COMMUNITY-BASED REHABILITATION OF OFFENDERS IN SINGAPORE

1 INTRODUCTION

1.1 Singapore adopts a graduated approach that addresses the symptoms and roots of delinquency and offending with early intervention as an important principle. Rehabilitation efforts are focused on helping offenders to successfully re-integrate into the community. This is achieved through shared responsibility with the family and the community, and balancing the best interests of the offender with public safety. For those offenders who remain unresponsive and continue to commit further offences, the sanctions escalate in terms of their severity. Imprisonment is reserved for offenders assessed to be unsuitable for community-based rehabilitation, with the objective of deterring these offenders from re-offending through the multiple goals of punishment, incapacitation, deterrence, rehabilitation, reformation and reintegration.

1.2 In the administration of the criminal justice system, Singapore is increasingly moving towards community-based rehabilitation options for suitable offenders. These community based sentencing options will enable such offenders to be adequately punished without disruption to their family life or loss of job, while being rehabilitated to minimise the risk of re-offending for public safety.

1.3 The graduated approach in the management of offenders involves multiple agencies. Some of these agencies include the Ministry of Social and Family Development, the Ministry of Home Affairs, Voluntary Welfare Organisations, etc. For community based interventions, they include pre-court diversionary programmes and Probation. Institutional interventions include residential rehabilitation and imprisonment.

1.4 Recognising the complexity of rehabilitation work, various inter-ministerial-agency committees were set up. The National Committee on Youth Guidance and Rehabilitation (NYGR) coordinates efforts among government agencies in monitoring youth crime while the Community Action for the Rehabilitation of Ex-Offenders (CARE) Network engages the community in rehabilitation, coordinates member agencies’ activities, and develops innovative rehabilitation initiatives for reforming offenders.

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1 For juvenile offenders only – a juvenile refers to a male or female person who is 7 years of age or above and below the age of 16 years
1.5 This paper will focus on the community-based rehabilitation options that come under the purview of the Ministry of Social and Family Development.

2 RECENT DEVELOPMENTS IN THE CRIMINAL JUSTICE SYSTEM

The Community Court

2.1 In 2006, the Community Court was established within the current State Courts. The Community Court was set up to take a non-traditional, problem solving approach tapping on community resources in dealing with selected offenders.

2.2 With the inception of the Community Court in June 2006, there was a shift in the criminal justice paradigm to consider community-based rehabilitation options for special group of offenders, particularly youth offenders (including repeat youth offenders) and adult offenders with mental disabilities.

Community-based Sentences

2.3 In 2011, the Criminal Procedure Code was amended to allow the Courts with more community-based sentencing options. These community orders include Mandatory Treatment Order, Day Reporting Order, Short Detention Order, Community Service Order and Corrective Work Order. Refer to Annex A for details on the Community Orders.

3 OFFENDER REHABILITATION: MINISTRY OF SOCIAL AND FAMILY DEVELOPMENT

3.1 The Ministry of Social and Family Development (MSF) plays a crucial role in the rehabilitation of offenders. First, MSF provides statutory services which aim to rehabilitate juvenile delinquents, young offenders and dysfunctional families or individuals; ensures care and protection of children, young persons and families; prepares social investigation reports for children in need of care and protection, pre-sentence reports and suitability reports for probation and Community Service Order (CSO), treatment and psychological support for MSF and management of residential facilities, Juvenile Homes, Children's Homes, Crisis and Transitional Shelters and Welfare Homes.

3.2 Second, MSF together with the Youth Court, State Courts, Ministry of Home Affairs, Attorney General’s Chambers and other agencies, sets the policy and service delivery framework for the management of juvenile and adult offenders.
4 LEGISLATION

4.1 The management of offenders under MSF are governed by the following legislation.

- Probation of Offenders Act (POA)
- The Children and Young Persons Act (CYPA)

*Probation of Offenders Act*

4.2 The Probation of Offenders Act Section 5 provides for the court to make a probation order but not when the offender has committed an offence where the sentence is fixed by law. In making the order, the court takes into consideration the circumstances, including the nature of the offence and the character of the offender. A Probation Order is an Order requiring the offender to be under the supervision of a Probation Officer for a period specified in the Order.

*The Children and Young Persons Act*

4.3 The Children and Young Persons Act (CYPA) is the key legislation that provides for the care, protection and rehabilitation of children and young persons. The Children and Young Persons Act (CYPA) provides that: “Every court in dealing with a child or young person who is brought before it, either as being in need of care or protection, or as an offender or otherwise, shall have regard to the welfare of the child or young person and shall in a proper case take steps for removing him from ‘undesirable surroundings’ and for securing that proper provision is made for his education and training (section 28).”

5 GUIDING PRINCIPLES IN REHABILITATION

The following principles inform and influence the programmes and services:

a) Every offender has a capacity to change and grow if given the opportunity, support, and understanding;

b) The offender has to take ownership of his/her rehabilitation and be accountable for his/her actions;

c) The family needs to be preserved and strengthened to provide care and supervision to the offender;

d) Community involvement is vital in bringing about a continuum of care and control, and in supporting offenders in the community;

e) Institutionalization as the last resort;

f) Transparency of service and safeguarding due process in the management and rehabilitation of offenders.
6 PRE-COURT DIVERSSIONARY INTERVENTIONS

6.1 Research has shown that offending by youth offenders can be time and age-limited. By diverting youth offenders away from the criminal justice system, especially those with lower risk of re-offending, they are given a chance to be rehabilitated and not face the stigma and effects of the criminal justice system at a young age. Such measures will enable such offenders to be adequately punished without causing disruption to their family life or loss of job, while being rehabilitated to minimise the risk of re-offending for public safety.

6.2 The diversionary programmes are conducted for youth for six months with an option to extend the period to 12 months. It is a case management programme conducted by social service agencies. It involves individual, group-based and family sessions.

6.3 The Guidance Programme (GP) is a six-month diversionary programme for youth offenders who commit minor offences. GP aims to help the youth offender make the right choices to lead a crime-free lifestyle. Youth offenders could be administered with a stern warning if they complete the programme successfully in lieu of court prosecution.

6.4 The Streetwise Programme (SWP) and Enhanced Streetwise Programme (ESWP) is a 6-month intensive gang intervention programme. The Streetwise Programme is a voluntary programme and it targets at-risk youth who associate with gang members. The Enhanced Streetwise Programme is for those who are arrested for gang-related offences but have a low level of involvement in the offence. The youth is also required to report to the police officer at the Secret Societies Branch, Criminal Investigation Department on a monthly basis. Youth in this programme are given a police warning in lieu of Court prosecution upon successful completion of the programme.

6.5 The Youth Enhanced Supervision programme (YES) is a 6-month programme for youth arrested for the first time for consumption of drugs. The youth is also required to report to the Central Narcotics Bureau for regular urine test regime for a period of two years.

7 COURT-ORDERED INTERVENTION – PROBATION

7.1 The Probation system in Singapore is a Court-ordered community-based rehabilitation programme for suitable offenders. It offers the courts with an alternative sentencing option in dealing with offenders who may otherwise be committed to a juvenile rehabilitation centre or prison. It aims to instil in offenders a strong sense of social responsibility and self discipline so that they could lead a crime free life.

7.2 There has been an increase in the proportion of higher risk offenders placed on probation in the recent years. This is evident from the increase in the
Considerations in Assessing Suitability for Probation

7.3 In assessing an offender’s suitability for probation, the key considerations are public safety, risk of re-offending and potential for rehabilitation.

7.4 The investigation process entails detailed interviews with the offender, the family members or significant others, reports and consultations with other professionals (such as enforcement, mental health, social service, education professionals or employers) who have dealt with the offender. This ensures that the assessment is thorough and the likelihood of success maximised. The following factors are considered in assessing an offender’s suitability for probation:

a) Severity of offence;
b) Severity of damage/harm done;
c) Circumstances surrounding the offence(s);
d) Offender’s criminal history and antecedents
e) Risk and protective factors
f) Offender’s motivation and capacity for rehabilitation
g) Availability of support from family and community resources to address offender’s risks and needs issues.

7.5 If placed on probation, the Probation Order requires the offender to be under the supervision of a probation officer for a period to be specified in the order and to adhere to other terms and conditions specified in the order.

a) **Duration of Probation** – minimum 6 months to maximum 36 months;
b) **Grade of Probation** – Based on the gravity of the offence and the offender’s risk issues, the offender could be placed on different grades of probation: administrative, supervised, intensive or split probation (combination of grades during the course of probation period).
c) **Conditions of Probation** – The offender is required to abide by several conditions. These could include the offender observing a curfew, being electronically tagged, performing community service, being constructively engaged in school or work, residing in a hostel, amongst others.
Key Offender Management Strategies

7.6 The Probation Service adopts a responsive approach by being sensitive to the intrinsic nature of the offenders and at the same time, holding them responsible for their offences. Probation as a multi-prong intervention programme has a balance of rehabilitation and deterrent aspects.

7.7 Strengthening the Probation Order

a) *Different grades of probation* – The grades of probation would correspond with the intensity of supervision provided by the Probation Officer, such as frequency of contacts, time restriction checks made, the number of hours of community service, etc.;

b) *Restrictive conditions* – Depending on the uniqueness of each case and in the spirit of Sec 5(2) of the Probation Offenders Act, the Court could also impose special restrictive conditions for offenders to strengthen the Probation Order such as electronic monitoring, to refrain from alcohol consumption; to not own a hand phone with a picture-taking or video capturing capability; and to refrain from visiting certain areas. The probation conditions imposed are meant to be restrictive and thereby enabling the offender to exercise self – restraint and discipline. Such conditions enforced as a Court order also serve as a deterrent to the offender.

c) *Time restriction* – compliance to time restriction is achieved through the Time Restriction Automated Checks (TRAC) system, an automated curfew check system using voice biometric technology; and physical curfew checks by Volunteer Probation Officers.

d) *Graduated sanctions* – Probationers who do not comply with probation conditions are liable to have additional conditions imposed on them or have their Probation Orders revoked.

7.8 Rigorous risk assessment

7.8.1 There is rigour in risk assessment from the onset and throughout the course of probation. With the use of established risk assessment tools, Probation Officers are able to state with greater confidence the offender’s risk of re-offending, identify the factors that contribute to offending and target those areas accordingly.

7.8.2 Following the pilot of the Youth Level of Service/Case Management Inventory (YLS/CMI), adopted from Canada, in 2003, we have established local norms for the male and female probation population aged below 19 years of age. Research studies have shown that this tool is robust in predictive validity in risk of re-offending for our male probation population. This tool is also used in the diversionary programmes for youth.
7.8.3 For offenders aged 19 years and above, we introduced the adult version of the YLS/CMI in 2012, known as Level of Service/Case Management Inventory (LSI/CMI) in 2012.

7.8.4 The Ministry has embarked on research studies to ensure the validity of the tools to better understand the profiles of the probationers and to be informed on programming needs.

7.9 Evidence-based intervention approaches

7.9.1 Probation is used as an instrument of change to re-shape attitudes, values and behaviours of the offenders. Through individual and group-based work, intervention approaches aim to address the offender’s offending, to sustain the positive changes made and build up his/her resilience.

7.9.2 Putting in place risk management structures are necessary for public safety and serve as deterrence from further offending. Yet, literature and our own experience have shown that complementing it with a strengths-based approach reaps maximum benefits in rehabilitation. To this end, we embrace the Good Lives Model with the Risk-Need-Responsivity framework as the modality in our practice.

7.9.3 There is also greater emphasis in using Restorative Practice to work with offenders. Enabling them to recognize the impact of their actions on others encourages accountability and creates opportunity for them to make amends. Restorative Conferencing has been used to restore relationships among offenders in hostels and in behavior management.

Harnessing Technology

7.10 To achieve good rehabilitation outcomes for offenders on probation with the limited resources (manpower, time, costs and competing demands), innovative solutions are continually sought for efficiency and effective service delivery. Technology was harnessed as a tool to strengthen the Probation Order, work processes, productivity and professional development of staff. Some examples include:

a) Integrated Case Management System

Leveraging on technology, the Ministry developed the Integrated Case Management System (ICMS) in 2005 to enhance operational support to officers in terms of easy access to client information, effective case management and a strengthened policy response to emerging issues and challenges. It is designed to facilitate information sharing, ensure seamless and effective client management, as well as streamline work processes.
b) *Electronic Monitoring*

Electronic monitoring of selected offenders needing intensive supervision was introduced in 2003 to target those whose offences and/or repeated curfew violations would cause them to be sent to a juvenile rehabilitation centre or prison. Electronic monitoring as a condition of probation is usually imposed for a period of 4 to 6 months.

c) *Time Restriction Automated Check (TRAC) System*

The TRAC system was developed using voice biometric technology to enforce the Court-ordered time-restriction checks on offenders on probation. Instead of Probation Officers making the telephone calls to these offenders late at night (9pm to midnight), TRAC now makes more than 500 calls each night to the offenders. Probationers and families are responsible for responding to the calls and ensuring compliance to the Probation Order.

7 CONCLUSION

With more offenders with higher risk and needs considered for community-based rehabilitation, there is greater accountability that public safety is not compromised. The Ministry is committed to ensure that the systems and processes are robust; and service delivery is responsive to achieve better outcomes.

Prepared by: Probation Services Branch  
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<tr>
<th>Order</th>
<th>Description</th>
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<tr>
<td>Mandatory Treatment Order</td>
<td>- Offender undergoes psychiatric treatment for a period not exceeding 24 months&lt;br&gt;- Court to call for a report by appointed psychiatrist to assess suitability prior to making the order. Offender cannot be placed on the order if assessed to be unsuitable by the psychiatrist&lt;br&gt;- Main considerations:&lt;br&gt;  i) Offender suffers from a psychiatric condition that is susceptible to treatment&lt;br&gt;  ii) Psychiatric condition is one of the contributing factors for commission of offence&lt;br&gt;- Administered by Institute of Mental Health</td>
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<td>Day Reporting Order</td>
<td>- Offender reports to a Reporting Centre for a period ranging from 3 months to 12 months&lt;br&gt;- Court can impose conditions to the order such as electronic monitoring&lt;br&gt;- Administered by Singapore Prisons, Ministry of Home Affairs</td>
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<tr>
<td>Short Detention Order</td>
<td>- Offender is detained in prison for a period not exceeding 14 days&lt;br&gt;- Administered by Singapore Prisons, Ministry of Home Affairs</td>
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<tr>
<td>Community Service Order</td>
<td>- Offender performs community service under the supervision of a Community Service Officer&lt;br&gt;- Administered by Ministry of Social and Family Development</td>
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<td>Community Work Order</td>
<td>- Offender performs community work that is associated with that offence</td>
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