



Press Releases

Superintendent of Police and two others charged with bribery and conspiracy to commit MIPO

2017-10-24

A Superintendent of Police (SP) and two private club operators have been charged by the ICAC today (October 24) with bribery involving bribes of \$780,000 in total and free sexual service of a woman for the SP disclosing to the operators confidential information relating to police investigations against their private clubs and rendering advice or assistance to them. They also face an alternative charge of conspiracy to commit misconduct in public office (MIPO).

Ng Wai-hon, 53, SP, Luen Kei-cheung, 46, and Tse Hoi-kin, 37, both operators of MB Club Mont. Busa (MBC) and GOLDEN, face a total of eight charges, five of which are alternative.

Ng, Luen and Tse face a joint charge of conspiracy for a public servant to accept advantages, contrary to Section 4(2)(a) of the Prevention of Bribery Ordinance (POBO) and Section 159A of the Crimes Ordinance.

Ng further faces two alternative charges of public servant accepting an advantage, contrary to Section 4(2)(a) of the POBO, while Luen and Tse also jointly face two alternative charges of offering an advantage to a public servant, contrary to Section 4(1)(a) of the POBO.

Ng, Luen and Tse also jointly face an alternative charge of conspiracy to commit MIPO, contrary to Common Law and Section 159A of the Crimes Ordinance.

Ng alone faces a charge of public servant accepting an advantage, contrary to Section 4(2)(a) of the POBO, while Luen alone faces a charge of offering an advantage to a public servant, contrary to Section 4(1)(a) of the POBO.

The defendants will appear at the Eastern Magistracy for mention tomorrow (October 25).

At the material time, Ng was a SP attached to the Administration and Support (Crime) of Crime Hong Kong Island Regional Headquarters. Luen and Tse were both operators of MBC and GOLDEN, which were private clubs in Wan Chai.

The joint charge alleges that between November 29, 2015 and January 24, 2017, Ng, Luen and Tse conspired together for Ng to, without lawful authority or reasonable excuse, accept \$114,000 each on five occasions and \$210,000 on another occasion, totalling \$780,000, from Luen and Tse as rewards for Ng disclosing to Luen and Tse confidential information relating to the police investigations of MBC and

GOLDEN, and rendering advice or assistance to them.

Two alternative charges allege that during the same period, Ng, without lawful authority or reasonable excuse, accepted from Luen and Tse the \$780,000 for the same purpose.

Two other alternative charges allege that during the same period, Luen and Tse, without lawful authority or reasonable excuse, offered the above sums of money to Ng for the same purpose.

Another alternative joint charge alleges that during the same period, Ng, Luen and Tse conspired together for Ng, in the course of or in relation to his public office, without reasonable excuse or justification, to wilfully and intentionally misconduct himself by (i) failing to declare a conflict of interest in connection with his handling of police files relating to MBC and GOLDEN; (ii) failing to abstain from the deliberation, decision making, and investigation of suspected criminal offences involving the two private clubs ; (iii) disclosing confidential information of the Police relating to the two private clubs to Luen and Tse; and (iv) giving advice to Luen and Tse for the purpose of evading police enforcement action against unlawful activities in the two private clubs.

The seventh charge alleges that on January 11, 2017, Ng, without lawful authority or reasonable excuse, accepted from Luen an advantage, namely free sexual service of a woman, as a reward for Ng disclosing to Luen confidential information relating to the police investigations of MBC and GOLDEN, and rendering advice or assistance to Luen.

The remaining charge alleges that on the same day, Luen, without lawful authority or reasonable excuse, offered the above advantage, namely free sexual service of a woman, to Ng for the same purpose.

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

The defendants have been released on ICAC bail, pending their court appearance tomorrow.

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新聞公佈

廉署起訴警司及兩名會所經營者貪污及串謀公職人員行為失當

2017年10月24日

廉政公署今日(十月二十四日)落案起訴一名警司及兩名私人會所經營者，控告他們涉嫌分別接受及提供共七十八萬元賄款及由一名女子提供免費性服務，以及串謀公職人員行為失當，使該警司向該兩名經營者披露有關警方調查有關私人會所的機密資料，並向他們提供意見或協助。

吳偉漢，五十三歲，警司；欒其祥，四十六歲，及謝凱健，三十七歲，同為MB Club Mont. Busa (MBC) 及GOLDEN經營者，被控共八項罪名，其中五項為交替罪名。

吳、欒及謝同被控一項串謀使公職人員接受利益罪名，違反《防止賄賂條例》第4(2)(a)條及《刑事罪行條例》第159A條。

吳另被控兩項公職人員接受利益的交替罪名，違反《防止賄賂條例》第4(2)(a)條，而欒及謝則同被控兩項向公職人員提供利益的交替罪名，違反《防止賄賂條例》第4(1)(a)條。

吳、欒及謝又同被控一項串謀犯公職人員行為失當罪的交替罪名，違反普通法及《刑事罪行條例》第159A條。

吳另被控一項公職人員接受利益罪名，違反《防止賄賂條例》第4(2)(a)條，而欒則另被控一項向公職人員提供利益罪名，違反《防止賄賂條例》第4(1)(a)條。

三名被告將於明日(十月二十五日)在東區裁判法院應訊。

吳於案發時為一名警司，隸屬港島總區刑事總部行政及支援(刑事)。欒及謝同為灣仔私人會所MBC及GOLDEN的經營者。

吳、欒及謝同被控的罪名指他們涉嫌於二〇一五年十一月二十九日至二〇一七年一月二十四日期間，一同串謀使吳在無合法權限或合理辯解下從欒及謝先後六次接受共七十八萬元，其中五次各接受十一萬四千元，另一次則接受二十一萬元，作為吳向欒及謝披露有關警方調查MBC及GOLDEN的機密資料，並向他們提供意見或協助的報酬。

另外兩項交替控罪指吳涉嫌於同一期間，無合法權限或合理辯解而以相同目的從欒及謝接受該七十八萬元。

另外兩項交替控罪指欒及謝涉嫌於同一期間，無合法權限或合理辯解而以相同目的向吳提供上述款項。

另一項交替控罪指吳、欒及謝涉嫌於同一期間，一同串謀使吳在執行其公職過程中或在與其公職有關的事上，無合理辯解或理由而故意及蓄意作出不當行為，即(i)沒有就處理有關MBC及GOLDEN的警方檔案申報利益衝突；(ii)沒有放棄參與商議、決議和調查涉及該兩間私人會所的涉嫌刑事罪行；(iii)向欒及謝披露有關該兩間私人會所的警方機密資料；及(iv)向欒及謝提供意見，藉此逃避警方針對該兩間私人會所內的非法活動採取執法行動。

第七項控罪指吳涉嫌於二〇一七年一月十一日，無合法權限或合理辯解而從欒接受利益，即由一名女子提供免費性服務，作為吳向欒披露有關警方調查MBC及GOLDEN的機密資料，並向欒提供意見或協助的報酬。

餘下一項控罪指欒涉嫌於同日，無合法權限或合理辯解而以相同目的向吳提供利益，即由一名女子提供免費性服務。

警方在廉署調查案件期間提供全面協助。

三名被告已獲廉署准予保釋，以待明日應訊。

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