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Panel on Security

**Background brief prepared by the Legislative Council Secretariat
for the special meeting on 28 January 2014**

Crime situation in Hong Kong

Purpose

This paper summarizes past discussions by the Panel on Security ("the Panel") on the crime situation in Hong Kong.

Deliberations of the Panel on Security

2. It has been the practice for the Commissioner of Police to brief the Panel at the beginning of each year on the overall law and order situation in Hong Kong in the preceding year. Members expressed particular concern about drug-related offences, Police's handling of public meetings and public processions, cases relating to domestic violence, elder abuse, sexual offence, cyber crime and criminal intimidation in debt collection.

Drug-related offences

3. Members noted with concern about the change in the crime pattern for drug-related offences in recent years, such as the trafficking and sale of drugs in a small quantity and the shift from the use of heroin to psychotropic substances as well as the increasing trend of cross-boundary drug abuse involving young people. Members were concerned whether the Police had adjusted its enforcement strategies in the light of the latest changes in drug-related crimes and problems.

4. According to the Police, it had adopted suitable measures to address the problems, including -

- (a) making use of the established intelligence networks to monitor the

locality of drug abuse and taking swift actions if there was any change in it;

- (b) taking rigorous enforcement actions at entertainment venues or establishments which allowed people to take drugs;
- (c) strengthening cyber patrols to combat activities related to the supply of drug;
- (d) increasing the frequency of school visits by School Liaison Officers to enhance the communication with schools, parents and social workers, as well as to disseminate anti-drug messages to students;
- (e) maintaining close liaison with other departments, including the Leisure and Cultural Services Department, in combating youth drug abuse in public places such as parks, playgrounds or public libraries;
- (f) tackling transnational drug traffickers and combating dangerous drug offences at source; and
- (g) putting in place an effective legislative and regulatory regime to provide stringent control over the import, export, manufacture, sale and supply of narcotic drugs, psychotropic substances and precursor chemicals.

Police's handling of public meetings and public processions

5. Some members took the view that the Police was increasingly intolerant towards participants of public meetings and public processions. They were concerned whether the Police would communicate with the public order event organizers in order to facilitate their public meetings and processions to proceed in a peaceful and orderly manner.

6. According to the Police, it respected the rights of the public to peaceful assemblies and processions. While the Police would facilitate all lawful public meetings and processions, it had the responsibility to reduce the impact of public order events on other people. To increase the transparency of the Police's handling of public meetings and processions, the Police had uploaded the "notice of no objection", which contained the conditions imposed on the relevant public order event, onto its website with effect from June 2012.

7. Some members enquired whether public meetings and public processions could be arranged to be held at different places and time in order to minimize the impact on other road users. Members were advised that the Commissioner of Police might impose conditions under the Public Order Ordinance (Cap. 245) on a notified public meeting or procession to ensure public order and public safety as well as minimize impact on other road users. Where there were road closure or traffic diversion arrangements, the Administration would inform members of the public through different means, including issuing press releases and disseminating such information during press conferences. The Police would also upload the procession route and the conditions imposed on a public order event to the Police webpage.

8. Concern was also raised over situations in which public order events organized by different social groups with different views on a subject matter were held at the same time as well as at same venue and later developed into confrontations and conflicts between the groups.

9. Members were advised that when there was confrontation between different social groups at a public meeting or procession, the Police would try to calm down the confronting groups and separate them from each other. Where necessary, the Police might arrange people whose personal safety was under threat to leave the scene. In the event that groups with different positions held public order events at the same place, the Police would adopt appropriate segregation measures, including the designation of "public activity areas" for various groups, to facilitate their expression of views.

Domestic violence

10. Members noted that the Police had allocated more resources in handling domestic violence cases including the deployment of a Police officer at Sergeant level or above to supervise initial police action at the scene and ensure that each case was handled appropriately according to the guidelines, and the designation of a Superintendent at the Police's headquarters to oversee domestic violence issues. The Police's work in the area aimed at providing protection for victims, making referral to appropriate parties for follow-up, and conducting investigation and instituting prosecution against abusers.

11. Members were advised that the Police, the Social Welfare Department ("SWD") and non-governmental organizations ("NGOs") had established mechanisms for communication and liaison in handling domestic violence cases. Where necessary, multi-disciplinary case conferences would be conducted by caseworkers, and subject to individual case, representatives from the Police (police officers-in-charge of investigation) and the professionals concerned

would be invited to the meeting to share information on the case and work together in formulating the most appropriate welfare plans for the victims and their families. In May 2008, the Police implemented a new protocol of Victim Management for victims of serious domestic violence crime cases which was further expanded in January 2009 to victims of non-serious crime and non-crime high-threat domestic violence cases. The protocol sought to strengthen the support and safety assurance to victims throughout the case enquiry and legal proceedings, and to enhance communication and collaboration with SWD and NGOs. The Police had since the end of 2008 adopted further measures to improve the Central Domestic Violence Database including the installation of a database to draw the attention of police officers to repeated cases of domestic violence.

Elder abuse

12. Members enquired about the identity of those persons who committed elder abuse and the measures taken by the Police to tackle the problem. According to the Police, physical abuse accounted for nearly 50% of the elder abuse cases and about 40% related to embezzlement of property. Victims included elders abused by their spouses or children as well as elders abused by staff working in residential care homes for the elderly ("RCHEs"). For cases which occurred in RCHEs, the Police would conduct a thorough investigation, including interviewing the victim, other elders who might have witnessed the abuse and the alleged offender, to identify all clues that might lead to the successful detection of the case.

13. Members were advised that the Administration had all along endeavoured to enhance the services and support for vulnerable elders and strengthen publicity and public education to promote a culture of caring for the elderly. Among others, the Labour and Welfare Bureau and the Elderly Commission had jointly launched the Neighbourhood Active Ageing Project to provide funding support to organizations to carry out district-based programmes for promoting care for the elderly and preventing elder abuse by improving community awareness. While the "caring for the elderly" policy was delivered through cross-sectoral cooperation, the Police had been working closely with various elderly organizations. It also made use of the television programme "Police Magazine" to bring the message to members of the public that they should report elder abuse cases to the Police for investigation.

Animal abuse

14. Concern was raised about the increasing animal abuse problem. There was a view that if animal police could not be established because of resource constraints, the Police should designate selected police officers with the

secondary duty of serving as "animal police", as was the case with the Police Negotiator Cadre.

15. According to the Police, officers from various government departments, including senior veterinary officers, health officers, health inspectors, police officers and authorized officers from the Agriculture, Fisheries and Conservation Department ("AFCD") could take enforcement actions against cruelty to animals. Animal welfare concern groups also played a pivotal role in preventing animal cruelty. Under the Animal Watch Scheme which was launched in end-2011, the Police took actions with AFCD, 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 the Scheme, the Police's co-operation with the departments and organizations concerned on intelligence gathering, information exchange and provision of expert advice on animal cruelty cases had been enhanced.

Sexual offence

16. Concern was also raised about the measures taken by the Police to prevent indecent assault, "under skirt photo-taking" within the Mass Transit Railway ("MTR") stations.

17. According to the Police, crowded railway stations with high passenger flow often created an environment conducive to crimes, including indecent assault and "under skirt photo-taking". There was an increasing number of these two types of crimes at MTR premises. With the co-operation of the public and station staff, the detection rate of crimes committed at MTR premises was 44.7%, which was higher than the overall detection rate of 43.6%. The detection rate of indecent assault was 67% and that of "under skirt photo-taking" cases amounted to 93% in MTR premises.

Cyber crimes

18. Members expressed concern about the Police's efforts in combating cyber crimes, such as compensated dating and illegal gambling, which had been becoming rampant in recent years.

19. According to the Police, cyber crimes had been on the rise, with most of the cases related to unauthorized access to computer with criminal or dishonest intent, commercial fraud and obtaining property or service by deception. The Police's Technology Crime Division ("TCD") was responsible for combating cyber crimes and conducting cyber patrols. To enhance its capability in the investigation of internet crimes, 26 additional posts had been created in 2009-2010 in TCD. The Police had also upgraded the information technology

facilities of the Computer Forensics Laboratory to strengthen its capability in handling digital evidence. In addition to strengthening cyber patrols, the Police would provide training in the effective prevention and combat of technology crimes for officers of different ranks to enhance their knowledge of technology crimes and their professional ability in handling these crimes. A number of seminars relating to security on the internet had been held with the information technology professionals of major organizations and enterprises.

20. Concern was also raised about cross-boundary cyber crimes involving fake business offers to deceive local traders into transferring money to the Mainland. Members asked whether the Police would formulate measures with the Hong Kong Monetary Authority to reduce losses inflicted on the victims under such circumstances.

21. Members were informed that in the investigation of on-line business fraud cases, the Police had to track the transaction with the assistance of the bank concerned first, and could instruct the bank to stop processing the transaction only after it was tracked. The Police would strengthen its investigation capabilities and continue to explore measures with the banking sector to expedite the investigation of cyber crime.

Criminal intimidation

22. Members noted with grave concern that most cases of criminal damage and criminal intimidation were related to debt collection activities. Concern was raised over the enforcement difficulties faced by the Police in combating illegal practices of debt collection agencies ("DCAs"). Information was sought on whether the Police would, in view of the trend and seriousness of illegal practices employed by DCAs in recovering debts, consider introducing new enforcement measures to curb the improper practices of DCAs or suggesting the relevant policy bureau to introduce legislation to regulate debt collection activities of DCAs.

23. Members were advised that the Police had adopted a multi-pronged approach and took rigorous enforcement action to crack down on loan-sharking syndicates and unscrupulous DCAs by closely monitoring the conduct of DCAs and mounting large-scale operations. Cases of criminal nature, such as criminal damage or intimidation, would be referred to the Criminal Investigation Teams for investigation. Enforcement actions would be taken depending on the circumstances and prosecutions would be instituted in accordance with the law. Non-crime reports assessed to be "high threat" cases would be referred to the Criminal Investigation Teams for follow-up.

Relevant papers

24. A list of the relevant papers on the Legislative Council website is in the **Appendix**.

Council Business Division 2
Legislative Council Secretariat
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**Relevant papers on
Crime situation in Hong Kong**

Committee	Date of meeting	Paper
Panel on Security	31.1.2008 (Item I)	<u>Agenda</u> <u>Minutes</u>
Panel on Security	21.1.2009 (Item I)	<u>Agenda</u> <u>Minutes</u>
Panel on Security	27.1.2010 (Item I)	<u>Agenda</u> <u>Minutes</u>
Panel on Security	26.1.2011 (Item I)	<u>Agenda</u> <u>Minutes</u>
Panel on Security	17.1.2012 (Item I)	<u>Agenda</u> <u>Minutes</u>
Panel on Security	29.1.2013 (Item I)	<u>Agenda</u> <u>Minutes</u>