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\$15m bail 'is right for bribes-case policeman'

When a retired police staff sergeant charged under the Prevention of Bribery Ordinance applied for bail at Central Court yesterday, the Crown suggested a figure of \$15 million.

Actually the Crown opposed bail, but mentioned the figure if the application was successful.

The case involves the largest amount in present day terms to be brought before the courts under Section 10 of the ordinance.

The section deals with a Crown servant being in control of pecuniary resources and property disproportionate to his official emoluments.

The case against Lai Man-yau (63), who is now a merchant, was ordered transferred by Mr Paul Corfe to Victoria District Court where plea will be taken tomorrow.

A bail of \$15 million in cash and sureties is believed to be the largest ever suggested before. Mr Corfe, the Principal Magistrate of Central Court.

Defence counsel Mr Henry Litton, QC, had told the court that Lai would probably be in a position to raise cash of \$250,000 for bail.

Lai is charged with, being on May 15, 1971 in control of assets disproportionate to his past official emoluments.

Mr Corfe was told that the figure involved was about \$5.25 million, largely property, as calculated at the time of its acquisition in perhaps the 1950s and 60s.

The Deputy Assistant to the Attorney-General, Mr B. Caird, pointed out this figure took no account of inflation and the current value of the assets.

An estimate would however put it at a "very" substantial figure, he said.

Mr Litton, when applying for bail, noted that Lai was first arrested in connection with this case in January last year.

He had been allowed bail of \$50,000 on his own recognisance, and there was no suggestion that he had left Hongkong in the intervening period.

The long delay in the case was the result of a civil action brought by Lai in which he claimed that as he had retired from the force in 1969 and the Prevention of Bribery Ordinance only came into effect in 1971, it could not apply to him.

This argument had gone all the way to the Privy Council where only the day before yesterday, it was ruled that this was no defence.

The Independent Commission Against Corruption then arrested Lai again, leading to his court appearance yesterday.

The date mentioned in the charge against him— May 15, 1971—is the date the ordinance in question came into effect.

Opposing bail, Mr Caird pointed out the "possibility and temptation and pressure" that might exist for Lai to abscond.

The maximum penalty if a person is convicted under Section 10 is 10 years' imprisonment and a fine of \$100,000.

Mr Caird submitted that in view of the very considerable assets involved the easy way out to protect this wealth would be to abscond.

"I am sure there is no need for me to point out how easy it is for a wealthy man in Hongkong to abscond," he said.

He added that the possi-