

## **You, me and baby don't add up to three**

### **More unmarried couples seeking help over child custody and maintenance issues, say lawyers**

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**The Straits Times**, 03 May 2015

Attitudes to living together and having a child out of wedlock are changing, and family lawyers say they see it in cases involving unmarried couples who split after the baby arrives.

Women are seeking maintenance from the fathers. Men, who in the past mostly preferred to have as little as possible to do with children from such relationships, are going to court to seek access to their children.

Some of these couples were in live-in relationships, while others were not. In most cases, the relationship soured when an unplanned baby came along.

Lawyers say that in the past five years, they have begun seeing more dating or cohabiting couples who choose not to marry even after having a baby.

Lawyer Koh Tien Hua, in practice for more than 20 years, said: "These cohabiting couples don't feel the need to get married, even when they have a child. Some feel marriage is no big deal. I think it's the influence of Western culture."

In the past, his clients with children out of marriage were all expatriates. But in the past five years, he started seeing Singaporeans as well.

Some are still in relationships but want advice concerning their children, while those who have broken up get embroiled in maintenance and child access issues.

A Sunday Times check with a dozen family lawyers drew the same observation: Though not common, Singaporeans raising children outside of marriage have begun turning to lawyers when they break up, in recent years.

Lawyers explained that although a man is not married to the mother of his child, he has to support the child, under the law.

Couples who choose to cohabit tend to be well-educated professionals in their 20s to 40s, but also include lower-income couples. They include couples where both are Singaporean, or Singaporean women with Caucasian partners, and some have lived together abroad.

Lawyer Lee Terk Yang said the cohabiting couples include some who are divorcees, and they are not keen to marry again, given their past bad experience.

One of his clients was a businessman in his 40s, who lived with with a property agent in her 30s for some years. Both were Singaporeans, divorced, had children from their first marriages and had no intention of marrying each other.

The couple had a son of their own, but broke up a few years after he was born. The man sought legal help to get access to his son, who lives with the mother.

Mr Lee, who has been practising for 13 years, said he has been seeing one or two such cases a year in recent years, whereas he did not see such couples earlier.

Lawyer Dorothy Tan has dealt with a few cohabiting couples with children since she started practising three years ago, and some prefer not to marry because they are put off partly by the rising number of divorces.

"They will marry only when they feel ready, and they do not want to feel pressured into marriage because they were having a child," she said.

The lawyers interviewed said they were surprised by the shift to a more liberal attitude in having children without marrying, because society still frowns on unwed mothers.

"Perhaps we are no longer an old-fashioned society where the couple's parents insist they must get married to save face when the woman gets pregnant," said lawyer Shone Aye Cheng, who has been practising for about 20 years. She saw a handful of unwed clients with children last year.

Lawyer Rajan Chettiar, in practice for 18 years, said the couples lawyers see are just the tip of the iceberg.

Since there is no marriage or divorce involved, he said, it is likely that most unmarried couples with children try to resolve disputes themselves instead of going to court.

The number of children born out of wedlock here is not publicly available.

However, one indicator is the number of babies whose births are registered without their father's names. According to the latest Report of Registration of Births and Deaths 2013 by the Immigration and Checkpoints Authority, there was an average of about 530 such births registered each year over the past decade.

But lawyers said that in many of the cases they handle, the father's name is included in the birth certificate, even though the couple did not marry. So the actual number of out-of-wedlock births is likely to be higher than the number registered without the father's name.

Institute of Policy Studies (IPS) senior researcher Yap Mui Teng noted that most singles here still take a traditional view of having children out of wedlock.

When the IPS surveyed 2,000 singles on their attitudes towards marriage and parenthood, and released its findings two years ago, about half said they would live with their partners before marriage, and 2.4 per cent were already doing so.

But when it came to having children out of wedlock, only 7 per cent said they would do so.

Eve (not her real name), a 26-year-old teacher, was in a relationship with a teacher, and they were discussing marriage when she got pregnant.

She told The Sunday Times that his mother did not like her and suggested having an abortion. That strained her relationship with her fiance severely, and she decided to call off the marriage.

"It was super difficult to decide not to marry him but I couldn't see a future with him. I felt he could not protect me and our baby," she said.

She went to court to obtain financial support from her former fiance for her daughter, now a year old.

"The older generation still passes negative comments about me, as I'm a single mum. People still feel that you have no choice but to marry the man once you are pregnant with his child. I feel I still have a choice," she said. "It's not fair to myself, my partner and my child to marry just for the sake of marriage."