

Foreign domestic helper jailed for making false representation, making and using false instrument

A foreign domestic helper charged with one count of making a false instrument, one count of using a copy of a false instrument and one count of making false representation to an Immigration Department (ImmD) staff member was sentenced to four months' imprisonment today (April 28) by the Shatin Magistrates' Court.

The 27-year-old Filipino defendant submitted a Foreign Domestic Helper visa application to the ImmD in March 2022 and attached a copy of the Notification of Termination of an Employment Contract (the Notification) with the previous employer as a supporting document. Upon record check, ImmD staff found that the original copy of that Notification was previously received in January 2022 but the reason for termination of the contract by the ex-employer on the two Notifications were found to be different. The ImmD officer suspected that the Notification had been altered and thus conducted an investigation of the defendant.

In the course of the investigation, the defendant admitted under caution that she had altered the reason for the termination of the contract by the ex-employer on the Notification and had made false representation to the ImmD in order to have her application approved, so that she could continue to work in Hong Kong. Investigators subsequently found the original copy of the altered Notification in the defendant's premises.

The defendant was charged with the offences of making a false instrument, using a copy of a false instrument and making false representation to an ImmD staff. The defendant had earlier pleaded guilty to all the charges against her and was sentenced today at the Shatin Magistrates' Court. She was sentenced to four months' imprisonment for each charge and the sentences are to run concurrently.

"Under the laws of Hong Kong, any person who makes, uses or has in his custody a false instrument commits an offence and is liable to prosecution and, upon conviction, subject to imprisonment for 14 years. Moreover, any person who makes false representation to an Immigration officer commits an offence. Offenders are liable to prosecution and, upon conviction, subject to the maximum penalty of a fine of \$150,000 and imprisonment for 14 years, " an ImmD spokesman said.