

The maintenance conundrum men who just won't pay

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THERE are now fewer places to hide for divorced men who dodge paying maintenance for their children and former wives, after tougher new measures kicked in a month ago.

But while experts welcome the move, they say the law still has some way to go.

'It's a step in the right direction, but hopefully we move faster in the right direction,' said Ms Corinna Lim, executive director of women's group Aware.

Former husbands who fail to pay up can now be made to perform up to 40 hours of community service or undergo financial counselling following a change to the law which took effect on June 1.

The women can report them to credit bureaus, potentially making it harder for them to get loans or credit cards.

And from Sept 1, divorcees who remarry will have to declare whether they owe any maintenance money, so their new spouses will be aware of their financial obligations.

Dr Mathew Mathews, a research fellow at the Institute of Policy Studies, said the threat of being reported to a credit bureau will deter only high-earning former husbands.

'Most of these measures might work on men who have better incomes and, as such, care about their credit ratings,' said Dr Mathews, who specialises in family issues.

'However, there are also men who, perhaps because of gambling or other financial mismanagement, already have bad credit ratings.'

The biggest drawback to the amendments is that the onus is still on the woman to collect, said Ms Lim.

'If women are required to go back to court each time to enforce the maintenance order, then there is limited effectiveness,' she said. 'They will give up at some point.'

This was the case for Sheila, 50, who decided not to keep chasing after the nearly \$9,000 she is owed by her former husband after 11 years of under-payment.

To claim payment for each default, she has to go to court between two and four times, she said.

'I don't want it any more. I don't think he can pay, and I don't want to keep having to go to court,' said the teacher, who has two children aged 19 and 22.

Even being forced to do community service is not a major threat for some men, said a 24-year-old housewife who wanted to be known only as Tina. Her former husband, an odd-job labourer, owes her more than \$10,000 in maintenance for their six-year-old daughter.

'He has a thick skin. He told me he doesn't care about going to jail, so why will community service be any different?'

Mrs Laura Hwang, president of the Singapore Council of Women's Organisations, acknowledged that the new measures will not help in every case. But she says there are women who can be helped, nevertheless.

For example, reporting men to the credit bureau is a powerful tool for those whose husbands are self-employed.

'Self-employed men will need loans or at least credit cards. So this would be an effective deterrent.'

Another group of defaulters who might be stalled by the new measures are those already remarrying.

'When they are forced to make a statutory declaration about their maintenance debts, they will be reminded again about their obligations and the new spouse will also be aware of them,' said Mrs Hwang.

The new measures were contained in amendments to the Women's Charter made earlier this year. They came on top of the penalties already in place, which include a fine and jail term.

The changes also make it easier for the Family Court to make an order requiring a defaulter's employer to pay maintenance directly from his salary.

So far, only two people have had to do community service or undergo financial counselling as a result of the rules, said the Ministry of Community Development, Youth and Sports.

DP SME Commercial Credit Bureau, which is tasked with keeping tabs on defaulting former husbands, said it was too early to release figures on how many women had already brought in their Court Orders.

On average, there have been about 3,400 applications a year to the Family Court from women wanting to enforce maintenance orders in the last four years. The actual number of women who are not getting their payments is likely to be higher, said women's rights activist Anamah Tan.

'Many women feel ashamed to have to attend court and would rather suffer in silence,' she said.

The issue of maintenance is especially serious as the divorce rate has been creeping steadily upwards. There were 7,405 divorces last year, up from 7,386 in 2009 and 7,216 in 2008.

Aware's Ms Lim said one way of dealing with the problem of men who do not pay up because they are broke is to 'link deadbeat husbands up with jobs' as part of the counselling.

She reiterated a call for a central government-linked maintenance debt collecting body to ensure women do not give up the fight to get their husbands to pay up.

The Government has previously said it does not favour this idea because it would mean that the state 'may over time be required to take over what is essentially a basic family responsibility'.

Sheila hopes that the law will keep moving towards making it tougher for men to shirk their responsibilities.

'It will be too late for me, but I hope it can help other women,' she said.

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Tina, 24, on her former husband