

**Legislative Council Panel on Security
18 October 2006**

Policy Initiatives of Security Bureau

This note elaborates on the new and ongoing initiatives of the Security Bureau in the 2006/07 Policy Agenda.

New Initiatives

Effective Governance

Introducing a Risks and Needs Assessment Protocol to identify prisoners prone to custodial and re-offending risks, and to deliver rehabilitative programmes matching their needs, with a view to more effectively reducing re-offending

2. The Risks and Needs Assessment Protocol is a scientific and evidence-based approach to prison management and offender rehabilitation adopted by a number of advanced prison administrations overseas. Correctional Services Department (CSD) has since October 2006 started to conduct risks and needs assessments for all local young offenders, and local adult offenders with sentences of two years or above upon their admission. These assessments will help CSD to implement, starting in 2007 with young offenders, rehabilitative programmes matching the specific needs of individual offenders with a view to reducing re-offending more effectively.

Undertaking the necessary legislative and administrative measures with a view to reducing the coverage of the Frontier Closed Area (FCA)

3. The FCA is an integral part of the security measures for maintaining the integrity of our boundary with the Mainland and for combating illegal immigration and other cross-boundary illegal activities. In September 2006, we announced the results of the review of the FCA coverage that with appropriate security enhancement measures, the objective of maintaining boundary security may still be achieved with the FCA coverage substantially reduced.

4. We propose that the FCA should in most places be reduced to become the area between the southern edge of the existing boundary patrol road and the

boundary between Hong Kong and the Mainland. Closed area restrictions will continue to be maintained at areas of boundary crossings including the boundary control points and Sha Tau Kok town (where Chung Ying Street is located). This means a reduction of the FCA from about 2,800 to about 800 hectares. It is expected that over half of the residents within the current FCA will no longer need a closed area permit to enter or leave the excised area.

5. At present, the boundary patrol road is lined by a fence, mostly along the northern edge of the road. We propose to construct a secondary boundary fence on the other edge of the road, thereby enclosing the road and ensuring that the primary fence is free from deliberate or inadvertent interference. Upon the expected completion of the secondary boundary fence in around 2010, we will amend the Frontier Closed Area Order (Cap. 245A) to statutorily delineate the new FCA boundary.

6. In parallel with the preparation for the secondary boundary fence, the Planning Department will embark on a planning study for the land to be excluded from the FCA. The study will examine the development potential and constraints of the excised area and identify suitable future uses thereat, with a view to formulating a planning framework to guide the conservation and development of the area under the principle of sustainable development.

7. We are consulting the relevant parties, including Heung Yee Kuk, the District Councils concerned and the local representatives on the results of the review. We will report to the relevant Panels of the Legislative Council upon completion of the consultation.

Ongoing Initiatives

Effective Governance

Continuing discussions with the Mainland and other jurisdictions on bilateral co-operation relating to Mutual Legal Assistance in Criminal Matters (MLA), Surrender of Fugitive Offenders (SFO) and Transfer of Sentenced Persons (TSP)

8. Hong Kong is committed to international cooperation in combating serious crimes. We have been extending our network of bilateral agreements with other jurisdictions on MLA, SFO and TSP. To date, Hong Kong has signed 20 agreements on MLA, 16 agreements on SFO and 8 agreements on TSP with other jurisdictions.

9. We signed an MLA and an SFO Agreement with Germany in May 2006 and an SFO Agreement with the Republic of Korea in June 2006. We are preparing the necessary subsidiary legislation to implement these three Agreements. The TSP Arrangement with the Macau Special Administrative Region was signed on 20 May 2005, whereas the Transfer of Sentenced Persons (Amendment) (Macau) Ordinance came into operation on 1 December 2005.

10. Our discussions with the Mainland on the rendition and TSP arrangements continue. We will proceed with care and take full account of the differences in the legal and judicial systems between the two places and the complexities of the issues involved in the process.

Taking active steps to introduce a new type of passport featuring biometric capability in early 2007 to tie in with the expected first tide of applications for renewal of HKSAR passport valid for ten years from July 1997

11. In order to enhance the security of the HKSAR passport and to safeguard the travel convenience enjoyed by its holders, we plan to introduce a new type of passport (HKSAR ePassport) embedded with a contactless integrated circuit chip. The chip contains the facial image of the passport holder as the biometric identifier pursuant to the standards specified by the International Civil Aviation Organization.

12. The Finance Committee has approved the commitment of funds for the project. The Immigration Department has been actively developing the passport issuing system. We plan to introduce HKSAR ePassports featuring biometric capability in early 2007 to tie in with the first tide of applications for renewal of HKSAR passports valid for ten years from July 1997.

Continuing the implementation of the face recognition system to facilitate the verification of identity of suspect visa applicants and arriving passengers

13. Since its pilot launching in December 2004, the Face Recognition System has proven to be an effective system in identifying persons who attempted to circumvent immigration control by using different identities. The Immigration Department has installed the Face Recognition System at control points and visa offices, and will install this System at new control points.

Putting into effect, through legislation and other means, the recommendations of the Financial Action Task Force on Money Laundering to further enhance our anti-money laundering and counter-terrorist financing regime

14. Hong Kong is committed to maintaining a robust regime to combat money laundering and terrorist financing. Our laws and practices are consistent with established international standards.

15. The Financial Action Task Force on Money Laundering (FATF) has revised its “40 + 9” Recommendations. Some elements of the Recommendations are already enshrined in the existing legislation. Our three financial regulators (Hong Kong Monetary Authority, Securities and Futures Commission and Office of Commissioner of Insurance) have also implemented many of the FATF Recommendations effectively in their respective sectors by administrative means.

16. As regards those recommendations which need to be put in place through new legislation, we are studying the legislative amendments required. Since it will affect a wide range of sectors, extensive consultations need to be held. As the FATF will conduct an intensive evaluation on our Hong Kong’s anti-money laundering regime in 2007/2008, we are planning to take into account comments or recommendations that the evaluation report would make before finalising our legislative proposals.

Continuing to ensure that our legislative regime for combating terrorism is current and meets the need of changing circumstances

17. We are finalizing the subsidiary legislation to give effect to the requirements in respect of extradition and provision of mutual legal assistance under the relevant international conventions against terrorism. Our plan is to submit them to the Legislative Council for scrutiny in the 2006/2007 legislative session. We are also taking steps to bring the United Nations (Anti-Terrorism Measures) Ordinance (Cap. 575) into full operation and will consult the Panel on Security in due course.

Continuing to seek long-term solutions to address the problems of overcrowding and outdated facilities in our penal institutions

18. The new Lai Chi Kok Correctional Institution with 650 penal places commenced operation in July 2006. In the same month, the Finance Committee approved the funding for the redevelopment of the Lo Wu

Correctional Institution to provide 1 400 penal places by the end of 2009. The project will commence in April 2007. We will continue to study other prison redevelopment possibilities, including the feasibility to redevelop the Chi Ma Wan institutions.

Issuing the Smart Identity Card in phases starting from mid-2003 to enhance security, facilitate boundary crossing, and provide other value-added services

19. The territory-wide identity card replacement exercise, under which Hong Kong residents replace their old identity cards by age groups, has been running smoothly since August 2003. As at late September 2006, 19 out of the 24 replacement phases had been completed and some 4.5 million residents were issued with smart identity cards. The replacement exercise will be completed by end March 2007 as scheduled.

20. The use of smart identity cards and fingerprint recognition technologies has enabled the Immigration Department to introduce Automated Passenger and Automated Vehicle Clearance systems in phases since end 2004.

Providing a legal basis for the existing police complaints system by making the Independent Police Complaints Council a statutory body

21. We have been working on the proposal to provide a legal basis for the police complaints system by making the Independent Police Complaints Council (IPCC) a statutory body. The composition, functions and powers of the IPCC will be specified in law.

22. We consulted the Panel on our proposal in June 2006. Under the proposal, all investigations conducted by Complaints Against Police Office (CAPO) of the Police Force will be reviewed and monitored by the IPCC. The IPCC will be able to exercise statutory powers to interview witnesses, complainants and complainees in connection with its review of CAPO investigations; conduct scheduled and surprise visits to observe CAPO investigations; and require CAPO to re-investigate any complaint. We are consulting IPCC on the content of the draft Bill.

Vibrant Economy

Pursuing a series of measures to facilitate the movement of people and goods across the boundary including the establishment of a new boundary control point for the Hong Kong-Shenzhen Western Corridor and installation of automated passenger, vehicle and cargo clearance systems (also known as e-Channels)

23. Hong Kong and Shenzhen sides will continue to press ahead with the construction of the new control point for the Hong Kong-Shenzhen Western Corridor and subsequent preparatory work, with a view to commissioning the Hong Kong-Shenzhen Western Corridor in July 2007. Subject to resolution of the Central Authorization under which Hong Kong would be authorized to exercise jurisdiction over the Hong Kong Port Area at the new control point, we aim to introduce the co-location legislation (i.e. the Hong Kong Port Areas Bill) into the Legislative Council within this year.

24. To enhance the efficiency of immigration clearance, the Immigration Department has completed the installation of about 240 e-Channels for passengers at 8 control points in June 2006. Over 78 million passengers have used the e-Channels since their installation from December 2004. All e-Channels for vehicles, 40 in total, have been rolled out to 3 vehicular control points.

25. Document of Identity holders and certain categories of non-permanent residents holding smart identity cards can now use the e-Channels. Plans are in place to extend the e-Channels to frequent visitors.

Appointing civil celebrants to facilitate private sector participation in the solemnisation of marriages and to provide greater flexibility and convenience to members of the public

26. The Marriage (Introduction of Civil Celebrants of Marriages and General Amendment) Ordinance came into operation on 13 March 2006. The scheme has facilitated private sector participation in the solemnisation of marriages and provided greater flexibility and convenience to members of the public. By end September 2006, some 1 000 civil celebrants have been appointed.

Caring and Just Society

Stepping up enforcement action and publicity to combat illegal employment

27. The Government spares no effort in combating illegal employment so as to protect job opportunities for the local workforce. We will continue to take a three-pronged approach to combat illegal employment through tackling the problem at source, ensuring effective law enforcement and stepping up publicity and education.

28. The law enforcement departments maintain close liaison and cooperation with Mainland authorities to minimize the chance of entry of doubtful visitors. Particulars of Mainland visitors found working illegally in Hong Kong are passed to Mainland authorities so that their subsequent applications to visit Hong Kong can be subject to closer scrutiny. Where the situation warrants, Mainland authorities may reject an application for a period of two to five years. Furthermore, frontline officers of Immigration Department at various control points carry out close examination to prevent persons with dubious intentions from entering Hong Kong.

29. To enhance coordination amongst various departments and take more effective actions against Mainlanders working illegally or engaging in other unlawful activities in Hong Kong, the Government established an Inter-departmental Task Force in April 2003. The Inter-departmental Task Force devises proactive and pre-emptive strategies, facilitates regular exchange of information and coordinates enforcement efforts amongst departments. The Immigration Department also established an Anti-illegal Workers Combat Squad in January 2005 responsible for conducting undercover patrol duties at black spots of illegal workers, and taking immediate actions on reports or intelligence received.

30. The relevant departments maintain vigorous enforcement actions against illegal employment, including inspections at factories, restaurants, business establishments and black spots of illegal employment.

31. Apart from taking enforcement actions, the Government carries out publicity programmes against illegal employment. TV and Radio Announcement of Public Interest, Government websites, posters and leaflets are used to raise public awareness of the serious consequence of employing illegal workers and undertaking unapproved employment. We work with the relevant industries to disseminate the message. The public is encouraged to provide information on illegal employment.

Studying the feasibility of long-term options for better meeting demands for emergency ambulance service (EAS)

32. We have been looking into possible options for better meeting demands for EAS. We have stepped up publicity to promote the appropriate use of EAS, and we are studying the feasibility of adopting a medical priority dispatch system in Hong Kong to ensure that EAS are more targeted at persons in genuine need of such services. At the same time, we will also continue to review the resources for EAS.

Security Bureau
October 2006