

Illegal worker jailed

A Pakistani illegal worker holding a recognisance form was jailed by Shatin Magistrates' Courts on January 11.

During a joint operation conducted by the Immigration Department (ImmD) and the Hong Kong Police Force codenamed "Champion" on August 20, 2018, enforcement officers raided a recycling company in Kwai Chung. A male Pakistani illegal worker, aged 39, was arrested. When intercepted he was conveying goods. 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 illegal worker was charged at Shatin Magistrates' Courts on January 11 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. After trial, he was sentenced to 22 months and two weeks' 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.

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 on 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 interference, medical services, counselling, shelter, temporary accommodation and other supporting services. The ImmD calls on TIP victims to report crimes to the relevant departments.

Cantonese operas "The Judge Goes to Pieces" and "Time to Go Home" to be staged in March

Hung Ka Po Cantonese Opera Troupe will stage a new adaptation of the Cantonese opera "The Judge Goes to Pieces" (Re-run) and the renowned work "Time to Go Home" in March featuring local Cantonese virtuosi.

The performers of "The Judge Goes to Pieces" will be Loong Koon-tin, Nam Fung, Chan Hung-chun, Yat Dim-hung, Leung Sum-yee, Ruan Dewen, Vong Seng-pan and Lee Yuen-yee. The story is about how former minor legal practitioner Song Shijie gets justice for widow Yang Xiuzhen. In the story, Madam Tian eyes a family fortune and schemes with her husband to have the husband of Yang Xiuzhen killed. The pregnant Xiuzhen escapes from home to seek help from her brother, but is betrayed. When she reaches a tea stand run by Song Shijie, Song's wife comes to her rescue and takes her home. Song, who has retired and runs an inn and a tea stand, is urged by his wife to help reinstate Xiuzhen. Shijie makes Xiuzhen his sworn sister after serious consideration, then writes a petition on her behalf. However, the Commissioner's wife accepts a bribe and decides to incriminate Xiuzhen. Shijie, who has the evidence of Madam Tian's bribery, delivers a scathing defence as well as accusations with full confidence in a court attended by four titled scholars.

The cast of "Time to Go Home" will be Lung Koon-tin, Nam Fung, Chan Hung-chun, Lui Hung-kwong, Vong Seng-pan and Lee Yuen-yee. The story follows young general Wen Pingsheng, who is deeply in love with his wife, Pinni-ang. Jealous of the couple's love, Wen's cousins conspire with a doctor to separate the couple by claiming that Pinni-ang has caught an incurable disease. Pingsheng is the only son in the family, so his mother dislikes Pinni-ang for being barren and is also afraid that her son might contract the disease. Fang forces her daughter-in-law to live apart from her son, and forbids her son to visit. As Pingsheng is about to go to war, he visits his

wife at night but is caught and scolded by his mother. After he leaves home, the mother gives Pinniang a maid and some gold to keep her from ever returning, and then tells her son that his wife has died. Aghast at the news, Pingsheng wants to die on the battlefield but survives numerous conflicts and goes home. As he weeps at Pinniang's tomb, his touched wife comes out to meet him. Moved by their undying love and ashamed of their misdeeds, the cousins admit to their wrongdoing. In the end, the mother agrees to the reunion of the couple.

The performances are presented by the Leisure and Cultural Services Department. Details are as follows:

A new adaptation of "The Judge Goes to Pieces" (Re-run)
March 4 (Monday), 7.30pm: Auditorium, Tsuen Wan Town Hall
March 23 (Saturday), 7.30pm: Auditorium, Tuen Mun Town Hall
Ticket prices: \$120 to \$280

"Time to Go Home"
March 9 (Saturday), 7.30pm: Auditorium, Tai Po Civic Centre
Ticket prices: \$120 to \$240

Tickets are now available at URBIX (www.urbtix.hk). For telephone credit card bookings, please call 2111 5999. For programme enquiries and concessionary schemes, please call 2268 7321 or visit www.lcsd.gov.hk/CE/CulturalService/Programme/en/chinese_opera/programs_716.html.

A post-performance talk (in Cantonese) will be held at 7.30pm on March 26 (Tuesday) at AC2, 4/F, Administration Building, Hong Kong Cultural Centre. Speakers will include Lung Koon-tin, Nam Fung and Chan Hung-chun. Admission is free with limited seats available on a first-come, first-served basis.

SWD invites applications for Enrolled Nurse Training Programme for Welfare Sector 2019-20

The Social Welfare Department (SWD) today (January 15) invited applications for admission to a two-year full-time Enrolled Nurse (General)/Enrolled Nurse (Psychiatric) Training Programme for the welfare sector which will provide 200 and 30 places respectively.

A spokesman for the SWD said that to alleviate the shortage of enrolled nurses in the welfare sector and enhance the quality of care services, the

SWD has since 2006 organised Enrolled Nurse Training Programmes for the welfare sector and has commissioned the Open University of Hong Kong (OUHK) to provide the training programmes in four consecutive years since 2017.

The training programme aims to equip graduates to become competent and caring professional nurses. It is divided into two streams, namely the Enrolled Nurse (General) stream and the Enrolled Nurse (Psychiatric) stream. The former is to be provided through the Higher Diploma in Nursing Studies (General Health Care) (programme code: HDNSGF1) organised by OUHK while the latter will be provided through the Higher Diploma in Nursing Studies (Mental Health Care) (programme code: HDNSMF1). The programmes, to commence on September 2, will be conducted in the campus of OUHK in Ho Man Tin and the university will also be responsible for the arrangement of relevant clinical practices.

Applicants must have attained the age of 18 by the time the training programme commences and have attained Level 2 or above in five subjects, including Chinese Language, English Language, Mathematics and any two other subjects in Categories A and B in the Hong Kong Diploma of Secondary Education Examination, or completed a Pre-Associate Degree programme, or an equivalent qualification.

The spokesman said, "To encourage youths and front-line staff currently serving in the welfare sector to upgrade their skills, priority will be accorded to applicants who have successfully completed the two-year Diploma Programme under the First-hire-then-train Pilot Scheme or the Navigation Scheme for Young Persons in Care Services of the SWD, or those who are currently working full-time in non-governmental organisations (NGOs) or private organisations providing elderly, rehabilitation, family and child care, youth or correctional services. Individuals who aspire to start a career as enrolled nurses in the welfare sector are also welcomed."

The SWD will fully subsidise trainees with tuition fees on the condition that the trainees have successfully completed the training programme and attained the graduation requirements within two years. Trainees will also be required to sign an undertaking to indicate their readiness to be employed as Enrolled Nurse (General) or Enrolled Nurse (Psychiatric) in the welfare sector providing elderly, rehabilitation, family and child care, or correctional services operated by the NGOs or private organisations for a continuous period of no less than two years after satisfactory completion of the training. If in breach of this term, trainees will have to repay the SWD the tuition fees.

Relevant information about the training programme is available on the homepage of OUHK. Applicants must submit their applications for the programme via the Online Admission Application System of OUHK (www.ouhk.edu.hk/FTUG_application). Hyperlinks are also provided on the SWD homepage (www.swd.gov.hk/tc/index/site_whatsnew). Application will close on February 28. For enquiries, people may contact OUHK at 3120 2661 or 3120 2662.

Property owner fined over \$140,000 for persistently not complying with removal order

A property owner was fined \$144,600 at the Tuen Mun Magistrates' Courts last month for persistently failing to comply with a removal order under the Buildings Ordinance (Cap 123) (BO).

The order involved various unauthorised building works (UBWs) at a three-storey house on Yu Chui Street, Tai Lam, Tuen Mun, the New Territories. The UBWs included:

- (a) Illegal site formation works to extend the garden area by about 122 square metres, which was of approximately the same size as the approved garden area; and
- (b) Construction of five structures on various floors with a total floor area of about 55 sq m, which was about one quarter of the approved gross floor area.

As the UBWs were carried out without prior approval from the Buildings Department (BD), contravening the BO, a removal order was served on the owner under section 24(1) of the BO.

Since the owner did not comply with the order, he was prosecuted by the BD three times and fined about \$120,000 in total upon conviction at the Tuen Mun Magistrates' Courts. However, as the owner persisted in not complying with the order, the BD instigated prosecution against him for the fourth time. He was convicted and heavily fined on December 21 last year.

"UBWs may adversely affect the structure and fire safety of a building, leading to serious consequences. Owners should seek professional advice before carrying out any building works in their premises," a spokesman for the BD said today (January 15).

Pursuant to section 40(1BA) of the BO, any person who, without reasonable excuse, fails to comply with an order served on him 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.

Key statistics on service demand of A&E Departments and occupancy rates of medical wards in public hospitals

The following is issued on behalf of the Hospital Authority:

During the winter surge, the Hospital Authority is closely monitoring the service demand of Accident and Emergency Departments and the occupancy rate of medical wards in public hospitals. Key service statistics are being issued daily for public information. Details are in the appended table.