

立法會
Legislative Council

LC Paper No. CB(2) 924/99-00
(These minutes have been seen
by the Administration)

Ref : CB2/PL/SE/1

LegCo Panel on Security

**Minutes of meeting held on Tuesday, 7 December 1999
at 2:30 pm in Conference Room A of the Legislative Council Building**

Members present : Hon James TO Kun-sun (Chairman)
Hon Mrs Selina CHOW LIANG Shuk-ye, JP
(Deputy Chairman)
Hon CHEUNG Man-kwong
Hon Gary CHENG Kai-nam, JP
Hon LAU Kong-wah
Hon Andrew CHENG Kar-foo

Members absent : Hon David CHU Yu-lin
Hon Albert HO Chun-yan
Dr Hon LUI Ming-wah, JP
Hon WONG Yung-kan
Hon Howard YOUNG, JP

Public Officers attending : Item III

Mr Raymond WONG
Deputy Secretary for Security 1

Mr C S LAU
Director of Crime and Security
Hong Kong Police Force

Mr M B DOWIE
Assistant Commissioner of Police (Support)
Hong Kong Police Force

Item IV

Mr Raymond WONG
Deputy Secretary for Security 1

Mr Y P TSANG
Deputy Commissioner of Police (Management)
Hong Kong Police Force

Mr K K KWOK
Director of Finance, Administration and Planning
Hong Kong Police Force

Mr D G THOMAS
Chief Superintendent (Planning and Development)
Hong Kong Police Force

Mr Albert LAI
Government Property Administrator
Government Property Agency

Mr P L KWAN
Deputy Director
Architectural Services Department

Mrs M LAU
Assistant Director 2
Architectural Services Department

Mr Ian DICKINSON
Project Manager 202
Architectural Services Department

Mr Peter YUEN
Chief Architect 1
Architectural Services Department

Item V

Mr Raymond WONG
Deputy Secretary for Security 1

Mrs Carrie WILLIS
Principal Assistant Secretary for Security A

Mr KWAN Pak-lam
Deputy Director
Architectural Services Department

Mr Peter YUEN
Chief Architect 1
Architectural Services Department

Mr Gary CROW
Chief Project Manager 101
Architectural Services Department

Dr Ernest S W LEE
Assistant Commissioner for Transport
Transport Department

Mr David H Y TONG
Assistant Commissioner
Customs and Excise Department

Mr H C FAN
Project Manager
Electrical and Mechanical Services Department

Mr M K TANG
Divisional Head, Border Division
Immigration Department

Clerk in attendance : Mrs Sharon TONG
Chief Assistant Secretary (2)1

Staff in attendance : Miss Betty MA
Senior Assistant Secretary (2) 1

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I. Confirmation of minutes of meeting and matters arising

The minutes of meeting held on 16 October 1999 were confirmed.

2. Members noted the list of follow-up actions required of the Administration (LC Paper No. CB(2) 532/99-00(01)).

II. Date of next meeting and items for discussion

(LC Paper No. CB(2) 532/99-00(02))

3. Members agreed to discuss the following items at the next meeting scheduled for 6 January 2000 at 2:30 pm -

- (a) Crime situation in 1999;
- (b) Immigration policy and procedures in respect of application for entry permits; and
- (c) Development in rehabilitation service for offenders.

4. Members agreed to hold a special meeting in January 2000 to follow up the application and verification procedures for a Certificate of Entitlement and related issues.

(Post-meeting note : The special Panel meeting was scheduled for 18 January 2000 at 2:30 pm.)

5. Referring to a recent incident where a rescue cushion failed to inflate and save a suicidal man from death, Mrs Selina CHOW expressed concern about the proper functioning of rescue equipment in the Fire Services Department. The Chairman suggested that the Administration be requested to provide an incident report in the first instance, members might decide whether it was necessary to follow up the issue.

(Post-meeting note : The incident report provided by the Administration was circulated vide LC Paper No. CB(2) 726/99-00 on 24 December 1999.)

Clerk

III. State of crime and detection rate
(LC Paper No. CB(2) 532/99-00(03))

6. Director of Crime and Security (DCS) said that the Police were aware of the concern about the allegation that the reduction in overtime expenditure of the Police might have led to less effective policing and thus resulted in a drop in the detection rate. He pointed out that the reduction in the overtime expenditure incurred by the Police Force over the recent years was mainly due to the implementation of a number of improvement measures relating to resources management and deployment. Apart from streamlining the work procedures in the Force, the number of front-line Police officers had increased from some 23 600 to 24 500 strong in 1999. The Police had adequate manpower to maintain law and order in Hong Kong, which in turn had reduced the need for overtime work. He stressed that neither the level nor the quality of services provided to the public had been adversely affected.

7. As regards the detection rate, DCS said that the average detection rate might fluctuate when the crime pattern changed. He pointed out that in 1999, there was a notable increase in the number of quick cash crimes and crimes associated with debt-collection activities. Such crimes were comparatively more difficult to detect because the victims rarely discovered and reported the cases promptly and no other witnesses could be identified. However, a number of serious crimes had continued to decrease. He stressed that the detection rate could only serve as an indicator of the extent of Police success but not as a precise reflection of the efforts that went into prevention and detection of crimes.

"Head-bashing" robbery

8. Noting that the number of reported "head-bashing" robbery cases was 135 in the first ten months of 1999, Mr CHEUNG Man-kwong expressed concern about the measures adopted by the Force to combat such crimes.

9. DCS responded that there were 139 reported "head-bashing" robbery cases as at 15 November 1999, of which 18 cases were detected. Seventeen out of 23 persons arrested for "head-bashing" robbery were charged with robbery. In the event that there was a lack of sufficient evidence to charge a suspect with robbery, he would be charged with handling stolen property. Despite the difficulties encountered by the Police to detect "head-bashing" robbery because of a lack of witnesses, the Police had put in place a number of specific measures to combat such crimes. These measures included more frequent patrolling by Police officers at black spots, e.g. in the vicinity of automatic teller machines,

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banks, etc, and requiring front-line Police officers to keep a close watch on suspicious persons. The Police had also sought to raise public awareness of "head-bashing" robberies through stepped-up publicity so that the public would adopt corresponding preventive measures.

10. Mrs Selina CHOW suggested that the Administration might consider encouraging those banks equipped with automatic teller machines to install closed circuit television (CCTV) systems so as to deter the commission of "head-bashing" robberies in the vicinity. Mr CHENG Kai-nam said that as "head-bashing" robbery could be committed easily but was difficult to prevent, the Police might consider making reference to the measures adopted for combating objects falling from the height.

11. In response to members' concerns, DCS said that most banks had already equipped with CCTV systems, and robberies usually occurred after the victims were some distance from the banks. In addition, "head-bashing" robbery cases were usually unorganized crimes which were difficult to detect due to lack of leads and intelligence. He reiterated that the Police had reinforced its patrols and kept a close watch on suspicious persons in this respect.

12. Mr CHEUNG Man-kwong commented that the Police were adopting a passive strategy in detecting "head-bashing" robberies. Even though the front-line Police officers were required to patrol more frequently at black spots, he questioned the effectiveness of the measures given that such crimes could take place almost everywhere. Mr CHEUNG pointed out that the crux of the matter was that the public was in fear of being seriously hurt in the course of "head-bashing" robberies rather than the loss of property. He wondered why the arrests were not charged with serious wounding assault if the victims were seriously injured in the robberies. He enquired whether consideration would be given to amending the relevant legislation to increase the penalty for such crimes so as to increase the deterrent effect.

13. Mrs Selina CHOW enquired whether the prosecution would pinpoint the cruelty of the defendants alleged for the commission of "head-bashing" robbery in court proceedings.

14. DCS explained that the Prosecution Division of the Department of Justice would normally bring such robbery cases to the higher courts so that the suspects would be subject to severer penalties upon conviction. As a rule, the prosecution would invariably bring to the attention of the court the extent of injury, if any, sustained by victims in robbery cases. Although the Administration did not have any plan to introduce

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legislative amendments to increase the penalty for the commission of "head-bashing" robbery at the moment, it would not rule out the possibility of amending the relevant legislation in future, if necessary.

15. Deputy Secretary for Security 1 (DS(S)1) added that having regard to the grave concern of the public regarding "head-bashing" robbery cases, the prosecution would also draw to the attention of the court the prevailing situation on such crime, whenever appropriate, for its reference when determining the sentence.

16. The Chairman remarked that given that a person who committed robbery was liable to a maximum penalty of 20 years imprisonment, the existing criminal sanction was adequate. As to whether the court should impose severer penalty, it would vest with the court to decide after taking into consideration all the relevant factors.

17. Responding to the Chairman's enquiry about the trend of "head-bashing" robbery cases, DCS said that the number of "head-bashing" robbery cases decreased in November and December 1999, although it could not be concluded that such crime was on the decreasing trend.

Detection rate

18. Noting that there was a decreasing trend in the average detection rate over the past five years and that the detection rates for a number of serious crimes had remained relatively high, Mrs Selina CHOW expressed concern whether the situation was due to a significant drop in the detection rates for the quick cash crimes. She requested for a breakdown of the detection rates for different categories of crimes.

19. In response, DCS briefed members on the detection rates for the respective crimes as follows -

<u>Crime</u>	<u>Detection rate in 1998</u>	<u>Detection rate in 1999 (up to October 1999)</u>
Criminal intimidation	48.9	38.5
Theft	33.2	28.1
Pickpocketing	36.8	36.4
Robbery	25.2	20.5
Deception	30.4	20.5
Criminal damage	21.5	16.6

DCS said that the number of cases in respect of the crimes listed above had increased in 1999, which effectively reduced the detection rates. The

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detection rates for a number of serious crimes had remained relatively high, which were provided below -

<u>Crime</u>	<u>Detection rate in 1998</u>	<u>Detection rate in 1999 (up to October 1999)</u>
Rape	69.3	74.7
Homicide	77	70.9
Blackmail	70	68.5
Indecent assault	67.4	67.8
Assault and wounding	above 50	above 50

20. DCS added that criminal intimidation and criminal damage arising from debt-collection activities had increased substantially in 1999. The increasing trend was mainly attributable to the increasing bad debts experienced by credit cards companies in 1999 which accounted for 5% of their business volume. To tackle the crime, the Force had adopted a series of measures, such as requiring the front-line Police officers to patrol more frequently and to keep a close watch on suspicious persons at the spots where criminal intimidation took place. He stressed that each and every report about criminal intimidation received by the Police would be followed up by the respective crime investigation team. Such crimes were comparatively difficult to detect because usually no witnesses could be identified.

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21. Responding to members' request, DCS agreed to provide a breakdown of the detection rates by different categories of crimes together with their respective number of cases.

22. The Chairman expressed concern about the increasing trend of theft cases given that there were some correlation between the detection rate of theft and the patrolling and detection technique of the Police officers. DCS explained that the detection rate was based upon the proportion of reported crimes which were solved when the Police made an arrest for an offence. The crime rate and the detection rate were separate indicators of different aspects of the law and order situation. He pointed out that the detection of a crime depended on a wide range of factors, including available evidence, co-operation of the public/victims/witnesses, and confessions of offenders, most of which were beyond the control of the Police. The detection rate could only serve as an indicator of the extent of Police success but not as a precise reflection of the efforts made in respect of detection of crimes. The detection rate also enabled the Police to formulate specific measures for different types of crimes. Nonetheless, the Police took a serious view of the decreasing trend in the average detection rate.

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23. Responding to Mr CHENG Kai-nam, DCS said that the number of commercial crimes related reports were included in the calculation of crime rate and detection rate after such reports were classified as criminal offences.

Reduction in overtime expenditures

24. Mrs Selina CHOW expressed concern whether the reduction in overtime expenditure of the Police had led to less effective policing and thus resulted in a drop in the detection rate. DCS clarified that the Force had not tightened its policy on granting overtime expenditure. Should overtime work be required, Police officers would perform such duties and would always be compensated by either time-off later or overtime allowance. He pointed out that under the established procedures in the Force, time-off would normally be granted in lieu of overtime payments and only when it was impractical, or when time-off could not be granted within one month, would overtime allowances be paid. The overtime expenditure in the Force had decreased over the past few years as a result of resources redeployment and streamlining work procedures. Given that the strength of the front-line Police officers had increased over the years, it was possible for Police officers who had worked additional hours to be compensated by a corresponding amount of time-off rather than financial payments. The total time-off granted in lieu of overtime payments was about 1.4 million man-hours between February and October 1999 which was equivalent to about \$148 million.

25. Mrs Selina CHOW and the Chairman expressed concern whether the efficiency of the Police had been affected having regard to the fact that over one million working hours were granted as time-off in the past few months. DCS clarified that the manpower of the Police would not be affected when some Police officers had been granted time-off. As a result of the decentralization of some 1 600 leave and training reserve posts from the Force Headquarters to the Formation level as well as the adoption of a more flexible approach in drawing up the duty roster in respect of front-line Police officers, the manpower in the respective Formations had increased. He added that the amalgamation of the Field Patrol Detachment with the Border District and the improvement of the shift arrangements of the Marine Police launch crews had reduced the need for overtime expenditure. He reiterated that there was no change in the procedures and guidelines in the Force regarding the granting of time-off and overtime allowance. DS(S)1 supplemented that the policy on granting time-off and overtime allowance in the Force was in line with that for the civil service.

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26. The Chairman expressed doubt on the Force's claim that the granting of some 1.4 million man-hours of time-off to the front-line Police officers would have no effect on the efficiency of the Police. DCS replied that the 1.4 million man-hours in question were equivalent to about five Police officers taking time-off in each of the six regional Police stations in one day concurrently. Hence, the impact on the efficiency of the Police's front-line operation was minimal.

27. To facilitate members' understanding of the extent to which the overall efficiency of the Police's front-line operation had been affected by the granting of time-off in lieu of overtime payments, the Chairman requested the Administration to provide more quantitative information in terms of man-hours on the following -

- (a) a breakdown of savings achieved arising from amalgamating the Field Patrol Detachment with the Border District and improving the shift arrangements of the Marine Police launch crews;
- (b) the additional front-line Police officers provided to the respective Formations due to the decentralization of the leave and training reserve posts; and
- (c) time-off taken by Police officers, in particular CID staff, during the period from February to October 1999.

DCS pointed out that it was not an easy task to compile the statistics, yet the Police would try to compile the requested information as far as practicable.

Adm

28 Mr CHEUNG Man-kwong said that he was given to understand that -

- (a) Police officers were currently required to perform duties of 48 hours in a week. According to the relevant Civil Service Regulation (CSR), overtime allowance was payable to an officer only for the time worked in excess of the conditioned hours in a standard week, i.e. 51 hours per week. In the circumstances, a Police officer would be eligible for overtime allowance only if he was willing to undertake three extra hours of work without compensation; and
- (b) Police officers were required to work shifts even in the course of crime investigation so as to reduce the need for

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overtime expenditure.

Mr CHEUNG expressed concern that the above situation would discourage a Police officer from performing overtime work and thus might have an adverse impact on the detection rate.

29. In response, DCS said that the conditioned hours of 48 hours for all the front-line Police officers was only a trial scheme which would be reviewed. Police officers would be eligible for overtime allowance only if they had worked in excess of 51 hours in a week. The Force management was aware of the discrepancy in meeting the eligibility criteria for compensation under CSR. As to whether Police officers would be required to work shifts while carrying out crimes investigations, it was at the discretion of the officer in charge of the respective cases to decide on the manpower deployment bearing in mind the importance of team spirit in the Force. Should a Police officer be required to work overtime, he would always be compensated by either time-off later or overtime allowance. DCS stressed that the present arrangements had no direct impact on the efficiency of the Force. The Force management would strike a proper balance between ensuring the efficiency of policing and allowing the number of Police officers taking time-off.

IV. Redevelopment of Police Headquarters - Stage 2
(LC Paper No. CB(2) 532/99-00(04))

30. Chief Superintendent (Planning and Development) (CSP(P&D)) briefed members on the details of the planned stage 2 of the Police Headquarters redevelopment project. He said that the proposal was to build a 43 storey structure on a site currently occupied by May House and an open area used for vehicle parking. It would fully optimize the site and achieve a plot ratio of 15. The scope of the project involved the reprovisioning of the Force's Headquarters units and the incorporation of the Wanchai Police station. He pointed out that the project would bring about considerable improvements in the quality and range of facilities available to the public, e.g. the provision of one stop service by co-locating various units under one roof. The new complex would be an intelligent building providing operationally efficient facilities for the Police.

31. CSP(P&D) said that the development site amounted to 7 400 square metres. Apart from office building, the building also served several distinct functions by providing more specialist accommodation and facilities for logistics and operational units. These included an indoor firing range, an auditorium, function areas, catering facilities, a library

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and resource centre. The basement area would comprise plant rooms, vehicle parking, stores and an armoury.

32. CSP(P&D) further said that the preparatory works approved under stage 1 of the project were now underway. Detailed design work for the new building had been completed and contract documents were being prepared. The Administration planned to submit the project to the Public Works Subcommittee (PWSC) in January 2000 and thereafter to the Finance Committee for funding approval.

Cost-effectiveness of the project

33. The Chairman enquired whether the concerns raised by Members at the meeting of PWSC in January 1999 in respect of the project had been addressed in the current proposal. Deputy Commissioner of Police (Management) (DC/P) said that the major concerns expressed by Members, viz. the cost-effectiveness of the project, the need for the 4-level basement structure and the provision of carparking spaces for the public had been incorporated in planning stage 2 of the redevelopment project.

34. Responding to the Chairman's enquiry as to whether the design of the new building would be able to cope with the future operational needs of the Police, Deputy Director of Architectural Services (DDArchS) assured members that the high standard in building services installations and information technology systems would be sufficient to meet the operational requirements of the Police. In addition, the air quality to be provided in the new building would be to improve the standards, compared with the prevailing standards in government buildings.

35. Mrs Selina CHOW requested for a comparison of the estimated cost for the new building with the cost of an intelligent building being constructed by a private developer. DDArchS responded that the construction unit cost (excluding the costs for piling and the basement structure) for Cheung Sha Wan Government Offices and the North Point Government Offices were \$16,350 and \$15,700 per square metre respectively, while the cost for this redevelopment project was \$15,700 per square metre. Having regard to the fact that modern and advanced technology and an integrated security system would be installed as well as specialist accommodation and facilities such as an indoor firing range, an auditorium would be provided, the Administration considered that the estimated capital cost for the redevelopment project would be a worthwhile investment.

36. In reply to Mrs Selina CHOW's query about the need for the

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basement structure, DDArchS explained that the 4-level basement structure was needed so as to reserve the podium and first few storeys above ground to accommodate those units which would be frequently visited by the public, e.g. the Wanchai Police station. Moreover, due to space constraints, it was not possible to provide the required number of carparking spaces at ground level at the site. He added that double-deck carparking would be used to minimize the basement space required.

Security of the new building

37. Mr CHENG Kai-nam expressed concern about the security of the Police Headquarters given that the new building would be accessible by the public. DDArchS said that the lower part of the building facing Arsenal Street would be the Wanchai Police station which would be directly accessible to the public. To ensure the internal security of the Police Headquarters, the design of the new building would take into account the need to separate the Wanchai Police station and other units which were frequently visited by the public from the offices of the Police Headquarters.

38. The Chairman expressed objection to the provision of carparking spaces for the public in the new building on the ground of security. Mr CHENG Kai-nam said that notwithstanding the importance of providing a user-friendly environment for the public, the security of the various Police Headquarters units located in the new building should not be compromised. DDArchS advised that a consultancy had been commissioned to study the security aspect of the new building which confirmed that the present design would not pose security management problems.

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V. Expansion of Kiosks and other facilities at the Lok Ma Chau Boundary Crossing
(LC Paper No. CB(2) 532/99-00(05))

39. Chief Project Manager 101/ Architectural Services Department briefed members on the scope of the remaining works of the project of expansion of kiosks and other facilities at the Lok Ma Chau boundary crossing. The remaining expansion works were mainly to extend the passenger hall and supporting facilities, improve the cargo examination facilities, reprovision the existing kiosks and streamline traffic flow.

Immigration and customs clearance services

40. Mrs Selina CHOW enquired about the performance targets in respect of immigration clearance upon the completion of the expansion project. Divisional Head, Border Division/ Immigration Department (Div Head, Border Division) said that about 96% of the daily passengers could be cleared within 30 minutes. The latest traffic forecast for the Lok Ma Chau crossing suggested that cross boundary passengers and freight traffic would continue to increase at an annual growth rate of about 9%. With the provision of additional kiosks and associated facilities in Lok Ma Chau boundary crossing, the Immigration Department (ImmD) anticipated that it was able to cope with the growth and cater for an average of 35 000 passenger throughput per day.

41. Mrs Selina CHOW and the Chairman expressed concern about the average waiting time needed for the immigration and customs clearance. A cut in tail back and congestion in the crossing areas were of utmost importance. Div Head, Border Division said that the 30 minutes taken for immigration clearance was computed from the time the vehicles arrived at the Lok Ma Chau crossing and the average waiting time for a passenger in the passenger hall was about 10 minutes. Assistant Commissioner/ Customs and Excise Department (Asst Comr) added that the time taken for customs clearance of a passenger would be within 15 minutes during the peak hours. Whilst for freight vehicles, the procedure at the kiosk would take no more than 60 seconds. DS(S)1 supplemented that the long queues accumulated and congestion in the Lok Ma Chau boundary crossing emerged because of its existing physical constraints, e.g. the limited capacity of the passenger hall and the boarding and alighting bays for passenger coaches could not adequately cope with the cross boundary passenger and vehicular traffic flow.

Provision of X-ray machine systems

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42. Noting that the provision of the two X-ray machine systems was to facilitate customs clearance of freight vehicles, Mr CHEUNG Man-kwong expressed concern whether the searching of passenger coaches had been overlooked. He pointed out that it was reportedly that some cross boundary coaches drivers were alleged to have participated in smuggling activities.

43. Asst Comr replied that under the existing customs clearance arrangements for passenger coaches, the passengers on board the coaches would be subject to customs clearance at the passenger hall and the coaches would be subject to detailed checks and thorough searches by customs staff randomly. The drivers concerned would be checked against for participating in smuggling activities according to intelligence.

Adm

44. The Chairman urged the Administration to take note of members' concerns and assess the effectiveness of the two X-ray machine systems in question.

45. The meeting ended at 4:35 pm.

Legislative Council Secretariat
12 January 2000