

# Immigration Department strongly condemns unfounded allegations against Castle Peak Bay Immigration Centre by online media

In response to online media reports alleging inhumane treatment of detainees who refused to collect meals at the Castle Peak Bay Immigration Centre (CIC) of the Immigration Department (ImmD), the ImmD solemnly clarified that the reports are completely untrue. The ImmD strongly condemns anyone who deliberately distorted facts and fabricated groundless accusations against detention-related matters by the ImmD pursuant to lawful procedures.

Some recent reports published through online media alleged the ImmD to have indefinitely detained non-refoulement claimants, inhumanely treated the detainees who refused to collect meals and refused to provide suitable medical treatment to them. The reports also mentioned complaints against unsatisfactory hygiene conditions in the CIC. It should be pointed out that these allegations are, however, unfounded. The ImmD expressed deep regrets that such reports are distorted and void of factual basis, and intend to mislead the public.

An ImmD spokesperson stressed that all arrangements for detainees are made in accordance with the Immigration (Treatment of Detainees) Order (The Order), Cap. 115E laws of Hong Kong to ensure that they are treated fairly and properly. The detainees at the CIC are accorded the treatment provided by the Order, such as medical examinations, exercise, personal hygiene, channels for lodging complaints, visits by justices of the peace and communication with legal advisers, etc. All arrangements for the detainees at the CIC are also implemented in strict accordance with the established procedures to ensure that they are treated fairly and properly. Any detainee who is dissatisfied with their treatment may immediately lodge a complaint with the Office of The Ombudsman, justices of the peace or the ImmD. The ImmD will handle the complaints in a serious manner in compliance with the prevailing laws and procedures.

The medical officer in the CIC all along has provided appropriate medical treatment to detainees in strict accordance with the Code of Professional Conduct for the Guidance of Registered Medical Practitioners by the Medical Council of Hong Kong. Since the incident in which some detainees refused to collect meals, ImmD staff have been closely monitoring the health condition of the detainees concerned. The medical professionals on duty around the clock have conducted medical examinations for them, which include measuring their weight on daily basis and blood glucose levels on alternate days. If necessary, the detainee concerned will be sent to hospital immediately for further examination. So far, detainees' blood glucose levels are normal and they are emotionally stable. Most of the detainees concerned

are taking milk tea and milk provided by the CIC and are doing exercise. Meanwhile, immigration staff have repeatedly persuaded them to resume collecting meals and have provided counselling services to them. Meetings have also been held with those who refused to collect meals to fully explain to them the reasons for their detention and provide information on the latest progress of their cases. As for a news report that alleged that a detainee was "not drinking any water" for seven days or was detained alone, the ImmD points out that these allegations are factually inaccurate.

The Hong Kong Special Administrative Region Government has formulated the detention policies concerned according to the relevant legal principles established by the courts, which stipulate that the ImmD will take into consideration all the facts and circumstances of a concerned case, including whether the person concerned has committed a serious crime, whether the person is likely to pose a threat to the community, and whether there is any risk of the person absconding or reoffending, etc. When exercising its statutory power of detention, the ImmD strictly follows the relevant detention policies and fully considers all the circumstances of the particular case before making a decision. The duration of detention imposed on a person under detention depends on the circumstances of the case and any relevant changes, which cannot be generalised. The media coverage in question were void of sufficient justifications and failed to take into account the overall background of the cases, including the fact that each of the detainees is either an illegal immigrant or an overstayer in Hong Kong, and many of them have a history of absconding or convictions of serious criminal offences, namely trafficking in dangerous drugs, wounding, blackmailing, committing indecent offences, etc. They pose security risks to the community, such as risks of absconding. The ImmD condemns those media that have clearly distorted the facts and inappropriately accused the Department's detention decisions pursuant to the prevailing law of amounting to an "indefinite detention" and a "violation of human rights".

The ImmD repeatedly stressed that despite the ongoing pandemic, its staff continue to follow up and conduct timely reviews without interruption on each of the detention cases in accordance with the prevailing detention policies and mechanisms in order to determine whether an individual should be further detained. The person concerned will be notified in writing of the review results with justifications, as well as receive an explanation of the situation through an interview. Any detainee who is dissatisfied with the detention decision should resort to the court as a proper and statutorily established venue. In fact, some of the detainees who refused to collect meals had instituted proceedings in the court, asking the court to decide on the legality of their detention and to order a termination of the detention. Nevertheless, the court dismissed all the litigations and upheld the legality of the detention authority exercised.

Regarding the allegation of unsatisfactory hygiene conditions of the CIC, the ImmD emphasised that all detention facilities of the CIC are cleaned and disinfected regularly every day. The CIC has also strengthened the cleaning and disinfection work of various detention facilities including dayrooms, dormitories, toilets, bathrooms and office areas to maintain a

hygienic environment during the COVID-19 epidemic.

An ImmD spokesman reiterated that "The ImmD has all along been performing duties in accordance with the law and any malpractice would not be tolerated. The Department strongly condemns any person making one-sided and unfounded allegations against the Department without concrete facts, with intent to interfere with the Department's discharge of its statutory duties and coerce the Department into releasing the persons concerned. The ImmD will continue to strive its utmost to fulfil its duties in upholding the public interest and safeguard social security.