

CONTROLLING OFFICER'S REPLY**SB232****(Question Serial No. 0177)**Head: (30) Correctional Services DepartmentSubhead (No. & title): (000) Operational ExpensesProgramme: (1) Prison ManagementControlling Officer: Commissioner of Correctional Services (YAU Chi-chiu)Director of Bureau: Secretary for SecurityQuestion:

Please provide the numbers of complaints received by the Correctional Services Department (CSD) from persons in custody or their families in the past 3 years. How many of these cases were accepted and handled?

Is there any participation of members of the public outside CSD in the complaints handling mechanism of the department? How can CSD ensure that the mechanism is fair, open and impartial?

Asked by: Hon WONG Yuk-man (Member Question No. 35)Reply:

The numbers of complaints received by the Correctional Services Department (CSD) from persons in custody or their families in the past 3 years are provided in the table below. All the complaints were accepted and handled by CSD in accordance with the established mechanism.

Year	Number of complaints made by persons in custody or their families
2012	329
2013	475
2014	272

The Complaints Investigation Unit (CIU) of CSD is responsible for handling these complaints. CIU is an independent establishment appointed by the Commissioner of Correctional Services to investigate all complaints thoroughly, impartially and expeditiously in standards compatible with the ISO Quality Management System.

CIU will investigate and process every complaint in accordance with the established procedures. Investigation reports of serious complaints relating to misconduct of staff members or maladministration, etc. will be referred to the Correctional Services Department Complaints Committee (CSDCC) for examination, review and endorsement to ensure that the complaints handling mechanism is fair, open and impartial. Minor complaints will be handled by heads of institutions under the monitoring of CIU. If the complainant is dissatisfied with the outcome of the institutional investigation, CIU will conduct an investigation into the complaint and report to CSDCC.

CSDCC is chaired by a Directorate officer who does not belong to the disciplined establishment. Its membership comprises an Assistant Commissioner of CSD, 4 senior correctional officers and a chaplain. The chaplain is appointed by the Chief Executive in accordance with the Prisons Ordinance (Cap. 234). He shall have access to persons in custody at all reasonable times and have the duty to report any impropriety in the prison which may come to his knowledge. The composition of CSDCC has duly taken into account the principle that it shall remain independent.

After CSDCC has endorsed the outcome of the investigation, the complainant will be informed of the outcome in writing accordingly. If the complainant is dissatisfied with the outcome, he may apply in writing for re-examination of the complaint by CSDCC. If the complainant is still dissatisfied with the re-examination result, he may further appeal to the Commissioner of Correctional Services.

Besides, persons in custody may lodge their complaints through other channels, such as the Chief Executive, Legislative Council Members, Justices of the Peace, the Ombudsman and the Commissioner of the Independent Commission Against Corruption. Upon admission to correctional institutions, all persons in custody will be given an information booklet containing information on channels of making complaints. The relevant information is also displayed at prominent locations in all institutions.