

IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE

[2026] SGFC 63

SS 748/2024

Between

YCN

... Applicant

And

YCO

... Respondent

SS 751/2024

Between

YCP

... Applicant

And

YCO

... Respondent

GROUNDS OF DECISION

[Family Law — Personal Protection Order]

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YCN and YCP

v

YCO

[2026] SGFC 63

Family Court — SS 748 and 751 of 2024

Magistrate Soh Kian Peng

22, 23 August, 11, 23, 24, 25, 29, October, 11 November 2024, 4, 5 February,
7 May 2025

4 May 2026

Magistrate Soh Kian Peng:

1 He who asserts must prove his case (s 103 and 104 of the Evidence Act 1893; *Liu Shu Ming and anor v Koh Chew Chee and anor matter* [2023] 1 SLR 1477 at [1]). When it comes to applications for Personal Protection Orders (“PPO”), the law makes it clear that an applicant must prove the following two requirements on a balance of probabilities:

(a) First, that family violence (as defined in s 64 of the Women’s Charter 1961)¹ “had been committed, or was likely to be committed” against a family member.

(b) Second, that it is necessary for the protection of that family member that the court grant a PPO.

¹ References to provisions of the Women’s Charter 1961 are references to the provisions in force prior to 2 January 2025.

2 There were three parties in the proceedings before me: [A], [B] and [C]. [A] is [C]’s sister-in-law. [B] and [C] are sisters. Mr Tan Yew Fai (“Mr Tan”) acted for [C].

3 The dispute in the present case centred on an incident that had taken place on 17 April 2024 at Changi General Hospital. The context to this entire incident was that [B] and [C]’s elderly mother, [D], had been hospitalised in the intensive care unit (“ICU”) after she had suffered a heart attack. [D] was scheduled for a heart operation on 17 April 2024. That was why all three of them, [A], [B], and [C] were on the hospital premises that day. It was alleged, by [A], that [C] had slapped her. In the days that followed, both [A] and [B] took out applications for a PPO against [C]. SS 748/2024 (“SS 748”) was [A]’s application against [C]. SS 751/2024 (“SS 751”) was [B]’s application against [C].

4 I had heard the following two PPO applications over several days of trial. I reserved judgment and directed that parties file written submissions. This was my decision in respect of both applications.

5 I begin with [A]’s application in SS 748. Her complaint was that, on 17 April 2024, [C] had come up to her whilst she was seated at the hospital cafeteria and slapped her on the left cheek, which left a cut on her chin. It also resulted in her being able to control her breathing and causing her right hand to tremble uncontrollably. [A]’s complaint was that [C] had, by slapping her, not only caused her hurt, but had also put her in fear of hurt (to borrow the language of limbs (a) and (b) of the definition of family violence set out in s 64 of the Women’s Charter 1961).

6 During the trial, there was much dispute over the events that had occurred *prior* to the alleged slap by [C] on 17 April 2024. For example, both [A] and [C] hotly disputed whether they had run into each other at the ICU ward in the days prior to the incident. Much time was spent on, amongst other things, whether the number of visitors that were allowed up to the ICU ward, pursuant to the hospital’s visiting policy.

7 The crucial point, however, was whether [A] could establish that [C] had indeed slapped her. On this front, [A] and [C] had presented competing narratives. [A]’s account was that [C] had suddenly turned up at the cafeteria where they were seated and slapped her.

8 [C], on the other hand, said that she had been trying to talk to [E]. She wanted information on their mother’s condition. However, [E], as well as [A] and [B] ignored her. [C] did not deny that she had made contact with [A] in this incident. Her account, however, is that she had become startled when [A] shouted at her for being ungrateful. She lost her balance and fell forwards. She stretched out her arms in an attempt to hold on to something to steady herself – that was when her left hand made contact with [A].² [C] says that any contact that she had made with [A] was light and “very momentary”.

9 I found that [C] had not proven, on a balance of probabilities, that [A] had indeed slapped her in this incident on 17 April 2024.

10 Apart from [A], there were also two other eyewitnesses who were present at the time of the evidence, and who gave evidence at the trial: [B], as well as [A]’s husband ([E]), who were also seated at the table.

² [C]’s AEIC at paras 10.4 – 10.7.

11 In her testimony, [B] admitted that she did not see [C] slap [A]. Her explanation was this was that, at the material time, all three of them ([A], [B] and [E]) were looking at their phones.³

12 [B]’s account was corroborated by [E]’s testimony. [E] said that he was browsing on his handphone at the time. He only realised that something had happened when he heard [A] stand up and shout: “[w]hy hit me?”⁴ His account did not change when cross-examined by Mr Tan.⁵

13 In short, neither [B] nor [E] witnessed [C] slapping [A]. All that their testimony spoke to was how [A] had reacted after [C] had allegedly slapped her. In this connection, there was also a video clip which shows [A] angrily shouting at [C] and hurling a vulgarity at her.

14 Apart from how [A] had reacted, she had also given evidence, in her testimony, and by way of pictures of a doctor’s report, of the medical treatment she had received in the wake of [C]’s alleged slap.

15 I did not consider that the evidence of how [A] had reacted, as well as the medical treatment she had received, when considered on their own or cumulatively, pointed to the conclusion that it was likely that [C] had slapped her.

16 For one, I considered it equally plausible that [A] would have reacted in the same way she did even if [C]’s hand had made contact with her (see above at [8]). It was apparent to me, from [A]’s testimony, that she bore no small

³ Transcript, Day 2 at pp 240 – 241.

⁴ Transcript, Day 5 at p 106 ln 32 – p 107 lns 1 – 9.

⁵ Transcript, Day 5 at p 175 and p 187.

amount of dislike towards [C] and wanted nothing to do with her. In other words, that [A] had reacted in what may be described as an aggressive manner towards [C] as seen in the video that was played in court, did not, by itself, point to the conclusion that [C] had indeed slapped her.

17 As for the medical treatment that [A] received, that too did not point to the conclusion that she had indeed been slapped. For one, the medical report itself, which [A] had adduced, simply describes the injuries that [A] had suffered after having allegedly been slapped by [C].

18 The same medical report also shows that there was an abrasion measuring less than “0.5cm” on her lower chin. [A] testified that the doctor had also told her that she had a “light cut”.

19 While it is indicated in the medical report that the injury suffered (*ie*, the cut) was from a blow from a blunt object, and that this pattern of injury was consistent with the account given by the patient (*ie*, [A]’s complaint that she had been slapped by [C]), I did not accept this assessment by the doctor – specifically, that this injury sustained by [A] was the result of being slapped by [C].

20 For one, there were no reasons given as to how, or why, the doctor had arrived at this conclusion. The manner in which the form is designed merely provides the doctor with a checkbox to indicate the type of injury, and whether that injury is consistent with the patient’s account. It is therefore difficult to assess why the doctor had concluded that this “light cut” suffered by [A] was indeed the result of being slapped by [C].

21 To be clear, I am not saying that the form was poorly designed – it is apparent that the form had been designed to be used by medical professionals who may, in a clinical setting, be pressed for time. As a matter of law, however, the court is not necessarily bound to accept the entirety of a medical report setting out the findings of a doctor. Just like any other piece of evidence presented to the court, it must be scrutinised to ascertain if it indeed supports the inferences and conclusions that the court is being invited to draw from it. To that end, insofar as I was invited to draw the conclusion from the doctor’s report that [C] had indeed slapped [A], it was also important to examine how the doctor had arrived at their conclusions. That simply could not be done given the information available on the face of the medical report.

22 In addition, the medical report did not appear to have captured the extent of the injuries that [A] had reported to the doctor on that day. In her testimony, [A] said that she had told the doctor that she had “ringing” in her ear.⁶ This was, for some reason, not reflected in the medical report.

23 To conclude, based on the evidence before me, I did not find that [A] had proven that [C] had indeed slapped her in this incident on 17 April 2024. Neither [B] nor [E] actually saw [C] slapping [A]. In any event, [A]’s reaction following the alleged slap and the medical treatment she received thereafter did not point to the conclusion that she had indeed been slapped by [C].

24 I would also add that insofar as [A] had complained of [C] threatening her with \$50,000 in legal costs, I did not find that that amounted to family violence as defined in s 64 of the Women’s Charter 1961. It was apparent to me that this message concerning legal costs, which was passed along to [A], was

⁶ Transcript, Day 1 at p 113.

made with a view towards resolving the matter privately – it was, however, not well-received by [A]. But that [A] viewed it as a threat did not necessarily mean that it was a threat, nor did it mean that this message was an act falling within the definition of family violence.

25 In addition, I also found that [A] had not proven that [C] was likely to commit family violence on her. For one, [A] had not shown, for example, that [C] indeed held, or continued to hold, a grudge against her, or that [C] bore any ill-will towards her. Further, apart from this incident on 17 April 2024, [A] had not complained of any other incidents involving [C].

26 [A] did, however, bring up an incident which took place some 25 years ago where [C] had allegedly threatened to kill [B] as an example of [C]’s history of violence. While much was said about this incident, there was, rather unsurprisingly given the passage of time, little by way of evidence to support and corroborate the allegation that [C] had indeed threatened to kill [B].

27 In short, having failed to prove that [C] had committed, or was likely to commit, an act of family violence on her, [A]’s application must fail.

28 In any event, even if [A] had succeeded in proving the first requirement, I would not have found it necessary to order the PPO. It is trite law that in assessing the necessity of ordering a PPO, the court undertakes a risk assessment.

29 In the present case, several facts pointed to there being a low risk of [C] committing family violence on [A]. For one, they did not live together and would only bump into each other at the occasional family gathering. Given that they did not share a common space and did not meet frequently, there were

minimal opportunities for interaction which, in my judgment, pointed to a low possibility of any future family violence being committed by [C] on [A].

30 In assessing the necessity of a PPO, it may also be useful to have regard to the *type* of family violence in question. [A]’s fear in the present case was that [C] would physically harm her. As I have noted, given that the both of them only meet, and rather infrequently at that, at social gatherings, there was a low risk of [C] harming her, especially considering that there would, in all likelihood, be other family members present.

31 I come now to [B]’s application in SS 751.

32 The crux of her complaint was that in the incident on 17 April 2024, [C] had, by her actions, placed her in fear of hurt and caused her continual harassment. Apart from this, and in support of her application, [B] also complained of an incident which had taken place outside of the court, as well as the incident which had taken place some 25 years ago in 1999 where [C] had, allegedly, threatened to kill her.

33 As I had explained in the paragraphs above, I did not find that [B] had proven that [C] had indeed allegedly threatened to kill her in that incident some 25 years ago.

34 As for the incident that had allegedly taken place outside my courtroom, I did not find that [C] had committed an act of family violence. By [B]’s own account, [C] had done nothing to her. They were both seated on the sofas outside

the courtroom, opposite each other, waiting for the court session to start. [C] was using her handphone. In [B]’s own words:⁷

Um, because, yah, one thing, yah, actually, the sofa is actually about 2 to 3-seater, so, my brother asked me to sit next to him. So, I said, no, I rather sit opposite that I can watch the---the---the Respondent. I---I do not know what she’s going to do anything to my husband and accused my husband that---that my husband will hit her or what, you know. This is what I think so much about all this negative thing, you know. So, that’s why I was so stressed. Yah, I saw her, huh, looking at her mobile phone. Even I seated there, I closed my eyes. So, when I open my eyes, she still looking at her handphone. I---I just a lot of negative thought come into my mind that I really feel so stressed then I move on. The later on the security came then. I find that, yah, no, lah, I---I got to move out from there. So, I seated at the---near the toilet, the corridor area. Then my brother said, “Yah, I understand how you feel.

35 Finally, in relation to the incident on 17 April 2024, I did not find that [C] had committed family violence on [B]. The crux of [B]’s complaint, as I understood it, was that she was present when [C] allegedly slapped [A], and that this had caused her to fear for her safety, and what [C] might do to her.

36 As I have mentioned, on [B]’s own account, she did not see [C] slap [A]. And indeed, as I had found in relation to SS 748, it has not been established that [C] had slapped [A]. But even taking [B]’s account of events at face value, it is difficult to see how the mere fact of her being present during this incident between [A] and [C], could mean that [C] had committed an act of family violence (within the meaning of s 64 of the Women’s Charter) against her.

37 Insofar as it is alleged, by [B], that [C] had advanced aggressively towards her, I did not find this to be the case. There was much emphasis placed on a video recording which shows a confrontation between [C], [A], [B] and

⁷ Transcript, Day 3 at pp 40 – 41.

[E]. This had taken place shortly after the alleged slap. The video speaks for itself. [C] did not appear to be behaving in an aggressive manner, nor did she appear to be advancing aggressively towards [B].

38 As a final point, insofar as [B] also pointed to what she claims was a threat made by [C] regarding the legal costs of a PPO application, as I have explained, I did not find that this amounts to family violence.

39 In addition, I also found that [B] has also not shown that [C] was likely to commit family violence on her. For one, [B] did not establish that [C] had borne a deep-seated grudge against her, and that [C] had acted on her grievances. In fact, I concluded, based on the evidence and the testimony before me, that it was [B] who has a deep-seated grievance against [C], and that this appeared to stem from a joint investment (that the both of them had undertaken in better times) that subsequently soured. [B] had also not established that [C] has certain patterns of behaviour, for example, a volatile temper, that make it likely that she would commit family violence on her.

40 Given that [B] had not established the first requirement needed to obtain a PPO, her application in SS 751 must fail.

41 In any event, I did not find it necessary to order a PPO. The evidence also showed that both [B] and [C] live apart and do not meet frequently. And when the both of them do meet, it would usually be at social events (*ie*, family gatherings, funerals, or church events). Further, and as I have mentioned, there was simply no evidence to suggest that [C] did bear a deep resentment towards [B] and that she was actively looking for ways to take revenge.

42 Given the low risk of [C] committing family violence against [B], I did not find it necessary to order a PPO.

43 I thus dismissed both applications in SS 748 and 751.

44 As for costs, Mr Tan asked for a global sum of \$90,000 (all-in). He highlighted that the length of the trial, as well as the conduct of both [A] and [B] during the trial, all amply justified making such a costs order.

45 On the other hand, both [A] and [B] argued that they should not have to bear costs. They raised a plethora of reasons, emphasising, in particular, that they were the victims in this case and that their financial situation meant that they were unable to pay costs.

46 The rule when it comes to costs is that costs shall follow the event: Rule 852 of the Family Justice Rules 2014. In the present case, [C] had succeeded in defending against both applications. Therefore, as a starting point, she was entitled to costs.

47 I saw no reason to depart from this starting position. In fixing costs, I took into account the length of the trial (which had stretched for some 10 calendar days before me) as well as the fact that both applications against [C] were heard together. Although [A] had to be sent to the hospital by ambulance as she was taken ill during her testimony, there was no delay to proceedings as [B] was interposed as a witness. Rather, it was the conduct of both [A] and [B] which had prolonged the proceedings, and this, in my judgment, ought to be taken into account in the assessment of costs. For instance, at various junctures, [A] and [B] would interrupt as Mr Tan was asking questions, or when a witness was giving evidence. Both [A] and [B] would also hurl various unfounded

accusations at Mr Tan. They also displayed an unyielding reluctance to abide by the procedural rules. They were also unable to control their emotional outbursts and would frequently burst out screaming and wailing which necessitated adjournments for them to calm down. Their behaviour continued despite numerous reminders that they were in a court of law and that they had to behave in a courteous manner. The disruptive manner in which [A] and [B] had conducted themselves, in my judgment, must be duly reflected any costs order made.

48 I therefore ordered that:

- (a) [A] was to pay the sum of \$16,000 to [C] by 16 July 2025; and
- (b) [B] was to pay the sum of \$22,000 to [C] by 16 July 2025. The quantum of costs that [B] was ordered to pay was higher as [B] had insisted on including the incident which took place outside my courtroom as part of her application in SS 751 (see above at [34]).

49 As a final point, I note that parties may come to the Family Court, not only with strong convictions about the strength of their case, but also with their own emotional baggage accumulated over time. But as was noted by my brother judge in *JGC v JGD* [2026] SGSC 9 at [44] and [45], that cannot be a license for bad behaviour. Applications for PPOs can only succeed on the strength and cogency of evidence presented, and not through the stamping of feet and raised voices in court.

Soh Kian Peng
Magistrate

[A] and [B] in person and unrepresented;
Tan Yew Fai (Y F Tab & Co) for [C].