

香港特別行政區政府
保安局



The Government of the
Hong Kong Special Administrative Region
Security Bureau

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23 August 2018

Miss Betty Ma
Secretary General
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road, Central
Hong Kong

Dear Miss Ma,

Legislative Council Security Panel meeting on 10 July 2018
Agenda Item V - Combating illegal prostitution

I refer to your letter to the Secretary for Security of 11 July 2018. On the information requested by Hon Dennis Kwok, our reply is as follows:

(1) Training for police officers on human trafficking over the past five years

Since 2013, the Police have provided human trafficking-related training to over 2 400 frontline investigating officers to strengthen their capabilities in identifying human trafficking victims and investigating related offences. All police officers responsible for identifying human trafficking victims have received relevant trainings.

(2) The numbers of persons arrested, prosecuted and convicted in the past five years for taking up unlawful employment in sex work

The numbers of persons arrested, prosecuted and convicted for taking up unlawful employment in sex work in the past five years are set out as follows:

Year	Number of persons arrested	Number of persons prosecuted	Number of persons convicted
2013	3 829	801	799
2014	4 133	578	573
2015	4 589	570	570
2016	4 160	613	611
2017	4 302	429	418

Note 1 : The above arrestees include visitors who contravened the conditions of stay (such as overstaying) and illegal immigrants.

As the years of arrest, prosecution and conviction of the respective cases represented by the figures above may be different, the three set of figures cannot be compared directly.

Note 2 : Most of the convicted persons above were sentenced to imprisonment. Their sentences in the past five years are set out as follows:

	Sentence
2013	Imprisonment from one month (suspended for two years) to 19 months
2014	Imprisonment from six weeks (suspended for three years) to 18 months
2015	Imprisonment from two weeks (suspended for one year) to 13 months
2016	Imprisonment from four weeks to 15 months
2017	Imprisonment from two months (suspended for one year) to 22 months

(3) “Trafficking in persons” (TIP) identification mechanisms, numbers identified as victims of human trafficking, related protection and support

The Immigration Department (ImmD) introduced the Trafficking in Persons (TIP) victim screening mechanism in October 2015. The Police has introduced a similar mechanism in three police districts in

Hong Kong starting from July 2016, and extended it to all police districts across the territory. The Customs and Excise Department (C&ED) also introduced a pilot programme starting 1 March 2017 and extended the mechanism to all of their operational units.

Under the mechanism, officers of the Hong Kong Police Force (HKPF), ImmD or C&ED will conduct initial screenings on persons vulnerable to exploitation (including sex workers, illegal immigrants, foreign domestic helpers, etc.) who are arrested or who put themselves forward to the authorities. For cases suspected of involving TIP, officers concerned will conduct full investigation and identification with a standardised checklist to ascertain whether there are TIP elements, such as whether threat and coercion are involved during recruitment and whether exploitation is involved.

During 2016, 2017 and January to April in 2018, six, nine and three persons were respectively identified as TIP victims after the full debriefing under the TIP victim screening mechanism.

Identified TIP victims will be offered holistic and humane protection based on their needs, including:

- (i) HKPF, where appropriate and necessary, will activate the witness protection programme to protect victims' safety; and request overseas law enforcement agencies to provide assistance to victims and their families in their home countries when necessary;
- (ii) provision of necessary support and assistance to victims in a timely manner, including asylum, medical services, psychological support, counselling, financial assistance, etc. Where necessary, the Social Welfare Department will assist in assessing the welfare needs of victims and provide appropriate services;
- (iii) provision of free translation services during inquiries and investigations by law enforcement agencies and trials in courts (including the Labour Tribunal);
- (iv) to help victims residing overseas return to Hong Kong to testify in court, the departments concerned may consider providing them with financial assistance to cover the expenses incurred during their stay in Hong Kong, including accommodation, return air passage, daily subsistence, visa processing fees, etc.;

- (v) the departments concerned will notify promptly the Prosecutions Division of the Department of Justice (DoJ) of the TIP cases so that DoJ could make a timely assessment on the relevant issues (including whether to offer immunity from prosecution);
- (vi) ImmD will grant visa extension and waive the relevant visa fees for victims who need act as prosecution witnesses for HKPF, ImmD or the Labour Department. During 2017 and January to April in 2018, ImmD approved 133 and 45 such applications respectively, and waived the relevant visa fees; and
- (vii) ImmD will consider granting exceptional approval for foreign domestic helpers to change employers if evidence suggests that they are being exploited or abused by their employers. During 2017 and January to June in 2018, ImmD approved 31 and six such applications to change employers respectively.

We do not maintain other breakdown figures.

(4) Relevant procedure, time frame, residential and repatriation arrangement upon identification of victim of sex trafficking

ImmD will grant visa extension and waive the relevant visa fees for victims who need to stay in Hong Kong to act as prosecution witnesses for HKPF, ImmD or the Labour Department till the conclusion of relevant legal proceedings. If the victims are not required to stay in Hong Kong to give evidence, the relevant department will arrange for them to return to their home country as soon as the investigations of their cases have been completed.

Separately, with regards to the information requested by Hon CHAN Chi-cheun and Hon SHIU Ka-chun at the meeting on 10 July 2018, our replies are as follows:

(5) The respective number of cases and persons prosecuted and convicted of “soliciting for an immoral purpose” in the past five years

The respective number of cases and persons prosecuted and convicted of “soliciting for an immoral purpose” under section 147 of the Crimes Ordinance (Cap. 200) in the past five years are as follows:

Year	Number of cases	Number of persons prosecuted	Number of persons convicted
2013	496	593	507
2014	411	440	394
2015	357	390	321
2016	169	215	179
2017	168	196	146

Note: As the years of cases, prosecution and conviction of the respective cases represented by the figures above may be different, the three sets of figures cannot be compared directly.

(6) The number of teenagers engaging in compensated dating who have sought assistance from the Police, a breakdown by types of the assistance sought and the number of cases referred to social welfare organisations.

The Police do not maintain the number of teenagers engaging in compensated dating who have sought assistance, breakdown by types of the assistance sought and the number of cases referred to social welfare organisations.

Yours sincerely,

(Andrew Tsang)
for Secretary for Security

c.c.
Commissioner of Police (Attn: CSP (CRM HQ))