

Former foreign domestic helper jailed for conspiracy to defraud

A former foreign domestic helper (FDH) was convicted of two counts of conspiracy to defraud and was sentenced to 10 months' imprisonment on November 21 by the Shatin Magistrates' Courts.

The 53-year-old Filipina former FDH was a holder of recognizance form, which prohibits her from taking any employment. During a previous investigation into a case relating to overstaying ex-FDHs taking up unapproved employment in Hong Kong, the Immigration Department (ImmD) discovered that the former FDH acted as a middleman and recruited two Hong Kong residents to be false employers for remuneration. By using false residential and financial proofs, and a false FDH contract, the former FDH conspired with others to defraud the ImmD and arranged for foreign nationals to obtain FDH visas to work in Hong Kong illegally.

The ImmD subsequently mounted operations, during which the former FDH, two false employers and two false FDHs involved were arrested. One of the false FDHs had been convicted earlier for conspiracy to defraud and was sentenced to four months' imprisonment. More suspects could be arrested and charged as the investigation is continuing.

"It is an offence to make a false representation to an immigration officer. Offenders are liable to prosecution and to a maximum fine of \$150,000 and imprisonment for 14 years. In addition, anyone who commits the offence of conspiracy to defraud is liable to prosecution and, upon conviction, the maximum penalty is imprisonment for 14 years. Furthermore, it is an offence to make, possess or use false instruments. Upon conviction, offenders are liable to a maximum penalty of 14 years' imprisonment," an ImmD spokesman said.

The spokesman warned, "As stipulated in section 38AA of the Immigration Ordinance, an illegal immigrant, a person who is the subject of a removal order or a deportation order, an overstayer or a person who was refused permission to land is 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."