

IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE
[2026] SGFC 35

SSP 242/2025

Between

YAE

... Applicant

And

YAF

... Respondent

JUDGEMENT

[Family violence] — [Emotional or psychological abuse]

TABLE OF CONTENTS

FACTS	1
THE COMPLAINT	2
DECISION.....	5
LEGAL PRINCIPLES	5
WHETHER A PPO MAY BE GRANTED ON THE BASIS OF THE INCIDENTS	11
<i>Allegation (iii) — not particularised or proven.....</i>	<i>11</i>
<i>Incidents 13–16 — not taken cognisance of — arose after filing of complaint</i>	<i>12</i>
<i>Incident 1 — protection not necessary</i>	<i>12</i>
<i>Incident 2 — FV not disclosed.....</i>	<i>13</i>
<i>Incident 5 — FV not disclosed.....</i>	<i>14</i>
<i>Incidents 6, 7, 8, 12 — not FV to add A’s friends on social media</i>	<i>15</i>
<i>Incidents 4, 9 — not proven.....</i>	<i>15</i>
<i>Incident 10 — not proved as speculation.....</i>	<i>16</i>
<i>Incidents 3, 11 — does not amount to FV.....</i>	<i>16</i>
CONCLUSION	20

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**YAE
v
YAF**

[2026] SGFC 35

SSP 242/2025

District Judge Chua Wei Yuan

6 August, 5 September, 28 November, 5, 8, 12 December 2025

12 February 2026

District Judge Chua Wei Yuan:

Judgment reserved.

Facts

1 This is a summons for a protection order (“PPO”) and domestic exclusion order (“DEO”) by the applicant (“A”) against the respondent, her husband of some 28 years (“R”), in favour of herself and their younger son (“S2”), who is 11 years old and the youngest of the three children born of their marriage (the two elder children are a son (“S1”) and a daughter (“D”)). C and R are currently undergoing a divorce at the Syariah Court.

2 This summons is based on A’s complaint that R had inflicted family violence (“FV”) on her and S2, specifically, that R had inflicted emotional and psychological abuse on her and S2.

The complaint

3 A’s complaint form was framed in vague terms. Save for an incident which was reported to have happened in 2004, it says only that A and S2 were each a victim of an incident, both in June 2024. The police report and narrative to which the complaint form referred gives only slightly more particulars, but much of it is not nearly enough.

4 In my view, A’s summons taken at its highest covers the following incidents:

No	Date	Victim	Event
i.	2004	A	R threatened A with a knife.
ii.	Throughout A and R’s 28-year marriage	A	R would throw his helmet, and bang his head against the wall or door when A refused to comply with his demands.
iii.	Throughout A and R’s 28-year marriage	A	R exercised controlling behaviour. R controlled A’s call logs and message records by registering A’s phone number under his main line account. R accessed A’s social media account on Facebook without A’s knowledge, and “unfriended” her friends.
iv.	2024	S2	After D confronted R, R reacted with uncontrolled rage in front of S2.
v.	Since Jun 2024	A	R engaged in deliberate actions to tarnish A’s reputation as a grassroots leader and a member of the [YYY] board, causing A emotional and mental distress.
vi.	Since mid-Dec 2024	C	R has been adding A’s friends on social media to monitor A’s activities and keep A under surveillance through mutual friends.

vii.	Jan 2025 [corrected to Dec 2024 on the stand]	S2	S2 saw R quarrel with S1, and R said “luckily [I] didn’t kick you all out from [my] house”, and caused S2 to be angry and disturbed, and affected to the point that he could not focus on his studies.
viii.	Time frame unknown	A	R sent an anonymous email to MUIS making accusations against A regarding her role in the [XXX] Mosque Group.
ix.	Time frame unknown	A	R met with at least 8 of A’s friends and mutual acquaintances, and showed them documents and photos containing false accusations about A, and sought to meet them to discuss matters concerning A.

5 A called her god-sister and D to the witness stand. The aggregate of their written evidence discloses the following allegations:

No	Date	Event in summons	Description of event
1.	2004	i, ii	R threatened A with a knife and, threw his helmet, and banged his head against the wall or door. (This happened more than once.)
2.	2024	iv	R verbally vented in front of A’s daughter and 11-year-old son.
3.	21 Jul 2024	v	R verbally tarnished A’s reputation to A’s god-sister and her other guests.
4.	11 Dec 2024	ix	R tried to tarnish A’s reputation to a mutual friend (“F”).
5.	21 Dec 2024	vii	S2 witnessed an incident where, S1 passed R some of R’s clothes at a void deck, S1 refused R’s attempt to hug him. R had claimed to third parties that he was going to give the matrimonial home to A, when he had told A at a mediation that he wanted 80% of the matrimonial home.

6.	30 Dec 2024	vi	R attempted to add, as a Facebook friend, a female member of one of A's WhatsApp groups whom R did not know prior to this ("Z").
7.	02 Jan 2025	vi	R attempted to add, as a Facebook friend, a friend of A whom R did not know prior to this ("A").
8.	11 Jan 2025	vi	R attempted to add A's mutual friends on social media. ¹
9.	14 Jan 2025	v	R tried to tarnish A's reputation to the Mosque [XXX] manager.
10.	17 Jan 2025	viii	A was informed that an anonymous e-mail had been sent to MUIS tarnishing A's reputation, which was consistent with R told the Mosque [XXX] Manager.
11.	20 Jan 2025	v	R sent pictures/video/documents to A and R's god-sister, showing A and volunteering members of a community centre.
12.	29 Jan 2025	vi	R attempted to add, as a Facebook friend, a friend of A whom R did not know prior to this ("N").
13.	16 Feb 2025	v	R spread, among the residents living in the former neighbourhood where A and R lived, rumours and accusations about A not being a good wife.
14.	21 Feb 2025	ix	R showed photos/documents featuring A to a mutual friend, ("E") and his wife ("Y").
15.	24 Feb 2025	v	R spread rumours and accusations about A among the residents living in the former neighbourhood where A and R lived.
16.	5 Mar 2025	v, ix	R met with 2 mutual friends of D, showed them documents and photos containing false accusations about A, and sought to meet them to discuss matters concerning A, and said that A did not make a good wife.

¹ CA24.

Decision

6 I dismiss the summons for the reasons that follow.

Legal principles

7 To obtain a PPO, A must show that R has, on a balance of probabilities, committed FV against the person to be protected, and the PPO is necessary for that person's protection or personal safety. This has, since 16 January 2025, been provided for in s 60A(1) of the Women's Charter 1961 (2020 Rev Ed) ("WC"):

Protection orders

60A.—(1) The court may, on an application, make a protection order to restrain X from committing family violence against Y if the court is satisfied, on a balance of probabilities, that —

- (a) X has committed or is likely to commit family violence against Y; and
- (b) the protection order is necessary for the protection or personal safety of Y.

8 FV has, also since 16 January 2025, been re defined in the WC in s 58B as follows:

What is family violence

58B.—(1) X commits "family violence" against Y if —

- (a) X is a family member of Y; and
- (b) X commits physical, sexual, or emotional or psychological abuse against Y.

(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.
- (3) “Sexual abuse” includes conduct or behaviour that coerces, or attempts to coerce, a person to engage in sexual activity.
- (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.
- (5) Abuse may take the form of —
- (a) a single instance of conduct or behaviour; or
 - (b) a course of conduct or behaviour.
- (6) The conduct or behaviour that constitutes abuse 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.

Illustrations

- (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.

9 The head of emotional or psychological abuse was introduced in these amendments. Although it appears to be very broad—theoretically even covering a single instance of conduct that causes torment, intimidation, harassment or distress to a family member—Parliamentary debates reveal that it is intended to have a narrower scope. It is intended to cover “egregious forms of controlling behaviour”, such as withholding allowance, isolation from friends or family, and confinement at home, possibly backed by threats. This was explained in the Minister of State’s opening speech at the second reading of the Women’s Charter (Family Violence and Other Matters) (Amendment) Bill 2023 (*Singapore Parliamentary Debates, Official Report* (4 July 2023) vol 95 (Sun Xueling, Minister of State for Social and Family Development (for the Minister for Social and Family Development))):

The new section 58B updates the existing definition of "family violence" by making clear that family violence includes physical, sexual, emotional and psychological abuse. The updated definition is aligned with how abuse is defined in other acts, such as the Children and Young Persons Act 1993 and the Vulnerable Adults Act 2018. The Bill makes clear that abuse may take the form of a single instance of conduct or behaviour, or a course of conduct or behaviour.

...

Stakeholders have shared situations where perpetrators threaten to withhold monthly allowance from their spouses, constantly call their spouses to check on their whereabouts and isolate them from their friends or family, including disallowing them to leave the house. If the spouses do not comply, they may be threatened by the perpetrator. These egregious forms of controlling behaviour – which falls within the definition of what some other jurisdictions call "coercive control" – can cause distress or mental harm to a survivor and would be considered emotional or psychological abuse under the new Bill.

10 The definition of emotional and psychological abuse in the WC is essentially identical to s 2 of the Vulnerable Adults Act 2018 (2020 Rev Ed), but the latter provides further illustrations of what amounts to it:

“emotional or psychological abuse” means conduct or behaviour by an individual —

- (a) that torments, intimidates, harasses or distresses another individual; or
- (b) that causes or may reasonably be expected to cause mental harm to another individual, including thoughts of suicide or inflicting self-harm;

Illustrations

X experiences emotional or psychological abuse in the following situations:

- (a) X has Parkinson’s disease and cannot walk without assistance. Her caregiver, Y, does not physically abuse X but regularly threatens to beat or harm X’s grandchild (a baby) whom X is devoted to.
- (b) X has dementia and lives with her adult son, Y. When Y is drunk and does not get what he wants from X, Y shouts at X and destroys X’s belongings in X’s presence, causing fear and distress to X.

11 I turn to consider the Children and Young Persons Act 1993 (2020 Rev Ed) (“CYPA”), given that Parliament considers that the definition in the WC is aligned with it. The CYPA definition goes further, and provides non-exhaustive circumstances under which a child or young person may be regarded as being subject to emotional or psychological abuse by his or her parent or guardian. Section 5(2) provides as follows:

When child or young person in need of care or protection

5.—...

(2) Without limiting subsection (1)(g), the circumstances in which a child or young person may be regarded as being subject to emotional or psychological abuse by his or her parent or guardian under that subsection include any of the following:

- (a) the parent or guardian subjects the child or young person to persistent acts of rejection or degradation that are harmful to the child’s or young person’s wellbeing or sense of self-worth;

- (b) the parent or guardian threatens to physically hurt, kill or abandon the child or young person, or places the child or young person or a related person of the child or young person in any dangerous situation;
- (c) the parent or guardian isolates the child or young person by consistently denying opportunities for the child or young person to communicate with any person;
- (d) the parent or guardian confines the child or young person in any small space for the purpose of disciplining the child or young person;
- (e) the parent or guardian influences the child or young person to develop self-destructive, anti-social, criminal, deviant or other maladaptive behaviour;

Illustrations

- (a) The parent or guardian models, permits or encourages anti-social behaviour such as prostitution, performance in pornographic media, initiation of criminal activities, substance abuse or committing violence to any person.
- (b) The parent or guardian models, permits or encourages developmentally inappropriate behaviour by infantilising the child or young person.
- (c) The parent or guardian models, permits or encourages any other behaviour that would result in the exploitation or corruption of the child or young person.
- (f) the parent or guardian exposes the child or young person to, or places the child or young person at any risk of exposure to, any violence against a related person of the child or young person.

12 The definitions in the CYPA largely arose from the Children and Young Persons (Amendment) Act 2019, and was explained in the Minister’s opening speech at the second reading of the corresponding bill (*Singapore*

Parliamentary Debates, Official Report (3 September 2019) vol 94 (Desmond Lee, Minister for Social and Family Development):

To address this, clauses 2 and 4 of the Bill define emotional harm, which includes manifestations, such as delayed development or post-traumatic stress disorder. Emotional harm which causes serious impairment to the child may not always be as readily or immediately observable as physical injuries, such as bruises or burns. The clause also provides a non-exhaustive list of circumstances in which a child is deemed to be in need of care and protection because of emotional or psychological abuse by parents. These are based on established child protection guidelines, such as those from the American Professional Society on the Abuse of Children.

By sharpening the meaning of emotional or psychological abuse, the amendments give better guidance to all stakeholders – MSF, social service agencies and the Court – on when we should intervene and when we need not.

Take the example of Valerie, not her real name. She is 10 years old. Valerie's mother would deliberately isolate her at home or confine her to her room to minimise her interactions with other people. She frequently told Valerie that she was dirty, smelly and unclean and refused to hold her "unclean" hands. She also frequently blamed Valerie for anything and everything that went wrong. When a relative who took care of Valerie fell ill, the mother would call Valerie a jinx. Valerie's parents argued frequently over her. Whenever her father tried to protect or side with her, the mother would threaten to commit suicide. Valerie was very much affected by the emotional abuse. She fears and, not unexpectedly, bears hatred towards her mother. Her anger, coupled with anxiety, has manifested as aggressive and rough play in school. This is a 10-year-old girl who needs help. We need to see past her behaviour and recognise the emotional harm that is within.

I highlight Valerie's case to show that emotional or psychological abuse and its impact may not be as readily observable as physical abuse and injury, but the harm to a child is no less significant. The new amendments make clear that cases like Valerie's fall within the scope of the CYPA.

13 The Minister also provided further clarifications in his closing speech:

First, I note that several Members of Parliament were concerned that the power to protect abused or neglected children could overly interfere with how parents legitimately discipline and raise their children. Mr Christopher de Souza touched on the

definition of "emotional harm". While the concepts of emotional harm, emotional abuse or psychological abuse may seem broad or subjective, what we have sought to do in the Bill is to give as much clarity as we can on what constitutes such harm or abuse, by providing some specific circumstances and then, examples.

For example, Mr de Souza asked what infantilisation is, in one of the examples. This occurs when a parent or guardian deliberately treats a child as being much younger than a child's actual age and in a way that is not developmentally appropriate for the child. For example, say, a child in upper Primary school being made to wear diapers every day.

He also asked about the example of being confined in a small space. By that, we refer to a space that is not conducive for the child's development and is beyond socially-accepted boundaries for punishment. For example, locking a child in a cage, the toilet, the store room as a form of punishment.

I wish to assure Members that we do not intend to diminish parental authority. We do not intend to unduly intervene with parents' rights to discipline their children. And we do not intend to overly intrude into the private lives of families. The vast majority of parents are responsible and do their best to care for and raise their children. Within the private lives of families, within the bounds of parental authority, there is a wide berth or space for parents to nurture, raise and discipline their children. The common adage goes: "Spare the rod, spoil the child."

But unfortunately, a small number struggle to parent responsibly, for whatever reason. And when parenting or so called discipline crosses the line and becomes excessively harsh or abusive, whether physically or emotionally, we may have to intervene to protect the children. I gave a couple of examples yesterday.

Whether a PPO may be granted on the basis of the incidents

Allegation (iii) — not particularised or proven

14 A claims, in the summons, that R exercised controlling behaviour throughout their 28-year marriage. Specifically, R would "control" A's call logs and message records by registering A's phone number under his main line

account, and access A's Facebook account without her knowledge and "unfriend" some of A's friends.

15 However, beyond this, there were no particulars. It is unclear how R would "control" A's call logs and message records, and it is unclear how A resisted, or what consequences A perceived might happen if A resisted. It is also unclear when R accessed A's Facebook account, and which of A's friends were "unfriended" by R. Ultimately, A did not pursue this allegation in her statement (even if she did mention it again on the witness stand), and I consider that there is no reliable evidence at the hearing that these incidents happened.

Incidents 13–16 — not taken cognisance of — arose after filing of complaint

16 Incidents 13–16 arose after 12 February 2025, the date that A filed the complaint pursuant to which this summons was issued. In *Teng Cheng Sin v Law Fay Yuen* [2003] 3 SLR(R) 356 (HC), Kan Ting Chiu J held at [20] that the first instance court ought not allow evidence of a disputed incident which occurred after the application was made (in that case, it was two and a half months), upon counsel's objection that the respondent was taken by surprise given that the hearing was properly in respect of an incident on another date. In my view, this approach makes sense—at the date of the complaint, the cause of action, so to speak, ought to have accrued. Incidents that postdate the complaint are, in my view, relevant *at most* only to the issue of necessity.

Incident 1 — protection not necessary

17 A says that, in 2004, R threatened A with a knife. R had also thrown his helmet, and had banged his head against the wall or door whenever A refused to comply with his demands.

18 I am circumspect about whether these incidents occurred, given that there is no contemporaneous documentary support (eg, a police report), and that R has flatly denied these incidents (even though A claims that R admitted to them during a mediation).

19 In my view, even if these incidents have occurred, they are isolated incidents occurring more than 20 years ago, and A admitted that this conduct has not occurred since. R has also since moved out of the matrimonial home. In the circumstances, this conduct is unlikely to repeat itself, and it would not be necessary to grant a PPO on this basis.

Incident 2 — FV not disclosed

20 A says that, sometime in 2024, R was in a room at home after having had a telephone conversation with his mother. D had confronted R about why R had told his mother unpleasant things about A. According to D, R reacted with uncontrolled rage, and started shouting. S2 heard R from the living room, and went to the room and saw R in that state of rage. D said that she told R firmly that if he kept this up, and be unable to control his emotions, D would leave the house and take S2 along with her.

21 In my view, FV is not disclosed in the circumstances. The crux of FV is not merely R's state of rage or shouting, but also the response of the putative victim. A was not present and is therefore unable to testify to the incident. D, in her statement, did not depose to S2's reaction when he saw R, eg, whether it was distress or fear. D's own reaction appears to be more of irritation than distress or fear, and there is no evidence that S2's reaction was any different. In fact, A disclosed that the relationship between S2 and R is not good to begin with, and it is difficult to infer that R's conduct would have caused S2 distress

or fear as opposed to annoyance or resentment. In the circumstances, I am unable to find that FV is disclosed.

Incident 5 — FV not disclosed

22 A claims that S2 and D witnessed a quarrel between S1 and R. S1 had passed R some of R's clothes at a void deck, but later spurned R's attempt to hug him. A says that this was because R had claimed to third parties that he was going to give the matrimonial home to A, when he had told A at a mediation that he wanted 80% of the matrimonial home. According to A, R did not deny that he told others that he was giving the matrimonial house to A in the divorce, but then claimed that it was his money and it was good he did not kick everyone out of the house. A's evidence on the stand—although this was not in her statement—was that R's voice was raised. According to A, these words made S2 resent A even more.

23 In my view, this incident discloses no FV. It would be an overstatement to characterise R as having threatened to kick the children out of the matrimonial home. R's words, spoken in the context of trying to resolve matters ancillary to a divorce, can hardly be interpreted as an "egregious form of controlling behaviour" akin to the example of withholding of allowance given in Parliament. The fact that this incident made S2 resent R even more (as opposed to, for example, fear A or feel distressed) reinforces the fact that the other element of emotional or psychological abuse is simply not established. A's evidence was that S2 returned home crying, and saying that if R passed away, he would not want to see R. Even though S2 may have cried, this generally further reinforces my view that S2 perceives resentment towards R rather than vulnerability.

Incidents 6, 7, 8, 12 — not FV to add C's friends on social media

24 By way of context, it appears that A and R are no longer “friends” on Facebook, a social media platform, following their separation. Subsequent to this, R attempted to add a number of A’s friends with whom R was not acquainted (or hardly acquainted) as his friends on Facebook.

25 In my view, it is not FV (or emotional or psychological abuse specifically) for R to add (or attempt to add) A’s friends to his Facebook account. In my view, this squarely falls short of the “egregious forms of controlling behaviour” which Parliament envisaged was necessary to amount to emotional or psychological abuse. By all accounts, adding friends on Facebook is not a unilateral action, in the sense that those friends would have to accept R’s friend request for R and those other individuals to become “friends” on Facebook. It is open to those friends to reject or ignore the request and, in the event, A deposed that a few specifically rejected the request, and she did not depose that any of her friends actually accepted the friend request. Even if the intention was to monitor A’s movements, the extent of A’s movements that would be visible to R as a second-degree acquaintance on Facebook.

26 In the circumstances, I am unable to conclude that R has inflicted emotional or psychological abuse by attempting to add A’s friends on Facebook.

Incidents 4, 9 — not proven

27 A claims that R had attempted to tarnish A’s reputation by showing various photos and documents to them, and speaking with them in relation to A. However, apart from A’s say-so, there was no documentary record of the photos and documents allegedly showed to these other individuals concerned. These other individuals also were not present in court as witnesses. Accordingly, I am

unable to conclude on a balance of probabilities that these incidents had occurred, and that they amounted to emotional and psychological abuse.

Incident 10 — not proved as speculation

28 Incident 12 concerns A’s allegation that R had sent an anonymous e-mail to MUIS tarnishing A’s reputation. A says that the contents of the e-mail was consistent with what R had told the Mosque [XXX] Manager about A. I leave aside the point that what R supposedly told the Mosque [XXX] Manager is hearsay. The e-mail also was never produced in evidence, and A gave no further particulars of the specific allegations contained in it. Given that the sender was anonymous, it is unsafe to conclude that R was likely to be its sender.

Incidents 3, 11 — does not amount to FV

29 The closest that A has come to establishing FV, perhaps, is incidents 3 and 11. A says that, on 21 July 2024, A went to the house of “H”, who was god-sister to both A and R. A says she heard R making accusations to H (who was present with a few other guests) and tarnishing her reputation. A also says that, on 20 January 2025, R had sent H pictures and videos in which A was featured. These pictures depicted A along with other volunteering members of the community centre.

30 H, in her statement, claimed that she had asked R what he gained from making false accusations against A to everyone, and that R replied that A was “very social and wild”, and that H did not believe this because H did not see any inappropriate behaviour on A’s part. On the stand, A and H claimed that R in fact had accused A of having a “scandal” with an *ustaz* (or religious teacher) (in H’s testimony), or an “affair” with a fellow community centre volunteer who was featured in one of the photos shown by R to H (in A’s testimony).

31 H claims that R admitted that he was deliberately making false accusations to others so that everyone would have the opinion that A was the party in the wrong and therefore refrain from siding with A. R, of course, has denied having made such an admission.

32 At the outset, it is worth noting that the reliability of H's statement is impaired because, as it transpired at the hearing, H's statement was written in English—a language H did not understand because she went to Arabic school. H essentially testified that she trusted what was written in the statement because it was interpreted to her by A's children, whom she thought would not lie to her. However, the point, as R has highlighted, is that there is a risk that any translation by A's children is not neutral. Ultimately, H's statement was not deposed before a commissioner for oaths/notary interpreting the statement neutrally to her, and in fact there was no indication that the contents were in fact dictated or written in another language before being translated to English.

33 Even if I accept H's statement at face value, I am unable to conclude that the conversations between H and R unfolded in the way that H described, because this is based on H's and R's say-so (and, in the case of 21 July, A's say-so). A gave no particulars of these "other guests" that were supposedly present on 21 July, such as their identities—or if A was unaware, the number, apparent age (group), gender and relationship to H. It is surprising that A and H both did not depose in writing that R had accused A of having a scandal or affair, because this would be the most serious allegation against A by far. Instead, to describe A as "social" and "wild" are tame in comparison.

34 Although illustration (a) of the definition of FV states that X commits emotional or psychological abuse by spreading false rumours to third parties

about X's spouse being promiscuous, I am hesitant to classify this incident in the same category.

(a) First, H is god-sister in name to both A and R, and by her own estimation she (being somewhat more elderly) treats R as her own son. It cannot be the case that spouses are unable to bring suspicions (or even accusations or complaints) of infidelity or promiscuity to third parties. In this case, it is plausible that R was presenting his accusations to H, who by virtue of her relationship with R would be in a position to try to resolve the issue rather than fuel any scandal. (For this reason also, I was unable to conclude that R had conducted himself in a similar way to other individuals alleged to have received the photos or documents, or to have spoken with R.)

(b) Second, the evidence thus far has only properly disclosed that R has made accusations to H (*ie*, a single person). Even if s 58B(5) considers that abuse may take the form of a single instance of conduct, illustration (a) contemplates that the false rumours are to be spread to multiple individuals. This, in my view, is consistent with the position that the controlling or manipulative behaviour needed to constitute emotional or psychological abuse has to be egregious.

(c) Third, illustration (a) contemplates the spreading of false rumours. In this case, even though R has made certain allegations, these appear to have been accompanied with documentary records that in R's view make good his claims. The effect of this is that R's headline claims become more in the nature of opinions or arguments rather than assertions of fact. The point is that those who hear these opinions or arguments (or whatever label is given to them) are now given a factual substrate with which they can, if they choose to, independently assess

those claims. There is no allegation that the photos and videos were fabricated; it is fact that A has taken photos with those individuals depicted therein. R's claim is that A is overly social, and has been in overly close proximity to other men. That, in my view, is a claim which, especially considering that it is determined by A and R's religious sensibilities, must in this court be treated as opinion.

(d) This leads to my fourth point. Where R uses, in support of his claim that A is overly wild and social and has affairs with other men, only pictures or videos of A with other individuals in an everyday context, it would seem that R's claims would come across as hyperbole, or exaggerations. They would not demand to be believed. That was indeed the case, since H—without having had A's input—conveyed to R that she did not believe R's claims. In my view, the significant portion of distress that arises from the spreading of falsehoods lies not so much in the fact that the putative falsehood is being said as it is the fact that it is or appears to be believed (and even repeated) by the listener.

35 Thus, while A may no doubt have been distressed by the fact that R showed pictures or videos of her to H and tried to craft a narrative that A was overly social and wild (and possibly that she was having an affair with one or two other men), I am not satisfied that this rises to the level of “egregious forms of controlling behaviour”, such that I can conclude that this amounts to actionable FV.

Conclusion

36 In the circumstances, the summons is dismissed.



Chua Wei Yuan
District Judge



The applicant in person;
Patrick Fernandez (Fernandez LLC) for the respondent.