

## GENERAL RECOMMENDATION 19

### VIOLENCE AGAINST WOMEN

*Gender-based violence is a form of discrimination that seriously inhibits women's ability to enjoy rights and freedoms on a basis of equality with men.*

- 19.1 The Government's chapter on Women and Family Violence shows increased attention to this issue of violence against women. The Many Helping Hands system, integrating various stakeholders in the National Family Violence Networking System, as well as efforts around mandatory counselling for men are good examples of positive efforts on the part of the government.
- 19.2 AWARE however feels there is a need to broaden the scope of the discussion beyond family violence to encompass a wider range of concerns which will then allow for a more comprehensive approach and response to violence against women in Singapore.

### AREAS OF CONCERN

#### Data Collection

- 19.3 Consistent, accurate and comprehensive monitoring and collection of data relating to various forms of violence against women in Singapore is imperative for the understanding and analysis of trends and the development of effective responses.
- 19.4 A study by the Society Against Family Violence (SAFV) raised concerns that the existence of "several data collection points" within different government agencies (e.g. police, courts, hospitals) and the lack of any "process of cross checking the data" means we might only be seeing 'segments of what we presume to be the tip of the iceberg'<sup>1</sup>. The SAFV report highlights that various government agencies "keep records on cases that fall under their categorization of what constitutes a family violence case"<sup>2</sup>, and this could at times limit/ restrict the nature and amount of data collected as opposed to 'collecting statistics of all types of crimes against all women regardless of their age, marital status and relationship to the abuser'<sup>3</sup>.
- 19.5 Statistics of reported cases of spousal violence on the Ministry of Community Development, Youth and Sports (MCYS) website show an increase in cases between 2005 and 2006<sup>4</sup>, however there does not appear to be any data available beyond 2006 on

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<sup>1</sup> See Appendix 19.1. Report highlights of SAFV's Perspective on the State of the Management of Family Violence in Singapore 2009. Full report can be downloaded at this link: <http://www.aware.org.sg/resources/research/>

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> 1080 cases in 2005 and 1135 cases in 2006. Ministry of Community Development, Youth and Sports. *Gender Statistics*.

the website. The last occasions which saw spikes in cases of spousal violence were 1998-1999 and 2001-2002, both notably occasions of economic / financial crisis in the region. It is therefore critical in light of the most recent economic crisis that diligent monitoring of cases of spousal violence be conducted.

- 19.6 Statistics on incidences of rape have also not been updated on MCYS' website – the last data provided is that for 2005 (124 cases)<sup>5</sup>. Information from the Singapore Police Force (SPF) shows a rise in rape cases since 2006 - 118 cases in 2006, 167 cases in 2008, and 202 cases in 2009<sup>6</sup> - that should be of some concern. It is imperative that all relevant government agencies remain vigilant in their data monitoring so that such information can inform policy or programmatic initiatives. Other data on violence against women provided on MCYS' website includes statistics on the number of cases seeking medical assistance at public sector hospitals. While the data provided for 2007 and 2008 show a reduction in number of cases from 391 to 345<sup>7</sup>, this figure went up again in 2009 to 373 cases. However the data is not broken down by cause of injury or type of cases. It is vital for the development of responses and solutions that specific data is collected and analysis of emerging trends conducted on different cases of violence against women.

### Inter-agency platforms

- 19.7 In the Government's Many Helping Hands approach, all segments of society are brought together to coordinate and cooperate within the National Family Violence Networking System. This system comprises government agencies, Voluntary Welfare Organisations (VWOs), the police, the family court and other partners. This integrated management of family violence has been lauded internationally. AWARE congratulates the government for being voted third for "Best Practices in Business and Government Partnerships Advancing Women" at the Global Summit of Women 2009<sup>8</sup>.
- 19.8 The State's Fourth Periodic Report to CEDAW identifies the Family Violence Dialogue Group (FVDG), which is headed jointly by MCYS and the Singapore Police Force, as a "key platform" to this approach<sup>9</sup>. The creation of the National Family Violence

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<http://app1.mcys.gov.sg/ResearchRoom/ResearchStatistics/ReportedCasesofSpousalViolence.aspx>... accessed 27 January 2011.

<sup>5</sup> MCYS. *Violence against Women: Rape cases and Rate*. <http://app1.mcys.gov.sg/Portals/0/Summary/research/WD/2006-ViolenceAgainstWomenRape.xls>... accessed 4 April 2011.

<sup>6</sup> Singapore Police Force. Statistics, *Crime Situation, 2009. Statistics on Selected Areas of Concern: Rape*. [http://www.spf.gov.sg/stats/stats\\_doc/stats\\_selected\\_areasconcern09.pdf](http://www.spf.gov.sg/stats/stats_doc/stats_selected_areasconcern09.pdf)... accessed 27 January 2011.

<sup>7</sup> MCYS. *Violence against Women: Medical Assistance Sought in Violence Cases*. <http://app1.mcys.gov.sg/ResearchRoom/ResearchStatistics/MedicalAssistanceSoughtinViolenceCases.aspx>... accessed 4 April 2011.

<sup>8</sup> 'Singapore's "Many helping hands" approach wins praise at global summit', *Channelnewsasia*, 16 May 2009.

<sup>9</sup> Singapore's Fourth Periodic Report to CEDAW 2008, pp.109 para 24.4.

Networking System linking the police, hospitals, schools, social service agencies, courts and MCYS into six geographical regions for “closer collaboration and networking” is also a noteworthy approach to ensure “multiple access points for victims to obtain help”<sup>10</sup>. Along with that, the establishment of six regional Family Violence Working Groups (FVWG) led by non-governmental organisations ensures community involvement and activities at the grassroots level<sup>11</sup>.

- 19.9 There are however some concerns around coordination between agencies and capacity to handle cases of gender-based violence. In their 2007 report, SAFV acknowledges the “great diversity of networks” that are in place, but also discusses some concerns around how these networks communicate with each other, calling for a more “systematised” approach<sup>12</sup>. The SAFV report also identified concerns in relation to the “significant amount of transition of working group participants” and the “lack of familiarity with the procedures of the Integrated Management Family Violence Cases in Singapore Manual” which has resulted in the “sharing of misinformation”<sup>13</sup>.
- 19.10 These concerns manifested themselves in the case of a father who, after serving jail time for molesting his daughter of six years old, was allowed to return to his family only to begin abusing his daughter again, resulting in her pregnancy at 16<sup>14</sup>. It was reported that although “typically, the police refer sexual abuse cases to the Child Protection Service (CPS) once a police report is made, but MCYS said neither the first offence of molest nor the second one of rape was referred to them”<sup>15</sup>. The case raises concerns around the coordination of information and handling of cases between MCYS and the Ministry of Home Affairs. It is imperative that measures be taken to protect the family when sex offenders are to be released from prison and are to return home to live with their families against whom they have offended.
- 19.11 There is also a need to re-examine the composition of members in the FVDG and FVWG as to ensure the necessary expertise, experience and voices are represented. For example, SAFV notes that shelters “do not appear to be directly represented on the FVDG and are only present on some of the FVWGs”<sup>16</sup>. AWARE agrees with SAFV and adds that shelters are at the front line in providing a place for victims and their children to stay and

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<sup>10</sup> MCYS. *Protecting Families From Violence: The Singapore Experience*. 2009. pp. 8.

<sup>11</sup> Ibid. pp.8.

<sup>12</sup> Society Against Family Violence. *Singapore’s Response to Family Violence: 1997 to 2007 – What comes next? Accessibility & Dissemination*. May 2007, pp.62-63

<sup>13</sup> Ibid. pp.63.

<sup>14</sup> ‘Ministry not aware of ‘monster’ dad case’ by Melissa Sim and Melissa Kok, *The Straits Times* 10 May 2010.

<sup>15</sup> Ibid.

<sup>16</sup> Society Against Family Violence. *Singapore’s Response to Family Violence: 1997 to 2007 – What comes next? Accessibility & Dissemination*. May 2007, pp. 63.

should provide their input to the FVDG and the FVWG as to the concerns of victims at various stages of their ordeal as well as their own concerns as service provider.

## Domestic Violence

- 19.12 Preliminary results of a survey of 2,006 women released in January 2010 by the International Violence against Women Survey (IVAWS) positioned Singapore as having the lowest (9.2 percent) rate of lifetime violence compared to other participating countries including Australia, Hong Kong, Italy, the Philippines and Switzerland<sup>17</sup>. Singapore also had the lowest rates for lifetime physical violence victimization (6.8 percent) and sexual violence victimisation (4.2 percent). However, critical statistics included the fact that 42.4 percent of the women polled felt their lives were in danger during domestic conflicts with partners<sup>18</sup>. A shocking 71.7 percent of women abused by partners were also not likely to make a police report<sup>19</sup>. These statistics show that societal misconceptions around domestic violence still require much attention and focus. AWARE is also concerned at the depth of under-reporting which means that many women remain as silent sufferers of violence. One in 10 calls or 11 percent of AWARE's helpline calls in 2010 were related to abuse and violence.
- 19.13 An earlier 2007 study commissioned by the MCYS<sup>20</sup> also revealed that 51 per cent of the respondents polled believed that violence in the family is a "private affair", 31 percent believe that most family violence will eventually stop by itself and 36 percent still believe that the abused spouse has a duty to stay in the marriage for the sake of the young children<sup>21</sup>. This reinforces the concern around public perception towards domestic violence and the lack of awareness of the rights of women who find themselves in those situations.
- 19.14 Evidence of child abuse appears to be on the rise from 100 cases in 2007 to 172 cases in 2010<sup>22</sup>. The statistics offered on MCYS' webpage on child abuse investigations offer the heading "Gender" however do not appear to provide sex disaggregated data<sup>23</sup>. A news report in 2009 highlighted three disturbing cases of girls being sexually abused by their

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<sup>17</sup> See Appendix 19.2. 'Growing number of educated women experiencing domestic violence', *Channelnewsasia*, 29 January 2010.

<sup>18</sup> Ibid.

<sup>19</sup> Ibid.

<sup>20</sup> This study is referenced in the State's Fourth Periodic Report to UN CEDAW Committee 2008 pp. 112 para 24.15 and 24.16 and is a follow up to an earlier 2003 study.

<sup>21</sup> 'One in two believes family violence is a private affair', *The Straits Times*, 26 November 2007.

<sup>22</sup> <http://app1.mcys.gov.sg/ResearchRoom/ResearchStatistics/ChildAbuseInvestigations.aspx> ... accessed 16 March 2011.

<sup>23</sup> Ibid.

stepfather, acquaintance of the family and divorced mother's boyfriend<sup>24</sup>. The recent Concluding Observations by the Committee on the Rights of the Child calls on the government to establish a central database to ensure data collected is "disaggregated, inter alia, by age for all persons under 18 years, sex, ethnic and socioeconomic background"<sup>25</sup>. The Committee also recommends the government to work on preventive measures, public education programmes and encourages the establishment of a "mandatory requirement for professionals working with children to report and take appropriate action in suspected cases of child abuse and neglect"<sup>26</sup>. It needs to be acknowledged that the government has since amended the Children and Young Persons Act to enhance protection for children, especially those in residential care.

## Elder Abuse

- 19.15 While the State's Fourth Periodic Report notably identifies elder abuse under Specialised Services<sup>27</sup>, its assessment that the "number of reported cases of elder abuse is small" reinforces the "general agreement that elder abuse is under-recognised and under-reported in Singapore"<sup>28</sup>. Safe@Trans (now known as Trans Safe Centre), a voluntary welfare organisation offering services for managing family violence, elder abuse and elder case<sup>29</sup>, reported that its caseload on elder abuse has doubled over the past three years with around 60 new cases between January and October 2009, double from 2006 and with women making up 70 percent of the new cases<sup>30</sup>.
- 19.16 The Singapore Action Group of Elders Counselling Centre<sup>31</sup> reported receiving "more than 7,000 calls" in 2007 and around 6,000 in 2008 that requested "medical aid as well as report abuse"<sup>32</sup>. An average of 178 elderly abuse cases are reported annually and about

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<sup>24</sup> See Appendix 19.3. 'Lifting shroud of shame over child sex abuse' by Radha Basu, *The Straits Times*, 28 April 2009.

<sup>25</sup> Concluding Observations of the Committee on the Rights of the Child: Singapore, para. 17 and 30(d).

<sup>26</sup> Concluding Observations of the Committee on the Rights of the Child: Singapore, para. 51.

<sup>27</sup> Singapore's Fourth Periodic Report to UN CEDAW Committee 2008, pp.111 para 24.9 – 24.11.

<sup>28</sup> Society Against Family Violence. *Singapore's Response to Family Violence: 1997 to 2007 – What comes next? Accessibility & Dissemination*. May 2007, pp. 8.

<sup>29</sup> See <http://www.transfamilyservices.org.sg/>...accessed 15 March 2010.

<sup>30</sup> 'Public education drive to get sufferers, perpetrators of elder abuse to break silence' by Hetty Musfirah, *Channelnewsasia*, 2 January 2010.

<sup>31</sup> The Singapore Action Group of Elders (SAGE) is a non-profit, non-religious and multi-ethnic Voluntary Welfare Organisation (VWO) promoting the continual growth and development of Senior Citizens through a variety of programmes, services and benefits for seniors. See <http://singsage.blogspot.com/2009/05/sage-counselling-centre-established.html>.

<sup>32</sup> See Appendix 19.4. 'Elder abuse cases 'may rise with the recession'' by Mavis Toh, *The Straits Times*, 7 June 2009.

two-thirds of elder abuse is committed by the victims' children<sup>33</sup>. It is a worrying trend and social workers believe the figures are merely the tip of the iceberg<sup>34</sup>. There is a need for programmes and laws to help caregivers with coping with caring for the elderly.

- 19.17 MCYS statistics for 2008, reported in *The Straits Times*, indicated that the most vulnerable were those aged 80 and above and more than 50 percent of reported cases involved the abuse of elderly women<sup>35</sup>. The most common cases involve neglect and physical abuse although financial abuse cases appear to be increasing. With elder abuse specialists only available through the Trans Centre Elder Protection Team (EPT), and being "primarily available in the east area of the city", there is an urgent need to evaluate EPT's programme and replicate it to enable wider outreach<sup>36</sup>.

## Foreign Wives

- 19.18 Marriages between citizen grooms and non-citizen brides make up 78 percent of all marriages between citizens and non-citizens in 2009, with the majority of non-citizen spouses coming from Asia<sup>37</sup>. The CEDAW Committee in its last Concluding Comments highlighted its concern for foreign wives of Singaporean citizens, "especially with regard to violence and abuse"<sup>38</sup>. The Government's CEDAW Report's chapter on Violence Against Women (VAW) however does not make any reference to provisions and services put in place for foreign wives.
- 19.19 The Star Shelter, run by the Singapore Council of Women's Organisations (SCWO) has seen the number of foreign brides seeking help increase from 4 or 5 per cent a year to 10 per cent a year for the last two years<sup>39</sup>. The women come from India, China, Vietnam, the Philippines, Indonesia and Australia<sup>40</sup>. The Hainan Hwee Kuan clan association revealed that the number of Hainanese brides that they have assisted has more than doubled (from 25 to 56) since September 2008<sup>41</sup>.

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<sup>33</sup> 'Most abuse cases by victims' children', *The New Paper*, 22 October 2009.

<sup>34</sup> Ibid.

<sup>35</sup> See Appendix 19.4. 'Elder abuse cases 'may rise with the recession''.

<sup>36</sup> Society Against Family Violence. *Singapore's Response to Family Violence: 1997 to 2007 – What comes next? Accessibility & Dissemination*. May 2007, pp. 14.

<sup>37</sup> Population in Brief 2010, National Population Secretariat, Singapore, <http://www.singstat.gov.sg/stats/themes/people/popinbrief2010.pdf> ... accessed 11 April 2011.

<sup>38</sup> CEDAW Committee 39<sup>th</sup> Session Concluding Comments: Singapore 2007, pp.5 para. 25-26.

<sup>39</sup> 'Singapore hubby turned abusive after we married' by Ng Wan Ching, *The Electric New Paper*, 21 June 2008.

<sup>40</sup> Ibid.

<sup>41</sup> 'Imported wives left in the lurch' by Yen Feng, *The Straits Times*, 9 March 2009.

19.20 AWARE has highlighted the vulnerabilities of foreign women who are economically dependant on their Singaporean husbands and also dependant on them for their legal status in the country. This situation is further compounded when there are children who are considered Singapore citizens. From 2009 to 2010 the Archdiocesan Commission for Pastoral Care of Migrants and Itinerant People (ACMI) handled 52 cases involving foreign spouses. Of these, 13 involved issues of marital dispute and domestic violence for holders of Long Term Social Visit Passes and Social Visit Passes. Most of them suffered repeated instances of physical abuse<sup>42</sup>.

### Foreign Domestic Workers

19.21 Foreign domestic workers (FDWs) are also vulnerable to mistreatment, abuse, and long hours of work, isolation and gross exploitation. HOME<sup>43</sup> reported providing shelter for 1388 domestic workers in 2009 and that the most common violates endured by FDWs are “inadequate food or accommodation (43%), psychological abuse (30%) and non-payment of salary (14%)”<sup>44</sup>. TWC<sup>45</sup> reported 685 injury cases in the first ten months of 2010<sup>46</sup>. To illustrate, an Indonesian domestic worker was abused by her employers who had on separate occasions, kicked her in the stomach, burned her left arm with a heated metal spoon and scratched her body and hand with a pin<sup>47</sup>.

19.22 They are also excluded from the Employment Act, as the government maintains that because they work in private household, the Employment Act would be too difficult to enforce<sup>48</sup>. The well-being and health of these workers are also easily jeopardized, due to adjustment problems or work pressure. It was reported that 28 percent of employers have chosen to terminate the contract within three months of engaging the services of a new domestic worker<sup>49</sup>.

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<sup>42</sup> ACMI Annual Report 2009. <http://www.acmi.sg/annualreport/AR2009.pdf> ...accessed 11 April 2011.

<sup>43</sup> Humanitarian Organisation for Migration Economics, a migrant advocacy group.

<sup>44</sup> A joint submission by members of Solidarity for Migrant Workers for the 11th Session of the Universal Periodic Review, May 2011.

<sup>45</sup> Transient Workers Count Too, a migrant advocacy group.

<sup>46</sup> A joint submission by members of Solidarity for Migrant Workers for the 11th Session of the Universal Periodic Review, May 2011.

<sup>47</sup> ‘Software engineer charged with maid abuse’, *Channelnewsasia*, 10 March 2011, <http://www.channelnewsasia.com/stories/singaporelocalnews/view/1115586/1/html> ...accessed 4 April 2011.

<sup>48</sup> A joint submission by members of Solidarity for Migrant Workers for the 11th Session of the Universal Periodic Review, May 2011.

<sup>49</sup> Measures to improve Welfare of Foreign Domestic Workers, 12 March 2010. [http://www.938live.sg/News/Singapore/EDC100312-0000398/Measures\\_to\\_improve\\_welfare\\_of\\_Foreign\\_Domestic\\_Workers](http://www.938live.sg/News/Singapore/EDC100312-0000398/Measures_to_improve_welfare_of_Foreign_Domestic_Workers) ... accessed 4 April 2011.

## Marital Rape

- 19.23 Singapore's Fourth Periodic Report to CEDAW 2008 highlights the amendment to the Penal Code that has criminalized forced sex on a spouse under certain circumstances, e.g. in cases where a Personal Protection Order (PPO) was issued against the offending spouse<sup>50</sup>. While a step in the right direction, it is submitted that this does not go far enough. In fact, the CEDAW Committee's Concluding Comments voiced some concern for the recognition of marital rape as a crime in such 'narrowly defined circumstances'<sup>51</sup>.
- 19.24 AWARE, in its previous shadow report discussed this discriminatory provision that denies all married women full recourse for the criminal offence of rape merely by virtue of the fact that the perpetrator is her husband. The amendment that came into force in February 2008 clearly does not go far enough as many women might not be aware of or able to get PPOs, and therefore effectively these women will have no legal recourse. It is time that protection and recourse to rape be provided for all women irrespective of marital status.
- 19.25 In December 2009, a petition with 3,609 signatures was submitted to the Prime Minister by the "No to Rape" online petition coordinator, a group of "concerned Singaporeans who have come together for the single purpose of promoting change on this issue"<sup>52</sup>.

## Rape

- 19.26 There is some concern around the handling of rape cases in terms of the general understanding of gender-based violence as well as existing rules and procedures for the investigation and prosecution of cases.
- In a 2008 criminal court case it was discovered that the investigating officer from the Serious Sexual Crime Branch (SSCB) had informed the victim that if the accused "did not force or coerce her into having sex, it meant that she had not been raped"<sup>53</sup>. Justice Kan highlighted that it is 'important SSCB investigators have proper understanding of the offences they investigate' and have better interviewing skill and technique<sup>54</sup>.
  - In 2010 in a case described by the judge as a "gang sexual assault of a grave nature which the accused persons had perpetrated without her consent", the prosecution had reduced the charge to one of aggravated outrage of modesty which the five accused pleaded guilty to. The judge was reported saying "This is

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<sup>50</sup> Singapore's Fourth Periodic Report to UN CEDAW Committee 2008 pp. 109 para 24.3. See section 375(4) of Penal Code.

<sup>51</sup> CEDAW Committee 39<sup>th</sup> Session Concluding Comments: Singapore 2007, pp.5 para 27-28.

<sup>52</sup> See Appendix 19.5. No to Rape Petition. [http://www.notorape.com/about/...](http://www.notorape.com/about/) accessed 16 March 2011.

<sup>53</sup> See Appendix 19.6. 'Improve sex crime probe' by K.C. Vijayan, *The Straits Times*, 10 October 2008.

<sup>54</sup> Ibid.



the first time I have come across a case (of aggravated outrage of modesty) where the agreed facts of the case the accused admitted to could have fitted penile penetration without consent". The reason for the reduced charge was unknown<sup>55</sup>.

- 19.27 It is critical that the misconceptions around rape are not perpetuated by the very system trying to help victims. The CEDAW Committee in its Concluding Comments had highlighted the need to provide 'systematic and sustained training for lawyers, judges, law enforcement officers' etc and for more awareness-raising efforts to eliminate stereotypes on gender roles in society<sup>56</sup>.
- 19.28 Further, the Evidence Act, section 157 allows for evidence of the "immortal character" of the victim to be introduced during trial to impeach the credibility of the witness. The continued existence of this rule of evidence contributes to the ridiculous mindset that women with a lot of sexual experiences either deserve or are asking to be raped or cannot be trusted. It remains an infringement of privacy for acts unrelated to the crime and adds on the victim's trauma.
- 19.29 The administration of rape kits (evidence collection kits) needs to be reviewed as currently they are used only on the request of the police which would be after the victim has made a police report<sup>57</sup>. Concerns arise in relation to further trauma on victims to make an immediate police report so as to ensure the necessary evidence is collected and the victims ability to decide without such pressure on whether or not to pursue a police case.

## Sexual Harassment

- 19.30 For discussion on sexual harassment in the workplace see Article 11 para 11.45-11.49.
- 19.31 A study on sexual harassment on public transportation conducted by undergraduates of the Singapore Management University (SMU) revealed that four in 10 of 150 female students polled had been sexually harassed on public transport<sup>58</sup>. Less than five per cent did anything in response to the harassment. SMRT's position was as there was only "about a handful of complaints each month"; this was a rather "uncommon" problem<sup>59</sup>. Together with the findings of AWARE's research on sexual harassment in the workplace, this highlights the level of violence against women and tolerance for such violence. Without specific laws or mechanisms to deal with sexual harassment, awareness of the discriminatory nature and effect of sexual harassment will continue to remain low, and so will the confidence of women to report such cases.

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<sup>55</sup> 'Jail, caning for 5' by Carolyn Quek, *The Straits Times*, 14 August 2010.

<sup>56</sup> CEDAW Committee 39<sup>th</sup> Session Concluding Comments: Singapore 2007 3, pp3 and 6 para 14 and 32.

<sup>57</sup> Newsletter: Summer 2005: Singapore Visit by St. Vincent's Social Worker by Christine Fowley. [http://www.svfreenyc.org/newsletter\\_article\\_208.html](http://www.svfreenyc.org/newsletter_article_208.html) ... accessed 4 April 2011.

<sup>58</sup> 'Poll finds 4 in 10 female undergrads are sexual harassment victims', *Channelnesasia*, 13 March 2009.

<sup>59</sup> Ibid.

19.32 AWARE is concerned about the misuse of technology with a number of reported cases of women being blackmailed with naked photos or videos via mobile phone or the internet and upskirting (taking a photo up a woman's skirt<sup>60</sup>). The belief that it is the woman's fault if she is harassed or molested continues to persist and was brought to the fore again in the case of the alleged groping of a woman by four men at a beach party for New Year's Eve. The case was disturbing as much focus and blame was placed on the woman's actions and clothing<sup>61</sup>. The Singapore Police Force data for 2010 reveal an increase in cases of outrage of modesty by 141 cases (11 percent)<sup>62</sup>.

### Personal Protection Orders and Domestic Exclusion Orders

19.33 The number of applications for PPOs and Domestic Exclusion Orders (DEOs) appear to be on a general decline since 2001, falling 14.4 percent between 2001 and 2008; from 2974 in 2001 to 2547 in 2008<sup>63</sup>. However the latest available information to profile PPO applicants appears to be from 2006<sup>64</sup>, and the latest study on the profile of family violence cases by the Subordinate Courts appears to be a study between 2003 and 2004<sup>65</sup>. This study by the Subordinate Courts showed that 82 percent of all applicants for PPOs were women. It is imperative that more updated information to evaluate this mechanism and analyse trends of family violence be instituted.

19.34 Reviews of the management/ practices of the court in relation to PPO applications conducted by SAFV revealed "uneven experiences"<sup>66</sup>. While some applicants found the process "sensitive" and "compassionate" to their needs, others have encountered difficulties. Concerns identified in the SAFV Report include the initial application process taking place in a more "open area" which lacks privacy, applicants being asked for their police report when there is technically no requirement for it and lacking the "right language" to support their application<sup>67</sup>.

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<sup>60</sup> [http://www.aware.org.sg/2010/09/10-new-technology-threats/...](http://www.aware.org.sg/2010/09/10-new-technology-threats/) accessed 16 March 2011.

<sup>61</sup> [http://www.aware.org.sg/2010/01/bikini-girls-ask-for-it/...](http://www.aware.org.sg/2010/01/bikini-girls-ask-for-it/) accessed 16 March 2011.

<sup>62</sup> [http://www.spf.gov.sg/stats/stats2010\\_keycrime.htm](http://www.spf.gov.sg/stats/stats2010_keycrime.htm) ... accessed 16 March 2011.

<sup>63</sup> MCYS. Protecting Families from Violence: The Singapore Experience. 2009, p 12. Available at [http://app1.mcys.gov.sg/Portals/0/Summary/research/Protecting%20Families%20from%20Violence\\_The%20Singapore%20Experience\\_2009.pdf](http://app1.mcys.gov.sg/Portals/0/Summary/research/Protecting%20Families%20from%20Violence_The%20Singapore%20Experience_2009.pdf)... accessed 9 March 2011.

<sup>64</sup> Ibid. pp.13.

<sup>65</sup> Ibid. See The Subordinate Courts of Singapore (2005), Faces of Family Violence: A Profile Study on Family Violence, Research Bulletin Issue no. 38.

<sup>66</sup> Society Against Family Violence. *Singapore's Response to Family Violence: 1997 to 2007 – What comes next? Accessibility & Dissemination*. May 2007, pp. 44.

<sup>67</sup> Ibid. pp. 44

- 19.35 While the court appears to accommodate requests by the victim or an accompanying befriender to place the victim in a separate waiting area from the perpetrator, or arranging a “staggered departure from the building” for victim and perpetrator, there are some concerns that these depend on the victim or companion making specific requests<sup>68</sup>. Such basic practices that offer the victim protection, confidentiality and peace of mind should be part and parcel of the system and fully enforced.
- 19.36 PPOs apply to married women against spouses or ex-spouses<sup>69</sup>. A single woman cannot file for a protection order against her partner who she has been cohabitating with as this does not come under the definition of family member. This again leaves a particular group of women more vulnerable than others to violence.

### **Mandatory Counselling Programme**

- 19.37 The introduction of the Family Violence Mandatory Counselling Programme (MCP) Practice Guide in 2007 followed by a Certification Programme is a noteworthy attempt to ensure the MCP practitioners are able to respond adequately to family violence cases. This is especially so in light of the concerns raised in SAFV’s Report of the “shallow” level of knowledge about domestic violence among “many professionals in the system”<sup>70</sup>. It is hoped that monitoring and regular reviews of this Certification Programme be conducted to ensure its trainees are able to respond effectively to the issue at hand.
- 19.38 The SAFV Report also highlights the fact that the 18 session programme (eight individual and 10 group sessions) that is currently offered under the MCP is in actual fact not sufficiently “rigorous” and does not meet international standards that have assessed the most effective long-term counselling programmes should run for 26 weeks<sup>71</sup>.
- 19.39 The last review of the effectiveness of the MCP by the Government was done in 2004<sup>72</sup> and showed mixed results. More than 7 out of 10 victims said that their lives had improved after the MCP<sup>73</sup>, but only about half of the perpetrators found the programme useful<sup>74</sup>. Another area of concern from the review was that verbal abuse was found to be

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<sup>68</sup> Ibid. pp. 44.

<sup>69</sup> Women’s Charter Section 64.

<sup>70</sup> Society Against Family Violence. *Singapore’s Response to Family Violence: 1997 to 2007 – What comes next? Accessibility & Dissemination*. May 2007, pp. 50.

<sup>71</sup> Ibid. pp. 48.

<sup>72</sup> MCYS. *Protecting Families from Violence: The Singapore Experience*. 2009, pp.14.  
Available at [http://app1.mcys.gov.sg/Portals/0/Summary/research/Protecting%20Families%20from%20Violence\\_The%20Singapore%20Experience\\_2009.pdf](http://app1.mcys.gov.sg/Portals/0/Summary/research/Protecting%20Families%20from%20Violence_The%20Singapore%20Experience_2009.pdf)... accessed 9 March 2011.

<sup>73</sup> Ibid. pp. 16.

<sup>74</sup> Ibid. pp. 17.

still common for about half of the victims<sup>75</sup>. While some of the concerns were acknowledged in its recommendations, and perhaps the Certification Programme is in response to these recommendations, there is still the need for more regular and comprehensive reviews to ensure its effectiveness and usefulness for both victim and perpetrator.

## Shelters

- 19.40 There is still a need for more resources for shelters in Singapore. VWOs that run shelters have said that there is a need for more spaces – despite the increase in bed spaces – as there are too many women who need to stay longer as they await a rental unit with the long queues or to go home<sup>76</sup>. In 2007, 443 women and children stayed at these three shelters for an average of six months<sup>77</sup>, after which they were either relocated or went home. It was reported that to ensure it had space for abused women, the Anglican shelter turned away about 20 women who had other problems<sup>78</sup>.
- 19.41 In addition, only one of the shelters can take in women with sons over 12 years old, resulting in the child having to be sent to another home<sup>79</sup>. The SAFV report also identifies the specific needs of other specific groups like “victims with mental health concerns” and the elderly<sup>80</sup> that are currently lacking.
- 19.42 Shelter staff need to be knowledgeable in issues of family violence. The current practice where the counselling continues to be provided by the Family Service Centre (FSC) or hospital social workers who refer the victim to the shelter has been assessed to be problematic as it is “difficult for FSC or hospital staff to travel to the various shelters where their clients may be”<sup>81</sup>. Further the “clients’ needs can be intense during their shelter stay” and it is therefore better to have “someone who is on site”<sup>82</sup>.
- 19.43 One other issue of concern has been the lack of confidentiality of the shelter locations where “addresses of shelters have been published in written material, and when the

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<sup>75</sup> Ibid. pp. 15.

<sup>76</sup> ‘Shelters add beds for more battered wives’ By Theresa Tan, *The Straits Times*, 18 September 2009. It was reported that three shelters have set up about 50 per cent more beds to accommodate the growing number of battered wives seeking refuge. These are Star Shelter, the SACS Family Care Centre and Good Shepherd Centre now have a total of 165 beds, up from 113.

<sup>77</sup> ‘No room for abused women at shelters’ by Braema Mathi, *The Straits Times*, 17 January 2008.

<sup>78</sup> Ibid.

<sup>79</sup> Ibid.

<sup>80</sup> Society Against Family Violence. *Singapore’s Response to Family Violence: 1997 to 2007 – What comes next? Accessibility & Dissemination*. May 2007, pp. 46.

<sup>81</sup> Ibid. pp. 47.

<sup>82</sup> Ibid.

address has been removed, the picture of the building was still included”<sup>83</sup>. The SAFV report attributes this either to the “lack of a deep understanding of the danger that the victims are escaping from” or prioritising the requirements of the “sponsoring agency above the safety needs” of the victims<sup>84</sup>. This is something that needs to be urgently addressed both procedurally and in terms of the general appreciation and understanding of the nature of gender based violence.

## Public Education

- 19.44 The different approaches and target groups, including schools, mentioned in the State’s Fourth Periodic Report to CEDAW are commendable<sup>85</sup>. However part of addressing violence against women requires dealing with the underlying stereotyping of women’s roles in the family and society and how such misconceptions cause abused women to delay seeking help or worse still not seek help at all. “There are societal rewards for being married and having children. If these break down then the woman has failed. This pressure can keep women in abuse situations”<sup>86</sup>. The SAFV Report also highlights how the language used within the VAW response system might play into these misconceptions by using phrases like “empowering victims and perpetrators” and requiring mandatory counselling for both victims and offenders that appear to place both parties on “equal footing” and giving the impression that the victims are also “being punished”<sup>87</sup>.
- 19.45 Public education efforts need to be comprehensive and encompass broader issues of gender stereotyping and societal misconceptions around family violence. Education prevention efforts must also be “continued through all life stages”<sup>88</sup> – from the very young to the elderly. In 2008, MCYS found that the proportion of sexual abuse cases had risen sharply and accounted for nearly 45 percent of all abuse cases in 2008, up from 25 per cent in 2000<sup>89</sup>. There is an urgent need to educate the young on sexual abuse so that they are able to recognise it and also take action by speaking up about it to other family members. Also for the family to know that they can and have to speak up. A study by MCYS in 2005 on child sexual abuse revealed that “more than half of the family members told about the abuse failed to make reports” due to shame or economic factors<sup>90</sup>.

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<sup>83</sup> Ibid. pp. 46.

<sup>84</sup> Ibid.

<sup>85</sup> Singapore’s Fourth Periodic Report to UN CEDAW Committee 2008, pp.111-112 para 24.12-24.16.

<sup>86</sup> Society Against Family Violence. *Singapore’s Response to Family Violence: 1997 to 2007 – What comes next? Accessibility & Dissemination*. May 2007, pp. 75.

<sup>87</sup> Ibid. pp. 77.

<sup>88</sup> Ibid. pp. 79.

<sup>89</sup> See Appendix 19.3. ‘Lifting shroud of shame over child sex abuse’.

<sup>90</sup> ‘When abuser is not a stranger’, by Mavis Toh, *The Sunday Times*, 9 February 2009.

## **RECOMMENDATIONS**

### **Data Collection and Dissemination**

- 19.46 Data collection of statistics on various forms of violence against women in Singapore needs to be consistent, accurate and comprehensive.
- 19.47 The Government needs to ensure systems and mechanisms are in place for better coordination, collation and dissemination of data from the different agencies working in their respective areas so as to capture a comprehensive picture of the state of violence against women in Singapore.

### **Inter-agency Platforms**

- 19.48 The Government needs to ensure efficient coordination of services between the various agencies, and that members of the inter-agency platforms and service providers are up-to-date and knowledgeable on issues of gender-based violence and its complexities.

### **Domestic Violence**

- 19.49 There is an urgent need for the Government to take measures to change the public's perception on domestic violence as a private family affair and to ensure that women are aware of their rights in such situations. This is even more critical in cases of child abuse which appear to be on the rise.
- 19.50 AWARE urges the Government to implement the Concluding Observations calling for the establishment of a central data base, to put in place preventive measures, public education programmes and the mandatory requirement for professionals working with children to report and take appropriate action in suspected cases of child abuse and neglect.

### **Elderly Abuse**

- 19.51 The Government has to ensure there is adequate monitoring of cases of elder abuse as well as the provision of appropriate, accessible specialised services for the elderly in view of the aging population in Singapore.

### **Foreign Wives**

- 19.52 AWARE urges the Government to implement the Concluding Comments calling on the state to provide foreign wives of Singaporean citizens with "prompt access to information and sufficient shelters for the time period required". The CEDAW Committee also urged the Government to "provide work permit[s] to foreign wives with a social visit pass and develop a system of granting citizenship to foreign wives within a clear and reasonable time frame after marriage" rather than on a case by case basis. AWARE also suggests studying the possibility of mandatory pre-marital counselling for foreign, especially non-English speaking, wives.

## **Foreign Domestic Workers**

19.53 AWARE urges the Government to ratify the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families and to support the proposed legally binding ILO Convention on Decent Work for Domestic Workers supplemented by Recommendations at the International Labour Conference in 2011.

## **Marital Rape**

19.54 The Government is also called upon to remove completely the immunity accorded to husbands in section 375 of the Penal Code in accordance with the CEDAW Committee's Concluding Observations calling for legislation criminalising marital rape. All spouses should be entitled to be free from marital rape without first having to be issued a PPO.

## **Rape**

19.55 To review practices and procedures around the collection of evidence, investigation and prosecution of rape cases so as to ensure victims are not made to endure further trauma and anxiety and that their rights are upheld.

19.56 To ensure law enforcement officers and relevant stakeholders, police, lawyers, judges, hospital staff, etc are trained and made aware of gender stereotypes and have an understanding of gender-based violence so as not to perpetuate myths and stereotypes in the laws, policies and practices around the handling of rape cases.

## **Sexual Harassment**

19.57 AWARE calls on the government to enact specific laws that deal with sexual harassment and instil the mindset that actions or behaviour that objectify women are not right and cannot be tolerated by society.

## **Personal Protection Orders**

19.58 The Government is called upon to put in place systems to review the PPO system periodically and ensure procedures and services offer the protection, confidentiality and peace of mind that victims have a right to.

## **Mandatory Counselling Programme**

19.59 The Government is called upon to review MCP periodically and ensure procedures meet international standards.

## **Shelters**

19.60 There is an urgent need for the Government to ensure adequate and appropriate shelter services are available and accessible to all women who require it. AWARE calls on the Government to also review the allocation of resources towards the establishment,

maintenance and staffing of shelters.

### **Public Education**

19.61 AWARE calls on the government to review and incorporate a gendered approach in schools, social work curriculum and work-place training to handle issues of gender stereotyping and societal misconceptions around violence against women. There is a critical need to counter public perceptions on domestic violence and child abuse as personal family matters.