

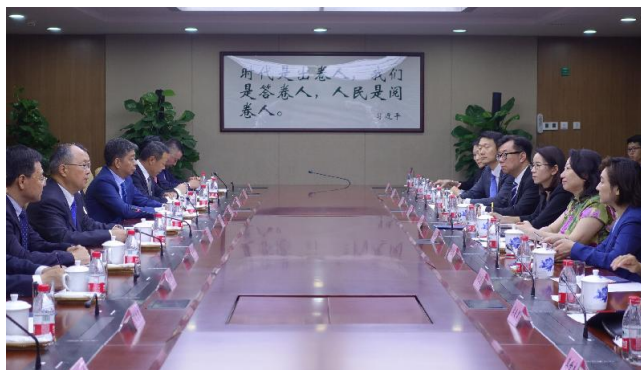
SJ visits Shanghai to boost ties with Mainland legal sectors (with photos)

The Secretary for Justice, Ms Teresa Cheng, SC, began her visit in Shanghai today (August 19). Joined by a number of Hong Kong legal and dispute resolution practitioners, Ms Cheng met with officials of the Shanghai Government and representatives from the professional sectors in the Mainland. They also visited the Shanghai Municipal Bureau of Justice and Mainland courts to exchange views on legal co-operation between Shanghai and Hong Kong.

In the morning, they met with the Vice Mayor of the Shanghai Municipal Government, Mr Xu Kunlin. She gave an update on Hong Kong's legal services. The practitioners shared their experience and exchanged views with the Shanghai government officials at the meeting. Afterwards, they met with the Director of the Shanghai Municipal Bureau of Justice, Mr Lu Weidong, and representatives from Shanghai Bar Association to follow up on the issues relating to the "Co-operation Arrangement on Legal Matters between the Department of Justice of the HKSAR Government and the Shanghai Municipal Bureau of Justice" signed last year. They also agreed to strengthen co-operations and exchanges on legal and dispute resolution services between the two places.

In the afternoon, the group called on the President of Shanghai Maritime Court, Mr Wang Tong. The practitioners were given to have a better understanding of the latest developments of judicial artificial intelligence of the maritime court. They then visited the Court of Arbitration for Sport Shanghai Alternative Hearing Centre to meet with the Commissioner, Mr Chen Yiping. They also had a meeting with the Executive Vice President of China Shipowners' Association, Mr Zhang Shouguo, and the Director of China Classification Society Shanghai Branch, Mr Meng Lingyi. During the meeting, Ms Cheng gave an update on Hong Kong's latest developments as a major centre for maritime law and dispute resolution services, adding that the Department of Justice has been promoting maritime arbitration in Hong Kong. Ms Cheng and the practitioners also encouraged them to choose the law of Hong Kong as the applicable law and choose Hong Kong as the place for arbitral proceedings.

Ms Cheng will return to Hong Kong tonight. Other delegates from the Department of Justice and the practitioners will continue the visit in Shanghai tomorrow (August 20).



Missing girl in Ma On Shan located

A girl who went missing in Ma On Shan has been located.

Lee Yuk-yee, aged 14, went missing after she left her residence in Heng On Estate on July 29 morning. Her family made a report to Police on the same day.

The girl returned to her residence on August 17 afternoon. She sustained no injuries and no suspicious circumstances were detected.

Update on cluster of Influenza A cases in Kwai Chung Hospital

The following is issued on behalf of the Hospital Authority:

Regarding an earlier announcement on a cluster of patients infected with Influenza A in a male psychiatric ward, the spokesperson for Kwai Chung Hospital (KCH) gave the following update today (August 19):

One more patient, aged 59, in the ward presented with respiratory symptoms. The appropriate viral test was arranged for the patient and the test result was positive for Influenza A. The patient has since recovered and been discharged.

Infection control measures have been stepped up according to established guidelines. All other patients in the ward are under close surveillance.

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

Fraudulent website and phishing email related to Hong Leong Bank Berhad

The following is issued on behalf of the Hong Kong Monetary Authority:

The Hong Kong Monetary Authority (HKMA) wishes to alert members of the public to a press release issued by Hong Leong Bank Berhad on fraudulent website and phishing email, which has been reported to the HKMA. Hyperlink to the press release is available on [the HKMA website](#) for ease of reference by members of the public.

Anyone who has provided his or her personal information to the website concerned or has conducted any financial transactions through the website should contact the bank concerned using the contact information provided in the press release, and report to the Police or contact the Cyber Security and Technology Crime Bureau of the Hong Kong Police Force at 2860 5012.

Three illegal workers jailed

Three Vietnamese illegal workers were jailed by Shatin and Fanling Magistrates' Courts on August 16 and 17.

During a joint operation codenamed "Champion" conducted by the Immigration Department (ImmD) and the Hong Kong Police Force on July 9, enforcement officers raided a massage shop in Wan Chai. A female Vietnamese, aged 29, was arrested while working as a masseuse.

Furthermore, during operation "Twilight" conducted on August 14, ImmD investigators raided a commercial building in Sheung Wan. A female Vietnamese, aged 43, was arrested while working as a cleaning worker.

In addition, during operation "Twilight" conducted on August 15, ImmD investigators raided a restaurant in Central. A male Vietnamese, aged 52, was arrested while working as an odd-job worker. Upon identity checking, he produced for inspection a recognisance form issued by the ImmD, which prohibits him from taking employment. Further investigation revealed that he was a non-refoulement claimant. An employer suspected of employing the illegal worker was also arrested and the investigation is ongoing.

The three illegal workers were charged at Shatin and Fanling Magistrates' Courts on August 16 and 17 with taking employment after landing in Hong Kong unlawfully and remaining in Hong Kong without the authority of the Director of Immigration or while being a person in respect of whom a removal order or deportation order was in force. They pleaded guilty to the charge and were sentenced to 15 months' imprisonment. Meanwhile, one of the illegal workers was also charged with one count of using a forged Hong Kong identity card and one count of being in possession a false instrument. She was sentenced to 15 months' imprisonment for each count. All sentences are to run concurrently for a total of 15 months' imprisonment. In addition, one illegal worker was charged with one count of using a forged Hong Kong identity card. He was sentenced to 15 months' imprisonment with part of the sentence to run consecutively for a total of 18 months' imprisonment.

The ImmD 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. Under the prevailing laws, 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. It is also an offence to make, possess or use false instruments. Upon conviction, offenders are liable to a maximum penalty of 14 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 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.