

**IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE**

**[2026] SGFC 57**

District Court Appeal No 16 of 2026  
FC/OAGV 1/2024

Between

YCB

*... Applicant*

And

YCC

*... Respondent*

FC/OAGV 1/2025

Between

YCC

*... Applicant*

And

YCB

*... Respondent*

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**GROUNDS OF DECISION**

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[Family Law] – [Child] – [Relocation]  
[Family Law] – [Child] – [Care and control]

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**YCB  
v  
YCC**

**[2026] SGFC 57**

Family Court — OAGV 1/2024 and OAGV 1/2025  
District Judge Chia Wee Kiat  
21 August 2025, 2 September 2025 and 3 March 2026

23 April 2026

**District Judge Chia Wee Kiat:**

**Background**

1 The parties are both British citizens with Employment Passes (“EP”) in Singapore.<sup>1</sup> For the purpose of this decision, I shall refer to them as the “Mother” and the “Father”. They have a young child together though they were not married to each other.<sup>2</sup> The child, whom I shall refer to by the redacted name of [B], is also a British citizen<sup>3</sup> and will be 6 years of age this year.

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<sup>1</sup> Mother’s Written Submissions dated 14 August 2025 at [8]; Father’s Written Submissions dated 14 August 2025 at [5].

<sup>2</sup> Mother’s Written Submissions dated 14 August 2025 at [10] & [12].

<sup>3</sup> Mother’s Written Submissions dated 14 August 2025 at [12].

2 FC/OAGV 1/2024 was the Mother’s application to be allowed to relocate with [B] to the United Kingdom (“UK”) relying on clause 5 of the consent order dated 2 October 2023 (the “Consent Order”) recorded in FC/OSG 128/2023 (“OSG 128”). Clause 5 of the Consent Order provided as follows:

**Relocation**

In the event that either party wishes to relocate to the United Kingdom, the party shall discuss the issue with the other party.

The Parties shall re-discuss and re-negotiate the Child’s maintenance costs should either party plan to relocate. Any change to the existing maintenance arrangements between the parties shall be by mutual agreement or through an Order of Court of competent jurisdiction.

3 The Father objected to the application and filed a cross-application *vide* FC/OAGV 1/2025 to vary care and control and access.

4 I heard both applications together and called for a Custody Evaluation Report (“CER”). In *WKM v WKN* [2024] 1 SLR 158, the Court of Appeal made the following observations (at [74]) about the value of such reports:

In the process of generating their reports, the professionals would have engaged directly with the relevant persons involved in the child’s life and observed some of their interactions with the child. Their observations serve as crucial insights into the child’s world and greatly assist the court by presenting the realities of the child’s situation.

5 Having carefully considered the affidavits, submissions and the CER, I found that it would be in the best interests of [B] to relocate to the UK together with the Mother, with a strong post-relocation access plan to support [B]’s continued contact and communication with the Father and to preserve the father and son bond between them.

6 All considered, I made the following orders:

- (a) The Mother is allowed to relocate with [B] to the UK.
- (b) [B] to have daily video calls with the Father at a time that is reasonable for [B]. The Mother is to provide a suitable time for the Father to call that is convenient for [B]'s schedule.
- (c) Whenever the Father is in the UK, [B] can have up to 3 nights of overnight access with the Father while he is in the UK. During those times, [B] can have daily video calls with the Mother while he has access with the Father.
- (d) School holiday access:
  - (i) December holidays and Easter (April) holidays shall be alternated between parties each year;
  - (ii) The longer school holidays (i.e. Summer holidays) shall be divided into two halves, with parties alternating their respective halves each year;
  - (iii) Each party may travel with [B] during their care/access time in the school holiday, with the travelling party giving 4 weeks' prior notice to the other party.
- (e) Parties may mutually agree to vary the access arrangements.
- (f) The Mother shall give the Father 4 weeks' prior written notice of the intended relocation date and shall be discharged from her undertaking not to travel out of Singapore with [B], with such discharge to take effect one week after the date of notice. Upon the discharge taking effect, the Mother's solicitors shall release the child's passport to her.

(g) Upon [B]’s relocation to the UK, the Father shall pay the Mother \$2,050 per month for the child’s maintenance.

7 In *BNS v BNT* [2015] 3 SLR 973 (“*BNS v BNT*”), the Court of Appeal noted (at [2]) that relocation cases are never easy to decide as they involve a binary decision. Whichever way the Court decides, the decision is bound to cause considerable pain and anguish to one of the parties. In coming to my decision, I recognised that my decision would be very disappointing and painful for the Father. In my Brief Grounds delivered on 3 March 2026, I had expressed the hope that despite the strong reservation and objection expressed by the Father, he could nevertheless come round to accept the decision with a supportive and cooperative spirit. This would help build a stronger relationship between father and son. I reminded parties of the observation of Debbie Ong JC (as she then was) in *AZB v AZC* [2016] SGHCF 1 (at [42]) that children of separated parents need and long for their parents to be bigger, kinder and wiser.

8 I also encouraged both parents to move forward in their co-parenting journey with a spirit of give and take. Parenting after separation inevitably requires adjustment and compromise. A measure of flexibility will go a long way towards reducing conflict and promoting [B]’s welfare. The priceless lesson that the parents can impart to [B] through their ability to co-parent with grace, flexibility and generosity of spirit is one that will endure far beyond these proceedings.

9 It light of the foregoing, it is disappointing that the Father has chosen instead to continue down the path of litigation. On 4 March 2026, he filed a Notice of Appeal *vide* HCF/DCA 16/2026. On 6 March 2026, he filed a stay application *vide* FC/SUM 567/2026. On 10 March 2026, he requested through counsel’s letter to amend clause (f) of my order. The amendment, if granted,

meant that the Mother would only be released from her undertaking not to travel out of Singapore “1 day before the intended date of travel”, instead of “one week after the date of notice”.

10 I did not accede to the Father’s request to amend clause (f). This was because I was *functus officio* since a Notice of Appeal had been filed, and it would have been inappropriate for me to amend the order as requested by the Father. Any order affecting the order against which an appeal had been filed would be null: see *VDZ v VEA* [2020] 4 SLR 921 (at [53]).

11 On 27 March 2026, the stay application came up for urgent hearing before me. The Father contended that the execution of the relocation orders pending appeal would result in upheavals in [B]’s life within a short span of time, resulting in immense trauma and harm to [B] which could not be reversed on appeal.

12 I dismissed the Father’s application as there were no special circumstances to justify the grant of a stay. I explained, with reference to my decisions in *VDN v VDO* [2020] SGFC 33 (at [34]) and *WAG v WAH* [2022] SGFC 17 (at [158]), that a stay application is not an occasion to re-litigate the correctness of the judgment. As noted in *Strandore Invest A/S and others v Soh Kim Wat* [2010] SGHC 74 (at [10]) (“*Strandore*”), the special circumstances “must be circumstances which go to the enforcement of the judgment and not to its validity or correctness”.

13 I reminded parties that the decision to allow the relocation was based on [B]’s best interests. The Father’s submissions, in so far as they traversed the correctness of the decision, were irrelevant to the stay application as they did not constitute special circumstances. As noted in *Strandore* (at [10]), the merits

of the appeal are relevant only in the converse sense, in that the lack of merit is a factor that the Court may properly take into account. I was also not persuaded by the ancillary arguments advanced by the Father, but it is unnecessary for present purposes to go into them.

14 Having provided a brief background of the case, I now set out my full grounds for allowing the relocation.

### **The Mother's case**

15 The Mother said that parties started dating in 2017 and she became pregnant in February 2020 while residing in Singapore.<sup>4</sup> At the time, the Father was working in Hong Kong, and there were plans for the Mother to join him there.<sup>5</sup> Due to the Covid-19 restrictions, the Mother was unable to leave Singapore, so the Father moved to Singapore.<sup>6</sup> In October 2020, the Mother gave birth to [B] in Singapore.<sup>7</sup>

16 Since 2020, the parties had been on EP in Singapore.<sup>8</sup> On 6 February 2022, they agreed to a trial separation<sup>9</sup> and in May 2023, started renting separate apartments. Since then, [B] had been living with the Mother as his primary caregiver.<sup>10</sup> On 2 October 2023, the parties recorded the said Consent Order in

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<sup>4</sup> Mother's Written Submissions dated 14 August 2025 at [9].

<sup>5</sup> Mother's Written Submissions dated 14 August 2025 at [9].

<sup>6</sup> Mother's Written Submissions dated 14 August 2025 at [9].

<sup>7</sup> Mother's Written Submissions dated 14 August 2025 at [10].

<sup>8</sup> Mother's Written Submissions dated 14 August 2025 at [11].

<sup>9</sup> Mother's Written Submissions dated 14 August 2025 at [12].

<sup>10</sup> Mother's Written Submissions dated 14 August 2025 at [12].

OSG 128 which contemplated possible relocation to the UK.<sup>11</sup> The Father found a new partner [E]<sup>12</sup> and were expecting a newborn together in October 2025.<sup>13</sup>

17 The Mother explained that it had become more financially difficult to continue living in Singapore.<sup>14</sup> Her take-home salary of \$8,095 was not enough to cover her rental and other expenses, and left little to none to save for [B]’s future.<sup>15</sup> Even with the Father paying \$4,788.60 monthly as child maintenance, it was becoming increasingly difficult to cover for the remainder of [B]’s expenses<sup>16</sup> as her savings were depleted.<sup>17</sup> As the Mother found it challenging to negotiate with the Father for increased maintenance for [B],<sup>18</sup> relocating to the UK would alleviate some of this financial pressure, particularly through the reduction of major expenses such as rental.<sup>19</sup>

18 The Mother said that employment in the UK would provide long-term stability for her and [B]. Furthermore, she would be residing with her parents in the UK, which would obviate the need to expend money on rental accommodation.<sup>20</sup> She would have more financial independence in the UK since large expenses which she otherwise would have to incur in Singapore would be

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<sup>11</sup> Mother’s Written Submissions dated 14 August 2025 at [15].

<sup>12</sup> Mother’s Written Submissions dated 14 August 2025 at [13].

<sup>13</sup> Mother’s Written Submissions dated 14 August 2025 at [13].

<sup>14</sup> Mother’s Written Submissions dated 14 August 2025 at [17(a)].

<sup>15</sup> Mother’s Written Submissions dated 14 August 2025 at [17(a)].

<sup>16</sup> Mother’s Written Submissions dated 14 August 2025 at [17(c)].

<sup>17</sup> Mother’s Written Submissions dated 14 August 2025 at [17(d)].

<sup>18</sup> Mother’s Written Submissions dated 14 August 2025 at [27].

<sup>19</sup> Mother’s Written Submissions dated 14 August 2025 at [27].

<sup>20</sup> Mother’s Written Submissions dated 14 August 2025 at [17(e)].

reduced<sup>21</sup> and be in a far better position to cover [B]'s expenses and save for his future.<sup>22</sup>

19 The Mother also explained that relocation to the UK meant moving back to the parties' home country.<sup>23</sup> The parties and [B] are all British citizens.<sup>24</sup> [B] had been visiting the UK over the years to spend time with his grandparents<sup>25</sup> and the Father himself had visited the UK at least three times in 2024 alone.<sup>26</sup> Apart from the family support network in the UK,<sup>27</sup> [B] would have citizenship benefits in relation to education and healthcare as a British citizen<sup>28</sup> and more stability in relation to his residential status.<sup>29</sup> Relocating at this stage would be less disruptive than if [B] had commenced formal education in Singapore.<sup>30</sup>

20 The Mother said that she had undertaken considerable efforts to secure a place for [B] in a Prep School and prepare [B] to commence his Reception education.<sup>31</sup> She had also diligently sought and secured employment opportunities in the UK to ensure long-term stability.<sup>32</sup>

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<sup>21</sup> Mother's Written Submissions dated 14 August 2025 at [18(f)].

<sup>22</sup> Mother's Written Submissions dated 14 August 2025 at [18(f)].

<sup>23</sup> Mother's Written Submissions dated 14 August 2025 at [18(a)].

<sup>24</sup> Mother's Written Submissions dated 14 August 2025 at [1]-[2].

<sup>25</sup> Mother's Written Submissions dated 14 August 2025 at [18(a)].

<sup>26</sup> Mother's Written Submissions dated 14 August 2025 at [42].

<sup>27</sup> Mother's Written Submissions dated 14 August 2025 at [18(b)].

<sup>28</sup> Mother's Written Submissions dated 14 August 2025 at [18(c)].

<sup>29</sup> Mother's Written Submissions dated 14 August 2025 at [18(e)].

<sup>30</sup> Mother's Written Submissions dated 14 August 2025 at [18(d)].

<sup>31</sup> Mother's Written Submissions dated 14 August 2025 at [56(a)].

<sup>32</sup> Mother's Written Submissions dated 14 August 2025 at [56(b)].

21 The Mother said that the move to Singapore was never meant to be long term<sup>33</sup> and the parties had contemplated relocation when they recorded the Consent Order in OSG 128.<sup>34</sup> She lacked familial support in Singapore and this was compounded by the Father's relentless and, at times, abusive texts, emails, and verbal conduct.<sup>35</sup> This had made the Mother's time in Singapore particularly difficult and had taken a psychological and emotional toll that led her to seek therapy.<sup>36</sup> The Mother believed that the Father had even used hackers to gain access into her iPad to obtain evidential material for these proceedings.<sup>37</sup> The Father was issued a stern warning by the Singapore Police Force for an alleged offence under s 3(1) of the Computer Misuse Act 1993 for unauthorized access to computer material committed on 29 November 2024.<sup>38</sup>

22 The Mother said that she had not been able to discuss the issue of relocation with the Father as their relationship had deteriorated since the Consent Order. In January 2024, the Father had verbally broached the topic of relocating to Australia with her. When she declined the request, she was met with the Father's anger as he informed her that it was her refusal to relocate with him that led to him declining a job offer in Australia.<sup>39</sup>

23 Instead of being understanding why she could not simply relocate to a country far away from both their families, the Father told her that he would

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<sup>33</sup> Mother's Written Submissions dated 14 August 2025 at [33] to [35].

<sup>34</sup> Mother's Written Submissions dated 14 August 2025 at [36].

<sup>35</sup> Mother's Written Submissions dated 14 August 2025 at [29].

<sup>36</sup> Mother's Written Submissions dated 14 August 2025 at [29].

<sup>37</sup> Mother's Written Submissions dated 14 August 2025 at [161] – [166].

<sup>38</sup> Mother's Written Submissions dated 14 August 2025 at [165]; Mother's Rebuttals 20 August 2025 at pp 19 – 20; Mother's Affidavit dated 28 May 2025 at p 35.

<sup>39</sup> Mother's Affidavit in Support dated 19 November 2024 at [39].

make her life extremely difficult in retaliation. He also threatened to ruin her financially. This, amongst other instances of verbal abuse, left her feeling concerned about his future intentions and led to her reticence to broach the issue with him directly.<sup>40</sup>

24 The medical report dated 4 October 2024 submitted by the Mother indicated that she had increased anxiety and panic attacks, and would benefit tremendously from moving to a different country to start her life afresh and not be subject to the constant threats and harassment from the Father.<sup>41</sup> Her doctor was of the view that her mental health would be able to recover in a safe space. With greater peace of mind, she would be better placed to provide a safe and conducive environment for [B].<sup>42</sup>

25 The Mother acknowledged that the relocation was expected to cause some loss of relationship between the Father and [B] but this could be mitigated through adequate access arrangements to support and facilitate [B]’s relationship with the Father.<sup>43</sup> In addition, the Father had the financial means and capabilities to visit [B],<sup>44</sup> even multiple times a year.<sup>45</sup>

### **The Father’s objections**

26 The Father said that months before [B] was born, he gave up his career in Hong Kong to relocate to Singapore to build a life with the Mother and [B]

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<sup>40</sup> Mother’s Affidavit in Support dated 19 November 2024 at [39].

<sup>41</sup> Mother’s Affidavit dated 8 January 2025 at [E175-177].

<sup>42</sup> Mother’s Affidavit dated 8 January 2025 at [E175-177].

<sup>43</sup> Mother’s Written Submissions dated 14 August 2025 at [77(a)].

<sup>44</sup> Mother’s Written Submissions dated 14 August 2025 at [77(b)].

<sup>45</sup> Mother’s Written Submissions dated 14 August 2025 at [83].

in Singapore.<sup>46</sup> He had participated actively in every phase and aspect of [B]’s life and they both shared a close and loving father-son relationship.<sup>47</sup>

27 The Father said that he started taking care of [B] alone when he was just 4 days old when the Mother had to go to the hospital<sup>48</sup>. Subsequently, there were many other occasions when the Father took care of [B] himself.<sup>49</sup> He was even more successful than the Mother in getting [B] to settle and sleep when B was an infant.<sup>50</sup>

28 Even when parties started living separately starting from June 2023, he would go over to the Mother’s apartment almost every day after work to help care for and spend time with [B].<sup>51</sup> The parties also spent most of the weekends together with [B].<sup>52</sup>

29 From late 2023, he had been having access on three weekday evenings, one weekend overnight, and overnight on alternate public holidays.<sup>53</sup> The Father said that he started dating [E] in April 2024.<sup>54</sup> When he moved to live with [E] and her son, [A], on 31 March 2025, he wanted to spend even more time with [B] and be more involved in [B]’s schooling routines.<sup>55</sup>

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<sup>46</sup> Father’s Written Submissions dated 14 August 2025 at [16].

<sup>47</sup> Father’s Written Submissions dated 14 August 2025 at [15] and [27].

<sup>48</sup> Father’s Written Submissions dated 14 August 2025 at [17(a)].

<sup>49</sup> Father’s Written Submissions dated 14 August 2025 at [17(b)].

<sup>50</sup> Father’s Written Submissions dated 14 August 2025 at [17(c)].

<sup>51</sup> Father’s Written Submissions dated 14 August 2025 at [18].

<sup>52</sup> Father’s Written Submissions dated 14 August 2025 at [18].

<sup>53</sup> Father’s Written Submissions dated 14 August 2025 at [20].

<sup>54</sup> Father’s Written Submissions dated 14 August 2025 at [71(a)].

<sup>55</sup> Father’s Written Submissions dated 14 August 2025 at [20].

30 The Father said that he had been deeply invested in [B]’s education, both within and outside school.<sup>56</sup> He also proactively organised and took [B] for exciting and diverse activities over the weekends<sup>57</sup> and cared deeply about protecting [B]’s emotional and mental wellbeing.<sup>58</sup> For example, in October 2024, he reached out to the Mother expressing his concern that [B] might be triangulated into the parties’ disputes and affected by their acrimonious relationship and suggested that parties take [B] to see a child psychologist.<sup>59</sup> In April 2025, he consulted a renowned child/parenting psychologist to seek advice on how to convey the news of [E]’s pregnancy in a delicate and age-appropriate manner to [B].<sup>60</sup>

31 The Father said that since parties starting living apart, [B] would have so much fun during his access time with him that he would playfully try to negotiate for more time with him whenever access was coming to an end.<sup>61</sup> Despite already seeing the Father frequently throughout the week, [B] wanted to spend even more time with the Father.<sup>62</sup>

32 The Father said that he had always been a constant and steady presence in every phase of [B]’s life.<sup>63</sup> Given [B]’s young age, there was a real risk that their close relationship would not weather the prolonged physical separation

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<sup>56</sup> Father’s Written Submissions dated 14 August 2025 at [21].

<sup>57</sup> Father’s Written Submissions dated 14 August 2025 at [22].

<sup>58</sup> Father’s Written Submissions dated 14 August 2025 at [23].

<sup>59</sup> Father’s Written Submissions dated 14 August 2025 at [23(a)].

<sup>60</sup> Father’s Written Submissions dated 14 August 2025 at [23(c)].

<sup>61</sup> Father’s Written Submissions dated 14 August 2025 at [24].

<sup>62</sup> Father’s Written Submissions dated 14 August 2025 at [27].

<sup>63</sup> Father’s Written Submissions dated 14 August 2025 at [27].

from each other in the event of relocation.<sup>64</sup> It would also not be in [B]’s interests to be taken away from [A] and his future baby brother.<sup>65</sup>

33 The Father asserted that the Mother’s intended relocation was a matter of choice, not necessity.<sup>66</sup> The Mother was a successful career woman and was never a stay-at-home mother.<sup>67</sup> The Mother and [B] were not in a financially precarious situation in Singapore and the Mother had not shown how her financial position would significantly improve if she relocated.<sup>68</sup> In fact, the Mother’s income was more than sufficient to meet hers and [B]’s reasonable expenses in Singapore.<sup>69</sup>

34 The Father alleged that the Mother’s financial woes were a mere façade and that the Mother intended to relocate purely for her own personal reasons.<sup>70</sup> The Father said that the Mother always had a jealous and possessive streak<sup>71</sup> and it was likely that the Mother’s relocation plans were driven by her jealousy and spite over the reality that the Father had moved on with his now-wife, [E].<sup>72</sup> He alleged that the Mother was upset about him dating [E] and started case-building for her relocation application.<sup>73</sup> It was likely that the Mother’s relocation with

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<sup>64</sup> Father’s Written Submissions dated 14 August 2025 at [40].

<sup>65</sup> Father’s Written Submissions dated 14 August 2025 at [47].

<sup>66</sup> Father’s Written Submissions dated 14 August 2025 at [48].

<sup>67</sup> Father’s Written Submissions dated 14 August 2025 at [52].

<sup>68</sup> Father’s Written Submissions dated 14 August 2025 at [50].

<sup>69</sup> Father’s Written Submissions dated 14 August 2025 at [54].

<sup>70</sup> Father’s Written Submissions dated 14 August 2025 at [68].

<sup>71</sup> Father’s Written Submissions dated 14 August 2025 at [72].

<sup>72</sup> Father’s Written Submissions dated 14 August 2025 at [70].

<sup>73</sup> Father’s Written Submissions dated 14 August 2025 at [71(a)].

[B] was planned to punish the Father, because of her bitterness over the Father being in a happy new relationship.<sup>74</sup>

35 The Father said that he discovered in early 2025 that the Mother had been dating a British man<sup>75</sup> and it was also likely that the Mother intended to move to the UK to be with her secret romantic partner.<sup>76</sup> The Father alleged that the Mother's claim that she would be living with her parents was to boost her chances of succeeding in her relocation application.<sup>77</sup> He further alleged that the Mother would likely move elsewhere after moving out of Singapore.<sup>78</sup> Given [B]'s young age, multiple relocations would be extremely unsettling for him and not in his best interests.<sup>79</sup>

36 The Father also said that the proposed relocation was contradictory to the parties' clear joint intention to remain in Singapore.<sup>80</sup> The Father said that even after the parties' romantic relationship ended in February 2022, both agreed that they should continue living in Singapore rather than move back to the UK.<sup>81</sup> The parties also agreed that [B] should be raised in Singapore.<sup>82</sup> Given parties' shared sentiments on remaining in Singapore, it came as a complete shock to the Father when the Mother suddenly reached out to him

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<sup>74</sup> Father's Written Submissions dated 14 August 2025 at [73].

<sup>75</sup> Father's Written Submissions dated 14 August 2025 at [74].

<sup>76</sup> Father's Written Submissions dated 14 August 2025 at [74].

<sup>77</sup> Father's Written Submissions dated 14 August 2025 at [78].

<sup>78</sup> Father's Written Submissions dated 14 August 2025 at [78].

<sup>79</sup> Father's Written Submissions dated 14 August 2025 at [79].

<sup>80</sup> Father's Written Submissions dated 14 August 2025 at [82].

<sup>81</sup> Father's Written Submissions dated 14 August 2025 at [82(b)].

<sup>82</sup> Father's Written Submissions dated 14 August 2025 at [82(c)].

through her solicitors on 4 November 2024, informing of her intention to hurriedly relocate to the UK in January 2025.<sup>83</sup>

37 Aside from objecting to the Mother’s relocation application, the Father also sought to vary the Consent Order to have, *inter alia*, more access sessions with [B] so that [B] could spend more time with him and his new family members.<sup>84</sup>

### Analysis

38 As noted in my decision in *XII v XIJ* [2025] SGFC 40, which was affirmed by the Family Division of the High Court in *XII v XIJ* [2025] SGHCF 48 (“*XII v XIJ (HC)*”), where there are cross-applications involving relocation and care and control, the primary issue to be decided first is relocation. This is because relocation directly affects the practical viability of any care arrangements. Deciding care and control first may lead to an order that becomes quickly outdated once relocation is determined.

39 In relocation applications, it is a well-established principle that the welfare of the child is paramount and overrides every other consideration. There is no pre-fixed precedence or hierarchy amongst the various factors to be weighed in the overarching inquiry into the child’s welfare. Where the factors stand in relation to one another depends, finally, on a consideration of all the facts of the case: see *ULA v UKZ* [2018] SGHCF 19 (at [24], citing *BNS v BNT*).

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<sup>83</sup> Father’s Written Submissions dated 14 August 2025 at [82(d)].

<sup>84</sup> Father’s Written Submissions dated 14 August 2025 at [111] – [148].

**Reasonable wishes of primary caregiver**

40 An important consideration in a relocation application is the reasonable wishes of the primary caregiver. In *XII v XIJ (HC)*, Mavis Chionh J observed (at [24]) as follows:

Two of the factors which may be relevant in helping the court assess where the best interests of the child lie are the reasonable wishes of the primary caregiver and the child's loss of relationship with the "left-behind" parent. It must be remembered, though, that there is no legal presumption in favour of allowing relocation when the primary caregiver's desire to relocate is not unreasonable or founded in bad faith (*WRU v WRT* [2024] SGHCF 23 at [13], citing *BNS v BNT* at [21]). Nor is the loss of relationship between the left-behind parent and the children treated as having determinative weight or as being decisive in every case (*WRU v WRT* at [13], citing *BNS v BNT* at [26]).

41 The learned noted further (at [35]) as follows:

In *BNS v BNT*, the Court of Appeal held (at [20]) that the reasonable wishes of the primary caregiver to relocate "is often identified as an important factor affecting the child's welfare because the child's emotional and psychological welfare is, generally speaking, intertwined with that of the primary caregiver". Hence, if the primary caregiver reasonably wishes to relocate because he or she is not emotionally and psychologically stable in his or her present environment, that has to be sensibly weighed in the balance. However, the relocating parent's reasonable wish to relocate is not relevant *per se*. It is relevant only to the extent that it is found that there will be a transference of his or her insecurity and negative feelings onto the child.

42 The Father advanced a litany of allegations to portray the Mother unfavourably. On the one hand, he alleged that the Mother was motivated by bitterness over his newfound happiness and intended to punish him. On the other hand, he alleged that the Mother's true intention in seeking relocation was to be with her secret romantic partner. In a single stroke, he attributed two different and incompatible motives to the Mother, one portraying her as acting out of

resentment towards him, while the other portraying her as acting out of affection towards another partner. These allegations did not comfortably co-exist and appeared speculative rather than grounded in objective evidence. The overall picture that emerged from the Father's attempt to cast the Mother in poor light reflected poorly on him instead. Having established a new happy family, he nonetheless sought to prevent the Mother from returning with [B] to their home country to start life afresh, throwing everything into the dispute rather than focusing on points of real materiality.

43 On the objective evidence before me, I found that the Mother's wish to relocate to the UK was reasonable and not founded in bad faith. The parties and [B] are all British citizens. Neither the Father nor the Mother had any permanent immigration status in Singapore. Given that the parties' relationship had broken down, the Mother's wish to return with [B] to their home country was neither surprising nor unreasonable. This was all the more so as the Consent Order had expressly contemplated the possibility of relocation to the UK, thereby reflecting the parties' shared understanding.

44 As observed by Debbie Ong J (as she then was) in the seminal decision of *UYK v UYJ* [2020] 5 SLR 772 ("*UYK v UYJ*") (at [32]), many of the cases where leave was granted to relocate involved a parent returning to his or her home country after the breakdown of the parents' relationship. In *UYK v UYJ*, the parties were not legally married and had a child, C, who was 5 years old. Both parties and C were British citizens. The father contended that the mother was able to remain in Singapore, since she had admitted that she would not relocate on her own to the UK without C. He asserted that the mother could find employment in Singapore, and moving to the UK was a matter of personal preference. She could make sacrifices for the child and remain in Singapore, so that C would not lose the benefit of being cared for by both parents. However,

the learned judge noted that neither the father nor the mother had any permanent immigration status in Singapore. There was no good reason why, between the two parties, it should be the mother who should be kept in Singapore when the family's home, in a more permanent sense, was not in Singapore.

45 The facts in *UYK v UYJ* bore many similarities. The observations of the learned judge reinforced what was plain to see in the present case, i.e. that the Mother's wish to return to their home country with [B] following the breakdown of the relationship with the Father was both understandable and reasonable.

#### **Loss of child's relationship with the Father**

46 As noted in *TAA v TAB* [2015] SGHCF 1 (at [19]):

A relocation of children to another jurisdiction is a serious matter. It would mean a fundamental change in whom the children would see as their close family and the children would lose the experience of hands-on parenting from both their mother and their father (see *K v K* [2011] EWCA Civ 793). The court must give sufficient weight to the loss of the children's relationship with the left-behind parent ...

47 The loss of relationship between the left-behind parent and the child is often diametrically opposed to the reasonable wishes of the primary caregiver. As observed by Mavis Chionh J in *WRU v WRT* [2024] SGHCF 23 ("*WRU v WRT*") (at [13]):

Two important considerations that may often be diametrically opposed are (a) the reasonable wishes of the primary caregiver, and (b) the loss of relationship between the left-behind parent and the children.

48 As these considerations pull in opposite directions, how should the Court approach the task of evaluating the two competing factors? In *WRU v WRT*, the learned judge approached the task by balancing one factor against the other. In other words, the exercise is not one of determining what weight to be

accorded to each factor in isolation, but rather which should prevail relative to the other. I found the approach taken in that case to be instructive and adopted the same framework in assessing the facts of the present case.

49 From the affidavits and the CER, I had no doubt that both parents loved [B] and wanted the best for him. Indeed, I found it heartening that [B] loved both of them equally. [B] was in the developmental stage where he needed routines and structures in his life. He also needed stability and a consistent presence of his attachment figure. While [B] shared a close bond with both parents, the Mother was the one that [B] depended on the most for emotional comfort, security, and support in regulating his emotions. Due to his young age, it was natural that [B] was still very dependent on the Mother for his attachment needs. Indeed, [B]’s attachment to the Mother was consistent with the behaviour typically exhibited by young children. As the Court of Appeal observed in *CX v CY* [2025] 3 SLR (R) 690 (at [43]), “a young child requires a mother’s daily care”.

50 Having considered all the circumstances, I found that if the Mother was unable to relocate and was compelled to remain in Singapore, her mental health was likely to deteriorate and this would likely impact [B]’s mental and emotional well-being indirectly. It was more likely than not that greater harm would be suffered by [B] if the child was not allowed to relocate, as compared to the harm suffered from the loss of relationship between the child and the Father. While [B] would miss the Father, the separation would be manageable with the Father maintaining regular and consistent contact with [B] upon relocation.

**Other considerations**

51 Weighing the harm that would be suffered by [B] if relocation was not allowed against the harm suffered from the loss of relationship between [B] and the Father if relocation was allowed, I found that [B]’s welfare favoured allowing the relocation. However, I was mindful that these were not the only considerations in a relocation application. I gave careful consideration to whether there were countervailing factors that might tilt the balance the other way, but was unable to identify any that was of sufficient weight for the reasons explained below.

52 The Father put forward lengthy submissions to show that the relocation would not be in [B]’s welfare, but for the sake of brevity, I will summarise them as follows:

- (a) [B] had lived in Singapore all his life;<sup>85</sup>
- (b) The quality of UK’s education was no better than Singapore’s<sup>86</sup> and the quality of healthcare was also lower than Singapore’s.<sup>87</sup>
- (c) Relocation to the UK would raise safety concerns;<sup>88</sup>

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<sup>85</sup> Father’s Written Submissions dated 14 August 2025 at [87].

<sup>86</sup> Father’s Written Submissions dated 14 August 2025 at [95].

<sup>87</sup> Father’s Written Submissions dated 14 August 2025 at [100].

<sup>88</sup> Father’s Written Submissions dated 14 August 2025 at [106].

(d) The Mother's relocation plans were in a state of flux and remained unclear.<sup>89</sup> The Mother had not provided a sufficiently concrete and viable care plan for [B].<sup>90</sup>

(e) The Father was prepared to contribute \$5,300.60 in monthly child maintenance if [B] remained in Singapore and was committed to pay for [B]'s medical expenses if he had to undergo surgery in Singapore.<sup>91</sup>

***Child had lived in Singapore all his life***

53 I did not accept that the relocation to the UK would be contrary to [B]'s best interests merely because the child had lived in Singapore all this life. In this regard, the observations of the Court in *VPG v VPF* [2021] SGHCF 18 (at [12]) bear reiterating:

No one disagrees that Singapore is now the 'current home' of this young child. But that is not the only or dominant factor going to the child's welfare in relocation applications, which involve far wider implications on the child's life. If it was, relocations will hardly be allowed whenever young children are living in Singapore, living ordinary lives, schooling, and enjoying Singapore food, with no particular difficulties specific to life in Singapore.

54 In *UYK v UYJ*, it was also observed (at [51]–[52]) as follows:

...whether a child is well-settled in Singapore is a relevant factor that should be given appropriate weight. It was also important, however, to bear in mind that in a globalised world, families are geographically mobile and adaptable, and the weight to be placed on well-settledness will depend on other related circumstances including how many years the child has lived in that country, the age of the child, and whether that country has

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<sup>89</sup> Father's Written Submissions dated 14 August 2025 at [83].

<sup>90</sup> Father's Written Submissions dated 14 August 2025 at [84].

<sup>91</sup> Father's Written Submissions dated 14 August 2025 at [103].

been the family's home for many years. ...Well-settledness in a country is also not an immutable circumstance that can never change. The passage of time and support from a loving parent can enable a child to adapt well to transitions in life...

55 In the present case, [B] had been visiting the UK over the years to spend time with his grandparents.<sup>92</sup> At the age of five, [B] was still of tender years and remained highly adaptable. It is not uncommon for children of this age to transition successfully into a new country, particularly to a country with which the child and parents share citizenship or strong ties. For example, in *UYK v UYJ* (at [57]), both the lower court and the Family Division of the High Court were of the view that the 5-year-old child was young and adaptable and would be able to settle down in the UK with a loving parent by his side. There was no reason to believe otherwise in the present case, as [B] shared a close and loving relationship with the Mother and the relocation represented a return to a familiar environment rather than a move to an entirely foreign setting.

***Quality of UK education, healthcare and public safety***

56 In my view, the comparison made by the Father about the quality of education, healthcare and public safety between the UK and Singapore was misdirected. The welfare principle does not require that a child be afforded the highest possible standard of living. Rather, it requires that the child be placed in an environment where his needs are adequately and reasonably met, and where his overall welfare is safeguarded.

57 Hence, the question is not whether one jurisdiction outperforms another in absolute terms. The real inquiry is whether the proposed relocation would place the child in an environment that is safe, stable and capable of meeting his

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<sup>92</sup> Mother's Written Submissions dated 14 August 2025 at [18(a)].

developmental needs such that his welfare is not compromised. On the evidence before me, there was no reason to conclude that [B]’s essential developmental, educational, medical and safety needs could not be adequately met in the UK.

***Mother’s relocation plan***

58 The Father’s assertion that the Mother lacked a proper relocation plan was neither fair nor justified. The Mother did have a reasonably thought-out relocation plan, even if some aspects remained to be finalised for the obvious reason that the relocation was contingent on the outcome of her application and when proceedings were concluded.

59 It should be noted that the Mother’s relocation application was filed on 22 November 2024 and only came up for hearing on 21 August 2025, due in part to the time needed to accommodate the Father’s cross-application filed on 28 January 2025 and his subsequent application to amend the prayers. By the time of the hearing, the Mother’s initial plan to take time off from work to be [B]’s full-time caregiver whilst [B] was adapting to living in the UK and to explore [B]’s schooling options, so that she could be assured of making the right choice of school for [B] when he began the new term in September 2025<sup>93</sup> was overtaken by events.

60 In my view, an undue preoccupation with the granular details of the relocation plan risks obscuring the broader picture. The move was a return to the child’s home country where the caregiving parent would have access to familiar surroundings, established social networks, and the support of extended family. These were matters of real and practical significance as they bear

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<sup>93</sup> Mother’s Affidavit dated 19 November 2024 at [42] and [44].

directly on the Mother's emotional stability, the availability of day-to-day assistance, and the sustainability of caregiving arrangements. Viewed in this light, the relocation was not an uncertain or speculative venture but a move grounded in stability and support. This broader perspective more accurately reflected the child's welfare than a narrow focus on perceived gaps or imperfections in the plan.

***Father's offer to increase maintenance and pay for [B]'s medical expenses***

61 I did not think that the Father's offer adequately addressed the underlying emotional and practical challenges that had compelled the Mother to seek relocation to her home country in the first place. Financial support cannot substitute for the presence of extended family, a familiar environment, and the emotional stability that such support affords. Where the caregiving parent's well-being is materially affected, this has a direct bearing on her capacity to care for the child. An increase in maintenance, conditional on [B] remaining in Singapore, did not alleviate these concerns.

**Conclusion**

62 For the reasons set out above, I was satisfied that it was in [B]'s best interests to allow the relocation. In arriving at this decision, I carefully weighed the competing considerations, including the impact of relocation on [B]'s relationship with the Father and the Mother's reasonable wishes to return to the UK, which was the home country of the parties and the child.

63 It is an unfortunate but inevitable consequence of relocation that the child's physical contact with the left-behind parent will be affected. This, however, does not diminish the importance of that parent's continued involvement in the child's life. In the present case, I was satisfied that

appropriate arrangements could be put in place to support and preserve [B]’s relationship with the Father notwithstanding the geographical distance. To that end, I had accepted all the access terms proposed by the Father and further expanded them to provide for additional access beyond what had been sought.<sup>94</sup>

64 The parties’ continued entrenchment in litigation is concerning. As observed in *UYK v UYJ* (at [13]), prolonged conflict of parents in litigious proceedings is harmful to the child. I strongly encourage both parties to focus on working together constructively, bearing in mind that [B] will benefit most from the continued love, support and cooperation of both parents.

**CHIA WEE KIAT  
DISTRICT JUDGE**

Mr Ahmad Nizam Bin Abbas and Mr Amrun Hisyam bin Ahmad  
Nizam (Crescent Law Chambers LLC) for the Mother;  
Ms Thian Wen Yi and Ms Charis Sim Wei Li ( Harry Elias  
Partnership LLP) for the Father.

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<sup>94</sup> Father’s Written Submissions dated 14 August 2025 at [10].