

Saturday Special Report

'Rape within marriage is still assault'

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These twenty-somethings are determined to change what they see as a gross injustice - the 'marital exemption' in our Penal Code, which does not consider non-consensual sex within a marriage to be rape

THEY make an unlikely trio out to change the world - a bank officer, a charity fundraiser and a freelance designer - but they have the words of Margaret Mead to inspire them.

The famed American anthropologist once said: 'Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has.'

That is as good a description as any of Ms Wong Pei Chi, Ms Jolene Tan and Mr Mark Wong, the force behind the anti-marital rape petition **No To Rape**.

They are determined to change what they see as a gross injustice - the 'marital exemption' in our Penal Code, Sections 375(4) and 376A(5), which does not consider non-consensual sex within a marriage to be rape.

Married women who wish to be protected from sexual abuse must apply for a court injunction or a personal protection order from the Family Court.

'If I was threatened with rape, I'd be terrified. And the idea that the society around me, through its laws, actually think it's okay to do that to you, that you are not worthy of being protected, is terrifying,' says Ms Tan, 26, a charity fund-raiser who lives in Britain.

Ms Wong, 25, a bank officer, and Ms Tan were junior college mates who shared a common interest in debate. The two stayed in touch online after graduation and often discussed issues that concerned them, including marital rape.

Although they did not personally know anyone who had been victimised, the stories alone were enough to move them to action.

They began their campaign last August by writing to their Members of Parliament and the Ministry of Community Development, Youth and Sports, but were dissatisfied with the responses, which basically indicated that the issue had been discussed during the Penal Code review in 2007.

They decided to take matters into their own hands and freelance designer Mr Wong, 28, who met Ms Tan through a blog, decided to join them.

Inspired by the Day Off campaign, which calls for regular days off for foreign domestic workers, they launched their own online petition at [notorape.com](#) last month.

The Day Off campaign in Singapore was started in May last year by Unifem, Humanitarian Organisation for Migration Economics, and Transient Workers Count Too. Unlike in Hong Kong, employers here are not legally required to give their workers a day off.

No To Rape has collected more than 1,900 signatures so far, and they hope to garner at least 10,000 before submitting their petition to Prime Minister Lee Hsien Loong in October.

If the Government decides to change the law, it will have to review the Penal Code. If the Penal Code is to be changed, the Government has to table a Bill in Parliament and put it to the vote.

Their campaign coincides with the 10th anniversary of a key marital rape case, Public Prosecutor v N.

Even though the victim was slapped, tied up and raped, the charge of rape could not be held against her husband.

The trio spend most of their evenings and weekends feverishly working on the cause. Their efforts are self-funded, with about \$600 spent on the website, publicity materials and refreshments for a seminar, which was held two Fridays ago.

Aside from keeping followers updated on their blog, [Facebook](#) and Twitter, they also spread the word among people they meet. An activist toolkit was created so that anyone could join them in handing out fliers and covering notice boards with their black-and-white advertisements.

Endorsed by Maruah, the Singapore working group on an Asean human rights mechanism, and women's advocacy group Aware, the group has even drawn support from two film-makers, who have volunteered to create three publicity videos. These will be uploaded to YouTube and the campaign's website monthly.

Last Friday, they partnered the Singapore Management University Law Society in organising a seminar exploring the criminalisation of marital rape. Aware president Dana Lam and former Nominated Member of Parliament Siew Kum Hong were among the speakers.

It was attended by 125 people, some of whom wondered if enforcement of such a law is possible. But the group remains adamant that such a provision is necessary. 'We're not asking for a new law, but to take away this exception that says that you can rape your wife,' says Ms Wong.

Ms Tan adds that doing so is nothing new, as it is already the norm in many countries, from Britain to Thailand.

Citing Singapore Police Force statistics that most rape victims know their perpetrators, she argues that the complications investigators might face in collecting evidence for a marital rape case would apply to other cases of rape as well.

'We think it's really important that everyone examines the evidence closely, but that is not the same as saying that we should not get them started on the evidence, which is what we're saying now,' says Ms Tan.

'That's just not acceptable.'

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