IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE

[2024] SGHCF 15

Divorce Transferred No 1584 of 2023

Between

WUP

… *Plaintiff*

And

WUQ

… *Defendant*

JUDGMENT

[Family Law — Matrimonial assets — Division]
[Family Law — Maintenance — Wife]

Version No 1: 27 Feb 2024 (17:11 hrs)

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WUP
v
WUQ

[2024] SGHCF 15

General Division of the High Court (Family Division) — Divorce Transferred No 1584 of 2023
Choo Han Teck J
19 February 2024

27 February 2024 Judgment reserved.

Choo Han Teck J:

1 The plaintiff was 58 years old when, as a widower with two adult children (aged 26 and 28), he married the defendant. He met the defendant through a dating agency in Taiwan, in October 2018. He is a Singaporean citizen, and she is a Taiwanese national living in Taiwan. She was 40 years old then. They spent a year in a long-distance relationship. In late November 2019, she moved to Singapore. She had been sceptical about moving to Singapore, but the plaintiff convinced her that she could adapt. They married shortly after, on 1 December 2019. In less than two years, optimism turned to gloom. The plaintiff bemoans in his affidavit, that he had "longed for a supportive and peaceful relationship in [his] sunset years after being widowed, and this short-lived marriage has caused [him] much grief". 58 is hardly sunset; it is more like mid-afternoon, so there should be no rush in looking for wife number three.

2 The plaintiff is a manager earning $66,619.53 a month and his take-home pay is $44,857.67. The defendant has a bachelor's degree in costume design, but with no known job. She was not employed in her brief sojourn in Singapore. She seemed bored, not at all keen to do any housework, and told the plaintiff so in a recorded text message. On 28 May 2020, she returned to Taiwan after promising that she would return to Singapore within a couple of months. She did not.

3 According to the plaintiff, he wanted very much for her to return, but she wanted very much for him to buy her an expensive house in Taiwan. In what must have been a weak compromise, he sent her two sums of money, $4,300 in July 2020, and $15,000 in October 2020. With that, the defendant flew back in March 2021. The plaintiff's elation lasted three weeks. The defendant proved to be difficult to live with, persisting in finding faults with the plaintiff, and making numerous demands for money without success. On 12 May 2021, she went back to Taiwan and was not seen again.

4 The plaintiff filed for divorce on 9 April 2023. The defendant made a feeble attempt to challenge the divorce application, but she did not file her affidavit as directed despite the generosity of the Family Justice Courts Family Registry granting her extra time to do so. Eventually, in the absence of a defence, the court granted interim judgment to the plaintiff on 11 July 2023.

5 The process moved to the stage of the division of matrimonial assets, and maintenance. The defendant again filed her statements by email, despite express directions from the court to file an affidavit setting out her assets. The Family Registry's offer of assistance was spurned. She did not appreciate why an email is not a sufficient means to declare her assets, or why the affidavit was

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required. It is the solemn affirmation of the statements under oath that will render a witness liable for false declaration.

6 However, the plaintiff exhibited the unsworn statements of the defendant. The thrust of her case was that the plaintiff treated her like "an unpaid maid and sex slave", and she was bullied by the plaintiff and his two children. I considered these unsworn statements against the contemporaneous documents exhibited by the plaintiff in his affidavits, and am inclined to accept the plaintiff's version. The exhibited documents referred to the defendant as "Cindy", but I could find no explanation that "Cindy" is the defendant. Nonetheless, I am satisfied that the references to "Cindy" were references to the defendant, but counsel is reminded that this sort of sloppiness in other circumstances might be detrimental to their client's case.

7 The court directed a case conference to be held on 15 August 2023, for the defendant to attend in person so that any misgivings and misunderstandings on her part might be addressed, and directions were given for the case to proceed without further delay. The defendant did not turn up for the case conference and a fresh date (13 September 2023) was given, and again, she did not appear. The court sent the Zoom details to the defendant so that she could appear via Zoom. The court then gave directions and details were sent to the defendant by way of a Registrar's Notice through email. After the defendant had ignored the court's direction for a further case conference on 12 October 2023, and the dates for the filing of submissions, the parties were told that the matter would be heard on 1 November 2023.

8 The plaintiff's counsel, Ms Beatrice Yeo, filed her submissions on the plaintiff's behalf on time. The defendant did not. However, she appeared at the hearing and agreed to the dissolution of the marriage, but she wanted to claim

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maintenance. The District Judge Adriene Cheong directed the parties to resolve the issue of maintenance amicably. A mediation via Zoom was set up with the defendant's consent, but the defendant abruptly logged out of the session midway and did not return.

9 A case conference was again fixed for 28 November 2023. The defendant turned up and attempted to submit an affidavit that was not affirmed before a Commissioner for Oaths ("CFO"). The defendant gave the incredible reason that she could not find a CFO. The court gave her a final extension of time to file her affidavit, this time, by 26 December 2023. The court further directed, probably with some relief, that the matter be transferred to the High Court given the value of the assets.

10 The defendant did not comply with the court's extension of time, nor did she attend the case conference fixed on 29 December 2023. Final directions were then given, and the defendant was again, notified. The matter was fixed for hearing before me on 19 February 2024. The plaintiff was represented by Ms Madeleine Poh. The defendant was unrepresented and absent.

11 There are only two issues: (1) the division of matrimonial assets; and (2) the question of maintenance for the defendant. The plaintiff's total assets amount to $10,405,925.92. Of these, his house at xx Seletar Green Walk is valued at $4,300,000 as of April 2023. It was acquired before his marriage with the defendant, as were virtually all the other assets. Taking into consideration that several of his assets are joint accounts with his deceased wife and his children, and accounting for his personal liabilities, I find the total net value of the plaintiff's assets to be $6,539,430.45.

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12 There is no evidence of the defendant's assets, which I will accept to be nil. I also accept Ms Poh's submission that the defendant has produced no evidence to show any direct financial contribution on her part to the family coffers. The marriage was short-lived, and her presence in Singapore, even shorter. Further, by her own admission, she made no effort to add value to the matrimonial assets through indirect contributions.

13 Given that she brought nothing but grief to the marriage, and added nothing to it during its brief span, there is nothing that can be awarded to her. I therefore order that each party is to retain his or her assets in their sole names.

14 I am of the view that the fair order is to award a lump sum maintenance, given such a brief marriage. There is no evidence of what the defendant had done in her sojourn in Singapore, except that she was given $400 to $800 a month as allowance, in addition to the $19,300 that the plaintiff gave to cajole her to return to Singapore. In the circumstances, I award the defendant a lump sum of $5,000 as a clean break.

15 I make no order as to costs.

- Sgd -
Choo Han Teck
Judge of the High Court

Madeleine Poh (Yeo & Associates LLC) for the plaintiff;
The defendant unrepresented, absent.

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