

Civil Defence Act

[\(Chapter 42, Section 115\)](#)

Civil Defence (Detention) Regulations

Rg 3

G.N. No. S 284/1986

REVISED EDITION 1990

(25th March 1992)

[14th November 1986]

Citation

**1.** [These Regulations](#) may be cited as the [Civil Defence \(Detention\) Regulations](#).

Definitions

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

“arrested person” means a person under arrest under the [Act](#);

“commandant” means —

(a)

in the case of detention barracks, an officer appointed by the Commissioner as the commandant of the detention barracks; or

(b)

in the case of a guardroom, an officer appointed by a commanding officer as the commandant of the guardroom;

“guard” means a person responsible for the guarding of arrested persons or persons serving detention in detention barracks or guardrooms;

“guardroom” means a place designated as a guardroom by a commanding officer with the approval of the Commissioner;

“Head of Manpower” means the Head of the Manpower Department of the Force;

“person serving detention” means a person serving sentence of detention imposed by a disciplinary officer;

“prison” means a prison declared as such under [section 3 of the Prisons Act](#) (Cap. 247).

Place of custody

**3.**

—(1) Subject to these Regulations —

(a)

arrested persons shall be kept in custody in guardrooms; and

(b)

persons sentenced to detention shall be kept in custody in detention barracks.

(2) The Head of Manpower may, however, direct that persons referred to in paragraph (1)(a) shall be kept in custody in detention barracks and that persons referred to in paragraph (1)(b) shall be kept in guardrooms.

Women

**4.** Women arrested and women serving detention shall be kept in such places and under such conditions as the Head of Manpower may direct having due regard to decency and the special position of such women.

Temporary place of custody

**5.** When a person is placed under arrest or sentenced to detention during a state of civil defence emergency or state of emergency and he cannot be immediately delivered into a guardroom or detention barrack, he may be kept in custody in such place as his commanding officer may

direct, except that he shall be kept under conditions which are not detrimental to his health and that as soon as possible he shall be delivered into a guardroom or detention barrack.

Separation of persons in custody

**6.** Whenever practicable arrested persons shall be kept separately from persons serving detention and persons above the rank of sergeant shall be kept separately from other persons in custody.

Standing orders

**7.** The commandant may, subject to the [Act](#) and these Regulations, issue standing orders in respect of detention barracks, guardrooms, arrested persons and persons serving detention.

Admission to detention barracks

**8.**

—(1) Before a person serving detention is delivered to a detention barrack, he shall be examined by a medical officer who shall have to certify in Form 1 set out in [the Schedule](#) that he is fit to undergo detention or for such work or training.

(2) On admission of an arrested person or a person serving detention to a detention barrack or guardroom, the following procedure shall apply:

(a)

the commandant or a person acting on his behalf shall examine whether there is lawful authority for keeping the person in custody;

(b)

an arrested person or a person serving detention shall, with due regard to decency, be searched and any article or document which he is not allowed to keep in his possession shall be taken from him and kept in safe custody; a list of these articles or documents authenticated by the signature of the person responsible for the taking of the articles or documents and countersigned by the possessor shall be kept and a copy thereof shall be given to him.

(3) A person serving detention shall be issued with the necessary items of clothing which shall serve as his attire during the duration of his detention.

(4) A committal order of persons serving detention shall be in Form 2 set out in [the Schedule](#).

Accommodation

**9.** Two persons shall not be kept in custody in one cell. There shall be either one person or at least 3 persons in one cell.

Permitted articles

**10.**

—(1) Subject to [paragraph \(2\)](#), an arrested person or a person serving detention shall not be allowed to keep in his cell any article other than the necessary wearing apparel.

(2) The commandant may permit an arrested person or a person serving detention to keep any article in the cell.

Searches

**11.** The commandant may order an arrested person or a person serving detention to be searched at any time.

Food

**12.** Subject to [regulation 24\(1\)\(b\)](#), arrested persons or persons serving detention shall be provided with food similar to that provided to servicemen not in custody.

Prohibition on smoking

**13.** No arrested person or person serving detention shall smoke or have in his possession any match or lighter, or any naked light.

Letters

**14.**

- (1) A person serving detention shall be allowed to write one letter on admission to detention barracks and thereafter he shall be allowed to write one letter a week.
- (2) Notwithstanding [paragraph \(1\)](#), a commandant may permit a person serving detention to write additional letters.
- (3) There shall be no restriction on the number of letters an arrested person may write.
- (4) There shall be no restriction on the length of a letter an arrested person or a person serving detention may write.
- (5) Letters referred to in this regulation shall be sent by the commandant.
- (6) The commandant may scrutinise letters written by or addressed to an arrested person or person serving detention and may withhold any such letters or any part thereof provided he gives due notice thereof to the arrested person or person serving detention.

## Parcels

**15.** A parcel addressed to an arrested person or a person serving detention shall be opened and examined by or under the authority of the commandant in the presence of the person to whom it is addressed. Any article which the person is prohibited from or not authorised to receive shall be retained in safe keeping by the commandant.

## Visits

**16.**

- (1) A person serving detention shall be allowed one visit per week from members of his family.
- (2) The commandant may allow additional visits per week to the person serving detention from members of his family as he may consider consistent with security and discipline.
- (3) Visits shall be made during official visiting hours.

## Mechanical restraint

**17.**

- (1) A commandant may issue an order in writing for the mechanical restraint of an arrested person or a person serving detention to prevent him from inflicting injuries to himself or others, damaging property, creating a disturbance or escaping.
- (2) Mechanical restraint shall not be ordered for the purpose of punishment.
- (3) Arrested persons or persons serving detention may be handcuffed to one another in transit.
- (4) An order made under [paragraph \(1\)](#) shall be in Form 3 set out in [the Schedule](#) and shall state the type and manner of restraint that is to be applied and the period during which it shall be applied except that the period shall not exceed 12 hours in the case of any restraint, and that the Head of Manpower may order that the mechanical restraint shall continue for a period not exceeding 24 hours.
- (5) Mechanical restraint shall only be by means of handcuffs, except that the commandant may, when handcuffs cannot efficiently secure arrested persons or persons serving detention, order any other means or manner of restraint with the approval of and subject to such conditions as may be laid down by a medical officer.
- (6) Mechanical restraint may be applied to an arrested person or a person serving detention before the issue of an order under [paragraph \(1\)](#) only in a case of extreme urgency when an order in writing cannot be obtained. The commandant shall in such cases issue forthwith an order in writing.

## Training and work of persons under sentence

**18.**

—(1) Persons serving detention shall be engaged in such training or work commensurate with their rank as the commandant may prescribe from time to time in accordance with these Regulations and Standing Orders.

(2) The training and work referred to in [paragraph \(1\)](#) shall be for the purpose of education, instruction, preservation of health or for the maintenance of the detention barracks.

(3) No person shall be engaged in training or work for more than 9 hours a day.

(4) On Sundays and gazetted public holidays arrested persons or persons serving detention shall not be engaged in any training or work except work which is necessary for the service and maintenance of detention barracks or guardrooms.

(5) No person shall be engaged in training or work when he is —

(a)

in close confinement;

(b)

undergoing restricted diet as a punishment; or

(c)

excused from training or work on medical grounds on the advice of a medical officer.

Unauthorised work

**19.** An arrested person or a person serving detention shall not be employed, directly or indirectly, for the private benefit or advantage of any person, nor in any way contrary to these Regulations or the orders of the commandant.

Escape from custody

**20.**

—(1) Any person who discovers the escape from custody of another or who has any knowledge which may assist in the apprehension of such person shall immediately report to the commandant.

(2) The commandant shall forthwith inform any case of escape from custody to the police, the provost unit of the Force, his commanding officer and to the Head of Manpower.

Temporary release

**21.**

—(1) The commandant may, on the application of a person serving detention and on compassionate grounds, grant him temporary release from the detention barracks for a period not exceeding 48 hours. Such period shall be accountable for the purpose of calculating the period of sentence served.

(2) The certificate of release shall be in Form 4 set out in [the Schedule](#).

Remission

**22.**

—(1) Subject to [paragraph \(3\)](#), a person serving detention shall be entitled to have part of his sentence remitted in accordance with the following provisions:

(a)

if his sentence does not exceed 30 days — nil;

(b)

if his sentence exceeds 30 days — a period equal to the number of days by which the sentence exceeds 30 days.

(2) For the purposes of calculating the remission, a portion of a day shall be ignored.

(3) The whole or any part of the remission may be withdrawn by the Head of Manpower on the recommendation of the commandant by reason of misbehaviour of a person serving detention.

## Minor offences

**23.** An arrested person or a person serving detention who —

- (1) talks without any reasonable cause during working hours, or talks loudly, laughs or sings at any time after having been ordered by a guard to desist;
- (2) quarrels with any other person;
- (3) secretes any article whatever;
- (4) shows disrespect to a guard or to an official visitor;
- (5) answers untruthfully any question put by a guard or an official visitor;
- (6) communicates with any person without authority;
- (7) abets the commission of any minor offence;
- (8) omits to assist in the maintenance of discipline by reporting any minor offence, or to give assistance to a guard when called upon to do so;
- (9) does any act or uses any language calculated to wound or offend the feelings and prejudices of any other arrested person or person serving detention;
- (10) does an act calculated to create any unnecessary alarm in the minds of arrested persons or persons serving detention or guards;
- (11) leaves his cell or place of work or other appointed place without permission of a guard;
- (12) loiters about during working hours, physical training, meal time, etc.;
- (13) omits or refuses to march in file when moving about the guardroom or detention barrack or proceeding to or returning from work;
- (14) visits the lavatories without permission of a guard or remaining there longer than is necessary;
- (15) refuses without any reasonable cause to eat the food provided by the guardroom or detention barrack;
- (16) eats or appropriates any food not assigned to him or takes from or adds to the portions assigned to other arrested persons or persons serving detention;
- (17) removes without permission of a guard food from the place where meals are served, or disobeys any order as to the issue and distribution of food and drinks;
- (18) wilfully destroys food or throws it away without permission;
- (19) introduces into food or drink anything likely to render it unpalatable or unwholesome;
- (20) omits or refuses to wear the clothing given to him, or exchanges any portion of it for the clothing of other arrested persons or persons serving detention, or loses, discards, damages or alters any part of it;
- (21) removes, defaces or alters any distinctive number, mark or badge attached to, or worn on, the clothing or person;
- (22) omits or refuses to keep the person clean, or disobeys any order regulating the cutting of hair;
- (23) omits or refuses to keep clothing, bedding, or utensils clean, or disobeys any order as to the arrangement or disposition of such articles;
- (24) tampers in any way with a guardroom's or detention barrack's lock, lamp or light or other property;
- (25) steals the clothing or any part of the kit of any other arrested person or person serving detention;
- (26) commits a nuisance in any part of the guardroom or detention barrack;
- (27) spits on or otherwise soils any floor, door, wall or other part of the guardroom or detention barrack or any article therein;

- (28) wilfully befouls the walls, lavatories, washing or bathing places;
- (29) omits or refuses to take due care of all guardroom's or detention barrack's property entrusted to him;
- (30) omits or refuses to take due care of, or injures, or misappropriates, the materials and implements entrusted to him for work;
- (31) omits to report at once any loss, breakage or injury which he may have caused to the guardroom's or detention barrack's property or implements;
- (32) performs any portion of the task allotted to another arrested person or person serving detention, or obtains the assistance of such other person in the performance of his own tasks without any reasonable excuse;
- (33) appropriates any portion of the task performed by another arrested person or person serving detention;
- (34) mixes or adds any foreign substance to the materials issued for work;
- (35) curses or swears, or uses indecent, violent, threatening or insulting language;
- (36) causes or omits to assist in suppressing violence or insubordination of any kind;
- (37) acts in an immoral, disorderly or indecent manner;
- (38) omits or refuses to help any guard in case of an attempted escape or of an attack upon such guard, or upon another arrested person or person serving detention;
- (39) disobeys any lawful order of a guard;
- (40) idles or refuses to work or shows negligence in the performance of his allotted task;
- (41) defaces or damages the walls, furniture or other property of the guardrooms or detention barracks;
- (42) malingers;
- (43) refuses to undergo medical treatment or examination when required by a guard to do so;
- (44) does any other act, conduct, disorder or neglect to the prejudice of good order or discipline, shall be guilty of a minor offence.

Punishment for minor offences

**24.**

—(1) Any person who commits a minor offence under these Regulations shall, after being given an opportunity to be heard, be liable to be punished by the commandant with any one or both of the following punishments:

(a)

close confinement for a period not exceeding 3 days;

(b)

restricted diet of bread and water or rice and water for a period not exceeding 7 days.

(2) A person under close confinement shall not be allowed to leave his cell or to communicate with any other person without the permission of the commandant and shall be allowed books of instruction only.

Major offences

**25.** The following shall be major offences:

(1) mutiny;

(2) escape or attempt to escape;

(3) taking part in any assault or attack on any guard;

(4) common assault or taking part in any attack on any other arrested person or person serving detention;

(5) wilful destruction of guardroom or detention barrack property;

- (6) wilfully making a false or groundless accusation or complaint against any guard, arrested person or person serving detention;
- (7) repetition of any minor offence after having been twice punished for the same minor offence;
- (8) any other act of gross misconduct or insubordination; and
- (9) abetting the commission of any major offence.

Investigation of major offences

**26.** All major offences shall be investigated forthwith and dealt with in accordance with [Part VII of the Act](#).

Corporal punishment and use of force

**27.**

—(1) Corporal punishment shall not be inflicted on persons serving detention.

(2) In the treatment of a person serving detention, force shall not be used, but if the use of force is unavoidable no more force shall be used than is reasonably necessary.

Medical observations

**28.** The commandant shall ensure that every arrested person or person serving detention who is —

- (a) in close confinement;
- (b) subject to any form of mechanical restraint;
- (c) undergoing restricted diet; or
- (d) sick, or complains of sickness, is under periodic medical observation.

Complaints

**29.**

—(1) An arrested person or a person serving detention who feels aggrieved about any matter may complain to the commandant.

(2) It is the duty of the commandant to investigate any complaint made to him and take such steps to redress the matter complained of as appear to him to be necessary.

Detention in prison

**30.**

—(1) The Commissioner may order a person on whom a sentence of detention has been passed to be detained in a prison temporarily for any period not exceeding 7 days if —

- (a) it is impracticable for the person serving detention to be detained in a detention barrack; or
- (b) it is desirable for the person serving detention to be detained in a prison.

(2) The committal order shall be in Form 5 set out in [the Schedule](#).

(3) A person who is temporarily detained in a prison shall for all purposes be subject to the [Prisons Act](#) (Cap. 247) and any regulations made thereunder.

(4) The authority committing a person serving detention to a prison shall order the return of the person to a detention barrack on the expiration of the authorised period.

(5) The order of return shall be in Form 6 set out in [the Schedule](#).

Publication

**31.** A copy of these Regulations or a sufficient abstract thereof, in a form approved by the Head of Manpower shall be displayed conspicuously in all detention barracks and guardrooms, and in such other places so that they can be seen by every arrested person or person serving detention.