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DISTRICT JUDGE CHIAH KOK KHUN

11 March 2026

**IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE**

**[2026] SGDC 84**

District Court Suit No 1448 of 2021

Between

Nguyen Thuy Ha

*... Plaintiff*

And

Tran Thi Bich Ha

*... Defendant*

District Court Suit No 1490 of 2021

Between

1. Jarta (S) Pte Ltd
2. Nguyen Thi Thu Trang

... *Plaintiffs*

And

Tran Thi Bich Ha

... *Defendant*

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## JUDGMENT

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[Tort — Defamation — Publication — Internet defamation — Defamatory comments being posted on Facebook — Whether publication element in defamation law satisfied — Whether Facebook Posts read by substantial number of readers in Singapore — Whether publication of Facebook Posts in Singapore limited and nominal — Whether real and substantial tort disclosed — Whether the *Jameel* doctrine applicable]  
[Tort — Defamation — Reference to plaintiff — Whether readers in Singapore would understand the Facebook Posts to refer to the plaintiffs]

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**Nguyen Thuy Ha**  
**v**  
**Tran Thi Bich Ha and another matter**

**[2026] SGDC 84**

District Court Suit Nos 1448 of 2021 and 1490 of 2021  
District Judge Chiah Kok Khun  
5-7 January, 13 February 2026

11 March 2026

Judgment reserved.

**District Judge Chiah Kok Khun:**

**Introduction**

1 These are two related defamation actions. The defendant in both actions, Ms Tran Thi Bich Ha (“Bich Ha”) is a Vietnamese businesswoman who resides in Vietnam. She is a director and shareholder of Transviet Travel Group (“Transviet”), a company in the travel agency and air cargo business in Vietnam.<sup>1</sup>

2 The subject matter of the actions are defamatory comments made by Bich Ha in 15 Facebook posts between March and June 2021 (“the Facebook Posts”). The Facebook Posts were entirely in the Vietnamese language. They centred on the dealings and relationship between a former shareholder of

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<sup>1</sup> Bich Ha’s AEIC at [4]-[5].

Transviet, Mr Nguyen Hai (“Hai”) and a Ms Nguyen Thuy Ha (“Angie”), both of whom are Vietnamese nationals currently living in Singapore. Angie is the plaintiff in District Court Suit No 1448 of 2021 (“DC 1448”). She is also a shareholder of the first plaintiff in District Court Suit No 1490 of 2021 (“DC 1490”), Jarta (S) Pte Ltd (“Jarta”), a Singapore-based travel agency that provides tours packages primarily for Vietnamese tourists in Singapore.<sup>2</sup> Another shareholder of Jarta, Ms Nguyen Thi Thu Trang (“Jane”), a Vietnamese national is the second plaintiff in DC 1490.<sup>3</sup>

3 Angie’s case (in DC 1448) is that the Facebook Posts were defamatory because they meant or were understood to mean that she was a promiscuous woman who used sexual favours to prey on wealthy men for gain. Jarta’s and Jane’s case (in DC 1490) is that five of the Facebook Posts meant or were understood to mean that they were complicit in engaging in such unethical or corrupt practices in their dealings with Transviet. All three plaintiffs contend that the Facebook posts smeared their reputation among the Vietnamese community in Singapore. They commenced proceedings in Singapore and limited their claims to losses suffered here.

4 Angie’s claims are as follows:

- (a) An order that Bich Ha removes the Facebook Posts and all other allegedly defamatory statements from all publicly available sources.
- (b) An order that Bich Ha pays damages for libel in the sum of \$150,000 to her, or alternatively, for damages (including aggravated and exemplary damages) to be assessed.

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<sup>2</sup> Bich Ha’s AEIC at [9].

<sup>3</sup> Bich Ha’s AEIC at [13].

(c) An order that Bich Ha issues a written apology addressed to her, which shall be published on Bich Ha's Facebook page in both the English and Vietnamese language, and in words to be determined by Angie.

(d) An order that Bich Ha undertakes not to publish and/or cause to be published the allegedly defamatory words contained in the Facebook Posts, or any other words to the same or any similar effect, in the future.

5 The claims of Jarta and Jane are as follows:

(a) An order that Bich Ha removes the five Facebook Posts and all other allegedly defamatory statements from all publicly available sources.

(b) An order that Bich Ha pays damages for libel in the sum of \$150,000 to Jarta and Jane, or alternatively, for damages (including aggravated and exemplary damages) to be assessed.

(c) An order that Bich Ha issues a written apology addressed to Jarta and Jane, which shall be published on Bich Ha's Facebook page in both the English and Vietnamese language, and in words to be determined by them.

(d) An order that Bich Ha undertakes not to publish and/or cause to be published the allegedly defamatory words contained in the DC 1490 Facebook Posts, or any other words to the same or any similar effect, in the future.

6 Bich Ha on the other hand contends firstly that Angie has failed to establish that the Facebook Posts refer to Angie. None of the Facebook Posts

mentioned her full name directly, nor did any of the posts contain details by which she may be identified by an ordinary reasonable viewer of the Facebook Posts. Second, Bich Ha says there was insubstantial publication of the Facebook Posts in Singapore, and hence there was no real and substantial tort committed in Singapore. Third, the Facebook Post read in their proper context, were not defamatory of Angie, and in any event, the defence of justification applies. In this regard, Bich Ha says that the Facebook Posts were in substance true, as Angie had attempted to use her sexual relationship with Hai to procure a piece of Transviet's air-cargo business for herself and Jarta. Fourth, Angie should not be entitled to the damages as claimed as she does not have a wide following or serious reputation to protect in Singapore; Bich Ha was not motivated by malice in posting the Facebook Posts; and there was no substantial publication of the Facebook Posts in Singapore.

7 As regards the claim by Jarta and Jane in DC 1490, which concerns five of the Facebook Posts, Bich Ha contends first that none of the five Facebook Posts referred to Jane or were defamatory of her. As for Jarta, two of the posts did not refer to Jarta. Second, there was very limited publication of the five Facebook Posts in Singapore, hence there was no real and substantial tort committed in Singapore. Third, the five Facebook Posts were not defamatory of Jarta, and in any event the defence of justification applies because the assertions made in the five Facebook Posts were in substance true, as Angie had attempted to use her sexual relationship with Hai to procure a piece of Transviet's air-cargo business for herself and Jarta. Fourth, Jarta and Jane should not be entitled to the damages as claimed as they do not have a wide following or serious reputation to protect in Singapore; Bich Ha was not motivated by malice in posting the five Facebook Posts; and there was no substantial publication of the five Facebook Posts in Singapore.

8 The two actions were tried jointly before me. For the reasons below, I am dismissing both the actions.

### **Issues to be determined**

9 The issues to be determined by me are as follows:

- (a) Whether there was substantial publication of the Facebook Posts to readers in Singapore.
- (b) Whether readers in Singapore would understand the Facebook Posts to refer to the plaintiffs
- (c) Whether the Facebook Posts were defamatory of the plaintiffs.
- (d) Whether the defence of justification applies.
- (e) If liability for the defamatory claims is established, what would be the appropriate remedies and damages.

### **Analysis and findings**

#### ***The well-spring of the disputes***

10 I begin the analysis of the actions with some key background facts. Angie is a member of the liaison committee of the Vietnamese community in Singapore which, according to her, is the sole community organisation established to officially represent, develop and foster the Vietnamese community living in Singapore and is endorsed by the Vietnam Embassy in Singapore.<sup>4</sup> As alluded to above, Bich Ha is a Vietnamese businesswoman who resides in Vietnam. She is a shareholder of Transviet which runs a variety of

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<sup>4</sup> DC 1448 SOC at [2].

businesses in Vietnam, including travel agency and air-cargo businesses.<sup>5</sup> Bich Ha had a close personal and business relationship with Hai for twenty years. Hai and Bich Ha used to live together in Vietnam and were also business partners in Transviet.<sup>6</sup>

11 The wellspring of the disputes between Angie and Bich Ha began with Angie meeting Hai in Vietnam, on 11 January 2021.<sup>7</sup> It is not disputed by the parties that this was the first time Angie and Hai met each other. On 17 January 2021, Angie and Hai met again. Angie says this was their second meeting. Bich Ha on the other hand contends that based on Hai and Angie’s WhatsApp texts exchanges on 14 January 2021, Hai appeared to have referred to a meeting with Angie at the beach sometime on 12 or 13 January 2021. In other words, Bich Ha’s case is that the meeting on 17 January 2021 would be their third meeting, rather than their second meeting. Bich Ha also contends that Angie and Hai likely had sexual relations sometime between 12-14 January 2021.<sup>8</sup>

12 It is not disputed that that during their 17 January 2021 meeting, Angie and Hai had discussed the air-cargo business industry and continued their discussions over WhatsApp on 18 January 2021.<sup>9</sup> It is also not disputed that Angie and Hai met again on 24 January 2021. Angie says that it was on 24 January 2021 that she and Hai had their first sexual relation. Thereafter, Angie returned to Singapore.

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<sup>5</sup> Bich Ha’s AEIC at [4].

<sup>6</sup> Bich Ha’s AEIC at [4] and [5].

<sup>7</sup> Angie’s AEIC at [14].

<sup>8</sup> Bich Ha’s AEIC at [24]; agreed bundle volume 1 (“1AB”) pp105-107.

<sup>9</sup> Bich Ha’s AEIC at [35]-[36].

13 As seen, the only disagreement between the parties in regard to the encounters between Angie and Hai in the two weeks in January 2021 are as follows:

- (a) The number of times they met. Angie says it was three times, whilst Bich Ha says it was on four occasions.
- (b) The number of times Angie and Hai had sexual relations. Angie says it was once, whilst Bich Ha contends it was twice.

14 In my view, the above disagreement is neither here nor there. At the end of the day, by any account, it is not disputed that Angie had sexual relation with Hai within two weeks of first getting to know him; and at the latest, by the third occasion of meeting him.

15 The case before me stems from the above dealings between Angie and Hai in January 2021. In February 2021, the month following his acquaintance with Angie, Hai told Bich Ha that he wanted to pursue a serious relationship with Angie and admitted to having had sexual relations with Angie.<sup>10</sup> Bich Ha felt betrayed by this, and suspected that Angie had sexual relations with Hai in order to procure air-cargo business from Transviet, as Hai was a shareholder of Transviet at that time.<sup>11</sup> Bich Ha then spoke to a number of people who allegedly confirmed her suspicions regarding Angie's intentions.<sup>12</sup> Bich Ha tried to warn Hai to beware of Angie but Hai was not persuaded.<sup>13</sup> It was in this context that Bich Ha wrote the Facebook Posts between March to June 2021. As alluded to

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<sup>10</sup> Bich Ha's AEIC at [10].

<sup>11</sup> Bich Ha's AEIC at [10], [11] and [18].

<sup>12</sup> Bich Ha's AEIC at [19] to [23].

<sup>13</sup> Bich Ha's AEIC at [24] to [25].

above, these Facebook Posts were written in the Vietnamese language. Bich Ha has said that they were written in relation to Angie’s conduct, even though Angie was not specifically named in these posts.<sup>14</sup>

16 I turn now to the Facebook Posts themselves. In view of the number of posts, and the length of each post, I will not set them out here. Instead, the translated version of the relevant texts of each of the Facebook Posts are set out in Annex A.

17 The 1st, 2nd, 3rd and 4th Facebook Posts were posted by Bich Ha on 1, 3, 5 and 8 March 2021 respectively, and Hai was tagged in all 4 posts.<sup>15</sup> On 8 March 2021, after Bich Ha posted the 4th Facebook Post, Hai removed himself from the “tags” to the 1st to 4th Facebook Posts and blocked Bich Ha on Facebook. On 10 March 2021, Bich Ha held a meeting with Hai and two other managers of Transviet (the “10 March 2021 Meeting”). During the 10 March 2021 Meeting, Bich Ha announced that she would be taking back Hai’s shares in Transviet because Hai had sex with a representative from one of Transviet’s business partners, which was against Transviet’s code of conduct. Bich Ha further stated that the representative wanted to use sex as a means to get a share of Transviet’s air-cargo business and instructed Transviet’s managers not to act on Hai’s instructions to deal with any parties in relation to Transviet’s air-cargo business. Hai agreed to return his shares in Transviet to Bich Ha. He eventually transferred all his shares in Transviet to other individuals following the 10 March 2021 Meeting.<sup>16</sup>

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<sup>14</sup> Bich Ha’s AEIC at [24] to [25].

<sup>15</sup> Agreed bundle Vol 3 (“3AB”), Tab-47, p.108-116.

<sup>16</sup> 1AB, Tab-7, p.63-64.

18 Bich Ha posted the 5th Facebook Post on 11 March 2021<sup>17</sup> and the 6th Facebook Post on 23 March 2021.<sup>18</sup> The 6th Facebook Post was in reference to an online article on an old couple who decided to move to a nursing home together. On 24 April, 24 and 25 May 2021, Bich Ha posted the 7th, 8th and 9th Facebook Posts<sup>19</sup> respectively. On 28 and 31 May and 1 June 2021, Bich Ha posted the 10th, 11th and 12th Facebook Posts respectively.<sup>20</sup>

19 By way of a letter to Birch Ha dated 1 June 2021 (the “Jarta & Jane LOD”), Fervent Chambers LLC (“FC”), acting on behalf of Jarta & Jane, the plaintiffs in DC 1490 stated that the 10th – 12th Facebook Posts were defamatory and made demands of Bich Ha. On 1 June 2021, Jarta posted the Jarta & Jane LOD on its Facebook page. The post received 4 “likes”, two of which were from FC and Jarta themselves. In response to the Jarta & Jane LOD, on or around 2 June 2021, Bich Ha posted the 13th Facebook Post. She stated her views on the Jarta & Jane LOD, and how Jarta should have reacted to the 10th – 12th Facebook Posts. Later in the same day Bich Ha posted the 14th Facebook Post to share her reflections on the impact of COVID-19 on travel companies in Vietnam. On 4 June 2021, Bich Ha posted the 15th Facebook Post,<sup>21</sup> which was a reflection on her relationship with Hai.

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<sup>17</sup> 3AB, Tab-47, p.117-118.

<sup>18</sup> 3AB, Tab-57, p.119-120.

<sup>19</sup> 3AB, Tab-47, p.121-130.

<sup>20</sup> 3AB, Tab-47, p.131, 133, 135.

<sup>21</sup> 3AB, Tab-47, p.142-143.

***There is no substantial publication of the Facebook Posts to readers in Singapore***

*The elements of defamation*

20 With the background to the Facebook Posts in place, I turn next to the elements of the tort of defamation. They are trite. To establish a tort of defamation, there must be:

- (a) a statement bearing a defamatory meaning;
- (b) reference made to the plaintiff; and
- (c) publication to a third party.

21 Once the above is established, defamation is made out and the question of the applicability of defences such as justification, qualified privilege and fair comment arises. See: *Golden Season Pte Ltd v Kairos Singapore Holdings Pte Ltd* [2015] 2 SLR 751 at [35] & [39].

*The law on Internet publication*

22 I turn first to the question of publication. The leading case dealing with the element of publication in the context of Internet defamation is the High Court decision of *Qingdao Bohai Construction Group Co, Ltd v Goh Teck Beng* [2016] 4 SLR 979 (“*Qingdao Bohai*”).<sup>22</sup> I begin by first referring to the key passages in *Qingdao Bohai* that are relevant to the present case. The High Court stated as follows at [35]-[36]:

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<sup>22</sup> I have the occasion in a recent judgment to discuss the question of publication in Internet defamation: see *Clarence Lun Yaodong v Tan Chin Aik Joseph* [2026] SGDC 37.

35 The main issue with the Online Articles as well as the News Articles in the present case is the publication element in the law of defamation. Generally, in order to prove that the defendant published the offending material, the plaintiff must establish that the defendant has, by any act, conveyed or communicated the material to at least one other person who has received it. As can be seen from the legal meaning here, publication for the purposes of the law of defamation is bilateral in nature. In *Golden Season Pte Ltd v Kairos Singapore Holdings Pte Ltd* [2015] 2 SLR 751, the High Court cited (at [54]) *Dow Jones & Company Inc v Gutnick* (2002) 210 CLR 575 (“*Gutnick*”) (at [26]) for the proposition that publication is a bilateral act. Therefore, publication has two components: (a) an act that makes the defamatory material available to a third party in a comprehensible form (“the first component”); and (b) the receipt of the information by a third party in such a way that it is understood (“the second component”) (*Wayne Crookes and West Coast Title Search Ltd v Jon Newton* [2011] 3 SCR 269 at [55]). As the plaintiffs have brought the present suit in Singapore, it is also necessary for the publication to have occurred within Singapore (Doris Chia & Rueben Mathiavaranam, *Evans on Defamation in Singapore and Malaysia* (LexisNexis, 3rd Ed, 2008) (“*Evans*”) at p 59).

36 To satisfy the requirements of the first component of publication in the context of Internet defamation, the plaintiff must establish, on the balance of probabilities, that the defendant as the Internet user had uploaded or posted the material on the Internet. In this sense, by uploading or posting the material on the Internet, the defendant had made the offending material available to a third party. This is the first component of publication.

23 It is seen that in order to prove that the defendant published the offending material, the plaintiff must establish that the defendant has, by any act, conveyed or communicated the material to at least one other person who has received it. It is also necessary for the publication to have occurred within Singapore. Publication comprises the following two components referred to by the High Court:

- (a) an act that makes the defamatory material available to a third party in a comprehensible form; and

- (b) the receipt of the information by a third party in such a way that it is understood.

24 In respect of the first component of publication, to satisfy its requirements in the context of Internet defamation, the plaintiff must establish, on the balance of probabilities, that the defendant as the Internet user had uploaded or posted the material on the Internet. By so uploading or posting the material on the Internet, the defendant would have made the offending material available to a third party under the first component.

25 As seen, the High Court however made it clear that this does not mean that electronic evidence is the only means by which the responsibility of a defendant for material appearing on the Internet can be established. The High Court makes the point explicitly at [74] as follows:

74 As can be observed, in three of the above cases, the defendant's identity was established through the use of electronic evidence: *Takenaka* (forensic examination and analysis); *Vaquero* (IP addresses); and *Applause Store* (activity log for defendant's IP address). That said, this does not mean that electronic evidence is the only means by which the responsibility of a defendant for material appearing on the Internet can be established. Indeed, electronic evidence was not relied on in *Warman*. However, as Alliot J cautioned in *Takenaka*, cogent evidence is needed to meet the requisite standard of proof in order to discharge the burden of proof. Typically, the use of electronic evidence to link a defendant to any particular material appearing on the Internet would be the most obvious way to achieve this requirement of cogency, since such evidence is objective in nature. If a plaintiff chooses to rely on other evidence, then he must ensure that such evidence is similarly cogent. In this regard, I note that the evidence in *Warman* pointed almost inexorably to the conclusion that the defendant was the perpetrator.

26 It is seen that whilst the use of electronic evidence to link a defendant to any particular material appearing on the Internet would be the most obvious way, the High Court held that the use of electronic evidence is not the only

means by which the responsibility of a defendant for material appearing on the Internet can be established. Cogent evidence which is not electronic in nature can be adduced to meet the requisite standard of proof. What is important is the cogency of the evidence, and not the nature of the evidence.

27 As regards the second component of publication, the High Court held that there is no presumption of law that material appearing on the Internet has been published. The High Court stated at [41] as follows:

41 To summarise, publication on the Internet can be proved either *directly or indirectly*. There is no presumption of law that material appearing on the Internet has been published, and it is therefore insufficient for a plaintiff to simply allege that the defamatory material was posted on the Internet and was accessible in Singapore. The second component of the element of publication has to be satisfied.

[emphasis added]

28 It is therefore insufficient for a plaintiff to simply allege that the defamatory material was posted on the Internet and was accessible in Singapore. It should be noted however that the High Court goes further to hold that publication on the Internet can be proved either directly or indirectly. The High Court reiterated the avenue of indirect proof of publication at [136]:

136 The plaintiffs argue that publication of the Online Articles in Singapore can be inferred on account of: (a) their accessibility on the Internet; and (b) the results of using search terms on search engines. Again, the starting point in relation to the accessibility of the Online Articles on the Internet is that there is no presumption of law that material appearing on the Internet has been published, and it is therefore insufficient for a plaintiff to simply allege that the defamatory material was posted on the Internet and was accessible in Singapore by a substantial number of third party readers. There must be some facts in evidence to support an inference of publication in Singapore to a substantial number of third-party readers.

29 As seen, the proof of publication on the Internet can be inferred. What is required would be some facts in evidence to support an inference of publication in Singapore to a substantial number of third-party readers.

30 I turn next to the discussion on the *Jameel* doctrine in *Qingdao Bohai*. The High Court in *Qingdao Bohai* held as follows at [135]:

135 To summarise, the only witness whose evidence I accept as direct proof of publication is that of Xu Zhengpeng, and this is only in relation to Articles 1, 2 and 4. This is a convenient juncture to flag out the defendants' argument that this is a suitable case to classify the claim as one of nominal publication, and which should therefore be dismissed in accordance with the *Jameel* doctrine. Generally, publication to one person will suffice though the scale of the publication will affect the damages. However, *Jameel* has applied the abuse of process principle as a gloss on, or an exception to, this rule. I will return to the *Jameel* doctrine below at [144]–[149].

31 The *Jameel* doctrine essentially pertains to claims that concern nominal publication and which are therefore liable to be dismissed as an abuse of process of the court under the doctrine. The doctrine is premised on the abuse of process principles enunciated in *Jameel (Yousef) v Dow Jones & Co Inc* [2005] QB 946, an English Court of Appeal decision. In *Jameel*, there were only publications to no more than five individuals within the jurisdiction, three of whom were part of the plaintiff's camp. The plaintiff's claim was struck out on the basis that there was no real and substantial tort: The English Court of Appeal held as follows (at [69]–[70]):

69 If the claimant succeeds in this action and is awarded a small amount of damages, it can perhaps be said that he will have achieved vindication for the damage done to his reputation in this country, but both the damage and the vindication will be minimal. The cost of the exercise will have been out of all proportion to what has been achieved. The game will not merely not have been worth the candle, it will not have been worth the wick.

70 If we were considering an application to set aside permission to serve these proceedings out of the jurisdiction we would allow that application on the basis that the five publications that had taken place in this jurisdiction did not, individually or collectively, amount to a real and substantial tort. Jurisdiction is no longer in issue, but, subject to the effect of the claim for an injunction that we have yet to consider, we consider for precisely the same reason that it would not be right to permit this action to proceed. It would be an abuse of process to continue to commit the resources of the English court, including substantial judge and possibly jury time, to an action where so little is now seen to be at stake. ...

32 It is seen that the English Court of Appeal appeared to premise the *Jameel* doctrine on the proportionality principle. When the plaintiff succeeds where there is limited publication, the damages awarded will be a small amount and his vindication minimal. It would not amount to a real and substantial tort. The costs involved will have been disproportionate to the damages. It was deemed that to commit the resources of the court to an action where very little is at stake is an abuse of process.

33 The High Court in *Qingdao Bohai* referred to our Court of Appeal decision in *Yan Jun v AG* [2015] 1 SLR 752 (“*Yan Jun*”) to explain the application of the *Jameel* doctrine in Singapore. The High Court stated at [146]-[147] as follows:

146 In Singapore, *Jameel* was considered by the Court of Appeal, albeit in obiter, in *Yan Jun v AG* [2015] 1 SLR 752. The Court of Appeal cautioned (at [118]) that:

It is also pertinent to note that since *Jameel* was decided under a set of procedural rules which are fundamentally different from those in Singapore ... and because it entails – in part, at least – the (potentially far reaching) proposition that an action may be struck out on the basis that the *publication* of the defamatory material is limited, or the *amount* claimed as damages is *de minimis*, the principle enunciated in that case should be approached with the *necessary circumspection* by the Singapore courts.

147 However, the Court of Appeal eventually acknowledged (at [120]) the applicability of the general principles of *Jameel* in Singapore, and proceeded to apply it to the facts of the case:

In light of our decision above at [111]–[114], it is, *strictly speaking*, not necessary for us to decide whether the Judge was correct in following *Jameel*. That having been said, there is a relatively significant body of authority in England endorsing the general principle established in *Jameel*, viz, that a claim which discloses no real and substantial tort is liable to be struck out for being an abuse of process of the court, and the real concerns (as we have seen above) relate to its *application*. This last-mentioned point is not surprising in view of the fact that the line-drawing required is not only fact-centric but may also be difficult to effect in borderline situations. **Further, and leaving aside the differences in the rules of civil procedure between England and Singapore, *Jameel* also contains some general principles that may be applicable in the Singapore context.** Hence, applying the principle in *Jameel* to the facts of the present case, we would be of the view that this was far from being a borderline situation and that the Judge was therefore correct in following and applying *Jameel* and holding that the Appellant’s claim in defamation did not disclose a real and substantial tort. This would have served as a *yet further reason* as to why the Appellant’s claim in defamation should fail.

[emphasis in original]

34 The Court of Appeal in *Yan Jun* thus held that the general principle established in *Jameel*, viz, that a claim which discloses no real and substantial tort is liable to be struck out for being an abuse of process of the court, is applicable in Singapore. The Court of Appeal explained that the *Jameel* doctrine concerns the concept of nominal publication. It embodies the proposition that an action may be struck out on the basis that the publication of the defamatory material is limited, or the amount claimed as damages is *de minimis*.

*No inference of publication in Singapore can be drawn*

35 With the above legal principles in mind, I turn now to analysis the evidence of publication in the present case.

36 I note at the outset that it is not disputed that Bich Ha is resident in Vietnam. There is no evidence that she had spent any extended period of time in Singapore. The business she owns and operates, Transviet is a Vietnamese company that carries on the business of outbound tours and air cargo in Vietnam. There is no evidence of Transviet having any operations in Singapore. The evidence is that it is not in the business of inbound tours in Singapore. It thus cannot be seriously disputed that Bich Ha had built her life, business and relationships in Vietnam.

37 In my view, it would follow that it is reasonable to assume that the viewers of Bich Ha’s Facebook page would be based in Vietnam. At the same time, there is no reason to believe that there was any significant number of viewers who were based in Singapore. Further, as alluded to above, the Facebook Posts were published entirely in the Vietnamese language. It would imply that any viewers of Bich Ha’s Facebook Posts in Singapore would be from among the Vietnamese community. In this regard, there is however no evidence which could point to an inference of such viewership by that community in Singapore.

38 The plaintiffs presented evidence at trial which included comments and “likes” by viewers of the Facebook Posts. However, there is no evidence pointing to any of them viewing the posts whilst in Singapore. There is simply no evidence which would allow me to make the inference that the Facebook Posts were viewed by anyone in Singapore who understood the Vietnamese language.

39 As noted by Bich Ha, for the 4th, 6th, 9th, 11th, 14th and 15th Facebook Posts, no third-party viewers in Singapore have been identified by the

plaintiffs.<sup>23</sup> The plaintiffs therefore have failed to identify anyone based in Singapore who viewed these posts. I agree with Bich Ha that the plaintiff cannot simply rely on the numbers of followers or friends Bich Ha’s Facebook page had, or the reactions the posts received. There is no basis to infer that there has been substantial publication of these posts in Singapore.

40 As for the other Facebook Posts, the plaintiffs identified the following third-party viewers in Singapore:<sup>24</sup>

- (a) 1st and 12th Facebook Posts – one Ms Lily Ha (“Lily”).
- (b) 2nd, 3rd and 5th Facebook Posts – Lily.
- (c) 7th and 13th Facebook Posts – one Mr Wilson Zheng (“Zheng”) a witness called by the plaintiffs in DC 1490.
- (d) 8th Facebook Post – one Mr Thanh Trung Vo.
- (e) 10th Facebook Post – one Ms Jessie Ha and Zheng.

41 None of the persons listed above, except for Zheng are based in Singapore. Moreover, no evidence was adduced to show that they were in Singapore at the time they supposedly read the posts. Further, except for Zheng, none of them were called as witnesses. As for Zheng, he is a witness called by the plaintiffs in DC 1490. Zheng is a Singaporean who does not know the Vietnamese language. His evidence in his AEIC is that sometime in mid-2021, he had heard from colleagues and drivers of his company about certain “rumours” involving Jarta that were being circulated on social media.<sup>25</sup> He also

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<sup>23</sup> Paras 72-73 of defendant’s closing submissions.

<sup>24</sup> Paras 72 & 74 of defendant’s closing submissions.

<sup>25</sup> Para 5 of Zheng’s AEIC.

stated that he “came across the Facebook posts relating to the rumours of Jarta” himself and used Google Translate to understand the content.<sup>26</sup> I note however that when cross-examined at trial, Zheng did not appear to be very certain of the evidence he had stated in his own AEIC.<sup>27</sup> He could not even accurately recall which of the Facebook Posts he had viewed. While he initially stated that he may have come across the 7th, 10th and 13th Facebook Posts, when asked to confirm whether he had read these posts, he responded that he “can’t recall now”.<sup>28</sup> Zheng also agreed in cross-examination that even if he had read some of the Facebook Posts, he did not understand the post as referring to any of Jarta’s shareholders, directors, or employees.<sup>29</sup> I find that Zheng’s evidence is contrived and unreliable; and adds no value to the question of whether there is publication of the Facebook Posts in Singapore.

42 I find therefore that the plaintiffs have not adduced any credible evidence that any of the Facebook Posts were viewed and understood by persons based in Singapore. The plaintiffs have failed to adduce any evidence of the breakdown of where Bich Ha’s “friends/followers” of her Facebook page and the viewers who “reacted” to the Facebook Posts were situated. Bich Ha contends that in any event, the mere fact several people had “reacted” to the Facebook Posts, or that a small handful of people in Singapore may have seen the posts, is insufficient to show that there had been substantial number of people in Singapore who had viewed and understood the Facebook Posts. At best, there was only limited publication of the Facebook Posts in Singapore. I agree. The plaintiffs have elected to pursue their action in respect of the

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<sup>26</sup> Para 6 of Zheng’s AEIC.

<sup>27</sup> Transcript day 6, p 111. Lines 1-3; pp 102-103.

<sup>28</sup> Transcript day 6, pp 99-101.

<sup>29</sup> Transcript day 6, pp 104-105.

Facebook Posts in Singapore. The burden is on them to prove some facts in evidence in support of an inference of publication in Singapore to a substantial number of third-party viewers. They have failed to discharge the burden. On the balance of probabilities, I am therefore unable to draw any inference of publication in Singapore.

*No real and substantial tort is disclosed*

43 I have made the finding above that there is no evidence before me which would allow me to make the inference that the Facebook Posts were viewed and understood by any viewers in Singapore. For completeness, I would add that even there were such viewership, the evidence shows that it is in any event insubstantial in number. There is plainly no evidence to show that there had been substantial number of people in Singapore who had read and understood the Facebook Posts. Putting the plaintiffs' case at the highest, there would have been at best only limited publication of the Facebook Posts in Singapore.

44 As discussed above, the *Jameel* doctrine applies to cases where the publication of the defamatory material is limited and restricted. In the present case, there is no evidence of substantial publication. If at all, the publication of the Facebook Posts to viewers in Singapore was limited. Moreover, as the Facebook Posts were in the Vietnamese language, any such limited publication would be confined to viewers in Singapore who were conversant with the language. Publication would be restricted. Any damages to be awarded to vindicate the harm done to the claimant's reputation caused by such limited and restricted publication of the Facebook Posts in Singapore would in any event be *de minimis*. It is not a borderline situation referred to in *Yan Jun*. No real and substantial tort is disclosed in the present case. Following and applying *Jameel*, it is at best a case of nominal publication and should in any event be dismissed.

***Readers would understand the Facebook Posts to refer to Angie***

45 I have made the finding that there is no substantial publication of the Facebook Posts in Singapore. The element of publication is therefore not made out. The plaintiffs have failed to prove publication on a balance of probabilities, and their actions in both cases fail.

46 Strictly for the sake of completeness only, I turn now to the question of whether the Facebook Posts referred to the plaintiffs. The approach to identifying the person defamed was laid down by the House of Lords in *Knupffer v London Express Newspaper Ltd* [1944] AC 116 (“*Knupffer*”).<sup>30</sup> Although *Knupffer* is the case authority recognised in the textbooks as the *locus classicus* for class or group defamation, the approach to identifying the person defamed as laid down by the House of Lords is of general application. The approach has been endorsed by our High Court in *Golden Season Pte Ltd v Kairos Singapore Holdings Pte Ltd* [2015] 2 SLR(R) 751 at [46].

47 In *Knupffer*, the Lord Chancellor Viscount Simon held that the issue of identifying the appellant in that case as the person defamed is one of mixed law and fact; and posed the following two questions (at 121):

... There are two questions involved in the attempt to identify the appellant as the person defamed. The first question is a question of law – can the article having regard to its language, be regarded as capable of referring to the appellant? The second question is a question of fact – Does the article, in fact, lead reasonable people, who know the appellant, to the conclusion that it does refer to him? Unless the first question can be answered in favour of the appellant, the second question does not arise ...

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<sup>30</sup> See also Gary Chan Kok Yew and Lee Pey Woan, *The Law of Torts in Singapore* (Academy Publishing, 2nd Ed, 2016) at para 12.054.

48 In other words, the first question to be answered is whether the alleged defamatory words, having regard to its language, can be regarded as capable of referring to the plaintiff. This is a question of law. The second question, which is one of fact, is whether reasonable people who know the plaintiff would arrive at the conclusion that the words refer to him. The second question does not arise unless the first question is answered in favour of the plaintiff.<sup>31</sup>

49 Turning to the present case, Angie contends that the Facebook Posts refer to her because of the following attributes of hers:

- (a) She took a Covid relief flight from Singapore to Can Tho on 7 December 2020 (the “Relief Flight”).
- (b) She belonged to a group of Vietnamese women under-50 of age in Singapore.
- (c) She has 3 children (2 biological, 1 adopted).
- (d) She worked as a tour guide for Vietnamese visitors to Singapore.
- (e) She was a shareholder of Jarta.
- (f) She was a member of the liaison committee of the Vietnamese community in Singapore.

50 I turn to the Facebook Posts. In respect of the 1st Facebook Post, it contained the words, “U50 madam living in Singapore”, “taking rescued flight to Can Tho on December 7”, and “Name: N. Thuy Ha, born in 1977”. In this regard, it is not disputed that between the parties that “U50” meant “Under 50”. I note that as Angie’s name is Nguyen Thuy Ha, her initials are thus N.T.H.

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<sup>31</sup> I have on a previous occasion discussed the law relating to reference; see *Iris Koh Hsiao Pei and others v Calvin Cheng Ern Le* [2024] SGDC 311 at [80].

Angie was under 50 years of age at the time of the Facebook Posts, was born in 1977 and she took a relief flight to Can Tho on 7 December 2020<sup>11</sup> and was living in Singapore at the material time.<sup>32</sup>

51 In respect of the 3rd Facebook Post, it made reference to “born in 1977, 44 years old”, “U50 type with 3 dependent children”, “she has the same name as me ... the surname and middle name (N.T.H) are different”, and “she is ‘just’ 44 years old only with 3 children”. As Birch Ha’s given name is “Ha”, the 3rd Facebook Post made it clear that reference was being made to an individual with the initials N.T.H, with the “H” standing for “Ha”, which is Angie’s given name.

52 In respect of the 5th Facebook Post, its content referred to, “living in Singapore”, “has the same name as me”, and “Name: N. Thuy Ha, born in 1977”. In respect of the 7th Facebook Post, reference was made to, “U50” and “BORN IN 1977”. It is not disputed by the parties that the Vietnamese phrase “what to eat” translates to “an gi” in Vietnamese. This would appear to be a pun on the name “Angie”.

53 In respect of the 9th Facebook Post, its content referred to, “flying back from Singapore to Can Tho on December 7th”, “with 2 biological children and 1 adopted child”, “4 years of running a travel company and being a ticket agent in Singapore”, “Under 50”, “living in Singapore” and “Head of something in the Vietnamese association in Singapore”. I note in this regard that it is undisputed that Angie was a shareholder and employee of Jarta.<sup>33</sup> Further, it is undisputed that Angie is head of the liaison committee of the Vietnamese

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<sup>32</sup> Angie’s AEIC at [9].

<sup>33</sup> Angie’s AEIC at [6].

community in Singapore. In respect of the 15th Facebook Post, its content referred to “one of the key shareholders” of Birch Ha’s “old partner company”.

54 In regard to the remaining Facebook Posts, the words relevant to the question of reference are as follows:

- (a) 2nd and 4th Facebook Post: “N.T.H”
- (b) 6th Facebook Post: “U50”, “flying from Singapore to Vietnam”.
- (c) 8th Facebook Post: “born in 1977, with 3 children”, “flying back to Vietnam on a relief flight on December 7”.
- (d) 10th Facebook Posts: “one of Jarta’s shareholders”, “the officer who keeps some position in the Vietnamese community in Singapore”.
- (e) 11th Facebook Posts: “...working with Jarta Tour...”
- (f) 12th Facebook Post: “one of the Jarta Tour Singapore’s shareholders”, “a person with a position in the Liaison Committee of the Vietnamese Community Singapore”, “aged in 40-50”, “living in Singapore”.
- (g) 13th Facebook Post: “shareholder of the company”, “TransViet’s former partner”.
- (h) 14th Facebook Post: “... there are people ... hurriedly taking a flight from Singapore back to Vietnam ...”.

55 Angie contends that reasonable people acquainted with her would arrive at the conclusion that the above words refer to her. I agree. In each of the Facebook Posts, Bich Ha made references to various specific information about

Angie, including Angie's name, initials, age, birth year, number of children (at times specifying that two of her children are biological and one adopted), position in the Vietnamese community in Singapore, shareholding and involvement in Jarta, and that she took the Relief Flight.

56 As noted by Angie, all the Facebook Posts were posted by Bich Ha on her Facebook Page in quick succession over a span of three months and related to similar themes.<sup>34</sup> I am of the view that any reasonable third party viewers of the Facebook Posts among Bich Ha's Facebook friends and followers who knew Angie (for completeness, I would add that there is no evidence before me of any such viewers) would conclude from the multiple references to the different personal attributes of Angie that the Facebook Posts were about her. I therefore find that the Facebook Posts referred to Angie.

57 I turn now to the question of whether the 10th, 11th, 12th, 13th and 15th Facebook Posts also refer to the plaintiffs in DC 1490.

58 The plaintiffs in DC 1490 rely on the following alleged attributes to assert that the posts refer to them: (a) Jarta was a former business partner of Transviet; (b) Jane was a director and shareholder of Jarta; (c) the plaintiffs in DC 1490 issued a letter of demand to Bich Ha; and (d) Jane was Jarta's authorized representative in Jarta's dealings with Transviet.<sup>35</sup>

59 In my view however, the above attributes would not be known to a general viewer of the Facebook Posts. Information on the identity of Jarta's shareholders and Jarta's former partnership is not available online. Jane's role

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<sup>34</sup> Para 26 of Angie's closing submissions.

<sup>35</sup> Paras 40-44 of DC 1490 plaintiffs' closing submissions.

as Jarta’s director is not public information. Neither Jarta’s website nor Facebook page state who were its directors. Contrary to Jane’s assertion, a search on the Singapore Tourism Board website did not show that she is Jarta’s director. There is also no evidence that a reasonable viewer of the posts would be aware of Jane’s role as Jarta’s representative in its dealings with Transviet. As for the letter of demand, plainly this letter was an entirely private legal correspondence between the lawyers for the plaintiffs in DC 1490 and Bich Ha. While Jarta had deemed it fit to post the letter on its own Facebook page on 1 June 2021, there is no evidence to show that viewers of the Facebook Posts would have been aware of Jarta’s own Facebook post. In this regard, as alluded to above, Jarta’s 1 June 2021 Facebook post only received four “likes”, two of which were by Jarta and its lawyers.<sup>36</sup>

60 Jarta and Jane also contend that people within the tourism industry might be able to identify them from the Facebook Posts by reason of the attributes above. They however did not produce any evidence that such persons within the tourism industry in Singapore would be aware of these attributes, and further, that such persons would have seen the Facebook Posts. In any event, as noted by Bich Ha, knowledge of such attributes would constitute special knowledge, and this fact was not pleaded.

61 Unlike Angie’s case, there were no multiple references to the different personal attributes of Jane across a series of Facebook Posts. I therefore agree with Bich Ha that the Facebook Posts were not capable of referring to Jane, nor would they be understood by an ordinary reasonable person as referring to her.

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<sup>36</sup> 3AB, pp 234-235.

62 As for Jarta, as it was mentioned by name in the 10th, 11th and 12th Facebook Posts, I find that these Facebook Posts referred to Jarta (this finding does not detract from my finding that publication of the posts is not made out).

***The Facebook Posts are defamatory of Angie***

63 As well strictly for purposes of completeness only, I turn to the question of whether the Facebook Posts were defamatory. Angie says that the Facebook Posts were defamatory of her because the gist and insinuation of the posts was that Angie is a dishonest and deceptive woman, a liar and a sexually promiscuous woman who used sexual favours to prey on wealthy men for personal gains.

64 The law in this regard is uncontroverted. Whether words are defamatory is determined by an objective test, being whether the words tend to lower the plaintiff in the estimate of right-thinking members of society generally, or if they would expose him to hatred, contempt or ridicule or would cause him to be shunned or avoided: *Lee Hsien Loong v Review Publishing Co Ltd and another and another suit* [2009] 1 SLR(R) 177 at [47].

65 In determining the meaning of the allegedly defamatory words (whether in the natural and ordinary sense or by way of innuendo), the court applies an objective test by asking what an ordinary reasonable person would understand the words to mean in the context of the offending publication: *Goh Chok Tong v Jeyaretnam Joshua Benjamin* [1998] 2 SLR(R) 971 (“*Goh Chok Tong*”) at [44]. In this regard, the Court of Appeal has observed that the hypothetical reasonable reader “can read between the lines. He can read in an implication more readily than a lawyer, and may indulge in a certain amount of loose thinking”: *Goh Chok Tong* at [25].

66 The defamatory meanings of the Facebook Posts as pleaded by Angie are as follows:

- (a) She was a prostitute and/or whore: the 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 13th and 15th Facebook Posts.
- (b) She was a sexually promiscuous woman: the 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 13th and 15th Facebook Posts.
- (c) She was a gold-digger who used bogus love and/or sex and/or sexual favours to prey on wealthy men for her own personal gains: the 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 9th, 14th and 15th Facebook Posts.
- (d) She was a liar and/or con artist and/or cheat: the 1st, 3rd, 4th, 5th, 6th, 7th, 9th, 14th and 15th Facebook Posts.
- (e) Her actions and/or conduct were depraved, immoral, shameless, evil, characterless and/or dirty: the 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 14th and 15th Facebook Posts.
- (f) Her actions and/or conduct were dishonest and/or deceptive: the 1st, 3rd, 4th, 5th, 6th, 7th, 9th and 13th Facebook Posts.
- (g) Her actions and/or conduct had created a negative image and/or impression of Vietnamese ladies, below the age of 50 years old, who are living in Singapore: the 3rd and 12th Facebook Posts.
- (h) She was a marriage-wrecker: 4th Facebook Post.
- (i) She had divorced her husband because he was poor: 4th Facebook Post.

- (j) Her conduct had embarrassed her three adult children: the 7th Facebook Post).
- (k) She had taken advantage of her business relationships and/or working positions for her own undue interests and benefits: the 8th, 10th and 13th Facebook Posts.
- (l) She had engaged in unfair, unscrupulous and/or underhanded business practices: the 8th, 10th, 11th, 12th, 13th and 15th Facebook Posts.
- (m) Her actions and/or conduct were unprofessional and/or unethical: the 8th, 11th, 12th, 13th and 15th Facebook Posts.
- (n) She had committed an illegal act and/or a grave criminal offence: the 10th, 11th, 12th, 13th and 15th Facebook Posts.
- (o) She had engaged in bribery by sex and/or through sexual favours: the 10th, 11th, 12th, 13th and 15th Facebook Posts.
- (p) She had committed wrongdoings against Jarta's business partners and/or Transviet: the 10th Facebook Post.
- (q) She did not deserve and/or had conducted herself in a manner unbecoming of her position in the Vietnamese community in Singapore: the 10th Facebook Post.
- (r) She had exploited her position in the liaison committee of the Vietnamese community in Singapore for her own undue interests and benefits: the 12th Facebook Post.

67 As alluded to above, the translated version of the relevant texts in the Facebook Posts are set out in Annex A. In my view, on plain perusal of the Facebook Posts, it is clearly unarguable that they were capable of the meanings as pleaded by Angie. It is also plainly unarguable that the meanings were defamatory of Angie.

68 In regard to Jane, as I have found that the Facebook Posts did not refer to her, I am unable to make any findings as to whether the Facebook Posts were defamatory of her.

69 As for Jarta, it was referred to by name in the 10th, 11th and 12th Facebook Posts. I agree however with Bich Ha that the references to Jarta were not defamatory. As noted by Bich Ha, the words in the 10th Facebook Posts would be understood as an announcement of Transviet's intention to end business relations with Jarta. As for the 11th Facebook Posts, the reference to Jarta is in the context of Transviet investigating its business relations with Jarta to determine if any improper transactions had occurred. For the 12th Facebook Posts, the reference to Jarta would be understood to be an update on a complaint that Bich Ha purportedly made to the Vietnamese Embassy against Angie as a member of the liaison committee of the Vietnamese community in Singapore. In my view, none of the above references are objectively defamatory of Jarta.

***The defence of justification is not made out***

70 As I am of the view that the Facebook Posts were defamatory of Angie, I will turn briefly to the question of whether the defence of justification applies. This is strictly for the sake of completeness only, as I have made the finding that Angie has failed to show substantial publication.

71 It is trite that the defence of justification is established if the substance or gist of the offending words (as opposed to those parts of the offending words which do not add to the sting of the alleged defamation) are proven to be true: see *Qingdao* at [168].

72 Bich Ha's position is that the gist or sting of the content of the Facebook Posts is that Angie had used sex as a means of furthering her or Jarta's interests. The basis of Bich Ha's defence of justification is that Angie, a shareholder of Jarta, had used sex as a means of procuring Hai's assistance with Jarta's expansion into the airline distribution business, as well as getting him to divert some of Transviet's airline distribution business to Jarta. The assertion is that Hai had assisted Jarta's attempts to expand in the airline distribution business, even though he recognized that as a director of Transviet he ought to have diverted any business opportunities that he came across to Transviet instead. Bich Ha contends that Hai was motivated to do so owing to the sexual relationship with Angie that began on 12 or 13 January 2021.<sup>37</sup>

73 In my view however, there is firstly no evidence that any business was diverted from Transviet to Jarta. Further there is no evidence that the businesses of Transviet and Jarta are in competition. Hai had confirmed during cross-examination that Transviet and Jarta were not in competition and there is no contrary evidence before me.<sup>38</sup> More significantly, I note that although they were initially introduced to each other because Angie wanted to know more about airline distribution, their relationship eventually developed into a romantic one. Angie and Hai married on 5 February 2022 and have been married since.

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<sup>37</sup> Paras 83-84 of defendant's closing submissions.

<sup>38</sup> Transcript of 6 Jan 2026, p 45.

74 As regards Angie and Hai having sexual relations so quickly after first getting to know each other, that is a matter for a different question which is beyond the scope of this judgment. By itself, it does not speak to the question of the defence of justification. I would only add that Angie and Hai were two consenting adults when they engaged in sexual relations with each other. At the end of the day, I have no basis to make a finding that Angie had used sex as a means of procuring Hai's assistance with Jarta's expansion into the airline distribution business. In my view, the defence of justification is not made out in the present case.

75 I had made the finding above that there is no substantial publication of the Facebook Posts in Singapore, and that any damages to be awarded to vindicate the harm done to Angie's reputation caused by such limited and restricted publication of the Facebook Posts in Singapore would in any event be *de minimis*. There is therefore no necessity for me to deal with the remedies and damages claimed by Angie, and I do not propose to do so.

### **Conclusion**

76 In summary, I find that there is no substantial publication of the Facebook Posts in Singapore. The element of publication in the tort of defamation is not made out. In any event, any damages to be awarded to vindicate the harm done to the plaintiffs' reputation caused by such limited and restricted publication of the Facebook Posts in Singapore would be *de minimis*. There is thus no real and substantial tort disclosed in the present case. It is at best a case of nominal publication. I therefore dismiss both actions.

77 Strictly for the sake of completeness only, I also made the finding that the Facebook Posts were capable of referring to Angie. As well for

completeness only, I find that the Facebook Posts were capable of the meanings as pleaded by Angie, and that the meanings are defamatory of her. I also find that the defence of justification does not avail Bich Ha. As for the 10th, 11th, 12th, 13th and 15th Facebook Posts, I find that they did not refer to Jane. Whilst I find that the 10th, 11th and 12th Facebook Posts referred to Jarta, I find that those references were not defamatory.

78 Parties are to file written submissions on the question of costs, to be limited to five pages, within 14 days hereof.

Chiah Kok Khun  
District Judge

Ms Phoon Wuei and Ms Stacey Lim (TSMP Law Corporation) for  
plaintiff in District Court Suit No 1448 of 2021;  
Mr Clarence Lun Yaodong (Fervent Chambers LLC) for plaintiffs in  
District Court Suit No 1490 of 2021;  
Mr Ang Leong Hao (Hong Lianghao) and Mr Mark Tang Yu Zhong  
(Rajah & Tann Singapore LLP) for Bich Ha.

## **Annex A: Translated version of the relevant texts of the Facebook Posts**

### The 1st Defamatory Post

“Should open a vocational “whore in disguise” school” on “how to “hunt and lure” rich guys”; “Lying to friends”; “Making up a very silly excuse to meet the rich guy”; “Soliciting that guy for sex” and “almost forced him to commit to living together”; “Head of a contact committee searching for U50 whores living in Singapore for silly rich guys living in Vietnam”; and “Shameless people today, thinking only of money and asset”.

### The 2nd Defamatory Post

“Ready to lie on their backs to work as prostitutes at the first meeting when they smell or see the opportunity to make money”; “N.T.H the whore”; and “If you have not felt ashamed enough, and want to “hunt men” with sex, just fly back, the rich guys are waiting for you to show off your sex skills”.

### The 3rd Defamatory Post

“Many unmarried women in this group are openly instructing each other on Facebook how to “hunt down and tie up” the Vietnamese rich guys to make a profit”; “They were welcomed by English speaking good-looking girls at the airport, then taken to hotels to do whatever they wanted without their wives and children knowing anything”; “Be as naïve as a goldfish”; “Now “pretending” that they did not know how to be able to sell airline tickets. It sounded ungainly to the end. And it must have taken a lot of work to set up the play”; “She used some kind of arts, so that at the first meeting, the rich man would fall into her trap (what trap everyone knows)”; “A prostitute pretending to be “a good girl””;

“No man dares to take, even given for free”; and “Your rich husbands might have fallen into the love trap of a “disguised prostitute””.

#### The 4th Defamatory Post

“Those who did not know how to “pretend” would have a bunch of “disguised prostitutes” acting for them, using all sorts of tricks to pounce on their wallets”; “Falling into the hands of prostitutes who are only 10-20 years younger than them, some born in the 70s, with children, divorcing their husband because they had “flat wallet””; “Using all sorts of tricks to make love at the first meeting – because the guys at this age are all “faint”, if they don’t use enough tricks of high-level whoredom, they cannot be activated. After being entangled in a sex trap, there would be a series of tricks to tie and clamp – no one can escape”; “Using every scheme to rob another woman’s husband”; and “So N.T.H the whore in Singapore, how long have you been practising prostitution?”.

#### The 5th Defamatory Post

“If you have set a trick to deceive the rich guys, all prostitutes would want the trick of “consequence at the first time””; “It is also the common trick of the whores in disguise, as soon as the consequence is achieved, even with another guy – they would show off freely to everyone to exert pressure, it is your dirty trick”; “You can fool the idiots, but you cannot fool the wise old women. Just pity the stupid little brother who is easy to be cheated”; “If you run a lot, you are only afraid that your foetus would fall off. If there was anything else to fall off, so why tell your friends to hide?”; “If there is a consequence, then go and deal with the consequence yourself, stop the cheating game, you won’t earn anything, and will have to carry the humiliation for your entire life, the “disguised whore” living in Singapore”; “Occupation: hunting the rich guys.

Ready to make love at the first meeting, if the rich guys have potential”; and “This whore, going to the red light district in Singapore this season can sometimes pick up enough coins”.

#### The 6th Defamatory Post

“Worse is the type of women who chase after men just for the sake of money and fame – those who hunt rich guys regardless of own shame”; and “There is a type of “reverse hunting”, that is, “U50 whores in disguise” flying from Singapore to Vietnam to hunt. Hilarious. You guys should be careful, if you let those whores get set you in their traps, you will have a “stupid old age””.

#### The 7th Defamatory Post

“THERE IS A WOMAN UNDER 50 BORN IN 1977, LIVING IN SINGAPORE, WILLING TO WORK AS A DISGUISED WHORE WHEN FLYING BACK TO VIETNAM TO HUNT THE RICH GUYS”; “More shameless, even daring to brag about being followed by long line of rich guys there waiting for her to nod”; “But as she met a rich guy in Vietnam who was too easy to deceive, she placed a luring trap from the first time, ready to “donate” her leftover pussy to hunt him down quickly”; “That prostitute nicknamed herself “What to eat” because she had nothing to eat in Singapore due to her flat wallet, so she returned to Vietnam a few times to hunt “the bird of out cage””; and “The utter shamelessness, her three children have grown up, but she still dares to swing as a prostitute to hunt rich guys, is she not afraid that her children would not dare to look up at their friends”.

#### The 8th Defamatory Post

“There were people who abuse public forums to promote the unhealthy and immoral lifestyle”; “The pain of seeing the morals of a class seriously degraded, the taking advantage of work positions go “get likes”, the promoting of unvirtuous and promiscuous behavior”; and “Her best friend, born in 1977, with 3 children, decided to learn this “guy hunting” lesson, but made a reverse way a bit: flying back to Vietnam on a relief flight on December 7 to hunt. The first time she also had a coffee date, then saw a good prey, so she immediately turned to the next lesson of using sex, then she boasted everywhere that she had “smoothly hunted him and tied him up fast””.

#### The 9th Defamatory Post

“Flying from Singapore to Can Tho on December 7, quarantined for 2 weeks, just to practise “fishing”. After deceiving the rich guy with sex, she flew back to Singapore on January 25 to make a “cheating plot””; “The campaign of “slandering” was deployed in full force, causing the cheated guy to be “on fire in his heart”, to be confused in all kinds of ways. When a whore has managed to trick the big guy into the sex cage, slandering is the DIRTY BUT EFFECTIVE way”; “She started bragging publicly online that she “got it already” and made a comment implying that she was pregnant. In order to press the trapped guy to move to Singapore to try living with her or resolve the consequence immediately”; “Without me saying “It’s a trick by the disguised whore”, the rich guy would have bought the ticket, and taken all sorts of things to Singapore to help the prostitute deal with the consequences from March”; “And if she was really pregnant, who was the real author? A month and a half of rolling in Hanoi back to Saigon, enough time to work as a prostitute with a few dozen guys”; “If she is fascinated by a granddad, you should go to Singapore to stay with her, hunt her, and get the chance to gold dig back and get a few million DOLLARS or a big house. She boasted that she was so great and

rich, didn't she?"; "Have you brought any rich guy to Singapore to live with you according to your conspiracy? If not, you should learn more to be more proficient! Or if you can afford your own airfare, you can fake "circumstances" to fly the relief flight back and play the trick a few more times"; "The tricked man cannot stand the pressure of being cheated, so he has been forced to declare the full name, age of the whore, the family with 2 biological children and 1 adopted child, showing off talent in doing business of all kinds (just forgetting to show off her prostitution), with full of assets and money in Singapore"; "She naively asked to teach how to sell air tickets for VietJet (but the truth is that her company in Singapore has been a ticket agent for more than 4 years). She was so good at pretending to be stupid, a Vietnamese dong millionaire in Singapore, but after 4 years of opening a travel company and a ticket agent in Singapore, and still do not know how to sell tickets for VietJet Airlines?"; "But had to make so much effort to fly back to Vietnam, just to look up innocently and admiringly ask the moneybag, and then praising him "why are you so good, I love you so much"; "When he drunkenly explained, with limbs up and down chaotically, she opened her eel's eyes wide innocently listening, so he was immediately trapped with sex"; "At the first meeting with him at a hugging café, she was wondering "why are you riding a motorbike?" Then he drove her back to the hotel, she sat behind him, putting hands anywhere and hugging, groping, touching him everywhere to provoke. Anyone could guess what happened next"; "And yet she's not ashamed"; "Under 50, ugly flat face just like a punctured winnowing basket, tiny skittish eyes, born for "that profession" only, and still self advertise about being "gentle and pretty" using "torn-out private capital" to trap the guys, hopeful of getting a huge moneybag, but bitterly failed ... Why are there so many ignorant sluts in this life?"; "You should go out and practise your profession in the red light district of Singapore. Vietnam

DOESN'T NEED SUCH WHORES LIKE YOU"; and "This kind of seasoned hookers like this U50 living in Singapore may be known about".

#### The 10th Defamatory Post

"We found that one of Jarta's shareholders took advantage of the business relationship to study the private life of some TransViet shareholders and board of directors, having bribed TransViet's leadership with "sex" for personal purposes that we considered evil, depriving of personality"; "Our general concept of morals: the act of "taking and giving bribes", in any form, is considered to have major ethical problems, the takers and the givers are strictly disciplined. The form of "sex stimulating" bribery – essentially is the most depraving and filthy in nature"; "Taking bribes affects fairness in the business environment, causes serious disunity among shareholders and leaders, as well as the distrust among the employees of the group of TransViet companies"; "Any shareholder or employee who still has a private relationship with that person will have to leave the company, deprived of all benefits"; "We inform all TransViet customers, as well as business partners: TransViet TERMINATES ALL BUSINESS PARTNERSHIPS WITH JARTA TOURS"; and "The person who commits the act of "bribing partners by sex" is the officer who keeps some position in the Vietnamese community in Singapore. So, I ask my friends to forward this article to the Vietnamese Embassy in Singapore for information".

#### The 11th Defamatory Post

"In the state system, bribery in any form, even if it has passed several decades, if detected – is still clarified, so that the law can decide right and wrong"; and "I am ordering my subordinates to THOROUGHLY REVIEW the Transviet process of working with Jarta Tour, from the moment of using Jarta s' services

to serve TransViet’s tourists in Singapore, to determine whether at the time of the contract signing such a negative thing occurred, whether bribery by “sex” or money happened to the outbound tour department, as well as the officer who controlled operation of that department on my behalf”.

#### The 12th Defamatory Post

“JARTA TOUR SHAREHOLDERS USED SEX TO BRIBE PARTNERS IN VIETNAM”; “I officially emailed the Embassy of Vietnam in Singapore about the fact that one of Jarta Tour Singapore’s shareholders, taking advantage of being a person with a position in the Liaison Committee of the Vietnamese Community in Singapore, flew back to Vietnam, used “sex” to bribe the leadership of the Partner Company, to exert pressure for personal gain, then make slanders”; “That embarrassing bribery has the potential to disrupt the activities of the harmed company”; and “Have created bad images and impressions of the community of women aged 40-50 living in Singapore”.

#### The 13th Defamatory Post

“Check if the whore is really a shareholder of (the) company?”; “She is NOT a shareholder of (the) company: I will work directly with her, and then make it clear that SHE MISUSED THE COMPANY’S NAME TO OFFER TO SELL “her pussy commodity.” If she refuses to announce it in public, I will work with a lawyer on fraud charges, abusing the company’s name”; “Does the company INTEND to encourage her to use every means to achieve the goal? I’m sure NO – because I don’t think all shareholders think that for men, in this difficult time – only using “opposite sex” plan will be most effective?”; “If she is a shareholder, having misused the name of the company to contact the tour partner, then sold “sex” in order to get personal interests, with the plan to set up

another company alone (or solicit the rich guy to join, investing both assets and labour in the company, that is the BEST) to jump into a new field she doesn't know at all. And if she did not sell anything, then I would sue the rich guy for false accusations, making up the story of "having fun" together a few times during her time in Vietnam"; "I would treat the internal problem SERIOUSLY in order to uphold the Company's BUSINESS Ethic criteria; "Even if we lose the case because of the lack of "naked evidence", and have to pay them INDEMNIFICATION FOR DEFAMATION, it is still the slut claiming money or property from rich guys to pay debts because they got caught up in her "sex trap"; "Exchanging honour for money is the familiar trick by those who consider money above all moral values. If we are forced to pay compensation, it will be good, consider it as paying for the service she provided in advance for which the rich guy did not have time or means to pay"; "IF SHE IS REALLY NOT A SHAREHOLDER OF THAT TOURISM COMPANY, OR A SHAREHOLDER BUT HAS INTENTIONALLY GIVEN HER OWN NATURAL CAPITAL FOR PERSONAL BENEFITS – I WILL PUBLICLY APOLOGIZE THAT TOURISM COMPANY"; and "They must also learn from experience and be careful in USING PEOPLE, so as not to repeat the lesson and affect the company's reputation".

#### The 14th Defamatory Post

"Yet there are people who "change job" by preparing a very sharp SAW, in a hurry taking a flight from Singapore back to Vietnam to saw down rich guys quickly, making sure they would inevitably fall into their traps".

#### The 15th Defamatory Post

“One of their key shareholders flew back to Vietnam to “bribe” a business partner’s leader. She herself did not dare to use her name on behalf of the company, but had to ask another shareholder”; “So when I realized the miner’s plot (confirmed by her friend): “We don’t need money from guys. But we will not fall in love with guys unless they can take care of us financially””; “She and her friends say that I am jealous, I don’t want to lose him ... I DON’T GIVE A DAMN TO those people with sly tongues and considering MONEY ABOVE ALL”; “I also want to assert CLEARLY TO THOSE WHO HAVE BEEN LOOKING FOR OPPORTUNITY TO MINE HIM: You cannot get past this frightful woman”; “Although he is no longer my lover, he is again my friend or brother, so what I have contributed to his success will have to be TRANSFERED to his own next generation, his children, great grandchildren, but never TO the miner’s bags”; and “There are still many good people in life, not everyone is like the person who sells “sex””.