

CONTROLLING OFFICER'S REPLY

SB429

(Question Serial No. 4957)

Head: (30) Correctional Services Department

Subhead (No. & title): ()

Programme: (1) Prison Management

Controlling Officer: Commissioner of Correctional Services (LAM Kwok-leung)

Director of Bureau: Secretary for Security

Question:

1. Regarding the provision of training to frontline officers on the use of necessary force on persons in custody (PICs), how does the Correctional Services Department (CSD) ensure the safety of staff members? And how can excess injury to subdued PICs be avoided?
2. Regarding the use of necessary force on PICs, what supplementary equipment or weapons will CSD provide to frontline officers?
3. Regarding the use of necessary force on PICs, what are the specific contents of the guidelines for frontline officers?
4. Are PICs informed of the possibility of being applied necessary force by CSD staff when they are admitted into prisons? And are they informed of the rights concerned?

Asked by: Hon SHIU Ka-chun (Member Question No. (LegCo use): 142)

Reply:

Rule 237 of the Prison Rules (Cap. 234A) stipulates that no correctional officer in dealing with persons in custody (PICs) shall use force unnecessarily and, when the application of force to a PIC is necessary, no more force than is necessary shall be used. The appropriate force to be used by correctional officers against PICs should be non-lethal, defensive and minimal to prevent correctional officers themselves, PICs or other persons from being harmed.

Every correctional officer will undergo professional tactics, self-defense and scenario training to learn how to use different types of equipment and how to respond in emergency situations in order to apply the necessary and appropriate force correctly. Correctional officers are generally equipped with oleoresin capsicum foam and extendable truncheons when supervising PICs.

When applying appropriate force, correctional officers shall give warning to the concerned PIC in order to give him/her an opportunity to obey their instructions and cease resistance. Correctional officers handle resistance of PICs by verbal advice and counselling in the vast majority of cases. In the event that a PIC continues to resist or raises the level of resistance, correctional officers may use appropriate force whenever circumstances warrant.

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