

Account clerk admits disclosing identity of person under ICAC probe

8 September 2016

An account clerk, charged by the ICAC, today (Thursday) admitted at the Eastern Magistracy that on three occasions, he had disclosed to others that his elder brother was the subject of an ICAC investigation.

Poon Hoi-kan, 39, pleaded guilty to three counts of disclosing the identity of a person being investigated, contrary to Section 30(1)(b) of the Prevention of Bribery Ordinance (POBO).

Magistrate Mr Jason Wan Siu-ming adjourned the case to September 22 this year for sentence, pending a community service order report. The defendant was remanded in the custody of the Correctional Services Department.

The court heard that at the material time, the defendant had a family dispute with his elder brother, an employee of an office products company in Hong Kong.

Acting on the defendant's instruction, his wife lodged a corruption complaint with the ICAC against the elder brother on August 5, 2015.

Five days later, the defendant's wife attended an interview at the ICAC headquarters and gave a detailed account of the complaint learnt from her husband in a witness statement.

After the interview, the defendant's wife was given a photocopy of her witness statement, and warned that any disclosure of the ICAC investigation could constitute an offence under Section 30 of the POBO.

The defendant later photocopied the witness statement, and created an edited version by concealing the **particulars of her wife** and interviewing officers.

The court heard that on October 5, 2015, a director of the office products company in Hong Kong received an anonymous letter from the defendant. Enclosed in the letter was the edited witness statement, which revealed the corruption complaint and the elder brother being a subject of the ICAC investigation.

On October 9, 2015, the defendant sent the edited witness statement to 39 e-mail addresses belonging to staff members of the office products company in Hong Kong, its associated company in the United States; and another document management consultancy company in Hong Kong, a former employer of his elder brother.

On October 10, 2015, the defendant sent another e-mail to the same 39 e-mail addresses, with the edited witness statement attached to it. The staff members concerned received the e-mail, which contained the identical contents, the court was told.

The prosecution was today represented by ICAC officer Jeanne Lam.

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會計文員承認披露受廉署調查人士身分候判

2016年9月8日

一名會計文員先後三次向其他人士披露其兄長正被廉政公署調查，早前被廉署拘控。被告今日(星期四)在東區裁判法院承認控罪。

潘凱勤，三十九歲，承認三項披露受調查人身分罪名，違反《防止賄賂條例》第30(1)(b)條。

裁判官溫紹明將案件押後至本年九月二十二日判刑，以待被告的社會服務令報告。被告暫時還押懲教署看管。

案情透露，被告於案發時和其兄長發生家庭糾紛。其兄長當時受僱於一家在香港的辦公室用品公司。

案情指出，被告妻子在二〇一五年八月五日在被告的指示下，向廉署投訴其兄長涉嫌貪污。

被告妻子於五天後在廉署總部與廉署人員進行會見，就她從丈夫知悉的投訴向廉署作出詳盡描述並提供證人供詞。

會見完成後，被告妻子收到一份其證人供詞的影印本，並被警告披露廉署調查的任何資料，均可能觸犯《防止賄賂條例》第30條所述的罪行。

被告後來將供詞影印，然後把其妻子和負責會見人員的資料遮蓋，製作成經修改版本的供詞。

案情透露，有關辦公室用品香港公司的一名總監於二〇一五年十月五日接獲被告的一封信件，並附上經修改的供詞，當中披露了有關貪污投訴和被告兄長是廉署調查對象一事。

被告於二〇一五年十月九日向三十九個屬於有關辦公室用品香港公司、其美國相關公司及其兄長曾任職的另一家文件管理顧問公司員工的電郵地址，寄出附有經修改供詞的電郵。

案情透露，被告在二〇一五年十月十日向同樣的三十九個電郵地址寄出另一封電郵，並附上經修改的供詞。有關員工均收到該封內容相同的電郵。

控方今日由廉署人員林璐琪代表出庭。

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