

## Police Sergeant gets 14 months for \$130,000 bribery and fraud

7 September 2015

A Police Sergeant, who was charged by the ICAC, was today (Monday) sentenced to 14 months' imprisonment at the Eastern Magistracy for having solicited and accepted unauthorised loans and deceived money amounting to about \$130,000 from six Police Constables (PCs).

Yau Chun-kit, 40, was also ordered by Deputy Magistrate Winston Leung Wing-chung to pay the Hong Kong Government a restitution of \$26,000 being the total amount of three outstanding loans from one of the PCs.

In sentencing, the deputy magistrate reprimanded the defendant for compromising the integrity of the police force, and undermining its efficiency and function.

The defendant earlier pleaded guilty to nine charges – seven of prescribed officer accepting an advantage, and two of prescribed officer soliciting an advantage, contrary to Section 3 of the Prevention of Bribery Ordinance.

The defendant further admitted one count of fraud, contrary to Section 16A of the Theft Ordinance, while the prosecution offered no evidence to another similar offence against him.

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

The court heard that at the material time, the defendant was a Sergeant posted to various formations. In November 2012, he was posted to the Police Tactical Unit (PTU) of Hong Kong Region. He was transferred to a Patrol Sub-unit (PSU) of Central District in August 2013, and was attached to a District Investigation Team (DIT) of Central District in March 2014.

In November 2012, the defendant called a PC of PTU to ask for a loan of \$60,000 by falsely representing that his elder sister needed money urgently for chemotherapy treatment to cure her cancer. As the PC was unable to raise the money, the defendant suggested that the PC obtain a loan from a bank. Believing that the defendant had a genuine need of money, the PC obtained a loan of \$60,000 from the bank, and lent the money to him.

After receiving the money in December 2012, the defendant used about \$40,000 of the loan to buy a camera and make repayments to a woman and a bank, and transferred another \$15,000 to his account with the Hong Kong Jockey Club for placing bets on football matches. He kept the remaining balance in his bank account, but had never paid any money to his elder sister for the chemotherapy treatment.

The court heard that between May and August 2013, the defendant, without authorisation, accepted seven loans totalling \$58,100 from two PCs and a woman PC attached to the PSU of Central District, and a PC posted to a Special Duty Squad (SDS) of Western District. Of these unauthorised loans, three amounting to \$26,000 were still outstanding from one of the PCs.

The defendant was the immediate supervisor of the three PCs attached to the PSU of Central District, while the PC posted to the SDS of Western District obtained a loan from the Hong Kong Police Credit Union and lent it to the defendant.

The defendant also solicited two loans of \$11,000 in total from one of the PCs in the PSU of Central District and another PC under his immediate supervision in the DIT of Central District in August 2013 and March 2014 respectively. The solicitations were turned down by the PCs concerned, the court was told.

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

The prosecution was today represented by prosecuting counsel Diana Cheung, assisted by ICAC officer Kelvin Choi.

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## 警長未經許可索取收受貸款及詐騙 十三萬元判囚十四個月

2015年9月7日

一名警長未經許可向六名警員索取及接受貸款並詐騙款項共約十三萬元，早前被廉政公署拘控。被告今日(星期一)在東區裁判法院被判入獄十四個月。

丘俊傑，四十歲，亦被暫委裁判官梁榮宗命令須向香港政府歸還二萬六千元，即相等於被告未向其中一名警員償還

三筆貸款的總額。

暫委裁判官判刑時斥責被告的行為破壞警隊誠信，並影響其效率及職能。

被告早前承認九項罪名，即七項訂明人員接受利益及兩項訂明人員索取利益，違反《防止賄賂條例》第3條。

被告另承認一項欺詐罪名，違反《盜竊罪條例》第16A條，而被告另外一項相類罪名，則獲控方不提證供起訴。

廉署早前接獲警方轉介的貪污投訴。調查其後揭發上述罪行。

案情透露，被告於案發時為警長，曾駐守不同警區。二〇一二年十一月，被告駐守港島總區警察機動部隊。他於二〇一三年八月被派駐中區一個巡邏小隊，並於二〇一四年三月起駐守中區一個調查隊。

被告於二〇一二年十一月致電一名駐守警察機動部隊的警員，訛稱其姊急需金錢進行化療以治療癌症，要求借一筆六萬元的貸款。由於該警員未能籌得款項，被告建議有關警員向某間銀行借貸。該警員相信被告真正需要金錢，遂向有關銀行貸款六萬元，並將貸款全數借給被告。

被告於二〇一二年十二月收到該筆款項後，以其中四萬元購買一部相機、歸還款項予兩名女子及一間銀行，又將一萬五千元轉帳至其在香港賽馬會的戶口，以投注足球賽事。他將餘額存入其銀行戶口，但從未給予其姊任何金錢作化療之用。

案情又透露，被告於二〇一三年五月至八月期間，未經許可從駐守中區巡邏小隊的兩名警員及一名女警員，以及西區特別職務隊一名警員，收取七筆共五萬八千一百元的貸款。被告至今仍未償還拖欠其中一名警員三筆共二萬六千元的未經許可貸款。

被告是該三名駐守上述中區巡邏小隊的警員的直屬上司，而該名西區特別職務隊的警員向警察儲蓄互助社申請貸款，然後將款項借給被告。

被告於二〇一三年八月及二〇一四年三月，分別向上述中區巡邏小隊其中一名警員及另一名隸屬中區調查隊的下屬警員，索取共一萬一千元貸款。該兩名警員均拒絕其要求。

警方在廉署調查案件期間提供全面協助。

控方今日由大律師張嫻珠代表出庭，並由廉署人員蔡國良協助。

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