

Immigration Department smashes illegal workers syndicate (with photos)

The Outside Investigation Section of the Immigration Department (ImmD) conducted a surprise raid to a dishwashing company and successfully neutralised an illegal worker syndicate yesterday (February 27). Six syndicate members and one illegal worker were arrested, and copies of forged Hong Kong identity cards were seized.

The ImmD discovered a dishwashing company suspected to have arranged illegal workers to various restaurants to perform dishwashing duties. After in-depth investigation and intelligence analysis, the illegal worker syndicate was identified. From December 2024 to February 2025, enforcement officers of the ImmD performed a number of territory-wide anti-illegal employment operations. A total of 25 restaurants were raided, and arrested a total of 14 suspected illegal workers. During investigation, it was found that the illegal workers had used forged Hong Kong identity cards, copies of forged Hong Kong identity cards or identity cards in relation to other persons for job interviews. It is highly suspected that the company did not take practicable steps to ensure the employees are lawfully employable. After the illegal workers were employed, they were deployed to various restaurants to work, and were paid \$70 per hour, involving an estimated amount of around \$2 million.

During the operation yesterday, the ImmD had raided the office of the dishwashing company located in Lai Chi Kok, and arrested three male and three female Hong Kong resident staff aged from 24 to 39. They were all key members of the syndicate and were suspected of aiding and abetting illegal workers to take up employment and in possession of copies of forged Hong Kong identity cards. At scene, enforcement officers intercepted a 55 years old Chinese female overstayer. She was suspected of working illegally and in possession of suspected forged Hong Kong identity card. Twenty-two copies of suspected forged Hong Kong identity cards and employment records of the illegal workers previously arrested were unearthed. The investigation is still ongoing, and more persons involved in the case may be arrested.

An ImmD spokesman said, "Any person who contravenes a condition of stay in force in respect of him or her 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."

The spokesman reiterated that it is a serious offence to employ people who are not lawfully employable. Under the Immigration Ordinance, the maximum penalty for an employer employing a person who is not lawfully employable, i.e. 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, has been significantly increased from a fine of \$350,000 and three years' imprisonment to a fine of \$500,000 and 10 years' imprisonment to reflect the gravity of such offences. The director, manager, secretary, partner, etc, of the company concerned may also bear criminal liability. 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. Offenders are liable upon conviction to a maximum fine of \$150,000 and to imprisonment for one year. In that connection, the spokesman would like to remind all employers not to defy the law by employing illegal workers. The ImmD will continue to take resolute enforcement action to combat such offences.

