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Tan Shin Yi
District Judge
2 October 2025

IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE
[2025] SGFC 104

SS No 2093 of 2024
HCF/DCA 44 of 2025

Between

XSG

... Applicant

And

VSF

... Respondent

GROUND OF DECISION

(Family violence – PPO - Necessity)

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XSG

v

XSF

[2025] SGFC 104

Family Court — SS No 2093 of 2024

District Judge Tan Shin Yi

20 February 2025, 11 March 2025, 25 March 2025

2 October 2025

District Judge Tan Shin Yi:

Introduction

1 In this case, the wife applied for a personal protection order (“PPO”) and a domestic exclusion order (“DEO”) against the husband in November 2024. Both parties are also engaged in acrimonious child-related and divorce proceedings in both Singapore and Malaysia, after the breakdown of the marriage sometime in 2024.

2 I heard the parties on 20 February 2025 and 11 March 2025. On 25 March 2025, I granted a PPO for the wife and dismissed the application for a DEO. The husband has since appealed against my decision and these are the reasons for my orders.

Background facts

3 Parties were originally Malaysian citizens and married in May 2014. They have three children, M, S and O, aged 9, 7 and 3 years respectively. The family resided in Malaysia then moved to Australia for about a year from 2023 to May 2024. Thereafter, they returned to Malaysia and lived in a house with the husband's family members until sometime in September 2024, when the wife and the children moved out. Both parties are currently Singapore citizens and own a flat in Singapore.

4 Subsequently, in November 2024, the wife and two elder children, M and S, moved to Singapore while the husband remained in Malaysia with O. The circumstances surrounding the wife's move to Singapore with the elder children and the husband's *de facto* care of O are disputed.

5 The wife alleged that¹ since mid-2024, the husband had repeatedly pressured her to sell their flat in Singapore and when she refused, he stopped paying for the family's expenses, harassed her and told her to leave the family home. After a quarrel late at night on 13 June 2024, the wife claimed that the husband kept insisting that she leave the house. The wife packed her things and moved to her parents' home with the children temporarily on 14 June 2024. The wife eventually moved out of the matrimonial home on 29 September 2024.

The incidents of family violence

6 The wife relied on the following incidents in support of her application²:

¹ Paragraph 5(b) of the Complainant's Statement filed on 17 Dec 2024 ("the Complainant's Statement").

² Paragraphs 5-8 of the Complainant's Statement.

- (i) On 14 December 2019, the husband punched the wife in the face, threw the wife's phone on the floor and then attempted to pull/drag her into the swimming pool.
- (ii) On 14 June 2024, the husband went to the home of the wife's parents, where the wife and children were, and there was a scuffle. The husband pushed the wife, grabbed her arm and pulled her towards the road, causing her to fall down. The husband also repeatedly sounded the car horn outside the house, and rang the doorbell of the wife's parents' home and their neighbours' homes many times.
- (iii) On 6 July 2024, the husband pushed the wife out of the room and threw her mobile phone from the second storey of the house.
- (iv) On 19 September 2024, the husband kicked the wife off their bed and threw a pillow at her with some force.
- (v) In end-September 2024, the husband harassed the wife to sell the Singapore flat and again told her to leave the home if she refused. The husband also cut off financial support to the wife and children, and kept the children's passports.
- (vi) On 1 October 2024, the husband withdrew O from her preschool and sent the wife several messages, threatening that he would send O away to Hong Kong and keep the wife from seeing her if she did not agree to sell the Singapore flat or pay the husband for his share of the same.

(vii) On 3 October 2024, the husband prevented the wife from leaving their family home by blocking her car with his car and taking her car keys and bag.

(viii) On 19 October 2024, the husband prevented the wife from taking O with her and threatened not to return her belongings unless she left O with him.

(ix) Sometime in November 2024, the husband logged into the wife's personal email account without authorisation or consent, and sent emails to her potential employers with parties' police reports and proceedings, in order to prevent her from getting any job offers.

The husband's position

7 With regard to the 14 December 2019 incident, the husband at first claimed in affidavit that³ the wife was the one who hit him on the back of his head and he resisted by "pulling her hands". He made no mention of throwing her mobile phone on the floor. Subsequently, during cross-examination, the husband admitted that⁴ he was "very angry" and "smashed the phone on the floor". In response to a photograph showing an injury in the wife's eye, the husband claimed that when the phone was smashed, the glass shards "flew out" and landed in the wife's eye.

8 On 14 June 2024, the husband claimed that he came home and discovered the wife and children missing from the home, as well as the

³ Paragraph 30 of the Respondent's Affidavit of Evidence-in-Chief filed on 15 Jan 2025 ("Respondent's AEIC").

⁴ Page 22, lines 11-25 of Day 2 of trial, 11 Mar 2025 Certified Transcripts.

children's passports. His father informed him that the wife and children were at her parents' home and he went there to "get the children's passports back"⁵. The husband did not deny that he pressed the doorbells of the neighbours' homes but claimed that this was to seek their "assistance in phoning the police" and he claimed he only honked his car horn once to get the wife's parents to open the door.

9 The husband did not deny that on 14 June 2024, there was a physical scuffle between the parties. However, he claimed in a police report lodged on 15 June 2024, that the wife was the aggressor and that she had pulled his shirt, scratched him and slapped his left cheek. He also claimed that⁶ the wife was the one who had "caused hurt" to him on 14 June 2024 and he had suffered injury; and the wife was "locked up" for one night.

10 On 6 July 2024, the husband denied that the incident occurred as he was not at home between 12.30pm to 3.30pm. He also claimed that there were other family members at home at the time⁷.

11 On 19 September 2024, the husband claimed that⁸ the wife had sat on top of him to "harass" him for money and he had pushed her off him as he "was unable to breathe".

12 The husband denied that in end-September 2024, he had cut off financial support to the wife and children or that he had harassed the wife to sell the flat

⁵ Paragraph 16 of the Respondent's AEIC.

⁶ Paragraphs 39-40 of the Respondent's AEIC.

⁷ Paragraph 22 of the Respondent's AEIC.

⁸ Paragraph 26 of the Respondent's AEIC.

or leave the matrimonial home if she refused. He stated that⁹ he had transferred the wife a sum of RM5,000 for August and September 2024 and claimed that¹⁰ the wife was the one who “offered” to buy his share of the flat for SGD255,000.

13 The husband denied that¹¹ withdrawing O from school was “an incident of abuse” and claimed that he was “exercising his right as a father”. He claimed that the wife herself had also unilaterally withdrawn O from school two days prior, and that he planned to move to Hong Kong as he had a “new opportunity for work”¹².

14 The husband at first did not deny that on 3 October 2024, he had used his car to block the wife’s car when she returned to the matrimonial home. Instead, he claimed this was “irrelevant”¹³ to the wife’s application. During cross-examination, he denied¹⁴ blocking the wife’s car and preventing her from leaving the home. However, after being shown the CCTV recording, he then claimed that¹⁵ the car belonged to him, not to the wife and that he wanted to drive it for servicing.

15 The husband did not deny that on 19 October 2024, he did not allow the wife to take O with her or that he threatened not to return her belongings unless

⁹ Paragraph 20 of the Respondent’s Supplementary Affidavit filed on 6 Mar 2025 (“Respondent’s Supplementary Affidavit”).

¹⁰ Paragraph 24 of the Respondent’s Supplementary Affidavit.

¹¹ Paragraph 23 of the Respondent’s AEIC.

¹² Paragraph 25 of the Respondent’s Supplementary Affidavit.

¹³ Paragraph 23 of the Respondent’s Supplementary Affidavit.

¹⁴ Page 18, line 12 of Day 2 of trial, 11 Mar 2025 Certified Transcripts.

¹⁵ Page 20, lines 7-10, 21-23, Day 2 of trial, 11 Mar 2025 Certified Transcripts.

she left O with him. Instead he claimed that this was “completely unrelated”¹⁶ to the current application.

16 The husband admitted that he logged into the wife’s personal email account without her consent, and sent emails to her potential employers to block her job offers. He claimed that he did so as he was “angry and anxious”¹⁷ and wanted to prevent her from settling down in Singapore. During cross-examination¹⁸, however, he denied doing so.

The law

17 Amendments to the family violence provisions in the Women’s Charter 1961 came into force on 2 January 2025. However, as the present application was filed in November 2024, the pre-amendment provisions of the Women’s Charter 1961 apply, namely the former sections 64 and 65.

18 It is trite law that pursuant to s 65(1) of the pre-amendment Women’s Charter 1961 (“the Charter”), the court may grant a PPO only if the following conditions are fulfilled:

- (i) Family violence must be committed or is likely to be committed; and
- (ii) The PPO is necessary for the protection of the family member.

¹⁶ Paragraph 28 of the Respondent’s Supplementary Affidavit.

¹⁷ Paragraph 30 of the Respondent’s Supplementary Affidavit.

¹⁸ Page 13, line 11 of Day 2 of trial, 11 Mar 2025 Certified Transcripts.

19 The above conditions must be proven by the applicant on a balance of probabilities, and not on the higher criminal standard of proof of “beyond reasonable doubt”. Pursuant to s 64 of the Charter, “family violence” was defined as:

- (a) Wilfully or knowingly placing, or attempting to place, a family member in fear of hurt;
- (b) Causing hurt to a family member by such act which is known or ought to have been known would result in hurt;
- (c) Wrongfully confining or restraining a family member against their will;
- (d) Causing continual harassment with intent to cause or knowing that it is likely to cause anguish to a family member.

20 With regard to the limb of “continual harassment” in the Charter, the High Court in *UNQ v. UNR* [2020] SGHCF 21 stated that¹⁹ whether the person possessed the necessary intention or knowledge at the time would be inferred from *all* the circumstances of the case, and the court may infer such intention or knowledge “*based on the state of the parties’ relationship at the time, or evidence of the communications between the parties at the relevant period*”.

21 In *Yue Tock Him @ Yee Chok Him v. Yee Ee Lim* [2011] SGDC 99, “harassment” is taken to mean a course of conduct by a person which is “*sufficiently repetitive in nature as would cause, and which he ought reasonably*

¹⁹ [26] of *UNQ v. UNR* [2020] SGHCF 21.

to know would cause, worry, emotional distress or annoyance to another person”²⁰.

22 On the issue of whether a PPO is necessary, some of the relevant considerations²¹ are whether there is a real risk of future family violence, whether the parties are likely to have future interactions with each other and whether the past family violence was a one-off/recent occurrence.

My findings

Incident on 14 December 2019

23 The wife had tendered undated photographs of her injuries, a dated social media post showing the same/similar photographs and a police report. The wife’s mother also gave evidence in support of this incident. While there were some inconsistencies in the wife’s and her mother’s evidence regarding certain details of the incident, I accepted that there would be reasonably be some gaps in memory due to the length of time since the incident more than 5 years ago.

24 The husband admitted that he was angry with the wife on that day due to her alleged clubbing, and he also admitted that he had “smashed” the wife’s mobile phone on the phone and pulled her hands, at the very least. The husband also claimed that the wife was not injured by that incident, as he relied on the First Information Report lodged by the condominium security guard, which stated that²² “This resident her husband abusing her. She is seated at the guard post. She is not injured.” However, he did admit subsequently under cross-

²⁰ [33] of *Yue Tock Him @ Yee Chok Him v. Yee Ee Lim* [2011] SGDC 99.

²¹ [19]-[21] of *XFL v. XFM* [2024] SGFC 103.

²² Page 22 of the Complainant’s Statement.

examination that the wife had suffered some injury to her eye. Based on the evidence, I was satisfied that on a balance of probabilities, the husband had caused hurt to the wife by his acts which are known or ought to have been known would result in hurt.

Incident on 14 June 2024

25 Unfortunately, the video recording of the 14 June 2024 incident²³ did not capture the scuffle between the parties. The transcripts of the audio recordings tendered showed that the parties were arguing over the children and their passports. It was also undisputed that the parties had a physical scuffle, although their versions of what occurred and who was the aggressor differed.

26 Given the husband's admission that he had gone to the wife's parents' home to get the children's passports back, and that he had honked the car horn and rang the doorbells of the house and the neighbours' houses, he was likely in an agitated or angry state of mind at the time. The wife had also tendered evidence²⁴ of her parents' broken/damaged doorbell. I found no reason to disbelieve the wife's evidence that the husband had pushed and grabbed her, or pulled her towards the ground, causing her to fall. The wife had also readily admitted that she had slapped the husband in self-defence. While the husband made an issue of this and claimed that the wife had caused hurt to him instead of the other way round, he did not file an application for a PPO.

27 In the circumstances, I was satisfied that on a balance of probabilities, the husband had caused hurt to the wife by his acts which ought to have been

²³ Video named "IMG_4009" in folder "Voice and Video Recording (Transcription)" of the Complainant's thumb drive.

²⁴ Video named "My parent house door bell. Broken" in folder "VIDEO" of the Complainant's thumb drive.

known would result in hurt, and that he had also wilfully or knowingly placed the wife in fear of hurt through such acts.

Incident on 6 July 2024

28 The husband denied that he was at home at the time of the incident and adduced a WhatsApp message conversation with a friend, purportedly showing that he was not at home between 12.30pm to 3.30pm that day. The wife tendered evidence of a receipt dated 7 July 2024²⁵ showing that she had replaced her mobile phone screen.

29 There was no evidence to show why the wife would want to lie and falsely accuse the husband of having pushed her out of the room and thrown her mobile phone downstairs. If the wife had wanted to fabricate facts, I found it difficult to believe that she would not have come up with more serious allegations of violence. In any event, the husband's bare denial that he was not at home and "alibi" were not conclusive evidence that the incident did not occur as he only accounted for his whereabouts for three hours in the afternoon and not for the whole day. The incident could have occurred either before or after the husband went to meet his friends. As such, I was satisfied that on a balance of probabilities, the husband had committed acts that wilfully or knowingly placed the wife in fear of hurt.

Incident on 19 September 2024

30 It is undisputed that on 19 September 2024, the husband pushed the wife off the bed, although the circumstances are disputed. Again, there was no evidence to show that the wife had lied about this and if she wanted to lie, she

²⁵ Page 35 of the Complainant's Statement.

could have made up more serious allegations of violence. I also found it hard to believe the husband's evidence that the wife was the one who had sat on top of him to demand money and that he had pushed her off him because he could not breathe. As such, I was satisfied that on a balance of probabilities, the husband had caused hurt to the wife by his acts which are known or ought to have been known would result in hurt on this occasion.

Incident on 3 October 2024

31 The CCTV recording of 3 October 2024²⁶ showed the husband driving his car and parking it right in front of the wife's car so that her car would not be able to move towards the gate without hitting his car. The wife was not in the car at the time. Based on the recording, the husband also took some items out of the car and threw them into his car. The husband changed his story on this incident several times. At first, he did not deny that he had blocked the wife's car to stop her from leaving the house but claimed that this was "irrelevant" to the wife's application. Subsequently, during cross-examination, he denied that he had done so until he was shown the CCTV recording. He then claimed that the car belonged to him, not the wife, and that he wanted to drive it for servicing.

32 Based on the evidence and circumstances, I found that the husband had indeed blocked the wife's car and taken her belongings in order to prevent her from leaving the matrimonial home. The husband's acts amounted to wrongfully confining the wife against her will or wilfully or knowingly placing her in fear of hurt.

²⁶ Video named "03 OTC 2024 Block car" in folder "CCTV SOGA" of the Complainant's thumb drive.

Incidents of continual harassment and threats from September to November 2024

33 The wife claimed that the husband had continually harassed her to sell their Singapore flat, cut off financial support to her and the children and kept the children's passports, and told her to leave their matrimonial home, in order to pressure her to sell the flat. The wife's claims also included that the husband used the children, especially O, to threaten and pressure her into agreeing to sell the Singapore flat.

34 On 1 October 2024, the husband took O out of preschool and withdrew her from school the next day. The husband also informed the school that "[O] will need take long leave.. I bring her go oversea"²⁷.

35 The text messages exchanged between the parties showed that:

(i) The husband had asked the wife if she had decided not to sell the Singapore flat. When the wife replied "I'm currently busy with my career, I just need your encouragement", the husband responded "we divorce. I will do the filing in the afternoon."²⁸

(ii) The husband got M to inform the wife: "Can send school fee payment receipt... pls... or dad won't let us go with you.. tell your mum"²⁹.

²⁷ Page 56 of the Complainant's Statement.

²⁸ Page 72 of the Complainant's Statement.

²⁹ Pages 67-68 of the Complainant's Statement.

(iii) The husband informed the wife that³⁰ “I will bring Penelope flight to Hong Kong tomorrow or the day after tomorrow. 225k I spend for the furniture and renovation 30k Total 255k”; and “I will request divorce then auction the HDB. This is my bottom line. Go back to Singapore.”

(iv) The husband told the wife “you move back to your mother’s place, and bring the children back every Sunday”³¹

(v) The husband sent the wife a message³²: “I might migrate to Hong Kong very soon. I will ask my friend take care Penelope. I want to collect all Penelope’s [s]tuff”.

(vi) When the wife asked the husband if he had “plan this all” for O, “I don’t understand”, the husband responded “I would ask on Instagram, just say that her mother is gone, many people will volunteer to take care [O]”³³.

(vii) The husband told the wife “Do not bring [M] and [S] to oversea within 3 months. You choose to ignore me. I blocked the passport, if you don’t believe it, give it a try”³⁴.

36 It was not disputed that on 19 October 2024, the husband prevented the wife from taking O with her and threatened not to return her belongings unless she left O with him. The wife adduced a CCTV video recording of this incident

³⁰ Pages 74-75 of the Complainant’s Statement.

³¹ Page 77 of the Complainant’s Statement.

³² Page 78 of the Complainant’s Statement.

³³ Page 73 of the Complainant’s Statement.

³⁴ Page 64 of the Complainant’s Statement.

in her evidence³⁵, without audio, which was not challenged by the husband. The video showed the wife's car parked in the house driveway in front of the main door with both front doors open. At about 11.23am, the wife came out of the house, carrying O and got into the driver's seat with O on her lap. After she closed the door on the driver's side, the husband came out of the house and started taking things out of the car from the passenger's side.

37 The husband then opened the door of the driver's side and parties appeared to be talking heatedly. The husband reached into the car and pulled at the wife's arm, while O was seated on the wife's lap. The husband handed some things to the wife, then moved to the passenger side, took some things out of the car and back to the driver's side. An unknown male adult came out of the front door and stood at the open passenger door while the husband carried O and brought her into the house.

38 The husband did not deny that in November 2024, he had logged into the wife's personal email account without her consent, and sent emails to her potential employers with parties' police reports and proceedings, to prevent the wife from getting any job offers. In the emails sent by the husband to the wife's potential employers, he informed them that the wife "has a record in the Malaysian police database showing a history of imprisonment due to assault"³⁶ and attached a copy of the police report he had lodged against the wife in June 2024. In the circumstances, I find that by his acts above, the husband had engaged in conduct that caused continual harassment with intent to cause or knowing that it is likely to cause anguish to the wife.

³⁵Video named "19 OTC 2024 full version" in folder "CCTV SOGA" of the Complainant's thumb drive.

³⁶ Page 89 of the Complainant's Statement.

Necessity for PPO

39 Based on all the above incidents, I find that the husband has committed family violence against the wife. I would add that I did not place much weight on the December 2019 incident, compared to the 2024 incidents, because the 2019 incident occurred more than 5 years ago, and I accepted that the parties reconciled after this and went on to have their youngest child, O. Given the acrimony between the parties and the very contentious child custody proceedings, I also find that if unchecked, the husband is likely to commit family violence against the wife. I now consider whether a PPO and DEO are necessary for the wife's protection.

40 The husband claimed that the wife had a "history of concocting and fabricating stories"³⁷ against him. He also submitted that a PPO is not necessary as the wife has already moved out of the matrimonial home with M and S, and parties "hardly communicate save for matters relating to the children"³⁸.

41 The husband's allegation that the wife was prone to making up "stories" or allegations against him was not borne out by the various video and audio recordings, and messages between the parties, which supported the wife's version of events. Most of the incidents cited were also not disputed by the husband, save that he claimed that he had his reasons for behaving the way he did.

42 During the trial, the wife gave evidence in a straightforward manner and was a truthful witness. On the other hand, the husband's demeanour during the trial was defensive and showed that he did not think that he had done anything

³⁷ Paragraph 5 of the Respondent's AEIC.

³⁸ Paragraphs 11-12 of the Respondent's AEIC.

wrong. When he was asked about blocking the wife's car to prevent her from leaving the home, he denied this and when shown the video recording of the same, he then claimed that it was "not possible" for him to block her car as "the porch area is very large"³⁹.

43 It is not disputed that both parties are now living separately and in view of the pending divorce proceedings, it is unlikely that they will cohabit again. However, parties currently have split care and control of the children in that the two elder children are residing with the wife and the youngest child is with the husband. Care and control is obviously very contested and access is also an issue between the parties. The children are also quite young, and in the circumstances, the parties will continue to have regular interactions for access and hand-over. Since the breakdown of the marriage in 2024, there has been an observable *pattern* of coercive and harassing behaviour by the husband towards the wife and in the circumstances, a PPO is necessary for the protection of the wife.

44 However, I was not satisfied that there was a need for a DEO in this case, given that it was not disputed that the husband had not been to parties' Singapore flat in at least two years. The husband currently continues to reside in Malaysia while the wife is residing in Singapore. Having said that, I reminded the husband that while there was no DEO, it did not mean that the husband should now start going to parties' Singapore flat for no reason. There is now a PPO in place and any act of emotional or psychological abuse, under the amended definitions of the Charter, could be considered a breach of the PPO, which carries criminal consequences.

³⁹ Page 20, lines 10-11 of Day 2 of trial, 11 Mar 2025 Certified Transcripts.

45 I also ordered parties to attend mandatory counselling in order to assist them in moving forward from these events.

Tan Shin Yi
District Judge

Applicant in person;
Mr Nicholas Leow Zhi Wei & Ms Eunice Ong Ying Ting
(Netto & Magin LLC) for the Respondent.
