



Family Matters

Emotional and psychological violence is real, and it's time we confronted the silence surrounding intergenerational family abuse, says lawyer **SARAH-MAE THOMAS**.

While at university, I found family law so distressing that I refused to take even one module. Who would have thought that 15 years later, I'd run a family law practice? I trained as a litigator, but now, I try my best to keep my clients out of court. Life is full of ironies, some sadder than others.

Across all the family law cases I see, it's not the bitter divorces, nor the punitive asset-divisions, nor the complex custody battles that top the troubling state of family dynamics. It's mediating between obstinate parents and exhausted adult children who see no other course of action to protect themselves. One can accept romantic ties souring, but I can't imagine anything worse than a child choosing to sever ties with a parent.

Earlier this year, a national newspaper reported that almost 45 per cent of parents surveyed resorted to corporal punishment on children. The proportion of parents meting out physical punishments proves the normalisation of harsh, top-down and abusive parenting. The children in the same survey reported developmental difficulties like the inability

to regulate emotions, in addition to having strained family relationships. While children should not be exempt from discipline, it's heartbreaking when parents abuse the children they chose to have.

Then, there's the segment of children who grow into exhausted adults who battle longstanding emotional and psychological abuse from their families.

The youngest child of the family, Cheryl Tan (not her real name) was violently attacked and injured by her sister while her parents stood by and did nothing. We obtained a Protection Order for Cheryl against her sister, while I dispatched a Letter of Demand to her parents as well, mandating they attend a meeting with me. I delivered a tough conversation about how they were bystanders and enablers to the physical violence towards my client. I also pointed out that, unlike them, no court would indulge their elder child's actions. Fortunately, this tack was enough to bring them to their senses and encourage them to work towards a resolution.

While Cheryl's case was indeed of family violence, the terminology can be confusing. Singapore, like many

courts, term the deliberate causing of physical, emotional and psychological distress as “violence”. Subsection 4 of Section 58b of the Women’s Charter defines emotional or psychological abuse as behaviour that torments, intimidates, harasses or distresses a person or may reasonably be expected to cause mental harm to a person. Subsection 6 goes on to specify that the abusive behaviour need not be directed at the family member in question, but must be capable of being seen, heard or otherwise perceived by the family member in question. Subsection 6 is important because it captures passive-aggressive bullying, a main feature in Asian family dynamics.

Unlike Cheryl Tan’s abuse, Asha Gurnani’s (not her real name) was less obvious. Asha’s mother constantly complained of her being “that useless daughter”. In addition to being constantly belittled (her monthly contribution to her mother paled in comparison to her sister’s), Asha was forced to pay for expensive meals and holidays, with any resistance on her part met with threats of being thrown out of the family home. Other forms of harassment included multiple calls and texts that disrupted her work daily, and her mother showing up unannounced at her work to demand assistance.

At her wits’ end, Asha came to me to draw up a contract, without realising that stronger measures were available to her. Asha was initially convinced that the lack of physical violence disqualified her from any protection order. A Letter of Demand was issued and Mrs Gurnani attended mediation. Her mother stopped her behaviour immediately after I warned her that the mediation was a warning shot, and that there would be consequences for her continued behaviour.

Through the course of my career, I have come across adult children at consultations who have normalised their parents’ abuse, and feel guilty for seeking legal recourse. Many also refused to seek support and advice for fear of airing dirty laundry in public and being judged harshly. I remember posing a question to my associates once about whether clients dealing with emotional abuse from parents had formal or informal support groups to turn to. The Gen Zs brought me to Reddit, where a quick search of Asian parents revealed a trove of posts by exhausted children in Singapore and beyond, unable to cope with their demanding parents.

Were anonymous platforms the only support system these adult children had? I didn’t blame them, as all posts of a burdened adult child voicing legitimate concerns received hasty generalisations of being unfilial. So for the sake of clarity, let me state that abused adult children need not suffer in silence. There are various recourses available to them.

1. GO FOR A LEGAL CONSULTATION

It is a misconception that legal consultations only make sense if one intends to go to court. Much more goes on in a legal consultation. You will not only be informed of your options, but also be offered the choice to set up a course of action to construct a case. Many family lawyers offer consultations in the low hundreds.

2. KNOW YOU HAVE OPTIONS OUTSIDE OF COURT

Lawyers do more than just fight in court. They can mediate with contentious family members and draft Letters of Demand and Protection Orders. For example, in Asha’s case, it did not progress to the stage where the filing of a Protection Order (and its eventual court hearing) was needed. Instead, a Letter of Demand and a short mediation were sufficient to resolve her dispute. A good family lawyer will advise you on the best options outside of Court.

3. TAKE FURTHER STEPS TO PROTECT YOURSELF

Unfortunately, repeat harassment may occur in the family context; thus, shying away from Orders is not effective either. If Mrs Gurnani had remained recalcitrant, the next step would have been to file a protection order. Asha could consider a Personal Protection Order to enforce distance between her mother, or a Counselling Order to mandate that her mother seek treatment. Other options, such as a private agreement or the enforcement of a Protection from Harassment Act (POHA), are also available. Be prepared to eventually leverage the various family and civil law mechanisms to guard against repeat harassment.

Society can do better than Reddit in supporting exhausted adult children. On my part, I work with church and community leaders to organise talks and support groups for caregiving children in the hopes that the emotional abuse of adult children is perceived as a social problem—and not simply dismissed as children being unfilial. Until we stop romanticising parental authority and start recognising the quiet suffering of abused adult children, we will remain complicit in their silence. ■

Sarah-Mae Thomas specialises in family law and mediation and is a keen supporter of family and social issues. In her early career, Sarah-Mae spent time at the United Nations in Geneva and Ghana, West Africa working on women’s and children’s causes.



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