

立法會 *Legislative Council*

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Report of the Panel on Security for submission to the Legislative Council

Purpose

This report gives an account of the work of the Panel on Security ("the Panel") during the 2017-2018 session of the Legislative Council ("LegCo"). It will be tabled at the Council meeting of 4 July 2018 in accordance with Rule 77(14) of the Rules of Procedure of the Council.

The Panel

2. The Panel was formed by a resolution passed by the Council on 8 July 1998 and as amended on 20 December 2000, 9 October 2002, 11 July 2007 and 2 July 2008 for the purpose of monitoring and examining Government policies and issues of public concern relating to security, public order, corruption-related matters and nationality and immigration matters. The terms of reference of the Panel are in **Appendix I**.

3. The Panel comprises 41 members in the 2017-2018 session, with Hon CHAN Hak-kan and Hon James TO elected as its Chairman and Deputy Chairman respectively. The membership list of the Panel is in **Appendix II**.

Major work

Maintaining public order and safety

Combating deception cases

4. When the Panel was briefed on the law and order situation in Hong Kong, members were delighted to note that the overall crime figure in 2017 was the lowest since 1975. Members, however, noted with concern that the number of deception cases stood at a relatively high level, with its percentage in the overall crime figure rose from 5.9% in 2008 to 12.7% in 2017. Members were

particularly concerned that among the victims suffering monetary loss from "pretend officials" telephone deception cases, majority of them were new arrivals from the Mainland and some were Mainland residents who came to Hong Kong to study, work and visit relatives. Members urged the Administration to raise the public's anti-deception awareness and to provide students and new arrivals from the Mainland with anti-deception information immediately upon their arrival in Hong Kong. Apart from adopting preventive initiatives, members also urged the Police to take prompt actions against deception, especially in the interception of payments by victims to fraudsters.

5. The Administration advised that in response to the increase in the number of deception cases in recent years, the Police had established the Anti-Deception Coordination Centre ("ADCC") in July 2017 to further strengthen the efforts and resources of the Police in targeting deception syndicates, enhance cooperation with relevant stakeholders, and raise the anti-deception awareness among members of the public. ADCC had set up an "Anti-Scam Helpline 18222" that operated round-the-clock to handle public enquiries. Besides, ADCC also cooperated with banks to intercept payments made by victims. The Administration pledged that it would continue to enhance public alertness and combat all types of deception through strengthening law enforcement, publicity and education, multi-agency co-operation, intelligence analysis and cross-boundary collaboration. Notably, cracking criminal groups involved in deception through the support of ADCC had been listed as a focus of work in the Commissioner for Police's operational priorities for 2018.

Combating bogus marriage

6. The Panel was also briefed on the Administration's measures to combat offences relating to bogus marriage. Members expressed concern that there were many advertisements on social networking and instant messaging mobile applications, as well as newspapers and web pages to allure people to engage in bogus marriage. Many young people had been persuaded to commit the offence for monetary rewards by syndicates who claimed that contracting such marriage was not an offence. Members urged the Administration to step up publicity to educate the public on the consequences of engaging in bogus marriage, and strengthen measures to combat the offence. The Administration advised that it was aware that some criminal syndicates had allured people to engage in bogus marriage through various media. The Immigration Department ("ImmD") was deploying officers in disguise to meet with bogus marriage intermediaries to collect evidence, so as to combat the illegal activities more effectively. This apart, the Administration would continue to step up enforcement actions against bogus marriage and related offences, including stepping up immigration examination on arrivals, operations against intermediaries and checking of doubtful marriage registration cases.

7. Some members were concerned about the low conviction rate of persons arrested for offences relating to bogus marriage. They considered that the penalty level on persons convicted of engaging in bogus marriage should be raised so as to increase deterrence effect. Acknowledging that a bogus matrimonial relationship was not easy to substantiate, members also suggested that surprise home visits should be conducted during the investigation of suspected cases of bogus marriage to facilitate evidence collection. The Administration advised that the maximum penalty for offences relating to bogus marriage was an imprisonment term of 14 years. While considering that the existing penalty level was adequate, the Administration would, in consultation with the Department of Justice, file reviews or appeals to the court in respect of the conviction and penalty when necessary.

Pursuit of vehicles

8. Following the occurrence of a serious traffic accident on Fanling Highway in February 2018 involving the use of civilian cars to act as roadblocks, the Panel followed up with the Administration the policy of pursuit of vehicles by police officers when taking enforcement actions. Some members took a strong view that drivers should under no circumstances be forced to stop or slow down their vehicles for forming a roadblock, as this would put the lives of the drivers at risk. These members expressed concern about whether the Police had issued guidelines for the setting up of roadblocks, and whether police officers were allowed to instruct members of the public to slow down or stop their vehicles to form a roadblock.

9. The Administration affirmed that the Police had issued guidelines on the setting up of roadblocks, covering areas such as the physical setup of roadblocks, equipment, signs, lighting and manpower deployment. According to the Administration, the relevant guidelines for police officers stressed the importance of safety and risk assessment as well as the need for risk taken to be commensurate with the danger imposed. The guidelines, however, did not set out whether any particular course of action should or should not be taken. In deciding on the actions to be taken, a police officer had to assess, having regard to the actual circumstances, the risks that could be posed by the actions to the driver concerned, to other road users and the police officer himself, and whether more serious casualties would result if the actions were not taken.

10. Noting that the Police commenced in January 2018 a new round of review to examine, inter alia, the guidelines on the stopping of vehicles, setting up of roadblocks, pursuit of vehicles, etc., members were concerned about the timetable for completion of the review. As the review committee was chaired by a Chief Superintendent of Police, some members considered the arrangement

undesirable as the incumbent officer had been responsible for drawing up the existing guidelines. As such, these members took the view that the review committee should be chaired by a higher rank police officer so as to ensure that a comprehensive and independent review of the guidelines would be conducted. The Administration advised that although there was no timetable for completion of the review, the review committee would take appropriate action on any issues identified that required immediate action rather than waiting for the entire review to be completed.

Handling of cases involving mentally incapacitated persons

11. Members were much concerned about whether police officers had undergone relevant training and had the required awareness and professional sensitivity for handling cases involving mentally incapacitated persons ("MIPs") as well as the measures in place to protect MIPs. The Administration advised that training on the handling of MIPs was provided to all new recruits and serving police officers through induction training and continuation training programmes. When handling cases involving MIPs, police officers were obliged to adhere to the relevant internal guidelines, exercise extra care and prudence and take measures to meet their special needs. To provide safeguards for MIPs, the Police required that statement-taking involving MIPs and their participation in such investigation procedures as identification parades must be conducted in the company of at least one appropriate adult. Moreover, all police interviews involving MIPs would be video recorded irrespective of the offence involved.

12. Members also noted that to further enhance the protection of MIPs, the Police had introduced in 2016 a package of initiatives to help police officers identify MIPs and understand their special communication needs, including introducing the Care Card Scheme¹ and devising a Behavioural Indicators Guide. Some members expressed concern about the effectiveness of these initiatives, given that the Care Card Scheme was a voluntary one and the behavioural indicators were subjective. These members considered that the Police should establish a database for storage of the Care Card information to facilitate early identification of MIPs by police officers with authorized access. According to the Administration, the Police were conducting a review of the initiatives implemented since the end of 2016, including the Care Card Scheme, and had held meetings with relevant parents' groups to collect their views. Members' views on the Scheme would be fully considered in the review in conjunction with privacy considerations.

¹ Under the Care Card Scheme, persons with needs, including MIPs, write down their medical and communication needs and emergency contacts on their Care Cards to facilitate identification by law enforcement officers.

Enforcement against smuggling activities

13. In view of the prevalence of online shopping and e-commerce, the Panel discussed the Administration's enforcement strategy and measures in place to combat smuggling activities by using air postal packets and express cargoes. Members noted that there was an upsurge of 88% in the number of cases detected associated with air smuggling. Members urged the Administration to ensure that sufficient manpower and advanced technology would be deployed to cope with the challenges posed by the new modus operandi of smuggling activities. The Administration advised that adequate resources had been provided for supporting the Customs and Excise Department ("C&ED")'s anti-smuggling work. Notably, the manpower establishment of C&ED had increased by 9% in the past three years. Moreover, efforts were made by C&ED to utilize advanced technology in customs clearance to enhance its detection capability. C&ED was also enhancing the degree of automation in its postal clearance, so that selected air postal packets could be automatically and quickly conveyed to the customs examination hall for X-ray scanning and further manual inspection if required. Enforcement aside, on the publicity and education front, C&ED had been disseminating anti-smuggling information to the public through different channels.

Counter-terrorism work

14. As stated in the 2017 Policy Agenda, a dedicated Inter-departmental Counter-terrorism Unit ("ICTU") would be established in 2018-2019 to enhance the coordination work on counter-terrorism ("CT"). Members noted that ICTU was set up in April 2018 to monitor the global terrorism trend and CT measures, review and improve CT strategies in Hong Kong, develop specialized CT training and optimize various emergency response plans. Members expressed concern about the delineation of work between ICTU and various disciplined services departments on CT work. The Administration advised that CT work was formerly performed respectively by relevant law enforcement agencies ("LEAs"). The establishment of ICTU provided an inter-departmental CT platform on top of the existing CT framework to enhance coordination as well as analysis of CT intelligence and information, while different LEAs would exchange intelligence with their respective counterparts in other jurisdictions.

15. Having regard to Hong Kong's dense population and the fact that terrorist activities had gone rampant around the globe, members took the view that the Administration should conduct more community-based CT drills involving members of the public and educate them on what they should do when encountering terrorist attacks. The Administration shared members' view about the importance of promoting safety awareness and enhancing knowledge

of the public through public education. According to the Administration, in the event of an accident, one of the key objectives was to reduce public casualty, which hinged on public education and cooperation from members of the public. Moreover, the Administration would endeavour to strengthen its CT preparedness through providing frontline law enforcement officers with appropriate equipment and training as well as conducting drills. In light of the prevalence of "lone-wolf" terrorist attacks in other countries, training was also focused on ensuring that law enforcement officers arriving earliest at the scene were capable of making swift responses.

Reciprocal notification mechanism between the Mainland authorities and Hong Kong Special Administrative Region Government

16. In December 2017, the Security Bureau ("SB") of Hong Kong Special Administrative Region ("HKSAR") Government and the Ministry of Public Security of the Mainland signed the "Arrangements on the reciprocal notification mechanism between the Mainland and Hong Kong Special Administrative Region relating to situations including the imposition of criminal compulsory measures or the institution of criminal prosecution", which replaced the existing arrangements and took effect on 1 February 2018. The Panel received a briefing by the Administration on the new arrangements in February 2018. Members noted that all Mainland agencies which could impose criminal compulsory measures on Hong Kong residents according to the laws of the Mainland were required under the new arrangements to notify the HKSAR Government of such imposition on Hong Kong residents within a specified time frame.

17. Members in general welcomed the new arrangements. In respect of the time frame for notification under the new arrangements, some members expressed concern that the reply from either party to an enquiry from the other side was required to be made within 30 working days after the date of receipt of such an enquiry, whereas notification should be made within seven days following the date of imposing criminal compulsory measures and not later than 14 working days for serious and complicated criminal cases. These members considered that the notification period of 30 days for making a reply from either party to an enquiry should be shortened to, say, 14 working days. The Administration appealed to members' understanding that there was not a time frame for notification in the past. After much effort by the Administration, the timeframe for notification of imposition of criminal compulsory measures, institution of criminal prosecution or unnatural deaths had been reduced in the discussions from 14 days to seven days. It was further worked out that if there was any doubt or request for assistance from a Hong Kong resident, the HKSAR Government could make an enquiry with the Mainland side, which should reply within 30 working days after the date of receipt of such an enquiry.

18. Some members expressed concern that the new arrangements did not cover administrative detention of Hong Kong residents on the Mainland. They urged the Administration to follow up with the Mainland authorities on extending the arrangements to cover administrative detention on the Mainland. According to the Administration, the Criminal Procedure Law of the People's Republic of China set out clearly the Mainland agencies which could impose criminal compulsory measures on Hong Kong residents. Administrative detention imposed on Hong Kong residents on the Mainland was not made under the Criminal Procedure Law, and hence was not covered under the new arrangements. That said, Mainland agencies were required to notify the family members of a Hong Kong resident under administrative detention. The Administration advised that the implementation of the new arrangements would be reviewed and the views of members would be conveyed to the Mainland side.

Fire safety

19. Members generally welcomed the Administration's plan to devote \$2 billion to launch the Fire Safety Improvement Works Subsidy Scheme to subsidize owners of pre-1987 composite buildings to undertake fire safety enhancement measures as announced in the 2017 Policy Address. With respect to the level of subsidy, members were advised that the subsidy ceiling for each category of buildings would be announced in due course. In any case, each building would receive a subsidy not exceeding 60% of the costs of works and consultancy fees, or the corresponding cap applicable to that category of buildings, whichever was the less.

20. Noting that there were about 6 400 target composite buildings ("TCBs") and the \$2 billion fund for the Scheme aimed to benefit around 2 000 TCBs only, members enquired why the Scheme did not cover all TCBs and whether and how the Administration would assist the remaining 4 400 TCBs. The Administration explained that it was proposed that subsidy under the Scheme would be disbursed to owners' corporations ("OCs") or owners' committees on a building-basis. It was estimated that about 50% of TCBs had formed OCs or owners' committees. Coupled with a ceiling on the average rateable value of residential units of TCBs, it was therefore estimated that around 2 000 of these TCBs would be eligible for the subsidy under the Scheme. For the remaining TCBs, the Administration would continue to encourage building owners to carry out the fire safety improvement works and assist them to form OCs.

21. Expressing concern that buildings without OCs and owners' committees would not be eligible for subsidy under the Scheme, some members considered that the Administration should provide direct subsidy to individual owners.

Some members also pointed out that individual owners might not be able to carry out the fire safety improvement works on their own accord due to structural or spatial constraints. These members suggested that the Administration should carry out such improvement works for the owners concerned and recover the costs from them. The Administration advised that it would be difficult for the Fire Services Department ("FSD") to carry out the fire safety improvement works for individual owners, as there were various matters requiring the agreement and coordination amongst the owners, for instance, identification of the location for installation of a fire service water tank in a building, arrangement of annual inspection of the fire service installations and equipment, as well as sharing of subsequent repair and maintenance costs. The Administration undertook to review the Scheme some time after its implementation.

Emergency response and rescue

Contingency plan to natural disasters

22. To prepare for the approach of the tropical cyclone season, the Panel was updated on the Administration's contingency plan to cope with related natural disasters brought about by rainstorms and tropical cyclones. Given that global climate change might cause extreme weather to occur more frequently, members urged the Administration to critically examine the effectiveness of the response plans of emergency departments and adopt appropriate improvement measures. Members were advised that after Super Typhoon Hato hit Hong Kong in 2017, the Administration had reviewed its work and coordination amongst government departments with a view to further enhancing their capability and efficiency in coping with natural disasters. To facilitate the planning and coordination of response actions and enable departments to have closer monitoring of natural disasters, the Administration was developing a new information technology platform for real-time sharing by departments on natural disaster-related information, which was expected to be operational for full trial run in early 2019.

23. Members also expressed concern about the Administration's preparedness in tackling storm surge inundation, having regard to the fact that one major impact of Super Typhoon Hato on Hong Kong was the serious inundation in low-lying areas. The Administration advised that relevant action plans, which involved deployment of contractors to handle flooding, provision of temporary pumping facilities and carrying out ad hoc flood-proofing measures, had been reviewed after Super Typhoon Hato and enhanced as necessary. Notably, when typhoon cyclone signal no. 8 or above was issued, the Emergency Control Centre in the Drainage Services Department ("DSD") would be activated to handle flooding incidents and disseminate flooding information within the

Government. When Hong Kong Observatory made an advance announcement of the lowering of typhoon cyclone signal no. 8, DSD would arrange inspection and urgent clearance of drainage system at selected locations.

Mountain rescue

24. Given that the number of people participating in mountain activities and the number of mountain accidents had been on the rise, the Panel discussed FSD's latest mountain rescue strategy and high angle rescue operations for mountain accidents. Members highly commended FSD for its efforts in mountain safety and rescue operations. Members, however, expressed concern that some hikers did not make necessary preparations in advance, for example, some did not pay attention to weather conditions nor bring the suitable equipment, and some posed danger to themselves by veering off existing trails for shortcuts. Hence, members urged the Administration to step up public education on the preparation for mountain activities and the response in the event of an accident as well as disseminate information about mountain accident black spots. There was also a suggestion that the Administration should, in addition to developing dedicated mobile applications on hiking safety, consider providing information on hiking safety and incorporating the Hiker Tracking Service in existing mobile applications that were widely used by hikers.

Nuclear emergency measures

25. In January 2018, the Administration reported to the Panel on the results of the 2017 Exercise on the Daya Bay Contingency Plan ("DBCP"), which was organized in December 2017 to test the response capabilities of the Administration in dealing with serious nuclear accidents that might affect Hong Kong. Members noted that over 1 400 officers from 35 bureaux, departments and organizations as well as some 200 volunteers participated in the two-day Exercise.

26. Members were concerned about the efficiency and effectiveness of the Administration's countermeasures in the event of nuclear accidents. Members were advised that the Administration's response capabilities and the effectiveness of DBCP were fully tested in the Exercise. Specifically, various scenarios had been simulated in the Exercise, including radiation monitoring for food and water, monitoring of radiation level arising from nuclear events and decontamination of individuals.

27. Apart from conducting inter-departmental exercises on DBCP, members strongly urged the Administration to step up public education and produce quick reference guide on what members of the public should do in the event of a

nuclear accident near Hong Kong. The Administration advised that information on the details of DBCP had been uploaded onto the website of SB. It would sustain its public education effort, such as organizing school talks and mini-drills, to enhance public awareness of the Administration's nuclear emergency responses.

28. Some members pointed out that besides Daya Bay Nuclear Power Station, there were other nuclear power stations which had been or were being developed in Guangdong Province. These members expressed concern about whether nuclear accidents at such nuclear power stations were covered by DBCP. The Administration advised that DBCP was applicable to any nuclear accident that might affect Hong Kong. In addition, the nuclear incidents and accidents of all nuclear power stations in Guangdong Province were covered by a notification mechanism agreed with the Guangdong Province.

Anti-drug work

29. The Panel supported the Administration's staffing proposal to turn a supernumerary post of Administrative Officer Staff Grade C in the Narcotics Division of SB into a permanent post to sustain the efforts to combat the drug problem, particularly in respect of treatment and rehabilitation services for drug abusers and anti-drug preventive education in secondary schools. Members, however, noted with concern that out of the existing 38 drug treatment and rehabilitation centres ("DTRCs"), 12 of them had yet to be licensed and were operating on certificates of exemption. Members urged the Administration to provide assistance to these DTRCs in carrying out upgrading or reprovisioning projects to meet the statutory licensing requirements. Members also urged the Administration to combat the problem of hidden drug abuse.

30. In April 2018, the Administration reported to the Panel on the latest drug situation in Hong Kong and its anti-drug work. While noting that the drug history of newly reported drug abuse cases had decreased from 4.6 years in 2016 to 4.3 years in 2017, members generally considered that the problem of hidden drug abuse was still serious. They were mostly concerned that the proportion of newly reported drug abusers being young adults remained at a relatively high level, i.e. 49% in 2017. Members called on the Administration to examine the effectiveness of the measures in place to combat drug abuse.

31. Members were advised that while the declining drug trend reflected the effectiveness of the anti-drug strategy and the concerted efforts of various sectors in the community, the Administration acknowledged that hidden drug abuse was still a concern. As such, it would continue to enhance community awareness of the drug problem, promote early identification of hidden drug abusers, and encourage early help-seeking. The Administration was

addressing the problem of hidden drug abuse through strengthening publicity and education, including utilizing popular social media platforms and other online forums in addition to the conventional channels, in order to maximize access to different target groups, especially the youth and young adults. Members were assured that the Administration would spare no effort in continuing with the five-pronged anti-drug approach to respond to the latest drug situation.

32. As a related issue, the Panel was consulted and expressed support for the Administration's proposal to bring five dangerous drugs under control in the First Schedule to the Dangerous Drugs Ordinance (Cap. 134) and bring two chemicals under control in Schedule 2 to the Control of Chemicals Ordinance (Cap. 145). The legislative proposal was introduced and tabled at the Council meeting of 9 May 2018, which would come into operation on 6 July 2018.

Replacement of new smart Hong Kong Identity Card

33. The Panel was updated on the progress of the territory-wide identity ("ID") card replacement exercise. Noting that the upcoming replacement exercise, which would begin in the fourth quarter of 2018 and last until 2022, involved the replacement of about 8.8 million ID cards, members were concerned about the locations and adequacy of the number of card replacement centres. Members called on the Administration to adopt appropriate measures to ensure that the replacement exercise would not cause inconvenience to the public. The Administration advised that nine replacement centres with longer opening hours than those of the last ID card replacement exercise would be established at locations convenient to members of the public. Besides, new facilitation measures would be adopted in the upcoming card replacement exercise, including the provision of on-site smart ID card replacement service at residential care homes for elderly persons and persons with disabilities, and better use of information technology such as allowing form-prefilling on the Internet or through a mobile application, as well as the establishment of self-service registration kiosks and self-service collection kiosks.

34. Some members were concerned that the inclusion of non-immigration applications in the new smart ID cards might give rise to privacy concerns. The Administration explained that a smart ID card holder could opt to use various non-immigration applications under the Multi-application Smart Identity Card Scheme. Information stored in the chip of a smart ID card was encrypted and access to such information required authorization under relevant legislation. Prior to introducing any new non-immigration applications for the new smart ID card, the Administration would consult the relevant Panels and consider the need for introduction of relevant legislative amendments.

Interception of communications and surveillance

35. In December 2017, the Administration reported to the Panel on its responses to the observations and recommendations made in the 2016 Annual Report of the Commissioner on Interception of Communications and Surveillance ("the Commissioner"), which was submitted to the Chief Executive pursuant to section 49 of the Interception of Communications and Surveillance Ordinance (Cap. 589) ("ICSO").

36. Some members noted with concern about the Commissioner's comment that there were still occasions when officers of LEAs were not careful enough in dealing with documents relating to operations under ICSO nor vigilant enough in discharging ICSO-related duties. These members were concerned about the follow-up actions taken by LEAs in respect of the comments and recommendations made by the Commissioner in the Report. According to the Administration, the Commissioner's recommendations as set out in the Report had all been accepted by LEAs. Members were also advised that as stated by the Commissioner in the Report, there was no finding that any of the cases of irregularities/incidents was due to deliberate disregard of the statutory provisions, the Code of Practice or the control of surveillance devices. There was also no sign of abuse of surveillance devices for any unauthorized purposes during the report period.

37. Having regard to the proliferation of use of social media and instant message applications among members of the public, some members enquired whether the Administration would examine the need to review as to whether the use of such applications were fully covered under the definition of "interception" or "telecommunications system" in ICSO. The Administration advised that according to LEAs, the existing legislation was adequate for discharging their law enforcement duties and no amendments to ICSO would be necessary.

Trafficking in persons

38. In March 2018, the Administration announced the setting up of a high-level inter-bureau/departmental steering committee chaired by the Chief Secretary for Administration to formulate an overall strategy and heighten public awareness of trafficking in persons ("TIP"). The steering committee had promulgated the Action Plan to Tackle TIP and to Enhance Protection of foreign domestic helpers ("FDHs") in Hong Kong ("the Action Plan"). According to the Administration, the Action Plan included not only ongoing efforts in combating TIP and protecting FDHs, but also outlined a package of strategic and targeted new initiatives, covering areas such as victim identification, investigation, enforcement, prosecution, victim protection and

support, prevention, as well as partnership with different stakeholders. In response to members' enquiry about the extent of TIP in Hong Kong, the Administration advised that TIP was not prevalent in Hong Kong, and that most TIP crimes related to sexual offences. That said, the setting up of the high-level steering committee demonstrated the Administration's resolve in combating TIP and protecting FDHs.

39. Separately, the Panel was briefed by Hon Kenneth LEUNG and Hon Dennis KWOK on their proposed Members' Bill to criminalize all forms of human trafficking in Hong Kong i.e. human trafficking, forced labour, servitude, sex tourism and forced marriage. Both Members pointed out that TIP had been dealt with by various pieces of legislation in Hong Kong, and that the current legislative framework failed to combat all forms of TIP as defined under Article 3(a) of the Palermo Protocol, nor could it effectively pursue syndicates or persons benefitting from the proceeds obtained from such activities. Moreover, the levels of penalty for various TIP-related offences were too low to provide adequate deterrence effect. Some members shared their view that it was of paramount importance for Hong Kong, as a developed international city, to address the issue of TIP squarely by introducing a separate legislation on TIP.

40. With respect to the proposed Members' Bill, the Administration expressed disagreement that the existing legislation of Hong Kong could not effectively combat TIP. The Administration advised that although Hong Kong did not have a single piece of legislation prohibiting TIP and the Palermo Protocol had not been applied to Hong Kong, the existing legislation of Hong Kong had already covered the conduct of TIP as defined in the Palermo Protocol. The most serious penalty for the related offences was life imprisonment. Some other members also expressed reservation about the need for introducing a separate legislation on TIP. In these members' view, the introduction of the Action Plan served as the first practical step to combat and prevent TIP. These members called on the Administration to step up public education and publicity to raise awareness of TIP, and in particular, TIP victims' awareness of their rights and channels to report such cases and seek assistance when needed.

41. The Administration stressed that it would monitor closely the trend of TIP-related crimes. The steering committee would review implementation of the Action Plan regularly to ensure the progress and to identify further measures for implementation as necessary.

Financial and staffing proposals

42. During the current legislative session, the Panel was consulted on the following financial proposals and supported their submission to the Public Works Subcommittee and Finance Committee:

- (a) establishment of a new Kai Tak Division in the Government Flying Service;
- (b) construction of departmental quarters for Customs and Excise Department at Tseung Kwan O Ara 123 (Po Lam Road) and No. 57 Sheung Fung Street, Tsz Wan Shan; and
- (c) proposed implementation of the Next Generation Application and Investigation Easy System of ImmD.

Meetings held and visits conducted

43. From October 2017 to June 2018, the Panel held a total of 10 meetings. A meeting has been scheduled for July 2017 to discuss the comprehensive review of the strategy of handling non-refoulement claims, Police's handling of explosive objects, and combating illegal prostitution activities. The Panel also conducted a visit to the Pak Sha Wan Correctional Institution in April 2018 to better understand its operation and work.

Council Business Division 2
Legislative Council Secretariat
26 June 2018

Legislative Council

Panel on Security

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to security, public order, public safety, corruption-related matters, nationality and immigration.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

Panel on Security

Membership list for the 2017-2018 session*

Chairman	Hon CHAN Hak-kan, BBS, JP
Deputy Chairman	Hon James TO Kun-sun
Members	Hon Jeffrey LAM Kin-fung, GBS, JP Hon Starry LEE Wai-king, SBS, JP Hon CHAN Kin-por, GBS, JP Dr Hon Priscilla LEUNG Mei-fun, SBS, JP Hon WONG Kwok-kin, SBS, JP Hon Paul TSE Wai-chun, JP Hon Claudia MO Hon Michael TIEN Puk-sun, BBS, JP Hon Steven HO Chun-yin, BBS Hon Frankie YICK Chi-ming, SBS, JP Hon YIU Si-wing, BBS Hon MA Fung-kwok, SBS, JP Hon Charles Peter MOK, JP Hon CHAN Chi-chuen Hon CHAN Han-pan, JP Hon LEUNG Che-cheung, SBS, MH, JP Hon Kenneth LEUNG Hon Alice MAK Mei-kuen, BBS, JP Hon KWOK Wai-keung, JP Hon Dennis KWOK Wing-hang Hon Christopher CHEUNG Wah-fung, SBS, JP Dr Hon Fernando CHEUNG Chiu-hung Dr Hon Elizabeth QUAT, BBS, JP Hon POON Siu-ping, BBS, MH Hon CHUNG Kwok-pan Hon Alvin YEUNG Hon CHU Hoi-dick Hon Jimmy NG Wing-ka, JP Dr Hon Junius HO Kwan-yiu, JP Hon LAM Cheuk-ting Hon Holden CHOW Ho-ding

Hon SHIU Ka-chun
Hon YUNG Hoi-yan
Hon CHAN Chun-ying
Hon CHEUNG Kwok-kwan, JP
Hon HUI Chi-fung
Hon LAU Kwok-fan, MH
Dr Hon CHENG Chung-tai
Hon AU Nok-hin

(Total : 41 members)

Clerk Miss Betty MA

Legal adviser Mr Timothy TSO

Date 23 March 2018

* Changes in membership are shown in Annex.

Annex to Appendix II

Panel on Security

Changes in membership

Member	Relevant date
Hon WONG Ting-kwong, GBS, JP	Up to 23 October 2017
Hon Wilson OR Chong-shing, MH	Up to 23 October 2017
Hon Abraham SHEK Lai-him, GBS, JP	Up to 24 October 2017
Hon HO Kai-ming	Up to 24 October 2017
Hon AU Nok-hin	Since 22 March 2018