

## Police Sergeant and woman jailed for misconduct and bribery

24 March 2016

A Police Sergeant and a woman, charged by the ICAC, were today (Thursday) sentenced to jail terms up to 30 months at the District Court for misconduct in public office, bribing the sergeant and conspiracy to operate a gambling establishment respectively.

Lai Wing-kit, 47, Police Sergeant, received a jail term of 30 months, while co-defendant Au Pui-lan, 48, unemployed, was jailed for 26 months.

In sentencing, Judge Fred Sham Siu-man said Lai, as a police officer, was obligated to maintain law and order and fight crimes, but he failed to carry out his duties. Moreover, he had seriously abused his office and power.

The judge said by doing so, Lai could not live up to public expectation from the Police. As Lai came to such a predicament, he only had himself to blame.

The judge also ordered that Lai should pay the \$1,000 he received from Au as restitution to the Government.

Lai was yesterday found guilty of one count of misconduct in public office, contrary to Common Law, while Au was convicted of one count of offering an advantage to a public servant, contrary to Section 4(1)(a) of the Prevention of Bribery Ordinance.

Au earlier pleaded guilty to one count of conspiracy to operate a gambling establishment, contrary to Section 5 of the Gambling Ordinance and Section 159A of the Crimes Ordinance.

The court heard that at the material time, the defendant was a Police Sergeant attached to the Special Duty Squad of Kwai Tsing District from October 3, 2011 to August 25, 2012.

On June 5, 2012, Lai and his colleagues participated in an operation, in which Au was arrested for allegedly operating a gambling establishment in Kwai Chung. After the operation, Lai and Au had frequent telephone contacts.

Since March 2013, Au had been operating another illegal mahjong den in Kwai Chung together with two other persons.

The court heard that Lai was transferred to a Patrol Sub-Unit of Kwai Chung Division on August 26, 2012 after his posting at the Special Duty Squad.

Although Lai knew Au was operating the mahjong den illegally in his patrol area, he never reported it to his senior officers or took any enforcement action against Au.

Having learnt that an anti-gambling operation would be conducted in Kwai Chung on June 25, 2013, Lai called and tipped off Au about the operation by phone on the preceding day.

On July 25, 2013, Lai met Au at a restaurant in Tsuen Wan. During the meeting, Au passed a bunch of banknotes with a total amount of \$1,000 to Lai under a table, and Lai accepted them.

Lai had never applied for any permission to accept or solicit any advantage, and reported to his supervisor or made any declaration relating to the conflict of interest between his association with Au and his official duties, the court was told.

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

The prosecution was today represented by Senior Public Prosecutor Jonathan Lin, assisted by ICAC officer Kenny Wong.

## 警長及女子行為失當及貪污判囚最高三十個月

2016年3月24日

一名警長及一名女士，分別涉及公職人員行為失當、行賄該警長及串謀營辦賭檔，早前被廉政公署起訴。被告今日(星期四)在區域法院被判入獄最高三十個月。

賴永傑，四十七歲，警長，被判囚三十個月；而歐培蘭，四十八歲，無業，則被判入獄二十六個月。

法官沈小民判刑時表示，賴身為警務人員理應維護法紀，打擊罪案，但他沒有履行職責，而且嚴重濫用公職及權力。

法官續稱，賴的行為辜負市民對警隊的期望。他落得如斯田地是自己造成，與人無尤。

法官亦命令賴須向香港政府交還從歐收取的一千元。

賴昨日被裁定一項公職人員行為失當罪名成立，違反普通法；而歐則被裁定一項向訂明人員提供利益罪名成立，違反《防止賄賂條例》第4(1)(a)條。

歐早前承認一項串謀營辦賭場罪名，違反《賭博條例》第5條及《刑事罪行條例》第159A條。

案情透露，賴於案發時是一名警長，他於二〇一一年十月三日至二〇一二年八月二十五日期間隸屬葵青區特別職務隊。

賴及其同事於二〇一二年六月五日參與一項行動，歐涉嫌在葵涌營辦一個賭場而在行動中被捕。賴及歐在該行動後曾經常通電話。

歐自二〇一三年三月起與另外兩名人士在葵涌營辦另一個非法麻將賭檔。

案情透露，賴於二〇一二年八月二十六日由當時駐守的特別職務隊被派駐葵涌分區巡邏小隊。

雖然賴知悉歐在其巡邏範圍內營辦非法麻將賭檔，卻沒有向其高層人員作出報告或對歐採取執法行動。

賴得知警方會於二〇一三年六月二十五日在葵涌進行掃蕩非法賭檔行動，遂於行動前一日致電歐通風報信。

賴與歐於二〇一三年七月二十五日在荃灣一間餐廳見面。會面期間，歐將一捆共一千元的紙幣在枱底交予賴，而賴接收了有關紙幣。

賴從未申請許可接受或索取任何利益，亦沒有向其上級報告或申報與歐的交往及其公職之間的利益衝突。

警方在廉署調查案件期間提供全面協助。

控方今日由高級檢控官連普禧代表出庭，並由廉署人員黃學芹協助。

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