

# Chapter 4

## Correctional Services Department

### Overview

#### *Role of Correctional Services Department*

4.1 The Hong Kong Correctional Services has a long history dating back to 1841 when the first prison in Hong Kong, the Victoria Gaol, was set up. The prison was under the charge of the then Chief Magistrate of Hong Kong, who was also in charge of the Police and the Gaol. The prison system was separated from the Police to become an independent authority in 1879. In 1982, the Prisons Department was formally renamed as the Correctional Services Department to reflect the expanding programme of activities and emphasis on rehabilitation of offenders.

4.2 As an integral part of the Hong Kong criminal justice system, the CSD carries out its functions in accordance with the Prisons Ordinance (Cap. 234). The CSD provides a safe, secure, decent and humane environment for the detention of persons committed to its custody, and facilitates their return to the community as law-abiding citizens through comprehensive rehabilitative services. Thanks to the dedication and hard work of the CSD, Hong Kong has developed an internationally acclaimed correctional system, which places increasing emphasis on correction and rehabilitation of offenders.

#### *Organisation Structure*

4.3 The Commissioner of Correctional Services, the head of the CSD, is underpinned by one Deputy Commissioner with the support of four Assistant Commissioners, one Civil Secretary (a civilian post), two Chief Superintendents and one General Manager (Correctional Services Industries) (CSI) at the directorate level. The Department has five divisions, each responsible for specific areas of work –

- (a) *the Operations Division* manages 23 correctional institutions, three half-way houses, four rehabilitation centres, two custodial wards in public hospitals and one centre for immigration detainees;
- (b) *the Quality Assurance Division* focuses on implementation of ordinances, rules and regulations; eradication of illicit activities inside institutions (such as crackdowns on gambling among prisoners and interception of drugs); and investigation of complaints;
- (c) *the Rehabilitation Division* coordinates the delivery of rehabilitative services (pre-sentence assessment, welfare and counselling, psychological, education and vocational training services etc.) and fosters community support for offender rehabilitation;
- (d) *the Human Resource Division* takes charge of the management of the Department's human resources; and
- (e) *the Administration, Personnel and Planning Division* provides a wide range of support services to the Department and the institutions, including information technology and public relations.

### ***Staffing***

4.4 As at 1 January 2008, the Department had an establishment of 6 622 posts. Of these, 5 940 posts (including nine directorate posts) were on Disciplined Services grades and ranks, comprising 4 817 (81%) posts of Rank and File grades and 1 123 (19%) posts of Officer grades. Around 90% of the staff work in the correctional institutions, i.e. the Operations Division, as shown in *Table 4.1*.

*Table 4.1: Distribution of CSD non-directorate posts as at 1 January 2008*

Division	Rank & File Grades		Officer Grades			Total
	Assistant Officer	Instructor	Officer/ Superintendent	Industrial Officer	Technical Instructor	
Operations	4 425 (95.2%)	171 (100%)	678 (71.6%)	40 (71.4%)	111 (100%)	5 425 (91.5%)
Quality Assurance	114 (2.4%)	-	44 (4.6%)	-	-	158 (2.7%)
Rehabilitation	102 (2.2%)	-	155 (16.4%)	-	-	257 (4.3%)
Human Resource	3 (0.1%)	-	11 (1.2%)	-	-	14 (0.2%)
Administration, Personnel and Planning	2 (0.1%)	-	59 (6.2%)	16 (28.6%)	-	77 (1.3%)
<b>Total</b>	<b>4 646</b> (100%)	<b>171</b> (100%)	<b>947</b> (100%)	<b>56</b> (100%)	<b>111</b> (100%)	<b>5 931</b> (100%)

### ***Grade and Rank Structure***

4.5 There are altogether 18 ranks in the CSD disciplined services hierarchy and they are remunerated on the General Disciplined Services Pay Scales. Details of their rank structures and existing pay scales are set out at **Appendix 6**.

4.6 Custodial duties in maintaining the discipline, cleanliness and security of inmates are carried out by the Assistant Officer grade and the Officer/Superintendent of Correctional Services grade. The Chief Superintendent rank at GDS(C) 1 was created in 1993, mainly to oversee the operation of two major maximum security penal institutions.

4.7 Duties on the CSI front are delivered by three disciplined services grades headed by the directorate rank of General Manager (Correctional Services Industries) at GDS(C) 1 level. Both the Instructor (Inst) and Technical Instructor (TI) are one-rank grades and are supervised by the Industrial Officer grade, although Inst on some occasions are under the supervision of TI in charge of smaller workshops.

## **Relevant Considerations**

### ***Job Factors and Special Factors***

4.8 We have examined the job factors and special factors in regard to the Correctional Services grades and ranks. As with others in the Disciplined Services, the Correctional Services have their own characteristics, including but are not limited to the following –

- (a) Correctional Services staff manage a penal population coming from all strata in the society, being detained involuntarily in correctional institutions of different security levels (including six maximum security institutions). Their work involves close contact with prisoners, with inherent danger and stress from the threat of violence and handling of inmates, some with infectious diseases, psychiatric problems and complicated background. Officers must be alert at all times whilst on duty to make correct and timely decisions, and to deal with a variety of irregularities, unpredictable or even violent situations including possible disturbances inside the institutions. They have to handle obnoxious tasks such as stool monitoring and faecal searches against suspected drug abuse.
- (b) Demand on physical fitness of the staff is high because they have to cope with frequent outdoor and patrol duties, as well as long hours of standing throughout the shift period.
- (c) All Correctional Services staff have to perform shift duties and their conditioned working hours are 49 per week, and they are subject to on-call and standby duties. To ensure round-the-clock operation, the CSD's shift pattern and rotation system entail frequent overnight shifts, varying day-off and irregular meal time. At present, only about 5% of the staff work are on a five-day week pattern.
- (d) Correctional institutions are aging, with harsh and restrictive environment, often overcrowded, and many are located in remote areas (only five are in urban areas).

### *Changes Since Last Reviews*

4.9 In tandem with the developments in Hong Kong, the Correctional Services have experienced many changes and encountered new challenges over the years. Some of the more notable changes presented in the CSD submissions are summarised below –

- (a) *Prison overcrowding and outdated facilities* : In 2007, the 23 correctional institutions housed an average daily number of 9 987 prisoners, representing an occupancy rate of over 102%. There is in particular severe overcrowding in female institutions as well as reception centres. Nine of the institutions are more than 40 years old and eight not purpose-built.
- (b) *New challenges in control of illicit activities in penal institutions* : Risks and frequencies of illicit activities in the correctional institutions have heightened with advancement in technology and expanded penal population. The rising trends of soccer gambling and abuse of psychotropic drugs amongst the penal population necessitate the introduction of new detection measures such as new dangerous drugs detection equipment and urine test methods. Composition of the penal population has also changed with an increasing number of offenders from the Mainland and South Asia, resulting in greater challenges in handling language and cultural differences. Intelligence networks have been strengthened in the correctional institutions, and more than 200 special search operations to combat gambling activities and possession of contrabands have been conducted in the past two years.
- (c) *Rehabilitation and quality enhancement* : In the past 20 years, the CSD has undergone major transformation in work priorities in response to changing needs and new developments. Of particular importance is the shift from primarily custodial service to greater emphasis on rehabilitation of offenders to enable them to become

law-abiding citizens. Four pieces of new legislation have been introduced adding six different correctional programmes for the care and supervision of young offenders and adult prisoners. In addition to custodial and rehabilitative duties inside penal institutions, Correctional Services staff have to handle an increasing number of cases of post-release supervision. With greater emphasis on rehabilitation, the CSD has adopted a two-pronged approach of stepping up its rehabilitative services (e.g. welfare and counselling) and soliciting community support through public education and partnership with non-government organisations and community leaders. Another new development is the upgrading of CSI products. Examples include ISO accreditation of the CSI laundry and sign-making services as well as production of high-end “Gore-Tex”-licensed shoes for the Disciplined Services. The commercial value of goods/services provided by the CSI to public bodies has substantially grown from \$178.7 million in 1988 to \$412.4 million in 2007.

- (d) *Rising expectation on accountability* : The CSD has introduced major improvements to its complaint and redress mechanism. For instance, ISO standards were introduced into the Department’s complaint handling system in 2000, and later to the penal institutions inspection mechanism in 2004. Furthermore, new mandatory requirements consequential to the enactment of legislation, including the Ombudsman Ordinance and the Bill of Rights Ordinance, have resulted in more stringent internal orders and instructions on the Department’s operations. More restrictions are imposed on the Correctional Services staff in undertaking search and intensive surveillance. Staff are subject to greater challenges by inmates and outside bodies using the complaint mechanism, legal and judicial processes to make their cases, resulting in heavier stress and additional work on the Correctional Services staff.

4.10 Some workload indicators of the CSD are given at **Appendix 7**. The occupancy rate of correctional institutions continues to exceed their capacity. On the rehabilitation front, the number of counselling and welfare services sessions and visits shows a steady increase. Following the introduction of efficiency saving measures (e.g. Enhanced Productivity Programme in 1999 and Efficiency Savings Programme in 2002), the CSD has, up to 31 December 2007, deleted 805 posts, a reduction of 8% in its establishment, resulting in heavier workload and stress for the staff.

### ***Recruitment***

4.11 We observe no recruitment difficulty in all recruitment ranks in the CSD, including the Assistant Officer (AO II), Officer, Inst and Industrial Officer ranks. Entry into these ranks is very competitive as evidenced by the large number of applications received. For the TI rank, recruitment is made through in-service appointment of qualified Inst. Relevant statistics are summarised in *Table 4.2*.

*Table 4.2: Recruitment statistics in the CSD (most recent recruitment exercises)*

<b>Rank (year of recruitment exercise)</b>	<b>Target no. of recruits</b>	<b>Applications received</b>	<b>Offers made</b>
Assistant Officer II (2006-07)	133	4 639	133
Officer (2006-07)	30	4 980	30
Instructor (Correctional Services) (2006-07)	38	456	17 <sup>Note</sup>
Industrial Officer (Correctional Services) (2005-06)	5	1 593	8

(Note : Some offers were made in the following year.)

### ***Retention***

4.12 We do not see any retention problem in the Correctional Services ranks. The numbers of leavers other than those arising from natural wastage (such as retirement) are small. Wastage figures in respect of the AO II and Officer ranks are shown in *Table 4.3*. Similar figures in respect of the other recruitment ranks are even lower with only one officer each leaving the Industrial Officer and Inst ranks in the same period.

Table 4.3: Wastage from the AO II and Officer ranks in the past five years

Recruitment ranks		2003-04	2004-05	2005-06	2006-07	2007-08
AO II	Wastage number	2	1	2	10	22
	As % of strength	0.1%	0.03%	0.1%	0.3%	0.8%
Officer	Wastage number	0	0	1	3	11
	As % of strength	-	-	0.2%	0.5%	1.9%

(Note : Natural wastage is excluded)

4.13 However, it was represented to us that early retirement of the Assistant Officer grade, particularly AO II, was quite serious, indicating that some staff would rather leave the service early due to the stressful job nature. As mentioned in Chapter 3, early retirement is basically a personal choice, and the retirement figures are not unusual when compared with major grades in the civil service. That said, we share the view that we need to pay attention to the morale and retention issues of mid-career and long-serving AO II.

### ***Career Progression***

4.14 We note that career progression of the Assistant Officer grade and the Officer grades is less favourable when compared with the situation two decades ago. We must stress, however, that promotion is not a right, and promotion prospects may change depending on a range of factors, including the rank structure, establishment of promotion ranks, staff profile and merit of individual staff. In the case of the Assistant Officer grade, the two-rank structure is a favourable factor when compared with the three-rank structure in most other Rank and File grades in the Disciplined Services. The rank ratio of AO II to Assistant Officer I (AO I) at 1.5:1 also compares favourably with most other Disciplined Services.

4.15 The Inst and TI grades on the CSI front are both one-rank grades. There are avenues for in-service appointment of TI to the Industrial Officer grade as well as in-service appointment of Inst to the TI grade.

4.16 While a significant number of staff in the basic ranks are serving on the maximum pay point, we note that this is in fact a general phenomenon in the civil service. As at 1 January 2008, about 72% of the CSD disciplined services staff were serving on the

maximum pay point of the ranks. The situation in the entry ranks is summarised in *Table 4.4*.

*Table 4.4: Entry rank officers at maximum pay point (as at 1 January 2008)*

Rank	No. on maximum pay point	% of total
Assistant Officer II	2 498	87%
Officer	369	59%
Instructor (Correctional Services)	58	42%
Technical Instructor (Correctional Services)	68	63%
Industrial Officer (Correctional Services)	10	45%

## **Analysis and Recommendations**

### ***Assistant Officer Grade***

4.17 We have received quite a number of requests for pay increases in the Assistant Officer grade. In broad terms, both the management and staff proposed upward adjustments to the pay scales of the AO II and AO I ranks to help recruit, retain and boost staff morale, and for parity of pay with the Police Force.

4.18 In view of the satisfactory recruitment situation in the AO II rank under the existing pay and conditions of service, we consider the entry pay appropriate and do not recommend any change. The retention situation is also generally acceptable, and some unnatural wastage in early years might be partly attributable to recruitment of over-qualified candidates to the Rank and File grade. Overall speaking, the existing arrangements of granting one incremental jump at the end of one year of service, followed by another incremental jump after five years of service upon passing the qualifying examination for promotion, are generally effective in retaining staff in early years.

4.19 Having evaluated the circumstances surrounding the Assistant Officer grade, we consider it appropriate to introduce target improvement measures for experienced Assistant Officers (particularly AO II) who have already reached their maximum pay point. In Chapter 3 (paragraphs 3.21 to 3.24), we propose to

introduce more Long Service Increments and restructure them so that AO II can receive an increment after satisfactory completion of 12, 18, 24 and 30 years of service. (**Recommendation 4.1**)

4.20 Taking into account job factors and other relevant considerations arising from changes since the last reviews, we further recommend adding one pay point to the top of the pay scale of the AO II rank. For the AO I rank, we notice that this rank has undertaken more leadership functions, particularly following the efficiency savings measures and downsizing of the departmental establishment where some of the less complex duties of the Officer cadre are now taken up by the more experienced staff in the Rank and File grade. We consider that this trend may continue. There are requests from individual staff suggesting the creation of an additional rank above the AO I rank (e.g. Senior Assistant Officer rank) for improving promotion prospects. Having reviewed the case, we see no functional justifications for the creation of an additional rank and consider the present command structure appropriate. To recognise the increased responsibilities and functions of this rank over the years, we recommend raising the maximum pay of AO I rank by two pay points and increasing the minimum by one pay point. With these improvements, the pay scale of the Assistant Officer grade will be revised as set out below (**Recommendation 4.2**) –

Rank	Existing Pay Scale	Recommended Pay Scale
Assistant Officer II	GDS(R) 2–13 plus two Long Service Increments, one each on completion of 18 and 25 years of in-rank service	GDS(R) 2–14 plus four Long Service Increments, one each on completion of 12, 18, 24 and 30 years of in-rank service
Assistant Officer I	GDS(R) 14–27	GDS(R) 15–29

### ***Officer/Superintendent of Correctional Services Grade***

4.21 A common theme in the submissions is pay increase for the various ranks at different magnitudes and pay parity with the Police Force. As mentioned in paragraphs 4.11 and 4.12, we note that there is no recruitment or retention problem in the CSD Officer rank, and therefore recommend maintaining the entry pay at the current level. Having reviewed the circumstances surrounding the

Officer grade, we consider that improvements should be made to target at mid-career officers in the basic rank and experienced officers in the upper ranks.

4.22 As explained in Chapter 3 (paragraphs 3.29 to 3.35), we do not support the extension of through scale to the Officer grade of the CSD. We note the serious concerns on advancement opportunities for mid-career officers and see the need to sustain morale and motivation. We recommend introducing two new incremental jumps to the Officer rank on completion of five years and eight years of in-rank service respectively, subject to their having passed the qualifying examination for promotion (**Recommendation 4.3**). These new incremental jumps are additions to the existing incremental jump available to the Officer rank upon completion of first year of in-rank service.

4.23 Taking into account the increased scope and complexity of the Officer grade and other relevant considerations, we recommend enhancing the pay scales of the non-directorate ranks as follows (**Recommendation 4.4**) –

Rank	Existing Pay Scale	Recommended Pay Scale
Officer	GDS(O) 5–20	GDS(O) 5–21
Principal Officer	GDS(O) 21–25	GDS(O) 22–26
Chief Officer	GDS(O) 26–31	GDS(O) 27–32
Superintendent of Correctional Services	GDS(O) 32–35	GDS(O) 33–36
Senior Superintendent of Correctional Services	GDS(O) 36–38	GDS(O) 37–39

4.24 We have received submissions from Officers who are qualified Registered Nurses engaged in hospital duties in the correctional institutions<sup>17</sup>. They stated that their pay and promotion prospects were less favourable than their nursing counterparts in the Hospital Authority and hence requested for pay improvement to recognise the nursing duties. At present, the multiple entry

<sup>17</sup> There are two custodial wards in public hospitals and all CSD penal institutions have their own hospitals or sick bays providing basic medical treatment and healthcare to inmates.

arrangement for the Officer rank allows recruits with nursing or degree qualifications to receive higher entry pay. Given that hospital duty is only one of the various functions performed by the Officer rank, and these officers with nursing qualifications are subject to posting to various streams within the Department, it is inappropriate to make direct comparison with the nursing staff working in the Hospital Authority. We also note that these officers are eligible for promotion to the senior ranks of the Department. Taking all these factors into account, we do not support the request.

***The Correctional Services Industries Grades***

**Instructor (Correctional Services) Grade**

4.25 The CSI grades focus on teaching vocational skills to inmates, supervising the production process and maintaining productivity and quality. The Inst grade is the Rank and File grade of the CSI stream. It supervises smaller workshops with relatively routine production.

4.26 The staff have proposed abolishing this one-rank grade and merging with the Technical Instructor grade on grounds that the two grades perform similar roles and carry out comparable levels of responsibilities. We note that at present, qualified Inst can advance to the TI rank through in-service appointment. The CSD has also confirmed that various in-service training is being provided to Inst grade in production management and supervisory skills to enhance their advancement prospects to the TI grade. That said, the Department considers that maintaining the TI rank as a recruitment rank will allow more flexibility for the CSI section to meet the changing developments at different times. Having balanced all considerations, we consider it appropriate to maintain the present grade structure. We note however the enhanced job factors in CSI duties and recommend raising the scale maximum by one pay point as follows (**Recommendation 4.5**) –

Rank	Existing Pay Scale	Recommended Pay Scale
Instructor (Correctional Services)	GDS(R) 3–19	GDS(R) 3–20

Technical Instructor (Correctional Services) Grade

4.27 The environment and the nature of the work of the TI grade are similar to those of the Inst grade, with the TI grade supervising larger workshops engaged in more complex production work requiring more sophisticated machinery and equipment. In recognition of the increased job complexities, we recommend raising the maximum pay of this one-rank grade by one pay point (**Recommendation 4.6**) –

Rank	Existing Pay Scale	Recommended Pay Scale
Technical Instructor (Correctional Services)	GDS(O) 4–13	GDS(O) 4–14

4.28 We do not support the request for extending Long Service Increments to the TI grade. When the TI grade was transferred from a civilian grade remunerated on the Master Pay Scale to a disciplined services grade remunerated on the GDS(O) Pay Scale in 1991, it was then decided that incremental jumps and Long Service Increments should not be extended to this one-rank grade. There is no change in circumstances that justify a reversal of the decision, particularly in the absence of any recruitment or retention problem in this grade.

Industrial Officer (Correctional Services) Grade

4.29 The Industrial Officer grade is responsible for the overall management of manufacturing units in the correctional institutions. As set out in paragraph 4.22, we do not support the extension of through scale to this grade. Similar to their counterparts in the Officer grade, we recommend the same pay improvements to the Industrial Officer grade as follows (**Recommendation 4.7**) –

Ranks	Existing Pay Scale	Recommended Pay Scale
Industrial Officer (Correctional Services)	GDS(O) 5–20	GDS(O) 5–21
Principal Industrial Officer (Correctional Services)	GDS(O) 21–25	GDS(O) 22–26
Chief Industrial Officer (Correctional Services)	GDS(O) 26–31	GDS(O) 27–32
Superintendent of Correctional Services Industries	GDS(O) 32–35	GDS(O) 33–36

4.30 The two new incremental jumps as recommended in paragraph 4.22 above will similarly apply to the Industrial Officer rank. (**Recommendation 4.8**)

### ***The Directorate***

4.31 The management and staff proposed that the Senior Superintendent rank should be deleted to help shorten the promotion ladder to the directorate so as to facilitate staff succession planning. The management further proposed that nine posts of Senior Superintendent (SS) should be upgraded to Chief Superintendent (CS) (remunerated at GDS(C) 1) and three SS posts be downgraded to Superintendent rank.

4.32 At present, there are clear distinctions between the SS and CS ranks in terms of functional responsibilities. The SS rank is the most senior rank at the non-directorate level, whereas the CS rank is the first rank at the directorate level, being expected to oversee a broader portfolio with heavier and more complex managerial responsibilities. These two levels are also integral parts of the broadbanded command structure of other Disciplined Services. In view of the above, we see the functional need for retaining the SS rank. (**Recommendation 4.9**)

4.33 On the re-grading proposals, we wish to stress that ranking of posts should be founded on functional justifications. Promotion and succession planning are not relevant and sufficient reasons in support of upgrading the posts to higher ranks. That said, we note that certain functions of the CSD have grown in scope and complexity, and higher level steer and input might be required. It is for the management to review whether there is a case to upgrade certain posts, or create new ones, to meet the changing needs of the Department. We note that there is a well-established mechanism for considering these cases. The CSD may wish to pursue this and submit formal proposals with detailed justifications to the Administration under the existing mechanism.

4.34 We will set out our recommendations on the directorate pay scales in Chapter 11 (paragraph 11.10).

### ***Conditioned Hours of Work***

4.35 Staff representatives have expressed concerns that they have limited “disposable time” because of the relatively long conditioned hours of work of 49 per week and remoteness of their workplace. The rotating shift system and irregular meal times also create extra hardship for them. There are requests for a reduction of conditioned hours to 48 hours (or lower) to relieve work pressure and allow more rest time for staff.

4.36 As mentioned in Chapter 3 (paragraphs 3.44 to 3.47), there are no uniform conditioned hours of work across the Disciplined Services or the civil service. The prevailing conditioned hours of the different Disciplined Services have been set having regard to a combination of factors, including operational needs, total responsibilities of each Service, the manpower situation and resource deployment. Any change in conditioned hours might have implications on pay. Since the beginning of the GSR, we have kept an open mind to proposals for reduction of conditioned hours if they could meet the pre-requisites of being cost-neutral, not involving additional manpower requirement and maintaining the same level of service to the public. In this connection, we have discussed the matter with the CSD management and are given to understand that the management, having consulted the staff, is not ready to further pursue the proposal at this juncture under the three conditions. We also note that some supporting measures are in place. For instance, barrack quarters are provided for the staff at each of the correctional institution for on-call duty. The shift pattern is also structured in such a way that the meal break hour can occur immediately before and after a shift whilst being counted towards the weekly conditioned hours. Job-related Allowances (JRA), as elaborated in paragraph 4.37, are also provided for officers working in remote stations. It is for the CSD management, in consultation with the staff and the Administration, to consider any change in conditioned hours, where appropriate. We would be pleased to consider this issue if our advice is sought in this regard.

### ***Job-Related Allowances***

4.37 At present, CSD officers are eligible for Remote Station Allowance and the associated Additional Allowance and the Special

Allowance for Correctional Services staff performing overnight on-call. These allowances were not covered in the Administration's review of JRA in 2007, and the Administration is actively reviewing these special allowances in consultation with the CSD, the Police Force and relevant bureaux. The Standing Committee has urged the Administration to expedite the review. The proposals would include extending the payment of the allowances to cover more people and updating the rate-setting mechanism and rate of these allowances. We understand that the review is now in its final stage, and we will offer our advice when the review results are ready by the end of 2008.

### **Summary of Key Recommendations**

- 4.38 In summary, we recommend that –
- (a) the pay scales of the non-directorate ranks of the CSD should be enhanced as detailed in **Appendix 8**; and
  - (b) the existing rank structure of the SS and CS ranks of the CSD should be maintained.