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3½ year term for smuggling illegals

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A CHINESE seaman who smuggled 10 illegal immigrants to Hongkong by boat was yesterday sentenced to 3½ years' jail by the District Court.

Handing down the sentence on Ng Chi-hak for being the master of a vessel with illegal entrants on board, Judge Baily noted that while the jurisdiction of the District Court was limited to seven years' jail, the maximum sentence for the offence was life imprisonment and a \$5 million fine.

It was a continuous offence in Hongkong and judgements delivered by the Court of Appeal had stressed the seriousness of the crime, said the judge.

It was submitted by Crown Counsel Mr Allan Kwok that smuggling illegals to Hongkong by boat was becoming very popular and prevalent.

A deterrent sentence was called for and the Legal Department was now contemplating taking similar cases to the High Court in the future rather than the District Court, he said.

Ng, 27, the captain of the vessel, had pleaded guilty.

The court heard that Marine Police intercepted a Chinese vessel in the waters off Tap Shek Kok at around 8.40 pm on August 16.

Eight male and two female illegal immigrants were found on board - five were hidden inside a secret compartment while the others were on deck.

Before setting sail earlier that day, Ng had liaised with a snakehead in China and arranged for the illegals to board the boat at Shenzhen and for each to pay 500 yuan (HK\$825).

Ng's counsel, Miss Cissy Lam, submitted that her client had incurred an 11,000 yuan debt for his father and brother's medical expenses and later their funerals.

In order to repay the loan, she said, he agreed to smuggle the illegals to Hongkong for a reward of 100 yuan for each man and 150 yuan for each woman in his vessel which was normally used to transport cement.

Ng was not the originator of the offence and there were no children involved, said counsel.

Mr Kwok, calling for a deterrent sentence, pointed out that five illegals were found concealed in a secret compartment.

This method of transporting the illegals had exposed them to physical risk.

Ng committed the offence for financial gain and the fact that he might not have received a large reward should not be considered a mitigating factor to reduce the sentence, counsel said.