

IN THE YOUTH COURT OF THE REPUBLIC OF SINGAPORE

[2026] SGYC 1

**YOUTH COURT APPEAL
YA-0001-2026-01
CASE NO. CPO 000156-2025**

Between

Father of XZM

And

Child Protector

... Appellant

... Respondent

Grounds of Decision

Father of XZM
v
Child Protector
[2026] SGYC 1

YOUTH COURT APPEAL
YA-0001-2026-01
CASE NO. CPO 000156-2025

Catchwords: *[Children and Young Persons Act] – [Care and Protection Orders]*

District Judge Wendy Yu

21 January 2026

Introduction

1. This appeal is brought by the Father, Mr B (“the Father”) of the child, XZM (“the Child”), male, born on 8 August 2025 against the interim orders made by this Court on 21 January 2026 pursuant to an application brought by the Protective Service (“PSV”), Ministry of Social and Family Development, Singapore (“MSF”) under Section 54 of the Children and Young Persons Act, Cap 38 (“CYPA”) for a care and protection order (“the Application”).
2. The orders are set out as follows:
 - (1) [The Child] is committed to a Place of Temporary Care and Protection, KK Women’s and Children’s Hospital until 28 January 2026 and thereafter committed to the care of a Fit Person, Mdm C and Mr D

or any other Fit Person as may be determined by the Director-General or a Protector, until 25 February 2026;

(2) Mdm E and Mr B to comply with the following conditions: under Section 54(8) of the CYPA:

(a) XZM's contacts with Mdm E, Mr B and any significant others to be subjected to the approval and review of the Approved Welfare Officer;

(b) Mdm E and Mr B to not do any act that will compromise the safety and well-being of XZM;

(c) Mdm E and Mr B to provide the contact details of the family and social support networks to the Approved Welfare Officer, to facilitate safety planning and care plans for XZM; and

(d) Mdm E and Mr B and significant others to discuss safety plans and caregiving arrangements with the Approved Welfare Officer to ensure the safety and well-being of XZM;

(e) The Approved Welfare Officer or any other professionals working with the family to be allowed to conduct announced/unannounced visits and/or safety checks to ensure the safety and well-being of XZM;

(3) The Director-General, a protector, or care-giver of XZM may, without the consent of the parent or guardian of XZM but under the supervision of the Court, make decisions relating to XZM in accordance with section 55.

(4) The determination by the Director-General or a protector under Section 54(1)(b) of the CYPA as to the Fit Person, XZM is committed may be varied by the Director-General or a protector (who may or may not have made the determination) during the period of XZM's committal, even though the variation may result in XZM being

committed to a different care-provider (which may be a Fit Person, a Place of Safety or Place of Temporary Care and Protection, as provided under Section 54(1)(b)(i)), if the Director-General or a protector (as the case may be) thinks that it is in the best interests of XZM to do so, under Section 54(2) of the CYPA.

(5) To enable the court to deal with the case in the best interests of the child, it is ordered that: For professionals to furnish the following information: medical, psychological, counselling and/or relevant reports regarding the child. Professionals to provide medical, psychological, counselling and/or relevant reports to Mdm E and Mr B to the Approved Welfare Officer under Section 54(14) of the CYPA.

(6) XZM and Parents to be required to undergo any counselling/psychotherapy/assessment/programme/treatment as deemed necessary by the Approved Welfare Officer, and the parents shall execute a bond of \$1,000.00 each to comply with the order under Section 60(2), in accordance with Section 60(5) of the CYPA.

(7) Mdm E and Mr B to enter into a bond of \$1000 each to exercise proper care and guardianship of XZM under Section 54(1)(a) of the CYPA.

3. At the mention on 21 January 2026, at the request of parties, I had fixed the matter for a Family Conference on 28 January 2026, for the Family Specialist to facilitate communication between parties to explore the possibility of amicable resolution for the matter. I had also fixed the matter for a further mention on 25 February 2026 for the Court to give

further directions in the event that the matter could not be resolved at the Family Conference and had to proceed for a contested hearing.

4. I will now set out the grounds for the Interim Orders.

Background

5. PSV, through the child protection officer, Ms Clara Choo Kailin (“the CPO”) took out the application in this Court on 17 November 2025 (“the intake hearing”). Both parents were acting in person at the intake hearing before District Judge Amy Tung (“DJ Tung”). PSV had stated in their Complaint that they were relying on Section 5(1)(g) and 5(2)(f) of the CYPA as their basis for the application for orders for the Child.
6. After hearing the parties, DJ Tung had called for a social report to be prepared, and fixed the matter for hearing on 9 January 2026, and in the meantime, pending the social report, made interim orders, which included the order for the Child to be committed to the care of a Place

of Temporary Care and Protection, KK Women's and Children's Hospital (“KKH”) , until the social report hearing on 9 January 2026.

Social Report Hearing on 9 January 2026

7. At the Social Report Hearing on 9 January 2026, the Father was represented by Mr Ariffin Shah while the Mother was in person. PSV was not represented.
8. PSV had, in their social report, cited Section 5(1)(d)(i) and Section 5(1)(g) read with 5(2)(f) of the CYPA as their grounds of their application that that Child was in need of care and protection.
9. PSV had, in their Social Report, made the following recommendations:
 - (i) Mdm E and Mr B to enter into a bond of \$1000 each to exercise proper care and guardianship of XZM under Section 54(1)(a) of the CYPA for a period of 12 months;
 - (ii) XZM to be committed to the care of Fit Person(s), the Ministry’s registered foster parents, or any other Fit Person as may be determined by the Director-General or a protector under Section 54(1)(b)(i)(A) of the CYPA, for a period of 12 months;
 - (iii) The Director-General, a protector or the care-giver of XZM may, without the consent of Mdm E and Mr B but under the supervision of the Youth Court, make decisions affecting XZM in accordance with Section 55, under Section 54(1)(b) of the CYPA;
 - (iv) The determination by the Director-General or a protector under Section 54(1)(b) of the CYPA as to the Fit Person, XZM is

committed may be varied by the Director-General or a protector (who may or may not have made the determination) during the period of XZM's committal, even though the variation may result in XZM being committed to a different care-provider (which may be a Fit Person, a Place of Safety or Place of Temporary Care and Protection, as provided under Section 54(1)(b)(i)), if the Director-General or a protector (as the case may be) thinks that it is in the best interests of XZM to do so, under Section 54(2) of the CYPA.

(v) Mdm E and Mr B to comply with the following conditions, under Section 54(8) of the CYPA, for a period of 12 months:

- (1) XZM's contacts with Mdm E, Mr B and any significant others to be subjected to the approval and review of the Approved Welfare Officer;
- (2) Mdm E and Mr B to not do any act that will compromise the safety and well-being of XZM;
- (3) Mdm E and Mr B to provide the contact details of the family and social support networks to the Approved Welfare Officer, to facilitate safety planning and care plans for XZM; and
- (4) Mdm E and Mr B and significant others to discuss safety plans and caregiving arrangements with the Approved Welfare Officer to ensure the safety and well-being of XZM
- (5) The Approved Welfare Officer or any other professionals working with the family to be allowed to conduct

announced/unannounced visits and/or safety checks to ensure the safety and well-being of XZM.

(vi) The Fit Person(s), the Ministry's registered foster parents, to be authorised to make decisions on the following aspects of XZM's care under Section 54(8) of the CYPA for a period of 12 months;

(a) Education matters such as enrolment in schools (i.e., infant care), participation in activities or assessments as recommended as necessary and beneficial by the school;

(b) Non-intrusive medical treatments, medical assessment, follow-ups or procedures as deemed necessary by the medical professionals (e.g., vaccinations, check-ups);

(c) Passport application and travel out of Singapore.

(vii) Professionals to provide medical, psychological, counselling and/or relevant reports of XZM and Mdm E and Mr B to the Approved Welfare Officer under Section 54(14) of the CYPA;

(viii) Mdm E and Mr B to be mandated to undergo any assessments/treatment and/or counselling/programmes as deemed necessary by the Approved Welfare Officer, under Section 60(2) (read with Section 60(4) of the CYPA; and

(ix) Mdm E and Mr B to enter into a bond of \$1,000 to comply with the aforesaid order, under Section 60(5) of the CYPA.

10. Both parents objected to the above recommendations at the Social Report hearing.

11. As the matter was to proceed on a contested route, as a matter of case management, I gave directions for the redacted social report to be served on the parents by 30 January 2026, and for affidavits to be filed and exchanged by 20 February 2026. I had also fixed the next mention on 25 February 2026 at 11.30am and stated that I was going to extend the interim orders until the next mention.

12. At the social report hearing, I had made, inter alia, orders for the Child to be committed to the Fit Persons, the Ministry's registered foster parents, namely, Mdm C and Mr D or any other Fit Person as may be determined by the Director-General or a Protector, until the next mention on 25 February 2026.

Events After Social Report Hearing on 9 January 2026

13. The Father's counsel, had written to the Court on 12 January 2026 asking for a clarification of the interim orders made on 9 January 2026, as they were under the impression that the Child was to remain at the KKH until 25 February 2026 and not to be under the care of the Fit Persons.

14. The Court then fixed a mention on 21 January 2026 for the parties to address the Court on the interim orders. At this mention on 21 January 2026, PSV was represented by Ms Grace Morgan (State Counsel), together with Mr Pesdy Tay, while the Father was represented by Mr Ariffin Shah. The Mother was self-represented. The parties had then

asked for a Family Conference to be arranged for the Court Family Specialist to facilitate communication between parties to explore the possibility of an amicable resolution. The Family Conference was fixed on 28 January 2026. PSV had informed the Court at the mention that the Child still remained at KKH since 9 January 2026.

15. After hearing the parties, I had clarified that it was not in the interest of the Child as a young infant to remain in a hospital (i.e. KKH) for an extended period of time, and so I had made the interim orders (set out at [2] above) which is essentially for the Child to be at KKH until 28 January 2026 (when the Family Conference would be held) and if there is no resolution at the Family Conference, then the Child should be cared for by the Fit Persons.

The Current Appeal

16. The current appeal is made against interim orders dated 21 January 2026. In considering whether to make the recommended interim orders, and whether there is a need for the interim orders, I had to consider two substantive issues. The first issue is whether, on a balance of probabilities, the Child is in need of care and protection under Section 5 of the CYPA. If the first issue is answered in the affirmative, then I would have to consider the second issue, which is, what are the orders that should be made in the best interest and welfare of the Child.
17. In coming to my decision, I was guided by Section 4(b) of the CYPA, which states that “in all matters relating to the administration or

application of this Act, the welfare and best interests of the child or young person must be the first and paramount consideration”.

18. I would like to refer to observations made by District Judge Eugene Tay (“DJ Tay”) in *Ministry of Social and Family Development (MSF) v GCF* [2018] SGYC 1 on interim care and protection orders made at the Complaint stage. While my current interim orders are past the Complaint stage, and post Social Report hearing, the orders remain interim in nature as the matter was to proceed for a contested hearing shortly. Parties have yet to file or exchange any affidavits and I was in a position where I only had the complaint brought by PSV and the Social Report itself, as well as parties’ oral submissions when considering the interim orders to make. DJ Tay opined at [27]:

At this point, I pause to make a comment on the passing of interim care and protection orders at the Complaint Stage. I appreciate that in child protection proceedings, there is a balance to be struck between due process and the rights of the parents versus the safety and well-being of the child. This balance can be at times be difficult to achieve, especially during the Complaint Stage, where parties would not have filed and exchanged affidavits, and the Court would often only have the complaint brought by CPS before it, as well as parties’ oral submissions in Court, when considering the appropriate interim orders (if any) to pass for the child. My own view is that at this stage of proceedings, if in doubt, I would rather err on the side of safety for the child and well-being of the child. So long as this

Court is satisfied that is a prima facie case that the child is in need of care and protection, the Court will pass interim orders that the Court thinks is in the child's best interest in order to ensure the safety and well-being of the child, pending the social report being presented to the Court.

19. I agree with DJ Tay's observations, including his views that there is a balance that the Court has to strike- between due process and the rights of the parents, versus the safety and well-being of the child. However, the best welfare and best interests of the child must be the paramount consideration of the Court.
20. In the present case, even though there was limited material before me at the Social Report stage, pending the contested hearing, when parties have yet to file and exchange their affidavits, I am satisfied that a prima facie case has been met and that the Child is in need of care and protection under Section 5(1)(g) read with 5(2)(f) of the CYPA.
21. Section 5(1)(g) of the CYPA provides that a child or young person is in need of care or protection if "the child or young person suffers or is likely to suffer from emotional harm because the child or young person has been or is subject to emotional or psychological abuse by his or her parent or guardian."
22. Section 5(2)(f) provides that, "(w)ithout limiting subsection (1)(g) the circumstances in which a child or young person may be regarded as being subject to emotional or psychological abuse by his or her parent

or guardian under that subsection include any of the following: the parent or guardian exposes the child or young person to, or places the child or young person at any risk of exposure to, any violence against a related person of the child or young person.”

23. There are significant concerns that the Child, who is a vulnerable infant, has been placed at the risk of exposure to domestic violence and intense marital conflict between his parents.
24. According to the Social Report¹, the Child was under the care of both parents until October 2025, when the family was referred to PAVE due to the parents’ marital conflict and reported incidents of family violence.
25. There were incidents of family violence between the parents, for example, during the incident on 18 September 2025², when there was a physical altercation between the parents which resulted in the police being alerted. The Child was at home with the parents when the incident occurred.
26. On 9 October 2025, PAVE referred the case to PSV citing the Father’s continued non-engagement with services, missing scheduled sessions, rejecting the proposed safety plan requiring him to move out of the matrimonial home, and demonstrating unresponsiveness to

¹ Page 4 of Social Report for hearing on 9 January 2026 (“Social Report”)

² Page 7 of Social Report

interventions following his unannounced return home on 6 October 2025³.

27. On 12 November 2025, the Court granted the parties' respective PPO applications⁴. However, that did not bring closure to their conflict. When the Mother and maternal grandmother returned home with the Child after the Court event, another physical altercation occurred. It was alleged that the Father had attempted to take the Child from his pram and the maternal grandmother had intervened by pulling the Father's hair. The Child was carried by the Father during the physical tussle between the Father and the maternal grandmother. This incident resulted in the maternal grandmother's arrest for breaching the PPO.

28. After the physical altercation between the Father and the Child's maternal grandmother, the Mother called PSV to inform about the incident⁵. In the Social Report, it was stated that PSV advised the Mother to disengage from the situation to prevent it from escalating further but the Mother refused to do so. On 13 November 2025 at 7.15am, both the Mother and the Father were arrested for breaching their respective PPOs.

29. On 13 November 2025, due to escalating tensions between the Father and the Mother, following an incident of family violence, PSV had

³ Page 8 of Social Report

⁴ Page 9 of Social Report

⁵ Page 12 of Social Report

invoked a Protector's Order, Section 11(1) under the Children and Young Person's Act ("CYPA") and socially admitted the Child to KKH.

30. Prior to PSV involvement, the Mother was supported by PAVE from 23 September 2025 to 16 October 2025⁶. It was reported that the Father and the Mother had made cross applications for Personal Protection Order ("PPO") and Domestic Exclusion Order ("DEO") against each other. On 17 November 2025, the Mother had applied for a DEO in conjunction with Stay Away Orders ("SAO") and No Contact Orders ("NCO") for herself and the Child against the Father and the paternal grandparents of the Child. An Expedited Order (EO) was granted for the Mother. It was also reported that police investigations are ongoing for both the Father and the Mother in relation to the incident that occurred on 12 November 2025.

31. Having considered all of the above, I am of the view that Section 5(1)(g), read with Section 5(2)(f) has been satisfied on a prima facie basis. The Child is in need of care and protection.

32. In PSV's application, they have also relied on Section 5(1)(d)(i) of the CYPA, which states that a child or young person is in need of care or protection if "the child or young person has been, is being or is at risk of being ill treated by his or her parent or guardian." As the allegations of ill treatment or risk of ill treatment are serious allegations and given the

⁶ Page 5 of Social Report

limited evidence before the Court, I was not satisfied that this ground has been satisfied at this stage.

What are the care and protection orders that would be in the best interest and welfare of the Child?

33. The next issue that I had to decide was, what were the care and protection orders that would be made in the best interest and welfare of the Child. In determining this issue, I had considered the recommendations of PSV. PSV had recommended for the Child to be committed to Fit Persons for the interim period, pending the contested hearing. I accepted PSV's recommendations as it was not in the interest of the Child to remain at KKH for an extended period of time. I was of the view that the Child should be in the care of foster parents, especially when the Child is still very young (at five months) and requires close attention. Child is also vulnerable as he was diagnosed with left congenital talipes equinovarus ("CTEV") (i.e. clubbed leg) at birth and medical professionals at KKH recommended the use of a leg cast until he reaches four years of age. The Child needed to be cared for in an environment away from the intense marital conflicts between his parents, at least, until they sort out their marital problems and the change the manner in which they resolve their conflicts.

34. I did consider the possibility of an arrangement of alternative caregivers, such as the Child being under the care of kinship care givers. However,

that is not a viable option as PSV did not manage⁷ to have the parents agree to a joint care plan with the identified safe caregivers from each side of the family as both parents disagreed with the proposed safe adults suggested by each other. It appears that the extended family of both parties are also involved in their marital conflict and arranging for the Child to remain in their care would still expose the Child to domestic violence.

35. As these interim orders are not final, they are passed pending the next mention, which was on 25 February 2026.

36. For the above reasons, I made the orders as stated at [2] above.

Wendy Yu
District Judge

⁷ Page 9 of Social Report