

## MEMO

From Commissioner of Correctional Services

Ref. (30) in CSD OPS 65-5-1 Pt.2

Tel. No. 2582 5185

Fax No. 2802 4903

Date 16 June 2016

To Heads of Institution

(Attn.: )

Your Ref. in

dated Fax. No.

Total Pages 5

### **Guidelines on Approving Persons in Custody to Receive Mail-in Books, Periodicals or Newspapers from Relatives/Friends outside the Territory of Hong Kong Special Administrative Region**

Occasionally, institutional management receive requests from persons in custody (PICs) for approval of receiving mail-in books, periodicals or newspapers from relatives/friends outside the territory of Hong Kong Special Administrative Region (HKSAR). The following guidelines serve to standardise and streamline the practices pertaining to such approval amongst institutions. Having said that, the Heads of Institutions (HoI) are vested with the authority to consider the requests/scenarios/circumstances which are not elucidated in these guidelines having regard to the merits of individual case (subject to decision on a case-by-case basis).

#### Mechanism of Approving Mail-in Books, Periodicals or Newspapers

2. As a general rule, PICs are not allowed to receive mail-in articles except letters. The institutional management may refuse the receipt of and confiscate any mail-in articles without prior approval.

#### *Criteria*

3. Notwithstanding the above, the institutional management may allow a PIC to receive mail-in books, periodicals or newspapers from any relative/friend outside the territory of HKSAR having regard to his/her rehabilitation need, provided that the PIC has not received any visit from his/her spouse, children, parents and siblings in the past two consecutive months.

#### *Application procedures*

4. Any PIC who wishes to receive mail-in books, periodicals or newspapers from the relative(s)/friend(s) outside the territory of HKSAR shall first complete Part I of the attached Application Form at Appendix. Such application shall be treated as a formal request and be properly recorded in the "Prisoner Request Register".

5. Upon satisfying with the criteria as stated in paragraph 3, the institutional management may allow the PIC to receive mail-in books, periodicals or newspapers from the relative/friend specified in the Application Form for a period not more than six months, counting from the date of approval (hereunder referred to as "approval period").

6. The expiry date of the approved period shall be clearly specified in Part II of the Application Form with relevant penal entry made.

7. If the PIC subsequently received visit from the family members as specified in paragraph 3 above during the approval period, it will not void the approval which had been given.

*Maximum quantity allowed to be mailed-in*

8. The maximum quantity of mail-in books, periodicals or newspapers allowed to be received remains the same (i.e. six per month except devotional books) regardless of hand-in or mail-in. The maximum number of mail-in books, periodicals or newspapers a PIC is allowed to be kept in possession is subject to the local circumstances of the institutions according to the prevailing arrangements as specified in the relevant memo issued by this HQ <sup>1</sup>.

Notification and Documentation

9. The institutional management should devise proper bring-up and monitoring system, as well as notify the PIC concerned of the result of application and the expiry date with record made.

10. The Application Form shall be filed in the penal record of the PIC concerned for future reference.

11. For further information, please contact the undersigned or CO(PA) TO Yuen-sau at 2582 5179.



( LEUNG Kam-yan )

for Commissioner of Correctional Services

c.c. Directorate  
SS(PO)  
SS(QA)  
SS(Reh)

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<sup>1</sup> The list of "Approved Articles for Prisoners" attached in HQ Memo Ref. (19) in CSD OPS 73-20-1 Pt. 4 dated 1.4.2016 refers.

Correctional Services Department  
Application for Receiving Books, Periodicals or Newspapers  
from Relatives/Friends outside the Territory  
of Hong Kong Special Administrative Region (HKSAR)

**Part 1 – Application and Undertaking**

I, \_\_\_\_\_, (Person in Custody (PIC) Registered Number (PRN): \_\_\_\_\_), apply for receiving books, periodicals or newspapers printed in \_\_\_\_\_ (language) from the following sender outside the territory of HKSAR for a period of six months. I declare that I received no visit from any family member (including spouse, children, parents or siblings) in the past two consecutive months from the date of this application.

Sender information

The sender information is provided as follows:

Name: \_\_\_\_\_  
Relationship: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

I have read and fully understood the rules and conditions of this undertaking listed below, and agreed to them -

- (i) I am not allowed to receive any mail-in articles except letters unless with prior approval given from the CSD.
- (ii) After approval is given by the CSD, I will be allowed to receive mail-in books, periodicals or newspapers from the declared relative(s)/friend(s) outside the territory of HKSAR as stated above for a period of six months, counting from the date of the approval given (hereunder referred to as “the approval period”). The approval will lapse automatically after the approval period. CSD will not give me any notice in advance.
- (iii) It is solely my own responsibility to apply for extending the approval period or making a new application if I wish to receive mail-in books, periodicals or newspapers from any declared relatives/friends after the approval period. If I do not make the application again, it means that I do not wish to receive mail-in books, periodicals or newspapers any more. CSD has no responsibility to remind me to extend or make the application again.
- (iv) I am liable to disciplinary action if I provide false information about the sender or declaration that I have not received visit from my family member (including spouse, children, parents or siblings) in the past two consecutive months.

- (v) The mail-in books, periodicals or newspapers should not contain information of any arms, ammunition, weapon, explosive, harmful or deleterious substance, intoxicating liquor, or any dangerous drugs, violence, escape, obscene, etc.; and is of such a nature detrimental to the rehabilitation of any person in custody, or pose a threat to any individual's personal safety or to the security, good order and discipline of the prison, etc.
- (vi) I am only allowed to receive a maximum quantity of six books, periodicals or newspapers per month, regardless of mail-in or hand-in, unless otherwise be allowed by CSD.
- (vii) It is my sole responsibility to make arrangement with my visitors or the declared senders of the mail-in books, periodicals or newspapers to ensure that the quantity received by me will not exceed the limit.
- (viii) Any articles which are mailed-in to me without prior approval given by the CSD, or do not bear the sender's information (including name or address), or in excessive quantity (i.e. more than six), or containing the information elucidated in item(v) above, will be treated as unauthorised articles.
- (ix) CSD is vested with the authority and final decision to determine how to handle any unauthorised article sent to me. The way of handling includes the withholding, disposal, confiscation, returning to sender, etc. as deemed appropriate.

Signature of PIC: \_\_\_\_\_

Name of PIC: \_\_\_\_\_

PRN: \_\_\_\_\_

Institution: \_\_\_\_\_

Date of application: \_\_\_\_\_

## Part II- Reply Slip

I, \_\_\_\_\_, (Person in Custody (PIC) Registered Number (PRN): \_\_\_\_\_), have been notified that my application dated \_\_\_\_\_ for receiving mail-in books, periodicals or newspapers from \_\_\_\_\_ **has been approved** and the approval will lapse on \_\_\_\_\_. I understand that it is solely my own responsibility to apply for extending the approval period or making a new application if I wish to receive mail-in books, periodicals or newspapers from my relatives/friends after the approval period. If I do not make the application again, it means that I do not wish to receive any mail-in books, periodicals or newspapers. CSD has no responsibility to remind me to extend or make the application again.

Signature of PIC: \_\_\_\_\_

Name of PIC: \_\_\_\_\_

PRN: \_\_\_\_\_

Institution: \_\_\_\_\_

Date: \_\_\_\_\_