

LCQ15: Combating begging activities

Following is a question by the Reverend Canon the Hon Peter Douglas Koon and a written reply by the Secretary for Security, Mr Tang Ping-keung, in the Legislative Council today (January 24):

Question:

It has been reported that from time to time in recent months, there have been beggars begging in tourist areas with heavy pedestrian flow. Many of such people are non-Hong Kong residents. They have made use of their status as tourists to come to Hong Kong to engage in activities which are inconsistent with their status as tourists, and manipulation by syndicates may even have been involved behind the scenes. In this connection, will the Government inform this Council:

(1) of the number of complaints received by the authorities from members of the public and tourists about street begging activities in each of the past five years;

(2) of the respective numbers of persons who were arrested, prosecuted, as well as convicted and sentenced by the court for the offence of begging in each of the past five years, with a breakdown by (i) the districts in which the persons concerned were arrested, (ii) their nationalities, and (iii) the penalties imposed on them;

(3) whether, in the past five years, the authorities refused the entry of persons who had begged or illegally raised funds in Hong Kong; if so, of the details; if not, the reasons for that;

(4) as there are views that the deterrent effect of the punishment for the offence of begging under section 26A of the Summary Offences Ordinance (Cap. 228) is grossly insufficient (i.e. persons convicted for the first and second time are liable to a fine of \$500 and to imprisonment for one month), whether the authorities will review and amend the relevant legislation and increase the penalty for the offence of begging, so as to enhance the deterrent effect; if so, of the details; if not, the reasons for that;

(5) whether it will draw reference from the practices of other countries (such as strictly restricting the activity areas of beggars, displaying banners in tourist areas to remind passers-by not to be taken advantage of by beggars and donate money, and deporting beggars from outside the territory), so as to ameliorate the problem of street begging as well as maintain the cityscape and public order; if so, of the details; if not, the reasons for that;

(6) regarding some "beggar gangs" suspected to be manipulated by syndicates, whether the authorities have established a reciprocal notification mechanism with other countries for co-operation in intercepting at source such

syndicates so that they cannot come to Hong Kong to engage in activities, or prohibited persons who have been arrested for begging in Hong Kong from re-entering Hong Kong within a specified period; if so, of the details; if not, the reasons for that; and

(7) given that begging is an offence, of the measures the authorities have put in place to remind members of the public to stay vigilant; of the measures and actions to be taken by the authorities to curb beggars' expansion of their activities in Hong Kong?

Reply:

President,

Any person who begs or gathers alms at any public place may contravene section 26A of the Summary Offences Ordinance (Cap. 228). The Police will follow up suspected begging activities in Hong Kong, and take appropriate actions based on the circumstances of each case. Regardless of whether the persons concerned are Hong Kong residents, the Police will consider laying related charges based on the evidence available. In the past, the Police adopted a multi-pronged approach to combat illegal begging activities through measures such as enhanced law enforcement and cross-boundary collaboration. The reply to the Member's question is as follows:

(1) and (2) In the past five years (as at November 30, 2023), the Police arrested 79 persons under section 26A of the Summary Offences Ordinance. Among them, 57 hold the Exit-entry Permits for Travelling to and from Hong Kong and Macao (two-way exit permits), 18 hold Hong Kong identity cards, three hold passports of the People's Republic of China and one holds a Russian passport. The Police have not maintained information on the arrestees' nationalities or the number of complaints relating to begging activities. The respective numbers of arrests, prosecutions and convictions are set out at Annex I. A breakdown by district/division of the numbers of persons arrested is at Annex II.

(3) The Immigration Department (ImmD) takes into account various factors on a case-by-case basis when examining arriving visitors, including their purpose of visit and whether they meet the general immigration requirements (for example, whether they hold a valid travel document or an entry permit with adequate returnability to their places of origin). The ImmD has not maintained statistics on the number of visitors denied entry due to previous engagement in begging or illegal fund-raising activities in Hong Kong.

(4) In accordance with section 26A of the Summary Offences Ordinance (Cap. 228), any person who engages in begging activities commits the offence of "begging alms" and is liable on conviction to a fine of \$2,000 and imprisonment for one month for a first or second offence; and to a fine of \$2,000 and imprisonment for 12 months on a third or subsequent offence.

Furthermore, depending on the circumstances of each case, if a person's begging activity is conducted in a threatening or disorderly manner, the

person concerned may commit other offences such as "begging in threatening manner" under section 26B of the Summary Offences Ordinance (Cap. 228), which carries a maximum penalty of imprisonment for 18 months, "disorder in public places" under section 17B of the Public Order Ordinance (Cap. 245), which carries a maximum penalty of a fine at level 2 (i.e. HK\$5,000) and imprisonment for 12 months, etc.

The Police will keep a close watch on begging activities, including whether the penalties can achieve a deterrent effect. Appropriate enforcement actions will be taken based on the circumstances of each case.

(5) and (7) As it is against the existing law to engage in begging activities at any public place in Hong Kong, police officers on patrol will take follow-up actions when they identify begging activities or receive reports from members of the public. Depending on the evidence available, the Police will arrest and prosecute the beggars for the offence they are suspected to have committed. The Police will assess the situation and, where necessary, strengthen collaboration with other government departments, including stepping up joint patrols and enforcement actions with the ImmD at black spots of various districts and on streets with high pedestrian flows. In future, the Police will continue to take stringent enforcement actions against begging activities and exchange intelligence with the ImmD. Depending on the circumstances of each case, persons who are subject to deportation from Hong Kong will be repatriated by the ImmD to their places of origin as soon as possible in accordance with the prevailing immigration policy.

On publicity and education, the Police have been making timely efforts through various channels to remind members of the public not to casually give alms to beggars on the streets. For example, posts are put up on social media, emphasising that begging is an illegal activity and reminding members of the public to maintain awareness. The Police also plan to launch another round of public education nearer the Lunar New Year.

(6) The Police have been leveraging intelligence to monitor whether there are syndicates that arrange for and take control of begging activities carried out by visitors in Hong Kong, while maintaining close liaison and intelligence exchange with the relevant law enforcement agencies. The Police will take enforcement actions resolutely against any such illegal activities detected.

To tackle begging activities in Hong Kong by non-Hong Kong residents, the Police will notify the ImmD of the personal particulars of persons engaging in begging activities, and the ImmD will incorporate these particulars in a watch list. The persons concerned, upon their next arrival in Hong Kong, will be intercepted and closely scrutinised by ImmD officers. Those who fail to meet the normal immigration requirements (such as whether they possess a valid visa or endorsement that corresponds to their purposes of entry, and whether they have any known adverse records) or whose purposes of visit are put in doubt by ImmD officers will be refused entry.

The Government of the Hong Kong Special Administrative Region has

established an effective notification mechanism with the relevant Mainland authorities. If Mainlanders have engaged in illegal activities in Hong Kong, their future applications for visiting Hong Kong will be under heightened scrutiny. To achieve effective immigration control, the ImmD regularly passes the personal particulars of Mainlanders with adverse records in Hong Kong (including whether they have been involved in begging or illegal fundraising activities in Hong Kong) to the relevant Mainland authorities, so that the permit-issuing authorities in the Mainland may step up scrutiny of their future applications for travelling to Hong Kong.