

Policeman gets 15 months for misconduct over leakage of confidential information

18 November 2014

A Police Constable (PC), charged by the ICAC, was today (Tuesday) sentenced to 15 months' imprisonment at the District Court for misconduct in public office by disclosing to another PC confidential information on a Police investigation relating to illegal bookmaking.

Lue Chun-cheung, 37, was earlier found guilty of one count of misconduct in public office, contrary to Common Law.

In sentencing, Judge Mr Frankie Yiu Fun-che said the offence of misconduct in public office committed by the defendant was serious in view of his leaking confidential information.

The judge said the starting point of 18 months in jail was reduced to 15 months after taking into account various mitigating factors, including the defendant's clear record and his 10-year service with the Police.

The case arose from a corruption complaint referred by the Police. Subsequent ICAC enquiries revealed the above misconduct offence.

The court heard that at the material time, Lue was a PC attached to the Financial Investigation Division of Narcotics Bureau (FI/NB) of the Police.

Before being posted to the FI/NB, Lue was attached to a patrol sub-unit of North Point Division where he got acquainted with PC Chung Hin-lok.

In 2012, Lue participated in an investigation by the Organized Crime and Triad Bureau regarding two suspects for alleged illegal bookmaking.

Lue received a confidential folder containing a piece of document with names of 10 companies on October 17, 2012, and was tasked to enquire with one of the two suspects concerning the background of the 10 companies when the suspect reported bail on the following day, the court heard.

On October 18, 2012, before the suspect reported bail, Lue took photographs of the document by his mobile phone and sent them to Chung with the word "Confidential" obliterated.

Lue and Chung were arrested by ICAC officers on October 19, 2012, with several mobile phones seized from them. The original of the obliterated document was recovered from the office of Lue.

The Police had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by Acting Senior Assistant Director of Public Prosecutions Beney Wong, assisted by ICAC officer Natasha Li.

警員洩露機密資料行為失當判囚十五個月

2014年11月18日

一名警員向另一名警員披露警方就一項非法收受賭注罪行調查的機密資料，涉及公職人員行為失當，早前被廉政公署拘控。被告今日(星期二)在區域法院被判入獄十五個月。

盧俊祥，三十七歲，早前被裁定一項違反普通法的公職人員行為失當罪名成立。

法官姚勳智在判刑時指出，被告洩露機密資料，其觸犯的公職人員行為失當屬嚴重罪行。

法官續稱，量刑起點為十八個月，但考慮到不同的求情理由，包括被告沒有案底及在警隊服務已有十年，因此將刑期減至十五個月。

廉署早前接獲警方轉介的貪污投訴。調查其後揭發上述公職人員行為失當罪行。

案情透露，盧於案發時為隸屬警方毒品調查科財富調查組的警員。盧之前駐守北角分區巡邏小隊時認識警員鍾衍樂。

盧於二〇一二年參與有組織罪案及三合會調查科一項就其中兩名疑犯涉嫌非法收受賭注的調查。

盧於二〇一二年十月十七日收到一個機密文件夾，當中載有一份列出十間公司的文件。盧被指派於翌日在其中一名疑犯按保釋規定報到時，向他查問該十間公司的背景。

二〇一二年十月十八日，盧於疑犯報到前將文件的「機密」字眼塗去，以其手提電話拍下該文件，並將照片傳送給鍾。

盧與鍾於二〇一二年十月十九日被廉署人員拘捕，而他們的數部手提電話亦被檢走。廉署人員亦從盧的辦公室檢獲該份「機密」字眼被塗去的文件。

警方在廉署調查案件期間提供全面協助。

控方今日由署理高級助理刑事檢控專員黃志偉代表出庭，並由廉署人員李惠協助。

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