Press Releases

Four months' jail for disclosing identity of person under ICAC probe

2018-5-28

A man, charged by the ICAC, was today (May 28) sentenced to four months' imprisonment at the Eastern Magistracy for breaching the Prevention of Bribery Ordinance (POBO) by disclosing the identity of a person under ICAC investigation and details of such investigation.

Avery Ng Man-yuen, 41, chairman of the League of Social Democrats (LSD), was earlier found guilty of three charges of disclosing identity, etc. of persons being investigated, contrary to Section 30(1)(b) of the POBO.

In passing the sentence, Magistrate Mr Cheng Lim-chi said Ng knowingly committed the offences, despite the fact that he had been repeatedly reminded of the prohibition under Section 30 of the POBO.

The magistrate also reprimanded Ng for having shown no remorse, and remarked that he had to mete out an immediate custodial sentence to Ng.

Upon an application from Ng, the magistrate granted him bail, pending his appeal.

The court heard that on April 2, 2016, Ng, as chairman of the LSD, went to the ICAC headquarters in North Point to lodge a corruption complaint against a government official and two other persons.

On April 5, 2016, Ng was invited by an ICAC officer to attend an interview the following day. He was reminded of the prohibition under Section 30 of the POBO.

Less than an hour later, a text saying that the ICAC would officially open a file and investigate the case was posted onto Ng's accounts of a social media platform. Subsequently, various online news outlets reported this piece of news, and that Ng would provide a witness statement the next day.

After noticing that there was online news about the investigation, the ICAC officer contacted Ng and reminded him of the prohibition under Section 30 of the POBO.

Later on the same day, the officer contacted Ng again to reschedule the time of the interview at an ICAC office. Ng was reminded of the prohibition under Section 30 of the POBO again.

The court heard that Radio Television Hong Kong (RTHK) reported in its late evening news on April 5, 2016 that Ng was invited by the ICAC to give a witness statement on the matter the next day.

RTHK also broadcast a telephone interview with Ng, in which he explained his suspicion, and commented that the government official should explain the matter to the public.

The court also heard that Ng arrived at the ICAC office in the afternoon of April 6, 2016. Outside the office, Ng disclosed that he was going to give a statement as a complainant against the government official. The ICAC officer then took a witness statement from Ng.

In the same afternoon, a text saying that Ng was giving a statement in the ICAC and a selfie he took in the ICAC office were posted onto his accounts of the social media platform. On May 24, 2016, it was discovered that the selfie was also posted onto Ng's accounts of two other social media platforms.

The prosecution was today represented by prosecuting counsel Susanna Ku, assisted by ICAC officer Michael Yeung.

Back to Index

新聞公佈

男子披露廉署調查人士身分判囚四個月

2018 5 28

一名男子披露一名廉署受 人士的身分及該項調 的細節，違反《防止賄賂條例》， 早前被廉政公署起訴。被告今日(五月二十八日)在東區裁判法院被判入獄四個月。

吳文遠，四十一歲，社會民主連線(社民連)主席，早前被裁定三項披露受調 人身分等資料罪名成立，違反《防止賄賂條例》第30(1)(b)條。

裁判官鄭念慈判刑時稱，雖然吳獲重複提醒《防止賄賂條例》第30條所訂定的禁制，但他仍明知故犯。裁判官亦斥責吳沒有悔意，並指必須判處他即時監禁。

裁判官接納吳的申請，准許他保釋外出等候上訴。

案情透露，吳身為社民連主席，於二○一六年四月二日到北角廉署總部大樓作出貪 投訴，指控一名政府官員及另外兩名人士。

吳於二○一六年四月五日獲一名廉署人員邀請於翌日進行會見。他獲提醒《防止賄賂條例》第30條所訂定的禁制。

在其後不足一個小時之內，一條指稱廉署將就案件正式立案調 的文字訊息被貼到吳在一個社交媒體平台的帳戶。多個網上新聞媒體其後報道該則新聞，以及吳將於翌日提供一份證人供詞。

該名廉署人員留意到網上有關該調 的新聞後，聯絡吳並提醒他有關《防止賄賂條例》第30條所訂定的禁制。

該名廉署人員同日稍後再次聯絡吳，更改在該署一個辦事處的會見時間。吳又再次被提醒《防止賄賂條例》第30條所訂定的禁制。

案情透露，香港電台於二○一六年四月五日在其晚間新聞時段報道，吳獲廉署邀請翌日就事件作出一份證人供詞。

香港電台又播放一段與吳進行的電話訪問，當中他解釋了其對有關事件的懷疑，並表示有關政府官員須向公眾作出交待。

案情又透露，吳於二○一六年四月六日下午到達廉署辦事處。吳在辦事處外披露他正要以有關該

官員案件的投訴人身分作出一份供詞。該廉署人員其後向吳錄取一份證人供詞。

同日下午，一條文字訊息指稱吳正在廉署提供證人供詞及一張自拍照被貼到吳在上述社交媒體平台的帳戶。該自拍照亦於二〇一六年五月二十四日被發現貼到吳在另外兩個社交媒體平台的帳戶上。

控方今日由大律師顧佩芳代表出庭，並由廉署人員楊俊賢協助。
返回目錄