

in DQs at present of whom 66 were actually living in rank and file quarters while only 21 were living in appropriately graded quarters. In the rank and file, 497 (or 23.5% of total strength) lived in DQs and of this figure only 135 were in appropriate grade quarters. One submission told us "the provision of quarters is the most attractive part of the package" and a key factor for retention in service.

8.174 Although welfare benefits are not strictly a condition of service, we received some comment, particularly in comparison with the police. Whereas the police welfare fund is derived from different sources, C&E's fund is provided from public funds only, at \$12 per annum for every established disciplined post. We were told that there was a wide gap in welfare funds per capita as well as in facilities such as club houses and holiday houses.

Morale

8.175 It was impressed upon us that throughout the years C&E staff have been working conscientiously and loyally to meet all the duties required of them with enthusiasm and success. It was put to us that high morale helped the service to operate efficiently despite the stress and unpleasant working environment, and there was a pride underlying the submissions, in the challenging nature of the job and in doing it well. We were told that a strong and efficient customs and excise was important in bolstering goodwill in Hong Kong's major trading partners and to the flourishing export trade that is Hong Kong's lifeline. It was important that Hong Kong should be seen to be willing and able to actively discharge its international obligations in anti-narcotics, copyrights, control of export quotas and so forth.

8.176 Submissions were unanimous that morale and thus efficiency, would suffer if the disparity in pay and conditions of service between C&E and police were to be widened, and that this would lead to difficulties in recruiting the right calibre of staff as well as retaining experienced officers. The operating standard required of a dedicated C&E work force we were told, "is such that it cannot be achieved with the employment of cheap labour."

V. Immigration Service (IS)

Pay

8.177 Disparity in pay between the Immigration Service and the other disciplined services was one of the main themes of the representations we received. We were told that Immigration Service staff were generally disappointed at the Standing Commission's Report in 1979 which stated that the duties of the entry rank (Assistant Immigration Officer) were more commensurate with a school certificate education, and that the duties and responsibilities of the Immigration Service were less complex than those of the other disciplined

services. It was pointed out that prior to 1979, the pay scales for senior immigration inspector were one point higher than Senior Inspector of Police (SIP), and that Chief Immigration Inspector was three points higher than a CIP. It was felt that the Standing Commission had grossly under-estimated the importance, complexity and sensitivity of their work. With regard to the entry qualification for the officer grade, it was felt that school certificate leavers could not perform the duties of the grade adequately, especially with regard to the long-term need to prepare them for higher responsibilities.

8.178 The difference in pay in the lower ranks was pointed out : the rank and file i.e. Immigration Assistant started off at point 3 (\$3,950) of the Disciplined Services Pay Scale (Rank & File) compared with counterparts who began at point 5 (\$4,225) in the Fire Services Department (FSD), the Correctional Services Department (CSD), and Customs & Excise Department (C&E), and point 8 (\$4,655) in the police. The officer grade starts at point 1 (\$6,165) of the Disciplined Services Pay Scale (Officer) which was the lowest among all the disciplined services, when compared with point 6 (\$8,110) in C&E, CSD, point 8 (\$9,097) in FSD and point 10 (\$10,035) in police. It was explained that this was due to the existence of the rank of Assistant Immigration Officer which did not exist in other disciplined services. We were also informed that even after the first promotion, the pay of a Senior Immigration Assistant or Immigration Officer was only at the middle point of the first rank in other disciplined services and that the maximum pay of a SIA was the lowest by comparison with the same rank in other disciplined services. It was represented that the rank structure was deficient. An IO could reach the maximum salary point of a Senior Immigration Officer only by promotion, whereas in police or FSD, the ranks of Inspector/Senior Inspector and Station Officer/Senior Station Officer were combined.

8.179 It was suggested to us that we should carefully consider individual characteristics of the duties of each service; and that before setting levels of remuneration we should examine the individual posts of the service in detail to determine their ranking in relation to similar posts in other disciplined services. It was represented that the Immigration Service senior officers had a much wider span of control than their counterparts in other disciplined services, and hence a higher level of responsibility in terms of supervision and accountability. The comparatively smaller number of senior officers meant that junior officers had to perform their duties with minimum supervision and had greater responsibilities.

8.180 It was argued that the number of PIOs and APIOs was inadequate for the large number of subordinates to be supervised and therefore that the span of control for divisional and sub-divisional heads had become too wide. We were told that the Immigration Service had the lowest senior

officer (DPS(O) 24-37) to junior officer (DPS(O) 1-23) ratio among the disciplined services, and that a number of PIO and APIO posts were undergraded by comparison with their police counterparts. For example, PIO (Control) was responsible for the management of Harbour, Airport and Control Administration sub-divisions with a total of 1,116 staff under his command; APIO (Airport) and APIO (Harbour) each had 528 and 527 subordinates under their command; PIO (Investigation) who was responsible for all investigation, removal and deportation work had a total of 237 staff and 8 sections at different locations. In the police, it was claimed that comparable responsibilities to these posts were carried by the heads of the Narcotics Bureau and Commercial Crime Bureau who were Chief Superintendents of Police (D1). Part of the problem was said to be the absence of any D1 rank in the Immigration Officer grade which meant that some of the present directorate (D2 level) was overloaded and some PIOs (DPS(O) 34-37) were undergraded.

8.181 On workload, it was pointed out that a characteristic of the service was that the majority of posts had a continual input of work and that officers on duty were fully occupied for the whole duration. It was therefore suggested that the actual workload of the ranks should be examined and quantified to determine the appropriate levels of remuneration having regard to the associated pressure of work and demand for quality.

8.182 We were told that promotion prospects in the Immigration Service were not encouraging, especially in the lower ranks. For the rank and file, the advancement of SIAs was barred by the absence of a Chief Immigration Assistant (CIA) rank and the chance of being appointed to the rank of AIO was not great because of the keen competition in open recruitment (in each year, an average of 21 SIAs were appointed as AIOs, i.e. 1.5% of the 1,355 rank and file). The officers also had limited chances of promotion. The ratio of IO to SIO was 3.15:1, SIO to CIO was 3.52:1, and CIO to APIO was 3.11:1 whereas in the Police Force or Fire Services Department, the ratio of the initial two officer ranks was almost 1:1. Among the five disciplined services, the Immigration Service had the highest percentage of officers in the lowest ranks (80.85%) and senior ranks occupied only a small percentage of the total number of officer ranks in the hierarchy. As a result, promotion in ordinary course usually took an average of 7 to 8 years. Junior staff felt frustrated as promotion in the junior ranks would not bring them up to par with their counterparts in the other disciplined services because of existing disparities in pay and rank structure.

8.183 The work and responsibilities of Principal Immigration Officer (PIO) and Assistant Principal Immigration Officer (APIO) who had to perform administrative and operational duties were compared with Senior Administrative Officer/Chief Executive Officer and Administrative Officer/Senior Executive Officer, and Senior Superintendent

and Superintendent of Police. It was also represented that compared to the police, PIOs and APIOs had a wider scope of duties and responsibilities. On this basis our attention was drawn to the following comparison to illustrate a disparity in promotion steps for what were considered to be comparable levels of responsibility and workload :-

<u>DSP(O) point 34-37</u>	=	<u>MPS point 48-51</u>
PIO SSP		SAO CEO
<u>DSP(O) point 30-33</u>)	
APIO SP)	
)	= <u>MPS point 38-47</u>
)	AO SEO
<u>DSP(O) point 24-29</u>)	
CIO CIP)	

It was pointed out that the general service grades of AO and SEO could advance by normal increments without promotion to a salary level which their disciplined services counterparts (APIO, SP, CIO, CIP) had to achieve promotion to reach.

8.184 Retention and recruitment difficulties were highlighted. It was maintained that in view of the complexity, sensitivity and sophistication of immigration work, there was a need for the service to recruit better-qualified candidates who were able to meet the challenges, and to fill key posts in due course. It was pointed out that a large number of successful candidates failed to report for duty, and that this must reflect reconsideration of the attractions of the job or a better job offer elsewhere. We were given information on recruitment showing that on average over the past five years, 2,500 applicants applied for AIO posts. However, only 1,500 (60%) of these applicants could be shortlisted, and of this number, only 53 (3.5%) were found suitable for appointment : of this selection, 36 (68% of the selection) reported for duty. A similar paring down process also occurred with IA applicants. Of 7,188 applicants, 2,731 (38%) were shortlisted, 191 (7%) were chosen of whom 130 (67% of the selection) actually reported for duty.

8.185 In the past five years, a total of 450 service staff of all ranks left the service, 355 of whom were AIOs and IAs. 392 (87%) had resigned or transferred to other Government departments. In terms of years of service, 325 (72%) left after staying in the Service for less than five years. They were mostly the better qualified; e.g. of the 188 AIOs who left the service 134 were degree holders or matriculants and of the 167 IAs who left 117 were school certificate holders. It was also said that a number of senior and experienced officers (APIOs and PIOs) had taken early or premature retirement. This trend was expected to continue unless career prospects and pay and conditions of service could be made more attractive. It was thought that the nature of work, the comparatively low pay and limited promotion prospects were

reasons for the high wastage rate.

8.186 Specific recommendations put forward to us regarding pay were :-

- (a) salary points for IA and SIA be revised as follows :

	<u>existing</u>	<u>proposed</u>
IA	DPS(R) 3-16	5-19
SIA	DPS(R) 17-25	20-28

- (b) rank of AIO be abolished and a new rank of Chief Immigration Assistant (CIA DPS(R) 29-33) be created to bring the rank in line with counterparts in other disciplined services;
- (c) disparity in the provision of staff quarters be addressed (this point is developed below);
- (d) the relative position of Immigration Service pay and conditions of service among the disciplined services be improved;
- (e) the entry requirement for the rank and file be raised and the entry point adjusted accordingly;
- (f) in order to recognise the increased importance and level of responsibilities of PIO and APIO, the level of remuneration and conditions of service should be higher than those being offered to comparable grades in the general civil service and that they should be on a par with those of Senior Superintendent and Superintendent ranks of the police; and that the provision of departmental quarters is improved.

8.187 It was represented that continuing the present disparities, particularly for what were seen as jobs of comparable levels and responsibilities, would lead to a drop in morale and incentive to remain in service, and increasing difficulties in recruitment.

Development of work and responsibilities

8.188 It was submitted that the volume, complexity and sensitivity of the work undertaken by the service had increased considerably since 1979. Additional duties quoted included taking over from the Registrar General (RG)'s Department the responsibilities for registration of births, deaths and marriages. Officers had to acquire knowledge of some 40 items of local registration legislation and other related ordinances including international laws and foreign

legislation to cope with the new job. It was stressed that in view of the significance of civil registration, officers and not rank and file had been assigned to perform registration duties and that in certain types of cases, professional knowledge was required to conduct enquiries, verify a claim or to establish that the law had been broken. Officers had to handle complicated registration cases previously handled by solicitors in the RG's Department. In addition, they were required to perform outdoor duties and visit closed Vietnamese refugee camps to register births. Registration duties including births had a degree of immigration control, e.g. an officer had to examine and assess the immigration status of parents and newly-born. It was stressed that officers had to perform registration and immigration duties at the same time, and that the presence of immigration officers in registration work had become indispensable after the introduction of control measures to establish immigration status at the time of birth registration and other enforcement of registration procedures to eliminate false claims etc.

8.189 The work required in the control of illegal immigration from China was highlighted. Work at the Victoria Immigration Centre inside Victoria Prison dealing with illegal immigrants from China (other than those intercepted immediately upon arrival) was demanding as staff had to ascertain very quickly the identity, background and immigration status of the illegals, had to be alert to detect false claims and initiate urgent field operations to verify areas of doubt as required, and at the same time had to take into consideration any humanitarian or special factors which would justify exceptional treatment.

8.190 The full scale exercise to re-issue identity cards from 1983 to 1987 was described. Staff had to acquire new skills to use the computer and new equipment which were introduced to strengthen checks on the issue and renewal of identity cards. Service staff were empowered to check identity cards on the spot and between January 1984 and April 1988, the Immigration Service had mounted a series of special operations to cover residential areas, restaurants, factories where illegal immigrants might be found. It was pointed out that at the same time, there was an increase in passenger traffic between Hong Kong and China.

8.191 The increase in workload and in its complexity were highlighted in all submissions. We were given statistics to show increases in China passenger traffic (from 6.9 million in 1980 to 12.88 million in 1984 and to 22.88 million in 1987); China vehicle traffic (from 0.44 million in 1981 to 1.16 million in 1984 and to 2.83 million in 1987); and applications for entry permits from Taiwanese residents after the lifting of the travel ban in Taiwan (from 215,940 in 1985 to 423,750 in 1987). Manpower expansion had not kept pace with the rapidly increasing workload and sheer pressure of work created stress.

8.192 It was submitted that the Immigration Service had taken a leading role in work involving Vietnamese refugees. The task was complicated because most of them were illiterate and of differing origins and status, e.g. Chinese illegal immigrants (CIIs) had to be distinguished, along with ex-China Vietnamese illegal immigrants (ECVIIs) who were not allowed to stay in Hong Kong under the refugee acceptance policy and had to be repatriated to China. In order to be able to identify CIIs and ECVIIs, staff had to maintain their knowledge of China and Vietnam and keep up with changing trends in origins etc. The new "screening out" procedures to distinguish economic immigrants from the genuine refugees from Vietnam added to the workload, complexity, and sensitivity of the officers' work : IS staff were the only Government staff responsible for the screening process. It was also stated that staff had to work extended hours beyond their normal shifts to deal with sudden influxes, and that working conditions in refugee camps were poor.

8.193 Our attention was drawn to the fact that in implementing the terms of the Joint Declaration, the Immigration Service and its officers had to make efforts to ensure that people belonging to Hong Kong were properly documented; that travel documents issued by Government were well received by foreign countries; and that immigration policies were consistent.

8.194 We were also told that to cope with the sudden influx of tourists from Taiwan as a result of the lifting of the ban on direct travel to Hong Kong and Macau by the Government of Taiwan, the Immigration Service had to introduce stop-gap measures e.g. urgent redeployment of staff, creation of new posts etc. It was said that the growth of staff lagged behind the increase in workload : staff were often required to work overtime to meet deadlines.

8.195 It was submitted that immigration staff had to be alert and responsive to changing political situations in the world. They had a major role to play in maintaining the economic well being of Hong Kong, in that staff were required to exercise their professionalism in admitting genuine businessmen and professionals who were about to contribute to the economy, and in keeping out undesirable immigrants.

8.196 We were informed of the work involved in keeping checks on the forgery of documents. IS staff had to work closely with other departments in devising secure measures to protect Hong Kong travel documents. They required to keep abreast of the trends and methods of forgery and maintain frequent contact with the Commercial Crimes Bureau and Criminal Intelligence Bureau of the police, Interpol, intelligence units of other countries and local consulates to collect intelligence on forged documents. A special team of investigation officers was assigned to conduct clandestine operations at control points and raids on premises regularly. An average of 4,300 operations and raids were mounted each

year to ensure that detection of forgery was done thoroughly.

8.197 The introduction of four computer systems for identity cards and travel record and control purposes and the use of high technology to strengthen immigration control demanded more sophisticated skills. There was a greater need to bring in recruits with better academic qualifications and of higher calibre to cope with the increasingly complex and sophisticated work of the service and new developments e.g. expansion of facilities at and setting up of control points, and computerisation projects.

Nature of work

8.198 It was said that the work carried out by the Immigration Service, i.e. immigration control, and documentation and registration was complex, sensitive and constantly growing in volume. Immigration work exercised control over the entry and movement of people and staff had statutory powers to examine and grant permission to enter to arriving passengers; to stop persons and make enquiries; and to detain and remove persons. The enforcement of such laws and procedures could create conflict with the public, particularly when sensitive and controversial policies were announced. Immigration officers were in the front line and accountable for their decisions which could often generate criticism and complaint. We were told that in a developing political situation immigration work became even more sensitive and officers needed to maintain a balance between strict control and good relations. These factors combined to produce stress on staff.

8.199 With an average daily two-way traffic of 62,700 foot passengers, we were told that Lowu was the busiest land border crossing point in the world. Immigration officers required to develop political sense and tact in order to discharge their duties effectively. It was impressed upon us that immigration officers responsible for liaison duties were acting in quasi-diplomatic capacity and had to have good knowledge of border affairs, political sensitivity, effective communication skills, a high degree of tact and diplomacy, an understanding of protocol, and negotiating skills.

8.200 Pressure on staff also resulted from being accountable for important decisions which had to be made within a short time e.g. to make a prompt decision at check points whether the travel documents were valid : disciplinary action could be taken against staff who made serious mistakes. Furthermore, staff had to deal with large numbers of the public who were becoming increasingly vocal and demanding. Though allegations of corruption and assault were often unsubstantiated, internal investigations of these complaints generated additional stress for the staff. We were told that hours of work were also the cause of stress and we describe this separately below.

8.201 Submissions pointed out that staff had to work in poor environments. Examples included working in Victoria Immigration Centre inside Victoria Prison; officers performing anchorage duties who were confined to their launch while examining passengers and crews of various vessels; search duties in engine rooms, cargo holds, oil or water tanks, and goods vehicles looking for illegal immigrants; and staff working on pontoons or in ammunition sheds handling Vietnamese refugees.

8.202 It was submitted that staff had to perform distasteful duties, e.g. when investigating offences related to immigration laws, officers had to come into frequent contact with dubious persons. Rank and file staff were executors of removal orders and had to escort offenders from the place of detention to the point of departure, helping to ensure security and safety on the way. Under the existing policy on removal, we were also told that staff had the particularly distasteful duty of separating illegal immigrant wives/children from resident husbands/parents and removing the aged and the young from those who cared for them.

8.203 Our attention was drawn to the potential dangers faced by officers. In performing investigation and other duties, service staff were unarmed; and they are exposed to danger when making arrests, effecting repatriation, providing escorts and conducting raids on illegal immigrants, forgers etc. who might turn violent when being arrested. A potential danger also existed when staff were discharging their checking duties at control points as they were in the front-line and came into contact with persons of unpredictable behaviour such as terrorists and wanted persons. Airport duties involved anti-terrorist precautions, and special operations to detect suspected prostitutes from problem countries. During the verification process, officers had to cross-examine friends and relatives of passengers, some of whom might be members of syndicates and so officers involved had to take special precautions for their own safety.

8.204 Other types of dangers included possible accidents on launch duties in bad weather and rough seas; the risk of contracting contagious diseases from dealings with the many international visitors, illegal immigrants, and Vietnamese refugees; and, since staff were vested with extensive legal powers, they were vulnerable to corruption.

Hours of work

8.205 The submissions pointed out that irregular shift duties, especially during festive seasons, were stressful. Many staff had to leave home at about 5:00 am for their morning shifts (which normally start at 6:00 or 6:30 am) and, when on night shift ending at midnight, return home late at about 1:00 am. The various patterns of shifts including overnight duties made it necessary for the staff to report for duty at odd hours of the day e.g. at the Airport alone, there

are over 30 shift patterns. Whenever there was a sudden increase in work or a crisis situation e.g. an influx of Vietnamese refugees or Chinese illegal immigrants, the officers who usually worked regular hours were required to reinforce the control points and sections in need at short notice. We were told that very often, staff were required to work without breaks and for extended hours of shift duty and that they often had different working hours every day. At control points, meal times for staff were very short and there were no proper breaks in the face of queues of visitors or returning residents. Staff instead had to wait their turn to be relieved from the counters. We were given the example of the Lowu control point during Easter holidays 1988. The last shift had to be extended on a number of occasions to cope with the volume of passenger traffic. Unable to withstand the continuous stress, two staff collapsed. Despite these pressures, staff were generally required to maintain a smart turn-out, be courteous, and be able to make prompt decisions at all times while on duty.

8.206 Section 10 of the Immigration Service Ordinance (Cap. 331) requires,

"every member of the Service shall be deemed to be always on duty when required to act as such and shall perform the duties imposed upon, and exercise the powers granted to, him under this Ordinance or any other law at any and every place in the colony where he may be doing duty."

Under this Section staff were obliged by law to work unsocial hours when required, and had sometimes to work overtime at short notice as in Investigation Division conducting surveillance and raids.

8.207 We were told that at 1 April 1987, the cumulative time-off earned balance for 2,575 staff was 216,895.65 hours. Staff could be granted time-off and Disciplined Services Special Allowance (DSSA) in compensation for overtime work. However, it was explained that in the present staffing situation, there were not enough opportunities for the staff to take time-off while provision for DSSA was insufficient to cover actual needs.

8.208 Passenger traffic was usually heaviest during festival periods and, in order to provide sufficient reinforcement at control points, leave rosters for staff posted there were suspended at these times. Staff working in offices could also be required to undertake control point duty at major festivals, particularly at Lunar New Year and Christmas and New Year. This deprived staff of the opportunity to share long holiday periods with their families.

Restrictions

8.209 Our attention was drawn to the fact that Immigration

staff were subject to strict disciplinary restraints and departmental regulations which governed their conduct, discipline and the way they worked. Failure to comply with these orders and instructions could result in disciplinary actions. Staff were required to be well-behaved and smartly turned out at all times. They had to observe the Service's code of conduct, and act in a professional way e.g. staff in control points could not take refreshment at the counter or leave the counter without permission even though they had worked non-stop for several hours. It was represented that shift duties affected the staff's health, family and social life. We were also told that many of the staff were at times put into embarrassing positions as they were unable to give any help to their friends and relatives in applications for immigration services. Under regulations officers could not act as sponsors or interfere in immigration cases since these were matters related to their official duties. We were told that when approached officers had to distance themselves from their friends and relatives to avoid conflict of interest. According to one submission, this has resulted in some instances in social alienation and in severing acquaintance with relatives who might have close connections with restricted countries.

8.210 It was submitted that the work involved special restrictions on staff holding certain posts if they wished to visit some specified countries - they had to give one month's notice and obtain specific approval.

Conditions of service

8.211 The main point we received on conditions of service concerned the limited provision of departmental quarters. We were told that the department had only 34 operational and 128 non-operational quarters, a total of 162 quarters to meet the needs of 2,831 staff, i.e. a 5.7% ratio which was represented to us as the smallest provision of departmental quarters in all the disciplined services. We were told that the under-provision affected staff because they generally had to pay more to rent accommodation. It was also represented that though APIOs, for example, were eligible for normal civil service housing benefits, they had less chance than their disciplined services counterparts to obtain "spacious departmental quarters". The view was put that if the shortfall in quarters in the Immigration Service could not be made good then the lack of quarters should be taken into account when setting pay for the service.

Morale

8.212 The main message conveyed to us in submissions was that the Immigration Service is working efficiently and hard in the face of a growth in complexity, sensitivity and workload as a result of Hong Kong's increasing international traffic generally and increasing links with China in particular. However, there was a noticeable increase in

vacancies, particularly among the junior officer ranks. We were told that present disparities in pay, departmental quarters, and the current rank structure were matters of concern; and that a further widening rather than narrowing of the gap would lead to a lowering of morale, and difficulties in recruitment and retention.