



AN OMNIBUS ON GENDER EQUALITY

EXECUTIVE SUMMARY

**AWARE'S RECOMMENDATIONS
FOR SINGAPORE'S 2020-2021
GENDER EQUALITY REVIEW**

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An Omnibus on Gender Equality:

AWARE's recommendations for Singapore's 2020-2021 gender equality review

EXECUTIVE SUMMARY

- 1 AWARE is proud to present our report “An Omnibus on Gender Equality: AWARE’s recommendations for Singapore’s 2020-2021 review of gender inequality”. The three-part omnibus report is a culmination of our research and advocacy since 1985 on gender equality. Our arguments and policy recommendations are based on (i) primary research data from interviews conducted with single mothers, low-income women, female family caregivers to older persons, migrant spouses, migrant domestic workers and more; (ii) our experience supporting vulnerable women, e.g. victim-survivors of sexual violence, through the Women’s Care Centre and Sexual Assault Care Centre; (iii) extensive secondary and policy research, including on other countries’ approaches to gender equality; (iv) international human rights standards, including conventions that Singapore has ratified; and (v) consultations with stakeholders such as academics, policymakers and other community organisations. Many of our recommendations are not new; where applicable, we have updated them in response to latest policy developments.
- 2 The report takes an explicitly intersectional approach to highlight the ways in which marginalised communities of women—e.g. single mothers, migrant wives and disabled women—face gendered and other forms of intersecting barriers. Gender equality can only be achieved when all women are free from discrimination and violence. We are happy to have worked with HOME, Disabled People’s Association and Project X on this submission, and they have each contributed to these respective sections of the report: on migrant domestic workers (Section 3; Issue 3.3), disabled women (Section 3; Issue 3.2) and sex workers (Section 4; Issue 4.5).

3 The topics covered generally fall under the themes of:

- a. Women, work and care;
- b. The interaction between gender-based and other forms of discrimination;
- c. Violence against women (including harassment);
- d. Sexuality education
- e. Men and masculinities; and
- f. Issues falling under the ambit of the Women's Charter, e.g. family violence and underage marriage.

The wide-ranging nature of the topics reflect the multi-faceted forms of discrimination and inequalities women experience in all aspects of their lives: within families, in the workplace, in the community. With each of these issues, we explain how policies, economic structures, social norms and legislation support or—more often—create barriers for women and other marginalised communities.

4 With the understanding that the White Paper is to serve as a roadmap, some of our recommendations are longer-term in nature, but where possible, we have also included steps that the government can take now. We hope that work on many of these recommendations can start now, as equality should not be delayed or deprioritised in favour of material or political concerns. It should also be stressed that we, along with other civil society organisations and stakeholders, have been calling for measures such as anti-discrimination legislation for many years. The time has come for these calls to be heard, and for us to chart a truly ground-breaking roadmap to gender equality.

5 Part 1 of the report contains three sections: Section 1, “Women, work and care”, deals with the gender pay gap, challenges that low-income women face and reasons why women are under-represented on corporate boards. Section 2, “Supporting older women”, transitions from the labour-related issues discussed in Section 1 to focus specifically on the problem of retirement inadequacy among older women and the ensuing risks for younger cohorts if root problems are not adequately addressed. Section 3, “Gender-based and other forms of discrimination”, delves into the various forms of discrimination that pregnant women, disabled women, migrant women, single parents, LGBTQ+ persons and Muslim women face.

- 6 Part 2 of the report deals mainly with violence against women, including discussion of specific forms of violence, e.g. campus, workplace and technology-facilitated sexual violence. The next section focuses on sexuality education as a key strategy in eradicating the gender norms and stereotypes at the root of sexual violence and violence against women. The third section in Part 2 covers the role of men in gender inequality; the effects of toxic masculinity and recommendations to include men more in caregiving. This is followed by a section with recommendations on creating a national machinery to advance gender equality. Finally, the report ends with our comments and recommendations on issues under the Women's Charter, i.e. family violence and underage marriage.
- 7 Part 3 of the report highlights the challenges faced by victim-survivors of sexual violence as they navigate the criminal justice system, particularly at the reporting stage.

PART ONE

Women, work and care: Gender wage gap; women at the top; women at the bottom

- 8** One significant site of inequality for women is the workplace, where they face gender-based discrimination and where their labour is under-valued. This inequality is reflected in the latest gender pay gap statistics released by the Ministry of Manpower (MOM) in 2020. The unadjusted pay gap (16% in 2018) reflects the problem of men being over-represented in higher-paying occupations and sectors, while women are over-represented in lower-paying ones. Meanwhile, the adjusted pay gap of 6% indicates that women are also paid less than men for performing similar work.
- 9** Studies on the gender pay gap internationally have generally identified occupational segregation, women's caregiving load and gender discrimination as contributing factors. Caregiving remains disproportionately shouldered by women in Singapore, creating difficulties in career advancement, especially when workplace culture and policies do not adequately support workers with caregiving responsibilities. The impact of gender devaluation is observed in how wages of occupations drop when these occupations move from being male- to female-dominated.¹ Studies cited show that the way women's labour is priced in the labour market is significantly influenced by gender bias, with women's skills being under-valued as a result.
- 10** Gendered differences in labour participation, performance assessment and remuneration result in gender inequality in financial resources. In Singapore, where individuals are expected to depend primarily on themselves (and their families) for survival, rather than on collective support, this inequality has a bearing on women's ability to meet their needs financially. It thus deserves particular attention.
- 11** Recommendations to close the gender wage gap are grouped under two themes: (i) policies to create inclusive labour markets and (ii) social policies outside the labour market.

¹Claire C. Miller, "As Women Take Over a Male-Dominated Field, the Pay Drops", *The New York Times*, March 18, 2016, <https://www.nytimes.com/2016/03/20/upshot/as-women-take-over-a-male-dominated-field-the-pay-drops.html>
Emily Murphy and Daniel Oesch, "The Feminization of Occupations and Change in Wages: A Panel Analysis of Britain, Germany, and Switzerland", *Social Forces* 94, no.4 (2015)

Recommendations in the former set are aimed at creating more transparent labour markets, which makes discrimination harder to get away with, and to improve labour conditions and protection of low-wage workers, as well as to promote female representation at the top. Recommendations in the latter set focus on shifting the distribution of care in society. They concern paid leave policies and policies on formal caregiving services aimed at reducing the caregiving burden on women. Finally, we propose social security policies to recognise and compensate women for their labour at home, and to minimise the financial penalty they experience.

Theme A: Policies to create inclusive labour markets

1. Require employers to publish gender- and disability-disaggregated salary and bonus data.
2. Establish monitoring and regulatory mechanisms for employment and recruitment practices to ensure that the “equal pay for equal value” principle is adhered to in all sectors.
3. Improve wage conditions of low-wage workers by (i) introducing the Progressive Wage Model (PWM) to women-concentrated sectors and (ii) enhancing the Workfare Income Supplement (WIS) Scheme.
4. Develop a labour framework on the rights and benefits of workers in non-standard forms of employment.
5. Legislate the right for all workers to request flexible work arrangements (FWAs).
6. Introduce temporary, progressive gender quota on boards of publicly listed companies.

Theme B: Social policies outside the labour market

1. Equalise maternity and paternity leave.
2. Introduce six days of paid leave for the care of elderly relatives.
3. Make childcare services free for low-income families.
4. Provide more flexible childcare by licensing child-minders.
5. Introduce a Caregiver Support Grant with cash and CPF components.

Women, work and care: Supporting older women

- 12** Unequal norms around caregiving and gender roles have resulted in women's relatively poor labour outcomes. These outcomes are also reflected in the gender gap in CPF savings and women's relative inability to reach the Basic Retirement Sum—trends that are particularly noticeable among the older population. Women's financial insecurity is likely to worsen given shrinking family sizes, which calls into question the assumption that women can depend on their children to support them in old age.
- 13** The current positioning of families and children as our first line of care and support also threatens to entrench existing inequalities: Families with more resources are able to provide (or transfer) a higher level of material support to their members, compared to those with fewer resources. To prevent worsening inequalities, more collective forms of support should be institutionalised to guarantee the well-being of all.
- 14** The recommendations in this section go hand in hand with suggestions made in Section 1 that address the financial penalties throughout women's lifetimes. They should be viewed as a continuum of support for women, and are geared towards ensuring women's well-being in their golden years.

Recommendations to support older women

1. Make Silver Support more inclusive.
2. Expand the Pioneer Generation Package (PGP) to all persons upon their reaching 65 years of age.
3. Equalise pension benefits for all surviving female pensioners who retired before 1 January 2005.

Gender-based and other forms of discrimination: Maternity discrimination

15 Despite the existing legal framework and mechanisms, pregnancy-related discrimination remains a serious problem. From 2016 to 2018, MOM received about 70 pregnancy-related dismissal appeals, including from those who were wrongfully dismissed or forced to resign, or denied maternity benefits.² Around 50 of these cases were found to be substantiated each year and resulted in compensation to the employees. However, these numbers are likely an under-representation of the scale of the problem. Based on the experience of AWARE's Workplace Harassment and Discrimination Advisory (WHDA), most clients do not file a report to MOM, the Tripartite Alliance for Fair and Progressive Employment (TAFEP) or the Tripartite Alliance for Dispute Management (TADM) when they experience discrimination.³ Since WHDA was launched in September 2019, it has received 89 workplace discrimination cases, 71.6% of which were maternity-related cases.

16 The legal framework for workplace discrimination is incomplete and fragmented. Legal protection against discrimination remains limited to cases amounting to wrongful dismissals. Employees can still experience discrimination in hiring and promotion, but they enjoy no legal protections at these stages. They may make a complaint to TAFEP, who can investigate and mediate; however, in cases where mediation does not resolve the dispute, TAFEP cannot take enforcement measures such as reinstatement, compensation or punishment.

Overarching recommendation on discrimination

1. Legislate comprehensive anti-discrimination legislation.

Recommendations to protect pregnant women

1. Provide protection against dismissal after maternity leave.
2. Ensure that employers provide reasonable accommodations for pregnant employees.

² "Official Report: Thirteenth Parliament, Second Session, Volume 94, No 102", Singapore Parliament, accessed on 20 May 2021, <https://sprs.parl.gov.sg/search/fullreport?sittingdate=1-4-2019>

³ Nonetheless, some clients may approach one of the aforementioned agencies without informing us.

Gender-based and other forms of discrimination: Discrimination against disabled women

- 17** Women with disabilities often face additional barriers when securing, retaining and progressing in employment. They face disability-related prejudices from their families and support programmes, along with discrimination by hiring managers and HR personnel.⁴ Many who use job-matching programmes for disabled persons end up getting matched into lower-paying occupations and sectors, such as custodial, F&B services, retail cashiers, etc. Though these jobs often do not match their skills and interests, they feel compelled to accept them as the alternative is unemployment.⁵ Employers (and co-workers) often display a lack of understanding of their disabled employees' disabilities and need for accommodations; some verbally abuse them.
- 18** Women with disabilities are more likely to face physical, sexual, emotional, verbal, psychological and economic violence and abuse compared to non-disabled women. Globally, studies show that women with disabilities are on average thrice as likely to be the victims of rape and twice as likely to be the victims of domestic violence and other forms of gender-based violence.⁶ In many cases, perpetrators of violence and abuse are caregivers and/or family members of women with disabilities. Many disabled women feel trapped in abusive environments due to often being socially and/or financially dependent on their caregivers or family.⁷
- 19** Women with disabilities face many barriers to reporting cases of violence and abuse. Formal reporting procedures in place to assist victim-survivors of violence and abuse are either inaccessible or exclusive to disabled women. Many reporting procedures still rely on verbal forms of communication, posing barriers to the deaf and

⁴ Disabled People's Association (DPA), *Discrimination Faced by People with Disabilities in the Workplace* (Singapore: DPA, 2018) <http://www.dpa.org.sg/wp-content/uploads/2018/07/Discrimination-Faced-by-People-with-Disabilities-at-the-Workplace-Study.pdf>

⁵ Ibid

⁶ UN Women, *Fact Sheet: Ending Violence Against Women and Girls with Disabilities*, (UN Women, 2017) <https://untf.unwomen.org/en/digital-library/publications/2017/08/ending-violence-against-women-and-girls-with-disabilities>

⁷ Ibid

non-verbal autistic people.⁸ Sex education programmes, reproductive health services and sexual assault awareness campaigns around the world often exclude disabled people—intellectually disabled women in particular.⁹ Many women with disabilities report that they are not believed when speaking up and seeking assistance for the violence and/or abuse they experience due to their disabilities.¹⁰

Recommendations to end workplace-related discrimination against disabled persons

1. Update and expand Singapore's definition of disability to be more aligned with the social model of disability.
2. Introduce comprehensive anti-discrimination legislation that covers disability, and ensure accessible channels to reporting and filing incidents of discrimination.
3. Improve the effectiveness and efficacy of existing employment placement programmes and employment schemes.
4. Promote equity in employment in the era of COVID-19 and beyond.

Recommendations to protect disabled women and girls from violence and abuse

1. Address the underlying structural conditions that create vulnerabilities for persons with disabilities.
2. Mainstream disability into violence and abuse prevention efforts.
3. Ensure that all reporting mechanisms are accessible to and inclusive of persons with disabilities.
4. Collect and publish gender-segregated disability data and research.

⁸ Ibid

⁹ United Nations, A/72/227 General Assembly | Report by the Secretary General, (United Nations, 2017)

¹⁰ UN Women, Fact Sheet: Ending Violence Against Women and Girls with Disabilities

Gender-based and other forms of discrimination: Discrimination against migrant spouses

- 20** As non-residents, migrant spouses (usually wives) depend wholly on their citizen spouses for the right to reside in the country if they are not on a work visa. This dependence skews the power relationship heavily in favour of the (male) citizen spouse, creating vulnerabilities for these migrant women. From 2016 to 2018, at least 137 migrant wives called AWARE's Women's Helpline; these women were non-residents married, or previously married, to Singaporean citizens.¹¹ Family (usually spousal) violence was experienced by more than 25% of these callers.
- 21** In late 2019 and early-to-mid 2020, AWARE interviewed 31 members of transnational families recruited through a public call.¹² A common theme across these interviews was frustration, anxiety and worry on the part of transnational couples and migrant spouses, because of the opacity of Singapore's immigration policies, e.g. the lack of transparency over Permanent Residency (PR) and Long-Term Visit Pass (LTVP) criteria.
- 22** While the right for migrant spouses to work has improved over the years, this right has not yet been extended to all migrant spouses. Those who are on a short-term visit pass still cannot work; LTVP/+ holders are not allowed to have more than one employer at a time, nor are they allowed to do ad-hoc, app-based work. Such restrictions create challenges for mothers in particular, who often need flexibility to juggle work and caregiving.
- 23** Transnational couples have limited housing options as they are barred from applying under most public housing schemes. Public housing is generally more expensive for these couples than for Singaporean couples, and the migrant spouse cannot automatically inherit the matrimonial home in the event of the Singaporean spouse's death. Migrant spouses who are single parents face even greater uncertainty with regard to their housing options.

¹¹ Callers are not asked specifically about the citizenship status of their spouse. Of those that volunteered the information, 137 said that their spouses (or ex-spouses) were Singaporean citizens.

¹² Respondents included migrant spouses, citizen spouses of migrants and adult children of transnational couples. Couples could be married or divorced.

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Recent policy improvements, e.g. the introduction of the Pre-approved Letter of Consent, do not go far enough to address the structural causes of migrant spouses' vulnerabilities and disadvantages, which largely stem from their immigration status. Without a serious overhaul of the ways immigration policies treat migrant spouses, these women will likely continue to form one of the most disadvantaged groups in Singapore.

Recommendations to protect the rights of migrant spouses

1. Do away with the LTVP so all migrant spouses of citizens will be on the LTVP+ if they qualify; publish clear and transparent eligibility criteria for LTVP+, Permanent Residency and citizenship.
2. Establish clear, timed access to PR and citizenship for migrant spouses.
3. Allow abused migrant spouses to renew LTVP/+ independently of their citizen spouses.
4. Ensure that all migrant spouses are informed of their rights, and of avenues of support.
5. Grant automatic right to work; lift restrictions on employment options for LTVP/+ holders.

Gender-based and other forms of discrimination: Discrimination against migrant domestic workers (MDWs)

- 25** Migrant domestic workers constitute one of our most vulnerable populations, for several reasons: Their contracts make them wholly dependent on their employers; they are expected to live with their employers; many of them take out large loans to pay recruitment fees to find employment in Singapore in the first place. Earning a salary, however meagre, is their only way of paying it back. Domestic workers are at risk of being exploited and abused by their employers, in ways that include non-payment of salary, lack of adequate rest, restrictions on their freedom of movement and more.¹³
- 26** Since 2013, the law mandates that employers give MDWs a weekly rest day or offer compensation in lieu. In reality, many MDWs do not take a weekly rest day and receive compensation instead. MDWs we interviewed who are caregivers to older persons said they were compelled to forgo rest days or to perform some work on their rest days (e.g. bathing, dressing and feeding their care recipients) because employers often did not arrange for alternative caregiving arrangements. According to a study conducted by HOME in 2015, only slightly more than half of the 800 MDWs surveyed said that they had a weekly day off.
- 27** MDWs are reliant on employers' consent in order to switch employers. Employers are able to unilaterally dismiss and repatriate a domestic worker without giving any prior notice. MDWs' easy deportability and the constraints on labour mobility are fundamental factors influencing MDWs' decisions to stay in highly exploitative situations and not report abuse and violations. They fear the (very probable) retaliatory consequence of being dismissed and repatriated. Thus, MDWs may endure situations of abuse or mistreatment to avoid jeopardising their jobs and being required to leave Singapore.

¹³ UN Convention on the Elimination of all Forms of Discrimination Against Women, *Concluding observations*

28 All female migrant workers on work permits are subjected to a compulsory medical examination every six months, during which they are tested for pregnancy and illnesses.¹⁴ Regulations prohibiting pregnancy create a culture of fear among MDWs who are afraid of losing their employment. They prevent MDWs from seeking help, and in some cases even result in them abandoning their newborn babies or terminating their pregnancies illegally.

29 The \$5,000 security bond conditions imposed by the Singapore government place an undue financial burden on employers of MDWs to ensure that they “control and supervise” their foreign employees. It heightens some employers’ anxieties about the movements and activities of their MDWs, and incentivises draconian control measures.

Recommendations to end discrimination against MDWs

1. Regulate working hours and define rest hours for MDWs.
2. Ensure the right for MDWs to switch employers freely.
3. Abolish the security bond system.

¹⁴ It is an offence under the Employment of Foreign Manpower Act for an MDW to become pregnant during the course of her employment.

Gender-based and other forms of discrimination: Discrimination against single parents

- 30** The most fundamental practical issue that many single-parent families have to deal with is housing, access to which can still be improved despite recent policy changes. Unwed mothers and their children are excluded from existing policies' definitions of a "family nucleus", limiting their housing options. Young unwed mothers' options are further restricted by the rule that applicants for public rental flats have to be at least 21 years old.
- 31** Unlike unwed-parent households, divorced single parents and the children under their legal custody and care and control are considered "family nuclei". However, many still experience limitations in housing options due to their former ownership of a public housing unit. While there are specific schemes aimed at supporting second-time applicants, the amount of financial assistance offered is markedly lower than that offered to first-time applicants. This may be inadequate for divorced parents to meet their needs, after taking into account how costly divorce proceedings can be, and the fact that many women stop paid work after being married and having children.
- 32** While HDB exercises flexibility on a case-by-case basis, outcomes suggest that the (opaque) criteria employed may be too strict. For instance, between 2014 and 2016, only 20% of around 300 single unwed parents under the age of 35 were able to rent flats from HDB with their children. Applicants who were unsuccessful in their appeals were generally "assessed to be able to stay with family or afford alternative housing options", even though in our experience supporting single parents with housing appeals, single parents and their children often do not have privacy in their families' homes, due to inadequate space.
- 33** Apart from discriminatory housing policies, unwed parents are also excluded from receiving the full amount of child benefits offered by the government. They remain ineligible to receive the Baby Bonus Cash Gift,¹⁵ and are excluded from tax reliefs from which married parents are able to benefit: such as the Parenthood Tax Rebate, Working Mother's Child Relief, Qualifying Child Relief and Handicapped Child Relief. Such exclusions result in unwed parents

¹⁵ "Baby Bonus", Made For Families, Government of Singapore, 5 March 2021, <https://www.madeforfamilies.gov.sg/raising-families/baby-bonus>

missing out on a substantial amount of financial assistance that would help to alleviate the financial burden of raising a child. Finally, inheritance law discriminates against “illegitimate” children of unwed mothers.

Recommendations to improve single parents' access to housing

1. Recognise single unwed parents and their children as a “family nucleus” to grant them equal access to housing.
2. Increase the income cap for rental housing and set the cap on a per-capita basis.
3. Lower minimum age criteria for public rental housing.
4. Be more lenient in case-by-case assessment of applications for rental and purchase of public housing units.
5. Make public housing more affordable by (i) enhancing housing grants and (ii) waiving the resale levy for divorced single parents with care and control of children.
6. Allow divorcing parents to apply for public rental housing upon obtaining the interim judgement of divorce.

Recommendations to provide more financial security to single-parent families

1. Equalise child-related benefits regardless of parents' marital status.
2. Provide monthly means-tested child allowance to single parents.

Recommendation to equalise the right to intestate inheritance

1. Abolish the concept of illegitimacy under inheritance law.

Gender-based and other forms of discrimination: Discrimination against LGBTQ+ persons

34 The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) committee has called on Singapore to address and end discrimination “in law and practice” against LGBTQ women. There has been virtually no shift in legislation or policies since Singapore’s review in 2017 in this area. The law criminalising sex between men (Section 377A of the Penal Code) has not been repealed, and media broadcast policy continues to censor LGBTQ+ representation. Criminalisation and censorship contributes to the stigmatisation of the LGBTQ+ community. By depriving LGBTQ+ persons of positive role models in the media, it “reinforces low self-esteem, and subjects them to discrimination and rights abuses”.¹⁶

35 LGBTQ+ students experience high levels of bullying and discrimination in schools. According to a nationwide survey of 244 transgender youth conducted by TransgenderSG, 77.6% of openly transgender students reported negative experiences in school, ranging from bullying to sexual abuse.¹⁷ Less than a third agreed or strongly agreed that they felt safe at school, and only 24% said they had a staff member to whom they could turn for support.¹⁸ The survey also revealed that school administrators have implemented “unreasonable demands” that pressure transgender students to drop out of school, or “sought to prevent them from transitioning or pursuing hormone replacement therapy”.¹⁹ Another survey released by AWARE in 2017 found that 8 in 10 of 809 surveyed teenage boys had verbally abused another boy by teasing or insulting him for being “feminine” while in secondary school.²⁰ According to a report published by Sayoni in 2018, more than 1 in 4 of their 40 female LGBTQ respondents interviewed had experienced bullying from their peers in school.²¹ Forms of bullying include physical and verbal abuse as well as sexual harassment. Those who were in same-sex relationships were targeted most often.²²

¹⁶ Civil Society Coalition (Singapore), *Joint submission to the The Working Group on Singapore’s Universal Periodic Review*, (Singapore: Civil Society Coalition, 2020), <https://www.aware.org.sg/wp-content/uploads/Singapore-UPR-Civil-Society-Coalition-Joint-Report.pdf>

¹⁷ “Press release: Universal Periodic Review: A joint report on transgender issues”, TransgenderSG, Sayoni and Asia Pacific Transgender Network, 22 October 2020, <https://transgendertsg.com/universal-periodic-review-a-joint-report-on-transgender-issues>

¹⁸ Ibid

¹⁹ Ibid

²⁰ AWARE, “Survey: 9 in 10 teenage boys face social pressures to be “manly”, including through violence”, AWARE, 12 July 2017, <https://www.aware.org.sg/2017/07/survey-9-in-10-teenage-boys-face-social-p pressures-to-be-manly-including-through-violence>

²¹ Sayoni, *Violence & discrimination against LGBTQ women in Singapore: documentation of human rights violations* (Singapore: Sayoni, 2018)

²² Ibid

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Alarming, it is not just students' peers who perpetuate such behaviour, but members of school administrations too. Gender-based violence in schools has detrimental effects on students' mental and physical well-being.²³ Those who experience it report higher rates of loneliness and suicidal thoughts, and lower levels of self-satisfaction.²⁴

Recommendations to end discrimination against LGBTQ+ persons

1. Repeal Section 377A of the Penal Code and end media censorship of LGBTQ+ persons.
2. Establish clear guidelines on LGBTQ+-affirming care and support of students, and ensure their mandatory adoption by all MOE schools.
3. Introduce policy to specifically address gender-based bullying, for all schools to adopt and implement.

²³ Global Education Monitoring Report Team and United Nations Girls' Education Initiative, "School-related gender-based violence is preventing the achievement of quality education for all", *Policy Paper 17*, 2015, <https://unesdoc.unesco.org/ark:/48223/pf0000232107>
²⁴ "What you need to know about school violence and bullying", UNESCO, UNESCO, 11 November 2021, <https://en.unesco.org/news/what-you-need-know-about-school-violence-and-bullying>

Gender-based and other forms of discrimination: Discrimination against Muslim women

- 37** From 2017 to 2018, AWARE and Daughters Of Tomorrow collaborated on an eldercare workforce programme aimed at providing workforce-readiness training and employment for low-income women in the eldercare sector. One of the major challenges we encountered was a prevalent belief among healthcare employers that headscarves are linked to the spread of infection. Accordingly, some employers were hesitant to hire long-term care workers who wore the tudung or hijab. Most recently, in early 2021, there was renewed discussion about the issue of the tudung at the workplace, with Home Affairs and Law Minister K. Shanmugam announcing that the government was considering allowing nurses to wear the tudung at work.²⁵
- 38** From the right to enter marriage to inheritance laws, Muslim women are disadvantaged in several areas relating to marriage laws under the Administration of Muslim Law Act (AMLA). The framework of AMLA “regards men as the protectors and providers of women and grants additional rights and privileges to Muslim men as a result”.²⁶
- 39** Polygamy is allowed under AMLA. A Muslim man can enter into a polygamous marriage with up to four wives without any legal requirement to obtain consent from his existing wives. Non-Muslim men are not allowed to enter into polygamous marriages. Polygamy has negative economic, social and emotional effects on women, including financial problems for first wives—40% state that their husband’s financial contribution to the first family diminished significantly after the second marriage.²⁷
- 40** Regardless of her age, a prospective bride requires the consent of her wali (male next of kin, usually her birth father, brother, grandfather, paternal uncle or paternal male relative) to enter into marriage.²⁸ The groom faces no such requirement.

²⁵ Zakir Hussain, “Muslim leaders told last August that position on nurses wearing tudung under review, likely to change: Shanmugam”, *The Straits Times*, Singapore Press Holdings Ltd. Co., 24 March 2021, <https://www.straitstimes.com/singapore/muslim-leaders-told-last-august-that-position-on-nurses-wearing-tudung-under-review-likely>

²⁶ Musawah, *Comparative Legal Review of the Impact of Muslim Family Law on Women across Commonwealth Asia and Africa*, (United Kingdom: Sisters For Change, 2019) <https://www.musawah.org/wp-content/uploads/2019/12/Comparative-Legal-Review-Impact-Muslim-Family-Laws-on-Women-Commonwealth-Asia-Africa.pdf>

²⁷ “SIS Research on the Impact of Polygamy”, Coalition for Sexual and Bodily Rights in Muslim Societies, accessed on 20 May 2021, <https://csbronline.org/?p=180>

²⁸ “Administration of Muslim Law Act (1966)”

41 The distribution of deceased Muslims' estates must be in accordance with AMLA, which generally favours male beneficiaries, i.e. each man will receive twice the share of a woman of the same relational level.²⁹

42 Under AMLA, the right to divorce is unequal between genders. While husbands are entitled to unilateral repudiation (talak) without conditions, wives can only divorce based on certain conditions.³⁰ A woman's testimony alone is insufficient to prove grounds for divorce if she is initiating one, including in cases where a wife is initiating divorce based on the ground that her husband has treated her with cruelty.³¹

Recommendations to end discrimination against Muslim women

1. Allow wearing of headscarves at all workplaces.
2. Prohibit polygamy under AMLA.
3. Provide women with equal rights as men to enter into marriage, by abolishing the requirement of wali.
4. Guarantee equal rights of women in all inheritance matters, and provide for choice of adjudication between Muslim and civil law.
5. Equalise the right to divorce.

²⁹ "Muslim Inheritance Law in Singapore", Singapore Legal Advice, First World Problems Pte Ltd., last updated on May 14, 2020, <https://singaporelegaladvice.com/law-articles/muslim-inheritance-law-in-singapore>

³⁰ "Administration of Muslim Law Act (1966)"

³¹ Ibid

PART TWO

VIOLENCE AGAINST WOMEN

43 The number of reported sexual violence cases has increased in recent years. The number of rape cases reported to the police increased from 162 in 2015 to 282 in 2019,³² and the number of outrage of modesty cases reported rose from 1,294 to 1,632.³³ However, under-reporting remains a problem. According to the experience of AWARE’s Sexual Assault Care Centre (SACC), formal reports are not made in 70% of cases.³⁴ In 2018 and 2019, SACC saw a total of 1,585 cases of sexual violence, almost double that across 2016 and 2017. This number included 482 reports of physical assault—which included rape—in 2019, up from 233 in 2016.

44 An analysis of 775 cases seen by SACC from 2015 to 2020 reveals that the two most common reasons for not filing a report included fear of not being believed (45.5%) and worry about how one’s family and/or friends would react (40.2%). SACC clients have mentioned being met with disbelief and judgement when they disclose their ordeal to friends and family. This could discourage them from formally filing a report. Misconceptions about rape influence how people around victim-survivors react to them. Also known as rape myths, these are defined as “prejudicial, stereotyped or false beliefs about rape, rape victims and rapists”.³⁵ They include, for instance, the belief that women are “asking for it” when they get sexually assaulted or harassed. The perpetuation of rape myths is particularly damaging to victim-survivors. It fosters self-doubt and guilt for experiencing acts of violence and discourages them from reporting and seeking help.

45 We believe that the best approach to address under-reporting is to improve the survivor-centricity of the criminal justice system and support services. If victim-survivors can be better supported through the processes of reporting, investigating and prosecuting, more of them are likely to come forward and sustain their involvement all the way to conviction. The first recommendation in this section is thus aimed at making formal reporting safer and more accessible, and reducing the risk of re-traumatisation as victim-survivors navigate the system.

³² Amelia Teng, “Number of reported rape cases up 75% in past five years”, *The Straits Times*, Singapore Press Holdings Ltd. Co., 3 July 2020, <https://www.straitstimes.com/singapore/courts-crime/number-of-reported-rape-cases-up-75-in-past-five-years>

³³ Ibid

³⁴ Where we know whether or not a police report has been filed.

³⁵ Martha Burt, “Cultural myths and supports for rape”, *Journal of Personality and Social Psychology* 38, no. 2 (1980)

Outside of the criminal justice system, it is equally important that victim-survivors have access to survivor-centric support services, including victim support and reproductive and healthcare services, after assault, regardless of their decision to file a formal report. This is covered in recommendations two to four. The final set of recommendations addresses the role of media and society at large in influencing norms, myths and beliefs about sexual violence. These beliefs in turn have a significant impact on victim-survivors' mental well-being and their decisions to seek help or file formal reports.

Recommendations to create more survivor-centric criminal justice processes, support services and society

1. Establish a specialised court to deal with all sexual violence cases.
2. Subsidise the cost of medico-legal services borne by victim-survivors.
3. Reclassify the dispensation of emergency contraception pills from prescription drugs to over-the-counter status.
4. Fund the expansion of community-based victim support services.
5. Lead public education on eradicating rape myths or commit resources to support such efforts.
6. Introduce media guidelines to inform reporting practices for cases of sexual violence.

Campus sexual violence and harassment

46 High-profile cases of campus sexual violence reported in recent years have ignited strong public interest in the safety of students, particularly at institutes of higher learning (IHLs).³⁶ From 2015 to 2019, a total of 172 disciplinary cases involving sexual misconduct committed by students and staff were handled.³⁷ This translates to an incidence rate of 0.12 sexual misconduct cases involving staff and student perpetrators per 1,000 staff and students.³⁸ The seemingly low incidence rates likely result from severe under-reporting (recall that 7 in 10 cases known to SACC³⁹ do not file formal reports) as well as the absence of comprehensive national statistics on such offences.

47 While much attention has been paid to sexual violence in autonomous universities (AUs), relatively little attention has been given to the situation in polytechnics and Institutes of Technical Education (ITEs) despite similar number of reported cases. Between 2015 and 2019, there were 87 disciplinary cases at AUs and 85 at polytechnics and ITEs. Little is known about the initiatives that the latter institutions have taken to address campus sexual violence.

Recommendations to combat campus sexual violence

1. Implement a National Code of Conduct for IHLs.
2. Introduce and/or support existing first responder and bystander intervention training programmes in IHLs.
3. Establish a restorative justice framework as an alternative dispute resolution avenue in IHLs.

³⁶ IHLs in Singapore include local universities, local polytechnics, offshore institutes with local campuses and selected post-secondary education institutions such as Nanyang Academy of Fine Arts and LASALLE College of The Arts.

³⁷ Yuen Sin, "Parliament: 172 cases of sexual misconduct handled by unis, polys and ITE over past five years", *The Straits Times*, Singapore Press Holdings Ltd. Co., 3 November 2020, <https://www.straitstimes.com/singapore/politics/parliament-172-cases-of-sexual-misconduct-handled-by-universities-polytechnics>

³⁸ Ibid

³⁹ I.e. in cases where we know whether or not police reports have been filed

Workplace sexual violence and harassment

48 Workplace sexual harassment (WSH) is a serious issue in Singapore. According to the results of a 2021 Ipsos-AWARE national survey, two in five workers in Singapore have experienced workplace sexual harassment in the past five years, including being on the receiving end of crude sexual and sexist remarks and being touched physically in ways that made them feel distressed or alarmed. The survey results also revealed a gap in understanding of what constitutes sexual harassment. Like sexual violence in general, workplace harassment is under-reported. The survey found that 70% of victim-survivors did not report their experiences of harassment. Reasons for this included the fear of retaliation and the absence of a HR officer or department to whom they could report the incidents.

49 Small and medium-sized enterprises (SMEs), in particular, struggle with responding to WSH. In 2020, we worked with a management consultancy to better understand SMEs' experiences with implementing WSH-prevention policies and practices. We found that they faced three key challenges: (i) Singapore's lack of specific legal policy to address WSH means that SMEs find it difficult to develop policies independently, without guidance; (ii) SMEs have limited training on building awareness and educating employees on their rights and how to respond to WSH, and (iii) there is no liability for employers over WSH. Most companies do not have a standardised process for how to respond to a WSH complaint.

Recommendations to address workplace sexual harassment

1. Develop a national legislation in Singapore that imposes an obligation on employers to address workplace harassment.
2. Adopt the ILO C190 - Violence and Harassment Convention, 2019 (No. 190).

Technology-facilitated sexual violence (TFSV)

50 AWARE defines TFSV as unwanted sexual behaviours carried out via digital technology, such as digital cameras, social media and messaging platforms, and dating and ride-hailing apps. These behaviours range from unwanted and explicit sexual messages and calls, and coercive sex-based communications, to image-based sexual abuse (the non-consensual creation, obtainment and/or distribution of sexual images or videos of another person). Image-based sexual abuse includes sexual voyeurism, so-called “revenge porn” and threats to do the above. SACC saw a quadrupling in the number of TFSV cases from 2016 (47) to 2020 (191). The perpetrator was known to the survivor in the majority of cases (where this was disclosed to SACC); perpetrator types included current or former intimate partners, acquaintances, then dating app contacts, family members, friends and persons from the workplace.⁴⁰ Being subject to TFSV takes a toll on victim-survivors’ emotional, mental and physical health due to their loss of dignity, privacy and sexual autonomy.

51 One of the most significant challenges that victim-survivors of TFSV face lies with taking down their non-consensual images from the internet. Individuals have limited ability to contain the spread of images and videos once they are uploaded and shared, and face difficulty establishing contact with platforms to facilitate the take-down of these materials. As a result, perpetrators are seldom held accountable.

Recommendations to address technology-facilitated sexual violence

1. Court Orders to remove non-consensually distributed materials must be executed by social media platforms within 24 hours.

⁴⁰ “AWARE saw 36% increase in cases of technology-facilitated sexual violence in 2020; announces launch of Solid Ground website”, AWARE, AWARE, 14 July 2021, <https://www.aware.org.sg/2021/07/technology-facilitated-sexual-violence-2020-launch-solid-ground-website-survivors/>

Remaining gaps under the Penal Code and other legislative framework

52 These recommendations address the remaining gaps under Singapore’s legislative framework to deal with sexual violence.

Recommendations to strengthen legislative framework

1. Statutorily and positively define “consent” in the Penal Code.
2. Replace outdated language such as “insult/outrage of modesty” in the Penal Code with more current terminology such as “sexual harassment/assault”.
3. Expand the definition of sexual violence to include non-payment of sex workers.
4. Remove marital immunity for sexual activity with minors.
5. Clarify and modify Section 424 (duty to give information of certain matters) of the Criminal Procedure Code to be more survivor-centric.

Sentencing frameworks

53 The rise in sexual violence cases involving youth offenders has brought about widespread debate on whether one’s “good academic results” should be a substantial determining factor during sentencing. The public outrage that ensued following cases such as that of Terence Siow, who molested a woman on the train, subsequently prompted a review of sentencing frameworks for sexual and violence-related crimes. In his announcement of the review outcome in March 2021, Minister for Law K. Shanmugam said that educational qualifications or academic potential “should not carry much weight” in mitigation pleas.⁴¹ An inter-agency sentencing advisory panel will also be set up to “issue non-binding sentencing guidelines to help achieve more consistency in sentencing and better public education on such issues”.⁴²

Recommendation to strengthen existing sentencing frameworks

1. Ensure inclusive representation on the sentencing advisory panel.

⁴¹ Lydia Lam and Jalelah Abu Baker, “Penalties for 3 sex crimes to go up after review, academic potential should not carry much weight: Shanmugam”, *Channel NewsAsia*, March 5, 2021, <https://www.channelnewsasia.com/news/singapore/penalties-for-3-sex-crimes-to-go-up-after-review-shanmugam-14338544>

⁴² “Penalties for 3 sex crimes to go up”

Sexuality education

54

Sexuality education plays a pivotal role in eradicating the gender norms and stereotypes at the root of sexual violence and violence against women. This section brings attention to sexuality education as a key strategy in tackling gender-based violence and achieving gender equality.

Recommendations to enhance the comprehensiveness of the current sexuality education curriculum

1. Implement comprehensive sexuality education comprising in-depth discussions of consent, gender-based violence and gender inequality, and media literacy.
2. Scale up programmes targeted at educating parents on talking about topics of sex and consent with their children.
3. Conduct or fund research on the sexual behaviour and educational needs of youth in Singapore.

MEN AND GENDER EQUALITY

Masculinities

55 Gender equality can only be achieved with the eradication of gender norms and stereotypes that harm women, men and non-binary persons. Men’s roles in society have remained largely unchanged, whereas women are increasingly expected to perform dual roles of worker and caregiver. Norms that promote male aggression and authority continue to be reinforced institutionally through National Service and the media, contributing to unhealthy conceptions of gender relations that emphasise male dominance and female submission, while simultaneously placing undue pressure on men and boys to conform.

56 In Singapore, one dominant form of masculinity entails upholding discipline, dominance and the ability to make and enforce decisions. This affects men by regulating their behaviour and perceptions: From a young age, boys are taught to act in accordance with masculine norms as they are associated with respectability and high economic status.⁴³ They also learn that men who transgress their “traditional gender roles” (i.e. house-husbands and stay-at-home-dads) are viewed by society as “someone who is ‘weak in character’, or humiliatingly ‘incapable’ in comparison to their wives”.⁴⁴

57 This existing dominant form of masculinity is also harmful to men as it imposes the unrealistic expectation on them to not display their emotions, which can in turn affect their help-seeking behaviour. Recent statistics on suicide in Singapore reveal that the number of male suicides is twice that of females, and a 2016 study showed that more than a third of men waited two years to disclose, or never disclosed, a mental health issue to a friend or loved one, compared with a quarter of women.⁴⁵

Recommendation

1. Commission a national study on masculinities in Singapore.
2. Increase accessibility of mental health services for men; create and fund specialised support.

⁴³ Yi’En Cheng, “Biopolitical Geographies of Student Life: Private Higher Education and Citizenship Life-Making in Singapore”, *Annals of the Association of American Geographers* 105, no. 5 (2015), https://www.researchgate.net/publication/280919433_Biopolitical_Geographies_of_Student_Life_Private_Higher_Education_and_Citizenship_Life-Making_in_Singapore

⁴⁴ Ethel Pang, “In 2019, What Do Singaporean Men Have to Say About Masculinity and Gender Roles?”, *Rice Media*, Rice Media, 18 July 2019, <https://www.ricemedia.co/current-affairs-commentary-2019-singaporean-men-gender-roles-masculinity>

⁴⁵ Sue-Ann Cheow, “Men twice as likely to commit suicide”, *The New Paper*, SPH Digital News, 29 April 2019, <https://www.tnp.sg/news/singapore/men-twice-likely-commit-suicide>

Men and caregiving

58 As of June 2020, 1,100 men were reported to be outside the labour force due to caring for their own children aged 12 and below. Another 9,000 men were outside the labour force due to caring for family members (including their own children aged above 12, and grandchildren) and relatives.⁴⁶ Collectively, they constituted 2.5% of all men outside the labour force in 2020. This stands in stark contrast to the 15.9% of women who cited caregiving as their main reason for being outside the labour force.⁴⁷ The unequal distribution of caregiving has partly resulted from outdated beliefs about gender roles that are still held by a significant portion of the Singapore population. At the same time, the notion that caregiving is primarily women's responsibility is further reinforced by care-related policies, such as government-paid maternity and paternity leave.

59 Despite the benefits of men taking paternity leave, and fathers' desire to do so, the take-up rate of paternity leave in Singapore has been persistently low: In 2018, only 35% of working fathers utilised their two-week paternity leave and 97% did not take shared parental leave.⁴⁸ Reasons given include the short length of paternity leave⁴⁹ and negative perception of male working caregivers.

Recommendations to promote men's role in caregiving

1. Implement more family-friendly labour policies by (a) equalising parental leave policies and (b) legislating the right for all workers to request flexible work arrangements (FWAs).
2. Strengthen teaching of gender equality and the effects of gender-role stereotyping in schools.

⁴⁶ MOM, *Residents Outside the Labour Force*

⁴⁷ Ibid

⁴⁸ Linette Lai and Tee Zhuo, "6 in 10 dads did not take paternity leave last year, says MSF," *The Straits Times*, Singapore Press Holdings Ltd. Co., August 7, 2019, <https://www.straitstimes.com/politics/6-in-10-dads-did-not-take-paternity-leave-last-year-says-msf>

⁴⁹ Yvonne Arivalagan, "Stay-at-home" fathers and their families: What lessons for policymakers? (Singapore: Institute of Policy Studies, Lee Kuan Yew School of Public Policy, National University of Singapore, 2020), <https://lkyspp.nus.edu.sg/docs/default-source/ips/stay-at-home-fathers-and-their-families-what-lessons-for-policymakers.pdf>

Male victim-survivors of sexual violence

60 According to police data, the number of outrage of modesty cases involving male victim-survivors has increased from 73 cases in 2009 to 125 in 2018.⁵⁰ In 2019, the Penal Code was updated to make the offence of rape gender-neutral, via the expansion of the legal definition of rape to include non-consensual penetration of the anus or the mouth using one's penis. These trends and legal changes reflect a growing recognition of the fact that boys and men can be victims of sexual violence. However, male victim-survivors still face significant barriers to reporting and seeking help.

61 These barriers are largely rooted in dominant modes of masculinity and rape myths, such as the belief that men cannot be raped, that “real men” are able to defend themselves, or that men enjoy all manner of sexual interactions, whether consensual or not. How society reacts to male victim-survivors is a reflection of entrenched gender norms. To rectify this, we repeat our call for gender education. We also recommend public education on the barriers that prevent reporting and help-seeking behaviour, and more support for recovery and mental health services to help male victim-survivors of sexual assault.

⁵⁰ Hwee Min Ang, “Male molest numbers continue to rise; experts say some victims struggle to report cases,” *Channel NewsAsia*, Mediacorp Pte Ltd., 26 October 2019, <https://www.channelnewsasia.com/news/singapore/male-victims-molest-outrage-modesty-singapore-cases-12027482>

National machinery to promote gender equality

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A strong national machinery is required to implement all measures to achieve gender equality. This process should also be overseen, monitored and coordinated by a specific body. Presently, the Office of Women's Development (OWD) seems to be a natural fit for this task, given that one of its stated activities is to monitor the progress and implementation of CEDAW. The mandate and capacity of the OWD should be strengthened to work on all gender inequality-related issues.

Recommendations on national machinery to advance gender equality

1. Include gender equality in the Singapore Constitution and national pledge.
2. Adopt a specific action plan, with the active participation of civil society, to implement CEDAW.
3. Improve the collection and publication of data disaggregated by gender, age, ethnicity, nationality, etc; data should be freely available to whoever requests for it.
4. Apply gender-mainstreaming consistently in the development and implementation of all laws, policies and programmes in all ministries and legislative structures.

WOMEN'S CHARTER

Family violence and the enforcement of protection orders

- 63** Victim-survivors of family violence can apply for a Protection Order under the Women's Charter, but the Charter only recognises certain forms of violence. Physical violence is central to the definition of "violence" under Section 64 of the Charter. Under this provision, "hurt" refers to "bodily pain, disease or infirmity". However, it excludes other forms of abuse, including emotional, financial and sexual abuse, coercive control or technological abuse.⁵¹ The definition of a "family member" under Section 64 also appears to exclude individuals who are cohabiting, or who are in intimate and close relationships but unmarried.
- 64** From 2018 to 2020, 97 (16.7%) of AWARE legal clinic clients were victim-survivors of family violence and abuse. These clients had experienced several challenges and hurdles when applying for a Personal Protection Order (PPO), including: (a) fears that application for a PPO might infuriate the offender further; (b) concerns that applying for a PPO might result in the offender initiating divorce proceedings against the victim-survivor and (c) a lack of "hard evidence" of family violence.
- 65** Those under 21 cannot seek PPOs for themselves unless they are, or were previously, married. Family members or social workers can apply on their behalf; however, in our experience, relatives may be reluctant to intervene due to the view that family violence is a "private" or "personal" affair.

⁵¹ Coercive control refers to an act or a pattern of acts of assault, threats, humiliation, intimidation or other abuse that is used to harm, punish or frighten a victim. These acts can be just as distressing to the victim as physical acts of abuse.

66

Apart from the challenges in securing an application, victim-survivors continue to experience difficulties in enforcing PPOs. In this regard, establishing a code of conduct would be useful in guiding police officers on the proper procedures and response when handling cases of family violence.

Recommendations on enhancing support for victim-survivors of family violence

1. Expand the definition of “family violence”.
2. Allow third-party applications for all victim-survivors, not just those who are under 21 and/or incapacitated; include the police as a third-party applicant.
3. Lower age requirements for applications to 18 years of age, such that younger victim-survivors of family violence can apply for a Personal Protection Order by themselves.

Ancillary issues

67 The name “Women’s Charter” is increasingly outdated today, given society’s evolving views on the roles and responsibilities of men and women in marriages. In particular, there have been calls for spousal maintenance to be made gender-neutral and awarded based on fairness and need, rather than gender (a position AWARE supports). Renaming the Charter to “Family Charter” would more accurately reflect the gender neutrality of the Charter’s family law and anti-violence provisions.

68 Under Section 9 of the Women’s Charter, the minimum age for civil marriages between non-Muslims is 18 years. However, the Ministry of Social and Family Development can grant a special marriage licence with the necessary parental consent so that a minor below the age of 18 years can marry. Underage marriage, under special circumstances, is also allowed under AMLA. While the number of underage marriages is low, the practice nonetheless puts Singapore in violation of both CEDAW and the UN Convention on the Rights of the Child and, more gravely, in direct violation of the rights of the child.

Recommendations on ancillary issues under the Women’s Charter

1. Rename the “Women’s Charter” to “Family Charter”.
2. Prohibit marriages where either party is under 18 years of age without exemptions.

PART THREE

PROCEDURAL ISSUES FACED IN REPORTING SEXUAL VIOLENCE:

69 This section highlights the challenges faced by victim-survivors of sexual violence as they navigate the criminal justice system, particularly at the reporting stage. The issues raised in this section are based on analyses of cases seen at AWARE's Sexual Assault Care Centre (SACC) as well as insights from SACC case managers.

70 While there have been efforts to ensure that reporting and investigation processes are survivor-centric (discussed below), some victim-survivors continue to face lingering problems that relate to the following:

- a. Reporting process remains daunting, despite special arrangements;
- b. Access to forensic medical examination;
- c. Fear of polygraph test; and
- d. Lack of regular communication on progress and outcome of investigation

71 Recommendations made here are targeted at addressing these existing issues, with the aim of further enhancing the survivor-centricity of Singapore's criminal justice system.

Reporting process may still be daunting for some, despite special arrangements

- 72** When reporting their cases at police stations, victim-survivors of sexual violence are offered the following arrangements:⁵²
- a. To be assigned a Victim Care Officer (VCO) who can provide emotional support
 - b. To be interviewed in a private room
- 73** In addition to the aforementioned arrangements, victim-survivors can also request to be interviewed by an IO of the same gender.
- 74** While these do provide some degree of assurance for victim-survivors, elements of the reporting process still remain daunting. Firstly, there is a lack of privacy as victim-survivors are required to first disclose the nature of their case at the counter upon arriving at the police station, which can be uncomfortable and distressing. While we understand that the police proactively offer private rooms for interviews with victim-survivors, the experiences of some SACC clients show that there may be an issue with implementation: In 2020, almost one-fifth (17) of clients who filed a police report had not been brought to a private room for report-taking.⁵³ This lack of privacy during disclosure can cause unease, and hinder victim-survivors from providing detailed statements.
- 75** Lack of awareness: The option to be interviewed by an IO of the same gender is available to victim-survivors only on an opt-in basis. We fear that victim-survivors may not request this if they are unaware of such an option. Even if they are aware, they may be so overwhelmed at the reporting stage that they forget to opt in.
- 76** Lastly, based on some SACC clients' experiences, we understand that VCOs' interactions with victim-survivors tend to be one-off, which may limit their ability to provide emotional support. As far as we understand, VCOs also cannot attend statement-taking interviews, which is an especially vulnerable and stressful time for victim-survivors.

⁵² "Victim Care is a Key Aspect in Investigations into Sexual Offences", Singapore Police Force, Singapore Police Force, 26 May 2016, https://www.police.gov.sg/media-room/news/20160526_online-letter_victim-care-is-a-key-aspect-in-investigations-into-sexual-offences ; "Victim Care Cadre Programme (VCCP)", Ministry of Home Affairs, Ministry of Home Affairs, accessed on 20 May 2021, [https://www.mha.gov.sg/volunteers/home-team-volunteer-scheme/detail/Details/victim-care-cadre-\(vcc\)-programme](https://www.mha.gov.sg/volunteers/home-team-volunteer-scheme/detail/Details/victim-care-cadre-(vcc)-programme)

⁵³ Based on an analysis of 284 cases where clients accessed case management services at SACC in 2020.

■ Access to forensic medical examination

77 The forensic medical examination is only accessible to victim-survivors who make a police report. However, many are not ready to file a police report immediately as they need time to process overwhelming feelings of shock, anxiety and shame after their experience. Precluding victim-survivors from independently accessing the forensic medical examination leads to a loss of forensic evidence that could support their cases should they decide to pursue them at a later date.

78 Parental consent is required for victim-survivors below 21 years old to undergo the forensic medical examination. The Minister for Home Affairs said that since victim-survivors below 21 are “considered minors under common law”, consent has to be sought from “both the victim-survivor and the victim-survivor’s parent or guardian” before this “highly intrusive” examination can be carried out.⁵⁴ However, this requirement has led to some victim-survivors choosing not to file a police report to avoid disclosing their sexual assault to their parents.

■ Fear of polygraph test

79 As part of the investigation process, victim-survivors are sometimes asked to take a polygraph test. Although these test results are inadmissible in court as evidence, many victim-survivors still fear that negative results would fuel the police’s doubt in their credibility and weaken their case. Given that one of the top reasons cited by SACC clients for not reporting is the fear of not being believed, the possibility of being subjected to the test only reinforces fear and reluctance to file a report.

80 The test experience itself can also result in re-traumatisation. In 2020, five SACC clients⁵⁵ who went through the polygraph test reported having negative experiences, such as worsening anxiety and trauma, due to the questions posed.

⁵⁴ Written Reply to Parliamentary Question on Sexual Assault Cases (4 January 2021) by Mr K Shanmugam, Minister for Home Affairs and Minister for Law”, Ministry of Home Affairs, Government of Singapore, 4 January 2021, <https://www.mha.gov.sg/mediaroom/parliamentary/written-reply-to-parliamentary-question-on-sexual-assault-cases-4-january-2021-by-mr-k-shanmugam-minister-for-home-affairs-and-minister-for-law>

⁵⁵ Based on the analysis of 284 SACC. Of these 284 cases, 11 clients went through the polygraph test.

Lack of regular communication on progress and outcome of investigation

- 81** The lack of clear and consistent communication with victim-survivors about their cases can reinforce their loss of control and agency.
- 82** Lack of updates on the progress of one's case: In 2020, 45.3% (43) of 95 SACC clients who filed a police report had IOs who were not proactive in providing updates on their cases; 40% (38) were also not provided with sufficient information on next steps for their cases.⁵⁶ The Singapore Police Force's brochure on Reporting Sexual Assault Cases states that "[the] Investigation Officer (IO) will provide [victim-survivors] periodic updates on investigation". However, it is unclear how "periodic" is defined.
- 83** Lack of updates on handover of cases: Some SACC clients have reported that they were not informed that their IO had been changed. They were concerned that the new IO was not sufficiently familiar with their case.
- 84** Lack of updates on case outcome: A number of victim-survivors of sexual violence reported not being in contact with the police up until their cases were closed.
- 85** Lack of clarity on case outcome: Victim-survivors are left unsettled and confused at times as they are not fully informed of what their case outcome means.

⁵⁶ Based on the analysis of 284 SACC cases.

Recommendations to address under-reporting

1. Establish a Comprehensive Guide or a Code of Practice that sets out the minimum standards of service and support to victim-survivors of sexual violence.
2. Increase accessibility of forensic medical examination by:
 - a. Allowing all victim-survivors to undergo forensic medical examination, regardless of whether a police report has been filed
 - b. Allowing victim-survivors below 21 years old to undergo the forensic medical examination without parental consent.
3. Legislate two days of paid leave for victim-survivors aiding in police investigation.
4. Grant restitution or compensation to victim-survivors for injuries and trauma sustained, as well as any resultant loss in income and/or employment.
5. Extend the time frame of “hot cases”⁵⁷ to preserve forensic evidence that would otherwise be lost.

⁵⁷ “Hot” cases refer to cases where the act of sexual violence takes place up to 72 hours before the filing of a police report.

aware

A red female symbol icon, consisting of a circle with a vertical line and a small cross at the bottom right, positioned to the right of the word 'aware'.

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