

Chapter XV : Security

15.1 At the Chairman's invitation, the Secretary for Security (S for S), Mr Ambrose LEE, briefed members on the main initiatives of the programmes under the Policy Area: Security (Appendix V-13).

Strength and establishment

Civilianization of posts

15.2 In response to Mr James TO's enquiry on the civilianization of posts within the disciplinary services, S for S explained that civilianization of posts, the objective of which was to simplify organisational structure and deploy resources more flexibly, was not new to the disciplinary services. Under the current fiscal deficit, the disciplinary services would continue to pursue this measure. A Steering Committee which was chaired by the deputy head of department had been set up in every disciplinary service to identify potentials of civilianization. As the Steering Committees had yet to finalize their recommendations, it was not possible to quantify the civilianization of posts at the present stage. Members would be informed of the position when the Committees submitted their reports in June 2004. Responding further to Mr TO, S for S said that while there were no set targets for the civilianization of posts, each disciplinary service should strive to make the best use of its available resources. He assured members that the civilianization of posts would not in any way compromise the effectiveness and efficiency of services rendered to the public. Mr TO said that he would support the civilianization of posts on the understanding that this would not affect the delivery of service to the public.

Deletion of posts

15.3 Ms Emily LAU noted the number of posts to be deleted in the various disciplined departments in 2004-05. While she appreciated that the posts identified for deletion in the Correctional Services Department (CSD) ranged from Chief Officer to Workman, most of the posts targeted for deletion in other departments, namely the Fire Services Department and the Customs and Excise Department (C&ED), were at junior and operational levels. She pointed out in particular that in C&ED, the 53 posts to be deleted in 2004-05 were mainly junior staff, but the 78 posts to be created in the same year were senior officers. She enquired about the yardsticks used in determining the posts to be deleted and questioned if the junior posts were deleted to offset the cost for creating the senior posts. S for S said that it might not be appropriate to make direct comparisons on

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the staffing situation of different departments as they differed in organizational structure and operational needs. The departments would try to maintain the standard of service within available resources.

15.4 The Commissioner of Police (C of P) said that the deletion of posts was not targeted at any specific ranks and would be achieved through organizational restructuring, work process re-engineering and merging of work areas. The ranking of the 658 posts to be deleted ranged from directorate officers to police constables, and would include six directorate posts.

15.5 The Acting Commissioner of Customs and Excise said that the efficiency drives for C&ED were implemented in phases. In 2003-04, C&ED deleted a number of senior posts which included one Senior Superintendent, one Assistant Superintendent, four Senior Inspectors and five Inspectors. Likewise, there would be deletion of posts in various ranks in 2004-05. The proposed deletion of 53 posts in 2004-05 would result in a saving of \$10.9 million and would partly offset the costs of \$18.23 million for the creation of 78 posts required for the provision of new or additional services in the same year. The deletion and creation of posts were based on operational needs and were approved by the Security Bureau.

15.6 The Director of Fire Services said that the deletion and creation of posts were implemented each year based on operational needs. 16 posts of the fire officer grade were deleted in 2003-04 while 93 posts comprising various grades in Programme (1) would be deleted in 2004-05. It was planned that more posts at senior ranks would be deleted in 2005-06. Staff would be consulted on the proposed deletion of posts and on measures designed to ensure that there would not be any adverse impact on the delivery of service.

Ranking structure of Hong Kong Police Force

15.7 Mr James TO said that he was aware of the concerns raised by Police staff associations about the complications associated with the hierarchy of the Hong Kong Police Force (HKPF). According to the associations, the ranking structure of HKPF comprising 13 rank levels was far more complicated than most other Police Forces in the world. For years, the associations had been seeking streamlining of ranking structure. He therefore sought C of P's views on whether the ranking structure could be streamlined for greater efficiency, better management and more effective use of resources. C of P said that the ranking

structure of a Police Force should be dependent upon its organizational structure, mode of operation and size of establishment. HKPF was not alone in maintaining a multi-level ranking structure and there were many other Police Forces in the world which had similar ranking structures. He said that while there was a need to maintain the existing ranking structure for effective command, it might be necessary in the long run to explore the feasibility of streamlining the ranking structure. However, since the streamlining of ranking structure would have impact on staff, its implications would have to be carefully assessed over a considerable length of time. He said that there were overseas countries which introduced changes to the ranking structures of their Police Forces but had since reinstated these changes. By way of illustration, he said that the Police Force in England had once decided to abolish the rank of Senior Superintendent but had reinstated the rank after a period of time when it was found that the Police Force could not operate effectively without such a rank. There were other countries which had abolished the rank of Senior Superintendent, only to be replaced subsequently by similar ranks.

15.8 S for S pointed out that as the ranking structure of HKPF had been developed over the years based on operational purposes, the Administration would not wish to impose any changes that would affect the stability of HKPF, which would in turn affect the stability of Hong Kong.

Staff deployment at control points

15.9 Mr James TO referred to the establishment and strength of the boundary control points and pointed out that the staffing provision at Lo Wu and Lok Ma Chau did not seem to commensurate with their daily passenger flow. In the case of Lo Wu Control Point, its strength was even lower than its establishment by 18. The Director of Immigration (D of Imm) said that as the number of clearance counters at a control point was constrained by the size of the clearance hall, efforts would be made to man as many counters as possible to cater for peak periods when additional staff from other control points were re-deployed to assist. The number of clearance counters might therefore not be directly proportional to the establishment of the control point in question. In view of the large number of passengers at Lok Ma Chau Control Point, additional staff had been deployed and its present strength was 358 as against its establishment of 308. To maximize resources, staff were flexibly re-deployed on a regular basis among the different control points to meet clearance demands. Staff would also be re-deployed from the Head Office to the control points on festive days.

15.10 Mr James TO said that based on passenger statistics, it would appear that Lo Wu Control Point was much too overloaded. He enquired whether there were more scientific methods to assess the workload and whether efforts would be made to ease the workload at Lo Wu. D of Imm explained that although the number of passengers at Lok Ma Chau Control Point were less than that of Lo Wu Control Point, the passengers at Lok Ma Chau Control Point would require a longer clearance time as there were many visitors travelling on tourist buses. S for S added that it was inappropriate to make a direct comparison on the workload of Lo Wu Control Point with that of other control points. While Lo Wu Control Point dealt only with passenger clearance, the other control points at Lok Ma Chau, Man Kam To and Sha Tau Kok all dealt with cargo clearance and cross-border traffic in addition to passenger clearance.

Juvenile crimes

15.11 Ms LI Fung-ying enquired if there were measures to deal with the high crime rate for juveniles in the age group of 7 to 15, for offences such as robbery and shop theft, which was significantly higher than those in the age groups of 16 to 18 and 19 to 25. Her concern was shared by Mr WONG Sing-chi. C of P said that the crime rate for juveniles had remained steady over the years. The most common juvenile crime was shop theft. Apart from education and publicity programmes in schools to warn the students against shop theft, warning posters were posted in conspicuous places in shops with the consent of shop owners. As for the offence of robbery which was also very common among juveniles, this would mainly involve bullying acts and robbing of mobile phones. The Police had continued to work closely with District Offices, Social Welfare Department (SWD), voluntary organizations as well as schools in publicizing fight-crime messages and consequences of committing crimes. It also organized a number of youth programmes to foster positive values of life in youths. Examples of these would include a number of quiz shows on crime prevention, the “Smart Teen Challenge Camp” jointly organized with the Education and Manpower Bureau (EMB) and SWD which provided disciplinary training for youths at the Police Training School, and the “Junior Police Call Scheme” implemented by the Police for 30 years providing updated youth and fight crime programmes. Through these activities and the adoption of a multi-agency approach, the juvenile crime rate had stabilized over the years. At Mr WONG’s request, C of P agreed to provide separately a breakdown on the crimes committed in 2003, by juveniles aged between 7 and 10 before and after 1 July 2003 when the minimum age for criminal responsibility was raised from 7 to 10.

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15.12 Referring to the Sau Mau Ping murder case which reflected the seriousness of the problem of juvenile delinquency, Mr James TO enquired about the progress of measures taken as well as the resources invested to assist youths at risk. C of P said that the Fight Crime Committee had been organizing activities with SWD, EMB and schools as well as voluntary organizations to strengthen the moral values and discipline norms of youths at risk. As for Mr TO's further request for details of the studies/programmes co-ordinated by voluntary organizations on youths at risks, the Chairman advised Mr TO to submit supplementary written questions after the meeting.

Illegal employment

15.13 Noting the increase in the number of arrests and prosecutions of illegal workers and their employers in 2003-04, Mr LAU Kong-wah enquired whether there was a corresponding increase in manpower resources in combating illegal employment in 2004-05, in particular in respect of self-employed workers from the Mainland selling illicit cigarettes. The Permanent Secretary for Security said that there was no increase in manpower resources in HKPF in 2004-05 to combat illegal employment. Nevertheless, enforcement against illegal employment had been strengthened through inter-departmental co-operation. C of P added that an Inter-departmental Task Force had been set up in April 2003 to strengthen crime-prevention measures and enforcement action against illegal activities, including illegal employment. Its membership comprised the Security Bureau, Police, Immigration Department (ImmD), C&ED, CSD, Labour Department, Lands Department and Food and Environmental Hygiene Department. Through close co-ordination and enhanced intelligence exchange, the Task Force launched proactive and pre-emptive measures to identify black spots of illegal employment, strengthened enforcement actions and increased the number of joint operations among various departments in order to combat illegal employment in a focused manner.

15.14 D of Imm said that the Special Investigation Section of ImmD comprising 95 staff would act on complaints received on illegal employment. Apart from taking enforcement actions, the Section would maintain liaison with its Mainland counterparts and seek their co-operation in combating illegal employment. D of Imm pointed out that through these co-operative efforts, they had been able to publicize the serious consequences of taking up illegal employment. He made reference to notices published from time to time in newspapers by the Public Security Bureau (PSB) that reminded Mainland

residents that they had to strictly abide by the laws of Hong Kong when they came to Hong Kong. Those who violated the laws of Hong Kong would be prosecuted and penalized under the laws of Hong Kong. PSB would accordingly not approve applications for them to exit again for Hong Kong for two to five years. Apart from these measures, the Mainland authorities recently introduced new exit endorsement arrangements to deter Mainland residents from taking up illegal employment in Hong Kong. For example, Mainland residents who had relatives in Hong Kong would be issued exit endorsements under the Individual Visit Scheme, allowing them to stay for seven days. Some business visitors were granted single exit endorsements for a stay of seven days instead of the usual three-month multiple exit endorsements. As a result of the shortening of stay, the chances of Mainland visitors taking up illegal employment in Hong Kong were diminished. Meanwhile, immigration control had been strengthened at the control points.

Assistance to Hong Kong residents outside Hong Kong

15.15 Miss CHOY So-yuk said that as many local residents who were robbed in Shenzhen had chosen to report to HKPF, she enquired about the assistance which could be rendered to these victims. C of P said that HKPF had been co-operating with the Shenzhen Police in the production of crime prevention publicity programmes. These programmes were broadcast both in Hong Kong and Shenzhen. In addition, through the distribution of information pamphlets and the posting of notices at the boundary control points, travellers to the Mainland were reminded that if they became victims of crimes in the Mainland, they should report the crime to Mainland authorities as this would be the quickest and most effective way, lest some of the evidence might be lost with time. However, as many Hong Kong residents would prefer to report such crimes to HKPF, a notification mechanism was set up at the boundary control points whereby crimes reported on the Hong Kong side would be relayed to the Mainland authorities for further action. However, such relaying mechanism would only apply to crimes committed within boundary control points. On Miss CHOY's further enquiry on whether there should be an increase in manpower resources to provide assistance to local residents who were robbed in the Mainland, C of P explained that as HKPF was not empowered to enforce the law in the Mainland, it could only notify their counterparts in the Mainland for necessary action.

15.16 Mr LAU Kong-wah noted that among the 1 470 requests for assistance from Hong Kong residents in distress outside Hong Kong in 2003, 903 of them involved residents stranded in the Mainland. He enquired about the remaining 567 cases and whether these had anything to do with crimes reported in the Mainland. He also queried why the Government was not keeping any statistics on the number of persons who had since returned to Hong Kong. D of Imm explained that there were different kinds of requests for assistance from Hong Kong residents in distress outside Hong Kong. Some of those who were stranded might not choose to notify ImmD after their return to Hong Kong. In the case of persons stranded because of loss of travel documents, some would continue their journey elsewhere once assistance was given and their documents were replaced. Hence, no statistics were kept on the number of persons who had subsequently returned to Hong Kong. As for the remaining 567 cases, these were mainly requests from persons stranded in places outside the Mainland.

15.17 Mr LAU Kong-wah further enquired if the 1 470 requests for assistance included those from residents who had since returned to Hong Kong but claimed to have been victims of crimes in the Mainland. C of P explained that Hong Kong residents who were victims of crimes in the Mainland could, upon their return, seek assistance from HKPF in following up the matter with the Mainland authorities. Hong Kong residents who were arrested and detained in the Mainland could seek assistance through the notification mechanism to inform their families in Hong Kong about their situation. Meanwhile, it was noted that there were only a few cases of Hong Kong residents being victims of crimes and stranded in the Mainland.

Immigration matters

Passports with biometric data

15.18 With reference to the feasibility studies of introducing the Hong Kong Special Administrative Region passport with biometric data, Mr Howard YOUNG enquired whether such data would be included in existing passports or only in new passports to be issued since the resources required would differ. D of Imm explained that the inclusion of biometric data in passports was an international trend and many overseas countries had been developing the technology. However, since passports were used for international travel, there was a need to ensure compatibility so that the biometric data could be read by all other countries. As such, the feasibility of a common technological platform was

being explored. ImmD had established an in-house task team within its own resources to study the feasibility of introducing biometric data in passports. If it were decided that biometric data should be included in passports, this would apply to new applications and replacement of passports only. There would not be a mandatory requirement for replacement of existing passports, and existing passports would continue to be valid for use until expiry, in line with international practice.

Facial recognition system

15.19 Ms Emily LAU sought elaboration on the pilot scheme for the facial recognition system to be used at control points. D of Imm said that the facial recognition system was a technology being studied by many overseas immigration authorities, and ImmD was reviewing its feasibility and usefulness. The system would help facilitate verification of identity of doubtful visitors and would prevent those who contravened immigration offences from re-entering Hong Kong on falsified particulars. On arrival clearance, the data page of the suspicious passenger's passport containing the particulars and photographs could be matched against a database to see if a he/she had entered Hong Kong before using different identities and committed an immigration offence. The system had just been assembled and a pilot scheme would be conducted later in the year.

15.20 In response to Ms Emily LAU's question on the extent of information used in the facial recognition system, D of Imm replied that only the particulars and photographs of those who contravened immigration offences would be stored in a database. Experience showed that holders of false passports would tend to make several attempts to enter the territory through falsified identities, and the use of a facial recognition system would thwart such attempts. On the resources to be committed, D of Imm advised that about \$0.5 million would be required to conduct the pilot scheme. The workload for conducting the scheme would be absorbed by existing staff of ImmD. The Department of Justice (D of J) had been consulted on the need for legislative amendments in recording the personal particulars of those who contravened immigration offences for use in the facial recognition system. D of J confirmed that new legislative amendments were not necessary, as the existing law provided for the collection of personal particulars from the travel document of visitors for effective immigration control.

15.21 Mr James TO queried why it was not necessary to amend existing legislation given that the facial recognition system would be based on some previously recorded personal information. D of Imm explained that under existing legislation, ImmD was empowered to examine passengers upon arrival/departure clearance and to keep records of their personal particulars. At Mr TO's request, the Administration would provide more information on the legal basis in recording the personal particulars of those who contravened immigration offences for use in the pilot scheme on the facial recognition system.

Private sector participation in the solemnization of marriages

15.22 Noting that the Administration would be taking steps to facilitate private sector participation in the solemnization of marriages, Ms Emily LAU enquired about the details of the proposal and whether public consultation would be conducted. S for S said that there was general acceptance of the proposal as this would provide marrying parties with the option of celebrating their marriage at places other than marriage registries or licensed places of public worship. Furthermore, solemnization of marriages at tourist spots such as the Ocean Park would provide additional selling points for tourism. He added that as the proposal was still at the conceptual stage, the appointment of suitable persons as celebrants of marriages remained to be decided. Legislative amendments would be required if the proposal were to be implemented.

15.23 D of Imm supplemented that at present, the most popular marriage registries were the Cotton Tree Drive Marriage Registry, the City Hall Marriage Registry and the Tsim Sha Tsui Marriage Registry. All of these registries were fully booked on auspicious days and marrying parties had found it difficult to book the preferred dates and times to solemnize their marriage. Although licensed places of public worship would offer an alternative place of marriage, these were restricted only to their own followers. There was hence a demand for private sector participation in the solemnization of marriages, allowing suitable persons to officiate the marriage. If it turned out that private sector participation was well received and resulted in less demand for marriages services in marriage registries, consideration would be given to closing down the less popular registries.

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15.24 Miss CHOY So-yuk enquired if consideration could be given to allowing Mainland residents to solemnize their marriage in Hong Kong, as this would generate additional revenue. The Chairman said that it would not be appropriate to discuss revenue proposals as the focus of the discussion should be on expenditure.