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Re: Information regarding the training, understanding of and use of Istanbul Protocol

22/12/2020 23:32

From: Scott Edmunds <foi+request-528-c88a8829@accessinfo.hk>
To: FOI requests at Immigration Department <rm@immd.gov.hk>

Dear Immigration Department,

Thank you for getting back to me and providing some insight into training program for the Immigration Department staff and medical professionals. You haven't answered my specific questions trying to gather some specific detail of this training, so can I ask this again?

Specifically:

1. How many police enforcement and medical professionals have been trained to use the Istanbul Protocol between January 2010 and October 2020?

2. How often have trainings been conducted? If available,

- Could you please provide the dates of trainings?
- Number of people trained?
- Who delivered the trainings?
- What types of departments and professions were represented at these trainings and;
- Any documents provided at the trainings or used to develop the trainings?

3. How is the training assessed and how often are refresher courses offered?

4. How often have medical professionals been instructed by a Government Department and/ or Tribunal and Court for a report of torture and/ or cruel and inhumane treatment based on the Istanbul Protocol?

5. Who many reports been prepared for Governments and/ or Tribunals and Courts?

6. How many Istanbul Protocol compliant reports have been admitted in criminal and/ or civil litigation proceedings?

Yours faithfully,

Scott Edmunds

-----Original Message-----

Our ref.: L/M (46) in ImmD RALS1/6-20/3/C

Dear Mr. Edmunds,

We refer to your application for access to information of 12 November 2020 on training-related matters for medical and law enforcement professionals in Hong Kong. Further to our interim replies of 20 November and 1 December 2020, please find our substantive reply below.

As far as the Immigration Department (ImmD) is concerned, ample training and support, including training on the Istanbul Protocol, are provided for the staff responsible for screening non-refoulement claims under the Unified Screening Mechanism (USM). All the case officers responsible for screening non-refoulement claims will attend a 15-day professional training course before assuming such duties. The course comprises lectures given by senior case officers from overseas common law jurisdictions, the Office of the United Nations High Commissioner for Refugees (UNHCR) officials and local law academics. In addition, ImmD will arrange regular training for case officers to ensure that they have a thorough understanding of the USM and sufficient knowledge to process cases, including the latest local and overseas precedents, up-to-date information on claimants' countries of origin, etc. Case officers have received training on the Istanbul Protocol (which is the international standard for investigating torture cases), the UNHCR procedural standards, and ways to deal with special needs (e.g. victims of violence, minors), so as to ensure that they are well trained in handling the special needs of victims of sex violence, unaccompanied minors, claimants suffering from post-traumatic stress disorder and female claimants, etc.

If the physical or mental condition of a claimant is in dispute and is relevant to the consideration of a claim, a medical examination conducted by qualified medical practitioners may be arranged. Similar to ImmD's case officers, the concerned medical practitioners have received training courses on torture /non-refoulement claims conducted by relevant experts.

We hope you would find the above information useful.

Best Regards,

(FUNG Man-him)

for Director of Immigration

<-- Start of Original Message -->

From Name : IMMD Department
From Address : [email address]
To : [FOI #528 email]
CC :
Subject : Freedom of Information request - Information regarding the training, understanding of and use of the Istanbul Protocol
Send Time : 01/12/2020 14:38:46
Body :

Our ref.: L/M (46) in ImmD RALS1/6-20/3/C

Dear Mr Edmunds,

We refer to your application for access to information of 12 November 2020 relating to the use of Istanbul Protocol in the assessment of non-refoulement claim.

We need more time to handle your application. Our Department would revert to you on or before 1 January 2021 according to paragraph 1.18 of the Code on Access to Information.

Best Regards,

(KK WONG)

for Director of Immigration

To learn more about the application requirements and procedures of the most frequently used services provided by the Hong Kong Immigration Department, you are welcome to visit the Easy Access Playlist at Hong Kong Immigration Department [1]YouTube Channel. The concerned video clips have Cantonese voice-over supplemented by Chinese or English subtitles.

<Important Notice>

In processing your enquiry, collection of personal data may be required. Personal data so collected will be transferred to the relevant sections of the Immigration Department for follow up actions. The provision of personal data is voluntary. If you do not provide such data, we may not be able to process your enquiry. You have the right to request access to or correction of your personal data as provided, and the request should be addressed to : Chief Immigration Officer (Information and Liaison) Immigration Tower, 7 Gloucester Road, Wanchai, Hong Kong. You may also browse information relating to the □□Statement of Privacy Policy and Practice□□ of the Immigration Department in our Homepage at <http://www.immd.gov.hk/ehtml/statement.htm>

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References

Visible links

1.

<https://www.youtube.com/playlist?list=PLeEMzN-mgOVfL-NoQ5issFf4zdQnTbhuM>

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