

IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE

[2024] SGHCF 11

District Court Appeal No 64 of 2023

Between

WOZ

... Appellant

And

WOY

... Respondent

GROUNDINGS OF DECISION

[Family Law — Custody — Access]

[Family Law — Matrimonial assets]

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WOZ
v
WOY

[2024] SGHCF 11

General Division of the High Court (Family Division) — District Court
Appeals No 64 of 2023
Choo Han Teck J
25 January 2024

6 February 2024

Choo Han Teck J:

1 The parties were married on 25 September 2011. They have one daughter (“the Child”) turning 12 years old this year. Interim judgment was granted on 16 March 2023. The ancillary matters were heard before the District Judge (“DJ”) below on 7 July 2023 (“AM date”), and the DJ gave his decision on 10 July 2023. The Husband appealed. The two issues in this appeal were —

- (a) the valuation of the matrimonial property and
- (b) the access arrangements for the Husband.

2 The appellant sought to adduce public records, obtained as of August 2023, of actual sales of comparable properties to the matrimonial home. Mr Andrew Goh, counsel for the appellant, submitted that this was a more up-to-date price than what was available at the AM date. I did not allow this new

evidence. The valuation of matrimonial assets is to be assessed as at the AM date (7 July 2023), with whatever information available as of that date. That is trite, and for good reasons. The court must value the matrimonial property on a fixed date, for certainty and finality. It would be absurd for unsatisfied parties to return to court for a revaluation of the property each time prices move in their favour. This is especially so, in the current market where property prices are likely to rise.

3 As to the appeal regarding the appellant's access to the Child, the main grievance was that the access arrangements are unworkable. The order below requires the Wife to bring the Child to the ground floor lift lobby of their residence for the Husband's access time. That is undisputed, and the Wife has complied with that order. However, the appellant said that the Wife would return to her flat after bringing the Child down, and the Child would stay for several minutes, before returning to her mother. This has happened on multiple occasions, and when the Husband did get to spend time with the Child, he said that the Child has not been very responsive, choosing to do her homework quietly. It is understandable that the Husband is upset. He was hoping for a more responsive child during access. He thus sought leave to adduce fresh evidence to show that the access arrangements were not working out, in hope that a new access arrangement be fixed. I did not grant him leave.

4 I have no doubt that the Husband is appealing because he desires for a better outcome during his limited access time with the Child. But the Child is turning 12 this year, and she is thus at a sufficiently mature age to evaluate how a parent-child relationship should develop in their case. Relationship building requires time, effort, and patience from both sides. Above all, it is unique in each relationship. It is not amenable to judicial commands, and the courts must leave it to the parents to develop their own bond with their children, each in his

or her own way. Sometimes, the court might offer a nudge here and there, but in the end, it must be left to the parent to find the formula. I thus allowed the current access arrangements to remain for now, but I granted the Husband liberty to apply after three months, to see if there is room for change in the access conditions.

5 I made no order as to costs.

Choo Han Teck
Judge of the High Court

Goh Kim Thong Andrew and Alvin Sng (De Souza Lim & Goh LLP)
for the appellant;
The respondent-in-person.
