IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE

[2026] SGFC 42

MSS 1794/2025

TMV

v

TMU

JUDGMENT

[Maintenance enforcement officers] — [Report] — [s 89(3) Women's Charter]

[Maintenance enforcement officers] — [Examination in court] — [s 90(4)(*b*) Women's Charter]

TMV
v
TMU

[2026] SGFC 42

MSS 1794/2025
District Judge Chua Wei Yuan
26, 30 December 2025, 13, 30 January 2026

19 March 2026

District Judge Chua Wei Yuan: **Judgment reserved.**

1 These are my reasons for allowing the respondent/ex-husband's ("R") application under s 90(4)(*b*) of the Women's Charter 1961 (2020 Rev Ed) ("WC")—to my understanding, the first of its kind—to examine the Maintenance Enforcement Officer ("MEO") who authored the report for the hearing of a summons by the applicant/ex-wife ("C") under s 80 of the WC for the enforcement of a maintenance order issued for the benefit of their children.

Factual and procedural history

2 Under an order made on in 2015, R had been ordered to pay C $500 per month as child maintenance. Paragraph 3(d) of the order read:

> **d.** [R] shall continue to pay $500.00 per month as maintenance for his son and all arrears under the interim order shall be paid within 1 month of this order.

3 Sometime in 2017, R was adjudicated a bankrupt on C's application.

4 R later fell into arrears in maintenance payments. In May 2021, the Court adjudged, in a summons under the former s 71 of the Women's Charter (Cap 353, 2009 Rev Ed), that R was in arrears of $20,000.00 excluding maintenance for May 2021, to be repaid in instalments of $50.00 on or before the last day of each month starting 31 May 2021.

5 In 2022, R ceased paying current maintenance as his child turned 21 years of age.

6 R, at various points in time since the enforcement order in May 2021, fell into arrears with his repayment schedule.

7 On 11 August 2025, C filed this claim—a further enforcement application—alleging that R was in arrears of $18,500.00. Subsequent to this, R made payments such that he would have "caught up" with the payments required under the May 2021 enforcement order.

8 Parties were referred for conciliation, and attended before the MEO in September 2025. Conciliation was unsuccessful, and on 21 October 2025 the MEO issued his report for the purpose of the proceedings. The matter was subsequently fixed for a mention back in Court. At the mention on 17 November 2025—the final one before the hearing—R indicated his intention to examine the MEO. The Court directed that a written request was to be filed if R wished to examine the MEO, and fixed this matter for hearing thereafter.

9 At the first hearing on 26 December 2025, before R was invited to cross-examine C, R again indicated his intention to examine the MEO.

10 I directed R to file a formal application in Form 30-A by 30 December 2025, in accordance with P 3 r 22Q(*a*) of the Family Justice (General) Rules 2024 (S 720 of 2024) ("FJ(G)R 2024"), if he wished to examine the MEO. R filed the application, and it was served on the MEO and on C. C did not file a reply to the application by the deadline which I stipulated. On the other hand, the MEO, while not expressing a positive view as to whether he should be examined, sought directions to file a further report (presumably under s 89(3) of the WC).

Supplementary MEO report

11 It might have seemed slightly unusual for the MEO to seek directions to file a supplementary report. However, in the circumstances, there was a chance that time in court could be saved if R's intended areas of examination could be satisfactorily addressed by way of written clarification.

12 Accordingly, I directed the MEO file and serve the supplementary report and, considering that the hearing was imminent, directed that R inform the Court within 3 days if, in the light of the MEO's supplementary report, he no longer wished to examine the MEO.

Application to examine the MEO

The applicable principles

13 Generally, the MEO is appointed by the court to discharge the statutory functions in s 84(1) of the WC. These include ascertaining the facts and circumstances that could be relevant to the application at hand (s 84(1)(*a*) WC) and issuing a report relating to the maintenance enforcement application (s 89(1) WC).

14 The MEO's report in relation to the maintenance enforcement application is admissible as evidence of that MEO's opinion and of the facts upon which that MEO's opinion is based in relation to any matter contained in the report (s 90(4)(*a*) WC), but that MEO need not be called as a witness unless the MEO is to be examined by the court or, with the permission of the court, by the applicant or respondent (s 90(4)(*b*) WC).

15 It is in my view plain from the language of s 90(4)(*b*) that, as a default rule, the MEO need not be called to court to testify. The MEO may also be called either at the Court's initiative, or with the Court's permission upon either party's application.

16 It must follow that, where a party applies to examine the MEO, the Court has the discretion to disallow the application. What, then, are the principles that govern this process, and the exercise of this discretion?

17 In terms of procedure, P 3 r 22Q of the FJ(G)R 2024 provides that A party who wishes to examine an MEO at a hearing of the maintenance enforcement application must submit to the Court, at least 3 weeks before the hearing date, a written request in Form 30-A to examine the MEO at the hearing; and serve a copy of the written request on the MEO and all other parties to the proceedings. It seems to me that the timing of 3 weeks is intended to afford the MEO sufficient notice to set aside time to attend the hearing, considering that the MEO is a public servant (s 77(5)(*b*) of the WC). It would also seem to me that, considering that the rule requires service of the *request* (rather than the *summons*) on the MEO and the other parties to the proceedings, the views of all other parties and the MEO should be heard by the Court before it decides whether to grant the request.

18 As for the substantive merits of this application, the Court's interest, to my mind, is in the just, economical and expeditious disposal of matters. Therefore, the Court is interested in balancing the need to allow each party to be heard and to ventilate his/her case, and the need to dispose of cases without undue delay, and without unnecessarily troubling the MEO—who is a public servant (s 77(5)(*b*) of the WC)—to attend court. I considered the following practical principles to be relevant to my inquiry.

19 **First and foremost**, a party should not be allowed to examine the MEO where the proposed examination covers only matters which are irrelevant to the Court's disposition of the matter. As the MEO's duties include matters which are not the subject of the court's decision, it would not usually be appropriate to examine the MEO on those matters. For example, it is difficult to imagine a case where it would be relevant to the court's disposition of the application to allow a party to examine the MEO on why the MEO decided to conduct conciliation in a certain way, or decided not to schedule a further conciliation. Even where the MEO refers a party to a social service officer for financial assistance under s 85(1) of the WC, it is hard to imagine that this would have anything more than tangential relevance to the issues which the Court must decide. Cross-examination should not be the arena to scrutinise the merits of these decisions.

20 **Second**, a court would be slow to allow a party to examine the MEO on factual points which are plain on the supporting documents.

(a) If a party wishes to examine the MEO, that party should be able to state, at the time of the application, the specific issue(s) on which he/she intends to examine the MEO, and the clarifications which are sought from the MEO or the factual assertions made by the MEO which the party intends to challenge.

(b) On the other hand, where the proposed examination deals with a value judgment, the case for calling the MEO is far more compelling. Thus, a party should be allowed to examine a MEO on any estimate, opinion or recommendation that the MEO may have made.

21 **Third**, in doubtful cases, the Court should be prepared to resolve that doubt in favour of the applying party. This mitigates the risk of offending the principle of natural justice that a party should be heard before a decision is made. Such "hearing" must include the possibility of eliciting relevant evidence through that party's examination of the MEO, especially if the MEO has made any statements which are contrary to that person's interest.

22 **Fourth**, the Court should consider whether there are safe and viable alternatives to calling the MEO to be examined. For example, if what the party really seeks is a mere clarification, it might suffice to direct the MEO to submit a supplementary report pursuant to s 89(3) WC, instead of calling the MEO to testify on the stand.

23 **Fifth**, the timing of the application may be relevant. If a party wishes to call the MEO to the stand, the party ought to file the application timeously, *ie*, soon after receiving a copy of the MEO report and before the matter is fixed for a hearing. If the party applies to examine the MEO only halfway through the trial, the application should be viewed with circumspection as this may unduly delay the trial.

My decision

24 My decision to allow R to call the MEO to the stand rested on a few considerations.

25 In terms of the timing of the application, I considered the application to be belated, especially since R had been informed at the last mention to file a formal application. However, considering that neither party had started giving evidence, I was prepared to allow the application considering that there were substantive merits to the application.

26 In terms of the reasons for wishing to examine the MEO, R offered 4 main reasons. While I was not moved by the first three, the fourth in my judgment afforded ample ground to allow R to proceed.

27 R first wished to dispute the following portion of the MEO's statement:

> Further details on the reason provided for defaulting:
>
> The Respondent made no payments from January 2025 to August 2025 and did not provide any reasons for the non-payment during this period when probed. He stated that he was running a business and was also an undischarged bankrupt making payments to his bankruptcy trustee. He hoped to settle the payments to his trustee by 2026 Chinese New Year. He did not mention that he was facing any financial difficulties.
>
> The Respondent provided proof of recent payments amounting to $50.00 on 2 September 2025 and $400.00 on 10 September 2025. With the above payments, the outstanding arrears from EMO XXX[*sic*]/2021 is $17,500 as of 11 September 2025. The Respondent repeatedly stated that he is on track with his arrears repayments.

28 R claimed that he did not tell the MEO that he was running a business, and that he had paid $500.00 instead of $450.00.

29 R next sought to examine the MEO on the proposal on outstanding maintenance arrears. R argued that there were no arrears as his payments were on track, and the MEO had performed his role and the case should be closed rather than returned to Court for hearing.

30 R, thirdly, cited the fact that the MEO had done a bankruptcy search on R, and sought to examine the MEO on why the MEO was still pushing for more payment for C despite R being an undischarged bankrupt.

31 R finally claimed that the computation of salary could not, as the MEO had done, be based on the CPF calculations, as some CPF contributions were voluntary rather than statutorily mandated. Accordingly, the MEO's calculation of R's salary was incorrect.

32 In my judgment, the first three reasons are mostly non-starters.

33 There was also no merit to R's third argument that the MEO had "pushed for more payment for C" despite R being an undischarged bankrupt. It is not clear what this means, as the MEO simply had not made any recommendation as to how much the Court should order in the periodic repayment of arrears to C.

34 As for R's second argument, there was no point in examining the MEO on the proposal on outstanding maintenance arrears. Ultimately, each party can express his/her position on what dispositional orders I ought to make before me. While the proposals before the MEO might be relevant as to costs, it was not R's case that the proposals were incorrectly reported. To be clear, it would not matter if R has "caught up" with his repayment schedule after having fallen behind on payments momentarily or even if R has fully paid up all his arrears. The Court is properly seised of the matter under s 80 where there is a *breach* of the maintenance order, and that includes a situation where R has momentarily fallen behind on payments.

35 In my judgment, there would also be no point in examining the MEO on whether R paid $500.00 instead of $450.00. R could likewise directly produce proof to the court of his payments. There would, similarly, be little point in examining the MEO on whether R had stated that he was running a business, as this is ultimately of secondary importance. In fact, it turned out that, in the MEO's supplementary report, the MEO stated that the CCTV recording from the conciliation session had since been overwritten by more recent recordings, and that he no longer remembered if R had stated that R was running a business.

36 However, I accept that R should be allowed to examine the MEO on the MEO's views on R's monthly income. The MEO had "estimated" R's monthly total nett income from R's CPF contributions based on R's monthly CPF contributions from two companies. In my view, this estimation was worth examination for at least 2 reasons. First, the MEO's estimation did not appear to have taken into account R's income tax returns (which would presumably give a reliable and direct report of R's taxable income) or bank statements (which would be likely to have reflected R's actual take-home salary) even though these were available to the MEO. However, the MEO did not give a reason for basing his estimate solely on the CPF statements to the exclusion of R's income tax returns or bank statements. Second, the MEO had estimated R's salary based on the employee and employer CPF contributions rate of 17% and 15.5% respectively based on R's age group. However, based on a copy of R's employment contract with one of these companies, which R filed in Court directly, it would appear that the total employee and employer CPF contributions represented 31% (as opposed to 32.5%) of R's monthly salary.

37 In my judgment, it was preferable to have the MEO attend and testify than to accept the submission of a supplementary report in lieu of giving R the opportunity to examine the MEO.

(a) First, the point in issue was R's income, which was a major issue that would go directly to my assessment of how much R should be ordered to repay in arrears every month.

(b) Second, it would not be entirely fair to R to expect that R show proof of his earnings in Court, because if R was trying to show that he was earning less than the MEO thought he was earning, R would in some sense be trying to prove a negative. It would be fairer for the MEO to be present in court to defend his reasoning.

(c) Third, if the conclusion as to R's income were founded on suppositions and inference, it would be useful for the MEO to be present in court. If the MEO's reasoning were upset, such that it is unsafe to rely on the MEO's estimate, it would be possible to call on the MEO to examine new information or factual findings, and come to a fresh view as to how R's income might be deduced. This, in my view, would be more efficient than calling for a supplementary MEO report.

38 For these reasons, and considering that R did not state that he no longer wished to examine the MEO, I ordered that the MEO to attend Court to be examined and, at the trial, I largely restricted R's scope of questioning to matters

which had been raised in his application and which were relevant to the disposition of the substantive matter on its merits.

Chua Wei Yuan
District Judge

The applicant, respondent and maintenance enforcement officer in person.