

## Thirty immigration offenders arrested (with photo)

The Immigration Department (ImmD) mounted a territory-wide anti-illegal worker operation codenamed "Twilight" from July 22 to 25. A total of 25 illegal workers and five suspected employers were arrested.

During the operation, ImmD Task Force officers raided 81 target locations including a commercial building, a factory, hostels, industrial buildings, a massage parlor, restaurants, a salon and shops. The illegal workers comprised 12 men and 13 women, aged 22 to 58. Among them, two men and three women were holders of recognisance forms, which prohibit them from taking any employment. In addition, four women were suspected of using and being in possession of forged Hong Kong identity cards. Meanwhile, four men and one woman, aged 40 to 55, were suspected of employing the illegal workers.

"Any person who contravenes a condition of stay in force in respect of him shall be guilty of an offence. Also, visitors are not allowed to take employment in Hong Kong, whether paid or unpaid, without the permission of the Director of Immigration. Offenders are liable to prosecution and upon conviction face a maximum fine of \$50,000 and up to two years' imprisonment. Aiders and abettors are also liable to prosecution and penalties," an ImmD spokesman said.

The spokesman warned that, as stipulated in section 38AA of the Immigration Ordinance, illegal immigrants or people who are the subject of a removal order or a deportation order are prohibited from taking any employment, whether paid or unpaid, or establishing or joining in any business. Offenders are liable upon conviction to a maximum fine of \$50,000 and up to three years' imprisonment. The Court of Appeal has issued a guideline ruling that a sentence of 15 months' imprisonment should be applied in such cases. It is an offence to use or possess a forged Hong Kong identity card or a Hong Kong identity card related to another person. Offenders are liable to prosecution and a maximum penalty of a \$100,000 fine and up to 10 years' imprisonment.

The spokesman reiterated that it is a serious offence to employ people who are not lawfully employable. The maximum penalty is imprisonment for three years and a fine of \$350,000. The High Court has laid down sentencing guidelines that the employer of an illegal worker should be given an immediate custodial sentence. According to the court sentencing, employers must take all practicable steps to determine whether a person is lawfully employable prior to employment. Apart from inspecting a prospective employee's identity card, the employer has the explicit duty to make enquiries regarding the person and ensure that the answers would not cast any reasonable doubt concerning the lawful employability of the person. The court will not accept failure to do so as a defence in proceedings. It is also an

offence if an employer fails to inspect the job seeker's valid travel document if the job seeker does not have a Hong Kong permanent identity card. The maximum penalty for failing to inspect such a document is imprisonment for one year and a fine of \$150,000.

Under the existing mechanism, the ImmD will, as a standard procedure, conduct an initial screening of vulnerable persons, including illegal workers, illegal immigrants, sex workers and foreign domestic helpers, who are arrested during any operation with a view to ascertaining whether they are trafficking in persons (TIP) victims. When any TIP indicator is revealed in the initial screening, the officers will conduct a full debriefing and identification by using a standardised checklist to ascertain the presence of TIP elements, such as threat and coercion in the recruitment phase and the nature of exploitation. Identified TIP victims will be provided with various forms of support and assistance, including urgent intervention, medical services, counselling, shelter, temporary accommodation and other supporting services. The ImmD calls on TIP victims to report crimes to the relevant departments.



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## [Co-owners fined \\$80,000 for persistently not complying with removal order](#)

Two co-owners of a premises in Yau Ma Tei were fined \$80,000 for failing to comply with a removal order issued under the Buildings Ordinance (Cap 123) at Kwun Tong Magistrates' Court this week.

The order involved an illegal structure erected on the flat roof of a domestic unit of a composite building at Temple Street. The original size of the premises is about 64 square metres whereas the size of the illegal structure is about 21 sq m. As the unauthorised building works (UBWs) were erected without prior approval from the Buildings Department (BD), contravening the Buildings Ordinance (BO), a removal order was served on the co-owners of the premises under section 24(1) of the BO.

Since the co-owners did not comply with the order, they were prosecuted by the BD in 2017 and fined over \$30,000 upon conviction at Kwun Tong Magistrates' Courts. However, the co-owners persisted in not complying with the order and the BD instigated prosecution against them for the second time. They were convicted again and heavily fined \$80,000 on July 23.

"UBWs may adversely affect the structural and fire safety of a building, leading to serious consequences. Owners should seek professional advice before carrying out any building works in their premises. The BD will continue its enforcement action against UBWs," a spokesman for the BD said today (July 26).

Pursuant to section 40(1BA) of the BO, any person who, without reasonable excuse, fails to comply with an order served on him or her under section 24(1) of the BO commits an offence and is liable on conviction to a fine of \$200,000 and to imprisonment for one year, as well as a further fine of \$20,000 for each day that the offence has continued.

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## **Siu Sai Wan Sports Ground to reopen**

The Leisure and Cultural Services Department announced today (July 26) that the Siu Sai Wan Sports Ground in Eastern District will be reopened on July 30 for public use.

The sports ground was temporarily closed for the replacement of the covers of spectator stands and the repair of damaged facilities after the passage of a typhoon last year.

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## **Lifesaving services at Golden Beach resume**

Attention TV/radio announcers:

Please broadcast the following as soon as possible and repeat it at regular intervals:

Here is an item of interest to swimmers.

The Leisure and Cultural Services Department has announced that the lifesaving services at Golden Beach in Tuen Mun District resumed today (July 26). The lifesaving services at the beach were suspended earlier due to an insufficient number of lifeguards on duty.

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## **Fewer traffic accidents recorded in first half of 2019**

In the first half of 2019, Police continued to strengthen enforcement actions in view of the overall traffic situation. In the first six months of 2019, the number of enforcement actions taken against congestion related and moving vehicle offences amounted to 1,295,134 (including fixed penalty tickets, summonses and arrests), an increase of 27,151 comparing to the corresponding period of last year.

There were 7,565 traffic accidents (with person injured) in the first half of 2019, representing a drop of 165 cases (down 2%) when compared with the same period of last year. Among them, 49 were fatal traffic accidents, a drop of 11 cases (down 18%). A total of 9,375 persons were injured in traffic accidents, a decrease of 52 persons. There were 50 fatalities (29 were pedestrians, 16 were drivers and 5 were passengers), reduced by 29 persons from the corresponding period of last year (down 37%).

In the first half of this year, 1,433 pedestrians were injured or killed in traffic accidents, down 7% when compared with the corresponding period of last year. Police noticed that elderly citizens were the most vulnerable group. Among the 29 pedestrians killed in traffic accidents in the first half of 2019, 17 were aged 65 or above, amounting to 59% of the total number of pedestrian fatalities. The major cause of such fatal accidents was crossing carriageway without paying attention to the road situation.

In addition, from January to June 2019, there were 1,560 traffic accidents caused by "inattentive driving", accounting for 21% of the total number of traffic accidents. Twenty-two were fatal traffic accidents, down 8 cases from the corresponding period of last year. The number of fatalities decreased by 25 to 23 persons but it still accounted for about half of the number of fatalities in traffic accidents. According to Police figures, "inattentive driving" has been the top contributory factor for traffic accidents since 2009, and so motorists' driving attitude continued to be a concern.

In the first half of 2019, there were 103 traffic accidents involving drink driving, a drop of 9 cases (down 8%) from the corresponding period of last year. A total of 391 persons were arrested while the number of casualties was 72.

Road safety is one of the Commissioner's Operational Priorities in 2019. Aside from enforcement action taken under the Selected Traffic Enforcement Priorities programme, Police made effort to raise road safety awareness among road users, in particular senior citizens. More than 150 pedestrian safety activities were organized to publicise and educate the public in the first half of 2019. Police will continue to promote road safety, and will apply technology to assist enforcement work.

The new version of the "Automatic Number Plate Recognition System" came into full operation in March 2019. The system was installed in large estate vehicles operated by traffic officers, with cameras to identify four types of offending vehicles, namely "Unlicensed Vehicles", "Vehicles Licensed to Disqualified Drivers", "Vehicles Licensed to Persons Wanted for an Outstanding Traffic Warrant" and "Stolen Vehicles". When the system identifies a vehicle suspected in connection with the above, police officers will stop the vehicle for further enquiry. If other offences are disclosed during enquiries, officers will also take appropriate enforcement actions.

Starting from the third quarter of 2019, Police will introduce a pilot scheme on Electronic Fixed Penalty Tickets in seven Police Districts (including Wan Chai, Wong Tai Sin, Sham Shui Po, Kowloon City, Sha Tin, Yuen Long and Tai Po Police Districts). Under the scheme, 200 frontline Uniformed Branch police officers and traffic wardens will make use of mobile phone applications to capture the vehicle details by scanning the QR Code on the vehicle license to process illegal parking offences electronically and use portable printers to issue the tickets, thereby raising enforcement efficiency and accuracy.

Two 3D laser scanners were purchased in March 2019 for trial use in traffic accident investigation. Laser scanning can thereby reducing the time needed for enquiries at the scene. The Force will review the use of 3D laser Scanner and consider to equip all Regional Traffic Formations with the device in the future.

Upon the commissioning of the Hong Kong Section of Guangzhou-Shenzhen-Hong Kong Express Rail Link and Hong Kong-Zhuhai-Macao Bridge, the usage of roads in nearby areas has been rising. The Force has implemented corresponding deployment and traffic control to ensure road safety and reduce congestion.

The roads in areas of Liantang/Heung Yuen Wai were open for traffic in the first half of 2019 while the Boundary Control Point is expected to be commissioned in the second half of this year. The Force will make reference to past experience to implement appropriate measures with other Government Departments to ensure smooth traffic flow.

In conclusion, the Force will continue its efforts towards promoting road safety and will explore the use of technology to make traffic enforcement more efficient. The Force will continue its efforts towards ensuring a smooth traffic flow and making our roads safer for all through a combination of engagement and enforcement.