

立法會
Legislative Council

LC Paper No. CB(2)644/19-20(04)

Ref : CB2/PL/SE

Panel on Security

**Updated background brief prepared by the Legislative Council Secretariat
for the meeting on 3 March 2020**

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 standing arrangement 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. The major concerns expressed by members at previous meetings are summarized in the ensuing paragraphs.

Technology crime

3. Members expressed concern about the Police's work and the difficulties encountered in combating technology crime. Members were concerned about the preventive measures taken by the Police to combat Internet and social media crime and expressed concern about the large-scale deception via messaging applications and blackmail cases involving "naked chat" and "romance scams". Members also enquired about the measures adopted by the Police to combat the problem and the related publicity efforts of the Police.

4. Members were advised that the Police were combating the problem through cyber patrol, undertaking intelligence-led operations and cooperation with law enforcement agencies ("LEAs") of other jurisdictions. To combat technology crime, the Police also maintained cooperation with local and overseas Internet service providers and major operators of local critical infrastructures, including banks and financial institutions, communication service, transport and maritime service. The Police adopted a multi-agency approach to promote the public awareness of computer and cyber security as

well as the risks associated with social media. Apart from investigating Internet deception cases, the Police would launch various publicity and education activities to enhance public awareness and educate them on the prevention of such crime. Besides, the Anti-Deception Coordination Centre ("ADCC") of Commercial Crime Bureau ("CCB") aimed to consolidate all the relevant efforts of the Police in fighting and preventing deception. Anti-crime messages had been disseminated via "Fight Scams Together" platform and social media platforms.

Criminal intimidation

5. 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.

6. Members were advised that the Police had adopted a multi-pronged approach and taken 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.

Child abuse

7. Members were concerned about the rise in physical abuse cases against children and the Police's measures to prevent child abuse. Members also enquired about the difficulties in prosecuting and convicting child abusers, as well as approaches to improve the corresponding rates of prosecution and conviction. According to the Police, its major tasks were enhancing support service to the families concerned by making referrals to the Social Welfare Department, and encouraging relevant organizations, such as schools, to report suspected cases to the Police earlier. The difficulties encountered included the victims being too young to express themselves. Circumstantial evidence would hence be crucial to initiating prosecution.

Unscrupulous business practices of financial intermediaries

8. Some members expressed concern that some members of the public who reported unscrupulous business practices of financial intermediaries had been informed by frontline police officers that the matter was civil in nature and could not be followed up. Members were advised that the Police would follow up reports of unscrupulous business practices of financial intermediaries, regardless of whether the cases concerned were criminal or civil in nature, and the handling of such cases were coordinated by CCB.

9. Some members were of the view that the Money Lenders Ordinance (Cap. 163) was outdated and expressed concern about whether the Police had informed the Financial Services and the Treasury Bureau ("FSTB") of the enforcement difficulties. They considered that the Police should establish a database on money lenders, financial intermediaries and law firms involved in unscrupulous business practices.

10. Members were advised that the Police maintained close communication with FSTB and had informed the latter of the difficulties in combating such unscrupulous business practices, including difficulties in gathering evidence on the relationship between the money lender and financial intermediary. A database on money lenders, financial intermediaries and law firms involved in unscrupulous business practices was maintained by CCB.

Sexual offence

11. Some members raised concern about the measures taken by the Police to prevent indecent assault and "under skirt photo-taking" within the Mass Transit Railway ("MTR") stations.

12. 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 slightly higher than the overall detection rate. The Police would step up patrol at train compartments and encourage victims to report their cases to the Police.

Deception

13. Members were concerned that the number of telephone deception cases was still high and the monetary loss involved was huge. Information was sought on whether efforts were made by the Police with telecommunication companies and banks to intercept suspicious telephone calls and payments. Some members considered that as many victims had been asked to remit money

to the Mainland, the Police should collaborate with Mainland LEAs to combat the problem.

14. According to the Police, intelligence was exchanged with Mainland LEAs on bogus telephone calls from the Mainland. While telecommunication companies were cooperative with the Police in tracing such calls, it was generally difficult to trace the origin of "Voice over Internet" calls. The Police and banks also maintained close liaison to intercept payments to fraudsters. Notably, in the last few months in 2017, payments to fraudsters amounting to about \$180 million in total had been intercepted.

15. Expressing concern about the repeated occurrence of Loco London gold fraud, some members enquired about the Police's strategy to tackle such crime and whether the Administration would regulate the Loco London gold market and safeguard the interests of investors by introducing legislation.

16. Members were advised that Loco London gold trading activities were conducted through direct negotiation between buyers and sellers over-the-counter and was not regulated by the Securities and Futures Commission. The greatest challenge involving London gold fraud was contractual disputes in which victims were persuaded to sign a customer contract, authorizing the companies concerned to trade gold on their behalf. Hence, the most effective way to deal with London gold fraud was to enhance public education and remind members of the public of the relevant risks when engaging in Loco London gold trading. The Police would actively follow up deceptive and fraudulent acts with sufficient evidence. In addition, the Investment Fraud Focus Group under CCB would investigate and analyze intelligence collected.

Public order and handling of public meetings and public processions

17. 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.

18. Some members also raised concern over situations in which public order events organized by various 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.

19. Members were advised that the Police's enforcement policy 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, minimizing the impact of such events on other members of the public and road users, as well as ensuring public order and public safety. 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. Where necessary, the Police might arrange people whose personal safety was under threat to leave the scene.

Cruelty to animals

20. Some members noted with concern about the increasing trend of cruelty to animals. Members were advised that the rise might be attributed to the growing public awareness on the prevention of cruelty to animals. Some members were concerned that although the Police had established the Animal Watch Scheme, the detection rate of cases of cruelty to animals was very low. While welcoming the setting up of dedicated investigation teams to handle animal cruelty cases, some members asked whether the Police would consider forming additional investigation teams or offering extra manpower support for the current teams and further consider the viability of forming an animal police team.

21. Members were advised that the forming of an animal police team specifically for handling animal cruelty cases might not be an effective use of police resources. The existing dedicated investigation teams had been expanded from 13 to 22 police districts. As a new initiative in the 2018 Policy Address, the Police were going to implement the "Animal Watchers" Scheme in the financial year 2019-2020 to enlist public support and participation in their work to fight against cruelty to animals, as well as disseminate the message of caring for animals to the community.

Relevant papers

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

**Relevant papers on
Crime situation in Hong Kong**

Committee	Date of meeting	Paper
Panel on Security	31.1.2008 (Item I)	Agenda Minutes
Panel on Security	21.1.2009 (Item I)	Agenda Minutes
Panel on Security	27.1.2010 (Item I)	Agenda Minutes
Panel on Security	26.1.2011 (Item I)	Agenda Minutes
Panel on Security	17.1.2012 (Item I)	Agenda Minutes
Panel on Security	29.1.2013 (Item I)	Agenda Minutes
Legislative Council	30.10.2013	Official Record of Proceedings (Question 8)
Panel on Security	28.1.2014 (Item I)	Agenda Minutes
Panel on Security	27.1.2015 (item I)	Agenda Minutes
Panel on Security	26.1.2016 (item I)	Agenda Minutes
Panel on Security	24.1.2017 (item I)	Agenda Minutes
Panel on Security	23.1.2018 (item I)	Agenda Minutes

Committee	Date of meeting	Paper
Panel on Security	29.1.2019 (item I)	Agenda Minutes

Council Business Division 2
Legislative Council Secretariat
27 February 2020