

(Translation)

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GOVERNMENT SECRETARIAT
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14 November 2011

Mr Raymond Lam
Clerk to Panel on Security
Legislative Council Complex
1 Legislative Council Road
Central
Hong Kong

Dear Mr Lam,

**Legislative Council Panel on Security
Sexual Conviction Record Check Scheme**

Further to our briefing to the Panel on the implementation progress of the Sexual Conviction Record Check Scheme (the Scheme) on 3 May 2011, we write to inform the Panel that the Hong Kong Police Force will implement the Scheme on 1 December this year. The operational details of the Scheme have already been provided in a discussion paper submitted to the Panel on 3 May. In view of the opinions expressed by the relevant sectors on the Scheme, the validity period of an applicant's checking code will be extended from 6 months to 12 months for the convenience of applicants who may need more time to look for a job. An applicant may withdraw or renew the checking account while the checking code is still valid. The application fee is prescribed at HK\$115.

The leaflet on the Scheme, which will be published soon, is enclosed for Members' reference.

Yours sincerely,

(Mrs Millie Ng)
for Secretary for Security

C.C.

Commissioner of Police (Attn: Mr S.C. Dove)

Fax No.: 2861 2920



Protect Our Children

Support Sexual Conviction Record Check Scheme

To enhance protection of children and mentally incapacitated persons from sexual abuse, employers of organisations or enterprises, when engaging persons to undertake work that requires frequent contact with these persons, may request the prospective employees to undergo Sexual Conviction Record Check.



Sexual Conviction Record Check Scheme

What is "Sexual Conviction Record Check" ?

The Sexual Conviction Record Check (SCRC) scheme implemented by the Hong Kong Police Force provides employers with a reliable channel whereby they may ascertain whether applicants applying for work relating to children or mentally incapacitated persons (MIPs) have any sexual conviction records.

The sexual offences covered under the scheme are listed in the Notes to Applicants and Notes to Employers. The scheme does not cover conviction records of sexual offences that are regarded as "spent" under section 2 of the Rehabilitation of Offenders Ordinance (Cap. 297) and overseas conviction records.

Purpose of SCRC

The scheme serves to help employers assess the suitability of applicants for work relating to children or MIPs and afford better protection to them from sexual abuse.

How to define work relating to children or MIPs?

The usual duties of the relevant work should involve frequent contact with children or MIPs. In general, the usual duties of the relevant work may conform to one of the following criteria:

- providing services mainly for children or MIPs;
- working in premises that provide services for children or MIPs; or
- involving frequent or regular contact, in particular unmonitored contact, with children or MIPs.

Who may submit an application for checking?

Employers of organisations or enterprises, when engaging persons to undertake work that requires frequent contact with children or MIPs, may request the prospective employees to undergo SCRC. The definition of "work" covers services provided to an organisation or enterprise under a contract of employment, apprenticeship or on a self-employed basis. Applications for the check should be submitted by the prospective employees voluntarily to the SCRC Office of the Hong Kong Police Force.

Applying for checking

Before application: The applicant (i.e. the prospective employee) should make advance appointment through the Auto-Telephone Answering System (ATAS) at 3660 7499 no less than one working day in advance of the intended appointment.

Making an application: The applicant should attend in person at the SCRC Office located at 14/F, Arsenal House, Police Headquarters, 1 Arsenal Street, Wan Chai, Hong Kong to submit an application. To ensure accuracy of the check result, fingerprints of the applicant will be taken by an officer of the SCRC Office.

Documentation requirement: The applicant should bring along the following documents:

- his Hong Kong Identity Card (HKID);
- documentary proof provided by the employer which verifies that he may engage the applicant to undertake work relating to children or MIPs; and
- the completed application form.

(Note: template of documentary proof provided by the employer and application form can be downloaded at www.police.gov.hk/scrc.)

Application fee: HK\$115

Acceptance of application: Upon acceptance of the application, the applicant will be issued a 14-digit random computer generated checking code. The checking code will be valid for 12 months dated from the first uploading of result onto the ATAS. The result will be available for unlimited times of access during the validity period.

Withdrawal or renewal: The applicant may apply to the SCRC Office in person for withdrawal or renewal of his checking account.

Checking of result

- The applicant may give the checking code and the first four digits of his HKID number to the employer whom he authorises for conducting the check.
- The employer may call the ATAS (Tel: 3660 7499) and conduct the check by inputting the checking code and the first four digits of HKID number of the applicant.
- The ATAS will disclose to the employer that the applicant "has" or "does not have" sexual conviction record. Details of any conviction record will not be disclosed.

Personal Data Privacy

Employers should neither pass the sexual conviction record or other personal data of the applicant to any unrelated person, nor use the personal data for any purpose other than the intended recruitment purpose in relation to child or MIP-related work. Any person who seeks to abuse the scheme may be liable under Personal Data (Privacy) Ordinance (Cap. 486).

Enquiry

For more details of the requirements and procedures of the scheme, applicants and employers conducting the check should read the Notes to Applicants and Notes to Employers available at www.police.gov.hk/scrc. For any enquiry, please contact the SCRC Office at 3660 7497.