

Examination of Estimates of Expenditure 2009-10  
**CONTROLLING OFFICER'S REPLY TO  
INITIAL WRITTEN QUESTION**

Reply Serial No.

**SB174**

Question Serial No.

2889

Head : 30 Correctional Services Department

Subhead (No & title) :

Programme : (1) Prison Management

Controlling Officer : Commissioner of Correctional Services

Director of Bureau : Secretary for Security

Question :

Please explain the rules and regulations as to how complaints are handled. In 2008-09, what is the resource allocated for handling complaints and how is impartiality and transparency guaranteed? Are there any plans to make the complaint mechanism independent and impartial? What is the estimated expenditure for 2009-10?

Asked by : Hon. LEUNG Yiu-chung

Reply :

All complaints received by the Correctional Services Department (CSD) will be handled according to the relevant legislation and CSD's Complaints Handling Manual. Whilst minor complaints without specific need for investigation (e.g. complaints about penal facilities or quality of food ) will be followed up by staff of individual penal institutions, other complaints will be handled by the Complaints Investigation Unit (CIU). Depending on the nature of the case, a complaint may also be referred to relevant departments or external organizations (e.g. the Police or ICAC) for direct investigation.

There is an established two-tier review mechanism for handling complaint cases by CIU. The complainants will be notified in writing by CIU of the findings of their cases. They, if dissatisfied, may ask for a re-examination of their cases by the Correctional Services Department Complaints Committee (CSDCC). They may further appeal to the Commissioner of Correctional Services against the outcome of re-examination by CSDCC.

CSDCC is chaired by a civilian staff (at the rank of Administrative Officer Staff Grade C) of the Department, who is independent of the uniform stream. Members of the Committee include an Assistant Commissioner of Correctional Services, four senior officers of the Department and a Prison Chaplain. Prison Chaplains are independent clergymen appointed by the Chief Executive in accordance with the Prisons Ordinance (Cap. 234). They are entitled to have access to prisoners at all reasonable times, and have the duty to report irregularities in prisons that come to their knowledge. Such composition of the CSDCC has given due regard to the requirements of independence, impartiality and transparency.

The estimated expenditure on personal emoluments of the CIU in 2009-10 is \$7,152,000. Staff of individual institutions also handle complaints as part of their duties. We do not have breakdowns of such expenditure involved.

Signature	_____
Name in block letters	<u>          KWOK LEUNG MING          </u>
Post Title	<u>          Commissioner of Correctional Services          </u>
Date	<u>          19 March 2009          </u>