THE PROBATION SERVICE IN SINGAPORE

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I. INTRODUCTION

Probation is a community-based rehabilitation programme for offenders. It offers the courts with an alternative sentencing option in dealing with offenders who may otherwise be committed to a juvenile correctional facility or prison. Under the law, probation orders can be anything from six months to three years.

During the probation period, the offender is placed under the supervision and personal care of a Probation Officer (PO). The probation order makes it obligatory for an offender to report regularly to his/her Probation Officer, comply with conditions of the Probation Order and participate in programmes formulated for him/her. For offenders below 18 years of age, the families are invariably involved in the rehabilitation programme as part of a holistic approach to bringing about a positive change in the probationer's life.

II. MISSION & VISION

We aim to effectively rehabilitate offenders on community-based orders with maximum participation of their families and the community so they may be reintegrated into mainstream society as socially responsible and law abiding individuals.

In the long term, we envision the development and implementation of a probation service delivery model that goes beyond mere administration of probation towards proactive and strategic delivery of rehabilitative services, using empirically based approaches to offender assessment, supervision and programming.

III. LEGAL FRAMEWORK

Probation in Singapore initially derived its mandate from the Children and Young Persons Act, CYPA (1950). The Act provides for the constitution of a juvenile court and a juvenile probation service. Section 44 Sub-section (1), (e) of the Children and Young Persons Act (CYPA) Cap 38 states:

"Where a Juvenile Court is satisfied that an offence has been proved, or where the child or young person (below the age of 16 years) admits the facts constituting the offence, the Court shall, have power....to make a probation order requiring the offender to be under the supervision of a probation officer or a volunteer probation officer for a period of not less than 6 months and not more than 3 years."

The CYPA further specifies 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 Children & Young Persons Act)

It was only in 1951, when the Probation of Offenders' Ordinance was passed, that probation became an option for dealing with offenders above 16 years of age. This Act was later revised in 1970 and then again in 1985. The Probation of Offenders Act, provides for the Courts to make:

"A probation order for securing the good conduct of the offender or for preventing a repetition by him of the same offence or the commission of other offences". (Section 5(2) Probation of Offenders Act)

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In line with this broad legislative injunction, Probation Officers strive to guide, assist and supervise offenders to ensure they comply with their probation requirements, receive appropriate and timely intervention and support (e.g. casework and counselling, risks/needs-based programming) and that they steer away from future offending. A conscious effort is made to achieve a fine balance between giving regard to the offender's need for rehabilitation, accountability for her/his offending behaviour, and the risks he/she poses to public safety. The same philosophy governs the treatment of both juvenile and adult offenders on probation.

In 2001, the Children and Young Persons Act was revised to give the Juvenile Court a wider range of order options to deal with the individual risks/needs issues of probationers and their families. Section 44 of the amended Act provides for:

- a) Probation with detention at an approved home not exceeding 6 months;
- b) Probation with weekend detention at an approved institution (not exceeding 52 weeks);
- c) Probation with periodic training;
- d) Weekend detention order to be administered on its own; and
- e) Community service order to be administered on its own; and
- f) Mandatory orders for parents to attend counselling or other programmes

Besides the Probation of Offenders Act and the CYPA, the administration of probation in Singapore is also influenced by the following statutes, human rights instruments and best practices in working with involuntary clients:

- a) Women's Charter
- b) Intoxicating Substances Act
- c) Misuse of Drugs Act
- d) Convention on the Rights of the Child
- e) National Standards for the Probation of Offenders and their Rehabilitation in the Community, 2000
- f) The UN Standard Minimum Rules for Non-Custodial Measures (Tokyo Rules, 1990)

IV. PHILOSOPHY, VALUES, BELIEFS & PRINCIPLES

We believe:

- a) every offender has a capacity to change and grow if given the opportunity, support, goodwill and understanding:
- b) our officers need to be developed and supported to be competent and innovative individuals/teams;
- c) a culture of continual learning and work improvement is necessary if probation is to remain viable:
- d) mutually beneficial partnerships can and will garner support for and wider acceptance of community sanctions from the community and criminal justice agencies.

The following values, beliefs and principles inform and influence our programmes and services:

- a) institutionalisation must be a last resort;
- b) the family is the bedrock of our society and to that extent, needs to be preserved or strengthened to provide and care for its members, and take ownership and accountability for bringing about the desired changes when members go astray;
- c) each offender has to be helped to own his/her actions and be empowered to exercise self-help in the rehabilitation process;
- d) the many helping hands of the community are vital in bringing about a continuum of care and control, and in supporting offenders in the community;
- e) transparency of service and safeguarding due process in the treatment of mandated clients.

V. FRAMEWORK FOR COMMUNITY-BASED REHABILITATION

In attempting to break the cycle of crime and social dysfunctioning, the probation practice in Singapore draws on a "Strengthen Families, Engage Community" framework. We put high premiums on an active engagement of the offender's family (or in certain cases, significant person(s) with whom the offender bonds emotionally), and community involvement in the restoration and social reintegration of offenders on probation supervision.

Whether in rehabilitation programmes for probationers or individual casework and counselling by the

supervising Probation Officers, our key thrust is on inculcating personal discipline and a sense of responsibility in the offender. Depending on the nature of the offence, needs and risks of the offender and intensity of intervention required, programmes for probationers centre on the following issues/areas, known to have an impact in reducing re-offending:

- a) pro-criminal thinking
- b) substance abuse
- c) sexual deviance
- d) self and anger management
- e) educational development
- f) work and training
- g) sports and recreation
- h) relationship issues
- i) absence of a fixed place of residency
- i) spiritual and moral persuasions according to the offender's individual affiliation.

VI. CORPORATE OBJECTIVES

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

- 1. provide quality and timely advice to the Courts and through effective case management, assist probationers to comply with court orders and minimise re-offending;
- 2. encourage and facilitate maximum community involvement in delivering effective services and programmes to offenders and juveniles at risk of re-offending; and
- 3. strategically plan and efficiently manage resources to produce results in a work environment which are safe, equitable and focused on best practices.

Strategies

To achieve these, the following strategies were mapped out:

- a) continually develop and deliver strong research-based programmes;
- b) harness IT to reap greater effectiveness and efficiency in training and work processes;
- forge strong partnerships to provide a continuum of care and services to meet individualised needs of offenders and their families;
- d) improve management processes and systems particularly in quality management and best practices;
- e) strengthen competencies of staff and key partners in community-based rehabilitation;
- f) enhance public understanding on how strong rehabilitation programmes help reintegrate probationers and improve public safety;
- g) develop culture-specific interventions;
- h) as much as possible, involve children and youth in policies and programmes which affect them.

VII. PERFORMANCE MEASURES

We measure the success of our probation service by the rates of successful completion of court orders by probationers and re-offending after probation. Monitoring of conduct after probation spans up to 3 years after the expiry of each court order.

As a measure of commitment to the use of non-custodial measures in dealing with offenders, the Probation Service also monitors the probation placement rate of all pre-sentence investigation cases and work towards the reduction of offenders in custody through diagnostic assessments and creative case planning and management.

VIII. NATIONAL STANDARDS

To reap maximum benefits of partnerships with families and the community, the probation of offenders and their rehabilitation in the community must be made transparent to all parties, especially to the probationer and his/her family. A significant milestone was crossed in August 2001 when the Probation Service publicly committed itself to a set of service standards aimed at securing transparency and public accountability in the execution of probation investigation and supervision. "The National Standards for the Probation of Offenders and their Rehabilitation in the Community", which was launched in partnership with the Subordinate Courts of Singapore, provide a clear framework and 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 system

IX. INTERNATIONAL CERTIFICATION

In 2003, the Probation Service received ISO certification from a UK-based certification body, as an organisation which is committed to service excellence in 6 core areas of probation work. Drawing inspiration from this, a group of VPOs, the Operation Night Watch Team, that specialises in planning and mounting curfew checks, took on the challenge of documenting the procedures and work processes involved in curfew check operations. They are currently waiting to be audited for certification.

X. STRUCTURE AND ORGANIZATION

The Probation Service is one of 3 operational arms of the Rehabilitation and Protection Division of the Ministry of Community Development and Sports, Singapore. The organization chart is at Appendix A. The 3 operational arms and 2 support units of the Division work closely to reap synergic partnerships and a seamless service for the benefit of children, youths and families in the system.

Staff establishment of the Probation Service stands at 80 personnel; 12 corporate support personnel and 60 Probation Officers to take on the core elements of probation work. These 60 officers are organized into 5 operations teams. The remaining 8 staff members assume a dual role – besides taking a smaller investigation and supervision load, they also perform specialist's duties such as conceptualizing and promoting creative concepts of inter sector/agency partnerships to bring in new resources and opportunities for persons on community-based rehabilitation. Appendix B outlines the teams' roles and functions. The current organizational set-up was introduced in 2000 to position the Probation Service in a proactive stance amidst the rapid changes in the probation population and the complexities that were becoming apparent.

The Probation Committee headed by the Chief Justice, or his representative, oversees the work of Probation Officers and Volunteer Probation Officers (VPOs). This Committee is supported by 2 Case Committees namely the Juvenile and Adult Probation Case Committees, and 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 non-custodial sanctions. This is in addition to the monitoring mechanisms at departmental level e.g. case conferencing, one-on-one supervision which every Probation 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.

Clinical intervention, therapies and forensics are undertaken by the Psychological Services Unit. The PSU also supports the Probation Service by developing or conducting research-based programmes to address emerging needs and issues of probationers. The Theft Prevention Programme (TIP) for chronic theft cases, Violence Prevention Programme (VPP) for those prone to violent and aggressive behaviour, as well as the Positive Adolescents Sexuality Treatment (PAST) are some examples of PSU's response to new trends and rehabilitative needs.

XI. PRE-SENTENCE REPORTS

In Singapore, Pre-Sentence Reports (PSRs) are prepared by Probation Officers or gazetted Volunteer Probation Officers. A PSR provides a comprehensive profile of the offender, obtained mainly from interviews with the offender and his/her family or significant people, reports from schools or employers, and social service agencies (if applicable). It takes into account the social, contextual and other factors surrounding the offending e.g. nature of crime, family history, education/employment situation and history, health and medical issues and personal interests and attitudes.

The PSR is a court document which is also accessible to the offender and his/her parents besides the judge, prosecutor and defence counsel. In Singapore, a PSR is usually called for if a sentencing judge deems probation as an option he/she is prepared to consider for case disposition. A Probation Order is made only if the offender consents to being imposed with such an order and indicates a willingness to abide by the conditions of probation. A successfully completed probation order does not amount to a conviction record.

Failure to comply with any of the conditions¹ specified in the probation order constitutes a "breach of the probation order" and renders the probationer liable to be brought before the original sentencing court to be sentenced for the offence for which he was placed on probation. Where a fresh offence is committed while serving probation, the normal recourse taken by the Courts is to revoke the probation order and sentence the offender for both the new offence and the original offence for which probation was granted.

XII. STRENGTHENING PROBATION

In the last few years, the probation of offenders and their rehabilitation in the community has been strengthened through various legislative and administrative measures and actions to address concerns over the mass perception that community sanctions amount to a let-off. The amendment of the Children and Young Persons Act provided the Court with a wide array of programmes which are implemented as part of stand alone or combination orders, to meet the individualised rehabilitative needs of each offender. The main programmes are listed in the following paragraphs.

A. Community Service Order

The Courts may order probationers to complete between 40 to 240 hours of community service by imposing a Community Service Order as a condition of probation or in the case of juvenile offenders, as a stand alone order without probation. This Order provides young offenders with a chance to repair the harm or hurt caused by their offence(s) by giving something back to the community. It is an opportunity for offenders to help the less fortunate and develop understanding and consideration for others. In the process, the offenders acquire a sense of social responsibility, self discipline and interpersonal skills.

Probationers discharge their court-ordered community service in not-for-profit organisations. They learn to provide care and befriending services to elderly persons, people with special needs, perform general maintenance and repair works in welfare facilities and hospitals, and participate in organising fund-raising and social activities for socially disadvantaged families. Depending on the need, an offender may also be assigned to a value-added community service programme. Through an integrated management of community service placements and work-life skills training for offenders, probationers assessed to be needing a "leg up" to acquire marketable skills are sent for pre-CSO work skills training in areas such a foot reflexology, nail art technology, chef-in-the making, pottery in motion, air-conditioning repair, etc. They are then channelled to practise their newly acquired skills in not-for profit organisations. On completion of the programme, the probationers either go on an apprenticeship programme, get placed in a job or they join the "Be an Entrepreneur" programme.

B. Periodic Training Order

The Courts may order probationers to complete a Periodic Training Order as a term of probation. A PTO is used to allow the probationer to improve his/her ability to cope with the challenges of life and to increase his/her potential either in school or at work. Under the PTO, the probationer is required to report to a social service agency (e.g. a family service centre) for a fixed number of training hours which can vary from 40 to 60 hours. Usually held over 3 training sessions, the training focuses on helping the probationer to understand and work on his/her conduct and performance in school or at work in order to bring about a more positive school/work experience.

C. Probation with Condition of Hostel Residency

The Courts may order probationers to stay in a hostel. The hostel, with its rules and regulations, will provide a stricter environment to help the probationer cultivate discipline and self responsibility. Probationers given hostel residency as a probation requirement are required to either stay in a government

- a) that the defendant shall be of good behaviour and keep the peace;
- b) that the defendant shall report to and receive visits from the Probation Officer/Volunteer Probation Officer;
- c) that the defendant shall not change his job without the prior approval of the Probation Officer/Volunteer Probation Officer:
- d) that the defendant shall notify the Probation Officer/Volunteer Probation Officer forthwith of any change of the defendant's residence or employment;
- e) that the defendant shall carry out such lawful instructions as may from time to time be given by the Probation Officer/Volunteer Probation Officer.

¹ Probation Conditions include:

run hostel for a maximum of 12 months, or in a hostel run by a Voluntary Welfare Organisation, which can be for the entire term of probation. For such an arrangement the condition of probation is given as voluntary stay in the specified hostel. During the stay in the hostel, the probationer is required to continue to attend school or work as usual.

D. Weekend Detention Order

A Weekend Detention Order (WDO) can be given on its own, or with a Probation Order. The Order requires probationers to be detained in a WDO facility on weekends, for a maximum of 52 weekends. This option is suitable for offenders whose lifestyles or habits put them at risk of offending during weekend and those who need a structured regime to develop life or work skills to sustain their resolve against future offending.

E. Detention Order

A Detention Order is a separate Order placed by the Court and must be completed before the probationer starts his probation. Detention Orders require the probationer to be detained for up to 3 months for a short, sharp, shock. It aims to help the probationer improve his/her situation through intensive supervision in a detention facility. Detention Orders have proven useful in diverting some probationers away from a prolonged institutional stay.

F. Mandatory Order - Parent Involvement

When young people go astray, their rehabilitative journey must necessarily involve the support and involvement of their parents or persons who are significant in their lives, if there are to be sustainable improvements during and beyond probation. The Juvenile Court can issue a mandatory order requiring the parents to attend suitable parenting and other programmes. This option is only used if the Probation Officer assessment shows the parents are highly unlikely to seek help without a court order. In 2003, 102 parents were given this order. In most of these cases, there is a delinquency prevention consideration for the younger children who are at high risk of falling into the system if nothing is done to help the parents improve their parenting and problem solving skills.

Dialogues with parents at various stages of the probation process are held to give information on the progress of the probationers, and collate information necessary to ensure probation programmes and services remain relevant and meeting targeted needs, and to identify service gaps which could potentially impact on desired outcomes.

G. School-Probation-Court Link

Slightly more than 60% of probation cases are persons who are still in the school system and therefore spend a good proportion of their time in school. An analysis of data on offending and re-offending shows clearly that most incidents of breach of probation requirements including re-offending occur in school or with schoolmates. The School-Probation-Court Link was formed in 2000 to provide a platform for school authorities, Probation Officers and the Court to work in close partnership to enhance assessments, case planning and casework to bring about an integrated management of probationers in the school system. To-date about 70 schools and vocational training institutions are on the SPC Link and they are actively involved in the process of investigation to determine if a person is suitable for probation, attend the court sessions and work closely with the Probation Service in reviewing the progress of probationers in their schools.

The 2nd phase of implementation of the SPC Link involved the setting up of school-based probation service in several targeted schools with a relatively high percentage of pupils on probation. The strong presence of Probation Officers in these schools meant better supervision of probationers and early detection of trouble spots. At another level, it also serves to "incentivise" schools which are more forthcoming in giving school placements to offenders who may have dropped out of the system by giving them due recognition in the form of awards, media coverage on human interest stories involving their schools and so forth.

H. Victim-Offender Conferencing

A Victim Assistance Team (VAST), formed in 2000, was based in the Probation Services Branch to provide sensitive and supportive services to crime victims who are involved in its rehabilitation programmes for offenders on non-custodial treatment programmes. VAST supports a range of programmes aimed at

improving probation outcomes by increasing the offenders' awareness of the impact of the crime on the victims, such that they develop empathy towards their victims and consequently, refrain from future offending.

In early 2004, Project HEAL (Healing, Empowering And Linking) was launched jointly by the Ministry of Community Development and Sports and the Subordinate Courts to enhance victim involvement in Family Conferences held at the pre-disposition stage. Project HEAL is executed by a multi-disciplinary team comprising probation officers and psychologists of MCDS and the Family and Juvenile Justice Centre.

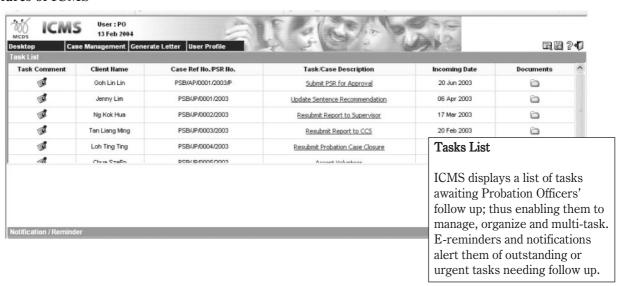
I. Post-Probation Care

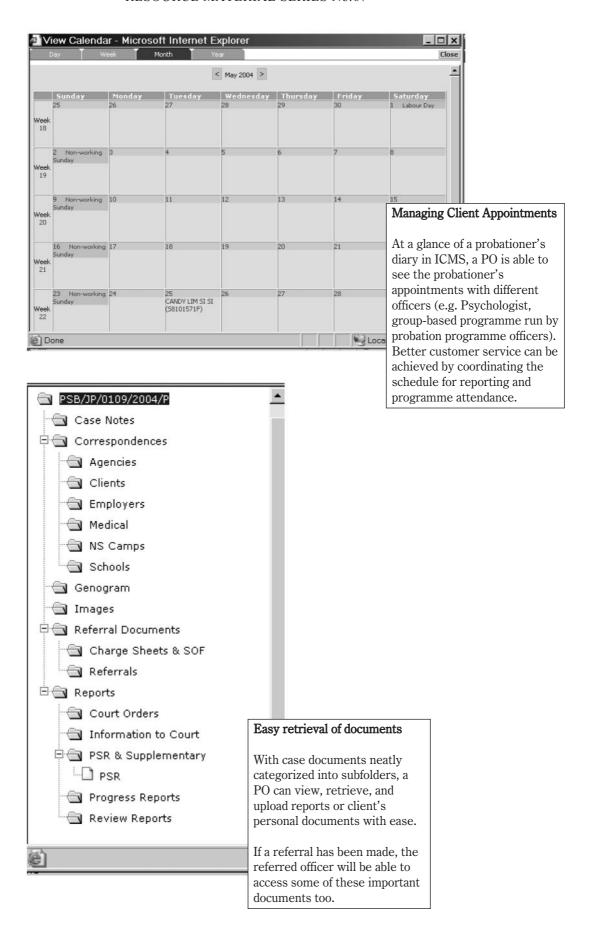
Post care is available to probationers who have completed their orders. A toll-free line operating from 8.30 am to 10 pm daily, 6 days a week, ensures that post care is available and accessible to persons who need post probation support. Aptly tagged "Help is just a phone call away" the PSB Care line has become an avenue for collecting information on social, economic and other contextual factors that confront those leaving or have left the system so resources may be more targeted towards reducing re-offending.

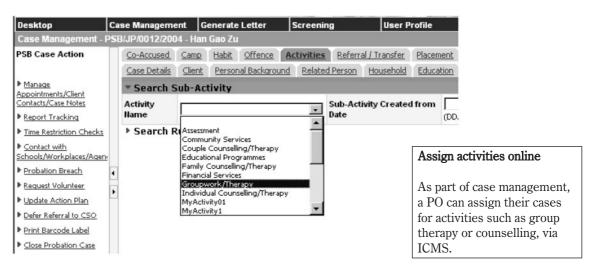
XIII. INTEGRATED CASE MANAGEMENT SYSTEM (ICMS)

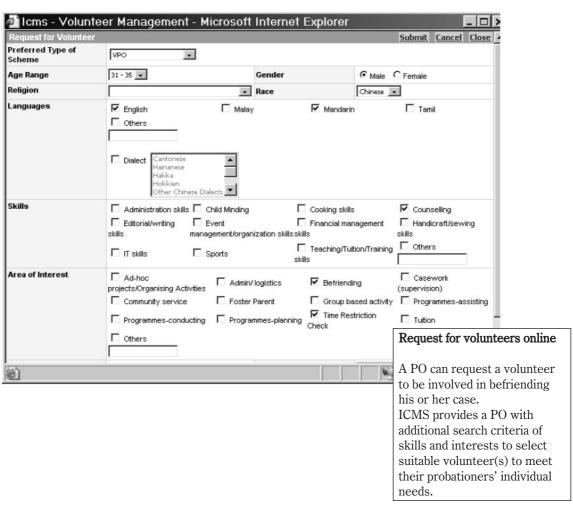
Leveraging on technology, the Ministry of Community Development and Sports initiated the development of an Integrated Case Management System (ICMS) to enhance operational support to officers in terms of easy access to client information, effective case management and a strengthened policy response to emerging issues and challenges. As an IT system, it is designed to facilitate information sharing within the Division, ensure seamless and effective client management, as well as streamlined work processes. Policy making decisions in turn are facilitated through consolidated data and cross-functional analysis. At the operational level, ICMS is designed to meet the needs of both case managers and their clients. It is easy to navigate and makes access to information, data entry of case notes and case management a relatively simple process. Effective use of the ICMS as a case management tool will free Probation Officers to focus on effective intervention to reduce offending.

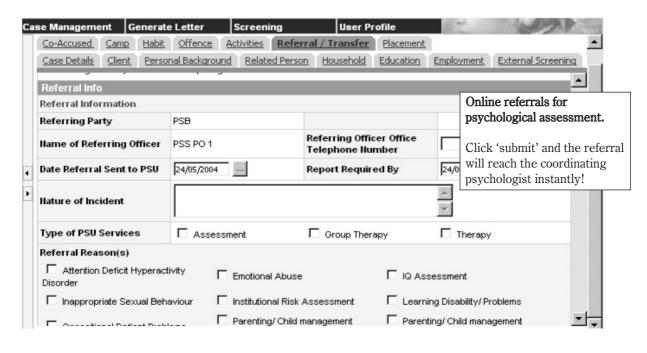
Features of ICMS

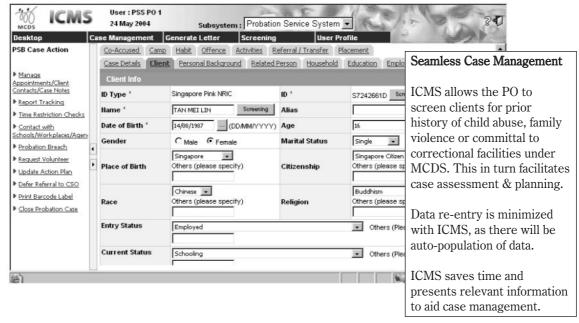


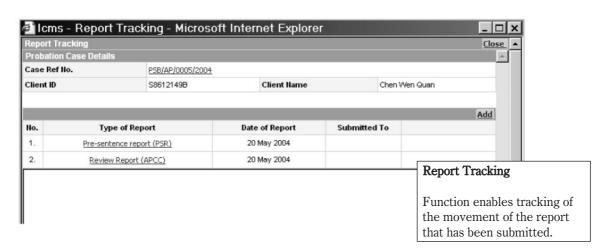












The Probation Service and the Psychological Services Unit were engaged in the roll-out of the ICMS on 31 May 2004. The system will be fully commissioned by the end of 2004.

XIV. ELECTRONIC TAGGING

Electronic monitoring of selected probationers needing intensive supervision was introduced in March 2003 to target probationers whose offences and/or repeated curfew violations would cause them to be sent to a correctional facility. E-tagging as a probation requirement is imposed for a period of 3-4 months. Electronic surveillance of curfew compliance is supplemented with a cognitive behavioural support programme for probationers and their parents; the SONIC (Support for Offenders in Need of Intervention from the Community) programme using Cognitive Behavioural Technique. SONIC involves the Probation Officers' active engagement of parents and school authorities.

XV. PHYSICAL CURFEW COMPLIANCE CHECKS

For the majority of probationers who are not on electronic surveillance, enforcement of the curfew compliance is strengthened through a "Operation Night Watch" (ONW), a programme involving a pool of carefully selected and trained VPOs to conduct physical checks on probationers residing in areas near their residence or preferred residential areas. On an average, the ONW Team makes about 400 checks a month and curfew compliance is about 85% of all cases checked. Outcomes of checks by VPOs are expeditiously relayed to the Probation Officers via the ONW module of the web-based volunteer portal, thereby facilitating prompt, appropriate intervention to prevent escalation of problems and consequent need to revoke the probation order.

XVI. VOLUNTEER PROBATION OFFICERS: COMMUNITY PROBATION SERVICE (CPS)

Introduced in June 1971, CPS is now 33 years old and has long surpassed its modest objective of merely setting out to promote community awareness of the work involved in the rehabilitation of offenders. CPS has a membership of 413 VPOs as at the end of May 2004. More than 70% are actively engaged in helping probationers in one way or another. VPOs are a special force in terms of having the potential to effectively complement the work of probation officers to positively impact on offenders who need help to remain clear of trouble or to better cope with problems.

Sustaining, supporting and providing continuous training and other support to keep the growing pool of volunteer probation officers sufficiently motivated and challenged pose a real problem in today's fast pace work setting, changing profile of probation staff and the demands for work life harmony. To appeal to the diversity of interests, skills, talents, volunteer aspirations, and ability to commit their time at various stages of their volunteer life cycle, CPS offers a wide scope of involvement in community-based rehabilitation of persons in conflict with the law. Among some of the more popular areas of volunteering are:

- a) Casework and counselling
- b) Project work
- c) Assisting in social investigation to determine if an offender can benefit from probation
- d) Organising activities for probationers, parents or fellow volunteers
- e) Conducting curfew checks
- f) Committee and volunteer coordination work
- g) Conducting groupwork

With 33 years of partnership with probation officers in rehabilitation work with offenders, CPS has matured to a level where VPOs are involved in formulating annual work plans and joining forces with the Probation Service in initiating programmes with a strong strategic focus to attain by VPOs and staff to lend a sharper focus on results. Consequently, the VPO recruitment criteria, VPO grading system, core and functional competencies and communication between VPOS and staff were refined.

Their contributions have been wide ranging; from organising VPOs Skills Training Seminars, producing newsletters, information materials and a guidebook to support VPOs in rehabilitation work, planning and executing curfew check operations to monitor probationers' compliance with time restrictions, working with staff in the development of a web-based e-portal for VPOs and more recently, mobilising grassroots organisations to provide constituency-based post care and support to offenders after the expiry of their court orders.

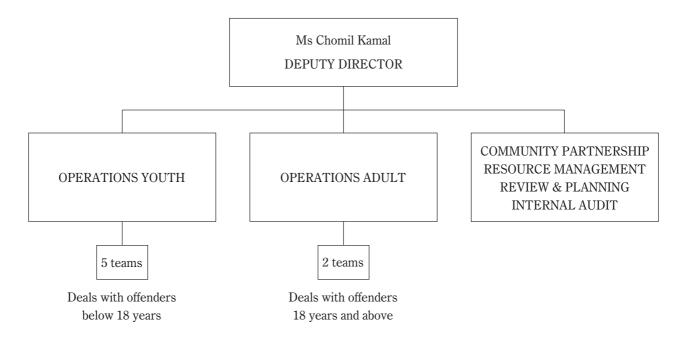
For the web-based e-portal, there is a promise that once all VPOs have completed training (given by staff, and net savvy probationers and former probationers) on how to optimise the use of the portal, they can expect to see the formation of a closely-knit virtual community of VPOs. Market reach of potential volunteers will then extend to those who are comfortable with e-learning and e-platforms for communication and information sharing. To ensure good support to VPOs remains even as technologies are harnessed; a toll-free VPO help desk was set up to enable all VPOs to have a single contact point when they encounter problems or need to contact their probation officers urgently.

XVII. CONCLUSION

Much has been done and much more will have to be done to bring about the necessary changes if we are to achieve a more restorative and humane treatment of offenders.

APPENDIX A

Organizational Functions



APPENDIX B

