

Annex 1 – Ministry of Home Affairs’ and Ministry of Law’s Efforts to Protect Victims of Hurt and Sexual Crimes

1. The Government takes a tough stance against sexual and hurt offences. We have made significant amendments over the years to strengthen protection for victims of sexual and hurt offences. These are set out in the table below.

Date	Summary of Amendments
2019	<p>The Penal Code and Evidence Act was amended to ensure that our laws remain relevant and up-to-date and enhance protection for vulnerable victims. On 1 Jan 2020, the following amendments came into effect:</p> <ul style="list-style-type: none"> a. <u>Updated offences to better combat technology-facilitated sexual crimes.</u> These offences cover the production, distribution, possession of, and access to, voyeuristic recordings, as well as threats to distribute, or the distribution of, intimate images or recordings. b. <u>New offences and amendments to enhance protection for minors from sexual exploitation:</u> <ul style="list-style-type: none"> i. Sexual communication with a minor below 16 years of age; ii. Engaging in sexual activity before a minor below 16 years of age; iii. Causing a minor below 16 years of age to look at a sexual image; iv. Exploitative sexual penetration of a minor of or above 16 but under 18 years of age; v. Criminalising the conduct in (i), (ii), and (iii) where the victim is a minor of or above 16 but under 18 years of age and is in a relationship with the offender that is exploitative; and vi. Production, distribution, advertising, and possession of child abuse material. c. <u>Repeal of marital immunity for rape.</u> d. <u>Enhanced penalties of up to twice the maximum punishment for select offences committed against:</u> <ul style="list-style-type: none"> i. Vulnerable victims, namely: persons with mental or physical disabilities and who are substantially unable to protect themselves from abuse, neglect or self neglect; children under 14 years old; and domestic workers

Date	Summary of Amendments
	<p>(where the offender was the employer, a member of the employer's household, or the employment agent);</p> <ul style="list-style-type: none"> ii. Victims in an "intimate relationship" with the offender, even if they were not married to the offender; and iii. Victims in a "close relationship" with the offender. <p>e. <u>New offences to adequately punish acts involving sustained abuse of a vulnerable victim, such as:</u></p> <ul style="list-style-type: none"> i. Causing death to a vulnerable victim by sustained abuse; ii. Causing or allowing death of a vulnerable victim in the same household; and iii. Allowing neglect, physical or sexual abuse of a domestic worker (where the offender was the employer, a member of the employer's household, or the employment agent) or vulnerable person. <p>f. <u>Removal of marital communications privilege for cases involving certain sexual offences, child abuse offences, and hurt offences.</u></p> <p>The Protection from Harassment Act was amended to enhance protections for victims of harassment and falsehoods, and to make it faster and easier for victims to obtain remedies under the Act. Since the passing of the amendment to the Act in 2019, much work has been done, and the reforms have been operationalised in stages. The amendments which strengthen protection for victims of sexual and hurt offences include:</p> <ul style="list-style-type: none"> a. <u>Doubling of maximum penalties for offences against vulnerable persons and intimate partners, and repeated breaches of Protection Orders and Expedited Protection Orders.</u> (came into force on 1 January 2020) b. <u>New offence of "doxxing", to deal with the increasing trend of an individual's personal information being published online with a view to harassing the said individual (often in the context of online "vigilantism").</u> (came into force on 1 January 2020) c. <u>Faster issuance of Protection Order (PO) and Expedited Protection Order (EPO).</u> POs and EPOs can be issued more quickly once the new Protection from Harassment Court (PHC) is established. Court procedures will be simplified and streamlined, making it easier for victims to obtain certain types of reliefs (including a PO and EPO), within a shorter timeframe.

Date	Summary of Amendments
	<ul style="list-style-type: none"> d. <u>Applications for POs will be facilitated</u>. For example, where a respondent has been convicted of a hurt-related offence, some of the conditions required for the grant of a PO will be deemed to be satisfied. e. <u>Enhanced protection afforded by POs and EPOs</u>. POs and EPOs will be extended to protect persons related to the victim, who can also be at risk of violence from the harasser. An EPO will remain in effect until the PO hearing is concluded. Domestic exclusion orders will also be granted as part of a PO to ensure better protection for victims who may reside in the same residence as the harasser. f. <u>Strengthened recourse for breaches of POs and EPOs</u>. When a PO is breached, community orders against the offender can be made. In addition, it will be an arrestable offence when POs or EPOs are breached in cases where there is hurt, intimidation, or continued harassment.
2018	<p>The Criminal Procedure Code and Evidence Act were amended to enhance protection for victims of sexual or child abuse offences, and to reduce the stress they face when participating in the criminal justice process. The changes include the following:</p> <ul style="list-style-type: none"> a. <u>Requiring the accused or his counsel to obtain the Court's permission</u> before they can adduce evidence, or ask the alleged victim questions, about the alleged victim's physical appearance or sexual behaviour (which do not relate to the charge). b. <u>Prohibiting a person from doing any act that may lead to the identification of alleged victims</u>, where the person knows that the individual is an alleged victim, even before a complaint is made. c. <u>Conducting closed-door hearings by default</u> when the victim testifies. d. <u>Allowing the use of physical screens to shield the victim</u> from seeing the accused when testifying in court.
2014	<p>The Protection from Harassment Act was enacted to provide a range of criminal and civil remedies to better protect people from harassment. The changes included the following:</p>

Date	Summary of Amendments
	<ul style="list-style-type: none"> a. <u>Make harassment an offence</u>, to cover a range of behavior including sexual harassment within and outside the workplace. b. <u>Make stalking an offence</u>, if there is a course of conduct related to stalking and which causes harassment, alarm or distress. c. <u>Increase existing penalties for harassment offences</u>, to reflect their seriousness. Enhanced penalties provided for repeat offenders. d. <u>Offences apply to acts committed outside Singapore</u>, as long as certain conditions are satisfied. For example, where an offender who is overseas commits any acts of stalking against a victim who is in Singapore, and the offender knew or ought to have known that the victim would be in Singapore at the time the acts were committed. e. <u>Avenues for self-help and civil remedies for victims of harassment</u>. For example, victims may apply to the Court for Protection Orders requiring harassers to desist from doing anything that may cause further harm to them. An EPO to protect the victims may be granted in cases of urgency. This amendment extended protection to victims of abuse who were not eligible for a protection order under the Women's Charter as they were not a family member of the abuser.
2012	<p>The Evidence Act was amended to repeal a provision that allowed the credit of an alleged victim of rape or attempted rape to be impeached by showing that she is of generally immoral character. This provision had existed since 1872 and was premised on outmoded assumptions that a sexually active woman was less worthy of credit.</p>
2007	<p>The most comprehensive review of the Penal Code since 1984 was completed. The changes included:</p> <p><u>New offences to enhance the protection of vulnerable persons, including:</u></p> <ul style="list-style-type: none"> a. A new offence of having oral or anal sex, or other penetrative acts, with a minor under 16, whether consensual or not. b. A new offence for a person to solicit, communicate or obtain sexual services from a minor under 18 years of age. c. A new offence of sexual grooming to protect minors under the age of 16 from sexual exploitation by sexual predators on the internet.

Date	Summary of Amendments
	<p>d. A new offence to target the procurement of sexual activities with a person with mental disability who is capable of consent, but where inducement, threat or deception was used to obtain that consent.</p> <p><u>Partial repeal of marital immunity for rape in the following circumstances:</u></p> <p>(a) the wife is living separately from the husband under a judgment of judicial separation or an interim judgment of divorce not made final;</p> <p>(b) there is in force a court injunction restraining the husband from having sexual intercourse with his wife;</p> <p>(c) there is in force a protection order or expedited order made against the husband pursuant to an application by his wife.</p> <p>(d) the wife is living apart from her husband under an interim judgment of nullity;</p> <p>(e) the wife is living apart from her husband under a written separation agreement;</p> <p>(f) the wife is living apart from her husband and proceedings have been commenced (and not terminated or concluded) for divorce, nullity or judicial separation; and</p> <p>(g) the wife is living apart from her husband, and proceedings have commenced (but not terminated or concluded) for a protection order or expedited order for the benefit of the wife.</p>

2. Apart from introducing legislative changes, we have also implemented measures and initiatives to better support victims of sexual crimes and family violence.

Measures and initiatives to better support victims of sexual crime

3. Police have put in place measures to better support sexual crime victims during investigations.

- a. One-Stop Abuse Forensic Examination (OneSAFE) Centre. At the OneSAFE Centre, medical attention, emotional support and investigations can be carried out in the same facility for adult victims of rape whose cases are reported within 72 hours. This removes the need for victims to travel between the hospital and police station upon reporting an offence.
- b. Multi-disciplinary interview model for children who are sexually abused by their family members. A multi-disciplinary interviewing model was piloted for child victims who have been sexually abused by their family members, and who require forensic and medical examination at the hospital. The model integrates interviews by various parties into a single interview so that child victims need not repeatedly recount the traumatic experience.

- c. Training video for the Police. The Police developed a training video to better sensitise officers to the victims' experience during the investigation process.
- d. Information pamphlet on investigation and court processes for victims. The Police and Ministry of Law designed an information pamphlet to educate victims on investigation and court processes, including victim care and support measures, to encourage victims to step forward.

Measures and initiatives to better support victims as well as offenders of family violence

4. MHA and MSF set up an inter-agency Taskforce in 2020, co-chaired by Assoc Prof Muhammad Faishal Ibrahim, Minister of State, Ministry of Home Affairs and Ministry of National Development and Ms Sun Xueling, Minister of State, Ministry of Social and Family Development and Ministry of Education. There are 21 members from Government agencies including the Singapore Police Force (SPF), the Courts, and community partners such as hospitals, family violence specialist centres, family service centres, and crisis shelters. This Taskforce seeks to:

- a. develop a comprehensive understanding of the family violence landscape in Singapore;
- b. analyse the landscape of services and support for victims and perpetrators for family violence, and identify key areas of improvement; and
- c. co-create recommendations and co-deliver solutions with stakeholders to address current gaps and areas for improvement in relation to family violence.

5. The Taskforce will submit its recommendations to the Minister for Social and Family Development and the Minister for Home Affairs.

6. In the interim, Police have already put in place measures to better support victims and offenders of family violence.

- a. Proactively facilitating social support for victims of family violence. The Police assess the victims' risks of facing further family violence, and proactively refer those assessed to be at higher risk to social services, to ensure that they receive the help they need even if they did not make any request for assistance or shelter. The Police will consider a number of factors, including the profiles of the offenders and the nature of violence inflicted, in making these assessments.
- b. Closer monitoring of family violence cases. Within the victims' first week of lodging the Police report, the Police will contact the victims to check in with them, and find out if they need further assistance. If the victims require social assistance, the Police will refer them to the nearest FSCs or FVSCs. As part of victim protection, the Police also encourage victims to apply for a Personal Protection Order or Expedited Order from the Court to restrain the perpetrator from committing family violence against them.

- c. Expansion of the Home Team Community and Referral Assistance Scheme. Police extend early intervention to offenders of family violence via the Home Team Community Assistance and Referral Scheme (HT CARES). Under this scheme, the Police refer offenders to social workers, called CARES officers, who assess whether social intervention is needed to address the offenders' underlying issues, through means such as counselling, mental health assistance, and financial assistance, and referring the offenders to suitable agencies for help.

The HT CARES will be expanded to cover next-of-kin of offenders and to more Police Land Divisions in 2021.
