

# 立法會 *Legislative Council*

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## **Panel on Security**

### **Background brief prepared by Legislative Council Secretariat**

#### **Prison development plan**

#### **Purpose**

This paper gives a summary of past discussions held by Members on the Administration's long-term prison development plan.

#### **Background**

2. The Correctional Services Department (CSD) is running a total of about 11 000 penal places. In order to alleviate the current overcrowding problem and meet the forecast growth in penal population, the Administration estimated that some 3 800 additional penal places would need to be provided by 2024. If the traditional institution-by-institution approach was followed, five new prisons would be required, attracting a building cost of about \$5 billion and recurrent manning by some 1 600 additional CSD staff. At the same time, on-going development projects would have to be pursued to upgrade the archaic and outdated facilities in the 24 existing institutions to ensure safe custody of prisoners and to meet their rehabilitation needs.

3. As an alternative to the traditional approach, the Administration proposed a long-term prison development plan with a view to co-locating all penal institutions at one place. The plan could replace the 24 existing institutions, obviate the need for the five prison projects originally envisaged, and equally provide a total of 15 000 places to meet the existing demand and forecast growth in penal population until 2024. It would comprise a number of stand-alone penal institutions co-located in a large prison complex.

### **Proposed long-term prison development plan**

4. At its meetings on 7 December 2000 and 7 June 2001, the Panel on Security was briefed on the Administration's long-term prison development plan to address the current problems of archaic facilities and inadequate penal places, and to meet the forecast growth in penal population.

5. The Administration informed the Panel that the possible sites for building a large prison complex were Kung Nga Po and Hei Ling Chau. The Administration estimated that the construction costs ranged between \$27.5 billion and \$28.1 billion depending on the site selected. CSD would be able to run the 15 000 new penal places within its existing staff establishment.

6. Members were generally concerned about the security of a large prison complex, and most members had expressed reservations about the proposal of constructing a large prison complex for accommodating a penal population of 15 000. Members were of the view that a large prison complex might create difficulties in managing the complex. In the event of a riot, the situation might quickly become uncontrollable, thus resulting in a disaster. Moreover, the maintenance cost for such a complex would be very high.

7. Some members were concerned that a large prison complex might have an adverse psychological impact on inmates, especially young offenders and those convicted of minor offences. Some members also expressed doubt about the accuracy of the Administration's projection that some 3 800 additional penal places would need to be provided by 2024. Noting that some 25% of inmates were Mainland residents, they considered that there might be a substantial drop in the number of Mainland inmates when an agreement on the transfer of sentenced persons was reached with the Mainland.

8. A member pointed out that according to the experience in the United States, more violent incidents were found in a large prison complex. The percentage of inmates who served sentence again within two years in the large prison complex was as high as 70%.

9. Most members considered that four to five medium-sized penal complexes would provide flexibility in that construction could be adjusted or even stopped in accordance with changes in the demand for penal places.

10. The Panel requested the Administration to consider the views of members in its long-term plan for prison development.

## **Revised prison development plan**

11. In view of the concerns expressed by members at the meetings on 7 December 2000 and 7 June 2001, the Administration had revised its proposal. The Panel on Security was briefed on the revised prison development plan at its meeting on 7 February 2002. The Administration proposed a progressive approach involving a mid-sized co-location of penal institutions at a capital cost of \$16 billion.

12. Some members considered the capital cost of \$16 billion for constructing the proposed prison complex providing 2 600 additional penal places very expensive. In view of the financial situation of the Government, these members preferred the construction of five new prisons under the traditional approach at a total cost of about \$5 billion to meet the projected increase in penal population. Some members expressed concern that the co-location of penal institutions would result in concentration of security risks. In the event of a riot, the situation might quickly become uncontrollable, thus resulting in a disaster.

13. On the other hand, some members expressed support for the mid-sized co-location of penal institutions, although some of them were opposed to the capital investment that provided for possible future expansion of the proposed prison complex.

14. The Administration explained that the capital investment of \$16 billion would be spent over a long period of time. It would stimulate economic development and create job opportunities. With the proposed co-location, existing penal sites could be released for alternative development. A rough estimate indicated that the value of the land released would far exceed the capital cost of \$16 billion. The Administration assured members that the proposed co-location would not involve having all inmates in one single penal institution. The penal institutions in the proposed prison complex would be divided into several clusters, each of which would have its own perimeter walls or fences and hold a manageable size of about 400 to 800 inmates. Proper security design and advanced technology would be adopted to prevent the spreading of mass behaviour from one institution to another.

## **The proposed prison development at Hei Ling Chau**

15. At its meeting on 9 July 2002, the Panel on Planning, Lands and Works was briefed on the Administration's proposal to carry out a feasibility study and preliminary site investigation for land formation and infrastructure works for the proposed prison development at Hei Ling Chau.

16. Some members expressed concern about the substantial costs of the proposed project and the implications of the remote location of Hei Ling Chau on visitors and traffic. They queried why the site at Hei Ling Chau was selected. Some other members opposed the proposed reclamation works, while some other members expressed concern about the impact of the large-scale reclamation works on the environment and marine lives in the surrounding waters. Members requested the Administration to provide more information to address their concerns and explore alternative sites in urban areas for the proposed prison complex.

17. In its response to the issues raised by members, the Administration advised that –

- (a) a preliminary assessment of the site options of Kong Nga Po and Hei Ling Chau indicated that both site options could meet CSD's operational requirements and the two sites attracted different advantages and disadvantages in various aspects. Taking into account all relevant factors, including the relative potentials of the two sites for alternative development in the long run, the Administration had selected Hei Ling Chau for further pursuit of feasibility study and site investigation;
- (b) the proposed development was a designated project under the Environment Impact Assessment (EIA) Ordinance and hence conducting an EIA was a statutory requirement and would be included in the proposed feasibility study; and
- (c) a preliminary Traffic Impact Assessment indicated that the additional traffic arising from the prison development would not cause unacceptable impact on the road network of Lantau Island.

**Approval of funding at the Finance Committee meeting on 16 May 2003 for carrying out a feasibility study and associated site investigation for land formation and infrastructure works for the proposed prison development at Hei Ling Chau**

18. At its meeting on 26 February 2003, the Public Works Subcommittee discussed and endorsed a funding proposal of \$46.7 million for carrying out a feasibility study and associated site investigation for land formation and infrastructure works for the proposed prison development at Hei Ling Chau. The funding proposal was approved by the Finance Committee at its meeting on 16 May 2003.

## **Administration's decision to shelve the proposed prison development at Hei Ling Chau**

19. In its progress report provided to the Finance Committee on 12 October 2004, the Administration informed members that according to stage 1 of the feasibility study, while the project was technically feasible (subject to further studies under stage 2 of the Study), there was strong public objection to the project. In view of the public's objection to the proposal and the call for the Administration to explore alternative development plans to address the problem of prison overcrowding, the Administration decided to shelve the project for the time being. In the meantime, the Administration would explore such alternative development possibilities. It would initially consider the feasibility of maximising the redevelopment potential of certain existing penal sites to yield additional places. For example, it might, subject to further study and consultation with relevant parties, redevelop the Lo Wu Correctional Institution (which had a current capacity of 182 penal places) to provide about 800 additional penal places in a few years' time.

### **Relevant papers**

20. For details of the discussions, members may wish to refer to the following documents -

#### Minutes

- (a) minutes of the meeting of the Panel on Security on 7 December 2000 (LC Paper No. CB(2)682/00-01) issued vide LC Paper No. CB(2)683/00-01 on 16 January 2001;
- (b) minutes of the meeting of the Panel on Security on 7 June 2001 (LC Paper No. CB(2)2178/00-01) issued vide LC Paper No. CB(2)2179/00-01 on 7 August 2001;
- (c) minutes of the meeting of the Panel on Security on 7 February 2002 (LC Paper No. CB(2)1364/01-02) issued vide LC Paper No. CB(2)1365/01-02 on 15 March 2002;
- (d) minutes of the meeting of the Panel on Planning, Lands and Works on 9 July 2002 (LC Paper No. CB(1)556/02-03) issued vide LC Paper No. CB(1)557/02-03 on 18 December 2002;
- (e) minutes of the meeting of the Public Works Subcommittee on 26 February 2003 (LC Paper No. PWSC101/02-03) issued vide LC Paper No. PWSC102/02-03 on 8 April 2003;

- (f) minutes of the meeting of the Finance Committee on 16 May 2003 (LC Paper No. FC136/02-03) issued on 25 June 2003;

Papers

- (g) Administration's paper entitled "Prison Development Plan" for the meeting of the Panel on Security on 7 December 2000 (LC Paper No. CB(2)388/00-01(03)) issued vide LC Paper No. CB(2)388/00-01 on 30 November 2000;
- (h) Administration's paper entitled "Prison Development Plan" for the meeting of the Panel on Security on 7 June 2001 (LC Paper No. CB(2)1689/00-01(04)) issued vide LC Paper No. CB(2)1689/00-01 on 31 May 2001;
- (i) Administration's paper entitled "Prison Development Plan" for the meeting of the Panel on Security on 7 February 2002 (LC Paper No. CB(2)1023/01-02(03)) issued vide LC Paper No. CB(2)1038/02-03 on 1 February 2002;
- (j) Administration's paper entitled "Prison Development at Hei Ling Chau – feasibility study and preliminary site investigation for land formation and infrastructure works" for the meeting of the Panel on Planning, Lands and Works on 9 July 2002 (LC Paper No. CB(1)2178/01-02(01)) issued vide LC Paper No. CB(1)2178/01-02 on 2 July 2002;
- (k) Administration's response to issues raised by members at the meeting of the Panel on Planning, Lands and Works on 9 July 2002 (LC Paper No. CB(1)2599/01-02(01)) issued on 26 September 2002;
- (l) Administration's paper entitled "Prison Development at Hei Ling Chau – feasibility study and preliminary site investigation for land formation and infrastructure works" for the Public Works Subcommittee meeting on 26 February 2003 and the Finance Committee meeting on 25 June 2003 (PWSC(2002-03)95 72LC) issued vide LC Paper No. PWSC80/02-03 on 19 February 2003; and
- (m) Administration's progress report entitled "72LC – Prison Development Plan at Hei Ling Chau feasibility study and preliminary site investigation for land formation and infrastructure works" for the Finance Committee (FCRI(2004-05)15) issued vide LC Paper No. FC7/04-05 on 12 October 2004.

21. The above papers are available on the website of the Legislative Council (<http://www.legco.gov.hk>).

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