For information on 3 May 2005

Legislative Council Panel on Security <u>Employment Service Support for Rehabilitated Offenders</u> (including the criteria for them to be issued Security Personnel Permits)

Purpose

This paper briefs Members on the support services in relation to the employment of rehabilitated offenders provided by the Correctional Services Department (CSD), other government departments and non-government organisations. It also covers the criteria for issuing Security Personnel Permits (SPPs).

Employment Support Services Provided by CSD

2. The various employment-related training and support services provided by CSD are an integral part of the Department's continuous effort to facilitate the rehabilitation of inmates. By enhancing inmates' employability and appealing for more acceptance by employers, CSD strives to assist rehabilitated offenders in achieving a smooth re-integration into society.

Vocational Training for Young Inmates

- 3. On a day-to-day basis, young inmates under the age of 2l receive half-day compulsory vocational training on technical or commercial skills to facilitate their seeking of employment after discharge. These vocational training courses cover the following areas -
 - (a) Technical skills
 - Air-conditioning and refrigeration
 - Bricklaying, plastering and tiling
 - Computer servicing
 - Decorative joinery
 - Electrical fitting and installation
 - Electrical and electronics servicing
 - Mechanical engineering craft
 - Plumbing and pipefitting
 - Vehicle body painting
 - (b) Commercial services courses
 - Clothing
 - Computer-aided drafting

- Food and beverage service
- Office and commercial practice
- Printing and desktop publishing

Some of the courses are conducted to assist young inmates in obtaining vocational qualifications of the City and Guilds or prepare them for trade tests conducted by the Construction Industry Training Authority (CITA). There are also courses preparing them to obtain exemption from related subjects when they study in vocational training institutes after discharge.

Vocational Training for Adult Prisoners

- 4. Unless physically unfit, all adult prisoners are required by law to engage in useful work. This enables them to develop good work habits and a sense of responsibility, and to acquire the basic skills in specific trades. The production and services managed by the Correctional Services Industries enable adult prisoners to acquire skills and work experience in such areas as garment making, laundry, carpentry and bookbinding.
- 5. Where appropriate, CSD will help adult prisoners to obtain skill accreditation by enrolling them in relevant Intermediate Trade Tests conducted by the CITA. CSD also runs market-oriented vocational training courses for adult prisoners to prepare them for employment after release. Examples include recognised training course on fork-lift truck operation for male prisoners and elementary professional make-up class for female prisoners.
- 6. As an initiative to further enhance the employability of young adult prisoners after their release, CSD launched a pilot Enhanced Reintegration Programme in November 2003 by engaging some prisoners aged between 21 and 30 in full-time vocational training in an institution for young inmates.

Correctional Education

7. The Education Unit of CSD provides half-day compulsory education programme for young inmates under the age of 21 and guidance to adult prisoners who voluntarily participate in educational studies. All inmates pursuing education may apply for financial assistance from the Prisoners' Education Trust Fund or the Jockey Club Inmates' Education Subsidy Scheme for enrolling in distant learning courses offered by external bodies such as tertiary education institutions and for sitting public examinations leading to qualifications. Besides, to enhance language and computer education, multi-media learning centres have been set up in all institutions for young inmates and in three institutions for adult prisoners.

- 3 -

Employment Services for Supervisees

8. Inmates discharged from Detention Centres, Rehabilitation Centres, Training Centres and Drug Addiction Treatment Centres, and prisoners released under the five statutory early release/post-release supervision schemes¹ are subject to a period of post-release supervision. As one of the supervision conditions, supervisees have to engage in gainful employment during the supervision period. In this connection, CSD helps all supervisees to fulfill this condition by providing them with employment advice and assistance. The Department will also refer supervisees to interested employers upon the latter's request. In general, about 95% of supervisees can successfully secure gainful employment in the first month after discharge.

Pre-release Re-integration Orientation Course

9. All prisoners would attend a Pre-release Re-integration Orientation Course in which they would be provided with, inter alia, updated information of employment services and assistance available to them after discharge. They would also be trained on job hunting and interviewing skills, including how to handle questions related to their conviction during employment interviews. Aptitude tests are also used to help them better understand their abilities and preferences in making appropriate employment plans upon discharge.

<u>Publicity</u>

10. Community acceptance and support are vital to the successful rehabilitation and re-integration of offenders. To this end, CSD has organised a series of publicity activities to appeal for public support for rehabilitated offenders. The Department has also organised symposiums on employment for rehabilitated offenders and supported community-initiated activities (e.g. the One Company One Job Campaign launched in August 2004) appealing for a fair chance of employment for rehabilitated offenders.

Employment Support Services Provided by Other Government Departments and Non-government Organisations

11. Apart from the services provided by CSD, rehabilitated offenders may also make use of the employment support services provided by other government departments or NGOs. For example, the Labour Department provides free employment services to help all job seekers, who may visit one of

-

¹ The five statutory early release/post-release supervision schemes are the Pre-Release Employment Scheme, Release Under Supervision Scheme, Post-release Supervision of Prisoners Scheme, Conditional Release Scheme and Supervision After Release Scheme.

their 10 Job Centres for job referrals or their internet employment service website to browse job vacancies and labour market information.

12. The Social Welfare Department (SWD) provides support to vulnerable members of the community, including rehabilitated offenders, through its extensive network of service units run by the Department itself and by over 180 NGOs. Under SWD's programme on services for rehabilitated offenders, annual subventions of about \$39 million are provided to the Society of Rehabilitation And Crime Prevention, Hong Kong (SRACP) to provide, inter alia, employment support for rehabilitated offenders. In the past five years, the Employment Development Unit of SRACP has succeeded in finding job placement for over 2,000 rehabilitated offenders.

Intensive Employment Assistance Projects

In 2003, SWD secured \$200 million from the Lotteries Fund and 13. the Hong Kong Jockey Club Charities Trust to commission NGOs to launch new Intensive Employment Assistance Projects (IEAPs) to provide intensive employment assistance to employable CSSA recipients and those "near-CSSA recipients" from the socially disadvantaged groups (including rehabilitated The objective is to help them to remove barriers to seeking jobs, and enhance their employability. The IEAPs would provide temporary assistance the needs of eligible financial to meet short-term unemployed/low-income participants and help defray their employment-related expenses, e.g. travelling expenses to job interviews. Since October 2003, SRACP has started two IEAPs, namely the "New Power Employment Project" and the "Power Added Employment Project" to provide rehabilitated offenders with intensive employment services including seminars, vocational training, vocational counselling, job placement service and follow-up services.

The Issue of Security Personnel Permits

14. The Security and Guarding Services Ordinance (SGSO)(Cap 460) provides for a licensing scheme for regulating the security industry so as to ensure the standard of the industry. It has established the Security and Guarding Services Industry Authority (the Authority) as the statutory authority for administration of the licensing scheme. One of the Authority's main functions is to specify the criteria for issuing security personnel permits (SPPs) in accordance with section 6(1)(b)(i) of the SGSO. The Commissioner of Police (the Commissioner) is empowered under section 14(5) of the SGSO to issue an SPP when he is satisfied that the applicant is a fit and proper person to do the security work concerned and meets the criteria specified by the Authority.

- The Authority believes that all security personnel are placed in a 15. position of trust. They are relied upon to discharge important functions of safeguarding lives and properties of others and to prevent or detect occurrence of any offence. In the course of their work, they may also have access to sensitive information about their clients. The public generally expects the security personnel to have a high standard of personal integrity and credibility.
- 16. According to the existing criteria specified by the Authority under section 6(1)(b)(i) of the SGSO, an SPP applicant must satisfy specific requirements on age, physical fitness to perform the job, good character and proficiency in security work. When considering whether a person satisfies the good character requirement, the Commissioner will consider the nature of any criminal offence committed by the applicant. There is no blanket prohibition on rehabilitated offenders from being issued security personnel permits. Rather, a person will normally not be granted an SPP if he/she:
 - (a) was convicted of any offence specified in column 2 of Schedule 2² to the SGSO and the penalty imposed on him/her for that offence is the corresponding penalty specified in column 3 of that Schedule, within 5 years before submitting his/her application; or
 - is currently on probation, bound over, remission or suspended (b) sentence; or
 - is within 3 years of release from a term of imprisonment; or (c)
 - was convicted of 3 or more offences within 5 years before (d) submitting his/her application. Offences involving fixed penalty tickets, traffic summons, illegal hawking, article obstruction, littering, jaywalking and failing to answer Police or Court bail are considered minor and will be excluded.
- The "good character" criteria in paragraph 16 above have been 17. implemented since April 2003 having regard to the results of the Authority's comprehensive review of the policy governing the issue of SPPs to persons with criminal convictions in 2001. During the review, the Authority had taken special caution in striking a balance between the need to ensure only fit and proper persons are serving within the security industry and the need to rehabilitate persons concerned. The Authority also conducted a three-month public consultation in this respect from June to September 2001 to collect views and suggestions from the industry and the general public on five options. parties consulted included the Legislative Council, the 18 District Councils and

(iv) any offence against Part XII of the Crimes Ordinance (Cap 200).

Offences specified in colume 2 of Schedule 2 to the SGSO include:

⁽i) any offence against the Societies Ordinance (Cap 151) or the Dangerous Drugs Ordinance (Cap 134);

⁽ii) any offence involving fraud or dishonesty;

⁽iii) any offence involving violence; and

District Fight Crime Committees, trade associations and unions in the security industry, Owners' Corporations/Mutual Aid Committees, and bodies/organisations working for the interests of discharged prisoners.

18. During the consultation period, the Authority received a total of 225 responses, among which, about 51% agreed to preclude repeated offenders from obtaining SPPs completely, and about 71% supported tightening the good character requirement. In view of the public support, the Authority considered it necessary and reasonable to lay down a more stringent criterion. After balancing the need to ensure only fit and proper person will serve within the security industry so as to safeguard the interest of the public and the need to provide reasonable opportunities to persons with criminal records, the Authority proposed to adopt a moderate approach as set out in paragraph 16 above. The proposal was passed by the Legislative Council in February 2003 and became effective on 1 April 2003.

Security Bureau April 2005