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Panel on Security

**Background brief prepared by the Legislative Council Secretariat
for the meeting on 7 April 2009**

**Development in the provision of rehabilitative services
by the Correctional Services Department**

Purpose

This paper provides background information on the provision of rehabilitative services for offenders under the custody of the Correctional Services Department (CSD) and summarizes members' concerns on the subject.

Background

2. It has been the mission of CSD to provide a safe and humane environment for the detention of prisoners and persons on remand. According to the Administration, CSD is also committed to assisting prisoners in their reintegration into the community as law-abiding citizens through the provision of comprehensive rehabilitative services.

3. In view of the growing importance of the reformation of offenders, CSD established in January 1998 a new Rehabilitation Division for better coordination of rehabilitative policies and programme development. The Division has since then strived to strengthen CSD's rehabilitative services and programmes, and to cultivate community involvement in the provision of such services. The rehabilitative services provided by CSD include pre-sentence assessment services, prisoners' welfare and counselling services, psychological services, vocational training as well as supervision services.

Deliberations of the Panel on Security

4. The Panel on Security (the Panel) discussed the provision of rehabilitative services by CSD at its meetings on 6 January 2000, 8 July 2003, 3 July 2007 and 8 July 2008. Members were generally in support of the work of CSD, although concerns were raised over a number of issues. The following paragraphs

summarize members' concerns on the subject.

Feasibility of applying non-custodial sentencing options

5. At the Panel meeting on 8 July 2008, members expressed concern about the problem of inadequate penal places in penal institutions. Some members took the view that the problem of prison overcrowding had side effects on rehabilitative services for offenders. They suggested that the Administration should consider introducing non-custodial sentencing options currently used in some overseas countries, such as home detention and electronic monitoring, since these options could resolve the overcrowding problem in penal institutions and better address the rehabilitative needs of offenders. They also suggested that non-custodial sentencing options could be applied to prisoners sentenced to short-term imprisonment. They asked whether the Administration had undertaken a study to examine the feasibility of applying some of the non-custodial options currently available in overseas countries.

6. The Administration responded that it had regularly reviewed its penal policy, including the use of non-custodial measures as alternatives to imprisonment. As home detention with electronic monitoring was widely adopted in countries such as Australia, Canada and the United States for offenders having committed minor offences, the Administration had considered the possibility of applying such an option in Hong Kong. So far, three rounds of studies had been made on the new technologies related to electronic monitoring, with the latest one conducted in 2005. The Administration advised that in deciding whether or not to adopt electronic monitoring, the effectiveness of the measure in monitoring the location and movement of offenders should be considered. The findings of the studies had, however, revealed that the electronic monitoring devices were not 100% reliable given the compact living environment in Hong Kong, and there might be problems such as communication failures or signal interference. The option was therefore considered not suitable for Hong Kong because of technical difficulties or security threats to the community.

7. Notwithstanding the above, members requested the Administration to review again whether electronic monitoring could be adopted in Hong Kong and revert to the Panel on the outcome of the review no later than July 2009.

Adequacy and quality of the vocational training provided for offenders

8. Members noted with concern that only a small number of adult prisoners were provided with a chance to receive full-time or part-time market-oriented vocational training at various penal institutions. They considered that the Administration could increase the number of training places with a view to enhancing the vocational training opportunities for offenders. They also asked about the feedback of inmates/prisoners on training courses provided by CSD. Some members suggested that CSD should conduct user satisfaction survey to ascertain whether the training courses/programmes were useful and of value to

the offenders.

9. According to the Administration, CSD currently provided a total of 220 full-time, market-oriented vocational training places for adult prisoners. The training for offenders mainly focused on the development of skills which would enable them to make a living in the future. Arrangement would be made for offenders to sit for public examinations and trade tests conducted by accredited bodies, such as the Construction Industry Training Authority and the Vocational Training Council. On top of full-time vocational training, CSD had secured the support of the Employees Retraining Board (ERB) in providing part-time vocational training for adult prisoners. In 2008-2009, a total of 15 part-time training courses funded by ERB were conducted at various penal institutions. Together with other part-time training opportunities provided by CSD, more than 550 part-time training places were available to adult prisoners in 2008-2009. With this provision, 12% of some 6 000 eligible adult prisoners with remaining sentences of three months to two years were receiving full-time or part-time vocational training at various penal institutions. The Administration advised that it would review from time to time the adequacy and quality of the vocational training provided for offenders in order to enhance offenders' employability after discharge. In providing accredited and market-oriented vocational training for offenders, CSD regularly reviewed the content of the training programmes having regard to the manpower projection in Hong Kong and the employment statistics of young discharged offenders. The feedback from inmates and prisoners on the training provided were generally positive.

10. In response to members' question about whether computer training and facilities for offenders were adequate, and whether there were sufficient instructors for computer courses, the Administration advised that there were currently 230 computers for youth offenders and 340 computers for adult offenders in various penal institutions. In the first five months of 2007, CSD had organized 34 computer courses for 360 adult offenders. The instructors of computer courses were volunteers from the CSD Rehabilitation Volunteer Group, which had a membership of more than 200 professionals, teachers and students.

Effectiveness of the Risks and Needs Assessment and Management Protocol for Offenders

11. Noting that CSD would conduct a full review of the Risks and Needs Assessment and Management Protocol for Offenders (the Protocol) in 2011, members enquired about the details of the review.

12. According to the Administration, the Protocol was a systematic assessment tool of prisoners' custodial and re-offending risks and rehabilitative needs to facilitate their safe detention and CSD's provision of matching rehabilitative programmes. The review to be conducted in 2011 would focus on rehabilitative programme matching and cover seven specific domains. In reaffirming the existing policy that CSD would continue to take a step-by-step approach to implement and fine tune the Protocol in the light of operational

experience, the Administration advised that it would also closely monitor the performance of discharged offenders to evaluate the effectiveness of the Protocol.

Community involvement for offender rehabilitation

13. At its meeting on 8 July 2003, the Panel received views from deputations on the rehabilitative programmes conducted by CSD and the supportive services provided to them after their discharge. Some rehabilitated offenders attending the meeting said that ex-offenders were being discriminated when seeking employment and those who had served long-term prison sentence found it particularly difficult to find a job. They urged the Administration to spend more financial resources on developing useful courses for rehabilitated offenders, so as to facilitate their reintegration into the society. Members concurred with the rehabilitated offenders that inmates who were imprisoned for a long period of time would be institutionalized and would lose their identity and self-confidence, thereby affecting their reintegration into the society. Members called on the Administration to improve the prison environment and to enhance the counselling and training services provided for inmates/prisoners.

14. Elaborating on the work and vocational training provided to prisoners, the Administration explained that given the overcrowding situation in prison, the effect of institutionalization on inmates was inevitable. However, seeing the need to help inmates/prisoners to adapt to their new life after release, aftercare officers of CSD strived for fostering a trustful relationship with inmates/prisoners during the inmates/prisoners' period of detention. They also provided inmates/prisoners with appropriate support and guidance to adapt to the institutional programme, and to become aware of their inadequacy and the difficulties ahead.

15. Some members held the view that among the measures to help inmates/prisoners reintegrate into the society, none was more effective than the Administration and employers taking the lead to employ rehabilitated offenders. These members hoped that the Administration could prove to the public that ex-offenders were not discriminated when seeking employment in the civil service. They suggested that the Administration should consider taking affirmative action such as allocating certain portion of jobs in the civil service to rehabilitated offenders.

16. In response, the Administration assured members that it would continue with its sustained public education efforts to promote acceptance of rehabilitated offenders by the community at large as well as employers both in the public and private sectors. As an employer, the Administration upheld the principle of equal opportunity. It did not discriminate against an ex-offender for job openings in the civil service, and it was always the practice of the Administration to select the most suitable person for a job, taking into account his qualification and experience. The Administration had, since January 2004, removed the requirement of disclosing criminal records in application form for

government post. As it was the Administration's policy that civil servants should have a high standard of integrity, the recruiting departments would decide whether integrity check should be conducted on candidates whom they initially considered to be suitable for appointment, having regard to the job nature and the departments' operational requirements. However, an applicant would not be declined of a job merely because of his criminal record.

Resources allocated for the provision of rehabilitative services

17. Some members were of the view that the services provided by the Administration for the reintegration of offenders into the society were far from adequate. These members called on the Administration to conduct a comprehensive review of CSD's work in the provision of rehabilitative services and allocate more resources for CSD to strengthen its services and programmes for offenders.

18. According to the information provided by the Administration in March 2008, the estimated expenditure of CSD's re-integration programme in 2008-2009 was \$473.1 million, which was about 7.5% higher than that in 2006-2007. The Administration stressed that the success rate of CSD's re-integration programme was contingent upon a number of factors. Apart from the effectiveness of the reintegration programme, other factors included the offender's family and social background, his/her response to rehabilitative and counselling services, the community's acceptance and support, and prevailing economic conditions. In order to give rehabilitated offenders a better chance of successful reintegration into the society, CSD would continue to organize publicity and promotional programmes in collaboration with relevant non-governmental organizations, so as to foster greater acceptance and support by family members, employers and the public at large.

Relevant papers

19. A list of the relevant papers on the Legislative Council website is in the **Appendix**.

**List of relevant documents on
development in the provision of rehabilitative services
by the Correctional Services Department**

Date of meeting	Meeting	Document / Paper No.
6 January 2000	Panel on Security	Minutes of meeting (LC Paper No. CB(2)1202/99-00)
		Administration's paper entitled "Development in Rehabilitation Services for Offenders" (LC Paper No. CB(2)748/99-00(03))
8 July 2003	Panel on Security	Minutes of meeting (LC Paper No. CB(2)2996/02-03)
		Administration's paper entitled "Employment Service Support and Financial Assistance Provided to Adult Rehabilitated Offenders" (LC Paper No. CB(2)2677/02-03(06))
3 July 2007	Panel on Security	Minutes of meeting (LC Paper No. CB(2)2681/06-07)
		Administration's paper entitled "Latest Developments in the Provision of Rehabilitative Services by the Correctional Services Department" (LC Paper No. CB(2)2284/06-07(01))
1 April 2008	Finance Committee	Administration's replies to Members' initial written questions (Reply Serial Nos. SB012, SB013, SB015, SB016, SB022, SB025, SB026, SB027, SB128)
8 July 2008	Panel on Security	Minutes of meeting (LC Paper No. CB(2)2822/07-08)
		Administration's paper entitled "Latest Developments in the Provision of Rehabilitative Services by the Correctional Services Department" (LC Paper No. CB(2)2481/07-08(02))