

Judicial appointment

The following is issued on behalf of the Judiciary:

The Judiciary today (July 26) announced the appointment of Mr Keith Yeung Kar-hung, SC, as Judge of the Court of First Instance of the High Court. The appointment will take effect from July 29, 2019.

The appointment is made by the Chief Executive on the recommendation of the Judicial Officers Recommendation Commission.

The biographical note of Mr Keith Yeung Kar-hung, SC, is as follows:

Mr Yeung, SC, was born in 1964 in Hong Kong. He obtained LL.B. and P.C.LL. from the University of Hong Kong in 1986 and 1987 respectively. He was called to the Bar in Hong Kong in 1987. He was appointed as Senior Counsel in 2009. He was in private practice from 1988 to 2013. He took up the appointment as Director of Public Prosecutions of the Department of Justice from 2013 to 2017. He has been appointed as Deputy Judge of the Court of First Instance of the High Court for periods in 2013, 2018 and 2019.

“Women and Men in Hong Kong – Key Statistics (2019 Edition)” published

The Census and Statistics Department (C&SD) published today (July 26) a publication entitled "Women and Men in Hong Kong – Key Statistics (2019 Edition)".

This publication is compiled by the C&SD to serve as a ready source of information for those interested in the situation of women and men, and gender equality in Hong Kong. It draws together sex-disaggregated statistics and indicators from a wide variety of sources with a view to depicting the situation of women and men in major economic and social spheres. The key sex-disaggregated statistics contained in the publication are shown in Table 1.

Users can download this publication free of charge at the website of the C&SD (www.censtatd.gov.hk/hkstat/sub/sp180.jsp?productCode=B1130303).

Enquiries about the contents of this publication can be directed to the Social Statistics Branch of the C&SD (Tel: 2887 0592 or email: thematic@censtatd.gov.hk).

Thirty immigration offenders arrested (with photo)

The Immigration Department (ImmD) mounted a territory-wide anti-illegal worker operation codenamed "Twilight" from July 22 to 25. A total of 25 illegal workers and five suspected employers were arrested.

During the operation, ImmD Task Force officers raided 81 target locations including a commercial building, a factory, hostels, industrial buildings, a massage parlor, restaurants, a salon and shops. The illegal workers comprised 12 men and 13 women, aged 22 to 58. Among them, two men and three women were holders of recognisance forms, which prohibit them from taking any employment. In addition, four women were suspected of using and being in possession of forged Hong Kong identity cards. Meanwhile, four men and one woman, aged 40 to 55, were suspected of employing the illegal workers.

"Any person who contravenes a condition of stay in force in respect of him shall be guilty of an offence. Also, visitors are not allowed to take employment in Hong Kong, whether paid or unpaid, without the permission of the Director of Immigration. Offenders are liable to prosecution and upon conviction face a maximum fine of \$50,000 and up to two years' imprisonment. Aiders and abettors are also liable to prosecution and penalties," an ImmD spokesman said.

The 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. 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.

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 an 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.



Co-owners fined \$80,000 for persistently not complying with removal order

Two co-owners of a premises in Yau Ma Tei were fined \$80,000 for failing to comply with a removal order issued under the Buildings Ordinance (Cap 123)

at Kwun Tong Magistrates' Court this week.

The order involved an illegal structure erected on the flat roof of a domestic unit of a composite building at Temple Street. The original size of the premises is about 64 square metres whereas the size of the illegal structure is about 21 sq m. As the unauthorised building works (UBWs) were erected without prior approval from the Buildings Department (BD), contravening the Buildings Ordinance (BO), a removal order was served on the co-owners of the premises under section 24(1) of the BO.

Since the co-owners did not comply with the order, they were prosecuted by the BD in 2017 and fined over \$30,000 upon conviction at Kwun Tong Magistrates' Courts. However, the co-owners persisted in not complying with the order and the BD instigated prosecution against them for the second time. They were convicted again and heavily fined \$80,000 on July 23.

"UBWs may adversely affect the structural and fire safety of a building, leading to serious consequences. Owners should seek professional advice before carrying out any building works in their premises. The BD will continue its enforcement action against UBWs," a spokesman for the BD said today (July 26).

Pursuant to section 40(1BA) of the BO, any person who, without reasonable excuse, fails to comply with an order served on him or her under section 24(1) of the BO commits an offence and is liable on conviction to a fine of \$200,000 and to imprisonment for one year, as well as a further fine of \$20,000 for each day that the offence has continued.

[Siu Sai Wan Sports Ground to reopen](#)

The Leisure and Cultural Services Department announced today (July 26) that the Siu Sai Wan Sports Ground in Eastern District will be reopened on July 30 for public use.

The sports ground was temporarily closed for the replacement of the covers of spectator stands and the repair of damaged facilities after the passage of a typhoon last year.