

The impact of law enforcement and social change on triad societies in Hong Kong

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Abstract

This paper discusses attempts to suppress organised crime and the effects of socio-cultural and political change upon Hong Kong triad societies. Beginning as mutual-aid groups that monopolised unskilled labor markets, triad societies extended their activities to illicit markets and protection in partial response to attempts by the colonial authorities to suppress them. Anti-corruption efforts have contributed to a decrease in public tolerance of triads and greater confidence in police. The scale and form of triad societies have changed because of efforts by law enforcement to better define, intercept, prosecute and confiscate criminal proceeds. Following market reforms, rapid economic development in the People's Republic of China Pearl River Delta region offered attractive illicit opportunities that shifted many triad-related activities away from Hong Kong.

Introduction

This paper discusses the impact of government countermeasures and sociocultural change upon triad societies and organised crime in Hong Kong (HK).¹ Officials from the HK Security Bureau and HK Police (HKP) frequently assert that triad criminal activities have declined since the People's Republic of China (PRC) resumed its sovereignty over HK in 1997.² We argue that the 'decline' of traditional triad societies is the result of both proactive law enforcement that had its genesis in the 1970's anti-corruption reforms and a process of crime displacement. The substantial changes in the political economy of HK (from a manufacturing to a financial services market and from colonial to neo-colonial rule) and the rapid economic development of China have served to 'modernise' and reconfigure the form and scope of triad-related organised crime away from overtly violent crime to copyright, internet and financial service crimes such as money laundering. One notable effect has been to shift many triad-related criminal activities from HK to the mainland where risks may be minimised due to corruption of authorities, including judicial, municipal and police officials.³ The decline in the relative visibility and apparent scope of the triads in HK may thus be a form of crime displacement stimulated by the absence of capable guardianship in adjacent cities such as Shenzhen and elsewhere in Guangdong and China.

Thanks to Hollywood, triad societies are often perceived as a Chinese Mafia or 'alien conspiracy'⁴ with a structure similar to their reified Italian or American counterparts. Triad societies are not exclusively criminal organisations. Nor are HK serious criminal networks exclusively triad-related. Criminologists have long recognised that organised crime enterprises are constituted by complex interpersonal networks engaged in a variety of illicit and licit activities functional to the host social system without recourse to a hierarchical command structure.⁵ In this sense organised crime

is another form of capitalist activity where politicians and businessmen are the key players who resort to engaging strongarm tactics, but the social capital (trust) required for a successful criminal enterprise may be enhanced by ethnic or clan loyalties.⁶

Triads have been regarded by some authorities as participating in a worldwide crime network that uses connections among overseas Chinese to undertake transnational crime such as drug and human trafficking. Fears that HK triads would re-establish abroad en masse with the return of Chinese sovereignty in 1997 appear not to have materialised despite alarmist predictions.⁷ Market reforms initially in Shenzhen Special Economic Zone (SEZ) in the 1980s and later elsewhere in China provided more attractive opportunities and lower costs for criminal enterprise.⁸ Chin and Zhang (2003)⁹ have argued that triads have been in decline among the Chinese Diaspora and are skeptical about the existence of triad global networks. Investigations, however continue to show examples of such networks operating over time and associated with triads¹⁰. Xia (2006; 2008¹¹) referring more broadly to Chinese criminal networks has suggested significant internal growth and the return of the triads especially in Guangdong and other coastal provinces, while Lintner (2004)¹² has suggested transplantation of the triads.¹³

Although triad-related homicides, violence and membership offences have decreased in HK, there is limited evidence to draw conclusions about the scale and trend of overseas activities. However, significant development of organised crime, sometimes with the aid of triad connections, has nevertheless occurred in China and has manifested as state capture at county level, as for example in the Xiamen smuggling case.¹⁴ The scale and scope of some of these criminal activities have presented Chinese Public Security officials with immense challenges, have heightened concerns about the influence of foreign criminals and hastened the need to foster mutual assistance with foreign police services.¹⁵

We offer a brief outline of the history and activities of triads and review theoretical approaches to organised crime. We describe the nexus between triads and organised crime and adapt a model of that relationship based on the analysis of triad-related homicide cases described by Lee (2005)¹⁶ and Lee, Broadhurst and Beh (2004; 2006¹⁷). We conclude by discussing the impact of countermeasures and the factors in the displacement and transplantation of triad-related activity to the rich incentives of southern China.

Triad society in Hong Kong

History and culture

There are various historical accounts of the emergence of triads in British HK that have created a self-serving mythology about them.¹⁸ The most popular and widely accepted version was that the triad also known as *Hung Mun*, or the Heaven and Earth Association, originated at the beginning of the Ching Dynasty (mid 17th century) as a secret group loyal to the ousted Ming Emperor. The objective of the secret society was to overthrow the Ching (Manchu) and restore the Ming (Han) Dynasty.¹⁹ Thus triads have exploited their association with patriotic activity to disguise the pursuit of illicit profits. Gradually the triads devolved from nascent political associations into criminal groups following the rapid economic growth of HK as an imperial port for the China trade. The *Hung Mun* was initially a mutual self-help

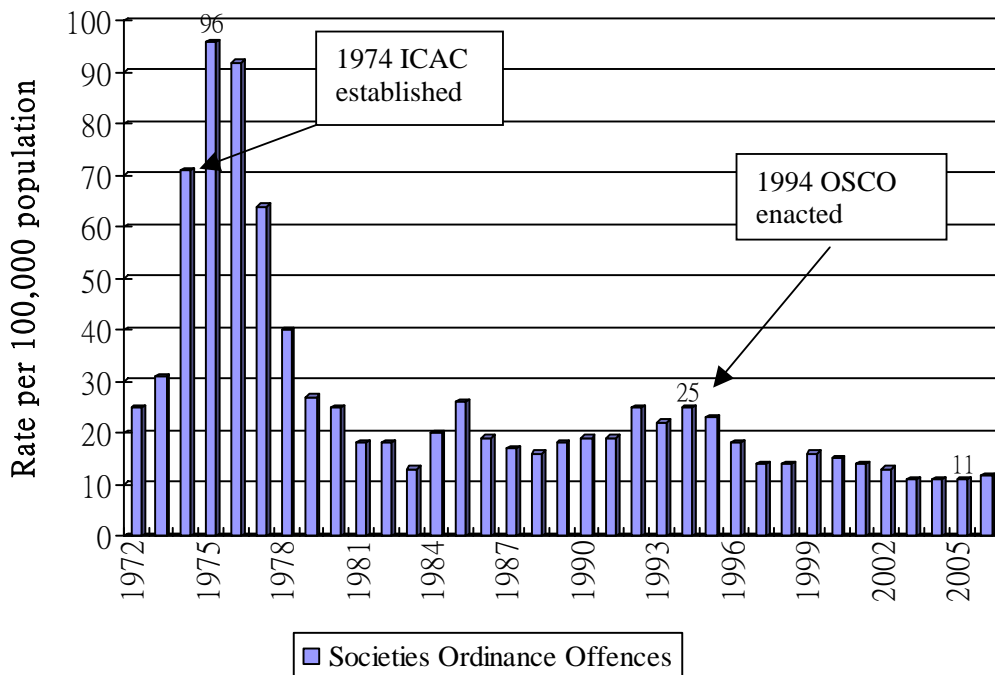
organisation among the disenfranchised immigrant Chinese labourers and assisted in resolving everyday disputes, provided loans and met welfare needs that were ignored by their alien colonial rulers. The violent subculture of triads in part originated in the vigorous market competition in the 19th and early 20th centuries over waterfront labour.²⁰ The *Hung Mun* was seen as a threat to colonial order²¹, and suppression by colonial authorities forced elements of these mutual aid societies underground.²² The criminalisation of the activities of the *Hung Mun* societies led to their transformation to *Hak She Wui* or the 'Black Society', whose members often competed for a monopoly over illicit activities or a particular district and involved themselves in protection, mercenary violence, predatory crime and rebellion.²³

Triad societies justify their criminal acts and violence by identifying with *jiang hu*, which permits a life outside normal social customs and obligations.²⁴ Rituals such as the thirty-six oaths of loyalty and secrecy derived from the mythology of the anti-Ming patriotic societies usually formed the code that guided a triad member's social behavior. Entry into a triad subculture involved the practice of sworn brotherhood to secure members' loyalty by emphasising the absence of class distinctions, favoritism, or hatred among brothers.²⁵ Many of the traditional rituals performed at initiation have become perfunctory and adapted to minimise risk to the triad society while traditional values, such as the ban on women or the use of triad punishments have weakened.²⁶ The corporate forms of societies have also changed with looser and more risk averse command structures observed. Xia (2008)²⁷ and Ip (1999)²⁸ have also noted that elements of triad culture have been recovered from popular triad films by contemporary criminals most notably among mainland gangs.

Scale and activities

Despite lurid media depictions and periodic alarm over their influence, triad involvement in recorded crime in HK has remained static at between three to four per cent for the past 20 years. In 2006 it was three percent of all crime (2359 of 81 225 reports) but in the context of the overall decline in recorded crime.²⁹ In 2006 most were related to 'unlawful society' offences (806 or 33.6%), wounding and serious assault (616 cases or 25.1%) and blackmail (226 cases or 9.4%).³⁰ Figure 1 shows the decline since the 1970s in reports of triad membership offences as defined by the Societies Ordinance (discussed below).³¹ A disproportionate amount of violent crime has been associated with triads but this also has been in decline. Although the homicide rate in HK is low (also in decline), the proportion of homicides involving triads is exceptionally high: 12% of homicide events (n=95) were triad-related, accounting for 13% of all homicide victims (n=124) involving 504 known offenders in the ten-year period (1989-1998) reported by Lee, Broadhurst and Beh (2004, 2006).³² The risk of a triad member becoming a homicide victim, although low, was estimated to be approximately 13 times greater than that of a non-triad member.³³

Figure 1: Trend in reports of Society Ordinance ('unlawful society') offences (rate per 100 000 population 1972–2006)



In HK, triad society has long been regarded as ‘... simply a criminal conspiracy that has been given statutory recognition’ (see *R v Sit Yat-keung* 1985³⁴). There were over 50 known triad societies of which 15 to 20 commonly come to the attention of the police due to their criminal activities.³⁵ Twenty-one triad ‘societies’ including their associated factions were identified as being involved (either as victims, offenders or both) in the homicides described by Lee et al. (2006).³⁶ Some triads or their factions operate only within a particular district and others disperse after a short time. The number of triad members had been estimated in the late 1980s to be as high as 300 000 but estimates are unreliable and the number active is unknown.³⁷ The regional and district units of the HKP Organised Crime and Triad Bureau (OCTB), conduct routine patrols, raids and covert surveillance operations against suspect enterprises. The OCTB also undertakes community awareness projects, especially in schools and with youth groups to counteract the mythology and recruitment activities of triads.³⁸

Two elements of the triad problem – territorial-based street or youth gangs, and entrepreneurs or ‘racketeers’ – have been identified, the former often hired by the latter to staff or protect illicit enterprises and projects. These elements are loosely connected and both reinforce their authority by means of threats in argot or signs associated with triads, implying they are backed by triad societies. Many triad-related offences, in particular violent offences, are committed by young members of street-level ‘triads’ who come from disadvantaged areas. They often have only associate status to the society they claim affiliation with but provide the necessary manpower and occupy the lower stratum of the triad social hierarchy. Adult triads recruited from these neighborhoods later became success models for aspiring members of these triad-like youth gangs.³⁹

Typical triad-related offences in HK include blackmail, extortion, price fixing and protection rackets involving local shops, small businesses, restaurants, hawkers, construction sites, car valet services, and places of public entertainment such as bars, brothels, billiard halls, mahjong gaming, karaoke and nightclubs. At various times, triads have monopolised the control of home decoration companies, elements of the film industry, waste disposal and non-franchised public transport routes. Society members often engage in street-level narcotic trafficking, or operate illegal casino, football gambling and loan-sharking and these activities extend to Macau⁴⁰, Shenzhen and Guangdong Province.⁴¹ Prostitution, counterfeit products, pornography, and cigarette and fuel smuggling are also important sources of street-level illicit profit for triad societies.

Theories of organised crime: enterprises and networks

Cressey's (1969)⁴² portrayal of the Mafia or Cosa Nostra as a criminal organisation that monopolised racketeering through the centralisation of power was controversial. A more nuanced approach recognised that interdependent networks of criminal groups, flexible structure, fluid relationships between licit and illicit business enterprises, and the wider political–economic system better reflected the complexity of organised crime.⁴³ Organised crime activities that specialised in the distribution of illicit goods and services were more durable than those based on violence and sought (irrationally) to monopolise illicit markets: the latter ultimately disrupted the markets and shortened their existence.⁴⁴ The 1985 New York 'Commission' case brought under the 1970 Racketeer Influenced and Corrupt Organizations Act (RICO)⁴⁵ showed that the five Mafia crime families based in New York, enjoyed continuity and cooperated together in loose confederacy to minimise competition (and violence) and enhance stability and profits from their illicit enterprises.⁴⁶

The symbiosis between the Mafia and business arises because of the protective 'strongarm' role provided and connections to vote buying and manipulation of labour. Gambetta (1993)⁴⁷ argued that Sicilian Mafiosi were not primarily entrepreneurs involved in dealing with or producing illegal goods but in licensing and selling protection to the provider of illicit services or goods. Protection was a tradable commodity that played a role in economic exchange by ensuring that an illicit or licit business deal was undertaken in the absence of legal enforcement. Violence was not only employed for the enforcement of illicit contracts/deals or discipline but also for competition among Mafia protectors to gain the essential reputation required to supply credible protection.

Chin (1990)⁴⁸ found that US Chinese *Tong* members provided illegitimate opportunities to Chinese youth gangs by hiring the latter in support of vice activities. Similarly HK triad societies were financed primarily by franchising their brand of violence to street-level triad-related gangs to help provide protection services to either legitimate or illegitimate businesses. The acquisition of illicit markets thus relied on the reputation of the triad 'brand', and a readiness to publicise the violence—violence is essential to enforce contracts, discipline and eliminate competitors.⁴⁹ However, organised crime groups are more than profit-pursuing enterprises; they also fulfill certain social functions as part of a larger social system. The sub-cultural aspects of organised crime, such as secrecy, loyalty and brotherhood, and 'patriotism and righteousness' are equally critical to long-term success and are the foundations of the discipline of the triad society.

The complexity of the connections between the role of triad society and organised crime can be simplified by demystifying the opaque linguistic-anthropological aspects that obscure their instrumental nature. Mak (1981)⁵⁰ in a seminal study of Chinese secret societies noted that these societies were both cooperative and competitive ('categoric') groups functionally interdependent ('symbiotic') on other groups and institutions in the larger society. This underworld was characterised by competitive ('commensalistic') relationships formed from conflicts that arose from traditional inter-group grievances, ideological differences, and struggle over monopolisation. The inadequacy of legal norms in colonial society (that is, Malaysia) was the basis for the protective role—the 'strong arm' that ensured the persistence of criminal secret societies.⁵¹

Lee⁵² drew on Mak⁵³ to describe the nexus between triad societies and their associated youth 'gangs' and crime networks by developing a typology based on the categoric nature of triad societies. In this model a dynamic form of symbiosis between triad groups, organised crime and delinquent businesses, officials and professionals was applied to triad-related lethal violence. The categoric or mutual-aid form of triad societies also engenders a commensalistic (competitive) nature that serves to link other categoric groups or roles within the corporate structure of organised crime as capitalism *sauvage*. Triad societies are categoric groups that serve a protective role (although this can slip to extortion and develop to criminal enterprise) in the corporate structure of criminal and, in some cases, non-criminal enterprises.

In order to gain control over crucial conditions, counter threats from other criminal groups or law enforcement, or to expand and develop the common interest, triad societies evolve corporate structures or hierarchies of command.⁵⁴ The leaders or specialists that hold power in the developing corporate structure of triad societies detach from the ordinary unskilled members and offer their services in the market of organised crime, independent of their own categoric unit (triad). The symbiotic participation of triad societies in organised crime is thus facilitated by such individuals who play strategic roles in both the underworld and the larger society, forming the essential networks that aid illicit business. Mak called them 'double-role players' who were the most experienced triads with the skills, connections and abilities to contribute effectively to the particular organised crime activity. Profitable roles such as the 'strong arm' in a protection market become the commodity offered by the triads but other skills such as those of the financier or negotiator are also valued.

A model of the nexus between triads and organised crime

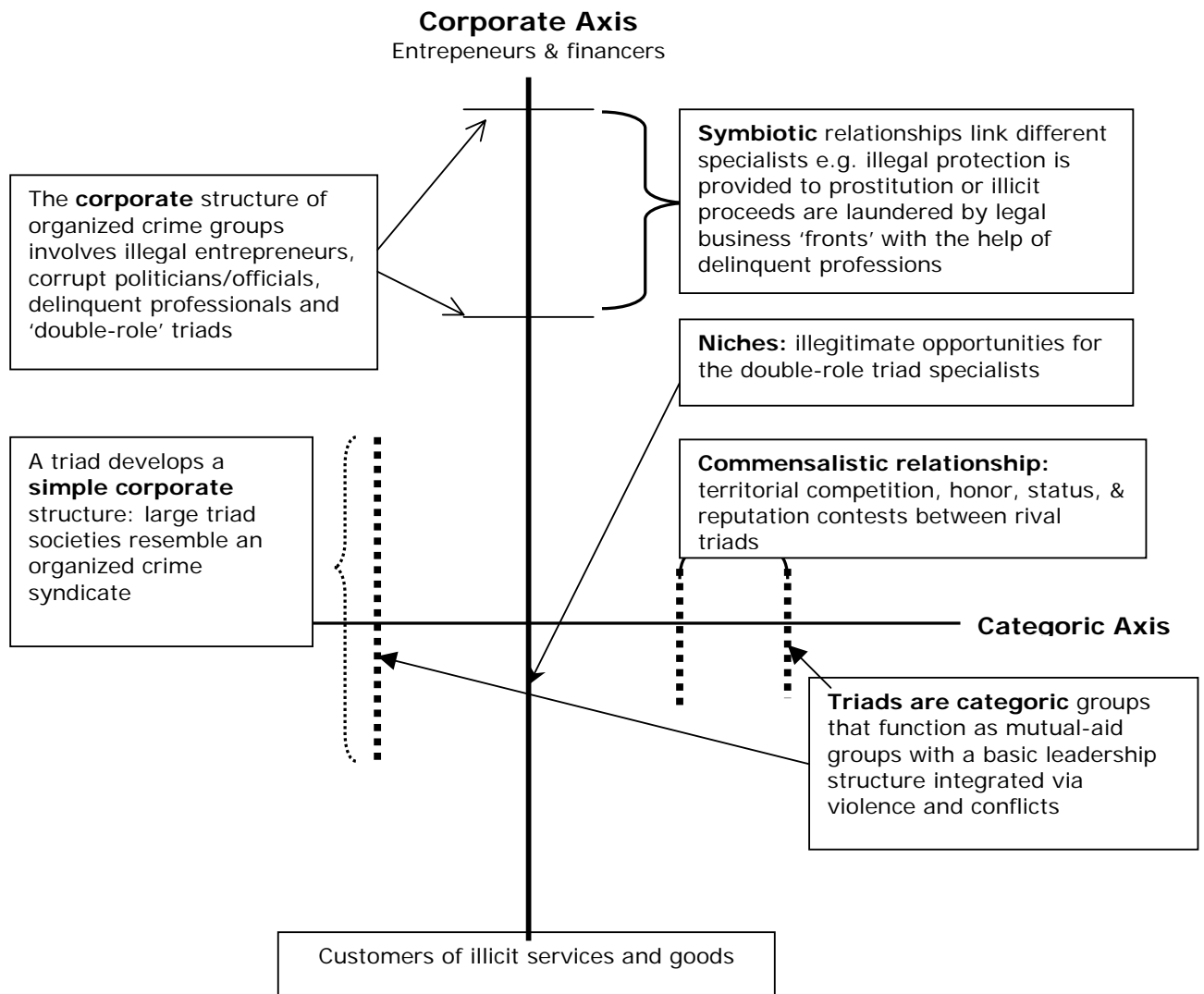
The complex nexus between organised crime and triad societies can be understood as the two-dimensional network shown in Figure 2: the horizontal axis denotes the commensalistic (competitive) related categoric groups, and the vertical axis shows how different corporate roles in criminal enterprises are symbiotically related. The production and provision of illegal goods and services are supported by different roles played by illegal entrepreneurs, triad specialists, deviant professionals, corrupt police and other officials. Illegal entrepreneurs hold a higher position on the vertical corporate axis because they make investment decisions, whereas customers are located at the lower end, but both are connected by the 'protection' provided by

triads. Triad societies are spread out on the horizontal categoric axis as commensalistic-like units that compete over occupational and geographical territory. Triads also develop a simple corporate structure with leaders as the principal specialists who can mobilise their members to support internal tasks or those required by illegal entrepreneurs.

The activities of triads often expose them to contests over status or territory. Excessive power, territorial or honor contests are disruptive to the market of organised crime and attract unwanted attention by the police and the press. These events may also deter customers from seeking the illicit services provided. Although some triad-related homicides appear 'senseless' and 'reckless' (especially between young affiliates), such events contribute to reputation but are significantly less frequent than ever before.⁵⁵ Only triads with the highest reputation in the role of protection can occupy an enforcement niche on the corporate axis of organised crime.

In order to illustrate how Figure 2 might be used to understand the significance of lethal violence found among triads we draw on Lee's detailed case descriptions of triad-related homicide in HK over the period 1989–1998.⁵⁶ These cases show that the largest number of lethal events (49.5%) occurred between competing lower-rank triads located in the model along the horizontal (categoric) axis. These triads are typical targets for police enforcement and Societies Ordinance offences. Lethal violence between competing illicit entrepreneurs located on the vertical (corporate) axis occurred in a fifth of the fatal cases (21.1%). The 'discipline' of customers of illicit goods and services located at the bottom of the vertical axis comprised a significant proportion of fatalities (16.8%) some associated with unpaid debts. The proportion of customer deaths is, however, amplified by the multiple fatalities of unintended victims arising from the arson of a nightclub and majhong parlour that occurred during the study period. Internal punishment for triads or an organised crime syndicate member were less common (12.6%) and are located on the horizontal axis in the context of the simple corporate structures of 'categoric' groups.

Figure 2: The nexus of triad societies and organized crime networks



Note: The HKSAR Societies Ordinance criminalises membership of triad groups along the horizontal categoric axis and the HKSAR Organised and Serious Crimes Ordinance (OSCO) criminalises activities/conspiracies along the vertical corporate axis. Source: adapted from Lee, 'Triad-related Homicide 1989–1998'.

Countermeasures, social change and triad societies

Suppression of triad societies

Since 1845 HK colonial governments have attempted to eradicate triads by outlawing membership. Concern about the role of Chinese secret societies continued throughout the colonial period often heightened by the turmoil created by the weakening Ching imperial state and civil war that followed the formation of the republic. After several triad-incited riots and the rapacious conduct of some triads during the Japanese occupation of 1941–1945, the early anti-triad legislation was modified and the Societies Ordinance (Cap. 151) was enacted in 1949 to prohibit triad society.⁵⁷ The Societies Ordinance (s. 18) defined an 'unlawful society' as:

a triad society, whether or not such society is a registered society or an exempted society and whether or not such society is a local society; or ...every society which uses any triad ritual or which adopts or makes use of any triad title or nomenclature shall be deemed to be a triad society.⁵⁸

Initially, the primary role of the colonial police was to protect British interests by ensuring a stable environment for trade. However, in the post-war period and following the Sino–British agreement (1984) on the return of HK to China, considerable efforts were made to improve and legitimise governance in the colony, for instance through the localisation of the police and other public services. These reforms greatly enhanced the legitimacy of the HKP and they now enjoy one of the highest approval ratings of any police service surveyed by the United Nations International Crime Victim Survey in 2005.⁵⁹

With the establishment of the Independent Commission Against Corruption (ICAC) in 1974, and its draconian enabling ordinance, a significant outcome was to sever the symbiotic link between the police and triads.⁶⁰ However, the breakdown of the systemic corruption in the Royal HKP initially led to a crime wave in the mid 1970s and also peak arrests for triad offences (see Figure 1). Traver (1991:18) explained this counterintuitive effect: 'To the extent that the business of organised crime is business, it was in the interests of both organised crime and the police that order be maintained. Peace breeds profits'.⁶¹ In addition, the existence of triads could also justify increases in resources and police powers—so amplification of the threat of the triads remained a resource.⁶² In such a symbiotic stage the legitimate political and economic sectors become dependent upon the once parasitic crime network. Organised crime is no longer a law enforcement problem, but a problem of public policy.⁶³

The colonial government's reliance on the Societies Ordinance to suppress categoric-style triads relied upon the persistence of hierarchical command structures described by Morgan in the 1950s. This focus under-emphasised symbiosis within the dynamic forms of risk averse crime networks—many with no triad affiliation. In short, the traditional tactics of suppressing triads via outlawing membership was not particularly effective in curbing organised crime. Attempts to weaken triads through a widely promoted and innovative renunciation scheme during the 1980s may have been more effective in severing ties and helping destigmatising known triads if the Triad Renunciation Scheme had been better resourced and continued for longer.⁶⁴

Ngo (1999)⁶⁵ has argued the general context was the influence of the commercial

and financial class in the form of a state–capital alliance, with a laissez faire ideology that reflected the trade priority of the colonial government—one that was reluctant to overly regulate enterprises, even dubious commercial activities that often involved triad societies.⁶⁶ Following United Kingdom developments in the criminal law in the 1980s the prosecution of illegal entrepreneurs and others who fund, assist and derive criminal proceeds from organised crime networks became possible.

Not until nearly fifty years after the Societies Ordinance, but before HK's sovereignty was transferred to the PRC in 1997, did the colonial government enact specific measures to counter organised crime. The enactment of the Drug Trafficking (Recovery of Proceeds) Ordinance in 1989⁶⁷, the Organised and Serious Crimes Ordinance (OSCO) in 1994⁶⁸ and later amendments and statutes granted law enforcement agencies further powers to investigate and prosecute patterns of organised crime activities. Ancillary laws included witness protection orders and regulated telecommunication interception to investigate crime networks. Laws for restraining and confiscating criminal proceeds initially targeted illicit drug profits and were extended to include many forms of organised crime. The enhanced penalties provided by OSCO and the more frequent use of interception technologies increased the level of risk for triads and crime syndicates. However, the complexity of the law and the relative decline in performance in recent years have led to demands for more effective measures and the introduction of civil forfeiture regimes for the recovery of criminal proceeds.⁶⁹ Young (2008)⁷⁰ has argued that little impact has been made on the extent of money laundering and the presence of triads remains significant.

The 1991 preamble to the HK government's Organised Crime Bill acknowledged that the criminal law was not geared towards the prosecution of organised criminals and that police had concentrated their resources on the substantial presence of triads and the perpetrators of organised crime rather than those who influence or control them.⁷¹ This policy recognised the need to target both the 'head and feet' (leaders and soldiers) of organised crime syndicates regardless of triad connections. The OSCO redefined organised crime groups as any triad society⁷² or any group of two or more persons associated together solely or partly for the purpose of engaging repeatedly in offences such as drug trafficking, loansharking, extortion, corruption, blackmail, prostitution, illegal gambling, import of illegal immigrants, robbery, forgery and smuggling. Because a triad-related crime is defined as one that has known or suspected triad involvement⁷³, any violence motivated by triad identity, rivalry, revenge, or conflict may fall into the category of organised crime and thus be subject to enhanced investigative powers.

The purpose of the enactment of OSCO was to redefine organised crime offences and target the wealth of criminals and the means to launder illegal proceeds, to enhance penalties, and to prepare the ground for production of evidentiary materials, orders and witness orders. Essentially, it enhanced police ability by creating new powers of investigation and greater control over the proceeds of crime.⁷⁴ From enactment to 2005, OSCO enabled 26 witness orders (s. 3), 1304 production orders (s. 4), 263 search warrants (s. 5), 84 restraint orders (s. 15) with value of assets restrained HK\$6482 million, and 16 confiscation orders (s. 8) with value of assets confiscated HK\$131 million. In addition, 324 persons have been subject to the enhanced punishments provided by OSCO. This ordinance has also become an effective means of prosecuting commercial crime cases such as the London Gold Fraud, the Pyramid Selling Fraud and the Boiler Room Fraud cases (see Legislative Council Panel on Security 1997, 2005).⁷⁵

Since the passage of the Prevention of Bribery Ordinance in 1971, the setting up of the ICAC in 1974, the enactment of the Drug Trafficking (Recovery of Proceeds) Ordinance in 1989, OSCO in 1994, the Witness Protection Ordinance in 2000⁷⁶ and subsequent enhancements, hostility towards the potential organised crime-police symbiotic relationship and crime syndicates, whether triad-related or not, has been sustained. In these circumstances corrupt officials and organised criminals are forced to operate in a more risky environment and thus seek out legitimate business, less hostile markets and delinquent professionals to assist them.

Social change and displacement

In addition to policing reforms and the establishment of a well-funded anti-corruption agency, the transformation of HK's economy to one of the wealthiest in Asia (and as a service-oriented logistics hub) has also influenced attitudes toward violence and corruption. General attitudes have become less tolerant of triad violence. Crime victim survey respondents reported fewer crimes involving triads although such estimates are subjective (see Table 1). Fear of crime was among the lowest of any city surveyed by the United Nations ICVS in 2005.⁷⁷ The overall crime rate had also begun to decline through the 1990s, including those crimes associated with triad activities.⁷⁸ According to victims, even commonplace triad-related crimes such as criminal intimidation, wounding and assault, blackmail, and robbery were less likely to involve triads in 2005 than in 1989.⁷⁹ However, HK's low tax system and advanced financial/bank services sector combined with the absence of currency and exchange controls also encourage money laundering, especially in aid of tax avoidance for mainland Chinese.⁸⁰

Table 1: Percent of crimes reported by victim survey respondents as Triad-involved

	All Crimes % triad (% DK)	All Personal % triad (% DK)	All Household % triad (% DK)	Violence % triad (% DK)	Personal Theft % triad (% DK)
1989	16.8 (34.7)	21.9 (32.7)	10.6 (37.1)	33.5 (22.1)	17.5 (36.8)
1994	15.8 (25.4)	19.4 (26.5)	12.0 (24.2)	31.9 (24.3)	13.7 (27.5)
1998	13.2 (16.7)	17.3 (16.0)	8.2 (17.5)	29.3 (13.5)	12.9 (17.0)
2005	10.2 (31.3)	13.3 (32.6)	5.6 (29.4)	17.9 (32.5)	11.2 (32.6)

Source: HK Census and Statistics Department, *Crime and Its Victims*, 1989, 1994, 1998, 2005: DK= don't know

Some triad-related activities in HK also began to decline in the 1980s with the reduction of criminal revenue due to hostile state policies and disruption to the supply of illicit services and goods. Attention shifted to the growing markets offered in Southern China with the opening of the Chinese economy in the mid 1980s.⁸¹ Illicit services and goods were more competitive in Southern China and attracted customers away from HK.⁸² HK residents headed north in ever larger numbers for

business and shopping with the liberalisation of cross-border traffic post-1997. Many sought out illicit services such as prostitution, pirated and counterfeit products, and drugs. For example, many HK drug users headed north to Shenzhen SEZ, the city immediately adjacent the HK–PRC border. The retail price of popular illicit drugs was often less than half the price in HK.⁸³ A steady decline in the use of heroin in HK (and worldwide) since 1996 was not matched by an increase in ‘club drugs’, diminishing a previously lucrative market for triads.⁸⁴

Economic development in Shenzhen SEZ attracted millions of rural migrants from all over China, many of whom were unemployed. The state was unable to quickly establish a reliable system of dispute settlement. Elements of the emerging market economy were unprotected by law, creating a market for protection and corruption.⁸⁵ In 2003 the PRC abolished the border permits controlling access to Shenzhen and abandoned the custody and repatriation system long used to expel beggars and indigents. The inadequacy of the local procurator’s office, the shortage of police and corruption among them made Shenzhen more vulnerable to crime: overall crime surged with over 100 000 offences recorded in 2003. In a single year murder and assault increased by a third and kidnapping by 75%. Large numbers of HK visitors also became victims of crime and the Shenzhen police and courts were overwhelmed until more resources were provided.⁸⁶

The PRC General Administration of Customs conceded that Shenzhen had become a major gateway for drug smuggling.⁸⁷ The HKP Narcotics Bureau noted that up to a third of drug users arrested in Guangdong were from HK.⁸⁸ Triads were also active in the cross-border shipment of ephedrine⁸⁹ and manufacture of amphetamine to meet the growing domestic and international market.⁹⁰ The vice-director of the Narcotics Control Bureau of the Ministry of Public Security suggested that HK syndicates had been coaching mainland criminal gangs on drug manufacture and trafficking: ‘Hong Kong criminals are more experienced and have more capital to conduct the illegal activities ... they are the organisers and masterminds behind drug trafficking activities’.⁹¹

Despite increased cross-border cooperation between Guangdong Public Security and the HKP—including the opening of a Beijing Office to assist HK citizens arrested and detained in China⁹²—the crime problem, including triad-related activity, worsened in Shenzhen.⁹³ As many as 30 HK people were kidnapped per month by Shenzhen criminals.⁹⁴ Crime in Shenzhen became so serious that a senior police official was forced to apologise over the city’s crime problem and some police were involved in providing protection to triads who operated vice premises. For example, the former director of the Public Security Bureau in Lowu (the area in Shenzhen immediately across the border of HK) was removed from her position for receiving millions of Yuan from karaoke clubs, brothels and other entertainment facilities catering to HK residents and for accepting bribes from subordinates seeking promotion.⁹⁵

Shenzhen therefore became the initial focal point of triad and organised criminal activity because the absence of a hostile law enforcement environment converged with a ready demand for illicit services and the capacity to supply these services.⁹⁶ Displacement of triad and organised crime from the hostile environment of HK to Southern China accelerated throughout the 1990s and may also be regarded as a form of crime transplantation (or ‘colonisation’ cf. Varese 2006⁹⁷). A significant number of HK residents were arrested for participating in HK–Shenzhen cross-border

drug-trafficking syndicates, but triads were able to strengthen networks with local criminal gangs and illicit opportunities throughout China.⁹⁸

Conclusion

Before the enactment of OSCO in 1994, the assumed Mafia-like structure of triad societies directed most law enforcement resources to suppress triad subculture but at the same time hindered them from effectively dealing with organised crime as enterprises. This paper has adapted a model to explain the distinct features of the nexus between triad-like groups and organised crime. We have sought to demonstrate both the similarities and differences between the nature of Chinese triads and the enduring forms of criminal enterprise that nurture and service underground capitalism. The violence of triads plays a role in the success of the various forms of criminal enterprise that have expanded into the lucrative broader China and international illicit markets. Some of these markets are relatively new such as copyright theft, waste disposal, tax avoidance, internet-driven gambling or scams and money laundering.

We have argued that with the advent of the ICAC in the 1970s and the enactment of the purpose specific OSCO and related laws in the 1990s, law enforcement shifted from symbiosis (partial capture) to one of concerted hostility towards organised crime networks and triad subculture. More research is needed to explore and clarify the impact of the post-OSCO enforcement strategy, the role of penalty enhancement, the effects on triad morphology and the extent of the political–criminal nexus in China. The presence of triads remains significant, although members are more likely to appear in business suits than with tattoos and to engage in financial manipulation rather than extortion. Attempts at suppression via confiscation of assets and enhanced penalties appear to require strengthening and vigilance must be constantly renewed.⁹⁹ Efforts in China to curtail corruption and reduce organised crime will also be crucial and need to be guided by greater clarity in the PRC criminal law and recognition of the impact of globalisation.¹⁰⁰ But ‘crossing the river by feeling for the stones’, to quote Deng Xiao-ping, will be part of the process of finding a Chinese approach that works.¹⁰¹

The rapid economic development in Southern China disrupted the profitability of illicit services and goods in HK by offering highly competitive markets in Shenzhen and elsewhere. However, it provided a lifeline for embattled triads and illicit entrepreneurs. Triads, like many other business enterprises, headed north to look for safer and richer opportunities in the PRC. Recent declines in Guangdong in the engagement of HK business, especially manufacturing, may also herald further shifts in the fortunes and scope of HK-based organised crime and the ‘triads’ that thrive on the demand for illicit services and goods.

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¹ HK Island was ceded to Britain by the Treaty of Nanking in 1842 and later Kowloon and the New Territories by a 100-year lease that fell due in 1997. The 1984 Sino-British agreement set in motion the resumption of sovereignty over all Hong Kong under the 'one country two systems' policy that ensured the continuation of HK's existing common law legal system and free trade economy thereafter as the Hong Kong Special Administrative Region (HKSAR).

² 'During the decade of transformation after hand-over triad society have difficulty to survive' , (trans.), *Ming Pao*, 13 April 2007; see, HKSAR, *Hong Kong Year Book 1997–2006*, Chapter 'Public Order', HK Government Printer,.

³ T. Gong, 'Dependent judiciary and unaccountable judges: judicial corruption in contemporary China', *The China Review*, vol. 4, no. 2, 2004, pp. 33–54; S Shieh, 'The rise of collective corruption in China: the Xiamen smuggling case', *Journal of Contemporary China*, vol. 14, no. 4, 2005, pp. 67–91; KL Chin & R Godson, 'Organized crime and the political-criminal nexus in China', *Trends in Organized Crime*, vol. 9, no. 3, 2006, pp. 5–42.

⁴ D Bell, 'Crime as an American way of life', *The Antioch Review*, vol. 13, 1953, pp. 131–154. In this version each wave of new immigrants takes over the crime vacuum left by earlier immigrants who had gained a foothold in the upper and middle strata of American society. This is analogous to the situation in HK. Repeated waves of Chinese immigrants entered HK with every mainland cataclysm: civil war, famine, cultural revolution and market socialism. They belonged to distinct dialect groups or clans, for example, Shanghai gangs and former Nationalists in the late 1940s and Chui-chow, and Fujianese in the 1960s. They formed self-help groups that resorted to illicit enterprises.

⁵ See, for example, J Landesco, *Organized Crime in Chicago*, University of Chicago Press, Chicago, 1929; J Albin, *The American Mafia: Genesis of a Legend*, Appleton-Century-Crofts, New York, 1971; P Reuter & J B Rubinstein, 'Fact, fancy, and organized crime', *The Public Interest*, no. 53, 1978, pp. 45–67; DC Smith, 'Paragons, pariahs, and pirates: a spectrum-based theory of enterprise', *Crime and Delinquency*, vol. 26, 1980, pp. 358–386; MD Lyman & GW Potter, *Organized Crime* (2nd edn), Prentice-Hall, New Jersey, 2000.

⁶ Landesco, op. cit.; Smith, op. cit. Differences in ethnic or network interpretations of organised crime are dependent on the focus: whether it is about 'who' was involved or 'what' activities or illicit businesses were conducted. See A Woodiwiss, 'Double cross: states, corporations, and the global reach of organized crime', *International Criminal Justice Review*, vol. 17, 2007, pp. 45–51.

⁷ J Dombink & HL Song, 'Hong Kong after 1997: transnational organised crime in a shrinking world', *Journal of Contemporary Criminal Justice*, vol. 12, 1996, pp. 329–339.

⁸ C S Wren, 'China attracts Hong Kong's money, and gangsters', *New York Times*, New York, 31 March 1983, p. A2; Carl Goldstein, 'China: two faces of reform', *Far Eastern Economic Review*, 8 April 1993, vol. 156, no. 14, p. 15.

⁹ KL Chin & S Zhang, 'The declining significance of triad societies in transnational illegal activities: a structural deficiency perspective', *The British Journal of Criminology*, vol. 43, 2003, pp. 469–488; see also YK Chu, *The Triads as Business*, London, Routledge, 2000.

¹⁰ Dutch police identified a Cantonese immigrant group that was involved in the importation of precursor chemicals for the manufacture of illicit drugs had close ties with HK triads: S. Huisman, 'Investigating

Chinese Crime Entrepreneurs', *Policing* vol 2, no 1, 2008, pp 1-7.

11 M Xia, 'Assessing and explaining the resurgence of China's criminal underworld', *Global Crime*, vol. 7, no. 2, 2006, pp. 151–175; M Xia, 'Organizational formations of organised crime in China: perspectives from the state, markets, and networks', *Journal of Contemporary China*, vol. 17, no. 54, 2008, pp. 1–23; see also A Chen, 'Secret societies and organized crime in contemporary China', *Modern Asian Studies*, vol. 39, no. 1, 2005, pp. 77–107.

¹² B Lintner, 'Chinese Organized Crime', *Global Crime*, vol. 6, no. 1, 2004, pp. 84–96.

13 S Liao, J Luo & W Wen, 'Anti-triad society activities should be strengthened and deepened', *China Criminal Police*, vol. 11, no. 3, 1999, pp. 27–32; H Wang, X Zhou & T Jiang, 'Penetration into Guangdong by triads from Hong Kong, Macau and Taiwan and its prevention and crackdown countermeasures', *China Criminal Police*, vol. 15, no. 3, 2003, p. 63 (in Chinese).

14 Shieh, *op. cit.* By 1992 every district of Shenzhen had fallen to secret society activities (mostly from HK but also Japan and Macau) and by 1995 all the prefecture cities in Guangdong has been infiltrated by overseas secret societies; see X Zhou, 'Triad societies in Guangdong (I)', *Journal of Political Science and Law*, vol. 16, no. 3, 1999, pp. 20–30 (in Chinese). Note also the remarkable comments of the PRC Minister of Public Security, Tao Siju that some triad members were patriots and welcome to set up business in China. These comments coincided with investments in mainland China planned by Sun Yee On triad. See TW Lo, "Law and Order", in YS Cheng & CK Kwong (eds.), *The Other Hong Kong Report 1992*, Hong Kong, Chinese University Press, 1992, p.141.

¹⁵ Over a million 'black society' members were estimated to be active in 2000 in China; see S Cai, 'Anti-corruption should be done before anti-secret societies', *China News Weekly*, 23 September, 2000, pp. 21–22; X Zhou & X Liu, 'Review of the 2001 Guangdong crackdown on organized crime—seminar', *Public Security Research*, vol. 2, 2002, pp. 77–83; Y Xie & Y Wang, 'Research on organized crime: ten-year review, evaluation and prospect', *Journal of Crime Research*, vol. 3, 2005, pp. 19–35 (all in Chinese).

16 KW Lee, 'Triad-related Homicide 1989–1998', PhD thesis, Hong Kong, University of Hong Kong, 2005.

17 KW Lee, RG Broadhurst & SL Beh, 'Triad-related homicide in Hong Kong 1989–1998: a preliminary description', in RG Broadhurst (ed.), *Crime and Its Control in PR China: Proceedings of the Annual Symposium 2000–2002*, Hong Kong, University of Hong Kong Centre for Criminology, 2004, pp. 263–287; KW Lee, RG Broadhurst & SL Beh, 'Triad-related homicides in Hong Kong', *Forensic Science International*, vol. 162, 2006, pp. 183–190.

18 K Bolton, C Hutton & PK Ip, 'The Speech-Act Offence: claiming and professing membership of a triad society in Hong Kong', *Language and Communication*, vol. 16, no. 3, 1996, pp. 263–290.

19 W Stanton, *The Triad Society or Heaven and Earth Association*, Kelly & Walsh, Hong Kong, 1900; WP Morgan, *Triad Societies in Hong Kong*, Hong Kong, Government Printer, 1960.

20 Morgan, *op. cit.*

21 Triads were considered threats due in part to their support for republican agitators and a fear that they may provide the organisational basis for resistance to colonial rule.

22 MS Gaylord & H Traver, 'Colonial policing and the demise of British rule in Hong Kong',

International Journal of the Sociology of Law, vol. 23, 1995, pp. 23–43; I Lim, *Secret Societies in Singapore*, Singapore, Singapore History Museum, 1999.

23 D Murray, 'Migration, protection, and racketeering: the spread of the Tiandihui within China', in D Ownby & MS Heidhues (eds), *Secret Societies Reconsidered: Perspectives on the Social History of Modern South China and Southeast Asia*, Armonk, New York, ME Sharpe, 1993; D Ownby, 'Introduction: Secret societies reconsidered', in D Ownby & MS Heidhues (eds), op.cit.

24 KL Chin, *Chinese Subculture and Criminality: Non-traditional Crime Groups in America*, New York, Greenwood Press, 1990. The *jiang hu* concept implies a different way of life and set of values. Triads perceive themselves as striving for an alternative way of living, a way that is justified because it redistributes wealth in an imperfect society. See also WS Chan, 'Study on Becoming a Triad: A Naturalistic Study on Secret Society Recruitment in Hong Kong', Masters thesis, Hong Kong, University of Hong Kong, 1979; Chen, op. cit.

25 LF Mak, *The Sociology of Secret Societies: A Study of Chinese Secret Societies in Singapore and Peninsular Malaysia*, Kuala Lumpur, Oxford University Press, 1981; Chin, op. cit.; KL Chin, *Chinatown Gangs: Extortion, Enterprise, and Ethnicity*, New York, Oxford University Press, , 1996; Chu, op. cit.

26 Bolton, Hutton & Ip, op. cit.; TW Yue, 'Reading the Signs: Recognising Triad Punishment', in RG Broadhurst (ed.), *Bridging the Gap: A Global Alliance Perspective on Transnational Organised Crime*, pp. 265–268. Initiations also took place in Shenzhen as in the case of several HK Sun Yee On arrested during a 'promotion' ceremony. X Zhou, K Li & F Yuan, 'Triad societies in Guangdong (II)', *Journal of Political Sciences and Law*, vol. 18, no. 2, 2001, pp. 12–17 (in Chinese).

27 M Xia, 'Organizational Formations of Organised Crime in China', op. cit.

28 PF Ip, 'Organized Crime in Hong Kong', *Proceedings of Symposium on Organized Crime in the 21st Century*, Centre for Criminology University of Hong, 1999, <<http://www.crime.hku.hk/>> [Accessed 18, February 2008].

29 RG Broadhurst, KW Lee & CY Chan, 'Crime trends in Hong Kong' in TW Lo & WH Chu (eds.), *Crime and Criminal Justice in Hong Kong*, Willan, Devon, 2008, pp. 45–68.

30 HK Fight Crime Committee Annual Reports 2003–2006.

31 Chapter: 151 Societies Ordinance, HKSAR 1950 (originally 28 of 1949).

32 Lee, Broadhurst & Beh, 'Triad-related homicides in Hong Kong 1989–1998: A Preliminary Description'.

33 Lee, Broadhurst & Beh, 'Triad-related homicides in Hong Kong'.

34 In this case and others, problems arising from admissions to police and what constitutes expertise about triad culture (exclusively provided by police specialists) have been raised. See also H Litton, 'So-called "Triad Experts"', *Hong Kong Law Journal*, vol. 16, 1986, pp. 3–7; Bolton, Hutton & Ip, op. cit.

35 Ip, op. cit.; Hong Kong Fight Crime Committee, *A Discussion Document on Options for Changes in the Law and in the Administration of the Law to Counter the Triad Problem*, Hong Kong: Fight Crime Committee Secretariat, 1986.

36 The following triad societies were identified in the homicides described: Wo Hop To, Wo On

Lok, Wo Shing Wo, Wo Shing Yee, Wu Nam (a faction associated with Wo Shing Wo and Wo Shing Yee) Wo Lee Wu, Tung Luen She, Tung Sun Wu, Fuk Yee Hing, Luen Lok To, Luen Ying She, Sun Yee On, Woo Kwan Lak 14K and 14K factions: 'Bai Lo'; 'Hau', 'Tak', 'Yee', 'Mui', 'Hi Lo'; and 'Dai Huen' ('Big Circle' - a mainland group). See Lee, Broadhurst & Beh, 'Triad related homicides in Hong Kong'.

37 This high estimate is cited by Dombink and Song (1996) drawing on a 1989 unpublished paper provided by a Hong Kong Police officer. Estimates range between 25–50 000 triad members and include youth gangs who claim associate membership via a 'big brother', but no estimate of triad numbers is currently ventured by HK authorities: personal communication, OCTB March 2007.

38 MH Lo, 'Treating the cancer: effective enforcement strategy', in RG Broadhurst (ed.), *Transnational Organized Crime—Bridging the Gap: A Global Alliance Perspective*, pp. 253–257.

39 Fight Crime Committee, op. cit.; TW Lo, *Gang Dynamics*, Hong Kong: Caritas Outreaching Service, 1984; TW Lo, *The Map of Triad Juvenile Gangs in Hong Kong*, Hong Kong: Youth Studies Net, City University of Hong Kong, 2002.

40 VM Leong, 'The "Bate-ficha" business and triads in Macau casinos', in RG Broadhurst (ed.), *Crime and its Control in the People's Republic of China: Proceedings of the Annual Symposia 2000–2002*, University of Hong Kong Centre for Criminology, 2004, pp. 241–253; SH Lo, 'Casino politics, organized crime and the post-colonial state in Macao', *Journal of Contemporary China*, vol. 14, 2005, pp. 207–224.

41 LY Zhong, *Communities, Crime and Social Capital in Contemporary China*, Willan, Devon, UK, 2008, Chapter 7; M Xia, 'Assessing and explaining the resurgence of China's Criminal Underworld'.

42 DR Cressey, *Theft of the Nation: The Structure and Operations of Organized Crime in America*, Harper and Row, New York, 1969.

43 FJ Ianni & RE Ianni, *A Family Business: Kinship and Social Control in Organized Crime*, New American Library, New York, 1973; Reuter & Rubinstein, op. cit.; Smith, op. cit.

44 AA Block, *East Side–West Side: Organizing Crime in New York 1930–1950*, Transaction, New Brunswick, New Jersey, 1983.

45 A US law that strengthened prosecution against organised crime and increased penalties for criminal acts undertaken as part of a criminal organisation but has also been applied in civil cases.

46 JB Jacobs, C Freil & R Radick, *Gotham Unbound*, New York University Press, New York, 1999; S Raab, *Five Families*, Robson, London, 2005.

47 D Gambetta, *The Sicilian Mafia: The Business of Private Protection*, Harvard University Press, Cambridge, Mass., 1993.

48 KL Chin, *Chinese Subculture and Criminality: Non-traditional Crime Groups in America*, op. cit.

49 Chu, op. cit.; Yue, op. cit.; Lee, Broadhurst & Beh, op. cit.

50 Mak, op. cit.

51 Hawley's ecological theory of community integrated by Mak with Hobsbawm's analysis of banditry and business and the concept of anomie is retained here as a metaphor of the dynamic nature of symbiosis among competing but sometimes cooperating triads: homeostasis in the ecological model would be rare in our model. See AH Hawley, *Human Ecology: A Theory of Community Structure*, Ronald Press, New York, 1950; and EJ Hobsbawm, *Primitive Rebels: Studies in Archaic Forms of Social Movement in the 19th and 20th Centuries*, Manchester University Press, Manchester, 1959.

52 Lee, op. cit.

53 Mak, op. cit.

54 Mak, op. cit.

55 Personal communication, Dr Philip Beh, Department of Pathology, University of Hong Kong, March 18, 2008.

56 We use the term lethal violence to denote the occurrence of unintended as well as intentional homicide; Lee, op. cit.

57 Several versions of the Societies Ordinance have been in force since 1845, including changes in 1920, 1964 and 1997. The 1964 amendment recognised the breakdown in the traditional triad structures and the need to widen the scope to include imitators and proto-triad groups that appropriated triad nomenclature to instill fear (Bolton, Hutton & Ip, op. cit., citing the HK Police Commissioner's Report for 1965 and 1966).

58 Section 19 precludes any one to be or professing to be an office-bearer or managing triad societies and s. 20 precludes any triad membership, attending a triad meeting or providing assistance of any kind. The maximum penalty is a fine of HK\$100 000 and imprisonment for three years.

59 JM Van Dijk, JN van Kesteren & P Smit, *Criminal Victimization in International Perspective: Key Findings from the 2004–2005 ICVS and EU ICS*, Boom Legal Publishers, The Hague, 2008.

60 H Lethbridge, *Hard Graft in Hong Kong: Scandal, Corruption and the ICAC*, Oxford University Press, Hong Kong, 1985. The ICAC was zealous in enforcement despite a proto-mutiny of some police in response to its special powers. Along with powers to compel witnesses and to place the burden of establishing the bona fides of the officer's income on the defendant the anti-corruption agency became a model for anti-corruption reforms.

61 H Traver, 'Crime Trends,' in H Traver & J Vagg (eds.), *Crime and Justice in Hong Kong*, Oxford University Press, Hong Kong, 1991, pp. 10–24.

62 Bolton, Hutton & Ip, op. cit.

63 PA Lupsha, 'Transnational organized crime versus the nation-state', *Transnational Organized Crime*, vol. 2, no.1, 1996, pp. 21–48.

64 AS Huque, 'Renunciation, destigmatisation and prevention of crime in Hong Kong', *Howard Journal of Criminal Justice*, vol. 33, no. 4, 1994, pp. 338–351. The 1989 crime victim survey found that 72% of respondents knew about the Triad Renunciation Scheme and 48% felt it had helped lessen the power of the triads although a significant number disagreed (31%) or didn't know (21%): Census and Statistics Department, 'Crime and Its Victims in Hong Kong 1989', Government Printer, Hong Kong, 1990.

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- 65 TW Ngo, 'Industrial history and the artifice of laissez-faire colonialism', in TW Ngo (ed), *Hong Kong's History*, Routledge, London, 1999.
- 66 MS Gaylord, 'City of secrets: drugs, money and the law in Hong Kong', *Crime, Law and Social Change*, vol. 28, 1997, pp. 91–110.
- 67 Chapter: 405 Drug Trafficking (Recovery of Proceeds) Ordinance. HKSAR, 1989.
- 68 Chapter: 455 Organized and Serious Crimes Ordinance, HKSAR, 1994.
- 69 For example, James To, chair of the Legco Security panel cited in *Hong Kong Hansard*, 25 October 2006, pp. 866.
- 70 NM Young, 'Civil forfeiture for Hong Kong: issues and prospects' in NM Young (ed.), *Civil Forfeiture for Criminal Property: Legal Measures for Targeting the Proceeds of Crime*, Edward Elgar, Cheltenham, UK, 2008.
- 71 Fight Crime Committee, *A Discussion Document on Options for Changes in the Law and in the Administration of the Law to Counter the Triad Problem*, op. cit.; Secretary for Security, *Explanatory Notes on the Organized Crime Bill*, Government Printer, Hong Kong, 1991.
- 72 Previously the HK Fight Crime Committee had used 'organised crime', 'triad society' and 'triad gang' interchangeably to describe triads. OSCO defined 'triad society' as one which uses any ritual commonly used by triad societies, any ritual closely resembling any such ritual or any part of any such ritual; or adopts or makes use of any triad title or nomenclature.
- 73 *Crime Enforcement Report 1991–2000*, Hong Kong Police, Hong Kong, 2001.
- 74 Young, op. cit.
- 75 Legislative Council Panel on Security, *Review of the Organized and Serious Crimes Ordinance 1995–1997*, HK Government Press, Hong Kong, 1997; Legislative Council Panel on Security, *Organized and Serious Crimes Ordinance, Report on Implementation 1997–2005*, HK Government Press, Hong Kong, 2005.
- 76 Chapter: 564 Witness Protection Ordinance, HKSAR, 2000.
- 77 Van Dijk, van Kesteren & Smit, op. cit.; only five percent of respondents felt unsafe or very unsafe walking at night.
- 78 Broadhurst Lee & Chan, op. cit.
- 79 In 2005, for example, 36% of victims of criminal intimidation thought triads were involved compared to 45% in 1989 and only 15% of assault and wounding victims thought triads were involved in 2005 compared to 37% in 1989 (Hong Kong Crime and its Victims, 1989, 1994, 1998, 2005). Official police reports of serious assault and wounding also showed some decline in triad involvement from 10.8% of such cases in 2002 to 7.7% in 2006; see HKSAR Fight Crime Committee *Annual Report 2002–2006*.
- 80 Bureau of International Narcotics and Law Enforcement Affairs, 'International Narcotics Control Strategy Report 2007: Country Reports: Hong Kong', <www.state.gov/p/inl/rls/nrcrpt/2007/vol2/html/80887.htm>, [Accessed 3 April 2008].
- 81 Wren, op. cit.; Goldstein, op. cit.; SH Lo, 'Cross-border organized crime in Greater South China', *Transnational Organized Crime*, vol. 5, no. 2, 1999, pp. 176–194; M Xia,

'Organizational Formations of Organised Crime in China', op. cit.

82 'Business: mind games; counterfeit goods in China', *The Economist*, London, 10 November 2007, vol. 385, no. 8554; pp. 102.

83 S Lee, 'Youngsters head north to escape HK's drug crackdown', *South China Morning Post*, 3 January 2007; CW Lam, KW Boey, OO Wong & SK Tse, *A Study of Substance Abuse in Underground Rave Culture and Other Related Settings*, Action Committee Against Narcotics, University of Hong Kong, Department of Social Work and Social Administration, Hong Kong, 2004.

84 Fight Crime Committee, *Annual Report, 2006*; The Fight Crime Committee (ibid) noted registered heroin users declined from 16 107 in 1996 to 9734 in 2006 while other drug users increased from 3389 to 6310 cases; K Joe-Laidler, 'The rise of club drugs in a heroin society: the case of Hong Kong', *Substance Use and Misuse*, vol. 40, 2005, pp. 1257–1278.

85 SH Lo, op. cit.; Shieh, op. cit.; Xia, 'Assessing and explaining the resurgence of China's Criminal Underworld'.

86 Crime rates peaked in 2003 – 2004, thereafter they declined in line with a surge in the apprehension and detention of offenders. See Zhong, op. cit., Chapter 7; Editorial, 'Soaring crime rate dims Shenzhen's luster', *South China Morning Post*, 17 January 2004.

87 V Cui, 'Shenzhen is key gateway for illegal drugs trade', *South China Morning Post*, 10 May 2006.

88 B Wong, 'High rate of HK party drug users caught in Guangdong', *South China Morning Post*, 23 December 2003.

89 Ephedrine is a traditional ingredient of Chinese medicine but a precursor in the manufacture of amphetamine and, consequently, difficult to monitor as noted by the Director, Anti-Narcotics Division, Ministry of Public Security. See M. Deng, 'Narcotics control in China: the present and the future', in RG Broadhurst (ed.), *Bridging the Gap: A Global Alliance Perspective on Transnational Organised Crime*, pp. 227–234.

90 LC Ip, 'Changing trends in narcotics trade: the Hong Kong experience', in RG Broadhurst (ed.), *Bridging the Gap: A Global Alliance Perspective on Transnational Organised Crime*, pp. 235–239; ZL Chen & KC Huang, 'Drug problems in China: recent trends, countermeasures, and challenges', *International Journal of Offender Therapy and Comparative Criminology*, vol. 51, no. 1, 2007, pp. 98–109.

91 A Lam, 'Drug gangs from HK coaching mainlanders', *South China Morning Post*, 23 June 2006; Z Xie, M Hu & X Zhou, 'Reflections on cracking down on drug crime in Guangzhou 2003', *Journal of Political Science and Law*, vol. 21, no. 2, 2004, pp. 82–84 (in Chinese); X Zhou, 'Triad societies in Guangdong (V)', *Journal of Political Science and Law*, vol. 19, no. 6, 2002, pp. 10–13 (in Chinese).

92 Over the period 2002–2004, the Beijing Office (a liaison office set up by Security Bureau and HK Immigration Department) recorded 293 requests for assistance from HK residents detained in the Mainland. Most were arrested in Guangdong (64.5%) and 44% were detained for smuggling/manufacturing/or possession of narcotic drugs; see Examination of estimates of expenditure 2005–06: Controlling officer's (Beijing office) reply to written question, SB146, HSAR Legislative Council.

93 Xie, Hu & Zhou, op. cit.; Xia, 'Organizational Formations of Organised Crime in China', p. 13.

94 'Soaring crime rate dims Shenzhen's luster', *South China Morning Post*.

95 CY Chow, 'Former Shenzhen police chief to face prosecution', *South China Morning Post*, 7 December 2004.

96 L Cohen & M. Felson, 'Social change and crime rate trends: a routine activity approach', *American Sociological Review*, vol. 44, 1979, pp. 588–608; Xia, 'Assessing and explaining the resurgence of China's criminal underworld'; Xia, 'Organizational formations of organised crime in China'.

97 F Varese, 'How Mafia's migrate: the case of the 'Ndrangheta in Northern Italy', *Law & Society*, vol. 40, no. 2, 2006, pp. 411–444.

98 XF Zhang, 'Organised crime in mainland China and its counter-measures against Cross-border organised crime', in RG Broadhurst (ed.), *Bridging the Gap: A Global Alliance Perspective on Transnational Organised Crime*, pp. 249–253; Chen, op. cit., Xia, 'Assessing and explaining the resurgence of China's criminal underworld'; Xia, 'Organizational formations of organised crime in China'.

99 Jacobs, Freil & Radick, op. cit.; Young, op. cit.; DM Dodson, 'Triads in business: "To get rich is Glorious"', in RG Broadhurst (ed.), *Bridging the Gap: A Global Alliance Perspective on Transnational Organised Crime*, pp. 257–264.

100 G Jin, 2004, 'Organizations of a secret society nature and the characteristics of the crime they commit: a survey based on 32 cases of a secret society nature', *Journal of Chinese People's Public Security University*, vol. 112, no. 6, 2004, pp. 68–88. The existence of secret societies or 'gangs with the nature of a secret society' continues to be a source of ideological debate; see Xie & Wang, op. cit.

101 Jin, *ibid*; Chen, op. cit.; MK Lewis, 'China's implementation of the United Nations Convention Against Transnational Organized Crime', *Asian Journal of Criminology*, vol. 2, no. 2, 2007, pp. 179–194.