

## **Policemen charged with MIPO over murder case while businessman faces offence of aiding and abetting**

20 December 2016

Two police officers have been charged by the ICAC today (December 20) with misconduct in public office (MIPO) in relation to a murder case under investigation by the Police, while a metal works businessman faces an offence of aiding and abetting MIPO.

Lee Yuen-fook, 47, Police Constable, and Yip Kwok-leung, 50, Police Station Sergeant, face a joint charge of MIPO, contrary to Common Law.

Co-defendant Hung Wai-ming, 46, a metal works businessman, faces a charge of aiding and abetting, counselling and procuring MIPO, contrary to Common Law.

The defendants will appear at the Kowloon City Magistracy on Thursday (December 22) for mention.

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

At the material time, Lee was a Police Constable attached to Tin Shui Wai Division, while Yip was a Station Sergeant attached to Kowloon City District. Hung was an operator of a metallic engineering company.

The joint charge alleges that between October 8, 2014 and June 7, 2015, Lee and Yip, in the course of or in relation to their public offices, without reasonable excuse or justification, wilfully and intentionally misconducted themselves by:

- (i) procuring and obtaining confidential information about a murder case under investigation by the Police;
- (ii) divulging the confidential information to Hung with the knowledge that Hung would transmit such information to the suspects of the murder case;
- (iii) discussing between themselves the state and strength of the evidence in the murder case as revealed in the confidential information for the purpose of advising two suspects of the murder case as to how to conduct themselves upon the investigation of them by the Police; and
- (iv) requesting a monetary reward for their acts referred to in (i) to (iii).

The other charge alleges that during the same period, Hung aided and abetted, counselled and procured Lee, in the course of or in relation to his public office, without reasonable excuse or justification, to wilfully and intentionally misconduct himself by acting together with another police officer to take the above courses of action, including discussing with Hung the state and strength of the evidence in the murder case.

The Police have rendered full assistance to the ICAC during the investigation.

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

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## 廉署起訴警務人員及商人就謀殺案 調查分別行為失當和協助及教唆行 為失當

2016年12月20日

廉政公署今日(十二月二十日)落案起訴兩名警務人員，控告他們就一宗警務處調查的謀殺案公職人員行為失當，而一名鋼鐵工程商人則被控協助及教唆公職人員行為失當。

李潤福，四十七歲，警員，及葉國良，五十歲，警署警長，同被控一項藉公職作出不當行為罪名，違反普通法。

同案被告洪偉明，四十六歲，鋼鐵工程商人，被控一項協助、教唆、慫使和促致藉公職作出不當行為罪名，違反普通法。

被告將於星期四(十二月二十二日)在九龍城裁判法院應訊。

廉署較早時接獲貪污投訴，調查後揭發上述涉嫌罪行。

李於案發時為警員，隸屬天水圍分區，而葉則為警署警長，隸屬九龍城區。洪是一名鋼鐵工程公司負責人。

李及葉同被控的罪名指他們涉嫌於二〇一四年十月八日至二〇一五年六月七日期間，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，即：

- (i) 促致取得警務處調查一宗謀殺案的機密資料；
- (ii) 明知洪會將該等機密資料轉交有關謀殺案的疑犯而仍向洪泄露該等資料；
- (iii) 互相討論該等機密資料所透露該謀殺案的證據狀況及證據強弱，目的是建議有關謀殺案的兩名疑犯在警務處調查時如何自處；及
- (iv) 為上述(i)至(iii)所述他們的作為而要求金錢報酬。

另一項控罪指洪涉嫌於同一段期間，協助、教唆、慫使和促致李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，即連同另一名警務人員作出上述作為，包括與洪討論有關謀殺案的證據狀況及證據強弱。

警務處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，以待星期四應訊。

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