

IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE

[2026] SGFC 132

SSP 165/2026

Between

YJW

... Applicant

And

YJX

... Respondent

JUDGMENT

[Family Law – Family violence – Failure to include alleged incidents of family violence in complaint]

[Family Law – Family violence – Orders for protection – Physical abuse]

[Family Law – Family violence – Orders for protection – Emotional and psychological abuse]

[Family Law – Family violence – Orders for protection – Necessity]

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YJW

v

YJX

[2026] SGFC 132

Family Court – SSP 165/2026
Magistrate Nathaniel Tan
14 May 2026, 2 July 2026

1 October 2026

Judgment reserved.

Magistrate Nathaniel Tan:

1 This is an application for a personal protection order (“PPO”) and a no contact order (“NCO”) by the wife against the husband.

2 The parties were married in Singapore on 5 February 2020. They have two sons born to their marriage, aged 4 years and 1 year respectively in 2026. The family resided together at the husband’s family’s home until the wife moved out with the children on 27 January 2026 to live in a rented property. The parties have not cohabited since.

3 On 26 January 2026, one day before she moved out of the family home, the wife filed her present application seeking protection for herself and the parties’ children. At the affirmation stage of the complaint, the duty judge dismissed the application on behalf of the children and allowed only the

application in respect of the wife to proceed. No appeal was filed against the duty judge's decision.

4 On 28 January 2026, the husband filed FC/OAG 11/2026 ("OAG 11") against the wife, seeking, amongst other things, orders for the children to be returned to the parties' home. OAG 11 was first heard on 9 April 2026; a Custody Evaluation Report ("CER") was ordered.

5 On 6 April 2026, the husband commenced divorce proceedings in FC/OAD 1604/2026. The wife filed a cross-application for divorce in FC/OAD 2145/2026 on 4 May 2026. The Interim Judgment was granted on an uncontested basis in both applications on 31 August 2026, with the ancillary matters adjourned to be heard in chambers.

6 The parties filed their respective Affidavits of Evidence in Chief ("AEICs") and Opening Statements in this matter prior to the first tranche of the trial on 14 May 2026. It was apparent from these documents that neither party was aware that the application in respect of the children had been dismissed by the duty judge on 26 January 2026. I will return to the significance of this later. For now, it suffices to observe that much ink was spilled in the parties' documents, but especially the wife's AEIC, on whether the husband had committed family violence against the children and whether the PPO and NCO sought are necessary for the children's protection.

7 At the commencement of the trial on 14 May 2026, I highlighted to both counsels that the wife's application in respect of the children had been dismissed by the duty judge, and that only the application in respect of the wife herself was before me. Counsel for the wife, Mr Clarence Lun ("Mr Lun"), did not readily accept that ruling by the duty judge, arguing that the application in

respect of the children should be reinstated. Mr Lun also asserted that any dismissal “ought to have been fleshed by way of an order of court”, but that no such dismissal order had been issued. When I pointed out that it was abundantly clear from the Summons that there was no application in respect of the children, Mr Lun attempted to make an oral application to “amend the Summons to include the protection of the children”. He could not, however, cite any legal basis for this application. I refused to entertain Mr Lun’s application as I was *functus officio* insofar as any application for the children was concerned.

8 The trial of the wife’s application for a PPO for herself thus proceeded on 14 May 2026 and 2 July 2026. I reserved judgment and gave directions for Written Submissions and Reply Submissions to be filed. Having considered the parties’ submissions and the applicable law, I dismiss the application for want of necessity. These are the grounds of my decision.

The evolving nature of the wife’s case

The wife’s case in the complaint

9 The wife relies on three alleged incidents of family violence in her complaint. Her allegations are as follows:

- a) On 30 July 2024, after consuming drugs, the husband “wasn’t himself” and “suddenly rushed to [her] to strange [*sic.*] and choke [her]”. The husband then let go of the wife, before choking the wife a second time. The incident took place at around 10.42pm in the home and was captured by the CCTV camera. The wife asserts that the husband’s conduct on that day amounts to physical abuse and/or emotional or psychological

abuse. She alleges that she had sustained “neck wounds”, “pain” and “psychological trauma”.

- b) On 24 January 2026, the husband again took drugs in the presence of the children. This alone caused the wife “fear for the safety of myself and my children”. The wife alleges that the husband was “aggressive and made verbal threats that [she is] free to live on the streets if [she] wish [*sic.*] to”. The wife says again that the husband’s conduct on that day amounts to physical abuse and/or emotional or psychological abuse. She further claims that she had suffered injuries to her wrist, even though her complaint discloses no details of any such harm being inflicted.
- c) On 25 January 2026, at around 10.00am, the husband snatched the wife’s phone “forcibly” from her and demanded that she provide the password for him to access the phone. According to her, the husband’s conduct was “aggressive and intimidating”. Yet again, the wife says that the husband had physically and/or emotionally or psychologically abused her, and that she had suffered injuries to her wrist from the snatching of the phone.

10 The wife’s allegations in her complaint are reproduced almost verbatim in the preceding paragraph. It is not disputed that the complaint was prepared and filed with the benefit of legal advice.¹ Her case, however, evolved substantially in her AEIC and at the trial before me.

¹ Certified transcripts of hearing on 14 May 2026 (“14 May Transcripts”), page 19.

The wife's case in her AEIC and at the trial

11 I start with the incident on 30 July 2024. In her AEIC, the wife alleges that, during an argument between the parties in the bedroom of the home, the husband “forcefully grabbed [the wife] by the collar of [her] shirt and yanked [her] backwards with such force that [she] was momentarily lifted off [her] feet and moved backwards until [her] back hit the wardrobe area”.² Thereafter, the husband allegedly “grabbed” her again and “forced [her] further into the corner”. The wife claims that she was “terrified and felt completely overpowered”.

12 At the trial, the wife largely maintained her account per her AEIC. But that differed in several material respects from the contents of her complaint. In particular, she conceded under cross-examination that:³

- a) the husband had not consumed drugs;
- b) the husband had grabbed her collar and pushed her, but had not placed his hands on her neck or strangled her at all; and
- c) the wife had not sustained any “neck wounds”; and
- d) some of the details in her complaint regarding the incident on 30 July 2024 were incorrect.

² The wife's AEIC, paragraph 16.

³ 14 May Transcripts, pages 25 to 27.

13 The same can be said of the other incidents in the wife’s complaint. Indeed, the alleged incident on 24 January 2026 was completely abandoned by the wife in her AEIC and at the trial; she conceded on the stand that the contents of that entry in her complaint were “wrong” and that the incident “did not happen”.⁴ Nothing else is said by the wife about the alleged incident on 24 January 2026 in her AEIC, at the trial or in her Written Submissions. I therefore disregard this entry of her complaint in its entirety.

14 As regards the alleged incident on 25 January 2026, the husband correctly observes that it had expanded into “two separate and more serious episodes” in the wife’s AEIC and at the trial.⁵ To recapitulate, the wife’s case in her complaint is only that the husband had at around 10.00am on that day, snatched her phone from her. At the trial, however, she sought to clarify that the phone snatching incident began not at 10.00am, but at around 7.00am in the home.⁶ She maintained that this was “the same incident” referred to in her complaint.⁷ The wife then went into a new incident which was raised for the first time in her AEIC but nowhere to be found in her complaint.⁸ The incident took place at the driveway outside the home almost two hours after the first incident in the bedroom. According to the wife, the husband confronted her at the driveway, “grabbed [her] forearm, overpowered [her], and pinned [her] to the ground”.⁹ She claims that the husband then “pressed [her] forearm and wrist down, and attempted to seize [her] spare phone”, and it was only after “a few

⁴ 14 May Transcripts, pages 21 and 30.

⁵ The husband’s Written Submissions dated 13 August 2026, paragraph 61.

⁶ 14 May Transcripts, page 38.

⁷ 14 May Transcripts, page 20.

⁸ 14 May Transcripts, page 39.

⁹ The wife’s AEIC, paragraph 13.

minutes” that he “released his pin and walked angrily back and entered into [the home]”.¹⁰

15 Aside from the driveway incident, the wife also canvassed other incidents on other dates in her AEIC, none of which were included in her complaint.¹¹ Most were ultimately abandoned by the wife at the trial save for two incidents in June 2025 and on 20 January 2026 respectively. As regards the former, the wife alleges that the husband had sent a series of text messages to her which, she asserts, “objectively intimidated and distressed” her.¹² The text messages state as follows:

That is how the world works. If you’re unhappy, you can leave.

...

I will take care of my own child myself, so you don’t need to worry.

...

Monday morning, the lawyer will come to discuss things with you. I’ll give you the house in Taiwan, and half of my salary. As for [C1] and [C2], she said each of us can take one. Either side can come and visit with one day’s notice.

If there’s anything else you want to discuss, you can talk directly with her.

16 As the husband rightly observes, this incident was not raised in the wife’s AEIC as a “discrete episode”; it was first brought up during the husband’s cross-examination and later “assembled into a case for the first time in closing submissions”.¹³

¹⁰ The wife’s AEIC paragraphs 13 to 14.

¹¹ The wife’s AEIC, paragraphs 17 to 41 and 45.

¹² The wife’s Written Submissions dated 13 August 2026, paragraph 14.

¹³ The husband’s Reply Submissions dated 4 September 2026, paragraph 23.

17 The alleged incident on 20 January 2026 is similar in substance. The wife alleges for the first time in her AEIC that the husband, suspecting that she had accessed intimate material on his old phone, embarked on “near-daily threats” against her to “divorce [her]”, “separate [her] from the Children”, “separate the Children from each other”, “punish [her] if [she] approached the police or lawyers”, “make [her] bankrupt”, and “make [her] homeless in Singapore”.¹⁴ The wife again accepted at the trial that this was not mentioned in her complaint, and that her AEIC did not particularise these alleged threats.¹⁵ The 20 January 2026 incident was then altogether omitted from her Written Submissions.

Preliminary issue: whether the court can consider incidents that were not included in the complaint

18 The evolving nature of the wife’s case gives rise to an important preliminary issue: can the court consider incidents that were not included in the complaint?

19 The wife submits that the court can. She relies on the case of *WSD v WSE and another matter* [2024] SGFC 1 (“*WSD v WSE*”), wherein the court held at [16] as follows:¹⁶

Usually, the material facts on which an applicant premises an application for a PPO should be set out in the Complaint – the process by which a PPO application is originated. If material facts are omitted from the Complaint, a respondent may fairly contend that the applicant had chosen to forgo reliance on those facts (see *WNU v WNV* [2023] SGFC 18 at [5] and [9]), at

¹⁴ The wife’s AEIC, paragraph 8.

¹⁵ 14 May Transcripts, pages 32 to 33.

¹⁶ The wife’s Reply Submissions dated 4 September 2026, paragraph 2.

least where the introduction of those facts at trial would take the other party by surprise (see *Teng Cheng Sin v Law Fay Yuen* [2003] 3 SLR(R) 356 at [20]). Be that as it may, **I found that each spouse had given the other ample notice of and opportunity to respond to all material facts raised by him or her, and that the case of each spouse that had emerged at trial did not surprise the other.** I thus assessed their cases based on those that had emerged at trial. [emphasis added in bold]

20 Contending that there was “no forensic ambush” here, the wife argues that her AEIC dated 18 March 2026 “set out the alleged messages, both phone episodes and the 30 July 2024 incident”, and that the husband had “answered each in detail in his [AEIC] of 6 April 2026, particularised them in his Opening Statement and cross-examined upon them”.¹⁷ The wife’s point appears to be that the husband cannot be said to have been taken by surprise, and there is therefore no prejudice to him.

21 Leaving aside the fact that, in the ordinary course of any PPO application, AEICs are exchanged with no right of reply, I am unable to accept the wife’s submissions. For one, the contention that the husband was able to answer each and every incident in detail is not entirely accurate. While the husband was able to provide his account in his AEIC on the incident at the driveway of the home on 25 January 2026, his AEIC contains no response to the “near-daily threats” from 20 January 2026, nor to the text messages exchanged between the parties in June 2025. The fact that the husband’s Opening Statement addresses the alleged incident on 20 January 2026 (but not the June 2025 incident) is irrelevant. At risk of stating the obvious, an Opening Statement is not a sworn statement of fact.

¹⁷ The wife’s Reply Submissions dated 4 September 2026, paragraph 2.

22 More fundamentally, *all* of the ‘new’ incidents in the present case took place *before* the filing of the complaint. Their exclusion from the complaint must, therefore, mean that the wife did not deem them sufficiently material to her application. The fallibility of human memory does not justify their exclusion from her complaint, for two out of three of the excluded incidents (i.e. the 20 January 2026 incident and the incident at the driveway on 25 January 2026) would have been fresh on her mind when the application was filed on 26 January 2026.

23 The legal effect of a party’s failure to include pre-application incidents in his/her complaint was discussed at length in *XXG v XXH* [2026] SGFC 2 (“*XXG v XXH*”). In that case, the court gave little weight to two incidents which had been omitted from the complaint, reasoning at [29] as follows:

(e) From the brief sequence of events mentioned above, it will become apparent that the complaint form is akin to one’s pleadings in civil cases, in that it set out the parameters of the applicant’s case (which the respondent then has to meet). **Moreover, given that it is the applicant’s application, he/she has complete and unfettered control of deciding what to include (or exclude) in that complaint. To this end, an applicant’s power to choose the cards he/she wishes to play with comes with the responsibility that if an applicant does not include a particular incident in the complaint form, he/she is taken not to rely on such incidents in support of the application.**

(f) Whilst it is not uncommon for parties to subsequently attempt to include incidents which were originally not in the complaint form, I am of the view that **as a *starting point*, past incidents which were not included in the complaint form *should not* be considered as part of the court’s assessment of the applicant’s application. Unless there are special extenuating circumstances preventing an applicant from including a past incident he/she wishes to rely on in the complaint form, an applicant’s initial decision not to include such incident in the complaint form indicates a considered decision not to rely on such an incident in support of his/her application.**

(g) **In my judgment, such an approach ensures that an applicant appropriately applies his/her mind on the scope of the application, making sure that at the very least, he/she has played his/her ‘best’ cards on the table. Such an approach also ensures procedural consistency and propriety in affording the respondent a clear and proper opportunity to present his/her responsive case.** This in turn prevents any information asymmetry, which would affect the manner in which the court is able to effectively conduct the proceedings.

(h) **In short, an applicant is required, at the outset, to take ownership of his/her application, and to carefully set out with sufficient clarity and details the incidents relied on in support of the application.** [emphasis added in bold]

24 In the present case, the wife has given no explanation whatsoever for her failure to include the alleged incidents in June 2025, 20 January 2026 and at the driveway on 25 January 2026, in her complaint. Therefore, whilst I do not entirely disregard the excluded pre-application incidents from my decision, I am unable to place any significant weight on them for the same reasons given by the court in *XXG v XXH*. I am fortified in this conclusion by the fact that the wife’s complaint was prepared with the benefit of legal advice. To put the point bluntly, the wife, on the advice of her lawyer, has chosen to play her cards a certain way; she must now let the chips fall where they may.

The applicable legal principles on family violence

25 Having determined the parameters of the application before me, I turn to set out the applicable legal principles on family violence.

26 The starting point is Section 60A(1) of the Women’s Charter 1961 (“the Charter”), which provides that a PPO may be granted if the court is satisfied on a balance of probabilities that the following requirements are met:

- a) that the perpetrator has or is likely to commit family violence; and

- b) that the PPO is necessary for the victim's protection or personal safety.

27 Family violence is statutorily defined in section 58B(1) of the Charter. It provides that there are three types of family violence: physical abuse, emotional or psychological abuse, and sexual abuse. Only the former two types are engaged in the present case.

Physical Abuse

28 Physical abuse is defined in section 58B(2) of the Charter as follows:

(2) "Physical abuse" —

- (a) includes conduct or behaviour that —
 - (i) causes, or threatens to cause, personal injury or physical pain to a person; or
 - (ii) threatens a person with the death or injury of the person; and
- (b) also includes wrongfully confining or restraining a person against the person's will; but
- (c) does not include any force lawfully used —
 - (i) in self-defence; or
 - (ii) by way of correction towards a child below 18 years of age.

29 Crucially, there is no longer any requirement to establish knowledge or intent to commit physical abuse on the part of a respondent. At the Second Reading of the Women's Charter (Family Violence and Other Matters) (Amendment Bill) No. 18/2023, Parliament explained that the family violence provisions were amended in 2025 to "obtain protection against harmful conduct without having to prove what the perpetrator knew or ought to have known". For context, I set out the previous definition of family violence as follows:

“family violence” means the commission of any of the following acts:

- (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 his or her will;
- (d) causing continual harassment **with intent to cause or knowing that it is likely to cause** anguish to a family member.
[emphasis added in bold]

30 Evidently, the requirement of knowledge or intent, which found expression in the previous definition of family violence, has been removed from the current definition (see [28] above). An applicant need no longer establish intent before a finding of family violence is made.

Emotional or Psychological Abuse

31 Emotional or psychological abuse is also statutorily defined at section 58B(4) of the Charter:

- (4) “Emotional or psychological abuse” means conduct or behaviour that —
- (a) torments, intimidates, harasses or distresses a person; or
 - (b) causes or may reasonably be expected to cause mental harm to a person, including thoughts of suicide or inflicting self-harm.

32 Section 58B(5) of the Charter further provides that abuse can take the form of a single instance or a course of conduct or behaviour. The abuse also “need not be directed at the family member in question, but must be capable of being seen, heard or otherwise perceived (directly or indirectly) by the family member in question” (see section 58B(6) of the Charter).

33 What section 58B(4) does not make clear, however, is the approach to be taken in assessing whether the conduct or behaviour in question amounts to emotional or psychological abuse. What, then, is the appropriate test?

34 In *XZU v XZV* [2026] SGFC 31 (“*XZU v XZV*”), the court appeared to prefer a subjective approach by asking whether the victim had suffered any serious mental harm as a result of the perpetrator’s conduct:

38 Notably, Section 58B(4)(b) also defines emotional and psychological abuse as conduct or behaviour that causes or may reasonably be expected to cause mental harm to a person, including thoughts of suicide or inflicting self-harm. **Again, the focus is on the emotional, psychological or mental harm to the victim which is serious.**

39 Taken together, it is my considered view that there must be **demonstrable emotional, psychological or mental harm suffered by the victim as a result of the perpetrator’s actions** for there to be a finding of emotional or psychological abuse. Such emotional, psychological or mental harm has to go beyond ordinary feelings of frustration, indignation, annoyance and unhappiness which is inherent in everyday life. [emphasis added in bold]

35 It is clear from the foregoing passage that the focus was on whether the *victim* in question had, in fact, suffered any serious mental harm. Applying this approach, the court in that case ultimately dismissed the application, finding that there was no medical or other objective evidence to support a finding of emotional, psychological or mental harm that went beyond mere unhappiness (see *XZU v XZV* at [44]).

36 Conversely, in *XXW v XXX and 5 other matters* [2026] SGFC 23 (“*XXW v XXX*”), the court took an objective approach by asking whether a *reasonable person*, in the position of the victim, would have suffered mental harm as a consequence of the perpetrator’s conduct (see *XXW v XXX* at [53] to [55]). In my view, the corollary of the objective approach is that the focus shifts away

from the victim and towards the conduct of the perpetrator. Put another way, whether a reasonable person in the victim's position would have suffered mental harm would necessarily depend on whether the respondent's conduct had objectively gone beyond the pale. Indeed, one of the six applications before the court in *XXW v XXX* was dismissed because the court found that the father's conduct towards the mother, while rude, did not objectively constitute emotional or psychological abuse (see *XXW v XXX* at [102]).

37 The existing authorities evidently differ in the approach to be taken, and I do not purport to resolve those differences here. It suffices for me to observe only this: the authorities are consistent in elucidating the high threshold to be met before a finding of emotional or psychological abuse is made, regardless of whether a subjective or objective approach is taken (see *XXW v XXX* at [56]; *XZU v XZV* at [38] to [39]; *XWB v XWC* [2025] SGFC 135 at [11]; *XPX v XPW* [2026] SGFC 30 at [44(a)]). And nowhere is this high threshold made more apparent than in the illustrations under Section 58B of the Charter:

(a) X spreads false rumours to third parties about X's spouse being promiscuous. X's spouse finds out about the rumours and is distressed. X has committed emotional or psychological abuse against X's spouse.

(b) X is prone to smash furniture in X's house when X is angry. This behaviour causes X's child to be distressed and in fear of personal injury. X has committed physical abuse, as well as emotional or psychological abuse, against X's child.

(c) X repeatedly makes demeaning comments to belittle and humiliate Y in front of their children. X threatens to stop giving Y a monthly allowance if Y contacts Y's family or friends or seeks help. Y suffers mental harm as a result. X has committed emotional or psychological abuse against Y.

38 It is with these principles in mind that I turn to assess the merits of the application and the evidence before me.

The alleged incident on 30 July 2024

39 I start with the incident on 30 July 2024. The wife’s case is set out at [9], [11] and [12] above. I will not rehash it here except to say that there could be little dispute as to what had in fact taken place on that day given that the incident was captured by the CCTV footage. The wife expressly alludes to the existence of the CCTV footage in her complaint. Both parties sought to rely on the video, and it was played multiple times over the course of the trial.

40 The footage speaks for itself. It begins with the wife standing by the bedside speaking to the husband while he was lying in bed and dabbing his face with a blue towel. He says that this was because the wife had discharged a canister of gas directly onto his face, which caused him “immediate discomfort and a lot of pain”.¹⁸ This was not captured in the video, and the wife disputes the husband’s account. At the trial, she explained that “the gas canister actually was rolling towards [her] and it was spraying at [her], so... [she] did not know how to turn it off and [she] pushed it towards him”.¹⁹ I will return to this discrepancy later. For now, it suffices to note that it is at least common ground between the parties that the gas canister was in one way or another discharged on the husband’s face.

41 Returning to the video, the husband can then be seen rising from the bed, grabbing the collar of the wife’s shirt, and pushing her into the corner of the room, all while raising his voice at her. After a few seconds, the husband let go of the wife and walked away, while the wife continued speaking with him in Mandarin. The husband then walked back towards the wife, grabbed the collar

¹⁸ The husband’s AEIC, paragraph 166.

¹⁹ 14 May 2026 Transcripts, page 28.

of her shirt again, and pushed her back into the corner of the room. He held on to the collar of her shirt for about six seconds while yelling in her face, before letting go and walking away. The video then ends.

42 Based on the husband’s actions, I prefer his account that the wife had discharged a canister of gas onto his face, and accept that he was “upset by what the Applicant had done and reacted in the manner shown in the video”.²⁰ That, in my view, is the only logical explanation of the incident. The wife’s conduct does not, however, justify the husband’s disproportionate reaction. Indeed, as the husband conceded at the trial, even though his hands were never on the wife’s neck – and the video clearly confirms this – he had backed the wife into the corner of the room such that she had no way of escaping.²¹ The husband also acknowledged that he had lost his temper, and accepted that he was violent.²²

43 The husband submits that these concessions were made “to move the proceedings along rather than as an unqualified acceptance that his conduct amounted to family violence”.²³ True as that may be, my finding that the husband’s reaction was disproportionate is *not* based on his admissions but on the objective evidence of the incident. The video clearly shows that the husband cut a towering figure against the wife: he acknowledged at the trial albeit in a different context that he is “twice the size of [his] wife” and weighs around 130 kilograms.²⁴ He grabbed the collar of the wife’s shirt, not once but twice, and shoved her into the corner of the room while shouting in her face. It is equally

²⁰ The husband’s AEIC, paragraph 166.

²¹ 14 May Transcripts, page 104.

²² 14 May Transcripts, pages 109 and 112.

²³ The husband’s Written Submissions dated 13 August 2026, paragraph 35.

²⁴ Certified transcripts of hearing on 2 July 2026 (“2 July Transcripts”), pages 94 and 95.

plain that the wife had no way of escaping; she was, for all intents and purposes, trapped in the corner of the room while the husband was holding on to the collar of her shirt. By any objective measure, it cannot be said that the husband's actions were a proportionate response to the provocation by the wife that came before.

44 I turn to determine whether the husband's actions constitute physical abuse. Like the court in *XXW v XXX*, I adopt an objective approach in this assessment, having regard to the circumstances, context and physical characteristics of the parties (see *XXW v XXX* at [67] to [70]). In my judgment, the husband's conduct amounts to physical abuse on two counts. First, by grabbing the wife's collar and shoving her into the corner of the room, the husband had threatened to cause injury or pain to the wife under section 58B(2)(a) of the Charter. The stark disparity in the parties' physical stature is a significant consideration to that end. A reasonable person in the wife's position would undoubtedly have felt threatened. Second, by holding on to the collar of the wife's shirt with her back against the corner of the room while shouting in her face, the husband had wrongfully confined or restrained the wife against her will under section 58B(2)(b) of the Charter, even if only momentarily. The physical force applied was such that there was no way the wife could have escaped unless the husband released her from his grasp.

45 For completeness, I briefly address two other arguments advanced by the husband which I am unable to accept. The first is that the husband's actions were precipitated by provocation from the wife. Short of lawful self-defence – which as the wife correctly submits, the husband did not establish – provocation

does not negate family violence.²⁵ Provocation is relevant only to the necessity limb under section 60A(1)(b) of the Charter (see [80] below). The husband's second argument is that he did not intend to harm the wife.²⁶ While I make no finding in that regard, it must be remembered that one no longer needs to prove knowledge or intent to cause harm for a finding of family violence to be made (see [29] to [30] above).

46 For these reasons, I find that the husband had physically abused the wife on 30 July 2024 and thus committed family violence.

The excluded incidents in June 2025 and on 20 January 2026

47 I turn to address the alleged incidents in June 2025 and 20 January 2026. I deal with these incidents together because they concern the same type of apparently threatening conduct by the husband. It bears reiteration at the outset that neither of these incidents was included in the wife's complaint, and that the husband had not provided any account on these incidents in his AEIC. Her reliance on the dicta in *WSD v WSE* at [16] (see [19] to [20] above) does not aid her because the husband has not been given fair opportunity to apply his mind and respond to the wife's allegations in relation to these incidents. This alone is sufficient grounds for me to disregard these incidents entirely.

48 However, even if I am to consider these incidents at their highest, I would not be persuaded that they amount to emotional or psychological abuse by the husband. As regards the messages sent by the husband in June 2025, the wife characterises this as an "ultimatum: accept the Respondent's terms of

²⁵ The wife's Written Submissions dated 13 August 2026, paragraph 9.

²⁶ The husband's Written Submissions dated 13 August 2026, paragraph 35.

family life, or leave and face separation from one or both Children”.²⁷ I disagree entirely. A message from one disgruntled spouse to another telling her to leave if she is unhappy is precisely the sort of remark that is made amid marital discord. But ordinary marital discord, without more, is insufficient to ground a finding of emotional or psychological abuse.

49 Even when considered cumulatively, which the wife urged me to do, there is nothing abusive about these text messages, which contain no demand or threat.²⁸ The husband appeared to be relaying a proposal at the advice of his lawyers, which entailed giving the wife a property in Taiwan as well as half of his salary (see [15] above). Plainly, the messages were *not*, as the wife appears to be asserting, a threat to leave her high and dry.²⁹ They were the opposite of that. I therefore find no merit in the wife’s submission that a reasonable person would construe these messages as an ultimatum or a threat. Indeed, a reasonable person might well have found the proposal acceptable.

50 As for the alleged “near-daily threats” made by the husband against the wife from 20 January 2026, there is no contemporaneous or objective evidence to substantiate the wife’s allegations. These were bare allegations by the wife which were raised for the first time in her AEIC. Given her decision to exclude this incident from her complaint and the fact that she did not pursue it in her Written Submissions, I am unable to give much weight, if any, to her unsupported assertions on this incident.

²⁷ The wife’s Written Submissions dated 13 August 2026, paragraph 13.

²⁸ The wife’s Written Submissions dated 13 August 2026, paragraph 14.

²⁹ The wife’s Written Submissions dated 13 August 2026, paragraph 13.

51 Ultimately, the wife's allegations regarding these incidents were much ado about nothing. At any rate, had these incidents been as material as she claimed, she would have included them in her complaint in the first place.

The alleged incidents on 25 January 2026

52 I turn finally to the two incidents on 25 January 2026. The first occurred in the bedroom of the home at around 7.00am and the second occurred at the driveway of the home some two hours later. Only the first was included in her complaint, which was filed one day later, on 26 January 2026. I nevertheless address each incident in turn.

The first incident on 25 January 2026

53 The first incident on 25 January 2026 was also captured by the CCTV in the bedroom of the home. The videos were again played at the trial. The first video starts with the wife lying on the bed and the husband standing at the foot of the bed. The husband then bent over and snatched a mobile phone from the wife. The wife reacted by standing up on the bed and jostling with the husband while trying to grab the phone. The husband was holding on to the phone with his right hand while fending the wife off with his left. This interaction lasted for around 10 seconds. The first video ends as the wife is seen stepping off the bed onto the ground while she maintained physical contact with the husband. The second video continues the sequence from that point. The wife is seen still jostling with the husband, who was clutching on to the phone with his right hand while facing the wardrobe. The wife then momentarily wrapped her arms around the husband's body as she tried to get the phone, but the husband did not budge. After a few short seconds, the wife ceased physical contact, presumably upon realising that she could not overpower the husband. It is equally clear,

however, that the husband was consciously avoiding an altercation. At all material times, the husband's body was facing the wardrobe while the wife attempted to grab the phone from his right hand. The remainder of the second video and the subsequent videos simply show the parties engaging in calm conversation with no further physical contact while the husband kept a relative distance from the wife.

54 There are two prongs to the wife's case on this alleged incident.

55 The first is that the husband had physically abused her by snatching the phone "with such force that the phone's wrist strap broke".³⁰ At the trial, she claimed that she had sustained injuries to her wrist as a result of the breaking of the phone's strap, even though this allegation appears in neither her complaint nor her AEIC.³¹ In my view, the wife has not proved this allegation on a balance of probabilities. For one, it is not clear from the video whether the phone's wrist strap was even wrapped around the wife's arm at the material time. The video does *not* show the wife exhibiting any sign that she was in pain, and she led no evidence to that end. What the video does show is the wife reacting aggressively by trying to recover the phone immediately. Moreover, the wife has not adduced any photographic evidence of the broken strap or the phone.³² There is also no evidence of any injury to her wrist. It is therefore unsurprising that the wife did not pursue this aspect of her case in her Written Submissions.

³⁰ The wife's AEIC, paragraph 10.

³¹ 14 May Transcripts, page 41.

³² The husband's Reply Submissions dated 6 September 2026, paragraph 37.

56 For completeness, the wife also asserts that the husband had pushed her as she was moving towards him to recover the phone.³³ This does not, however, cohere with what the videos show, and I agree with the husband that he was merely trying to “create distance”.³⁴ There was no push by the husband. To the contrary, the videos clearly show that it was the wife who was maintaining physical contact while the husband was trying to disengage.

57 I therefore find that the husband did not physically abuse the wife during the first incident on 25 January 2026.

58 The second prong of the wife’s case is that the husband had committed emotional or psychological abuse by seizing and retaining the phone. This aspect of the wife’s case had, yet again, meandered from her complaint to her AEIC and her oral testimony at the trial, before finally crystallising in her Written Submissions where she states:

- a) The husband had “used force unlawfully to obtain possession of her phone... to which he admitted he had no right”.³⁵
- b) The husband “deployed force to secure what he wanted – namely, the Applicant’s attention and control over her device – rather than in the exercise of any lawful right”.³⁶

³³ The wife’s Written Submissions dated 13 August 2026, paragraph 18.

³⁴ 2 July Transcripts, pages 62 to 65.

³⁵ The wife’s Written Submissions dated 21 August 2026, paragraph 21.

³⁶ The wife’s Written Submissions dated 21 August 2026, paragraph 21.

- c) The husband thereafter “deprived her of her principal means of communication for hours and made the return of the phone part of his demand that she engaged with him”.³⁷
- d) Accordingly, the husband’s course of conduct, when taken cumulatively, amounts to control or coercion “exercised through unlawful force and deprivation”, and is therefore emotional or psychological abuse.³⁸

59 Leaving aside the evolution of the wife’s case, I am unable to accept her submissions even if I take her case at its highest. In the first place, there is no suggestion by the wife, let alone any objective evidence, that she had suffered any serious mental or psychological harm as a result of the husband’s conduct on that day. The videos suggest that the wife was annoyed and somewhat frustrated by the incident. But feelings of mere annoyance or frustration do not meet the threshold of emotional or psychological abuse (see [34] to [35] above). The wife’s case therefore fails on the subjective approach.

60 The objective approach leads to the same conclusion. It is common ground between the parties that the husband’s actions were precipitated by the wife accessing intimate material (which she has since adduced into evidence in these proceedings) on the husband’s old phone without his knowledge.³⁹ It follows as a matter of logic that the wife must have taken the husband’s old phone some time before the first incident on 25 January 2026. Put another way, the wife’s own conduct preceding this incident mirrors the conduct complained

³⁷ The wife’s Written Submissions dated 21 August 2026, paragraph 21.

³⁸ The wife’s Written Submissions dated 21 August 2026, paragraph 21.

³⁹ The husband’s AEIC, paragraph 48.

of: taking an item to which she had “no right”. In this light, it is difficult to accept her contention that such conduct amounts to emotional or psychological abuse. To be clear, I am not suggesting that two wrongs make a right. Rather, the simpler and more fundamental point is that this incident was part of a broader dispute between spouses in the wake of a marriage breaking down. As the husband quite rightly submits, “[t]aking a spouse’s phone in the course of a dispute about its contents is not, without more, conduct that torments, intimidates or harasses within the meaning of the Women’s Charter”.⁴⁰

61 For completeness, I place no weight on the wife’s submission that the husband’s conduct was coercive because he was depriving the wife of her “principal means of communication” by retaining the phone. This aspect of the wife’s case is, once again, nowhere to be found in her complaint or her AEIC, and was not put to the husband under cross-examination. It arose for the first time in the wife’s Written Submissions. In any case, the husband has given unchallenged evidence that he had passed the phone to his brother, who was intending to meet the wife later that day, so that he could return it to her.⁴¹ As the husband’s brother had forgotten to do so when he met the wife, the phone was then handed to the husband’s sister-in-law, and then returned to the wife in the evening.⁴²

62 In short, while the husband’s conduct vis-à-vis the first incident on 25 January 2026 left much to be desired, it was not objectively abusive.

The second incident on 25 January 2026

⁴⁰ The husband’s Written Submissions dated 13 August 2026, paragraph 68.

⁴¹ The husband’s AEIC, paragraphs 96 to 97.

⁴² The husband’s AEIC, paragraphs 98 to 101.

63 I turn now to the second incident on 25 January 2026 which took place at the driveway of the home. To recapitulate, the wife alleges that as she was waiting for a private hire vehicle at the driveway of the home, the husband “grabbed [her] forearm, overpowered [her], and pinned [her] to the ground”, after which he “pressed [her] forearm and wrist down, and attempted to seize [her] spare phone”.⁴³ According to her, the husband had pinned her down for “a few minutes” and only released her when he realised that they “were within the earshot and sight of neighbours”.⁴⁴

64 The wife’s case on the driveway incident has again meandered at each stage of the proceedings. The incident was first raised in her AEIC, wherein she describes the episode as one of “physical violence” and relies on photographs of her forearm allegedly showing the injuries she sustained on that day.⁴⁵ She does not make a case of emotional or psychological abuse in her AEIC at all. In the wife’s Opening Statement, however, she argues that the driveway incident amounts not only to physical abuse, but also to emotional or psychological abuse “because it occurred against the background of threats, phone seizure, demands for passwords and attempts to prevent the Applicant from seeking help or preserving evidence”.⁴⁶ At the trial, Mr Lun focused his cross-examination on the wife’s case of physical abuse by putting to the husband that he had, amongst other things, “tried to lay your hands on my client and she fell to the ground”.⁴⁷ Mr Lun did not, however, put the wife’s case of emotional or

⁴³ The wife’s AEIC, paragraph 13.

⁴⁴ The wife’s AEIC, paragraph 14.

⁴⁵ The wife’s AEIC, paragraphs 15 and 43.

⁴⁶ The wife’s Opening Statement dated 12 May 2026, paragraph 22.

⁴⁷ 2 July Transcripts, page 86.

psychological abuse to the husband save for a few questions regarding the husband's attempts to deprive the wife of her phone a second time.⁴⁸ The wife's case eventually crystallises in her Written Submissions: she argues that the husband's conduct amounts to "physical restraint and objectively intimidating conduct", which are tenets of physical abuse under section 58B(2) of the Charter.⁴⁹ Her Written Submissions on the driveway incident say nothing about emotional or psychological abuse save for a fleeting suggestion that the husband's attempt to take the wife's phone mirrors the first incident on 25 January 2026.⁵⁰ This is her latest position.

65 Conversely, the husband's responses have centred on the wife's allegations of physical abuse. His counsel, Mr Pardeep Singh Khosa ("Mr Khosa"), focused his cross-examination on the alleged physical abuse at the driveway and the immediate aftermath.⁵¹ In essence, the case that was put to the wife was that the husband did not physically abuse her, but Mr Khosa did not test the wife's case (if any) on emotional or psychological abuse. Indeed, he could not have because this incident is nowhere to be found in her complaint, and there is no allegation of emotional or psychological abuse in her AEIC. Similarly, the husband's Written Submissions address only the wife's case on physical abuse, and say nothing about emotional or psychological abuse.

66 In these circumstances, I am compelled by natural justice considerations to disregard the wife's case on emotional or psychological abuse vis-à-vis the

⁴⁸ 2 July 2026 Transcripts, page 87.

⁴⁹ The wife's Written Submissions dated 13 August 2026, paragraph 28.

⁵⁰ The wife's Written Submissions dated 13 August 2026, paragraph 23.

⁵¹ 14 May Transcripts, pages 46 to 58.

driveway incident. In any event, it appears that the wife has all but abandoned this aspect of her case in her Written Submissions.

67 I turn to assess the wife's case that the husband had physically abused her at the gate. The exchange was partially captured by the CCTV camera at the driveway leading to the gate. The video was played multiple times during both parties' cross-examination. It starts with the wife walking on the driveway of the home towards the gate at around 8.49am. A few seconds later, the husband is seen walking towards the gate where the wife was standing. By this point in the video, the parties can hardly be seen as the camera's view of the area outside the gate is obstructed by a wall. The footage captures only the onset of the parties' interaction at the gate, but the interaction is almost entirely obscured from the view of the camera. After no more than 10 seconds, the husband is then seen re-entering the compound. The wife likewise re-entered the compound shortly thereafter, still in possession of her spare phone.

68 Against the objective evidence, I find the wife's account to be highly embellished and inherently improbable. Preliminarily, both parties rightly acknowledge that the interaction outside the gate was obscured from the view of the camera, although the wife submits in this connection that "[o]bstruction is not affirmative proof that no force occurred".⁵² To the extent that the wife is suggesting that the husband has failed to prove his account, I am unable to accept the wife's submission for the simple reason that the burden of proving family violence is on her. Moreover, it is telling that the video of the driveway incident was adduced into evidence by the husband, and not the wife.⁵³ This is

⁵² The wife's Written Submissions dated 13 August 2026, paragraph 26.

⁵³ The husband's AEIC, paragraph 75 and page 69.

notwithstanding that the wife has had access to the recordings of the CCTV in the home, and has in fact adduced the recordings pertaining to the other incidents. There is also no suggestion by the wife that she did not have access to the footage at the driveway.

69 I can therefore only surmise that the wife chose not to adduce the video into evidence because it does not bear her allegations out. Indeed, it was only after the video was played during the wife’s cross-examination that she conceded that the interaction outside the gate lasted no more than 10 seconds, and not the “few minutes” that she alleges in her AEIC. Conversely, the husband candidly admitted in his AEIC that he was attempting to take hold of the phone; when the wife “reacted strongly” by squatting down on the ground and “shouting loudly for help”, he immediately disengaged and walked away. I am unable to accept the wife’s account against the weight of the objective evidence. In my view, it is difficult to believe that the husband could have grabbed her forearm, overpowered her, and pinned her to the ground while attempting to seize her phone over a span of 10 seconds, only to leave without achieving his objective.

70 In any event, the wife has ceased to rely on these allegations in her Written Submissions and asserts only that the husband’s conduct had “caused a physical struggle and [her] descent to the ground”.⁵⁴ I reject this revision to the wife’s case for two reasons. First, the husband has consistently maintained that the wife squatted down on her own and that he did not apply any physical force during the interaction. His account was not shaken under cross-examination, and it coheres with the duration of the interaction as recorded by the CCTV.

⁵⁴ The wife’s Written Submissions dated 13 August 2026, paragraph 25.

Second, the only evidence that the wife has adduced to show her alleged injuries are undated photographs of her forearm, but they are neither here nor there in that they do not clearly show any injury sustained by the wife as a result of the interaction at the gate or any physical force allegedly applied by the husband. More importantly, there is no evidence that the wife had sought any medical attention for the alleged injuries to her forearm, let alone any medical evidence of any injury. The wife claims that she did not seek any medical attention because she “went directly to the police station” to make a police report, but no police report has been adduced into evidence.⁵⁵ In sum, there is no objective evidence of any physical violence on that day.

71 I hasten to add that, short of causing injury or pain, any suggestion that the husband’s conduct was threatening or intimidating is also not borne out by the evidence. The events of the immediate aftermath of the interaction are germane in this regard. The video clearly shows the wife walking back into the compound a few seconds after the husband while still in possession of her spare phone. As the husband quite rightly observes, the wife was making “no attempt to adjust her clothing or brush off any dirt or debris” as she was walking back into the compound.⁵⁶ The wife then sent a photograph of a phone accompanied by a text message to the husband stating, “[i]f you have the nerve to do it, you should at least be man enough to own up to it”.⁵⁷ She said under cross-examination that she had sent this message because she was angry that the husband had taken her main phone earlier that morning.⁵⁸ These messages were

⁵⁵ 14 May 2026 Transcripts, pages 54 to 55.

⁵⁶ The husband’s Written Submissions dated 13 August 2026, paragraph 77.

⁵⁷ The husband’s AEIC, page 73.

⁵⁸ 14 May Transcripts, page 59.

sent at around 8.53am, less than five minutes after the interaction outside the gate. At around 9.13am, the wife sent another text message stating that she had “filed a report at the police station” and would “send the video to Bella soon as well”.⁵⁹ At the trial, she admitted that this message was a threat to the husband.⁶⁰

72 The husband submits that the wife’s conduct in the aftermath of the episode shows that she was aggrieved by the husband taking her main phone earlier that morning, and not the alleged assault she had suffered just minutes prior.⁶¹ I accept the force of this argument and would go a step further: there is nothing in the wife’s conduct to suggest that she even felt threatened or intimidated by the husband. On an objective assessment, the husband’s conduct posed no threat of physical injury or pain to the wife.

73 Quite apart from the evidential difficulties identified above, I find that the wife’s omission of the incident entirely from her complaint further undermines the credibility of her account. The wife’s allegations regarding the driveway incident are self-evidently and by far more serious than the rest of her allegations in these proceedings. It therefore begs the question of why she had excluded them from her complaint, which was prepared with the assistance of her counsel and filed a mere one day after the incident. The incident would have been fresh on the wife’s mind when the complaint was filed. Even if I accept that the complaint was “prepared urgently on 26 January 2026”⁶² (which I do not), it is one thing to omit details from a pleaded incident but quite another to omit an incident entirely. Had the incident been as serious as claimed, the wife

⁵⁹ The husband’s AEIC, page 73.

⁶⁰ 14 May Transcripts, page 58.

⁶¹ The husband’s Written Submissions dated 13 August 2026, paragraph 80.

⁶² The wife’s Written Submissions dated 13 August 2026, paragraph 29.

would undoubtedly have included it in her complaint, at the behest of her lawyer if nothing else. I can only infer from her decision to exclude it that it was not.

74 I digress at this juncture to make the following further observations. The exclusion of this incident from the complaint meant that the wife was not restricted by its four corners when giving her evidence on this incident. She took full advantage of this by changing her case at every turn in these proceedings (see [64] above). It was entirely fortuitous that the husband was able to respond to the driveway incident in his AEIC, which was filed after the wife had filed and served her AEIC. As I had stated at [21] above, in the ordinary course of any PPO application, AEICs are exchanged with no right of reply (see P. 3, r. 19 of the Family Justice Rules 2024). In fact, at a pre-trial mention on 23 March 2026, Mr Lun objected to the husband's request for an extension of time to file his AEIC. The court nevertheless allowed the husband's request. Had the AEICs been exchanged instead, the husband's AEIC would have contained no evidence of the incident at the driveway at all. The fact that it did, however, does not absolve the wife of her failure to include it in her complaint because of the evolving nature of her case. It was allowed to evolve precisely because she was not bound by the four corners of her complaint.

75 I make these observations to highlight the repercussions of relying on alleged incidents of family violence that have not been included in the complaint. The complaint in Form 23B of the Family Justice Courts Practice Directions 2024 requires an applicant to select the "Type" of harm or abuse that is relevant to the incident. It enjoins an applicant to apply his/her mind to the case that he/she wishes to run when the application is filed. It is then incumbent upon that applicant to discharge his/her burden of proving that case on a balance of probabilities. In the absence of a complaint to define the parameters of the application, an applicant would have free rein to change his/her case throughout

the proceedings, thereby depriving a respondent of a fair opportunity to meet the case being brought against him/her. Such a state of affairs cuts against any reasonable notion of natural justice and is unacceptable. To cap it all off, the potential prejudice to a respondent cannot be remedied by way of costs given the penal consequences that follow a breach of a PPO (see sections 63C and 63D of the Charter). It is therefore at least arguable, in my view, that any alleged incident of family violence which has not been included in a complaint should be entirely disregarded as a matter of principle. In other words, evidence of such incidents ought not to be allowed to begin with.

76 Nevertheless, in the present case, I have considered the wife's evidence on the driveway incident, and found that she has failed to prove her account for the reasons stated above. Accordingly, I find that the husband did not commit family violence on 25 January 2026.

Necessity

77 Given my finding that the husband had committed family violence on 30 July 2024, it remains for me to consider whether a PPO is necessary for the wife's protection. While the issue of necessity is a fact-sensitive assessment, there are four overarching principles which lie at the heart of this inquiry. First, in determining whether a PPO is necessary, the court will undertake a risk-based assessment by ascertaining the likelihood of future violence being committed (see *XNY v XNZ* [2025] SGFC 69 at [49]). Second, the function of a PPO is to protect and not punish, and a PPO may therefore not be granted if it is going to be used for a collateral purpose (see *WSD v WSE* at [40]; *YCF v YCG* [2026] SGFC 59 at [27]). Third, once it is established that family violence has or is likely to be committed, the burden shifts to the respondent to prove with evidence that a PPO is not necessary (see *Lai Kwok Kin v Teo Zien Jackson*

[2020] 5 SLR 389 at [39]; *XEP v XEQ* [2024] SGFC 95 at [21]; *XMN v XMO* [2025] SGFC 54 at [17]; *XXR v XRY and another matter* [2025] SGFC 100 at [10]). Fourth, a PPO is not lightly ordered because there are penal consequences that follow its breach (see *UNQ v UNR* [2020] SGHCF 21 (“*UNQ*”) at [28]). It was for this reason that the court in *XXW v XXX* described a PPO as a “tool of last resort” that is deployed to protect a party who is trapped in a cycle of abuse and can no longer manage his/her relationship with the abuser (see *XXW v XXX* at [30]).

78 Against the foregoing backdrop, I turn to consider the parties’ submissions. The husband contends that a PPO is not necessary because the parties have been living apart since 27 January 2026, with no prospect of resuming cohabitation.⁶³ He points also to the fact that all future contact will be confined to court-ordered handover of access twice a week on Wednesdays and Sundays, and video-call access on Tuesdays and Fridays, pursuant to FC/ORC 1651/2026 in OAG 11 extracted on 27 April 2026. The broad thrust of the husband’s submission is that the risk of future violence is low in these circumstances.

79 In support of his position, the husband relies on *UNQ v UNR* to assert that a “PPO is unnecessary where there has been no proven incident since the event relied upon, and where the applicant’s conduct is inconsistent with ongoing fear”.⁶⁴ I disagree with this submission on two counts. First, the case of *UNQ v UNR* was decided in the context of the previous definition of family violence, under which placing a family member “in fear of hurt” amounted to

⁶³ The husband’s Written Submissions dated 13 August 2026, paragraph 102.

⁶⁴ The husband’s Written Submissions dated 13 August 2026, paragraph 106.

family violence. This no longer finds expression in the current definition under section 58B of the Charter, and the relevance of an applicant's conduct being "inconsistent with ongoing fear" is therefore questionable. In any event, I could not find anything in *UNQ v UNR* to suggest that it stands for the proposition cited by the husband.

80 Second, to the extent that the husband is suggesting that a PPO will only be necessary if there are proven incidents of family violence occurring after the application is filed, I find the husband's reliance on *UNQ v UNR* to be misplaced. In that case, the applicant relied on three alleged incidents of family violence in November 2017, March 2019 and April 2019 respectively. The High Court, having found that the applicant had only proven the November 2017 incident, deemed a PPO unnecessary because there were no proven incidents of violence for a period of around 1½ years from November 2017 until the application was filed in May 2019 (see *UNQ v UNR* at [38]). The High Court was *not* assessing whether there were any proven incidents of abuse after the application was filed. Indeed, it is at least arguable that post-application incidents cannot ground a finding of family violence to begin with (see *Teng Cheng Sin v Law Fay Yuen (m.w.)* [2003] SGHC 76 at [20]).

81 Nevertheless, I find that the present case remains analogous to *UNQ v UNR*. Much like that case, the application here was filed some 18 months after the only proven incident of family violence which occurred on 30 July 2024. In *UNQ v UNR*, the High Court also considered relevant the fact that the children went on a holiday with the father without incident after the only proven incident of family violence. Here, the wife did that and more: she carried on with the marital relationship, continued residing with the husband, conceived and gave birth to their second child, and went on not one but two holidays with him, after

the incident.⁶⁵ Further, I could not ignore the fact that the 30 July 2024 incident was engendered by provocation by the wife when she discharged a gas canister on the husband's face. The evidence clearly suggests that the 30 July 2024 incident was an isolated one.

82 It is at this juncture that I turn to consider the wife's submissions, many of which fall away in light of my judgment that the only proven incident of family violence occurred on 30 July 2024. I therefore address only the arguments that are *not* contingent upon a finding that the husband had committed family violence on 25 January 2026.

83 The wife contends first that "separation has not removed either the opportunity for contact or the subjects capable of generating renewed conflict".⁶⁶ She further submits that physical separation, without more, is not dispositive of the inquiry.⁶⁷ I agree with the wife in principle. While physical separation is always a relevant consideration, it is entirely conceivable that a chronic abuser would seek out a victim and seek to perpetuate the abuse in one way or another. I do not, however, accept the wife's suggestion that the risk of future violence remains high in the present case notwithstanding the parties' physical separation. While the parties will continue to see each other regularly during handover of access, the husband has given unchallenged evidence that the parties "speak as per normal... on matters ranging from our family to our kids" and that the situation is "cordial" during the handovers and the calls.⁶⁸ Nothing in the wife's evidence suggests anything to the contrary. There is also

⁶⁵ The husband's AEIC, paragraphs 169 and 172.

⁶⁶ The wife's Written Submissions dated 13 August 2026, paragraph 40.

⁶⁷ The Wife's Reply Submissions dated 4 September 2026, paragraph 12.

⁶⁸ 14 May Transcripts, page 92.

no merit to the wife's argument that the "unresolved disputes mean that the proved pattern cannot safely be treated as spent".⁶⁹ No such pattern has been proved.

84 This brings me to the wife's next argument. She relies on an incident on 14 May 2026 (i.e. the first day of this trial) outside the courtroom, which was raised during her examination-in-chief. In particular, the wife alleges that the husband approached her during a recess, and asked her to "discontinue the suit".⁷⁰ According to her, the husband also said that it would "not be advantageous to either side" if the "suit" continued, that he had "no money" and that further litigation would only result in "all the money [being] paid to the lawyers".⁷¹ Importantly, there is no suggestion by the wife that the husband's conduct was threatening, intimidating or distressing. She asserts only that her lawyers had requested for any discussions regarding the divorce to be dealt with through counsel, and that by approaching the wife, these "informal boundaries have not reliably constrained him".⁷² In my view, the wife's submissions greatly overstate her case. The fact that the husband approached the wife to talk about the divorce despite the wife's request for such matters to be discussed between counsel does not, without more, denote a "boundary problem".⁷³ More importantly, there was plainly nothing untoward about the husband's conduct. None of the husband's statements to her were remotely threatening, intimidating or unreasonable on their face.

⁶⁹ The wife's Written Submissions dated 13 August 2026, paragraph 40.

⁷⁰ 14 May Transcripts, page 16.

⁷¹ 14 May Transcripts, page 16.

⁷² The wife's Written Submissions dated 13 August 2026, paragraph 42; 14 May Transcripts, page 97.

⁷³ The wife's Written Submissions dated 13 August 2026, paragraphs 41 to 42.

85 For completeness, I reject any suggestion by the wife that her departure from the matrimonial home was necessitated by the husband's conduct.⁷⁴ The wife's application, which was also made on behalf of the children, was filed on 26 January 2026, one day before she took the children and departed from the home. She had signed a tenancy agreement on 24 January 2026, two days before the application was filed and one day before the incidents on 25 January 2026 even took place.⁷⁵ She admitted on the stand that she was already planning to leave the home by 24 January 2026.⁷⁶ At all material times, including before the incident on 25 January 2026, she was receiving legal advice from her solicitors.⁷⁷ She also admitted that her solicitors had advised her to apply for a PPO even before the incidents on 25 January 2026 took place.⁷⁸ On 27 January 2026, the same day that the wife moved out of the home, the husband received a letter from the wife's solicitors stating that she had applied for a PPO, moved out with the children to an undisclosed "place of safety", and intended to commence divorce proceedings as well as an interim maintenance application for S\$50,000.00 per month.⁷⁹ The letter also states that the wife would "take charge of temporal day-to-day care and control" until any interim care orders are made, and that the husband should not contact her in the intervening period.⁸⁰

86 Taken together, the wife's conduct from 24 January 2026 to 27 January 2026 was not, in my view, consistent with the conduct of a victim of abuse who

⁷⁴ The wife's Written Submissions dated 13 August 2026, paragraphs 33 to 34.

⁷⁵ 14 May Transcripts, page 45.

⁷⁶ 14 May Transcripts, page 45.

⁷⁷ 14 May Transcripts, page 74.

⁷⁸ 14 May Transcripts page 75.

⁷⁹ The husband's AEIC, page 106.

⁸⁰ The husband's AEIC, page 106.

can no longer manage her relationship with her abuser. The filing of the application and her departure from the home with the children were planned well in advance, and the letter from her solicitors dated 27 January 2026 laid bare her true position: that in the absence of an order of court, the husband was not permitted to see his children because of the ongoing PPO application. Notably, this is despite the fact that the duty judge had already dismissed the wife's application for the children the day before this letter was sent (see [3] and [6] above).

87 One may reasonably infer from this sequence of events that the wife had taken out this application for a collateral purpose: to gain a juridical advantage over the husband in the then-impending divorce proceedings. But I make no express finding in that regard, and add that my decision that a PPO is unnecessary is based squarely on the low risk of future violence (see [80] above). The wife's conduct from 24 January 2026 to 27 January 2026 merely reinforces that finding. It shows that her decision to move out of the home was made independent of any alleged violence by the husband.

88 In the final analysis, I find that the husband has discharged his burden of proving that a PPO is unnecessary for the wife's protection. The only proven incident of family violence was an isolated one engendered by provocation, and which took place 18 months before this application was filed. The risk of future violence is low in the circumstances, and the wife has put forward no cogent argument to the contrary.

Conclusion

89 The wife's application for a PPO is unsuccessful for the reasons given in this judgment. It follows that her application for an NCO must also fail (see

section 60B(1) of the Charter). SSP 165/2026 is therefore dismissed in its entirety.

90 I shall now hear parties on costs.

Nathaniel Tan
Magistrate

Clarence Lun Yaodong
(Fervent Chambers LLC)
for the Applicant;
Pardeep Singh Khosa, Rajvinder Singh Chahal
and Sim Wai Kit
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