

Criminal Procedure Code (Reformative Training) Regulations 2018

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No. S 723

CRIMINAL PROCEDURE CODE (CHAPTER 68)

CRIMINAL PROCEDURE CODE (REFORMATIVE TRAINING) REGULATIONS 2018

In exercise of the powers conferred by section 428(2)(a) and (f) of the Criminal Procedure Code, the Minister for Law makes the following Regulations:

Citation and commencement

1. These Regulations are the Criminal Procedure Code (Reformative Training) Regulations 2018 and come into operation on 31 October 2018.

Definitions

2. In these Regulations, unless the context otherwise requires —

“Commissioner” means the Commissioner of Prisons appointed under section 20 of the Prisons Act (Cap. 247);

“Committee” means a Reformative Training Centre Review Committee established under regulation 5;

“detainee” means any person who is detained in a reformative training centre pursuant to a sentence of reformative training imposed under section 305 of the Code;

“Minister” means the Minister charged with the responsibility for law and order;

“recall”, in relation to a person released from a reformative training centre under a supervision order, means to require the person to report to that or any other reformative training centre;

“recall order” means a recall order issued by a Committee, the Commissioner, or an authorised person mentioned in regulation 13(1)(b), under regulation 13(1)

requiring a person released from a reformatory training centre to report to a reformatory training centre specified in the recall order to be re-detained there;

“relevant person” means —

- (a) a detainee;
- (b) a person released under a supervision order; or
- (c) a person released from day to day, pursuant to a direction under regulation 15(1);

“revoked Regulations” means the Criminal Procedure Code (Reformatory Training) Regulations 2010 (G.N. No. S 802/2010) as in force immediately before 31 October 2018;

“RTC date”, for a person sentenced to reformatory training, means the date the sentence of reformatory training takes effect;

“Superintendent” means a Superintendent of Prisons appointed under section 20 of the Prisons Act for a reformatory training centre;

“supervision order” means a supervision order issued under regulation 4(2) by a Committee;

“supervision period”, in relation to a person who is subject to a supervision order, means the period starting from the date the person is released from a reformatory training centre and ending on the earliest of the following days:

- (a) the day that is the end of 4 years after the person’s RTC date;
- (b) the day the person is discharged from the supervision order under regulation 12(4);
- (c) the day the supervision period under the supervision order comes to an end as specified in regulation 14(b);

“Visiting Justice” means a member of the Board of Visiting Justices appointed under section 79 of the Prisons Act.

Application

3. These Regulations apply to every person who, on or after 31 October 2018 —

- (a) is sentenced to reformatory training;
- (b) is a detainee whose sentence of reformatory training is imposed before, on or after that date;
- (c) is, or is by virtue of regulation 17(1) treated as, subject to a supervision

order;

- (d) is, or is by virtue of regulation 17(2) treated as, recalled under regulation 13(1)(a), or is recalled under regulation 13(1)(b); or
- (e) is, or is by virtue of regulation 17(5) treated as, unlawfully at large under regulation 13(10) or 15(9).

Detention in reformatory training centre

4.—(1) Subject to paragraph (2), a person sentenced to reformatory training must be detained in a reformatory training centre until a Committee for the centre releases the person under a supervision order.

(2) A Committee for a reformatory training centre —

- (a) may release, under a supervision order, a person sentenced to reformatory training, only after —
 - (i) in the case of a person sentenced to reformatory training on or after 31 October 2018, the person has served the minimum period of detention as specified by the court under section 305(6) of the Code; or
 - (ii) in the case of a person sentenced to reformatory training before that date, the person has been detained in the reformatory training centre for a period of 18 months after the person's RTC date; and
- (b) must release, under a supervision order, a person sentenced to reformatory training, after the person has been detained in the reformatory training centre for a period of 3 years after the person's RTC date.

(3) For the purposes of section 305(8)(a) of the Code, the period of detention under a sentence of reformatory training must not extend beyond 54 months after the date the sentence takes effect, in any case where the person sentenced to reformatory training is recalled pursuant to a recall order, after the person was released under a supervision order.

Reformatory Training Centre Review Committee

5.—(1) The Minister may establish —

- (a) one Reformatory Training Centre Review Committee for one or more than one reformatory training centre; or
- (b) more than one Reformatory Training Centre Review Committee for one

reformatory training centre.

(2) The functions of a Committee for a reformatory training centre are as follows:

- (a) to determine the suitability of a detainee of the centre for release under a supervision order;
- (b) to determine the suitability of a person released from the centre under a supervision order to be discharged from the supervision order;
- (c) to determine whether to recall a person released from the centre under a supervision order, if the person breaches any requirement specified in the supervision order;
- (d) to recommend to the Commissioner, or an authorised person mentioned in regulation 15(1), whether to make a direction under regulation 15(1).

(3) Before making any determination or recommendation under paragraph (2) in relation to a relevant person, a Committee for the reformatory training centre in which the relevant person is detained, or from which the relevant person is released, may require the Superintendent of the centre to submit a report (in respect of the relevant person) to assist the Committee in making the determination or recommendation.

(4) Every Committee, in exercising its functions under these Regulations, must act in accordance with any general or special directions of the Minister, and must consider any report submitted under paragraph (3).

Constitution of Committee

6.—(1) Every Committee consists of such number (being at least 3) of Visiting Justices as the Minister may determine, each of whom is appointed by the Minister.

(2) The Minister must appoint one member of a Committee as the chairperson, and another as the deputy chairperson, of the Committee.

Appointment of Committee member

7.—(1) A Committee member holds office for 2 years or such shorter period as the Minister may specify in any particular case.

(2) A Committee member is eligible for re-appointment.

(3) A Committee member may at any time resign from his or her office by notice in writing to the Minister.

(4) The Minister may at any time revoke the appointment of any Committee member, or fill any vacancy in the membership of any Committee.