

立法會

Legislative Council

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(These minutes have been
seen by the Administration)

Ref : CB2/SS/2/01

Subcommittee on Rehabilitation Centres Regulation

Minutes of the 1st meeting

**held on Tuesday, 23 October 2001 at 10:45 am
in Conference Room B of the Legislative Council Building**

- Members Present** : Hon James TO Kun-sun (Chairman)
Hon Cyd HO Sau-lan
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Hon Ambrose LAU Hon-chuen, GBS, JP
Hon CHOY So-yuk
Hon WONG Sing-chi
- Member Absent** : Hon Michael MAK Kwok-fung
- Public Officers Attending** : Mr David WONG
Principal Assistant Secretary for Security

Miss Bonnie WONG
Assistant Commissioner of Correctional Services (Rehabilitation)

Miss Betty CHEUNG
Senior Government Counsel

Miss Stoney POON
Assistant Secretary for Security
- Clerk in Attendance** : Ms Doris CHAN
Chief Assistant Secretary (2) 4

Staff in Attendance : Mr Arthur CHEUNG
Assistant Legal Adviser 5

Ms Dora WAI
Senior Assistant Secretary (2) 4

Mr James TO was elected Chairman of the Subcommittee.

2. The Subcommittee deliberated (Index of proceedings attached at **Annex**).

3. As requested by the Subcommittee, the Administration undertook to provide more information on the following sections of the Regulation to facilitate the work of the Subcommittee -

(a) Section 7 – Classification

existing guidelines or manual to be followed by the Correctional Services Department (CSD) on classification of offenders;

(b) Section 8 – Grades

details of the grading system; and

(c) Section 11 – Religious services and instruction

the reason for restricting the application of the section to "an offender belongs to a religious denomination" and the current practice in other CSD institutions in this regard.

4. The Subcommittee also requested the Administration to consider the following in the light of comments made by the Assistant Legal Adviser -

(a) Section 3 – Administration of rehabilitation centres

whether there was a need to provide for the Commissioner of Correctional Services to appoint other officers under section 3(2)(c); and

(b) Section 10 - Training

whether the drafting of section 10(1) and (2) should be amended to avoid any ambiguity.

5. The members present at the meeting agreed to hold a further meeting on 24 October 2001 at 11:00 am to complete the clause by clause examination of the Regulation and discuss any outstanding issues.

6. There being no other business, the meeting ended at 12:40 pm.

Legislative Council Secretariat

23 November 2001

**Proceedings of the 1st meeting of the Subcommittee on
Rehabilitation Centres Regulation
on Tuesday, 23 October 2001 at 10:45 am
in Conference Room B of the Legislative Council Building**

Time	Speaker	Subject(s)	Action required
0000-0039	Ms Cyd HO	Election of Chairman	
0040-0248	Chairman	Welcoming remarks and work plan of the Subcommittee	
0249-0304	Ms Cyd HO	Background information in LegCo Brief	
0305-0333	Chairman	Ditto	
0334-0349	Ms Cyd HO	Ditto	
0350-0540	Chairman	Ditto	
0541-0649	Admin	Ditto	
0650-0705	Chairman	Clause by clause examination of the Regulation	
0706-0800	Admin	Section 1 - Commencement	
0801-0809	Chairman	Ditto	
0810-0829	Admin	Ditto	
0830-0845	Chairman	Section 2 - Interpretation Section 3 - Administration of rehabilitation centres	
0846-0924	Admin	Briefing on its proposed amendments to section 3	
0925-0935	Chairman	Appointment of superintendent for rehabilitation centres under section 3	
0936-1030	Admin	Ditto	
1031-1051	Miss CHOY So-yuk	Ditto	
1052-1059	Chairman	Ditto	
1100-1129	Miss CHOY So-yuk	Ditto	
1130-1204	Admin	Ditto	
1205-1236	Miss CHOY So-yuk	Ditto	
1237-1317	Admin	Ditto	
1318-1337	Ms Cyd HO	Details of officers-in-charge of rehabilitation centres	
1338-1422	Admin	Ditto	
1423-1435	Ms Cyd HO	Ditto	
1436-1446	Chairman	Ditto	
1447-1459	Ms Cyd HO	Ditto	
1500-1533	Chairman	Ditto	
1534-1545	Ms Cyd HO	Ditto	

Time	Speaker	Subject(s)	Action required
1546-1552	Chairman	Details of officers-in-charge of rehabilitation centres	
1553-1651	Admin	Ditto	
1652-1719	Chairman	Ditto	
1720-1726	Admin	Ditto	
1727-1814	Mr WONG Sing-chi	Appointment of superintendent for rehabilitation centres under section 3	
1815-1826	Admin	Ditto	
1827-1853	Chairman	Ditto	
1854-1857	Mr WONG Sing-chi	Ditto	
1858-1917	Admin	Ditto	
1918-1936	Mr WONG Sing-chi	Ditto	
1937-2000	Admin	Ditto	
2001-2007	Mr WONG Sing-chi	Ditto	
2008-2023	Mrs Sophie LEUNG	Ditto	
2024-2040	Chairman	Staffing implications arising from section 3(2)(a)	
2041-2110	Admin	Ditto	
2111-2129	Chairman	Ditto	
2130-2144	Admin	Proposed textual amendment to section (3)(2)(c)	
2145-2220	Chairman	Section 4 - Reception of offenders Section 5 - Medical examination	
2221-2228	Admin	Section 5 - Medical examination	
2229-2242	Chairman	Ditto	
2243-2245	Admin	Ditto	
2246-2247	Chairman	Section 6 - Personal record of offenders	
2248-2301	Admin	Proposed textual amendment to section 6	
2302-2304	Chairman	Ditto	
2305-2357	ALA	Need to appoint medical officer under section 3(2)(c)	
2358-2446	Admin	Ditto	
2447-2524	Chairman	Ditto	
2525-2616	Admin	Ditto	
2617-2646	Chairman	Ditto	
2647-2735	Mrs Sophie LEUNG	Ditto	
2736-2754	Chairman	Ditto	
2755-2818	Mrs Sophie LEUNG	Ditto	
2819-2845	Admin	Duty of a medical officer under the Prisons Ordinance	
2846-2918	Chairman	Applicability of the Prisons Ordinance to the Rehabilitation Centres Regulation	

Time	Speaker	Subject(s)	Action required
2919-2926	Admin	Applicability of the Prisons Ordinance to the Rehabilitation Centres Regulation	
2927-2933	Chairman	Ditto	
2934-3032	ALA	Ditto	
3033-3107	Admin	Ditto	
3108-3111	Chairman	Ditto	
3112-3249	ALA	Need to appoint other officers under section 3(2)(c)	
3250-3344	Admin	Ditto	
3345-3508	ALA	Ditto	
3509-3525	Chairman	Ditto	
3526-3541	ALA	Ditto	
3542-3603	Admin	Ditto	
3604-3727	Chairman	Admin to consider whether there was a need to appoint other officers under section 3(2)(c)	✓
3728-3755	ALA	Ditto	
3756-3903	Chairman	Section 3 - Administration of rehabilitation centres Section 6 - Personal record of offenders Section 7 - Classification	
3904-4010	Admin	Briefing on the classification system under section 7	
4011-4017	Ms Cyd HO	Number of rehabilitation centres	
4018-4025	Admin	Ditto	
4026-4031	Chairman	Ditto	
4032-4038	Admin	Ditto	
4039-4040	Chairman	Ditto	
4041-4044	Admin	Ditto	
4045-4046	Mr WONG Sing-chi	Ditto	
4047-4102	Admin	Ditto	
4103-4112	Mr WONG Sing-chi	Separation of male and female offenders	
4113-4114	Admin	Ditto	
4115-4149	Chairman	Ditto	
4150-4153	Mr WONG Sing-chi	Ditto	
4154-4200	Admin	Ditto	
4201-4202	Mr WONG Sing-chi	Ditto	
4203-4205	Admin	Ditto	
4206-4210	Chairman	Ditto	
4211-4213	Admin	Ditto	
4214-4218	Chairman	Ditto	

Time	Speaker	Subject(s)	Action required
4219-4228	Admin	Separation of male and female offenders	
4229-4234	Chairman	Ditto	
4235-4245	Mr WONG Sing-chi	Ditto	
4246-4310	Chairman	Ditto	
4311-4339	Mr WONG Sing-chi	Classification by age	
4340-4359	Chairman	Ditto	
4400-4435	Admin	Ditto	
4436-4516	Chairman	Ditto	
4517-4645	Admin	Designation of more rehabilitation centres	
4646-4649	Chairman	Ditto	
4650-4713	Admin	Ditto	
4714-4743	Ms Cyd HO	Basis for determining the suitability of a centre for an offender	
4744-4819	Admin	Ditto	
4820-4840	Ms Cyd HO	Ditto	
4841-4854	Chairman	Ditto	
4855-4921	Admin	Ditto	
4922-4926	Ms Cyd HO	Ditto	
4927-4934	Chairman	Ditto	
4935-4959	Ms Cyd HO	Ditto	
5000-5010	Chairman	Ditto	
5011-5026	Ms Cyd HO	Ditto	
5027-5035	Chairman	Ditto	
5036-5045	Ms Cyd HO	Ditto	
5046-5105	Admin	Ditto	
5106-5217	Miss CHOY So-yuk	Ditto	
5218-5310	Chairman	Ditto	
5311-5348	Ms Cyd HO	Ditto	
5349-5426	Chairman	Ditto	
5427-5428	Admin	Admin to provide information on existing guidelines or manual on classification of offenders under section 7	✓
5429-5531	Mr WONG Sing-chi	Basis for determining the suitability of a centre for an offender; and designation of more rehabilitation centres	
5532-5641	Chairman	Designation of more rehabilitation centres	
5642-5702	Ms Cyd HO	Basis for determining the suitability of a centre for an offender	

Time	Speaker	Subject(s)	Action required
5703-5729	Chairman	Section 8 - Grades	
5730-5817	Admin	Briefing on the grading system in other CSD institutions	
5818-5830	Chairman	Grading system under the Regulation	
5831-5851	Admin	Ditto	
5852-5920	Chairman	Ditto	
5921-5925	Admin	Admin to provide details of the grading system	✓
5926-5937	Chairman	Notification to an offender on his classification and grade	
5938-5951	Admin	Ditto	
5952-010013	Chairman	Ditto	
010014-010034	Ms Cyd HO	Definition of "training" under section 7	
010035-010306	Admin	Purpose of the classification system and privileges of each grade	
010307-010309	Ms Cyd HO	Definition of "training" under section 7	
010310-010318	Admin	Ditto	
010319-010328	Chairman	Ditto	
010329-010515	ALA	Need to provide for classification of programme within a rehabilitation centre in section 7	
010516-010526	Chairman	Ditto	
010527-010536	ALA	Ditto	
010537-010601	Admin	Ditto	
010602-010608	Miss CHOY So-yuk	Ditto	
010609-010634	Admin	Ditto	
010635-010704	Chairman	Ditto	
010705-010814	Admin	Ditto	
010815-010835	Miss CHOY So-yuk	Ditto	
010836-010908	Chairman	Ditto	
010909-010944	ALA	Ditto	
010945-011026	Chairman	Ditto	
011027-011033	Ms Cyd HO	Ditto	
011034-011054	Chairman	Section 9 - Diet	
011055-011139	Admin	Ditto	
011140-011142	Ms Cyd HO	Ditto	
011143-011153	Admin	Ditto	
011154-011203	Chairman	Ditto	
011204-011212	Admin	Ditto	
011213-011220	Chairman	Section 10 - Training	

Time	Speaker	Subject(s)	Action required
011221-011302	Ms Cyd HO	Drafting of sections 10(1) and (2)	
011303-011351	Chairman	Ditto	
011352-011446	Admin	Ditto	
011447-011452	Chairman	Ditto	
011453-011516	Mr WONG Sing-chi	Right of choice of work of an offender	
011517-011530	Admin	Ditto	
011531-011540	Chairman	Ditto	
011541-011542	Mr WONG Sing-chi	Ditto	
011543-011558	Admin	Ditto	
011559-011634	Chairman	Criteria for assigning work to an offender	
011635-011820	Admin	Contents of training	
011821-011836	Ms Cyd HO	Criteria for assigning work to an offender	
011837-011904	Chairman	Ditto	
011905-011929	Ms Cyd HO	Ditto	
011930-011952	Chairman	Ditto	
011953-012012	Ms Cyd HO	Ditto	
012013-012027	Chairman	Ditto	
012028-012044	Ms Cyd HO	Ditto	
012045-012126	Admin	Ditto	
012127-012157	Chairman	Ditto	
012158-012205	Ms Cyd HO	Medical examination of an offender upon admission to a rehabilitation centre	
012206-012224	Admin	Ditto	
012225-012254	Chairman	Definition of "work" under section 10	
012255-012342	Admin	Ditto	
012343-012526	ALA	Ambiguity in the drafting of section 10(1) and (2)	
012527-012529	Ms Cyd HO	Ditto	
012530-012626	ALA	Ditto	
012627-012632	Chairman	Ditto	
012633-012921	Admin	Ditto	
012922-012945	Miss CHOY So-yuk	Proposal to amend the drafting of section 10(1) and (2)	
012946-013007	Chairman	Ditto	
013008-013124	ALA	Ditto	
013125-013155	Admin	Ditto	
013156-013209	ALA	Ditto	
013210-013333	Chairman	Ditto	
013334-013419	Ms Cyd HO	Ditto	

Time	Speaker	Subject(s)	Action required
013420-013445	Chairman	Drafting of section 10(1) and (2)	
013446-013504	ALA	Ditto	
013505-013605	Miss CHOY So-yuk	Ditto	
013606-013616	ALA	Ditto	
013617-013625	Admin	Ditto	
013626-013656	Chairman	Ditto	
013657-013712	ALA	Ditto	
013713-013737	Chairman	Ditto	
013738-013745	ALA	Ditto	
013746-013837	Chairman	Admin to consider whether the drafting of section 10(1) and (2) should be amended to avoid ambiguity	✓
013838-013913	Mr WONG Sing-chi	Section 11 - Religious services and instruction (way to ascertain an offender's religious denomination or his desire to belong to a religious denomination)	
013914-013917	Chairman	Ditto	
013918-014022	Admin	Religious services and instruction available to offenders in other CSD institutions	
014023-014059	Miss CHOY So-yuk	Ditto	
014100-014113	Admin	Ditto	
014114-014152	Chairman	Restriction in receiving religious services and instruction by offenders who did not yet belong to a religious denomination	
014153-014202	Admin	Ditto	
014203-014251	Chairman	Ditto	
014252-014327	Admin	Ditto	
014328-014427	Chairman	Ditto	
014428-014455	Ms Cyd HO	Ditto	
014456-014623	Mrs Sophie LEUNG	Ditto	
014624-014659	Chairman	Current practice in other CSD institutions on provision of religious services and instruction to offenders	
014700-014726	Mrs Sophie LEUNG	Ditto	
014727-014742	Chairman	Ditto	
014743-014753	Mrs Sophie LEUNG	Ditto	
014754-014802	Chairman	Admin to provide reason for restricting the application of section 11 to an offender who "belongs to a religious denomination"; and the current practice in other CSD institutions in this regard	✓

Time	Speaker	Subject(s)	Action required
014803-015505	Chairman, members and Admin	Date of next meeting	

Note : The audio records of the above proceedings are kept at the LegCo Library

Council Business Division 2
Legislative Council Secretariat
23 November 2001