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PRISONS ACT
(CHAPTER 247)

PRISONS
(LOCK-UPS IN SPECIFIED COURT HOUSES)
REGULATIONS 2011

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In exercise of the powers conferred by section 4(3) of the Prisons Act, the Minister for Home Affairs hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Prisons (Lock-ups in Specified Court Houses) Regulations 2011 and shall come into operation on 31st October 2011.

Definitions

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

“authorised officer” means —

- (a) a prison officer; or
- (b) an auxiliary police officer who is employed as an escort or a guard to ensure the safe custody of the lock-up prisoners who are under his custody while the lock-up prisoners are transported to, or from, any lock-up and while the lock-up prisoners are at any place outside a lock-up;

“auxiliary police officer” has the same meaning as in section 50B(5) of the Act;

“court house lock-up” means a lock-up to which, or in relation to which, these Regulations apply under regulation 3.

Application

3.—(1) These Regulations shall apply to, and in relation to, any lock-up in a court house referred to in paragraph (2) that is appointed by the Minister by notification in the *Gazette* pursuant to section 4(1) of the Act to be a place for the confinement of persons awaiting trial, remanded, or sentenced to imprisonment for a period not exceeding one month.

(2) The court houses to which paragraph (1) applies are —

- (a) the Supreme Court of Singapore at No. 1 Supreme Court Lane, Singapore 178879; and
- (b) the Subordinate Court Building at No. 1 Havelock Square, Singapore 059724.

General charge and administration of lock-ups

4.—(1) The general charge and administration of court house lock-ups, and the control of officers in charge of or attached to a court house lock-up, shall be vested in the Director.

(2) The Director shall appoint by office a prison officer not below the rank of Assistant Superintendent to be the officer-in-charge of each court house lock-up.

(3) The officer-in-charge shall ensure that all laws, regulations and orders relating to the court house lock-up, lock-up prisoners, authorised officers and other staff are strictly adhered to and all records are properly maintained.

Condition of cells in lock-ups

5. The officer-in-charge shall —

- (a) ensure that the court house lock-up is clean;
- (b) ensure that sanitary arrangements in the court house lock-up are in a satisfactory condition;
- (c) cause the state of the court house lock-up cells and their security features to be examined frequently;
- (d) cause all prohibited articles found in a court house lock-up to be seized; and
- (e) cause a report to be made of any seizure of any prohibited article.

Duties

6. A prison officer shall be detailed daily by the officer-in-charge to ensure that —

- (a) all necessary parts of the court house lock-up are inspected;
- (b) meals are served regularly;
- (c) lock-up prisoners are not in possession of unauthorised or dangerous articles; and
- (d) where bail is granted, release is not unduly delayed.

Meals

7.—(1) Every lock-up prisoner shall be provided with food —

- (a) that, in terms of nutritional value, is adequate for basic health; and

(b) that is in accordance with the types of food approved by the Director, in consultation with a dietician, to be provided to lock-up prisoners.

(2) For the purposes of this regulation, “food” includes drink.

Lock-up prisoners with illness

8. The officer-in-charge shall without delay refer to a medical officer or a registered medical practitioner any case where a lock-up prisoner is believed to be suffering from any illness or mental disorder.

Notification of death

9. The officer-in-charge shall, upon the death of any lock-up prisoner —

(a) give or cause to be given immediate notice thereof to the Director and the most accessible known relative of such lock-up prisoner; and

(b) cause a report of the death to be lodged with the Police.

Maintenance of records

10. A record of each lock-up prisoner confined in a court house lock-up shall be prepared and maintained in such manner and in such form and medium as approved by the Director.

Search of lock-up prisoners

11.—(1) A lock-up prisoner may be physically searched by authorised officers except that a female lock-up prisoner shall only be searched by authorised officers who are female.

(2) An authorised officer searching a lock-up prisoner may use such equipment as may be approved by the Director for the purpose of the search.

(3) Except with the express approval of the Director —

(a) no lock-up prisoner may retain possession of any personal property while he is confined in a court house lock-up; and

(b) all personal property of the lock-up prisoner shall be delivered to the officer-in-charge for the period of confinement in the court house lock-up.

(4) The officer-in-charge may destroy any personal property delivered to him under paragraph (3)(b) that is of a perishable or dangerous nature.

Visitors may be searched

12.—(1) Every visitor to a court house lock-up shall —

- (a) furnish the officer-in-charge, or a prison officer, with his name and address; and
- (b) permit the officer-in-charge, or a prison officer, to search his person and personal property.

(2) A search conducted under paragraph (1)(b) —

- (a) shall not take place in the presence of any lock-up prisoner or of another visitor;
- (b) shall be conducted with due regard to decency; and
- (c) if to be conducted on a female, shall only be conducted by a prison officer who is female.

(3) A prison officer may deny a visitor admission to a court house lock-up if —

- (a) the visitor refuses to be searched; or
- (b) the prison officer is of the opinion that the visitor's admission would be prejudicial to the security or good order of the court house lock-up.

(4) Where a prison officer denies any visitor admission to a court house lock-up under paragraph (3), he shall record the grounds of his refusal in a report to the officer-in-charge.

Separation of lock-up prisoners

13.—(1) The officer-in-charge may order the separation of lock-up prisoners in the interest of the safe custody, security and good order of the court house lock-up.

(2) A female lock-up prisoner shall be kept in a cell separate from a male prisoner.

(3) A female lock-up prisoner shall be kept in a cell that provides reasonable privacy.

(4) A female lock-up prisoner shall not be attended by persons of the opposite sex except in the presence of an authorised officer who is female.

(5) A lock-up prisoner below 16 years of age, whether male or female, shall be kept apart from any other lock-up prisoner who is of or above 16 years of age.

(6) Whenever possible, a lock-up prisoner who is violent, drunk, disorderly or mentally disordered shall not be kept in a cell in which well-behaved lock-up prisoners are confined.

Clothing

14. Every lock-up prisoner shall, where required by the officer-in-charge, wear such clothing as the officer-in-charge may specify.

Lock-up prisoners with special needs

15. Any lock-up prisoner who is assessed by the officer-in-charge to have special needs, or conditions that warrant enhanced attention, shall be accorded with custodial arrangements based on the corresponding specific needs or conditions, so as to ensure his safety and the safety of the other lock-up prisoners.

Use of force

16.—(1) Any authorised officer may use force according to guidelines approved by the Director if it is necessary for the security and good order of the court house lock-up or for the safety and welfare of the lock-up prisoners or other persons therein.

(2) No more force than is necessary in the circumstances for the purposes of control and protection and with due regard to the personal safety of authorised officers and others must be used.

(3) Where force is used on a lock-up prisoner —

(a) the lock-up prisoner must as soon as practicable be brought to a medical officer or a registered medical practitioner to be examined for injury and for any injury and other observation to be recorded; and

(b) a report of the matter must be made to the officer-in-charge immediately.

Firearms

17. Unless otherwise approved by the Director, no firearm shall be carried by any authorised officer within any court house lock-up.

Restraints

18.—(1) Restraints may be employed to prevent any lock-up prisoner from inflicting injury to himself or to another person, damaging property, creating any disturbance or escaping.

(2) Any restraint applied on a lock-up prisoner shall be removed as soon as the purpose for which it was first applied is no longer applicable.

(3) Restraints shall not be used for the purpose of punishing a lock-up prisoner under any circumstances.

(4) The types of restraints used for restraining lock-up prisoners, their application under various situations, and safeguards for prevention of abuse (such as the frequency of medical reviews of a lock-up prisoner under restraint) shall be approved by the Director.

Made this 21st day of October 2011.

BENNY LIM
*Permanent Secretary,
Ministry of Home Affairs,
Singapore.*

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