記載過去十年的發展、成績以及挑戰。現任及前任主席均在紀念特刊中分享他們任內的難忘經歷，感想以及對監警會未來的願景。

In celebration of the 10th Anniversary since it became an independent statutory body, the IPCC published the *10th Anniversary Commemorative Brochure* to account for its development, achievements and challenges faced during the past decade with a fine collection of photos. Current and former IPCC Chairmen also shared memorable moments during their tenure, their thoughts as well as visions for the future of the IPCC.



賀辭 Congratulatory Messages

行政長官賀辭
Message from the Chief Executive

Ms. Carrie Lam
Chief Executive
Hong Kong Special Administrative Region

行政長官賀辭
Message from the Chief Executive

政務司司長賀辭
Message from the Chief Secretary for Administration

Matthew Chan (Matthew Chan) (Chan)
Chief Secretary for Administration
Hong Kong Special Administrative Region

政務司司長賀辭
Message from the Chief Secretary for Administration

保安局局長賀辭
Message from the Secretary for Security

John Lee (John C. Lee)
Secretary for Security
Hong Kong Special Administrative Region

保安局局長賀辭
Message from the Secretary for Security

監警會專題審視工作 The IPCC Thematic Study



監警會於2020年5月15日發表了關於2019年6月起《逃犯條例》修訂草案引發的大型公眾活動及相關的警方行動專題審視報告。

On 15 May 2020, the IPCC published its Thematic Study Report on the Public Order Events arising from the Fugitive Offenders Bill since June 2019 and the Police Actions in Response.

自2019年6月起，香港面對了當代最大的公共安全挑戰。特區政府在2019年年初向立法會提交《逃犯及刑事事宜相互法律協助法例（修訂）條例草案》（《逃犯條例》修訂草案），觸發連串大規模示威活動。雖然政府在2019年9月初正式撤回《逃犯條例》修訂草案，但示威活動仍然持續，直至2020年年初新型冠狀病毒病疫情在港爆發。警方處理大型公眾活動期間所採取的相應行動，衍生超過1,800宗須匯報投訴和須知會投訴。

有見及此，監警會根據《獨立監察警方處理投訴委員會條例》（《監警會條例》）第8(2)條所賦予的權力，在2019年7月決定展開一項專題審視工作，涵蓋這段期間的數個主要大型公眾活動及選定議題，以了解大型公眾活動的全貌。專題審視工作旨在協助會方履行《監警會

Since June 2019, Hong Kong has faced its most challenging public order situation in a generation. The widespread protests were triggered by the Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill (Fugitive Offenders Bill) which the Government introduced into the Legislative Council in early 2019. Despite the Government's formal withdrawal of the Fugitive Offenders Bill in early September 2019, the protests persisted until the COVID-19 pandemic began to afflict Hong Kong in early 2020. Actions taken by the Police in the course of handling the public order events (POEs) have given rise to over 1,800 Reportable Complaints and Notifiable Complaints.

In view of such circumstances, the IPCC made a decision in July 2019 to carry out a Thematic Study covering several public order incidents and selected issues in the period pursuant to section 8(2) of the IPCC Ordinance (IPCCO), with the aim of gaining a broad picture of POEs. The Study is intended to facilitate the Council in performing its function under section 8(1)(a) of the IPCCO to review related Reportable Complaints investigation reports based on evidence and in a fair and impartial

條例》第8(1)(a)條賦予的職能，以證據為依歸，公平、公正及不偏不倚地審視相關的須匯報投訴調查報告。專題審視工作亦有助會方履行《監警會條例》第8(1)(c)條，找出在警隊採納的常規或程序中，已經或可能會引致須匯報投訴的缺失或不足之處，適時向警務處處長（處長）或行政長官，或兼向上述兩者作出建議。專題審視工作是在監警會的法定權力範圍內進行，目的在於釐清事實，而非調查個別警務人員行動期間的行為。

監警會採用全方位策略審視持續十個月的大型公眾活動及相關議題。首先，監警會檢視會方的法定權力及限制，以確保會方在法定權限的規範下進行專題審視工作（第二章）。專題審視工作亦包含概覽（第四章）及投訴摘要（第五章），闡述示威活動的全貌及衍生的投訴。

對於監警會而言，專題審視工作的龐大規模及複雜程度均是前所未有的。會方面對的其中一項挑戰是需要獲取大量資料，以重組和釐清大型公眾活動的事實及時序。專題審視工作獲得行政長官及處長全力支持 and 配合，承諾提供一切所需資源及資料，以協助會方進行專題審視工作。自專題審視工作開展以來，監警會一直與警方聯繫，並六度到訪不同的警隊單位，以進一步了解警方的運作。警方充分支持專題審視工作，並向監警會提供各類資料，包括文件、錄影片段和控制台紀錄等。

manner. It is also intended to facilitate the Council in identifying any practice or procedure adopted by the Police that has led to or might lead to Reportable Complaints, and to make timely recommendations to the Commissioner of Police (Commissioner) or the Chief Executive or both of them in accordance with section 8(1)(c) of the IPCCO. Conducted within the IPCC's statutory framework, this Thematic Study is a fact-finding exercise and not an attempt to address the conduct of individual officers in the course of actions.

The IPCC adopted a holistic approach in reviewing the events and issues in the ten-month long protest. First and foremost, the Council visited its statutory powers, constraints and limitations to ensure it was acting within the statutory remit in approaching the Study (Chapter 2). The Study also gave a full picture of the protests and the complaints they generated in an overview (Chapter 4) and a complaint synopsis (Chapter 5).

The Thematic Study was unprecedented for the IPCC in terms of its magnitude and complexity. One of the challenges was the massive information needed in order to reconstruct and ascertain facts and chronology of the POEs. The Thematic Study had received full support and cooperation from the Chief Executive and the Commissioner who pledged to provide all necessary resources and information to facilitate the Study. Since the beginning of the Study, the IPCC has been in liaison with the Police and paid six visits to different Police units to understand more about their operations. The Police have been supportive and provided the IPCC with various materials including documentary materials, video footages and console records.



監警會委員赴警察機動部隊總部，視察人群管理特別用途車的操作，以及防暴警員設備和武器的使用示範。

IPCC Members visited the Police Tactical Unit Headquarters to observe operations of the Specialised Crowd Management Vehicles as well as demonstration on equipment and use of weapons by riot police officers.

此外，其他政府部門、公營機構及公眾人士亦響應監警會呼籲，透過會方的專屬電郵、熱線和即時通訊平台，自願提供相關資料。經過上述方式，監警會取得超過1,350篇新聞報道、650小時錄影片段，以及從公眾人士獲取一共23,550張圖片及22,533段錄影片段 / 連結，以進行專題審視工作。

由嚴重投訴個案委員會主席、運作及程序諮詢委員會主席、宣傳及意見調查委員會主席及法律事務委員會主席組成的督導委員會，帶領秘書處專案組，仔細審視會方收集到的大量資料，並謹慎地核證有關資料，重組相關事實和時序。會方為專題審視工作共召開34次內部會議及簡報會。

會方挑選出六個特定日子發生的事件進行審視，包括2019年6月9日、6月12日、7月1日、7月21日（元朗事件）、8月11日（葵芳站及太古站事件）及8月31日（太子站事件）（第七章至第十二章）。挑選這六個日子是基於當中涉及的投訴個案眾多，以及事件受到公眾高度關注。此外，報告亦涵蓋兩項受公眾關注的議題，包括警方在大型公眾活動期間的身份識別問題（第十三章），以及新屋嶺扣留中心的拘留安排（第十四章）。

In response to IPCC's appeal for relevant information, much information has also been provided voluntarily by other government departments, public institutions, members of the public via the IPCC's dedicated email, hotline, and instant messaging platform. Through the said channels, the IPCC was able to carry out the Study with the benefit of more than 1,350 news articles and 650 hours of video footage, as well as a total of 23,550 photo attachments and 22,533 video attachments / links received from the public.

Led by the Task Force Steering Group (TFSG) comprising Chairmen of Serious Complaints Committee, Operations Advisory Committee, Publicity and Survey Committee, and Legal Committee, a special task force from the Secretariat meticulously looked into the enormous amount of information collected and carefully verified the information to enable the reconstruction of relevant facts and chronology. A total of 34 internal meetings and briefings in relation to the Study were held.

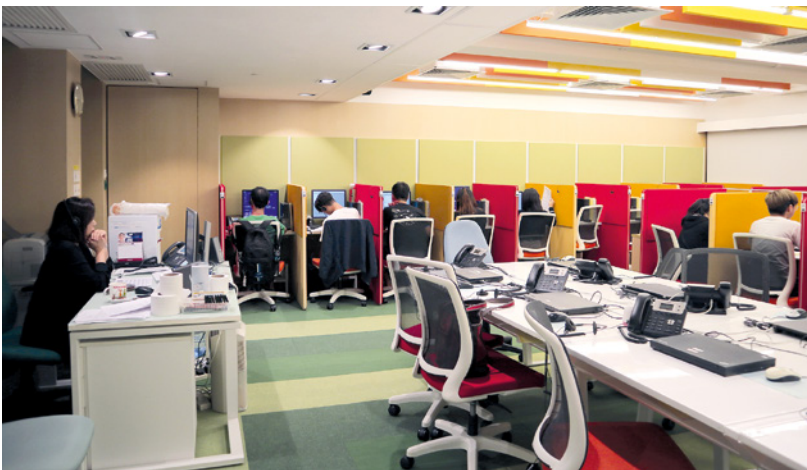
Six incident days were identified including 9 June 2019, 12 June 2019, 1 July 2019, 21 July 2019 (Yuen Long Incident), 11 August 2019 (Kwai Fong Station and Tai Koo Station Incident) and 31 August 2019 (Prince Edward Station Incident) (Chapters 7 to 12) because of the number of complaints clustered around and the public concern expressed on them. In addition, the Study also included two other topics of public interest including Police identification during POEs (Chapter 13), as well as detention arrangement at San Uk Ling Holding Centre (Chapter 14).

監警會委員赴新屋嶺扣留中心視察。
IPCC Members visited San Uk Ling Holding Centre.



除了釐清事實，監警會亦檢視現行法例、警隊的《程序手冊》以及相關的國際標準和慣例。就警員身份識別議題，會方委託英國基爾大學的研究人員，就相關國際慣例撰寫研究報告。這項研究的主要目的是把本港現行的警員身份識別制度，與一些法律制度及警務制度均與香港相若的國家所採取的標準進行基準比較。會方亦委託倫敦大學學院及香港中文大學傳播與民意調查中心的獨立學者，就警務人員及公眾人士對自己及對方的觀感進行調查研究（第十五章）。這些研究有助會方從宏觀角度審視大型公眾活動，以有效履行《監警會條例》第8條賦予的法定職能。

Further to fact-finding, the IPCC also examined the existing applicable laws and manuals of the Force as well as relevant international standards and practices. In relation to the issue of police identification, the IPCC commissioned researchers of Keele University in the United Kingdom to produce a research report on international practices regarding the issue. The primary objective of the research is to benchmark the current police identification practice against existing standards in countries with legislative and policing structures similar to those in Hong Kong. The IPCC also commissioned independent academics from the University College London and the Centre for Communication and Public Opinion Survey of The Chinese University of Hong Kong to conduct surveys on police officers' and public's perceptions on themselves and towards each other (Chapter 15). These studies provide the broad picture of the POEs and perspective to the situation for the IPCC's effective performance of its statutory duties under section 8 of the IPCCO.



除了收集各方資料，監警會亦主動委託香港中文大學傳播與民意調查中心的獨立學者，進行調查研究關於公眾人士對示威者及警方在大型公眾活動中行為的觀感。

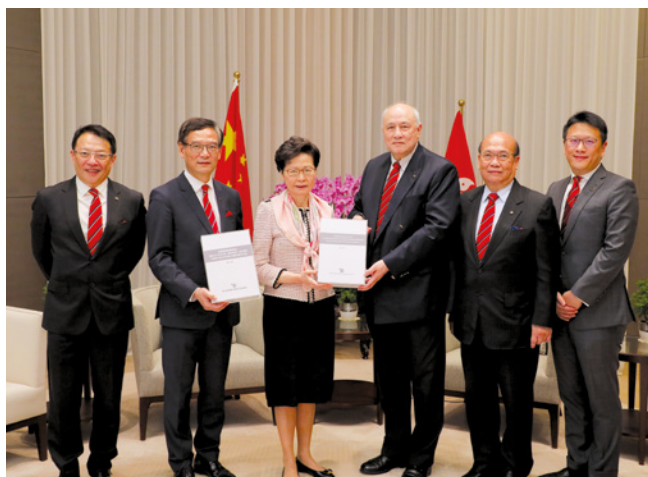
Apart from collecting information from various sources, the IPCC proactively commissioned independent academics from the Centre for Communication and Public Opinion Survey of The Chinese University of Hong Kong to conduct a study on public perception of protesters and the Police's actions during the POEs.

鑒於專題審視工作規模龐大，性質前所未有，因此監警會請來國際專家小組，成員包括前任警隊管理層人員及監察機構人員，以及曾經參與有關大型公眾活動警務工作研究的學者。在研究初期，國際專家小組就收集及分析資料的方式及研究方法，與會方交流意見，並分享過往在大型公眾活動期間監察警方的海外經驗。

In view of the extraordinary scale and unprecedented nature of the Study, the IPCC engaged an International Expert Panel (IEP) with members comprising former police management personnel and police oversight bodies, as well as academics who had involved in large-scale research on public policing matters. In the initial stage of the Study, IEP exchanged their views with the Council on the approach and methodology in data collection and analysis, as well as their overseas experiences in police oversight during POEs.

監警會全力進行專題審視工作期間，一名市民在2019年年底申請司法覆核，挑戰監警會是否有法定權力進行專題審視工作。高等法院在2020年4月頒下判詞，裁定監警會的專題審視工作是在《監警會條例》賦予的法定權限內進行。

While the IPCC proceeding with the Thematic Study at full speed, a citizen filed an application for judicial review at the end of 2019 with respect to the Council's authority to conduct the Study. Judgement handed down by the High Court in April 2020 affirmed that the conduct of the IPCC's Thematic Study was within the remit of the IPCCO.



梁定邦主席（右三）在專案組督導委員會成員謝偉銓副主席、陳錦榮先生（左二及一）、許宗盛先生、藍德業資深大律師（右二及一）陪同下向行政長官（左三）提交報告。

Council Chairman Dr Anthony Neoh (third from the right), accompanied by TFSG Members – Vice Chairman the Hon Tony Tse Wai-chuen, Mr Clement Chan Kam-wing (second & first from the left), Mr Herman Hui Chung-shing, and Mr Douglas Lam Tak-yip, SC (second & first from the right) – submitted the Thematic Study Report to the Chief Executive (third from the left).



監警會秘書長俞官興先生（左二）及副秘書長（行動）梅達明先生（左一）遞交報告予時任警務處監管處處長劉賜蕙女士（右二）及時任助理處長（服務質素監察部）簡啟恩先生（右一）。

Mr Richard Yu (Secretary-General) (second from the left) and Mr Daniel Mui (Deputy Secretary-General, Operations) (first from the left) delivered the Thematic Study Report to Ms Lau Chi-wai, Edwina (the then Director of Management Services of the Police Force) (second from the right) and Mr Kan Kai-yan, Andrew (the then Assistant Commissioner of Police [Service Quality Wing]) (first from the right).

2020年5月15日，監警會根據《監警會條例》第30條向行政長官提交專題審視報告，並在同日向公眾發布報告。這份完整、具前瞻性的報告共有16個章節，旨在讓警隊汲取教訓，並於將來行動時可作出改善。監警會一共作出52項建議，協助處長檢視警方的戰術和策略。這些建議聚焦改善大型公眾活動的警務行動，涵蓋以下議題：（一）風險評估；（二）檢討武力使用指引及人員培訓；（三）需要更佳的科技能力；（四）需要適時及有效的溝通；（五）與傳媒合作；（六）合適的系統設施；（七）法律諮詢組；及（八）維持公眾信任。

On 15 May 2020, the IPCC submitted the Thematic Study Report to the Chief Executive pursuant to section 30 of the IPCCO and released the Report to the public on the same day. The 16-chapter Report is a full, forward looking report with an aim to capture lessons learnt by the Police Force for operational improvements in the future. A total of 52 recommendations were made by the IPCC with an objective to assist the Commissioner in his review of tactics and strategy. The improvement recommendations were mainly focussed on how public order policing might be improved within the following themes: (a) assessment of risks; (b) reviewing guidelines for use of force and training of officers; (c) need for better technological capacity; (d) need for timely and effective communications; (e) co-ordination with media; (f) systems fit for purpose; (g) legal advisers office; and (h) maintaining public trust.



梁定邦主席和專案組督導委員會成員以及秘書長主持了多次新聞發布會，向公眾闡述會方專題審視工作的最新進展。

Dr Anthony Francis Neoh (Chairman), Members of the TFSG and Secretary-General hosted numerous media briefings to update the public on the progress of the Thematic Study undertaken by the Council.

專題審視報告獲公眾廣泛關注及媒體報道，超過50家本地及海外傳媒機構在報告發表當天出席記者會。在專題審視報告的製作期間及發表後，監警會主席和專案組督導委員會的成員分別接受25個傳媒專訪，闡釋報告內容以及分享會方進行專題審視工作的過程。截至2020年8月，監警會網站上的專題審視報告網上版本錄得接近130,000次下載紀錄。

The Report attracted wide interest and media coverage with more than 50 local and worldwide media organisations attended the press conference. During the development and after the publication of the Report, Council Chairman and Members of the TFSG attended 25 media interviews to elucidate the Report and the work/process involved in conducting the Study. As of August 2020, about 130,000 downloads were recorded for the online version of the Report available on the IPCC website.



報告發表後，梁定邦主席及專案組督導委員會成員馬不停蹄接受多間傳媒專訪，闡述報告中會方對警方行動的觀點及改善建議。

Following the publication of the Thematic Study Report, Dr Anthony Neoh (Chairman) and Members of the TFSG took a number of feature interviews to elucidate the observations and improvement recommendations made on police actions in the Report.

行政長官接納專題審視報告的全部建議，她表示報告「全面、客觀，並以事實為基礎，極有分量」。保安局局長成立並親自督導專責小組，跟進會方作出的52項建議，並向行政長官匯報進展。

The Chief Executive accepted all the recommendations in the Report. She further commented that the Report was “comprehensive, objective, fact-based and weighty”. A task force steered by Secretary for Security has been formed to follow up on the 52 recommendations and report progress to the Chief Executive.

監警會將透過現行平台 / 機制，例如運作及程序諮詢委員會以及監警會與警方定期舉行的聯席會議，密切監察警方就各項建議的實施進度。與此同時，會方將繼續監察警方就個別投訴個案的處理，以確保有關投訴個案以證據為依歸，公平、公正地處理。

The IPCC will closely monitor the implementation of the recommendations by the Police through the prevailing platforms / mechanisms such as the Operations Advisory Committee and regular Joint Meetings with the Police. In parallel, the IPCC will continue the monitoring of Police’s handling of individual complaints in a fair, impartial and evidence-based manner.





5

傳訊工作

Communications

隨著社會環境持續轉變，監警會不斷審視其角色和工作，思考會方、警隊和公眾三方的關係。監警會深信加強三方之間的相互信任及溝通橋樑，是鞏固公平公正投訴警察制度的重要一環。故此，監警會積極透過多元途徑與各持份者保持緊密聯繫，加強公眾對監警會角色的認識，以便更好地履行《監警會條例》第8條(1)(e)的法定職能。

同時，監警會亦繼續透過各種恆常的溝通渠道與持份者保持聯繫，包括利用機構刊物、網頁、YouTube「監警會頻道」等發放最新資訊，加強公眾對會方工作和兩層架構投訴警察制度的認識。

In light of the changing social situation in Hong Kong, the IPCC has been proactively reviewing and reflecting on its role and duties, and the tripartite relationship between the IPCC, the Police and the public. The IPCC believes that the enhancement of mutual trust and communication among the three parties are of paramount importance to the reinforcement of a fair and just police complaints system. As such, the IPCC takes the initiative to engage with various stakeholders through an array of channels in order to better discharge its function of promoting public awareness of the IPCC's role under section 8(1)(e) of the IPCC Ordinance.

At the same time, the IPCC also continues to maintain liaison with stakeholders through prevailing communication channels including corporate publications, IPCC website and its official YouTube Channel for information dissemination in order to enhance public understanding of the Council's work and the two-tier police complaints system.

與持份者聯繫 Stakeholder Engagement

校園計劃 School Programme

2019年4月至2020年3月
April 2019 to March 2020

為了加強青少年對監警會的認識，會方自2016年11月推行校園計劃，向本地大專院校、中學和小學的師生簡介監警會的法定職能和角色。

報告期內，會方到訪多間中學，在通識課堂和集會上，透過影片、互動遊戲、個案討論等方式，向師生深入淺出地講解監警會審核投訴調查報告的原則和程序。本年度合共完成七次探訪，接觸近1,000名師生。

To enhance the youth's understanding of the IPCC, the Council has been promoting its School Programme since November 2016 to introduce functions and role of the IPCC to teachers and students from local tertiary institutions as well as secondary and primary schools.

During the reporting period, the IPCC paid visits to a number of secondary schools. Principles and procedures for vetting complaint investigation reports were explained to teachers and students at liberal studies lessons and school assemblies, with the aid of videos, interactive games and case sharing. The IPCC conducted seven visits during the year, reaching out to nearly 1,000 teachers and students.



雖然今年的學校探訪活動因社會運動及新型冠狀病毒病疫情而減少了，但在活動上，師生仍踴躍提問，並對投訴指控性質、證據分析、調查結果分類和觀察員計劃尤感興趣。監警會代表亦帶領學生解構真實投訴個案，抽絲剝繭，從而培養學生的獨立思考、批判和分析能力。計劃獲得各參與學校師生的正面評價。

Though school visits in this year were reduced due to social unrest and COVID-19 situation, participants were keen to learn more about the work of the IPCC, in particular nature of complaints, evidence analysis, classification of investigation results and the Observers Scheme. The IPCC representatives also guided students to examine real complaint cases with the aim of fostering their independent, critical and analytical thinking skills. The School Programme was well received by participating teachers and students.



俞官興秘書長先後獲邀擔任惠僑英文中學金禧校慶及應屆畢業典禮（左）及新界喇沙中學應屆畢業典禮（中及右）的主禮嘉賓。
Mr Richard Yu (Secretary-General) was invited to officiate at the 50th Anniversary and Graduation Ceremony of Wai Kiu College (left) and the Graduation Ceremony of De La Salle Secondary School New Territories (centre and right).

會方期望藉著校園計劃，讓更多年輕人了解監警會獨立、公正、誠信的核心價值，清楚認識投訴的權與責。

Through the School Programme, it is hoped that the younger generation will gain better understanding of the IPCC's core values, that is, independence, impartiality and integrity, as well as the rights and responsibilities for filing complaint.

與警方交流

Engaging with the Police

監警會的主要法定職能是監察警方處理有關警務人員的須匯報投訴，以及找出可能會引致須匯報投訴的不足之處，並適時向警方作出改善建議。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，了解前線警務人員在執行職務時所遇到的情況及警方的服務提升計劃。

The main statutory functions of the IPCC are to monitor the Police's handling of Reportable Complaints against police officers, identify any deficiencies which might lead to complaints and thus, make recommendations for improvement to the Force. It is therefore essential for the Council to maintain communication with representatives from different departments and levels of the Force to gain a better understanding of various situations encountered by frontline officers as well as Police's plans in enhancing service quality.

監警會和警方在年內的交流活動如下：

The engagement activities between the IPCC and the Police during the year are listed as follows:

2019.04.04

梁定邦主席連同九名委員和秘書處代表視察北角警署經優化後的羈留設施、相關人手和系統方面的編配，並向警方了解經改善的設施如何協助警隊提升服務質素。

Dr Anthony Francis Neoh (Chairman), nine Members and representatives from the Secretariat visited the newly enhanced detention facilities and related resources deployment at North Point Police Station; and discussed with the Force representatives on how these newly implemented measures could assist the Force in improving their service quality.



2019.06.25

梁定邦主席與八名委員出席警方安排的七一遊行簡布會。警隊代表在會上簡介有關遊行的路線安排和人流管理措施。各委員亦與負責處理大型公眾活動的前線警務人員代表會面，了解警方的應對行動。

Dr Anthony Francis Neoh (Chairman) and eight Members attended the 1 July procession briefing held by the Police, during which the Force representatives introduced arrangements for the procession route and crowd management measures to be taken during the procession. Members also met with several frontline officers who had dealt with public order events (POEs) to gain a better understanding of police actions.



2019.07.01

梁定邦主席與11名委員及俞官興秘書長，在時任警務處監管處處長劉賜蕙女士、時任助理處長（服務質素）鍾仕邦先生，以及投訴警察課代表的陪同下赴七一遊行現場，沿途觀察維園遊行起點、興發街、中央圖書館一帶、高士威道、禮頓道、柯布連道天橋，並與遊行人士沿軒尼詩道向金鐘步行，其後在軍器廠街警察總部等遊行隊伍「壓力點」進行觀察。

Dr Anthony Francis Neoh (Chairman), joined by 11 Members as well as Mr Richard Yu (Secretary- General), conducted on-site observation of 1 July procession. The IPCC delegation, accompanied by Ms Lau Chi-wai, Edwina, the then Director of Management Services of Hong Kong Police Force, Mr Chung Sze-pong, the then Assistant Commissioner of Police (Service Quality), and representatives from CAPO, observed various “pressure points” along the procession route, including the starting point at Victoria Park, Hing Fat Street, Central Library and adjacent areas, Causeway Road, Leighton Road, and the footbridge on O’Brien Road, then walked along with the participants of the procession from Hennessy Road towards Admiralty, finally stopped by the Police Headquarters on Arsenal Street.



公開會議 Open meetings

監警會在2019/20年度與投訴警察課舉行了四次聯席會議。為提高透明度並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，公眾關注的投訴事項及有關改善警方服務質素的重要議題，均會安排在公開會議上討論。

The IPCC held four joint meetings with CAPO in 2019/20. Part of the meetings were open to the public and the media to enhance transparency and understanding of IPCC's work. Complaint matters that had raised public concern and key issues related to the enhancement of the Force's service quality were discussed in the open session of the meetings.



2019.06.18

警方匯報了最新的投訴統計數據，並簡介了重大事故科的工作和運作。

The Police reported on the latest complaints statistics and gave a presentation on the work and operation of Major Incidents Bureau.

2019.09.17

警方匯報了最新的投訴統計數據，並簡述了警務人員的心理輔導服務，以及與大型公眾活動相關的網絡「起底」情況和假新聞。

The Police reported on the latest complaints statistics, and presented the provision of psychological services to police officers as well as doxxing and fake news relating to POEs.

2019.12.17

警方匯報如何在騷亂或混亂狀況下與傳媒聯絡，並交代在示威活動中識別警員身份的最新安排。

The Force gave a presentation on media liaison in riot or chaotic situations and provided an update on the latest arrangement of Police identification during protests.

2020.03.17

警方匯報了最新的投訴統計數據，並簡述了大型公眾活動中暴力升級的情況。

The Force reported on the latest complaints statistics and gave a presentation on escalation of violence at the POEs.

傳媒聯繫

Engaging with the media

在本年度，監警會共舉行了八次傳媒活動，包括新聞發布會及傳媒午宴。活動期間，梁定邦主席除了向傳媒及公眾闡述會方專題審視工作的最新進展及會方工作外，亦分享了他在監警會首年任期的體會和感想，以及對會方未來發展的看法。

In the current year, the IPCC held eight media events, including press conference and media luncheon. During these occasions, in addition to updating the press and the public on progress of Thematic Study and Council's work, Dr Anthony Francis Neoh (Chairman) also shared his first-year working experience in the IPCC and his views on the Council's future development.

監警會刊物 IPCC Publications



《監警會通訊》
IPCC Newsletter



《監警會 2018/19 工作報告》
IPCC Report 2018/19



6

組織架構

Organisational
Structure

委員會 The Council

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

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

主席 Chairman		任期 Appointment
梁定邦博士，QC，SC，JP Dr Anthony Francis NEOH, QC, SC, JP		2018年6月1日起 Since 1 June 2018
副主席 Vice-Chairmen		任期 Appointment
張華峰議員，SBS，JP Hon Chris CHEUNG Wah-fung, SBS, JP	個案審核小組主席 Case Vetting Sub-group Chairman	2015年1月1日起 Since 1 January 2015
謝偉銓議員，BBS，JP Hon Tony TSE Wai-chuen, BBS, JP	嚴重投訴個案委員會主席 個案審核小組主席 Serious Complaints Committee Chairman Case Vetting Sub-group Chairman	2015年1月1日起 Since 1 January 2015
易志明議員，SBS，JP Hon Frankie YICK Chi-ming, SBS, JP	個案審核小組主席 Case Vetting Sub-group Chairman	2019年1月1日起 Since 1 January 2019
委員 Members		任期 Appointment
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 (至2019年12月) Publicity and Survey Committee Chairman (Till December 2019)	2014年1月1日至2019年12月31日 From 1 January 2014 to 31 December 2019
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	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
陳錦榮先生，MH，JP Mr Clement CHAN Kam-wing, MH, JP	宣傳及意見調查委員會主席(2020年1月起) Publicity and Survey Committee Chairman (Since January 2020)	2016年6月1日起 Since 1 June 2016
藍德業資深大律師 Mr Douglas LAM Tak-yip, SC	法律事務委員會主席 Legal Committee Chairman	2017年1月1日起 Since 1 January 2017
鄭錦鐘博士，BBS，MH，OStJ，JP Dr Eric CHENG Kam-chung, BBS, MH, OStJ, JP	個案審核小組主席 Case Vetting Sub-group Chairman	2015年1月1日起 Since 1 January 2015
蘇麗珍女士，MH，JP Ms Ann SO Lai-chun, MH, JP		2014年1月1日至2019年12月31日 From 1 January 2014 to 31 December 2019

委員 Members	任期 Appointment
何錦榮先生 Mr Richard HO Kam-wing	2015年1月1日起 Since 1 January 2015
錢志庸先生 Mr Barry CHIN Chi-yung	2016年1月1日起 Since 1 January 2016
毛樂禮資深大律師 Mr José-Antonio MAURELLET, SC	2016年1月1日至2019年12月31日 From 1 January 2016 to 31 December 2019
鄺永銓先生 Mr Wilson KWONG Wing-tsuen	2016年6月1日起 Since 1 June 2016
歐楚筠女士 Ms Ann AU Chor-kwan	2017年1月1日起 Since 1 January 2017
朱永耀先生 Mr Alex CHU Wing-yiu	2017年1月1日起 Since 1 January 2017
李曉華女士 Miss Sylvia LEE Hiu-wah	2017年1月1日起 Since 1 January 2017
李家仁醫生，BBS，MH，JP Dr David LEE Ka-yan, BBS, MH, JP	2017年1月1日起 Since 1 January 2017
彭韻僖女士，BBS，MH，JP Ms Melissa Kaye PANG, BBS, MH, JP	2017年1月1日起 Since 1 January 2017
宋筱苓女士 Ms Shalini Shivan SUJANANI	2017年1月1日起 Since 1 January 2017
黃至生教授 Prof Martin WONG Chi-sang	2017年1月1日起 Since 1 January 2017
楊華勇先生，JP Mr Johnny YU Wah-yung, JP	2017年1月1日起 Since 1 January 2017
陳黃麗娟博士，SBS，MH，JP Dr Anissa CHAN WONG Lai-kuen, SBS, MH, JP	2018年6月1日起 Since 1 June 2018
王家揚先生 Mr Roland WONG Ka-yeung	2018年6月1日起 Since 1 June 2018
李文斌先生，MH，JP Mr LEE Man-bun, MH, JP	2019年1月1日起 Since 1 January 2019
羅孔君女士，JP Ms Jane Curzon LO, JP	2019年1月1日起 Since 1 January 2019
林定國資深大律師，JP Mr Paul LAM Ting-kwok, SC, JP	2019年9月4日起 Since 4 September 2019
余黎青萍女士，SBS Mrs Helen YU LAI Ching-ping, SBS	2019年9月4日起 Since 4 September 2019

監警會內務會議出席紀錄

IPCC Members' attendance at in-house meetings

時期：2019年4月至2020年3月
Period: April 2019 to March 2020

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。

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.

● 出席 Attended ○ 缺席 Did not attend N/A 不是會議成員 Not a Member of the Meeting

	2019			
	6月4日 4 Jun	7月5日* 5 Jul *	8月16日* 16 Aug *	9月3日 3 Sep
主席 Chairman				
梁定邦博士，QC，SC，JP Dr Anthony Francis NEOH, QC, SC, JP	●	●	●	●
副主席 Vice-Chairmen				
張華峰議員，SBS，JP Hon Chris CHEUNG Wah-fung, SBS, JP	●	○	●	○
謝偉銓議員，BBS，JP Hon Tony TSE Wai-chuen, BBS, JP	●	●	●	●
易志明議員，SBS，JP Hon Frankie YICK Chi-ming, SBS, JP	●	○	●	●
委員 Members				
劉文文女士，BBS，MH，JP Miss Lisa LAU Man-man, BBS, MH, JP	●	●	●	●
許宗盛先生，SBS，MH，JP Mr Herman HUI Chung-shing, SBS, MH, JP	●	●	●	●
關治平工程師，BBS，JP Ir Edgar KWAN Chi-ping, BBS, JP	●	○	○	○
陳錦榮先生，MH，JP Mr Clement CHAN Kam-wing, MH, JP	●	○	●	●
藍德業資深大律師 Mr Douglas LAM Tak-yip, SC	○	●	○	●
鄭錦鐘博士，BBS，MH，OSTJ，JP Dr Eric CHENG Kam-chung, BBS, MH, OSTJ, JP	●	●	●	●
蘇麗珍女士，MH，JP Ms Ann SO Lai-chun, MH, JP	●	○	○	●
何錦榮先生 Mr Richard HO Kam-wing	●	●	●	●

* 特別內務會議 Special in-house meeting

2019			2020				總數 Total
11月7日* 7 Nov*	11月13日* 13 Nov*	12月3日 3 Dec	1月16日* 16 Jan*	2月18日* 18 Feb*	3月3日 3 Mar	3月26日* 26 Mar*	
●	●	●	●	●	●	●	11/11
●	●	○	○	●	○	●	6/11
●	●	●	●	●	●	●	11/11
●	●	●	●	●	●	●	10/11
●	○	●	N/A	N/A	N/A	N/A	6/7
●	●	●	●	●	●	●	11/11
○	●	●	●	●	●	○	6/11
○	●	●	●	●	●	●	9/11
○	○	○	○	○	○	○	2/11
●	○	●	○	●	●	○	8/11
○	○	●	N/A	N/A	N/A	N/A	3/7
●	○	○	●	○	●	○	7/11

● 出席 Attended ○ 缺席 Did not attend N/A 不是會議成員 Not a Member of the Meeting

	2019			
	6月4日 4 Jun	7月5日* 5 Jul *	8月16日* 16 Aug *	9月3日 3 Sep
錢志庸先生 Mr Barry CHIN Chi-yung	○	●	●	●
毛樂禮資深大律師 Mr José-Antonio MAURELLET, SC	○	○	○	●
鄺永銓先生 Mr Wilson KWONG Wing-tsuen	○	●	●	●
歐楚筠女士 Ms Ann AU Chor-kwan	●	●	●	●
朱永耀先生 Mr Alex CHU Wing-yiu	●	●	●	●
李曉華女士 Miss Sylvia LEE Hiu-wah	●	●	●	●
李家仁醫生，BBS，MH，JP Dr David LEE Ka-yan, BBS, MH, JP	●	●	●	○
彭韻僖女士，BBS，MH，JP Ms Melissa Kaye PANG, BBS, MH, JP	○	●	●	●
宋筱苓女士 Ms Shalini Shivan SUJANANI	●	●	●	○
黃至生教授 Prof Martin WONG Chi-sang	●	●	●	●
楊華勇先生，JP Mr Johnny YU Wah-yung, JP	●	●	●	●
陳黃麗娟博士，SBS，MH，JP Dr Anissa CHAN WONG Lai-kuen, SBS, MH, JP	●	○	●	●
王家揚先生 Mr Roland WONG Ka-yeung	●	●	●	●
李文斌先生，MH，JP Mr LEE Man-bun, MH, JP	●	○	●	●
羅孔君女士，JP Ms Jane Curzon LO, JP	○	○	○	○
林定國資深大律師，JP Mr Paul LAM Ting-kwok, SC, JP	N/A	N/A	N/A	N/A
余黎青萍女士，SBS Mrs Helen YU LAI Ching-ping, SBS	N/A	N/A	N/A	N/A

* 特別內務會議 Special in-house meeting

2019			2020				總數 Total
11月7日* 7 Nov*	11月13日* 13 Nov*	12月3日 3 Dec	1月16日* 16 Jan*	2月18日* 18 Feb*	3月3日 3 Mar	3月26日* 26 Mar*	
●	●	●	●	●	●	●	10/11
○	○	●	N/A	N/A	N/A	N/A	2/7
●	○	●	○	○	●	●	7/11
●	●	●	●	●	●	●	11/11
○	●	●	●	○	●	●	9/11
●	○	●	○	●	●	○	8/11
●	○	●	○	●	●	○	7/11
○	●	○	●	○	○	●	6/11
○	○	●	●	○	○	●	6/11
●	●	○	●	●	●	○	9/11
○	○	●	●	●	○	●	8/11
●	●	●	●	●	○	○	8/11
●	●	●	●	●	●	●	11/11
●	○	●	○	○	○	●	6/11
○	●	○	○	○	○	●	2/11
○	○	●	○	●	●	○	3/7
●	●	●	○	●	●	●	6/7

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：2019年4月至2020年3月
Period: April 2019 to March 2020

● 出席 Attended ○ 缺席 Did not attend N/A 不是會議成員 Not a Member of the Meeting

	2019			2020	總數 Total
	6月18日 18 Jun	9月17日 17 Sep	12月17日 17 Dec	3月17日 17 Mar	
主席 Chairman					
梁定邦博士，QC，SC，JP Dr Anthony Francis NEOH, QC, SC, JP	●	●	●	●	4/4
副主席 Vice-Chairmen					
張華峰議員，SBS，JP Hon Chris CHEUNG Wah-fung, SBS, JP	●	●	●	●	4/4
謝偉銓議員，BBS，JP Hon Tony TSE Wai-chuen, BBS, JP	●	●	●	●	4/4
易志明議員，SBS，JP Hon Frankie YICK Chi-ming, SBS, JP	●	●	●	●	4/4
委員 Members					
劉文文女士，BBS，MH，JP Miss Lisa LAU Man-man, BBS, MH, JP	●	●	●	N/A	3/3
許宗盛先生，SBS，MH，JP Mr Herman HUI Chung-shing, SBS, MH, JP	●	●	●	●	4/4
關治平工程師，BBS，JP Ir Edgar KWAN Chi-ping, BBS, JP	●	●	●	○	3/4
陳錦榮先生，MH，JP Mr Clement CHAN Kam-wing, MH, JP	○	●	○	●	2/4
藍德業資深大律師 Mr Douglas LAM Tak-yip, SC	○	○	○	○	0/4
鄭錦鐘博士，BBS，MH，OSTJ，JP Dr Eric CHENG Kam-chung, BBS, MH, OSTJ, JP	●	●	●	●	4/4
蘇麗珍女士，MH，JP Ms Ann SO Lai-chun, MH, JP	●	○	○	N/A	1/3
何錦榮先生 Mr Richard HO Kam-wing	○	●	○	○	1/4
錢志庸先生 Mr Barry CHIN Chi-yung	●	●	●	●	4/4
毛樂禮資深大律師 Mr José-Antonio MAURELLET, SC	○	●	○	N/A	1/3
鄺永銓先生 Mr Wilson KWONG Wing-tsuen	●	●	●	●	4/4

● 出席 Attended ○ 缺席 Did not attend N/A 不是會議成員 Not a Member of the Meeting

	2019			2020	總數 Total
	6月18日 18 Jun	9月17日 17 Sep	12月17日 17 Dec	3月17日 17 Mar	
歐楚筠女士 Ms Ann AU Chor-kwan	●	●	●	●	4/4
朱永耀先生 Mr Alex CHU Wing-yiu	●	●	●	●	4/4
李曉華女士 Miss Sylvia LEE Hiu-wah	●	●	●	○	3/4
李家仁醫生，BBS，MH，JP Dr David LEE Ka-yan, BBS, MH, JP	○	●	○	○	1/4
彭韻僖女士，BBS，MH，JP Ms Melissa Kaye PANG, BBS, MH, JP	○	●	○	●	2/4
宋筱苓女士 Ms Shalini Shivan SUJANANI	●	●	○	○	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	●	○	○	●	2/4
陳黃麗娟博士，SBS，MH，JP Dr Anissa CHAN WONG Lai-kuen, SBS, MH, JP	●	○	●	●	3/4
王家揚先生 Mr Roland WONG Ka-yeung	●	●	●	●	4/4
李文斌先生，MH，JP Mr LEE Man-bun, MH, JP	●	●	●	○	3/4
羅孔君女士，JP Ms Jane Curzon LO, JP	●	○	○	●	2/4
林定國資深大律師，JP Mr Paul LAM Ting-kwok, SC, JP	N/A	●	●	●	3/3
余黎青萍女士，SBS Mrs Helen YU LAI Ching-ping, SBS	N/A	●	●	●	3/3

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。四個小組主席分別為副主席張華峰議員、謝偉銓議員、易志明議員，以及委員鄭錦鐘博士。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. Chairmen for the four groups are Vice-Chairmen Hon Chris CHEUNG Wah-fung, Hon Tony TSE Wai-chuen, Hon Frankie YICK Chi-ming and Member Dr Eric CHENG Kam-chung. The IPCC has set up five Committees to help perform its functions more efficiently.

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

1 嚴重投訴個案委員會 Serious Complaints Committee

職權範圍

- 訂定準則，用以界定應受委員會監察的嚴重個案；
- 研究和制定監察嚴重投訴個案的特別程序；
- 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；
- 審核嚴重投訴個案的調查結果，並向主席提出建議；
- 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

- To determine the criteria of serious cases that should come under the monitoring of the Committee;
- To examine and determine special procedures for monitoring serious complaints;
- To examine the need to seek outside professional advice or service to facilitate the scrutiny of complaint cases;
- To examine the findings of serious complaint cases after investigation has been completed, and put forward recommendations to the Chairman;
- 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 Membership

主席

謝偉銓議員，BBS，JP

委員

張華峰議員，SBS，JP

易志明議員，SBS，JP

劉文文女士，BBS，MH，JP
(至2019年12月)

蘇麗珍女士，MH，JP
(至2019年12月)

Chairman

Hon Tony TSE Wai-chuen, BBS, JP

Members

Hon Chris CHEUNG Wah-fung, SBS, JP

Hon Frankie YICK Chi-ming, SBS, JP

Miss Lisa LAU Man-man, BBS, MH, JP
(Till Dec 2019)

Ms Ann SO Lai-chun, MH, JP
(Till Dec 2019)

鄭錦鐘博士，BBS，MH，OSTJ，JP

許宗盛先生，SBS，MH，JP

陳錦榮先生，MH，JP

歐楚筠女士

李曉華女士

李家仁醫生，BBS，MH，JP

黃至生教授

陳黃麗娟博士，SBS，MH，JP

王家揚先生

李文斌先生，MH，JP

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

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

Mr Clement CHAN Kam-wing, MH, JP

Ms Ann AU Chor-kwan

Miss Sylvia LEE Hiu-wah

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

Prof Martin WONG Chi-sang

Dr Anissa CHAN WONG Lai-kuen, SBS, MH, JP

Mr Roland WONG Ka-yeung

Mr LEE Man-bun, MH, JP

2 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) 項所載計劃的進展和質素；
- e. 審議年度宣傳計劃並就計劃提出意見，供監警會考慮；
- f. 提出委員會認為適當並與宣傳有關的任何事宜，供監警會考慮。

Terms of reference

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

成員 Membership

主席

劉文文女士，BBS，MH，JP
(至2019年12月)

陳錦榮先生，MH，JP
(2020年1月起)

委員

蘇麗珍女士，MH，JP
(至2019年12月)

鄭永銓先生

歐楚筠女士

朱永耀先生

楊華勇先生，JP

余黎青萍女士，SBS
(2019年9月起)

Chairman

Miss Lisa LAU Man-man, BBS, MH, JP
(Till Dec 2019)

Mr Clement CHAN Kam-wing, MH, JP
(Since Jan 2020)

Members

Ms Ann SO Lai-chun, MH, JP
(Till Dec 2019)

Mr Wilson KWONG Wing-tsun

Ms Ann AU Chor-kwan

Mr Alex CHU Wing-yiu

Mr Johnny YU Wah-yung, JP

Mrs Helen YU LAI Ching-ping, SBS
(Since Sep 2019)

3 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；
 - 助理秘書長及高級審核主任／高級研究主任／高級經理級別僱員的委任、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25萬元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;
 - appointment, interdiction from duty, and termination of employment of employees at Assistant Secretary-General and Senior Vetting Officer/Senior Research Officer/Senior Manager ranks;
 - key administrative matters that affect the service of IPCC;
 - proposed new contracts with estimated value above \$250,000 or covering a new area of activity, with the exception of those contracts or activities which come under the purview of the Publicity and Survey Committee;
- c. To put forward any administrative and management issues for the IPCC's deliberation as the Committee deems appropriate.

成員 Membership

主席

關治平工程師，BBS，JP

委員

謝偉銓議員，BBS，JP

鄭錦鐘博士，BBS，MH，OSTJ，JP

何錦榮先生

鄺永銓先生

歐楚筠女士
(2019年9月起)

李曉華女士

彭韻僖女士，BBS，MH，JP

王家揚先生

李文斌先生，MH，JP

Chairman

Ir Edgar KWAN Chi-ping, BBS, JP

Members

Hon Tony TSE Wai-chuen, BBS, JP

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

Mr Richard HO Kam-wing

Mr Wilson KWONG Wing-tsuen

Ms Ann AU Chor-kwan
(Since Sep 2019)

Miss Sylvia LEE Hiu-wah

Ms Melissa Kaye PANG, BBS, MH, JP

Mr Roland WONG Ka-yeung

Mr LEE Man-bun, MH, JP

4 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 Membership

主席

許宗盛先生，SBS，MH，JP

委員

劉文文女士，BBS，MH，JP
(至2019年12月)

陳錦榮先生，MH，JP

鄺永銓先生

歐楚筠女士

朱永耀先生

黃至生教授

余黎青萍女士，SBS
(2019年9月起)

Chairman

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

Members

Miss Lisa LAU Man-man, BBS, MH, JP
(Till Dec 2019)

Mr Clement CHAN Kam-wing, MH, JP

Mr Wilson KWONG Wing-tsuen

Ms Ann AU Chor-kwan

Mr Alex CHU Wing-yiu

Prof Martin WONG Chi-sang

Mrs Helen YU LAI Ching-ping, SBS
(Since Sep 2019)

5 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究；
- d. 監警會的運作及／或管理所產生的法律問題；
- 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 IPCC's internal rules and regulations;
- c. Legal research arising from or incidental to the Council's work;
- d. Legal issues arising from the operation and/or administration of the Council;
- 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 Membership

主席

藍德業資深大律師

委員

許宗盛先生，SBS，MH，JP

毛樂禮資深大律師
(至2019年12月)

李曉華女士

彭韻僖女士，BBS，MH，JP

王家揚先生

羅孔君女士，JP

林定國資深大律師，JP
(2019年9月起)

Chairman

Mr Douglas LAM Tak-yip, SC

Members

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

Mr José-Antonio MAURELLET, SC
(Till Dec 2019)

Miss Sylvia LEE Hiu-wah

Ms Melissa Kaye PANG, BBS, MH, JP

Mr Roland WONG Ka-yeung

Ms Jane Curzon LO, JP

Mr Paul LAM Ting-kwok, SC, JP
(Since Sep 2019)

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 區穎恩女士	Ms Grace AU Wing-yan
2 歐陽伯權先生，JP	Mr Rex AUYEUNG Pak-kuen, JP
3 鮑誠業先生	Mr BOU Shing-ip
● 4 湛家雄先生，BBS，MH，JP	Mr Daniel CHAM Ka-hung, BBS, MH, JP
5 陳杏女士，MH	Ms CHAN Hang, MH
6 陳香蓮女士，JP	Ms Jenny CHAN Heung-lin, JP
7 陳家偉先生，MH	Mr Calvin CHAN Ka-wai, MH
8 陳建強醫生，BBS，JP	Dr Eugene CHAN Kin-keung, BBS, JP
9 陳茂強先生	Mr Haydn CHAN Mou-keung
10 陳東岳先生	Mr Tony CHAN Tung-ngok
● 11 陳穎峯先生	Mr CHAN Wing-fung
12 陳郁傑教授，MH，JP	Prof CHAN Yuk-kit, MH, JP
13 周嘉弘先生	Mr Calvin CHAU
14 鄭木林先生，MH	Mr Mathew CHENG Muk-lam, MH
15 鄭承峰博士，MH，JP	Dr Baldwin CHENG Shing-fung, MH, JP
16 鄭承隆先生，MH	Mr Edwin CHENG Shing-lung, MH
17 張焯堯先生	Mr Charles CHEUNG Cheuk-yiu
● 18 張呂寶兒女士，JP	Mrs Peggy CHEUNG Po-ye, JP
19 張俊勇先生，MH，JP	Mr Thomas CHEUNG Tsun-yung, MH, JP
20 張欽龍先生	Mr CHEUNG Yam-lung

● 2019年4月1日新任命
Newly-appointed Observers (1 Apr 2019)

● 2019年11月1日新任命
Newly-appointed Observers (1 Nov 2019)

● 2019年11月1日退休
Retired Observer (1 Nov 2019)

● 2019年-2020年辭任
Resigned Observer (2019-2020)

	觀察員名單	Name of Observers
21	張依勵博士	Dr CHEUNG Yee-lai
22	張漪薇女士，JP	Ms Mimi CHEUNG Yee-may, JP
23	錢丞海先生	Mr Gordon CHIN Shing-hoi
24	蔡永璣先生	Mr Wilkie CHOI Wing-kee
●	25 莊冬瑩女士	Ms Christina CHONG Dong-ying
26	張詩培女士，MH	Ms Joanne CHONG Sze-pui, MH
27	周錦威博士，MH	Dr CHOW Kam-wai, MH
28	周耀明先生，BBS，MH	Mr Alan CHOW Yiu-ming, BBS, MH
29	鍾靖薇女士	Ms CHUNG Ching-may
30	鍾燕婷女士	Ms CHUNG Yin-ting
31	范凱傑先生	Mr Alex FAN Hoi-kit
32	方文傑先生	Mr James Mathew FONG
33	方平先生，BBS，JP	Mr FONG Ping, BBS, JP
34	符美玉博士	Dr Shirley FU
35	馮卓能先生，MH	Mr Clement FUNG Cheuk-nang, MH
●	36 何家祈先生	Mr Alan HO Ka-ki
●	37 何兆剛先生	Mr HO Siu-kong
●	38 何庭康先生	Mr HO Ting-hong
39	何子綱先生	Mr James HO Tsz-kong
40	何偉權博士	Dr HO Wai-kuen
41	何逸雲先生	Mr Alec HO Yat-wan
42	何婉嫻女士	Ms HO Yuen-han
●	43 孔泳淇女士	Ms HUNG Wing-ki
●	44 葉雅文博士	Dr Tiffany IP Nga-min
●	45 金晉亭先生	Mr Hugh Alexander KAM Tsun-ting
●	46 顧明仁博士，MH	Dr Charles KOO Ming-yan, MH
●	47 郭錦鴻先生	Mr KWOK Kam-hung
48	林亦有先生，BBS，MH，JP	Mr Billy LAM Chek-yau, BBS, MH, JP
49	林志傑醫生，BBS，MH，JP	Dr Lawrence LAM Chi-kit, BBS, MH, JP
●	50 林楚檳醫生	Dr Otis LAM Cho-bun
51	林振昇先生	Mr LAM Chun-sing

	觀察員名單	Name of Observers
52	林發耿先生，MH	Mr LAM Faat-kang, MH
53	林浩揚先生	Mr LAM Ho-yeung
54	林開利先生	Mr Laurie LAM Hoy-lee
55	林建康先生，MH	Mr Matthew LAM Kin-hong, MH
●	56 劉駿楷先生	Mr Terence LAU Chun-kai
57	劉興華先生，MH，JP	Mr LAU Hing-wah, MH, JP
58	樓家強先生，MH，JP	Mr LAU Ka-keung, MH, JP
59	劉文東先生	Mr Benjamin LAU Man-tung
60	劉偉光先生	Mr Billy LAU Wai-kwong
61	劉應東先生	Mr Ellis LAU Ying-tung
62	李富芬女士	Ms LEE Fu-fan
63	李世基先生	Mr LEE Sai-kee
64	李穎詩女士	Ms Vivian LEE Ying-shih
65	李許美嫦女士，MH，JP	Mrs Tennessy LEE HUI Mei-sheung, MH, JP
66	梁淑莊女士	Ms LEUNG Suk-chong
●	67 李嘉欣女士	Ms LI Ka-yan
●	68 廖舒衡女士	Ms LIAO Shu-hang
69	廖啟明醫生，MH	Dr LIU Kai-ming, MH
70	廖錦興博士	Dr LIU Kam-hing
71	羅發強先生	Mr LO Fat-keung
72	羅啟富先生	Mr Vincent LO Kai-fu
73	盧錦華先生，MH，JP	Mr Norman LO Kam-wah, MH, JP
74	羅沛然博士	Dr LO Pui-yin
75	羅仁禮先生，MH，JP	Mr LO Yan-lai, MH, JP
76	陸海女士，BBS，MH，JP	Ms LU Hai, BBS, MH, JP
77	呂志豪先生	Mr LUI Chi-ho
78	陸勁光先生，MH	Mr LUK King-kwong, MH

● 2019年4月1日新任命
Newly-appointed Observers (1 Apr 2019)

● 2019年11月1日新任命
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● 2019年11月1日退休
Retired Observer (1 Nov 2019)

● 2019年-2020年辭任
Resigned Observer (2019-2020)

觀察員名單		Name of Observers
●	79 馬盧金華女士	Mrs Virginia MA LO Kam-wah
	80 麥樂嫦女士	Ms Mabel MAK Lok-sheung
●	81 麥穎恩女士	Ms Yanice MAK Wing-yan
	82 莫仲輝先生，BBS，MH，JP	Mr Rex MOK Chung-fai, BBS, MH, JP
	83 莫潤輝牧師	Rev MOK Yun-fai
	84 伍海山先生	Mr Aaron NG Hoi-shan
	85 吳玲玲女士，JP	Ms NG Ling-ling, JP
	86 吳宏增先生	Mr Andy NG Wang-tsang
	87 吳永嘉議員，BBS，JP	Hon Jimmy NG Wing-ka, BBS, JP
●	88 顏雋先生	Mr Lucas NGAN Chun
●	89 顏少倫先生	Mr NGAN Siu-lun
	90 彭穎生先生，MH	Mr Victor PANG Wing-seng, MH
●	91 潘家銘先生	Mr Gavin POON Ka-ming
	92 潘國華先生	Mr PUN Kwok-wah
●	93 岑栢琛先生	Mr Rex SHAM Pui-sum
	94 蕭澤宇先生，BBS，JP	Mr Simon SIU Chak-yu, BBS, JP
	95 蕭楚基先生，BBS，MH，JP	Mr SIU Chor-kee, BBS, MH, JP
	96 蘇凱恩女士	Ms Crystal SO Hoi-yan
	97 蘇慧賢女士	Ms Herdy SO Wai-yin
●	98 孫康喬先生	Mr Elliott Hancock SUEN
	99 施家殷先生，MH	Mr Kyran SZE, MH
●	100 譚瑋信先生	Mr Wilson TAM Wai-shun
	101 鄧智宏先生	Mr TANG Chi-wang
●	102 唐俊偉先生	Mr Hugh TONG Chun-wai
	103 唐梓恩女士	Ms TONG Zi-yan
●	104 蔡靜瑜女士	Ms Rebecca TSAI Ching-yu
	105 蔡曉慧女士	Ms Sherry TSAI Hiu-wai
	106 曾嘉麗女士	Ms TSANG Ka-lai
	107 曾文彪先生	Mr TSANG Man-biu
	108 曾文興先生	Mr TSANG Man-hing

觀察員名單		Name of Observers
●	109 曾紫蕾女士	Ms TSANG Tsz-lui
	110 曾耀民先生	Mr Newman TSANG Yiu-man
	111 謝炯全博士	Dr Patrick TSE Kwing-chuen
●	112 徐福榮醫生，MH	Dr Michael TSUI Fuk-sun, MH
●	113 王政芝女士	Ms Gigi WONG Ching-chi
	114 黃頌良博士，JP	Dr WONG Chung-leung, JP
	115 王真妮女士	Ms Jacqueline WONG
●	116 黃定康先生	Mr WONG Ting-hong
	117 黃耀聰先生，MH	Mr WONG Yiu-chung, MH
	118 胡潔瑩博士，JP	Dr Kitty WU Kit-ying, JP
	119 吳德龍先生	Mr Bernard WU Tak-lung
	120 任志浩教授	Prof Michael YAM Chi-ho
	121 甄懋強先生	Mr YAN Mou-keung
	122 楊偉康博士	Dr YEUNG Wai-hong
	123 葉振南先生，BBS，MH，JP	Mr Stephen YIP Chun-nam, BBS, MH, JP
	124 姚寶雅女士	Ms Christina YIU Po-nga
	125 楊添燦先生	Mr Alan YOUNG Tim-tsan
●	126 余雅芳女士	Ms Avon YUE Nga-fong
	127 袁達堂先生	Mr YUEN Tat-tong

● 2019年4月1日新任命
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● 2019年11月1日退休
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Resigned Observer (2019-2020)

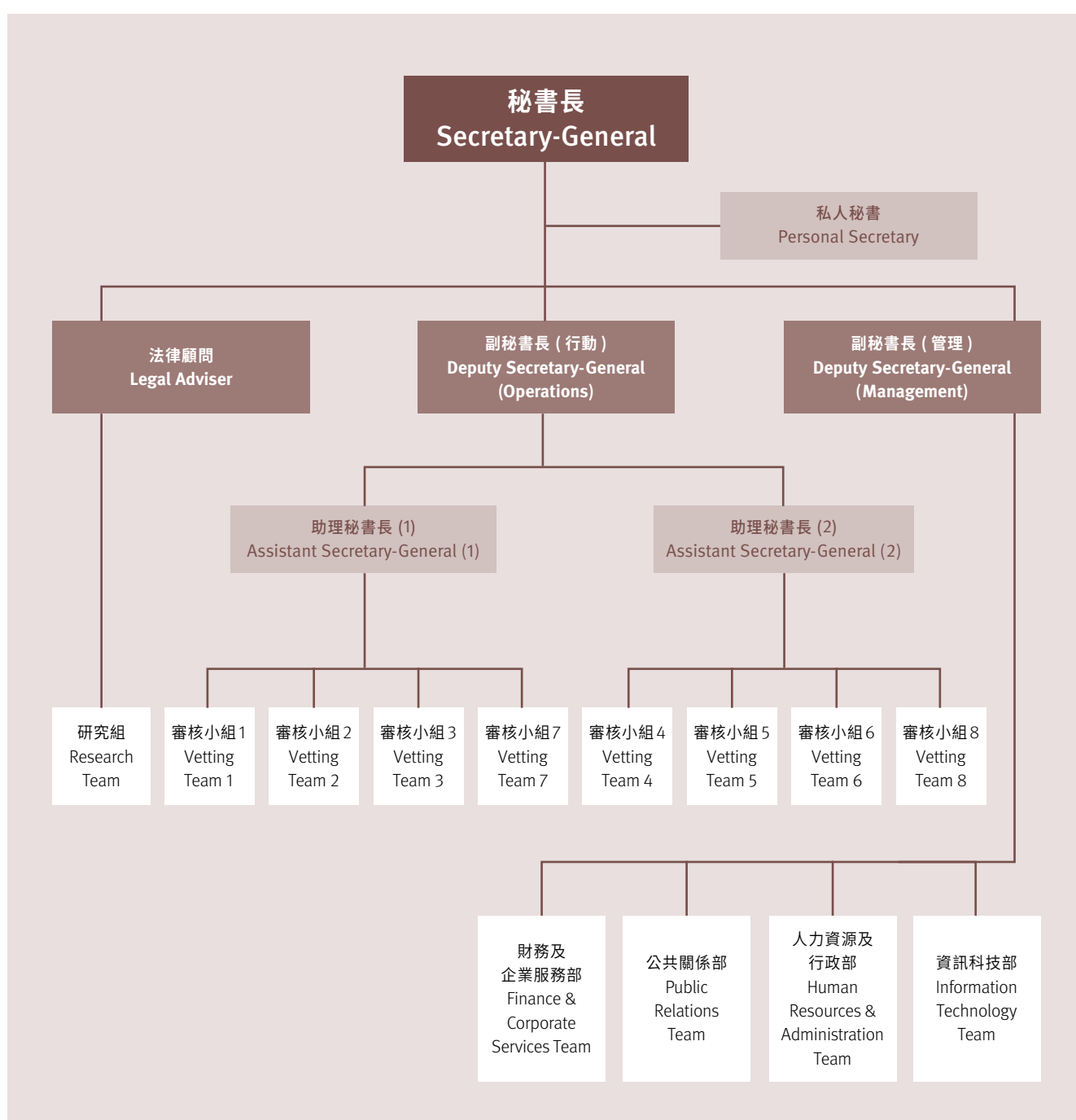
監警會秘書處 IPCC Secretariat

監警會由一個全職的秘書處支援。秘書處由秘書長領導，2019/20年度編制共有68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2020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 68 posts on the establishment in 2019/20. The major function of the Secretariat is to assist Council Members in examining complaint investigation reports and in promoting the work of the IPCC.

The organisational chart of the IPCC Secretariat, as at 31 March 2020, is as below:





7

財務報表
Financial
Statements

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(以港幣計算，除非另作說明)
(All amounts in Hong Kong Dollars unless otherwise stated)

獨立核數師報告 致獨立監察警方處理投訴委員會 INDEPENDENT AUDITOR'S REPORT TO INDEPENDENT POLICE COMPLAINTS COUNCIL

(根據《獨立監察警方處理投訴委員會條例》成立)
(Established under the Independent Police Complaints Council Ordinance)



截至2020年3月31日止年度
Year ended 31 March 2020

意見

本核數師(以下簡稱「我們」)已審計列載於第118至139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,此財務報表包括於二零二零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二零二零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。

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。

Opinion

We have audited the financial statements of the Independent Police Complaints Council (the "Council") set out on pages 118 to 139, which comprise the statement of financial position as at 31 March 2020, and the statement of comprehensive income, statement of changes in reserves and 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 2020, 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 ("HKSA") 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.

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.

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

貴會及治理層就財務報表須承擔的責任

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

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

治理層須負責監督貴會的財務報告過程。

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：

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.

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:

- 識別和評估由於欺詐或錯誤而導致財務報表存在重大錯誤陳述的風險，設計及執行審計程序以應對這些風險，以及獲取充足和適當的審計憑證，作為我們意見的基礎。由於欺詐可能涉及串謀、偽造、蓄意遺漏、虛假陳述，或凌駕於內部控制之上，因此未能發現因欺詐而導致的重大錯誤陳述的風險高於未能發現因錯誤而導致的重大錯誤陳述的風險。
- 了解與審計相關的內部控制，以設計適當的審計程序，但目的並非對貴會內部控制的有效性發表意見。
- 評價貴會所採用會計政策的恰當性及作出會計估計和相關披露的合理性。
- 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。
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Council's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Council.
- Conclude on the appropriateness of the Council's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Council's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Council to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

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

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

Patrick Wong CPA Ltd

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

PATRICK WONG C.P.A. LIMITED

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

二零二零年八月二十日
香港

20 August 2020
Hong Kong

全面收益表

STATEMENT OF COMPREHENSIVE INCOME

截至二零二零年三月三十一日止年度

Year ended 31 March 2020

	附註 Note	2020 \$	2019 \$
收入 Income			
政府補助 Government grants	6	106,230,945	81,355,666
其他收入 Other income	7	547,705	333,402
		106,778,650	81,689,068
支出 Expenditure			
員工成本 Staff costs	8	61,233,727	51,148,162
一般及行政費用 General and administrative expenses	8	39,605,855	22,954,777
本會成員酬金 Honorarium to Council members	19	870,200	859,640
財務費用 Finance cost	8	491,658	-
		102,201,440	74,962,579
本年度盈餘及全面收益總額 Surplus and total comprehensive income for the year	8	4,577,210	6,726,489

第122頁至第139頁之財務報表附註俱屬本財務報表之一部份。
The notes on pages 122 to 139 are an integral part of these financial statements.

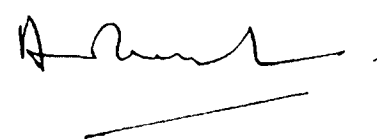
財務狀況表

STATEMENT OF FINANCIAL POSITION

於二零二零年三月三十一日
At 31 March 2020

	附註 Note	2020 \$	2019 \$
非流動資產 Non-current asset			
固定資產 Fixed assets	10	35,976,369	8,903,704
流動資產 Current assets			
按金及預付款項 Deposits and prepayments		5,084,521	4,248,059
應收利息 Interest receivable		13,562	3,222
現金及現金等價物 Cash and cash equivalents	11	37,979,364	25,405,973
		43,077,447	29,657,254
流動負債 Current liabilities			
遞延政府補助 Deferred government grants	12	609,583	771,945
其他應付款項及應計費用 Other payables and accruals	13	14,469,681	6,361,508
租賃負債 Lease liabilities	15	11,724,179	-
		26,803,443	7,133,453
流動資產淨值 Net current assets			
		16,274,004	22,523,801
資產總值減流動負債 Total assets less current liabilities			
		52,250,373	31,427,505
非流動負債 Non-current liabilities			
遞延政府補助 Deferred government grants	12	-	609,583
員工約滿酬金撥備 Provision for staff gratuities	14	6,878,784	6,241,933
租賃負債 Lease liabilities	15	16,218,390	-
		23,097,174	6,851,516
資產淨值 Net assets			
		29,153,199	24,575,989
儲備 Reserves			
累計盈餘 Accumulated surplus	16	29,153,199	24,575,989

本會於二零二零年八月二十日批准並授權公佈本財務報表。
Approved and authorised for issue by the Council on 20 August 2020.



第122頁至第139頁之財務報表附註俱屬本財務報表之一部份。
The notes on pages 122 to 139 are an integral part of these financial statements.

梁定邦，QC，SC，JP 主席
Anthony Francis NEOH, QC, SC, JP Chairman

儲備變動表

STATEMENT OF CHANGES IN RESERVES

截至二零二零年三月三十一日止年度
Year ended 31 March 2020

	附註 Note	累計盈餘 Accumulated surplus \$
於二零一八年四月一日之結餘 Balance at 1 April 2018		63,427,099
年內盈餘及全面收益 Surplus and total comprehensive income for the year		6,726,489
退還予政府的超額儲備 Excessive reserve refunded to the Hong Kong Government	16	(45,577,599)
於二零一九年三月三十一日及四月一日之結餘 Balances at 31 March 2019 and at 1 April 2019		24,575,989
年內盈餘及全面收益 Surplus and total comprehensive income for the year		4,577,210
於二零二零年三月三十一日之結餘 Balance at 31 March 2020		29,153,199

第122頁至第139頁之財務報表附註俱屬本財務報表之一部份。
The notes on pages 122 to 139 are an integral part of these financial statements.

現金流量表 STATEMENT OF CASH FLOWS

截至二零二零年三月三十一日止年度
Year ended 31 March 2020

	附註 Note	2020 \$	2019 \$
營運活動 Operating activities			
年內盈餘及全面收益 Surplus and total comprehensive income for the year		4,577,210	6,726,489
已就下列各項作出調整 Adjustments for:			
- 折舊 Depreciation		11,595,644	4,564,437
- 財務費用 Finance cost		491,658	-
- 利息收入 Interest income		(543,177)	(332,364)
- 退還予政府的超額儲備 Excessive reserve refunded to the Hong Kong Government		-	(45,577,599)
營運資金變動前之營運盈餘/(虧損) Operating surplus/(deficit) before working capital changes		16,121,335	(34,619,037)
按金及預付款項之(增加)/減少 (Increase)/decrease in deposits and prepayments		(836,462)	60,352
遞延政府補助之減少 Decrease in deferred government grants		(771,945)	(2,156,666)
其他應付款項及應計費用之增加 Increase in other payables and accruals		8,108,173	3,449,786
員工約滿酬金撥備之增加 Increase in provision for staff gratuities		636,851	1,302,719
營運活動產生的現金流流入/(流出) Net cash generated from/(used in) operating activities		23,257,952	(31,962,846)
投資活動 Investing activities			
購入固定資產 Purchase of fixed assets		(4,166,494)	(4,731,149)
已收利息 Interest received		532,837	335,035
投資活動之現金流流出淨額 Net cash used in investing activities		(3,633,657)	(4,396,114)
融資活動 Financing activities			
已付租金本金 Capital element of lease rentals paid		(6,559,246)	-
已付租金利息 Interest element of lease rentals paid		(491,658)	-
融資活動之現金流流出淨額 Net cash used in financing activities		(7,050,904)	-
現金及現金等價物之增加/(減少)淨額 Net increase/(decrease) in cash and cash equivalents		12,573,391	(36,358,960)
年初之現金及現金等價物 Cash and cash equivalents at the beginning of year		25,405,973	61,764,933
年末之現金及現金等價物 Cash and cash equivalents at the end of year	11	37,979,364	25,405,973

第122頁至第139頁之財務報表附註俱屬本財務報表之一部份。
The notes on pages 122 to 139 are an integral part of these financial statements.

財務報表附註

NOTES TO THE FINANCIAL STATEMENTS

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》（第604章）（「本會條例」）成立的一個法團，根據本會條例，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。

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（如有）後記入財務狀況表。

1 General Information

The Independent Police Complaints Council (the “Council”) is a body corporate established under the Independent Police Complaints Council Ordinance (Cap. 604) (the “Ordinance”). Under 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 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 depreciation and accumulated impairment losses, if any.

3 主要會計政策 (續)

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：-

自置資產

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

使用權資產

- 租賃土地及樓宇	按租賃年期
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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) 確認及終止確認金融工具

金融資產及金融負債於本會成為工具合約條文的訂約方時，於財務狀況表內確認。

倘從資產收取現金流量的合約權利屆滿；本會轉移其於資產擁有權的基本上所有風險及回報；或本會並無轉移或保留資產擁有權的基本上所有風險及回報亦無保留對資產的控制權，則終止確認金融資產。於終止確認金融資產時，資產賬面值與已收代價的差額會於損益內確認。

倘於有關合約的特定責任獲解除、取消或屆滿，則終止確認金融負債。終止確認的金融負債賬面值與已付代價的差額會於損益內確認。

3 Summary of significant accounting policies (continued)

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:-

Owned assets

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

Right-of-use asset

- Leasehold land and building	Over the lease term
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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) Recognition and derecognition of financial instruments

Financial assets and financial liabilities are recognised in the statement of financial position when the Council becomes a party to the contractual provisions of the instruments.

Financial assets are derecognised when the contractual rights to receive cash flows from the assets expire; the Council transfers substantially all the risks and rewards of ownership of the assets; or the Council neither transfers nor retains substantially all the risks and rewards of ownership of the assets but has not retained control on the assets. On derecognition of a financial asset, the difference between the assets' carrying amount and the sum of the consideration received is recognised in profit or loss.

Financial liabilities are derecognised when the obligation specified in the relevant contract is discharged, cancelled or expired. The difference between the carrying amount of the financial liability derecognised and the consideration paid is recognised in profit or loss.

3 主要會計政策 (續)

(d) 金融資產

倘根據合約條款規定須於有關市場所規定期限內購入或出售資產，則金融資產按交易日基準確認入賬及終止確認，並按公允價值加直接交易成本作初步計算，惟按公允價值計入損益的投資則除外。收購按公允價值計入損益的投資之直接應佔交易成本即時於損益確認。

按攤銷成本列賬的金融資產

撥歸此類的金融資產 (包括貿易及其他應收款項) 須同時符合下列條件：

- 持有資產的業務模式是為收取合約現金流；及
- 資產的合約條款於特定日期產生僅為支付本金及未償還本金利息的現金流量。

按攤銷成本列賬的金融資產其後以實際利率法按攤銷成本減預期信貸虧損的虧損撥備計算。

(e) 預計信貸虧損的虧損撥備

本會就按攤銷成本計算的金融資產及融資擔保合約的預計信貸虧損確認虧損撥備。預計信貸虧損為加權平均信貸虧損，並以發生違約風險的金額作為加權數值。

於各報告期末，倘金融工具的信貨風險自初始確認以來大幅增加，本會就該金融工具所有可能發生違約事件的預計信貸虧損除以該金融工具的預計年期 (「預計信貸虧損年期」)，從而計算金融工具的虧損撥備。

倘於報告期末金融工具的信貨風險自初始確認以來並無大幅增加，則本會會按相等於反映該金融工具可能於報告期間後12個月內發生的違約事件所引致預計信貸虧損的預計信貸虧損年期部分的金額計量金融工具的虧損撥備。

預計信貸虧損金額或為調整報告期末虧損撥備至所需金額所作撥回金額乃於損益確認為減值盈虧。

3 Summary of significant accounting policies (continued)

(d) Financial assets

Financial assets are recognised and derecognised on a trade date basis where the purchase or sale of an asset is under a contract whose terms require delivery of the asset within the timeframe established by the market concerned, and are initially measured at fair value, plus directly attributable transaction costs except in the case of investments at fair value through profit or loss. Transaction costs directly attributable to the acquisition of investments at fair value through profit or loss are recognised immediately in profit or loss.

Financial assets at amortised cost

Financial assets (including trade and other receivables) are classified under this category if they satisfy both of the following conditions:

- the assets are held within a business model whose objective is to hold assets in order to collect contractual cash flows; and
- the contractual terms of the assets give rise on specified dates to cash flows that are solely payments of principal and interest on the principal amount outstanding.

Financial assets at amortised cost are subsequently measured at amortised cost using the effective interest method less loss allowances for expected credit losses.

(e) Loss allowances for expected credit losses

The Council recognises loss allowances for expected credit losses on financial assets at amortised cost. Expected credit losses are the weighted average of credit losses with the respective risks of a default occurring as the weights.

At the end of each reporting period, the Council measures the loss allowance for a financial instrument at an amount equal to the expected credit losses that result from all possible default events over the expected life of that financial instrument (“lifetime expected credit losses”), or if the credit risk on that financial instrument has increased significantly since initial recognition.

If, at the end of the reporting period, the credit risk on a financial instrument has not increased significantly since initial recognition, the Council measures the loss allowance for that financial instrument at an amount equal to the portion of lifetime expected credit losses that represents the expected credit losses that result from default events on that financial instrument that are possible within 12 months after the reporting period.

The amount of expected credit losses or reversal to adjust the loss allowance at the end of the reporting period to the required amount is recognised in profit or loss as an impairment gain or loss.

3 主要會計政策 (續)

(f) 租賃

- (i) 租賃的定義 (根據附註4所述之過渡安排而應用香港財務報告準則第16號後)

倘合約為換取代價而給予在一段時間內控制可識別資產使用的權利，則該合約屬於或包含租賃。

就於首次應用日期或之後訂立或修改的合約而言，本會根據香港財務報告準則第16號的定義於開始、修訂日期或收購日期 (視何者合適而定) 評估該合約是否屬於或包含租賃。除非合約的條款及條件其後出現變動，否則有關合約將不予重新評估。

- (ii) 本會作為承租人 (根據附註4所述之過渡安排而應用香港財務報告準則第16號後)

短期租賃及低價值資產租賃

本會將短期租賃確認豁免應用於租賃，該租賃的租期自開始日期起計為期十二個月或以下並且不包括購買選擇權。本會亦對低價值資產租賃應用確認豁免。短期租賃及低價值資產租賃的租賃付款按直線法於租期內確認為開支。

使用權資產

使用權資產的成本包括：

- (a) 租賃負債的初步計量金額；
- (b) 於開始日期或之前所作的任何租賃付款，減去所得的任何租賃優惠；及
- (c) 本會招致的任何初始直接成本。

使用權資產按成本減任何累計折舊及減值虧損計量，並就租賃負債的任何重新計量作出調整。

本會合理確定於租賃期限屆滿時取得相關租賃資產所有權的使用權資產，自開始日期至可使用年期結束內計算折舊。除此以外，使用權資產按其估計可使用年期及租賃期限的較短者以直線法折舊。

3 Summary of significant accounting policies (continued)

(f) Leases

- (i) Definition of a lease (upon application of HKFRS 16 in accordance with transitions in note 4)

A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration.

For contracts entered into or modified or arising from business combinations on or after the date of initial application, the Council assesses whether a contract is or contains a lease based on the definition under HKFRS 16 at inception, modification date or acquisition date, as appropriate. Such contract will not be reassessed unless the terms and conditions of the contract are subsequently changed.

- (ii) The Council as a lessee (upon application of HKFRS 16 in accordance with transitions in note 4)

Short-term leases and leases of low-value assets

The Council applies the short-term lease recognition exemption to leases that have a lease term of 12 months or less from the commencement date and do not contain a purchase option. It also applies the recognition exemption for lease of low-value assets. Lease payments on short-term leases and leases of low-value assets are recognized as expense on a straight-line basis over the lease term.

Right-of-use assets

The cost of right-of-use asset includes:

- (a) the amount of the initial measurement of the lease liability;
- (b) any lease payments made at or before the commencement date, less any lease incentives received; and
- (c) any initial direct costs incurred by the Council.

Right-of-use assets are measured at cost, less any accumulated depreciation and impairment losses, and adjusted for any remeasurement of lease liabilities.

Right-of-use assets in which the Council is reasonably certain to obtain ownership of the underlying leased assets at the end of the lease term is depreciated from commencement date to the end of the useful life. Otherwise, right-of-use assets are depreciated on a straight-line basis over the shorter of its estimated useful life and the lease term.

3 主要會計政策 (續)

(f) 租賃 (續)

- (ii) 本會作為承租人 (根據附註4所述之過渡安排而應用香港財務報告準則第16號後)(續)

租賃負債

於租賃開始日期，本會按該日未付的租賃款現值確認及計量租賃負債。於計算租賃款現值時，倘租賃隱含的利率難以釐定，則本會使用租賃開始日期的增量借款利率計算。

租賃款包括固定付款 (包括實質性的固定付款) 減任何已收租賃優惠。

於開始日期後，租賃負債就應計利息及租賃款作出調整。

倘出現以下情況，本會重新計量租賃負債 (並就相關使用權資產作出相應調整)：

(a) 租賃期有所變動或行使購買選擇權的評估發生變化，在該情況下，相關租賃負債於重新評估日期透過使用經修訂折現率折現經修訂租賃款而重新計量。

(b) 租賃款因進行市場租金調查後市場租金變動而出現變動，在該情況下，相關租賃負債透過使用該初始折現率折現經修訂租賃款而重新計量。

本會於財務狀況表內將租賃負債呈列為單獨項目。

- (iii) 本會作為承租人 (於二零一九年四月一日前)

當租賃條款將擁有權的絕大部分風險及回報轉移至承租人時，租賃即分類為融資租賃。所有其他租賃則分類為經營租賃。

經營租賃款乃按租期以直線法確認為開支。經營租賃所產生之或有租金會於產生期間確認為開支。

(g) 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。

3 Summary of significant accounting policies (continued)

(f) Leases (continued)

- (ii) The Council as a lessee (upon application of HKFRS 16 in accordance with transitions in note 4) (continued)

Lease liabilities

At the commencement date of a lease, the Council recognises and measures the lease liability at the present value of lease payments that are unpaid at that date. In calculating the present value of lease payments, the Council uses the incremental borrowing rate at the lease commencement date if the interest rate implicit in the lease is not readily determinable.

The lease payments include fixed payments (including in-substance fixed payments) less any lease incentives receivable.

After the commencement date, lease liabilities are adjusted by interest accretion and lease payments.

The Council remeasures lease liabilities (and makes a corresponding adjustment to the related right-of-use assets) whenever:

(a) the lease term has changed or there is a change in the assessment of exercise of a purchase option, in which case the related lease liability is remeasured by discounting the revised lease payments using a revised discount rate at the date of reassessment.

(b) the lease payments change due to changes in market rental rates following a market rent review, in which cases the related lease liability is remeasured by discounting the revised lease payments using the initial discount rate.

The Council presents lease liabilities as a separate line item on the statement of financial position.

- (iii) The Council as a lessee (prior to 1 April 2019)

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

Operating lease payments are recognised as an expense on a straight-line basis over the lease term. Contingent rentals arising under operating leases are recognised as an expense in the period in which they are incurred.

(g) 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.

3 主要會計政策 (續)

(h) 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。

(i) 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。

(j) 收入確認

(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。

(k) 除商譽以外的有形及無形資產減值

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

3 Summary of significant accounting policies (continued)

(h) Other payables

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

(i) 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.

(j) Revenue recognition

(i) Government grants

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

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

(ii) Interest income

Interest income is recognised using the effective interest method.

(k) 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

3 主要會計政策 (續)

(k) 除商譽以外的有形及無形資產減值 (續)

為獨立現金產生單位或現金產生單位的最小組別。

(l) 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產假或待產假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。

(m) 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。
- (iv) 實體或屬實體其中一部分的集團旗下任何成員公司為向本會提供主要管理人員服務。

3 Summary of significant accounting policies (continued)

(k) Impairment of tangible and intangible assets other than goodwill (continued)

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.

(l) 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.

(m) Related parties

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

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

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

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

4 會計政策更新

本會已採納香港會計師公會頒佈於二零一九年四月一日或之後開始之年度期間開始生效的新訂成經修訂香港財務報告準則，當中包括：

香港財務報告準則第16號，租賃

香港財務報告準則第9號(修訂本)，具不賠償條款之預付款

香港會計準則第19號(修訂本)，計劃修訂、削減或清償

香港會計準則第28號(修訂本)，於聯營公司及合營公司之的長期權益

香港財務報告準則(修訂本)，二零一五年至二零一七年週期香港財務報告準則的年度改進

香港(國際財務報告詮釋委員會)－詮釋第23號，所得稅處理之不確定性

除香港財務報告準則第16號，租賃，外，本年度應用新訂香港財務報告準則及其修訂本對本會於本年度及過往年度之財務狀況及表現及／或載於綜合財務報表之披露並無重大影響。

香港財務報告準則第16號，租賃

本會於本年度首次採納香港財務報告準則第16號。香港財務報告準則第16號取代香港會計準則第17號「租賃」(「香港會計準則第17號」)及相關的詮釋。

租賃定義

本會選用可行及適宜之方法，就先前應用香港會計準則第17號及香港(國際財務報告詮釋委員會)－詮釋第4號「釐定安排是否包括租賃」識別為租賃的合約應用香港財務報告準則第16號，而對於先前並非識別為包括租賃的合約，則不應用該準則。因此，本會並無重新評估於首次應用日期前已存在的合約。

就於二零一九年四月一日或之後訂立或修訂的合約，本會根據香港財務報告準則第16號所載的規定採納租賃的定義評估該合約是否包含租賃。

作為承租人

本會已追溯採納香港財務報告準則第16號，而累計影響於首次採納當日(即二零一九年四月一日)確認。

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 2019, including :-

HKFRS 16, *Leases*

Amendments to HKFRS 9, *Prepayment Features with Negative Compensation*

Amendments to HKAS 19, *Plan Amendment, Curtailment or Settlement*

Amendments to HKAS 28, *Long-term Interests in Associates and Joint Ventures*

Amendments to HKFRSs, *Annual Improvements to HKFRSs 2015 – 2017 Cycle*

HK(IFRIC) – Int 23, *Uncertainty over Income Tax Treatments*

Except for HKFRS 16, *Leases*, the application of other new and amendments to HKFRSs in the current year has had no material impact on the Council's financial positions and performance for the current and prior years and/or on the disclosures set out in these financial statements.

HKFRS 16, *Leases*

The Council has applied HKFRS 16 for the first time in the current year. HKFRS 16 superseded HKAS 17 "Leases" ("HKAS 17"), and the related interpretations.

Definition of a lease

The Council has elected the practical expedient to apply HKFRS 16 to contracts that were previously identified as leases applying HKAS 17 and HK(IFRIC)-Int 4 "Determining whether an Arrangement contains a Lease" and not apply this standard to contracts that were not previously identified as containing a lease. Therefore, the Council has not reassessed contracts which already existed prior to the date of initial application.

For contracts entered into or modified on or after 1 April 2019, the Council applies the definition of a lease in accordance with the requirements set out in HKFRS 16 in assessing whether a contract contains a lease.

As a lessee

The Council has applied HKFRS 16 retrospectively with the cumulative effect recognised at the date of initial application, 1 April 2019.

4 會計政策更新 (續)

香港財務報告準則第16號，租賃 (續)

於二零一九年四月一日，本會透過應用香港財務報告準則第16.C8(b)(ii)號的過渡安排以相關租賃負債之相等金額確認額外租賃負債及使用權資產。於首次應用當日之任何差額會於期初累計溢利確認及比較資料並無重列。

於採納香港財務報告準則第16號項下的經修訂追溯方法的過渡時期，本會就先前根據香港會計準則第17號分類為經營租賃按逐項租賃基準並就各租賃合約相關的租賃應用以下可行權宜方法：

- (i) 選擇不就租期於首次應用日期起計12個月內結束的租賃或低價值租賃確認使用權資產及租賃負債；
- (ii) 於初步應用日期的使用權資產計量撇除初步直接成本；及
- (iii) 根據於首次應用日期的事實及情況於事後釐定本會帶有續租及終止選擇權的租賃的租期。

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、估計及假設是以過往經驗及多項其他於有關情況下視作合理之因素為基準。儘管管理層對這些判斷、估計及假設作出持續檢討，實際結果可能有別於此等估計。

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18。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

政府補助是指香港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。

4 Changes in accounting policies (continued)

HKFRS 16, Leases (continued)

As at 1 April 2019, the Council recognised additional lease liabilities and right-of-use assets at amounts equal to the related lease liabilities by applying HKFRS 16.C8(b)(ii) transition. Any difference at the date of initial application is recognised in the opening retained profits and comparative information has not been restated.

When applying the modified retrospective approach under HKFRS 16 at transition, the Council applied the following practical expedients to leases previously classified as operating leases under HKAS 17, on lease-by-lease basis, to the extent relevant to the respective lease contracts:

- (i) elected not to recognise right-of-use assets and lease liabilities for leases with lease term ends within 12 months of the date of initial application or leases with low value;
- (ii) excluded initial direct costs from measuring the right-of-use assets at the date of initial application; and
- (iii) used hindsight based on facts and circumstances as at date of initial application in determining the lease term for the Council's leases with extension and termination options.

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 18. 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 Hong Kong Government for the Council's services which is determined with regard to the needs of the Council as presented in its annual budget and proposed projects.

7 其他收入

7 Other income

	2020	2019
	\$	\$
利息收入 Interest income	543,177	332,364
雜項收入 Sundry income	4,528	1,038
	547,705	333,402

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:

	2020	2019
	\$	\$
(a) 員工成本 Staff costs		
- 強制性公積金供款		
- Contributions to Mandatory Provident Funds	1,108,008	1,028,026
- 薪金、工資及其他福利		
- Salaries, wages and other benefits	60,125,719	50,120,136
	61,233,727	51,148,162
(b) 一般及行政費用 General and administrative expenses		
核數師酬金 Auditor's remuneration	39,500	39,500
物業的營運租賃及管理費用 Rent, rates and management fee	5,530,994	12,166,914
公眾及教育事務費用 Public and educational affairs	8,820,942	1,271,635
觀察員計劃費用 Observers' scheme	495,052	491,534
保險費用 Insurance	69,066	86,920
維修和保養 Repairs and maintenance	3,006,268	2,054,738
海外職務訪問費用 Overseas duty visit	160,010	2,131
公用設施費用 Utilities	403,935	341,313
折舊 Depreciation	11,595,644	4,564,437
非經常性項目 Non-recurrent projects	7,536,695	680,805
其它 Others	1,947,749	1,254,850
	39,605,855	22,954,777
(c) 融資成本 Finance cost		
租賃負債之利息 Interest on lease liabilities	491,658	-

9 稅項

9 Taxation

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

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

10 固定資產

10 Fixed assets

	自置資產 Owned assets				小計 Sub-total	使用權資產 Right-of-use assets	總額 Total
	租賃裝修工程 Leasehold improve- ments	傢俱及裝置 Furniture and fixtures	辦公室設備 Office equipment	電腦設備 Computer equipment		租賃土地及 樓宇 Leasehold land and buildings	
	\$	\$	\$	\$			\$
成本 Cost							
於二零一九年四月一日 At 1 April 2019	6,171,337	1,077,539	1,578,694	18,879,692	27,707,262	-	27,707,262
增置 Additions	-	-	49,380	4,117,114	4,166,494	34,501,815	38,668,309
棄置 Disposals	-	(25,425)	-	-	(25,425)	-	(25,425)
於二零二零年三月三十一日 At 31 March 2020	6,171,337	1,052,114	1,628,074	22,996,806	31,848,331	34,501,815	66,350,146
累計折舊 Accumulated depreciation							
於二零一九年四月一日 At 1 April 2019	5,247,097	825,311	1,170,026	11,561,124	18,803,558	-	18,803,558
年內折舊 Charge for the year	782,538	187,345	132,077	3,649,820	4,751,780	6,843,864	11,595,644
棄置核銷 Write back on disposals	-	(25,425)	-	-	(25,425)	-	(25,425)
於二零二零年三月三十一日 At 31 March 2020	6,029,635	987,231	1,302,103	15,210,944	23,529,913	6,843,864	30,373,777
賬面淨值 Net book value							
於二零二零年三月三十一日 At 31 March 2020	141,702	64,883	325,971	7,785,862	8,318,418	27,657,951	35,976,369
成本 Cost							
於二零一八年四月一日 At 1 April 2018	6,132,037	965,439	1,603,766	14,670,021	23,371,263	-	23,371,263
增置 Additions	39,300	112,100	22,078	4,557,671	4,731,149	-	4,731,149
棄置 Disposals	-	-	(47,150)	(348,000)	(395,150)	-	(395,150)
於二零一九年三月三十一日 At 31 March 2019	6,171,337	1,077,539	1,578,694	18,879,692	27,707,262	-	27,707,262
累計折舊 Accumulated depreciation							
於二零一八年四月一日 At 1 April 2018	4,458,560	615,769	1,081,180	8,478,762	14,634,271	-	14,634,271
年內折舊 Charge for the year	788,537	209,542	135,996	3,430,362	4,564,437	-	4,564,437
棄置核銷 Write back on disposals	-	-	(47,150)	(348,000)	(395,150)	-	(395,150)
於二零一九年三月三十一日 At 31 March 2019	5,247,097	825,311	1,170,026	11,561,124	18,803,558	-	18,803,558
賬面淨值 Net book value							
於二零一九年三月三十一日 At 31 March 2019	924,240	252,228	408,668	7,318,568	8,903,704	-	8,903,704

11 現金及現金等價物

11 Cash and cash equivalents

	2020	2019
	\$	\$
銀行存款 Bank balances	27,979,364	17,405,973
到期期限少於三個月的定期存款 Time deposits with original maturity less than 3 months	10,000,000	8,000,000
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	37,979,364	25,405,973

12 遞延政府補助

12 Deferred government grants

	2020	2019
	\$	\$
於二零一九年 / 二零一八年四月一日的結餘 Balance as at 1 April 2019/2018	1,381,528	3,538,194
年內確認為收入的數額 Recognised as income in the year	(771,945)	(2,156,666)
於二零二零年 / 二零一九年三月三十一日的結餘 Balance as at 31 March 2020/2019	609,583	1,381,528
減：歸入「流動負債」的數額 Less : Amount included in “current liabilities”	(609,583)	(771,945)
歸入「非流動負債」的數額 Amount included in “non-current liabilities”	-	609,583

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

	2020	2019
	\$	\$
財務負債 Financial liabilities	11,504,056	4,379,124
未放取的有薪年假結餘 Unutilized annual leave balances	2,965,625	1,982,384
	14,469,681	6,361,508

其他應付款項及應計費用預計於下年內償還。

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

14 員工約滿酬金撥備

14 Provision for staff gratuities

	2020	2019
	\$	\$
於二零一九年 / 二零一八年四月一日的結餘 Balance as at 1 April 2019/2018	6,241,933	4,939,214
本年度已計提撥備 Provision made for the year	5,067,194	4,222,685
本年度已動用撥備 Provision utilised for the year	(4,430,343)	(2,919,966)
於二零二零年 / 二零一九年三月三十一日的結餘 Balance as at 31 March 2020/2019	6,878,784	6,241,933

員工約滿酬金撥備是為了支付已完成合約的員工於受聘當日起計的約滿酬金而設立。

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

15 租賃負債

15 Lease liabilities

	2020	2019
	\$	\$
最低租賃款項 Minimum lease payments due		
- 一年內 Within 1 year	12,314,052	-
- 一年以上但五年內 1 to 5 years	16,519,472	-
	28,833,524	-
減：未來融資支出 Less: future finance charges	(890,955)	-
租賃負債現值 Present value of lease liabilities	27,942,569	-
分析作為 Analysed as:		
流動部分 Current portion	11,724,179	-
非流動部分 Non-current portion	16,218,390	-
	27,942,569	-

16 累計盈餘

根據香港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」）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退還予香港政府。

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香港政府的超額儲備於二零二零年三月三十一日進行撥備（2019：本會就以往財政年度累計之超額儲備退還港幣45,577,599元予香港政府）。

17 承擔

於二零二零年三月三十一日，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：

	2020 \$	2019 \$
一年內 Within 1 year	-	3,898,295

在採納香港財務報告準則第16號後，未來應付最低租賃款的現值確認為使用權資產，不再以上述承擔作披露。比較資料沒有重列。

18 金融工具

本會將其財務資產分為以下類別：

	2020 \$	2019 \$
按攤銷成本列賬的金融資產		
Financial assets at amortised cost		
按金 Deposits	3,574,106	3,042,819
應收利息 Interest receivable	13,562	3,222
現金及現金等價物 Cash and cash equivalents	37,979,364	25,405,973
	41,567,032	28,452,014

16 Accumulated surplus

In accordance with section 6 of the Memorandum of Administrative Arrangements (“MAA”) dated 22 June 2017 signed between the Hong Kong 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 Hong Kong Government, except with the approval of Secretary for Financial Services and the Treasury.

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 Hong Kong Government has been made as at 31 March 2020 accordingly (2019 : an excessive reserve of \$45,577,599 accumulated from previous years has been refunded to the Hong Kong Government by the Council).

17 Operating leases commitments

At 31 March 2020, the total future minimum lease payments under non-cancellable operating leases in respect of properties are payable as follows:-

	2020 \$	2019 \$
一年內 Within 1 year	-	3,898,295

Upon adoption of HKFRS 16, the present value of future minimum lease payment, which is no longer disclosed as commitments as shown above, is recognized as right-of-use asset. The comparative information has not been restated.

18 Financial instruments

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

	2020 \$	2019 \$
按攤銷成本列賬的金融資產		
Financial assets at amortised cost		
按金 Deposits	3,574,106	3,042,819
應收利息 Interest receivable	13,562	3,222
現金及現金等價物 Cash and cash equivalents	37,979,364	25,405,973
	41,567,032	28,452,014

18 金融工具 (續)

本會將其財務負債分為以下類別：

	2020 \$	2019 \$
按攤銷成本列賬的金融負債 Financial liabilities at amortised cost		
其他應付款項及應計費用 Other payables and accruals	11,504,056	4,379,124
租賃負債 Lease liabilities	27,942,569	-
	39,446,625	4,379,124

所有金融工具的賬面值相對二零一九年及二零二零年三月三十一日年底時的公平值均沒有重大差別。

本會的營運活動及金融工具使其面對信貸風險，流動資金風險及利率風險。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。

(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。

18 Financial instruments (continued)

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

	2020 \$	2019 \$
按攤銷成本列賬的金融負債 Financial liabilities at amortised cost		
其他應付款項及應計費用 Other payables and accruals	11,504,056	4,379,124
租賃負債 Lease liabilities	27,942,569	-
	39,446,625	4,379,124

All financial instruments are carried at amounts not materially different from their fair values as at 31 March 2019 and 2020.

The Council is exposed to credit risk, liquidity risk and interest rate 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.

(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.

	2020 \$	2019 \$
數據一覽 Summary quantitative data		
按金 Deposits	3,574,106	3,042,819
應收利息 Interest receivable	13,562	3,222
銀行存款 Bank balances	27,979,364	17,405,973
到期期限少於三個月的定期存款 Time deposits with original maturity less than 3 months	10,000,000	8,000,000
	41,567,032	28,452,014

18 金融工具 (續)

(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。

下表載列了本會的金融負債於報告期末的剩餘合約期限。該等金融負債是以訂約未折現現金流量 (包括以訂約利率或 (如屬浮息) 按於報告期末的利率計算的利息付款) 以及本會須支付的最早日期為準:-

	賬面價值 Carrying amount	訂約未折現 現金流量總額 Total contractual undiscounted cash flow	一年內或按要求償還 Within 1 year or on demand	超過一年但不超過五年 Over 1 year but within 5 years
	\$	\$	\$	\$
2020				
其他應付款項及應計費用 Other payables and accruals	11,504,056	11,504,056	11,504,056	-
租賃負債 Lease liabilities	27,942,569	28,833,524	12,314,052	16,519,472
	39,446,625	40,337,580	23,818,108	16,519,472
2019				
其他應付款項及應計費用 Other payables and accruals	4,379,124	4,379,124	4,379,124	-

(c) 利率風險

本會的利率風險主要來自銀行存款。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。

18 Financial instruments (continued)

(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.

The details of remaining contractual maturities at the end of the reporting period of the financial liabilities, which are based on contractual undiscounted cash flows (including interest payments computed using contractual rates or, if floating, based on rates current at the end of the reporting period) and the earliest date the Council can be required to pay are as follows:-

(c) Interest rate risk

The Council's exposure on fair value interest rate risk mainly arises from its cash deposits with bank. 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.

數據摘要 Summary quantitative data

浮息金融資產 Floating-rate financial assets

	2020 \$	2019 \$
銀行結存 Deposits with banks	11,307,397	13,279,489
到期期限少於三個月的定期存款 Time deposits with original maturity less than 3 months	10,000,000	8,000,000
	21,307,397	21,279,489

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

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

18 金融工具 (續)

(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。

19 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：

	2020	2019
	\$	\$
本會成員酬金 Honorarium paid to Council members	870,200	859,640

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。

20 融資活動產生的負債對賬

下表詳述本會來自融資活動的負債變動，包括現金及非現金變動。融資活動所產生的負債乃為現金流量所致，或未來現金流量將本會財務報表中分類為融資活動所產生的現金流量。

	2020	2019
	\$	\$
於年初 At beginning of the year	-	-
融資現金流量產生之變動 Changes from financing cash flows:		
已付租金本金 Capital element of lease rentals paid	(6,559,246)	-
已付租金利息 Interest element of lease rentals paid	(491,658)	-
融資現金流量產生之變動總額 Total changes from financing cash flows	(7,050,904)	-
其他變動 Other changes:		
租賃負債之利息 Interest on lease liabilities	491,658	-
於年內訂立新租賃而增加的租賃負債 Increase in lease liabilities from entering into new leases during the year	34,501,815	-
於年末 At end of the year	27,942,569	-

18 Financial instruments (continued)

(d) Financial instrument at fair value
At the end of reporting period, there were no financial instruments stated at fair value.

19 Material related party transactions

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

	2020	2019
	\$	\$
本會成員酬金 Honorarium paid to Council members	870,200	859,640

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.

20 Reconciliation of liabilities arising from financing activities

The table below details changes in the Council's liabilities from financing activities, including both cash and non-cash changes. Liabilities arising from financing activities are liabilities for which cash flows were, or future cash flows will be, classified in the Council's statement of cash flows as cash flows from financing activities.

21 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：

21 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:

香港財務報告準則第17號 保險合約 HKFRS 17, <i>Insurance Contracts</i>	於以下年度期間或以後生效 Effective for annual periods beginning on or after 二零二一年一月一日 1 January 2021
香港財務報告準則第3號 (修訂本) 業務的定義 Amendments to HKFRS 3, <i>Definition of a business</i>	二零二零年一月一日 1 January 2020
香港財務報告準則第10號及香港會計準則第28號 (修訂本) 投資者與其聯營公司或合營企業之間的資產出售或注資 Amendments to HKFRS 10 and HKAS 28, <i>Sales or Contribution of Assets between an Investor and its Associate or Joint Venture</i>	尚未釐定 To be determined
香港會計準則第1號及香港會計準則第8號 (修訂本) 重大性之定義 Amendments to HKAS 1 and HKAS 8, <i>Definition of material</i>	二零二零年一月一日 1 January 2020
香港財務報告準則第9號、香港會計準則第39號及香港財務報告準則第7號 (修訂本) 利率基準改革 Amendments to HKFRS 9, HKAS 39 and HKFRS 7, <i>Interest Rate Benchmark Reform</i>	二零二零年一月一日 1 January 2020

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

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

22 通過財務報表

本財務報表已於二零二零年八月二十日得到本會的同意下發佈。

22 Approval of financial statements

These financial statements were authorised for issue by the Council on 20 August 2020.

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:

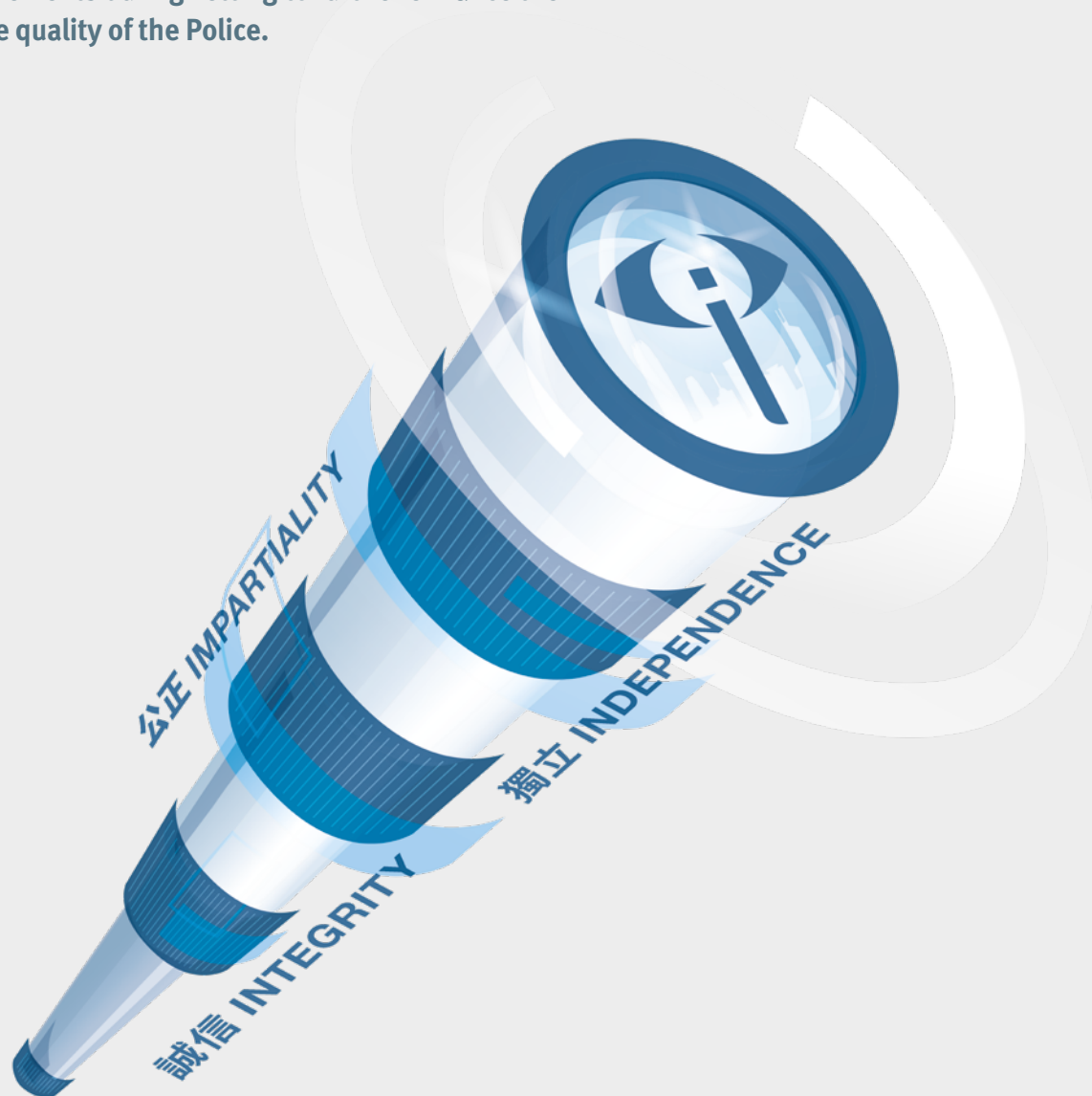
	個案的處理 Handling of cases	表現指標（標準回應時間）* Performance target (standard response time)*
查詢 Enquiries	致電 / 親臨 By telephone / in person	即時 Immediately
	書面 In writing	10天內 Within 10 days
監察投訴 Monitoring of complaints	一般個案 Normal cases 向投訴警察課提出不多於一輪質詢的輕微個案 (例如沒有禮貌或疏忽職守) Minor cases (such as Impoliteness or Neglect of Duty) with no more than one round of Query raised by the IPCC with CAPO	3個月內 Within 3 months
	複雜個案 Complicated cases 所有嚴重的個案（例如毆打或捏造證據）， 或向投訴警察課提出多於一輪質詢的輕微個案 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	6個月內 Within 6 months
	覆核個案 Review cases 要求覆核須匯報投訴的調查結果分類的個案 Requests for reviewing the classification of Reportable Complaints	6個月內 Within 6 months

* 由接獲投訴警察課最終調查報告 / 回應的日期起計

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

監警會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 does its
utmost to discharge statutory duties and identify
improvements during vetting to further enhance the
service quality of the Police.



封面設計以望遠鏡為主體，由象徵監警會三個核心價值「獨立」、「公正」、「誠信」組成的鏡筒，表達會方堅守以證據為依歸、不偏不倚的準則審核每宗投訴個案。而監警會的標誌放於展現了香港天際線的鏡頭中心，代表監警會一直展望將來，透過作出具前瞻性的改善建議，鞏固兩層架構投訴警察制度，加強公眾對警隊的信任，並與持份者攜手為香港創造更好的未來。

Telescope is applied as the design theme in this Report. The telescope, with its three sections symbolising the three core values of the IPCC, viz. independence, impartiality and integrity, signifies that the IPCC has examined every complaint case based on evidence and in a fair and impartial manner. The IPCC logo placed against the Hong Kong skyline at the centre of the lens represents that the IPCC always looks towards the future. By making forward-looking recommendations for improvement, the IPCC consolidates the two-tier police complaints system, strengthens public trust of the Police, and works together with its stakeholders to build a brighter future for Hong Kong.



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