

IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE

[2026] SGFC 101

FC/OAD 4592 of 2025

HCF/RAS 13 of 2026

Between

XXQ

... Applicant

And

XXR

... Respondent

JUDGMENT / GROUNDS OF DECISION

[Family Law – Custody – Interim Access – Overnight and Overseas Access]

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**XXQ
v
XXR**

[2026] SGFC 101

Family Court — FC/OAD 4592 of 2025 (Summons No 1455 of 2026)
District Judge Kenneth Yap
12 June 2026

27 July 2026

District Judge Kenneth Yap:

1 This is an appeal against an interim order for access made on 12 June 2026 (in FC/SUM 1455/2026) directing the Mother to release the child's passport to the Father by 18 June 2026 to facilitate overseas access during the June 2026 holidays. The Mother appealed against this order on 15 June 2026, and simultaneously applied for a stay of execution, which was granted so as not to render her appeal nugatory. The Father therefore had no choice but to cancel his plans for holiday access in June 2026 at the eleventh hour.

The Facts***The parties***

2 The Father and Mother are both 36 years of age and Singaporean citizens. Both have extended family in China. They were married in Singapore on 20 June 2016, and have a seven-year-old male child, born on March 2019.

3 The parties filed for divorce by mutual agreement on 5 September 2025, and were granted interim judgment on 21 October 2025. The Father moved out of the matrimonial home on 12 December 2025, following a series of disagreements with his mother-in-law, who resides with the family in Singapore.

Orders made in FC/SUM 3000/2025

4 On 8 December 2025, the Father filed FC/SUM 3000/2025 for interim access to the child. The parties underwent mediation and eventually agreed to short access windows for the Father on Fridays from 4 to 7 pm and Sundays on 2 to 7 pm. However, any form of overnight or overseas access was refused by the Mother, on account of the child allegedly being on the autistic spectrum and having experienced anxiety issues since the commencement of primary school. The Father rejected any assertion that the child was on the autistic spectrum, and was aggrieved that the Mother had taken the child on multiple holidays since his departure from the household, while he was denied the opportunity to bring the child to see his paternal grandparents in China.

5 The matter was sent to me as the docket judge for case conference on 1 April 2026. In order to test the waters on the viability of overnight access, I

directed that there be one trial session of overnight access with the Father before the hearing of FC/SUM 3000/2025 fixed for 17 April 2026. This was to be achieved by an extension of the next Friday afternoon access on 3 April 2026 (from 4 to 7 pm) to Saturday 9 am. As that Friday in question was a public holiday, it would have presented lesser disruption to the child's normal routine and afforded the child more time to acclimatise to the trial overnight access. I also directed that the child should have access via mobile phone to the Mother at all times during the overnight access, and that should it be the wish of the child, the Mother may terminate the session of access and bring the child home.

6 The Mother however informed the Father on 2 April 2026 that she would not be complying with these directions. I therefore heard parties' arguments for FC/SUM 3000/2025 on 17 April 2026 without the benefit of a trial session of overnight access. At this hearing, the following orders for overnight access were made *vide* FC/ORC 1756/2026:

(a) With effect from 17 April 2026, the Father shall have contact with the child from Fridays 1 pm until Saturdays 9 am (including overnight), and Sundays from 2 pm to 7 pm. With effect from 17 April 2026, the Father shall have contact with the child from Fridays 1 pm until Saturdays 9 am (including overnight), and Sundays from 2 pm to 7 pm. The Father shall pick up the child from K School and return the child at Dakota MRT station;

(b) With effect from 2 July 2026, the Father shall have contact with the child from Thursdays 6 pm until Saturdays 9 am (including overnights), and Sundays from 2 pm to 7 pm. The Father shall pick up the child from after-school care and return the child at Dakota MRT station; and

(c) The above orders are interim in nature, and would be subject to review at a further hearing fixed on 4 May 2026 at 2.30 pm, where the Father's overnight and overseas access to the child for the period from 14 to 27 June 2026 shall be considered and determined.

7 At the review hearing on 4 May 2026, counsel reported that three sessions of overnight access had proceeded fairly uneventfully. By this hearing, the Mother had relented to granting the Father contiguous access over the latter half of the June holidays. However, she still objected to overseas access with the Father during the June holidays, even though she herself planned to take the child on a trip to China for about two weeks. The Father's request was for a shorter one-week travel to China from 20 to 26 June to allow the child to visit his paternal grandparents.

8 At the 4 May 2026 hearing, I expanded the Father's access to include a longer period of overnight access for the Father in the June 2026 holidays, as well as equal overseas access between Mother and Father in this same period, *vide* FC/ORC 2313/2026:

(a) Both Parties shall have overseas access with the child during his mid-year school holidays from 30 May 2026 to 28 June 2026. Further to FC/ORC 1756/2026, the Father shall have overseas and overnight access to the child during his share of the child's mid-year school holidays, from 14 to 27 June 2026;

(b) The Father shall be at liberty to travel overseas with the child for a period of no less than the duration that the Mother travels with the child, during each party's respective share of the mid-year school holidays;

- (c) The Mother shall inform the Father, by no later than 15 May 2026, her travel dates for the child's mid-year school holidays;
- (d) A review hearing was fixed for 15 July 2026 to monitor and/or review the care and control arrangements of the child; and
- (e) The Respondent's request by correspondence dated 27 April 2026 to defer the expanded overseas and overnight access pending a formal application for review by a Child Expert was refused.

9 The Mother subsequently sought to appeal against the June holiday access orders made on 4 May 2026, but was out of time to do so and has since applied for an extension of time to appeal. This was initially done by way of HC/OA 619/2026 (“OA 619”). OA 619 was however withdrawn with costs of S\$500 to be paid by the Mother to Father as the application was erroneously filed in the General Division as opposed to the Family Division of the High Court. The Mother has since re-filed an application for an extension of time to appeal against the Orders made on 4 May 2026 in HCF/OAX 10/2026. This application is pending a hearing date.

Orders made in FC/SUM 1455/2026

10 In the meantime, the Mother had refused to handover the child’s passport to the Father to make preparations for his overseas access during the June 2026 holidays. Accordingly, on 5 June 2026, the Father filed FC/SUM 1455/2026 to effect the handover of the child and his passport during the 2026 June holidays. I heard the parties on an urgent basis on 12 June 2026, and as the handover of the child and passport were consequential to the orders made on 4 May 2026, I directed that the Mother hand over the child on 15 June 2026 at 9

am to the Father, and to hand over the passport at the Father's solicitors' office address by 18 June 2026 at 6 pm.

11 On 15 June 2026, the Mother appealed against my orders in FC/SUM 1455/2026 on 12 June 2026. She also filed for a stay of execution pending appeal in FC/SUM 1535/2026, which I was compelled to grant as to do otherwise would render her appeal nugatory.

12 As the appeals against the orders made in FC/SUM 3000/2025 on 4 May 2026 (ordering overnight and overseas access) and my consequential directions in FC/SUM 1455/2026 on 12 June 2026 to handover the child and passport are inter-related, I will present the parties' cases and my grounds for both decisions together. This will obviate the need for a separate set of grounds should the Mother be granted an extension of time to proceed with her appeal against the 4 May 2026 decision in FC/SUM 3000/2025.

13 I would add that no order of costs was made at the hearings of 4 May 2026 and 12 June 2026.

The parties' cases in FC/SUM 3000/2025 and FC/SUM 1455/2026

FC/SUM 3000/2025

14 The Applicant filed FC/SUM 3000/2025 on 8 December 2025 requesting:

- (a) Joint custody and shared care and control of the child.
- (b) Overnight access on Saturdays from 6 pm to drop off at school on Tuesday mornings.

- (c) Access for one weeknight dinner every Thursday.
- (d) Access for latter half of mid-year and end-year holidays.
- (e) The Father to have access for the entirety of March holidays and the Mother to have access for the entirety of September holidays, with effect from March 2026.
- (f) On even years, the Father to have access from eve of Chinese New Year (“CNY”) (from after school) until 7 pm on CNY day 1. On odd years, Father to have access on CNY day 2 from 9 am to 7 pm.
- (g) Subject to the child’s academic commitments, the Father shall have liberal overseas access with the child, with one month’s advance notice of travel dates, accommodation, itinerary and contact details, should overseas travel be for more than two overnights. The Mother was to hand over child’s passport to Father at least 7 days prior to overseas travel.

15 Following an escalation of tensions with his mother-in-law, the Father left the matrimonial home on 12 December 2025 and did not have any contact with the child for the rest of the month. In January 2026, the Father saw the child briefly on his first day at primary school on 2 January 2026. After the first Therapeutic Justice Cooperative Conference held on 22 January 2026, the Applicant was allowed contact with the child on 25 January 2026 and 30 January 2026 for a few hours each session.

16 In February 2026, the Father had access to the child weekly on Fridays from 4 pm to 7 pm, and on Sundays from 2 pm to 7 pm. For Chinese New Year,

the Applicant had contact with the child on 17 February 2026 from 9 am to 7 pm.

17 In March 2026, the Father's contact with the child remained weekly on Fridays 4 pm to 7 pm, and Sunday 2 pm to 7 pm, with no separate accommodation afforded to the Father during the March school holidays and the Hari Raya Puasa public holiday.

18 The Father acknowledged that any step up in access could be transitioned into gradually to allow the child time to adjust and to monitor the impact on the child. However, the Father was deeply dissatisfied with the lack of overnight and overseas access since December 2025, and attributes the delay in re-establishing quality and substantial contact with the child solely to the Mother. The Father emphasised that he was a hands-on and involved parent, and had always had a close and loving relationship with the child prior to leaving the matrimonial home, and that there was no evidence of the child rejecting him or refusing to have contact time with him. He pointed out that the parties had essentially split co-sleeping with the child in the earlier years, with the Father caring for the child from birth to mid-2023 and the Mother doing so thereafter.¹ In his view, after factoring in travel time and mealtimes, the eight hours of contact time he had with the child in a week over two sessions limited the activities that could be enjoyed and meant that father-son bonding time was minimal. The Father also points out that his proposal for access would not interrupt the child's school attendance, and that he was well equipped to assist the child with homework and revision. Being musically trained, he could also guide the child in his piano practice, which was an important extra-curricular activity to the child. The Father emphasised that having both parents continue

¹ Father's Written Submissions dated 14 April 2026, at [45].

to play an active part in the child's life would enable him to have a well-balanced and happy childhood.

19 The Mother's primary contention was that an escalation to overnight and overseas access was premature and contrary to the child's best interests, given that the child had just entered primary school, and was experiencing emotional fallout from the divorce proceedings initiated since September 2025.

20 With respect to the impact of transition to primary school, the Mother argued this was not merely an academic change but a total shift in social environment and routine. Given the child's neuro-developmental profile, she viewed that he required predictability in his routine, and the stability of his "safe base" at the Mother's home was essential for his school performance and emotional regulation. She pointed out that while the child was able to participate in a mainstream primary school environment, it did not remove his underlying special needs or his continued reliance on structured support, routine and consistent caregiving.

21 The Mother was therefore concerned that to grant the Father anything other than short windows of access within the week would give rise to separation anxiety and emotional dysregulation on the part of the child, given his sensitive state in the midst of adjusting to primary school education. Instead, the Mother suggested a phased and incremental expansion of access. She felt this to be critical as the child was seven years of age and in his first year of primary school, and his need for security and stability was at its peak.²

² Mother's Submissions dated 14 April 2026, at [25].

22 With regard to the child’s developmental needs, the Mother pointed out in her affidavit that the child had been receiving autistic intervention support at the Applied Behavioural Consultants Center since 2023. She attached in her affidavit a report dated 24 March 2026 by a clinical psychologist, Mr Jeremy Tang, who had conducted a clinical assessment with the child on the same day. Mr Tang assessed that it was “highly likely” that the child met the diagnostic criteria for Autism Spectrum Disorder based on his screening assessment.³ Mr Tang also noted that the child had “a strong proclivity towards predictability and familiarity”, and recommended that the child “keeps to his current school and visitation routines for the remainder of the year and a proper transition programme to prepare him for stay-overs at his father’s place can commence during the year-end school holidays, when stress levels from school are minimal. It is probable that he can have his first sleep-over at his father’s place in 2027, although this is subject to change based on his level of readiness as assessed by the relevant professionals.”⁴ This conclusion was based on Mr Tang’s single session with the child on 24 March 2026, as well as an interview with the Mother.

23 The Mother next tendered a testimonial by a behavioural analyst, Ms Lau Lic Teng Audrey, from the Applied Behaviour Consultants Center Singapore. It was observed in the testimonial that “when (the child)’s routine is disrupted – such as after a week-long illness, a school break, or trips – it takes time and consistent reminders for him to readjust to his normal functioning... Additionally, (the child) struggles to adapt to unexpected changes and might constantly seek reassurance from familiar and established adult figures when faced with uncertainty in his usual routine. Ms Lau concluded that “it is essential

³ Mother’s Affidavit dated 1 April 2026, at [5].

⁴ Mother’s Affidavit dated 1 April 2026, at pages 55 to 56.

for (the child) to stick to a familiar routine and avoid disruptions in his daily life”.⁵

24 Finally, the Mother tendered a testimonial dated 3 January 2026 from the child’s preschool teacher, one Ms Tey. Ms Tey was the main class teacher for the child since the end of 2023 and had interacted with him daily. She noted that the child “thrives on familiarity and consistent routines”, demonstrated a “lack of adaptability to small routine changes” and “displays noticeable anxiety and distress when confronted with unexpected changes to his schedule or unfamiliar situations.” She further commented that the child displayed a stronger emotional attachment to the Mother than the Father. Her conclusion was that she would “strongly recommend that his primary living arrangement remain as consistent as possible to safeguard his emotional well-being and developmental progress”.⁶

25 Having regard to Mr Tang’s report and Ms Lau and Ms Tey’s testimonials (“the three opinions”), the Mother’s proposed transition was as follows:

(a) **From January to December 2026 (Phase 1)** – to continue Friday 4 to 7pm and Sunday 2 to 7 pm access, with two additional extended daytime blocks from 9 am to 7 pm per week during the June and December school holidays.

(b) **From January to May 2027 (Phase 2)** – Sunday daytime access to be extended, i.e. from 12 noon to 7 pm.

⁵ Mother’s Affidavit dated 1 April 2026, at pages 60 to 61.

⁶ Mother’s Affidavit dated 1 April 2026, at pages 63 to 67.

(c) **From June 2027 to June 2028 (Phase 3)** – trial of one overnight per month (Saturday 8 pm to Sunday 2 pm). After stable adjustment, to increase to one overnight per fortnight from December 2027. Short duration overseas trips to be trialled from June 2028.

(d) **July 2028 onwards (Phase 4)** – weekend access to be Saturday 8 pm to Sunday 2 pm, with equal split of June and December school holidays.

26 In short, the Mother planned to only introduce overnight access from June 2027, with overseas short trips to commence from June 2028. At the hearing on 17 April 2026 itself, counsel for the Mother conveyed that the Mother was prepared to compact her original plan, and was willing to consider allowing overseas access from December 2026.

27 At the hearing on 17 April 2026, the Father’s counsel formally objected to the admission of the three opinions, and requested the court to expunge them or at least ascribe them no weight. It was pointed out that the Mother had neither applied for permission to adduce expert evidence as required under Part 10, Rule 3 of the Family Justice (General) Rules 2024 (“FJ(G)R”), nor did she seek the court’s permission to undergo an examination by an expert for the purpose of preparing expert evidence, as required by Part 10 Rule 4 of the FJ(G)R.

28 In particular, the Father pointed out that the clinical psychologist was not the child’s regular psychologist, and that the opinion was devoid of clinical analysis of the history of the child’s development and needs, being written on the one and only date that the child attended before this clinical psychologist. The Father also contended that the report was one-sided, as it made no attempt to seek out his view or inputs. More fundamentally, the Father saw no need for

the report as the child was attending a mainstream rather than a special needs school, and no formal diagnosis of autism had ever been made. Neither was there any evidence that the child was not thriving at school, or needed any formal interventions for autism.

FC/SUM 1455/2026

29 Given the orders made in FC/SUM 3000/2025, the Mother would necessarily have had to hand over the child's passport to the Father to facilitate overseas travel.

30 As the Mother's travel plans were to take the child to China from 4 to 14 June 2026 (for 11 days), and the order required that she grant the Father an equal duration of overseas travel time, she would effectively have to hand over the child's passport before 18 June 2026 to allow the Father to travel with the child for the last 11 days of the June holiday, i.e. from 18 to 28 June 2026.

31 However, as the June holiday approached, the Mother informed the Father that while she would be handing the child over to him for contiguous access over the latter half of the June holidays, she would not be handing over the child's passport, as she felt that the Father taking the child for a second trip would involve too much travel. This was even though the Father had informed her that he would be taking a shorter trip of eight days from 20 to 27 June 2026.

32 Alarmed at the turn of events, the Father requested for an urgent case conference. I saw the parties on 2 June 2026, and emphasised that the orders made on 4 May 2026 regarding overseas access were to stand. I also advised parties to consider a compromise whereby the child could be handed over to the

Father in China, to reduce the hassle of having the child travelling back and forth between China and Singapore. This was however refused by the Mother.

33 Accordingly, the Father filed FC/SUM 1455/2026 on 5 June 2026, requesting:

- (a) That the child be handed over on 14 June 2026 at 9 am; and
- (b) The child's passport be handed over no later than 19 June 2026 at 9 am.

34 I heard parties urgently for this application on 14 June 2026, and as indicated at case conference, declined to re-open the issue of overseas access. As the child only returned to Singapore on 14 June 2026, I directed that the handover would be on 15 June 2026 at 9 am as requested by the Mother, to allow the child time to return home and prepare for the two week period of access with the Father. As the last day of the June holiday was 28 June 2026, and mindful that the Father was entitled to travel from 18 June to 28 June 2026, I granted a consequential order that the child's passport be handed over by 18 June 2026 at 6 pm at the office of counsel for the Father. No order was made as to costs for this application.

Grounds of Decision

Reliance on Expert Opinion

35 I turn first to the Father's objections in relation to the three opinions from the clinical psychologist, behavioural analyst and pre-school teacher tendered in the Mother's affidavit.

36 Part 10, Rule 3 of the FJ(G)R makes it clear that the court's approval is required for the admission of an expert report. Before approval is granted, the court must be satisfied that the expert evidence would contribute materially to the determination of any issue that relates to scientific, technical or other specialised knowledge:

3.—(1) No expert evidence is to be used in Court unless the Court approves.

(2) The parties must consider whether expert evidence will contribute materially to the determination of any issue that relates to scientific, technical or other specialised knowledge and whether the issue can be resolved by an agreed statement of facts or by submissions based on mutually agreed materials.

(3) Except where paragraph (4) applies, the Court must not approve the use of expert evidence unless it will contribute materially to the determination of any issue in the case and the issue cannot be resolved in the manner stated in paragraph (2).

37 As pointed out by the Father, a party may not even have the child examined or assessed by the expert without the court's approval:

4.—(1) Where any proceedings relate to the welfare or custody of a child, a party must not cause the child to be examined or assessed by any expert for the purpose of preparing expert evidence for use in those proceedings unless the Court approves.

38 To avoid repetitious examinations by multiple experts and to narrow the scope of inquiry, the FJ(G)R further specify that parties are to agree on one common expert as far as possible (P.10, r. 5), and also agree on common facts and a list of issues to be determined (P. 10, r. 6).

39 These rules are in place to ensure that any intrusive examination of the child is kept to a minimum, and should only be applied when the opinion of the expert is considered necessary, as opposed to just being relevant (see my comments in *XZE v XZF* [2026] SGFC 45 at [17] and [21] on the threshold to be met in relation to approval of expert evidence).

40 As the Mother had neither applied for leave to tender expert evidence or to have the child examined, I declined to admit the three opinions in question. I had also indicated to counsel for the Mother that there did not seem to be a demonstrable need for expert evidence given that the child was enrolled in a mainstream primary school and there had been no significant episodes or symptoms on account of his being on the autistic spectrum. More significantly, the three opinions all sought to make recommendations on the appropriateness of overnight and/or overseas access, which went beyond the scope of expert evidence on a technical or scientific issue, and intruded upon the very pith of the court's decision, which is to determine the best course of action in the welfare of the child. These opinions essentially sought to usurp the court's role and would be disallowed on that ground alone. I would observe by way of post-script that this did not deter the Mother from filing a formal application to allow such expert evidence in FC/SUM 1555/2026. I heard and dismissed her application on 9 July 2026, although I did call for a Custody Evaluation Report as an alternative to ascertain the child's needs and best interests with regard to access.

41 Accordingly, for the purposes of FC/SUM 3000/2025 and FC/SUM 1455/2026, I accepted that the child had been receiving autistic intervention support at the Applied Behavioural Consultants Center during his pre-school years, but since being enrolled in a mainstream primary school, had not experience any significant episodes or symptoms of autistic dysregulation. Neither had any formal diagnosis or intervention plan been made in relation to the child being on the autistic spectrum.

Overnight and Overseas Access

42 It bears emphasising that in deciding the extent of access, the welfare of the child rather than the interest of the parents is the paramount consideration (per s 125 of the Women's Charter 1961).

43 I was also mindful that in applying the welfare principle, the Court of Appeal in *TSF v TSE* [2018] SGCA 49 had laid down a broad and non-exhaustive list of factors that should be borne in mind, at [51]:

- (a) the child's physical, emotional and educational needs, and his physical and emotional safety;
- (b) the capacity of each parents to provide for the child's needs and ensure the child's safety;
- (c) the child's relationship with each of his parents and with any other caregiver;
- (d) the need to ensure a continuing relationship between the child and his parents; and
- (e) the effect of any changes to the child's life.

44 In applying these factors, the court should essentially seek to preserve and promote the child's relationship with each parent as far as possible, while carefully weighing the developmental needs of the child at that point of time, per the High Court in *TAU V TAT* [2018] SGHCF 11 at [14].

When the parties contest over the time they have with the child, they may miss this perspective from the eyes of the child. They may also not appreciate that the apportioning of time needs to take into account the child's developmental needs at that

particular stage of life – the cognitive, psychological, emotional, social, academic, physical and special needs.

45 It is apposite to note that *even if* the child was diagnosed to be on the autistic spectrum and suffered anxiety from adjustments to his schedule, it does not necessarily mean that his relationship with his father should be deprioritised. In other cases involving a positive diagnosis of autism, the court has nevertheless granted generous access terms to the Father. One such instance is *VMG v VMH* [2023] SGHFC 45, where the six year-old child in question was formally diagnosed with Autism Spectrum Disorder. The Mother in that case similarly argued against increasing the Father’s access on the basis that the child’s condition required structure and predictability. Choo Han Teck J disagreed and held, at [6]-[8]:

[6] At the heart of this present tussle over increasing access time is the disagreement over what is best for the Child’s development.

[7] In the present case, I am of the view that the Father’s request for greater access to the Child is not detrimental to the Child, and on the contrary, may have strong benefits to him. First, in the last two years, the Father has access without any detriment. It is evident to me that the Father’s desire to bring his Child out for longer outings (i.e. to the Zoo or the Discovery Centre) is reasonable and beneficial for the Child. This is not possible under the current access arrangements. It will also be in the Child’s interests to deepen his bond with his Father...I can see the benefits through the plans the Father has, and the genuine determination to carry them out. Far from being a detriment, I think that it will be beneficial to the Child to spend more time with his father during the school holidays (emphasis added).

[8] I am of the view that the Child, now six years old, can and should spend more time with the Father. Lawyers always talk in terms of access for the Father, but more often than not, when we are contemplating the best interests of the child, we ought to be thinking about the child’s access to his parents.

46 Similarly, in other cases involving children diagnosed with moderate to severe special needs, the court has even directed that there can be shared care

and control between both parents. In the case of *CXR v CXQ* [2023] SGHCF 10, the 11 year-old child in question was diagnosed with refractory frontal lobe epilepsy at the age of three, and had met the criteria for comorbid neurodevelopment disorders, namely moderate to severe specific learning disorder with impairment in reading, writing and mathematics, and mild to moderate attention and hyperactivity disorder. Despite this condition, the court granted shared care and control to the mother to have the child from 8 pm on Saturdays to 8 pm on Wednesdays, with the father caring for the child for the remainder of the week (at [19(a)]). Both parents were also allowed to bring the child overseas with advance notice to the other in writing (at [19(d)]). It is therefore not the case that a child with special needs should necessarily remain solely with one parent in the interest of stability.

47 In the present case, the child's access with the Father has been smooth, and the child has gotten used to transitioning between two homes from February 2026. It is a natural step-up to transition towards overnight access, and the sessions of overnight access that had occurred since 17 April 2026 have largely been uneventful. The Mother has also agreed to allow the Father two weeks of contiguous access to the child from 15 June to 28 June 2026, which means she no longer contests long term care under the Father. It was therefore curious to me why the Mother took such objection to the Father's overseas access and was adamant on staving it off until at least December 2026. Clearly, overseas travel itself was not the issue, as the Mother had taken multiple trips with the child prior to June 2026, and was intending to take the child overseas for a long period in June 2026.

48 This being the case, I saw no reason why there should not be *equal* overseas access for both the Father and Mother during the June 2026 holidays. The only question was what the optimal length of time of travel should be, such

that the child could smoothly transition back to the school term. Accordingly, the orders made on 4 May 2026 for the Father to have the same duration of overseas access as the Mother were designed to allow the Mother to calibrate this optimal period in the spirit of give and take. Should the Mother be convinced that it be in the best interest of the child to only travel for a certain proportion of time during the June holidays, then both she and the Father should accept the same measure of sacrifice to their travel plans. The Mother could also have accepted my suggestion to optimise the child's travel time by handing him over to the Father in China, thus minimising disruption and providing greater stability to the child.

49 The fact that the Mother has refused to accord with either of these approaches speaks volumes of her mindset. Her track record for disrespecting the directions of court began with her outright refusal to proceed with the trial session of overnight access on 3 April 2026, and culminated in a complete denial of overseas access for the Father in June. While arrogating to herself the right to take an 11-day overseas trip, she expected the Father to give up his travel plans entirely, not to mention denying the child the opportunity to visit and reconnect with his paternal grandparents. As she was unable to file an appeal against the 4 May 2026 decision in time, she has taken the tactical approach of appealing against the Father's summons in FC/SUM 1455/2026 for consequential orders to hand over the child's passport, in the expectation that the execution of that order would have to be stayed to preserve her right to appeal. These actions all eschew the path of reason and compromise, and are clearly intended to thwart the Father from bringing the child to visit with his extended family at all costs. The Mother has further insisted on persisting with this appeal, even though she was given the chance to withdraw at the most recent hearing on 15 July 2026 (for ongoing review of the access orders), since the

issue of June travel was really moot and she was already agreeable to the Father having overseas access in the December holidays.

50 I further found it ironic that the Mother had in her submissions asserted that her approach was “rooted in the principles of TJ”⁷, suggesting that the Father should wait patiently in accordance with her time-frame rather than becoming embroiled in a “revolving door” of litigation. She also notes that her reliance on external assessment of the child was consonant with the multi-disciplinary approach under TJ, with its emphasis on reliance on social science to inform the decisions of the court. She added that the “core tenet”⁸ of TJ was to shield the child from the fallout of the divorce, and that this was best achieved by preserving the current status quo in her favour.

51 I do find that the Mother has adopted a somewhat distorted and self-serving interpretation of the Therapeutic Justice doctrine that conveniently accords solely with her own interest and desires. The Father has on the other hand exercised considerable restraint by waiting for the better half of a year to re-establish a normal degree of access. He has also opted not to file for enforcement of the Mother’s breach of the access orders made on 4 May 2026, which he is technically entitled to do at this point (since she has not yet been granted leave to appeal against that order).

52 I urge the Mother to see that the continuation of this acrimonious approach poses a significant risk of derailment of the development of the child. The Father has already pointed out that the child has experienced some confusion over the sudden cancellation of travel plans. Going forward, it will

⁷ Mother’s Submissions dated 14 April 2026, at [14].

⁸ Mother’s Submissions dated 14 April 2026, at [18].

be increasingly harder to shield the child from the acrimony of future divorce disputes. To this end, I had summoned parties to attend in person before myself on 19 June 2026 at the conclusion of the Mother’s application for a stay pending appeal in FC/SUM 1535/2026, and reminded them that the stress and uncertainty arising from the parties’ dispute would negatively impact the child, to a degree that would be far worse than if the Mother had voluntarily agreed to the step-up in access to the Father in the first place. I reminded parties that should this acrimony continue, the very concern that the Mother has held may materialise, which is that the chance for a normal childhood may be lost due to their conflict. In this regard, it would be apposite to recall the words of Debbie Ong J (as Her Honour then was) in *VDX v VDY and another appeal* [2021] SGHCF 2 on the true nature of parental responsibility, at [42]:

Parental responsibility is a personal responsibility. The Court is the last resort for the resolution of parenting matters, for parents should intentionally endeavour to make these decisions for their children themselves. They should strive hard not to mire the family, including the children, in litigation, not should their resources and the court’s resources be spent on litigation to deal with an emotionally-driven conflict. This will involve some measure of compromise; it may involve being bigger, wiser and kinder – which must be very difficult when relationships have broken down, yet this is the legal responsibility placed on all parents. Parenting is not perpetual, and such sacrifices, painful as they may be, are not demanded of parents indefinitely for children do grow up to be adults – their chance to have a normal childhood should not be lost due to their parents’ conflict.

53 It is hoped that going forward, parties can move quickly towards a resolution of the ancillary matters as soon as possible, aided by the findings of the Custody Evaluation Report, instead of spending the conceivable future embroiled in bitter litigation. It behoves them to be “bigger, wiser and kinder” for the sake of the child.

Conclusion

54 The orders made in FC/SUM 3000/2025 and SUM 1455/2026 that are relevant to this appeal are reproduced for convenient reference as follows:

FC/SUM 3000/2025 (vide FC/ORC 2313/2026)

- (a) Both Parties shall have overseas access with the child of the marriage, during his mid-year school holidays from 30 May 2026 to 28 June 2026. Further to FC/ORC 1756/2026, the Applicant shall have overseas and overnight access to the child during his share of the child's mid-year school holidays, from 14 to 27 June 2026.
- (b) The Applicant shall be at liberty to travel overseas with the child for a period of no less than the duration that the Respondent travels with the child, during each party's respective share of the mid-year school holidays.
- (c) The Respondent shall inform the Applicant, by no later than 15 May 2026, her travel dates for the child's mid-year school holidays.
- (d) A review hearing is fixed for 15 July 2026 at 9.30 am to monitor and/or review the care and control arrangements of the child.
- (e) The Respondent's Other Hearing Request dated 27 April 2026 to defer the expanded overseas and overnight access pending a formal application for review by a Child Expert is refused.

FC/SUM 1455/2025 (orders not yet extracted)

- (a) Handover of the child to Father to be on 15 June 2026, 9 am at Dakota MRT station.
- (b) Handover of child's passport to Father shall take place no later than 18 June 2026 at 6 pm at the Father's Counsel's office.
- (c) The Father should return the child to the Mother on 28 June 2026 at 6 pm at Dakota MRT station.
- (d) No order as costs.

Kenneth Yap
District Judge

Wang Liansheng (Bih Li & Lee LLP) for the Applicant;
Ong Ying Ping (Ong Ying Ping Esq) for the Respondent.