

Trio jailed for \$450,000 false claims for lost registered mails

28 October 2016

A former officer of the Hongkong Post (HKPost) and two others, charged by the ICAC, were today (October 28) sentenced to various jail terms up to 29 months at the District Court for conspiracy to defraud HKPost of compensation claims totalling \$451,674 for lost registered mails.

Chan Ka-yau, 32, former Customer Service Officer of HKPost, received a jail term of 29 months. Cho Shek-hang, 31, unemployed, was sentenced to 21 months' imprisonment, while Ng Chun-yin, 33, system analyst, was jailed for 20 months.

In sentencing, Judge Stanley Chan Kwong-chi said Chan's act constituted a serious breach of trust as he acted as the instigator of the scam, and reprimanded Chan for his greediness in making the false claims.

The judge also ordered the defendants to pay \$150,558 each as restitution to HKPost.

On Wednesday (October 26), the defendants pleaded guilty to a joint charge of conspiracy to defraud, contrary to the common law.

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

The court heard that at the material time, Chan was a Customer Service Officer of HKPost posted to its Mail Tracing Office (MTO). Cho and Ng were former schoolmates of Chan.

According to the policy of HKPost, the sender of a registered mail is eligible for compensation up to a maximum of \$320 plus postage if the mail is lost during delivery.

Between May 5, 2012 and January 7, 2015, Cho and Ng sent 3,039 mails by registered post in the name of "Mr Cho", "Mr Ng" or "Mr Choi" to various persons in Pakistan, the Philippines, India, Italy, the United Kingdom and Kuwait.

MTO later received mail tracking enquiries in relation to 3,022 of those registered mails, which were stated to have contained ball pens of a certain brand at \$460 or \$500 each.

After making enquiries with the post offices in those countries, MTO informed "Mr Cho" and "Mr Ng" that they were entitled to claim compensation for 1,614 mails which could not be traced and were regarded as lost by HKPost.

The court heard that between August 2012 and April 2015, MTO received 1,531 reply slips, of which the maximum amount of compensation of \$320 plus postage were claimed with the name of Cho or Ng to be the payee of the cheque.

On May 4, 2015, Chan, Cho and Ng met to discuss how to make documents, including invoices issued by a pen company and non-receipt declarations, to support their claims. Subsequently, Cho and Ng submitted those documents to MTO.

Believing that the information provided by the trio was true and accurate, HKPost eventually released a total sum of over \$451,674 to Cho and Ng as compensation for 1,398 of the 1,531 registered mails. In fact, the items posted by Cho and Ng were not ball pens of that brand and the pen company did not exist.

Chan, Cho and Ng were arrested by ICAC officers on May 21, 2015. Among the items seized from Chan were three spreadsheets containing details about the 3,039 items posted by Cho and Ng, the court was told.

HKPost had rendered full assistance to the ICAC during its investigation.

The prosecution was today represented by Acting Senior Public Prosecutor Kasmine Hui, assisted by ICAC officer Eric Chan.

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三人詐騙遺失掛號郵件賠償四十五萬元判囚最高二十九個月

2016年10月28日

一名前香港郵政員工及另外兩名人士串謀詐騙香港郵政遺失掛號郵件賠償合共四十五萬一千六百七十四元，被廉政公署起訴。三人今日(十月二十八日)在區域法院被判囚最高二十九個月。

陳嘉祐，三十二歲，香港郵政前客戶服務員，被判入獄二十九個月。曹碩恒，三十一歲，無業，判監二十一個月，而伍俊諺，三十三歲，電腦系統分析員，則被判囚二十月。

法官陳廣池在判刑時表示，陳是詐騙勾當的始作俑者，其行為嚴重破壞誠信，又斥責陳因貪念而作出虛假申領賠償。

法官又下令各被告須各自向香港郵政賠償十五萬零五百五十八元。

三名被告星期三(十月二十六日)同承認一項串謀詐騙罪名，違反普通法。

廉署早前接獲香港郵政轉介的貪污投訴，調查其後揭發上述罪行。

陳於案發時為香港郵政的客戶服務員，並派駐郵件查詢組(查詢組)。曹及伍則是陳的舊同學。

根據香港郵政的政策，掛號郵件在投寄過程中若有遺失，有關寄件人可獲得每件郵件最高三百二十元賠償連郵費。

案情透露，曹及伍於二〇一二年五月五日至二〇一五年一月七日期間，以「Mr Cho」、「Mr Ng」或「Mr Choi」名義，利用掛號郵遞將三千零三十九件郵件寄給在巴基斯坦、菲律賓、印度、意大利、英國及科威特的不同收件人。

查詢組其後收到涉及其中三千零二十二件郵件的追查郵件查詢，而有關郵件聲稱附有每支四百六十元或五百元的某牌子原子筆。

查詢組向有關國家的郵政局作出查詢後，通知「Mr Cho」及「Mr Ng」可就一千六百一十四件追查不到及被視作遺失郵件索取賠償。

案情透露，查詢組於二〇一二年八月至二〇一五年四月共接獲一千五百三十一張回條，回條均顯示有關人士申索最高賠償額三百二十元連郵費，並提供曹或伍的姓名為支票抬頭人。

陳、曹及伍於二〇一五年五月四日會面，商討如何捏造文件，包括由一間筆公司發出的發票和未有收到郵件聲明書，以支持他們的申索。曹及伍隨後將有關文件呈交查詢組。

在相信三人提交的資料為真確的情況下，香港郵政最終就一千五百三十一件掛號郵件中的一千三百九十八件，向曹及伍發出合共超過四十五萬一千六百七十四元的賠償。事實上，有關原子筆並非所聲稱的牌子，而有關筆公司也不存在。

案情透露，陳、曹及伍於二〇一五年五月二十一日被廉署人員拘捕，而從陳檢獲的物品中，包括三張載有有關曹及伍投寄三千零三十九件郵件詳細資料的試算表。

香港郵政在廉署調查案件期間提供全面協助。

控方今日由署理高級檢控官許熙晴代表出庭，並由廉署人員陳卓熙協助。

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