

Issue 49 (06/2014)

## **Correctional Services in Hong Kong (香港的懲教服务)**

### **Introduction (引言)**

Correctional Services Department (懲教署) (“CSD”) was formerly known as Prisons Department (监狱署). The change of name on 1 February 1982 reflected and recognized the increasing importance of rehabilitation (囚犯更新) in parallel with the conventional penal system (惩罚). Since then, CSD has not been merely the Government’s arm to operate and manage the prisons. It also coordinates and runs a comprehensive range of rehabilitation programmes for the offenders and prisoners. The underlying philosophy is that the rehabilitation regime will help the prisoners and offenders re-mould themselves and reduce the re-offending risks so much so that they can re-integrate themselves into the community after serving the sentences. The article also gives a brief account of the various services of CSD.

### **Correctional Facilities (惩教设施)**

CSD manages about 29 correctional facilities including (a) correctional institutions (惩教院所); (b) half-way houses (中途宿舍); and (c) custodial wards (羈留病房) of public hospitals. The correctional institutions comprise prisons of minimum security, medium security and maximum security respectively, psychiatric centre, training centre, detention centre, rehabilitation centre and drug addiction treatment centre. Also, there are about 3 half-way houses i.e. Phoenix House (丰力楼), Pelican House (百勤楼) and Bauhinia House (紫荆楼) and 2 custodial wards managed by CSD.

### **Maximum-security Prisons (高度设防监狱)**

Stanley Prison (赤柱监狱) is the largest maximum-security prison for male offenders serving life or long-term sentences. Shek Pik Prison (石壁监狱) is another maximum-security prison for male adults serving medium to long-term sentences including life imprisonment. Pik Uk Correctional Institution (壁屋惩教所) is a maximum-security institution with mixed functions of reception centre, training centre and prison for young male offenders.

Tai Lam Centre for Woman (大榄女惩教所), on the other hand, is a maximum-security

institution featured as a remand centre and a prison for adult women only.

### **Medium-security Prisons (中度设防监狱)**

Tong Fuk Correctional Institution (塘福惩教处), Hei Ling Chau Correctional Institution (喜灵洲惩教所) and Pak Sha Wan Correctional Institution (白沙湾惩教所) are medium-security prisons for male adults.

The new Lo Wu Correctional Institution (罗湖惩教所) is equipped with two medium security wings for female adults.

### **Minimum-security Prisons (低度设防监狱)**

There are 4 minimum-security prisons for male adults namely, Tung Tau Correctional Institution (东头惩教所), Pik Uk Prison (壁屋监狱), Tai Lam Correctional Institution (大榄惩教所) and Ma Hang Prison (马坑监狱).

Sha Tsui Correctional Institution (沙咀惩教所) is a minimum-security institution for young male offenders (年青男罪犯) only.

Lo Wu Correctional Institution (罗湖惩教所) comprises one minimum-security wing for female adults whereas Lai King Correctional Institution (勵敬惩教所) is a minimum-security institution for young female aged between 14 and 21.

### **Reception Centre (收押所)**

Lai Chi Kok Reception Centre (荔枝角收押所) is for persons awaiting court trial and newly-convicted persons pending classification and allocation to above institutions.

### **Drug Addiction Treatment (戒毒治疗)**

Drug addiction treatment means an alternative rehabilitation to imprisonment for the convicted drug addicts. Adult male drug abusers and young male drug abusers are housed in Hei Ling Chau Addiction Treatment Centre (喜灵洲戒毒所) and Lai Sun Correctional Institution (勵新惩教所) respectively. Female drug addicts are accommodated at Nei Kwu Correctional Institution (勵顾惩教所). The treatment programme usually lasts for 2 to 12 months with emphasis on disciplined conduct and physical activities as the therapy.

### **Psychiatric Centre (精神病治疗中心)**

Siu Lam Psychiatric Centre (小榄精神病治疗中心) was established to provide psychiatric treatment for the criminally insane (精神失常刑事罪犯), dangerous and violent persons in custody. Moreover, the visiting psychiatrists of Hospital Authority (医院管理局) also provide psychiatric assessments for the courts which will consider the psychiatric assessments before sentencing.

### **Industries and Vocational Training (工业及职业训练)**

Despite the reality that prisoners are deprived of freedom while in jail, they are offered industries and vocational training for two main purposes: (a) to maintain prison stability by keeping the prisoners purposely and gainfully occupied; and (b) to equip the prisoners with industrial skills and vocational training so as to enhance their employability.

### **Supervision Service (监管服务)**

The rehabilitation programme continues even though the prisoners are discharged. The following categories of people will receive the statutory supervision and continuous care and guidance from CSD officers: (a) young inmates (青少年在囚人士); (b) persons released from training centre, detention centre, rehabilitation centre and drug addiction treatment centre; and (c) persons released under various schemes such as Release Under Supervision Scheme, Pre-release Employment Scheme, Post-release Supervision of Prisoners Scheme, Conditional Release Scheme, and Supervision After Release Scheme.

3 half-way houses (中途宿舍) provide accommodation to the discharged young inmates and drug addicts, who will be under CSD officers' regular contacts and supervision.

### **Welfare and Counselling Services (福利及辅导服务)**

Rehabilitation officers provide assistance and guidance to prisoners and inmates who are in custody or on remand so as to help them solve their personal problems (e.g. family problems) and cope with difficulties arising from detention.

### **Psychological Services (心理服务)**

Psychological services aim at improving the psychological well-being of inmates and prisoners in order to help them change their offending behaviour.

### **Education (教育)**

Young inmates are encouraged to take up local and international public examinations and to

participate in self-study course or distance learning at tertiary level. This enables them to improve their academic standards and facilitates their future re-integration into the community. Through these supports, some inmates were conferred university degrees even at master level.

### **Religious Services (宗教服务)**

Religious services are also made available to prisoners. Various volunteers and non-government organizations also organize a wide range of spiritual and social services for the prisoners.

### **Visiting Justices (巡狱太平绅士)**

Two Justices of Peace (太平绅士) will pay regular visits to each institution. It is incumbent upon the visiting Justices to investigate the complaints made by persons in custody, inspect diets and examine buildings and accommodation facilities.

### **Up-to-date policy (与时俱进政策)**

To maintain a healthy environment, CSD actively promotes anti-smoking policy and no smoking culture. Tung Tau Correctional Institution (东头惩教所) was designated as the first “no Smoking Correctional Facility” (无烟惩教设施) in 2013.

### **Conclusion (总结)**

Prisons are traditionally seen as dreadful and isolated zones. As a result, our understanding about prisons and prisoners may be outdated. It is hoped that the above summary will help you better understand the different nature and significance of the modern correctional services delivered in Hong Kong.

*Nothing shall constitute legal advice to any person by Messrs. Maurice WM Lee Solicitors (Tel: (852) 2537 5833) (Website: [www.wmleehk.com](http://www.wmleehk.com))*

*No person shall rely on the contents without our prior written consent. We assume no liabilities*

*Copyright © 2014 Maurice WM Lee Solicitors*

*本文所载的内容均不构成李伟民律师事务所(Tel: (852) 2537 5833) (website: [www.wmleehk.com](http://www.wmleehk.com))的法律意见*

*未经我们事先书面同意, 任何人不得使用上述内容 本所不承担有关责任*

*© 2014 李伟民律师事务所版权所有*

*If you do not wish to receive our newsletter, please contact our Administration Manager at [info@wmleehk.com](mailto:info@wmleehk.com) or (852) 2899 6610.*

*如阁下不欲收取本事务所的通讯, 请电邮至[info@wmleehk.com](mailto:info@wmleehk.com) 或致电(852) 2899 6610 与行政经理联络。*