

**Legislative Council Panel on Security Bureau
19 October 2010**

Policy Initiatives of Security Bureau

This note elaborates on the new and ongoing initiatives of the Security Bureau in the 2010/11 Policy Agenda.

New Initiatives

The Capital Investment Entrant Scheme

2. The Capital Investment Entrant Scheme (CIES) was introduced in October 2003 to attract foreign capital and facilitate entry for residence by persons who would not be engaged in the running of any business here. Since the introduction of the CIES, around 8 200 investors (with 15 500 dependants) have been admitted to Hong Kong, bringing in some \$58 billion of investment.

3. We have reviewed the CIES to ensure that it is up-to-date and continues to serve the best overall interest of Hong Kong. Taking into account similar overseas schemes, relevant economic indicators and views of the public and Legislative Council (LegCo) Members, the Government decided to amend the CIES in the following three aspects, with effect from 14 October 2010 -

- (a) Increase of the investment threshold and personal asset requirement from \$6.5 million to \$10 million, which will be reviewed once every three years;
- (b) Temporary suspension of real estate as a class of permissible investment asset; and
- (c) Inclusion of insurers as financial intermediary.

Details of the above measures and the implementation arrangements are set out in the LegCo Brief issued on 13 October 2010.

4. The Government will monitor the implementation of the amended CIES, and will review the various arrangements regularly with a view to ensuring the effectiveness of the CIES.

Anti-drug efforts

5. Since last year, the Chief Executive has escalated efforts in mobilising the community anti-drug campaign. With concerted efforts from bureaux and departments and the support from all sectors of society, we are pleased to see that the youth drug abuse problem has shown signs of abatement. But we must not be complacent.

6. The Trial Scheme on School Drug Testing in Tai Po District launched last year sought to start a new anti-drug culture in schools, and various stakeholder sectors have shown support. To sustain the momentum, we will extend the Scheme to school year 2010/11 to gain more experience. The consultancy research report on evaluating the effectiveness will be completed and released later. We will continue to engage stakeholders in mapping out together the way forward for school drug testing.

7. The Chief Executive also announced that the school social work service in secondary schools would be strengthened by a 20% increase of professional manpower, to help prevent and tackle the student drug abuse and other related problems. The reinforced school social work service will not only enhance early identification of students who are troubled by drugs and provision of timely support, but also engagement of parents of at risk students in extending help to those in need. This would facilitate a positive change in those students and foster their healthy development.

Auxiliary Medical Services Cadet Corps

8. We plan to set up a Cadet Corps under the Auxiliary Medical Services. Its objective is to encourage young people aged between 12 and 17 to develop practical skills and leadership through participating in various discipline training and group activities which focus on general medical knowledge. We hope to prepare them to become good citizens with devotion to social services by helping them build up confidence, a sense of responsibility, self-discipline and the spirit to serve others. We also hope that the cadets can bring the medical knowledge to their families and schools and convey the message of healthy and positive life style.

9. As a uniformed group for the youths, the Cadet Corps is discipline-oriented and dedicated to social services. Members will receive diversified training, including first aid and nursing knowledge as well as training in leadership, team building, discipline and inter-personal and social skills. Through participating in outdoor activities and training, they can build up

their physical fitness, enhance their tenacity and broaden their horizons. To prepare them to become good citizens, charitable services will be organized to foster their sense of civic responsibility and cultivate their commitment in serving the community.

10. The Cadet Corps will commence its enrolment exercise in the 18 districts by phases from 2011 onwards. The target is to recruit 1 000 members in five years.

Bringing the United Nations (Anti-terrorism Measures) Ordinance into full operation

11. The Hong Kong Special Administrative Regions (HKSAR) Government is committed to combating terrorism and terrorist financing. To this end, we enacted the United Nations (Anti-Terrorism Measures) Ordinance in July 2002 and the United Nations (Anti-Terrorism Measures) (Amendment) Ordinance in July 2004 to implement the United Nations Security Council Resolution 1373 and some of the Special Recommendations of the Financial Action Task Force on Money Laundering. Certain provisions of the Ordinance and the Amendment Ordinance have been in operation since 2002 and 2004 respectively.

12. The provisions of the Ordinance and the Amendment Ordinance which remain uncommenced can only come into operation after the relevant court rules and code of practice have been made. The court rules and code of practice have been passed by LegCo in December 2009 and July 2010 respectively. Accordingly, we will publish the commencement notices in the Gazette in mid-October 2010 to appoint 1 January 2011 as the date on which the above-mentioned uncommenced provisions will come into effect. This exercise will help ensure that Hong Kong, as a member of the international community, is well placed to do our duty to tackle terrorism and terrorist financing in order to discharge our international obligations.

Establishing Sexual Conviction Record Check for Child-related Work

13. The Law Reform Commission (LRC), after conducting thorough studies and public consultation, published a report on “Sexual Offences Records Checks for Child-related Work: Interim Proposals” in February 2010, recommending the Administration to establish an administrative mechanism, which would enable employers of persons undertaking

child-related work and work relating to mentally incapacitated persons (MIPs) to check the criminal conviction records for sexual offences of employees, as an interim measure without delay, so as to reduce the risk of children and MIPs being sexually abused.

14. We have always been highly concerned about sexual offences against children. The Police also give high priority to combating these offences. For implementing the LRC's recommendation, we will establish a sexual conviction record check mechanism through the Police Force as soon as practicable, so as to facilitate employers and parents in obtaining such information and enhance the protection of children and MIPs.

On-going Initiatives

Enhancing Travel Convenience

15. We introduced the self-service immigration clearance system for frequent visitors (i.e. frequent visitor e-Channel service) at the Hong Kong International Airport in May 2008. Up to now, 51 000 visitors have enrolled for the service.

16. Since the introduction of immigration facilitation measures for residents of Hong Kong and Macao in December 2009, public response was positive. At present, 368 000 Hong Kong residents have enrolled to use e-Channels at Macao ports, while 127 000 Macao residents have enrolled to use the e-Channels at Hong Kong ports.

17. The Mainland authorities will introduce, from 2012 and by phases, electronic Exit-Entry Permit for Travelling to and from Hong Kong and Macao for Mainland residents travelling to Hong Kong and Macao. To meet the requirements of the new measure, we will modify and upgrade the computer system of the Immigration Department. We will also install new e-Channels at various control points and will extend the e-Channel service to Mainland frequent visitors from 2012 onwards.

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

18. Effective implementation of the security measures relating to the Frontier Closed Area (FCA) is an integral part of maintaining the integrity of the boundary between Hong Kong and the Mainland and to combat

illegal immigration and other cross-boundary illegal activities. Following consultation with the local community and relevant bodies, we announced in January 2008 to substantially reduce the land area of the FCA from about 2 800 hectares to about 400 hectares.

19. To safeguard the security of the reduced FCA, we need to construct a secondary boundary fence along the existing boundary patrol road (BPR). New sections of the BPR, with a primary and a secondary boundary fence constructed along its northern and southern curbs, will also be constructed at certain parts of the boundary. The project has been divided into four sections. Three of the four sections are being taken forward in the first phase and we have obtained funding approval in June 2009 from LegCo to proceed with these sections.

20. Certain parts of the second phase of the project will involve the resumption of private land. In accordance with the statutory procedures, we have published the project scheme and the land required for resumption in the Gazette. We have also taken into account the views of affected stakeholders. We plan to consult the Security Panel and seek funding approval from the Finance Committee in mid-2011.

Continuing the study on long-term options for the provision of emergency ambulance services

21. Emergency ambulance service aims at conveying patients to the Accident and Emergency department as early as possible, so that they could receive treatment earlier and enhance their chance of survival. Under the current dispatch system, response to ambulance calls is prioritised only according to the order of the calls without taking into account the emergency situation or condition of patient. As a result, the dispatch system cannot ensure that patients in the most critical condition will receive the fastest emergency service available. In order to improve the situation, the Administration put forward a proposal on the introduction of the Medical Priority Dispatch System (MPDS), with reference to overseas experiences, to dispatch ambulances mainly in accordance with the urgency of patients' conditions.

22. We consulted the public on the proposal in 2009, and reported the results to the Security Panel in April 2010. On the whole, although there is general support for the principles and broad framework of the proposed MPDS in society, there are concerns on whether the proposed mechanism and implementation details of the MPDS would cause confusion to the

patients, especially when they are asked to briefly describe their condition under the proposed MPDS. We are working out the implementation details taking into account the views of stakeholders and Members. Upon completion of the analysis, we will submit the detailed proposal to the Security Panel for further discussion. In addition, the Fire Services Department will continue to promote the proper use of the emergency ambulance service through public education and publicity programmes.

Adopting a proactive strategy in combating illegal employment

23. The Government will continue with its three-pronged approach to combat illegal employment by tackling the problem at source; ensuring effective law enforcement; and stepping up publicity and education. Moreover, to enhance the effectiveness in combating illegal employment, in June last year, the Government introduced into the LegCo the Immigration (Amendment) Bill 2009 which, among others, provides for a criminal offence against taking of employment, or establishing/joining in of business by illegal immigrants and other ineligible persons. The Bill was passed and took effect on 14 November 2009.

Fighting youth drug abuse on a sustained basis

24. We will continue to take forward the recommendations set out by the Task Force on Youth Drug Abuse led by the Secretary for Justice and follow the five strategic directions laid down by the Chief Executive, namely community mobilization, community support, drug testing, treatment and rehabilitation, and law enforcement to fight against drugs.

25. To sustain the efforts of the territory-wide anti-youth drug abuse campaign launched in 2008 carrying the theme “Not Now, Not Ever”, the Narcotics Division, Security Bureau and the Action Committee Against Narcotics jointly launched a new series of anti-drug publicity “Stand Firm Knock Drugs Out” this July, to reinforce young people’s resolve to refuse drugs. Separately, the Administration injected \$3 billion to the Beat Drugs Fund. The Fund will be able to generate an enhanced level of income to support sustained anti-drug efforts in the community. The Home Affairs Department is implementing various activities in different districts under the “Community Programme against Youth Drug Abuse” scheme as well. The Administration will continue through the “Path Builders” scheme and other means to encourage efforts from the community to support the anti-drug cause.

26. The Chief Executive announced in the Policy Address last year that the Government Laboratory will take the lead in bringing in hair drug testing, with a view to transferring the technology to the industry. The Government Laboratory has completed the research and development, obtained accreditation and started a pilot service. The Administration will further enhance the hair drug testing service to benefit more interested parties and those in need.

27. The Government is committed to providing more rehabilitation facilities for young drug abusers. We plan to invite views from stakeholders in launching possible innovative and effective models of service this year. Feedback collected from interested parties will assist the Administration in considering what appropriate support may be given to them.

28. The police and customs will continue with vigorous law enforcement actions, maintain close liaison with Mainland and overseas law enforcement agencies, exchange intelligence, and mount investigation and joint operations where appropriate to combat cross boundary and international drug trafficking activities.

Reviewing the application procedures of various talent admission schemes from time to time with a view to streamlining the arrangements for the entry of talents and professionals

29. “Optimizing our demographic structure and attracting talent” is a long established policy objective of the Government. On immigration, the Immigration Department (ImmD) will continue its liberal measures to facilitate the entry of talents, and from time to time explore how to further streamline the admission of talents and professionals for the employment in Hong Kong, taking into consideration the need to strike a balance between facilitating their entry and protecting the interest of local labour. Relevant departments including the Hong Kong Economic and Trade Offices in the Mainland and overseas will also continue their publicity efforts with a view to attracting more talents around the world to Hong Kong.

Addressing the problems of outdated facilities and overcrowding in some of our panel institutions

30. The redeveloped Lo Wu Correctional Institution commenced operation in July 2010 providing 1 400 penal places and rehabilitative

facilities that are more suited to today's needs. Its opening has significantly improved the overcrowding situation of female institutions, where the overall occupancy rate has dropped to about 90%. In the coming year, we will continue to explore other redevelopment projects and improvement works to address the problem of ageing facilities and meet the custodial and rehabilitative service needs of offenders.

Mutual Legal Assistance in Criminal Matters, Surrender of Fugitive Offenders and Transfer of Sentenced Persons

31. Hong Kong is committed to international cooperation in combating serious crimes. We will continue to extend 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 27 agreements on MLA, 18 agreements on SFO, and 11 agreements on TSP with other jurisdictions.

32. We signed an agreement on MLA with India in September 2009 and are preparing the necessary subsidiary legislation to implement the agreement.

33. We will continue our discussions with the Mainland on the rendition and transfer of sentenced persons arrangements.

Continuing to implement the Risks and Needs Assessment Protocol to identify prisoners prone to re-offending risks, and to deliver rehabilitative programmes matching their needs

34. The Risks and Needs Assessment Protocol is a scientific and evidence-based approach to prison management and offender rehabilitation. Since the implementation of the Protocol in October 2006, more than 14 000 offenders have undergone re-offending risks and rehabilitative needs assessments and matching rehabilitative programmes. The Correctional Services Department will further enhance the risks and needs assessment of offenders and delivery of various matching rehabilitative programmes, with a view to more effectively reducing the chance of re-offending.

Enhancing the measures to assist Hong Kong residents travelling abroad

35. The HKSAR Government is committed to providing swift and effective assistance to Hong Kong residents who are in distress overseas. In July 2009, we reported to the Security Panel 30 enhancement measures relating to the provision of assistance for Hong Kong residents travelling abroad. Most of these measures have been implemented. The Outbound Travel Alert (OTA) System was launched on 20 October 2009. The System uses three colours, namely, AMBER, RED and BLACK, to differentiate the levels of risk to facilitate the public to consider making corresponding trip arrangements, such as adjusting travel plans or exercising caution at the region concerned. Over the past year, we had issued OTA for more than 10 overseas countries. The travel trade has complemented the System with its outbound tour and relevant arrangements under different alerts.

36. In respect of strengthening the mechanism of providing assistance to Hong Kong residents overseas, ImmD has set up stand-by teams so that manpower reinforcement will be readily available during emergency situations for answering assistance request calls or public enquiries, or attending the places of incident to support Hong Kong residents. ImmD has also provided training for the team members to enhance their response during emergency situations. By end of this year, ImmD aims to complete upgrading of its '1868' hotline system and roll out the electronic network for residents to register their itineraries and emergency contact means before travelling abroad. Furthermore, we had also signed memoranda of understanding with relevant airlines confirming the arrangements with respect to reserving seats on scheduled flights or arranging chartered flights to bring back Hong Kong residents in case of needs and on a priority basis.

37. The close communication between the HKSAR Government and the Office of the Commissioner of the Ministry of Foreign Affairs of the People's Republic of China in the HKSAR, as well as assistance rendered by the local Chinese Diplomatic and Consular Missions are an integral part of our emergency response system. The Manila hostage incident in August this year has demonstrated the effectiveness of the enhanced mechanism. We shall continue to optimize the mechanism, with a view to providing appropriate and more effective assistance to Hong Kong residents in distress outside the territory.

Torture Claim Screening Mechanism

38. We launched in December 2009 an enhanced torture claim screening mechanism. We aim to ensure fairness and effectiveness of the screening procedures while maintaining effective immigration control and deterring abuse as far as possible. Among other enhancement measures, publicly-funded legal assistance are provided to claimants and adjudicators with a legal background are appointed to handle petitions.

39. After gaining practical experience under the enhanced mechanism, we would devise a statutory screening mechanism for torture claims. We plan to brief the Security Panel progress of the screening mechanism and the related legislative proposal within this legislative session.

Security Bureau
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