

8.113 Many submissions pointed out that CSD staff had to work with a population of criminals drawn from all strata of society. Many of them are violent by nature, aggressive (there are about 600 fights between inmates every year despite custodial supervision), hostile to the disciplined custodial regime, insubordinate and lazy. A number are experienced and hardened criminals or unrepenting offenders and a proportion are triad members. The number of prisoners serving longer sentences has more than doubled in the past decade (746 in 1978 to 1653 in 1987). Moreover, since all death sentences in Hong Kong have been commuted since 1966, the number of lifers has also increased, from 48 in 1978 to 129 in 1987. We were told that lifers (that is, those who are imprisoned until they die) have "nothing to lose" should they provoke trouble inside the prison.

8.114 Submissions pointed out that this is the basic population that has to be made to work in the prison industries, to be managed day in day out, and to be rehabilitated if possible. The problems of relationships between officers and prisoners were also described to us, ranging from confrontation during cell searches to the threat of mass protest aimed at compromising the authority of staff. We were told that a "concession means a weakening of the management, whereas an insistence on strict obedience may result in the incident deteriorating into a large scale disturbance."

8.115 We were informed that serious corruption was eliminated from CSD a number of years ago, but the possibilities of attempted corruption by prisoners are constant. Prisoners who are devious and in contact with staff for long periods every day can spot their weaknesses and try to solicit their assistance for reward. We were told that the relatively young and inexperienced can be vulnerable to such pressure, and that strict adherence to established instructions and regulations, good management and procedures are essential preventive measures.

8.116 The majority of submissions brought to our attention, in a variety of ways, the dangers which CSD staff face in the execution of their duties. A number of important points ran through submissions :-

- (a) individual officers are outnumbered by the number of prisoners they supervise which can be dangerous in situations of potential confrontation and in certain circumstances such as in workshops and in outdoor working;
- (b) given their nature and reaction to imprisonment, prisoners pose a constant danger and threat to officers with the possibilities of major or minor

insubordination (e.g. collective refusal to eat), mass riots, or hostage taking where officers are the natural and obvious targets;

- (c) officers are armed only with truncheons while prisoners can sometimes attack them with sharpened instruments or tools in machine workshops. Some Vietnamese refugees and illegal immigrants as well as recent arrivals from China have had military training and are used to physical violence;

8.117 Many submissions mentioned to us cases of major disturbances and individual attacks, often from a personal perspective, for example, a personal intervention to stop an assault between prisoners which resulted in physical injury to the officer. (There are about 600 fights between inmates every year.) Another individual submission recounted that the officer had been attacked in the line of duty during an attempted mass breakout by over 100 prisoners in 1971; was active during the prison riot in 1974 that had to be subdued by anti-riot squads, tear gas and force; and was actively involved in dealing with a riot of Ex-China Vietnam illegal immigrants in 1981 when an officer was seriously stabbed, and the officer making the submission was besieged for several hours by a very large mob in the camp hospital which was attacked and set on fire. It was stressed that in all these situations there was never any suggestion of officers shirking their responsibilities, and the full acceptance of the duty to face up to danger was repeatedly emphasised.

8.118 Other dangers were also described to us in some detail and are summarised as follows :-

- (a) the danger of corruption by criminals trying to induce staff to help them was constant;
- (b) hospital custodial duties were not only unpleasant but also could pose a threat of contagious disease to staff;
- (c) in the past five years there had been 15 attacks upon officers by ex-prisoners;
- (d) families who lived next to correctional institutions were at risk.

8.119 We also received many representations about the stress associated with the work. We were told that a British research team found in 1985 that the job of a prison officer was one of three most stressful occupations.

8.120 One of the principal sources of stress was the constant threat of danger (as described above) which ranged from individual hostility during cell searches to the

possibility of hostage-taking and confrontation on a wide scale including threats to take protest action such as mass refusal of food. We were also made aware of the stress experienced by families concerned at the safety of officers.

8.121 Other major sources of stress were the need for constant alertness in the disciplinary regime of a correctional institution and the nature of the criminals themselves. Submissions told us that prisoners, particularly lifers who were frequently hostile and aggressive could not only pose a physical threat but also create mental stress through their deliberately abusive behaviour and insults. Some prisoners were also unpredictable in temperament and there were numerous mentions of the pressures that arose from the need to be alert to potential suicide by prisoners. One particular source of stress was anxiety over false accusations and complaints. A number of submissions said that prisoners were cunning and could make malicious and false complaints against staff, particularly in order to get inexperienced officers to give them what they wanted. Some officers making submissions said they worried about the possibilities of accusations and complaints which could affect their future careers. It was put to us that managing social deviants is particularly stressful. A survey conducted in CSD in 1988 showed that 41% of staff surveyed regarded the task of seeking cooperation from prisoners as a difficult to very difficult task, while 51.2% felt considerable to great threat to safety in managing prisoners.

8.122 We were told that in 1987, a total of 1,016 staff (i.e. 16% of the total number of staff) were reported to be suffering stressful and occupational illnesses or stress-related illness. Irregular hours and the shift system which requires staff to work standing up for a continuous period of seven hours without meal break (further discussed below) have contributed to these illnesses. Among the types of illnesses mentioned to us were lower back pain, varicose veins and other leg troubles, psychosis, and hypertension.

8.123 Finally, we were made aware of the effect which stress in one form or another had on the officers' personal relationships. Some submissions told us that officers had become more distant from their families as a result of their jobs and the fact that they worked in a "coercive environment" also altered their relationships.

Hours of work

8.124 We were informed of the basic four shift a day system that is used in all penal institutions. Each shift runs for seven hours continuously (there is an overlap between shifts for handing over) followed by a one hour meal break. We were told that staff therefore work an eight-hour day (including meal-break) for six days a week plus one hour a week in-service training, i.e. a total of 49 hours per week. In this routine all staff have to work one week of night shift per month,

although in times of staff shortage (as now) night duty may occur more frequently.

8.125 It was put to us that there were two physically damaging features of this system. First, staff cannot sit down during the seven hour period, but have to remain on their feet - the cause of a number of occupational illnesses. Staff cannot absent themselves, even for a short time, unless a relief is available. Second, since no meal breaks were allowed during the seven hour period, and shifts were worked in rotation, irregular meal patterns or eating hours occurred and a number of submissions spoke of digestive and stomach problems.

8.126 We were also told that staff who worked on second shift (lock-up), i.e. from 1:15 pm to 8:15 pm were required to remain "on-call" in the vicinity of their institution until the start of the first shift (unlock), i.e. at 6:45 am the next day. That is, even though their shift has ended, these staff had to spend the night near the penal institution. This overnight on-call duty is required to ensure that sufficient numbers of staff are available to back up the reduced watch on duty at night in case of emergencies such as escapes and disturbances which require assistance from off-duty staff. We were told the "on-call" system meant that staff who did not live permanently in adjacent quarters had to stay in the area of the institution on alternate days for such time as they were on second shift duty. This, we were told, amounted to an additional 73.5 hours every two weeks for which no special allowances were payable. For those staff who do not live in quarters adjacent to the penal institution, particularly those in outlying islands, on-call duty could be most disruptive.

8.127 We were also told on a number of occasions that each staff member was allowed one day off after six days duty but that the majority did not get days off on Sundays and public holidays which deprived staff of normal social contact with relatives and friends.

8.128 A number of submissions also indicated to us that supervisory officers in CSD who worked in penal institutions had a heavy duty hours commitment in that, in addition to their normal office hours (which from the submissions we received, appeared to be around 50 hours per week), they were also required to make frequent night visits to check their institutions, as well as having on-call duties when they had to stay in operational quarters. One such submission told us that an average of 55 hours per week was spent fulfilling CSD's on-call requirement in addition to normal office hours.

8.129 Some submissions also made the point to us that work commitments or occurrences requiring their attention prevented officers from taking their leave days. This appeared to be the case, unsurprisingly, with officers involved with Vietnamese refugee duties.

The working environment

8.130 We were told that for many staff the physical stress of their duties was compounded by the environment in which they had to work. The harsh physical surroundings of prison yards, workshop and worksheds was as harsh for the staff as it was for the inmates, indeed frequently more so because of the exposed positions the staff required to take up in the interests of security. In workshops requiring heavy machinery the inmates were supplied with earplugs to protect their hearing, but the staff could not wear earplugs because they required to be aware of everything that was going on and to be able to communicate with the prisoners. For many, their working places were in the open air, where they were obliged to remain at their posts regardless of the weather. There was no air-conditioning for prisoners, and accordingly none for the staff whose duty it was to supervise and direct them.

Public perception

8.131 We received a number of submissions touching on the image of CSD work and its officers as perceived by the public, media and officers' friends and relatives. Many submissions told us that CSD is a "silent department", i.e one carrying out its work quietly and away from the public eye. This was perhaps natural because prisons were in remote locations and not open to the public. Moreover, there was a natural Chinese cultural aversion to prisons and thus they were places to be avoided rather than places of interest. Many submissions said that the public lost all interest in the criminal after he was sent to gaol: the public was not really aware of CSD's work and role. It was said that the general perception was that once a criminal was caught and sent to gaol he became a docile inmate, unlike the criminal he formerly was. This was the opposite of the truth.

8.132 The public image of prison was unfavourable and we were told, distorted by television series and films. Press attention was paid to correctional institutions only in times of disturbances such as riots, escapes and assaults, and it was difficult for CSD to establish a good image. It was put to us for example, that some people "still think that prisoners are shackled in the manner they were in the Ching Dynasty". Numerous submissions repeated the sentiment that the public either misunderstood or was ignorant of the department's positive work.

8.133 A number of submissions made the point that the social status of a correctional services officer was low and carried an unjustified stigma. Many submissions referred to feelings of social ostracism. We were repeatedly told that Chinese parents dislike their children joining a disciplined prison service to work with hardened criminals for fear that they will acquire criminal habits. There were complaints that in

traditional Chinese culture, prison staff have often been "uglified as 'oppressive turn-keys'", and they have also been seen as "prisoners outside the wall" rather than loyal, dedicated and hard-working staff. Officers' occupations were a problem to some families and friends and we were given a number of examples where officers had joined against the wishes of their families; of families who were ashamed of their family members' occupations; and a number of cases where officers did not disclose their occupation to acquaintances because of the adverse reaction they expected.

Personal restrictions

8.134 A number of the factors described above imply personal restrictions but because these were touched upon by submissions in many different ways, we consider it useful to list here the main points which submissions made on this topic :-

- (a) staff on call have to remain in the vicinity of institution;
- (b) remote station posting affects social and family life;
- (c) the result of the shift rotation system is that staff do not have any fixed day off and often do not have their weekly day off on either a Sunday or public holiday thus preventing them from spending leisure time with family and friends;
- (d) the social stigma of the profession restricted officers' social lives;
- (e) the combination of remote station posting, working hours and social stigma had made it difficult for some officers to find someone to marry;
- (f) the department's requirements for remote station staff to return to their institutions once typhoon signal no. 3 was hoisted meant that these staff were unable to look after their families when they were at risk.

Morale

8.135 We were given varying accounts of morale. We wish to emphasize that many officers who wrote to us impressed us with their dedication to the service. Comments were made in a positive and constructive spirit free of cynicism. In our visits and our reading of the submissions we saw pride in the efficiency of the department and we saw too the motivation of the staff. However, it would be negligent of us if we did not report that morale appeared to be affected by what was seen as inadequate recompense for working in remote stations, for

working with social deviants and hardened criminals day after day, and for having to cope with large influxes of Vietnamese refugees.

8.136 A point forcefully made was that morale in CSD would suffer if the disciplined services were to be given unequal treatment. The recurrent theme of many submissions as we reported above, is that a further widening rather than narrowing of the present disparity as it is currently perceived would demoralise CSD staff and affect the quality of the department's service.

IV. Customs and Excise (C&E)

Pay

8.137 We received a number of views on pay, most of which concentrated on the disparity, between C&E and the Master Pay Scale (MPS) and police. It was recognised that the disciplined services were given a different pay scale, the Disciplined Services Pay Scale (DPS), from the general grades in the civil service because of the difference in the nature of work. However the existing difference between the DPS and MPS was not considered to have adequately recognised the actual work and responsibilities of the disciplined services. It was also represented that the merging of the two scales at DPS(0) 29 and MPS 43 was difficult to justify since the life of a general grades staff "was thought to be a lot easier" than his disciplined services equivalent who had to contend with urgent operational demands. One submission asked that the structure of the DPS should be improved and revised to reflect the actual work performed by disciplined services staff particularly the "enormous work stress, often unbearable working conditions and potential dangers."

8.138 Three points were made about pay comparisons with the police. As mentioned earlier in connection with other submissions, we describe these views not to be divisive but in the spirit of our review to air as fully as we can the different views we have received.

8.139 A major point concerned recruitment qualifications and pay. We were told that since entry qualifications for both C&E and police are about the same, they attract recruits from the same labour force; but Police Inspectors enter the DPS(0) four points above Customs Inspectors holding similar qualifications. In the rank and file, Customs Officers who hold the same qualifications enter the scale three points lower than Police Constables. It was said that these "inequalities recommended in the 1979 Pay Review Report" have made it more difficult to recruit persons of the right calibre into the service. (This point is further developed below.)