

立法會
Legislative Council

LC Paper No. CB(2)1210/13-14
(These minutes have been seen
by the Administration)

Ref : CB2/PL/SE

Panel on Security

Minutes of special meeting
held on Tuesday, 28 January 2014, at 12:30 pm
in Conference Room 3 of the Legislative Council Complex

Members present : Hon IP Kwok-him, GBS, JP (Chairman)
Hon James TO Kun-sun (Deputy Chairman)
Hon CHAN Kam-lam, SBS, JP
Hon Emily LAU Wai-hing, JP
Dr Hon LAM Tai-fai, SBS, JP
Hon CHAN Kin-por, BBS, JP
Hon WONG Kwok-kin, BBS
Hon Paul TSE Wai-chun, JP
Hon Alan LEONG Kah-kit, SC
Hon LEUNG Kwok-hung
Hon WONG Yuk-man
Hon Michael TIEN Puk-sun, BBS, JP
Hon NG Leung-sing, SBS, JP
Hon Frankie YICK Chi-ming
Hon YIU Si-wing
Hon MA Fung-kwok, SBS, JP
Hon Charles Peter MOK
Hon CHAN Chi-chuen
Dr Hon Kenneth CHAN Ka-lok
Hon Kenneth LEUNG
Hon KWOK Wai-keung
Hon Dennis KWOK
Dr Hon Elizabeth QUAT, JP

Members absent : Hon Cyd HO Sau-lan
Hon Claudia MO
Hon LEUNG Che-cheung, BBS, MH, JP
Hon Christopher CHEUNG Wah-fung, JP
Hon CHUNG Kwok-pan
Hon Christopher CHUNG Shu-kun, BBS, MH, JP

Public Officers attending : Item I

Mr TSANG Wai-hung
Commissioner of Police

Mr LO Mung-hung
Director of Crime and Security
Hong Kong Police Force

Clerk in attendance : Miss Betty MA
Chief Council Secretary (2) 1

Staff in attendance : Mr Stephen LAM
Assistant Legal Adviser 11

Mr Raymond LAM
Senior Council Secretary (2) 7

Miss Kay CHU
Council Secretary (2) 1

Ms Kiwi NG
Legislative Assistant (2) 1

Action

I. Crime situation in 2013
(LC Paper Nos. CB(2)744/13-14(01) and (02))

Commissioner of Police ("CP") briefed members on the overall law and order situation of Hong Kong in 2013, as detailed in the paper provided by the Police.

Action

2. Members noted the background brief entitled "Crime situation in Hong Kong" prepared by the Legislative Council ("LegCo") Secretariat.

Overall crime rate and crime detection rate

3. Referring to paragraph 2 of the Police's paper, Mr Michael TIEN expressed concern that the crime rate of Hong Kong was higher than that of Singapore. CP responded that the crime situation of Singapore was similar to that of Hong Kong. The crime rate of Singapore was lower because of the difference in social situation.

4. Dr LAM Tai-fai commended the Police for its efforts in maintaining a low crime rate in Hong Kong. He expressed concern that although the overall crime rate had decreased, the overall crime detection rate was still at about the same level. CP responded that the increase in the number of cases of online fraud, which were difficult to detect, had made it difficult to achieve a higher overall crime detection rate.

Drug-related crime

5. Mr KWOK Wai-keung commended the Police for its efforts in achieving a lower overall crime rate in 2013. He expressed concern that psychotropic drug cases amounted to 88.7% of the overall drug cases and the problem of hidden drug abuse was serious. He asked whether there was any indication that other crime, such as burglary, had arisen from drug abuse.

6. CP responded that statistics were not maintained on other crime arising from drug abuse. He said that there was a general trend among drug abusers towards abuse of synthetic drugs, the supply of which was not subject to seasonal fluctuation.

7. Dr Elizabeth QUAT commended the Police for maintaining Hong Kong as one of the safest cities in the world. Noting that an increased number of juveniles and young persons had been arrested for serious drug offences, she expressed concern whether drugs could be easily purchased in some schools. She also expressed concern about reports of organised sale of drugs in the urban areas of Hong Kong.

Action

8. CP responded that among 5 397 juveniles and young persons arrested in 2013, only 286 were arrested in schools. This was a result of the efforts of the Administration and schools in maintaining a crime-free environment in schools. In 2013, five secondary students had been arrested in schools for serious drug offences and nine secondary students arrested in schools for minor drug offences. He called for members of the public who came across any sale of drugs to report the matter to the Police for follow-up.

Public order and handling of public order events

9. Mr CHAN Kam-lam commended the Police for its efforts in maintaining law and order in Hong Kong. Noting that a large number of public meetings and public processions were held in the previous year, he asked about the measures adopted by the Police in the protection of freedom of expression while ensuring public order events to be held in a peaceful and lawful manner. He expressed concern that a demonstrator had thrown objects at the Secretary for Constitutional and Mainland Affairs at a recent public event.

10. CP responded that the civil and political rights of the residents of Hong Kong were protected by law and it was the responsibility of the Police to maintain public order and public safety. He stressed that the Police would continue to act impartially and in accordance with the law. It would take firm actions against acts in breach of the law, although arrests might sometimes not be carried out immediately in view of the situation at the scene. In 2013, there were 4 987 public meetings and 1 179 public processions, most of which had been held in an orderly and peaceful manner.

11. Mr Michael TIEN said that according to his experience, police officers in the United States of America adopted an authoritative attitude towards drivers stopped on the road. In contrast, he had received complaints from frontline police officers in Hong Kong that there was an increasing trend of drivers swearing at police officers who stopped them for traffic offences. He considered that it was high time to consider enacting legislation against the offence of insulting police officers. Dr Elizabeth QUAT expressed concern whether any person who insulted police officers had been arrested for obstructing police officers in the discharge of duties.

Action

12. CP responded that some members of the public were very impolite to or vented their anger at police officers. Although police officers had been trained to handle such situations, persons who obstructed police officers in the discharge of duties were in breach of the law. Regarding the issue of enacting legislation against the offence of insulting officers, there were divergent views in the society and the Police management would continue to listen to the views of the society on the issue.

13. Ms Emily LAU expressed support for the peaceful expression of views and said that no one should insult other persons. She considered that the Police should include statistics on public meetings and public processions in its future statistics on crime situation. She considered that to avoid confrontation between groups with different positions, the Police should not allow such groups to hold public order events at the same venue.

14. CP responded that the enforcement policy of the Police was to strike a balance by striving to facilitate the smooth conduct of lawful and peaceful public meetings and processions on one hand, while on the other, minimising the impact of such events on other members of the public and road users, as well as ensuring public order and public safety. Although the Police would take immediate steps to separate groups with different positions when there was confrontation, it should not assume that confrontation would occur between the groups. If the Police assessed that the situation could be kept under control when confrontation occurred, groups with different positions would be allowed to hold public order events at the same venue.

15. The Deputy Chairman pointed out that prohibiting groups with different positions from holding public order events at the same venue might result in the venue being only made available to the group which first gave notice to hold public order event at the venue. He considered that groups with different positions should be allowed to hold public order events at the same venue, which was not in contravention of the laws of Hong Kong, if the Police could handle confrontation at the venue between groups with different positions.

16. The Deputy Chairman asked whether the Police would not seek assistance from the Hong Kong Garrison of the Chinese People's Liberation Army in maintaining public order in Hong Kong, regardless of the number of persons participating in Occupy Central. CP responded that the Police was confident and capable of discharging its duty of maintaining security and order in Hong Kong.

Action

Throwing of objects at public officers

17. Dr LAM Tai-fai expressed concern about the number of cases of members of the public throwing objects at public officers who attended public forums or visited districts and the detection rate of such cases. He asked whether the throwing of objects at public officers was an offence, if the public officer was hit by the object thrown. He called for the Police to take steps to prevent such incidents in future.

18. The Chairman commended the Police for maintaining Hong Kong as one of the safest cities in the world. He asked whether the Police would step up measures against acts of throwing objects at public officers at public meetings and public processions.

19. CP stressed that the Police would handle such incidents in accordance with the law. In 2013, 79 persons had been arrested for breach of the law, including the throwing of objects, when public activities were held. He said that the prevention of such incidents required the cooperation of members of the public.

Cyber crime

20. Referring to paragraphs 13 and 18 of the Police's paper, Mr MA Fung-kwok expressed concern about the sharp increase in blackmail cases involving "Naked Chat" and cases of e-mail scam, online business fraud and social media fraud. He sought information on the relevant prosecution statistics, age of victims and the measures adopted by the Police in combating such crime. Dr Elizabeth QUAT said that the Police should step up publicity through the media against online fraud.

21. CP responded that the detection of such cyber crime was difficult as it required the assistance of the internet service providers concerned, the victims' awareness of the need to preserve evidence and the cooperation of law enforcement agencies of other jurisdictions, which might differ in their capability and priority given to investigate cyber crime. The Police was addressing the problem through strengthening publicity, producing Announcements of Public Interests and giving talks at schools to enhance the awareness of members of the public. He pointed out that the number of blackmail reports involving "Naked Chat" had decreased in November and December 2013 after the Police's strengthened publicity efforts in October 2013.

Action

22. Mr YIU Si-wing sought information on the number of cases of local and cross-boundary online fraud, the prosecution statistics concerned and the measures adopted by the Police in combating cross-boundary online fraud.

Police

23. CP responded that there were 3 621 cases of online fraud in 2013 and 546 deception cases were related to the use of lost or stolen credit cards. The number of cases of online fraud had increased by 70%, while the number of cases of credit card fraud had increased by 3%. He pointed out that the Police did not maintain statistics on cross-boundary crime. He agreed to provide further statistics on online fraud in 2013.

24. Mr YIU Si-wing enquired about the detection rate of online fraud. CP responded that the detection rate of such crime was low because it required the assistance of the internet service providers concerned as well as awareness on the part of victims to preserve evidence.

Burglary

25. The Deputy Chairman expressed concern about cases of burglary of luxury apartments and asked whether the Police had deployed dedicated manpower to combat the problem.

26. CP responded that while there was an increase in the number of such cases on the Hong Kong Island, Kowloon East and New Territories South, there was a decrease in Kowloon West and New Territories North, resulting in an overall decrease in the total number of such types of burglary cases in 2013. Most of these cases occurred at apartments where security was comparatively loose. The Police was mainly combating such crime through undertaking ambush operations.

Illegal immigrants and visitors arrested

27. Mr YIU Si-wing commended the Police for maintaining a low crime rate in Hong Kong. He asked whether there had been any increase in syndicated crime committed by Mainland visitors. CP responded that there was no indication that the crime committed by Mainland illegal immigrants and visitors were mainly of a syndicated nature. He pointed out that the situation of crime committed by Mainland illegal immigrants had not worsened, among which 30% had been arrested for illegal immigration, 10% for burglaries and 10% for use of faked travel documents or counterfeit banknotes.

Action

Criminal damage and criminal intimidation

28. Mr CHAN Chi-chuen asked about the statistics on criminal damage and criminal intimidation targeted at political parties. He also expressed concern about the participation of persons suspected to be members of triad societies in public order events.

29. CP responded that there were 342 cases of criminal damage involving political parties and associations and 92 persons had been arrested in 84 of the cases. The major reasons for such criminal damage included dissatisfaction with the stance of the political parties or associations concerned, obstruction of sight caused by the banners or signboards and venting of anger. He pointed out that there was no report of criminal intimidation against LegCo Members in 2013.

Counterfeit banknotes

30. The Chairman asked about the measures adopted by the Police in tackling counterfeit \$1,000 banknotes. CP responded that in comparison with the 190 million pieces of \$1,000 banknotes in circulation, the number of counterfeit \$1,000 banknotes seized recently was not exceptionally high. Nevertheless, the Police was seeking to combat the problem at source with the law enforcement agencies of the Mainland and the Macao Special Administrative Region.

Domestic violence

31. Ms Emily LAU expressed concern that the number of domestic violence cases was still high. She asked whether all reports of domestic violence were handled seriously and whether there were many cases of repeated domestic violence. She considered that training in the handling of domestic violence cases should be strengthened for police officers.

32. CP responded that the improved Central Domestic Violence Database had a built-in function which drew the attention of police officers to cases of repeated domestic violence. A booklet on the handling of domestic violence cases and comprehensive training in the area had also been provided to police officers. Referral would be made to the Social Welfare Department ("SWD"), if necessary, for cases requiring attention. He pointed out that while there were 1 870 cases of domestic violence (crime) cases and about 600 cases of domestic violence (miscellaneous) cases in 2013, over 7 000 cases had been referred to SWD for follow-up in the same year.

Action

Abuse of foreign domestic helpers ("FDHs") by their employers

33. Dr Kenneth CHAN expressed concern whether police officers were provided with adequate training to ensure that all cases of abuse of FDHs by their employers were handled seriously. He asked whether interpreters were provided to FDHs who reported such abuse cases to the Police.

34. CP stressed that the Police handled all reports of crime seriously and impartially regardless of the race of the person who reported crime. He said that 6 163 cases of wounding and serious assault were recorded in 2013 and 4 887 persons were arrested. Among these, 37 cases were related to wounding or serious assault of FDHs by their employers and 31 of them had been detected. He said that interpretation service was provided to FDHs who reported crime and could not communicate in Chinese or English.

Child abuse and elder abuse

35. Mr KWOK Wai-keung expressed concern whether there were many cases of child abuse and elder abuse where the harm caused was not so serious to constitute an offence and thus not reflected in the statistics.

36. CP responded that child abuse and elder abuse cases were classified according to the definition adopted by SWD. Out of 1 136 child abuse cases reported in 2013, 677 were cases of sexual abuse and 459 were cases of physical abuse. Among 388 elder abuse cases reported in 2013, 218 were related to physical abuse and 129 were related to embezzlement of property.

Animal abuse

37. Mr YIU Si-wing expressed concern about an increase in the number of cases relating to animal abuse in 2013. CP responded that under the Animal Watch Scheme ("AWS") which had been launched about two years ago, the Police took actions with the Agriculture, Fisheries and Conservation Department, the Society for the Prevention of Cruelty to Animals (Hong Kong), the Hong Kong Veterinary Association and some animal concern groups to combat cases of cruelty to animals. Under AWS, the Police's co-operation with the departments and organisations concerned on intelligence gathering, information exchange

Action

and provision of expert advice on animal cruelty cases had been enhanced. The number of cases of animal abuse had increased mainly because of increased awareness in the community and the classification of a case as an animal abuse case when the possibility of animal abuse could not be excluded.

38. Mr CHAN Chi-chuen expressed concern whether cases of animal abuse had been included in the overall crime statistics and the relevant crime detection rate. He considered that consideration should be given to establishing animal police and assigning the task of tackling animal abuse to a single policy bureau or government department.

39. CP responded that the suggestion of establishing animal police had been referred to the relevant policy bureaux for consideration. AWS had been found effective in tackling the problem of animal abuse. The revised method of classification in relation to animal abuse had resulted in an increase in the number of animal abuse cases. He pointed out that as animal abuse covered a wide range of animals, assigning the task of tackling animal abuse to a single government department would require reorganisation of the work of a number of government departments.

Dissemination of case information by the Police

40. The Chairman expressed concern about reports that the Police had not disseminated information relating to a sexual harassment case in Chai Wan until six days after the case was reported. He asked whether the Police had reviewed its policy towards dissemination of case information. CP responded that the Police's major responsibility was the prevention and detection of crime.

Indecent assault in train compartments

41. Dr Elizabeth QUAT expressed concern about cases of indecent assault in the train compartments of the MTR Corporation Limited ("MTRC") and suggested that the Police should request MTRC to install closed circuit televisions in more train compartments and designate certain compartments of a train as female compartments. CP responded that the Police would refer the suggestion to MTRC. He pointed out that the Police had stepped up publicity and enforcement against such crime.

Action

Sexual Conviction Record Check Scheme

42. Dr Elizabeth QUAT said that the Sexual Conviction Record Check Scheme should be expanded to cover private tutors and persons working at tutorial centres. CP responded that there were divergent views in the community on the issue and the Police would continue to listen to the views of the community on the issue.

43. There being no other business, the meeting ended at 2:18 pm.

Council Business Division 2
Legislative Council Secretariat
31 March 2014