

Singapore

## Sex work in Singapore: Will changes to the Women's Charter be enough to tackle exploitation?



A woman who was arrested in an HDB flat during a raid on an illegal brothel in 2017. (Photo: Kamini Devadass)

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Sex work in Singapore: Will changes to the Women's Charter be enough to tackle exploitation?

By Ainslee Asokan ([/author/9884150](#))

11 Oct 2019 04:55PM

(Updated: 12 Oct 2019 11:52AM)



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SINGAPORE: Providing sexual services without payment, being made to work more than 13 hours a day and asked to take “sexy photographs” of themselves - these were some of the ways nine Thai women were used ([/news/singapore/pimp-managed-thai-sex-workers-prostitution-pleads-guilty-11978384](#)), as part of a vice syndicate in Singapore.

These are the types of women the Women's Charter aims to protect.

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Fifteen changes to the Women's Charter - Singapore's law to keep women and children safe - were laid out in Parliament on Monday (Oct 7), and [revolved around sex work \(/news/singapore/sex-work-prostitution-online-vice-womens-charter-police-mha-11975978\)](/news/singapore/sex-work-prostitution-online-vice-womens-charter-police-mha-11975978) in the country.

Prosecution against people who exploit women and girls for sex work remains tough, lawyers explained, because those in the sex trade are “trapped” and may struggle to report crimes against them to relevant authorities, lawyers said.

More understanding of sex work in Singapore is needed to ensure women and girls are not exploited, NGOs and academics added.

Among the amendments, harsher penalties for crimes like trafficking and exploiting children for sex were proposed. For trafficking women and girls, a first time offender could face a jail term of up to seven years and a maximum fine S\$100,000 – a 10-fold increase from the current maximum fine.

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► **[READ: Jail, fine for ex-cop who had sex with prostitute tenants without disclosing HIV-positive status \(/news/singapore/jail-fine-ex-cop-sex-with-prostitute-tenants-geylang-hiv-11756930?cid=h3\\_referral\\_inarticlelinks\\_24082018\\_cna\)](/news/singapore/jail-fine-ex-cop-sex-with-prostitute-tenants-geylang-hiv-11756930?cid=h3_referral_inarticlelinks_24082018_cna)**

People who trick women or girls to rope them into prostitution will also face a similar punishment.

The amendments do not only cover penalties – new definitions for brothels and extra-territorial powers to combat online vice were also tabled.

Sex work in Singapore is not strictly illegal, explained Mr Cory Wong, senior associate at Invictus Law Corporation.

“The way the law works in Singapore is that it does not outlaw prostitution, but it outlaws the activities linked to prostitution,” he said. These activities include advertising prostitution and living off the earnings of prostitution.



Prosecution against people who exploit women and girls for sex work remains tough, lawyers explained, because those in the sex trade are “trapped” and struggle to report crimes against them. (Photo: Try Sutrisno Foo)

In 1999, then Home Affairs Minister Wong Kan Seng explained in Parliament that prostitution per se is not an offence.

“Governments around the world and through the ages have tried to eradicate prostitution, but none had succeeded. Criminalising prostitution will only drive such activities underground, resulting in crime syndicates taking control over such activities,” Mr Wong had said when asked about what the ministry’s policy was on the sex trade.

The latest changes to the Charter were introduced on the same day a pimp Lee Si Hong pleaded guilty to bringing nine Thai women into Singapore for sex work.

The women were made to work for 13-and-a-half hours a day, servicing 26 to 28 customers without receiving payment. Starting at 10.30am every day, the women would only finish at around midnight.

They would only be given S\$80 for each subsequent client, but only after they had met the quota.

► **READ: Pimp managed Thai sex workers in 3 brothels, advertised their services on Sammyboy Forum (/news/singapore/pimp-managed-thai-sex-workers-prostitution-pleads-guilty-11978384?cid=h3\_referral\_inarticlelinks\_24082018\_cna)**

The changes to the Charter will look to increase the sentences meted out to people like Lee.

The amendments are to be welcomed but there is scope for more to be done, said Mr Michael Chiam, executive director at Hagar, an organisation which helps women and children who have endured trauma, including slavery, human rights abuse and human trafficking.

### **DIFFICULTIES IN PROSECUTION**

Tougher penalties alone may not help, said Dr Alistair Cook, senior fellow at the Centre for Non-Traditional Security Studies (NTS Centre) at the S Rajaratnam School of International Studies (RSIS).

“The first motivation (for the changes) is that a higher penalty will act as a greater deterrent to human traffickers operating in Singapore. “The penalty increase will likely need to be accompanied by greater prosecution and conviction rates.”

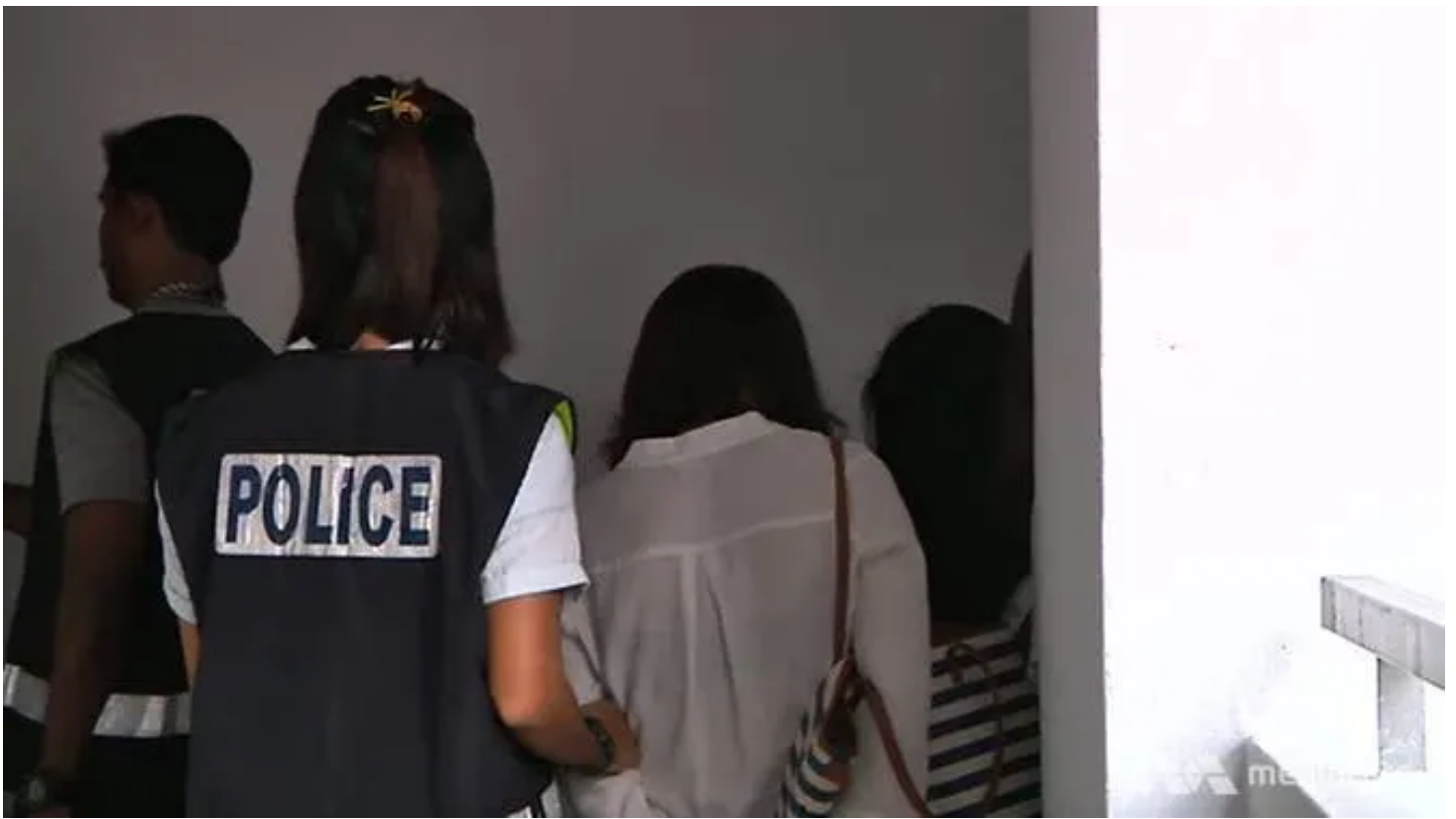
But prosecution in some cases, like trafficking, is not easy.

~~There are always~~ challenges in prosecution,” he explained.  
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“The trafficked person may be the crucial witness to what exactly went on. If there are not protections in place for the trafficked person (offering a safe-house placement, etc) then it is difficult to get them involved in the case. This is made harder if they are overseas.”



Local authorities after a raid at a brothel in Jurong West.

► **[READ: 'Monster' who prostituted wife, sexually assaulted 6-year-old daughter gets jail, caning \(/news/singapore/monster-who-prostituted-wife-sexually-assaulted-daughter-11257840?cid=h3\\_referral\\_inarticlelinks\\_24082018\\_cna\)](#)**

It is “always difficult” to track down the masterminds behind the exploitation of women and girls for sex work and hold them legally liable, said Ms Gloria James-Civetta, head lawyer at Gloria James-Civetta & Co.

These women and girls are often tricked into coming to Singapore with promises of a better life after paying hefty amounts of money to middlemen back home.

They are then forced into sex work after reaching Singapore and not given the necessary work passes to stay in Singapore legally.

“These women and the girls are trapped and they would not report it to the relevant authorities since it is an offence to stay in Singapore without a valid work pass and they would risk being repatriated back to their home countries,” she said.

“They also risk their families back home being put in danger by the middlemen in the event the women or girls decide to report to the relevant Singapore authorities.”

The amendments are “useful” as they will form a deterrent function, the lawyer explained.

The Ministry of Home Affairs (MHA) said the new extra-territorial powers will help authorities deal with people who run overseas businesses offering sexual services in Singapore.

Mr Wong from Invictus Law believes this amendment will help to prosecute offenders.

Currently, the section of the Charter dealing with such offences is "limited in its application to persons in Singapore who operate or maintain in Singapore a remote communication service that offers or facilitates, or organises, manages or supervises, the provision of sexual services", according to the Bill.

"Vice activities perpetuated through online platforms, or online vice, are a serious concern," said MHA.

"Vice syndicates have leveraged technology to facilitate their operations and extend their reach, with increasing sophistication in their modus operandi, by running their businesses remotely, often from overseas."

► **[READ: Jail for men who set up prostitution website in Singapore, living off S\\$71,000 earnings \(/news/singapore/prostitution-service-social-escorts-singapore-madamq-website-114,124,90?cid=h3\\_referral\\_inarticlelinks\\_24082018\\_cna\)](#)**

In the case of Lee, he relied on online forum Sammyboy to advertise the women and their sexual services. He was working with an individual named as "Boss" who was based in Thailand to bring the women into Singapore.

"The prosecution can go on lesser charges such as going for the webmasters/advertisers to cast the net wider," Mr Wong said.

"With more offenders apprehended, there may also therefore be potentially more prosecution witnesses who would tell on higher members in the syndicate for a stronger prosecution case," he added.

## **DEFINING A BROTHEL**

One amendment will see the definition of a brothel extended to cover any place that has been expressly or implicitly advertised or represented as being for the purpose of prostitution, or is likely to be used for sex work.

The current Charter states that a police officer not below the rank of Sergeant can provide evidence that a place has been used a brothel until proven otherwise. This makes it "quite easy to prove that a venue is a brothel", Mr Wong explained.

"With the new definition, my view is that it simply adds examples of circumstantial evidence which can be used to secure the brothel definition."

He explained that he had not encountered cases where it was difficult to establish that a venue could be a brothel because sex workers are often ready to admit that they had engaged in sex work at a venue.

Trials where both the sex workers and their upline flatly deny any prostitution is rare, Mr Wong added.

► **[READ: Taxi driver who sublet condominium units to prostitutes jailed and fined \(/news/singapore/taxi-driver-who-sublet-condominium-units-to-prostitutes-jailed-10625508?cid=h3\\_referral\\_inarticlelinks\\_24082018\\_cna\)](/news/singapore/taxi-driver-who-sublet-condominium-units-to-prostitutes-jailed-and-fined-10625508?cid=h3_referral_inarticlelinks_24082018_cna)**



People arrested during a vice raid in Singapore in 2018. (Photo: Gaya Chandramohan)

MHA said the Bill will “strengthen the ability” to deal with landlords and tenants who let out their premises for vice activities.

Lee’s role in the syndicate involved making arrangements for a property to be rented to be used as a brothel. When he was arrested on Sep 19, 2018, items used for sex work such as condoms and lubricants were found.

Property owners must be meticulous, Dr Cook said.

“(The amendment) will be a disincentive for those property owners who previously turned a blind eye to the goings-on in their properties regarding sex crimes,” he said.

Under the proposed changes, homeowners and tenants will need to show that they had no knowledge of and could not, with “reasonable diligence”, have known that the place would be used for vice activities, should such activities be detected at their premises.

► **[READ: Jail, fine for landlady who ‘turned a blind eye’ to prostitution activities \(/news/singapore/jail-fine-for-landlady-who-turned-a-blind-eye-to-prostitution-10239806?cid=h3\\_referral\\_inarticlelinks\\_24082018\\_cna\)](/news/singapore/jail-fine-for-landlady-who-turned-a-blind-eye-to-prostitution-10239806?cid=h3_referral_inarticlelinks_24082018_cna)**

### **PROSTITUTION CANNOT BE “WISHED AWAY”**

The law can only go so far.

It is easy to find disparaging comments hurled at sex workers online, implying their trade is “shameless” and that sex workers are “unvirtuous”.

“Beyond amending the Women's Charter, Singapore generally needs to take further steps in protecting women who voluntarily engage in sex work,” said Dr Kevin McGahan, a political science lecturer at the National University of Singapore (NUS) who specialises in the topics of human rights and trafficking.

“Both government agencies and civil society organisations in Singapore should work together to help empower sex workers and raise awareness about the many issues they confront - ranging from verbal abuse to discrimination to physical violence.”



File photo of man threatening a woman. (Photo: Try Sutrisno Foo)

Mr Wong told Parliament in 1999 that MHA took “a pragmatic approach” of recognising that prostitution cannot be “totally suppressed or wished away”.

Tougher sentences are not the only way forward, Hagar's Mr Chiam explained.

He said: “While the harsher penalties may improve deterrence, this alone will not help eradicate the presence of vice activities if the demand for commercial sex continues. More needs to be done in the areas of education and awareness raising of such issues in Singapore.”

While the amendments are a good step in protecting women and girls from being exploited for sex work, they might not be enough.

“The deterrence may provide extra protection for female sex workers however, as online prostitution is becoming more extensive and sophisticated, it may become increasingly difficult to track women who are being trafficked,” said president of the Singapore Council of Women’s Organisations June Goh.

“The enhanced penalties might not be sufficient if the vice syndicates are able to find a way to circumvent and avoid the law,” said Dr Goh. “Vice syndicates will continue to exploit sex workers as long as the benefits outweigh the penalties.”

Source: CNA/aa(mi)

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**Chua Lee Kheng**

Ng Antony Don't tell me you are poorly informed or a hypocrite! With 2 giant casinos, there is bound to be an increase in prostitution. Anyway, I agree with you to chase all the pros and pimps away.

Like · Reply · 2 · 14w · Edited



**Jarren Leow**

“The way the law works in Singapore is that it does not outlaw prostitution, but it outlaws the activities linked to prostitution,” he said. These activities include advertising prostitution and living off the earnings of prostitution.”

So, prostitution is okay, but then living off the earnings is not?  
Can anyone explain this point to me? Doesn't seem to make sense...

Like · Reply · 2 · 14w



**Marcus Lee**

Simple, if someone wants to do sex work of her own accord the law will not stop her.

But if other people have forced her into it, or are exploiting her work, then these other people will be penalized.

Like · Reply · 14w



**Andy Tan**

Marcus Lee even if the pros willingly do it but she living off the earning from it too. So legal or illegal?

Like · Reply · 14w



**Marcus Lee**

A prostitute does not "live off the earnings" of someone else, so

her own sex work does not fall outside the law.

You can refer to the Statues if you wish to check out the full scope of punishable offences, I believe the relevant section is in Part XI of the Women's Charter.

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