

# PROBATION AS A COMMUNITY-BASED REHABILITATION PROGRAMME (SINGAPORE)

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## I. INTRODUCTION

The Probation system in Singapore is a court-ordered community-based rehabilitation programme for suitable offenders. It offers the courts 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.

## II. HISTORICAL DEVELOPMENT OF PROBATION

The development of the probation system in Singapore began in 1947 when it was formed as part of the Social Welfare Department. It was only in 1948 that an effective system began when an experienced Probation Officer from the United Kingdom was seconded to the Department to build capabilities in probation. Although probation as a method of treatment had no statutory sanction in 1948, juvenile offenders were referred to the department to establish their social and family circumstances. These investigations led to a more expeditious and efficient mode of dealing with such offenders by the courts. The Service also provided voluntary supervision of juveniles at the request of the parents or welfare agency.

Probation in Singapore initially derived its mandate from the Children and Young Persons Act, CYPA (1950). The Act provided for the constitution of the establishment of a juvenile court system and a juvenile probation service. It was only in 1951, when the Probation of Offenders' Ordinance was passed, that the probation system was extended to the other courts in the judicial system. The Probation of Offenders Act had since been revised in 1970 and 1985.

In 1971, as part of the effort to involve the community in the rehabilitation of offenders, the Community Probation Service was formed. Interested citizens volunteered their time to mentor probationers. In 2012, the Community Probation Service was renamed the Volunteer Probation Officer scheme to strengthen its representation as a volunteering scheme.

In October 2001, the CYPA was amended to provide the Juvenile Court with alternative disposition options in dealing with young offenders. The wider continuum of disposition options enabled more juveniles to be placed on community-based rehabilitation.

With the inception of the Community Court in June 2006, there was also 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. Unlike previously where these offenders would not be eligible for probation, Probation Services had been seeing more of such cases referred by the Courts.

## III. STRUCTURE AND ORGANISATION

The Probation Service comes under the purview of the Rehabilitation and Protection Group, Ministry of Social and Family Development.

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The Probation Service is responsible for: assessment of offenders' suitability for placement on Probation Orders and Community Service Orders; provision of community-based supervision for offenders serving these orders, and the management of Volunteer Probation Officers involved in the supervision of offenders. The Probation Service also administers the pre-Court diversionary programmes for youth offenders — Guidance Programme, Streetwise Programme; Youth Enhanced Supervision programme. *Refer to Annex A for the Probation Service organisational structure.*

The Probation Committee headed by a representative of the Chief Justice oversees the work of Probation Officers. This Committee is supported by 2 Case Committees namely the Juvenile and Adult Probation Case Committees. Their primary tasks are to review the progress of persons on probation and set procedural guidelines to ensure due process in the treatment of offenders on probation. This is in addition to the monitoring mechanisms at departmental level e.g. case conferencing, one-on-one supervision which every Probation Officer and Community Service Officer is entitled to, and a computerized case management system which prompts action and flags irregularities in casework or court procedures in the management of each probationer.

#### **IV. MISSION OF PROBATION SERVICE**

The Probation Service aims to effectively rehabilitate offenders on community-based orders with maximum participation of their families and the community. 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.

#### **V. LEGISLATIVE FRAMEWORK**

The community-based management of offenders on probation is governed by at least two pieces of legislation — The Children and Young Persons Act (CYPA) and the Probation of Offenders' Act. Young offenders are governed by the Children & Young Persons Act (CYPA) which 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).*

Probation is governed by 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.

## VI. CORPORATE OBJECTIVES

The following 3 corporate objectives drive the performance of the Probation Service:

- a) Provide quality and timely advice to the Courts, and effective case management to assist probationers to comply with Court orders and reduce re-offending;
- b) Encourage and facilitate maximum community involvement in delivering services and programmes to offenders and their families; and
- c) Plan and efficiently manage resources to produce positive results in the work environment which are safe, equitable and focused on best practices.

## VII. KEY CONSIDERATIONS IN ASSESSING SUITABILITY FOR PROBATION

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

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.

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.

## VIII. TRENDS AND CHALLENGES IN PROBATION

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 proportion of offenders requiring i) intensive supervision; ii)

restrictive conditions; and iii) longer period on probation.

### **A. Diverse Profile of Offenders**

The profile of offenders and their offences were noted to be increasingly complex. Probation Officers have to rehabilitate offenders with a combination of issues including:

- a) Special needs such as psychiatric illnesses, intellectual disabilities, addiction issues and immature cognition due to young age (probationers below 14 years of age);
- b) Complex family circumstances such as child protection issues, weak/no parental support and offences committed against family members;
- c) Strong anti-social attitudes and gang association; and
- d) Commission of serious offences such as causing grievous hurt, sexual offences, unlicensed money-lending.

Such offenders require intensive supervision, appropriate psychological/psychiatric intervention, behavioural support and educational/employment support to ensure that they do not continue with their offending behaviour. As a result, this has placed great demands in the supervision of such offenders. A larger proportion of each officer's caseload would require intensive work as compared to the past.

### **B. Culture of the Youth and Families Today**

The youth today seek excitement and are more liberal in their views and actions. They are highly connected via social media and are exposed to a vast amount of information at great speeds. Increasingly, they are also turning to outdoor activities and the arts to meet their need for social interaction and relatedness. The challenge is for staff to be equally savvy in the use of sophisticated technology and be equipped with the knowledge of their interests.

The families in the system often struggle to balance work and family commitments, maintain the household and provide care and supervision to their child, who is in conflict with the law. Due to multiple stressors, parent-child relationships are impacted and parental supervision is weakened.

### **C. Fast Paced Work Environment**

Working with offenders and their families is time sensitive as risk issues need to be addressed promptly to safeguard public safety. In addition, reports to the Courts and collaborations with stakeholders need to be timely to ensure quality service delivery. The increase in the proportion of higher risk offenders placed on probation in the recent years places further challenges on the demands of case supervision.

## **IX. OFFENDER MANAGEMENT STRATEGIES**

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.

### **A. 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 condi-

tions 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.

## **B. Rigorous Risk Assessment**

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.

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.

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.

Our 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.

## **C. Evidence-Based Intervention Approaches**

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.

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.

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.

Understanding that people have different needs and learn differently, we are conscious in delivering cultural specific intervention. Rather than one-size fits all, for example, we have tweaked our programmes to be age appropriate and matched officers with the aptitude in working with the very young offenders. Seeing the lower probation outcomes for certain high risk probationers, we have started to understand the nuances of these groups and test-bed working models to better support these youth offenders and families.

As the most prevalent risks factors for offenders are the lack of pro-social peers/adults and unconstructive leisure activities, we sought to integrate Arts and Sports in the offenders' rehabilitation journey. From soccer to singing, there are opportunities for them to learn new skills, adopt a hobby and forge new friendships for a pro-social lifestyle.

## **D. Engaging the Family**

Building fitter families is also core in our work. In working with offenders, we continue to hold on to the belief that the family should remain an important resource for the individual. The strengthening families framework used in community-based rehabilitation of offenders begins from the pre-sentence stage right to the end of probation.

Parenting programmes and interactive workshops equip parents with effective parenting and communication skills in order for them to strengthen the family bonds and better manage their children, including siblings of probationers. Beyond individual family work, our programmes for probationers also include parental components.

### **E. Enhancing Rehabilitative Value of Community Service Orders**

Approximately 85% of offenders on probation are required to fulfill community service as a condition of probation. To maximise the impact of the community service experience, the community service activities have been re-designed to be more meaningful to the needs of probationers and beneficiaries at the agencies. Moving away from primarily menial tasks, probationers are given the opportunity to be involved in many areas such as interaction with vulnerable persons, project planning and implementation, etc. In so doing, it is intended that they take ownership of their community service and feel a sense of purpose in contributing to the community.

### **F. Residential Programmes**

About 20% percent of offenders assessed with a higher risk of re-offending are required to reside in a hostel as part of their probation order. Hostel residency aims to provide a semi-structured environment to help these offenders to cultivate discipline and responsibility. In the recent years, there had been a greater number of approved institutions and voluntary welfare organisations providing residential and other support services to probation cases.

### **G. Creative Partnerships**

Probation Service has continually sought to involve our community in the provision of support and services, and integration of offenders into mainstream society.

Through School-based Probation, we have created a network with schools to support schooling probationers. Some of our programmes leverage on the expertise in the community to better target risk and needs of the probationers and their families. We have mobilized the strengths of 223 Volunteer Probation Officers to complement the work of the Probation Officers in the management of offenders.

We have strengthened collaborations with social service agencies, organizations and the private sector to create growth opportunities for community service placements and in areas such as the arts and sports.

It is important to educate key community partners on the value of rehabilitation work and the important role the community can play in the rehabilitation process through avenues such as networking sessions.

### **H. Research and Evaluation of Programmes**

To deliver a robust probation system, research and evaluation of our programmes is vital. Understanding what works and measuring its effectiveness ensures accountability in our service delivery. Ongoing evaluation is being done for some of our programmes.

### **I. Harnessing Technology**

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:

#### **1. 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 within the Division, ensure seamless and effective client management, as well as streamline work processes.

2. 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.

3. 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 (9 pm 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.

**J. Capacity Building of Staff and Key Partners**

It is important to have a highly competent and versatile team of officers. Our staff has to find creative solutions and be targeted in their intervention when addressing probationers' risk issues.

To ensure they are current in "what works" with such offenders, we have brought in experts to build their capacity in risk assessment and intervention work. Given the fast paced and intense nature of the work, support for these officers through clinical supervision becomes important.

Our officers are also exposed to other facets of probation work such as programme development and evaluation, research, project management etc., in addition to holding a caseload of investigation and supervision cases. This provides them with opportunities for professional growth, expansion of perspectives and a sense of ownership in developing the probation system.

Similarly, we have invested time in building community capability to better manage offenders. For example, we have trained our hostel providers and social service agencies involved in youth offender work to use the risk assessment tools. This is to ensure we speak the same language in assessing and managing risk, and intervention efforts.

**X. OTHER INITIATIVES IN ENHANCING PROBATION**

**A. National Standards for the Probation of Offenders and their Rehabilitation in the Community**

Jointly launched by the Subordinate Courts and the Ministry in August 2001, the Probation Service committed itself to a set of service standards aimed at securing transparency and public accountability in the execution of probation investigation and supervision. The document provides a framework with concrete guidelines for various aspects of probation work, including time frames for work to be done, procedures, and the proper notification of parties involved at different stages of the youth/criminal justice process. It is available to the public and given out to every new person who enters the probation system.

In 2006, the National Standards were reviewed to ensure continued relevance and to serve as a benchmark for best practices in the rehabilitation of offenders. As various changes have occurred in the criminal justice system and in the probation system in Singapore since the last review, we have embarked on another review which is due to be completed in 2015.

**B. ISO Certification**

In 2003, Probation Services embarked on ISO certification as a way to demonstrate to partners, and the offenders and families our commitment to quality in service delivery and continual improvement. The process of certification in six core areas of probation work has allowed probation and community service officers to clearly understand the work processes and efficiently carry out their responsibilities.

The 6 core areas of work are: (i) Investigation, (ii) Supervision, (iii) Volunteer Management, (iv) Community Service, (v) Programmes, and (vi) Probation Intake Service/Court Referral, Reception and Service Feedback Registry.

The Probation Service obtained the ISO 9001:2008 on 23 July 2003 and has continually attained its re-certification. Rigorous internal and external audits are done regularly to ensure that the systems and processes are carried out.

## **XI. EFFECTIVENESS OF PROBATION**

The success of probation is measured by the rates of successful completion of court orders by probationers and re-offending after probation. The monitoring of whether an offender remains crime free after probation spans up to 3 years after the expiry of each court order.

Probation has been largely successfully in rehabilitating offenders and instilling them with the necessary skills to lead a crime-free life.

- a) Average Probation completion rate (2010 - 2013): 83%
- b) Average 3-year recidivism rate for the cohort of probationers who completed probation successfully in 2010: 11.9%

## **XII. MOVING FORWARD**

To stay ahead of future changes, the Probation Service adopts the R<sup>3</sup> Approach of being Relevant, Responsive and Resourceful in the rehabilitation of offenders. This would ensure a commitment towards evidence-based and quality intervention efforts for probationers amidst a changing probation landscape.

PROBATION SERVICES BRANCH ORGANISATION CHART

