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Panel on Security

**Background brief prepared by the Legislative Council Secretariat
for the meeting on 3 March 2009**

Measures adopted by the Police to combat street deception

Purpose

This paper summarizes past discussions by the Panel on Security (the Panel) on measures adopted by the Police to combat street deception.

Number and nature of street deception

2. According to information provided by the Administration in December 2006, there had been a decreasing trend of street deception cases. The number of cases and the amount of losses involved in such cases from 2004 to 2006 (up to October) are summarized below -

	2004	2005	2006 (Jan - Oct)
Number of reported cases	479	393	171
Reported losses	\$28 million	\$21 million	\$11.4 million

3. The most common types of street deception include "spiritual blessing", "borrowing mobile telephones", "dropped money" and "low-value electronic parts". These four categories accounted for 90% of street deception cases recorded in the first 10 months of 2006.

Measures adopted by Police in combating street deception

4. According to the Police, it has all along been adopting a three-pronged strategy to combat street deception, including prevention of such cases, carrying out

intelligence-led operations, and conducting prompt investigations.

5. In respect of prevention, besides raising the awareness of members of the public through the media, District Response Teams have been established to strengthen the liaison with banks, elderly day care centres, etc. to increase the alertness of relevant persons, especially the elderly. The Police also mount intelligence-led operations regularly, and co-operate with the Immigration Department to enable monitoring of the activities of suspected fraudsters when they enter Hong Kong. Regular contact is maintained with the Mainland authorities to deal with Mainland-based syndicates. Where appropriate, the Police will handle street deception cases centrally at regional/district levels for more effective investigation of such crimes.

Discussions by the Panel

6. At its meeting on 5 December 2006, the Panel was briefed on measures adopted by the Police in combating street deception. Members enquired about the detection rate of different types of street deception cases and the sentence imposed in convicted cases. They also asked about the number of cases where Mainlanders were found involved in the commission of the crime.

7. The Administration responded that persons arrested for street deception were prosecuted for fraud and the sentence imposed was about two to four years' imprisonment, although the maximum sentence for the offence was 14 years' imprisonment. The Police noted that a majority of the persons who committed such crimes were Mainland visitors. If Mainland visitors were arrested, they would be dealt with according to an established mechanism. The authorities would repatriate them after their cases have been tried by Court. Information about Mainland visitors convicted of crime in Hong Kong and intelligence about Mainland persons involved in criminal activities would be provided to the public security authorities and permit-issuing authorities in the Mainland, so that when these people made subsequent applications for entering Hong Kong, the Mainland authorities might then decide whether exit endorsement should be issued.

8. Some members expressed concern about the prevalence of street deception cases. They considered that the Police should step up patrol to combat such crime. Members suggested that the sentencing provisions under the Organized and Serious Crimes Ordinance (OSCO) should be invoked for street deception offences so that a heavier sentence would be imposed on the convicted persons.

9. The Administration responded that, depending on the seriousness and prevalence of the crime involved, application was made under OSCO as far as possible in street deception cases to impose a heavier sentence. The Administration stressed that the Police attached great importance to street deception cases and had put much effort in combating such crime in the past few years. Besides intelligence-led

operations, much publicity had been launched through the media to enhance public awareness. Banks had been encouraged to contact the Police, if they came across elderly customers withdrawing unusually large sums of money.

10. The Administration also advised that combating street deception was one of the operational targets of the Commissioner of Police (CP) in 2006. Intelligence on syndicates involved in such crime and their pattern of crime was regularly exchanged with the Mainland public security authorities. In addition to the established communication channels with the Mainland for regular exchange of intelligence to combat street deception, issues concerning criminal activities which were of mutual concern were raised at meetings of the Guangdong Hong Kong Macau Tripartite Criminal Investigation Department Heads Conference held at six-month intervals.

11. At the Panel meeting on 21 January 2009, when discussing Hong Kong's overall crime situation in 2008, some members expressed concern about deception cases where many members of the public became victims, including model agency deception and the sale of travel opportunities/holiday facilities. They called on the Police to step up investigation against such crimes.

Related information

12. Questions relating to street deception were raised by Members at the following Council meetings -

- (a) Hon TAM Yiu-chung raised a question about street deception cases at the Council meeting on 22 May 2002; and
- (b) Hon LAU Wong-fat raised a question on strategy adopted to combat street deception activities at the Council meeting on 10 January 2007.

The Administration's replies to the questions are provided respectively in **Appendices I and II**.

Relevant papers

13. Members may wish to refer to the following minutes of meeting and paper for details of the discussion -

- (a) minutes of the meeting of the Panel on Security on 5 December 2006 (LC Paper No. CB(2)880/06-07); and
- (b) Administration's paper entitled "Street deception" (LC Paper No. CB(2)499/06-07(04)).

14. The above minutes of meeting and paper are available on the website of the Legislative Council (<http://www.legco.gov.hk>).

Council Business Division 2
Legislative Council Secretariat
25 February 2009

Press Release



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LCQ13: Street deception cases

Following is a question by the Hon Tam Yiu-chung and a written reply by the Secretary for Security, Mrs Regina Ip, in the Legislative Council today (May 22):

Question:

There has recently been a series of cases in which elderly people were cheated of their valuables by swindlers in the streets. The tricks of these swindlers included pretending to pray for luck or remove misfortunes for the elderly or their families. Regarding such "pray-for-luck gangs" and other on-street defrauding cases with various tricks, will the Government inform this Council of:

(a) the following in respect of the past three years :

(i) the modus operandi of the gangs in the reported fraud cases;

(ii) the number of various type of fraud cases; and the number of victims and the loss involved;

(iii) the number of gangs arrested and successfully prosecuted in such fraud cases; and

(iv) the total number of promotional leaflets distributed by the police conveying the message of combating on-street defrauding; and

(b) the measures to combat on-street defrauding, in particular those which caution the elderly against such defrauding tricks?

Reply:

Madam President,

(a)(i) The common modus operandi (MO) of street deception cases include the following :

* perpetrators persuading the victims to buy fake products, including gold rings, jade bracelets, electronic parts and medicine, claiming that remarkable profits can be gained by reselling the products;

* setting up a pre-arranged trap in which the offenders claim that a large sum of abandoned money was found in the street. Offenders use excuses to convince the victims to give their own money in order to have a share of the abandoned money, which is subsequently found to be fake or non-existent;

* swindlers asking for money to seek spiritual blessing for removing the misfortune of the victims or their family members; and

* fiddlers using currencies which are not in circulation or foreign exchanges with very low exchange rate to change for local currencies.

(ii) In the past three years, the number of street deception cases in various M.O. is at [annex \(1\)](#).

The amount of money lost (in million dollars) in street deception cases in the past three years is at [annex \(2\)](#).

Since the Police do not maintain statistics on the number of victims involved in street deception cases, the requested information is not available. Analysis shows that for the period from January 2001 to April 2002, a total of 484 females fell into the traps of "spiritual blessing gangs". Out of these, 70 per cent (i.e. 340 persons) are aged 60 or above.

(iii) In the past three years, the number of cases which resulted in arrests and conviction are at [annex \(3\)](#).

(iv) The Police have distributed a total of 831 970 publicity pamphlets with anti-street deception message in the past three years.

(b) The Police take a serious view of street deception. In order to enhance knowledge of the elderly and their family members of the various types of deception cases, the Crime Prevention Bureau pass on relevant information and advice to members of the public, in particular the elderly, through different media, including broadcasting through television and radio and distribution of leaflets. The Police also cooperate with the Social Welfare Department (SWD) and non-government welfare agencies in organising publicity programmes and briefings for the elderly in their respective regional units, including social centres and hostels for the elderly. The SWD disseminate anti-street deception message in their publication entitled "Support Team for the Elderly Newsletter". Specific advice to the elderly on how to prevent such crime was published in the edition released in April 2002. In addition, the Crime Prevention Bureau have requested tellers at banks to remind the elderly to be cautious about possible deception cases whenever it is found that an elderly person has withdrawn a large sum of money and is acting differently as reflected in his or her past transaction records.

Separately, all Police Regions have designated teams to take specific actions against street deception. Since quite a number of street deception cases were committed by Mainland visitors, the Police have exchanged intelligence with the Mainland security authorities with a view to combating such crimes.

End/Wednesday, May 22, 2002

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Annex (1)

M.O. Year	Fake gold ring	Fake jade bracelets	Fake electronic parts	Fake medicine	Dropping money	Spiritual blessing	Fake foreign exchanges	Others	Total
1999	109	17	150	106	36	11	N.A.	26	455
2000	151	25	110	107	129	70	N.A.	25	617
2001	14	19	47	20	192	311	16	4	623
2002 (Jan – Apr)	18	15	18	12	71	173	19	3	329

Note: N.A. means no figures available.

Annex (2)

M.O. Year	Fake gold ring	Fake jade bracelets	Fake electronic parts	Fake medicine	Dropping money	Spiritual blessing	Fake foreign exchanges	Others	Total
1999	N.A	N.A	N.A	N.A	N.A	N.A	N.A	N.A.	26.241
2000	4.213	2.758	11.619	9.346	8.024	5.871	N.A.	0.663	42.494
2001	1.232	1.192	4.931	1.385	3.809	21.7	1.576	0.42	36.245
2002 (Jan - Apr)	0.289	1.028	1.48	1.044	1.153	14.589	2.218	0.054	21.855

Note: N.A. means no figures available.

Annex (3)

Year	Cases with Arrests #	Cases resulted in Conviction	Cases in which no conviction is resulted/suspects released after investigation	Cases pending prosecution or investigation
1999	24	N.A.	N.A.	N.A.
2000	57	N.A.	N.A.	N.A.
2001	62	29	33	0
2002 (Jan – Apr)	30	3	6	21

Note (1): N.A. means no figures available.

Note (2): # As statistics maintained by the Police are in the unit of cases, figures on the number of persons arrested or convicted are therefore not available.

Appendix II

Press Releases

LCQ3: Three-pronged strategy adopted to combat street deception activities

Following is a question by the Hon Lau Wong-fat and a reply by the Secretary for Security, Mr Ambrose S K Lee, in the Legislative Council today (January 10):

Question:

In recent years, culprits of street deceptions have employed many different defrauding tricks, for instance, by making excuses such as seeking spiritual blessings for removing misfortunes for the victims, sharing with the victims a large sum of money found on the street, and jointly buying and reselling magic drugs or high-tech components with the victims to make a profit, etc. Earlier, there was also a case in which a woman reported that she had been cheated of her life savings of more than a million dollars. In this connection, will the Government inform this Council:

(a) of the number of street deception cases reported to the Police last year and the number of such cases solved by the Police, as well as the penalties imposed on the convicts; and

(b) whether it has assessed the effectiveness of the measures taken to combat street deceptions by non-locals in Hong Kong, and whether any new measures will be put in place?

Reply:

Madam President:

In 2006 (up to November), the Police received reports of 201 street deception cases. In the same period, 21 such cases were detected, with penalties of two to four years of imprisonment imposed.

The Police adopt a three-pronged strategy to combat street deception, including prevention of such cases, carrying out intelligence-led operations, and conducting prompt investigations.

In respect of prevention, besides raising the awareness of members of the public by making use of the different media, District Response Teams have been established to strengthen the liaison with banks and elderly day care centres, etc. to increase the alertness of relevant persons, especially the elderly. The Police also regularly mount intelligence-led operations, and cooperate with the Immigration Department to enable monitoring of the activities of suspected fraudsters when they enter Hong Kong. Contact is also maintained with the Mainland authorities to deal with Mainland-based syndicates. Moreover, where appropriate, the Police will handle street deception cases centrally at regional / district levels for more effective investigation of such crimes.

The measures taken above have been fairly effective. In recent years, there has been a decreasing trend of street deception, both in the number of reported cases and the amount

of reported losses in such cases. For example, the number of reported cases has decreased gradually from 479 in 2004, 393 in 2005, to 201 in the first 11 months of 2006. The Police will continue to closely monitor the situation, and take corresponding measures where necessary to combat street deception activities.

Ends/Wednesday, January 10, 2007
Issued at HKT 12:15

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