

**Legislative Council Panel on Security
17 October 2007**

Policy Initiatives of Security Bureau

This note elaborates on the new and ongoing initiatives of the Security Bureau in the 2007/08 Policy Agenda.

New Initiatives

Optimising our Demographic Structure, Attracting Talents

Review the Quality Migrant Admission Scheme and put in place the review recommendations

2. To enhance Hong Kong's competitiveness amid the world's economic integration, the Government has been taking proactive measures to attract talents from around the world. On the immigration front, the Security Bureau has also been actively taking a facilitating role. Since the reunification, about 200 000 talents/professionals have come to Hong Kong to work/reside through various admission schemes. The Government reviews the relevant schemes from time to time to ensure that they meet the changing needs of our society.

3. For instance, we are reviewing the Quality Migrant Admission Scheme (QMAS) in the light of the implementation experience in the last year and the comments made by parties concerned. The objective is to enhance the Scheme and cast our net wider for quality migrants. We aim to complete the review in early 2008.

Step up the promotion of various talent admission schemes and streamline their application procedures

4. The Government is in parallel stepping up the publicity of various admission schemes and streamlining their application procedures.

5. Security Bureau and Immigration Department (ImmD) have all along endeavoured to work together with other relevant parties, in promoting the

talent admission schemes. In respect of the QMAS, a series of promotion initiatives are in train. For instance, the Government together with the Advisory Committee of Admission of Quality Migrants and Professionals are soliciting the assistance of prominent personalities and bodies, such as the chambers of commerce, in promoting the QMAS. The Government is also promoting the talent admission schemes through its overseas offices.

6. On streamlining of the application procedures, ImmD will repackage the schemes to make them more user-friendly.

Investing for a Caring Society

Enhance current measures and formulate new measures to tackle emerging trends in drug abuse, particularly drug abuse among youths

7. The current anti-drug policy is embodied in the “five-pronged” approach - law enforcement and legislation, treatment and rehabilitation, preventive education and publicity, research and external cooperation. It has been drawn up on the advice of the Action Committee Against Narcotics and its two sub-committees, with members coming from various fields including youth, social work, medicine, academia and Legislative Council Members. While our anti-drug abuse efforts have effectively heightened awareness and brought down the total number of drug abusers over the past decade, there has been an upward trend in drug abuse by the youth in recent years. We are determined to arrest this trend in a concerted and holistic manner.

8. The Secretary for Justice, in his capacity as the Vice-chairman of the Fight Crime Committee, will lead an inter-departmental Task Force to tackle the youth drug abuse problem. The Task Force will, building on our existing fight crime and anti-drug network, review the current measures, spearhead cross bureaux and inter-departmental efforts, and enhance collaboration among Non-government Organisations, stakeholders and the community, with a view to identifying areas of focus and enhancement. Initiatives that the Task Force will consider span over the current five prongs, including how we can step up the community wide publicity campaign, law enforcement, early intervention services for young drug abusers and collaboration between social workers and medical practitioners, etc.

Ongoing Initiatives

Ten Major Infrastructures, Boosting Our Economy

Undertaking the necessary legislative and administrative measures with a view to reducing the coverage of the Frontier Closed Area

9. In September 2006, we announced the results of the review of the FCA coverage. We propose to construct a secondary boundary fence along the existing boundary patrol road, thereby enclosing the road and ensuring that it and the existing primary boundary fence are protected from deliberate or inadvertent interference. Having secured the boundary patrol road, for most parts of the FCA, we will be able to reduce the FCA coverage to the narrow strip of the boundary patrol road and the land to its north, plus the areas with points of crossing the boundary (the boundary control points and Sha Tau Kok (STK) town). This means a reduction of the land area of the FCA from about 2 800 to about 800 hectares.

10. In September to November 2006, we consulted the relevant parties on our proposal. The local community generally welcomed the proposed reduction of the FCA coverage. There were suggestions that the STK town be excised from the FCA. We explained that with the unique setting of Chung Ying Street, the inherent security risks therein pointed to the need of maintaining the FCA restrictions at the STK town. However, we are open to further discussion with the local community on options of allowing tourists to use the STK public pier to facilitate eco-tourism development.

11. There were also suggestions that individual villages and private land should be wholly excised from the FCA, and that the proposed secondary boundary fence should be located as far away from the nearby residences as possible. Some parties suggested that the FCA be reduced in phases. As the suggestions concerned would necessitate adjustment to the proposed alignment of the secondary boundary fence or even the relocation of the existing boundary patrol road as well as the primary fence, we are examining the technical feasibility and related considerations. We will take into account the views received during the consultation in finalising our proposal for the alignment of the secondary boundary fence.

Continuing to pursue measures to facilitate the movement of people and goods across the boundary, with a view to maintaining Hong Kong's competitiveness. These include the extension of self-service immigration clearance to frequent visitors, and developing a "Road Cargo System" that provides the electronic infrastructure for facilitating customs clearance of road cargoes as well as the movement of transshipment cargoes which involve inter-modal transfer (e.g. from land to air)

12. To facilitate movement of people across the boundary, we are planning to extend self-service immigration clearance to frequent visitors, e.g. persons holding Travel Passes issued by the Director of Immigration. For the purpose, the Immigration Department will need to capture relevant bio-data (i.e. personal particulars, photograph and fingerprints) of frequent travelers through a voluntary enrolment scheme. We plan to start the enrolment for frequent visitors in phases at the airport in early 2008.

Quality City, Quality Life

Continuing the study on long-term options for better meeting demands for emergency ambulance services

13. We have been looking into options to ensure that our emergency ambulance service (EAS) can continue to meet the demand effectively. We have stepped up publicity to promote the appropriate use of EAS, and we are studying the feasibility of introducing a medical priority dispatch system in Hong Kong. At the same time, we will continue to review the resources for EAS in light of the latest service needs.

Investing for a Caring Society

Taking stronger enforcement action and conducting more publicity to combat illegal employment

14. We will continue to take a three-pronged approach to combat illegal employment through tackling the problem at source, ensuring effective law enforcement and stepping up publicity and education. The Immigration

Department will pass the particulars of Mainland visitors found working illegally in Hong Kong to Mainland authorities so that their subsequent applications to visit Hong Kong can be subject to closer scrutiny. The Government will continue to activate the Inter-departmental Task Force for regular exchange of information and coordinating enforcement efforts amongst different departments in combating all sorts of illegal working activities. The Government also proactively carries out publicity programmes against illegal employment, and work with the relevant industries to disseminate the message.

Developing Democracy, Enhancing Governance

Putting into effect, through legislation and other means, the recommendations of the Financial Action Task Force on Money Laundering to further enhance our anti-money laundering and counter-terrorist financing regime

15. Hong Kong is committed to maintaining a robust regime to combat money laundering and terrorist financing. Our laws and practices are consistent with established international standards. The Financial Action Task Force on Money Laundering (FATF) has revised its “40 + 9” Recommendations. Some elements of the Recommendations are already enshrined in the existing legislation. Our three financial regulators (Hong Kong Monetary Authority, Securities and Futures Commission and Office of Commissioner of Insurance) have also implemented many of the FATF Recommendations effectively in their respective sectors by administrative means.

16. As regards those recommendations which need to be put in place through new legislation, we are studying the legislative amendments required. Since it will affect a wide range of sectors, extensive consultations need to be held. As the FATF will conduct an intensive evaluation on Hong Kong’s anti-money laundering regime in 2007/2008, we are planning to take into account comments or recommendations that the evaluation report would make before finalising our legislative proposals.

Continuing to ensure that our legislative regime for combating terrorism is current and meets the need of changing circumstances

17. We are committed to combating terrorism and terrorist financing. We are finalizing the subsidiary legislation to give effect to the extradition requirements under the International Convention for the Suppression of Terrorist Bombings, the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, and the Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf. Our plan is to submit them to the Legislative Council for scrutiny in the 2007/08 legislative session. We are also preparing the necessary rules of court and the code of practice to bring the United Nations (Anti-Terrorism Measures) Ordinance (Cap. 575) into full operation and will consult the Panel on Security in due course.

Continuing to seek long-term solutions to address the problems of overcrowding and outdated facilities in our penal institutions

18. The new Lo Wu Correctional Institutions, which are expected to commence operation in 2010, will provide a total capacity of 1 400 places, of which 1 218 are additional places. We will continue to study other prison redevelopment possibilities, including the feasibility of redeveloping the institutions in Chi Ma Wan, with a view to addressing the problems of overcrowding and outdated facilities in some of our penal institutions.

Providing a legal basis for the existing police complaints system by making the Independent Police Complaints Council a statutory body

19. To enhance the independence and transparency of the Independent Police Complaints Council (IPCC) and to increase public confidence in the police complaints system, we introduced the Independent Police Complaints Council Bill into the Legislative Council in July 2007 to establish the IPCC as a statutory body.

20. The Bill seeks to codify the existing two-tier police complaints system. It stipulates the IPCC's functions and powers in relation to its

monitoring and reviewing role on complaints against the Police. For example, the IPCC is empowered to require the Police to investigate or re-investigate complaints, to submit investigation reports to the IPCC and to provide other information as the IPCC requires. The Bill also empowers the IPCC and its observers to observe interviews and collection of evidence carried out by the Police for investigating complaints. It allows the IPCC to interview persons in carrying out its reviews and to report to the Chief Executive as it sees fit. It also provides greater flexibility for the IPCC to employ its own staff and deploy its resources. Under the Bill, the Police have the statutory duty to comply with the IPCC's requirements.

21. In drawing up the Bill, we have taken into account comments that we have received over the years. We shall work with the Legislative Council with a view to seeking the enactment of the Bill in the 2007/08 legislative session.

Continuing discussions with the Mainland and other jurisdictions on bilateral co-operation relating to Mutual Legal Assistance in Criminal Matters, Surrender of Fugitive Offenders, and Transfer of Sentenced Persons

22. Hong Kong is committed to international cooperation in combating serious crimes. We have been extending our network of bilateral agreements with other jurisdictions on mutual legal assistance in criminal matters (MLA), surrender of fugitive offenders (SFO) and transfer of sentenced persons (TSP). To date, Hong Kong has signed 22 agreements on MLA, 17 agreements on SFO and 10 agreements on TSP with other jurisdictions.

23. We signed TSP Agreement with Belgium and France respectively in November 2006. We also signed a Protocol to supplement the SFO Agreement with Australia in March 2007, an SFO Agreement with Ireland and an MLA Agreement with Finland in October 2007. We are preparing the necessary subsidiary legislation to implement these SFO and MLA Protocol/Agreements.

24. Our discussions with the Mainland on the rendition and TSP arrangements continue. We will proceed with care and take full account of the differences in the legal and judicial systems between the two places and the complexities of the issues involved in the process.

Continuing to implement the Risks and Needs Assessment Protocol to identify prisoners prone to custodial and re-offending risks, and to deliver rehabilitative programmes matching their needs, with a view to more effectively reducing re-offending

25. The Risks and Needs Assessment Protocol is a scientific and evidence-based approach to prison management and offender rehabilitation. Correctional Services Department (CSD) has since October 2006 started to conduct re-offending risks and rehabilitative needs assessments for all local young offenders, and local adult offenders with sentences of two years or above upon their admission. Rehabilitative programme matching for inmates has also been started in 2007. CSD will further enhance the risks and needs assessment of offenders and delivery of various matching rehabilitative programmes, with a view to more effectively reducing re-offending.

Security Bureau
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