

立法會
Legislative Council

LC Paper No. CB(2)1177/06-07
(These minutes have been
seen by the Administration)

Ref : CB2/PL/SE/1

Panel on Security

Minutes of meeting
held on Thursday, 25 January 2007, at 10:45 am
in Conference Room A of the Legislative Council Building

Members present : Hon LAU Kong-wah, JP (Chairman)
Hon James TO Kun-sun (Deputy Chairman)
Hon Albert HO Chun-yan
Dr Hon LUI Ming-wah, SBS, JP
Hon CHEUNG Man-kwong
Hon Howard YOUNG, SBS, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon LEUNG Kwok-hung
Hon CHIM Pui-chung

Members absent : Hon Margaret NG
Dr Hon Philip WONG Yu-hong, GBS
Hon WONG Yung-kan, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk, JP
Hon Daniel LAM Wai-keung, SBS, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP

Public Officers attending : Item III

Mr TANG King-shing
Commissioner of Police

Mr LEE Ka-chiu
Senior Assistant Commissioner of Police
Director of Crime and Security

Item IV

Ms Carol YUEN
Deputy Secretary for Security

Mr CHOW Wing-tak
Chief Fire Officer (Fire Safety)
Fire Services Department

Mr TSE Ping-ho
Senior Divisional Officer (Building Improvement & Support)
Fire Services Department

Mr TAM Tai-keung
Divisional Officer (Building Improvement & Support) 2
Fire Services Department

Mr TSANG Cheung-chuen
Assistant Director (Existing Building 2)
Buildings Department

Mr LEUNG Chi-kai
Acting Chief Building Surveyor (Fire Safety)
Buildings Department

Mr Thomas LEUNG
Senior Building Surveyor (Fire Safety)
Buildings Department

Mrs Angelina CHEUNG
Assistant Director of Home Affairs

Clerk in attendance : Mrs Sharon TONG
Chief Council Secretary (2)1

Staff in attendance : Mr LEE Yu-sung
Senior Assistant Legal Adviser 1

Mr Raymond LAM
Senior Council Secretary (2) 5

Miss Helen DIN
Legislative Assistant (2)1

Ms Camy YOONG
Clerical Assistant (2)1

Action

I. Confirmation of minutes of previous meeting

(LC Paper No. CB(2)880/06-07)

The minutes of the meeting held on 5 December 2006 were confirmed.

II. Information paper(s) issued since the last meeting

(LC Papers No. CB(2)663/06-07, CB(2)755/06-07(01), CB(2)756/06-07(01) and CB(2)829/06-07(01))

Information papers issued since the last meeting

2. Members noted that the following papers had been issued since the last meeting -

- (a) Referral from a meeting between Legislative Council Members and Heung Yee Kuk Councillors on 31 October 2006 regarding the land use strategy of the Frontier Closed Area;
- (b) Supplementary information provided by the Administration on its improvement works to working areas in old Police stations;
- (c) Paper provided by the Administration on the latest development of the Hong Kong Special Administrative Region electronic passport; and
- (d) Paper provided by the Administration on "Alleged abuse of power by a principal ambulanceman".

Visit to correctional institutions

3. Members noted that a visit to the Chi Ma Wan Correctional Institution and Chi Sun Correctional Institution, which was originally scheduled to be held in the morning of 19 January 2007, had been cancelled since the visiting party comprised less than three Members.

4. The Chairman informed members that Ms Emily LAU had requested that arrangements should be made for holding the visit on another day. Members agreed. The Deputy Chairman encouraged members of the Panel to join the visit.

Action

5. Ms Audrey EU asked whether there was any difference between the visit and visits of Justices of the Peace to correctional institutions. The Deputy Chairman said that the scope of the visit was, to his knowledge, broader than visits of Justices of the Peace to correctional institutions.

Visit to the Hong Kong Police College

6. Members agreed that a visit would be made to the Hong Kong Police College to better understand the provision of training in moral education.

III. Crime situation in 2006

(LC Paper No. CB(2)910/06-07(01))

7. Commissioner of Police (CP) briefed members on the crime situation in 2006 and provided the following supplementary information -

- (a) 17 out of 23 bank robbery cases occurred in the first quarter of 2006 and six bank robbery cases were reported in the last three quarters of 2006;
- (b) among 815 cases of arson in 2006, 121 cases had been detected and 159 persons had been arrested;
- (c) among 2 122 cases which involved serious narcotics offences in 2006, 1 446 cases were related to psychotropic substances and the number of cases involving heroin had decreased from 722 in 2005 to 599 in 2006;
- (d) 454 youth and juveniles had been arrested in connection with serious drug-related offences in 2006, as compared to 282 in 2005. Over 90% of the offences were related to psychotropic substances, especially Ketamine;
- (e) among 1 687 cases of criminal intimidation, 54.3% were related to various types of dispute, 23.6% were related to debt collection, 20.3 % were related to domestic violence and 7% were related to triad activities;
- (f) among 4 758 deception cases in 2006, 1 738 were related to telephone deception, 682 were related to credit cards, 228 were related to Comprehensive Social Security Assistance and 217 were street deception cases;
- (g) 63.8% of blackmail cases reported in 2006 had been detected;

Action

- (h) the number of burglary cases in 2006 was the lowest since 1974. This was mainly due to a decrease in burglary cases in schools and commercial buildings and the arrest of some major burglary syndicates in 2006;
 - (i) 67% of domestic violence cases which involved crime had been referred to the court; and
 - (j) 4 513 domestic violence cases had been referred to the Social Welfare Department (SWD) for follow-up, representing an increase of 50% over 2005.
8. CP informed members of his operational priorities for 2007 as follows -
- (a) combating violent crime;
 - (b) combating triad activities;
 - (c) combating "quick cash" crime;
 - (d) combating terrorism;
 - (e) combating trafficking and abuse of dangerous drugs;
 - (f) combating offences related to visitors and illegal immigrants; and
 - (g) enhancing road safety.
9. Referring to the number of domestic violence cases provided in the Administration's paper, Ms Audrey EU asked -
- (a) whether the cases included those which occurred in public places;
 - (b) whether the relationship referred to in Note 1 of the Administration's paper included homosexual relationship; and
 - (c) whether the Police had adopted measures to address the sharp increase in the number of domestic violence cases.
10. CP responded that the definition of domestic violence, which was determined by an interdepartmental working group on domestic violence, covered heterosexual couples but not homosexual couples. The statistics included domestic violence cases which occurred in public places. He said that the Police's work in the area of domestic violence mainly covered protection of victims, referral to appropriate parties for follow-up, investigation and

Action

prosecution of abusers. The Police was very concerned about domestic violence cases and had done a lot to address the problem, including -

- (a) the introduction of an Action Checklist and an Emergency Referral Questionnaire;
- (b) the establishment of a Central Domestic Violence Database;
- (c) the deployment of an officer at sergeant level or above to the scene of domestic violence to supervise police action;
- (d) the establishment of a 24-hour hotline with the (SWD) to facilitate the Police's referral of urgent cases to SWD;
- (e) the appointment of designated units at district level to deal with serious domestic violence cases and launching a designated training programme for officers of designated units;
- (f) the adoption of a "One Family One Team" approach in handling domestic violence cases;
- (g) the provision of training in the handling of domestic violence cases to frontline Police officers ; and
- (h) the collaboration with non-government organisations, SWD and other government departments to address the problem.

11. Mr Howard YOUNG asked whether the increase in the number of domestic violence cases was due to a deterioration in the situation in the community.

12. CP responded that domestic violence cases had aroused wide public concern in recent years. There had been a general increase in the awareness of the need to report such cases to the Police. He said that time would be needed for studying whether the increase in the number of domestic violence cases was due to a deterioration in the situation in the community.

13. Mr Albert HO welcomed the measures adopted by the Police in handling domestic violence cases. He asked whether the Action Checklist was a new one different from the more simple checklist used in the Tin Shui Wai Family Tragedy case which occurred in April 2004. He asked whether it was the sergeant who determined whether a domestic violence case was established and whether prosecution should be instituted.

14. CP responded that the Action Checklist was an improved one and was more detailed than the checklist used in the past. He said that a Police officer

Action

at sergeant level or above would be deployed to supervise initial police action at the scene. Designated crime units headed by an inspector had been appointed at district level to investigate serious domestic violence cases. A Police officer at or above inspector level would determine whether a case was established and whether prosecution should be instituted. He informed members that prosecution was instituted in 67% of the domestic violence cases reported in 2006.

15. Ms Audrey EU asked whether there were statistics on child abuse and elderly abuse in 2006.

16. CP responded that there were 338 elderly abuse cases in 2006, an increase of 37 cases or 12.3% over 2005. There were also 1 255 child abuse cases in 2006, an increase of 49 cases or 4.1% over 2005.

17. Mr LEUNG Kwok-hung considered that statistics on elderly abuse and child abuse should be included in the statistics on domestic violence. The Chairman suggested that the Police's statistics on domestic violence should in future include statistics on elderly abuse and child abuse. He hoped that new measures would be introduced to address the problems of elderly abuse and child abuse. He added that as the Police possessed much experience in dealing with domestic violence cases, it should provide such information to the Family Commission to be established to facilitate the formulation of preventive measures.

Police

18. CP agreed to include statistics on elderly abuse and child abuse in future similar reports and consider the other suggestions on domestic violence. He said that a superintendent of the Police's headquarters had been designated for overseeing domestic violence issues.

19. Mr Howard YOUNG said that Hong Kong had been one of the safest cities in Asia for many years. He asked whether Hong Kong was still maintaining such a position.

20. CP responded that the overall crime rate in 2006 was 1 160 per 100 000 population. Although the figure had increased slightly by 3.9 % over 2005, Hong Kong was still one of the safest cities among major cities in the world.

21. Mr Howard YOUNG asked whether pickpocketing cases were mainly found at tourist spots and areas near boundary control points.

22. CP responded that pickpocketing cases were mainly found at crowded places and the victims might not necessarily be visitors. After the Police stepped up its work against pickpocketing in major black spots and arrested some pickpocketing syndicates in 2006, there had been a marked decrease in the number of pickpocketing cases in comparison with 2005.

Action

23. The Deputy Chairman asked whether there were statistics on cyber crime.

24. CP responded that there were 741 cases of cyber crime in 2006, as compared to 653 in 2005. The breakdown of the cases was as follows -

<u>Type of cyber crime</u>	<u>Number of cases</u>	
	<u>2006</u>	<u>2005</u>
(a) offences relating to Internet games	373	398
(b) unauthorised access to computer systems	160	83
(c) business fraud	140	121
(d) theft involving Internet banking	9	3
(e) bogus web site of banks and financial institutions	18	25

25. The Deputy Chairman said that unauthorised entry into the computer systems of major enterprises and financial institutions might lead to serious losses. He asked whether such crime was serious in Hong Kong.

26. CP responded that while he did not have information on hand about the details of the 160 cases of unauthorised access to computer systems in 2006, he had so far not noticed any case of such a serious nature.

27. The Deputy Chairman said that as computer systems could be hacked from any part of the world, the Police should pay particular attention to the prevention of such crime.

28. CP responded that the Police was very concerned about cyber crime. He informed members that the Police's Technology Crime Division was responsible for combating cyber crime and conducting cyber patrol. A number of seminars relating to security on the web had been held with the information technology professionals of major organisations and enterprises.

29. The Deputy Chairman said that, according to outreach social workers, the problem of drug abuse by young persons had worsened. He asked about the measures adopted by the Police to combat the sale of drugs.

30. CP responded that combating the trafficking and abuse of dangerous drugs was one of his operational priorities in 2007. He said that the Police had

Action

done a lot in the area. A Narcotics Bureau had been established at the Police's headquarters and special duty squads were deployed in each Police district and Police regions to combat the problem. The Police had stepped up its operations against retail outlets of drugs and strengthened the exchange of information with other law enforcement agencies to combat the problem. Publicity and education were launched through the Junior Police Call and school liaison officers. More than 50 activities, among which a majority was relating to drug abuse, were organised for the youth in the previous year.

31. Mr CHIM Pui-chung asked why opium was no longer included in the list of drugs in item 22 of the Comparison of 2006 and 2005 Crime Situation.

32. CP responded that opium was still a dangerous drug but it was no longer popular among drug abusers. Although opium was now rarely found, the Police would continue to pay attention to such a drug.

33. Mr CHIM Pui-chung said that illegal immigrants from remote Mainland provinces could earn enough income for building a house at their home town, even if they were arrested and imprisoned for a period of three to four years. He asked whether the increase indicated in item 21(c) of the Comparison of 2006 and 2005 Crime Situation reflected the actual increase in the number of illegal immigrants.

34. CP responded that there had been an increase in the number of illegal immigrants in 2006 and frontline Police officers had been alerted to the situation. Although illegal immigrants were not involved in serious crime, combating crime involving illegal immigrants was among his operational priorities in 2007.

35. Mr CHIM Pui-chung said that some night club operators had complained that the Police's operations against vice activities had caused disruption to their businesses. He asked whether there were statistics on the involvement of night clubs in vice activities.

36. CP responded that the Police was aware of the need to minimise nuisance to operators when conducting licence checks. He informed members that resources were mainly deployed for licence checks in premises where crime activities were frequently found.

37. Mr LEUNG Kwok-hung queried whether it was necessary to require all customers of a bar to keep silent when the Police conducted licence checks, which usually took one to two hours.

38. CP responded that licence checks, which were mainly focused on premises where crime activities were more common, were constantly under review by the Police. A meeting with operators of the relevant sectors to

Action

understand their problems and determine whether there was any room for further improvement in such operations was being arranged.

39. Mr LEUNG Kwok-hung asked how the Police would handle demonstrations during the forthcoming election of the Chief Executive. He said that the possession of a cutter by a person who participated in a demonstration should not be regarded as possession of offensive weapon.

40. CP responded that the Police had always sought to maintain communication with demonstrators and facilitate the peaceful expression of views by demonstrators while maintaining order in the past 10 years and they would continue to do so. Whether the possession of a cutter in a demonstration amounted to the possession of an offensive weapon would depend on the circumstances of each case.

Police

41. Mr Albert HO said that there was recently a case where a housewife was deployed for money laundering. He requested the Police to provide information on the number of cases and persons arrested in connection with money laundering in 2006. CP agreed to provide the requested information in writing.

42. Mr LEUNG Kwok-hung said that he had the experience of being harassed by a debt collection company after he refused to pay for the unsatisfactory service of a telecommunication company. He queried whether a telecommunication company could pass a debtor's personal information to a debt collection company for creating nuisance to the debtor.

Police

43. CP responded that debt collection itself was a normal business activity. However, it was the illegal debt collection practices that had caused concern. He stressed that actions would be taken by the Police when any illegal activity was discovered in debt collection. He agreed to look into the issue raised by Mr LEUNG Kwok-hung.

44. The Deputy Chairman said that the crux of the problem was that the Security Bureau had decided not to introduce a licensing regime for debt collection companies, thus leaving no framework for the Police to take enforcement actions.

45. Mr Albert HO asked about the number of cases of criminal damage and criminal intimidation relating to debt collection.

Police

46. CP responded that there were 17 051 debt collection-related cases in 2006, representing a decrease of 17.3% over 2005. Among these, criminal element was found in 1 908 of the cases, representing a decrease of 19% over 2005. Among these 1 908 cases, 67.5% were related to criminal damage while the others were mainly related to criminal intimidation or blackmail. Mr

Action

Albert HO requested the Police to provide the detection rate of criminal damage and criminal intimidation cases relating to debt collection.

47. Mr Albert HO asked whether any actions could be taken during the renewal of licence for money lenders to regulate debt collection practices.

Police

48. CP responded that the past record of a money lender, including that in debt collection, would be considered in the licence renewal process. Mr Albert HO requested the Police to provide information on the number of money lenders whose licence had not been renewed for reasons relating to debt collection practices.

Police

49. The Deputy Chairman said that triad activities in some streets in Tsim Sha Tsui were so serious and obvious that some triad societies had even claimed some streets in Tsim Sha Tsui to be their own streets and expelled other vehicles from parking in the streets. CP undertook to obtain more information from the Deputy Chairman after the meeting in this regard.

50. The Chairman expressed concern that although violent crime, "quick cash" crime and drug abuse had been among CP's operational targets in 2005 and 2006, the number of cases of such crime had still increased in 2006.

51. CP responded that as the crimes referred to by the Chairman had still increased in 2006, they were among his operational priorities in 2007. He said that district commanders would be asked to examine whether more resources could be allocated for combating such crimes, having regard to the circumstances of their own districts.

IV. Proposed commencement of the Fire Safety (Buildings) Ordinance
(LC Paper No. CB(2)910/06-07(02))

52. Deputy Secretary for Security briefed members on the Administration's proposal to commence the Fire Safety (Buildings) Ordinance (the Ordinance).

53. The Deputy Chairman recalled that the Bills Committee on Fire Safety (Buildings) Bill considered that the proposal of empowering owners' corporations (OCs) to borrow from the Government on behalf of missing or irresponsible owners (the borrowing proposal) was reasonable and had thus agreed that the Fire Safety (Buildings) Bill, when enacted, should not commence until the amendments regarding the borrowing proposal had been made to the Building Management Ordinance (Cap. 344). However, the Bills Committee on Building Management (Amendment) Bill 2005 had, after lengthy discussion on the borrowing proposal, found that the borrowing proposal associated with many problems and not feasible. In view of the fact

Action

that the borrowing proposal would no longer be pursued, he considered that the Ordinance should come into operation.

54. Referring to paragraph 8 of the Administration's paper, the Deputy Chairman asked whether the Fire Services Department (FSD) would, instead of suggesting owners of composite buildings to seek advice from fire safety consultants, provide advice to owners on the works required for compliance with the fire safety requirements under the Ordinance.

55. Chief Fire Officer (Fire Safety), Fire Services Department (CFO) responded that FSD would adopt a flexible and pragmatic approach in the implementation of the Ordinance. He quoted the example that a sprinkler system would normally comprise a water tank and other installations under the Ordinance for any non-domestic part of a composite building that exceeded 230 m². If a fire safety water tank could not be installed for structural or right to use reasons, FSD would consider waiving the requirement of the installation of fire safety water tank, if firemen could rely on the water supply from the town's main in the vicinity, or if the existing fire service water tank of the building could provide sufficient water for the sprinkler system.

56. Mr Albert HO asked how assistance would be provided to buildings where there were no OCs. He also asked who would be signing fire safety improvement contracts on behalf of owners of buildings where no OC had been formed.

57. Assistant Director of Home Affairs (ADHA) responded that the management company of the building concerned could sign the contract on behalf of owners, if the deed of mutual covenant (DMC) concerned conferred the management company with such a power. Where such a power was not conferred by the DMC concerned, the signature of all owners of the building would be required.

58. ADHA stressed that the Administration would encourage and assist owners of buildings to form OCs. The Hong Kong Housing Society had introduced a scheme under which owners could be reimbursed with at most \$3,000 for the formation of an OC. Since the introduction of the scheme, more than 300 OCs had already been formed.

59. Mr Albert HO asked about the legal liability of owners and management company in a building where there was no OC.

60. CFO responded that, depending on whether a fire safety direction was served on the owners or occupiers of a building, either the owners or the occupiers would be legally responsible for carrying out the relevant fire safety improvement work. There was no legal liability on the part of the management company.

Action

61. There being no other business, the meeting ended at 12:40 pm.

Council Business Division 2
Legislative Council Secretariat
5 March 2007