

# 立法會

## *Legislative Council*

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### Panel on Security

**Minutes of special meeting  
held on Wednesday, 27 January 2010, at 8:30 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 Margaret NG  
Hon CHEUNG Man-kwong  
Dr Hon Philip WONG Yu-hong, GBS  
Hon WONG Yung-kan, SBS, JP  
Hon Emily LAU Wai-hing, JP  
Hon Audrey EU Yuet-mee, SC, JP  
Hon Andrew LEUNG Kwan-yuen, SBS, JP  
Hon CHAN Hak-kan  
Hon WONG Kwok-kin, BBS  
Hon IP Kwok-him, GBS, JP  
Hon Paul TSE Wai-chun

**Members absent** : Hon Timothy FOK Tsun-ting, GBS, JP  
Hon LEUNG Kwok-hung  
Hon CHIM Pui-chung  
Hon Cyd HO Sau-lan  
Hon WONG Yuk-man

**Public Officers attending** : Item I  
  
Mr TANG King-shing  
Commissioner of Police  
  
Mr John LEE Ka-chiu  
Director of Crime and Security

**Clerk in attendance** : Mr Raymond LAM  
Chief Council Secretary (2) 1

**Staff in attendance** : Miss Josephine SO  
Senior Council Secretary (2) 1

Ms Kiwi NG  
Legislative Assistant (2) 1

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The Chairman commended the Police for having maintained a high standard of performance to maintain public order and security within the precincts of the Legislative Council ("LegCo") Building when it was surrounded by thousands of demonstrators on 16 January 2010 after the Finance Committee had approved the funding proposals relating to Hong Kong section of Guangzhou-Shenzhen-Hong Kong Express Rail Link. Mr IP Kwok-him and Mr WONG Kwok-kin expressed gratitude to all Police officers participating in the operation for their hard work and restraint in handling the demonstrations outside the LegCo Building on 16 January 2010.

2. Regarding the internal security control and management of the LegCo Building, Ms Emily LAU said that the LegCo Commission was actively following up the matter and intended to gauge the views of Members over the measures and arrangements to be adopted in the event that there was strong protest outside the LegCo Building.

**I. Crime situation in 2009**  
(LC Paper Nos. CB(2)799/09-10(01) and (02))

3. Commissioner of Police ("CP") briefed members on the overall law and order situation of Hong Kong in 2009, as detailed in the paper provided by the Police.

Drug-related offences

4. Mr Andrew LEUNG expressed concern about the Police's anti-drug work, in particular how it tackled the drug abuse problem among students and the sharp rise in drug abuse cases involving drivers driving on the road. Mr CHAN Hak-kan shared similar concern about the increasing number of drivers abusing drug. He learned from media reports that in recent months, the Police had handled about 10 cases where drivers were found to be under the influence of drugs. He noted that unlike drink driving which was regulated by the Road Traffic Ordinance (Cap. 374) and the Road Traffic (Driving-offence Points) Ordinance (Cap. 375), the Police had no authority to require a person to provide body fluid specimens for the purpose of drug testing, even if there was a reasonable cause to suspect that the person was under the influence of drugs when driving a motor vehicle. Mr CHAN was concerned about the risk posed

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by "doped drivers" to the safety of other road users. He asked about the measures taken by the Police to tackle the problem of drug driving.

5. CP made the following responses -

- (a) among the 2 929 serious narcotics offences recorded in 2009, although representing a slight drop of 37 cases or 1.2% when compared with the figure of the preceding year, 2 520 cases involved psychotropic drugs, making up 86% of the overall serious narcotics offences. Cases involving Ketamine still shared a considerable proportion of about 63% of cases involving psychotropic drugs;
- (b) youth drug abuse had been in the limelight, as statistics revealed that there was an increase in 2009 in youngsters between 10 to 15 years of age committing serious narcotics offences; and
- (c) the Administration was very concerned about the supply and availability of illicit drugs within the territory and the problem of psychotropic substance abuse among the youth. While the Task Force on Youth Drug Abuse ("the Task Force") had set out over 70 recommendations to combat the youth drug abuse problem in a holistic and sustainable manner, the Police would continue to combat drug trafficking and drug abuse in the coming year through various measures, including the following -
  - (i) in respect of external cooperation, the Police had adopted comprehensive strategies for combating drug trafficking activities. To tackle transnational drug traffickers and to combat the problem at source, the Police cooperated with the Mainland and overseas law enforcement agencies ("LEAs") and mounted intelligence-led operations to intercept drugs from trafficking into Hong Kong;
  - (ii) the Police also worked closely with the Customs and Excise Department ("C&ED") in the exchange of intelligence and conducting joint operations at various control points to intercept drugs;
  - (iii) the Narcotics Bureau of the Police continued to launch intelligence-led operations against drug trafficking activities within the territory;
  - (iv) enhanced efforts would also be made to crack down on the manufacturing of drugs and cultivation of illicit narcotic crops, and to smash drug distribution networks at all levels

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to cut off the supply of drugs;

- (v) the Police would make good use of the 27 additional School Liaison Officer posts created in 2008-2009 to strengthen the Police School Liaison Officer Scheme as a communication platform for the Police, teachers, school social workers, school management and the community to support the anti-drug initiatives in schools; and
- (vi) to tie in with the territory-wide campaign against youth drug abuse launched by the Task Force, the Publicity Sub-committee under the Fight Crime Committee would continue to work with various District Fight Crime Committees, local organizations and the Junior Police Call ("JPC") in organizing publicity programmes in districts to disseminate the anti-drug message to the community at large, especially the youth.

6. Responding to members' concern about drug driving, CP said that although existing legislation did not empower the Police to require a suspected driver to provide body fluid specimens for the purpose of drug testing, the Police would spare no efforts in combating drug driving having regard to the imminent danger that driving under the influence of drugs would pose to the driver himself and other road users. CP advised that if drug driving was involved in an accident, or an accident with personal injury or fatality, the relevant driver might be charged with dangerous driving, or dangerous driving causing death. In the past two years, three cases had been successfully prosecuted each year for driving under the influence of drugs and causing traffic accidents. In performing his daily duties, if a Police officer had reasonable cause to suspect that a driver was under the influence of drugs, the Police officer would ask the driver whether he had taken drugs. The Police officer would also search the driver and the vehicle concerned to ascertain whether the driver was in possession of dangerous drugs. If the driver admitted that he had taken drugs or the Police officer found dangerous drugs when searching the vehicle or the driver, the Police officer would arrest the driver. As a guiding principle, the Police officer would stop the driver from driving the motor vehicle if the driver was incapable of having proper control of the motor vehicle.

7. Mr CHEUNG Man-kwong said that it appeared to him that the escalated efforts of the Police in combating drug abuse and drug-related crime had faded out since last summer, especially after the implementation of the drug testing scheme in schools. He questioned whether the high-profile enforcement was only a gimmick to attract public attention, and asked why the Police adopted a much-relaxed approach in its work when drug-related statistics, including drug arrests and conviction, drug seizure and abusers of different types of drugs,

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continued to increase in 2009.

8. CP responded that the Police attached great importance to tackling the drug abuse problem in schools. There was no question of the Police adopting a lax approach in combating drug trafficking, drug abuse and related crimes. The territory-wide anti-drug campaign had been escalated to reinforce community awareness and encourage active participation by all sectors. To strengthen young people's resistance to temptations, intensified publicity programmes targeted at students were specifically conducted in the summer, and efforts were stepped up to provide education and training to parents and school teachers to equip them with the knowledge and skills to deal with drug abuse by students.

9. CP added that to combat the problem of youth drug abuse at the supply side, the Police would continue to spearhead major enforcement actions, step up joint operations with C&ED, and enhance intelligence exchange and publicity efforts at boundary control points in order to deter and detect cross boundary drug abuse and trafficking.

10. Mr CHAN Hak-kan expressed concern about the changes in the crime pattern for drug-related offences in recent years, such as the trafficking and sale of drugs in a small quantity and the shift from the use of heroin to psychotropic substances. He asked whether the Police had adjusted its enforcement strategies in the light of the latest changes in drug-related crimes and problems.

11. In response, CP advised that the Police would review its enforcement strategies from time to time, so as to maintain its vigour and impetus in combating drug-related crimes. In view of the latest changes in the crime pattern for drug-related offences, the Police had adopted suitable measures to address the problems, including the following -

- (a) making use of the established intelligence networks to monitor the locality of drug abuse and taking swift actions if there was any change in it;
- (b) taking rigorous enforcement actions at entertainment venues or establishments, such as discotheques, which allowed people to take drugs;
- (c) strengthening cyber patrols to combat activities related to the supply of drug;
- (d) increasing the frequency of school visits by School Liaison Officers to enhance the communication with schools, parents and social workers, as well as to disseminate anti-drug messages to students; and

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- (e) maintaining close liaison with other departments, including the Leisure and Cultural Services Department, in combating youth drug abuse in public places such as parks, playgrounds or public libraries.

Corrosive fluid being thrown from height

12. Mr IP Kwok-him and Mr Andrew LEUNG expressed deep concern about recent cases in which bottles containing corrosive fluid were thrown from height onto the pedestrian precincts in Mongkok, Shamshuipo and Causeway Bay, causing injuries to dozens of passers-by and posing serious threats to the lives and safety of the public. They asked about the measures adopted by the Police to prevent such crimes, and the difficulties faced by the Police in investigating cases of corrosive fluid thrown from height.

13. In response, CP advised that the Police had all along attached great importance to incidents of objects being thrown from height, particularly the recent cases involving the throwing of corrosive fluid which had put public safety in great peril. He said that it was comparatively difficult for the Police to investigate and detect such crimes, as it was difficult to identify witnesses and the exact location where the culprits committed the crimes. Besides, the motive of the culprits committing such crimes very often remained unknown and they usually bore no relationship with the victims whereas in cases of assault, murder or cases of other nature, there might usually be clues arising from the relationship between the victims and the assailants.

14. Notwithstanding the difficulties, CP emphasized that the Police would follow up the cases vigilantly. To prevent such incidents, the Police and District Offices had stepped up their publicity and public education campaigns, including joining hands with the District Councils, owners' and residents' organizations, and property management agents to distribute leaflets educating the general public of the need to develop a caring neighbourhood culture, to be more vigilant and to pay attention to any suspicious figures entering and leaving buildings. Owners' corporations, mutual aid committees and residents' groups were also encouraged to strengthen their building security facilities. The Police also arranged School Liaison Officers to advise students of the harm and serious consequences of throwing objects from height. As regards law enforcement, the Police had referred all cases involving the throwing of corrosive fluid causing injuries to passers-by to their criminal investigation units for follow-up and investigation on all fronts. In the course of investigation, the Police would contact caretakers and view the videotaped footage captured by the closed-circuit television systems of the buildings located near the crime scenes and, depending on the circumstances of each case, conduct door-to-door visits to and questionnaire surveys with residents and shop operators in the buildings concerned to collect information relating to the

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cases. The Police would input the collected data into its supercomputer for analyses. Depending on the post-event circumstances, the Police would step up ground patrols in the vicinity of the crime scenes and remind beat officers to pay particular attention to suspicious persons. To prevent the further commission of such crimes by any culprits and to protect the safety of the public, the Police would enhance the deployment of Police officers at places which were more prone to such incidents, such as pedestrian precincts. In view of the heavy pedestrian flow in pedestrian precincts during festive days and the previous incidents of objects being thrown from height, Police rooftop observation posts had been set up in all crowded and busy areas across the territory. The Police would appeal to shop operators to report to the Police if they found any suspicious persons buying corrosive fluid, with intent to do harm to the public.

15. Mr Paul TSE and the Deputy Chairman asked whether the Police had ever considered that the series of acid-throwing cases were organized by persons with intent to flagrantly challenge the authority of the Police. The Deputy Chairman was also concerned about the little progress achieved by the Police in the past few months in the investigation of the acid attacks. He questioned whether the Police's investigation had come to a stalemate.

16. CP responded that the Police was open-minded and would not rule out any possibilities at the moment. He assured members that the Police would adopt a proactive approach and spare no effort in the investigation of the cases in question.

Rape

17. Mr CHEUNG Man-kwong noted with grave concern that in 2009, a total of 136 cases of rape were recorded, representing an increase of 31 cases or 29.5% when compared with the preceding year. In 130 cases (95.6%), the victims knew the offenders whereas in 104 cases, the victims and the attackers were friends. There were also 31 cases in which the victims were under 16 years old, six cases more than the previous year. Mr CHEUNG said that to his knowledge, many rape victims were reluctant to report to the Police because of insufficient protection provided to them. He enquired about the maximum penalty for rape under the existing legislation, and the protection provided for rape victims after they had reported their cases to the Police.

18. CP responded that the Police noted that many victims of rape disclosed and discussed the matters with their friends, relatives or social workers before reporting the cases to the Police. CP informed members that the Police had drawn up guidelines for handling rape victims. Specifically, Police officers in charge of the rape cases were trained to handle rape victims with sensitivity and sympathy, and special training was given to frontline officers to provide early assistance and support to rape victims. Where necessary, rape victims

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would be referred to the Social Welfare Department for counselling and other support services. On the question of whether the existing penalty failed to have a deterrent effect against rapists, particularly those who raped young victims under 16 years old, CP advised that the Police would refer the case to the Department of Justice ("DoJ") for consideration of whether to apply for a court review if the penalty imposed by the court for a defendant who had been convicted of rape was considered too lenient.

Police

19. Mr CHEUNG Man-kwong requested the Police to provide the following information after the meeting -

- (a) a written response, together with illustrative examples, on whether the penalties imposed had adequate deterrent effect against rapists who raped young victims under 16 years old; and
- (b) its view on whether rape victims were unwilling to report to the Police, which resulted in the number of reported and recorded cases far below the actual number.

Shop theft

20. Mr CHAN Hak-kan expressed concern about the increase in the number of shop thefts committed by young people. He asked about the measures taken by the Police to address the issue.

21. In response, CP advised that in 2009, a total of 10 733 cases of shop theft were recorded, representing an increase of 1 390 cases or 14.9% when compared with the previous year. About 1 400 students were arrested for shop theft during the year, an increase of more than 70 over the number of students arrested for the same offence in 2008. To deter shop theft by juveniles, the Police would make its best endeavour to inculcate correct values and attitude in young people through education programmes and publicity campaigns. Alongside with schools talks, seminars and exhibitions arranged by School Liaison Officers, the Police would disseminate the serious consequence of committing shop thefts to the general public through anti-crime campaigns organized by JPC.

Police's handling of public meetings and public processions

22. Dr Philip WONG expressed worries about the violent actions taken by some of the young demonstrators, as evidenced by incidents of violence in some public order events held in recent months. He asked about the legal responsibilities of demonstrators if they made attempts to challenge the Police, say by pushing or climbing over the mills barriers set up by the Police as a crowd management measure, how the Police handled violent demonstrators and whether the Police would tighten its policy on public meetings and processions.



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23. In response, CP made the following points -
- (a) the Police respected the rights of the public to peaceful assemblies and processions and to express their views. As Hong Kong was a crowded place, large-scale public meetings and processions might affect other people or road users and have impacts on public safety and order. In this connection, it had been, and continued to be the Police's policy to endeavour to facilitate, as far as possible, all lawful and peaceful public order events. While facilitating the expression of views by participants of public meetings and processions, it was also the Police's responsibility to maintain public order, and at the same time strike a balance by ensuring the rights of other people to use public place or road as well as their safety. Participants of public meetings or processions, in expressing their views to the public, should also observe the Hong Kong law and proceed in a peaceful and safe manner;
  - (b) it was a general practice of the Police to maintain close communication with the event organizers and discuss with them how order could be maintained on the day of the public meeting or public procession. Where a public procession involving a large number of participants was held, the Police would, based on past experience, give advice and liaise with the organizer on the date, time and route of the proposed procession to ensure public safety and order would be preserved during the event. The event organizers would normally arrange wardens to maintain order during the public meetings or public processions. In assessing the crowd management measures and manpower required for maintaining public safety and public order during the event, the Police would have regard to the information provided by the organizer, past experience in handling similar events as well as other operational considerations;
  - (c) whenever a large-scale public meeting or procession was held, the Police would carry out a review after the event. The aim of the review was to ensure that the tactics deployed and the use of force in the demonstrations and public assemblies concerned were justified and complied with the Police's operational guidelines for regulating public order events;
  - (d) if there were conflicts and confrontations between the Police and the demonstrators, the Police would investigate into the incidents concerned to ascertain whether there were reasonable grounds to arrest any persons for having breached the laws. The Police

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would consult DoJ as to whether there was sufficient evidence for instituting prosecution; and

- (e) given the increasing trend of young demonstrators taking radical actions in public meetings and processions, the Police would strive to enhance communication with young demonstrators in future, so as to clarify with the demonstrators what they intended to do, and at the same time make it clear that the Police was prepared to provide them with the necessary support and assistance in staging lawful and peaceful public order events.

24. Mr Paul TSE referred to the case on 27 December 2009 where a group of demonstrators staged a demonstration inside the Closed Area of the Lo Wu Boundary Control Point. He pointed out that since the "911" incident, many other countries had tightened their security control at Boundary Control Points ("BCPs"), especially at the airport. He considered that Hong Kong should follow suit and prohibit any persons from conducting public order events within BCPs. With regard to the demonstration at Lo Wu Bridge on 27 December 2009, he said that he could not understand the reasons why the Police did not take enforcement action earlier to disperse the demonstrators before they became out of control, especially given that it was a Closed Area with heavy passenger traffic.

25. CP responded that the Police was fully aware of members' concern about the need to preserve law and order at BCPs. Given the special conditions of BCPs and the needs to ensure the safety of cross-boundary passengers as well as the smooth operation of BCPs, demonstrations should not be conducted within BCPs and the Lo Wu Boundary Control Point was no exception. He pointed out that the passenger flow of the Lo Wu Boundary Control Point was exceptionally heavy. It handled on average over 200 000 passengers daily, which was the highest among all BCPs. Regarding the case at Lo Wu Bridge as referred to by Mr Paul TSE, CP informed members that the Police was conducting an investigation into the incident. A report would be submitted to DoJ, upon completion of the investigation, for advice on whether there was sufficient evidence to prosecute any person for breach of the law.

Criminal damage or intimidation in debt collection

26. Mr Albert HO noted with grave concern that in 2009, 1 314 cases of criminal damage and 507 criminal intimidation cases were related to debt collection activities. Noting the enforcement difficulties currently faced by the Police in combating illegal practices of debt collection agencies ("DCAs"), Mr HO asked whether the Police would, in view of the trend and seriousness of illegal practices employed by DCAs in recovering debts, consider introducing new enforcement measures to curb the improper practices of DCAs or suggesting the relevant policy bureau to introduce legislation to regulate the

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debt collection activities of DCAs.

27. CP responded that -

- (a) the number of crime reports related to debt collection activities received by the Police in 2009 was higher than that of the previous year;
- (b) the Police appreciated the public's concern about debt collection practices involving harassment, and had always attached importance to combating illegal debt collection activities. It adopted a multi-pronged approach and took rigorous enforcement action to crack down on loan-sharking syndicates and unscrupulous DCAs by closely monitoring the conduct of DCAs and mounting large-scale operations;
- (c) the Police had devised procedures for the handling of debt collection-related cases. Cases of criminal nature, such as criminal damage or intimidation, would be referred to the Criminal Investigation Teams for investigation. Enforcement actions would be taken depending on the circumstances and prosecutions would be instituted in accordance with the law. Non-crime reports assessed to be "high threat" cases would be referred to the Criminal Investigation Teams for follow-up. As regards "low threat" cases, although they did not involve criminal elements, the Police would continue to monitor them. Where there was suspicion that a case might develop into one involving a criminal element, for example, the DCA concerned had a triad background, the Criminal Investigation Team would investigate the case; and
- (d) where there was suspicion that a DCA employed by a licensed money lender collected debts by improper means (including telephone harassment) or illegal acts, the Police investigation unit would inform the Police Licensing Office so that the Office would give appropriate consideration when handling the licence renewal application of the money lender concerned in future. Where a DCA engaged by any bank or financial institution was found to be collecting debts by improper or illegal means, the Police would inform the financial regulatory authority concerned so that it could take appropriate follow up action.

Fraud and deception

28. Mr Albert HO said that incidents of traders using misleading, deceptive, high-pressure, intimidating, harassing or other unfair means to market products

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or services were common in recent years, undermining the interests of consumers, and many people considered consumer protection in Hong Kong inadequate. He asked whether the Police would consider suggesting the relevant policy bureau to strengthen the regulatory control over such malpractices.

29. CP responded that in 2009, a total of 5 130 cases of deception were recorded, representing a rise of 477 cases or 10.3% when compared with 2008. Given the undesirable marketing tactics adopted by multi-level marketing companies or their agents, the Commerce and Economic Development Bureau had taken the lead to review the existing legislation in relation to multi-level marketing and pyramid selling, with a view to devising proposals which suited the circumstances and needs of Hong Kong. It would draw reference from the legislative models in other countries or places.

Illegal practices in the selling of Lehman Brothers-related investment products

30. The Deputy Chairman expressed concern about the process of investigation of those several thousand complaint cases relating to Lehman Brothers-related investment products. He queried why the relevant regulatory bodies, including the Hong Kong Monetary Authority and the Securities and Futures Commission, had not taken enforcement actions against any banks or their staff for mis-selling of investment products, but had devoted their efforts in seeking resolution of the complaints through the settlement arrangement instead. As the investigation of these complaints had been conducted for over one year, he questioned why the regulators had not announced any cases of disciplinary actions, or the Police disclosed to the public the progress of its investigation. He held the view that the Police and the regulatory bodies should make great efforts to follow up the matter and look at each complaint case seriously. Cases suspected to involve improper selling practices or criminal element should be forwarded to the Commercial Crime Bureau for further investigation. If, after investigation, complaints of mis-selling were substantiated, appropriate actions should be taken, regardless of whether or not resolution had been reached between the complainants and the banks.

31. In response, CP advised that -

- (a) while it was the normal practice for the Police to commence initial assessment upon receipt of a complaint, the Police had conducted further investigation into nearly 3 000 cases out of 5 000-odd complaints by taking initial statements from the complainants;
- (b) if there were cases that might involve criminal elements, the Police would seek legal advice from DoJ as and where appropriate. If there was evidence of criminal elements in any

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cases, the Police would take out prosecution in accordance with the law. Up to now, a salesperson in one of the cases had been successfully prosecuted for forgery; and

- (c) the Police's investigation of the Minibonds related complaints would continue irrespective of whether the complaints had been resolved through settlement arrangement.

Mainland visitors arrested for committing crimes

32. Mr Paul TSE noted the figures given in paragraph 27 of the Police's paper relating to Mainland visitors arrested for committing criminal offences in Hong Kong. He asked whether the figures included the number of visitors who were illegally employed or had overstayed, as well as female visitors engaged in prostitution activities. He also asked whether the Police would support the expansion of the Individual Visit Scheme ("IVS"), if the number of crimes involving Mainland visitors continued to decrease.

33. In response, CP and Director of Crime and Security advised that -

- (a) during the 2009 reporting year, 1 263 Mainland visitors in total were arrested for committing crimes in Hong Kong, representing a drop of 265 persons or 17.3% when compared with the number in the preceding year. Of these, the number of persons visiting under IVS arrested for committing crimes was 463, representing a drop of 68 persons or 12.8% when compared with 2008. The number of Mainland visitors that committed crimes were 7.1 persons per 100 000 arrivals in 2009 and 9.2 persons per 100 000 arrivals in 2008; and
- (b) among those 1 263 Mainland visitors arrested for committing crimes in 2009, the most prevalent crimes were miscellaneous thefts and wounding and serious assault. The figure did not include taking up unauthorized work in Hong Kong, engaging in certain prostitution activities or begging on the street, which were not classified by the Police as crime. In determining what offence to be classified as crime, the Police considered many factors, such as the *mens rea* for the act.

Police

34. Mr Paul TSE queried the appropriateness of making *mens rea* a requirement in the classification of crimes. He requested the Police to provide a written response on how it classified and compiled the crime statistics and how cases currently excluded from the CP's report, including the taking up of unauthorized work or the involvement in prostitution activities by Mainland visitors, were categorized.

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Illegal tree-felling activities

35. Mr WONG Yung-kan noted from media reports that in the past few years, Buddhist pines and other wild plants in the countryside had been felled illegally by some Mainlanders who would then transport the trees to the Mainland for profit. He asked about the measures taken by the Police to combat the illegal tree-felling activities.

36. In reply, CP advised that the felling of wild Buddhist pines and other wild plants in the countryside was usually related to theft and smuggling activities involving illegal immigrants. To combat such crimes, the Police had been working closely with the Agriculture, Fisheries and Conservation Department, C&ED and the relevant LEAs in the Mainland in the exchange of intelligence and launching joint operations against illegal tree-felling and smuggling activities. As part of the enforcement process, the Police had stepped up patrol at black spots against the stealing of Buddhist pines by Mainlanders. The Marine Police had also increased its efforts in patrolling along the coastal areas of Hong Kong as Buddhist pines were generally planted on the coastal areas. It was noteworthy that the work performance of the Marine Police in maintaining the safety and integrity of Hong Kong waters had been enhanced, with the implementation of the new Versatile Maritime Policing Response.

Cyber crime

37. Mr Paul TSE pointed out that cyber crimes, such as compensated dating and illegal gambling, had become rampant in recent years. Expressing concern as to whether such activities would become a source of income of, or would be controlled by, triads and organized crime syndicates, he enquired about the Police's efforts in combating such crimes and the Administration's plan in enhancing the Police's ability to fight against cyber crimes.

38. CP responded that cyber crimes had been on the rise in the past year, with most of the cases related to unauthorized access to computer with criminal or dishonest intent, commercial fraud and obtaining property or service by deception. Regarding the measures adopted by the Police to combat cyber crimes, CP advised that the Police's Technology Crime Division was responsible for combating cyber crimes and conducting cyber patrols. To enhance its capability in the investigation of internet crimes, 26 additional posts were created in 2009-2010 in the Technology Crime Division. Apart from enhancing the manpower of the Technology Crime Division, the Police was currently upgrading the information technology facilities of the Computer Forensics Laboratory to strengthen its capability in handling digital evidence. In addition to strengthened cyber patrols, the Police would provide training in the effective prevention and combat of technology crimes for officers of different ranks to enhance their knowledge of technology crimes and their

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professional ability in handling these crimes.

Detection rate

39. Mr WONG Kwok-kin noted that the overall crime detection rate recorded for the whole year of 2009 was 45.6%, the same as in 2008. He expressed concern about the difficulties faced by the Police in crime detection and the measures taken by the Police to improve the detection rate.

40. CP explained that detection rates varied among different categories of crimes. Generally speaking, those crimes without the assistance of witnesses possessing knowledge of the cases, such as arson, were comparatively more difficult to solve. It was also noteworthy that the average detection rate depended to a large extent on the nature and complexity of the cases, as well as the number of "difficult-to-solve" crimes recorded for a year. CP advised that instead of placing emphasis merely on improving the detection rates, the Police had all along been striving for excellence in its work performance. As a matter of fact, a number of measures had been taken in recent years to enhance the Police's crime detection capability. These measures included, inter alia, the application of DNA technology in forensic analysis and comparison, and the adoption of supercomputers in data analyses. The Police had also arranged professional training on intelligence collection for its crime investigation officers to strengthen their intelligence and information collection capabilities.

41. There being no other business, the meeting ended at 10:30 am.