

Opening remarks by S for S at press conference on Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill 2019 (with video)

The Secretary for Justice, Ms Teresa Cheng, SC; the Secretary for Security, Mr John Lee; and representatives of the Department of Justice and the Security Bureau, held a press conference on the Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill 2019 this afternoon (May 7). Following is the English translation of the opening remarks by Mr Lee at the press conference:

The Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill 2019 proposed by the Government aims to deal with two practical issues: 1) a murder case which happened in Taiwan in early 2018; and 2) at the same time to plug the loopholes in the mechanisms. These include the geographical restrictions prohibiting us from handling fugitives who have committed crimes at certain places, and the lack of effective arrangement in the surrender of fugitives with places that we have not signed any long-term agreements with. The Government's proposed amendments, which have been thoroughly and prudently considered, can ensure that serious crime offenders cannot avoid justice through this loophole while protecting public and social safety.

As we have reiterated many times, the proposed amendments are applicable to any jurisdiction without pinpointing a particular one. In particular, they are not tailor-made for the Mainland. Most important of all, the Bill targets those who have committed serious criminal offences, and not the law-abiding general public. After the Bill has been passed, Hong Kong can use the same set of standards to handle serious criminal cases effectively by case-based surrender arrangements with any jurisdiction that it has not signed any long-term surrender arrangement with. Hong Kong has currently signed long-term agreements with only 20 jurisdictions, which means that there are over 100 countries that Hong Kong has yet to sign agreements with. It is our clear policy goal to sign long-term agreements. The proposed case-based arrangement is only a supplementary measure. Case-based surrender will not be adopted once a long-term agreement has been signed. The proposed legislative amendments will not affect any long-term agreements in force.

Surrender of fugitives is the international commitment to fight organised crimes in order to reduce the threat of crimes. The United Nations has promulgated a model treaty for the reference of different jurisdictions through a resolution. The existing Fugitive Offenders Ordinance makes reference to this model treaty and is in line with the common practice in

human rights and legal procedures. These human rights and procedural safeguards have been operating effectively for over almost 22 years since the enactment of the Fugitive Offenders Ordinance. They have balanced the needs of both apprehending fugitives and protecting human rights.

All existing human rights and procedural safeguards provided for in the current legislations will be maintained under the case-based arrangements. These include no surrender for a political offence, the double criminality principle, protection against the death penalty, restriction against re-surrender, rule against double jeopardy, application for habeas corpus and right to appeal and judicial review, etc. The Government can impose additional limitations in the case-based arrangements to protect the rights of the fugitive concerned. The Government will thoroughly and carefully consider each case and has the full discretion on whether a case-based surrender request should be acceded to. The executive authority and the court will perform their respective gate-keeping roles in handling all surrender requests. The Government will reject any surrender request if it could not meet the legal requirements.

The Taiwan homicide case has shown that similar serious crimes, including wounding and bombing, can happen in any place and at any time. It is just a question of who the unfortunate victim may be. We could not afford to allow serious crime offenders to avoid justice by seeking refuge in Hong Kong, which may even pose threats to our safety.

The suspect in the Taiwan murder case was sentenced to 29 months in prison for money laundering on April 29 and could be released as early as October this year. It has been over a month since the House Committee has requested the setting up of a Bills Committee. The government team has yet to be able to explain and exchange views with lawmakers on matters relating to the Bill. Given that the community has raised many views during this period but the Government has no opportunity to respond in detail to them at the Bills Committee, we are therefore holding a press conference today to respond to these views publicly. But I have to reiterate that the Bills Committee is the most suitable avenue for discussion of these matters and it is also the proper function of the Legislative Council. I hope that the Bills Committee can start scrutinising the Bill as soon as possible.

[Traveller jailed for smuggling Ryukyu black-breasted leaf turtles \(with photo\)](#)

A traveller who smuggled Ryukyu black-breasted leaf turtles and was convicted earlier for violating the Protection of Endangered Species of

Animals and Plants Ordinance was sentenced to imprisonment today (May 7).

A spokesman for the Agriculture, Fisheries and Conservation Department (AFCD) said that the 43-year-old male passenger arrived in Hong Kong on October 26, 2018 from Tokyo, Japan. Sixty Ryukyu black-breasted leaf turtles were found in his baggage by Customs officers.

Subsequent to follow-up investigations, the AFCD charged the man with the illegal import of a species listed in Appendix II to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). He was convicted at the District Court on May 3 this year. With 21 months' imprisonment as the starting point for sentencing, the defendant was sentenced to 12 months behind bars today after reduction due to his family status and because he pleaded guilty.

The Ryukyu black-breasted leaf turtle is listed in Appendix II to the CITES and regulated under the Ordinance in Hong Kong. The penalties under the Ordinance have been amended and increased since May 1 last year. Any person importing, exporting or possessing specimens of endangered species not in accordance with the Ordinance is liable to a maximum fine of \$10 million and imprisonment for 10 years. The specimens will also be forfeited upon conviction. Members of the public are urged not to break the law.

To enquire about the control of endangered species or to report suspected irregularities, the public can call the AFCD on 1823 or visit the website www.cites.hk.



[CFS urges public not to consume prepackaged chicken strips that may contain metal pieces](#)

The Centre for Food Safety (CFS) of the Food and Environmental Hygiene Department today (May 7) urged the public not to consume two kinds of prepackaged cooked chicken strips imported from the United States as they

might contain metal pieces. The trade should also stop using or selling the affected batches of the products immediately if they possess them.

Product details are as follows:

(1) Product name: Tyson fully cooked Crispy Chicken Strips (Chicken Breast Strip Fritters with Rib Meat)

Place of origin: US

Importer: The Dairy Farm Company Limited

Net weight: 25 ounces per pack

Use-by date: November 5, 2019

(2) Product name: Tyson fully cooked Buffalo Style Chicken Strips (Chicken Breast Strip Fritters with Rib Meat and Buffalo Style Sauce)

Place of origin: US

Importer: The Dairy Farm Company Limited

Net weight: 25 ounces per pack

Use-by dates: October 15, 2019, and October 31, 2019

A CFS spokesman said, "The CFS, through its routine Food Incident Surveillance System, noted a notice of the US authorities concerned that Tyson Foods Inc is recalling several kinds of chicken strip products as they may contain metal pieces. The CFS immediately followed up with major local importers and retailers. Preliminary investigation found that the above importer had imported the above-mentioned batches of the affected products."

The spokesman said that the importer has already stopped sale and removed from shelves the affected batches of the products and initiated a recall. Members of the public may call the hotline of the importer at 2299 1133 during office hours for enquiries about the recall.

The spokesman urged members of the public not to consume the affected batches of the products if they have purchased any. The trade should also stop using or selling the products concerned immediately.

The CFS will alert the trade to the incident, continue to follow up and take appropriate action. Investigation is ongoing.

[Update on cluster of upper respiratory infection cases in Caritas Medical Centre](#)

The following is issued on behalf of the Hospital Authority:

Regarding an earlier announcement on a cluster of patients in the Developmental Disabilities Unit of Caritas Medical Centre with upper respiratory infection, the spokesperson for Caritas Medical Centre gave the following update today (May 7):

Three more patients of the unit (aged 6 to 14) presented with upper respiratory symptoms. Appropriate viral tests were arranged. The test result of one patient was positive for human metapneumovirus and the patient is in serious condition while another patient tested positive for Influenza A virus and is in stable condition. The result of the other patient was positive for both human metapneumovirus and Influenza A virus. The patient is in critical condition owing to underlying illness and is being treated under isolation at United Christian Hospital.

The hospital has informed the relatives of the patients about the situation. Infection control measures of the ward have been enhanced. All other patients in the ward are under close surveillance.

The cases have been reported to the Hospital Authority Head Office and the Centre for Health Protection for necessary follow-up.

[Update on measles cases](#)

The Centre for Health Protection of the Department of Health (DH) said today (May 7) that no additional case of measles infection had been recorded as at 4pm today.

Regarding measles control measures implemented at Hong Kong International Airport (HKIA), a total of 16 persons had received measles vaccination at the airport vaccination station as at 6pm today, bringing the cumulative number of vaccinations given to 8374.

From tomorrow (May 8) to May 17 (excluding Sundays and public holidays), measles vaccination will be provided to airport staff who:

- (1) Were born in or after 1967, and have not received two doses of measles vaccination, and have not been infected with measles before; or
- (2) Have laboratory evidence of testing not positive against measles antibody (IgG).

The vaccination quota for the measles vaccination station at the airport remains at 600 doses daily. The venue and operation hours of the airport vaccination station are as follows:

Venue:	Multi-function Room, HKIA Tower (Level 5, Terminal 2)
Hours:	May 8 to 17 (excluding Sundays and public holidays) 10am to 1pm 2pm to 6pm

As for the blood test service, the DH has continued to provide the measles serology test service to airport staff who were born in or after 1967 today, where six blood samples have been collected. The DH will notify the participants individually of the serology results.

The pilot service at the blood test station to provide measles serology testing for Filipino foreign domestic helpers who are coming to or returning to work in Hong Kong has also been continued today. So far, 12 of such blood samples have been collected. The DH will notify these participants individually of the serology results.