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2. Redaction HAS NOT been done.

District Judge Chiah Kok Khun
23 July 2026

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

[2026] SGDC 241

District Court Suit No 1448 of 2021
(District Court Summons No 258 of 2026)

Between

Nguyen Thuy Ha

... Plaintiff

And

Tran Thi Bich Ha

... Defendant

JUDGMENT

[Contempt of Court – Civil contempt – Plaintiff disclosing documents in course of defamation suit – Defendant posting documents on SafeChat and Facebook before trial – Whether breach of *Riddick* principle – Whether contempt of court – Whether breach intentional – Whether motive relevant – Whether custodial sentence appropriate – Section 4(1) Administration of Justice (Protection) Act 2016]

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**Nguyen Thuy Ha
v
Tran Thi Bich Ha**

[2026] SGDC 241

District Court Suit No 1448 of 2021 (District Court Summons No 258 of 2026)
District Judge Chiah Kok Khun
17 June, 1 July 2026

23 July 2026

Judgment reserved.

District Judge Chiah Kok Khun:

Introduction

1 This application arises from a breach of the *Riddick* principle. The underlying suit involved an action in defamation commenced by the plaintiff against the defendant in relation to 15 posts that the defendant published on her Facebook account between 1 March 2021 to 4 June 2021. Both parties are Vietnamese nationals. The plaintiff currently lives in Singapore, whilst the defendant resides in Vietnam. The underlying suit was tried before me from 5-7 January 2026 (the “Trial”), and on 11 March 2026 I dismissed the plaintiff’s claim: see *Nguyen Thuy Ha v Tran Thi Bich Ha & Jarta (S) Pte Ltd & Anor v Tran Thi Bich Ha* [2026] SGDC 84.

2 In the course of the underlying suit, the defendant successfully made an application for specific discovery for all correspondence, emails, letters messages sent on instant message platforms, notes of telephone calls, notes, memoranda, and copies thereof between a Mr Nguyen Hai (“Hai”) and the plaintiff for the period of December 2020 – March 2021.¹

3 To comply with the disclosure order, the plaintiff disclosed the following documents in the plaintiff’s 2nd supplemental list of documents on 17 March 2025:²

(a) Screenshots of short message service correspondence between Hai and the plaintiff dated 11 January 2021 (the “SMS Correspondence”); and

(b) The transcript of WhatsApp chat history between Hai and the plaintiff in the period from 11 January 2021 to 31 March 2021 (the “WA Correspondence”).

4 The defendant subsequently posted the WA Correspondence on her SafeChat and Facebook pages, in the period from 24 October 2025 to 11 December 2025. The defendant’s posting of the WA Correspondence is the subject matter of the present application before me. The claimant contends that the defendant has breached her *Riddick* undertaking to the court in respect of the WA correspondence. The claimant filed the present application for a committal order to be issued against the defendant for the breach.

¹ Plaintiff’s 16th Affidavit (“16NTH”) at [9] and Tab 1.

² 16NTH at [17] and Tab 5.

5 The defendant's contention is the defendant did not intend to breach her *Riddick* undertaking or disrespect the court's authority. The defendant contends that even if the defendant is found to have breached her *Riddick* undertaking, the orders sought by the plaintiff are disproportionate and unwarranted because insofar as the court finds that the defendant had breached her *Riddick* undertaking such breach was not deliberate. The defendant also contends that the plaintiff suffered no prejudice, given that only partially cut-off extracts of the WA Correspondence were posted, and the WA Correspondence was used in open court during the Trial not long after the postings. The defendant further contends that the defendant has entirely purged any contempt as all images of the WA Correspondence were removed from the social media by 27 February 2026, shortly after she was notified of the plaintiff's present application.

6 For the reasons set out below, I am allowing the plaintiff's application.

Issues to be determined

7 The issues to be decided by me in this application are as follows:

- (a) Whether the defendant breached her *Riddick* undertaking.
- (b) Whether the defendant's breach of her *Riddick* undertaking was intentional.
- (c) Whether the defendant's breach amounted to a contempt of court.

Analysis and findings

The legal principles

8 The starting place in the analysis of this application would be the statutory provisions found in the Administration of Justice (Protection) Act 2016 (“AJPA”).

9 Section 4(1) of the AJPA provides as follows:

Contempt by disobedience of court order or undertaking, etc.

4. –(1) Any person who –

(a) intentionally disobeys or breaches any judgment, decree, direction, order, writ or other process of a court;
or

(b) intentionally breaches any undertaking given to a court,

commits a contempt of court.

...

10 It is seen that s 4(1) of the AJPA provides that any person who intentionally disobeys or breaches any judgment, decree, direction, order, writ or other process of a court commits a contempt of court. In other words, contempt of court is committed if there is intentional disobedience or breach of a judgment or order of court.

11 Section 21 of the AJPA should also be noted. It reads as follows

Honest and reasonable mistake

21. A person is not guilty of contempt of court under section 4(1), (2) or (3) if the person satisfies the court that the failure or refusal to comply with a judgment, order, decree, direction, writ or other process of court or any undertaking given to a court was wholly or substantially attributable to an honest and reasonable failure by that person, at the relevant

time, to understand an obligation imposed on the person bound by the judgment, order, decree, direction, writ, process or undertaking and that that person ought fairly to be excused.

12 As seen, if it can be shown that the person’s failure to comply with the order was wholly or substantially attributable to an honest and reasonable failure to understand the obligation imposed by the order, that person ought fairly to be excused, and he will not be guilty of contempt.

13 It is also well established that to show that there has been a contempt of court, the complainant will need to show that in committing the act complained of or in omitting to comply with an order of court, the alleged contemnor had the necessary mental element. In the case of *PT Sandipala Arthaputra v STMicroelectronics Asia Pacific Pte Ltd and others* [2018] 4 SLR 828 (“*PT Sandipala*”) at [46], the High court set out a two-step approach to determine whether contempt has been committed:³

46 ... The court will, in determining whether the alleged contemnor’s conduct amounts to contempt of court, adopt a two-step approach (*Monex Group (Singapore) Pte Ltd v E-Clearing (Singapore) Pte Ltd* [2012] 4 SLR 1169 (“*Monex Group*”) at [31]:

(a) First, the court will decide what exactly the order of court required the alleged contemnor to do. In determining what the order of court required, the court will interpret the plain meaning of the language used. It will resolve any ambiguity in favour of the person who had to comply with the order.

(b) Second, the court will determine whether the requirements of the order of court have been fulfilled: *Monex Group* at [31]; *STX Corp* at [12] and [13]). To establish that there has been a contempt of court, the complainant will need to show that in committing the

³ I have in previous judgments the occasion to discuss the legal principles relating to contempt: see *BCH Hotel Investment Pte Ltd Trading as Intercontinental Singapore v Semtec Holdings Pte Ltd & anor* [2025] SGDC 195; *Cairnhill Law LLC v Royal's Engineering & Trading (S) Pte Ltd* [2026] SGDC 113; *Cairnhill Law LLC v Royal's Sanitary & Plumbing Pte Ltd* [2026] SGMC 67.

act complained of or omitting to comply with an order of court, the alleged contemnor had the necessary *mens rea*.

47 The threshold to establish the necessary *mens rea* for a finding of contempt of court is a low one: *STX Corpat* [8]; *Tan Beow Hiong v Tan Boon Aik* [2010] 4 SLR 870 (“*Tan Beow Hiong*”) at [47]. It is only necessary for the complainant to show that the relevant conduct of the party alleged to be in breach of the order was intentional and that it knew of all the facts which made such conduct a breach of the order. This includes knowledge of the existence of the order and its material terms: *Mok Kah Hong v Zheng Zhuan Yao Groupat* 2016] 3 SLR 1 (“*Mok Kah Hong*”) at [86]; *Monex Group* at [30]; *Pertamina Energy* at [51]; *Tan Beow Hiong* at [47].

48 To this end, it is not necessary for the complainant to show that the alleged contemnor appreciated that he was breaching the order. The motive or intention of the alleged contemnor and his reasons for disobedience are irrelevant to the issue of liability, and are relevant only to the question of mitigation. The liability is strict in the sense that all that is required to be proved is service of the order and the subsequent omission by the party to comply with the order: *STX Corp* at [8] and [9]; *Mok Kah Hong* at [86]; *Pertamina* at [51] and [53]–[62]; *Tan Beow Hiong* at [47].

14 It is seen that not all failures to comply with court orders are deemed contemptuous. Whilst it is not necessary for the complainant to show that the alleged contemnor appreciated that he was breaching the order, the failure of the contemnor to comply with the court order in question must be intentional. The requisite *mens rea* for contempt must be proven. The Court of Appeal provided valuable guidance as regards what the requisite *mens rea* might look like. In *Mok Kah Hong v Zheng Zhuan Yao* [2016] 3 SLR 1 (“*Mok Kah Hong*”) at [86], the court of Appeal stated:

86 Secondly, as regards the issue of the requisite *mens rea* to establish contempt for disobedience of court orders, it is accepted that it is only necessary to prove that the relevant conduct of the party alleged to be in breach of the court order was *intentional* and that it knew of all the facts which made

such conduct a breach of the order: *Pertamina Energy Trading Ltd* at [51]. ...

[emphasis added]

15 Therefore, the breach by the alleged contemnor must be *intentional*. It should also be noted that the applicable standard of proof is that of the criminal standard of proof beyond reasonable doubt: The Court of Appeal stated in *Mok Kah Hong* at [85]:

85 First, it is well-established that the applicable standard of proof to both criminal and civil contempt is that of the criminal standard of proof beyond reasonable doubt: *Pertamina Energy Trading Ltd v Karaha Bodas Co LLC and others* [2007] 2 SLR(R) 518 (“*Pertamina Energy Trading Ltd*”) at [31]–[32], citing *In re Bramblevale Ltd* [1970] Ch 128 at 137.

16 I turn next to the applicable law on the *Riddick* principle. The legal principles relating to the *Riddick* undertaking are uncontroverted. A party who discloses a document in discovery in an action under compulsion is entitled to the protection of the court against use of the document otherwise than in that action. In *ED&F Man Capital Markets Ltd v Straits (Singapore) Pte Ltd* [2020] 2 SLR 695 (“*ED&F Man Capital Markets*”) the Court of Appeal held as follows at [66]:

66 The *Riddick* principle states that a party who discloses a document in discovery in an action under compulsion is entitled to the protection of the court against any use of the document otherwise than in that action (*Hong Lam Marine Pte Ltd and another v Koh Chye Heng* [1998] 3 SLR(R) 526 (“*Hong Lam Marine*”) at [14]; *Beckkett Pte Ltd v Deutsche Bank AG* [2005] 3 SLR(R) 555 at [14]). The principle derives its name from the decision of the English Court of Appeal in *Riddick v Thames Board Mills Ltd* [1977] QB881 (“*Riddick*”). In articulating the rationale for the principle, Lord Denning MR observed that the court was balancing the public interest in discovering the truth and maintaining the disclosing party’s privacy and confidentiality (at 895–896):

The reason for compelling discovery of documents in this way lies in the public interest in discovering the truth so that justice may be done between the parties.

... The balance comes down in the ordinary way in favour of the public interest of discovering the truth, i.e., in making full disclosure. ...

I proceed to hold the balance in the present case. On the one hand discovery has been had in the first action. It enabled that action to be disposed of. The public interest there has served its purpose. Should it go further so as to enable the memorandum of April 16, 1969, to be used for this libel action? I think not. The memorandum was obtained by compulsion. Compulsion is an invasion of a private right to keep one's documents to oneself. The public interest in privacy and confidence demands that this compulsion should not be pressed further than the course of justice requires. The courts should, therefore, not allow the other party — or anyone else — to use the documents for any ulterior or alien purpose. Otherwise the courts themselves would be doing injustice.

17 As seen, the *Riddick* principle is an implied undertaking. It disallows the use of the protected documents otherwise than in that action. The *Riddick* principle applies only to documents disclosed under compulsion of court process, whether by virtue of the enforcement of the rules of the court or by a specific court order. It is not engaged simply because information has been disclosed in the course of court proceedings. The critical factor is the element of compulsion that accompanies the disclosure. The implied undertaking does not apply to documents voluntarily disclosed in legal proceedings.

18 It should be noted that the *Riddick* undertaking is an obligation owed to court and not just to the party who was compelled to make disclosure and is an obligation which only the court can modify. Consequently, it has been held that a breach of the *Riddick* undertaking is a contempt of court, and punishable accordingly: *Pertamina Energy Trading Ltd v Karaha Bodas Co LLC* [2007] 2 SLR(R) 518 (“*Pertamina Energy Trading*”) at [38].

The defendant had breached her Riddick undertaking

19 With the above legal principles in mind, I turn to the present case. As alluded to above, the defendant filed an application for disclosure by the plaintiff of all correspondence between the plaintiff and Hai from December 2020 to March 2021, on the basis that they were relevant and necessary for the defendant’s defence of justification. The application was granted by the learned deputy registrar on 18 December 2024.⁴ Following unsuccessful appeals to the district judge in chambers and subsequently the General Division of the High Court, the plaintiff filed her 2nd supplemental list of documents on 17 March 2025, disclosing the WA Correspondence.⁵

20 It is undisputed that thereafter, from 24 October 2025 to 11 December 2025, the defendant posted images of extracts taken from the WA Correspondence on her SafeChat page on six instances (the “Offending SafeChat Posts”).⁶ The defendant also posted images of extracts taken from the WA Correspondence on her Facebook page on 63 instances from 16 October 2025 to 19 December 2025 (the “Offending Facebook Posts”).⁷

21 I note at the outset that it is not disputed the documents disclosed in the plaintiff’s 2nd supplemental list of documents on 17 March 2025, including the WA Correspondence, were subject to her *Riddick* undertaking at the material time. The plaintiff pointed out that the defendant would be aware of her obligations under her *Riddick* undertaking in view of the exchange of correspondence between the parties’ solicitors in regard to two other occasions

⁴ 16NTH at [9]-[12].

⁵ 16NTH at [17]-[18].

⁶ 16NTH at [33] – [38].

⁷ 16NTH at [39] – [103].

where the defendant posted images of extracts taken from the WA Correspondence. In these other occasions, which are not the subject matter of the application before me, the defendant used the WA Correspondence in the following manner:

- (a) sending two emails to third parties on 6 May 2025 (the “6 May Emails”) which referred to and contained excerpts of the WA Correspondence; and
- (b) posting on SafeChat on 23 April 2025 references to the WA Correspondence (the “23 April SafeChat Post”).

22 On 16 May 2025, the plaintiff’s solicitors wrote to the defendant’s solicitors regarding the defendant referring to the WA Correspondence on the above two occasions.⁸ Upon receiving the plaintiff’s solicitor’s letter, the defendant removed all references to the WA Correspondence from the 23 April SafeChat Post.⁹ In a letter from the defendant’s solicitors to the plaintiff’s solicitors dated 21 May 2025, it was stated that the defendant:¹⁰

[confirmed] that she will abide by her undertaking owed to court not to disclose and/or use any of the documents disclosed by [the plaintiff] in DC 1448 for any purpose other than conducting her case in DC 1448, save as permitted by court.

23 I agree therefore with the plaintiff that the defendant was indeed aware of her obligations under the *Riddick* principle. In any event, I note that whether the defendant was aware of the Riddick principle is neither here nor there. This is because not only is the undertaking to the court under the *Riddick* principle

⁸ 16NTH, exhibit “NTH-13, Tab 9”.

⁹ 16NTH, exhibit “NTH-13, Tab 9”.

¹⁰ 16NTH exhibit “NTH-13, Tab 9”.

implied, but it is also in the nature of a legal obligation. In other words, the undertaking arises by operation of law by virtue of the circumstances under which the documents are obtained. Therefore, by obtaining the WA Correspondence through a disclosure order, the defendant is obliged as a matter of law not to use them otherwise than in the underlying suit. I also agree with the plaintiff that the *Riddick* principle applies with greater force where there is an order for specific discovery or production of specific documents because the element of compulsion is direct and targeted.

24 It follows from the above that in view of the defendant posting images of extracts taken from the WA Correspondence on her SafeChat page from 24 October 2025 to 11 December 2025¹¹ and on her Facebook page from 16 October 2025 to 19 December 2025,¹² she has breached her *Riddick* undertaking.

The defendant’s breach of her Riddick undertaking amounted to contempt of court

25 I turn next to the question of whether the defendant’s breach of her *Riddick* undertaking amounted to contempt of court.

26 In this regard, the defendant explains the reason behind her posting extracts taken from the WA Correspondence on her SafeChat and Facebook pages. She says it started with the plaintiff filing her affidavit of evidence in chief (the “AEIC”) in the underlying suit on 3 September 2025. In the AEIC the plaintiff stated that she had two biological children and one adopted child (her

¹¹ 16NTH at [33] – [38].

¹² 16NTH at [39] – [103].

brother’s biological daughter).¹³ Subsequently on 13 October 2025, the defendant received a Facebook message from one Mr Nguyen Minh Hung (“Minh Hung”), requesting that the defendant remove a photo of him and the plaintiff from one of the defendant’s earlier Facebook posts. After receiving this message and upon viewing Minh Hung’s Facebook account (which featured photos of him and his two sons), the defendant came to believe that: (a) Minh Hung was the plaintiff’s ex-husband; and (b) the plaintiff had two sons with Minh Hung, in addition to the three children mentioned in the AEIC.¹⁴

27 The defendant perceived that the plaintiff had not been truthful in the AEIC and the WA Correspondence regarding the number of children she had. The defendant says she was concerned that the lie would remain unexposed. As such, in the period from 16 October 2025 to 19 December 2025, the defendant decided to post the WA Correspondence to expose what she deemed to be the plaintiff’s lie.¹⁵ She explains that she did not then think about the implications of posting the WA Correspondence, and whether her *Riddick* undertaking applied to the WA Correspondence. As she explains it, she had forgotten about her *Riddick* undertaking in the heat of the moment. It was not her intention to deliberately breach her *Riddick* undertaking in posting the WA Correspondence on her SafeChat and Facebook pages.¹⁶ The defendant also pointed out that she did not post the entire WA Correspondence. She only posted partly cut-off images of extracts, without any added comments.¹⁷

¹³ 15th affidavit of defendant (“15TTBH”) at [7].

¹⁴ 15TTBH at [8].

¹⁵ 5TTBH at [9].

¹⁶ 14TTBH at [19].

¹⁷ 4TTBH at [20(1)].

28 The defendant further pointed to her taking swift steps to purge the alleged contempt of court by removing all images of the WA Correspondence from her SafeChat Posts and Facebook pages when she was served with the present application. Her solicitors also informed the defendant's solicitors of the removal of the postings.¹⁸

29 As discussed above, not all failures to comply with court orders are deemed contemptuous. The failure of the contemnor to comply with the court order in question must be intentional. At the same time, it is not necessary for the complainant to show that the alleged contemnor appreciated that he was breaching the order. What is required to be shown is that the contemnor possessed the requisite *mens rea* for contempt. In the present case, whether the defendant's breach of her *Riddick* undertaking amounted to contempt of court turns therefore on the question of her intention. The breach by the defendant must be shown to be intentional. As discussed above, the applicable standard of proof is that of the criminal standard of proof beyond reasonable doubt.

30 In my view, I note firstly that the defendant could not contend that the failure to comply with the *Riddick* undertaking was wholly or substantially attributable to an honest and reasonable failure to understand the obligation imposed by the undertaking. As alluded to above, the defendant was aware of her obligations under the *Riddick* principle. Second, as regards the defendant's reasons for posting the WA Correspondence, I note her contention that her sole motivation in doing so was to expose what she perceived to be untruths in the plaintiff's AEIC regarding the plaintiff's children. She formed her perception after receiving the Facebook message from Minh Hung on 13 Oct 2025. She contends that at no point did she deliberately breach her *Riddick* undertaking or

¹⁸ 14TTBH at [21].

post with the knowledge that doing so would constitute a breach. However, whilst that might be so, it does not follow that the breach was not intentional. As discussed above, it is not necessary for the plaintiff to show that the defendant appreciated that she was breaching the order. The motive of the defendant and her reasons for disobedience are also irrelevant to the issue of liability, and are relevant only to the question of mitigation: *PT Sandipala* at [48].

31 The fact remains that the posting of the WA Correspondence was clearly not unintentional. The defendant had intentionally posted the WA Correspondence for the reasons she offered. She has done so despite been aware of her obligations under the *Riddick* undertaking. With that being the case, it is beyond a reasonable doubt her conduct in so doing would properly be deemed contumelious. The defendant’s breach of her undertaking in the circumstances amounted to contempt of court.

32 I turn next to the matter of sentencing. In this regard I would refer to the case of *Tay Kar Oon v Tahir* [2017] 2 SLR 342 (“*Tay Kar Oon*”). The Court of Appeal’s approach in considering the appropriate sentence in a case where contempt was made out is instructive. The Court of Appeal stated as follows at [55]:

55 In *Mok Kah Hong* ([29] *supra*), this court referred (at [104]) to the decision of Lawrence Collins J in *Crystal Mews Ltd v Metterick* [2006] EWHC 3087 (Ch), where Collins J identified (at [13]) a number of factors which would be relevant to the issue of sentencing. These factors included (a) whether the applicant had been prejudiced by virtue of the contempt and whether the contempt was capable of remedy; (b) the extent to which the contemnor acted under pressure; (c) whether the breach of the order was deliberate or unintentional; (d) the degree of culpability; (e) whether the contemnor had been placed in breach of the order by reason of the conduct of others; (f) whether the contemnor appreciated the seriousness of the deliberate breach; and (g) whether the contemnor had co-

operated. Although these factors are not exhaustive, they provide a useful framework for analysis.

33 It is seen that in deciding on the appropriate sentence for civil contempt, the Court of Appeal considered the following factors as framework for analysis:

- (a) Whether the applicant had been prejudiced by virtue of the contempt and whether the contempt was capable of remedy.
- (b) The extent to which the contemnor acted under pressure.
- (c) Whether the breach of the order was deliberate or unintentional.
- (d) The degree of culpability.
- (e) Whether the contemnor had been placed in breach of the order by reason of the conduct of others.
- (f) Whether the contemnor appreciated the seriousness of the deliberate breach.
- (g) Whether the contemnor had co-operated.

34 In *Tay Kar Oon* the Court of Appeal in sentencing considered the above factors and found them in favour of the contemnor. The Court of Appeal held that the contemnor there had substantially purged her contempt by complying with the various orders and directions in question (at [57]). The Court of Appeal also made the distinction between the purposes of punishment and coercion in sentencing. The Court of Appeal held that in the case of a one-off breach that cannot be remedied, punishment is the only focus. In the case of a continuing breach, the focus is on both punishment and coercion (*Tay Kar Oon* at [56]–[57]).

35 As for the question of when a custodial sentence might be appropriate, in *SpaceSATS Pte Ltd v Chan Chia Sern and others* [2023] SGHC 40 at [103] and [105], the High Court noted that a term of imprisonment is only warranted where:

- (a) substantial prejudice is caused which cannot be remedied by costs;
- (b) the contemnor has engaged in a continuing, deliberate and persistent course of conduct;
- (c) the contemnor-+ has failed to resolve the situation and continues to remain uncooperative;
- (d) there is egregious behaviour and motive; and/or
- (e) the conduct evinces a flagrant disregard for the court's authority.

36 It is also held in *Lee Shieh-Peen Clement v Ho Chin Nguang* [2010] 4 SLR 801 at [49] that imprisonment is generally said to be a measure of last resort.

37 In the present case, I note that the defendant when served with the present application on 6 February 2026, swiftly purged the alleged contempt by removing all images of the WA Correspondence from her Facebook page (by 8 February 2026) and her SafeChat page (by 27 February 2026). To the extent that the defendant says this demonstrates her acknowledgement of the court's authority, I agree. I also agree with the defendant that in considering the appropriate sentence, it is relevant to consider whether steps have been taken since the breach to purge the contempt: *PT Sandipala* at [77]. I recognise that the defendant has taken steps to purge her contempt by removing the posts.

Given that she has taken down the posts, the focus of sentencing would be confined to punishment and not coercion. The need for specific deterrence in this application is low.

38 As for prejudice suffered by the claimant, I agree with the defendant that any prejudice suffered by the plaintiff is limited. First, not the complete WA Correspondence but only portions of it were posted. Second, not long after the WA Correspondence was posted (the final post was made on 19 December 2025), the trial of the underlying suit took place from 5-7 January 2026, during which the WA Correspondence was referred to. It is not disputed that the *Riddick* principle ceases to apply once a document is used in open court: see *Foo Jong Long Dennis v Ang Yee Lim and another* [2015] SGHC 23 at [54]-[60]. There was thus only a short period between the posts and when the *Riddick* undertaking ceased to apply. Third, I note that the plaintiff has not detailed the harm or prejudice she has suffered as a result of the defendant posting the WA Correspondence in this period.

39 The penalty under s 12(1)(b) of the Act applicable for contempt in relation to proceedings under the State Courts is a fine not exceeding \$20,000.00 and/or imprisonment for a term not exceeding 12 months. In the light of all of the foregoing, a custodial sentence is not called for. The appropriate sentence in my view would be a fine of \$3,000.

Conclusion

40 The defendant's breach of her *Riddick* undertaking amounted to contempt of court. The appropriate sentence in the circumstances of the breach would be a fine of \$3,000.

41 As for costs, there is no reason for costs not to follow the event in this case. The defendant is to pay the costs of these proceedings. The range of costs prescribed in Appendix H of the State Court Practice Directions 2021 (“PD”) for applications for a committal order is \$1,000 to \$3,000. For the application for permission to file committal proceedings, the applicable range provided in the PD would be that for an uncontested hearing, which is \$200 to \$1,000. After considering the work done in these proceedings, the issues involved, and the respective submissions on costs, I fix the costs of the committal proceedings at \$2,500 plus disbursements in the sum of \$448.34; and the costs of the application for permission at \$1,000 plus disbursements in the sum of \$1,573.20.

Chiah Kok Khun
District Judge

Phoon Wuei (TSMP Law Corporation) for the plaintiff;
Wong Soon Peng Adrian, Ang Leong Hao (Hong Lianghao) and
Mark Tang Yu Zhong (Rajah & Tann Singapore LLP) for the
defendant.