

**Report on CRC and
the Republic of Singapore**

**NGO report by the
Association of Women for
Action and Research
(AWARE)**

**For the 81st session of the
United Nations Committee on CRC**

Glossary

AMLA - Administration of Muslim Law Act

AWARE - Association of Women for Action and Research

CPS - Child Protective Service

CYPA - Children and Young Person's Act

HDB - Housing Development Board

IFPA - Inheritance (Family Provisions) Act

MHA - Ministry of Home Affairs

MND - Ministry of National Development

MOE - Ministry of Education

POHA - Protection from Harassment Act

ROM - Registry of Marriages

SACC - Sexual Assault Care Centre, run by AWARE

STI - sexually transmitted infection

Article 1 - Definition of 'child'

At the time of writing, legal regimes do not adequately assist domestic violence survivors aged 16-21 years old. The CYP A provides a framework for the protection of “children” (below 14) and “young persons” (14-16), while the “family violence” regime under the Women’s Charter is principally concerned with those aged 21 years and above. Under-21s cannot seek a protection order on their own behalf unless they are or have been married. They also cannot seek protection orders in respect of POHA (harassment legislation), unless a guardian makes applications on their behalf, which can be a deterrence from seeking legal redress for intimate partner violence and sexual harassment, even if social service agencies or law firms are involved. In our experience, under-21s also face difficulty in seeking assistance from a publicly funded domestic violence shelter.¹

Under the Criminal Law Reform Bill introduced into Parliament in February 2019, the CYP A regime is to be extended to those aged 18 and below, which will address some of this lacuna.

Recommendation: Amend legislation and policies to allow those aged 16-21 years old to seek protection orders and other domestic violence services on their own behalf, regardless of marital status or history. If necessary, appoint social workers or court counsellors to support applicants until they are ready to voluntarily involve their guardians.

Article 2 - Discrimination

Children of unmarried parents

Children face discrimination on the basis of their parents’ marital status. “Illegitimate children” (mothers are not married to biological fathers) are disadvantaged by law and policy. The government justifies this by claiming that “parenthood within marriage is the desired and prevailing social norm”.²

TURNED AWAY

My daughter was less 3 years old. I had approached HDB to seek to rental housing... But my application was denied as they said that they did not recognise my daughter and myself as a family nucleus, and as a single I would need to apply with another adult. I tried to explain that I am a single mother... an MP at that time... point blank told me that he wasn’t able to help because I had to understand that “we don’t support this type of situations.” That was the 2nd time an MP had said that to me directly.³

- *Housing:* 80% of citizens live in HDB flats (public housing). Unmarried mothers cannot secure flats under family schemes as they and their child are not recognised as a “family nucleus”. They can only seek HDB flats when aged 35 or above (cf. 21 for married persons); if they need subsidies, they are restricted to smaller, less accessible flats. Children face housing instability

¹ AWARE recommendations, 17 Jan 2015: http://aware.org.sg/wp-content/uploads/AWAREs-Recommendations-for-Womens-Charter_rev17Jan2015.pdf

² MSF, ‘Rationale Behind Policy’, 10 Oct 2016: <https://www.msf.gov.sg/media-room/Pages/Rationale-behind-policy-of-not-recognising-children-of-unwed-mothers-as-legitimate-children.aspx>, accessed on 12 Nov 2018

³ ‘Steph’s story’, 16 Nov 2018: <http://www.aware.org.sg/2018/11/stephs-story/>, accessed on 4 Dec 2018.

and inadequacy (frequent moves, expensive private market, overcrowding with relatives).⁴ HDB can exercise case-by-case discretion, but this discriminatory approach leaves needs unmet.⁵

- ***Inheritance***: Under civil (but not Muslim) law, if a mother dies intestate, “illegitimate” children inherit only if there are no competing “legitimate” children.⁶ They cannot inherit from an intestate biological father. The IFPA provides for dependents to claim for reasonable maintenance out of a deceased’s net estate, but case law has interpreted “dependents” to exclude illegitimate children.
- ***Taxation and social support***: Certain tax reliefs are available to mothers as of right only if they are married. A “Baby Bonus” cash gift for parents of newborns is available only for “legitimate” births.

Recommendations: Remove all legal and policy distinctions: (i) between single and married mothers, and (ii) between children based on “legitimacy”. Amend IFPA so illegitimate children may claim maintenance from the estate of their deceased father (as under the UK Act on which the legislation was based). Allow an unmarried parent and their children to form a “family nucleus” to access public housing.

Children of transnational couples

Numerous citizen men marry migrant women, often from China, Indonesia, India, Philippines, Thailand and Vietnam.⁷ In 2014 children of such marriages comprised 17% of citizen births.⁸ Because the immigration, employment and housing status of their mothers can be precarious, children face insecurity.

UNCERTAIN LIVES⁹

A couple (Singapore man, Thai woman) succeeded in renewing six-month residence permits for the wife on three consecutive occasions, only to have the fourth application denied, though it was made with the same documents. No reason was given. They were told by authorities that the wife had to leave Singapore and obtain a short-term pass (valid for a month). The family successfully challenged the decision after multiple appeals, but experienced the system as arbitrary. They also faced unexplained delays in obtaining citizenship for their son (born in another country), during which time they incurred higher healthcare costs for procedures such as immunisation.

- ***Immigration status***: Unless they qualify for a non-family pass (usually for the wealthier), migrant wives require the sponsorship of their spouse to obtain a short-term visit pass (SVP, two to four

⁴ AWARE research report on single parents’ access to public housing, Dec 2016: <http://aware.org.sg/wp-content/uploads/Single-Parents-Access-to-Public-Housing.-Final-version..pdf>, accessed on 12 Nov 2018.

⁵ AWARE brief on case-by-case appeals, 20 Nov 2017: <https://www.aware.org.sg/2017/11/the-limits-of-case-by-case-single-parents-and-housing/>, accessed on 12 Nov 2018.

⁶ MSF, ‘Legal and policy distinction between legitimate and illegitimate children’, 13 Sep 2016: <https://www.msf.gov.sg/media-room/Pages/Legal-and-policy-distinction-between-legitimate-and-illegitimate-children.aspx>, accessed on 12 Nov 2018.

⁷ ‘More Singaporean taking foreign brides’, The Straits Times, 22 Dec 2016: <http://www.straitstimes.com/singapore/more-singaporeans-taking-foreign-brides>, accessed on 3 Dec 2018.

⁸ ‘More foreign wives seek help’, The Straits Times, 10 Apr 2016: <http://www.straitstimes.com/singapore/more-foreign-wives-seek-help-after-singaporean-husbands-abuse-them-leave-land-in-jail-or>, accessed on 3 Dec 2018.

⁹ AWARE, ‘P’s story’, 6 Mar 2017: <https://www.aware.org.sg/2017/03/ps-story-his-wife-had-to-leave-singapore-his-newborn-waited-a-long-time-for-citizenship/> accessed on 3 Dec 2018.

weeks, renewal requires departure), long-term visit pass (LTVP, typically one year),¹⁰ or long-term visit pass plus (LTVP+, three years, up to five years on renewal). Criteria are not transparent, but relevant factors include the presence of a citizen child, duration of marriage, financial means of the citizen spouse¹¹ and HIV status.¹² Prospective couples can apply for information on whether they can obtain an LTVP+, but children whose parents do not qualify face especial insecurity.

The grant of more permanent status (permanent residence/citizenship) is deliberately opaque.¹³ Only half of PR applications from foreign spouses are approved each year.¹⁴ A child may qualify for PR/citizenship, while the foreign parent does not, with no reason given. As of June 2016, 10,000 citizen children under 21 had parents on a Visit Pass or Work Pass.¹⁵

Absent permanent status, if a marriage ends, children risk separation from their mothers, or may have to emigrate. The State has declared that it will “generally facilitate [mothers’] continued stay... through a renewable LTVP” to “enable them to care for and raise” the children.¹⁶ It is unclear: (i) how the renewable LTVP provides enough certainty; (ii) which parents’ stays are not “generally [facilitated]” and why; and (iii) if the parent must leave when the children reach maturity.

- **Employment:** SVP holders may not work. Hiring LTVP/LTVP+ holders is subject to foreign worker quotas and levies unless an employer obtains a ‘Letter of Consent’. Though commonly granted, this is discretionary and creates delay and uncertainty in changing jobs, as one employer must cancel the worker’s Letter before another employer can seek a new one. These barriers affect the ability of parents to provide an adequate standard of living for their children.

¹⁰ ICA, ‘FAQs’: <https://ltpass.ica.gov.sg/evpaa/jsp/FAQ.jsp>, accessed on 3 Dec 2018.

¹¹ ‘Help available for foreign spouses’, The Straits Times, 18 Feb 2016: <https://www.straitstimes.com/forum/letters-on-the-web/help-available-for-foreign-spouses-of-singaporeans-to-obtain-longer-terms>, accessed on 3 Dec 2018.

¹² AWARE, ‘World Aids Day’, 29 Nov 2016: <http://www.aware.org.sg/2016/11/world-aids-day-aware-highlights-vulnerability-of-married-women-especially-foreign-wives-living-with-hiv-aids/>, accessed on 3 Dec 2018.

¹³ MHA, Written responses to parliamentary questions, 2 Oct 2018 and 10 Oct 2016: <https://www.mha.gov.sg/newsroom/in-parliament/written-replies-to-parliamentary-questions/news/written-reply-to-parliamentary-question-on-the-evaluation-process-for-approving-citizenship-applications-by-pr-spouses-of-singaporeans-by-mr-k-shanmugam-minister-for-home-affairs-and-minister-for-law> and <https://www.mha.gov.sg/newsroom/in-parliament/written-replies-to-parliamentary-questions/news/written-reply-to-parliamentary-question-on-transparency-in-criteria-for-obtaining-pr-and-citizenship-by-mr-k-shanmugam-minister-for-home-affairs-and-minister-for-law>, accessed on 3 Dec 2018.

¹⁴ MHA, Written responses to parliamentary questions, 13 Sep 2016: <https://www.mha.gov.sg/newsroom/in-parliament/written-replies-to-parliamentary-questions/news/written-reply-to-parliamentary-question-on-foreigners-married-to-scs-and-their-success-in-pr-applications-by-mr-k-shanmugam-minister-for-home-affairs-and-minister-for-law>, accessed on 3 Dec 2018.

¹⁵ MHA, Written responses to parliamentary questions, 13 Sep 2016: <https://www.mha.gov.sg/newsroom/in-parliament/written-replies-to-parliamentary-questions/news/written-reply-to-parliamentary-question-on-singaporeans-under-21-years-of-age-residing-in-singapore-with-a-non-pr-foreign-parent-by-mr-k-shanmugam-minister-for-home-affairs-and-minister-for-law>, accessed on 3 Dec 2018.

¹⁶ MSF, ‘Protection For Foreign Spouses And Children’, 13 Sep 2016: <https://www.msf.gov.sg/media-room/Pages/Protection-for-foreign-spouses-and-children-when-marriages-with-Singapore-citizens-break-down.aspx>, accessed on 3 Dec 2018.

- **Housing:** Citizens with non-citizen spouses can buy HDB flats on the open market,¹⁷ but cannot buy new, subsidised flats or rent public housing. Foreign spouses are occupiers without ownership rights. If a citizen who owns HDB property dies, a surviving foreign spouse can only retain the flat if they: (i) become a citizen/PR within a year, or (ii) include a citizen/PR family member who is at least 21 and satisfies the eligibility rules and conditions to own a flat. If a non-citizen widow has minor citizen children, HDB can, on a case-by-case basis, have the flat held in trust by a citizen/PR trustee. The flat must be given to the children when they reach 21 years old.¹⁸ These uncertainties can affect the ability of parents to meet children's material needs.

PREGNANT AND LIVING ON A LORRY

A couple (Singapore man, Vietnamese woman) lived on a lorry while the wife was pregnant, as affordable options were not available to them. Only after social media reports highlighted their situation did authorities offer them housing assistance. Because they resisted sharing an interim rental flat with another family, they were given exceptional permission to stay in a rental flat of their own, on the condition that they would commit to purchasing a flat after the birth of the child.¹⁹

Recommendations: Automatically grant the LTVP+, the right to work and healthcare subsidies, to all foreign spouses of citizens, with a defined path to permanent residence based on transparent criteria. All parents of citizen children should be entitled to permanent residence.

Children of LGBT parents

LGBT persons are stigmatised. Sex between men is criminalised and non-judgmental portrayals of LGBT people are censored, especially in schools and broadcast media. Same-sex couples are undermined in dealings with authorities. One gay couple who could not obtain citizenship for their son (conceived and born in the US) also initially failed in a bid for the biological father to adopt him as a single parent.²⁰ As a result, the child's residence in Singapore remained contingent on six-monthly renewals of his immigration permit, and he faced deprioritised admission into school, inadmissibility for medical subsidies available to citizens, and higher school fees. Although the adoption was allowed on appeal, MSF has subsequently emphasised that, in its view, future applicants may find it harder to show that they "did not intentionally set out to...deliberately violate... public policy against the formation of same-sex family units".²¹ MSF has also signalled an intention to review the laws and policies, seemingly with intent to prevent similar successful adoptions in the future.

¹⁷ HDB, 'Non-citizen spouse scheme': <https://www.hdb.gov.sg/cs/infoweb/residential/buying-a-flat/resale/non-citizen-spouse-scheme>.

¹⁸ MND, Written answer to parliamentary questions, 10 Oct 2016: <https://www.mnd.gov.sg/newsroom/speeches/view/written-answer-by-ministry-of-national-development-on-ownership-of-hdb-flat-of-deceased-singaporeans-with-foreign-spouses-and-children>.

¹⁹ 'Couple who lived on lorry move into rental flat', The Straits Times, 25 Apr 2017: <http://www.asiaone.com/singapore/couple-who-lived-lorry-move-rental-flat>, accessed on 3 Dec 2018.

²⁰ 'Where to go? What to do?', South China Morning Post, 9 Jan 2018: <https://www.scmp.com/week-asia/society/article/2127506/where-go-what-do-family-singapores-gay-surrogacy-adoption-case>, accessed on 3 Dec 2018.

²¹ MSF, 'Response to High Court decision on adoption appeal', 19 December 2018: <https://www.msf.gov.sg/media-room/Pages/Response-to-High-Courts-Decision-on-Adoption-Appeal.aspx>, accessed on 1 February 2019.

Recommendations: Repeal legislation prohibiting same-sex relations and marriage. End media censorship of LGBT experiences. In MSF adoption policies, ensure that the best interests of the child are always given priority over “public policy against the formation of same-sex family units”. Undertake a review to study the circumstances of children of same-sex parents in Singapore and ensure their welfare is not affected by discrimination against their parents.

Article 19 - Protection from violence and Article 34 - Sexual exploitation and abuse

Sexual violence

- **Marital immunity for sexual violence:** At the time of writing, the law exempts men from charges of rape or ‘sexual penetration of a minor’ (an offence criminalising penetrative acts with under-16s) for forced sex with their wives. The Criminal Law Reform Bill introduced into Parliament in February 2019 will remove this immunity for most cases. However, the Bill also maintains and introduces marriage-based defences to numerous sexual offences against children:
 - Children aged 12 or above are deemed capable of consenting (within marriage) to acts of sexual penetration; sexualised communications; being pictured in “child abuse material”; being in the presence of sexual activity or shown sexual images. An adult spouse who engages in this conduct with a “consenting” child will not be criminally liable.
 - Adults are prohibited from a range of sexual conduct (e.g. sexual penetration, sexual communications, offences involving “abusive material”) with children aged 16-17 in the context of an “exploitative relationship”. Relationships are presumed exploitative in specific cases involving relationships of authority: e.g. teacher/student, coach/trainee, lawyer/client. However, this presumption of exploitativeness is not applied if the parties are also married.
- **Underaged marriage:** Generally, the minimum age for marriage is 18 years.²² For civil marriages, a girl below 18 may marry with parental consent, a special marriage license and ministerial permission. Under AMLA, a kadi may solemnise the marriage of a girl below 18 who has attained the age of puberty.²³ In 2018 there were 11 ‘Special Marriage Licenses’ granted (in response to 18 applications) for marriages involving under-18s.²⁴ The number of such licenses granted each year has generally remained below 20 since 2013.
- **Guardian signature for forensic medical examination:** Forensic medical examination (including ‘rape kits’ intended to preserve forensic evidence of sexual violence) is administered at hospitals. Healthcare providers will not administer this for under-21s without a police report and without obtaining a guardian’s signature, requirements which deter many young people.
- **Limited scope of Child Protective Service:** In our experience, MSF’s CPS agency addresses only violence and abuse perpetrated against a child by a family member. Exceptions are made where the perpetrator is not a family member and the parents have been assessed to have severely

²² ROM website, 5 Mar 2018: https://www.rom.gov.sg/reg_info/rom_minors.asp, accessed on 4 Dec 2018.

²³ Section 96(5) of AMLA.

²⁴ MSF, ‘Special Marriage License’, 27 February 2019: <https://www.msf.gov.sg/research-and-data/Research-and-Statistics/Pages/Special-Marriage-License.aspx>, accessed on 4 March 2019.

compromised a child's safety. Consequently there does not exist a dedicated child protection agency (separate from law enforcement authorities) which seeks to ensure the protection of children who experience sexual violence or abuse perpetrated by other individuals (e.g. teachers, neighbours). However, in SACC's experience, safety and support including psychological safety are crucial to all children and their families who face primary and secondary trauma as a result of sexual violence.

- Possible mandatory reporting for service providers: Failure to report knowledge of a sexual offence against a minor is a criminal offence.²⁵ Although rarely enforced, this law creates uncertainty for SACC and other service providers seeking to assist children, for many of whom confidentiality is a major concern. Losing control over the disclosure of sensitive information (particularly in the context of sexual activity) can cause great psychological distress and even the risk of self-harm. While there is a defence of "reasonable excuse", no clear definition has been provided in either law or policy guidance. This requirement is therefore a barrier to the provision of support and services to child victims of sexual violence.
- Barriers in interview process: Survivors of sexual violence may have to recount their experiences separately and repeatedly when interacting with police, doctors and other agencies. It has been announced that a multi-disciplinary interview (MDI) model integrating these interviews will be piloted, but only in respect of children abused by family members. Children in other abuse situations will continue to face multiple, repetitive interviews.

Recommendations:

- Set the minimum age of marriage to 18 for all and end all marriage-based immunity or defences for sexual offences against children.
- Review healthcare policy to remove the requirement for a police report and a guardian's signature for rape kits for under-21s.
- Expand the scope of the CPS to address sexual violence and abuse against children regardless of the identity of the perpetrator.
- Issue clear policy guidance confirming that there is a "reasonable excuse" for non-reporting of offences to the authorities, where a civil society organisation providing support and assistance to children reasonably determines that: (i) it is necessary to maintain client trust and confidentiality in respect of the relevant information, so as to effectively provide that support and assistance and (ii) the risk of prospective danger to the client or another person is not sufficiently clear or significant as to outweigh the need for trust and confidentiality. (The fact that an assailant has not been identified or apprehended should not by itself be taken to establish such a risk.)
- Ensure that the MDI model is applied, during or after the pilot phase, for cases where children are sexually abused by non-family members too.

Punitive violence against children

²⁵ Section 424, Criminal Penal Code.

CANED AT A CHILDCARE CENTRE

“On the second year, third year got a lot of problem. Because my children also is very playful. And then they don’t like it sometimes they use the cane to cane them. Cane the hand all this... Then, got one time I very angry because (the staff) say my children is naughty and the supervisor is grabbing my daughter hand ah! Until it become red! The teacher... when fetching her at the school he pull my daughter up like that (mimics teacher grabbing daughter from under the armpit!)” - a mother interviewed by AWARE²⁶

Although licensing requirements prohibit the use of punitive violence in early childhood education centres, reports indicate that physical punishment and humiliation persist.²⁷ Corporal punishment is also commonly used by parents and can be found in schools.²⁸

These practices are supported by a widespread acceptance of punitive violence. In 2015, when a 16-year-old was prosecuted over a video criticising a former Prime Minister, many members of the public called for corporal punishment and some expressed approval when he was assaulted by another individual.²⁹ Later that year, a member of the publicly funded Media Literacy Council (a body charged with promoting positive social discourse) called for the mass killing of children of terrorists;³⁰ the Council chair insisted that though “insensitive”, such comments did not amount to hate speech.

The legal regime for protection against domestic violence explicitly defines “family violence” as excluding “any force lawfully used [...] by way of correction towards a child below 21 years of age”.

Recommendations: Remove the exception for “force by way of correction” in the definition of “family violence” in the Women’s Charter. Disseminate information on the negative impact of corporal punishment and take steps to promote better institutional adherence to guidelines prohibiting it.

Article 24 - Health

Sexual and reproductive health

Public schools implement sexuality education overseen by MOE. Its abstinence-based approach³¹ provides limited factual information about contraception and STI prevention and stigmatises sexual

²⁶ AWARE, ‘Why are you not working?’, 13 Aug 2018: https://d2t1lspzrtif2.cloudfront.net/wp-content/uploads/13-Aug-Advocacy-report-why-are-you-not-working_FF.pdf, accessed on 4 Dec 2018.

²⁷ See e.g. ‘Pre school teacher suspended’ and ‘Boy, 8, comes home from childcare centre with bruises on buttocks’, The Straits Times, 10 Jul 2016 and 12 Feb 2018: <https://www.straitstimes.com/singapore/education/pre-school-teacher-suspended-after-parent-complains-about-humiliating-punishment>, <https://www.straitstimes.com/singapore/boy-8-suffers-bruises-on-buttocks-after-principal-beats-him-with-ruler-police>, accessed on 4 Dec 2018.

²⁸ ‘P5 boy gets caned’, STOMP, 25 Aug 2017: <http://www.asiaone.com/singapore/p5-pupil-gets-caned-marks-look-so-severe-say-parents-its-accordance-rules-says-school>, accessed on 4 Dec 2018.

²⁹ ‘Amos Yee: The boy who criticised Lee Kuan Yew’, BBC News, 12 May 2015: <https://www.bbc.com/news/world-asia-32604122>, accessed on 4 Dec 2018.

³⁰ ‘Calvin Cheng’s comments on killing children insensitive’, The Straits Times, 28 Nov 2018: <https://www.straitstimes.com/singapore/calvin-chengs-comments-on-killing-children-insensitive-but-not-hate-speech-says-media>, accessed on 4 Dec 2018.

³¹ MOE, ‘MOE Framework for Sexuality Education: Goals of Sexuality Education’:

activity outside heterosexual marriage. There is no explicit focus on gender equality, consent, sexual violence, negotiation around family planning or inclusion of LGBT people (contrary to the recommendations of General Recommendation 20).

Stigma against sexual activity outside of marriage has also been reported in healthcare settings, with providers refusing treatment or behaving condescendingly towards patients due to prejudices around 'virginity' and unmarried individuals' sexual activity.³²

Abstinence-oriented education is neither relevant nor helpful for young people.³³ In one survey of over 800 young people, most sexually active respondents did not take any steps to prevent STI transmission or unplanned pregnancy.³⁴ Respondents were not comfortable seeking information or support from parents. Girls were found to have more egalitarian attitudes towards sex and relationships than boys.

Recommendation: Move away from abstinence-based sexuality education in schools to neutral, informative education including a focus on gender equality and the elimination of gender stereotypes, in accordance with General Comment 31.

Article 27 - Standard of living

Our research into the circumstances of low-income mothers has found that inadequate formal childcare and prevailing work conditions make it impossible for them to achieve self-reliance through paid work and for them to provide their children the necessary quality of care. Mothers dealt with long waiting lists at subsidised childcare centres in their areas. Some reported abuse and low quality of care, but felt they did not have the right to lodge complaints or choose their centre because they were subsidised. Many were casual workers unprotected by employment legislation. Some employers also deny employees pension and leave benefits or unlawfully sack them. Employment discrimination against caregivers is frequently reported. Low-income families can therefore find it hard to meet their material needs and therefore to provide their children with an adequate standard of living.

EMPLOYMENT IN HIRING

"... when they did a phone interview and they ask me how many kids I have and I say seven and that's a lot! Every time I go for interview, their main issue is children. Who will be taking care of children, what happens if your children are sick..."

"I went back to work, then there's no one who wanted to employ me... because I'm pregnant so when I was working at a tuition centre... government said 90 days if you work you're entitled for maternity leave

<https://www.moe.gov.sg/education/programmes/social-and-emotional-learning/sexuality-education/moe-framework-for-Sexuality-education>, accessed on 30 Nov 2018.

³² 'Judgmental attitudes towards sex can affect healthcare', The Straits Times, 20 Aug 2015:

<https://www.straitstimes.com/forum/letters-in-print/judgmental-attitudes-towards-sex-can-affect-healthcare>

³³ 'Underage sex on the rise in Singapore, say social workers', The Straits Times, 9 Feb 2015,

<http://www.straitstimes.com/singapore/underage-sex-on-the-rise-in-singapore-say-social-workers>.

³⁴ AWARE, 'Many young people unsure of contraceptive use', 23 Nov 2018:

<https://www.aware.org.sg/2018/11/many-young-people-unsure-of-contraceptive-use-and-feel-they-cant-talk-to-parents-about-sexual-health/>, accessed on 30 November 2018

and they have to pay you. So exactly on the 88th day they terminated me... it's a full-time position but never exceed 90 days".³⁵

The Employment Act provides for discretion for MOM to order remedies in case of dismissal without "just cause", which the Ministry has clarified includes (as a matter of executive policy) dismissal due to discrimination on grounds of family responsibility.³⁶ Jurisdiction over such cases will soon be claimed by the Employment Claims Tribunal (ECT). However, the amended legislation remains silent on discrimination, and in particular, the ECT will only be empowered to deal with dismissal without "just cause". Other forms of discriminatory employment practice (e.g. discriminatory hiring, promotion or compensation practices) will not be covered.

Recommendations:

Allow all lower-income households (monthly household income under \$2,500, or per capita income under \$650) to access government-subsidised childcare for free. Amend the Employment Act or introduce new legislation introduced to outlaw all forms of employment discrimination, including discrimination on the basis of family responsibilities, to prevent caregivers from being unfairly dismissed or penalised.

Article 29 - Education

SUICIDE OVER EXAM RESULTS

"For the first time in his life, the 11-year-old boy had failed his exams. Rather than face the disappointment of his parents, he jumped 17 floors from his bedroom window... The boy's mother, referred as Mrs H, admitted that she would cane her only son "lightly" on his palm whenever he scored less than 70 marks in exams." - news report dated 21 October 2016

There are strong concerns that through early high-stakes examination, tracking/banding from a young age, and high levels of consumption of private education (\$1 billion dollars spent on tuition a year),³⁷ formal education is leading to high levels of stress and anxiety among children, as well as perpetuating economic inequality. Particular concerns have been expressed about the Primary School Leaving Examination, a national examination administered to those aged 11 or 12, on the basis of which children are admitted to secondary schools. The test is widely seen as strongly determinant of children's future life outcomes, and it is common for parents (especially women) to leave or cut back on paid employment for the year, to the point where at least one employer offers specialised 'PSLE leave'.³⁸

The government has pledged to promote wider access to early childhood education, but it is unclear that compelling all children to perform narrow tasks at an early age will improve children's welfare.³⁹

³⁵ *Ibid.*

³⁶ MOM, 'Appeal against wrongful dismissal', <https://www.mom.gov.sg/employment-practices/termination-of-employment/wrongful-dismissal>: accessed on 1 February 2019.

³⁷ 'Tuition industry worth over \$1b a year', The Straits Times, 25 Dec 2016:

<https://www.straitstimes.com/singapore/education/tuition-industry-worth-over-1b-a-year>.

³⁸ 'PSLE leave plan for OCBC staff with kids', AsiaOne, 25 Oct 2012, <http://www.asiaone.com/business/psle-leave-plan-ocbc-staff-kids>.

³⁹ 'Why investing in early childhood education cannot be the primary solution to inequality', Channel News Asia, 9 May 2018: <https://www.channelnewsasia.com/news/commentary/early-education-tackling-inequality-teo-you-yenn-10213584>

Moreover, while it has recently been announced that early assessments in primary school will be reduced, the remaining level of assessment and tracking remains high. Anxiety levels in Singapore's children are higher than the OECD average,⁴⁰ and one study found that four in ten children are sleep deprived.⁴¹

Recommendation: Conduct a comprehensive review of school-related stress and anxiety among children, as well as inequality in formal education, with a view to systematic reform of education.

Gender equality

The national educational curriculum does not contain any significant component dedicated to promoting equality of the sexes as required by Article 29(d). There is no general requirement for students to be taught about the history of gender equality and the women's movement, or to identify and reject gender stereotyping. Informally, officials have suggested that the periodic use of counter-stereotypical examples or images (e.g. men cleaning) in teaching material is sufficient to address this concern.

Recommendation: Include gender equality in the national curriculum.

⁴⁰ 'Singapore students suffer from high levels of anxiety', The Straits Times, 20 Aug 2017, <https://www.straitstimes.com/singapore/education/spore-students-suffer-from-high-levels-of-anxiety-study>

⁴¹ 'Four in 10 S'porean children aged 6 to 9 are sleep deprived', TODAY Online, 5 Feb 2015, <https://www.todayonline.com/singapore/lower-primary-school-children-not-getting-enough-sleep>