

IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE

[2025] SGFC 135

SSP 623 of 2025
SSP 722 of 2025
HCF/DCA 134 of 2025

Between

XWB

... Applicant

And

XWC

... Respondent

GROUND'S OF DECISION

(Personal protection orders – section 58B Women’s Charter – emotional and psychological abuse)

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**XWB
v
XWC**

[2025] SGFC 135

Family Court — SSP 623 of 2025 & SSP 722 of 2025
District Judge Janice Chia
18 August 2025, 19 September 2025, 27 October 2025

15 December 2025

District Judge Janice Chia:

The applications

1 The Mother filed two separate applications, SSP 623/2025 and SSP 722/2025 on 4 April 2025 and 16 April 2025 respectively. In SSP 623/2025, she applied for a Personal Protection Order (PPO) against the Father for herself and the older child of the marriage ("C"), along with a Domestic Exclusion Order (DEO) limited to the master bedroom and C's bedroom. In SSP 722/2025, she applied for additional orders, specifically a stay away order of five metres around the matrimonial home, no contact orders for herself and C, and counselling orders for the Father. The Mother was represented by counsel while the Father appeared in person.

2 After hearing both parties, I dismissed the Mother's PPO applications for both C and the Mother. Dissatisfied, the Mother appealed against my decision.

The family

3 The family comprised of the Father, Mother, and two children, with a live-in domestic helper (V). At the time of the incidents, C was 14 years old and the second child was 11. There were no applications for the second child and the Father. Concurrently, the parties were undergoing divorce proceedings. At the time of the PPO trial, Interim Judgment had been granted on an uncontested basis.

Claims

4 The Mother alleged that the Father had committed family violence against herself and C through a sustained pattern of emotional and psychological abuse. No physical violence was alleged. The Father vehemently denied these allegations and maintained that no family violence had occurred.

5 A list of the parties' affidavits and evidence is found in Annex A.

The issues

6 The central issue is the interpretation of "emotional and psychological abuse" within Part 7 of the Women's Charter (the "Charter") which sets out the law on protection against family violence.

7 Section 58B(1) of the Charter defines "family violence" to include "emotional or psychological abuse". Section 58B(4) defines "emotional or psychological abuse" as "conduct or behaviour that torments, intimidates,

harasses or distresses a person; or causes or may reasonably be expected to cause mental harm to a person."

8 Despite this statutory definition, determining what constitutes "emotional or psychological abuse" remains subjective and open to various interpretation. Given the broad definition, an overly liberal interpretation of Section 58B(4) may lead to outcomes inconsistent with the legislative intent.

9 The illustrations in Section 58B and parliamentary readings provide crucial insights into the conduct the law seeks to address. During the Second Reading of the Bill¹, the Minister of State highlighted examples of emotional or psychological abuse which included

- (a) a perpetrator threatening to withhold monthly allowances,
- (b) a perpetrator constantly monitoring the victim's whereabouts,
- (c) a perpetrator isolating the victim from friends and family,
- (d) a perpetrator preventing the victim from leaving the house, and threatening the victim with negative consequences to compel the victim's compliance,
- (e) a perpetrator threatening to evict the victim without financial or physical resources and refusing to renew the victim's long-term visit pass,
- (f) a perpetrator creating fear in the victim of eviction and separation from children, which prevents victims from seeking protection².

10 The common thread in these examples and illustrations is the perpetrator's controlling behaviour over the victim through fear (whether for

¹ PBOA-2 page 2

² PBOA-2 page 7, paragraphs 1 and 3

personal safety or likely consequences), resulting in mental or emotional harm to the victim. Such behaviour is referred to as "coercive control" in the Second Reading.

11 Therefore, despite the expansive definition in Section 58B, not every action causing distress will constitute emotional abuse. Significantly, the statute uses "emotional abuse" rather than "emotional distress", suggesting the victim must suffer some level of emotional harm beyond mere unhappiness.

12 Ultimately, the purpose of a PPO is to protect victims from harmful behaviour by establishing clear boundaries of conduct that a reasonable person would consider unacceptable. A PPO is not intended to punish the aggressor or pass judgment on their social interactions or parenting style. A finding of family violence has serious ramifications for the relationship between the aggressor and the victim and could accelerate the breakdown of familial ties. While the Court will not hesitate to grant PPOs in deserving cases, we should be cautious about granting applications where the facts fall short of demonstrating emotional or psychological harm.

13 Returning to the facts of this case, the issues to be determined were: (a) whether the alleged acts, if committed, constituted emotional or psychological abuse against the Mother or C; and (b) assuming the answer to (a) was in the affirmative, whether a protection order was necessary for their protection or safety.

Family violence committed against C

14 The Mother contended that the Father engaged in a sustained pattern of emotional and psychological abuse towards C.

15 The Mother relied on four key incidents on 29 January 2025, 6 February 2025, 24 March 2025, and 15 April 2025 and 3 relatively minor incidents³. C was not called as a witness. The Mother was also not an eyewitness to these incidents and relied solely on CCTV footage. Given the inherent limitations of CCTV evidence, there was limited video evidence for most incidents, with examination heavily dependent on audio recordings, which were themselves incomplete.

16 Before turning to the evidence, I addressed the Mother’s argument that the Father had breached the *Browne v Dunn*⁴ rule in that he did not cross examine the Mother on C’s emotional state during the incidents. As a result, it was the Mother’s position that the Father did not challenge the fact that C was distressed by the Father’s actions⁵. The rule of *Browne v Dunn* was explained in the case of *Hong Leong Singapore Finance Ltd v United Overseas Bank Ltd*⁶ in this manner⁷:

“... where a submission was going to be made about a witness or the evidence given by the witness, which was of such a nature and of such importance that it ought fairly to have been put to the witness to give him the opportunity to meet that submission, to counter it or to explain himself, then if it had not been so put, the party concerned will not be allowed to make that submission.”

17 I found that the Father had not breached the *Browne v Dunn* rule in relation to the incidents involving C. C was not called as a witness and was not

³ 7 April 2025 “Ignore [C]” and “CCTV” incidents and 13 April 2025 “Chole Bhature” incident

⁴ (1893) 6 R 67

⁵ PWS paragraphs 20, 20.2, 20.3, 20.4, 20.8

⁶ [2007] 1 SLR(R) 292

⁷ *Ibid.* paragraph 42

cross-examined. Therefore, the Father could not have put his case to C regarding her emotional state.

18 I would now deal with the evidence in the key incidents. The timestamps for the key incidents were included in the analysis below for easy reference.

29/1/25 incident “Pink lead” incident⁸

19 The Mother alleged that the Father was violent in the following manner:

- (a) Told C to “stop being violent” [Timestamp: 14:18:23], which suggested that the Father would take the 2nd child’s side against C.
- (b) Told C that he could wield his power presumably to hit. [14:21:40]
- (c) Insinuated that the 2nd child could hit C and he (the Father) would such behaviour. [14:22:12]
- (d) Challenged C to hit him (the Father). [14:22:12]
- (e) Wrongly accused C of “threatening violence to [the Father]”. [14:29:51]
- (f) Refused to respect C’s requests to stop talking to her. [14:29:50, 14:30:00, 02]
- (g) Told C to “shut up” multiple times. [14:30:32]
- (h) Told C to “learn [her] limits and [stay] in [her] limits”. [14:30:32]
- (i) Reminded C that “[she] is still in [the Father’s] house”. [14:30:43]

20 The M claimed that these actions distressed C.

21 The Father disagreed that he was aggressive and pointed out that:

- (a) The incident happened in the context of an argument between C and 2nd child.

⁸ PW4 page 15, PW5 page 166 for transcript

- (b) His statements in 14:21:40 and 14:22:12 were misconstrued. At the material time, C had pulled the 2nd child. He (the Father) was trying to keep the children apart and told the 2nd child to move back. He had said that hitting was not allowed.
- (c) C herself was verbally abusive by using inappropriate words. [14:18:57]
- (d) The Mother did not provide the complete video footage of the incident, particularly: (i) the video was muted and there was a gap in the footage between 14:22:12 – 14:25:8 (ii) the Mother had other footages which would show what happened immediately before the Father stepped into the fray.

22 At the onset, it was necessary to highlight that the evidence for this incident contained only audio recordings without video footages. The Mother did not seem to dispute that the incident occurred during an argument between the children and that the Father intervened to de-escalate the dispute. However, the Mother took issue with the Father telling C to “stop being violent”. On the stand, when asked to explain why she found the Father’s actions aggressive, she said “he goes into the room and blames [C] ... did not give her time to explain ... he takes the side of the 2nd child”.

23 It was clear from the exchange immediately after the Father’s statement “[C] first of all stop being violent” that the Father had entered when the argument between the children was already heated. The 2nd child suggested that C had thrown a book earlier [14:18:23]. The Father also asked C if she had pulled the 2nd child’s hair earlier [14:18:53] which C did not seem to deny. It was reasonable to assume that the Father had overheard the argument before he intervened which explained his initial statement to C to “stop being violent” [14:18:23].

24 The Mother claimed that the Father had made a veiled threat that he would allow the 2nd child to hit C. She was of the view that the threat was implied when the Father said [at 14:21:40] “try that, try that, where are you learning this from, you know the last person who tried hitting me, after 7 times of forgiving them, I gave one and that calmed down the whole family. The whole family that had started to be violent with me. I gave just one. .. Power is not hitting, power is in the other person knowing that you can. The whole family had to touch my feet.” This was followed by [at 14:22:12] “... no [2nd child] can hit you. [2nd child] doesn’t because he knows the moment he raised his hand I will be the first one ...”

25 I was of the view that the Mother had not proven on a balance of probability that the Father had threatened C indirectly. The statement in 14:21:40 was ambiguous and context-dependent. From the evidence, there was a gap of 2 minutes in the evidence prior to the Father making that statement. When the Father asked the Mother to provide the full evidence, the Mother did not explain why the complete evidence could not be provided. Without knowing what happened immediately prior to the Father’s statement, it was not possible to ascribe the meaning suggested by the Mother. As for the Father’s later statement in [14:22:12], I preferred the Father’s interpretation, which was objectively consistent with his earlier statements. The Father had explained during cross-examination that he was, at the material time, trying to keep the children apart and had told the 2nd child to move away. He had intended to say “although the second child can hit C, he doesn’t because he knows the moment he raises his hand, I will be the first to stop him.” Given the context, the meaning ascribed by the Father was not reasonable. The Mother had not proven on a balance of probability that the Father intended to threaten C.

26 The Father's other remarks, such as telling C to "shut up", showed the Father's increasing frustration. His lack of parental insight was also evident in his disregard of C's expressed wishes to be left alone. However, none of statements even if considered collectively amounted to family violence. Throughout the exchange, C did not display signs of emotional or mental distress. For the most part, C put up a spirited defence. At times, she was even defiant and sarcastic in her retorts, eg when she suggested that "[2nd child] is so great." While C was clearly unhappy and believed that the Father was biased, her reaction as a whole did not suggest that she was in anyway frightened or intimidated by the Father's actions.

6/2/25 incident "Bedroom light" incident⁹

27 The Mother made the following allegations:

- (a) The Father called the C "vicious" and "shameless". [22:51:40, 22:53:18]
- (b) The Father insinuated that C had picked up her vicious behaviour from the Mother. [22:51:48]
- (c) The Father attempted to exert control by claiming that it was his house. [22:51:17]
- (d) The Father eavesdropped on C's subsequent phone conversation with the Applicant.

28 In response, the Father's position was as follows:

- (a) The incident happened while he was trying to resolve the children's argument and had lost his temper.
- (b) He did not call C vicious. Instead it was a general observation.

⁹ PW4 page 18, PW5 page 175 for transcript

29 Similar to the 29/1/25 incident, both parties agreed that the 6/2/25 incident involved the Father intervening in the children’s argument. On the stand, the Mother explained that the Father “gets entrenched in the children’s argument and the argument starts escalating”, “positions himself on the side of [the second child]”. The Mother went on to say “It is clear from the narrative that [the Father] is on the [second child’s] team.”

30 The Father’s conduct must be understood in the broader context of the ongoing argument between the children which concerned sleeping arrangements. C wanted to continue her activities in the room while the second child wanted to sleep in the same room. Neither child was prepared to give in.

31 In relation to the Father’s use of the word “vicious”, the Father’s position was that he did not call C vicious but meant the statement to be a general observation. The Mother maintained on the stand that C understood the Father to be calling her vicious.

32 The exact statement with the exchange immediately prior to the statement were reproduced below (emphasis mine):

111.	Father	22:51:19	This is his room and he is trying to sleep here
112.	C	22:51:20	its not his room
113.	Father	22:51:22	no doesn’t matter, anywhere anybody is sleeping the other person is not allowed to
114.	C	22:51:25	he wasn’t sleeping here
115.	Father	22:51:26	No he was lying down and he sleeps like this, he sleeps like this within 10 min once he is
116.	C	22:51:32	oh really,
117.	Father	22:51:32	ya
118.	C	22:51:33	I don’t care less
119.	Father	22:51:36	ya, if he comes to your room then I will see the way you hit him, this boy does not hit
120.	C	22:51:38	So kind

121.	Father	22:51:40	ya , because that is what manners are, boys do not raise their hand but that also means girls should not try to be vicious
122.	C	22:51:47	that is sexist, so I'm vicious
123.	Father	22:51:48	ha, No, it is about manners , this is exactly what you have learnt...there is a reason ... (<i>to [2nd child] in front of C</i>) [2 nd child] beta (child in English) you can also do the same next time, its ok, when she is sleeping, you can also go

33 Given the exchange immediately before and after the ‘vicious’ remark, I was of the view that the Father did not intend to disparage C. In fact, when challenged by C, the Father also clarified [at 22:51:48] “No it is about manners”. I agreed that the Father’s statement was about his expectations of how children should behave and was intended to establish equal standards for both children’s conduct, prohibiting hitting and vicious behaviour generally.

34 I found that the Father had intended to refer to C when he said [at 22:51:18] “you are becoming shameless”. He had also used the fact that he owned the house [at 22:51:17] to imply that C should not continue to be difficult. However, the mention of “It is my room. This is my house. This is my house” in the context of a parent-child argument would not satisfy the concept of “coercive control”. Coercive control required both the aggressor’s intention to wield control and the victim’s lack of viable alternatives. Here, C retained options such as returning to her own room or using another available room in the house. Additionally, throughout the incident, C did not display any hint of emotional or mental dysregulation. At no point during the incident did she back down or withdraw. While it could not be denied that C was upset by the entire exchange, her conduct did not suggest that she had suffered emotional harm. Therefore, I found that the Father’s conduct did not cross the threshold into “emotional or mental abuse”.

24/3/25: Calling 911 incident¹⁰ and 15/4/25 incident: Letter to school counsellor¹¹

35 The Mother alleged that the Father had committed family violence against C by:

- (a) Telling C to get out. [22:40:35]
- (b) Telling C that she had always been one of those children and that C had become a problem in life. [22:40:35]
- (c) Accusing C of having “lost the mental plot”. [22:54:53]
- (d) Claiming that C “learns from the convicts” or that she has ‘convict blood’. [22:54:27, 22:54:40]
- (e) Threatening to call 911 and put C away. [22:55:45 – 22:55:57]
- (f) Threatening to send C to counselling to correct her behaviour. [22:55:45 – 22:55:57]
- (g) Asserting that it was the F’s house. [22:41:00]
- (h) Insulting the Mother indirectly by suggesting to the 2nd child that the Mother will not pick up his call. [22:58:53]

36 As a result, C believed that she will be evicted from the house and be sent to an asylum. The Mother claimed that the 24/3/25 incident reflected a continuing and escalating pattern of the Father singling C out by threatening and intimidating C.

37 As for the Father’s letter to school on 15/4/25, the Mother claimed that:

- (a) F’s counselling request was meant as punitive
- (b) F’s letter portrayed himself a victim of C’s behaviour

¹⁰ P27 PW4, P215 PW5 for transcript

¹¹ Paragraph 130 PW4. Evidence in p311 PW6

38 As a result of the Father's actions, C feels distressed and suffered from emotional harm.

39 The Father's position on the stand and from cross-examining the Mother was:

- (a) The Father was trying to contain the situation and manage the children during their argument.
- (b) The Father denied that he was referring to C when he said "lost the mental plot".
- (c) The Father had not intended to say 911 (ie. call the police) but rather to refer C to counselling. He had also corrected himself within a reasonable time after he misspoke. [23:00:28]
- (d) The Father believed that C required counselling to address her behaviour and denied that he had used counselling as a threat.

40 Similar to the incidents of 29/1/25 and 6/2/25, the 24/3/25 incident began with the Father attempting to contain the conflict between the children. Father's choice of words regarding C, such as "you have always been one of those children" and "that's why you have become a problem in life," "convict blood" was thoughtless even if he had made those comments in the context of an escalating argument. I had also found that the Father had intended to refer to C when he said "somebody has lost their mental plot." Nonetheless, as with the earlier incidents, C remained spirited throughout. Her retorts were sharp in response to the Father and to the 2nd child. She openly challenged the Father when she disagreed with his remarks. She did not shy away from the argument and in fact returned to the same room despite the Father's presence. She displayed no signs of emotional distress beyond the expected unhappiness arising from the underlying argument.

41 Regarding Father's alleged 'threat' to call 911, there was no direct evidence as to how the 'threat' was supposedly made. However, Mother's own transcript showed the Father clarifying his intention to refer C to counselling rather than call 911 [at 22:55:45 – 22:56:16, 23:00:28]. The Mother argued that despite Father's subsequent clarification, C had perceived the threat at the time and was distressed and fearful that Father might evict her from the house. In other words, the damage was already done. However, C's subsequent actions contradicted Mother's position. If C genuinely feared Father would act on his threat, it was unlikely that she would have openly challenged him about his "threat". Indeed, C herself mentioned Father's 'threat' in response to his claim that he would always love her. C's behaviour was inconsistent with that of a child who was fearful or distraught. In any event, I agreed that the Father had corrected C's misunderstanding within a reasonable timeframe, which should have assuaged any fears of forceful removal from the house.

42 Concerning Father's letter to C's school, nothing in the correspondence suggested that the Father intended counselling as a punitive measure against C. Mother argued that Father included irrelevant information (such as financial provision) to support his own narrative. Even if true, I failed to see how this could be construed as a threat against C.

Other minor incidents

43 Mother also relied on other incidents to support her case that Father has displayed a pattern of abusive behaviour towards C. The complained actions included (a) the Father ignoring C (7 April), and (b) the Father favouring the second child over C by purchasing food only for the second child (13 April). Separately, these incidents were unremarkable. There was no evidence to show that such incidents were common occurrences. Even if the minor incidents were

considered alongside with the key incidents above, I was not persuaded by the Mother's submission that the Father's actions displayed a targeted and sustained agenda to exclude, discriminate or demean C which caused C emotional distress. All key incidents happened in the context of sibling disagreements and the Father's attempts to de-escalate the situation. None of the interactions which the Mother complained of were initiated by the Father. The Father's parenting methods and his choice of words were lacking but those factors themselves would not satisfy the criteria of family violence even under the expanded definition.

44 The Mother also relied on the 7 April 2025 incident involving the Father's installation of his CCTVs. The Father had installed his CCTVs in the living room and kitchen of the matrimonial home. In response, C wrote the Father a message indicating that she disagreed with the CCTV installation and covered the CCTV with the same message. The Mother claimed that the Father's refusal to remove the CCTV despite C's request caused C distress. The Father explained that he had installed his CCTV after he received the Mother's first PPO application to protect himself from further accusations. He had also explained his reasons to C via a Whatsapp message which he exhibited. He also claimed that the Mother herself had her CCTVs in the common areas as well. The Mother did not dispute that the Father installed the CCTV after the first PPO application. However, she took the position that C had agreed to the Mother's CCTVs but not the Father's. I had a hard time understanding C's objection to the Father's CCTV, which was placed in the same area as the Mother's CCTV. If C's objection was due to privacy considerations, C would object to both the Mother's and the Father's CCTV, not just the Father's. The Mother could not explain why C consented to her CCTV but not the Father's. As mentioned earlier, C was not called as a witness and her evidence could not be tested. Even if C had legitimate reasons not to consent to the Father's CCTV,

the Father's disregard of C's wishes, did not, in itself, amount to family violence even if C was upset by Father's decision. The Mother also did not submit evidence of the emotional harm which C suffered as a result of the Father's actions.

45 In conclusion, I found that Mother's claims of family violence against C were not satisfied. The various incidents, whether considered separately or as part of a series, did not exhibit a pattern of behaviour causing emotional abuse to C. Accordingly, the PPO application in relation to C was dismissed.

Family violence committed against the Mother

46 The Mother claimed that the Father had committed family violence against her by:

- (a) sharing private information about the Mother in the Father's phone conversation with his brother (incident of 28/3/25)
- (b) threatening to disallow the Mother from using the bed, electricity and gas which the Father paid for (incidents on 29/3/25 and 31/3/25)

47 The Mother's position was that she was distressed and suffered emotional and mental harm as a result of the Father's actions.

48 The Mother made similar submissions on the Browne v Dunne rule regarding the Mother's emotional state.

49 I had briefly explained the effect of the Browne v Dunn rule above. After consideration, I took the view that the Father was not in breach of the rule. The Father's defence was that he did not commit the alleged acts which the Mother claimed had caused her emotional harm. Therefore, the Mother was not taken by surprise by the Father's position in his closing submissions even if the Father

failed to put his case to the Mother. In the case of *Chan Emily v Kang Hock Chai Joachim*¹², the Honourable Justice Choo Han Teck cautioned against applying the rule in a rigid manner given that parties were required to exchange their affidavits of evidence-in-chief prior to trial, thereby ameliorating the mischief which the rule had originally sought to address. Nonetheless, Justice Choo accepted that the rule would still apply, albeit in limited situations, where the point in question was an undisclosed fact which was critical to that party's case. Justice Choo in the case of *Chan Emily* declined to apply the *Browne v Dunn* rule and instead preferred to consider the submissions in totality instead of disregarding part of the submissions which a party had failed to put to the other party. The principles in *Chan Emily* were endorsed in the subsequent case of *Hong Leong Singapore Finance Ltd v United Overseas Bank Ltd* in which the Honourable Judicial Commissioner Sundaresh Menon (as he then was) agreed that the court must consider the totality of the evidence and determine if the point which was not "put" to the other party was "at the heart of the matter"¹³. I found this common-sense approach particularly important in family proceedings, which often encompassed a wide spectrum of evidence across various incidents over extended periods. Additionally, it was unclear if the rule applied to self-represented parties in the same way as legal practitioners given that unrepresented parties may be unaware of its effect. As far as I was aware, there was no case law on this issue. Even if the rule applied equally to the Father, it would be unjust to consider the alleged deficiencies in his cross-examination against him given that the Father's submissions did not seek to rely on crucial facts which were undisclosed whether through the parties' affidavits or on the stand. Accordingly, I rejected the Mother's submission in paragraph 20.

¹² [2005] 2 SLR(R) 236

¹³ [2007] 1 SLR(R) 292 at [42]

Incident of 28/3/25¹⁴: The “Phone call” incident

50 The Mother alleged that the Father had committed family violence when he made “deeply distressing and hurtful remarks” about the Mother in his phone conversation with his brother. It was the Mother’s case that the conversation could be overheard by her, the children and V (the domestic helper).

51 In relation to the contents of the conversation, the Mother made two points. First, the Father was referring to the Mother when he spoke about an individual who was promiscuous. Second, that Father was referring to the Mother's father when he spoke about a family member who had to be bailed out of jail. Mother tendered evidence of Father's conversation from her own CCTVs, which captured only the Father's part of the conversation. The Father's recorded conversation was also incomplete, with various points in the transcript showing "mumbling."

52 Father denied that he was referring to Mother in either account. Instead, he claimed he was speaking with his brother on unrelated persons. Specifically, regarding insinuations of promiscuity, he mentioned (a) a case in which a student was maliciously accused of rape and (b) the irresponsibility of men when faced with unplanned pregnancies.

53 It was undisputed that the Father did not mention the Mother's name at any point during the conversation. Even if the Mother was correct in that the Father was gossiping about her, only an individual personally aware of the Mother's history would suspect that Father was referring to her. In other words, only the Mother would have felt offended. Mother argued that her distress was heightened because the conversation could be overheard by the children.

¹⁴ Paragraph 74 PW4, P242 PW6

However, this would only be the case if the children themselves were aware of Mother's history. It was not the Mother's case that the children was aware of her history. The Father further contended that the children did not understand the conversation as the majority of the discussion occurred in Hindi. I found that the Mother did not prove on a balance of probability that the children understood the conversation. On the stand, when questioned, the Mother maintained that the children "had picked up some words in Hindi" and understood enough of the language to be able to "put two and two together". However, she could not explain the basis for her belief. Given that the majority of the conversation was in Hindi, I agreed with the Father that the children would not have understood the conversation. The children would also not suspect that the Father was referring to the Mother as they had no knowledge of the Mother's past experience. In this regard, I did not find that the Mother's distress was aggravated by the possibility of the children overhearing the conversation.

54 Next I considered the Mother's first claim that the Father had referred to her when he commented on a promiscuous individual. The Mother contended that Father was referring to her indirectly when he mentioned "slept with someone"¹⁵ [21:37-21:41]," "slept with the office manager," "these people's character is such that they get pregnant right in college... isn't it? [21:37-21:41]" "even he borrowed money and got an abortion done for her," and the account of a man accused of "trying to do something to her [21:45-21:49]." A review of the transcript did not suggest that Father had referred to Mother, even by implication. Based on the transcript, the Father's various allegedly offensive references were disjointed and did not suggest a coherent account of a single individual's story. There were also no similarities between Father's account and

¹⁵ P34 PW4, P242 PW6

Mother's story that would make the connection with the Mother more than speculative.

55 The Father had referred to someone "begged from someone else" alongside "slept with someone" before mentioning "slept with the office manager." [21:37 – 21:41] There was no evidence that the Mother's previous relationship was with an office manager. Immediately after, the Father referred to someone who became pregnant in college alongside purportedly the same individual "borrowing money and got an abortion done for her." [21:37 – 21:41] Again, it was not the Mother's case that her prior indiscretion involved the lack of financial means for an abortion. In fact, the context of Father's discussion suggested that he was disparaging the character of the man who got the woman pregnant.

56 The next mention of promiscuity occurred approximately four minutes later [21:45-49] about a man falsely accused of "trying to do something." The discussion pertained to the exposure of a lie and the resulting embarrassment: "how can anyone go back to college after?" There was no evidence that Mother suffered a similar encounter in college in which she made such accusations.

57 The Father then mentioned "people who don't even know who the father of their unborn child is." [21:49-21:53] However, this was prefaced by a reference to a specific individual: "remember that case from the 90s... the officer... for promotion... he was involved with her cousin... yes yes everyone used to say how beautiful she was... No... the Chandigarh case..."

58 From the above, I was not convinced that Father was referring to Mother's sexual history in his conversation with his brother. Accordingly, it was

not necessary to determine whether Mother had suffered emotional harm as a result.

59 I next considered if the Father had referred to Mother’s father’s misdeed with the law (second point in the Mother’s claim).

60 The Mother claimed that the Father had insulted the Mother’s brother and father by referring to the past incident in which the Father had to bail the Mother’s father out of jail. According to the Mother, this was implied in the Father’s recount¹⁶ “She didn’t have anything and came here ... what happened was .. the father called ... I had to go and get him out ... the brother has no guts ... what kind of people don’t go to get their father released from jail?” [21:37-21:41] . The Father went on to say “later it came out – the father had a mistress, he took it for her. ... he steals lipstick and still acts like wealthy [21:41-21:45]”

61 The Father’s position was that he was referring to 2 separate incidents, involving completely different individuals. He also pointed out that unlike the individual in his conversation who father was imprisoned, his father-in-law was not imprisoned. He further stated that he was unaware of the details of his father-in-law’s case other than he had dementia. However, he conceded that that he was referring to the Mother when he spoke about an individual who tried to lecture him [the Father] on morality and on whom he had spent money for the last 15 years [21:41-21:45].

62 Unlike the Father’s comments on the “promiscuous individual”, I accepted that the Father was referring to the Mother’s father in this part of his

¹⁶ P243 PW6

conversation. The conversation had a logical flow which suggested a single incident involving the same set of actors throughout. In the same flow, the Father also criticised the Mother for trying to lecture him (the Father) about morality, implying that the Mother had no moral standing to criticise him given the lack of morals in her own family.

63 Additionally, there were crucial similarities in the Father’s account and the incident involving the Mother’s father. It was undisputed that the Father had to bail his father-in-law out because his brother-in-law did not do so. These same facts were also in the Father’s conversation. I was not persuaded by the subtle difference between the father-in-law being released on bail as opposed to the actor in Father’s story being “released from jail”. The transcript showed that the Father said “I had to go and get him out.” In the next sentence, the Father had likely used the “jail” loosely to mean police custody, rather than imprisonment. Therefore, I accepted the Mother’s claim that the Father had spoken to his brother about his father-in-law’s run-in with the law.

64 I next considered if the Mother had proven on a balance of probability that Father’s actions amounted to emotional abuse. I did not find that the Father’s actions amounted to family violence. The Father’s conversation took place in a private setting with only the family and the domestic helper present. It was not the Mother’s case that the Father had maligned or spread falsehoods about her family. Crucially, nothing in the conversation identified the Mother unless a listener had prior knowledge of the Mother’s personal history. This was unlike illustration (a) of section 58B of the Charter in which the perpetrator *spread false* rumours about the victim’s promiscuity, causing distress. Although the Mother was understandably upset by the Father’s gossip, there was no evidence that the Mother had suffered emotional distress beyond mere unhappiness with the Father’s actions.

Threat or insinuation that the Father could prevent use of bed, electricity and gas: 1/3/25¹⁷, 29/3/25¹⁸, 31/3/25¹⁹

65 The Mother’s position was that the Father had intimidated the Mother by threatening to disallow the use of basic necessities in the house. According to the Mother, the threats were made on the following occasions:

- (a) 01/3/25: when the Father pointed to the bed in the master bedroom and said “I think its time to change the bed that I got.”
- (b) 29/3/25: The offending statements were made throughout the day:
 - (i) 9am: to the 2nd child: “You like the bed? I wonder who bought it.”
9am: to V (domestic helper): “who paid for the fridge” and “who owns the fridge?”
 - (ii) 5pm: to the 2nd child: “our \$2000 carpet was sold, and she got something cheap.”
 - (iii) 9pm: to no one in particular: “must have bought this gas, cooking on it right, has no shame.”
- (c) 31/3/25:
 - (i) “electricity because I pay for it, no.”
 - (ii) “if people do not want me to eat then they have to stop using what I have bought in this house. You will not use that gas I bought that gas. Ok. this gas will only be used when I allow it ok?”
 - (iii) “gas will only be used when I allow it”

¹⁷ P24 PW4, P202 PW5 for transcript

¹⁸ P37 PW4, PW9 for certified transcript

¹⁹ P39 PW4, P255 PW6 for transcript

66 Additionally, during the 9pm incident of 29/3/25, the Mother claimed that the Father followed her closely.

67 The Father conceded that he made the statements but refuted that he had threatened to deprive the family of basic necessities. In his defence, he claimed that his actions were in response to the parties' disagreement on the use of kitchen utensils, which the Father perceived as the Mother's attempts to stop the Father from cooking in the house.

68 In my view, the Mother did not prove that the Father's conduct amounted to emotional abuse. Although the Father's comments were uncalled for and retaliatory in nature, these could not be perceived as threats given that the Father did not, at any point in time, take action to cut off or make attempts to stop the Mother or V (domestic helper) from using gas, the fridge, electricity, or the bed.

69 It was also not the Mother's case that she was financially dependent on the Father and such 'threats' even if not carried out would carry the element of 'coercive control'. For the above reasons, I found that the Father's conduct, although disagreeable and difficult, fell short of causing emotional harm to the Mother.

70 As part of her submissions, the Mother claimed that the above incidents along with other episodes exhibited a consistent pattern of conduct by the Father to cause her emotional distress. She cited 2 examples. The first incident involved the Father harassing her through multiple emails on 2/11/24²⁰, 1/3/25²¹

²⁰ P69 PW4, P363 PW6

²¹ P70 PW4, P371 PW6

and 31/3/25²² which reflected his controlling and gaslighting behaviour. The second incident on 8/4/25²³ involved the Father asking V for his personal items which did not exist and retaining the Mother's personal items. Although the Mother was not present during the second incident, it was her case that V was distressed by the Father's actions which resulted in the Mother feeling distressed. She further claimed that the Father was aware that his actions would "impact the Mother and V".

71 I found that the incidents, even if considered together, did not establish a pattern of conduct to harass or torment the Mother as she claimed. The emails related to family finances (31/3/25) and the Father's instructions to V to maintain separate kitchen utensils (2/11/24 and 1/3/25), all of which were legitimate issues pertaining to the running of the household. The parties exchanged less than 10 emails in each instance. Both parties were involved in the exchange, not just the Father. The email exchanges were not prolonged and concluded within the same day. I did not find any of the exchanges to be excessive. Accordingly, I disagreed with the Mother that the Father's actions amounted to harassment.

72 As for the second incident, the Mother was herself not present during the incident and relied solely on the CCTV recording. Although she claimed that she suffered distress from V's messages regarding the Father's conduct, there was no evidence of the Whatsapp messages. V was also not called as a witness. Given the lack of evidence, I found that the Mother had failed to prove that the Father's conduct had caused her distress indirectly.

²² P71 PW4, P375 PW6

²³ P47 PW4

Conclusion

73 In conclusion, the Mother had failed to prove that the Father had committed family violence against the Mother and C. Accordingly, both applications were dismissed, with costs of \$450 awarded in the Father's favour in addition to disbursements calculated at 50% of the costs of the transcripts. Notwithstanding these findings, I reminded both parties that they should consider the impact of their actions on the family as a whole. Provocative behaviour and veiled hostility in verbal exchanges would only lead to retaliatory conduct and increased animosity. It was evident that both children had been affected by the stressful and negative home environment. Both parents, as the adults in the family, should make all reasonable efforts to maintain peace within the household in order to protect the children's wellbeing.

Janice Chia
District Judge

Ms Hoon Shu Mei Sumathi (Hong Shumei) Mrs Shu Mei Winstanley
(Drew & Napier LLC) for the Applicant/Mother.
Respondent/Father (In Person).

Annex A: Affidavits and evidence

Applicant's documents		
Document	Filing / submission date	Reference
Redacted application form for SSP 722/2025	16/4/2025	PW1
Police report dated 6/4/2025		PW2
Police report dated 8/4/2025		PW3
Affidavit of evidence in chief (pages1-75)	30/6/2025	PW4
AEIC (pages 76-220)		PW5
AEIC (pages 221-396)		PW6
Redacted application form for SSP 623	4/4/2025	PW7
Certified translation of incident in Tab 7 of AEIC	21/7/25	PW8
Certified translation of incident in Tab 39 of AEIC		PW9
Certified translation of incident in Tab 52 of AEIC		PW10
Links to the video footages in the Applicant's exhibits		PW11
Notice to refer		PNTR
Closing submissions	22/9/25	PWS
Bundle of Authorities Part 1: Tabs 1 and 2		PBOA-1
Bundle of Authorities Part 2: Tabs 3		PBOA-2
Respondent's documents		
AEIC	3/8/25	DH1
Incident on 3/1/23: Certified transcript		DH2
Incident on 14/3/23: Certified transcript		DH3
Incident in which the Applicant claims that the		DH4

Respondent goes to Geylang		
Incident in which C covers the CCTV		DH5
Incident in which C says she is waiting for Respondent's funeral		DH6
C and the Respondent having fun		DH7
Incident in which the Applicant falsely accuses the Respondent of touching her		DH8
Incident in which the Applicant mocks the Respondent		DH9
Incident in which the Applicant abuses the Respondent and his family		DH10
Email correspondence between the parties from 6/4/25 to May 2025	22/9/25	DH11