

政制事務局
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CONSTITUTIONAL AFFAIRS BUREAU
GOVERNMENT SECRETARIAT
LOWER ALBERT ROAD
HONG KONG

本署檔號 Our Ref.: CAB C1/1/1 & C1/30/25
來函檔號 Your Ref.:

電話 Tel: 2810 2908
圖文傳真 Fax: 2840 1976

15 June 2005

Clerk to Panel
(Attn : Mrs Percy MA)
Legislative Council
Legislative Council Building
8 Jackson Road
Central
Hong Kong

Dear Mrs MA,

**Meeting of the Panel on Constitutional Affairs –
Supplementary Information**

As requested by a Member during discussions on prisoners' right to vote at the meeting of the Panel on Constitutional Affairs on 30 May, we provide below the relevant supplementary information.

Number of prisoners by length of sentence

According to information as at early May 2005, there are 6,435 prisoners in Hong Kong who are aged 18 or above and holding Hong Kong Identity Cards. The terms of imprisonment of 4,502 of them are below 5 years; the other 1,933 are serving sentences of 5 years or above (including indeterminate sentences).

Past discussion at LegCo on prisoners' right to vote

The issue of prisoners' right to vote was considered by the Legislative Council (LegCo) on the following occasions.

- (a) On 5 July 1995, a Member presented the Electoral Provisions (Amendment) Bill 1995 which sought to, inter alia, allow prisoners to vote in elections. The Bill was voted down by Members at the LegCo sitting on 28 July 1995.

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- (b) On 20 August 1997, the Administration presented the Legislative Council Bill to the Provisional LegCo. The Bill covered various electoral arrangements, including the disqualification of prisoners from voting. A Member suggested at the Bills Committee on 9 September 1997 that the bar on prisoner voting should be removed, and gave notice to move Committee Stage Amendments (CSAs) on 27 September 1997 to lift the bar. Subsequently, the Member withdrew the CSAs at Committee Stage.
- (c) On 3 February 1999, the Legislative Council (Amendment) Bill 1999 was introduced into LegCo. At the Bills Committee meeting on 5 March 1999, a Member suggested setting up polling stations in prisons to enable incarcerated voters to cast their votes. The suggestion was not supported by the Committee and was not pursued thereafter.

Yours sincerely,



(Miss Phidias TAM)

for Secretary for Constitutional Affairs