IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE

[2026] SGFC 72

SSP 1871/2025
INTAPP 142/2025

Between

YDS

… *Applicant*

And

YDT

… *Respondent*

SSP 1927/2025

Between

YDT

… *Applicant*

And

YDS

… *Respondent*

JUDGMENT

[section 28 Family Justice Act 2014 applicability to SSP applications], [examination of children]

TABLE OF CONTENTS

YDS
v
YDT and another matter

[2026] SGFC 72

Family Court – SSP 1871/2025 (INTAPP 142/2025) & SSP 1927/2025
District Judge Tan Shin Yi
3 March 2026, 28 April 2026

23 June 2026 Judgment reserved.

District Judge Tan Shin Yi:

INTERLOCUTORY APPLICATION 142/2025

1 This concerns an interlocutory application filed by the Mother in the present SSP proceedings, where she seeks an order for the appointment of an expert to examine parties' adult daughter, A, in order to[1]:

(i) Assess the interactions between the Mother and A;

(ii) Opine whether A wishes to see the Mother and her state of mind towards the Mother;

(iii) Determine whether A has been prevented from or influenced against contact with the Mother by means of family violence.

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[1] Section B of the Expert Witness Template filed by the Mother on 23 Dec 2025.

2 The Mother also seeks alternative orders for the court to (i) direct and/or advise the parties and A to attend counselling and/or a family support programme; and (ii) stay the proceedings until the advice has been complied with.

3 I heard parties on 3 March 2026 and directed counsel to prepare further submissions on a preliminary point, specifically whether section 28 of the Family Justice Act 2014 ("FJA") applies to applications filed pursuant to Part 7 of the Women's Charter 1961 ("the Charter").

4 At the last minute, the Mother's counsel updated on 24 March 2026[2] that they were instructed to refine the issues for the expert as follows:

(i) Whether A wishes to see or contact the Mother, and the opinion should be based on the assessment of A, including:

(a) Whether A understands the information relevant to this decision and how she perceives this information. This includes that:

(i) The Mother deeply desires contact with and loves her;

(ii) The Mother has been attempting to contact her and has not abandoned her; and

[2] Paragraph 3 of the Mother's further submissions filed on 24 Mar 2026.

(iii) It is not right of the Father to prevent her from or impose any consequences for her contact with her mother.

(b) To what extent A is able to use and weigh that information as part of the process of making the decision; and

(c) It is important that this indication from A be made to an independent party, in a situation where A is not under pressure by the Father. The expert should discern whether A has been "coached" or influenced.

(ii) Whether A has been prevented from or unduly influenced against contact with the Mother. This includes an opinion on:

(a) How A's cognitive impairment affects her relationships with family members. In assessing this, the expert should opine on A's relationship with the Father, including their dynamics and how A processes directions or information which the Father gives her.

(b) How A perceives her separation from the Mother since December 2023 and the reasons behind the separation.

(c) Whether A displays indicators consistent with fear, anxiety, emotional pressure, dependency, or externally

influenced decision-making in relation to contact with the Mother.

Background Facts

5 The Mother and Father have each filed an application for protective orders, pursuant to Part 7 of the Charter. The Mother filed SSP 1871/2025 seeking a Personal Protection Order ("PPO") for herself and the child, A, against the Father. The Father filed SSP 1927/2025 seeking a PPO, Domestic Exclusion Order ("DEO") and a Stay Away Order ("SAO") for himself and A against the Mother. These are the only pending proceedings in FJC.

6 A is an adult child, aged 22 years. However, parties agree that A does not have the requisite mental capacity to apply for protective orders for herself, as she has been diagnosed with cognitive impairment and Tourette's Syndrome as well as global intellectual limitation.

7 The parties were divorced in China in 2021, *vide* a Civil Judgment dated 29 July 2021 in the Hangzhou West Lake District People's Court[3]. It is not disputed that the care and control of A was granted to the Father by the Chinese court, and the Mother was granted access to A. While parties do not agree with the circumstances surrounding the caregiving history of A, such as which parent cared for the child when, it suffices to say that these details are not relevant for the purposes of the current application. It is not disputed that in 2023, the Father moved back to Singapore with A. The Mother stated that this was done without

[3] Tab 1 of the Father's affidavit filed on 22 Jan 2026.

the Mother's consent. She visited A on several occasions in Singapore until she claimed that her contact with A was cut off in December 2023.

Does section 28 of the Family Justice Act 2014 (FJA) apply to Part 7 proceedings?

8 Section 28 of the FJA provides as follows:

> *"**28** – (1) In any proceedings before a Family Court involving the custody or welfare of a child or involving a person, the Court may, on the application of any party to those proceedings or on its own motion, appoint a registered medical practitioner, psychologist, counsellor, social worker or mental health professional to examine and assess the child or person (as the case may be) for the purposes of preparing expert evidence for use in those proceedings."*

9 The parties' pending applications for protective orders are filed pursuant to Part 7 of the Charter, which is titled "Protection Against Family Violence". Under Part 7, section 60A(1) provides as follows:

> *"**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."*

10 The preliminary issue is whether Part 7 proceedings under the Charter, which are also quasi-criminal proceedings, can be considered proceedings "*involving the custody or welfare of a child or involving a person"* for the purposes of section 28 of the FJA.

The Law

11 It is trite law[4] that in interpreting a particular provision in an Act, an interpretation promoting the purpose or object underlying the Act is to be preferred ("the purposive approach"). The three-step approach regarding the purposive interpretation of legislation was confirmed recently by the Court of Appeal in *Blackstone Asia Real Estate Partners Ltd (in liquidation) and others v. Standard Chartered Bank (Singapore) Ltd and another appeal* [2026] SGCA 12 ("*Blackstone*") as follows[5]:

> *"(a) First, ascertain the possible interpretations of the provision having regard to the text of the provision and its context within the written law as a whole.*
>
> *(b) Second, ascertain the legislative purpose or object of the statute.*
>
> *(c) Third, compare the possible interpretations of the text against the purposes or objects of the statute, preferring the interpretation that better promotes those purposes of objects."*

12 In *Blackstone*, the Court of Appeal added that[6] in determining the ordinary meaning of the words of the legislative provision at the first step, the court may be aided by the principles that (i) Parliament is presumed to have intended every word in an enactment to be given meaning, and the court should strive to place significance on every word, phrase or sentence in a provision; and (ii) Parliament is presumed to have intended to have dealt with a certain situation through the specific provision tailored to fit that situation as opposed to a general provision of potentially broader application.

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[4] Section 9A(1) of the Interpretation Act 1965.

[5] [23] of *Blackstone Asia Real Estate Partners Ltd (in liquidation) and others v. Standard Chartered Bank (Singapore) Ltd and another appeal* [2026] SGCA 12.

[6] [24] of the above judgment.

13 At the second step, the court discerns the purpose of the provision based on the text of the provision itself and the surrounding context of the written law *as a whole*. The court may refer to extraneous material capable of giving assistance in certain circumstances as set out in section 9A(2) of the Interpretation Act 1965; and such extraneous material can only be used to place on the provision a meaning that its text can logically bear.

14 Such extraneous material can only be consulted in the following three circumstances[7] provided by section 9A(2) of the Interpretation Act 1965:

(i) To *confirm* that the ordinary meaning conveyed by the text is the correct and intended meaning having regard to any extraneous material that further elucidates the purpose or object of the written law;

(ii) To *ascertain* the meaning of the text in question when the provision on its face is ambiguous or obscure; and

(iii) To *ascertain* the meaning of the text in question where, having deduced the ordinary meaning of the text and considering the underlying object and purpose of the written law, the ordinary meaning appears manifestly absurd or unreasonable.

15 At the third step, after having identified the possible interpretations of the provision and its purpose using the first and second steps, the court finally

[7] [25]-[26] of the above judgment, affirming *Ting Choon Meng*.

identifies the correct interpretation of the provision that would best give effect to its ordinary meaning and purpose.

16 Applying the above approach, the first step would be to examine the text and context of section 28 of the FJA. On the plain reading of section 28(1), the provision applies in two categories of cases: (i) proceedings before a Family Court involving the custody or welfare of a child; and (ii) proceedings before a Family Court involving a person. It would appear that based on the second category of cases, section 28 applies to all proceedings before a Family Court *involving a person*.

17 However, if Parliament had intended section 28 to apply broadly to all proceedings heard in the Family Court involving a person, which would necessarily also cover proceedings involving the custody or welfare of a child, then the first category of cases need not be specifically mentioned. The provision could simply have been drafted so as to apply to all proceedings before a Family Court involving a, or any, person. As Parliament is presumed to have intended every word in an enactment to be given meaning and is presumed to have intended to deal with a certain situation through the specific provision tailored to fit that situation as opposed to a general provision of potentially broader application, the question then is whether the second category of cases is meant to be read in a narrow manner, so as to only cover a specific category/type of proceedings, as opposed to its literal meaning of all proceedings that involve a person.

18 The legislative purpose of section 28 is to empower the court to appoint a medical or social science professional to examine and assess a child or person, as the case may be, for the purposes of preparing expert evidence. The intention is also to prevent parties from appointing their own experts to examine and

assess a child or person, and to adduce such expert evidence, *without* seeking permission of the court. This is apparent from section 28(2), which reads "where a registered medical practitioner, psychologist, counsellor, social worker or mental health professional *who is not appointed by the Family Court* under subsection (1) examines or assesses the child or person, *no evidence arising out of that examination or assessment is to be adduced in those proceedings without the permission of the Court*.[8]" It is therefore arguable that the purpose of section 28 as a whole is to distinguish between court-appointed experts and experts appointed by the parties themselves but who are not endorsed by the court.

19 It was noted in *AG v. Ting Choon Meng* [2017] 1 SLR 373, and reiterated in *Tan Cheng Bock v. Attorney-General* [2017] 2 SLR 850[9], that "the purpose behind a particular provision may yet be distinct from the general purpose underlying the statute as a whole". When looking at the general legislative purpose of the FJA, its title describes it as an "Act relating to the constitution, jurisdiction and powers of the Family Justice Courts and the administration of justice therein". It is also notable that in section 2(1) of the FJA, "family proceedings" covers a wide range of proceedings, including civil proceedings under the Adoption of Children Act 2022, civil proceedings under the Inheritance (Family Provision) Act 1966, civil proceedings under the International Child Abduction Act 2010, civil proceedings under the Mental Capacity Act 2008, civil or quasi-criminal proceedings under the Vulnerable Adults Act 2018 and civil or quasi-criminal proceedings under the Women's Charter 1961.

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[8] Emphasis is my own.

[9] [40] of *Tan Cheng Bock v. Attorney-General* [2017] 2 SLR 850.

20 Section 2(1) of the FJA therefore sheds some light on the interpretation of section 28(1) of the FJA insofar as it refers to "*proceedings before a Family Court… involving a person*". Such proceedings include proceedings in which a specific person is the subject matter of the court's inquiry, such as proceedings under the Mental Capacity Act 2008 or proceedings under the Vulnerable Adults Act 2018. Such proceedings are directed primarily towards determining the welfare, status or capacity of an identified person and are usually titled "In the Matter of [Person X], a person alleged to lack capacity" or "In the Matter of Section [A] of the Vulnerable Adults Act 2018 and [Person Y]" ("Person-Centric Proceedings"). Unfortunately, it is unclear whether the latter part of section 28(1) of the FJA was drafted as such in order to exclude non-Person Centric Proceedings falling within section 2(1) of the FJA and it would be extremely presumptuous to conclude as such.

21 A statute's individual provisions must be read consistently with both the specific purpose underlying the particular provision and the general purpose underlying the statute as a whole[10], as far as possible, and the court must presume that a statute is a coherent whole, and any specific purpose is subsumed under, related or complementary to the relevant general purpose and does not go against it. Thus, section 2(1) read with section 28(1) of the FJA suggests that section 28 of the FJA is meant to cover all persons involved in such family proceedings, which include *civil or quasi-criminal* proceedings under the Women's Charter 1961 ("the Charter"). To read the provision in a narrow manner, such as to exclude quasi-criminal proceedings under the Charter, would

[10] [41] of the above judgment.

be to give the statute a "sense which is contrary to its express text"[11] or to rewrite the statute.

22 Having found above that section 28(1) of the FJA **does** apply to quasi-criminal proceedings under Part 7 of the Charter by referring to the statute itself, it may not be necessary at this point to refer to extraneous materials. However, the court in *Tan Cheng Bock v. Attorney-General* found that[12] it may still be useful to do so to demonstrate the soundness of the outcome. It is also emphasised that [13] extraneous material cannot be used to attribute to the provision a "sense which is contrary to its express text" and the proper function of the court is to *interpret* a statutory provision and not to rewrite the statute.

23 Unfortunately, the explanatory statement to the Family Justice Bill (Bill No. 21/2024) did not provide any insight on the extent of the court's power under section 28 of the FJA. It merely provides that the section "empowers a Family Court to appoint, in proceedings involving the custody or welfare of a child or involving a person, a registered medical practitioner, psychologist, counsellor, social worker or mental health professional to examine and assess the child or person for the purposes of preparing expert evidence for those proceedings".

24 During the Second Reading of the Family Justice Bill on 4 August 2014, while it was mentioned that the FJA was intended to give the Family Justice Courts new powers, nothing was mentioned regarding the scope of the power under section 28. It was acknowledged during the Second Reading that the

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[11] *Seow Wei Sin v. PP* [2011] 1 SLR 1199 at [21].

[12] [48] of *Tan Cheng Bock v. Attorney-General* [2017] 2 SLR 850.

[13] [50] of the above judgment.

Family Justice Bill was "very much inspired by the recommendations of the Committee for Family Justice"[14].

25 In the Recommendations of the Committee for Family Justice, the Committee recommended that[15] the court be empowered to order, where appropriate, expert assistance from social and psychological service professionals to be provided in making decisions on care, custody and control, to ensure that the best interests of the parties and children are promoted. In particular, it was emphasised that the feedback received by the Committee "highlighted the usefulness of having such expert assistance in the context of proceedings involving children, such as family violence cases involving children where issues relating to children's trauma must be addressed", and the court may order the relevant professionals to produce reports for consideration by the court.

26 While there is no immediate predecessor to section 28 of the FJA in primary legislation, one should refer to rule 41 of the now-repealed Women's Charter (Matrimonial Proceedings) Rules (Cap 353, R 4) ("the Matrimonial Proceedings Rules"). Rule 41 of the Matrimonial Proceedings Rules provided as follows:

> "(1) After proceedings have been commenced under Part X of the Women's Charter (Cap 353), a party shall not, without the leave of court, cause a child to be examined or assessed by any psychologist, psychiatrist, counsellor or other social work professional or mental health professional for the purpose of the preparation of expert evidence for use in the proceedings for ancillary relief involving the custody and welfare of the child."

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[14] Page 61 of the parliamentary debates on 4 Aug 2014 for the Second Reading of the Family Justice Bill.

[15] Paragraphs 168-170 of the Recommendations of the Committee for Family Justice dated 4 Jul 2014.

27 It is clear from the provision that rule 41 applied only to proceedings commenced under Part X of the Women's Charter, which were matrimonial proceedings. It appears therefore that section 28(1) of the FJA was intentionally expanded in scope so that it did not only apply to matrimonial proceedings, but to *any* proceedings before a Family Court involving the custody or welfare of a child or involving a person. This confirms the ordinary meaning conveyed by the text of section 28(1).

28 Furthermore, Part 3 rule 2 of the Family Justice (General) Rules 2024[16] ("the FJ(G)R"), read with Part 10 rule 1(1)[17], make it clear that Part 10 rule 2 on the meaning of an "expert" and his/her duty applies to quasi-criminal proceedings. This contemplates that experts may be appointed by the court in Part 7/family violence proceedings, and confirms the ordinary meaning that section 28(1) does apply to Part 7 proceedings.

29 Based on the above, it cannot be concluded that section 28 of the FJA was not intended to apply to proceedings under Part 7 of the Charter. In the circumstances, therefore, it will be taken that section 28 of the FJA applies to such proceedings.

Should a court expert be appointed to examine and assess A?

30 Having ascertained that section 28 of the FJA applies to the current application, I now turn to whether, on the facts and evidence presented, an expert should be appointed to examine and assess A.

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[16] This rule defines applications for an order under Part 7 of the Women's Charter 1961 as "Category 1 proceedings".

[17] Part 10 rule 1(1) states that "except for Rule 2, this Part does not apply to or in relation to quasi-criminal proceedings".

31 In *XAB v. XAC* [2025] SLR (FC) 292, which concerned the appointment of an expert to examine a child in custody proceedings and was affirmed on appeal, I found that the examination and assessment of a child pursuant to section 28 of the FJA had to be for[18] the purposes of preparing expert evidence for use in the proceedings, and that such an assessment was not simply a fact-finding exercise but to gain expert insight/evidence on issues *relevant to the proceedings* in which leave is sought for such expert assessment. The expert evidence must be required in determining questions relating to the welfare or interest of, or relating to the custody, care and control of and access to the child.

32 The current proceedings concern protective orders sought by both the Mother and Father for themselves and for A against the other parent. The parties' applications are filed pursuant to sections 60A and 60B of the Charter. It is trite law that in considering whether to make a protection order to restrain X from committing family violence against Y, the court must be satisfied that[19] (i) X has committed or is likely to commit family violence against Y; and (ii) the protection order is necessary for the protection or personal safety of Y. It is only when a protection order is granted under section 60A of the Charter[20] that the court must then consider whether other protective orders, such as the DEO and SAO sought by the Father, are necessary for the protection or personal safety of Y.

33 Firstly, are the issues for the expert to determine, as set out by the Mother in her application, relevant issues to the current proceedings?

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[18] [15] and [17] of *XAB v. XAC* [2025] SLR (FC) 292.

[19] Section 60A(1) of the Women's Charter 1961 ("the Charter").

[20] Section 60B(1)-(2) of the Charter.

The issues to be determined by the expert

34 The issues which the Mother seeks to have the expert determine are as set out in paragraph 4 above.

35 The question of whether A wishes to see or contact the Mother, and its related issues, is relevant to custody or access proceedings but not to proceedings concerning protective orders. Whether A wishes to see or contact the Mother is irrelevant in determining whether family violence has been or is likely to be committed on A, and whether protective orders for A are necessary. Insofar as the issues relate to whether A has been unduly influenced or prevented from having contact with the Mother, the effect of contact or access between A and the Mother, and how A perceives her separation from the Mother or contact with the Mother, or A's relationship with her parents, these issues are relevant to custody or access proceedings but not to the current proceedings concerning family violence.

36 As stated above, the parties were divorced in China in 2021 and the Chinese court granted care and control of A to the Father, with access to the Mother. There are no custody or access proceedings before the Singapore courts, however access may be a live issue in the Chinese courts as the Mother has now filed an application in the Chinese courts for visitation rights or access to A. The issues for the expert to determine are therefore <u>not</u> issues relevant to the proceedings for which leave is currently sought.

37 I would also add that since the Mother has now applied for access in China and the issue of access is a live issue in the Chinese courts, she should not be attempting to obtain expert evidence in Singapore proceedings (which are unrelated to access) for the purposes of her application in China. That would be an abuse of process.

38 The Mother has stated that[21] she has "tried [my] best to collect the evidence and reach out to" A but has been "blocked at every turn"; and will "exhaust all efforts to reach" A. The Mother's concern is also that A is "being prevented from, threatened and intimidated such that she avoids contact with"[22] the Mother. This suggests that the remedy truly sought by the Mother is to resume contact or regular access with A; which is also not something the court can order in the present proceedings. Orders relating to access do not come within the court's powers under Part 7 of the Charter.

39 Having found above that the issues for the expert to determine are **not** relevant to the current proceedings, I need not go further to examine the utility of an expert assessment in this case. However, for completeness, I will elaborate on the reasons why I would not order an expert assessment, *even if* I had found that the above issues were relevant to the proceedings.

Necessity and utility of the expert assessment

40 In *XAB v. XAC,* I found that[23] (i) it should be asked whether such expert evidence is really necessary to assist the court or whether the information sought could be obtained through other means which are less intrusive to the child to be assessed; and (ii) whether the information sought by the court can only be answered by an expert. In this regard, the expert must "give an explanation which supplies the understanding of the subject which the court lacks"[24]. Simply put, if the expert is unable to elicit any useful information through the

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[21] Paragraphs 26 and 28 of the Mother's second affidavit filed on 23 Dec 2025.

[22] Paragraph 74 of the Mother's Written Submissions filed on 16 Feb 2026.

[23] [21] and [23] of *XAB v. XAC* [2025] SLR (FC) 292.

[24] *BF v. BG* [2004] SGDC 115.

examination of a child or person, whether this is elicited through the asking of questions or conducting of tests, then such an expert assessment should not be ordered.

41 The Mother submitted that[25] an assessment of A's evidence "must be informed by specialised knowledge of her low cognitive function", and that questions to her must be crafted, delivered and interpreted by an "expert trained in dealing with similar individuals". She has also submitted that an expert assessment would "materially add" to the evidence in the current proceedings. It appears that what the Mother is actually seeking is for an expert to conduct the fact-finding exercise with regard to eliciting evidence from A, i.e. the mode of A's giving evidence, and not an expert to conduct an examination of A and thereafter provide an assessment. The latter is what is contemplated by section 28 of the FJA, not the former.

42 It is not disputed that A does not have the requisite mental capacity to file an application for protective orders for herself. Parties also appeared to agree that A does not have the requisite mental capacity to give evidence in the current proceedings, as neither of them has proposed calling A as a witness. A is currently 22 years old and is a student at XXX Vocational School pursuing an ITE Skills Certificate in Food Preparation.

43 In 2014, A was diagnosed with Cognitive Impairment and Tourette's Syndrome[26]. In October 2023, the Mother brought A to a psychiatrist who examined A and concluded that she "has the mental capacity to understand and

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[25] Paragraphs 95-96 of the Mother's Written Submissions filed on 16 Feb 2026.

[26] Tab 2 of the Mother's affidavit filed on 11 Nov 2025.

make decisions"[27] relating to her wish to return to China with the Mother. In a report dated 1 October 2025 prepared by an educational psychologist at A's school[28], it is stated that A has "significant limitations in intellectual functioning when compared to age-related expectations" but she is able to engage in learning tasks appropriate to her development level and is also able to follow instructions accurately, focus on assigned tasks and adhere to established work routines.

44 According to a psychological evaluation report dated 9 December 2025[29], A learns and processes information much more slowly than most people her age, and "demonstrates significantly reduced intellectual functioning across all major cognitive domains"[30]. It was also stated in the report that[31] A's working memory and overall cognitive ability are assessed to be Very Weak, where she has significant difficulty retaining and manipulating information and global intellectual limitations.

45 While the Mother claimed that A is capable of expressing her own views[32], she has also admitted that[33] A is "mentally a child" and that "she does not fully understand questions correctly, is at times not sure what is "right" and "wrong" or goes off-topic, or does not logically interpret a situation"[34]. In the

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[27] Tab 7 of the Mother's affidavit filed on 11 Nov 2025.

[28] Tab 2, pp 63-66 of the Father's affidavit filed on 5 Nov 2025.

[29] Tab 2 of the Father's reply affidavit filed on 16 Jan 2026.

[30] Paragraph 5 of the report dated 9 Dec 2025.

[31] Paragraph 4, "Strength & Weakness Analysis", of the report dated 9 Dec 2025.

[32] Paragraph 85-86 of the Mother's Written Submissions filed on 16 Feb 2026.

[33] Paragraph 6 of the Mother's second affidavit filed on 23 Dec 2025.

[34] Paragraph 91 of the Mother's Written Submissions filed on 16 Feb 2026.

circumstances, based on A's limitations in her cognitive ability, I am of the view that there is little or no utility for an expert to examine A, and/or attempt to ascertain from A directly, information on how her cognitive impairment affects her relationships with the Father and the Mother. There is no evidence that, given A's cognitive limitations, she would be able to understand the implications of giving answers or information for the purposes of the current proceedings. Nor would A be able to understand the broader complex issues relating to alleged parental influence by the Father, as the Mother is suggesting.

46 If the purpose of the expert assessment is simply to elicit factual information from A, then there is no reason why the court, with the assistance of an in-house court family specialist, cannot also obtain the factual information sought. In this regard, it is important to distinguish between appointing an expert to conduct an examination and assessment of A, and having A give evidence for fact-finding purposes. The Mother herself admitted that[35] she did not wish to call A as a witness as this is "more likely to stress" A and "less likely to elicit an accurate understanding" of A's situation.

47 The court should also balance the utility of the expert assessment against the broader issues of the cost and delay such expert assessment would entail. This would go towards the necessity of such expert assessment. In the present case, given that the expert assessment yields little or no utility in attempting to ascertain information directly from A, there is no reason for the Mother/parties to expend significant cost in appointing an expert. Further, such an expert assessment, if ordered, would take at least 4-6 weeks to prepare and would

[35] Paragraph 83 of the Mother's Written Submissions filed on 16 Feb 2026.

significantly delay the hearing of the main SSP applications for protective orders.

48 For the reasons above, I dismiss the application for the court to appoint an expert to examine and assess A.

Alternative orders on counselling and stay sought by the Mother

49 The Mother also sought alternative orders for (i) the court to direct and/or advise parties and A to attend counselling and/or a family support programme; and (ii) the proceedings to be stayed until the advice has been complied with.

50 Pursuant to sections 139J(2)(b)-(c) of the Charter, the court may, *if it considers that doing so is in the interests of the parties and their children*, advise the parties or their children (or both) to attend counselling or a family support programme. Section 139J(4)(a) allows the court to stay the proceedings until such advice has been complied with, *if any advice under subsection (2) is not complied with*.

51 However, pursuant to section 60E of the Charter, if the court makes a protection order, the court may also make a counselling order requiring the respondent, the applicant and their children attend counseling or other programmes as directed by a protector. Section 60E(4) provides specifically that a counselling order may be made either (a) at the time of making the protection order; or (b) at any time while the protection order has effect. Therefore, it is specifically contemplated that counselling orders made in Part 7 proceedings should only be made at the time the court makes a protection order or at any time when the protection order is in effect. Making a counselling order at the present stage of proceedings, *before* the protection order proceedings have even

been heard substantively and before the making of any protection order, is premature. In this regard, I dismiss the alternative prayers for counselling or a family support programme to be ordered.

Tan Shin Yi
District Judge

Chew-Lau Xin Yan Isabel (M/s OTP Law Corporation) for the Applicant;
Low Jin Liang (M/s PKWA Law Practice LLC) for the Respondent.