

Examination of Estimates of Expenditure 2010-11

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

Reply Serial No.

SB127

Question Serial No.

0918

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 :

- (a) Currently, what are the details of disciplinary proceedings involved when a prisoner is alleged to have committed acts of indiscipline?
- (b) For cases of prisoners alleged to have committed acts of indiscipline, what were the respective percentages and numbers of cases that prisoners were found guilty and not guilty after going through the disciplinary proceedings in the past 2 years (i.e. 2008 and 2009)?

Asked by : Hon. LEUNG Yiu-chung

Reply :

- (a) Disciplinary hearing procedures for prisoners are set out in details in Rules 57 to 63 of the Prison Rules (Cap. 234A).

In brief, a prisoner who has been reported for a disciplinary offence will be informed of the facts alleged against him so that he has an opportunity to defend himself. The Superintendent has to investigate such report not later than the following day (unless that day is a general holiday). To ensure impartiality, the case will be heard by a Superintendent from another institution. If it is ascertained that the prisoner in question has committed the disciplinary offence, the Superintendent concerned will award appropriate punishment to him according to Rule 63 of the Prison Rules. Any prisoner who is dissatisfied with the decision of the Superintendent may appeal to the Commissioner of Correctional Services within 48 hours. Upon the perusal of the appeal made by

the prisoner, the Commissioner of Correctional Services will determine the appeal.

- (b) In 2008 and 2009, the respective numbers and percentages of cases of which prisoners were found guilty and not guilty after going through disciplinary proceedings are as follows:

	<u>Found</u> <u>Guilty</u>	<u>Percentage</u>	<u>Found</u> <u>Not Guilty</u>	<u>Percentage</u>	<u>Total</u>
2008	4 092	99.3%	27	0.7%	4 119
2009	3 723	99.4%	23	0.6%	3 746

Signature	_____
Name in block letters	<u> KWOK LEUNG MING </u>
Post Title	<u> Commissioner of Correctional Services </u>
Date	<u> 16 March 2010 </u>