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Re: Freedom of Information request - Detention policy as of August 2021 📎

06/08/2021 17:46

From: RM/IMMD/HKSARG
To: Preston Cheung <foi+request-704-ee551ce1@accessinfo.hk>

Dear Preston,

Thanks for your email dated 6 August 2021.

Please be informed that pursuant to your consent given, the concerning part of your request (i.e.(4)(iii) of your email dated 2 August 2021) has been transferred to the Correction Services Department today. Regarding the rest of the requested information, your application is now under processing. According to paragraph 1.16 of the Code on Access to Information, our department will inform you of the latest progress of the case separately on or before 22 August 2021.

Regards

(Mr. W M Fung)
for Director of Immigration

Preston Cheung

Dear Records and Data Management Section, De...

06/08/2021 15:37:50

From: Preston Cheung <foi+request-704-ee551ce1@accessinfo.hk>
To: Records and Data Management Section <rm@immd.gov.hk>
Date: 06/08/2021 15:37
Subject: [Possible SPAM] Re: Freedom of Information request - Detention policy as of August 2021

Dear Records and Data Management Section,

Dear Mr Fung,

You have my consent to redirect the mentioned part of the request to the CSD. I look forward to receiving your substantive reply on the rest of my information request soon.

Thanks very much.

Kind regards,

Preston Cheung

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

Dear Preston,

We refer to your email dated 2 August 2021

You may wish to note that part of your requested information (copied as below) falls within the purview of Correctional Services Department.

"(4) (iii) the current Operational Manuals of the Tai Tam Gap Correctional Institution"

In this regards, your consent is required before we transfer this part of request to the Correctional Services Department for their reply. Your reply by 10 August 2021 is much appreciated.

Regards

(Mr. W M Fung)

for Director of Immigration

From: Preston Cheung <[FOI #704 email]>

To: FOI requests at Immigration Department <[Immigration Department request email]>

Date: 02/08/2021 13:47

Subject: [Possible SPAM] Freedom of Information request - Detention policy as of August 2021

Dear Immigration Department,

I would appreciate if you could provide information on the policies/guidelines/operational manuals which govern immigration detention as set out by the Immigration Ordinance, in response to the following

questions:

(1) Could you please provide a copy of the detention policies currently in force to govern immigration detention? Relevant ImmD press release:

[1]<https://www.immd.gov.hk/eng/press/press-releases/20201224.html>

(2) Could you please indicate if these policies have been updated per the Immigration (Amendment) Ordinance 2021 that has come into force on 1 August 2021? If so, please specify the updates made.

(3) Could you please indicate if there are other guidelines issued to the staff of the Immigration Department concerning the implementation of the detention policies? If so, please provide a copy of such guidelines.

(4) Could you please provide the current Operational Manuals of (i) the Castle Peak Bay Immigration Centre, (ii) the Ma Tau Kok Detention Centre, and (iii) the Tai Tam Gap Correctional Institution?

(5) Per the Government's press release

([2]<https://www.info.gov.hk/gia/general/202107/23/P2021072300765.htm>), the Tai Tam Gap Correctional Institution is "used for the detention of non-refoulement claimants", but this facility is not specified in Sch. 3 of the Immigration (Places of Detention) Order (Cap. 115 sub leg B).

Could you please confirm if persons detained in the Tai Tam Gap Correctional Institution are subject to rules 189 to 207 (inclusive) of the Prison Rules (Cap. 234 sub. leg. A), pursuant to para. 3 of the Immigration (Places of Detention) Order (Cap. 115 sub leg. B)? If not, could you please provide for the ordinance/subsidiary legislation that specifies the treatment of persons detained in the Tai Tam Gap Correctional Institution?

Thank you very much for your assistance in this matter.

Kind regards,
Preston Cheung

This is a request under the Code of Access to Information facilitated via the accessinfo.hk website.

Please use this email address for all replies to this request:

[FOI #704 email]

Is [Immigration Department request email] the wrong address for Freedom of Information requests to

Immigration Department? If so, please contact us using this form:

[3]https://accessinfo.hk/en/change_request/new?body=immigration_department

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References

Visible links

1. <https://www.immd.gov.hk/eng/press/press-releases/20201224.html>
2. <https://www.info.gov.hk/gia/general/202107/23/P2021072300765.htm>
3. https://accessinfo.hk/en/change_request/new?body=immigration_department
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