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PRISONS ACT
(CHAPTER 247)

PRISONS
(POLICE LOCK-UPS) REGULATIONS 2013

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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 (Police Lock-ups) Regulations 2013 and shall come into operation on 11th November 2013.

Definitions

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

“authorised officer” means —

- (a) a police officer assigned by or on behalf of the officer-in-charge of a police lock-up to perform, at the police lock-up, the duties specified in regulation 6; or
- (b) an auxiliary police officer employed under section 50B of the Act as an escort or a guard to ensure the safe custody of any person who is under his custody while the person is transported to, or from, any police lock-up or while the person is at any place outside a police lock-up;

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

“Commissioner of Police” means the Commissioner of Police appointed under section 6(1) of the Police Force Act (Cap. 235);

“lock-up” means such place that is appointed under 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;

“lock-up officer” means the police officer appointed under regulation 4(4) for a police lock-up;

“lock-up prisoner”, in relation to a police lock-up, means a person, whether convicted or not, who is confined in the police lock-up, or who is transported to, or from, the police lock-up;

“officer-in-charge” means the officer-in-charge of a police lock-up under regulation 4(2);

“police lock-up” means a lock-up to which, or in relation to which, these Regulations apply.

Application

3. These Regulations shall apply to, and in relation to, any lock-up in —

- (a) the Airport Police Division;
- (b) the Ang Mo Kio Police Division Headquarters;
- (c) the Bedok Police Division Headquarters;
- (d) the Central Police Division Headquarters;
- (e) the Clementi Police Division Headquarters;
- (f) the Geylang Neighbourhood Police Centre at 132 Paya Lebar Road, Singapore 409014;
- (g) the Jurong Police Division Headquarters;
- (h) the Jurong Police Division — Corporation Road Base at 500 Corporation Road, Singapore 649808;
- (i) the Tanglin Police Division Headquarters;
- (j) the court houses for the Subordinate Courts at No. 3 Havelock Square, Singapore 059725; and
- (k) the Syariah Court.

General charge and administration of police lock-ups

4.—(1) The general charge and administration of any police lock-up, and the control of any officer-in-charge of a police lock-up, shall be vested in the Commissioner of Police, being duly authorised under section 50A of the Act.

(2) The Commander of the respective Police Division where a police lock-up is located shall be the officer-in-charge of that police lock-up.

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

(4) The officer-in-charge of a police lock-up shall appoint a police officer not below the rank of Sergeant as a lock-up officer for that police lock-up to assist him in the day-to-day management and administration of the police lock-up.

Condition of cells in police lock-ups

5. The officer-in-charge of a police lock-up shall —
- (a) ensure that the police lock-up is clean;
 - (b) ensure that sanitary arrangements in the police lock-up are in a satisfactory condition;
 - (c) cause the state of the cells in the police lock-up and their security features to be examined frequently;
 - (d) cause any unauthorised or dangerous article found in a police lock-up to be seized; and
 - (e) cause a report to be made of every seizure of any unauthorised or dangerous article.

Duties

6. An authorised officer shall be detailed daily by the lock-up officer appointed for a police lock-up —
- (a) to ensure that the police lock-up is inspected;
 - (b) to ensure that meals for lock-up prisoners confined in the police lock-up are served regularly;
 - (c) to ensure that no lock-up prisoner of the police lock-up is in possession of any unauthorised or dangerous article;
 - (d) to ensure that, where bail is granted to a lock-up prisoner of the police lock-up, release of the lock-up prisoner is not unduly delayed; and
 - (e) to assist the lock-up officer in the daily operations of the police lock-up.

Meals

- 7.—(1) Every lock-up prisoner confined in a police lock-up shall be provided with food that —
- (a) in terms of nutritional value, is adequate for basic health; and
 - (b) is in accordance with the types of food which are approved by or on behalf of the Commissioner of Police 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 of a police lock-up shall, without delay, refer to a medical officer or a registered medical practitioner any case where a lock-up prisoner of the police lock-up is believed to be suffering from any illness or mental disorder.

Notification of death

9. The officer-in-charge of a police lock-up shall ensure, upon the death of any lock-up prisoner of the police lock-up, that immediate notice thereof is given to the Commissioner of Police and the most accessible known relative of the lock-up prisoner.

Maintenance of records

10. A record of each lock-up prisoner confined in a police lock-up shall be prepared and maintained by an authorised officer in such manner, form and medium as approved by or on behalf of the Commissioner of Police.

Search of lock-up prisoners

11.—(1) A lock-up prisoner may be physically searched by an authorised officer with due regard to decency, except that a female lock-up prisoner shall only be searched by an authorised officer who is female.

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

(3) Except with the express approval of the officer-in-charge of a police lock-up —

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

(b) all of the personal property of each lock-up prisoner of the police lock-up shall be delivered to the lock-up officer appointed for that police lock-up for the period of his confinement in the police lock-up.

(4) The lock-up officer appointed for a police lock-up 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 police lock-up shall —
- (a) furnish the officer-in-charge, or an authorised officer, of the police lock-up, with his name and address; and
 - (b) permit the officer-in-charge, or an authorised officer, of the police lock-up, 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 of, or of another visitor to, the police lock-up;
 - (b) shall be conducted with due regard to decency; and
 - (c) if to be conducted on a female, shall only be conducted by an authorised officer who is female.
- (3) A lock-up officer of a police lock-up may deny a visitor admission to the police lock-up, if —
- (a) the visitor refuses to be searched; or
 - (b) the lock-up officer is of the opinion that the visitor's admission would be prejudicial to the security or good order of the police lock-up.
- (4) Where a lock-up officer denies any visitor admission to a police lock-up under paragraph (3), he shall record the grounds of his refusal in a report to the officer-in-charge of that police lock-up.

Movement of lock-up prisoners

13. The movement of a lock-up prisoner in every police lock-up shall be recorded in a lock-up Prisoners' Movement Board or by any other electronic means.

Separation of lock-up prisoners

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

(2) A female lock-up prisoner shall be kept in a cell separate from any male lock-up 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 to 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 16 years of age or older.

(6) Whenever possible, a lock-up prisoner who is violent, drunk, disorderly or mentally disordered shall be separately confined.

Clothing

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

Lock-up prisoners with special needs

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

Use of force

17.—(1) Any authorised officer may use force according to guidelines approved by or on behalf of the Commissioner of Police, if it is necessary for the security and good order of a police 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 of a police lock-up —

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

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

Firearms

18. Unless otherwise approved by the officer-in-charge of a police lock-up, no person shall carry in any firearm within the police lock-up.

Restraints

19.—(1) Restraints may be employed to prevent any lock-up prisoner from inflicting injury to himself or 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) No restraint shall, under any circumstances, be used for the purpose of punishing a lock-up prisoner.

(4) The types of restraints used for restraining a lock-up prisoner, their application under various situations and safeguards for the prevention of their abuse shall be approved by or on behalf of the Commissioner of Police.

Revocation

20. The Prisons (Lock-ups) Regulations (Rg 1) are revoked.

Made this 18th day of October 2013.

TAN TEE HOW
*Permanent Secretary,
Ministry of Home Affairs,
Singapore.*

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