

Ex-policeman charged with misconduct, perjury and perversion

24 July 2015

A former Police Constable (PC) has been charged by the ICAC today (Friday) with misconduct in public office, perjury and perverting public justice to facilitate an operator of four money lenders in collecting debts from six debtors.

Lau Wai-man, 47, faces four counts of misconduct in public office, contrary to Common Law. He also faces two other charges – one of perjury, contrary to Section 31 of the Crimes Ordinance, and one of doing acts tending and intended to pervert the course of public justice, contrary to Common Law.

The defendant will appear in the Kowloon City Magistracy next Tuesday (July 28), pending the case to be transferred to the District Court for plea.

The case arose from a corruption complaint. Subsequent ICAC enquiries revealed the above alleged offences.

At the material time, the defendant was a detective PC attached to a District Investigation Team of the Kowloon City District. He came to know an operator of four licensed money lenders.

Four of the charges allege that between March 17, 2009 and March 18, 2010, the defendant, in the course of or in relation to his public office, without reasonable excuse or justification, wilfully and intentionally misconducted himself.

The defendant is alleged to have caused requests to be sent to Hong Kong and China Gas Company Limited, CLP Holdings Limited, the Immigration Department and the Housing Department for personal particulars of five debtors; falsely represented that the requests were related to the Police's criminal investigations involving them; and disclosed the information of those debtors as obtained from the public bodies and government departments concerned to the operator for his debt collection from them.

Another charge alleges that on October 19, 2009, the defendant, having been lawfully sworn as a witness in the judicial proceedings of an application in chambers before a magistrate for the issue of a search warrant, wilfully made a false statement that the account number of one of the five debtors with a bank was involved in an investigation by the Police into an offence of fraud.

The remaining charge alleges that between May 10 and July 20, 2010, the defendant, with intent to pervert the course of public justice, incited a woman not to testify against her son for forging her signature in a sale and purchase agreement in respect of their flat; and told the woman that if she was to sell her half share of the flat at about \$1 million to the finance company to which her son was indebted, her son would not be prosecuted for forging her signature.

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

The defendant has been released on ICAC bail, pending his court appearance next Tuesday.

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廉署起訴前警員涉嫌行為失當作假 證供及妨礙司法公正

2015年7月24日

廉政公署今日(星期五)落案起訴一名前警員，控告他涉嫌身為公職人員期間行為失當、作假證供及妨礙司法公正，以便利四間放債人公司的負責人向六名欠債人追收債項。

劉偉文，四十七歲，被控四項公職人員行為失當罪名，涉嫌違反普通法。被告另被控兩項罪名，即一項宣誓下作假證供，涉嫌違反《刑事罪行條例》第31條，及一項作出多於一項傾向並意圖妨礙司法公正的行為，涉嫌違反普通法。

被告將於下星期二(七月二十八日)在九龍城裁判法院應訊，以待案件轉介區域法院答辯。

廉署較早時接獲貪污投訴，調查其後揭發上述涉嫌罪行。

被告於案發時是九龍城區一隊刑事調查隊的偵緝警員。他當時認識了一名經營四間持牌放債人公司的負責人。

其中四項控罪指被告涉嫌於二〇〇九年三月十七日至二〇一〇年三月十八日期間，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。

被告涉嫌安排向香港中華煤氣有限公司、中電控股有限公司、入境事務處及房屋署作出要求，索取五名欠債人的個人資料；虛假地表示有關要求與涉及該五名人士的警方刑事調查有關；並向該放債人公司負責人披露從有關公共機構及政府部門取得的資料，以便其向有關人士追收債項。

另一項控罪指被告涉嫌於二〇〇九年十月十九日，在法庭內庭一名裁判官前申請發出搜查令的司法程序中依法宣誓為證人後，故意作出虛假的陳述，即上述五名欠債人之一在一間銀行開立的帳戶號碼涉及警方調查的一項欺詐罪。

餘下控罪指被告涉嫌於二〇一〇年五月十日至七月二十日期間意圖妨礙司法公正，即煽惑一名女士不要作供指證其兒子在他們兩人的單位的買賣協議上偽造她的簽名，並告訴該女士若她以約一百萬元把她持有該單位的一半業權售予其子欠債的財務公司，其子便不會因偽造她的簽名而被檢控。

警方在廉署調查案件期間提供全面協助。

被告已獲廉署准予保釋，以待下星期二應訊。

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