

CHAPTER TWO

THE DISCIPLINED SERVICES

Introduction

2.1 In Chapter 2 of our Preliminary Report, we discussed the origins and history, present work and responsibilities, and disciplinary status of the five services. We recognised then as we do now that the use of the term "Disciplined Services", was itself the subject of debate. We think it important to confirm our support for the use of this term to describe the five services, whose work and role in preserving the security, stability and well-being of Hong Kong give them a special position in the civil service.

2.2 One of the questions we asked at the outset of our work was whether all of the services required to be disciplined services with all that that implies. The essential factor common to all the disciplined services is elementary, but crucial : when a superior officer gives an order the subordinate officer is under a legal compulsion to carry it out. This requirement is significant in a number of ways. It ensures in a way that would scarcely be possible otherwise that the five services can deploy and direct their staff regularly and reliably to meet each and every situation as it arises. It has been suggested to us that the Immigration Service does not need to be a disciplined service but could become an ordinary civil department. After closely observing the service at work and careful consideration we are satisfied that the Immigration Service should continue to be a disciplined service, in view of its essential control functions; the range of duties of its staff; the demands that have to be made upon them; and the way their deployments have to be directed to accomplish the service's tasks. More generally, we are satisfied that the key provisions in the Disciplined Services Ordinances are important to the continuing effectiveness and efficiency of all five services.

2.3 Our terms of reference required us to reach conclusions on the services' responsibilities and workload having regard to recent and future developments; stress and dangers; restrictions on officers and their families; and recruitment, motivation and retention. These various considerations appear in different forms in the discussions which follow in this Final Report, but in response to this specific instruction we set out here our general conclusions on these matters, together with other related points that we think are of comparable relevance.

The work of the disciplined services

2.4 In our Preliminary Report we included annexes which give detailed accounts of the structure, establishments, responsibilities and work of the five disciplined services. We do not intend to repeat these details here but we think it useful to present in this Final Report a summary description of the broad responsibilities of each service and the proportion of staff deployed over their major divisions.

Royal Hong Kong Police Force (RHKPF)

2.5 The duties of the Royal Hong Kong Police Force are extensive and set out in the Police Force Ordinance. Its responsibilities include preserving public peace and order throughout the territory and its waters; preventing and detecting crime; preventing injury to life and protecting property; traffic control; assisting in carrying out any revenue, excise, sanitary, conservancy, quarantine, immigration and alien registration laws; assisting in protection of life and property at fires; escorting and guarding prisoners; executing summonses, subpoenas, warrants, commitments and other process issued by the courts; conducting prosecutions; and any other duties required of a police officer by law. Police officers have powers under, and take action in respect of, the majority of the laws of Hong Kong.

2.6 The police force is basically organised into Special Branch, Operations, and Management arms, each commanded by a Deputy Commissioner. Special Branch duties include VIP protection, counter-terrorism and security coordination. Operations arm's responsibilities are allocated on a geographical basis to regions, and on a functional basis to formations in police headquarters. There are four regions - Hong Kong, Kowloon and New Territories which are subdivided into districts (with Airport and Mass Transit Railway specialist districts under Kowloon region), and Marine region. The policing within geographical areas includes uniformed personnel watch and ward duties; investigation, detection and prosecution of crime and other offences (such as vice and drug activities handled by Special Duty Units); the regulation of traffic; and maintaining a capability to deal with civil disorder. Operations formations in police headquarters have territory-wide responsibilities for selected aspects of policing. Operations wing is responsible for the Police Tactical Unit, Operations Bureau, and Explosives Ordnance Disposal Unit. Support wing has responsibilities for police public relations, auxiliary police headquarters, and licensing. The main components of Traffic wing are Traffic Management Bureau, Central Traffic Prosecutions Unit, and Administration Bureau (including road safety, accident research and law revision). Crime wing deals with organised and serious crime, commercial crime, narcotics, criminal intelligence and records, Interpol liaison, and support components such as identification and ballistics. Management arm is responsible for personnel (including career development, recruitment, welfare, staff relations,

discipline); training (including Police Training School, Detective Training School, examinations); management services (research, information technology, communications systems, the force vehicle fleet and the Police Driving School); inspection services (such as management reviews, Complaints Against Police Office, Internal Investigations Office); and civil administration (stores, finance, planning and development).

2.7 The present strength of the force is 32,444 of whom 26,829 are disciplined staff. The majority of police officers (18,604 or 70% of disciplined staff) work in the four regions, while 4,449 or 16% work in operational formations at headquarters and 1,764 or 6% work in Management arm. Of the total disciplined staff, 21,065 officers, or 78% are uniformed personnel.

Fire Services Department (FSD)

2.8 The duties of the Fire Services Department (FSD) are set out in the Fire Services Ordinance and cover the extinguishing of fires; protection of life and property in cases of fire or calamities; advice on fire protection and hazards; ambulance services; and any other duties imposed by law or directed by the Governor.

2.9 FSD is divided into six Commands. Hong Kong, Kowloon, and New Territories Fire Commands are each responsible for fire fighting, rescue operations, and fire protection law enforcement in their respective areas. Hong Kong Fire Command is also responsible for off-shore islands and incidents at sea. The territory's total of 56 fire stations, 600 modern fire appliances and six fireboats come under these three commands. Fire Protection Bureau is responsible for overall fire protection policies and their enforcement throughout the territory, and the abatement of fire hazards. The Bureau vets building plans and advises private and government sectors on fire safety. Fire protection work is shared among the Bureau, three Fire Protection Regional Offices, and local fire stations. This work involves inspections of many types including means of escape in buildings, ventilation systems, dangerous goods, timber stores, schools, fire service installations, places of public assembly or entertainment, child care centres, etc. The Ambulance Command is responsible for ambulance services throughout the territory and operates a fleet of 226 ambulances and seven ambulance aid motorcycles from 23 ambulance depots/stations. Headquarters Command is responsible for the Centralised Fire Services Communication Centre which has overall control, mobilisation and communication responsibility for all the department's firefighting and ambulance resources to deal with emergencies and requests for assistance from the public; training and development (including Fire Services Training School and physical training); planning, management, personnel and civilian administration. Headquarters Command is also responsible for fire fighting and rescue operations within the airport which has two fire stations. Each of the Fire

Commands and Ambulance Command is divided into divisions comprising several fire stations or ambulance depots/stations, while Headquarters Command and Fire Protection Bureau have divisions to carry out individual functions.

2.10 The present strength of FSD is 7,335 of whom 6,672 are disciplined staff. 3,564 or 53.4% of the disciplined staff strength work in the three geographical regional commands; 1,892 or 28.4% work in Ambulance Command; while 85 or 1.2% and 1,131 or 17% work in Fire Protection Bureau and Headquarters Command respectively, including 173 on control duties.

Correctional Services Department (CSD)

2.11 The primary responsibilities of CSD are to provide facilities for the secure and humane custody of those committed under court orders and sentences and to ensure that all prisoners and inmates can exercise their rights; provide rehabilitation programmes and purposeful employment in penal institutions; facilitate re-integration through aftercare and supervision of released prisoners and inmates, guidance and counselling, and assessing the treatment required by persons on remand; and to contain Vietnamese refugees and boat people in closed centres pending resettlement to third countries, and Vietnamese illegal immigrants in detention camps pending repatriation.

2.12 CSD is organised into five main divisions. Inspectorate and Refugee Unit is responsible for inspections of all institutions to ensure compliance with rules and regulations; security of institutions and complaints; and management of six detention and closed centres for Vietnamese refugees and illegal immigrants. Operations division is responsible for 12 institutions for adult offenders; eight institutions for young offenders (including correctional institutions, training centre, detention centre and half-way houses); two drug addiction treatment centres and one half-way house; the escort unit which conveys persons in custody to courts and hospitals and other institutions, and manages court cells; aftercare services; and educational programmes for prisoners and inmates. Administration and Industries is staffed by both civilians and disciplined staff and includes Correctional Services Industries which provides gainful employment for prisoners and inmates and gives them the opportunity to acquire skills for employment after release; works and planning; statistics and research; public relations; and administration. Personnel division is responsible for career development, other personnel matters, and staff training, including the Staff Training Institute. Psychological Services and Programme Development division provides a wide range of counselling services, and also compiles assessment reports for the guidance of the courts and departmental use on the suitability of offenders for various corrective treatment programmes.

2.13 The present strength of CSD is 6,045 of whom 5,312 are disciplined staff. The majority of staff, i.e. 3,844 or 72% of disciplined staff work in Operations (3,451 staff mainly in the various institutions, prisons and centres), while 821 or 15% work in the Inspectorate & Refugee Unit. 271 or 5%, and 363 or 6.8% work in Personnel (including staff and new recruits in the Staff Training Institute), and Administration & Industries respectively. 13 staff work in Psychological Services.

Customs and Excise (C&E)

2.14 The Customs and Excise Service is the major component of the Customs and Excise Department which also comprises the civilian Trade Controls Group. The C&E Service is charged with responsibilities and powers under 30 ordinances. C&E Service is responsible for the collection and protection of revenue derived from dutiable commodities; the suppression of illicit trafficking in dangerous drugs; the prevention and detection of smuggling and the enforcement of licensing controls in respect of prohibited articles; safeguarding the rights of intellectual and industrial property owners and protection of consumers against counterfeit and falsely labelled goods; and performing a wide range of agency duties on behalf of a number of government departments under various ordinances.

2.15 C&E Department is divided into three major branches - Headquarters, Operations, and Investigation. Headquarters is responsible for administration and personnel matters, Service training, planning and development, legislative drafting, Service inspection, and all matters concerning dutiable commodities. Operations Branch is divided into Hong Kong Island, Kowloon and New Territories Regions, each of which is responsible for anti-smuggling (including ship rummaging and guard); examination of cargo imported by air and sea to detect narcotics, dutiable commodities and other contraband; administration and controls which include excise units to protect revenue by imposing controls on licensed establishments such as distilleries, breweries, tobacco factories, the licensed general and bonded warehouses; enforcement units to detect and suppress the landing of contraband, narcotics and revenue fraud activities, and customs control points at various entry points to process incoming and outgoing passengers, cargo, and post (including airport and border controls and vehicle searches). Hong Kong Island Region is also responsible for strike and search, i.e. interception of small craft in Hong Kong waters to search for contraband, narcotics, dutiable goods, unmanifested cargo and illegal immigrants. Investigation Branch comprises the Customs Investigation Bureau (CIB) and the civilian Trade Controls Group. CIB is a plain clothes operation that is responsible for investigating narcotics and drug trafficking and intelligence; prosecutions; copyright infringements; false trade descriptions and forged trade marks; and overseas liaison and intelligence.

2.16 The present strength of the Customs and Excise Department is 3,557 of whom 2,700 are disciplined service staff. 1,954 or 72% work in Operations Branch in the three regions, while 423 or 16% work in CIB, and 323 or 12% work in Headquarters.

Immigration Service

2.17 The main duties of Immigration Service are to enforce immigration control in accordance with government policy, i.e. to limit population growth through immigration but to facilitate genuine tourists and business visitors, investigate and prosecute immigration-related offences, protect local workers from unfair overseas competition, and prevent the entry of undesirable persons and the departure of wanted criminals. The service is also responsible for personal documentation such as the issue of identity cards, passports and other travel documents to Hong Kong residents; the registration of births, deaths and marriages; naturalisation and registration under the British Nationality Act and the issue of entry clearance and passports; and a wide range of consular services on behalf of the UK Government.

2.18 The Immigration Department is organised into four main branches. Control and Investigation Branch is responsible for the control of all arrivals and departures by sea, air and land; border liaison; arrest; examination and repatriation of illegal immigrants; investigation and prosecution of offences under the Immigration and Registration of Persons Ordinances; deportations and removals; issue of visas; examination and screening of all Vietnamese boat people; granting of extensions of stays; arrangements for the resettlement or repatriation of refugees/economic migrants; and handling of related petitions. Personal Documentation Branch is responsible for the issue of travel documents; naturalisation and registration applications under the British Nationality Act; consular work on behalf of the UK and some Commonwealth countries including granting of visas; the registration of births, deaths, marriages; the registration and issue of identity cards, enforcement of the Registration of Persons Ordinance; and handling of related petitions. Administration and Planning Branch is responsible for administrative support (e.g. finance, personnel, discipline, welfare); public relations; resource planning; staff management and training; and the maintenance and development of operational and automated systems. Special Duties Branch is responsible for the planning and development of all immigration matters connected with the implementation of the Sino-British Joint Declaration on the future of Hong Kong. In addition to the four Branches, there is also a Management Audit Division under the Deputy Director.

2.19 The present strength of the department is 4,993 of whom 2,707 are disciplined service staff. The majority of disciplined officers work in Control and Investigation Branch, i.e. 1,952 or 72% (more than half of whom work in border and control points duties); 442 or 16% work in Personal

Documentation; while 298 or 11% work in Administration and Planning. Special Duties Branch and Management Audit division have only small numbers of staff although the establishment of the former is expected to grow as work increases in the run-up to 1997.

Responsibilities and workload

2.20 We examined the responsibilities and workload of each service as they have developed and grown since 1979 when the Standing Commission on Salaries and Conditions of Service undertook its general review of the civil service, including the disciplined services.

2.21 We carried out this part of our task in two different ways. First, we invited each service to submit statements explaining their various responsibilities and recent changes in them, and to indicate the changes that they expected in the near future. The salient points of this information, as prepared by the services themselves, are set out in Annexes 2.1-2.5 of our Preliminary Report. This material was complemented by some very extensive and detailed information submitted by departmental managements, staff representatives, and individuals in the first half of our review. We followed a similar process in considering workload by asking each service to provide the best available statistics which they considered would reflect the changing workload placed on their staff over the years. These statistics were again complemented by material in submissions and narrative accounts on workload.

2.22 Second, our series of visits to each service included briefings, observations and discussions with staff at all levels, and over a wide spectrum of work areas and activities. These visits gave us the opportunity to learn how operational requirements and practices and the volume and nature of work as seen in the field had developed over the years and had been affected by, among other things, changes in government policy; the development of Hong Kong's economy, living environment and society; population increase; the opening up of the border; the influxes of Vietnamese refugees and boat people, and the problem of illegal immigrants.

2.23 Our terms of reference also stated that we should particularly bear in mind the resumption of anti-illegal immigration border duty by the police. We visited the length of the border and received thorough briefings and information from appropriate officers, including military officers, on border duties and on how the police will take up this responsibility, the number of staff involved, and the manner of their deployment. We observed the present practice and techniques used to patrol the border and the working environment and conditions by both day and night. In considering pay and conditions of service we have had regard to the nature of the work and the periods for which officers will be required for border duty. We are satisfied that the Commissioner of Police has devised a system that will use the

resources available to him to good effect, and by integrating border duty into the early years of service for almost all officers will ensure that periods of duty for individual officers are kept within reasonable limits.

2.24 We are in no doubt that the nature and content of all five services' responsibilities have developed and grown in concert with Hong Kong and that they are called upon to undertake substantially larger and more complex tasks than in 1979. Four factors have affected all or most of the services in greater or lesser degree -

- (a) greater public expectations and demands of the services and a greater degree of accountability for their staff;
- (b) the enactment of more legislation on a variety of subjects as the administration of Hong Kong keeps abreast of its social and commercial progress and of developing problems;
- (c) the modernisation and development of the built environment and its transport and communications networks;
- (d) the increasing international importance of Hong Kong that has resulted from large increases in all kinds of traffic and trade (including the great increases that have flowed from the opening of the border with China) and has brought about major developments in infrastructure.

These developments have had an impact on the way in which each service is expected to respond to the demands upon its services, to enforce the law, and to train its staff. As Hong Kong becomes more sophisticated, the community expects its disciplined services to grow in expertise and efficiency, and to continue to be reliable and available when needed.

2.25 Though the information we have presents only an incomplete picture, the statistics we have studied show clearly that the workload of each service has increased substantially over the past few years. To take some illustrative examples, we found that in the police, between 1979 and 1987 miscellaneous reports had increased by 90% from 522,000 to 991,000; and between 1985 and 1987 the number of 999 calls had increased by 17.3% from 203,000 to 238,000 and the number of criminal records checks by 42% from 2,621,000 to 3,722,000. Crime statistics as a measure of workload have to be treated with caution; but the increase in recorded crime between 1979 and 1987 was 28.2% from 64,653 to 82,914. (It is gratifying to record that the last figure is almost 5% down on that for the peak year, 1985.) In the Fire Services Department the number of fire calls had increased between 1979 and 1987 by 80% from 18,700 to 33,700, while special service calls (shut-in lifts, threatened suicide, etc.) had increased

by 128% from 5,600 to 12,800 and ambulance calls had increased by 67.4% from 199,000 to 333,000. In Customs and Excise the number of cargo items searched had gone up between 1985 and 1987 by 13.8% from 6,393,000 to 7,277,000, while the number of vehicles processed increased by 89% from 1,599,000 to 3,015,000, and the number of prosecutions rose by 48.9% from 2,890 to 4,300. In the Correctional Services Department between 1979 and 1987 the penal institution population had increased by 12.9% from 7,998 to 9,033, while between 1982 and 1987 the number of aftercare cases had increased by 32.5% from 4,162 to 5,514, the Closed Centre population by 1,517% from 1,440 to 23,278, and the value of prison industries output by 627% from \$22m to \$160m. In the Immigration Department, between 1983 and 1987 the number of passengers processed increased by 22.9% from 27.57m to 34.02m; and the number of prosecution and deportation cases rose by 23.9% from 7,350 to 9,110, while the large increase in entry certificates and visas issued more or less matched the decline in travel documents issued. Those figures are selective but reasonably typical; and our field observations and discussions with staff confirmed for us that the volume of work with which the services have to deal has increased substantially. A fuller statistical picture is given in **Annexes 2.1-2.5**. The selection of years reflects the limitations of the available statistics.

Comparison of workload and strength

2.26 An obvious approach to the estimation of the changes in the work demands placed upon staff is simply to use the best statistics available to compare the change in workload units with the change in numbers of staff. Though simple in concept, this approach presents several difficulties, both practical and theoretical. The chief practical difficulty is that for the period in which we are chiefly interested (1979-1988) only limited workload statistics are available because earlier records are lacking. It is also both a practical and a theoretical difficulty that much of the work of some of the services, notably the police but also Correctional Services and some parts of the other departments, does not lend itself to statistical measurement, particularly if the underlying object of that is to measure changes in productivity. Is an increase in recorded crime evidence of higher productivity or of lower productivity on the part of the police? Is the increase in the number of hours of foot patrol a measure of input or of output? These are difficulties with which all concerned with police administration are familiar. More generally, in all of the services with which we are concerned the use of throughput units to measure output performance carries the danger of encouraging a perfunctory and routine approach which could seriously affect the achievement of major objectives and create more problems than it would solve.

2.27 A theoretical difficulty is that a mere increase in number of workload units per member of staff does not necessarily show that an increase in staff effort has been