

## **ACWS's Dialogue with Civil Society Organisations Violence against Women and Children (VAWC)**

18 January 2012

Manila Philippines

### **BRIEF PAPER**

#### **I Background - *Singapore Council of Women's Organisations (SCWO)***

The Singapore Council of Women's Organisations (SCWO) is the National Coordinating body of women's organisations in Singapore. Since its establishment in 1980, SCWO has grown from a small active group of 14 organisations to a highly diversified group of more than 50 organisations representing 500,000 women, and has been recognised as the national umbrella body. Member organisations represent Business and Professional women, community and service clubs, Labour movement, sports, advocacy and international women's groups. Over the years, SCWO has dedicated much of its effort to go towards uniting the various women's organisations, clubs, committees, groups and women leaders to promote and improve the status and well-being of women.

The SCWO coordinates these associations into a national movement and acts on their behalf in matters for which it is authorised by its members. The SCWO is represented on various government and inter-ministry committees, regional and international bodies e. g. ASEAN and APEC where we contribute our views in the areas of family, women, and children's issues.

SCWO's goals are:

- Co-ordinate and act as a federation for women's organisations, and to bring together all women leaders of Singapore;
- Promote and improve the status of women in all fields, in particular education, economics, social welfare and community involvement, culture and sports;
- Serve and act as a resource centre for the gathering and dissemination of information, news and other materials pertaining to women and the family, and to carry out any studies, research and training programmes for the benefit of women;
- Provide a forum for exchange and discussion on issues, particularly those relating to women, children and the family;
- Foster friendly relationships, goodwill and understanding amongst women, irrespective of race, colour, or religion;
- Advocate for justice to all women
- Work positively towards peace and understanding throughout the world by actively participating with other like-minded organisations which subscribe to similar aims and objects.

#### **II Programs on violence against women & children**

##### ***Star Shelter***

SCWO runs the only secular shelter in Singapore, the Star Shelter for victims of domestic violence and homelessness. Besides providing a safe temporary refuge for women and their children, the Star Shelter also empowers the victims to manage and take responsibility for their lives, and assist them in rebuilding their lives free from violence.

*Star Shelter provides its services on the following terms:*

1. Person must be a victim of violence and in need of urgent protection as assessed by the Administrator.
2. Person must be referred by one of the following:
  - a. Family Service Centres, or other social service agencies with case managers
  - b. The Family Court
  - c. Hospitals
  - d. Ministry of Community Development, Youth and Sports (MCYS)
3. Profile of the women are as follows:
  - a. Women (21 – 60 years of age)
  - b. Children (boys only up to 9 years of age)

#### *Capacity and programs*

The shelter can accommodate up to 28 women and children at one time. On average, 120 women and children are referred to the shelter per year. Since its inception in 1999, Star Shelter has assisted approximately 2,000 women and children.

Apart from providing meals and lodging, Star Shelter also provides Trauma/Crisis counselling and Case Management. Through the *Rebuild Programme*, we also provide a one-time financial aid to assist victims to pay for transport expenses while looking for employment as well as a no interest home loan, which enables victims to set up a new home. We assist in locating employment, re-housing, education and re-training for women and their children.

To assist residents of the shelter in fleeing situations of domestic or family violence, SCWO will introduce *Befriender's Programme* in 2012. This programme aims to provide support and guidance for women nearing and upon their discharge from Star Shelter in order to build their self-esteem, develop stronger and healthier psychological boundaries, so that they will be less likely to return to an abusive relationship or allow their past abusive experiences to affect them negatively. This is a one-on-one mentoring relationship where a mentor with relevant experience, supports, counsels, guides and helps her mentee to develop similar capacities to better manage and improve her life. The programme will start about 2 months before the resident is discharged and will continue for another 3 months after discharge.

#### *Challenges identified when working with victims of domestic violence in Singapore*

- Domestic violence takes many forms, including physical aggression or assault or threats thereof, emotional abuse, neglect, controlling, and economic deprivation.
- Financial difficulty which results in homelessness – women mostly from low income families, have low education levels, or i.e. do not eligible for assistance due to immigration status (foreign wives);

- Family rejection and lack of wider support services for women fleeing situations of domestic or family violence;
- Lack of assistance to foreign wives (legal, financial and social).

### ***Maintenance Support Central***

Since March 2009, the Singapore Council of Women's Organisations (SCWO) has set up a Taskforce to examine the issue of improving the payment of maintenance to families affected by divorce, driven by deep concern on the impact of non-payments on families, especially on the children.

The numbers are significant- a conservative estimate was that 50,000 children were affected over 10 years, given the numbers of divorces from 1997 to 2007. This estimate has now risen to **70,000 children**, with the higher rates of divorce. To examine this issue, the SCWO has held Focus Group discussions with Counsellors from Family Service Centres and other similar organisations, with Family Lawyers and the Law Society of Singapore, 2 Groups of women who are divorced or separated, and with a divorced Fathers Group to look at all aspects of the problems regarding enforcement of maintenance and also researched how other jurisdictions seek to manage these issues.

The findings and the resulting recommendations have seen appropriate measures and **amendments to the Women's Charter adopted in July 2011**, and with this, we will now be able to launch the **first one-stop drop in centre** to provide **legal advice, video-link filing and family financial and emotional counseling**.

### ***Services provided***

#### Legal Advice and Representation

Assisting women in legal proceedings to obtain court orders for maintenance with on advice on matters such as

- (i) claiming maintenance for themselves including nominal maintenance orders to preserve their position
- (ii) requesting for attachment of earnings orders (where the maintenance order is to be satisfied by the ex-spouse's employer from his/her salary)
- (iii) variation of orders
- (iv) use of ex-spouse's Edusave for children etc.

Other measures to assist in systemising regular payments would be to request GIRO payments to be set up, and/ or guarantors to be provided.

Apart from legal advice, in many instances, claimants require legal representation. Currently, whilst there is adequate provision of legal advice by many agencies (the Law Society's Community Legal Clinics, the Family Court Legal Clinics etc), these services stop short of actual legal representation.

#### Video-Link Filing

It is proposed that video-link facilities be made available at MSC, so that claimants are able to file their claims electronically after receiving the relevant guidance on how best to seek enforcement of existing orders.

Many claimants have reported that this would be a real improvement to their having to keep going to court, often having to bring young children along.

Having the facility will cut down 1 court attendance. The short operating hours made it difficult for some to attend, apart from the sensitivity of personal issues related to having employers know of their family situation, which they felt could injure their employer's opinion of their ability to perform as they would always be asking to take time off for court proceedings or to lodge complaints. They have reported that they have had to stop going to court despite continued defaults by paying parties, as the family needs the income from her employment as there is no other income source. The operating hours of the video-link filing will have to be thought through bearing factors such as these in mind.

#### Financial and Personal Counselling

Many claimants are unaware of schemes such as NTUCs for Single Mums, access to Paying Parties CPF Edusave fund for children's schooling.

Those who have never worked are often very daunted by simple financial matters such as opening bank accounts or how to budget and pay for necessary expenses such as PUB charges, rental, food, transport and educational needs for children.

MSC provides basic counselling when claimants attend at the Centre to :

- Encourage claimants not just to rely on maintenance, but to take steps towards more independence and confidence.
- Educate their children and provide a better roadmap for re-building their lives successfully.
- Consider follow-up monitoring of children's educational and emotional progress.

MSC also hopes to keep data and track the reasons for default and the relative success of the different enforcement processes in securing regular payment.

It is hoped that such statistics will assist in the overall improvement of the enforcement process and future steps to be taken.

### **Legislative Amendments**

- requiring defaulters to post bank guarantees against further defaults
- imposition of Corrective Work Orders
- Credit Bureau reporting for defaulters
- Declaration of currency with maintenance payments to former spouse or spouses and children on registering for re-marriage
- Amendments to the Women's Charter to facilitate the obtaining of financial and location information on defaulters from CPF, IRA

The difficulty faced by claimants in recovering maintenance ordered by the Court should not be viewed as the individual's problem solely, as only a private family matter. It has the potential of becoming a community problem and a social problem due to the impact it has on the family and children. MSC's aim is that this problem be eradicated as far as possible by a robust and holistic agency which is able to cater to the different aspects of the problem, not just from the point of the view of the claimant, but also in encouraging the respondent to honour his/her legal obligations.

### **III Concerns that need to be further addressed in the regional or ASEAN level**

#### ***Trafficking in persons***

In a joint statement adopted at The Association of Southeast Asian Nations (ASEAN) summit in Jakarta in 2011, the ASEAN leaders acknowledged "the urgent need for a comprehensive regional approach and a legal instrument" that will enable ASEAN's 10 member states to help victims, especially women and children. ASEAN leaders vowed to "strengthen regional and international cooperation" and improve the region's ability to investigate smuggling syndicates as well as ensure measures to ensure that victims are "treated humanely and provided with such essential medical and other forms of assistance".

In accordance with the ASEAN Declaration Against Trafficking in Persons Particularly Women and Children, adopted by the leaders of the ASEAN Member Governments in Vientiane in 2004, all ASEAN countries should systematically screen undocumented migrant workers who are detained by the authorities to ascertain whether they are victims of human trafficking. Furthermore, the enforcement of the existing laws should be strongly enforced by governments, by identifying, prosecuting, and punishing those responsible for human trafficking.

Recommendations propose include:

- *Any temporary visa granted for the duration of prosecution should be expanded to cover proceedings for trafficked persons, in order to provide access to compensation.*
- *There should be provision of counselling and access to specialist support for victims and this should not be lined to whether a trafficked person is cooperating with or able to assist a criminal justice investigation, but should be based on need;*

- *Referral protocols to be developed to better facilitate inter-agency cooperation and comprehensive protection of trafficked persons.*
- *Governments should use a human rights framework in drawing up a comprehensive response to trafficking, and to move away from a predominantly transnational criminal justice framework.*
- *Governments should explore legal reform so that compensation is better available to victims of trafficking.*