

SBCR 6/1/5691/89A

20 February 2006

Clerk to Panel
Legislative Council Panel on Security
Legislative Council Building
8 Jackson Road
Hong Kong
(Attn: Mr Raymond LAM)

Dear Mr Lam,

**Operation of the
Long-term Prison Sentences Review Board**

The above subject was discussed at the LegCo Security Panel meeting of 3 January 2006. In consultation with the Long-term Prison Sentences Review Board (LTPSRB) Secretariat and the Correctional Services Department (CSD), we set out below the information requested by members at the meeting -

- (a) *Provide information regarding whether there were dissenting views when decisions were taken by LTPSRB in sentence reviews, whether LTPSRB had put any decision on sentence reviews to vote in the past five years and whether decisions on sentence reviews were taken by a majority vote.*

In the course of reviewing prisoners' sentences, LTPSRB members may, and very often, have different opinions in individual cases. However, members were able to reach unanimous decisions after discussion. As such, the LTPSRB has not put any decision on sentence reviews to vote. In case it is necessary to do so, section 12 of Schedule 1 to the Long-term Prison Sentences Review Ordinance (Cap. 524) provides that a majority of the votes cast at a meeting is the

decision of the Board. If voting on a matter to be decided at a meeting is tied, the member presiding at the meeting (i.e. the President or the Deputy President) has a casting vote.

(b) *Provide more information on how LTPSRB handled its caseload.*

About three weeks before a meeting, the Board Secretariat will provide members with the discussion papers of the meeting, including a summary of each prisoner's case setting out his/her offence together with related court documents, institutional performance, progress of rehabilitation, opinions of clinical psychologists or psychiatrists (if any), written representations, etc. This allows adequate time for members to study the cases due for review and prepare for the meeting, thus facilitating consideration of the cases at the meeting.

(c) *Advise whether the review reports of prisoners were prepared by the respective CSD officers responsible for custody of the prisoners or prepared centrally by a designated officer.*

CSD will assign Prisoners' Welfare Officers (PWOs), with social work training, to provide assistance to facilitate prisoners' rehabilitation. The review reports on prisoners are compiled by the PWOs of individual institutions, based on their own day-to-day contacts with the prisoners as well as the assessments provided by other prison staff (e.g. custodial officers, clinical psychologists and work instructors) who know the prisoners' institutional performance well. Draft review reports will be discussed at a case conference, chaired by the Head/Deputy Head of Institution and participated by the relevant PWOs. All reports are signed by the Head of Institution.

Yours sincerely,

(Kenneth Cheng)
for Secretary for Security