

# TREATMENT OF ILLICIT DRUG USERS IN HONG KONG

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With the mission of protecting the public and reducing crime, Hong Kong Correctional Services Department (CSD) safeguards the integrity of the criminal justice system by identifying itself as “Society’s Guardian”, “Rehabilitation Facilitator” and “Community Educator”. CSD aims at helping persons in custody (PICs) reintegrate into society as law-abiding citizens after discharge. The success of their re-integration depends on four critical success factors, namely 1) safe custody, 2) effective and timely rehabilitation programmes, 3) determination of offenders, and 4) community support for offenders’ rehabilitation.

CSD, as a statutory department, provides compulsory residential addiction treatment under the order of Court. We, in accordance with illicit drug users’ weakness and shortcomings, implement integrated and appropriate rehabilitation programmes ranging from pre-sentence assessment and custodial rehabilitation programmes to statutory supervision after discharge.

In order to promote messages of “leading a law-abiding and drug-free life as well as supporting offender rehabilitation” to the society, CSD also endeavours to communicate with various stakeholders in the community such as leaders and professionals from different walks of life for arranging different kinds of crime prevention activities. To optimize the long-term development of rehabilitation programmes for a safe and inclusive Hong Kong, CSD will also conduct possible research project to assess effectiveness of its programmes.

## I. INTRODUCTION

Hong Kong Correctional Services Department (CSD) carried out the paradigm shift from a penal regime to a correctional system as signified by renaming the Prisons Department to the Correctional Services Department in 1982. We, as the gatekeepers of the last element of the criminal justice system, aim to be an internationally acclaimed Correctional Service helping Hong Kong to be one of the safest cities in the world. Our mission is to protect the public and reduce crime. To achieve it, we identify ourselves as “Society’s Guardian”, “Rehabilitation Facilitator” and “Community Educator”. We are tasked with great responsibilities of upholding our core values by providing a secure, safe, humane, decent and healthy environment for persons in custody (PICs) as well as working in collaboration with the community and other organizations to continually improve the rehabilitation programmes and help PICs rehabilitate and reintegrate into the community as law-abiding citizens after their discharge.

The success of PICs’ re-integration into society depends on four critical success factors [i.e. 1) Safe Custody, 2) Effective and Timely Rehabilitation Programmes, 3) Determination of Offenders, and 4) Community Support for Offender Rehabilitation]. Safe custody and appropriate rehabilitation programmes are the cornerstones of all internationally acclaimed correctional services. It is essential to provide a safe custodial environment for delivery of various rehabilitation programmes to help PICs turn over a new leaf.

In response to the growing concern on the reform of offenders, CSD set up the Rehabilitation Division to focus its work on offenders’ rehabilitation in 1998. Since then, CSD has been striving to strengthen the co-ordination and connection with other concerned organizations on formulating strategies for long-term development of rehabilitation. The Rehabilitation Division, headed by the Assistant Commissioner (Rehabilitation), provides appropriate rehabilitation programmes for all PICs including illicit drug users in Drug Addiction Treatment Centres (DATC), ranging from pre-sentence assessment, welfare and counselling,

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education, work and vocational training, religious, to statutory supervision after discharge. Meanwhile, it mobilizes outside resources for continuous rehabilitation programme enhancement, community education and promotion to the public for their acceptance of rehabilitated persons for an inclusive society, so as to facilitate PICs in reintegrating into society. With the effort of the CSD, the recidivism rate<sup>1</sup> of rehabilitated persons has been in a downward trend with a 7.2% drop from 2008 (34.3%) to 2015 (27.1%).

This paper mainly focuses on how the CSD provides assessment, appropriate rehabilitation programmes, supervision and community education to help illicit drug users to reintegrate into the society and to prevent crime.

### **A. Screening and Assessment of Drug Addiction Treatment Centres (DATC)**

Under Hong Kong Law Chapter 244 Drug Addiction Treatment Centres Ordinance (the Ordinance), Drug Addiction Treatment Centres (DATC) are provided for the cure and rehabilitation of persons found guilty of a relevant offence who are addicted to any dangerous drug.

*Cap.244 S4(1): “Where a person is found guilty of a relevant offence and the court is satisfied that in the circumstances of the case and having regard to his character and previous conduct it is in his interest and the public interest that he should undergo a period of cure and rehabilitation in an addiction treatment centre, the court may, in lieu of imposing any other sentence, order that such person be detained in an addiction treatment centre.”*

#### **1. Pre-sentence Assessment**

*Cap.244 S4(3): “Before a detention order is made in respect of any person, the court shall consider a report of the Commissioner on the suitability of such person for cure and rehabilitation and on the availability of places at addiction treatment centres.....”*

The successful re-integration of offenders through effective rehabilitation programmes depends very much on giving offenders appropriate sentence and placement that can best meet their rehabilitative needs. To ensure offenders receive the most appropriate rehabilitation programmes during their incarceration, pre-sentence assessment are provided to young offenders and offenders who are ordered to have the assessment report by courts. After interviewing the offenders under remand and obtaining their background information such as conviction record, offence details, drug addiction history, employment or education, family situation, etc., CSD will advise the courts on the suitability of offenders to be sentenced to being detained in Detention Centre, Rehabilitation Centre, Training Centre, Drug Addiction Treatment Centre (for those illicit drug users), or other sentencing options, including imprisonment.

Pre-sentence Assessment provides the court with profiles of the persons awaiting sentence and makes recommendations on the rehabilitation scheme for them. There were 2,200 cases in 2017.

### **B. Treatment and Programmes for Illicit Drug Users**

#### **1. Drug Addiction Treatment Centres (DATC)**

*Cap.244 S4(2):*

*“..... detained in an addiction treatment centre for such period, not less than 2 months and not more than 12 months from the date of such order, as the Commissioner may determine, having regard to the health and progress made by such person and the likelihood of his remaining free from addiction to any dangerous drug on his release, and shall then be released.”*

An illicit drug user, who is convicted of criminal offences, might be ordered by court to detain in DATC to receive treatment and rehabilitation for a minimum period of two months to a maximum of 12 months, followed by one year’s statutory supervision. The length of detention is determined by a Board of Review which examines the health and progress of each person in custody and his likelihood of remaining free from drug abuse after release.

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<sup>1</sup> Recidivism rate is the percentage of re-admission (due to commission of a new offence) of local convicts within two years after discharge.

There are 4 institutions under the CSD providing drug addiction treatment to those illicit drug users ordered by court to be detained in DATC. Base on sexuality and age, they will be detained in Hei Ling Chau Addiction Treatment Centre (Male adult drug addicts), Lai Sun Correctional Institution (Male young drug addicts), Nei Kwu Correctional Institution (Female adult drug addicts) and Lai King Correctional Institution (Female young drug addicts).

The drug addiction treatment programme encompasses 3 phases – (i) detoxification and restoration of physical health; (ii) Uprooting psychological and emotional dependence on drugs; and (iii) Facilitating the reintegration of persons in custody into the community after release. DATC inmates undergo the treatment and appropriate rehabilitation programmes during the detention period while a Board of Review composed by officers from different units would monitor their progress and interview with them regularly.

## 2. Risks and Needs Assessment and Management Protocol

Risks and Needs Assessment and Management Protocol have been implemented since 2007. It is a scientific and evidence-based evaluation of PIC's re-offending risks (which will affect the amount and the intensity of rehabilitation that a PIC will receive during incarceration) and rehabilitative needs. After illicit drug abusers are sentenced by courts to DATC, they will be assessed by staff to identify their rehabilitative needs via Risks and Needs Assessment and Management Protocol.

In accordance with the rehabilitative profiles of inmates generated by the Risks and Needs Assessment, the CSD is able to provide better rehabilitation programmes matching and supervision for them. The seven domains of rehabilitative needs and respective rehabilitation programmes are shown in figure 1.



Figure 1) Seven Needs Domains and Respective Rehabilitation Programmes

DATC inmates, who normally have “high” risks in the “Drug Abuse” domain, will be provided with Drug Abuse Rehabilitation Programme and Relapse Prevention Group. The participation of inmates in the programmes is on a voluntary basis as the effectiveness of the programmes very much depends on the extent of their motivation and commitment. For those with low motivation, the responsivity enhancement programme will be provided to them with a view to enhancing their responsivity to counselling and strengthening their motivation to change.

## 3. Welfare and Counselling Services

While undergoing incarceration, inmates might encounter personal problems and cope with difficulties arising from detention. Rehabilitation Officers are responsible for providing timely assistance, guidance and counselling to them. Cultural activities, such as pop bands, essay writing competitions and hobby classes are also promoted among inmates to unveil their talents and potential which could help them develop positive self-image.

The “Pre-release Re-integration Orientation Course” is also organized to help inmates reintegrate smoothly into society upon their release. Through the course, assistance is provided to the pre-discharged inmates for their better understanding of the environment that they would face to after discharge. They are provided with society’s information on different themes including social welfare services, education and social facilities, legal assistance, latest labour market information, job-interview techniques, medical services, community resources, and interpersonal skills. Most significantly, through the knowledge they acquired, the probability of having a smoother re-integration and resocialization process is further enhanced. With such,

the chance of inmates relapsing to drug or crimes would be reduced.

Another specially designed programme is the “Relapse Prevention Course” which helps inmate’s gain correct understanding of drug use and relapse prevention, uplift determination to stay away from drugs and rebuild family relationships that might have been ruined due to drug abuse and committal of offences.

#### 4. Psychological Services

In order to assist inmates in adapting to imprisonment and enhance their psychological well-being, counselling and specific psychological programmes are provided to help them gain an in-depth understanding of their psychological qualities and reflection on their past criminal behaviour, as well as facilitate them in making positive changes and minimizing re-offending risk. Psychological counselling to inmates includes professional assessment, counselling and treatment provided by clinical psychologists and officers of the Psychologist Services Section.

The treatment of psychological dependence is effected through work therapy as well as individual and group counselling which aim at helping inmates gain better insight into their drug problems and preparing them for a pro-social and drug-free life. Furthermore, psychological programmes, for example the “Responsivity Enhancement Programme”, is provided for enhancing inmates’ treatment responsivity including their motivation to change, perceived usefulness of treatment, perceived possibility of success and self-efficacy. The “Abstinence Maintenance Programme” to improve inmates’ efficacy in dealing with problems of drug abuse and identifying high risk situations relating to relapse as well as developing basic skills to deal with high risk situations, and the “Intensive Treatment Programme” to facilitate cognitive and behavioural changes of inmates crucial in maintaining drug abstinence are also provided.

#### 5. Education Programme

Education helps inmates to improve their academic standards, interpersonal skills and restore their self-esteem and confidence, which help their future re-integration. The Education Unit, with Education Officers, who are qualified teachers holding bachelor’s degrees and teachers’ training, provides both young and adult inmates with opportunities to upgrade themselves through education and to assist their participation in public examinations.

To help restore a positive learning habit and encourage young inmates to acquire accredited academic qualifications, half-day compulsory education focusing on general and practical subjects, such as computer-related and commercial, is provided for young inmates under the age of 21. The acquisition of accredited qualifications provides inmates with the opportunity to re-examine their own talents and promoting their self-image.

Tutorial groups and hobby classes conducted by volunteer tutors are also run in adult institutions, where adult inmates can enroll voluntarily. They are also encouraged to participate in continuing education and distance learning for tertiary education by making use of the resources and expertise of external accredited educational organizations. Both young and adult inmates are encouraged to attend local and international public examinations, such as the Hong Kong Diploma of Secondary Education Examination (HKDSE), the London Chamber of Commerce and Industry Examinations and other public examinations required by distance learning courses at degree, diploma or certificate levels. Appropriate rearrangement on the daily routine programmes of inmates is made to facilitate their preparation for examination. Needy inmates may apply for financial assistance from a statutory fund donated by the public specially set up for their education pursuits should they encounter financial difficulties.

#### 6. Industries and Vocational Training (I&VT)

The CSD keeps inmates purposely and gainfully occupied for maintaining the stability of penal institutions. Many inmates might have sluggish working attitudes or might be reluctant to find a job before they are imprisoned. To correct their attitudes, we arrange work for adult inmates according to law with emphasis on regular living style and good working habits. In the pursuit of rehabilitation, we help them reintegrate into society through acquisition of skills in industrial work and vocational training to enhance their employability. For this reason, provision of vocational training to inmates is an important component of the CSD’s rehabilitation regime.

For young inmates, half-day compulsory vocational training including technical, commercial and service industry are provided to facilitate their smooth re-integration into the community. Equal importance is placed on theoretical and practical aspects of the curriculums which prepare them for pursuing further training after release. For adult inmates, they, engaged in industrial production, are trained to acquire necessary skills. Where appropriate, CSD helps them obtain skill accreditation by enrolling them in relevant Intermediate Trade Tests conducted by vocational training organizations, or applying through the Recognition of Prior Learning Scheme under the Hong Kong Qualifications Framework. Besides, in order to enhance inmates' competitiveness in the labour market with promising employment opportunities after discharge, we, in recent years, have been adopting a proactive approach to collaborate with professional training bodies providing more than 40 diversified and market-oriented vocational training courses on a full-time and part-time voluntary basis, including dim sum making, pet grooming, bar bending, and beauty care, etc., which keep pace with developments in the community. To tie in with the employment situation in the market, we will continue organizing more market-oriented vocational training to help inmates enhance their professional skills with recognized qualifications and be considerably well paid.

#### 7. Religious Services

Our programmes are also enriched with religious and spiritual dimensions with the assistance of religious bodies. Through the Correctional Services Chaplain, Honorary Chaplains and volunteers from prominent religious organizations, a wide range of religious services such as teaching classes, counselling groups, religious worships, masses presided by Head of the Church, and so on can be offered to the interested prisoners regardless of their religious affiliations. We believe the effort of our religious partners can boost the harmony of the custodial environment and thus lighten the prison atmosphere.

#### 8. Recreation Activities

A wide range of recreational activities is organized to promote the physical and mental health of the inmates so that they will be able to meet the demands of outside environment upon discharge. The activities include basketball, volleyball, table tennis, Chinese billiards, Chinese chess, library book reading and television watching, etc.

#### 9. Family Support

With family support, inmates could uphold their determination to be good people. In order to improve the communication between young inmates and their families, and to encourage their family members' participation in rehabilitation, the Inmate-Parent Programme<sup>2</sup> is implemented for them. Furthermore, to build up close relationships between inmates and their families as well as their self-esteem, Certificate Presentations on inmate's academic result with their family members taking part are held in various institutions.

#### 10. Community Engagement

The Personal Encounter with Prisoners Scheme (PEPS) has been in place since March 1993. Being integrated as an initiative under the Rehabilitation Pioneer Project (RPP)<sup>3</sup>, the PEPS aims to generate attitudinal and behavioural changes among youths through activities like visits to correctional institutions and face-to-face discussions with rehabilitated persons, e.g. DATC inmates' past experience sharing during the program. Inmates are arranged to share the detriment of drug abuse and their rehabilitation experience with visiting students in RPP and thereby enhance their determination to start anew. By sharing their past experience and assuming the role of "life coach", inmates themselves could also uplift their self-confidence and positive self-identities as models for the younger generation. It also develops their sense of contribution to the society.

### **C. After Discharge**

Reintegration into society does not cease but begins at the completion of detention period in DATC. Various measures are administered and implemented to facilitate reintegration and engage community

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<sup>2</sup> The parents of young inmates are invited to the institutions to have familiarization visit to the facilities and participate in inmate-parent groups organized by rehabilitation unit officers and clinical psychologists.

<sup>3</sup> In May 2008, the CSD launched the RPP, an integrated series of enhanced public education initiatives. The objectives of the RPP are to promote crime prevention by advocating the importance of leading a law-abiding and drug-free life among young people as well as enlist their support for offender rehabilitation.

support for accepting the return of rehabilitated illicit drug users.

1. Statutory Supervision

*Cap.244 S4(5):*

*“The Commissioner may order that a person released from an addiction treatment centre shall, for a period of 12 months from the date of his release, be subject to supervision by such organization or person.....”*

To facilitate inmates’ re-integration into society upon discharge, one-year statutory supervision is provided for DATC inmates. Rehabilitation Officers help inmates in the rehabilitation process and the reconciliation of any conflicts with their families. They are also responsible for monitoring the case during the supervision period. To prepare for effective supervision, Supervising Officers strive to foster a relationship of mutual trust with inmates and their families while the inmates are still in custody. They also offer inmates appropriate support and guidance to help them adapt to the institutional regime. Through regular contacts, home visits, work / school visit, job referral, community resources referral, supervisions, counselling as well as crisis intervention during supervision periods, the supervisees are assisted in leading law-abiding and decent lives. Moreover, to ensure that they have not relapsed to drug abuse, urine specimens will be tested regularly and surprisingly. During the period of supervision, a breach of the conditions of the supervision order may result in the supervisees being recalled for a further period in a penal institution. Furthermore, we also coordinate with community partners to help bring changes to discharges and supervisees under the “Continuing Care Project”. Since 2004, we have made over 2,000 referrals for the needy discharges who have completed statutory supervision to 7 recognized NGOs with specific target groups including women, persons with drug abuse history, clients with family issues, etc.

An initiative worth mentioning is the Half-way House Programme, which is an extension of the rehabilitative efforts sustained in DATC. Following release, supervisees in need of a period of transitional adjustment are arranged to reside in a half-way house from which they go out to work or school during daytime and return at night. It seeks to cultivate a sense of self-discipline and good working habits in a structured and supportive environment.

**D. Prevention**

1. Community Education

Facilitating changes in offenders to rehabilitate certainly and directly helps reduce re-offending behaviour and crimes. But to move one step forward, educating the youth and students not to commit crimes by utilizing our resources and the distinct nature of the corrections profession could help crime prevention from the source.

To achieve this, we have been running the Rehabilitation Pioneer Project since 2008 for secondary school students and the youth. We seek to disseminate the messages of leading a law-abiding and drug-free life as well as supporting offender rehabilitation through a series of activities<sup>4</sup>. Among them, “The Reflective Path” programme is a new initiative launched. We use a discontinued prison as an education site to provide simulation of real situations in prison for participants to experience custodial life such as mock court hearings, simulated reception procedures, short stays in dormitories and single cells, foot-drill training, simulated work groups and end up with a sharing session by a prisoner. Our aim is to let them experience the bitterness of prison life and thus, make this the one and only chance in their lives of being sentenced to imprisonment. In 2017, attendance was over 39,000, including young people and other participants in various activities. The programmes were well received with positive responses.

2. Publicity Campaign

It is one of our endeavours to engage more and more community support for offender rehabilitation. Since 1999, structured publicity activities have been promulgated to bridge persons in custody and society. Coupled with the support of over 80 Non-Government Organizations (NGOs) to provide counselling and a

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<sup>4</sup> The CSD has enriched and developed more RPP initiatives, which now include education talks, the Personal Encounter with Prisoners Scheme (PEPS), the Green Haven Scheme (GHS), visits to the Hong Kong Correctional Services (HKCS) Museum, Student Forums, RPP Extended Training Camp, and the Drama and Musical Performance of “Creation and Rehabilitation” and Reflective Path.

series of cultural, religious and recreational projects, activities such as “District Fight Crime Committees District-based Publicity Activities on Offender Rehabilitation”, “Thank-you NGO Month”, “NGO Forum and Award Presentation Ceremony for Volunteers of CSDRVG” highlights the importance of collaborative efforts with members of the community and NGOs to accept and help offenders rehabilitate. A portion of NGOs and charity organizations also provide special counselling services for rehabilitated persons who have had associations with gangs and triad society.

### 3. Research and Development

The CSD will broaden and deepen research capacity by reshuffling the resources to expand the scope and diversity of the research studies, strengthening the capacity in data collection and analysis and enlisting research support from external parties to identify areas of improvement in correctional practices. Local criminals are all products of a community. We hope to work with universities and other professional bodies, to make use of this unique database to find out common social issues, juvenile behaviour and deviance distinctive to Hong Kong, and in the long run help the development of Hong Kong in terms of crime prevention. Prisons may serve as a research centre to feedback important messages to the community and inspire us to improve. In 2017, a “Consultancy Study on Social Costs of Crime” was conducted with a local tertiary institution to explore the harms that crimes could bring to society, such as the economic or other losses associated with criminal activity to society as an entity and individual, including those victims, offenders and their families. This is the first consultancy study in Hong Kong and in Asia. It adopts evidence-based methodology to evaluate the effectiveness of the CSD’s work by quantifying in monetary terms the social cost arising from crime and the cost saved through rehabilitation and community education. The cost saved amounts to \$74.3 billion in five years.

On the other hand, in recent years, there has been a rapid change of bio-psycho-socio factors related to drug abuse (e.g. types of drug substances abused, demography of drug abusers, and changes in economic background). In order to combat drug problems, the CSD is conducting another research project, namely the “Review and Development of Rehabilitation Programmes provided for Drug Addiction Treatment Centre Programme” to review the matching programmes under Risks and Needs protocol, vocational training courses and counselling programmes, particularly on exploring effective ways to tackle recallee problems, such as risk factors related to their relapse to drug.

## II. CONCLUSION

The CSD, as “Society’s Guardian”, “Rehabilitation Facilitator” and “Community Educator”, plays a vital role in protecting public safety and helping Hong Kong to be one of the safest cities in the world by safeguarding the integrity of the criminal justice system. For this, effective implementation of rehabilitation programmes is required. Not only does it benefit offenders themselves and their families, but also our community in the long run.

On top of safe custody, the CSD implements integrated and appropriate rehabilitation programmes ranging from pre-sentence assessment and custodial programmes to statutory supervision after discharge. The effectiveness of facilitating offenders’ re-integration into the community hinges not only on appropriate rehabilitation but also on offenders’ responsivity to counselling / treatment and their determination to start anew. Likewise, family and community support are crucial in the process of rehabilitation.

Furthermore, we proactively promote rehabilitation work by collaborating with over 80 NGOs to organize diverse activities for inmates and disseminate the messages of “leading a law-abiding and drug-free life as well as supporting offender rehabilitation” to society for community education in crime prevention.

The CSD will continue striving to strengthen the co-ordination and collaboration with all sectors of the community, and to broaden and deepen research capacity for formulating long-term development of rehabilitation programmes for a safe and inclusive Hong Kong.