



# **Complaints Against Police Office**

## **A Guide for Complainants**

## **Guiding Principles for Complaints Against Police Office**

The Complaints Against Police Office (CAPO):

- \* Views complaints as feedbacks on police service;
- \* Seeks area of improvement to enhance customer satisfaction;
- \* Treats all parties impartially;
- \* Adopts proportionality in resources allocation and level of scrutiny; and
- \* Aims at resolving grievances and enhancing professionalism of members of the police force.

## **How can you make a Complaint?**

If you are directly affected by the conduct of a member of the police force, or any practice or procedure adopted by the police force, and feel aggrieved about it, you have the right to make a complaint. You can lodge your complaint to the report room of any police station or the Reporting Centre of the Complaints Against Police Office (CAPO) in person, by telephone, by letter, by fax or by e-mail.

## **What happens when you make your complaint?**

Firstly the report room staff will discuss the case with you and establish exactly what your complaint is. If the complaint made by you is a traffic complaint, it will be referred to the Central Traffic Prosecutions Division (CTPD) for investigation. CTPD will inform you of the investigation result in writing.

Complaints against police other than traffic complaints can be dealt with in the following ways:

## **Expression of dissatisfaction:**

You might want to express dissatisfaction, apprise the formation commander concerned of the matter, receive an explanation relating to the conduct of a member of the police force, or any practice or procedure adopted by the police force. If you do not wish to make a formal complaint for the grievance you hold and the nature of your complaint is suitable for "Expression of Dissatisfaction Mechanism", this alternative option in lieu of formal complaint may be particularly useful.

CAPO will explain to you the option for "Expression Of Dissatisfaction" as an alternative to going through the formal complaints process and what to expect if you take this option. You retain the right at all times to lodge a formal complaint on the same matter.

Upon receiving your "Expression Of Dissatisfaction", the CAPO officer who is looking into your complaint will contact you to understand more about your grievance and attempt to suggest to you a possible resolution to follow up or handle the dissatisfaction. Your views and suggestions may also be taken into account by the police force for professionalism enhancement and service quality improvement.

## **Formal complaint:**

For more serious cases, or if you want to go through the formal complaints procedure for any grievance you hold, the report room staff will fill in a complaint form which asks for a summary of the incident, or you may complete the complaint form at your own accord.

## **What will be done if you decide to lodge a formal complaint?**

Complaints are categorized in accordance with the Independent Police Complaints Council Ordinance. All reportable complaints will be looked into by CAPO. Many complaints can be dealt with by Informal Resolution, which is part of the formal complaint process. Your complaint can only be dealt with by Informal Resolution if you agree.

## **Informal Resolution**

If you agree to Informal Resolution, you will be approached for conciliation by a police officer of Chief Inspector or Superintendent rank from CAPO. You may choose to talk to this conciliating officer on the telephone or at a scheduled interview. No formal statement will be taken. The purpose of Informal Resolution is to address your grievances promptly and directly by a senior officer. He/she will give appropriate advice to the concerned officer to enhance our service quality.

## **Full Investigation**

If you do not agree with the proposal for Informal Resolution or your complaint is not suitable for Informal Resolution, CAPO will initiate a full investigation. Then, you may be approached for a written statement to detail your complaint.

In order to ensure transparency and fairness in the handling of complaints against police and to show that the investigating officer is not unfair or biased while taking a statement from you, you may choose to have a video-recorded interview.

## **How will my personal data be used?**

It is voluntary for you to supply to CAPO the relevant information and personal data. If the information or personal data provided are not accurate or incomplete, the processing of your complaint may be affected.

All information and personal data supplied by you will only be used, disclosed or transferred for the purpose directly related to your complaint. In furtherance of the purpose for which the data was collected, the same information and personal data may be used by, or disclosed to, or transferred to, third parties, government departments or public bodies who will be involved in the investigation of the complaint, including the Independent Police Complaints Council (IPCC).

Should you wish to request access to or correction of your personal data held by CAPO, you may do so in writing to the Formation Data Administrator of CAPO by completing a Data Access Request Form (DARF) obtainable from any police station, District Office, or the Office of the Privacy Commissioner for Personal Data.

Useful information about data policy and practices can be found at the website of Hong Kong Police ([www. police.gov.hk](http://www.police.gov.hk)).

## **Continual Improvement**

CAPO seeks to improve our complaint handling procedure by gathering the views from different stakeholders. Should you have any comment/ opinion on our procedure, please feel free to tell us. Your comment/ opinion would be very much appreciated.

## **The Independent Police Complaints Council (IPCC)**

The Independent Police Complaints Council (IPCC) is an independent body established under the Independent Police Complaints Council Ordinance, Cap 604. While complaints are investigated by CAPO, IPCC will observe, monitor and review the handling and investigation of all reportable complaints to ensure that they are dealt with in a fair, impartial and thorough manner.

Under the Independent Police Complaints Council Ordinance, IPCC Members and Observers may attend interviews, including an interview between you and a conciliating officer in the Informal Resolution process, and observe the collection of evidence conducted in connection with the investigation of reportable complaints.

At the conclusion of the investigation of reportable complaints, irrespective of whether a complaint was dealt with by Informal Resolution or full investigation, CAPO will compile investigation reports detailing the findings for IPCC's scrutiny.

The IPCC website ([www.ipcc.gov.hk](http://www.ipcc.gov.hk)) has a comprehensive insight into its role in monitoring CAPO's investigation of reportable complaints.

## **Complaints Against Police Reporting Centre**

### Opening Hours

Mon-Fri: 7:30 a.m. to 6:30 p.m.

Closed on Saturdays, Sundays and Public Holidays

### Address

Ground Floor, Annex Block,  
Caine House, No. 3 Arsenal Street, Wanchai,  
Hong Kong

### Fax

2200 4460

2200 4461

2200 4462

### Complaints Hotline

2866 7700 (24 hours)

### On-line via e-Report Centre of Hong Kong Police Public Web Page

([www.police.gov.hk](http://www.police.gov.hk))