

Senior Police Inspector charged with misconduct in public office

28.01.10

A Senior Inspector of Police (SIP) has been charged by the ICAC for misconduct in public office for allegedly abusing his official capacity to obtain and divulge privileged information, relating to a suspected fraud case he was handling, to a civilian for him to carry out a private investigation as suggested by the SIP.

Francis Lam Koon-wah, 40, faces one count of misconduct in public office, contrary to the Common Law.

He will appear at 9:30 am tomorrow (Friday) at Kowloon City Magistracy, pending transfer to the District Court.

The case arose from a corruption complaint. Subsequent ICAC enquiries revealed the alleged misconduct offence.

The charge alleges that between November 23, 2005 and November 30, 2007, the defendant, without reasonable excuse or justification, in the course of or in relation to his public office, had wilfully and culpably misconducted himself.

The charge alleges the defendant of keeping in his personal custody documents obtained and/or originated from the Inland Revenue Department, and company and land search records, which he had allegedly obtained in his capacity as a SIP.

The defendant is also accused of providing to a civilian the aforesaid documents as well as police internal reports and other documents obtained or compiled in relation to the said investigation.

The charge further alleges the defendant of applying for five search warrants to obtain bank documents in connection with another concluded police investigation, and provided them to the aforesaid civilian.

ICAC investigations reveal that the aforesaid documents related to a former business partner and two former staff of the civilian, against whom the civilian intended to commission a private investigation for alleged fraud.

The defendant has been granted ICAC bail, pending his court appearance tomorrow.