

# Singapore and the UNCRPD

## Introduction:

On 30<sup>th</sup> November 2012, Singapore signed the United Nations (UN) Convention on the Rights of Persons with Disabilities (CRPD). The Agreement was then ratified on 18 July 2013 and came into effect for Singapore on 18 August 2013.

This paper is the Disabled People's Association, Singapore (DPA)'s attempt to contextualise the CRPD in Singapore. In this document, each Article is set out in plain English accompanied by a short overview of the policies and programmes in place to realise that Article as well as DPA's opinion or recommendations on it.

This document is meant to be a quick guide to the CRPD and an overview of the many disability policies and programmes that are being implemented. It is not meant to be exhaustive, nor the authoritative opinion on the CRPD.

It is also not a legal paper. In order to fully understand the Convention and individual country commitments, it is recommended that you refer to the document itself. You can find the full Convention on the United Nations Enable website at: <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>

## The Convention

### Article 1: Purpose

The Convention seeks to ensure that persons with disabilities enjoy the same rights and freedom as everybody else.

Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments, which in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others.

### Did you know?

The CRPD is a series of legal obligations that are meant to be applicable to all countries. The individual governments of each country that sign the CRPD

have to translate those CRPD obligations into locally-appropriate policies and legislation.

The 3<sup>rd</sup> Enabling Masterplan 2017-2021 is an action plan to implement the CRPD within Singapore. It is a list of concrete and comprehensive recommendations to improve the lives of persons with disabilities in Singapore by empowering them to achieve their fullest potential as integral and contributing members of society. After the Enabling Masterplan steering committee makes its recommendations, it is then up to the Government ministries to act on those recommendations by means of legislation, policies and initiatives.

The Singapore government does not have a clear definition of disability and persons with disabilities. The National Council of Social Service (NCSS)/Social Service Institute (SSI) lists a SSI course on “Mental Illness” under the disability category. Yet, persons with psychosocial disabilities (that is, persons with history of treatment for psychiatric conditions) are not eligible for policies, schemes, and initiatives intended for persons with disabilities such as the Open-Door Programme (ODP). DPA uses the term psychosocial disability to refer to what is often called chronic mental health conditions or impairments in response to this being the preferred terminology of those within the disability community.

SEnable, an agency set up by the Government to provide training and administer schemes for persons with disabilities such as the Open Door Programme (see Article 27), references a previous Enabling Masterplan definition of persons

with disabilities as “those whose prospects of securing, retaining places and advancing in education and training institutions, employment and recreation as equal members of the community are substantially reduced as a result of physical, sensory, intellectual and developmental impairments”.

This is at odds with the CRPD characterisation of disability in Article 1 because according to that Article it is not the impairment that reduces access to education, employment and integration in the community, but the barriers within those institutions. DPA urges the state to adopt the social model of disability across all ministries, statutory board and related government agencies in conceptualising disability, and ensure that all its policies and legislation are informed by this model.

The SGEEnable definition also leaves out people with psychosocial disabilities, who are clearly included by the reference to “mental impairment” in Article 1. Countries that sign the CRPD are not allowed to diverge from the purpose of the Convention, which is to protect and promote the human rights of *all* persons with disabilities. Singapore is therefore required to recognise people with psychosocial disabilities as covered by the Convention.

## Article 2: Definitions

- “communication” includes languages, display of text, Braille, tactile communication, large print, as well as written, audio, augmentative and alternative modes, means and formats of communication;
- “language” includes spoken and signed languages and other forms of non-spoken languages;
- “discrimination on the basis of disability” refers to any distinction, exclusion or restriction on the basis of disability, which has the effect of impairing the enjoyment of human rights and fundamental freedoms in all spheres of life;
- “reasonable accommodation” refers to the necessary and appropriate modification and adjustments that enable persons with disabilities to enjoy human rights and fundamental freedoms;
- “universal design” refers to the design of products, environments, programmes and services to be useable by all people, to the greatest extent possible, without the need for adaptation or specialised design.

## Article 3: General principles

The principles of the present Convention are:

- a) Respect for inherent dignity, individual autonomy including the freedom to make one’s own choices, and independence of persons;
- b) Non-discrimination;
- c) Full and effective participation and inclusion in society;
- d) Respect for difference and acceptance of persons with disabilities;
- e) Equality of opportunity;

- f) Accessibility;
- g) Equality between men and women;
- h) Respect for children and their abilities as they grow up

## Article 4: General obligations

The Singapore government must ensure and promote the full realisation of all human rights and fundamental freedoms for all persons with disabilities. To this end, the Government shall:

- a) Adopt all appropriate measures to implement the rights recognised in the present Convention;
- b) Modify or abolish existing laws, regulations, customs and practices that discriminate against persons with disabilities;
- c) Protect and promote the rights of persons with disabilities in all policies and programmes;
- d) Stop any practice that goes against the present Convention;
- e) Ensure that any person, organisation or private enterprise does not discriminate against persons with disabilities;
- f) Undertake or promote research and development of universally designed goods, services, equipment and facilities which require minimum adaptation and least cost to meet the specific needs of a person with disability;
- g) Undertake or promote research and development of new technologies suitable for persons with disabilities;
- h) Provide accessible information about assistive technologies and forms of assistance, support services and facilities to persons with disabilities;
- i) Promote the training of professionals and staff working with persons with disabilities;
- j) Actively involve persons with disabilities in laws and policies that affect them.

## Article 5: Equality and non-discrimination

The Singapore government agrees that all persons are equal, and shall prohibit discrimination against persons with disabilities.

### Did you know?

This Article is aligned to Article 12 of the Constitution of the Republic of Singapore, which states that “all persons are equal before the law and entitled to the equal protection of the law.”

Although DPA firmly believes in this Article of the Constitution, it is not clear how this principle protects the rights of persons with disabilities in practice.

Yet, there are some legal frameworks to promote equality and report discriminatory practices.

- Job seekers or employees who encounter discrimination due to their disability can approach TAFEP for advice and assistance. TAFEP will also work with the employer to review the employment practices and recommend steps the employer can take to improve. In instances where the employer is recalcitrant or unresponsive, or persistently fails to improve on their employment practices, TAFEP would refer the case to MOM for investigation and appropriate action to be taken (For more information please visit <https://www.tafep.sg> ).

However, it is important to remember that TAFEP has no legal power to enforce fair work practices or punish employers who continue to discriminate against persons with disabilities. Moreover, MOM can only take action against employers who violate the Employment Act, which does not address discrimination in the workplace. On 14 February 2018, the Association of Women for Action and Research (AWARE) and DPA made a joint submission to MOM on the Employment Act, requesting that the Act be extended to tackle discrimination in the workplace and offer greater protections for workers in a more vulnerable position. You can find the full text at <http://www.aware.org.sg/wp-content/uploads/AWARE-and-DPA-joint-submission-to-the-Public-Consultation-on-the-Employment-Act-Review.pdf>

- In the public service, officers with disabilities can lodge complaints about unfair treatment to the independent Public Service Commission and through its various appeal mechanisms.
- Any person with the view that their rights have been infringed may also seek assistance from free legal clinics or bring the matter before the courts. The Legal Aid Bureau administered by the Government, provides civil legal aid to all Singapore Citizens and Permanent Residents, including persons with disabilities, who are not able to employ the services of lawyers to pursue their legal rights. But, this service is only available for those from lower income groups.

People living in Singapore can discuss issues of concern using the following feedback channels:

- REACH (reaching everyone for active citizenry@ home) is an e-engagement platform that helps Singapore citizens engage with the Government through public forums, dialogue sessions, SMS, telephone, email, Facebook and Twitter.
- OneService Mobile App is another e-engagement platform for the public to provide feedback on municipal issues within Singapore.
- *The Straits Times* newspaper has a forum section for the public to write in on any matters. TODAY Online has a similar section called 'Voices'.
- All Government ministries' websites have online feedback channels for the public.

Yet, many persons with disabilities are used to being beneficiaries of charity and are not always comfortable with giving feedback, be it positive or negative. Even if they do want to give feedback, these channels are not always accessible to those with disabilities. For example, some people who are Deaf or Hard of Hearing use Singapore Sign Language as their first language and they may not be as proficient in written language. There are no telecommunication (or video) relay services available in Singapore nor are there enough skilled Sign Language interpreters to meet demand.

In Singapore, there is no legislation to support or protect people with disabilities against discrimination even if they report it through the various

channels mentioned above. According to various surveys and reports, discrimination against those with disabilities in Singapore tends to occur in school or at the workplace.

People with disabilities make up just 0.55 per cent of the resident labour force in Singapore. However, 3.4 per cent of residents aged 18-49 here have a disability. Staying employed, even after finding employment, is even more difficult due to discriminatory practices and attitudes in the work environment, according to respondents of a study done by DPA.<sup>1</sup> In the same study, several respondents perceived government initiatives to be severely lacking in terms of building a supportive work environment and tackling workplace discrimination.

A study done by Lien Foundation revealed that half of the parents polled were uncomfortable about their child having to sit next to student with disability in class. The survey found that close to two-thirds of the respondents shared the belief that Singaporeans are willing to share public spaces with children with disability, but are not willing to interact with them. Such findings highlight that inequality and discrimination against people with disabilities remains entrenched in Singapore.

## **Article 6: Women with disabilities**

The Singapore government must ensure that women and girls with disabilities are treated on an equal basis with others.

### **Did you know?**

The Singapore government ratified the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) on 5 October 1995. This means that the Government should have policies and legislation to protect the rights of women with disabilities as well. In particular, Article 12 on Women and Health states that the Government must ensure that health services are sensitive to the needs of women with disabilities and are respectful of their human rights and dignity.

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<sup>1</sup> Discrimination Faced by People with Disabilities at the Workplace: A Qualitative Study by Disabled People's Association and the Institute of Policy Studies (2017), DPA

However, according to the CEDAW parallel report done by a coalition<sup>2</sup> of non-profit organisations in Singapore, workplace gender discrimination and attitudinal bias are present at all stages of the employment journey: hiring, promotion and firing. Marginalised women, including women with disabilities face additional forms of discrimination. In addition, the report highlights cases of violence perpetrated by family members, domestic workers, or care staff, against older women who acquire disabilities as they age.

However, there are no laws in Singapore to protect women with disabilities against discrimination, violence or abuse.. The multiple and intersecting forms of discrimination experienced by women and girls with disabilities highlight the need for gender-segregated disability data in Singapore. There is also lack of research and literature on this issue which indicates that there is much scope for further research on this topic.

## Article 7: Children with disabilities

Children with disabilities have rights and should be treated on an equal basis with other children. This includes the right to express their views freely on all matters affecting them.

### Did you know?

The Singapore government signed the United Nations Convention on the Rights of the Child (CRC) on 2 October 1995. Article 23, in particular, affirms that children with disabilities have the right to special care and support, as well as all the other rights codified in the CRC.

There are various laws protecting all children:

- Children and Young Persons Act (CYPA) safeguards the care, protection and rehabilitation of children and young persons below 16 years of age;
- The Women's Charter provides for the protection of young girls against abuse and exploitation;
- The Guardianship of Infants Act (GIA) protects the best interests of a child whose parents are divorced or separated;
- The Penal Code criminalises and prohibits any sexual activity involving children;

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<sup>2</sup> This coalition report, "Many Voices, One Movement", has been prepared by a coalition of 13 national NGOs; the first time national NGOs in Singapore have united to prepare a joint CEDAW report.



- The Adoption of Children Act protects the interests of adopted children;
- The Employment Act prohibits the employment of children below the age of 12 years.

There are also child protection and welfare services. The Ministry of Social and Family Development coordinates the investigation of reported child abuse cases, convenes case conferences to share knowledge and opinions on cases and decisions on follow-up actions, and also monitors the implementation of the protection and welfare plans for the child.

Children with moderate to severe disabilities are currently exempt from the Compulsory Education Act (CEA). From 2019, unless approved or exempted, all Singaporean children (with and without disabilities) will need to attend a government-funded school.

However, segregation prevails as the changes to the CEA do not ensure that all children with disabilities will attend mainstream primary schools. Some children with (what the Ministry of Education consider) more severe disabilities will continue to attend Special Education (SPED) schools. These schools have long waiting lists and school fees are higher than those of mainstream schools (those who attend mainstream schools pay small miscellaneous fees whereas those who attend SPED schools pay means tested school fees). So, there is much for the MOE advisory panel to consider before 2019 comes around.

It is due to these disparities, that DPA believes children with disabilities are not yet treated equally when it comes to educational opportunities. (see Article 24 for more information).

## **Article 8: Awareness-raising**

The Singapore government must adopt effective and appropriate measures to encourage respect for the rights and dignity of persons with disabilities. This can be done by:

- a) Having public awareness campaigns to promote awareness about the rights, skills and abilities of persons with disabilities;
- b) Fostering an attitude of respect for the rights of persons with disabilities at all levels of the education system;

- c) Encouraging the media to portray persons with disabilities accurately;
- d) Promoting awareness-training programmes regarding persons with disabilities and their rights.

### Did you know?

The Enabling Masterplan 2012-2016 recommended enhancing public education initiatives to promote inclusiveness. Over the past few years, NCSS as well as various Social Service Organisations (SSOs), and Disabled People's Organisations (DPOs) have launched public education campaigns to raise awareness about persons with disabilities:

- On 16 September 2013, DPA launched a public campaign with the tagline "Their Greatest Disability is Our Apathy" to raise awareness of the obstacles faced by persons with disabilities as they go about their daily travel.
- NCSS and various SSOs work together to organise The Purple Parade, an annual movement supporting the inclusion of persons with disabilities, which celebrates the International Day of Persons with Disabilities (3 December). On 22 March 2013, NCSS launched a biennial campaign with the tagline "We Are Able! Enhancing Possibilities, Celebrating Abilities" as part of raising awareness about the CRPD and Enabling Masterplan.
- On 2 June 2016, NCSS launched a five-year campaign, "See the True Me", to celebrate the strengths and abilities of persons with disabilities, encourage their inclusion in society and provide guidance on how to interact with them. The campaign includes awareness raising talks and an educational website.

The 3<sup>rd</sup> Enabling Masterplan 2017-2021 builds on the efforts of the past two Enabling Masterplans and its strategies complement Singapore's efforts to progressively realise its obligations under the CRPD. Singapore is to be "a caring and inclusive society where persons with disabilities are empowered to achieve their fullest potential and participate fully as integral and contributing members of society."

The Masterplan notes the following areas where more needs to be done:

- The public should be more aware about disability-friendly features that are meant for persons with disabilities who require additional support for mobility and in other areas of daily living, and that such facilities should not be misused by members of the public. To reduce the misuse of accessible features, the Committee recommends that efforts continue to educate the public on their use.
- Increase opportunities for the public to interact with persons with disabilities through gatherings and activities so that understanding through positive experiences can be built.

However, according to DPA, it is crucial to promote awareness about persons with intellectual disabilities and multiple disabilities. Too much emphasis is placed on those with a physical disability in most of the campaigns.

There should be more accurate and diverse representations of people with disabilities in the media. Although the media celebrates medal winning Paralympians such as Laurentia Tan and Yip Pin Xiu, the media should also share stories about everyday people with disabilities working and living in various situations, with wide-ranging responsibilities, and not necessarily overcoming great odds to achieve success or to inspire sympathy. In addition, these stories should avoid emphasising how they overcame their disability, which implies that a disability is inherently a negative thing.

## Article 9: Accessibility

The Government must ensure that persons with disabilities are able to live independently and participate fully in all aspects of life. This can be done by:

- a) Making sure that buildings, roads, transportation, schools, housing, medical facilities, workplaces and other indoor and outdoor facilities are accessible to persons with disabilities;
- b) Making sure that information, communication and other services are accessible to persons with disabilities;
- c) Having minimum standards and guidelines for the accessibility of public places and services;
- d) Providing appropriate forms of assistance and support to persons with disabilities to ensure their access to information;

- e) Promoting the design, development, production and distribution of accessible information and communication technologies to persons with disabilities.

## Did you know?

Under the 2nd Enabling Masterplan 2012-2017, efforts were made to improve accessibility and participation by persons with disabilities in the areas of community involvement, sports, and employment. The results of these efforts are as follows:

- Building and Construction Authority (BCA)'s Code of Accessibility in the Built Environment which was revised in 2013 has helped create more accessible and inclusive buildings for persons with disabilities, seniors and families with young children. Both Singapore's ferry terminals/cruise centres, and Changi Airport's infrastructure efforts to facilitate accessibility, are in accordance with this Code.
- Universal Design Guide 2016 help designers create more inclusive public buildings and exterior spaces.
- The BCA Universal Design Award introduced in 2006, subsequently replaced with the BCA Universal Design Mark 26 in 2012, has further encouraged building owners to adopt Universal Design principles for their buildings.
- More than 80% of bus stops and public buses have been made wheelchair-accessible, with the target for all public buses to be wheelchair-accessible by 2020.
- The Public Transport Concession Scheme was also introduced in July 2014 to make travelling more affordable for persons with disabilities.
- Dedicated transport services were also introduced for persons with more severe disabilities.
- There are two wheelchair-accessible carriages on every train.
- For visually impaired commuters there are braille plates in station lifts and tactile ground surface indicators that guide them to the platform. The indicators also serve as warnings near the platform edge. Aboard the train, station names and audio instructions for transfers are announced at every station stop.

- More than 80% of MRT stations have at least two barrier free access routes.
- 40% of existing stations are fitted with extra lifts to improve accessibility for less mobile, and elderly, commuters.
- In 2015, LTA began a \$330 million island-wide programme to make public transport physically accessible to persons with disabilities. This includes the Walk2Ride program to make it easier for commuters to walk to MRT stations or bus interchanges, as more sheltered link ways will be built within a 400m radius from all existing transport nodes, compared to the current 200m radius. It will also link up developments within a 200-metre radius of all bus interchanges, LRT stations and high usage bus shelters. In total, some 200 kilometres of link ways will be added island-wide by 2018.
- Pedestrian overhead bridges (POBs) will be older person and wheelchair user friendly. LTA will expand the installation of lifts to another 40 POBs, with the first half completed by 2016 and the remaining by 2018.
- LTA expanded the Green Man Plus scheme to cover 500 pedestrian crossings by 2015. This Scheme allows older pedestrians and pedestrians with disabilities more time to cross the road.
- The Audible Pedestrian Signal (APS) is a device installed at pedestrian crossing to assist pedestrians with visual impairments to cross the road safely. During the red-man phase, the APS emits a tone to assist users to locate and activate the push-button.
- Changi Airport provides mobility aids such as wheelchairs and strollers to passengers with reduced mobility to facilitate their movement within the airport. Yet the quality of service to passengers with disabilities when boarding or disembarking flights is not consistent and could do with improvement.

Schemes and subsidies provided by government are-

- Grant for dedicated transport service: 3 transport operators managing a fleet of 33 vehicles to provide customised transport services.
- Taxi subsidies: for those unable to take public transport, it will also cover LTA-registered private hire cars under third-party private hire car booking service providers like Grab and Uber.

- Public transport concession: 25% of public transport charges for all persons with disabilities
- Grant to SMRT: for persons in high back wheelchairs.
- Car park label scheme: for persons with disabilities and caregivers to park in accessible lots

The Government also provides funding to companies to make their workplace and buildings more accessible to persons with disabilities:

- Open Door Programme (ODP) provides up to 90% subsidy of workplace modification.
- Accessibility Fund subsidies up to 80% of the construction cost of basic accessibility features such as ramps, lifts, accessible toilets and signage.

Regarding accessible financial banking, The POSB, one of the local banks, has also worked with the Singapore Association of the Visually Handicapped to include accessible functions to Automated Teller Machines (ATMs). The accommodations include functions such as Braille instructions and audio guidance which help persons with visual impairments perform basic ATM transactions independently.

However, the ATM layouts are not standardised across banks. Which is a problem for people with Visual Impairments. For example, a DBS ATM might have the earpiece slot on the right of the ATM, whilst a UOB ATM might have it on the left.

The BCA code only applies to those buildings that are constructed after the Code came into effect, however, when major renovations or alterations are done to public buildings they will need to have a basic accessibility upgrade.

In Singapore, the Environmental Public Health Act and Rapid Transit System Regulations allow guide dogs to accompany their owners in food establishments or any toilets within the licensed premises, as well as whilst using public transport.

However, these laws have no real effect due to the lack of punitive measures or complaint recourse associated with it. DPA is aware of many cases in which taxi drivers continue to discriminate against guide dog owners by refusing them service.

It is also mentioned in the 3rd Enabling Masterplan 2017-2021 that there are still many physical, information and communication barriers for persons with disabilities. For example, lack of signage and inaccessible technology is widely prevalent in public areas. These barriers not only affect their independence and ability to tap on community resources, activities and facilities, but also have safety implications. For instance, there is a lack of information about accessible evacuation routes or visual or aural information in place to help persons with disabilities during times of emergency such as train breakdowns.

Communication access is also important to enable persons with disabilities to obtain help. For example, a person who is Deaf/Hard of Hearing would not be able to use the intercom if trapped in a lift.

## Article 10: Right to life

Everyone has the inherent right to life. The Government must ensure that persons with disabilities can enjoy this right on an equal basis with others.

### Did you know?

This Article is aligned to the spirit of the Enabling Masterplans which seek to improve the quality of life for persons with disabilities as they journey through the different life stages. Euthanasia and assisted suicide are illegal in Singapore for all, regardless of whether the person concerned has disabilities.

Advances in tests to check for genetic conditions during pregnancy have raised concerns that this will lead to more terminations of fetuses that will or are likely to have congenital disabilities when they are born. Although DPA respects and asserts the legal right of parents to choose whether to proceed with a pregnancy, medical health professionals need to ensure that they provide balanced and informed advice about the experience of having a child with a disability. If the medical health professionals present screening results that indicate the foetus will have a congenital disability and only share negative medical advice about the experience of being a family with disabilities, it is less likely that the mother and/or family will proceed with the pregnancy.

DPA strongly recommends that healthcare professionals are trained to give screening results in a balanced, and not merely negative, manner. The parents

should also be offered information from disability support groups or organisations if the test results show that the foetus has a congenital impairment. They can then make an informed decision that is not biased by the medical model of disability, which sees disability as a condition inherent in the individual to be cured if possible.

## **Article 11: Situations of risk and humanitarian emergencies**

The Government must take all necessary measures to ensure the protection and safety of persons with disabilities in dangerous situations such as war, emergency and natural disasters.

### **Did you know?**

The public sector has made efforts to include persons with disabilities in their emergency evacuation plans. NCSS, the Singapore Police Force (SPF) and the Singapore Civil Defence Force (SCDF) introduced the Emergency Short Messaging Service (SMS) Helpline services to offer persons who are Deaf/Hard of Hearing or have speech difficulties an avenue of communication with the Police and Civil Defence Force in times of emergency. However, this may not be helpful to those who are not able to read or write English.

All buildings, except some residential and healthcare buildings, are required to comply with fire safety requirements for persons with disabilities. This means that there are provisions to assist, and plans to manage the evacuation of, persons with disabilities during emergencies. . These provisions include:

- Visual alarms to alert people who are Deaf or Hard of Hearing;
- Designated holding points to serve as temporarily safe space for persons with disabilities to await assistance for their evacuation;
- Distress button/voice communication device;
- Designated lift for evacuation.

During disaster-induced displacement events, the Government will also provide temporary shelter and food, financial support and psychological help. They have also set aside an accessible additional space for persons with



disabilities. Closed Captioning (CC) is also available during emergencies on television for people who are Deaf or Hard of Hearing.

Traffic Marshalls have been trained to assist persons with disabilities to evacuate from emergency situations within road tunnels. As for emergencies or incidents on the public transport system, staff of the public transport operator would be on site to render assistance to persons with disabilities.

SMRT Corporation informed DPA that they have an emergency protocol for passengers with disabilities to be informed of an emergency situation and to evacuate the Mass Rapid Transit (MRT) station safely.

However, the fact that there is such a policy is not publicised on their website. Thus, most people with disabilities are not aware that there is a protocol. DPA only learned about this emergency plan through an email correspondence with a SMRT Customer Relations officer.

In practice, it does not seem that the MRT authorities have any contingency plan to help passengers-in-wheelchairs evacuate the station in the event of fire outbreak and train or lift breakdown. In the past wheelchair users have relied on fellow commuters or MRT staff to help carry the wheelchair user and his or her wheelchair down the stairs, which could be dangerous. Even if such a plan exists, it seems that the staff is not aware of it. (See Article 9)

## **Article 12: Equal recognition before the law**

Persons with disabilities should be treated equally by the law. They have the same right to make their own decisions about important things as everybody else.

### **Did you know?**

Article 12 of the Constitution of Singapore states that ‘all persons are equal before the law and entitled to the equal protection of the law.’ This right to equality should apply to all persons, including persons with disabilities.

The Singapore government has a reservation on this Article. The reason given is that the Mental Capacity Act (MCA) is an important piece of legislation passed to protect the interests of a person who is judged to have lost mental capacity. The MCA is not aligned with the Article, as it allows for

a person with mental capacity to appoint a proxy to make decisions for him should he lose mental capacity in the future.

Once mental capacity is lost, the proxy can act and make decisions on the person's behalf for matters relating to his personal welfare and/or property and finances. Important decisions are monitored by the Government and there is a complaint process against a proxy who is not acting in the best interest of the person without mental capacity.

The problem with the MCA lies in its assumption that there are family members or friends willing and able to make the requisite court applications to become a proxy. Many people do not have anyone willing to act as a proxy. The new amendments allow those without family or close friends to employ paid professionals to act as proxy.

DPA firmly believes that when it comes to important decisions, even after the person with a disability is legally declared "without mental capacity" there must be an attempt to consult with that person with a disability, just in case he is able to communicate his wishes,. The will and preferences of that person should be given weight and interpreted in a best possible way, rather than being overridden by a proxy. Even if the view of the person with a disability is balanced against the views of medical professionals or that of the proxy, it should not be ignored or worse still, not even solicited.

Moreover, the Mental Health (Care and Treatment Act), which authorises psychiatrists to detain people with psychosocial disabilities against their will, is a clear violation of the legal capacity of people with psychosocial disabilities, since it applies only to this specific disability group and also violates Article 5 Equality and Non-Discrimination of the CRPD.

## **Article 13: Access to justice**

The Government must ensure that persons with disabilities have equal and effective access to justice. To that end, the Government shall promote appropriate training for those working in the field of administration of justice such as police and prison staff.

## Did you know?

In 2015, the Appropriate Adult Scheme (AAS) was launched to provide persons with developmental disabilities (PWDDs) with trained volunteers who will act as a bridge between them and police investigation officers. The volunteer accompanies the PWDDs and facilitates the police interview process, enabling PWDDs to understand the officer's queries and communicate more effectively. This safeguards PWDDs from admitting a crime they did not commit.

Persons with disabilities with low income can approach the Legal Aid Bureau for legal advice, aid and assistance. The Legal Aid Bureau covers a wide range of civil matters such as divorce, adoption, custody of children and estate matters. However, the Legal Aid Bureau assistance is only offered to Singapore citizens or Permanent Residents residing in Singapore.

The Vulnerable Witness Support Programme provides support to persons with mental capacity aged 16 years and below who are giving evidence in criminal cases in court. The support to the witness under this programme is through a Volunteer Support Person recruited by the State Courts and Singapore Children's Society.

The Committee for Assisting Offenders with Mental Disabilities, chaired by the Attorney-General's Chambers, was formed to look into safeguards for persons with disabilities in the criminal investigation process. The committee includes representatives from the Association of Criminal Lawyers of Singapore, the Singapore Police Force, the Law Society of Singapore, MSF and NCSS.

In addition, DPA was informed that the Supreme Court of Singapore accepts the use of Sign Language in courts, and that the court will provide a Sign Language interpreter free of charge where necessary. However, this crucial information is not publicised on the Supreme Court website and thus not known to many. The lack of accessibility information is not isolated to the Supreme Court website and, in fact, many Government and public services websites lack sufficient information about accessibility.

Despite the efforts above, there remains areas of the Criminal Justice System where not enough has been done to accommodate persons with disabilities. In March 2018, the case of a young offender with a mild intellectual disability raised questions about whether there should be more sentencing options to accommodate the circumstances of the case. The

only two sentencing options available to the judge, because of the serious nature of the offence, were imposing a jail term with caning or reformatory training (a structured regime for offenders below the age of 21 that can last between 18 months and three years).

Prosecutors had argued that the offender was unlikely to benefit from reformatory training because they believed he did not have the cognitive abilities to understand the programmes. In response, the judge said that it was over simplistic to assume that the offender would not benefit from the programme and said that jail time was not the best option because the offender was also a vulnerable person, in view of his young age and intellectual disability.

This case highlights the fact that the Criminal Justice System has not looked at whether it should consider an offender's disabilities at the sentencing stage and if so, how it should make such an accommodation.

## **Article 14: Liberty and security of person**

Persons with disabilities have the right to liberty and security, and should not be deprived of their liberty unlawfully or arbitrarily. They should not be deprived of their liberty based on disability, but only if they break a law.

### **Did you know?**

This Article is consistent with Article 9(1) of the Constitution that states that "no person shall be deprived of his life or personal liberty save in accordance with law."

Article 9(2) states that where a complaint is made to the High Court that a person is being unlawfully detained, the Court shall order him/her to be produced before the Court and released, unless the detention is lawful. Article 9(3) of the Constitution also provides that a person shall be informed as soon as may be possible of the grounds for arrest and shall be allowed to consult and be defended by a legal practitioner of choice. The person arrested has to be produced before a Magistrate within 48 hours. The Court shall inquire into the complaint and, unless satisfied that the detention is lawful, shall order him to be produced before the Court and release him. These are safeguards in the Constitution against unlawful or arbitrary deprivation of liberty.

If persons with disabilities are incarcerated, reasonable accommodations should be made, and they should be treated in accordance with the objectives and principles of the present CRPD.

## **Article 15: Freedom from torture or cruel, inhuman or degrading treatment or punishment**

Persons with disabilities must not be tortured or be experimented upon without his or her consent. The Government must take all necessary measures to ensure that any form of torture or cruel treatment does not happen.

### **Did you know?**

Under the Mental Capacity Act (MCA), the proxy cannot make certain decisions. This includes making or revoking a gift of a body or any part thereof under the Medical (Therapy, Education and Research) Act.

Moreover, the practices of restraints, seclusion, and forced drugging and electroconvulsive therapy in and outside psychiatric wards is contrary to this Article. Psychiatric survivor-controlled alternatives that do not employ force or coercion could be developed and funded by the state.

Singapore has not yet ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Human Rights Watch urges UN member states to call on Singapore to make substantial reforms to laws permitting the use of preventive detention (indefinite detention without charge) which Singapore defends in its National Report as "a last resort" when threats to public security, safety, and order are severe. The Internal Security Act, the Criminal Law (Temporary Provisions), and the Misuse of Drugs Act all contain provisions that violate internationally recognised rights to due process and a fair trial.

DPA calls on Singapore to sign the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment as this would provide protection for all those in Singapore, including persons with disabilities.

## Article 16: Freedom from exploitation, violence and abuse

The Government must do everything possible to protect persons with disabilities from violence, exploitation and abuse. This can be done by:

- a) Providing persons with disabilities, their families and caregivers information and education on how to avoid, identify and report instances of exploitation, violence and abuse;
- b) Ensuring that all facilities and programmes designed to serve persons with disabilities are effectively monitored by independent authorities;
- c) Providing help, support and protection services for persons with disabilities who have been exploited and abused;
- d) Having effective legislation and policies to ensure that instances of exploitation, violence and abuse against persons with disabilities are identified, investigated and prosecuted.

### Did you know?

This is consistent with Article 10 of the Singapore Constitution which states that “no person shall be held in slavery” and “all forms of forced labour are prohibited but Parliament may by law provide for compulsory service for national purposes.”

The five main statutes that protect victims of violence are the Children and Young Persons Act (CYPA), the Women's Charter, the Maintenance of Parents Act, the Penal Code, and the Vulnerable Adult Act.

CYPA has legal provisions for the protection of children and young persons (CYPs) against abuse, neglect and exploitation.

The Women’s Charter has legislation in place to protect all victims against family violence, regardless of their gender.

**Maintenance of Parents Act:** This allows older persons to seek maintenance from their children if they are unable to provide for themselves. The Tribunal for the Maintenance of Parents has the jurisdiction to hear and determine all applications under this Act. Any person who lives in Singapore, is 60 years or above, and unable to maintain him/herself adequately can apply for an order

of maintenance against offspring, who are capable of supporting him/her but are not doing so. A person below 60 years may also apply if the Tribunal is satisfied that that person has a condition or other special reason which prevents or makes it difficult for a person to maintain themselves.

Penal Code: In cases where a perpetrator has caused substantial physical harm to the victim(s), such as through the use of a weapon or where there is financial abuse, he may be arrested and charged under the provisions of the Penal Code.

The Vulnerable Adults Act: This Act protects people aged 18 and above who are deemed unable to protect themselves from harm, due to mental or physical incapacity or impairment. It permits social workers and other professionals to enter the house of a person whom they suspect has been abused by family members or who cannot care for himself. Those professionals can then assess the situation and remove him to safety if necessary. (For more information please visit <https://sso.agc.gov.sg/>)

Moreover, reporting of abusing people with disability is still low. On 13 April 2015 Annie Ae, a woman with an intellectual disability, died as a result of the long-term abuse by her so-called friend and her friend's husband. The couple subjected their 26-year-old flatmate to regular beatings over eight months.

However, throughout the period of abuse, Ms Ae had come into contact with neighbours and colleagues, and, on separate occasions, a clinic assistant and doctor. Yet no one did anything to raise their concerns to the Police.

Centres dealing with abuse involving disabled people say that although they have noticed a rising trend in such cases, the figure is still relatively small because incidents often go unreported. A study by Care Corner Project StART listed some key reasons why this is so - the victims have limited or no ability to seek help because of their physical impairment and there is a higher tolerance of such abuse among the public. It is also possible that the victims and/or members of the public empathise with the caregivers' predicament or that the complaints made by the victims are dismissed or not taken seriously.

## **Article 17: Protecting the integrity of the person**

Persons with disabilities should be respected and treated in the same way as others.

### **Did you know?**

The Voluntary Sterilisation Act (VSA) was amended in 2012 to strengthen protection of persons with disabilities on matters concerning sexual sterilisation for non-medical reasons, protection that was strengthened by advocacy done by the Gender and Disability Subcommittee of the women's group AWARE. Under the amended Act, the consent of the person with disability who has mental capacity to make decisions for himself or herself will be needed for a sexual-sterilisation procedure. For those who lack the mental capacity, a court order has to be made. In the case of minors (persons below 21), the decision to sterilise must be approved by the Hospital Ethics Committee, the minor, and his or her parent or guardian.

Other categories of decisions for which a proxy decision-maker cannot decide on behalf of a person lacking mental capacity include decisions relating to the continuation or cessation of life-sustaining and extraordinary medical treatment, removal of organs after death, the making or revoking of advance medical directives and making or revoking gifts of any body part.

However, there is no anti-discrimination legislation that will ensure that persons with disabilities are respected and treated in the same way as others.

This Article states that persons with disabilities have the right to physical and mental integrity. Accordingly, some advocates with disabilities disagree with interventions such as cochlear implantation, surgery to correct perceived physical defects or forced medication.

## **Article 18: Liberty of movement and nationality**

Persons with disabilities have the right to liberty of movement, to freedom to choose their residence and to a nationality.

Children with disabilities have the right to a name, to acquire a nationality and, as far as possible, to know and be cared for by their parents.



## Did you know?

This is consistent with Article 13 of the Singapore Constitution which states that “no citizen of Singapore shall be banished or excluded from Singapore” and “every citizen of Singapore has the right to move freely throughout Singapore and to reside in any part thereof.”

In theory, persons with disabilities have the right to apply for citizenship or permanent residence in Singapore on an equal basis with others. However the DPA cannot comment on whether this is the case as there is no data available about the success rates for permanent residence or citizenship applications by persons with disabilities nor is there any data available about the reason for unsuccessful applications.

## Article 19: Living independently and being included in the community

People with disabilities have the right to live and participate in the community. The Government must take effective and appropriate measures to ensure that persons with disabilities can enjoy this right.

This can be done by ensuring that:

- a) Persons with disabilities can choose where and with whom they live;
- b) Persons with disabilities have access to a range of in-home, residential and other community support services, which support independent living and prevent isolation from the community;
- c) Community services and public facilities are available to persons with disabilities and are responsive to their needs.

## Did you know?

The 2nd Enabling Masterplan 2012-2016 had recommendations to widen the range of care options, enhance accessibility and improve the quality and delivery of services in the adult care sector.

Singapore has a range of care and residential services for persons with disabilities to facilitate community integration and enable persons with disabilities to lead meaningful and independent lives. The services (as listed below) are provided by the Government together with SSOs. To keep care and

residential services affordable, the Government provides subsidies to persons with disabilities. They are supported with up to 80% of the programme fees based on the per capita income of the household. This lowers the cost for families seeking to tap on Home-Based Care Services, Day Activity Centres, Adult Disability Hostels and Homes. The Government also provides lump sum funding up to 60% of the cost of operations for Drop-in Disability Programmes and Community Group Homes. In addition, these services are supported for a further 20% of the cost of operations through funds raised from the community by the fund-raising arm of NCSS, the Community Chest.

There is also a range of support options and living arrangements catering to the nature and severity of the impairment. These arrangements enable persons with disabilities to live in their own home or community as long as possible. This includes:

- Drop-in disability programmes: These programmes provide socio-recreational activities several times a week. They aim to improve the quality of life for persons with disabilities (including the older people at the Senior Activity Centres), by enabling them to remain meaningfully engaged and integrated in the community.
- Community Group Home: The Government allocates rental flats for use as Community Group Homes to cater to adults with mild intellectual disabilities who are deemed work-capable and able to live independently with some support. These flats are retrofitted with disability-friendly features.
- Day Activity Centres: These centres provide activities and services to enhance the independence of adults with disabilities by equipping them with daily and community living skills.
- Sheltered workshop: Pre-vocational training and work opportunities.
- Home-based care pilot: Provision of therapy (including maintenance, occupational and physiotherapy), personal hygiene and grooming care, housekeeping and medication reminder service.
- Adult Disability Hostels and Homes: which provide an alternative living arrangement for persons with disabilities to live independently in the community. In addition to programmes and socio-recreational activities to encourage community integration, Adult Disability Hostels also

provide basic training on independent living skills and residential based training for work and life skills which enable individuals to resume independent living back at their own homes or in alternative forms of assisted community living.

- Concessions for Foreign Domestic Worker: The Government supports home-based care by providing levy concessions for families caring for persons with disabilities when they hire a Foreign Domestic Worker to help out at home.

However, these living arrangements have limited capacity. The Community group home, for instance, offered by only one SSO, the Movement for the Intellectually Disabled of Singapore (MINDS), can only support 12 persons.

The Enabling Village is a community space run by SG Enable, where those with disabilities can shop, access services and attend training. The Enabling Village offers an inclusive preschool, gym and Fair Price supermarket and has universal design features, so they can be used by people with and without disabilities.

According to the recommendation of 3<sup>rd</sup> Enabling Masterplan 2017-2021 much progress has been made but there is room to improve existing care services for adults with disabilities. Today, most programmes offered by SSOs focus on improving their clients' level of independence by developing skills that will help them with their Activities of Daily Living (ADL).

## **Article 20: Personal mobility**

The Government must take effective measures to ensure that persons with disabilities can move about independently at an affordable cost. This includes:

- a) Facilitating the personal mobility of persons with disabilities in the manner and at the time of their choice;
- b) Facilitating access by persons with disabilities to quality mobility aids, devices, assistive technologies and forms of live assistance and intermediaries;
- c) Providing training in mobility skills to staff working with persons with disabilities;

- d) Encouraging entities that produce assistive devices to consider the different needs of persons with disabilities.

### Did you know?

The 2nd Enabling Masterplan 2012-2016 had recommendations to further enhance the affordability of assistive technology.

As a result, MSF set up the Assistive Technology Fund (ATF) to provide persons with disabilities with subsidies to purchase, replace, upgrade or repair assistive technology devices. ATF covers persons with disabilities of all ages and for all purposes. This is a means-tested subsidy of up to 90% of the cost of assistive technology devices or up to \$40,000 over the individual's lifetime, whichever is lower.

MSF also introduced the Special Assistance Fund (SAF) to provide persons with disabilities with low or no income subsidies to purchase assistive equipment, technical aids and home retrofits to improve mobility, increase independence or help in rehabilitation.

Older Singaporeans with disabilities can also tap into the Seniors' Mobility and Enabling Fund to subsidise up to 90% of the cost of assistive devices that aid mobility and enable independent living. This scheme is administered by the Ministry of Health (MOH).

The Government, together with various disability agencies and the public sector, have worked together to make public transport more accessible to persons with disabilities (See Article 9).

The Government has also introduced various public and specialised transport subsidies for persons with disabilities:

- The Public Transport Concession gives persons with disabilities, aged less than 60 years, 25 per cent off their adult fares.
- SSO transport subsidies offers up to 80 per cent subsidy to persons with disabilities taking dedicated transport provided by SSOs to access school and care services.
- Taxi subsidy scheme offers up to 50 per cent subsidy to persons with disabilities who need to travel by taxi for school or work purposes.

The following is a list of organisations offering specialised transport services:

- Caring Fleet;
- Handicaps Welfare Association;
- Silveray;
- Singapore Wheels on Wheels.

Besides public and specialised transport, persons with disabilities can choose to travel by private car. SG Enable administers the Car Park Label Scheme which allows persons with disabilities who drive or their family members who drive them to park at accessible lots. There are two types of label. The Class 1 label is for drivers who are certified to have physical disabilities that require the use of mobility aids. It allows drivers to park in an accessible lot. Class 2 labels are for drivers who are ferrying passengers with disabilities.

Persons with disabilities who are certified unable to take public transport can also enjoy a waiver of Additional Registration Fee (ARF) and Certificate of Entitlement (COE) for purchase of cars.

SG Enable has set up an AT Resource Centre, TechAble, at Enabling Village, an integrated community space for persons with disabilities. TechAble promotes the adoption of AT and enables persons with disabilities, caregivers, therapists and social service professionals to preview and get advice on devices.

For persons with disabilities, technology is life-changing, in particular technology that enhances accessibility. It is therefore imperative that the adoption and affordability of AT for persons with disabilities is facilitated so that their quality of life can be enhanced. Although ATF is presently quite generous, it should be continually reviewed to ensure that it can support new technologies and different needs of different disability groups. Rather than being “one size fits all”, ATF should be flexible as to the requirements of different disability groups. For example, maintenance or replacement of some devices, such as motorised wheelchair and hearing aids, can be very expensive. ATF should be able to accommodate these replacement costs periodically.

## Article 21: Freedom of expression and opinion, and access to information

The Government shall take all appropriate measures to ensure that persons with disabilities can exercise the right to freedom of expression and opinion, to find out, receive and share information and ideas. This can be done by:

- a) Providing public information to persons with disabilities in accessible formats and technologies in a timely manner and without additional cost;
- b) Accepting and facilitating the use of Sign Languages, Braille and other means of communication (where needed);
- c) Encouraging others, such as private companies and mass media, to provide information and services, including through the Internet, that are accessible to persons with disabilities.

### Did you know?

The 3<sup>rd</sup> Enabling Masterplan Steering Committee recommended greater access to information in public transport, amenities, buildings and public institutions.

In 2013, the Government adopted the web accessibility standards for all government websites so that persons with disabilities can easily access their webpages. All public-facing websites on the gov.sg domain should comply with the Triple-A Web Content Accessibility Guidelines. However, this is not strictly enforced and many government websites continue not to be web accessible.

There is subtitling for news in four different languages, yet Sign Language interpretation is not provided. Additionally, news coverage that is broadcasted around the region does not have captioning provided.

Some hospitals have used technology (i.e. text) for patient-care services to better communicate with patients who are Deaf or Hard of Hearing. Some hospital employees are also trained in Sign Language.

Singapore has also ratified the Marrakesh Treaty that facilitates access to copyrighted works for persons with reading disabilities. In doing so, Singapore amended the Copyright Act to allow copyrighted materials to be reproduced

in any accessible format. These amendments enable institutions, such as Lighthouse School and Singapore Association of the Visually Handicapped, to produce copyrighted materials in formats accessible to those with reading disabilities.

The infrastructure of public transport is also accessible to persons with disabilities. All Mass Rapid Transit (MRT) trains have a SMRT Active Route Map Information System (STARiS) that provides journey information such as the current station, next station, direction of travel, interchange station and the side of doors opening. There is also a display mounted on the ceiling of the carriage that provides multi-language transcripts of audio announcements. These features are useful for persons who are Deaf or Hard of Hearing. In addition, persons with a visual disability will know when they have arrived at their destination because station names are announced on trains.

The Government is facilitating the use of Sign Language in their official interactions. The People's Action Party (PAP) provided a Sign Language interpreter for its two post-General Election 2011 by-election campaigns. Then-presidential candidate Dr Tony Tan Keng Yam did likewise for his rallies during his presidential election 2011 campaign. And 'live' Sign Language interpretation was provided during the Budget 2015 speech delivery. However, the provision of live signing for key national events is not consistent. During the election period, it was noted that only the PAP rallies provided 'live' Sign Language interpretation. In addition, the 28<sup>th</sup> South East Asian (SEA) games held in 2015 did not provide Sign Language interpretation nor live captioning.

Moreover, not all private companies providing services to the general public have made their websites accessible to persons with disabilities. Mediacorp (the largest media broadcaster in Singapore) does not have a website that conforms to Web Accessibility standards.

SMRT's webpage on accessible features for persons with disabilities is a good example of what should be done.

## Article 22: Respect for privacy

The privacy of persons with disabilities should be respected and safeguarded. The Government shall ensure that personal information of persons with disabilities is kept private as for everybody else.

### Did you know?

Government agencies need to comply with the Government Instruction Manual (IM). The IM contains guidelines on privacy. It is not known how information about disabilities, including psychosocial disability, is shared or protected between Government agencies.

The Personal Data Protection Act (PDPA) governs the collection, use, disclosure and care of personal data. Under PDPA, all persons with or without disabilities have the right to protect their personal information. For example, potential employers need to explain for what purpose they request information about disabilities if it is part of the job application.

However, the Act does not cover persons with psychosocial disabilities who are told that they have to declare their psychiatric histories for medical insurance purposes when applying for jobs. It is also not clear how the Act protects the personal data of persons with psychosocial disabilities.

## Article 23: Respect for home and the family

The Government shall take effective and appropriate measures to ensure that persons with disabilities have equal rights to marriage, family, parenthood and relationships as everybody else. They shall provide appropriate assistance to persons with disabilities who are raising children.

Children with disabilities have equal rights with respect to family life. The Government shall provide services and support to these children and their families, and prevent concealment, abandonment, neglect and segregation of children with disabilities.

The Government must ensure that a child is not separated from his or her parents against their will unless such separation is necessary for the best interests of the child. A child should not be separated from parents on the basis of a disability of either the child or one or both of the parents. Where



required, the Government shall provide alternative care arrangements for children whose families are unable to care for them.

### Did you know?

There are various laws and services that protect the best interests of the child (See Article 7).

Persons with disabilities are also protected against arbitrary sterilisation under the amended VSA (See Article 17).

Children Disability Homes provide long-term residential care to children with disabilities aged below 16 who are neglected or whose caregivers are incapable of caring for them. These homes also offer short-term or respite care for individuals whose families are unable to provide care for them for a limited period of time. At the residential homes, children can undergo therapy, training and enjoy recreational activities to maximise their abilities.

The Government also provides support for family formation. Under the Marriage and Parenthood Package, married couples raising and caring for children can receive all sorts of funding support such as Baby Bonus, Parenthood Tax Rebate and Foreign Domestic Worker Levy Concession. The package also offers work-life support to parents such as maternity leave, child care leave and infant care leave.

In addition, Government co-funding for Assisted Reproduction Technology treatments. The Guardianship of Infants Act and Adoption of Children Act also draw no distinctions between persons on the basis of disabilities.

Singapore recognises the rights of persons with disabilities in matters related to marriage and family on an equal basis with persons without disabilities, as long as they are capable of full and free consent to the marriage. An individual who is unable to provide full and free consent is protected under section 26 of the Mental Capacity Act, which prevents a proxy decision-maker from consenting to marriage on the individual's behalf.

The Ministry of Education (MOE) contracted a company to develop a guide to help special education (SPED) schools design programmes in personal safety and relationships. In 2013, MOE also started a pilot in sexuality education in six SPED schools. Even though little information is available in these programmes, DPA hopes that the sexuality education guide teaches

students with disabilities about healthy sexual relationships and family, rather than only tackling the issue of abuse or personal hygiene.

All persons with disabilities have the right to love and have families of their own, but there is very little public understanding of this or representation of these relationships in the media. Without this awareness parents might not speak to their children with disabilities about their right to have relationships or encourage them to have the expectation of finding love and having children of their own. In fact, persons with disabilities are often treated as children who need support well into adulthood.

Between Years of Assessment 2013 and 2015, the Government increased the quota of tax relief for individuals caring for their parent, spouse, child or sibling with disabilities. In addition, there was an increase in the total number of beneficiaries claiming at least one disability relief, and the total amount of relief claimed between 2013 and 2015.

Where parents are unable to care for their child with disabilities, case workers will work with families to explore various short-term and longer-term options before considering institutionalisation as a last resort. The Government recognizes the importance of respite care and actively partners SSOs in providing a range of support options and living arrangements to enable persons with disabilities to live in their homes or communities as long as possible.

## **Article 24: Education**

Persons with disabilities have the right to an inclusive education and lifelong learning. In realising this right, the Singapore government shall ensure

- that persons with disabilities are not excluded from the education system on the basis of disability;
- the provision of reasonable accommodation and effective individualised support measures within the education system;
- the learning of Braille, Sign Language and other forms of communication and peer support and mentoring are facilitated;

- that teachers are employed and trained with the right skills to support persons with disabilities;
- that persons with disabilities have equal opportunities to access tertiary education, lifelong learning and vocational training.

### Did you know?

In the 2<sup>nd</sup> Enabling Masterplan 2012-2016 it was recommended that children with disabilities be included in the Compulsory Education Act (CEA). On 4 November 2016, the Ministry of Education (MOE) announced that primary education will be compulsory for all children including those with moderate to severe special needs who are above six years old and they will be required to complete six years of primary education at publicly funded schools before they turn 15. Currently, such children are exempt under the CEA. Starting with the 2019 Primary 1 cohort, they will all have to attend a government-funded SPED school, unless they get approval to be exempted.

There are about 1,770 children per cohort with what the MOE deems special education needs. About 75 per cent of them have what the MOE calls mild special needs like Attention Deficit Hyperactivity Disorder (ADHD) and dyslexia and attend mainstream schools. They are not exempted under the CEA. The remaining 25 per cent - about 400 children per cohort - have moderate to severe conditions like vision impairment, autism or multiple disabilities, and are exempted under the Act. According to MOE, the majority of them attend Government funded SPED schools run by SSOs. There are 20 such schools in Singapore run by 13 SSOs.

The 3<sup>rd</sup> Enabling Master Plan committee recommended that current opportunities for interaction between students in mainstream schools and SPED schools, as well as between mainstream preschools and EIPIC Centres, be strengthened and enhanced, with new opportunities to be explored and implemented.

Still, given that SPED schools will remain outside the national education system and not wholly under the remit of the Ministry of Education, like mainstream ones do, there are several issues arising from this new "inclusiveness":

### **School Fees:**

Singaporean children in mainstream primary schools do not pay school fees and incur only miscellaneous fees amounting to about \$6.50 to \$13 a month. SPED school fees, on the other hand, can rise to as much as \$350: Low income families can apply for these fees to be waived but this is still unfair to middle and high-income families. In effect, as parents of children with disabilities point out, mainstream schools are technically "free", while SPED schools are not.

### **Payment and Qualifications of Teachers:**

There are 20 SPED schools, run by 13 SSOs and the teachers are employees of those SSOs. MOE teachers can also be seconded to the SPED schools. As SPED teachers do not come under MOE's purview, they also do not have access to the same salary scales and opportunities as their peers in mainstream schools. Whilst SSOs are encouraged to follow salary guidelines by the NCSS, and some try to offer pay packages that are on a par with mainstream peers, the general perception is that SPED school teachers have less recognition and their pay packages are less attractive.

**Places in SPED Schools:** Several of the 20 SPED schools are struggling with long waiting lists. This is especially the case with the three schools catering to children with autism. Parents say the waiting time can be from six months to two years.

According to the SPED school websites, children who are not Singapore Citizens or Permanent Residents need to wait even longer than Singaporeans and Permanent Residents to get a spot in SPED schools. Due to long waiting lists for Singaporean children and Permanent Residents, some SPED schools do not even open up places for foreign students.

Moreover, some children who attend SPED schools find it hard to find open employment upon graduation, for various reasons. The difficulty may be due to the stigma sometimes associated with attending a SPED school. Some SPED school graduates may not have the appropriate vocational training or qualifications in order to find a job because it was not offered at the SPED school they attended.

The following are policies and interventions that are in place to support students with disabilities in different stages of education:

## **Initiatives for Preschool children**

There are several initiatives for preschool children with mild, moderate and severe developmental needs to support them in areas such as literacy, behaviour, communication, social skills, cognitive skills:

- Development Support Program
- Early Intervention Program for Infants and Children
- Integrated Child Care Program
- Private Intervention Providers for Early Intervention

## **Initiatives for students in mainstream school**

- In order to support students with dyslexia and Autism Spectrum Disorder (ASD) who are facing literacy challenges in mainstream schools, there are Allied Educators and also the MOE-Aided Dyslexia Association of Singapore Literacy Programme.
- Pre-Service Training on Special Needs is a compulsory 12-hour module on special needs for all new teachers
- Special Education Needs Support Office is available at each publicly-funded university, polytechnic and Institute of Technical Education (ITE) College.
- A core group of teachers in mainstream primary and secondary schools are trained with Certificate level training in Special Needs.

## **Initiatives for students in SPED schools**

- There are dedicated modes of transport for persons with disabilities from their homes to SPED schools.
- MOE launched an Advanced Diploma in Special Education and the MOE Masters Scholarship in Special Education in 2014. In addition, MOE provides SPED schools \$1,100 annually for each SPED member of staff to engage in professional development activities, with SPED teachers each receiving an additional \$400.

- Satellite Partnerships encourage mainstream schools located near SPED schools to conduct joint social and learning activities
- School-To-Work Transition Programme helps graduating students from SPED schools bridge the transition from school to the workplace by developing more work and training options and pathways.

Moreover, there are several subsidies available for students with disabilities such as-

- Assistive Technology Fund (ATF) for the cost of assistive technology devices
- Computer Access Trust Fund for SPED school students
- Edusave Grants for SPED schools to organise enrichment programmes or purchase additional resources.
- Edusave Pupils Fund for SPED school students to pay for school fees and enrichment programmes organised by schools.
- Special Education Financial Assistance Scheme for School fee, accessories and exam fee waiver for needy Singaporean students in MOE-funded SPED schools
- Special Education Needs (SEN) Fund to support Singaporean students with physical, hearing or visual impairment studying at the ITE, polytechnic or University
- Taxi Subsidy Scheme to travel by taxi for school purposes

Moreover, not all mainstream schools are resourced with facilities and/or programmes to support students who have invisible or less visible disabilities such as OCD, ADHD, or who are Deaf/Hard of Hearing. More help needs to be given to children with disabilities or learning difficulties at mainstream schools, including those who have yet to be officially diagnosed. It may take a long time for parents to receive a diagnosis report for dyslexia from MOE registered psychologists and MOE does not accept reports given by private psychologists. Currently, Allied Educators help those with disabilities and/or special needs in the classroom, and there is specialised training for teachers. But there are not enough Allied Educators, and mainstream teachers find it difficult to cope with the needs of those who require more help, on top of their existing teaching duties.

There is anecdotal evidence that Allied Educators are often asked to take on miscellaneous tasks, such as relief teaching and even teaching art classes. Moreover, a degree holder may get a starting pay of only S\$1,800 a month and not given clear indication of career progression. Primary school teachers often feel overwhelmed and ill-prepared to handle too many children with special needs and/or disabilities in a large class.

Although DPA is happy to see children with disabilities included in the Compulsory Education Act, they should all have access to education in mainstream schools. However, this integration should not be done at all costs. DPA believes that in the future there can be an integrated education system in which education for children with disabilities is included in the national education system and integrated within mainstream schools, rather than existing somewhere in between that system and the voluntary welfare sector. DPA strongly recommends that MOE commits to the long-term goal of inclusive education where the education system is universally designed. The present plan merely tweaks the system to accommodate those with are perceived by the Government to have less severe disabilities while those with what they consider to be more severe disabilities remain segregated in SPED schools.

## **Article 25: Health**

Persons with disabilities have the right to the same range, quality and standard of affordable health care and programmes as provided to other people. The Government shall also provide health services needed by persons with disabilities specifically because of their disabilities, and provide these health services near to where people live.

The Government shall also ensure that healthcare professionals provide the same quality of care to persons with disabilities as to others, and prohibit discrimination against persons with disabilities in the provision of health and life insurance and health care services.

### **Did you know?**

The Government has expressed a reservation towards this Article. The reason given is that they do not intervene in the commercial underwriting decisions of private insurers or mandate the coverage of persons with disabilities.

Yet, the Government has made efforts to ensure that persons with disabilities have equal access to affordable and quality health services. At the end of 2015, MediShield, a national health insurance scheme, was enhanced to Medishield Life. This scheme covers all Singapore citizens and permanent residents for life, including those with pre-existing conditions. The premiums of those with disabilities are higher if the disability is classed as a pre-existing condition, but there are means-tested subsidies for those who cannot afford the higher premiums to ensure that no one loses their coverage due to not being able to pay their insurance costs. Private insurers managing the Integrated Shield Plans and Eldershield Supplements are also prohibited from discriminating against persons with disabilities.

However, foreigners or their dependants with disabilities (amongst many others) are not covered by the scheme. DPA is of the position that all persons with disabilities living in Singapore should have access to these services at reasonable/affordable prices.

Medishield Life is limited as a healthcare insurance scheme in that it is designed to help with large hospital bills and not long-term care. Persons with disabilities often have higher medication, therapy and daily hygiene related costs and Medishield Life does not provide support for those needs.

There are also early detection and intervention programmes for at-risk infants.

The list is as follows:

- Child Development Programme (CDP) provides early surveillance, diagnosis and interim intervention. The programme includes detailed assessment and diagnosis in KKH or National University Hospital.
- Development Support Programme (DSP) supports children with mild developmental needs in mainstream preschools, and provides targeted, short-term, one-on-one, in-class interventions.
- Early Intervention Programme for Infants and Children (EIPIC) provides therapy and educational support services to children with moderate to severe disabilities.

There are also various practices in place to improve early detection:

- KKH trains nurses on standardised screening assessment to screen infants at high risk of developing delays.



- Every child is issued a health booklet with developmental assessment checklist.

The Government also sought to increase awareness of at-risk infants by doing the following:

- Working with medical schools to incorporate relevant modules in undergraduate medical curriculum;
- Training doctors and healthcare professionals in developmental health screening and early referral of at-risk infants to appropriate centres for early assessment and intervention.

In addition, hospitals provide different patient-care services to cater to each patient's needs, including the use of aids such as pocket talkers, pictorial communication books and language cue books. The Health Booklet's developmental checklists may also be found in the four official languages of Singapore. In 2012, HPB also introduced resource kits such as Healthier Child, Brighter Future and Care & Development, designed for easy reading, to enable parents to make informed choices on their child's developmental life stages. However, many hospital do not cover the cost of Sign Language Interpreter services and ask patients to make those arrangements. Hospitals should ensure that they provide accessible services to their patients and cover the related costs.

Singapore recognises the importance of adequate provision of accessible toilets in public places. Under the Public Health Act, all premises patronised primarily by members of the public shall have adequate provision of toilets. Further, under the regulations of the Code of Accessibility in the Built Environment, at least one accessible toilet has to be provided for every cluster of toilets; and one ambulant disabled toilet has to be provided for every five water closet cubicles provided.

The Institute of Mental Health set up Intellectual Disability Clinics in 2013 to serve the mental health needs of persons with intellectual disabilities. These clinics are run by a team, consisting of a psychiatrist, psychologists, an occupational therapist, and a medical social worker, who have been trained to carry out assessments and interventions for persons with intellectual disabilities aged 19 to 64 years.

## Article 26: Habilitation and rehabilitation

The Government shall take effective measures to enable persons with disabilities to attain and maintain maximum independence, ensuring their full inclusion and participation in all aspects of life. They shall promote initial and continuing training for professionals and staff working in habilitation and rehabilitation services.

### Did you know?

NCSS, SG Enable and various SSOs run or fund the following programmes to maximise the potential of children with disabilities of preschool and schooling age:

- Early Intervention Programme for Infants and Children (EIPIC) provides educational and therapy services to children aged six and below diagnosed with special needs;
- Development Support programmes provide on-site intervention and learning support to pre-schoolers with mild developmental needs;
- Integrated Child Care Programme helps parents who have children with special needs to find suitable child care centres with subsidised fees;
- Special Student Care Centre in SPED schools provides before- and after-school care services to students with special needs.
- School-To-Work Transition Programme develops more work and training options and pathways to benefit graduating SPED students;
- Vocational training.

There are also various programmes to train persons with disabilities to live as independently as possible and enhance the quality of life of persons with disabilities through social inclusion.

- Day Activity Centres/Independent Living Training Centres provide activities and services to equip adults with disabilities with skills to maximise their independence.

- Homes/Hostels provide accommodation and training to persons with disabilities with no alternative accommodation or require specific training for independent living.
- Community Group Homes enable persons with disabilities to live independently in designated Housing Development Board (HDB) rental flats retrofitted with disabled-friendly features.
- Therapy Hubs provide therapy services for clients of SSOs, in particular they offer outpatient rehabilitation services.
- Sheltered workshops provide employment and vocational training, Job placement and support services

Below are the measures taken for the promotion and use of assistive technologies relating to habilitation and rehabilitation:

- The Government provides financial assistance through various programmes and subsidies to help defray and promote the adoption of assistive technology, while concurrently seeking to build and strengthen the ICT infrastructure to support the learning needs of persons with disabilities.
- The Government provides grants and works with SSOs to provide educational support to students with physical and/or sensory impairments in mainstream schools.
- SG Enable, working with the Government, SSOs and private sector, set up Tech Able in October 2015, a facility which aims to promote the development, awareness and adoption of assistive devices and technologies.
- MSF partnered the Infocomm Development Authority of Singapore to offer a grant for SSOs providing disability services to adopt Information Technology/Assistive Technology enabled projects. This harnesses technology to facilitate services for persons with disabilities.

Although there are a number of programmes designed to encourage independent living through customised homes and different types of rehabilitation services, more needs to be done to encourage and raise awareness about independent living as a realistic option for persons with disabilities. All persons with disabilities have the right to live as independently as possible and the Government and other relevant

stakeholders should support this as a means to integrating persons with disabilities and encouraging them to actively participate in society.

Whilst the idea is put forward as a goal for persons with disabilities, the concept is not clearly explained by the Government nor is there a reason given why it is preferable to other living arrangements. Another issue is that the above options are not available to foreigners or their dependants.

The Government also promotes training for professionals and staff to build capacity, enhance quality and ensure standards of care:

- Continuing Professional Development frameworks for EIPIC teachers and Learning Support Educators;
- Compulsory teacher training requirements for EIPIC teachers;
- Develop pool of Learning Support Educators;
- National Social Work Competency Framework provides social workers with clear and uniform benchmarks to guide them in upgrading their skills, and to help them get higher positions and pay;
- Social service professionals are able to obtain continuing education, training, career services and other community and social services resources at an integrated social service hub, the Social Service Institute, set up under the NCSS. The Institute also provides a range of programmes relevant to individuals with differing qualifications, such as Advanced Certificates and Diploma courses in Social Service;
- To enhance professional capacity and capability in the sector, and benefit from economies of scale, Therapy Hubs were set up by SPD, Thye Hwa Kwan and AWWA to recruit, supervise and manage pools of qualified therapists;
- Staff of Adult Disability Homes and Hostels are required to undergo training to ensure that they are able to carry out their work with confidence and competence.
- To ensure effective recruitment and retention of quality staff, MSF extended key development programmes for social service professionals, including the Leadership Development Programme, the Sabbatical Leave

Scheme, and the Professional Development and Management Programme;

- MSF and NCSS are also working with social sector professionals to develop career pathways and Continuing Professional Development frameworks;
- The Social Service Institute's functions were expanded beyond the provision of training for social service professionals. The Institute is the focal point for learning and manpower development, including the management of a one-stop career centre promoting and facilitating entry to jobs in the social service sector, strengthening the value proposition of social service scholarships, and promoting career opportunities to overseas Singaporean students.

## Article 27: Work and employment

People with disabilities have the right to work and have access to the same employment opportunities as everyone else. The Government shall take measures to:

- Prohibit discrimination;
- Protect the right to work in an inclusive and accessible workplace;
- Enable access to vocational training and placement services;
- Promote employment and career advancement;
- Promote self-employment and entrepreneurship opportunities;
- Employ persons with disabilities in the public sector;
- Promote employment opportunities in the private sector;
- Ensure reasonable accommodation in the workplace;
- Promote vocational and professional rehabilitation and acquisition of work experience.

### Did you know?

Instead of having legislation to protect employees from discrimination based on disability, Singapore Government have adopted several measures to

incentivise and support the employment, integration and retention of persons with disabilities in the labour market:

- The Tripartite Alliance for Fair and Progressive Employment Practices (TAFEP) has guidelines on fair employment practices, encouraging employers to adopt progressive Human Resource (HR) practices;
- The Employment Act and Child Development Co-Savings Act restrict employers from dismissing female employees, including those with disabilities, for certain periods before and after the delivery of a child;
- The Retirement and Re-employment Act precludes the termination of employees on the grounds of old age

The Government also offers various schemes to enhance the employment opportunities of persons with disabilities:

- Open Door Programme (ODP) provides up to 90% subsidy of workplace modification. The ODP is funded by the WDA and MSF and administered by SGE. The ODP aims to enhance the employment and employability options for persons with disabilities, and to support employers in hiring and integrating these employees;
- Accessibility Fund subsidies up to 80% of the construction cost of basic accessibility features such as ramps, lifts, accessible toilets and signage;
- A tax deduction of up to S\$100,000 (USD\$71,429) is also available to employers to defray the expense of building modifications to benefit employees with disabilities;
- Special Employment Credit (SEC) is offered as an incentive for companies to hire Singaporean workers with disabilities. Employers will get a credit of up to 16% of the wages of their worker with disabilities;
- Workfare Income Supplement (WIS) supplements the wages and retirement savings of persons with disabilities. This is a means-tested subsidy, meaning that the amount subsidised depends on the salary of the person with a disability.

The Government also works in collaboration with other agencies and SSOs to promote and support the employment of persons with disabilities. In particular, SG Enable serves as a focal point of contact for employers of persons with disabilities as well as persons with disabilities who are seeking employment. SG Enable works to enhance the employability and employment

options for persons with disabilities by leveraging on the strengths of existing partners and schemes:

- To provide a seamless transition from SPED schools to work, MOE, MSF, and SGE piloted a School-to-Work Transition Programme in five SPED schools serving students with different disabilities;
- SG Enable Internship Programme provides internship opportunities at companies to students with disabilities who are currently studying in Institutes of Higher Learning;
- Subsidised accessible training opportunities were also made available to help persons with disabilities acquire the relevant skills and work experience to secure jobs as well as advance in their careers. In 2014, SGE organised and supported 13 training programmes and workshops, which benefitted close to 200 persons with disabilities.
- Since 2013, SGE, with the Government's support, has developed and implemented a slew of measures to facilitate the recruitment, integration and retention of persons with disabilities in employment, centred around the concepts of 'ready employee', 'ready employer' and 'ready environment'. Together with its partners, SGE placed about 350 persons with disabilities into jobs in 2014.
- The Enabling Employers Network (EEN) is an alliance of like-minded employers of persons with disabilities who champion and advance the employment opportunities for persons with disabilities. Members of EEN have collectively employed a total of about 200 persons with disabilities.
- Singapore Business Network on DisAbility (SBND) is a group of multinational corporations that have come together to help promote the inclusion of persons with disabilities in the workplace and create stronger awareness among business leaders of their employment.

Despite the extensive funding and support available, many employers are not aware of the existing policies. Misconceptions remain regarding how to provide reasonable accommodation in the workplace and people with disabilities continue to be offered low-skilled jobs and less pay as compared to other people in the workforce.

Some people including employers are still prejudiced against people with disabilities who are often stereotyped as incapable or dependent and without

any potential. People with disabilities are also viewed by some employers as an economic liability. There is also the misperception that employees with disabilities will not be able to receive insurance coverage during their term.

Discrimination in employment against persons with disabilities is generally thought to occur only at the workplace, during the course of the daily work routine. However, a more accurate portrayal of discrimination emerges when it is seen in the larger context, as a phenomenon that occurs throughout the entire employment journey. This encompasses every stage of the employment process, ranging from discriminatory recruitment practices, lack of reasonable accommodation for persons with disabilities who are hired, unequal pay and working conditions, to unequal or lack of career development opportunities. It also spans less apparent aspects such as spatial and physical accessibility, communicative practices and social relationships between colleagues.

The rehabilitation and training programmes for people with disabilities have not kept up with changes in the job market. Whilst many Singaporeans are being encouraged to widen and develop their skills, especially to keep up with advances in technology, many training programmes for persons with disabilities are not following the same trend.

A recent study by the DPA found that staying employed even after finding a job is even more difficult due to the discriminatory work environment. The study also found that communication barriers due to the lack of a common or cohesive working language in the workplace leads to exclusion in the social sphere. The lack of a social network or weak social ties within the workplace was a serious disadvantage for employees with disabilities, and it affected their ability to forge friendships and emotional ties in the workplace.

In the same study, several respondents perceived government initiatives to be severely lacking in terms of building a supportive work environment and tackling workplace discrimination. According to the study findings, it seems the employers in Singapore are gradually becoming more receptive to hiring people with disabilities. The next step is to see how office premises can be restructured to accommodate the needs of employees with disabilities.

DPA is of the position that without anti-discrimination legislation, companies will continue to have discriminatory practices and attitudes towards persons with disabilities. Codifying anti-discrimination policy in employment will signal



the Government's commitment to eliminate discrimination, thus showing everyone that discrimination is wrong and that employers should have policies in place to prevent it as well as internal processes for reporting it.

It is also important to note that whilst people with psychosocial disabilities are not presently eligible for ODP funding and support, the Government has indicated that they will be eligible for the ODP in the future. The reason given for the delay is that the Institute of Mental Health is trying to determine the eligibility requirements, and their application, with regard to people with psychosocial disabilities. Despite this indication being made more than two years ago there has been no movement on the issue of persons with psychosocial disabilities being included in the ODP.

## **Article 28: Adequate standard of living and social protection**

States Parties shall take measures to provide an adequate standard of living for persons with disabilities and their families. This means that persons with disabilities should have access to adequate food, clothing and housing, social protection programmes, poverty reduction programmes, affordable services, assistance for disability-related needs, assistive devices and retirement benefits. The Government shall ensure that these rights are enjoyed by persons with disabilities without discrimination.

### **Did you know?**

The Government and the Special Needs Trust Company insure the financial security of persons with disabilities through the following schemes:

- Special Needs Savings Scheme: parents nominate their children with disabilities to receive monthly CPF pay-outs upon their demise;
- Special Needs Trust Fund: the trust provides for the child's expenses, as per the trust deed and any letter of wishes given by the parents, upon their demise. Assets such as payouts from the parents' life insurance policies can be injected into the trust upon their demise so as to boost the assets of the trust;

- Central Provident Fund (CPF): tax relief for cash top-up of CPF accounts of spouse or sibling with disabilities.

To protect the best interests of a person who has lost mental capacity, the Government also passed the Mental Capacity Act (MCA) which will appoint a proxy to oversee the welfare and finance matters of a person who has lost mental capacity (See Articles 12 and 15).

The Government also introduced the following schemes to support persons with disabilities in various aspects of their life:

- Assistive Technology Fund (ATF) (see Article 20), Special Assistance Fund (SAF) (see Article 20).
- Older Singaporeans with disabilities can also tap into the Seniors' Mobility and Enabling Fund to subsidise up to 90% of the cost of assistive devices that aid mobility and enable independent living.

Singapore's ComCare Long Term Assistance scheme provides for the basic needs of persons who are permanently unable to work and have little or no financial support, including persons with disabilities, as well as their families. Individuals on this scheme receive free medical treatment in polyclinics and government/restructured hospitals. They also receive free or highly subsidised access to a wide range of social services such as home help and day activity centres funded by the Government.

Persons with disabilities who are work-capable but require support can get help from the ComCare Short-to-Medium Term Assistance scheme. The scheme assists those who are looking for work or are temporarily unable to work due to illness or have to care for children, older persons or other dependents, with little or no family support, savings or assets for daily needs. Assistance provided could include a monthly cash grant, rental, utilities, and/or transport vouchers, medical assistance and employment assistance such as job search and/or training.

In addition, the Government offers disability schemes regardless of gender or age so as to ensure that persons with disabilities, in particular women and girls with disabilities and older persons with disabilities, have access to retirement benefits and programmes. The SEC and WIS schemes, for examples, apply to persons with disabilities of all ages (See Article 27). This helps to ensure that

the pension or CPF monies of a person with disability are optimised as much as possible.

The Government also offers financial assistance on a means-tested basis to ensure that persons with disabilities and their families living in situations of poverty have access to assistance from the state with disability-related expenses, including adequate training, counselling, financial assistance and respite care.

To ensure access by persons with disabilities to public housing programmes, the HDB offers subsidised housing to those with low or no income on a case by case basis. In addition, there are subsidised hostels and group homes run by SSOs (see Article 26). Middle income group of people with disabilities should also be included to get these subsidised services.

Moreover, many of these funds and subsidised services are not offered to foreigners living and working in Singapore, nor is it available to their dependants. Many of these funds are capped at a level that does not take adequate account of the rising cost of living in Singapore.

DPA recommends that there should be a variety of independent living options available for different age group of people with disabilities. People with disabilities look for affordable independent living options but there is little variety and few choices available for them. Most of the options are charity based and that is not enough to provide real choices for the disability community.

There are many services available for the working people with disabilities compared to the people with disabilities who have retired. The risk of social isolation when moving into retirement is a very real prospect for people with disabilities, which is why dedicated support and transition planning is critical.

Moreover, parents (who are caregivers) are ageing or retired and find it difficult to care for their own children with disabilities. With a declining population, families are getting smaller and there will be less familial support for persons with disabilities. For these reasons, support for older persons in caregiving roles must be expanded.

## Article 29: Participation in political and public life

People with disabilities have the right to take part in politics and public life on an equal basis with others. This includes the following:

- Accessible voting procedures, facilities and materials;
- Vote by secret ballot;
- Right to stand for elections;
- Right as electors;
- Participation in the public and political life;
- Forming and joining organisations of people with disabilities that represent them.

### Did you know?

Voting at Singapore's presidential or parliamentary elections is compulsory for all eligible citizens, including citizens with disabilities. This not only means that they have the right to physically access and participate in election rallies and booths, but they also have the right to access all information and communications about the elections. To facilitate independent voting, the Government has adopted various measures to make polling areas accessible to persons with disabilities by:

- Providing special drop-off points at polling stations for vehicles conveying older voters or voters with physical disabilities near the polling areas, thus improving access to polling stations;
- Providing stencils to people with a visual disability so that they can mark the ballot paper themselves without assistance;
- Arranging for an election official to assist voters with visual and/or physical disabilities;
- Providing wheelchairs to voters who need it;
- Arranging priority booths for voters with disabilities;
- Providing lower polling booths for voters using wheelchairs;

The Government's concern to keep voting secret is the reason why they have a reservation on Article 29, which has a clause allowing persons with disabilities assistance in voting by a person of their own choice. The Government explained that a specially trained officer is more likely to protect the privacy of one's vote and will less likely influence the vote of the person they are assisting. There are also punitive measures for an officer who violates a voter's privacy or tries to influence a voter.

The problem with this reservation is that it fails to consider that some persons with disabilities would prefer to have someone they know and trust to help them vote. For example, some people with autism do not always adjust well to strangers trying to help them vote and this may result in them not voting.

In addition, election officials may not have the necessary skills to communicate with certain groups of disabilities such as those with multiple disabilities (for example, the Deaf-Blind), or may not be adequately trained in providing assistance to voters with disabilities. This may result in the latter being less likely to vote or being left out of the voting process altogether.

Currently, there are also no consistent policies to ensure that persons with disabilities are included in the electoral process. For example, public broadcasts of political campaigning and election rallies are not consistently offered with closed captioning or live Sign Language interpretation. Election rallies are not necessarily planned with accessible routes to the venues or with areas reserved at the front for those in wheelchairs or who need to be able to view a Sign Language interpreter (if indeed one has been provided).

In addition, there is no specialised training for polling station officers for them to accommodate the special needs of those with disabilities. There is also no information available about accessible features (in accessible format) on the Elections Board website.

There is very little representation of persons with disabilities in politics. At present, Chia Yong Yong, who was diagnosed with peroneal muscular atrophy at a young age, and is a wheelchair user, is the only person with disability in Singapore Parliament. However, she is a Nominated (not elected) Member of Parliament. More needs to be done to ensure that Singaporeans with disabilities have access to the pathways to become elected representatives of the Government.

## Article 30: Participation in cultural life, recreation, leisure and sport

People with disabilities have the right to participate in and enjoy the arts, sports, games, films and other fun activities. The Government shall take all appropriate steps to ensure that persons with disabilities can enjoy this right. This includes ensuring access to theatres, museums, playgrounds, libraries, cultural materials, television programmes, films, theatre and cultural activities.

The Government shall also ensure that persons with disabilities have the opportunity to develop and utilise their creative, artistic and intellectual potential. They shall also support persons with disabilities and their specific cultural and linguistic identity, which includes the support of Sign Languages and Deaf Culture.

### Did you know?

As part of its efforts to improve community participation, sports and a healthy lifestyle amongst persons with disabilities, the Ministry of Culture, Community and Youth (MCCY) launched the Disability Sports Master Plan which includes improving access and opportunities for persons with disabilities to participate in sports amongst its objectives. As part of this Plan, the first Centre of Expertise for Disability Sports was launched on 31 May 2016 at ActiveSG Sengkang Sports Centre.

Singapore began its participation in the Paralympic Games when a squad was sent to the 1988 Summer Paralympics held in Seoul, South Korea. At the 2008 Summer Paralympics, Singapore earned its first Paralympic Games medals. The national team was made up of six athletes and they won four medals. Singapore athletes with disabilities have also been successful at the ASEAN Para Games and other international competitions. Singapore hosted the 8<sup>th</sup> ASEAN Para Games in December 2015.

Special Olympics Singapore is a non-profit organisation that caters for children and adults with intellectual disabilities, and is recognised as a National Sports Association. Special Olympics Singapore provides training and competitive opportunities in a variety of Olympic-type sports for persons with intellectual disabilities, including annual sports competitions and National Games every

four years. These athletes also participate in unified sports programmes and mainstream events like marathons and sporting activities organised at the community level. Team Singapore's athletes wrapped up their ASEAN Para Games 2017 in Kuala Lumpur with 50 medals, the largest haul at an away Games.

The Singapore Disability Sports Council (SDSC) is the national sports body for persons with disabilities in Singapore. SDSC reaches out to groups with various disabilities and offers a wide range of sports at both the elite (professional) and non-professional levels. At the non-professional levels, SDSC reaches out to various stakeholders in the community, including SPED schools, SSOs, hospitals and homes that serve persons with disabilities and offers a range of sports programmes at an introductory level.

NCSS has been working with the National Parks Board and Town Councils to build inclusive playgrounds island-wide, with three already built. More inclusive playgrounds will be built across Singapore. To provide opportunities for children with disabilities to participate in outdoor play and recreation with their peers, NCSS collaborated with various partners including the National Parks Board and built the first of five inclusive playgrounds at the Bishan-Ang Mo Kio Park in August 2015. There is also an integrated playground in Sembawang catering to children special needs. To help overcome social barriers between children with and without disabilities, NCSS also launched a 'Community In Action' programme to encourage SSOs, SPED schools and early intervention centres to bring all children regardless of whether they have a disability, to the inclusive playground for play and meaningful interaction.

A resource guide titled 'Let's Play Together!' was created by NCSS in early 2015 for caregivers, educators and social service practitioners to equip them to conduct inclusive games and activities in which all children, regardless of disability, can participate.

The National Library Board's on-site resources, including their library collections and electronic materials, are accessible to persons with disabilities. For example, there are special audio books for the Hard of Hearing and the electronic collections have been enabled with larger font sizes for the visually-impaired. Singapore has also ratified the Marrakesh Treaty and has amended the Copyright Act (Cap. 63) to facilitate access to published works for persons with reading disabilities.

In May 2015, the National Arts Council tripled the grant amount for SPED schools to take part in arts education programmes. To increase accessibility to arts and heritage offerings, MCCY extended concessions to persons with disabilities from 1 June 2016 at all National Heritage Board (NHB) museums and heritage institutions as well as the Singapore Art Museum and National Gallery Singapore. The National Museum of Singapore was awarded the BCA Universal Design Mark Award for wheelchair accessibility.

Beyond physical infrastructure, National Gallery Singapore, National Museum of Singapore, Asian Civilisations Museum and the Peranakan Museum have also initiated programmes for those with disabilities. National Gallery Singapore offers Singapore Sign Language Interpretation tours, while the other museums have launched a 'Quiet Mondays' programme to encourage persons with disabilities to visit the museums on Monday mornings.

In 2015, the National Arts Council (NAC) organised the inaugural Arts & Disability Forum as an annual platform to bring artists and the disability sector together to explore how the arts can play a part in engaging people with disabilities. In 2016, NAC partnered British Council Singapore and Singapore International Foundation to co-organise the Forum, together with support from National Gallery Singapore. The theme of the forum was "Shaping Perspectives, Enabling Opportunities".

In addition, there are a few SSOs that promote participation in the arts for persons with disabilities. One such organisation, Very Special Arts, holds concerts in which persons with disabilities of all ages perform in musical and artistic performances. SG Enable also plans to open an accessible gym in 2016.

Yet, there needs to be more opportunities for people with disabilities to join in and contribute to the mainstream arts and sports scene. At present persons with disabilities are invited to attend cultural performances much more than to contribute to or participate in them. More leisure spaces should also be planned to promote integration between persons with and without disabilities.



## Article 31: Statistics and data collection

The Government must collect appropriate information, including statistics and research data, to formulate and implement policies to give effect to the present Convention. The information collected shall be kept private and confidential to respect the privacy of persons with disabilities.

### Did you know?

The latest Enabling Masterplan reports that the prevalence rate of person with disabilities in the student population (aged 7 to 18) is 2.1 per cent and for people aged 18 to 49 it is 3.4 percent. The figure rises to 13.3 per cent for people aged 50 and above.

The figure for the student population comes from Ministry of Education administration data. The other figures are based on a random sample of 2,000 Singapore residents aged 18 and above surveyed by NCSS last year. They are self-reported prevalence rates, and include people who acquired disabilities due to accidents, illness or as part of the aging process.

According to NCSS, it is estimated that more than 110,000 Singaporeans have some form of disability. However, this does not take into account the number of persons with disabilities who are resident in Singapore but are not citizens.

According to data published by the Health and Education ministries in 2010, Singapore has about 97,200 people with disabilities, with the vast majority - 77,200 - above 18 years old. The Government estimates that the prevalence rate of persons with disability is about 3% of Singapore's resident population.

There is no official central registry of people with disabilities, and experts in the social service sector usually rely on the Ministry of Social and Family Development's estimate of 3 per cent of the entire resident population having disabilities.

Though there are some statistics available about persons with disability in Singapore, the information is not centralised and therefore is not easy for stakeholders to source. Moreover, Article 31 calls for disaggregated data on gender, age, ethnicity and type of disabilities and so on and, at time of writing, no such data is publicly available.

The Committee of the 3<sup>rd</sup> Enabling Masterplan therefore recommended data collection be improved. A shared portal for service providers providing services for persons with disabilities or a shared network in which service providers are enabled to deliver their services—ranging from information, referral services, case management, service provision, social assistance and application to schemes and subsidy support— can be used to capture valuable information to understand the needs of persons with disabilities and plan services.

The Committee is also of the view that more data should be aggregated across the government agencies and the social service sector for more effective planning of services, managing service transitions and monitoring trends to identify potential service gaps.

The founder of DPA, the late Mr Ron Chandran-Dudley, once said “When you know the numbers, then you know how to plan.” Indeed, without access to those statistics, it is impossible for ministries and SSOs to adequately budget for or plan disability-related programmes and policies, and even more difficult for civil society to track the implementation and efficacy of those programmes and policies.

The Government has announced that it will collect statistics on the number of persons with disabilities in its 2020 census. However, it is unclear whether people with psychosocial disabilities and older persons who acquire disabilities as they age will be included in this group. DPA urges the Government to include these groups in the data collection.

In addition to looking at the disabilities included in the data collection it is important to consider how the data is collected. There are several approaches and two will be examined here:

- Direct questioning on disability
- Self-reported functioning

**Direct questioning on disability:** The first approach to measuring disability is to directly ask people whether they view themselves as being disabled or having a disability. For example, a census may ask people “Do you have a disability? Yes/No”. This approach is simple and quick, but is likely to severely underestimate the prevalence of disability as people may not consider themselves to be disabled, or fear stigma or discrimination if they are labelled

as disabled. It is therefore recommended that direct questioning is not used to measure disability.

**Self-reported functioning:** A second approach is to measure disability through self-reported functioning; that is, asking people whether they experience difficulties in different functional domains.

The Washington Group on Disability Statistics, a United Nations City Group, have developed a short set of questions which aims to capture the proportion of the population living with different levels of functional limitation. These questions ask whether a person experiences difficulties in six basic functional domains: seeing, hearing, walking, cognition, communicating and self-care.

The Washington Group Short Set of Questions:

1. Do you have difficulty seeing, even if wearing glasses?
2. Do you have difficulty hearing, even if using a hearing aid?
3. Do you have difficulty walking or climbing steps?
4. Do you have difficulty remembering or concentrating?
5. Do you have difficulty (with self-care such as) washing all over or dressing?

Using your usual (customary) language, do you have difficulty communicating, for example understanding or being understood?

Response options for all questions: *No, no difficulty; yes, some difficulty; yes, a lot of difficulty; cannot do at all*

These questions are widely recommended for data collection on disability; they are simple, quick, reproducible and easy to translate into different languages. They are suited for use in censuses or in large surveys where only a few questions can be included, and as they are used widely, the results can be compared over time and between countries. They are non-stigmatising, as they do not ask about disability directly.

The Extended Set of Washington Group questions contains up to thirty five questions, and can be used in surveys where more time is available.

Anticipating there will be time/space constraints in the 2020 census, DPA urges that the Washington Questions (Short Set) be used in order to garner a more accurate set of data.