

# **立法會**

## ***Legislative Council***

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### **Panel on Security**

**Minutes of special meeting  
held on Tuesday, 24 January 2017, at 2:00 pm  
in Conference Room 3 of the Legislative Council Complex**

**Members present** :

- Hon CHAN Hak-kan, BBS, JP (Chairman)
- Hon James TO Kun-sun (Deputy Chairman)
- Hon Abraham SHEK Lai-him, GBS, JP
- Hon Jeffrey LAM Kin-fung, GBS, JP
- Hon Starry LEE Wai-king, SBS, JP
- Hon CHAN Kin-por, BBS, JP
- Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
- Hon Paul TSE Wai-chun, JP
- Hon Claudia MO
- Hon Michael TIEN Puk-sun, BBS, JP
- Hon Steven HO Chun-yin, BBS
- Hon Frankie YICK Chi-ming, JP
- Hon YIU Si-wing, BBS
- Hon MA Fung-kwok, SBS, JP
- Hon Charles Peter MOK, JP
- Hon CHAN Chi-chuen
- Hon CHAN Han-pan, JP
- Hon LEUNG Che-cheung, BBS, MH, JP
- Hon Kenneth LEUNG
- Hon Alice MAK Mei-kuen, BBS, JP
- Hon KWOK Wai-keung
- Hon Christopher CHEUNG Wah-fung, SBS, JP
- Dr Hon Fernando CHEUNG Chiu-hung
- Dr Hon Elizabeth QUAT, JP
- Hon POON Siu-ping, BBS, MH
- Hon Alvin YEUNG
- Hon Jimmy NG Wing-ka, JP
- Dr Hon Junius HO Kwan-yiu, JP

Hon LAM Cheuk-ting  
Hon Holden CHOW Ho-ding  
Hon SHIU Ka-chun  
Hon Wilson OR Chong-shing, MH  
Hon YUNG Hoi-yan  
Hon CHAN Chun-ying  
Hon CHEUNG Kwok-kwan, JP  
Hon HUI Chi-fung  
Hon LAU Kwok-fan, MH  
Dr Hon CHENG Chung-tai  
Hon Nathan LAW Kwun-chung

**Members  
absent** : Hon WONG Kwok-kin, SBS, JP  
Hon LEUNG Kwok-hung  
Hon Dennis KWOK Wing-hang  
Hon CHUNG Kwok-pan  
Hon CHU Hoi-dick

**Public Officers  
attending** : Item I

Mr LO Wai-chung, PDSM, PMSM  
Commissioner of Police

Mr AU Chi-kwong  
Director of Crime & Security  
Hong Kong Police Force

Mr WONG Chung-chun  
Senior Superintendent of Police, Crime Wing Headquarters  
Hong Kong Police Force

**Clerk in  
attendance** : Miss Betty MA  
Chief Council Secretary (2) 1

**Staff in  
attendance** : Mr Raymond LAM  
Senior Council Secretary (2) 7

Ms Kiwi NG  
Legislative Assistant (2) 1

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**I. Crime situation in 2016**

(LC Paper Nos. CB(2)640/16-17(01) and (02))

Commissioner of Police ("CP") briefed Members on the overall law and order situation of Hong Kong in 2016, as detailed in the paper provided by the Police.

2. Members noted an updated background brief entitled "Crime situation in Hong Kong" prepared by the Legislative Council ("LegCo") Secretariat.

Overall crime situation

3. Mr YIU Si-wing asked how the crime rate of Hong Kong compared with those of other cities. CP responded that the crime rate of Hong Kong was slightly higher than that of Singapore, but much lower than those of London, New York, Paris and Tokyo.

4. While noting that there was a decrease in the overall crime rate in 2016, Mr POON Siu-ping expressed concern that the number of homicide cases had increased to 28. Noting from paragraph 7 of the Police's paper that 18 of the cases were related to money disputes, relationships or affairs, quarrel among neighbours or disputes arising from other reasons, he sought information on the nature of the remaining 10 cases of homicide in 2016. CP responded that the remaining 10 cases were related to domestic violence, homicide of relatives and triad activities. He said that the number of homicide cases in 2016 was below the average of previous years and lower than those of 2009 and 2013, when there were 47 and 62 cases respectively.

5. Mr POON Siu-ping expressed concern about the detection rate of robberies, which had increased in 2016. CP responded that the detection rate of robberies was 49.2%, which was higher than the overall crime detection rate. Although the number of robberies in 2016 was higher than that in 2015, it was the second lowest in the past.

Cruelty to animals

6. Ms Claudia MO noted that the Police had provided information on cruelty to animals in the crime statistics for 2016. She sought information on the detection rate of cruelty to animal cases. CP responded that cases of cruelty to animals had decreased in the past few

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years. Among 69 cases of cruelty to animals in 2016, 24 had been detected.

7. Ms Claudia MO expressed concern about recent media reports regarding abuse of cats in Ho Man Tin District and To Kwa Wan District. She said that the Police should consider setting up animal police in each Police region.

8. Dr Elizabeth QUAT expressed concern that cases relating to cruelty to animals had increased in December 2016. She said that the Police should consider establishing animal police.

9. CP said that all reports of cruelty to animals were followed up by crime investigation teams. Dedicated teams had also been established in nine police districts for handling cases of cruelty to animals.

Unscrupulous business practices of financial intermediaries

10. Mr CHAN Chun-ying asked whether reports about unscrupulous business practices of financial intermediaries had decreased after the recent introduction of a warning message against payment to financial intermediaries. CP responded that following the recent imposition of additional licensing conditions on money lender licences, the situation appeared to have improved. Nevertheless, the Police would continue to monitor the situation closely.

11. Mr LAM Cheuk-ting expressed concern that some members of the public who reported unscrupulous business practices of financial intermediaries had been informed by frontline police officers that the matter was civil in nature and could not be followed up. CP stressed that the Police would follow up reports of unscrupulous business practices of financial intermediaries, regardless of whether the cases concerned were criminal or civil in nature, and the handling of such cases were coordinated by the Commercial Crime Bureau ("CCB"). He said that the Police had started maintaining statistics on such cases since August 2015. There were 115 crime cases involving unscrupulous business practices of financial intermediaries in the last five months of 2015 and 215 cases in 2016. Regarding non-crime related cases involving unscrupulous practices of financial intermediaries, there were 293 cases in the last five months of 2015 and 382 cases in 2016.

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12. Ms Alice MAK commended the Police for their work in combating crime, especially unscrupulous business practices of financial intermediaries. She said that the Money Lenders Ordinance (Cap. 163) was outdated and asked whether the Police had informed the Financial Services and the Treasury Bureau ("FSTB") of the enforcement difficulties. She considered that the Police should establish a database on money lenders, financial intermediaries and law firms involved in unscrupulous business practices.

13. CP responded that the Police maintained close communication with FSTB and had informed the latter of the difficulties in combating such unscrupulous business practices, including difficulties in gathering evidence on the relationship between the money lender and financial intermediary. He said that a database on money lenders, financial intermediaries and law firms involved in unscrupulous business practices was maintained by CCB.

Technology crime

Police

14. Mr CHAN Chi-chuen requested the Police to provide a breakdown of arrests for the offence of "access to computer with criminal or dishonest intent" under section 161 of the Crimes Ordinance (Cap. 200). CP agreed to examine if such information was available.

15. Mr CHAN Chun-ying commended the Police for maintaining a low crime rate in Hong Kong. Referring to paragraph 14 of the Police's paper, he sought information on the detection rate of blackmail cases involving "ransomware". He expressed concern about whether the Police's work in combating such crime was undermined by the delay in the establishment of a Chief Superintendent of Police ("CSP") post to command the Cyber Security and Technology Crime Bureau ("CSTCB").

16. Ms Starry LEE expressed concern that "romance scams" had increased in 2016.

17. CP responded that while he did not have information on hand regarding the detection rate of blackmail cases involving "ransomware", the detection rate was low because the blackmailers were mostly outside Hong Kong and the ransoms were mostly paid in bitcoins. Regarding "romance scams", such kind of deception also happened abroad. The most effective way to tackle the crime must be publicity and education. As such, efforts were being made by the Police to enhance the public's

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awareness of these forms of deception. Publicity and education activities, including through social media platforms, was launched by the Police to educate the public on the prevention of these crimes. The Police also organized seminars, such as a seminar on cyber security in May 2016, and reminded members of the public to be vigilant towards suspicious electronic mails. Close communication was maintained with the Office of the Government Chief Information Officer and Hong Kong Computer Emergency Response Team Coordination Centre to monitor the overall situation of network security in Hong Kong.

18. Mr Christopher CHEUNG expressed concern about recent cases of theft of individual investment accounts for online stock trading to manipulate stock prices. He said that the Police should strengthen their work in combating technology crime. He expressed concern that the Administration's proposal to create a permanent CSP post in CSTCB had been hindered by filibustering. He asked whether the creation of one CSP post would be adequate for combating technology crime.

19. CP responded that CSTCB had an establishment of 238 posts and had commenced operation on 1 January 2015. The Police attached great concern to the issue. To combat technology crime, the Police maintained cooperation with local and overseas Internet service providers and major operators of local critical infrastructures, including banks and financial institutions, communication service, transport and maritime service. Publicity was also launched to educate members of the public and different institutions on the preventive measures. CSTCB was in need of a CSP to lead its operations.

20. Mr Holden CHOW sought information on the difficulties encountered by the Police in combating technology crime. CP responded that the investigation of technology crime involved a lot of complicated matters and took a long time. As the offenders were mostly located in other countries, cooperation of overseas law enforcement agencies was required. In addition, the Police faced difficulties in freezing the deceived money abroad because the loots would be withdrawn or further transferred within a very short period of time.

Indecent assault

21. Dr Elizabeth QUAT commended the Police for maintaining Hong Kong as one of the safest cities in the world. She said that as a majority of indecent assault cases occurred on board public transport, the MTR

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Corporation Limited should install closed circuit television ("CCTV") cameras inside train compartments and establish dedicated train compartments for female passengers. CP responded that the overall number of indecent assault cases on board public transport had slightly increased, and those in train compartments had increased by 21% to 149 cases in 2016. CP noted Dr QUAT's suggestion. He said that the Police would step up patrol at train compartments and encourage victims to report their cases to the Police.

Crime committed by visitors

22. Mr Jimmy NG commended the Police for maintaining a low crime rate in Hong Kong. He requested the Police to provide a breakdown of the crime committed by Mainland visitors and visitors from other places. He expressed concern about the increase in the number of visitors from other places arrested for crime and asked whether the Police would draw the attention of overseas visitors to the relevant laws of Hong Kong.

23. CP responded that in 2016, 355 Mainland visitors had been arrested for shop theft, 133 for miscellaneous theft, 131 for forgery and coinage and 119 for serious immigration offences. Other offences committed by Mainland visitors included wounding and serious assault, keeping vice establishments, possession of arms and ammunition, disorder/fighting in public place and pickpocketing. He agreed to provide statistics on various crime committed by visitors from places other than the Mainland, with breakdown by nationalities. He said that publicity pamphlets on the prevention of crime were distributed at all boundary immigration control points.

Police

24. Mr MA Fung-kwok commended the Police for maintaining a low crime rate in Hong Kong. He expressed concern about an increase in burglary of villas. He asked whether persons arrested for such crime had mainly come from the Mainland and whether there was any indication that such crime was organized. CP responded that while some Mainland persons had been arrested for burglary of villas in Hong Kong, there was no evidence suggesting that they were well organized. The Police were combating the problem through stepping up patrol, exchange of intelligence with relevant Mainland authorities, and calling on the public to enhance home security and remain vigilant.

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Police

25. Mr YIU Si-wing expressed concern about the major countries from which visitors arrested for crime had come and the nature of crime involved. CP responded that visitors arrested for crime had mainly come from South Asia and South-East Asia, including Vietnam, India, Pakistan, Philippines, Sri Lanka and Nepal. Such visitors had mainly been arrested for theft and drug offences. Mr YIU requested the Police to provide information on the detection rate of crimes committed by visitors.

Crime committed by non-ethnic Chinese persons released on recognizance

Police

26. Dr Elizabeth QUAT expressed concern about media reports regarding two recent rape cases committed by non-ethnic Chinese ("NEC") persons released on recognizance. She requested the Police to provide statistics on various crime committed by such persons. CP agreed to provide the requested information after the meeting. He said that the Police would step up publicity to educate the public on the preventive measures.

27. Mr LEUNG Che-cheung expressed concern that some visitors had entered Hong Kong under visa-free arrangements but overstayed and lodged non-refoulement claims. He considered that the Police should adopt measures to combat the problem. CP responded that large-scale operations were launched by the Police with the Immigration Department at areas where large numbers of NEC illegal immigrants and overstayers might frequent.

Crime committed by police officers

28. Dr CHENG Chung-tai said that although the overall crime rate had reached a new low level, the number of police officers arrested and convicted of crime had substantially increased in the previous year. He referred to a book on crime committed by off-duty police officers and said that the conduct of police officers should be subject to more stringent standards. He asked if the Police could make reference to the regular provision of statistics on the indebtedness of police officers and provide the Panel with information on the number of on-duty and off-duty police officers arrested for crime. Mr CHAN Chi-chuen shared the view that the Police should provide the requested information. He said that the Police should examine whether there was a need for tightening the requirements in recruitment or providing further training for police officers.



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Police

29. CP responded that the Police were very concerned about the conduct of police officers and would not tolerate any breach of the law by police officers. Among 33 242 persons arrested for crime in 2016, 21 were police officers, as compared to 15 police officers arrested in 2015 and an average of 23 police officers arrested for various crimes per year in the past. He agreed to examine whether the statistics requested by Dr CHENG Chung-tai and Mr CHAN Chi-chuen were available.

30. Mr YIU Si-wing said that with 21 out of over 10 000 police officers arrested for crime in 2016, the crime rate of police officers was very low.

31. Mr Holden CHOW said that it was inappropriate to use the conduct of a few number of police officers to infer the general conduct of police officers.

Domestic violence

32. Mr LEUNG Che-cheung expressed concern about the measures adopted by the Police to deal with domestic violence. CP responded that the Police adopted a multi-agency approach with the Social Welfare Department ("SWD") and non-governmental organizations to address the problem.

33. Dr Fernando CHEUNG thanked the Police for their effort in maintaining a low crime rate in Hong Kong. He pointed out that according to the Police, there were 1 464 and 1 509 cases of domestic violence crimes in 2015 and 2016 respectively. However, information provided by SWD indicated that there were 3 382 and 2 410 cases of domestic violence for 2015 and the first nine months of 2016 respectively. He queried why there was a discrepancy between the statistics on domestic violence and elderly abuse provided in the Police's paper and those kept by SWD. CP responded that the discrepancy was due to different classification criteria. Multiple incidents of domestic violence relating to the same person were counted as one case by the Police.

34. Dr Fernando CHEUNG requested the Police to provide prosecution and conviction statistics for cases of domestic violence, child abuse, elderly abuse, indecent assault and rape. He also requested the Police to provide information on the number of such cases in which the victims

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Police

were mentally incapacitated persons and the number of abused children whose family members were drug abusers. CP agreed to provide the requested information, if available. He added that there were many cases in which a person was arrested in one year but prosecuted in another year. Therefore, the statistics might not give a full picture of the situation in any particular year.

35. Ms YUNG Hoi-yan said that at the district level, there was high appreciation for and trust in the Police's work. Noting that the Police had established a Enhanced Central Domestic Violence Database ("the Database"), she asked how the Police would make use of the Database to facilitate risk assessment of domestic violence cases and referral of cases to SWD. She also asked whether domestic sex crime cases were included in the database.

36. CP responded that domestic sex crime was already included in the Database. He said that police officers handling domestic violence reports were required to check the database for any previous records relating to the suspects and victims. Referral to SWD would be made whenever necessary.

Telephone deception

37. Mr MA Fung-kwok asked whether the Police had analyzed why a majority of victims of telephone deception were aged below 30. CP responded that a number of victims of telephone deception were students or new arrivals from the Mainland who might not have noticed the crime prevention information issued by the Police on telephone deception.

38. Mr SHIU Ka-chuen said that the Police should cooperate with associations which provided service to the elderly to educate them on the precautions against telephone deception. CP noted the opinion.

Triad-related crime

39. Mr LEUNG Che-cheung commended the Police for maintaining a low crime rate in Hong Kong. He expressed concern about an increase in triad-related crime and sought information on the measures adopted by the Police in combating such crime. CP responded that the Police were combating such crime through undercover operations and cooperation with the law enforcement agencies of the Mainland and Macao.

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Conduct of police officers

40. Ms Claudia MO expressed concern about media reports that some police officers had been found browsing inappropriate websites during their working hours. She asked whether the Police were trying to conceal the matter and whether the results of investigation would be made public.

41. CP responded that it was the Police's practice to review the usage of official computer and internet service to assure information security and prevent leakage of information. It had been found that some police officers had accessed inappropriate websites, such as obscene or investment websites, and the cases concerned were being followed up. Enquiry would be conducted to look into the circumstances of each case and the motive of individual officer concerned. Disciplinary actions might be taken, if necessary. He said that it was not the Police's practice to disclose the disciplinary actions taken on individual police officers.

Pressure experienced by frontline police officers

42. Ms Starry LEE said that the majority of members of the public respected the work of police officers. However, many members of the public had insulted frontline police officers in public assemblies after the Occupy Movement ("the Movement") and many police officers had become victims of cyber bullying. She expressed concern about the pressure experienced by frontline police officers and asked whether there had been an increase in the number of police officers seeking psychological support after the Movement.

43. Mr Michael TIEN expressed concern that with the community becoming increasingly polarized, the pressure experienced by frontline police officers had been increasing.

44. CP responded that the Police had not gathered statistics on police officers seeking psychological support but psychological counselling service for police officers provided by 11 clinical psychologists and 19 welfare officers was available to all officers. He said that the number of clinical psychologists had increased in view of the significant pressure encountered by officers stemmed from increasing public order events in the past 10 years. He added that some police officers had established the Carelinks Cadre and Carelinks Helpline on a voluntary basis to provide peer support to police officers.

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Prosecution of arrested persons

45. Dr Junius HO sought information on the number of persons arrested in connection with the riot in Mong Kok in the early hours of 9 February 2016 ("the incident") and expressed concern about the slow progress in the prosecution of such persons. He said that the Police should provide their review report on the incident.

46. CP responded that 90 persons had been arrested in connection with the incident, among whom 57 had been prosecuted for various offences including riot, inciting riot, arson, unlawful assembly, inciting unlawful assembly, assaulting police officers, criminal damage and assault occasioning actual bodily harm. Among them, 30 were awaiting trial, six had been convicted and awarded fine, suspended sentence or imprisonment terms of 21 days to nine months. Some arrested persons were still under investigation and some had been released on the advice of the Department of Justice ("DoJ"). He said that the Police's review report on the incident was for internal reference only.

47. Dr Junius HO expressed concern about the slow progress in the prosecution of persons arrested in connection with the Movement, although DoJ had provided its advice on the cases concerned, and sought information on the timetable for instituting prosecution. CP responded that the Police had recently received advice from DoJ and were conducting follow-up actions as per DoJ's advice. Upon the completion of the follow-up actions, the cases would be submitted to DoJ again for their consideration. There was no timetable for instituting prosecution.

Illegal carriage of passengers for reward by private cars and overcharging by taxi drivers

48. Mr Frankie YICK said that the Police should consider including traffic-related crime statistics, such as those relating to illegal carriage of passengers for reward by private cars and overcharging by taxi drivers, in their annual crime statistics. He asked whether the court had been requested to impose a heavier sentence on repeated offenders involved in such offences. He considered that the Police should do more in combating illegal carriage of passengers for reward by private cars, especially given that such illegal carriage would render the motor insurance of the car concerned invalid.

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Police

49. CP responded that it was not the Police's practice to include such information in the annual crime statistics report. Nevertheless, the Police would try to provide statistics on such offences in 2016 as supplementary information, if available. He said that the Police would continue to take enforcement actions against illegal carriage of passengers for reward and consider requesting the court to impose a heavier sentence on repeated offenders of crime-related traffic offences in accordance with the existing legal avenue.

Combating parallel trading activities in the North District

50. Mr LAM Cheuk-ting said that parallel trading activities in the North District was the root of public grievances and Mainland-Hong Kong conflicts. He expressed concern that although the Police had established a special task force to combat parallel trading activities in North District, the task force only comprised seven members. He considered that the Police should deploy more manpower for combating parallel trading activities in the North District.

51. CP responded that the combating of parallel trading activities involved not only the Police but also other government departments, including the Customs and Excise Department ("C&ED"), the Food and Environmental Hygiene Department and the Immigration Department ("ImmD"), as well as the MTR Corporation Limited. He said that the Police were combating the problem through stepping up patrol and launching joint operations with C&ED and ImmD. While there was no plan to deploy additional manpower for the Police's special task force at this stage, police officers of the Police Tactical Unit could be deployed to reinforce whenever necessary.

Upgrade of the Tin Shui Wai Police Division to a police district

52. Mr LEUNG Che-cheung said that the Police should consider upgrading the police division in Tin Shui Wai to a police district, given that the population in Yuen Long had substantially increased in recent years and the population in Tin Shui Wai had reached 300 000. CP responded that the Police would take into account a number of factors, including demographic changes, crime rates and the need for police service in the area when considering the need and feasibility to upgrade a police division to a police district.

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Police Superintendent Discretion Scheme

53. Mr SHIU Ka-chun expressed concern that the number of young people cautioned under the Police Superintendent Discretion Scheme had decreased in recent years. He asked whether the Police had examined the reasons for the decrease. CP responded that the Fight Crime Committee had studied the issue and noted that the decrease was mainly due to a decrease in the number of juveniles and young persons arrested, especially those arrested for minor offences.

Other issues

54. Mr Jimmy NG asked whether the Police had taken steps to deal with possible disturbances during the Chinese New Year Festival. CP responded that it was the Police's practice to conduct intelligence analysis and risk assessment for major events as well as festivals and deploy police manpower accordingly. He said that although he would not disclose operational details, the Police would be well prepared for any incidents during the Chinese New Year Festival.

55. Mr SHIU Ka-chun said that as the number of juveniles and young persons arrested for crime and drug abuse had declined, the proposal to introduce the RESCUE Drug Testing ("RDT") Scheme should be shelved. He added that to improve police-community relations, more members of different political stance should be appointed to the Independent Police Complaints Council ("IPCC"). CP responded that the proposed RDT and the appointment of IPCC members were not within the purview of the Police. It was thus inappropriate for him to provide a response.

*[To allow sufficient time for discussion, the Chairman advised that the meeting would be extended by 15 minutes.]*

56. Ms Alice MAK expressed concern about the slow progress in the investigation of medical incidents involving beauty service providers. She asked whether there were any particular difficulties in the investigation of such cases. CP responded that the investigation of such cases usually involved a longer time because of the time required for the seeking of opinions from overseas experts. He said that three persons had been prosecuted in connection with a medical incident in 2012 involving a beauty service provider and the court trial was scheduled to commence in May 2017.

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57. Mr LAU Kwok-fan expressed concern that some residents had complained about cases of continued nuisance from neighbours being classified by frontline police officers as personal disputes. He asked whether the Police would strengthen training for frontline police officers on the handling of such cases. CP responded that police officers would be reminded to provide appropriate assistance to members of the public and show professional sensitivity even if there was no crime involved.

58. Mr LAU Kwok-fan asked whether a young person being taken statement by police officers could be allowed to be accompanied by a District Council member or his staff. CP responded that the Police interview with persons under 16 years of age would only be conducted in the presence of parents or guardian or legal representative.

59. Mr Michael TIEN pointed out that the video clipping of a recent traffic accident involving a taxi captured by a CCTV camera had facilitated identification of how the accident had occurred. He said that more CCTV cameras should be installed at public places. Although there were concerns about the impact of such installations on privacy, the installation of CCTV cameras at public places to facilitate prevention and detection of crime should not be abandoned merely because of privacy concerns. He pointed out that a large number of CCTV cameras had been installed at public places of the United Kingdom. CCTV cameras had also been installed by the Administration in the previous year to detect illegal dumping activities. CP responded that the Police were aware of the use of CCTV cameras in the prevention and detection of crime. He said that the Police were examining the need and feasibility to use CCTV cameras in traffic enforcement.

**II. Any other business**

60. The Chairman reminded members that the next meeting would be held on 7 February 2017 at 2:30 pm.

61. There being no other business, the meeting ended at 4:10 pm.