

**CONTROLLING OFFICER'S REPLY**

**SB180**

**(Question Serial No. 3440)**

Head: (30) Correctional Services Department

Subhead (No. & title): ()

Programme: (1) Prison Management

Controlling Officer: Commissioner of Correctional Services (WONG Kwok-hing)

Director of Bureau: Secretary for Security

Question:

Rule 237 of the Prison Rules (Cap. 234A) stipulates that no correctional officer in dealing with persons in custody (PICs) shall use force unnecessarily. Please list the records of non-compliant correctional staff using force unnecessarily with a breakdown. If there are no such records, what are the reasons? Are the existing closed circuit television (CCTV) systems and complaints mechanism effective enough to deter staff members from using force unnecessarily? How can the Department prove their effectiveness? What is the total expenditure on CCTV systems incurred by the Department? How many CCTVs are installed in each institution? What is the average cost of each CCTV?

Asked by: Hon TIK Chi-yeun (LegCo internal reference no.: 293)

Reply:

In the past 5 years (2018-2022), there was 1 recorded case in which a staff member used force unnecessarily in the Correctional Services Department (CSD). The staff member concerned was punished as appropriate.

At present, a total of over 8 000 closed circuit televisions (CCTV) are installed in correctional institutions. CSD is planning to extend the coverage of CCTV systems in institutions gradually to enhance the effectiveness of the monitoring function so as to combat and prevent indiscipline acts and illicit activities in institutions, and also protect the safety of correctional officers in the course of law enforcement and ensure the safety of persons in custody (PICs).

Besides, CSD all along attaches great importance to complaints lodged by any persons, regardless of whether they are PICs or discharged persons. If aggrieved by any treatment they received, they may lodge complaints or air their grievances through various internal or external channels.

Internal channels include complaining to the institutional management, directorate officers of the CSD Headquarters during their inspections to correctional institutions or the Complaints Investigation Unit (CIU) of CSD. CIU will carry out an investigation of each and every

complaint in a fair, impartial and comprehensive manner, or make a referral to other law enforcement agencies for follow-up actions having regard to the circumstances of the case.

As for external channels, PICs may write to Members of the Legislative Council, The Ombudsman, statutory bodies, other law enforcement agencies or government bureaux, etc. to lodge their complaints. Besides, they may choose to seek assistance from or lodge their complaints with the visiting Justices of the Peace (JPs) directly during the latter's surprise inspections to their institutions and request to meet the JPs alone.

The Office of The Ombudsman (the Office), as an independent and statutory organisation for handling complaints against government departments, may initiate independent investigation into the complaints. If necessary, the Office may request CSD to assist in the investigation by providing information (such as CCTV footage), or even conduct site inspections and interview the complainants.

PICs have the right to see their legal advisors. Staff members of CSD will not be present at their interviews, and thus will not know the contents of such interviews.

CSD also reviews and enhances the complaints handling mechanism from time to time with a view to increasing the transparency and credibility of the Department in handling complaints in an open, fair and impartial manner.

To widen the structure of the Correctional Services Department Complaints Appeal Board (CSDCAB) and further strengthen the mechanism to scrutinise appeals, the number of members of CSDCAB was increased to 31 in November 2020. Apart from JPs, religious persons who are acquainted with correctional operations were also appointed. The independence of CSDCAB ensures that appeal cases are handled fairly.

CSD adopts a zero tolerance policy against violations of regulations by its staff. As a disciplinary force, CSD demands strict discipline. The conduct of individual staff members is monitored by supervisory staff at different levels. If any indiscipline act of a staff member is confirmed, CSD will take disciplinary action against the staff member concerned. If it is suspected that illegal acts are committed, CSD will refer those cases to other law enforcement agencies for follow-up actions.

As mentioned above, over 8 000 CCTVs are installed in correctional institutions. The average cost of each CCTV in correctional institutions varies owing to differences in locations, year of completion, building structures, design of institutions and time of installation and update of CCTV systems, and thus it cannot be generalised.

The project estimates for replacement and enhancement of the CCTV systems currently in progress are tabulated as follows:

	<b>Correctional Facility</b>	<b>Head/Subhead</b>	<b>Number of CCTVs installed</b>	<b>Approved Project Estimate/ Commitment (\$ million)</b>
1	Stanley Prison	Head 708 Capital Subventions and Major Systems and Equipment	2 493	162.68
2	Pak Sha Wan Correctional Institution and Siu Lam Psychiatric Centre		1 030	51.546
3	Tai Lam Correctional Institution	Head 30 Correctional Services Department Subhead 603 Plant, vehicles and equipment	376	24.51
4	Tong Fuk Correctional Institution		690	35.274
5	Pik Uk Prison		569	37.409
6	Cape Collinson Correctional Institution		302	55.45
7	Hei Ling Chau Addiction Treatment Centre		580	98.701
8	Hei Ling Chau Correctional Institution		514	108.211
9	Lai Sun Correctional Institution		236	40.944
10	Pik Uk Correctional Institution		255	13.507
11	Lo Wu Correctional Institution		3 618	241.331
12	Lai King Correctional Institution/Chi Lan Rehabilitation Centre		578	54.489
13	Shek Pik Prison		1 441	119.995
14	Sha Tsui Correctional Institution/Lai Chi Rehabilitation Centre		508	38.069
15	Nei Kwu Correctional Institution		382	30.967

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