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CHILDREN AND YOUNG PERSONS ACT
(CHAPTER 38)

CHILDREN AND YOUNG PERSONS
(GOVERNMENT HOMES)
REGULATIONS 2011

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In exercise of the powers conferred by section 88 of the Children and Young Persons Act, MG (NS) Chan Chun Sing, Minister of State, charged with the responsibility of the Minister for Community Development, Youth and Sports, hereby makes the following Regulations:

PART I
PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Children and Young Persons (Government Homes) Regulations 2011 and shall come into operation on 20th July 2011.

Definitions

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

“home” means a home for children and young persons which is under the management or control of the Government and which is specified in the Schedule;

“Manager” means any person appointed by the Director to be in charge of and to oversee the management and administration of a home, and includes any person appointed by the Director to exercise the duties of the Manager in his absence;

“medical practitioner” means a registered medical practitioner under the Medical Registration Act (Cap. 174) who has in force a practising certificate issued under that Act;

“nurse” means an “enrolled nurse” or a “registered nurse” as defined in section 2 of the Nurses and Midwives Act (Cap. 209);

“resident” means any child or young person residing in a home.

PART II
MANAGER

Responsibilities of Manager

3.—(1) The Manager of a home shall be responsible to the Director for the proper management of the home under his charge, and for the reception, discipline, welfare and rehabilitation of its residents.

(2) The Manager of a home shall, with the approval of the Director, determine and draw up the following:

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- (a) the duties of the members of the staff of the home under his charge;
 - (b) the programmes for the training and education, recreation, care and rehabilitation of the residents of the home;
 - (c) security and other safety measures; and
 - (d) such other standing instructions, duties, programmes and schedules as the Director may from time to time direct.

Standards of Care

4.—(1) The Director may, from time to time, issue, amend and vary a document to be known as the Standards of Care which sets out the objectives and guidelines for the management and administration of any home and the care of residents of any such home.

(2) Every Manager of a home shall use his best endeavours to comply with the provisions of the Standards of Care in respect of the home.

PART III

RECORDS AND REPORTS

Records

5.—(1) Every Manager of a home shall ensure that up-to-date records are maintained in respect of the home and that those records shall be made available for inspection by the Director at all times.

(2) The records required to be maintained in respect of a home under paragraph (1) shall include —

- (a) a register of admissions and discharges, in which shall be recorded particulars relating to —
 - (i) the admission and discharge of every resident to and from the home; and
 - (ii) the release on licence of any resident from the home under section 76(2) of the Act and the revocation of any such licence;

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- (b) a residents' property book, in which shall be recorded particulars of all the personal effects of every resident of the home which are handed to the Manager of the home for safe-keeping upon the admission of the resident to the home, and a brief account of the manner in which all such personal effects are disposed of by the Manager upon the discharge of that resident;
 - (c) a case record of every resident of the home;
 - (d) a discipline book, in which shall be recorded particulars of every disciplinary action taken against any resident of the home;
 - (e) a daily register of the presence or absence of each resident of the home;
 - (f) a log book, in which shall be recorded every event of importance connected with the management of the home;
 - (g) a Review Board book, in which the names of the members of the Review Board or any of its committees shall be entered and in which the members of the Review Board or any of its committees may make comments concerning the home when they conduct visits to that home; and
 - (h) such other records as the Director may from time to time direct to be kept in respect of that home.
- (3) The records required to be maintained in respect of a home under paragraph (1) shall —
- (a) be available for inspection by any member of the Review Board or any of its committees at all times and shall be signed by the member upon inspection; and
 - (b) be placed before the Review Board or any of its committees at any meeting thereof if the Review Board or the committee so requires.

Manager to inquire into complaint of abuse of resident

6.—(1) Upon the receipt of a complaint of abuse of any resident of a home, the Manager of the home must report the complaint to the Director as soon as practicable.

(2) The Manager of a home shall inquire into the complaint of abuse of any resident of the home and report the initial findings to the Director within 3 days after the date of the receipt of the complaint.

Notification of death, illness or accident or abscondence

7.—(1) Where a resident of a home dies or is seriously injured at any time when he has not been discharged as a resident of the home, the Manager of that home shall, as soon as possible, report the death or serious injury to the police, the Director and the parent or guardian of the resident.

(2) Where it becomes necessary for a resident of a home to be admitted to a hospital for medical treatment, the Manager of that home shall, as soon as possible, inform the Director and the parent or guardian of the resident.

(3) The Manager of a home shall ensure that no surgical treatment is carried out on any resident of the home without the prior consent of the resident's parent or guardian, unless a medical practitioner certifies in writing that any delay in obtaining such consent would cause the resident unnecessary suffering or endanger the resident's life or health.

(4) Where a resident of a home has been absent without authority from the home for more than 24 hours, the Manager of that home shall, as soon as possible, report the absence to the police, the Director and the parent or guardian of the resident.

(5) Where a resident of a home escapes from a home or from the custody of a member of the staff thereof, the Manager of that home shall immediately make a report of the escape to the police, the Director and the parent or guardian of the resident.

PART IV
SAFETY

First-aid facilities

8.—(1) Every Manager of a home shall ensure that the home has a first-aid kit for emergency treatment that is kept in an accessible and safe place in the home.

(2) The Manager of a home shall make arrangements for training in first-aid for every staff of the home who is not a nurse.

(3) The Manager of a home shall ensure that there is, at all times present on site at the home, at least one member of the staff of the home who is trained in first-aid.

Fire precautions

9.—(1) Every Manager of a home shall ensure that —

- (a) there is a fire emergency plan for the home;
- (b) the written procedure for the evacuation of the premises in the event of a fire emergency is displayed conspicuously on a notice board on the premises of the home at all times;
- (c) fire drills by residents and staff of the home are conducted at least once every 3 months;
- (d) a written record is maintained of all such fire drills;
- (e) any apparatus or firefighting equipment recommended by the Commissioner of Civil Defence is installed in the home and is regularly inspected, maintained and ready for use;
- (f) the staff of the home are conversant with the method of using such equipment; and
- (g) all exits from the home as well as all passageways and staircases are clear of obstructions at all times.

(2) In this regulation, “Commissioner of Civil Defence” means the Commissioner of Civil Defence appointed under section 6 of the Civil Defence Act (Cap. 42).

PART V
MANAGEMENT OF RESIDENTS

Personal effects of resident

10.—(1) The personal effects of a resident shall, upon his admission to a home, be taken from him by the Manager of the home and, subject to paragraph (2), the Manager shall cause such personal effects to be handed over to the parent or guardian of the resident as soon as possible or otherwise returned to the resident upon his discharge from the home.

(2) Where any item among the personal effects of a resident of a home at the time of his admission to the home is of a perishable or dangerous nature, the Manager of the home shall cause the item to be destroyed.

(3) A Manager of a home shall cause the particulars of all personal effects taken away from a resident of the home under his charge upon the resident's admission to be recorded in the residents' personal effects book before keeping them away.

Medical examination

11. The Manager of a home shall ensure that every resident shall as soon as practicable after his admission to a home, be examined by a medical practitioner.

Food and necessities

12.—(1) The Manager of a home shall ensure that there is a written menu that is displayed conspicuously in the home and made available for inspection at all times by any officer authorised by the Director.

(2) The Manager of a home shall ensure that every resident of the home shall be supplied with adequate food and an adequate variety of food.

(3) The Manager of a home shall ensure that every resident of the home shall be provided with adequate sleeping space, clothes, toiletries and such other items as may be necessary for his stay at the home.

Religious observance

13.—(1) As far as is practicable, the Manager of a home shall ensure that arrangements are made for every resident of the home to adhere to the observances required by the religion which the resident professes.

(2) The Manager of a home shall ensure that ministers of religion shall, wherever possible, be given access to the home for the purpose of visiting or giving religious instruction to residents of the home according to their particular faiths.

Rehabilitation programme

14.—(1) The Manager of a home shall ensure that the rehabilitation programme for every resident of the home shall, wherever possible, include —

- (a) moral or religious guidance;
- (b) education;
- (c) vocational training;
- (d) work;
- (e) physical training;
- (f) social and recreational activities; and
- (g) individual and group therapy.

(2) In this regulation, “work” means light work, such as a resident of a home making his own bed, cleaning his own dormitory, or assisting in similar light work in the kitchen or about the buildings or grounds of the home.

Home leave

15.—(1) Every resident of a home may, from time to time, be granted leave by the Manager of the home to visit his parent or guardian for such period as that Manager may determine.

(2) A resident of a home who has been granted leave under paragraph (1) shall abide by the following conditions during the period of leave granted to him:

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- (a) he shall return to the home immediately upon the expiration of the period of leave;
 - (b) he shall remain indoors during the times specified by the Manager of the home;
 - (c) he shall not visit such undesirable places as the Manager of the home may specify;
 - (d) he shall not consume or have in his possession any controlled drug, intoxicating substance, tobacco or alcoholic drink;
 - (e) he shall not behave in a disorderly manner.

Special leave

16.—(1) Subject to paragraph (2), the Manager of a home may grant a resident of the home special leave —

- (a) to attend any educational classes or vocational training programmes or to take up any employment, where such educational classes, vocational training programmes or employment is not provided for by the home;
- (b) to travel outside Singapore if —
 - (i) the consent of the parent or guardian of the resident has been given for such travel; and
 - (ii) where the resident is under a statutory order to reside in the home, the Director's approval has been obtained for such travel; or
- (c) for any other special purpose for which the Manager thinks fit and proper to grant special leave to the resident.

(2) A resident of a home who has been granted special leave shall abide by the following conditions during the period of special leave granted to him:

- (a) he shall leave and return to the home at the times specified by the Manager of the home;
- (b) he shall not absent himself from the place of his therapeutic programmes, educational classes, vocational training programmes or employment without reasonable cause;

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- (c) he shall not consume or have in his possession any controlled drug, intoxicating substance, tobacco or alcoholic drink;
 - (d) he shall not behave in a disorderly manner;
 - (e) such other conditions as the Manager of the home may specify in that particular case.

Writing and receipt of letters

17.—(1) The Manager of a home shall ensure that every resident of the home shall be encouraged to write to his parent, guardian, relatives and friends or, if he is unable to write, to dictate his letter to a member of the staff of the home.

(2) Subject to paragraph (3), the Manager of a home shall ensure that every resident of the home is allowed to receive letters from his parent, guardian, relatives and friends.

(3) The Manager of a home shall not allow any letter to be posted or received by a resident of the home unless the contents thereof have been screened by the Manager or a staff of that home authorised by that Manager.

Provision to receive visits

18.—(1) Subject to paragraph (3), the Manager of a home shall ensure that every resident of a home is allowed to receive visits from his parent or guardian during such hours and at such reasonable intervals as the Manager of the home may determine.

(2) The Manager of a home may in exceptional cases allow a resident of the home to receive visits from such other persons as the Manager thinks necessary or desirable.

(3) The Manager of a home may, where the circumstances so warrant, refuse to allow the parent or guardian of a resident of the home to visit the resident, but in every such case the Manager shall record the reasons for doing so in the case record of the resident.

PART VI

BEHAVIOUR MANAGEMENT AND DISCIPLINE

Residents to obey orders

19. Every resident of a home shall obey the lawful orders of the staff of the home.

Fair discipline

20. Every member of the staff of a home shall treat every resident of the home fairly and firmly in the enforcement of discipline.

Orders, rules and directions

21. The Manager of a home may, from time to time, issue such orders, rules and directions as may be necessary for the maintenance of the discipline of the residents of the home.

Punishment for indiscipline

22.—(1) Where the imposition of punishment on any resident of a home is necessary for the maintenance of discipline, the punishment shall be administered according to the discretion of the Manager of the home or a member of the staff of the home who is authorised by the Manager of the home.

(2) For the purposes of paragraph (1), a Manager of a home or a member of the staff of the home authorised by the Manager thereof may only impose any one or more of the following forms of punishment (and no other form) on a resident of a home:

- (a) forfeiture or curtailment of rewards and privileges or deprivation of social activities for a specified period, except that the privileges forfeited shall not include the reception of visits from the resident's parent or guardian;
- (b) performance of extra duties in and around the buildings or grounds of the home;
- (c) separation from other residents of the home in accordance with regulation 23;
- (d) corporal punishment in accordance with regulation 24.

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- (3) The Manager of a home shall —
- (a) record in the discipline book —
 - (i) the reasons for his decision to impose any punishment on any resident of the home; and
 - (ii) the form of punishment imposed; and
 - (b) inform the resident's parent or guardian as soon as possible of the disciplinary action that has been taken and the punishment that has been imposed on the resident.

Separation from other residents

23.—(1) Where a resident of a home is guilty of serious misconduct, the Manager of the home may, in his discretion, separate the resident from the other residents in the home.

(2) Any such punishment under paragraph (1) shall only be imposed on a resident of a home subject to the following conditions:

- (a) no resident below 12 years of age shall be separated from the other residents in the home;
- (b) the room in which the resident is kept separate from the other residents shall be bright and airy and kept lighted after dark;
- (c) the resident who is kept separate from the other residents shall be provided with means of communication with a member of the staff of the home; and
- (d) no resident shall be separated from the other residents in the home for a period exceeding 30 days except with the prior approval of the Director.

(3) The Manager of a home shall record in the discipline book, the reasons for his decision to separate any resident of the home from the other residents in the home, and the period of the separation.

Corporal punishment

24.—(1) The Manager and the staff of a home shall make every effort to enforce discipline within the home without resort to corporal punishment.

(2) The Manager of a home must be satisfied after an inquiry and before imposing any corporal punishment that the resident of the home is guilty of serious misconduct and that the misconduct is of such a nature as to warrant the imposition of corporal punishment.

(3) The Manager of a home must seek the approval of the Director before imposing corporal punishment on any resident of the home.

(4) The Manager of a home shall record in the discipline book the particulars and evidence of the alleged misconduct of a resident of the home, his findings on the evidence, and the grounds of his decision to impose corporal punishment on the resident.

(5) Corporal punishment shall only be administered by way of caning and be subject to the following conditions:

(a) where corporal punishment is to be administered to a male resident of a home —

- (i) it shall be administered by the Manager of the home, or a member of the staff of the home authorised by the Manager, in the presence of another member of the staff who shall sign in the punishment book as a witness to the carrying out of the punishment;
- (ii) the number of strokes inflicted shall not exceed 10;
- (iii) the strokes may be inflicted on the resident's palm or on his buttocks over his clothes; and
- (iv) it shall not be administered in the presence of any other resident of the home; and

(b) where corporal punishment is to be administered to a female resident of a home —

- (i) it shall be administered by a female member of the staff of the home authorised by the Manager of the home in the presence of another female member of the staff who shall sign in the punishment book as a witness to the carrying out of the punishment;
- (ii) the number of strokes inflicted shall not exceed 10;

- (iii) the strokes shall be inflicted on the resident's palm only; and
- (iv) it shall not be administered in the presence of any other resident of the home.

(6) Corporal punishment shall not be administered to any resident of a home who suffers from any physical or mental disability.

Prohibition of unauthorised forms of corporal punishment

25.—(1) No member of the staff of a home shall subject any resident thereof to any form of unauthorised corporal punishment.

(2) In this regulation, “unauthorised corporal punishment” includes striking, cuffing, shaking or punching a resident, or subjecting him to any other form of physical violence except for that permitted in accordance with regulation 24.

Duty of Manager upon return of resident who has failed to return or has escaped from home

26. Where a resident of a home returns to the home after —

- (a) having initially failed to return to the home immediately after the expiry of his home leave or special leave; or
- (b) having escaped from the home,

the Manager of the home shall, within 7 days after the return of the resident —

- (i) compute the period during which the resident was at large;
- (ii) issue a certificate stating the period during which the resident was at large;
- (iii) cause a copy of the certificate issued under paragraph (ii) to be furnished and explained to the resident who shall thereafter acknowledge it and to the parent or guardian of the resident; and
- (iv) where the resident was admitted to the home pursuant to a statutory order, submit a copy of the certificate to the Youth Court.

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Punishment of resident who has been guilty of failure to return or escaping from home

27. Where a resident of a home has failed to return to the home immediately after his home leave or special leave, or after having escaped from the home, the Manager of that home may impose one or both of the following forms of punishment on the resident:

- (a) keep him separated from the other residents for up to a maximum period of 30 days, subject to the conditions in regulation 23 being complied with;
- (b) impose corporal punishment on the resident in accordance with regulation 24.

THE SCHEDULE

Regulation 2

LIST OF HOMES TO WHICH THESE REGULATIONS APPLY

- (1) Singapore Boys' Home
- (2) Singapore Girls' Home

Made this 18th day of July 2011.

CHAN HENG KEE
Permanent Secretary,
Ministry of Community Development,
Youth and Sports,
Singapore.

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