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Panel on Security

**Minutes of special meeting
held on Thursday, 31 January 2008, 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
Hon Margaret NG
Hon CHEUNG Man-kwong
Hon Howard YOUNG, SBS, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk, JP
Hon Audrey EU Yuet-mee, SC, JP
Hon Andrew LEUNG Kwan-yuen, SBS, JP
Hon CHIM Pui-chung

Members absent : Dr Hon LUI Ming-wah, SBS, JP
Dr Hon Philip WONG Yu-hong, GBS
Hon WONG Yung-kan, SBS, JP
Hon Daniel LAM Wai-keung, SBS, JP
Hon LEUNG Kwok-hung

Public Officers attending : Item I

Mr TANG King-shing
Commissioner of Police

Mr LEE Ka-chiu, John
Director of Crime and Security

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

Staff in attendance : Ms Janet SHUM
Senior Council Secretary (2) 8

Miss Helen DIN
Legislative Assistant (2) 1

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I. Crime situation in 2007
(LC Paper No. CB(2)948/07-08(01))

Commissioner of Police (CP) briefed members on the crime situation in 2007 and provided the following supplementary information -

- (a) the overall crime detection rate of 45.6% was above the average international standard;
- (b) among 2 769 cases which involved serious narcotics offences in 2007, 2 137 cases or 77.2% were related to psychotropic substances;
- (c) 2 779 or 78.7% out of the 3 531 persons arrested in connection with serious narcotics offences in 2007 were related to psychotropic substances. Among the 3 531 arrested, 922 or 26.1% were youth and juveniles, representing an increase of more than 100% over 2006. Over 90% of the arrested youth and juveniles committed offences relating to psychotropic substances, especially Ketamine;
- (d) a total of 5 386 anti-narcotics operations had been launched in 2007, representing an increase of 18.5% over 2006. A number of large-scale campaign had been launched targeting at youth and premises of their popular gathering places;
- (e) there were respectively 1 322 criminal damage cases and 389 criminal intimidation cases relating to debt collection, representing an increase of 44 cases and a decrease of 5 cases correspondingly;
- (f) domestic violence cases, which were largely due to disputes arising from private relationships and money matters, were maintained at an average of about 620 cases per month over the

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past twelve months;

- (g) the 1 550 child abuse cases in 2007 represented an increase of 295 cases or 23.5% over 2006, among which sexual abuse had increased by 24% and physical abuse had increased by 22.9%;
- (h) the 315 elderly abuse cases in 2007 represented a decrease of 23 cases or 6.8% over 2006, among which cases in all categories had decreased except for psychological abuse which had increased by 11 cases;
- (i) the number of homicide cases in 2007 was the lowest in 30 years and all the 18 cases had been detected; and
- (j) the total of 4 512 burglary cases in 2007 represented a decrease of 15.1% over 2006. Among these cases, 62% took place in residential buildings and 20% in commercial buildings. Of the burglary cases related to residential buildings, a majority took place in tenement buildings and village houses without installation of security system. Actions had been taken to step up publicity on home safety in village area and provide expert advice to tenants where necessary.

2. Apart from continuing the seven operational priorities for 2007, CP informed members that an additional operational priority for 2008 would be the policing of the 2008 Olympic Equestrian Events and associated activities to be held in Hong Kong. The Police Force would ensure that the events would be held safely and smoothly, and the law and order in Hong Kong was stable. The Police would also maintain its capability to cater for contingencies during the Events period.

Robberies and security works

3. Mr Howard YOUNG was pleased to note that Hong Kong had consistently remained as one of the safest cities in Asia. While the overall number of cases of robberies in 2008 had decreased, he expressed concern about the increase in cases of goldsmith/watch shop robberies and asked about the measures that would be taken to help the trade to step up security against robberies.

4. CP responded that cases of goldsmith/watch shop robberies had decreased from 14 cases in 1999 to seven in 2007. Of the cases in 2007, most of the shops involved were small-sized companies. CP said that measures taken against such crime included patrolling by police officers, providing advice to the trade in respect of window design and guarding services and stepping up crime prevention publicity. He informed members that a small

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syndicate related to goldsmith/watch shop robberies was detected in early 2007. CP also noted that bank robbery cases had decreased from 60 cases in 1996 to 8 cases in 2007.

5. Mr Howard YOUNG noted from a report that foreign security talents would be brought in to enhance the level of the security work for the Beijing 2008 Olympic Games in the Mainland. He asked whether it would be necessary to seek assistance from other places in connection with the security work for the Olympic Equestrian Events to be held in Hong Kong.

6. CP responded that the overall responsibility for the security of the Equestrian Events rested with the Police, and there was no need to bring in foreign security talents to assist the carrying out of security task in Hong Kong. CP said that the 2008 Olympic Games was a very important international event and the Government would follow the line of The Beijing Organising Committee for the Games of the XXIX Olympiad in making all efforts to ensure the provision of high security and the success of the Olympic Games. The Police would exchange intelligence with international counterparts and seek the co-operation of law enforcement agencies of other countries and regions related to the security of the 2008 Olympic Games.

Domestic violence

7. Ms Audrey EU expressed concern about the substantial increase in domestic violence cases which had amounted to an average of 620 cases per month. She asked whether the Police had assessed the cause of the increase and what new measures would be taken to tackle the problem. Mr Albert HO shared the same concern.

8. CP said that the Police was very concerned about the increase in domestic violence cases which had aroused wide public concern in recent years. The Police had invested resources in handling domestic violence cases including the deployment of a police officer at sergeant level or above to supervise initial police action at the scene and ensure that each case was handled appropriately according to the guidelines, and the designation of a superintendent at the Police's headquarters to oversee domestic violence issues. CP added that measures for handling domestic violence cases which were implemented at the end of 2006 to see whether improvements should be made to the guidelines. The Police would conduct an overall review on the effectiveness of the improvement.

9. CP further said that the Police's work in the area aimed at providing protection for victims, making referral to appropriate parties for follow-up, and conducting investigation and instituting prosecution against abusers. However, to curb the problem of domestic violence, it would require concerted effort of other government departments such as the Social Welfare Department and non-

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government organisations. He added that the increase in reported domestic violence cases apparently revealed that the problem of domestic violence had worsened, however, the public's enhanced awareness of the need to report such cases to the Police as well as an increase in confidence in seeking help from the Police or other authorities concerned might have also encouraged more reporting.

10. In response to Mr Albert HO's enquiry, CP said that the 5 004 miscellaneous cases under domestic violence were non-criminal cases of which some 1 000 were repeated cases. He added that prosecution instituted in the domestic violence cases reported to the Police in the first half year in 2007 had increased to 83%, as compared to the increase in rate of 78% in 2006 and 71% in 2005.

11. Mr Albert HO asked about the criteria upon which police officers would categorise a reported case as a domestic violence case and decide that prosecution should be instituted, and whether the increase in reported domestic violence case was due to enhanced public awareness or a worsened situation in domestic violence.

12. CP said that, to identify whether a case had involved domestic violence, the Police would identify whether the case involved violence and whether the parties concerned had familial relationship. CP added that the increase of reported cases was partly due to an enhanced public awareness on the crime. Although the number of cases had stabilised at an average of 620 cases per month, the Police was very concerned about the substantial increase in domestic violence cases.

13. The Chairman suggested that the Police's statistics on domestic violence cases should in future include statistics on elderly abuse and crimes against children, and the number of prosecution instituted. CP agreed.

Animal protection

14. Referring to a complaint case where the police officers concerned had allegedly refused to handle a case involving theft of pets and follow-up on the relevant information provided to them, Ms Audrey EU and Miss CHOY So-yuk enquired whether there was any information on the number of reports to the Police involving animals, and what measures would be adopted to ascertain that police officers would follow up on reported cases related to animals.

15. CP provided the following information -

	<u>2007</u>	<u>2006</u>	<u>2005</u>
(a) number of cases reported involving animals	62	53	29
(b) number of persons arrested	20	20	12

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16. CP said that the Police noted the concern of animal groups and the public on prevention against cruelty to animals. While it would be difficult to detect cases related to animal abuse, the Police had revised its internal guidelines highlighting the manner in the handling and investigation of cases related to animals.

17. CP added that a working group was set up at the end of 2007 comprising the representatives from the Agriculture, Fisheries and Conservation Department, Food and Environmental Hygiene Department and the Hong Kong Society for Prevention of Cruelty to Animals to study the issues concerned. As regards the complaint case raised by members, he would look into the matter and requested members to provide further details on the case.

18. Ms Audrey EU said that the small number of reported cases related to animals might have reflected that the Police often treated those reported cases as private matters. She added that there was the need to enhance the public as well as the Police's awareness on protecting the rights and interests of animals. Ms EU urged the Police to broaden its mindset and make effort to undertake law enforcement actions on cases related to animals.

19. Miss CHOY So-yuk referred to a case about illegal parking at Kam-ping Street in North Point where it was alleged that no effective action had been taken by the Police to curb the problem. CP would follow-up on the matter.

Technology crimes

20. Mr James TO commended the Police for continuing to maintain a high standard of performance in 2007. He asked about the number of technology crime cases relating to business fraud and thefts involving internet banking.

21. CP said that the overall number of technology crime cases had decreased. Among 634 technology crime cases in 2007, about half were attributed to offences relating to internet games. Cases relating to unauthorised access to computer had also decreased from 160 in 2006 to 66 in 2007. While the overall financial loss involved in technology crime cases had increased from about \$6 million in 2006 to about \$11 million in 2007, the increase was due to one fraudulent case relating to e-Bay transaction. The Police's Technology Crime Division would continue to advocate enterprises to step up cyber security.

22. In the light of the trend on the provision of Wi-Fi service to the public by telecommunications services operators, Mr James TO enquired about the Administration's measures to secure safety for internet transaction.

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23. CP responded that many major banks had adopted two-factor authentication system to secure safety for online banking. The Police would continue to disseminate technology crime prevention messages to the trade and enhance the public's awareness on information technology security.

24. Referring to the recent incident of uploading nude photographs of Hong Kong celebrities on the Internet, the Chairman asked what measures the Police would take to combat technology crime. He considered that such crime would generate adverse social impact and infringe privacy of individuals.

25. CP said that the Technology Crime Prevention Unit of the Police Force had implemented strategies to combat technology crime such as cyber patrol. Owing to the nature of technology crime, the Police would need time to gather digital evidence and relevant information on the crime involved. He added that the Police had great concern about the incident of internet spread of nude photographs of celebrities, investigation had been conducted to identify the source of uploading such photographs.

Criminal intimidation/criminal damage

26. Mr James TO asked about the reason for the increase in the number of criminal intimidation cases, and whether there was any new element attributing to the rise.

27. CP said that over 50% of the 1 960 criminal intimidation cases in 2007 were due to disputes arising from private relationships and money matters; whereas 389 of the total cases were related to debt collection, representing a decrease by 5 cases over 2006. CP added that only 2.8% of the total crime cases was related to triad activities. There was no indication of any new element contributing to the increase in criminal intimidation cases. Owing to the nature of the crime, only 5.4% of the total cases was detected in 2007.

28. Mr James TO suggested that as in the past, an in-camera briefing should be arranged for the Police to brief members on the updated triad situation in Hong Kong. CP said that the Police would follow up on the matter.

Adm

29. In response to Mr Albert HO's enquiry, CP said that the 1 856 criminal cases related to debt collection in 2007 represented a decrease of 2.5% over 2006. Among which, 1 322 cases involved criminal damage and 399 involved criminal intimidation/blackmail. The number of non-criminal cases related to debt collection in 2007 was 14 686, representing a decrease of 2.4 % over 2006. He added that the statistics had indicated a decline in debt collection cases since 2004.

30. Referring to the limited number of detected criminal intimidation cases against politically exposed persons such as media commentators and

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Legislative Council (LegCo) Members, Ms Emily LAU enquired how the Police would enhance protection to opinion leaders to ensure that the freedom of speech in Hong Kong would be upheld.

31. CP said that the Police accorded much importance to incidents involving criminal intimidation and would take rigorous measures to deal with them. CP pointed out that difficulties were encountered in the investigation of criminal intimidation cases as they varied according to specific circumstances under which offenders might have committed the offences due to various reasons such as personal prejudice, drunkenness, or discontent against particular LegCo Member.

Adm

32. In response to Ms Emily LAU's further enquiry, CP said that measures had been taken to deal with criminal damage such as long-hours surveillance against criminal damage of LegCo Members' advertisement signboards. He would provide information on the number of cases of criminal damage to advertisement signboards of LegCo Members and the number of cases detected in the past three years.

33. Ms Emily LAU asked whether there was any regular channel where the Police could meet with protesting groups to listen to their views on the Police's enforcement actions against protestors. She said that some protestors considered that the Police had used unnecessary force against them.

34. CP responded that it was the duty of the Police to ensure that public demonstration would be carried out in an orderly manner without causing disturbances to the society, in particular, when there was currently an in-flow of a total of 28 million tourists per year. CP said that meetings with deputations could be arranged as and when needed. The Police had accorded high priority to communicating with relevant parties to address their concerns. The Police would ascertain that law enforcement actions were carried out in accordance with the rule of law. The Police would follow up on complaints against police officers provided that sufficient information was given.

Drug abuse

35. Mr CHEUNG Man-kwong said that the decrease in drug seizures cases in 2007 could not reflect the drug abuse situation which was in fact on the rise. He asked about the new measures that would be taken to tackle the problem of young persons abusing drugs in school, engaging in drug retail activities, and crossing the boundary to abuse drugs.

36. CP said that the Police was very concerned about drug abuse problem. It had worked closely with the Custom and Excise Department and the Mainland counterparts on exchange of information to tackle cross-boundary drug abuse and trafficking. The drop in Ketamine seized in 2007 was

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attributed to stringent measures undertaken by the Police to interdict drug trafficking. The Police had acted proactively to provide intelligence to law enforcement agencies of nearby places to facilitate their enforcement in drug seizures. The use of drug detector dogs of the Custom and Excise Department at entry points had also strengthened deterrence against drug trafficking. He added that the 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.

37. As for young persons engaging in cross-boundary drug abuse, CP pointed out that the Police had provided the Mainland counterparts with intelligence on the movement of drug retail outlets. A four-month large scale anti-narcotics campaign in 2007 launched by the Mainland authorities had effectively deterred young persons engaging in cross-boundary drug activities. He said that the number of cases of young persons taking drugs in school was insignificant, however, the Police would continue to work closely with school liaison officers to combat the problem and step up publicity against youth drug abuse. CP further said that the inter-departmental Task Force led by the Secretary for Justice had so far held several meetings. The Task Force would review the current measures and coordinate efforts of all parties concerned with a view to formulating new measures to tackle emerging trends in drug abuse among youths.

38. In response to Mr Andrew LEUNG's enquiry, CP said that the drug abuse situation hinged on the demand and supply of drugs in the territory rather than the amount of drug seized. The Police had taken stringent actions to curb drug retailing activities in Hong Kong. With more drug retailing outlets moved to Shenzhen, the Police had worked closely with the Shenzhen authorities to curb the problem of cross-boundary drug abuse and drug trafficking. The Police had also stepped up anti-narcotics publicity at the boundary control points.

39. Mr Andrew LEUNG enquired about the number of successful cases of drug trafficking detected by drug detector dogs at the control points, and whether rehabilitation services would be provided to cross-boundary drug abusers upon their return from Shenzhen.

40. CP said that the deployment of drug detector dogs was under the jurisdiction of the Customs and Excise Department. As regards the rehabilitation of cross-boundary drug abusers, the Police would, with their consent, refer them to relevant organisations for follow-up services.

41. Mr James TO said that in tandem with the amendment of the relevant ordinances to give effect to a more severe penalty on offences for selling drugs to youth or exploitation of youth in trafficking drugs, convicted cases of such offences should be given a more heavy sentence so as to enhance deterrence

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against the crime.

42. CP responded that the Police had communicated with the Department of Justice on the need to impose more severe penalty against such drug offences. The Police had started keeping statistics on the penalty imposed on convicted cases of such offences.

Theft and deception cases

43. Ms Margaret NG enquired how the Police would tackle the problem of increase in pickpocketing cases.

44. CP said that the tremendous increase in the in-flow of tourists, which had amounted to over 28 million in 2007, might have attributed to the increase in pickpocketing cases, especially in crowded places. According to the statistics in 2007, some 110 and 60 pickpockets caught were respectively local people and local Vietnamese, whereas some 50 and 20 were visitors from the Mainland and other places. To combat the problem, the Police would step up patrol at black spots, surveillance against habitual offenders, information exchange among Police districts, and publicity on the protection of private properties.

45. Pointing out that reports to the Police on cases arising from financial or commercial disputes were often treated as private matters, Ms Margaret NG asked about the criteria of the Police in its classification between criminal and civic cases, and whether there was any record on reported cases treated as private disputes and hence not followed up by the Police.

46. CP responded that it was the Police's responsibility to follow up reported cases which might have involved criminal element. He said that the Police would review the relevant procedures in handling reported cases to ensure that police officers would handle cases properly.

47. To combat deception cases targeting at the elderly, Mr James TO suggested that the Police should adopt a target-based approach in publicising message on prevention against crime so as to enhance the alertness of the elderly.

48. CP shared Mr TO's concern and assured members that the Police had proactively publicised crime prevention messages through various means such as reaching out to the elderly centres and disseminating messages through a cadre of elderly ambassadors to their peers. He informed members that the Police had detected a syndicate related to some 100 deception cases early this month.

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49. Mr James TO expressed concern about forced selling such as the selling of "time-share" vacation accommodation services which used psychological tricks to lure customers to buy packages involving a huge sum.

50. CP said that the Police had taken note of the issue and police officers had been sent to attend the promotion sessions of relevant companies as mock customers. The Police would continue to monitor and gather relevant information on the selling method of the relevant companies.

Speeding and use of laser guns

51. The Chairman noted that the issue of the use of laser guns for the detection of speeding was being followed up by the Panel on Transport. However, he expressed concern how the Police would ensure that operators of laser guns would be following a unified operation guideline and that they were facilitated to make an accurate record on the speeding cases without errors.

52. CP responded that laser guns for the detection of speeding were both accurate and reliable. They were regularly serviced and maintained by the manufacturer's local agent and mechanism was in place to ensure the accuracy of the equipment through calibration. The manufacturer's user manual had all along been observed in full by laser gun operators and was now the only operating guideline for laser gun operations. CP said that the recent incident was an exceptional case as it was due to an error committed by the Police officer concerned in the process of recording the speeding details. CP added that a working group had been established to see if there was room to enhance the training and procedures in respect of the handling of enforcement cases involving laser guns to ensure that the best advice was provided to officers handling such cases.

53. Ms Audrey EU expressed doubt about the Administration's claim that the case in point was exceptional and no similar error was found in other cases of speeding. She suggested that the Panel could follow up the issue pursuant to the review of the working group on the relevant procedures involved in laser gun operation.

54. Noting the Administration's explanation that the requirement of performing the tests at the scene of operation was not required by the manufacturer's user manual, Mr James TO held the view that the Administration should make all efforts to minimise possible errors in the operation of laser guns and consider conducting tests at the scene of operation as any obstruction at the scene might affect accuracy. He suggested that certain mechanism should be devised to facilitate accurate recording by the laser gun operator.

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55. The Chairman echoed the view that it was important to consider the actual site environment and perform tests at the scene of operation in addition to following the guidelines of the training manual and performing base test.

56. The meeting ended at 12: 45 pm.

Council Business Division 2
Legislative Council Secretariat
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