

ASSESSMENT AND TREATMENT OF WOMEN OFFENDERS IN HONG KONG

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I. INTRODUCTION

In 2013, there were on average 9,200 persons daily being placed under the custody of the Hong Kong Correctional Services Department (CSD), of which about 19 percent are women, about 3.7 percent are elderly and about 6.8 percent are disabled. It is always a concern that the aforesaid persons' needs, which are quite different from the majority, should never be overlooked despite the fact that they only represent a fraction of the total penal population. To ensure that persons in custody with special needs are treated fairly and equally during detention and imprisonment, CSD has continued to make the best use of available resources to provide them with appropriate programmes and services to meet their physical, social, and psychological needs.

CSD recognizes that the success in rehabilitation of offenders requires not only quality custodial services, comprehensive rehabilitation programmes and the determination of persons in custody, but also the support and acceptance from the community. Therefore, CSD has closely collaborated with non-government organizations (NGOs) and external parties to initiate tailor-made programmes for the persons in custody with special needs. This collaboration not only enhances the rehabilitation services, but also shows the acceptance from the community of the offenders and facilitates their reintegration to the society.

This paper focuses on female persons in custody in the Hong Kong prison system and the trends and characteristics of the women admitted, leading to the understanding of the specific needs of this particular group. With the assessment of their individual needs, various programmes ranging from custodial accommodation to supervision after discharge are provided to help the women offenders to reintegrate into the community and reduce their re-offending behaviour.

II. OBJECTIVE AND POLICY OF THE HONG KONG CORRECTIONAL SERVICES DEPARTMENT

A. Mission and Objective

The Vision, Mission and Values statement of CSD and its motto "Support Rehabilitative Offenders for a More Inclusive Society" sets out the manner in which penal institutions should be administered. The Mission statement spells out that CSD is to protect the public and reduce crime, by providing a secure, safe, humane, decent and healthy environment for people in custody, opportunities for the rehabilitation of offenders and working in collaboration with the community and other agencies. The objective of the correctional services is to provide quality custodial services as well as timely, appropriate and comprehensive rehabilitation services for the offenders to improve their psychological health, so as to help them reintegrate into society and lead law-abiding lives after discharge from prison.

B. Policy on Equality

The correctional policy in the treatment of male and female persons in custody is based on the Hong Kong Prison Rules. Under the rules, male and female persons in custody should be held separately and provided with equal standards of care in prison. In general, female and male persons in custody are provided with facilities and treatment of equal standards. They are granted equality of treatment and access to opportunities for work, medical care, education, relevant vocational training, psychological

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services and programmes conducive to their rehabilitation.

III. NUMBER AND CHARACTERISTICS OF FEMALE PERSONS IN CUSTODY

A. Trend in the Number and Proportion of Female Offenders

Similar to the characteristics of many prison systems around the world, the males in custody are in the majority among the Hong Kong penal population. In the last decade, both male and female persons in custody have gradually trended downward. The proportion of female persons in custody maintains at around 20 percent. Table 1 shows the average daily penal population of male and female persons in custody from 2004 to 2013.

Table 1: Average Daily Penal Population 2004-2013

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Total	13,091	12,247	11,489	11,176	10,510	10,325	10,073	9,658	9,247	9,206
Male	10,274	9,667	9,165	8,979	8,408	8,181	8,059	7,820	7,534	7,474
Female	2,816	2,580	2,325	2,196	2,103	2,145	2,014	1,838	1,713	1,732
Female %	21.5%	21.1%	20.2%	19.6%	20%	20.8%	20%	19%	18.5%	18.8%

B. Types of Sentences for Female Offenders in 2013

In 2013, a total of 13,110 persons were sentenced and placed in CSD's custody, of which 3,821 persons were women. The type of sentence and related number of female offenders are listed in Table 2.

Table 2: Admission of Female Offenders by Type of Sentence in 2013

Type of sentence	Number of Female Offenders
Imprisonment/Prison	3,492
Drug Addiction Treatment Centre	291
Training Centre	7
Rehabilitation Centre	31
Total	3,821

C. Criminal Background of Female Offenders

It is widely indicated that women generally do not commit the same offences as men. Statistics of 2013 admission indicate that the vast majority of women in Hong Kong correctional institutions are convicted for non-violent offences related to immigration laws such as staying and working without employment visas. The type of offence and related number of female offenders are listed in Table 3.

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Table 3: Admission of Female Offenders by Type of Offence in 2013

Type of Offence	Male	Female
Against Lawful Authority e.g. Unlawful society Possession of offensive weapons	415 (4.5%)	118 (3.1%)
Against Public Morality e.g. Rape, Indecent assault Keeping a vice establishment	508 (5.5%)	32 (0.8%)
Against the Person e.g. Murder, Wounding, Serious assault	510 (5.5%)	66 (1.7%)
Against Property e.g. Robbery, Burglary, Theft, Deception	2,720 (29.3%)	867 (22.7%)
Against the Penal Code e.g. Possession of forged ID, Conspiracy	517 (5.6%)	329 (8.6%)
Against Local Laws e.g. Remaining in HK unlawfully, Breaching of condition of stay, Soliciting for immoral purpose, Publishing of obscene articles	2,594 (27.9%)	1,985 (52%)
Drug Offences e.g. Trafficking in Dangerous Drugs Possession of Dangerous Drugs	2,025 (21.8%)	424 (11.1%)
Total	9,289	3,821

D. Socio-economic Characteristics of Female Persons in Custody

In the Hong Kong prison system, among the female persons in custody, apart from local Chinese, many of them are coming from mainland China such as illegal immigrants with low education and poor background. They are easy victims for pandering groups who lead them into a life of prostitution and illicit activities. The socio-economic backgrounds of female persons in custody in Hong Kong are listed as follows:

Table 4: Age Structure of female persons in custody (as of 29 March 2013)

Age	14-20	21-29	30-39	40-49	50-59	≥60	Total
Female	111	366	531	445	180	37	1670
%	6.7%	21.9%	31.8%	26.6%	10.8%	2.2%	100%

Table 5: Marital Status of female persons in custody (as of 29 March 2013)

Marital Status	Single	Co-habited /Married	Separated	Divorced	Widowed	Unknown	Total
Female	747	680	20	200	21	2	1,670
%	44.7%	40.7%	1.2%	12%	1.3%	0.1%	100%

Table 6: Educational Attainment of female persons in custody (as of 29 March 2013)

Education Level	No schooling kindergarten	Lower primary	Upper primary	Lower secondary	Upper secondary	Post-secondary and above	Total
Female	78	90	202	728	427	145	1,670
%	4.7%	5.4%	12.1%	43.6%	25.5%	8.7%	100%

Table 7: Occupation and Employment Status of female persons in custody (as of 29 March 2013)

Occupation	Female	%
Managers/Professionals	10	0.6%
Associate professionals, technical & related workers	35	2.1%
Clerical & related workers	32	1.9%
Sales & service workers	91	5.5%
Elementary occupations Labour, Production workers, other	189	11.3%
Unemployed	1,253	75%
Economically Inactive e.g. Students, Housewife	60	3.6%
Total	1,670	100%

Table 8: Ethnicity of female persons in custody (as of 31 December 2013)

Ethnicity	Local Chinese	Mainland Chinese	Taiwanese	Other Ethnicities	Total
Female	882	438	5	454	1,779
%	49.6%	24.6%	0.3%	25.5%	100%

IV. PARTICULAR NEEDS OF FEMALE PERSONS IN CUSTODY

A. Assistance and Counselling on Family Responsibilities and Relationships

The above statistics of Table 5 show that 40.7% of the female persons in custody co-habitate or are married, 14.5% of which are separated, divorced or widowed. They all share family burden. In Chinese culture, women are normally expected to be the sole or primary caretakers of their young children, and share many family responsibilities such as meal preparation, house cleaning, etc. The custody may greatly affect the female offenders' family functioning; they may worry about their children's welfare, thus resulting in emotional harm because of family separation in addition to the adjustment problems in the custodial environment. They need special attention to their emotional, psychological and family-relationship needs.

B. Care of Dependent Children in Correctional Institutions

In addition to the fact that 40.7% of the female persons in custody co-habitate or are married, the above statistics of Table 4 indicate that 53.7% of them are between age 21-39. For the case of pregnant female persons in custody and incarcerated mothers with new born babies upon admission, there will be a need for medical assistance in their baby delivery and baby nurturing. Quite often, these women offenders are young mothers who lack effective parenting skills and have real difficulties in rearing

their children independently. Therefore, appropriate assistance should be made available for them to ensure the physical and psychological well-being of the children at risk.

C. Education and Vocational Training

Regarding the education level of female persons in custody, the statistics of Table 6 indicate that 65.8% of them are lower secondary or below. Without basic academic qualification, it may limit their job opportunities or it may be difficult for them to be promoted to managerial or senior posts. It is echoed with the statistics of their occupation that most of the female persons in custody are engaged in elementary occupations such as labour, production workers, i.e. 11.3%, (see Table 7). With an objective to develop the female persons in custody, education and vocational training are means for them to prepare for further study or to become equipped with better job skills.

D. Employment Assistance

As the above statistics of Table 7 reveal, about 75% of the female persons in custody are unemployed before admission; this is relatively high in comparison with the current Hong Kong unemployment rate of 3.1% (Jan-Mar 2014, Census and Statistics Department, Hong Kong). It may be due to the low educational level or job skill level as stated before or their low motivation in engaging in employment. Nevertheless, it reflects the need of employment assistance for them with a view to enhancing their work motivation, attitude and strengthening the competitiveness and employability in the labour market.

E. Needs of Minor Ethnicities

According to the above statistics of Table 8, among the female persons in custody, 49.6% of them are local Hong Kong Chinese, 24.6% of them from mainland China and 0.3% of them from Taiwan. For the persons in custody coming from mainland China, although they speak Mandarin — but not Cantonese as Hong Kong people — they do share common culture and language with local Chinese, are easier to mix with local Chinese persons in custody and to communicate with correctional staff. On the other hand, for those non-Chinese persons in custody (25.5%), who share different language, culture and living habits, particularly those who do not speak English, might experience greater social isolation and deserve more attention. Therefore, special arrangements for food, communication, etc. are needed in facilitating their adjustment in correctional institutions.

V. ASSESSMENT OF FEMALE PERSONS IN CUSTODY

A. Risks and Needs Assessment

At present, Risks and Needs Assessment would be conducted for all local adult persons in custody serving sentences of 12 months or above. “Risks” refers to a set of quantifiable historical factors such as escape history, self-harm index, age, number of previous convictions, institutional experience, education level, triad membership and drug abuse experience, etc. which when summed up can be used to predict the probability of re-offending behaviour. “Needs” refers to a set of personal/interpersonal factors and behaviour associated with offending. Seven dynamic need domains would be assessed including family/marital, employment, community functioning, associates, drug abuse, personal/emotional and criminal attitude. After the needs profile is formed, programme-matching services responding to the need area are provided.

B. Medical Assessment

Primary medical examination is conducted upon the admission of every female person in custody by a CSD Medical Officer, i.e. doctor, for the purposes of understanding her medical and drug history as well as detecting any medical significance, e.g. infectious disease. For those with a history of prostitution, drug abuse with the habit of sharing needles with others, or having multiple sex partners, they are advised to receive further medical screening, e.g. blood testing for HIV.

VI. TREATMENT FOR FEMALE PERSONS IN CUSTODY

A. Accommodation

All accommodations provided by CSD to persons in custody are certified by the Commissioner to be of adequate space, lighting, ventilation and fitting, as is requisite for health, and every accommoda-

tion is furnished with the means of enabling persons in custody to communicate with an officer of the institution at any time after incarceration. All cells and dormitories are well-equipped to meet the hygiene and basic needs of persons in custody. Shower and toilet facilities are neatly provided for persons in custody.

B. Diet

All meals for persons in custody are prepared by designated persons in custody in the prison kitchen. Different diet scales are provided to persons in custody according to their health condition, ethnic group and religion. Currently, there are four main diet scales which include:

- (i) Asian Diet (rice as the staple food) for most Asians, which meets the needs of most of the mainland Chinese and South East Asians;
- (ii) Indian Diet (Halal food) for most South Asians;
- (iii) European Diet (with bread and potatoes) for Western persons in custody;
- (iv) Vegetarian Diet for persons in custody who are concerned with their health. This diet meets the needs of Buddhists also.

C. Medical Services

Most of the female correctional facilities have a hospital with qualified medical personnel to provide female persons in custody with primary medical treatment and healthcare services. Persons requiring intensive medical care or specialist consultation are referred to public hospitals/outpatient clinics of the Hospital Authority or the Department of Health for follow-up treatment.

If pregnancy or suspected pregnancy is revealed during the primary medical examination conducted upon admission, the Medical Officer may direct the pregnant person in custody to be located at the Hospital Ward under constant medical supervision. Pre-natal and post-natal care are provided in correctional institutions for females in custody, but babies are normally delivered in public hospitals. A child born will be vaccinated after birth as the medical officer considers safe and desirable. The child will receive health screening and equivalent healthcare services at an outside clinic at regular intervals.

D. Care for Dependent Children in Custody

CSD recognizes the need of an incarcerated mother to maintain a maternal bond with her child. To encourage female persons in custody to take up their gender-specific child rearing responsibilities, Prison Rules permit incarcerated mothers to nurse and keep their babies with them in prison until the babies are nine months of age, and with the approval of the Commissioner of Correctional Service, until the age of three. The incarcerated mother and her children are arranged to stay in a special ward in centre hospital with suitable nursing and health facilities. The mother is exempted from normal work so that she can spare herself fully for child-rearing. To assist the personal growth of children during their stay in the prison, CSD also invites NGOs to provide tailor-made service for them. For example, Playright Children's Play Association has delivered a play development programme, namely "Happy Face", for infants and children in Lo Wu Correctional Institution (LWCI). The programme aims at enhancing children's physical, cognitive and emotional development, as well as strengthening the parent-child relationship through a series of play sessions.

E. Half Day Child Visit Programme

It is believed that early childhood is a significant period for a child's growth and development. Also, taking into consideration that prolonged periods of physical separation may have detrimental effects on the relationship between the children and the incarcerated mother, Half Day Child Visit Programme is therefore provided as a channel for female persons in custody to maintain their relationship with their offspring, and to reassure the latter of the mother's care and concern. Child Visit Centres with decorated playrooms, adequate toys and books, are set up in female penal institutions for children up to the age of six who pay visits to their incarcerated mothers. The aim of the programme is to enable incarcerated mothers to maintain an intimate relationship with their children in order to pave the way

for their future return to family.

F. Welfare and Counselling Services for Enhancing Family Relationships

CSD Rehabilitation Officers render welfare and counselling services to every female person in custody right from their admission, when they may be facing the most difficult time during custody. Rehabilitation Officers cater for offenders' welfare needs such as making arrangements for them to meet their family members, help them deal with their adjustment problems as well as cope with difficulties arising from detention, and provide various rehabilitative programmes to meet their rehabilitative needs. Towards the end of their imprisonment, Rehabilitation Officers will prepare them for release by conducting pre-release reintegration orientation courses, and supplying them with information on community resources. For cases with special needs such as housing or financial difficulties, they would be referred to appropriate government departments or social welfare organizations for follow-up support and services.

To strengthen the family ties of the incarcerated mothers, CSD supports the Society of Rehabilitation and Crime Prevention, Hong Kong (SRACP) to run a project, namely "Blue Bus". This project aims to render emotional and social support to the children of imprisoned parents. With the provision of services, children can be accompanied by the trained volunteers of SRACP to visit their incarcerated mothers and attend parent-child programmes in prisons. Through the project of "Birthday Gift and Wish Express", the volunteers of SRACP will help the incarcerated mothers to celebrate and send the birthday cakes, gifts and wishes to their children on their birthdays. Also, a similar project named "Deliver Hope & Love" is also available for other nation's female persons in custody. This programme enhances their family connections and mutual support during custody.

G. Psychosocial Services: the Psychological Gymnasium

To improve female offenders' psychological well-being and to change their offending behaviour, CSD Clinical Psychologists and trained officers provide them psychosocial counselling services and special treatment programmes such as the drug abuse programme. Recognizing that female offenders differ from their male counterparts in terms of the causes of their offending behaviour, rehabilitation needs and response style to treatment, CSD has established the first personal growth and emotion treatment centre for adult female inmates, namely "Psychological Gymnasium" at LWCI in 2011 to address their gender-specific risks and needs. This Psychological Gymnasium takes the lead in introducing positive psychotherapy under a systematic approach to provide psychological services to offenders. It offers an orientation programme of two to four weeks to female inmates with personal or emotional problems and risk of re-offending. Treatments are provided in the form of group therapy and in-depth psychological coaching, with focus on empowering participants to develop positive thinking, to enhance their interpersonal and mood management skills, and to cope with their trauma and emotional problems. The musical instruments and drawing facilities are also used for strengthening the treatment effect. The establishment of this Psychological Gymnasium marks a new era in the development of rehabilitation services in correctional settings.

H. Services Provided by NGOs, External Parties and Volunteers

Apart from providing high quality custodial services and comprehensive programmes, CSD fully recognizes that the successful reintegration of offenders to society could not be achieved without the engagement of the public in the reintegration process. CSD has also incorporated "working in collaboration with the community and other agencies" into its Mission statement to reflect this total commitment in our work in 2010. At present, more than 2,000 volunteers from over 80 NGOs, charities and religious bodies are providing services from counselling to cultural, religious and recreational activities to penal institutions including female institutions. For example, CSD has collaborated with Hong Kong Repertory Theatre and Amore Pacific to run a drama group and a beauty class, respectively, in LWCI.

To help the rehabilitation of offenders, the CSD Rehabilitation Volunteer Group was set up in early 2004 with about 260 members. It comprises professionals like teachers, social workers and accountants, and retirees and university students. They have conducted courses in languages, computer studies, accounting and post-secondary tutorial. They have also run cultural and interest classes, such as yoga, handicraft, hair-cutting, music and pencil sketching for female persons in custody. They also partici-

pate in the publicity programmes on appealing for support for offenders' rehabilitation and community services.

I. Services for Mainland China, Ethnic Minorities and other Nationalities' Female Persons in Custody

Apart from the local persons in custody, CSD also recognizes that mainland Chinese persons in custody and persons in custody of other nationalities form a significant portion of the female penal population. To ensure that their needs are taken care of, resources are allocated to enhance the rehabilitation services for these female offenders. Rehabilitation services including hobby classes such as Basic English, Cantonese language, African drum, color pencil sketching, Chinese calligraphy, skin care and music group activities are provided to meet their special needs and to enhance inclusiveness among ethnic minorities and other nationalities, persons in custody and local persons in custody.

J. Education

With a view to enhancing offenders' basic academic standards and helping them to obtain recognized academic qualification necessary for further studies after their discharge and to thereby help them reintegrate into the community, CSD provides half-day compulsory education programmes for young female offenders under the age of 21. To prepare young offenders for further education or employment, accredited public examination such as the Hong Kong Diploma of Secondary Education Examination, General Certificate of Education Examinations (London Examinations), Hong Kong Institute of Accredited Accounting Technicians Examinations and London Chamber of Commerce & Industry International Qualifications are arranged for them. CSD also provides guidance and assistance to adult female persons in custody participating in voluntary educational pursuits such as distance learning courses run by the Open University of Hong Kong and sitting for accredited public examinations like the City and Guilds International Examinations. Female offenders seeking an education may obtain financial assistance from the Prisoners' Education Trust Fund, the Prisoners' Education Subsidy Fund and the Care of Rehabilitated Offenders Association Foundation, etc., which are all funded with charitable donations.

K. Vocational Training

Provision of vocational training to persons in custody has been an important component of the rehabilitation regime. A series of diversified and market-oriented vocational training programmes with recognized accreditation are organized for both young and adult female persons in custody to strengthen their capability. Through the training, female offenders can acquire useful and market-oriented occupational skills and accredited qualification so as to enhance their employability and increase the likelihood of securing a gainful job after discharge, thus facilitating their successful reintegration into society. For young female persons in custody, CSD provides half-day compulsory technical, commercial and services training. Equal importance is placed on theoretical and practical aspects of the curriculum which prepares them to pursue further training after release. For adult female persons in custody, CSD provides pre-release vocational training courses on a full-time and part-time voluntary basis in adult female institutions. As the most recent initiative, CSD has enlisted the cooperation of the Employees Retraining Board and NGOs like Christian Action to provide vocational training courses such as catering and banquet attendant, laundry assistant, cosmetician assistant, environmental hygiene, cleaning worker and webpage design, etc. for female persons in custody. The training is provided to meet the demands of society and standards recognized by international vocational authorities. For example, training courses such as beauty care, food and beverage services, Chinese cooking theory and practice, retail and office operation and commercial and selling, etc. are accredited by the City and Guilds and Vocational Training Council.

L. Pre-release Employment Services

CSD is devoted to providing employment opportunities for persons in custody and enhancing their employability after release. To further enhance the pre-release employment services, job vacancies of various trades from "Caring Employers" will be regularly referred to female persons in custody. Such job vacancies would be displayed on the Light Emitted Diode (LED) Display Boards and posted in prominent places in institutions for the information of persons in custody. Such information should also be conveyed to persons in custody during the Induction Programme and Pre-release Reintegration Programme. Interested female persons in custody, who will be discharged within three months, may

approach Rehabilitation Officers for application forms. Job interviews conducted by the potential employers would be arranged by rehabilitation staff on an as-need basis.

M. Supervision

CSD provides statutory supervision for young female offenders, persons released from the Rehabilitation Centre, Training Centre or Drug Addiction Treatment Centre and female adult offenders released under various supervision schemes. The service is an integral part of the rehabilitative programmes to assist offenders in reintegrating into society and leading law-abiding lives upon release. Rehabilitation Officers render appropriate support and guidance to persons in custody to help them be aware of their inadequacies and prepare for challenges ahead upon discharge. Through regular contacts and visits during the supervision period, they will guide and assist supervisees for reintegration.

VII. CONCLUSION

CSD is committed to respect the special needs of persons in custody of different gender groups. It understands that female persons in custody may experience different challenges from the male persons in custody. They have adjustment problems in many aspects. Female persons in custody, without proper relief, may resort to disorderly behaviour, which is detrimental to their rehabilitation. As a result, CSD has taken various measures to help these persons in custody adapt to the prison setting and reintegrate into the community. CSD has also liaised with many NGOs and external parties to provide appropriate services for female persons in custody. CSD understands that much has to be done to meet the diverse needs of all persons in custody in a prison, and will strike a good balance among the interests of persons in custody and prison management.