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Panel on Security

**Updated background brief prepared by the Legislative Council Secretariat
for the meeting on 2 February 2021**

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.¹ The major concerns expressed by members at previous meetings are summarized in the ensuing paragraphs.

Crime situation since the "anti-extradition amendment bill" incidents

3. At its meeting on 5 May 2020 when the Panel was briefed on the crime situation in 2019, some members were worried about the deteriorating law and order situation in Hong Kong since the "anti-extradition amendment bill" incidents in June 2019. These members expressed concern about the increase in crime figures and the drop in the overall detection rate in 2019. According to the Police, the increase in crime reports was attributable to a rise in crimes directly related to the radical protests stemmed from the "anti-extradition amendment bill" related incidents, and a surge in crimes in which criminals were taking advantage of the thinning out of crime prevention work and resources. The gradually eroded law-abiding value might also account for the reason of increase in crime figures.

¹ The briefing by the Commissioner of Police on the crime situation in 2019 was postponed to be held at the Panel meeting on 5 May 2020 because of the COVID-19 pandemic situation in Hong Kong.

4. On the other hand, some members expressed grave concern about the use of excessive force by police officers since the "anti-extradition amendment bill" incidents. These members pointed out that many people were dissatisfied with the Police's performance since then. According to the Police, police officers would use force only when there were protesters performing violent acts. It was particularly pointed out that the dissemination of fake news and fake information smearing the Police had caused part of the public in misunderstanding Police's actions, which in turn instigated more people to commit crime.

5. Members were further advised that since the implementation of the National Security Law, the effect in restoring stability in Hong Kong was clearly seen. The law enforcement agencies ("LEAs") would seriously handle, in accordance with the law, any illegal acts suspected of endangering national security.

Public order and handling of public meetings and public processions

6. 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.

7. 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.

8. 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.

Technology crime

9. 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.

10. Members were advised that the Police were combating the problem through cyber patrol, undertaking intelligence-led operations and cooperation with 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

11. 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.

12. 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

13. 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

14. 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.

15. 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.

16. 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

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

18. According to the Police, crowded railway stations with high passenger flow often created an environment conducive to crimes, including indecent assault and upskirt 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. Members were also briefed at the Panel meetings on 7 July 2020 and 15 January 2021 about the introduction of new criminal offences of voyeurism, intimate prying, non-consensual photography of intimate parts, and the distribution of related images. Members may wish to note that the Crimes (Amendment) Bill which seeks to introduce relevant offence has been included in the Government's 2020-2021 Legislative Programme.

Deception

19. 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.

20. 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.

21. 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.

22. 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.

Cruelty to animals

23. 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.

24. 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. Moreover, the Police implemented 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

25. 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
	21.1.2009 (Item I)	Agenda Minutes
	27.1.2010 (Item I)	Agenda Minutes
	26.1.2011 (Item I)	Agenda Minutes
	17.1.2012 (Item I)	Agenda Minutes
	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
	27.1.2015 (item I)	Agenda Minutes
	26.1.2016 (item I)	Agenda Minutes
	24.1.2017 (item I)	Agenda Minutes
	23.1.2018 (item I)	Agenda Minutes

Committee	Date of meeting	Paper
Panel on Security	29.1.2019 (item I)	Agenda Minutes
	5.5.2020 (item III)	Agenda Minutes

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