

For discussion on  
10 July 2018

## **Legislative Council Panel on Security**

### **Combating illegal prostitution activities**

#### **Introduction**

This paper sets out the Government's policy and measures to combat illegal prostitution activities and summarises the crime trends of concern and the corresponding law enforcement actions.

#### **Background**

2. The Hong Kong Police Force is committed to combating illegal activities involving prostitution. Its primary objectives are to prevent control, exploitation or threatening of others for the purposes of prostitution, combat organised prostitution activities, and lessen the nuisance to members of the public that vice activities may cause. The targets of the Police's actions are people who control sex workers for prostitution and keep vice establishments, instead of sex workers, unless the latter are involved in other offences, such as "soliciting for an immoral purpose" in public places or "breach of conditions of stay".

3. Persons committing the offences of "soliciting for an immoral purpose", "control over persons for purpose of unlawful sexual intercourse or prostitution", "living on earnings of prostitution of others", "causing prostitution", "keeping a vice establishment" and "tenant etc. permitting premises or vessel to be kept as a vice establishment" under the Crimes Ordinance (Cap. 200) shall be liable to a maximum fine of HK\$10,000 and imprisonment of 14 years. In respect of premises repeatedly used as vice establishments within a specified period, the Police may apply to the court to close such premises for six months. Moreover, in accordance with the Immigration Ordinance (Cap. 115), any visitor to Hong Kong who breaches the conditions of stay by taking up unlawful employment, including sex work, shall be liable to a maximum fine of HK\$50,000 and imprisonment of two years.

4. The recent years have seen a decrease in the number of cases of illegal prostitution activities, among which the number of cases involving organised prostitution offences decreased from 397 cases in 2013 to 212 cases in 2017,

representing a drop of over 40%. The relevant figures are at **Annex I**. The Police are concerned about the nuisance caused to the community by sex workers soliciting in public places, law-breakers making use of the Internet to operate vice activities and youths engaging in illegal prostitution activities in the form of “compensated dating”. The relevant enforcement actions are depicted below.

### **Illegal prostitution activities in public places involving non-local residents**

5. Any person who solicits others in public places to receive sex services may commit the offence of “soliciting for an immoral purpose” under the Crimes Ordinance. During the past five years, the number of cases involving the offence recorded a decrease. The relevant figures are at **Annex II**. Any visitors to Hong Kong or illegal immigrants offering sex services shall be guilty of the offence of “breach of conditions of stay” or “entering or remaining in Hong Kong without authority” under the Immigration Ordinance. The figures are at **Annex III**.

6. The Police have spared no efforts in combating illegal vice activities through different measures. These include conducting raids at the black spots of such activities, deploying undercover police officers to gather evidence through covert operations, strengthening inspection of dubious premises, maintaining contacts with owners’ corporations and property management companies of buildings, as well as advising them on building security with a view to lessening the nuisance that prostitution activities may cause, and encouraging members of the public to report organised and/or illegal prostitution activities to the Police.

7. In view of the fact that there are visitors and illegal immigrants engaging in sex work, the Police have been taking enforcement actions in collaboration with the Immigration Department (ImmD) against sex workers suspected to have contravened the conditions of stay and entered Hong Kong without authority. The Police and ImmD have arrested a total of 166 sex workers in Mong Kok and Yuen Long in January and March 2018 respectively for suspected “breach of conditions of stay”, as well as 10 syndicate members who were suspected of controlling sex workers.

8. With a view to deterring Mainland visitors from attempting to enter Hong Kong for the purpose of taking up illegal employment (including sex work), ImmD will pass the particulars of convicted Mainland persons to the Mainland authorities concerned for cancellation of their exit endorsements and prohibition from visiting Hong Kong for two years.

9. The Police will, through a multi-agency approach, continue to strengthen its co-operation with ImmD, Mainland and overseas law enforcement agencies and the local communities, and take multi-pronged measures against illegal prostitution activities.

### **Illegal prostitution activities on the Internet**

10. The Police are concerned about law-breakers making use of websites or online social platforms to operate illegal prostitution activities, such as providing information and charges of sex workers in words and illustrations, as well as the arrangements for transactions.

11. As the website or online platform promoting illegal prostitution activities would generally involve cross-jurisdictional elements, the Police strive to reinforce the exchange of intelligence with Mainland and overseas law enforcement agencies in order to jointly combat the relevant criminal activities. In addition, the Police will also step up intelligence collection, including acquiring intelligence related to illegal prostitution activities via online channels, for deploying targeted enforcement actions.

12. In October 2017, the Police cooperated with Mainland police in neutralising a criminal syndicate making use of websites to arrange for sex workers from the Mainland to engage in prostitution in Hong Kong, and arrested 25 men and women, including the mainland mastermind. Furthermore, in May 2018, the Police cracked down on two criminal syndicates and arrested a total of 11 people, including the local masterminds and administrators of websites involving prostitution activities, with over \$10 million of criminal proceeds frozen.

### **Prostitution activities involving young people under the guise of “compensated dating”**

13. “Compensated dating” generally means accompanying clients for money or material rewards. The Police have noticed that in recent years, some young people would look for clients via online discussion forums or websites for prostitution activities and make sexual transactions under the guise of “compensated dating”. Such acts are tantamount to “prostitution”. The young people and their clients may be guilty of such offences as “soliciting for an immoral purpose”, “intercourse with girl under 16”, “intercourse with girl under 13”, etc. under the law. Anyone who acts as a middleman to arrange for prostitution activities under the guise of “compensated dating” may commit the offences of “control over persons for purpose of unlawful sexual intercourse or

prostitution”, “causing prostitution”, “living on earnings of prostitution of others”, etc.

14. The Police attach great importance to combating illegal prostitution activities under the guise of “compensated dating”, and have made greater efforts on intelligence-gathering and investigation works regarding dubious websites. The Police will also liaise closely with the persons-in-charge of websites frequently visited by young people to gather intelligence, and post warning notices targeting “compensating dating” on such websites to remind young people not to participate in these activities. The Police also organise talks through the “School Liaison Officers” in various districts for teaching staff, parents and students regularly to instill positive values in young people, and raise the awareness of teaching staff and parents against illegal activities involving “compensated dating” and their ability to identify such activities.

15. On law enforcement, the Police established a special team under the Kowloon West Regional Crime Unit in 2008 to monitor the crime situation in relation to “compensated dating” activities in Hong Kong and combat related illegal activities targetedly. So far eight enforcement actions codenamed “Whalediver” have been mounted against prostitution activities in the form of “compensated dating”, with a total of 134 persons arrested. Besides, other police regions/districts have also taken proactive enforcement actions. The results include a local illegal prostitution syndicate controlling over online “compensated dating” activities being cracked down in April 2017, with 33 persons arrested (including four persons aged between 17 and 25 who had participated in “compensated dating”); and another 19 persons (including 10 persons aged between 16 and 23 who had participated in “compensated dating”) arrested in March 2018.

## **Conclusion**

16. Organised vice activities are one of the sources of triad income. The Police will endeavour to combat relevant offences and continue to collaborate closely with ImmD and Mainland and overseas law enforcement agencies to exchange intelligence and deploy joint enforcement operations in a timely manner. In addition, the Police will monitor closely the trend of illegal prostitution activities on the Internet and in the form of “compensated dating”, launch targeted enforcement actions as and when necessary, and advise young people through publicity and education not to participate in such activities.

**Security Bureau**  
**Hong Kong Police Force**  
**June 2018**

**Annex I**

**Number of cases of “procuring/controlling of prostitution” and  
“keeping a vice establishment” in the past five years**

	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
Procuring/controlling of prostitution*	196	123	151	111	96
Keeping a vice establishment	201	143	126	187	116
Total	397	266	277	298	212

\* The offence of “procuring/controlling of prostitution” includes “control over persons for purpose of unlawful sexual intercourse or prostitution”, “causing prostitution”, “living on earnings of prostitution of others”, etc.

**Annex II**

**Number of cases of “soliciting for an immoral purpose”  
in the past five years**

	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
Number of cases	496	411	357	169	168

**Annex III**

**Number of persons arrested for being suspected of taking up unlawful employment involving sex work in the past five years**

<b>Year</b>	<b>Number of Arrestees</b>
2013	3 829
2014	4 133
2015	4 589
2016	4 160
2017	4 302

Note: The above arrestees include those having contravened the conditions of stay (such as overstaying) and those who were illegal immigrants.