

Dear Editor,

The article “Hong Kong ‘doxxing’ crackdown stirs further fears for business (Opinion)” (13 July 2021) completely distorted the policy intent behind the proposed amendments to the Personal Data (Privacy) Ordinance.

Since June 2019, rampant doxxing acts which literally weaponise personal data have caused irreversible harm to many unfortunate victims. Since June 2019, the Office of the Privacy Commissioner for Personal Data (PCPD) has handled over 5,800 doxxing cases, and referred over 1,400 cases to the Police for criminal investigation and prosecution. There is a dire need to curb doxxing acts which create a chilling effect on the society and discourage open expression of views amongst fears of doxxing.

We strongly refute the inaccurate claims in the aforementioned article that the new measures against doxxing will “give the territory’s administration sweeping powers to crack down on freedom of expression, curtail access to public information and restrict the way social media groups operate”. The legislative amendments only concern doxxing acts and the Commissioner’s law-enforcement powers. The scope of the doxxing offence is clear and focused, targeting only doxxers who disclose personal data with a malicious intent. Social media groups that are compliant with the Commissioner’s request to remove doxxing content will not be held liable. The lawful news activities in Hong Kong will not be affected as existing defences relating to news activities will remain intact.

Our proposed regulatory regime on doxxing acts is not unique in any sense – overseas jurisdictions such as Singapore, New Zealand and Australia also have their own laws that govern unlawful disclosure of personal data causing harm to the data subjects. Such regulation over illegal doxxing activities is hence not new to social media platform operators. In their quoted response to media enquiries, the Asia Internet Coalition (AIC) had already clarified that none of its members, including the tech giant companies, had plans to retreat from Hong Kong and they remain committed to Hong Kong. From their submissions made to the Privacy Commissioner for Personal Data of Hong Kong, they acknowledged that doxxing is a matter of serious concern and appreciated the importance of privacy and the need to protect personal information. We are grateful for such positive response from the social media platform industry and would rely on their assistance to foster a doxxing-free online culture and protection of personal data privacy.

Yours sincerely,  
(Erick Tsang)  
Secretary for Constitutional and Mainland Affairs, Hong Kong