

Revising JPN Tribunal Procedures to Protect Domestic Violence Survivors

Current tribunal procedures put domestic violence survivors at risk

Section 106(1)(vi) of the Law Reform (Marriage and Divorce) Act 1976 sets out an exemption from the marriage tribunal. Legal fees for application of this exemption are between RM5,000 - 6,000.

RM5,000 - RM6,000 Legal Fees



Risks to survivors

- Requiring the survivor to return to the location where she was abused places her at risk of trauma and possible physical harm by the perpetrator-spouse.
- Section 106(5)(a) does not require that both spouses attend the tribunal at the same time. However, this has been common practice and places survivors at greater risk of continued violence.
- Some JPN officers are not aware of the scope of their responsibility to appropriately respond and provide protection to survivors from the perpetrator-spouse.



Recommendations



#1

Procedures

Amend procedures of JPN Marriage Tribunal to allow utilisation of s.106(1)(vi) LRA without the assistance of a lawyer.



#2

Tribunal attendance

Ensure DV survivors are not required to attend marriage tribunals at the same time as perpetrator-spouse.



#3

Safety Protocol

Implement protocol to ensure the safety of domestic violence survivors at marriage tribunals.

For more information, view the policy brief [here](#).