

(Translation)

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香港特別行政區政府  
保安局



The Government of the  
Hong Kong Special Administrative Region  
Security Bureau

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18 September 2013

Miss Betty Ma  
Legislative Council Secretariat  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong

Dear Miss Ma,

**Legislative Council Panel on Security  
Managing the Self-harm Behaviour of Persons in Custody  
by the Correctional Services Department**

The Panel on Security discussed the captioned subject at its meeting on 4 June 2013 and would like to be informed of the terms of reference of the Board of Enquiry (BoE), which will be established by the Correctional Services Department (CSD) to investigate into cases of death of persons in custody arising from non-natural causes. We would like to provide the supplementary information requested by Members as follows.

CSD is committed to providing a secure, safe, humane, decent and healthy environment for persons in custody. Correctional services staff attaches great importance to ensure the safety of persons in custody, which includes taking all practicable measures to prevent those persons from harming themselves. For every case of death of a person in custody arising from non-natural cause(s), CSD Headquarters will set up a BoE chaired by a Senior Superintendent to conduct an investigation. To ensure the independence of the investigation, that particular Senior Superintendent would not come from the institution concerned. In general, the terms of reference of the BoE are as follows:

- (i) to ascertain the circumstances relevant to the incident;

- (ii) to identify, where possible, the cause(s) of the incident;
- (iii) to examine how the staff handled the incident with a view to ascertaining if they had adhered to the established procedures;
- (iv) to identify if there was any negligence on the part of the staff and/or any inadequacy on the part of the management of the institution;
- (v) to recommend measures to prevent similar recurrence in the future; and
- (vi) to make other recommendations as appropriate.

The BoE has to submit a report to the Commissioner of Correctional Services within six weeks from the date of its appointment. The management of CSD will carefully consider the report and take appropriate follow-up actions and/or implement improvement measures.

Yours sincerely,

*signed*  
( Miss Heidi IP )  
for the Secretary for Security

c.c. CCS (Attn. Mr Lam Kwok-leung)