

Access to your children amidst a global pandemic: Coping with a new normal and a guide to best practices

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As Singapore moves past the circuit breaker and into the new phases implemented by parliament, we are far from resuming our pre-pandemic lives. It is an anxious time for all of us, especially for parents who have undergone, or are currently undergoing divorce proceedings.

If you fall into this category, you presumably no longer reside in the same house as your spouse, or ex-spouse and may no longer live with your children. You may have an informal arrangement, or a Court ordered arrangement for access to your children. However, you may have been forced to sacrifice access to your children during this pandemic.

In addition, informal agreements or Court orders containing daily, or overseas and holiday access terms have been rendered impossible in the current climate. Even as things open up, there is confusion as to how to make up for the time lost and how to implement access while social distancing remains a priority in Singapore.

While you may feel that you are on the losing end and missing your children, it is also important to bear in mind that minimising movement of your children between houses is in their best interests. This is not a time to be calculative over your access entitlements. Parents are encouraged to achieve a workable solution, where the health and safety of their children is the paramount consideration.

In order to guide parents through this new normal, below are some steps to consider as you aim to work with your spouse, or ex-spouse.

Step 1: Achieving a temporary and mutually agreed access plan

We would encourage open communication to formulate a temporary and mutually agreed plan for access to your children that abides by the present restrictions imposed by parliament.

Apart from the obvious desire to spend time with your children, reasons for specific access should be given, for example a wish to bring the children to visit their grandparents, or to supervise home-based learning. The first step would be to make your intentions and reasons for access clear to your spouse or ex-spouse, in order to encourage an open dialogue.

In the best case scenario, both of you will be able to achieve a flexible and tailored solution for your situation. While this pandemic may be temporary, your presence in each other's lives is permanent as parents of your children. It is best to always remain respectful and cooperative with one another.

Step 2: Being an involved parent while socially distancing

Where it remains difficult to replicate physical contact time with your children, there are many other options available to be an involved parent in your children's lives.

With the consent of your spouse or ex-spouse, you can schedule routine virtual catch-up sessions with your children. If their fleeting attention spans prove to be a problem, you may also provide much needed relief from the anxiety of this pandemic by playing virtual games with them on video calls. There are a myriad of free online resources for family-friendly games that have been adapted to a virtual form to be enjoyed remotely. Although many children are back in school, online working has become the new normal and it is possible to assist your children with their academics by videocalling them while they do their homework, or their home-based learning. It is possible to supervise them remotely.

With the right attitude and cooperation from your spouse or ex-spouse who has care and control of your children, you can still be as involved as possible by virtual means.

Step 3: A post-pandemic plan

As we look towards a hopefully COVID-19-free future, it may be constructive to start making plans for access which were rendered impossible during the phases implemented by parliament. It is crucial for both parents to appreciate the importance of making time to catch up on missed access visits.

You may want to start engaging your spouse or ex-spouse to obtain their consent to incorporate, or amend, certain future plans into your informal agreements or Court orders. These may be as simple as planning a leisurely activity to enjoy with your children, or making plans for overseas or holiday access.

What happens if I can't get past Step 1?

If you are unable to reach an agreement with your spouse or ex-spouse, there are many alternative dispute resolution options to explore, in particular, mediation, which works well in disputes over children.

As a last resort, you may choose to make an application to the Court for specific orders, or to vary an existing order for access. The Court is likely to first order parents to attend a judge-led mediation to explore the possibility of reaching an agreement amicably. Presently, hearings in the Family Courts in Singapore, and Court ordered mediation and counselling sessions are taking place remotely in appropriate cases, and unless otherwise directed by the Family Courts in Singapore.


If you are keen to speak to a family lawyer to guide you through the options available to you, please contact us to schedule an initial consultation.


Authors

Philippa Hewitt

PROFESSIONAL SUPPORT LAWYER | SINGAPORE, HONG KONG

Divorce and family

 +65 6922 3705

 philippa.hewitt@witherskhattarwong.com

Shriveena Naidu

LEGAL ASSOCIATE | SINGAPORE

Family

 +65 6238 3108

 shriveena.naidu@witherskhattarwong.com