

政制及內地事務局  
政府總部

香港添馬添美道2號  
政府總部東翼



CONSTITUTIONAL AND MAINLAND AFFAIRS BUREAU  
GOVERNMENT SECRETARIAT

EAST WING  
CENTRAL GOVERNMENT OFFICES  
2 TIM MEI AVENUE, TAMAR  
HONG KONG

YOUR REF : CB2/PL/CA

OUR REF : CMAB/II/1/16 Pt.65

TEL NO.: 2810 2681

FAXLINE: 2523 0565

9 November 2020

Ms Joanne MAK  
Clerk to Panel  
Legislative Council Secretariat  
Legislative Council Complex  
1 Legislative Council Road,  
Central, Hong Kong

Dear Ms MAK,

**Request to add an agenda item  
to discuss measures against doxxing**

Regarding your letter dated 27 October 2020 asking us for a response to the Hon Alice MAK who has requested the Chairman of the Legislative Council Panel on Constitutional Affairs (LegCo Panel on CA) to add an agenda item to discuss measures against doxxing, I am authorised to reply as follows.

The Government is deeply concerned about the incidents of doxxing that took place over the past period of time in the society. The Office of the Privacy Commissioner for Personal Data (PCPD) received the first doxxing case on 14 June 2019. As at the end of September 2020, the PCPD has handled 4 714 doxxing-related cases, including complaints received as well as cases uncovered by the PCPD's proactive surveillance. Of these, 4 370 of the cases were handled before the end of 2019 and 344 were handled between

January to September 2020. The victims of doxxing are from all sorts of backgrounds and all walks of life with various views, including police officers and their family members, government officials and public servants, as well as members of the public who had allegedly expressed support to or voiced opposition against the Government or the Police.

The Privacy Commissioner for Personal Data has been following up on the doxxing-related cases by virtue of the power conferred under the Personal Data (Privacy) Ordinance (PDPO). As at the end of September 2020, the PCPD has referred 1 413 cases on suspicion of contravening section 64 of the PDPO, i.e. disclosing personal data obtained without consent from data users, to the Police for follow-up. The Police has to date arrested 17 individuals for alleged contravention of section 64 of the PDPO. On 9 October 2020, a defendant was convicted in the District Court of, among other charges, contravention of section 64(2) of the PDPO. On 3 November 2020, the said defendant was sentenced to imprisonment for 18 months for the above conviction and a total term of imprisonment of two years on combined convictions for other charges. This was the first conviction under section 64 of the PDPO. Moreover, as at the end of September 2020, the PCPD has referred 45 doxxing cases on suspicion of breaching the High Court's injunction order that prohibits the disclosure on any internet-based platform or medium any personal data of a police officer and his/her family members, and that which prohibits promoting, encouraging or inciting the use or threat of violence to the Department of Justice (DoJ) for further action. As at October 2020, two defendants were convicted in the High Court of civil contempt of court for disclosing personal data of police officers and their family members on social media platforms.

Apart from referring the relevant cases to the Police and DoJ for follow-up, the PCPD will also monitor and continue patrolling of online platforms, and enhance publicity and education efforts. As at the end of September 2020, the PCPD has sent 229 written requests to different operators of websites, online social media

platforms and discussion forums requesting for the removal of 3 461 web links relating to doxxing. So far, 2 308 web links (67 per cent) have been removed.

On the amendment of the PDPO, we briefed this Panel and sought members' views on the preliminary amendment directions and proposals early this year. We are working with the PCPD to study concrete proposals in amending the PDPO to more effectively handle and regulate behaviour related to doxxing. Our aim is to endeavour to complete formulation of concrete legislative amendment proposals within next year and to consult the LegCo Panel on CA followed by commencing legislative drafting work on the amendment proposal, with a view to striking an appropriate balance among the protection of personal data privacy, freedom of expression and free flow of information when strengthening the combat against doxxing. As for the Hon Alice MAK's proposal to add an agenda item to discuss measures against doxxing, we are prepared to consult this Panel when concrete amendment proposals are available.

Yours sincerely,



( Jacky LUM )

for Secretary for Constitutional and Mainland Affairs