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Dear Mr Lau,

**Subcommittee on Proposed Resolutions under the
Road Traffic (Driving-offence Points) Ordinance (Cap. 375) and
Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240)**

Thank you for your letter dated 10 June 2005. The information requested by the Subcommittee is set out below.

Implementation programme for expanding red light camera coverage

2. We will procure 68 additional cameras and install 20 additional housings, thus making a total of 96 cameras and 131 housings. The project will cover the procurement of cameras specifically designed to meet the evidential requirements of the court, installation of new camera housings and ancillary equipment, as well as the procurement of equipment for investigation and prosecution work. We plan to seek funding approval from the Finance Committee on 8 July 2005. Thereafter, we will start the tender exercise. The manufacturing and installation works will start in late 2005 and be completed by late 2006. Members can be assured that even after the completion of this exercise, we will continue to install additional cameras and housings, with a view to further expanding their coverage in the territory.

Timetable for the review of the relevant legislation governing failure to comply with traffic signals

3. We will review the relevant legislation after the new penalties have been in place, particularly the need for differentiating red light jumping from amber light jumping, taking into account the statistics regarding such offences and the likely enforcement problems. We expect to complete the review by the end of 2006.

Enforcement and Prosecution Policy on Amber Light Jumping

4. As we have explained during the Panel and Subcommittee meetings, given the statutory defence provided for under regulation 17(e) of Cap. 374G, it has been the Police's prosecution policy not to prosecute amber light jumping unless there is sufficient evidence to prove the offence beyond reasonable doubt. In cases where there are elements of uncertainty, the driver in question will be given the benefit of the doubt. For this reason, there has been zero prosecution for amber light jumping in the past three years. We confirm that this prosecution policy will continue.

The respective successful rates of prosecution

5. In 2004, the conviction rate for camera-based prosecution was 100%, and the conviction rate for non-camera prosecution was 99.89%.

The calculation showing that 'electronic prosecution' would account for over 97% of red light jumping prosecution

6. The calculation is as follows:

- (a) In the second half of 2004, after all the existing 28 cameras had been installed, each camera generated an average of 115 prosecutions each month. It must however be noted that 16 of the 28 cameras are of an older design and thus have a lower capacity;
- (b) During the same period, there were on average 920 regular

non-camera prosecutions (excluding special operations) each month;

- (c) After all the 96 additional cameras have been installed, each camera would generate an average of 150 prosecutions each month. The average number will be higher than (a) above because the 16 old cameras with a lower capacity will only constitute a small proportion of the cameras.
- (d) By then, as the blackspots would have been covered by cameras, the Police's regular enforcement work at those blackspots could be reduced substantially. Future enforcement work could mostly cover non-blackspot junctions, and only when a police officer witnesses an offence. We assume that the number of non-camera prosecutions would thus be reduced by 50% to 460 each month.
- (e) The calculation would thus be $\frac{(c)}{(c) + (d)} \times 100\% = 97\%$.
- (f) There will be a strong deterrent effect if the penalties for red light jumping are raised and the number of offences will decrease. We assume that the same level of reduction will apply to both camera and non-camera prosecutions.

7. I hope the above have addressed the concerns of Members.

Yours sincerely,

(Ms Annie Choi)
for Secretary for the Environment,
Transport and Works