

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 4th meeting

**held on Monday, 5 November 2001 at 9:30 am
in Conference Room A 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 CHOY So-yuk
Hon Michael MAK Kwok-fung
Hon WONG Sing-chi
- Member Absent** : Hon Ambrose LAU Hon-chuen, GBS, JP
- 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

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

Section 11 – Religious services and instruction

2. The Administration accepted members' suggestion and agreed to expand the section to codify the administrative arrangement to provide, as appropriate, religious instruction to inmates who did not belong to a religious denomination.
3. As requested by Ms Cyd HO, the Administration also undertook to provide information on the frequency of visits made by chaplains of the various denominations to CSD institutions.

(Post-meeting note : CSD advised that visits by prison chaplains and/or approved personnel of various religious denominations are frequent and, in general, each institution is visited by such people once a week.)

Section 14 - Supervision order

4. The Subcommittee agreed to the Administration's revised proposed amendment tabled at the meeting.

Schedule 1 – Conditions of a supervision order

5. As suggested by the Subcommittee, the Administration undertook to further consider whether it would move amendments to both paragraphs (j) and (k) of Schedule 1 taking into account the draft resolution proposed by the Chairman which was tabled at the meeting. The Chairman indicated that if the Administration decided not to do so, he would move the amendments in his name.
6. The Subcommittee requested the Administration to provide the Secretariat with the proposed resolution(s) before close of play on 6 November 2001 for onward transmission to members.
7. There being no other business, the meeting ended at 11:20 am.

**Proceedings of the 4th meeting of the Subcommittee on
Rehabilitation Centres Regulation
on Monday, 5 November 2001 at 9:30 am
in Conference Room A of the Legislative Council Building**

Time	Speaker	Subject(s)	Action required
0000-0441	Members	Internal discussion on section 11 concerning religious services and instruction; and section 14 and Schedule 1 concerning supervision order	
0442-1020	Ms Cyd HO	Proposal to replace "belongs to" with "inclines to" or "had a genuine need of religious instruction" in section 11	
1021-1113	Chairman	Operation of the mechanism under section 11 in respect of provision of religious services and instruction to offenders	
1114-1226	Admin	Assurance given to members on provision of religious services and instruction to offenders who have a genuine need of religious instruction	
1227-1246	Chairman	Provision of religious services and instruction to offenders who do not belong to a religious denomination	
1247-1253	Admin	Ditto	
1254-1316	Chairman	Ditto	
1317-1509	Ms Cyd HO	Ditto	
1510-1619	Chairman	Ditto	
1620-1656	Ms Cyd HO	Ditto	
1657-1706	Chairman	Ditto	
1707-1828	Ms Cyd HO	Ditto	
1829-1850	Chairman	Implications on the management of CSD institutions in respect of Ms Cyd HO's proposed amendment to section 11	
1851-1944	Admin	Provisions in Prison Rules relating to provision of religious services and instruction to offenders	
1945-2018	Chairman	Implications on the management of CSD institutions in respect of Ms Cyd HO's proposed amendment to section 11	
2019-2026	Ms Cyd HO	Ditto	
2027-2129	Chairman	Ditto	
2130-2323	Admin	Provisions in Prison Rules relating to provision of religious services and instruction to offenders	
2324-2328	Chairman	Ditto	
2329-2332	Admin	Ditto	

Time	Speaker	Subject(s)	Action required
2333-2350	Chairman	Provisions in Prison Rules relating to provision of religious services and instruction to offenders	
2351-2409	Ms Cyd HO	Current practice in other CSD institutions on provision of religious services and instruction to offenders	
2410-2640	Chairman	Ditto	
2641-2745	Ms Cyd HO	Access to chaplains on the request of offenders	
2746-2755	Chairman	Ditto	
2756-2818	Ms Cyd HO	Ditto	
2819-2845	Chairman	Ditto	
2846-3145	Admin	Visits by chaplains to CSD institutions	
3146-3210	Chairman	Ditto	
3211-3225	Admin	Ditto	
3226-3237	Ms Cyd HO	Frequency of visits made by chaplains	
3238-3338	Admin	Ditto	
3339-3421	Ms Cyd HO	Ditto	
3422-3436	Admin	Ditto	
3437-3510	Chairman	Admin to provide information on the frequency of visits made by chaplains of various denominations to CSD institutions	✓
3511-3540	Admin	Frequency of visits made by chaplains	
3541-3601	Chairman	Implications on the management of CSD institutions in respect of Ms Cyd HO's proposed amendment to section 11	
3602-3714	Admin	Ditto	
3715-3738	Ms Cyd HO	Right to receive religious services and instruction by an offender who had a genuine need of religious instruction	
3739-3815	Chairman	Ditto	
3816-3947	Ms Cyd HO	Ditto	
3948-3957	Chairman	Ditto	
3958-4117	Admin	Implications on the management of CSD institutions in respect of Ms Cyd HO's proposed amendment to section 11	
4118-4158	Chairman	Ditto	
4159-4212	Ms Cyd HO	Right to receive religious services and instruction by an offender who had a genuine need of religious instruction	
4213-4228	Admin	Ditto	
4229-4232	Chairman	Ditto	

Time	Speaker	Subject(s)	Action required
4233-4257	Admin	Assurance given to members on provision of religious services and instruction to offenders who had a genuine need of religious instruction	
4258-4427	Chairman	Balance between protection of religious freedom and maintenance of prison discipline	
4428-4430	Miss CHOY So-yuk	Her view on Ms Cyd HO's proposed amendment to section 11	
4431-4533	Chairman	Chairman's view on Ms Cyd HO's proposed amendment to section 11	
4534-4609	Miss CHOY So-yuk	Religious services available to offenders	
4610-4628	Chairman	Ditto	
4629-4645	Miss CHOY So-yuk	Access to chaplains on the request of offenders	
4646-4652	Chairman	Ditto	
4653-4711	Admin	Ditto	
4712-4731	Chairman	Ditto	
4732-4744	Admin	Ditto	
4745-4758	Chairman	Genuine need of an offender to receive religious services and instruction	
4759-4806	Admin	Ditto	
4807-4810	Chairman	Ditto	
4811-4841	Miss CHOY So-yuk	Balance between protection of religious freedom and maintenance of prison discipline	
4842-4857	Chairman	Ditto	
4858-4933	Miss CHOY So-yuk	Implications on the management of CSD institutions in respect of Ms Cyd HO's proposed amendment to section 11	
4934-4943	Chairman	Ditto	
4944-5201	Mr Michael MAK	His view on Ms Cyd HO's proposed amendment	
5202-5211	Chairman	Implications on the management of CSD institutions in respect of Ms Cyd HO's proposed amendment to section 11	
5212-5223	Ms Cyd HO	Ditto	
5224-5248	Chairman	Ditto	
5249-5505	ALA	Ditto	
5506-5511	Chairman	Ditto	
5512-5558	ALA	Ditto	
5559-5602	Chairman	Ditto	
5603-5852	ALA	Ditto	

Time	Speaker	Subject(s)	Action required
5853-5917	Chairman	Implications on the management of CSD institutions in respect of Ms Cyd HO's proposed amendment to section 11	
5918-010015	ALA	Ditto	
010016-010021	Chairman	Ditto	
010022-010229	ALA	Provisions in Prison Rules relating to provision of religious services and instruction to offenders	
010230-010237	Chairman	Ditto	
010238-010421	Mrs Sophie LEUNG	Her view on Ms Cyd HO's proposed amendment to section 11	
010422-010534	ALA	Legal advice on Ms Cyd HO's proposed amendment to section 11	
010535-010540	Mrs Sophie LEUNG	Balance between protection of religious freedom and maintenance of prison discipline	
010541-010551	Chairman	Ditto	
010552-011003	Admin	Administration's position on Ms Cyd HO's proposed amendment to section 11	
011032-011103	Miss CHOY So-yuk	Her view on Ms Cyd HO's proposed amendment to section 11	
011104-011505	Ms Cyd HO	Grounds of her proposal to amend section 11	
011506-011735	Admin	Need to codify the administrative arrangement to provide religious services and instruction to offenders who do not belong to a religious denomination	
011736-011804	Chairman	Ditto	
011805-011813	Admin	Ditto	
011814-011837	Chairman	Ditto	
011838-011852	Miss CHOY So-yuk	Ditto	
011853-011931	Mrs Sophie LEUNG	Ditto	
011932-011946	Chairman	Ditto	
011947-012001	Mr Michael MAK	Ditto	
012002-012117	Ms Cyd HO	Ditto	
012118-012224	Admin	Ditto	
012225-012234	Chairman	Ditto	
012235-012407	<i>Meeting adjourned for the Administration's internal discussion</i>		
012408-012413	Chairman	Need to codify the administrative arrangement to provide religious services and instruction to offenders who do not belong to a religious denomination	
012414-012513	Admin	Ditto	

Time	Speaker	Subject(s)	Action required
012514-012551	Chairman	Admin's agreement to expand section 11 to codify the administrative arrangement to provide religious instruction to offenders who do not belong to a religious denomination	✓
012552-012553	Admin	Amendment to section 11	
012554-012558	Chairman	Ditto	
012559-012626	Admin	Ditto	
012627-012639	Ms Cyd HO	Ditto	
012640-012742	Chairman	(a) Section 14 - Supervision order; and (b) Schedule 1 - Conditions of a supervision order	
012743-012917	Admin	Extension of the scope of paragraph (j) of Schedule 1	
012918-012933	Chairman	Chairman's proposed amendments to extend the scope of both paragraphs (j) and (k) of Schedule 1	
012934-013008	Mrs Sophie LEUNG	Ditto	
013009-013115	Chairman	Ditto	
013116-013141	Miss CHOY So-yuk	Ditto	
013142-013230	Chairman	Ditto	
013231-013234	Ms Cyd HO	Ditto	
013235-013304	Chairman	Ditto	
013305-013349	Mrs Sophie LEUNG	Ditto	
013350-013400	Chairman	Ditto	
013401-013403	Admin	Admin to further consider whether it would move amendments to both paragraphs (j) and (k) of Schedule 1	✓
013404-013444	Chairman	Chairman's proposed amendments to extend the scope of both paragraphs (j) and (k) of Schedule 1	
013445-013453	Admin	Ditto	
013454-013524	Chairman	Ditto	
013525-013538	ALA	Ditto	
013539-013559	Chairman	Ditto	
013600-013854	Admin	(a) Admin to provide draft resolutions on the proposed amendments; and (b) Offenders' participation in activities outside Hong Kong	✓
013855-013909	Mr WONG Sing-chi	Offenders' participation in activities outside Hong Kong	
013910-013926	Admin	Ditto	
013927-013941	Mr WONG Sing-chi	Ditto	
013942-013953	Admin	Ditto	

Time	Speaker	Subject(s)	Action required
013954-013957	Chairman	Completion of scrutiny of the Regulation	

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

Council Business Division 2
Legislative Council Secretariat
23 November 2001