
PARTICIPANTS' PAPERS

PROFILES AND EFFECTIVE TREATMENTS OF SERIOUS AND VIOLENT JUVENILE OFFENDERS

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I. INTRODUCTION

Hong Kong, like many other countries and cities around the world, applies special procedures and systems for young offenders.

This paper will firstly outline the prevailing juvenile justice system in Hong Kong, with a detailed discussion of the relevant legislation, the juvenile court, the procedures after arrest of a young offender, the court procedures and sentencing principles.

After that, the paper will analyse the aspects of the assessment and treatment methods for young offenders, with highlights on different correctional regimes administered by the Hong Kong Correctional Services Department (HKCS).

Lastly, the paper will study the prevention methods that help young offenders under HKCS' programmes to rehabilitate and reintegrate into society. There will be a detailed description of HKCS' rehabilitation services which specifically target young offenders.

II. JUSTICE MODEL AND PROCEDURES

A. Brief Description of Hong Kong's Juvenile Justice System

1. Legislation

The policy and procedures for the handling of youths in Hong Kong's juvenile justice system is primarily governed by the Juvenile Offenders Ordinance (JOO) (Cap 226). Other relevant legislation includes the Protection of Children and Juveniles Ordinance (Cap 213); the Probation of Offenders Ordinance (Cap 298); the Detention Centres Ordinance (Cap 239); the Training Centres Ordinance (Cap 280); the Community Service Order Ordinance (Cap 378); the Rehabilitation Centres Ordinance (Cap 567); and the Reformatory Schools Ordinance (Cap 225).

2. Juvenile Court

The minimum age of criminal responsibility in Hong Kong has been raised from seven to 10 after the Juvenile Offenders (Amendment) Ordinance 2003 (the Ordinance) came into force¹. Any persons below the age of 10 cannot be guilty of an offence in law, but they may be subject to care and protection proceedings under the Protection of Children and Juveniles Ordinance.

The Juvenile Court is presided over by a permanent magistrate, who has the jurisdiction to adjudicate alleged criminal offences, other than homicide, committed by a juvenile aged 10-15.

Nevertheless, there are occasions on which juveniles may be transferred to adult courts for trial. These exceptions include a juvenile being:

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¹ The Secretary for Security set 1 July 2003 as the commencement date of the Juvenile Offenders (Amendment) Ordinance 2003. The commencement notice was published in the Gazette on 25 April 2003 and tabled at the Legislative Council on 30 April 2003 for negative vetting.

- (i) charged jointly with a person who has attained 16 years of age;
- (ii) charged with aiding, abetting, counselling, procuring, allowing or permitting an offence with which a person who has attained the age of 16 years is charged at the same time; or
- (iii) charged with an offence arising out of circumstances which are the same as or connected with those giving rise to an offence with which a person who has attained the age of 16 years is charged at the same time.

There is no statutory requirement for magistrates appointed to hear juvenile cases to possess any particular background or training. Nevertheless, before sitting in the Juvenile Court, a Juvenile Court magistrate will be briefed by his or her predecessor on the court practice and procedures. From time to time, Juvenile Court magistrates are encouraged to attend seminars and conferences on related topics.

3. Procedures after Arrest of a Young Offender

(i) Interview

A juvenile arrested by the police will only be interviewed in the presence of a parent, a guardian, or a person (e.g. an older brother or sister) who is of the same sex of the juvenile being interviewed. The absence of such person when a statement is obtained from a juvenile may be considered oppressive and can be sufficient reason for the court to exclude the statement from evidence.

After the interview, the police have the discretion to handle minor offenders informally by cautioning the juvenile. Should the offence warrant formal measures, the police may deal with the case by proceeding with prosecution. Appendix I contains a flowchart which outlines the process of handling a young offender under Hong Kong's juvenile justice system.

(ii) Bail/Detention

Section 4 of JOO stipulates the conditions for the release of a juvenile on bail pending trial. It provides that a juvenile aged under 16, apprehended with or without warrant, must be brought forthwith before a Juvenile Court. Where that cannot be done, an inspector of police or other officer of equal or of superior rank, or the officer in charge of the police station where such a person is brought, must enquire into the case and grant bail unless: the charge is one of homicide or other grave crimes; it is in the juvenile's interest to remove him or her from association with an undesirable person; or the officer has reason to believe that the release of the juvenile would defeat the ends of justice. If a juvenile is not allowed bail, JOO requires that the juvenile be detained in the police station, but must be kept separate and apart from adult detainees.

(iii) Police Cautioning

In Hong Kong, a juvenile aged under 18 who commits a minor offence may receive police cautioning under the Police Superintendent's Discretion Scheme. Under the Scheme, the young offender is interviewed by a police officer of at least the rank of superintendent and given a severe warning about the offence and the consequences of such conduct in future. The juvenile is subject to visits by police officers of the Juvenile Protection Section so as to reinforce the warning with continued police contact.

4. Court Procedure

(i) Admitting/Denying the Charge

When a juvenile is brought before a Juvenile Court for any offence, it is the duty of the court to explain to the juvenile in simple language the substance of the alleged offence. If the court is satisfied that the juvenile understands the nature of the alleged offence, the court will ask the juvenile if he or she admits or denies the charge rather than asking him or her to plead guilty or not guilty.

If the juvenile admits the offence, the usual procedure is for the court to receive a statement of facts from the prosecutor. If the court is satisfied that the offence is made out, the facts will be explained in simple language to the juvenile.

The juvenile will then be asked whether or not those facts are admitted. If the facts are accepted and the court finds the offence is proved, the court will proceed to sentence.

(ii) Hearing

If the offence is not admitted, or if the court is not satisfied that the juvenile understands the nature of the alleged offence, the court will proceed to hear evidence. At the conclusion of the provision of evidence by the prosecution witness, the court will ask the juvenile, or, if it sees fit, his or her parent or guardian, whether he or she wishes to question the witness. The defendant is allowed to make a statement instead of asking a question if he or she so wishes.

If it appears to the court that a *prima facie* case is made out, the juvenile is allowed to give evidence and call defence witnesses, but is not obligated to do so. After hearing all the evidence, the magistrate will render the verdict. If the verdict is not guilty, the court will release the youth. Otherwise, the magistrate will make a finding of guilt and the case proceeds to sentencing.

(iii) Legal Representation

A juvenile is entitled to instruct a private lawyer, to apply for legal aid, or to seek legal assistance from the Duty Lawyer Service (in Magistrates Courts and Juvenile Courts) to represent him or her in court proceedings.

(iv) Parents/Guardians' Involvement

The parent or guardian of the juvenile must attend all stages of the proceedings unless the court orders otherwise.

(v) Protection of Privacy

JOO safeguards the privacy of the youths who appear before the Juvenile Court for trial. It has laid down restrictions on the reporting of and access to the court proceedings in the Juvenile Court.

(vi) Reporting Restrictions

It is an offence for any person to publish written reports or broadcast any proceedings in the Juvenile Court or on appeal from the Juvenile Court, revealing the name, address, school or any particulars calculated to lead to the identification of the juvenile or any witness concerned in the proceedings. The court may dispense with these restrictions if it is in the interests of justice to do so.

(vii) Access to Juvenile Court Hearing

Juvenile courts are not open to members of the public. Only the following persons can be present: the magistrate and officers of the court; parties to the case before the court, their solicitors and counsel, and witnesses and other persons directly concerned in that case; bona fide representatives of newspapers or news agencies; and such other persons as the court may specifically authorize to be present.

5. Sentencing

In determining the method of dealing with a juvenile who has admitted an offence or been found guilty after the trial, the Juvenile Court will obtain such information, maybe by way of calling for a pre-sentence report, as to the juvenile's general conduct, home surroundings, school record and medical history.

In addition, the Juvenile Court magistrates may seek advice from a Young Offenders Assessment Panel (YOAP) to assist them in sentencing young offenders. YOAP was formed on 1 April 1987 by HKCS and the Social Welfare Department (SWD). It currently consists of seven members of different disciplines from HKCS and SWD, such as correctional services officers, social workers, clinical psychologists and education officers. YOAP provides a co-ordinated view of the most appropriate sentencing option for offenders aged 14-25, and the panel will interview the offenders and consider all relevant factors before rendering its advice to the magistrates for consideration.

Section 11 of JOO restricts the imprisonment of juveniles by specifying that no juveniles shall be sentenced to detention if he or she can suitably be dealt with in any other way. As such, imprisonment should be the last resort to be used where the nature and seriousness of the offence make imprisonment necessary in the public interest, or where the offence merits imprisonment and all other methods of disposal have been excluded.

6. Court Environment

Procedures in the Juvenile Court tend to be less formal than that in a Magistrate's Court. For example, the defendant does not sit in the dock and is accompanied by his or her parents or guardians sitting alongside or behind him or her. Further, the magistrate sits on a slightly raised bench or on the same level as the defendant.

Section 6 of JOO requires that no juvenile shall be permitted to associate with an adult (not being a relative) who is charged with any offence other than an offence with which the juvenile is charged, while being conveyed to or from any criminal court or waiting before or after attending any criminal court.

Further, in order to ensure a complete separation between adult and juvenile defendants, the courtroom used for juvenile proceedings should be completely separate from the one used for proceedings involving adult offenders. Where the same courtroom is used for both adult and juvenile defendants, JOO requires a clear one hour break between the sittings of a juvenile court and the sittings of an adult court.

III. ASSESSMENT METHODS

A. **Violent Crime in Hong Kong**

According to Hong Kong Law Chapter 589 Section 2, "serious crime" means any offence punishable: in relation to the issue or renewal, or the continuance, of a prescribed authorization for interception, by a maximum penalty that is or includes a term of imprisonment of not less than seven years; or in relation to the issue or renewal, or the continuance, of a prescribed authorization for covert surveillance, by a maximum penalty that is or includes a term of imprisonment of not less than three years or a fine of not less than \$1,000,000.

As classified by the Crime Statistics (Appendix II), violent crime includes offences such as "Homicide", "Robberies", "Wounding and Serious Assault", "Criminal Intimidation", "Blackmail", "Arson", "Rape" and "Indecent Assault".

According to the statistical table in Appendix III, the general trend of the crime committed by young people has been quite steady in the past few years. In 2006, there were 4,974 young persons and 4,510 juveniles arrested (total: 9,484 persons), whereas in 2005, the numbers were 4,780 and 4,531 respectively (total: 9,311). However, when compared with the figures from 2004 and earlier, the total number of young persons and juveniles arrested in 2005 and 2006 showed a decrease.

Another statistical table compiled by Hong Kong HKCS in Appendix IV shows that in 2007, the total number of young male offenders being sentenced to correctional institutions was 1,100 whilst that of young female offenders was 476, but in 2006, the two different numbers were 1,065 and 908 respectively.

IV. TREATMENT METHODS

A. **Sentencing Options for Young Offenders in Hong Kong**

If the court is satisfied that the juvenile is guilty of an offence, it may deal with the case in one or more of the following ways:

- (i) by dismissing the charge;
- (ii) by a discharge upon entering into a recognizance;
- (iii) by a probation order under the provisions of the Probation of Offenders Ordinance. The court may make a probation order requiring the offender to be under the supervision of a probation officer for a period of between one and three years;

- (iv) by release on a bond of good behaviour under section 96(b) of the Magistrates Ordinance (Cap 227)²;
- (v) by an order under the Protection of Children and Juveniles Ordinance, if in need of care and protection;
- (vi) by sending the offender to a reformatory school under the Reformatory Schools Ordinance for a period of between one and three years, and in any case not longer than until the offender attains the age of 18 years;
- (vii) by ordering the juvenile to pay a fine, damages or costs;
- (viii) by ordering the parent or guardian of the offender to pay a fine, damages or costs;
- (ix) by ordering the parent or guardian to give security for the good behaviour of the offender;
- (x) where the offender is a young person aged 14-15, by sentencing him or her to imprisonment or to detention in a Training Centre established under the Training Centres Ordinances or to detention in a rehabilitation centre within the meaning of the Rehabilitation Centres Ordinances. The period of detention in a Training Centre is from six months to three years, and that in a rehabilitation centre is from three to nine months;
- (xi) where the offender is a male person, by dealing with him under the provisions of the Detention Centres Ordinance. For those aged over 14 and under 25, the period of detention is from one to six months;
- (xii) where the offender is aged 14-15, by ordering him or her to perform community services not exceeding 240 hours within a 12-month period under the Community Service Orders Ordinance; or
- (xiii) by dealing with the case in another manner in which it may be legally dealt with, e.g. imprisonment, as the last resort.

The criminal courts play a key role in the criminal justice system and the options available to them are related to the pertinent ordinances. Then the courts decide which are the most appropriate sentences within their jurisdiction to achieve these objectives.

It is recognized in the criminal justice system that young offenders are a separate group who deserve separate sentencing and treatment programmes. The main reason for this is that they are not as mature as adults and they are still developing in connection with their character and personality.

In other words, there is a likelihood that the young offenders could be transformed. For this age group of offenders, the goal of rehabilitation is of greater importance than the other three. Besides, reintegration into society is also an important factor to be considered. Therefore, noncustodial sentences such as probation, fine, bind-over, community services order, etc., would be first considered by the courts.

However, there are several conditions for which non-custodial sentences seem to be inappropriate: if it appears that the young offender is unable or unwilling to respond to non-custodial sentences; if a custodial sentence is necessary for the protection of the public; or if the offence was so serious that a non-custodial sentence cannot be justified.

It is also stipulated in Section 109A(1) of the Criminal Procedure Ordinance that no court shall sentence a person of or over 16 and under 21 years of age to imprisonment unless the court is of opinion that no other method of dealing with such person is appropriate. However, this provision shall not apply to young

² This provision prescribes for delivering the offender "to his parent, guardian or nearest adult relative or, if the offender is an apprentice or servant, to his master or mistress or, if the offender is a pupil, to the person in charge of the school at which the offender is attending, on such parent, guardian, relative, master, mistress or person in charge of a school executing a bond, with or without sureties, that he will be responsible for the good behaviour and also, if the magistrate thinks it necessary, for the proper education of the offender for any period not exceeding 12 months".

offenders who commit serious offences.

Therefore, it is clear that in sentencing young offenders in Hong Kong, the basic rule is that incarceration should not be taken for granted. Moreover, among the different types of custodial sentences, imprisonment should be the last choice. Even if a custodial sentence is necessary, detention in a Boys' Home, Reformatory School, Detention Centre, Rehabilitation Centre, Training Centre or Drug Addiction Treatment Centre should be first considered by courts, whereby the offenders will undergo different rehabilitation programmes according to the place of detention so as to achieve the aims of sentencing or the objectives of the criminal justice system.

1. Roles of Relevant Agencies

Having the case tried and the defendant found guilty of the charge, then the court faces the question of sentencing. Bearing in mind the goals of the criminal justice system, there is always more than one option for sentencing unless the punishment of the offence is already fixed by law. The option usually takes into consideration the following information concerning the offender: age of the offender; nature of the offence; criminal history; past institutional performance (if any); physical and mental condition; educational background and school performance; family background and relationship; and working experience. This information is particularly helpful to the sentencing of young offenders.

HKCS and SWD are responsible for providing a range of rehabilitation programmes intended for young offenders. Each differs in design in the context of the programme to aim at particular target group of offenders. However, according to Section 11 of the Juvenile Offenders Ordinance, a child who is under the age of 14 should not be sentenced to imprisonment or committed to prison in default of payment of a fine, damages or costs. Therefore the rehabilitation programmes for young offenders between the ages of 10 to 14 are limited to the domain of the SWD.

In the rest of the paper, the main focus will remain on the treatment programmes offered by the HKCS.

At present, the major programmes for young offenders run by HKCS are the Detention Centre Programme; the Rehabilitation Centre Programme; the Training Centre Programme; the Drug Addiction Treatment Centre Programme and the Young Prisoners Programme.

2. Detention Centre Programme

The first point of entry into the HKCS institutions for young offenders in the early stage of their deviation from the law would be the Detention Centre. This system of the Detention Centre provides an alternative means of dealing with young offenders who cannot learn to respect for the law by non-custodial sentences like fine or probation, or when it is in the interest of the general public that a custodial sentence is imposed.

The Detention Centre is administered under the Detention Centre Ordinance Chapter 239 which was enacted in June 1972. It provides for the establishment of a correctional agency set up as Detention Centres where young first offenders are detained and undergo programmes with the aim of inducing in them respect for the law and deterring them from further criminal activity.

The period of detention for young offenders (age 14 to 21) in the Detention Centre will not be less than one month and not more than six months. Following release from the centre, the young offender is required to undergo statutory supervision for one year. Non-compliance with the terms of the supervision could result in being recalled to the Detention Centre for further training.

In 1976, the Detention Centre Ordinance was amended such that the programme was extended to young adult offenders aged between 21 and 25, but their detention period would not be less than three months and not more than 12 months.

The Detention Centre is basically a regime of brisk and firm discipline, with emphasis on hard work and the highest standard of achievement. The design is to give a "short, sharp, shock" treatment to the young offenders in their early stages of deviation.

The rehabilitation programmes of the Detention Centre do not cease on the day when the young offender

is released from the centre. The general terms of the Supervision Order require the offender: to inform his or her after-care officer of any change in place of residence or occupation; to lead an honest life and not to associate with known bad characters including members of unlawful societies; to obey the instructions of his or her after-care officer and to consult him or her whenever necessary; to see his or her Rehabilitation Unit officer in person at least once every month; to remain at home or at another designated place between 11:00 p.m. and 6:00 a.m. every night unless otherwise authorized; and to keep away from all undesirable places frequented by triad or gang members.

So throughout the 12 month period of supervision, the young offender is constantly reminded of his or her obligation to respect the law, and a violation of the supervision conditions may result in recall for further training, or a conviction by the court.

3. Rehabilitation Centre Programme

With the enactment of the Rehabilitation Centres Ordinance Chapter 567 in 2001, the Department started operating rehabilitation centres on 11 July 2002. The centres provide an additional sentencing option for the courts to deal with young offenders aged from 14 to under 21 who are in need of a short-term residential rehabilitation programme.

The programme consists of two phases. The first phase provides two to five months' training in a correctional facility. It focuses on discipline training with the aim of helping young offenders learn to exercise better self-control and develop a regular living pattern through half-day basic work skills training and half-day educational/counselling programmes. During the second phase, young offenders are accommodated in an institution of a half-way house setting for a period of one to four months. They may go out for work; attend vocational training and educational courses; and participate in community service programmes. Discharged young offenders are subject to one year's statutory supervision by aftercare officers.

4. Training Centre Programme

The Training Centre Programme in Hong Kong is operated under the Training Centre Ordinance 9 Chapter 280 which was enacted in March 1953. The ordinance provides for the establishment of Training Centres for the training and reformation of young offenders aged between 14 and 20.

Although admission to the Training Centre also requires a suitability report as stipulated in Section 4(3) of the Training Centre Ordinance, the construction of the section only demands the courts to consider the recommendation of the suitability report but it is not necessary that the conclusion of the report must agree in order to pass such sentence. However, the courts cannot sentence a young offender to the Detention Centre if the suitability report does not agree, so admission criteria to Training Centre is much more flexible than that which applies to the Detention Centre.

The regime of the Training Centre is focused on the training and reformation value of detention with emphasis on productive and constructive activities for the young offenders. Young offenders, of either sex, and aged not less than 14 but under 21 years can be sentenced to a Training Centre if the court thinks that it is in the interest of the community and it is expedient for his or her reformation and for the prevention of crime.

The Training Centre Programme is composed of two major aspects. Firstly, Section 12(1) of the Training Centre Regulations provides that every Training Centre inmate, unless excused on medical grounds, shall be employed on suitable work calculated to assist him or her in earning a livelihood on discharge. Secondly, the law also provides that each inmate is required to take remedial education classes which are adjusted to his or her educational background for his or her own benefit.

The period of detention in Training Centres is indeterminate, ranging from a minimum of six months to a maximum of three years. A Training Centre inmate's suitability for discharge is decided and evaluated by a Board of Review which periodically interviews each inmate to consider his or her progress. When a young offender is assessed to have reached the peak of his or her performance, he or she is released.

Following the release, the young offender is required to undergo a statutory supervision period of three

years. If the young offender fails to comply with the terms and instruction as laid down in the Supervision Order, he or she can be recalled to a Training Centre for further detention and training.

5. Young Prisoners' Programme

Imprisonment is the last resort of the various options for disposal of young offenders by courts. It is explicitly stipulated in the Criminal Procedure Ordinance that it should be the final preference for courts to sentence a young offender to imprisonment. Moreover, the stipulation in Section 8(A) of the Detention Centre Ordinance; Section 10 of the Rehabilitation Centres Ordinance and Section 7(2) of the Training Centre Ordinance empower the Chief Executive to transfer a Detention Centre/Rehabilitation Centre/Training Centre inmate to prison if he or she is reported by the Commissioner of Correctional Services to be exercising a bad influence on other young offenders, or he or she is considered to be incorrigible.

Presumably those young offenders sentenced to imprisonment should primarily be persons whom the courts consider the most difficult and incorrigible young offenders who have advanced a considerable way along their criminal trajectory.

Apart from the stipulation in the Criminal Procedure Ordinance and the age criterion, no other exclusion principle is stated in the law as admission criterion to sentence a young offender to imprisonment. There is no suitability report in relation to a sentence of imprisonment.

However, there are other reasons for which the young offenders will be sentenced to imprisonment. The most numerous of such cases are those of young illegal immigrants who are convicted of offences listed in the Immigration Ordinance, Chapter 115, such as "Remaining in Hong Kong without authority" and "Using an Identity Card relating to another person". After serving their terms of imprisonment and being released, they are subject to deportation or repatriation. Therefore they are unable to undergo the statutory period of supervision which is a vital and inseparable element of treatment in the Detention Centre, Rehabilitation Centre or Training Centre Programme. Besides, usually their immediate family members are not residents of Hong Kong therefore the mechanism of building stronger family ties to develop their personalities could not be applied.

Prisons in Hong Kong are operated under the Prisons Ordinance and the Prisons Rules, Chapter 234. The length of sentences for young offenders is specified in the court order. However, they are entitled to have one-third of the sentence reduced as remission provided that it is not less than thirty-one days. They shall be subject to a one year period of statutory supervision after release if their sentence is three months' imprisonment or more (except those sentences which could be reduced by paying fines or if they reach the age of 25). Those who are illegal immigrants need not undergo the supervision period. Failure to comply with the conditions of the Supervision Order would result in recall to prison.

The Prisons Ordinance and Prison Rules give little distinction between young and adult prisoners. First, the two age groups should be detained in different penal institutions. The other difference is that young prisoners are required to attend educational classes. The law states that every prisoner shall engage in work for not more than ten hours a day and young prisoners may be required to attend educational classes and time in class will be counted as time engaged in useful work.

The regime of the prisons for young offenders focuses on the training and reformation value of detention. The treatment programme is basically designed in the form of half-day vocational training and half-day educational classes. Besides, discipline is emphasized in the treatment of young offenders by requiring them to perform footdrill. Imprisonment should be the last option in sentencing a young offender.

6. Drug Addiction Treatment Centre Programme

The Drug Addiction Treatment Centre Ordinance Chapter 244 was enacted in January 1969. It provides for the establishment of Drug Addiction Treatment Centres for the cure and rehabilitation of offenders found guilty of criminal offences who are suffering from drug addiction.

It empowers the court with the authority to sentence a drug addict convicted of offences of a relatively minor nature yet punishable by imprisonment to detention in a Drug Addiction Treatment Centre if the court considers that a period of treatment in a Drug Addiction Treatment Centre is more beneficial than

a term of imprisonment. Besides, the ordinance stipulates that when a court makes a detention order, no conviction shall be recorded, unless in the opinion of the court, the circumstances of the offence so warrant.

In accordance with Section 4(3) of the Drug Addiction Treatment Centre Ordinance, similar to the Detention Centre, Rehabilitation Centre and Training Centre Ordinance, the court shall consider a suitability report before an order for detention in a Drug Addiction Treatment Centre is made. The criteria of admission is concerned with the relevancy of the offence, whether the offender is a drug addict and whether it is in the interest of the offender and the public interest to detain in the centre in lieu of prison.

A drug addict who is over the age of fourteen may be sentenced to a Drug Addiction Treatment Centre. Therefore, the programme is not limited to young offenders only. However, young offenders sentenced to a Drug Addiction Treatment Centre are separated from the adult inmates. The two groups are either detained in different centres or in different sections of the same centre.

The period of detention in a Drug Addiction Treatment Centre is indeterminate, ranging from a minimum of two months to a maximum of 12 months, followed by 12 months of statutory aftercare supervision. The actual length of treatment is based on the inmate's health and progress and the likelihood of remaining free from addiction to dangerous drugs after release.

The problem of drug addiction and its treatment are complicated and its causes are varied. The prevailing legal framework allows the Superintendent of the Drug Addiction Treatment Centre to order an inmate to attend any course, class or lecture which he or she considers could be beneficial to the inmate.

There are three aims of the compulsory drug treatment programme: detoxification and restoration of physical health; up-rooting of psychological and emotional dependence on drugs; and preparation for the inmate's reintegration into society.

In summary, young offenders who are drug addicts may be sentenced to a Drug Addiction Treatment Centre in lieu of other sentence options so far as the courts think appropriate. The aim is to restore the health of the offender and to develop his or her resistance against drug dependence. The programme is a combination of medical treatment, work therapy and counselling. On the whole, it is therapeutic rather than punitive in nature.

V. PREVENTION METHODS

A. Rehabilitation Services

As an integral part of the Hong Kong criminal justice system, HKCS is committed to providing safe and secure custodial services and preparing offenders for successful reintegration into the community as a law-abiding and productive citizen through the provision of comprehensive rehabilitative services. HKCS' mission is to protect the public and help reduce crime.

The effectiveness of HKCS' work in rehabilitation is not only affected by the quality of the custodial regime and rehabilitative programmes, but also the motivation and responsivity of offenders towards such programmes, as well as community acceptance of rehabilitated persons. Since the establishment of a Rehabilitation Division in 1998, HKCS has been forging ahead with a two-pronged approach of enhancing its rehabilitative services and programmes, and cultivating community involvement in the provision of such services, including pre-sentence assessment services, prisoners' welfare and counselling services, psychological services, education programmes, vocational training and post-release supervision services.

In order to enhance the success of reintegration of offenders, HKCS has substantially enhanced vocational training and education for offenders in recent years so as to better equip offenders in their reintegration into the community after discharge. HKCS has also organized public education and publicity activities to increase the public's understanding of offender rehabilitation and to appeal for their support in this connection.

1. Vocational Training for Offenders

Employment is a key reintegration factor. This is confirmed by a survey conducted by HKCS in 2000 to identify the needs of rehabilitated persons. The results of the survey revealed that over 60% of the rehabilitated persons considered that securing employment was their immediate concern at the initial stage of their release. Therefore, HKCS has strengthened the vocational training available to offenders in custody. The purpose is to enhance their employability through vocational training that keeps pace with development of the community and through the recognized qualification they obtain after the training.

Young offenders under the age of 21 will receive half-day compulsory vocational training on technical or commercial skills. HKCS constantly reviews the vocational training courses provided to them to ensure such courses are in line with market needs. The current courses include decorative joinery, electrical and electronic servicing, mechanical engineering crafts, plumbing and pipefitting, vehicle body painting, computer-aid drafting, computer servicing, food and beverage service and printing and desktop publishing. In 2006, young offenders attempted 525 public examination papers and trade tests, and the overall passing rate was 96%.

2. Education for Offenders

Enhancing the education level of offenders can help them tackle the challenges they face, and also improve their employability, upon their return to the society after discharge. For young offenders, HKCS' policy is to bridge the education provided for young offenders to mainstream education. Having regard to the introduction of a new senior secondary education (NSSE) curriculum in Hong Kong, HKCS has started the necessary preparations to introduce NSSE subjects for inmate students in 2009 and to prepare them to sit the Hong Kong Diploma of Secondary Education Examination in 2012. The preparations include, *inter alia*, identification of suitable NSSE subjects for introduction in correctional institutions and development of existing teaching staff or recruitment of teaching staff with relevant qualifications to teach the new subjects.

3. Community Involvement

While HKCS is committed to providing the best possible opportunity for all offenders to make a new start in life upon release, the efforts made by the government and the offenders themselves are not adequate. Their successful reintegration also depends on how ready the community is to support and accept them.

The common misconceptions about offenders and, to a certain extent, the prison regimes, are mainly due to lack of information and public education. This not only creates obstacles to the smooth reintegration of rehabilitated persons but also leads to wastage of resources devoted to their rehabilitation.

Recognizing the importance of community acceptance and support of the successful reintegration of rehabilitated persons, HKCS established in late 1999 the Committee on Community Support for Rehabilitated Offenders, comprising community leaders, employers, education workers, professionals and representatives of non-governmental organizations (NGOs) and government departments, to advise on rehabilitation programmes and reintegration and publicity strategies.

Since then, a series of publicity and public education activities targeting four community groups, students, the general public, employers and community leaders at district level, have been organized to appeal for community support for offender rehabilitation as well as to educate the public on crime prevention. These activities include, *inter alia*, special TV and radio programmes, roving exhibitions at district level, a TV documentary drama on rehabilitated persons – “The Road Back”³, appointment of local celebrities and public figures as Rehabilitation Ambassadors, and television and radio announcements in the public interest.

³ The HKCS, in collaboration with Radio Television Hong Kong, produced three 10-episode series of a TV docu-drama entitled ‘The Road Back’. The series were produced in 2000, 2002 and 2004 and all were well-received. The first series was awarded the Silver Award for Best Television Programme and the New Television Programme Award in 2000. The second series in 2002 was awarded the Gold Award in Entertainment Programme and Silver in the Best Television Programmes Award. The third series in 2004 was awarded the Gold Remi Award at The Houston International Film Festival and the Bronze Plaque in the 53rd Columbus International Film & Video Festival. The fourth series was telecast from May to July 2006.

Community involvement and participation in various aspects of offenders' correctional and rehabilitative process narrows the gap between the public at large and the offenders. It helps change the negative attitude of society towards offenders. To help diversify and enrich HKCS' service delivery, it needs the regular and active participation of NGOs and religious bodies.

As a result of HKCS' incessant publicity efforts, supportive connections and partnerships conducive to offenders' reintegration have been established. At present, there are more than 60 religious bodies and NGOs partnering with HKCS to provide services to help prisoners reintegrate into the community.

These organizations are actively involved in a variety of services ranging from the provision of counselling services and religious sacraments to the organization of cultural ventures and recreational projects in correctional institutions. To strengthen co-operation amongst NGOs and provide all NGO partners with an opportunity to exchange views on matters relating to rehabilitation services, HKCS holds annual forums with NGO representatives on top of regular service reviews.

In addition, a web-based messaging platform has been set up to provide users with an interactive site to post topics for open discussion. Another remarkable example of partnership between HKCS and NGOs is the implementation of a "Continuing Care Project" since early 2004 wherein seven NGOs provide follow-up services for supervisees who are assessed to be still in need of and are willing to receive counselling services after completing the statutory supervision. As at the end of May 2007, a total of 352 cases have been successfully referred to respective NGOs for the service.

Responding to HKCS' call for support and assistance to offender rehabilitation, the involvement of and sponsorship from renowned community organizations and local charitable organizations⁴ in various programmes for the benefits of offenders and rehabilitated persons have been increasing in recent years. The various initiatives include the running of professional beautician certificate courses and hairdressing courses for female prisoners.

To enhance the employment opportunities for rehabilitated persons, HKCS has also facilitated enthusiastic business organizations to launch a "One Company One Job" campaign⁵ since 2004 in local districts to promote fair job opportunities for rehabilitated persons.

To further broaden the scope of public involvement, HKCS formed the HKCS Rehabilitation Volunteer Group in early 2004. The Group, comprising over 200 volunteers who are mostly university students and serving teachers, aims to supplement the services of HKCS, particularly in terms of addressing the reformative, emotional, educational, social and recreational needs of inmates. Apart from conducting interest groups on such topics as languages, computer studies and other cultural pursuits for offenders in various correctional institutions, they also assist in other areas of rehabilitation work, such as public education activities for promoting community acceptance of rehabilitated persons.

To ensure co-ordinated channels for disseminating our messages, HKCS needs to establish a network at different local districts to deliver the message that rehabilitation can help prevent crime and reduce reoffending, a message signifying social responsibility on the issue.

HKCS accordingly co-operates with all of Hong Kong's 18 District Fight Crime Committees⁶ by inviting them to organize publicity activities relating to offenders' rehabilitation. Senior correctional officers are

⁴ These organizations include, among others, the Care of Rehabilitated Offenders Association, Lok Sin Tong Benevolent Society, Kowloon, Rotary Clubs, International CICA Association of Esthetics, Zonta Clubs, Lions Clubs, etc.

⁵ The campaign is about promoting to the members of those business organizations the employment of at least one rehabilitated offender in each of their companies.

⁶ The District Fight Crime Committees which are district bodies appointed by the Government to advise on means to combat crime, consist of both members of the public and government officials. They help monitor the crime situation at district level; co-ordinate community resources to assist in fighting crime; and make recommendations to the Central Fight Crime Committee with regard to fight crime measures and community involvement. Chaired by the Chief Secretary for Administration of the Hong Kong SAR Government, the Central Fight Crime Committee draws up plans to reduce; co-ordinates efforts in fighting crime; monitors the results; and determines ways in which the public can be stimulated to contribute to the reduction of crime.

appointed as Regional Liaison Officers to facilitate the co-ordination of these activities and to provide necessary support. With this network of channels functioning, HKCS organize year-round activities in all districts and sustain a broad and pervasive permeation of the rehabilitation message to the public.

Rehabilitative work, being the collective responsibility of the whole community, requires the participation of all citizens rather than the sole effort of correctional jurisdictions. The ultimate goal is to build a safer and more inclusive society. Providing public education for the next generation is a long-term target in soliciting support for offender rehabilitation as well as crime prevention. In this regard, HKCS has been undertaking a number of public education initiatives for youth over the years. These initiatives include those outlined below.

(i) Personal Encounter with Prisoners Scheme⁷ (PEPS)

HKCS has been running PEPS since 1993 with a view to generating attitudinal and behavioural changes among youth at risk. Under this Scheme, participants will visit one of the designated correctional institutions, and have face-to-face discussions with reformed prisoners. The objective is to prompt the participants to think about the consequences of committing crimes. At the same time, the participating prisoners can develop a positive self-image and build up confidence through the experience sharing sessions. In 2006, a total of 207 visits were arranged for a total of 3,399 young people and students under PEPS.

(ii) Green Haven Scheme⁸ (GHS)

HKCS started the Scheme in January 2001 to promote anti-drug messages and the importance of environmental protection among young people. Under the Scheme, participants visit the mini drug museum at a Drug Addiction Treatment Centre and meet with young offenders there to learn about the harmful effects of drug abuse. They also take part in a tree planting ceremony to pledge support for rehabilitated offenders and environmental protection, and as a vow to stay away from drugs. In 2006, a total of 33 visits were arranged for 904 participants under GHS.

(iii) "Options in Life" Student Forum

To demonstrate the willingness of rehabilitated offenders to make a contribution to society, HKCS organized a series of district-based student forums in all 18 districts from late 2003 to late 2005 to provide opportunities for secondary school students to interact with rehabilitated offenders, and to discuss with them the detrimental consequences of committing crimes. A total of 20 student forums have been organized with 3,300 participants. In line with HKCS' community involvement strategy, arrangements have been made for similar forums to be run by 12 non-government organizations (NGOs) since 2006. HKCS provides the necessary support and steer to the NGOs.

In the run-up to the tenth anniversary of the Rehabilitation Division in January 2008, another series of publicity and public education activities for rehabilitated persons were organized from August 2007 to January 2008. Some of the major events include district-based publicity activities co-organized with all 18 District Fight Crime Committees, a Liu Shih Kun Concert⁹, production and broadcast of new TV and radio announcements in the public interest, an experience sharing forum with NGOs, a Rehabilitation Fair, a symposium on employment for rehabilitated persons, an NGO service day, a professional development workshop on offender rehabilitation, and a TV variety show.

⁷ The Scheme was awarded "The Outstanding Performance Award for the Crime Fighting Staff" by the Fight Crime Committee in December 2001.

⁸ The Green Haven Scheme has won a Gold Award in the 2002 Hong Kong Eco-Business Award. The venue for conducting the Scheme, namely Hei Ling Chau, has also been certified to ISO 14001:1996 standards for its environmental management system by the Hong Kong Quality Assurance Agency.

⁹ Mr. Liu Shih Kun is a pianist well-known among Chinese over the world and the concert aims to bring care, concern and encouragement to inmates as well as appealing to the public to accept and give opportunities to the persons under custody or who have completed a period of incarceration.

B. Programmes Targeted at Young Offenders

1. Offending Behaviour Programme

The Offending Behaviour Programme (OBP) in HKCS has been developed with a view to helping young offenders to develop attitudes and skills which are instrumental to reducing the risk of reoffending, taking into careful consideration the elements of effective treatment. Three of the basic considerations in the development and implementation of OBP included: the enhancement of the motivational state of young offenders; the application of the cognitive-behavioural conceptualization of criminal behaviours in treatment and rehabilitation efforts; and the matching of treatment materials and formats to the general characteristics of young offenders.

For punishment to be effective the punishment should be immediate; the pattern of punishment schedule has to be constant and consistent; and most important of all, the person has to draw a link cognitively between the behaviours and the punishment received. As these criteria are hard to meet under the present legal system, to effect behavioural change more effort has to be made in rehabilitating offenders rather than relying solely on the punitive effect of imprisonment.

Various offender programmes are developed and conducted in Canada and the United States in both the probation and prisoner setting. Recent evaluation studies report remarkably encouraging results which supported treatment work on offending behaviours in reducing recidivism. For example, Losel (1995) made a review of 13 meta-analyses on offender treatment studies and found that all have positive effects. Of greater relevance to the young offender population is the large-scale study made by Lipsey (1992). He made a meta-analysis of 400 control or comparison group studies of treatment for delinquency since 1950, involving over 40,000 subjects aged from 12 to 21 and found an average treatment effect of 10 % reduction in recidivism. In fact, over 100 prisons in England are running such treatment programmes. In HKCS, the OBP has been developed with the aim of reducing the recidivism rate of young offenders and helping offenders develop a new set of values, attitudes and skills which are essential for pro-social adjustment.

There is a considerable body of evidence that suggests offenders as a group differ from non-offenders in terms of a number of individual characteristics. Factors identified to be characteristic of persistent offenders include egocentricity, rigid thinking, impulsivity, poor problem-solving abilities, low self-esteem and poor emotional handling, just to name a few. For example, Ross and Fabiano (1985) showed that offenders had deficits in their ability to conceptualize consequences, means-end reasoning, understanding the feelings of others, etc. J. McGuire (1999) focused on offenders' poor interpersonal problem solving skills while J. Bush (1995) and Yochelson and Samenow (1976) pointed out deficits in thinking styles such as entitlement and victim stance.

In short, offenders are undersocialized; they lack the values, attitudes and skills essential for a pro-social way of life. Therefore, the OBP directs treatment efforts at those "criminogenic" factors, those aspects of individual characteristics conducive to offending behaviours. Apart from dealing with criminogenic factors, the important risk factor of substance abuse is also one of the targets for treatment.

Substance abuse cannot be considered a direct criminogenic factor as it can hardly be categorized as an individual characteristic, like impulsivity and egocentricity. However, it is likely that substance abuse will put a person at a relatively higher risk of reoffending as substance abuse will magnify other criminogenic factors, for example, by increasing a person's impulsiveness, decreasing a person's ability in consequential thinking, affecting a person's problem solving skills and relaxing a person's emotional control.

Being part of the OBP, modules on the prevention and treatment of substance abuse share the same prime objective of recidivism reduction rather than focusing only on achieving abstinence or controlled use of substances. Lastly, the OBP also works on strengthening a person's protective factors against crime.

Family, being the most prominent protective factor against crime, is one of the treatment targets. Therefore, helping young offenders improve their family relationships and family communication is an important element in OBP. Parallel to the work with young offenders, services are also rendered to parental figures who would like to improve their communication and parenting skills with their young ones. The content modules of the OBP are summarized in Appendix V.

(i) Principles of Responsivity

To enhance programme effectiveness, the principles of responsivity were carefully considered and included when developing the OBP for young offenders (Antonowicz and Ross 1994).

Four important elements of responsivity, namely the employment of a consistent conceptual model, Cognitive-Behavioral Therapy (CBT), employment of motivational techniques, the employment of the Risk and Needs principles for programme matching and employment of materials and formats congruent with young offenders' characteristics are integral parts of the programme.

(ii) Employment of the Risk/Need Principles

Research has shown that offender programmes are most effective when directed at offenders of relatively higher risk of recidivism. In evaluating the overall risk of offenders both the static risk factors (behavioural history) and the dynamic risk factors (changeable criminogenic needs and others) are taken together.

For programme matching, the dynamic needs take precedent as they are the changeable treatment targets. Priority of participation in OBP is determined first by the level of need and then the level of static risk of the offender.

To further refine the principle of risk and need, modules of the programme are matched to the different specific needs of the offenders. For example, those with considerable need in the area of "criminal attitude" would be matched to the module dealing with "Criminal Attitudes and Thinking Styles". Those with considerable need on impulsivity may be matched to the module on "Problem Solving Skills" and "Anger Management".

With this double matching of offenders' risk level and specific need areas to specific OBP Modules, the effectiveness of the OBP should be enhanced.

(iii) Employment of Motivational Techniques in the Offending Behaviour Programme

Responsivity also depends greatly on young offenders' motivational state. Motivational Interviewing has been proven an effective strategy for offender intervention and is widely applied on treatment of addictive behaviours (Miller, 1994, 1996, 1998, etc.). This directive, person-centred counselling method is powerful in developing the intrinsic motivation of clients to change by helping them explore and resolve their ambivalence about change (Johnson, 2005).

In the design of programme activities for various modules of the OBP, the five basic principles of motivational interviewing, expressing empathy, developing discrepancy, avoiding argumentation, rolling with resistance, and supporting self-efficacy were applied, with special effort paid to suit the needs of the young offender population.

Whereas empathy is an important attitude, the message is clearly conveyed that it is not the juvenile's offending behaviour that is accepted, but their person as a whole, and they are repeatedly guided to think of reasons to desist offending for their own sake. Programme facilitators are well versed with the philosophy and techniques of Motivational Interviewing and they are trained to listen reflectively and empathetically.

The discrepancy between their ideal future and realistic outcomes of repeated offending is developed in the format of games and written exercises. This intentional creation of "cognitive dissonance" can serve as a strong drive for young offenders to make a decision to change their past anti-social lifestyle.

As young offenders are generally rebellious and many have a past history of problems and conflicts with authority figures, it is particularly important not to play the expert role or argue with them, which would cause resistance to develop. Therefore, the OBP is carefully designed and delivered to avoid being judgmental and confrontational. For example, the metaphor of visual illusion has been used in the discussion of criminal thinking and joint effort in exploration of the pro-social alternatives.

To improve young offenders' self-efficacy, activities are also designed to help offenders identify their personal strengths. Together with presentation of cases (in the form of audio-visual materials) who have successfully desisted, their self-efficacy in anticipating and working on self-improvement towards a non-

offending life is enhanced.

(iv) Employment of a Consistent Conceptual Model (CBT)

Application of Cognitive-Behavioural Therapy has been found to be effective in the modification of emotional disorders (Beck 1979), and applicable to the adolescent population (Kazdin, 1994), including those with behavioural problems (e.g. Feindler & Ecton, 1994). In particular, a strong cognitive element was identified as an ingredient for effective intervention in offending behaviour (Ross & Fabiano, 1985).

Cognitive Behavioural Therapy assumes that individuals would actively construct their reality. It is hypothesized that emotions, thoughts and behaviour are inter-related, while behaviours and emotions can be affected and changed by thoughts. In addition, it is postulated that identification of attitude, expectancy and appraisal will help in the assessment of psychological and emotional problems.

When applying CBT in Offending Behaviour Programme design, psycho-education, skills training and skill rehearsals are applied. The interaction between thoughts, emotions and behaviour is initially introduced through psycho-education. Such information serves to facilitate understanding the consequences of one's behaviour, in particular those related to offending behaviour.

Identification of one's own thoughts and thinking style is an important element in the OBP. For example, young offenders are helped to identify their common thinking and attitude behind offending behaviour through selected illustrative examples and participation in games. They are helped to examine, self-challenge and change their distorted criminal thinking.

Furthermore, participants are invited to identify their personal high risk factors of offending. Social cognitive skills training then targets three different areas: cognition, behaviour and environment. They are then provided with opportunities to practice adaptive coping skills for replacement of problematic behaviour. Moreover, a good deal of cognitive restructuring and skills training are required to help young offenders to cope with or avoid environmental risk factors. In addition, during skill rehearsals high risk offending situations are re-constructed for clients and involve active participation in role-play, using both examples from institution scenarios to enhance learning and practice, and community scenarios for generalization into real life situations.

(v) Matching Programme Format and Design with Young Offender Characteristics

Young offender characteristics are carefully considered when developing and designing the OBP as young offenders' participation, responsiveness and involvement are crucial to the success of the programme.

Firstly, HKCS recognizes that young offenders are very much a heterogeneous group with great individual differences in different aspects. To cater for individual differences, the OBP provides different options in the format of OBP modules. The more open, disclosing and expressive clients may be more ready to join small treatment or counselling groups of 8-10 persons while the more private and conservative clients can join the self-help programme which allows much more personal space. There are CD-ROM formats and a large class format to cater for clients with varying degrees of readiness for disclosure, open discussion, open support or open criticism.

As most young offenders do not like complicated definitions, abstractions and intellectually taxing exercises, difficult and abstract concepts are presented in the form of daily life examples supplemented with visual presentations such as graphs and charts. For example, criminal attitudes are presented in common daily anti-social behaviours and the strength of such attitudes is presented in the form of a bar chart.

To overcome young offenders' fear of long-winded materials and to maintain their attention, a variety of presentations are used in the programme. Presentations of ideas can be in the form of a video clip, song, cartoon pictures, pamphlets with short phrases, short newspaper cuttings, magazine excerpts, and advertisements, etc. Clients are allowed ample opportunity to be actively involved in different activities, such as games, competitions, role plays, discussions, case analysis, drawings, etc.

As most young offenders are school failures and have a relatively unsophisticated level of literacy, long articles are cut into small passages accompanied by graphics and pictures where appropriate. Simple

and colloquial language is used. And to compensate for their expressive ability, responses can be made in the form of short sentences, questionnaires, multiple choices, yes/no answers, matching exercises and drawings.

With considerations of the different characteristics of young offenders, it is hoped that young offenders can become actively involved in the programme and hence more capable of overcoming their deficits, learning new skills and consolidating and generalizing what they have learned in their rehabilitative process.

(vi) Effectiveness of the Offending Behaviour Programme

The OBP represents an evidence-based approach in the rehabilitation work of young offenders. A careful review of research findings has confirmed not only the effectiveness of offender programmes but also identified crucial elements of effectiveness. The OBP is developed by integrating local experiences in the young offenders' culture with Western findings on treatment effectiveness. It adopts the cognitive-behavioural conceptualization, focuses on the criminogenic needs of offenders, and addresses the responsibility of young offenders, particularly their motivational level and characteristics. Integration of both elements has shown promising results. Attempts to evaluate the effectiveness of individual modules of the OBP were made and findings are generally positive.

2. Inmate-Parent Programme

It had been shown in many Western findings that the behavioural problems of youngsters were associated with family backgrounds. Dynamic factors regarding family relationships (Cashwell & Vacc, 1996) particularly on the sufficiency and quality of parenting (McDonald & Frey, 1999; Chambers, et al., 2000, Sanger, et al., 2004) and the parent-child bond (Widom, 1992; Yeung, 1997; and Thornberry, et al., 1999) were found to be significant factors contributing to the criminal behaviour of youth. Family intervention, in the format of family therapy (Lipsey & Wilson, 1998), family empowerment (Dembo, et al., 2001), and systematic skills training (Don Dinkmeyer, 1997), were found effective in reducing the recidivism of young offenders.

The Inmate-Parent Program (IPP) was launched in June 1999 by the Psychological Unit of HKCS. To enhance the competence of the parents and the offending children in relationship enhancement, the programme was delivered to both the parents and their children. Services for parents target: facilitating the reintegration of the young offenders into their families by enhancing the communication skills of the parents and reducing young offenders' risk of reoffending by strengthening the parents' capability in supervising their children. Apart from the captioned rich theoretical background of IPP, there were a number of characteristics of the programme contributing to its success.

(i) Services for Parents

A survey was conducted in 1999 to explore the needs of the parents. Three hundred and seventy nine parents of young offenders participated in the survey. It was found that family communication (particularly in conflict resolution, understanding the needs and feelings of children, and lowering the resistance of children) and parenting skills (particularly in making children comply and meet their expectations as well as handling anti-authority behaviour) were the major concerns of the parents. Seventy eight per cent of the parents expressed interest in joining the IPP. The most preferred formats of the IPP were talks, audio visual materials and counselling groups. The parents' cognitive style, their ambivalence towards their children, and their other sources of stress were also considered in the programme design.

(ii) Easily Accessible and Needs-Matching Services

Parents, who are very often occupied by other life tasks, may not always be able to make use of the services. Besides, their needs for services may vary. Hence, IPP was designed in different formats and with different focuses. A letter was issued to all parents at the beginning of their children's incarceration publicizing the IPP. An Inmate-Parent Series in leaflet format was issued to target general skills. The skills included family communications (namely initiating conversations and self-expression), parenting (namely reinforcement, punishment, and praising) and general guidance skills (namely importance of family, emotional management, and helping children to stay away from substance abuse) were available in the visitors' room of young offenders institutions.

Parents were invited to participate in two in-depth skills training video seminars targeting communications and parenting skills. Micro communication skills and conflict resolution skills were introduced in these video seminars. Finally, talks were conducted periodically on special topics like “Enhancing children’s self-esteem”, “Effective handling of emotions”, and “Understanding children’s substance abuse behaviour”. The parents could enroll in the programme when the programmes were conducted in correctional institutions or in the downtown counselling room.

(iii) Emphasizing Motivational Enhancement

An effective programme for parents should firstly enhance the motivation of the participants so as to raise their receptiveness to the programme. The IPP had adopted a number of motivational enhancement techniques to gain the parents’ participation. It included confrontations of cognitive distortions, facilitating insights of the ineffectiveness of previous communication or parenting styles, emphasizing the effectiveness of the recommended techniques, and making use of models who shared similar personal characteristics with the parents (e.g. like style of speech, their emotional state, etc.).

(iv) Emphasizing Skills Training

IPP made use of lively examples to repeatedly demonstrate the skills. There are always concrete and practical steps for the parents to take in order to carry out each skill. A number of techniques attaining the same goal of communication or parenting were available for parents to choose according to their personal styles.

(v) Emphasizing Consolidations of Skills

For video seminars and talks, there were usually some guided discussions for the parents to consolidate the skills learned. Complementary video compact discs (VCD) were granted to each participant for their revision of the skills in the future. Posters and reminder cards, with a summary of the communications and parenting skills, were issued for the participants as well.

(vi) Systematic Evaluations

Up to September 2005, a total of 7,705 copies of the Inmate-Parent Series had been issued while 2,274 participants had benefited from 153 video seminars or talks. The outcome evaluations on the video seminars confirmed the effectiveness of skills training by video seminars and the complementary VCD as a booster. In total 289 young offenders, selected by convenience sampling, participated in the evaluation. Simple statistics and T-tests were performed. A customer satisfaction survey found that the parents perceived the programme as useful to them. They maintained a positive change of parenting and communication skills six months after their participation in the programme. The children whose parents participated in the program also viewed their parents as more competent in terms of parenting skills and as more affectionate in their parent-child relationships. The positive findings in evaluations support continuous implementation of IPP in young offender institutions.

(vii) Services for the Inmates

With family as a system, the reciprocal and dynamic interplay among parents and their children performs a significant role in determining the quality of the family relationship. On such a ground, the IPP was not only designed for parents of young offenders. As a parallel programme, it was tailor-made to fit the needs of young offenders in enhancing the family relationship. With the same targets as the services for parents, the IPP for young offenders aimed at (1) facilitating the reintegration of young offenders into their families and; (2) reducing young offenders’ risk of recidivism.

From Jan 2004 to July 2005, there were 1,569 young offenders admitted into HKCS. They aged from 14 to 20, with 74% of them having completed lower secondary educational level schooling. Regarding their principal offences, quite a number of them (42%) committed offences against property while the rest committed narcotics offences (15%), and offences against local law (15%), etc. The IPP was planned according to the profile of these young offenders.

(viii) Programme Design Dependent on the Needs of the Young Offenders

Upon admission, each young offender would undergo a Risk and Need Assessment. Followed by the assessment, programme matching would be provided according to his or her needs. The IPP targeted

young offenders' needs in the family domain. Nonetheless, programmes targeting other criminogenic needs, namely the drug, criminal thinking and personal/emotional domains, also played peripheral roles in supporting attitudinal change in the family relationship. For instance, improved emotional regulation facilitated better conflict resolution in the family. Conversely, it is believed that the quality of family relationships could have a dynamic impact on all these need domains.

(ix) Programme designed with Consideration for the Characteristics of Young Offenders

When designing the programme, consideration was given to the individual differences, cognitive ability, attention span, educational level, language ability and motivational level of young offenders. As young offenders used to have shorter attention spans, the programme applied appealing games to hold their attention and to facilitate their learning in a more at-ease atmosphere. Role-play and interactive activities were adopted to deepen their impression of certain abstract concepts in a more vivid presentation. For those who had a lower educational level and weaker cognitive ability, the programme starts with more easy-to-grasp concepts with frequent use of daily examples for illustration. Simple language matching with colourful pictures, cartoons and graphics were used to make the reading more pleasant and amusing. Multiple choice questions and matching were commonly used exercises so that most of the young offenders could master the programme concepts well. For those who were relatively unmotivated, making use of the group dynamics also facilitated their motivation to learn. Besides, all the programmes were run on a voluntary basis. With the purpose of lowering their defences, young offenders were free to share their experiences in a harmonious and supportive environment.

(x) Different Modules for Service Matching

All the afore-mentioned means of learning were applied in both Group Counselling and Self-Help Modules. In the Group Counselling, the learning was more interactive, with opportunity for the young offenders to model each other. When young offenders mutually challenge and support each other in a group, their participation is enhanced and their learning maximized. On the other hand, the Self-Help Program was a highly individualized and personalized programme that could be implemented according to a young offender's progress and treatment plan. It made good use of self-reflective questions, audio-visual materials and interactive exercises.

(xi) Emphasizing Motivational Enhancement

Motivational skills and strategies were adopted to stimulate young offenders to improve their family communication. One of the core strategies was changing their attitude towards their parents through perspective-taking exercises. For instance, young offenders were stimulated to find the similarity between themselves and their parents and to understand the developmental background of their parents. By stepping into the shoes of their parents, young offenders' understanding of their parents' behaviours and thinking was enhanced. This in turn raised their acceptance of their parents. Besides, by using songs and recalling previous positive family interactions, young offenders' affiliations with their parents were enhanced. Very often, these contents were touching enough to impress upon the young offenders the inner apprehension of parents.

(xii) Emphasizing Skills Training

Skill training started with the identification and correction of past communication errors. The previous dysfunctional interactions between young offenders and their parents were examined. Cognitive restructuring was introduced and practiced in order to change their old way of thinking and to develop insight for new thinking. Communication skills like ice-breaking, starting a conversation, attentive listening, questioning, sharing of feelings, showing appreciation, etc. were then highlighted. Finally, the training on conflict resolution was conducted. Young offenders were coached step by step in identifying the problem, clarifying viewpoints, expressing expectation, making contracts, etc. in role-plays.

(xiii) Emphasizing Consolidation of Skills

As well as teaching verbal and non-verbal communication skills, role-plays of numerous scenarios were video-taped for comment and sharing among group participants. In order to consolidate the skills learnt, the video-taped role-plays of young offenders were discussed thoroughly one by one. This interesting evaluation process further enhanced their insight and strengthened their learning.

(xiv) Effectiveness of Inmate-Parent Program

The Inmate-Parent Program received positive and encouraging responses from both parents and their children. It was promising in enhancing the family relationship of young offenders. Both parents and young offenders mentioned the importance of parallel programmes in creating a mutual effort to improve family communication and to modify family dynamics. Actually, effective family intervention for both young offenders and their parents will help in reducing juvenile offending.

VI. CONCLUSION

Hong Kong has a juvenile justice system and correctional regimes that help, as far as possible, young offenders to rehabilitate and reintegrate into society. However, these efforts alone cannot achieve successful reformation. We need more to succeed.

Looking forward, we need to do more work to knit tightly together the four following factors: Quality Custodial Services; Comprehensive Rehabilitative Services; Offenders' Responsivity and Determination; and Community Support.

By Quality Custodial Services, we mean: being one of the core business of HKCS, quality custodial services manifest HKCS' duty to provide a humane, secure, decent and healthy penal environment for young offenders. Yet, it is not a simple task to sustain the correctional setting with good discipline and order as well as detaining offenders in a stable and harmonious manner. It relies on professional teamwork across HKCS as well as effective and efficient management systems.

For human resources management, HKCS has focused on maintaining a highly committed and motivated workforce through the provisions of strategic development and training. Likewise, HKCS has well-developed monitoring systems to assure all the relevant rules and regulations are complied with. In addition, there are ongoing renovation and redevelopment projects to improve the penal environment and to modernize facilities.

By Comprehensive Rehabilitative Services, we mean: as almost all young offenders will return to society, HKCS strives to help them rehabilitate and reintegrate as law-abiding citizens, so comprehensive rehabilitative services are of paramount importance. Through timely and appropriate intervention, HKCS aims to address young offenders' offending behaviour and criminal thinking, improve their skills to make a living, and eventually help them reintegrate into society. To achieve such a purpose, our professional and qualified staff deliver systematic and effective rehabilitation programmes, which cater for offenders' rehabilitative needs. To adopt an evidence-based and scientific approach in offender rehabilitation, HKCS will continue to work on the "Risks and Needs Assessment and Management Protocol for Offenders" which was adopted in October 2006.

By Offenders' Responsivity and Determination, we mean: apart from our foremost duty to provide quality custodial services and comprehensive rehabilitative services, the process of rehabilitation would not be successful without young offenders' own effort. Their inner motivation and willingness to cherish rehabilitation chances and to live a new life after discharge are an indispensable part of their successful reintegration. Likewise, such motivation and willingness will directly affect the programme effectiveness. If they can sustain their willingness to rehabilitate, it will be easier for them to resist temptation, remain law-abiding and leave the vicious cycle of reoffending.

Yet, their determination is affected by a myriad of independent but interlocking criminogenic, personal and socio-economic factors. While, HKCS has been strengthening its rehabilitative services to help enhance young offenders' responsivity towards the programmes offered, it also draws in non-governmental organizations (NGOs) to provide services to facilitate their reintegration into the community.

By Community Support, we mean: community support occupies a significant position in building a safer and more inclusive society. In fact, the community's understanding, acceptance and support could help stop the vicious cycle of reoffending. The best way to achieve this is through continuous public education. Since the nineties, HKCS has been actively involved in youth education, for example, through the "Personal Encounter with Prisoners Scheme", to promote crime prevention and offender rehabilitation. To enlist wider

public support and involvement, HKCS has been organizing various rehabilitation-related activities across the community in recent years.

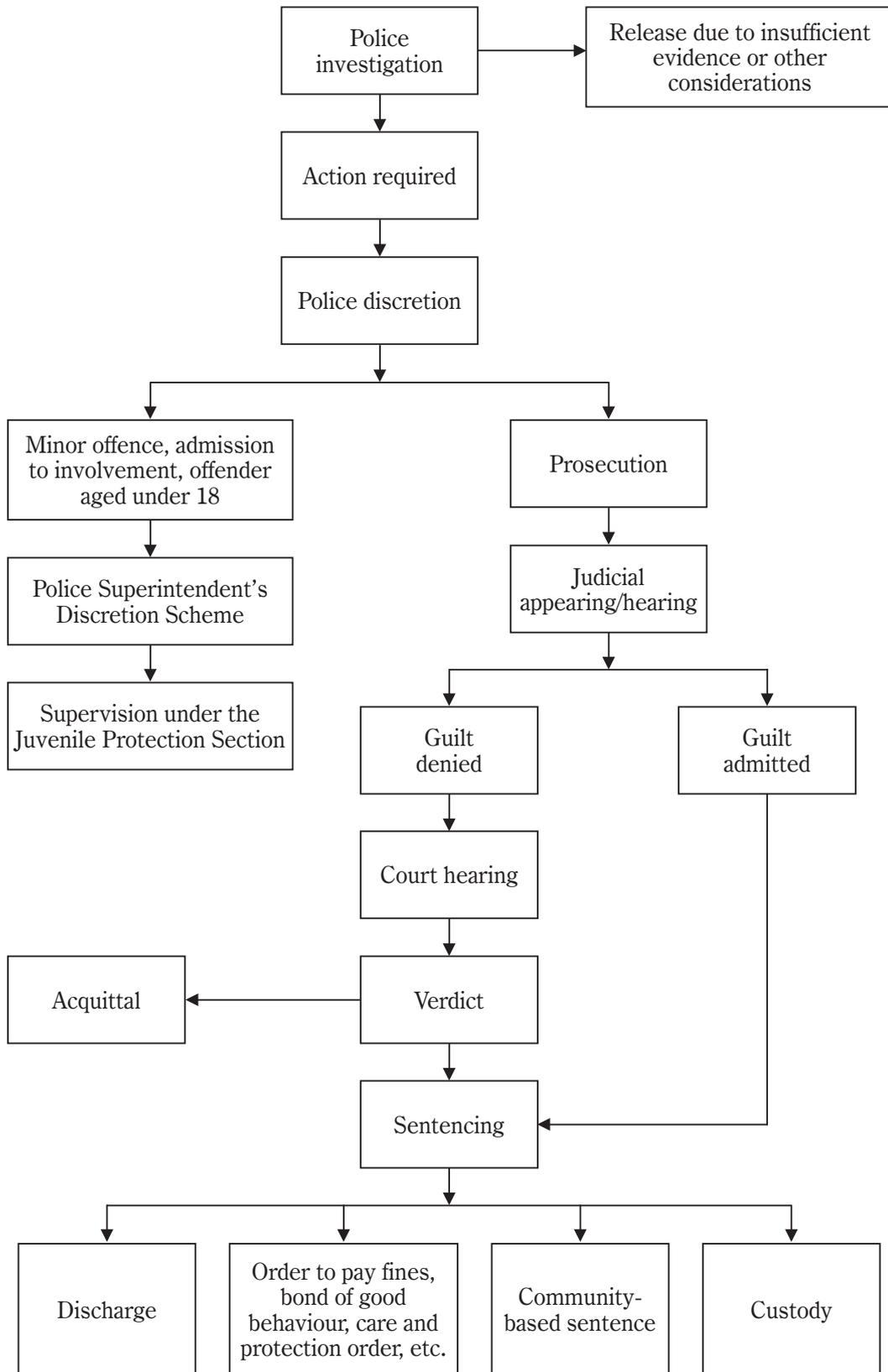
It would be unrealistic to say that crime can certainly be reduced or recidivism be prevented if the factors aforementioned are being implemented effectively, but, we believe that when we have the right vision and mission that lead us ahead, we will be doing the right job for the 'right' persons.

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APPENDICES

I. OPERATION OF THE JUVENILE JUSTICE SYSTEM IN HONG KONG



II. CRIME STATISTICS

Comparison of 2008 and 2007 Crime Situation

	2008 (Jan)	2007 (Jan)	2008 (Jan) Compared with 2007(Jan)			
			Numerical		%	
1. Overall Crime	7029	7402	-	373	-	5.0
2. Violent Crime	1325	1293	+	32	+	2.5
3. Homicide (1)	5	2	+	3	+	150.0
4. All Robberies (1), including :	98	122	-	24	-	19.7
- Robbery with Firearms	-	-		-		-
- Robbery with Arms (Stun Guns)	-	-		-		-
- Robbery with Pistol Like Object	1	-	+	1		-
- Bank Robbery	-	-		-		-
- Goldsmith/Watch Shop Robberies	2	-	+	2		-
5. Burglary	402	414	-	12	-	2.9
6. Wounding and Serious Assault (1)	703	704	-	1	-	0.1
- Wounding	151	152	-	1	-	0.7
- Serious Assault	552	552		-		-
7. Serious Narcotics Offences	282	272	+	10	+	3.7
8. Criminal Intimidation (1)	144	163	-	19	-	11.7
9. Blackmail (1)	38	37	+	1	+	2.7
10. Arson (1)	90	69	+	21	+	30.4
11. Rape (1)	10	13	-	3	-	23.1
12. Indecent Assault (1)	160	107	+	53	+	49.5
13. All Thefts, including :	3200	3351	-	151	-	4.5
- Snatching	27	33	-	6	-	18.2
- Pickpocketing	101	115	-	14	-	12.2
- Shop Theft	891	828	+	63	+	7.6
- Theft from Vehicle	173	220	-	47	-	21.4
- Miscellaneous Thefts	1826	1939	-	113	-	5.8
- Missing Motor Vehicles	109	115	-	6	-	5.2
14. Deception	391	596	-	205	-	34.4
15. Criminal Damage	630	640	-	10	-	1.6
16. Triad-related Crimes	209	188	+	21	+	11.2
17. Domestic Violence	580	629	-	49	-	7.8
- Crime Cases	178	204	-	26	-	12.7
- Miscellaneous Cases	402	425	-	23	-	5.4
18. Persons Arrested for Crime						
- Juveniles (aged 10 - 15)	460	462	-	2	-	0.4
- Young Persons (aged 16 - 20)	462	533	-	71	-	13.3
- Mainland Illegal Immigrants	18	58	-	40	-	69.0
- Mainland Visitors	123	124	-	1	-	0.8

Note :

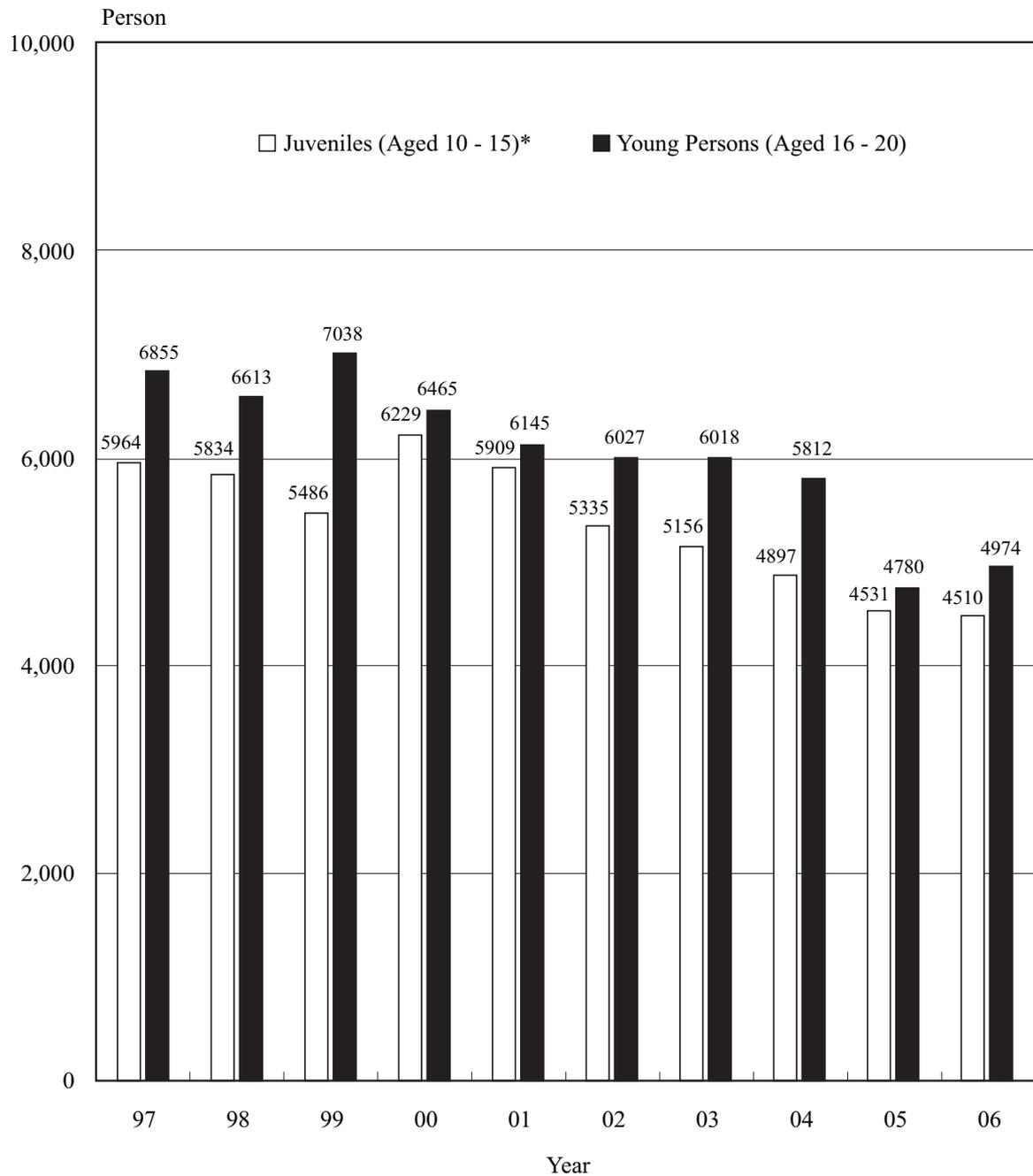
(1) Belongs to a type of violent crime.

Last revision date: April 24, 2008

Source: <http://www.police.gov.hk/hkp-home/english/statistics/compare08.htm>

III. JUVENILES AND YOUNG PERSONS ARRESTED FOR CRIME (1997-2006)

JUVENILES AND YOUNG PERSONS ARRESTED FOR CRIME, 1997 - 2006



* Prior to July 2003, "juveniles" refers to those aged 7-15. Thereafter, due to the change of the minimum age of criminal liability, it refers to those aged 10-15.

IV. ADMISSION OF REMANDS / PRISONERS / INMATES BY CATEGORY

按還押犯 / 監獄囚犯 / 所員類別劃分的收納人數
Admission of Remands / Prisoners / Inmates by Category

類別 CATEGORY	收納人數 ADMISSIONS					
	男 MALE			女 FEMALE		
	2005	2006	2007	2005	2006	2007
A. 還押犯 Remands						
1. 聆訊的法院 For hearing in :						
(a) 區域法院 District Court						
不足 21 歲 Under 21 Years	50	24	19	12	6	6
21 歲及以上 21 Years and over	499	323	198	78	61	52
(b) 裁判法院 Magistrates' Courts						
不足 21 歲 Under 21 Years	446	493	588	194	166	153
21 歲及以上 21 Years and over	5746	6112	6424	2296	1942	1972
2. 於高等法院受審 For trial at the High Court						
不足 21 歲 Under 21 Years	4	2	2	2	0	0
21 歲及以上 21 Years and over	49	23	27	8	3	6
3. 等候報告確定是否適合判入戒毒所 Pending suitability report for sentence to a drug addiction treatment centre						
不足 21 歲 Under 21 Years	175	212	423	25	23	50
21 歲及以上 21 Years and over	2004	1569	1850	337	257	335
4. 等候報告確定是否適合判入教導所 # Pending suitability report for sentence to a training centre #						
不足 21 歲 Under 21 Years	20	41	34	95	80	96
5. 等候報告確定是否適合判入勞教中心 ## Pending suitability report for sentence to a detention centre ##						
不足 21 歲 Under 21 Years	829	865	811	不適用 N.A.	不適用 N.A.	不適用 N.A.
21 歲及以上 21 Years and over	198	176	191	不適用 N.A.	不適用 N.A.	不適用 N.A.
6. 等候報告確定是否適合判入更生中心 Pending suitability report for sentence to a rehabilitation centre						
不足 21 歲 Under 21 Years	72	41	64	59	76	65
小計 Sub-total :	10092	9881	10631	3106	2614	2735
B. 定罪監獄囚犯 / 所員 Convicted Prisoners / Inmates						
1. 判處監禁 Sentenced to imprisonment						
不足 21 歲 Under 21 Years	496	384	332	1097	828	375
21 歲及以上 21 Years and over	12831	11855	10783	8775	7059	5261
2. 召回監獄 Recalled to a prison						
不足 21 歲 Under 21 Years	6	4	11	0	0	0
21 歲及以上 21 Years and over	20	19	21	1	1	2

備註：# 包括等候報告判入教導所 / 更生中心犯人

Notes: Including those pending suitability reports for sentencing to a training / rehabilitation centre.

包括等候報告判入勞教中心 / 教導所 / 更生中心犯人

Including those pending suitability reports for sentencing to a detention / training / rehabilitation centre.

V. MODULES OF OFFENDING BEHAVIOUR PROGRAMME

