

CONTROLLING OFFICER'S REPLY

SB432

(Question Serial No. 4960)

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. Please list the records of cases in which correctional officers subdued persons in custody with empty hands, used oleoresin capsicum foam or truncheon in various prisons and correctional institutions (please also list the cases concerning the use of other types of necessary force (if any)).
2. How many records mentioned above involve young offenders?
3. Does the Correctional Services Department use measures other than necessary force when dealing with young offenders?

Asked by: Hon SHIU Ka-chun (Member Question No. (LegCo use): 145)

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.

Correctional officers handle the resistance of PICs by way of 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, such as empty-hand control, the use of oleoresin capsicum foam or extendable truncheon, etc. The reasons for correctional officers using necessary force on PICs include stopping PICs from self-harm or abnormal behavior, fighting among themselves and attacking correctional officers or other persons etc.

The numbers of cases with the type of necessary force used on PICs by correctional officers in the past 5 years are set out as follows:

Numbers of cases by the type of necessary force used				
Year	Empty-hand control	Use of oleoresin capsicum foam	Empty-hand control and use of oleoresin capsicum foam	Total
2017	8 (0)	10 (1)	69 (1)	87 (2)
2016	32 (3)	5 (1)	89 (6)	126 (10)
2015	13 (0)	2 (0)	60 (4)	75 (4)
2014	21 (3)	4 (1)	78 (4)	103 (8)
2013	14 (2)	5 (2)	58 (4)	77 (8)

* Figures in brackets are the number of cases that involved young PICs.

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