

1999 Annual Report on JP Visits

**Administration Wing
of the Chief Secretary for Administration's Office**

1999 Annual Report on JP Visits

Introduction

This Annual Report, covering the period from 1 January 1999 to 31 December 1999, is the first annual report on visits made by Justices of the Peace (JP). This report sets out the work of JPs in 1999 in visiting institutions under the JP visit programme, handling complaints from prisoners and inmates, and making suggestions and comments to institutions arising from their visits.

The JP System

2. The Justices of the Peace Ordinance (the JP Ordinance) (Cap. 510) provides the statutory basis for the operation of the JP system. The JP Ordinance sets out the provisions for the appointment, functions, resignation and removal of JPs, and for matters incidental thereto or connected therewith.

3. JPs are appointed by the Chief Executive under section 3(1) of the JP Ordinance. For persons holding any offices in the public service, they are appointed under section 3(1)(a) of the JP Ordinance; for other persons, they are appointed under section 3(1)(b) of the JP Ordinance. For administrative purpose, JPs appointed under section 3(1)(a) are considered as Official JPs and JPs appointed under section 3(1)(b) are considered as Non-official JPs.

4. The main functions of JPs, as provided for in section 5 of the JP Ordinance, are as follows :

- (a) to visit custodial institutions and detained persons;
- (b) to take and receive declarations and to perform any other functions under the Oaths and Declarations Ordinance (Cap. 11);
- (c) in the case of a Non-official JP, to serve as a member of any advisory panel; and
- (d) to perform such other functions as may be imposed on him from time to time by the Chief Executive.

5. The primary role of a JP is to visit various institutions, including prisons, detention centres and hospitals. The objective of this visit programme is to ensure that the rights of the inmates are safeguarded through a system of visits by independent visitors.

JP Visits to Institutions

6. Currently, there are 341 Official JPs and 764 Non-official JPs. Not all Non-official JPs are available for carrying out visiting duties. Some JPs are

exempted from visiting duties because of old age, health or other reasons. At present, 157 out of the 764 Non-official JPs are not available for visits. The remaining 607 Non-official JPs, together with the Official JPs appointed, carry out about 780 visits per annum to 87 institutions, including prisons, detention centres, institutions for probationers and hospitals, on a regular basis. On average, each Non-official JP conducts 1.5 visits per annum, while each Official JP conducts 3 visits per year. In 1999, JPs conducted 735 visits to the 87 institutions covered by the JP visit programme.

7. Some of the visits are required under various legislation. For example, JP visits to prisons of the Correctional Services Department are provided for under the Prison Rules (Cap. 234). Some of the visits, for example, JP visits to general hospitals of the Hospital Authority, are arranged on an administrative basis. All JP visits to institutions are surprise visits in nature, as JPs may conduct their visits at any reasonable time during their tour of duty (either fortnightly, monthly, quarterly or half-yearly) but the exact date and time of the visits are not made known to the institutions beforehand. The purpose of the arrangement is to ensure a reasonable spread of such visits over time, and at the same time preserve the surprise element of JP visits to institutions. A list of the 87 institutions visited by JPs in 1999 on either statutory or non-statutory basis is at **Annex A**.

Handling of Complaints and JPs' Suggestions

8. For each JP visit to a certain institution, the officer-in-charge of the institution will provide a short briefing regarding the facilities and services provided by the institution to visiting JPs on their arrival to the institution. The officer concerned of the institution will then accompany JPs to inspect the facilities and services provided at the institution, and provides answers and explanations to questions or issues that JPs may raise during the tour.

9. Inmates of the institution can lodge their complaints to visiting JPs, who are empowered to investigate any complaints they received from inmates during their JP visits to institutions. To protect the privacy of interviews between JPs and inmates, it is already an established practice that visiting JPs may speak to inmates in private if they so wish. Rooms which

allow interviews to be so conducted are already made available in all institutions.

10. In 1999, 298 complaints were made to visiting JPs. In handling all these complaint cases, JPs have either initiated active investigative actions by making personal inquiries into the complaints (such as seeking background information from staff of the institutions concerned and examining relevant records and documents), or referred the complaints to the concerned institutions for follow-up actions. Regarding the complaint cases referred by JPs to the institutions for follow-up actions

on their behalf, the Departments concerned will advise the JPs of the outcome of their investigations in writing. JPs are at liberty to mount any further investigations personally as they consider necessary.

11. In addition to handling complaints, JPs can also provide suggestions and comments to institutions concerned regarding the facilities and services provided at the institutions. In 1999, JPs made a total of 237 suggestions and comments to institutions. All the suggestions made by JPs have been appropriately followed up by the concerned institutions, and JPs have been advised of the outcome of the Departments' consideration of their suggestions and comments.

12. Details regarding the statistics on JP visits, complaints made to JPs, JPs' suggestions and comments, follow-up actions taken in respect of the complaints made to JPs and suggestions and comments by JPs, and other relevant information for individual institutions under the purview of different Bureaux/Departments are set out in **Annex B**.

Improvements made to the JP Visit Programme

13. The Administration Wing of the Chief Secretary for Administration's Office conducted a review of the JP system in 1999 and sought the views of JPs in formulating proposals to further improve and fine-tune the JP visit system. A number of measures have already been implemented to improve the arrangements for JP visits. These include enhancing the surprise element of visits to prisons by advising the Official JPs (who are usually responsible for arranging the visits) not to give advance notice to the prisons to be visited as far as practicable, and that while they can continue to provide government transport, they are free to use private or public transport to visit the institutions with the Non-official JPs to ensure the surprise element of visits. Moreover, Government departments providing transport for JP visits have also been requested to keep the bookings for such visits confidential so as to ensure that the institutions would not be informed of the time of the visits. Also, to better equip JPs with their visiting duties, starting from October 1999, we have requested the institutions concerned (including penal institutions) to provide regular reports on outstanding complaint cases made by prisoners and inmates so that visiting JPs can be informed of developments before their visits. The information given will help the visiting JPs follow up on complaints or other issues. Moreover, we have made arrangements for JPs to visit particular institution(s) (or type(s) of institutions) (including penal institutions) that they choose on a more regular basis since October 1999 so that JPs can monitor progress and follow up on complaints and issues raised during their previous visits.

14. Moreover, to assist JPs in focusing on issues that deserve attention during their visits to institutions, we have formulated checklists to highlight the important areas that JPs may wish to cover in their inspections to different categories

of institutions. Such checklists have been provided to JPs before their visits to the institutions concerned since 1 May 2000. Also, to facilitate JPs in recording their comments after the visits, we have revamped and customized the general format of the JP visit logbooks to make the logbooks more user-friendly. All institutions have started to use the new format of the JP visit logbooks since 1 May 2000.

Conclusion

15. Since the establishment of the JP system, it has served as a useful inspection system and has provided an independent channel in addition to other channels for inmates to lodge their complaints and air their grievances. Furthermore, Bureaux/Departments concerned take suggestions and comments made by JPs as opportunities to improve their management on facilities and services provided at their institutions. The Administration attaches great importance to the JP visit system and will strive to ensure its effectiveness.

Administration Wing
Chief Secretary for Administration's Office
October 2000

List of Institutions Visited by JPs in 1999

I. Statutory Visits

No.	Name of institution	Frequency of JP visit	Responsible department/organisation	Relevant legislation under which JP visits are conducted
A. Prisons/correctional institutions for adults				
1.	Chi Ma Wan Correctional Institution	Fortnightly	CSD	Rule 222 of the Prison Rules (Cap.234)
2.	Hei Ling Chau Correctional Institution ¹	*Fortnightly	CSD	Rule 222 of the Prison Rules (Cap.234)
3.	Lai Chi Kok Reception Centre	*Fortnightly	CSD	Rule 222 of the Prison Rules (Cap.234)
4.	Queen Elizabeth Hospital Custodial Ward			
5.	Lo Wu Correctional Institution	Fortnightly	CSD	Rule 222 of the Prison Rules (Cap.234)
6.	Ma Hang Prison	Fortnightly	CSD	Rule 222 of the Prison Rules (Cap.234)
7.	Ma Po Ping Prison and Tong Fuk Centre	Fortnightly	CSD	Rule 222 of the Prison Rules (Cap.234)
8.	New Life House	*Fortnightly	CSD	Rule 222 of the Prison Rules (Cap.234)
9.	Tai Lam Correctional Institution			
10.	Pak Sha Wan Correctional Institution	Fortnightly	CSD	Rule 222 of the Prison Rules (Cap.234)
11.	Pik Uk Prison	Fortnightly	CSD	Rule 222 of the Prison Rules (Cap.234)
12.	Queen Mary Hospital Custodial Ward	*Fortnightly	CSD	Rule 222 of the Prison Rules (Cap.234)
13.	Victoria Prison			
14.	Shek Pik Prison	Fortnightly	CSD	Rule 222 of the Prison Rules (Cap.234)
15.	Siu Lam Psychiatric Centre	Fortnightly	CSD	Rule 222 of the Prison Rules (Cap.234)
16.	Stanley Prison	Fortnightly	CSD	Rule 222 of the Prison Rules (Cap.234)
17.	Tai Lam Centre for Women	Fortnightly	CSD	Rule 222 of the Prison Rules (Cap.234)

¹ Hei Ling Chau Correctional Institution (No.2) and Lai Sun Correctional Institution (No.23) are to be jointly visited.

No.	Name of institution	Frequency of JP visit	Responsible department/organisation	Relevant legislation under which JP visits are conducted
18.	Tung Tau Correctional Institution	Fortnightly	CSD	Rule 222 of the Prison Rules (Cap.234)
B. Correctional institutions for young offenders				
19.	Bauhinia House and Pelican House	*Monthly	CSD	Rule 222 of the Prison Rules (Cap.234)
20.	Cape Collinson Correctional Institution			
21.	Lai King Training Centre	*Monthly	CSD	Rule 222 of the Prison Rules (Cap.234)
22.	Phoenix House			
23.	Lai Sun Correctional Institution ¹	*Fortnightly	CSD	Rule 222 of the Prison Rules (Cap.234)
24.	Pik Uk Correctional Institution	Fortnightly	CSD	Rule 222 of the Prison Rules (Cap.234)
25.	Sha Tsui Detention Centre	Fortnightly	CSD	Rule 222 of the Prison Rules (Cap.234) and Section 9 of the Detention Centres Ordinance (Cap. 239)
26.	Tai Tam Gap Correctional Institution	Fortnightly	CSD	Rule 222 of the Prison Rules (Cap.234)
C. Institutions for drug addicts				
27.	Chi Ma Wan Drug Addiction Treatment Centre	Fortnightly	CSD	Rule 222 of the Prison Rules (Cap.234)
28.	Hei Ling Chau Addiction Treatment Centre and Annex	Fortnightly	CSD	Rule 222 of the Prison Rules (Cap.234)
29.	Shek Kwu Chau Treatment and Rehabilitation Centre	Monthly	D of H	Section 5 of the Drug Addicts Treatment and Rehabilitation Ordinance (Cap.326)
30.	Sister Aquinas Memorial Women's Treatment Centre	Monthly	D of H	Section 5 of the Drug Addicts Treatment and Rehabilitation Ordinance (Cap.326)

¹ Hei Ling Chau Correctional Institution (No.2) and Lai Sun Correctional Institution (No.23) are to be jointly visited.

No.	Name of institution	Frequency of JP visit	Responsible department/organisation	Relevant legislation under which JP visits are conducted
	D. Reception/detention centres of CSD, ICAC & Imm D			
31.	Green Island Reception Centre	Monthly	CSD	Rule 6 of the Immigration (Vietnamese Migrants) (Detention Centres) Rules (Cap.115)
32.	Independent Commission Against Corruption Detention Centre	Fortnightly	ICAC	Paragraph 18 of the ICAC (Treatment of Detained Person) Order (Cap.204)
33.	Immigration Department Ma Tau Kok Detention Centre	Quarterly	Imm D	Paragraph 18 of the Immigration Service (Treatment of Detained Persons) Order (Cap.331)
	E. Psychiatric hospitals			
34.	Castle Peak Hospital	Monthly	HA	Section 5 of the Mental Health Ordinance (Cap.136)
35.	Kwai Chung Hospital	Monthly	HA	Section 5 of the Mental Health Ordinance (Cap.136)
36.	Pamela Youde Nethersole Eastern Psychiatric Observation Unit	Monthly	HA	Section 5 of the Mental Health Ordinance (Cap.136)
	F. Remand home, places of refuge, Probation homes/hostel and reformatory schools of SWD			
37.	Begonia Road Juvenile Home	Monthly	SWD	Section 17 of the Juvenile Offenders Ordinance (Cap.226)
38.	Chuk Yuen Children's Reception Centre	Quarterly	SWD	Regulation 4 of the Protection of Children and Juveniles (Places of Refuge) Regulations (Cap.213) and Paragraph 4 of the Immigration (Places of Detention) Order (Cap.115)
39.	Fanling Girls' Home	Monthly	SWD	Rule 42 of the Probation of Offenders Rules (Cap.298)
40.	Kwun Tong Hostel	Monthly	SWD	Rule 42 of the Probation of Offenders Rules (Cap.298)
41.	Ma Tau Wei Girls' Home	Monthly	SWD	Regulation 4 of the Protection of Children and Juveniles (Places of Refuge) Regulations (Cap.213) and Paragraph 4 of the Immigration (Places of Detention) Order (Cap.115)

No.	Name of institution	Frequency of JP visit	Responsible department/organisation	Relevant legislation under which JP visits are conducted
42.	O Pui Shan Boys' Home	Monthly	SWD	Section 14 of the Reformatory School Ordinance (Cap.225)
43.	Pui Chi Boys' Home	Monthly	SWD	Regulation 4 of the Protection of Children and Juveniles (Places of Refuge) Regulations (Cap.213) and Paragraph 4 of the Immigration (Places of Detention) Order (Cap.115)
44.	Shatin Boys' Home	Monthly	SWD	Rule 42 of the Probation of Offenders Rules (Cap.298)

II. Non-statutory Visits

No.	Name of institution	Frequency of JP visit	Responsible department/organisation
A. General acute hospitals with 24-hour A&E services and hospitals with a mix of acute & non-acute services			
1.	Alice Ho Miu Ling Nethersole Hospital	Half-yearly	HA
2.	Caritas Medical Centre	Quarterly	HA
3.	Haven of Hope Hospital	Half-yearly	HA
4.	Hong Kong Buddhist Hospital	Half-yearly	HA
5.	Kowloon Hospital	Quarterly	HA
6.	Kwong Wah Hospital	Quarterly	HA
7.	North District Hospital ²	*Half-yearly	HA
8.	Pamela Youde Nethersole Eastern Hospital	Quarterly	HA
9.	Pok Oi Hospital	Half-yearly	HA
10.	Prince of Wales Hospital	Quarterly	HA
11.	Princess Margaret Hospital	Quarterly	HA
12.	Queen Elizabeth Hospital	Quarterly	HA

² North District Hospital (No.7) and Fanling Hospital (No.33) are to be jointly visited.

No.	Name of institution	Frequency of JP visit	Responsible department/organisation
13.	Queen Mary Hospital	Quarterly	HA
14.	Ruttonjee Hospital ³	*Half-yearly	HA
15.	Shatin Hospital	Half-yearly	HA
16.	Tai Po Hospital	Half-yearly	HA
17.	Tuen Mun Hospital	Quarterly	HA
18.	Tung Wah Eastern Hospital	Half-yearly	HA
19.	Tung Wah Group of Hospitals Wong Tai Sin Hospital	Half-yearly	HA
20.	Tung Wah Hospital	Half-yearly	HA
21.	United Christian Hospital	Quarterly	HA
22.	Yan Chai Hospital	Quarterly	HA
	B. Psychiatric hospitals		
23.	Lai Chi Kok Hospital	Half-yearly	HA
24.	Siu Lam Hospital	Half-yearly	HA
	C. Non-acute or infirmary hospitals		
25.	Cheshire Home, Chung Hom Kok	Half-yearly	HA
26.	Cheshire Home, Shatin	Half-yearly	HA
27.	MacLehose Medical Rehabilitation Centre	Half-yearly	HA
28.	Nam Long Hospital	Half-yearly	HA
29.	Tung Wah Group of Hospitals Fung Yiu King Hospital	Half-yearly	HA
30.	Wong Chuk Hang Hospital	Half-yearly	HA
	D. Acute hospitals of special nature		
31.	Bradbury Hospice	Half-yearly	HA
32.	The Duchess of Kent Children's Hospital at Sandy Bay	Half-yearly	HA
33.	Fanling Hospital ²	*Half-yearly	HA
34.	Grantham Hospital	Half-yearly	HA

³ Ruttonjee Hospital (No.14) and Tang Shiu Kin Hospital (No.38) are to be jointly visited.

² North District Hospital (No.7) and Fanling Hospital (No.33) are to be jointly visited.

No.	Name of institution	Frequency of JP visit	Responsible department/organisation
35.	Hong Kong Eye Hospital	Half-yearly	HA
36.	Our Lady of Maryknoll Hospital	Half-yearly	HA
37.	St. John Hospital	Half-yearly	HA
38.	Tang Shiu Kin Hospital ³	*Half-yearly	HA
39.	Tsan Yuk Hospital	Half-yearly	HA
E. Children's homes of SWD			
40.	Sha Kok Children's Home	Quarterly	SWD
41.	Pelletier Hall Sisters of the Good Shepherd	Quarterly	SWD
42.	Wai Yee Hostel	Quarterly	SWD
F. Charitable organisation providing social services			
43.	Po Leung Kuk	Quarterly	HAB

Key : CSD – Correctional Services Department
D of H – Department of Health
HA – Hospital Authority
HAB – Home Affairs Bureau
ICAC – Independent Commission Against Corruption
Imm D – Immigration Department
SWD – Social Welfare Department
* denotes visit covering two institutions

³ Ruttonjee Hospital (No.14) and Tang Shiu Kin Hospital (No.38) are to be jointly visited.

Detailed Information on JP Visits to Individual Institutions

(from 1.1.1999 to 31.12.1999)

I. Institutions of the Correctional Services Department

A. *Statistics on complaints and suggestions/comments*

Serial No.	Name of institution	No. of JP visits made	Total no. of complaints made to JPs	Total no. of suggestions/ comments made by JPs
1.	Chi Ma Wan Correctional Institution	23	2	6
2.	Chi Ma Wan Drug Addiction Treatment Centre	22	0	2
3.	Cape Collinson Correctional Institution/Bauhinia House/Pelican House	12	0	1
4.	Green Island Reception Centre	10	0	0
5.	Hei Ling Chau Addiction Treatment Centre & Annex	21	10	3
6.	Hei Ling Chau Correctional Institution/Lai Sun Correctional Institution	19	18	3
7.	Lai King Training Centre/Phoenix House	11	1	2
8.	Lai Chi Kok Reception Centre/Custodial Ward at Queen Elizabeth Hospital	24	25	3
9.	Lo Wu Correctional Institution	23	4	5
10.	Ma Hang Prison	24	4	4
11.	Ma Po Ping Prison & Tong Fuk Centre	22	20	4
12.	Pik Uk Correctional Institution	23	8	3
13.	Pik Uk Prison	23	23	2
14.	Siu Lam Psychiatric Centre	22	19	1
15.	Sha Tsui Detention Centre	23	0	4
16.	Shek Pik Prison	19	25	0
17.	Stanley Prison	24	43	0
18.	Tai Tam Gap Correctional Institution	23	0	1
19.	Tai Lam Correctional Institution/New Life House	21	18	2
20.	Tai Lam Centre for Women	23	3	2
21.	Tung Tau Correctional Institution	24	18	6
22.	Victoria Prison/Custodial Ward at Queen Mary Hospital	24	40	7
	Total :	460	281	61

B. Summary of follow-up actions taken in respect of complaints made to JPs

The complaints made to JPs fall within the following categories :

- (a) against disciplinary action (e.g. about unfairness in disciplinary proceedings and excessive punishment);
- (b) against administrative actions/procedures taken by CSD/institution and treatment received (e.g. removal from normal association, job allocation, earning rate, diets and medical treatment);
- (c) against conduct of staff (e.g. use of abusive language and unnecessary force);
- (d) against other Departments/Agencies (e.g. Police, Immigration Department, Legal Aid Department, Society for the Rehabilitation of Offenders); and
- (e) enquiry/request for assistance (e.g. early repatriation for inmates in Victoria Prison, welfare assistance from Social Welfare Department, reduction of sentence and early release).

For cases concerning medical treatment, the prisoners were referred to the medical officers of the institutions for treatment/follow-up and JPs were informed of the action taken. As for complaints concerning disciplinary action and removal from normal association, the background of cases was explained to JPs on the spot by the institution management. Relevant documents were also provided to JPs for examination as appropriate. JPs concerned were satisfied that all the cases raised with them had been properly dealt with. Prisoners concerned were informed of the outcome. For complaints concerning job allocation, diets, earning rates, etc., the relevant policies and standing procedures were explained to JPs and they found these complaints unsubstantiated. Prisoners concerned were informed of the outcome.

Regarding complaints against conduct of staff, about half of the cases were considered by JPs to be unsubstantiated and required no follow-up actions. For the other cases, they were referred to the Complaints Investigation Unit (CIU) of the Correctional Services Department for thorough and full scale investigation. After considering all relevant information, the CIU found these complaints unsubstantiated. JPs and the prisoners concerned were informed of the outcome of the CIU's investigation.

On complaints against other Departments/Agencies (e.g. Police, Immigration Department, Legal Aid Department, Society for the Rehabilitation of Offenders), all cases had been referred to the authorities concerned for follow-up. JPs and prisoners concerned were also informed of the referral made.

In relation to complaints on repatriation cases, the background of cases was explained to JPs by institution management. For other requests for assistance, JPs had in most of the cases given advice to the prisoners concerned.

Besides lodging complaints to JPs, prisoners can also lodge complaints through other independent and statutory complaint avenues. For example, they can express their views through writing to the Chief Executive, Legislative Councillors, The Ombudsman, the ICAC, etc. There is no limit to the number of letters they can write and send, and such letters cannot and will not be vetted by prison staff. As far as The Ombudsman is concerned, apart from carrying out independent investigation into prisoner complaints, she may also conduct direct investigations into cases as she thinks fit even in the absence of a complaint. In the year 1999, 134 complaints lodged by prisoners to The Ombudsman were referred to CSD for investigation and none of them was found substantiated.

C. Summary of follow-up actions taken in respect of suggestions/comments made by JPs

The suggestions/comments made by JPs can be classified into the following categories :

- (a) improvement to domestic facilities/physical setting (e.g. illumination, ventilation, cleanliness, security, overcrowding);
- (b) enhancement of training programmes for inmates/prisoners; and
- (c) miscellaneous (e.g. converting Victoria Prison to a scenic spot, illegal immigrants from the Mainland, recidivism).

For suggestions concerning minor improvement to facilities inside institutions regarding illumination, ventilation, cleanliness, maintenance, etc., follow-up actions had been taken by institutions concerned. Regarding suggestions on speeding up landscaping work (e.g. on Hei Ling Chau), large scale renovation, expansion of existing premises (e.g. hospital facilities in Pik Uk Correctional Institution) etc., they had been referred to the Architectural Services Department for comments and assistance. JPs were informed of the action taken. As for concerns raised by JPs about prison overcrowding, the Administration's efforts in addressing the problem were explained to JPs by either the Correctional Services Department or the Security Bureau.

On JPs' suggestions for enhancing the training programmes for inmates/prisoners, they were taken on board as applicable in the Correctional Services Department's programme formulation. The Construction and Industry Training Authority, Vocational Training Council and other related non-government agencies were approached for assistance to further enhance vocational training for inmates/prisoners. JPs were informed of the outcome.

On other miscellaneous suggestions by JPs, they were referred to the Security Bureau or other Departments who would reply to JPs directly.

II. Ma Tau Kok Detention Centre of Immigration Department

A. *Statistics on complaints and suggestions/comments*

Name of institution	No. of JP visits made	Total no. of complaints made to JPs	Total no. of suggestions/comments made by JPs
Ma Tau Kok Detention Centre	3	0	3
Total :	3	0	3

B. *Summary of follow-up actions taken in respect of suggestions/comments made by JPs*

With reference to JPs' suggestion that the management of the Detention Centre should give clear explanations to detainees regarding the questions of bail, the rules of making phone calls and the date of court appearance, follow-up actions have been taken to explain to detainees these points upon their admission to the Detention Centre. In addition, as suggested by JPs, the Detention Centre has now provided the detainees with reading materials such as newspapers and magazines everyday.

Regarding the suggestion by JPs that radio or television should be provided in the Detention Centre, the Immigration Department considers that it is not feasible to implement the suggestion as the Detention Centre does not have a common room for use by detainees. As the detainees are expected to remain in the Detention Centre for not more than 48 hours, it does not justify the provision of a common room. Furthermore, installation of television and radio in every cell is not practicable on grounds of safety, security and cost-effectiveness.

III. ICAC Detention Centre

A. *Statistics on complaints and suggestions/comments*

Name of institution	No. of JP visits made	Total no. of complaints made to JPs	Total no. of suggestions/comments made by JPs
ICAC Detention Centre	22	6	2
Total :	22	6	2

B. *Summary of follow-up actions taken in respect of complaints made to JPs*

Of the six complaints received by JPs, five complaints concern the following issues :

- (a) refusal to allow detainee access to newspaper;
- (b) refusal to allow two detainees to make telephone calls to their next of kin (involving two complaint cases);
- (c) the detention room was too brightly lit which affected the detainee's sleep; and
- (d) refusal to allow detainee to see his family doctor.

In respect of the above complaints, the Detention Centre has taken the following remedial actions :

- (a) in the past, the Detention Centre did not provide newspapers to detainees whose detention was less than 48 hours. However, since this complaint, a newspaper has been provided to detainees upon request;
- (b) both detainees were refused to make telephone calls by the Case Officer as such outside contact might cause hindrance to the process of investigation. However, they were allowed to make telephone calls in the same afternoon;
- (c) the detainee was kept in a Video Interview Room, which is not equipped with a dimmer switch (all the other 17 cells were occupied). Arrangement has been made to provide eyeshades to detainees in future; and
- (d) the detainee was suffering from an acute skin disease. He was taken to Tang Siu Kin Hospital and treated by the medical officer in the morning of his arrest. However, he complained that the medication was useless and requested to see his family doctor. His request was acceded to in the same afternoon.

The sixth complaint involves alleged misconduct of an Investigating Officer and is under investigation by the ICAC Internal Investigation and Monitoring Group. A report on the investigation will be tabled before the ICAC Complaints Committee in due course.

C. Summary of follow-up actions taken in respect of suggestions/comments made by JPs

As a result of the suggestions/comments made by JPs, the following improvement works to the facilities of the Detention Centre have been undertaken :

- (a) improvement works on the artificial surface and louvre windows of the exercise yard (on the roof) for better safety, ventilation and natural light; and
- (b) chemical treatment has been arranged to remove the oxidation stains on the pedestals and bath stands which are made of stainless steel inside the toilets of the Detention Centre.

IV. Sister Aquinas Memorial Women's Treatment Centre and Shek Kwu Chau Treatment and Rehabilitation Centre

A. *Statistics on complaints and suggestions/comments*

Serial No.	Name of institution	No. of JP visits made	Total no. of Complaints made to JPs	Total no. of suggestions/comments made by JPs
1.	Sister Aquinas Memorial Women's Treatment Centre	12	1	0
2.	Shek Kwu Chau Treatment and Rehabilitation Centre	11	0	3
	Total :	23	1	3

B. *Summary of follow-up actions taken in respect of complaints made to JPs*

In February 1999, the inmates of the Sister Aquinas Memorial Women's Treatment Centre complained to visiting JPs that the capacity of the water heater could not cope with their requirement in cold weather. After investigation, it was found that instant water heater could not be installed because of insufficient power supply. As an interim measure, the inmates were arranged to take turns in taking their showers. Upon the relocation of the Centre to the Ex-Hang Tau Public Primary School at Hang Tau Road, Sheung Shui, New Territories in February 2000, the problem has been solved as water heaters using LPG gas have been provided there.

C. *Summary of follow-up actions taken in respect of suggestions/comments made by JPs*

In response to JPs' comments regarding water shortage and the danger of asbestos cement roofing for the Shek Kwu Chau Treatment and Rehabilitation Centre, applications for funding to build a small reservoir and to renovate the Centre have been made to the Chief Executive's Community Project List 2000. Application for Capital Works Reserve Fund has also been made to prevent possible landslide affecting the Centre.

V. Institutions of the Hospital Authority

A. *Statistics on complaints/requests and suggestions/comments*

Serial No.	Name of institution	No. of JP visits made	Total no. of complaints/requests made to JPs	Total no. of suggestions/comments made by JPs
1.	Alice Ho Miu Ling Nethersole Hospital	2	0	0
2.	Bradbury Hospice	2	0	0
3.	Caritas Medical Centre	4	0	0
4.	Castle Peak Hospital	10	3	1
5.	Cheshire Home, Chung Hom Kok (JP visit is suspended due to redevelopment)	0	0	0
6.	Cheshire Home, Shatin	2	0	0
7.	The Duchess of Kent Children's Hospital at Sandy Bay	2	0	0
8.	Grantham Hospital	2	0	1
9.	Haven of Hope Hospital	2	0	0
10.	Hong Kong Buddhist Hospital	2	0	2
11.	Hong Kong Eye Hospital	2	0	0
12.	Kowloon Hospital	4	0	7
13.	Kwai Chung Hospital	12	1	7
14.	Kwong Wah Hospital	4	0	2
15.	Lai Chi Kok Hospital	2	0	1
16.	MacLehose Medical Rehabilitation Centre	2	0	1
17.	Margaret Trench Medical Rehabilitation Centre	2	0	0
18.	Nam Long Hospital (hospital decanted to Pamela Youde Nethersole Eastern Hospital from June 1998 to April 2000)	0	0	0
19.	North District Hospital/Fanling Hospital	2	0	0
20.	Our Lady of Maryknoll Hospital	2	0	0
21.	Pamela Youde Nethersole Eastern Hospital	3	0	0
22.	Pamela Youde Nethersole Eastern Hospital (Psychiatric Wards)	11	4	4
23.	Pok Oi Hospital	2	0	0
24.	Prince of Wales Hospital	4	0	3
25.	Princess Margaret Hospital	3	0	1

Serial No.	Name of institution	No. of JP visits made	Total no. of complaints/requests made to JPs	Total no. of suggestions/comments made by JPs
26.	Queen Elizabeth Hospital	4	0	0
27.	Queen Mary Hospital	4	0	2
28.	Ruttonjee & Tang Shiu Kin Hospitals	2	0	3
29.	Shatin Hospital	2	0	0
30.	Siu Lam Hospital	1	0	0
31.	St John Hospital	2	0	0
32.	Tai Po Hospital	1	0	0
33.	Tsan Yuk Hospital	2	0	0
34.	Tuen Mun Hospital	4	0	0
35.	Tung Wah Eastern Hospital	2	0	0
36.	Tung Wah Group of Hospitals Fung Yiu King Hospital	2	0	0
37.	Tung Wah Group of Hospitals Wong Tai Sin Hospital	2	0	1
38.	Tung Wah Hospital	2	0	1
39.	United Christian Hospital	4	0	4
40.	Wong Chuk Hang Hospital	2	0	0
41.	Yan Chai Hospital	4	0	2
	Total :	123	8	43

B. Summary of follow-up actions taken in respect of complaints/requests made to JPs

All complaints/requests made to visiting JPs were by patients of psychiatric wards relating to their wish for early release. For each request received, the case doctors reviewed with their team consultants the clinical justifications for the patients' stay. The review results concluded that hospitalization of the complainants were all justified on clinical grounds and the JPs had already been informed of the review results.

C. Summary of follow-up actions taken in respect of suggestions/comments made by JPs

Comments made by JPs after visits to psychiatric wards include overcrowding of wards, insufficient activities and recreational facilities for patients, and conditions of the wards. To address the concerns of the JPs, new psychiatric beds have been commissioned at the Pamela Youde Nethersole Eastern Hospital to ease the congestion problem; suitable recreational facilities have been procured for patients; and efforts have been made to continue educating patients on maintaining environmental cleanliness.

Comments made by JPs after visits to general hospitals included the following :

- (a) wards are overcrowded;
- (b) hospital services should be rationalized; and
- (c) hospital environment should be further improved.

To address these concerns, HA has :

- (a) started the opening of Tseung Kwan O Hospital to help relieve the workload of the United Christian Hospital in phases; and
- (b) rationalized clinical and supporting services.

Comments made by visiting JPs on policy issues such as review of charging policy, introduction of a central register for willing donors, and an opt out scheme for organ donation, are being considered by the Health and Welfare Bureau.

VI. Institutions of the Social Welfare Department

A. Statistics on complaints and suggestions/comments

Serial No.	Name of institution	No. of JP visits made	Total no. of complaints made to JPs	Total no. of suggestions/comments made by JPs
1.	Chuk Yuen Children's Reception Centre	4	0	4
2.	Begonia Road Juvenile Home ⁽¹⁾	12	0	11
3.	Fanling Girls' Home	12	0	9
4.	Kwun Tong Hostel	11	0	5
5.	Ma Tau Wei Girls' Home	12	0	12
6.	O Pui Shan Boys' Home	12	2	5
7.	Pui Chi Boys' Home	12	0	51
8.	Pui Yin Juvenile Home ⁽²⁾	6	0	3
9.	Shatin Boys' Home ⁽³⁾	8	0	2
10.	Sha Kok Children's Home	3	0	2
11.	Wai Yee Hostel	4	0	2
12.	Pelletier Hall Sisters of the Good Shepherd	4	0	5
	Total :	100	2	111

B. Summary of follow-up actions taken in respect of complaints made to JPs

Two complaints have been received for the O Pui Shan Boys' Home. The first complaint was made by three teachers of the Home who complained to visiting JPs about the allegation by a newspaper that the School's English teachers had been showing pirated films to students during lessons. An internal investigation was

Note (1): The boys' probation section of Begonia Road Boys' Home (BRBH) was reprovisioned to the new Shatin Boys' Home (STBH) in February 1999 and the girls' remand section of BRBH was merged with Pui Yin Juvenile Home (PYJH) in July 1999. The name of Begonia Road Boys' Home was changed to Begonia Road Juvenile Home with effect from 30 September 1999.

Note (2): PYJH was merged with the girls' remand section of BRBH in July 1999 and PYJH was closed down in the same month.

Note (3): The new STBH commenced operation in February 1999 and JP visits have been arranged with effect from April 1999.

conducted in July 1999 and the allegation was found to be unsubstantiated. A statement in response to the report was issued to the newspaper and circulated within the Social Welfare Department on 21 July 1999.

The second complaint was made by a group of residents of the O Pui Shan Boys' Home regarding limited number of letters to be sent out and restriction on the type of food to be brought by parents during visits; the complainants also requested for the modification of the menu and the provision of spare towels. As a result of the complaint, a Customer Liaison Group has been formed since the middle of November 1999. The Group has been reviewing on the complaint items and making suggestions for improvement which include modifications to the menu of the Home, provision of spare towels for residents and relaxation on the type of food allowed to be brought in by parents. Regarding the complaint on limited number of letters to be sent out, residents at present are allowed to send out unlimited number of letters to their family members and two letters to friends per week.

C. Summary of follow-up actions taken in respect of suggestions/comments made by JPs

The suggestions/comments made by JPs concerned can be classified into the following areas :

- (a) intake of illegal immigrants to the Homes of the Social Welfare Department;
- (b) improvement to the training programmes for the residents of the Homes;
- (c) better utilization of the resources of the Homes;
- (d) improvement to the facilities and premises of the Homes; and
- (e) miscellaneous (e.g. arrangement for visits by clinical psychologists, arrangement for giving priority to parents/guardian visits, improvement to the quality of food provided and adjustment to the daily time-table).

Some JPs have raised concern on the problems of potential conflicts between different ethnic groups, provision of appropriate training for staff and other problems arising from intake of illegal immigrants from Mainland China and Vietnam etc. to the Homes of the Department. The Department is now reviewing the system for handling and catering for the needs of the illegal immigrants and local juveniles. Meetings have been held with the relevant Bureaux and Departments to review the present legislation and arrangement in the handling of illegal immigrants detained in the Homes. The Department is working out the temporary measures to resolve the immediate operational difficulties as well as the long term solutions to solve the problems.

With reference to JPs' suggestions to enhance the training programmes for the residents of the Homes, the Department has taken follow-up action to upgrade the computer facilities of the Homes and more intensive training on the use of computers

have been arranged for the residents. A Task Group on Indicators of Service Effectiveness for Correctional/Residential Homes including Place of Refuge and Remand Home has also been formed to assess the effectiveness of the training programmes of the Correctional/Residential Homes and to make recommendations in this aspect. In addition, more seminars on topics of civic responsibilities and values of youth have been organized.

On JPs' suggestions regarding utilization of resources in the Homes of the Department, the Management Services Agency (MSA) was commissioned to conduct a review on the operation and management of all correctional homes/residential homes with a view to identifying improvement opportunities on areas such as capacity, staffing and training programmes. The review was completed in May 1999. Upon the recommendations of the MSA, the capacity and staffing of the various Homes have been, and will continue to be, adjusted to achieve cost-effectiveness.

As suggested by JPs, the Department has taken follow-up actions to liaise with the Government Property Agency and the Architectural Services Department on the reprovisioning plans and the feasibility for improving the facilities, the overall fittings and layout of the premises for some of the Homes of the Department.

The other miscellaneous suggestions by the JPs have been appropriately followed up by the Department. JPs have been informed accordingly about the actions taken by the Department regarding the suggestions made.

VII. Po Leung Kuk

A. Statistics on complaints and suggestions/comments

Name of institution	No. of JP visits made	Total no. of complaints made to JPs	Total no. of suggestions/comments made by JPs
Po Leung Kuk	4	0	14
Total :	4	0	14

B. Summary of follow-up actions taken in respect of suggestions/comments made by JPs

As a result of the suggestions/comments made by JPs, the institution has adjusted the ring tone of a telephone of the Babies Section which was too loud, and has undertaken some minor improvement/renovation works to the facilities and premises of the institution.