

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

District Arrest Case 915135-2023

Public Prosecutor

Against

Wong Chun Xiong

ORAL GROUNDS

[Criminal Law] — [Offences] – [Voluntarily causing grievous hurt]

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Public Prosecutor

v

Wong Chun Xiong

District Arrest Case 915135-2023

District Judge Eugene Teo Weng Kuan
3-5 December 2024

31 July 2025

District Judge Eugene Teo Weng Kuan

1 These are my brief oral grounds. They are prepared primarily for the benefit of Mr Wong Chun Xiong so that he may understand in broad terms how the decision was arrived at in this case.

Agreed Background Facts + Issue for Determination:

2 To set the decision in context, some of the relevant background facts must first be set out. The following background facts are agreed:

- a. Almost two years ago, on 3 September 2023, Mr Wong was with his two young children and other family members – which included an adult brother of Mr Wong – at the indoor children's playground: "Bouncy Paradise". Whilst there, the son of Mr Wong came to him and reported

that he had been scolded by an adult in the playground. Mr Wong then accompanied his son and approached that adult, who we now know was one Anthony Peter Sealy (“Anthony”). At that point, Anthony was sitting in a ball pit with one of his younger children.

- b. Mr Wong then questioned Anthony on why he scolded his son. Anthony responded that Mr Wong’s son had hit onto his child. Mr Wong explained what led to his son accidentally falling onto Anthony’s child. Both parties then engaged in a verbal dispute.
- c. Anthony then jumped out of the ball pit in the direction of Mr Wong and moved his head closer to him. Mr Wong then stepped backwards. The two were then face-to-face with each other and continued talking to each other.
- d. What happened next between the two would best be illustrated by reference to the CCTV which captured the incident. In summary, there was pushing, gesturing and a punch was then thrown by Mr Wong with his right fist at the left side of Anthony’s face. That punch connected, and Anthony subsequently fell backwards to the ground. Some unkind words were then uttered by Mr Wong towards Anthony – I need not go further into those details since that part of the case (i.e. on the POHA charge) is not being contested by Mr Wong and is not the focus of the current proceedings. Some other adults then intervened to stop the incident.
- e. The police next arrived at the scene, and Mr Wong subsequently gave his account of what happened.
- f. Anthony was subsequently medically examined, and there is no dispute that he unfortunately suffered serious injuries which included several facial fractures at the location where he was punched. All this led to the authorities bringing a VCGH charge against Mr Wong.

- g. Before me, Mr Wong has reasonably indicated that he is not contesting that the VCGH charge is made out but claims that his actions were covered by the right of private defence to absolve him from the charge. This was the sole issue for the court to determine. I now explain the pertinent findings on this issue.

Main Findings:

3 Both parties have made their arguments on the issue. I have reviewed the evidence and the arguments objectively, and I now address the main points in plain language.

4 Whilst the law does provide all individuals with the right of private defence, the law also states that it is exercisable only in limited circumstances. If those circumstances exist, then the actions taken in private defence must also pass the reasonableness standard and not cause more harm than is necessary. The law is like that because objective reason must always prevail and guide our actions during our interactions with each other, and it is to Mr Wong's reason which these oral grounds now appeal.

5 To recap, there are two stages to review: first, whether the circumstances existed in this case which allowed Mr Wong to exercise the right of private defence, and second, whether the actions taken by Mr Wong in punching Anthony in that manner (i.e. towards the face) and with that intensity in supposed private defence passes the reasonable standard. I have reviewed the CCTV footage numerous times – at normal speed and in slow motion. I have noted the sequence of actions between the parties in the incident which led to the punch being thrown. I have also noted who else was present in the immediate vicinity at the various points during the incident, and the location where the

incident took place. I have also noted the areas which the parties have highlighted in their arguments. Once we apply the objective reasonable standard to all those materials, one will conclude that this was not a case which would allow Mr Wong to exercise the right of private defence in that manner against Anthony. This conclusion is the result even with the context of the dispute (i.e. involving their children) being taken into account, the fact that words were exchanged between them in a verbal dispute just before, the fact that Anthony had (as shown in the CCTV) moved towards and close to Mr Wong to confront him and gestured against him, because the objective reasonable standard demands restraint and sanctions violence limited to defence only when all other reasonable recourses are not available. Once the context of the incident is taken into account, it cannot be said that Mr Wong was in a location or situation which gave him no reasonable opportunity to seek recourse from the relevant authorities for the escalating situation.

6 To approach the point another way, I agree that Mr Wong did show a measure of restraint during the early part of the confrontation, and it is perhaps telling – in the context of the objective reasonable standard which applies here – that Mr Wong is actually not being taken to task for his other physical acts against Anthony earlier (of which there were a few). Mr Wong should pause there and think about that, and I hope that helps in understanding what the reasonable standard is.

7 Moving on, the defence also fails on the next level, i.e. the action in punching Anthony at that location of his face (a clearly vulnerable location) with that intensity was simply far in excess of what the objective reasonable standard would allow for in defence. This conclusion is reinforced when one takes into account their relative sizes & physicality. The CCTV shows that Mr

Wong remained dominant and was able to handle the situation up till that point. The level of violence used was simply excessive.

8 The closing comment is this: when one is required to review something through the eyes of objective reasonableness, it is sometimes useful to think what ought to happen if the situation was different. If I was in Mr Wong's shoes that day, I would have been similarly troubled that something had upset my young son, and as a loving father, I would try to get to the bottom of it and see how to make it better. If there was cause for it, I may have even approached Anthony to clarify the situation. I may have been further upset if my attempt was misconstrued and met with aggravation. And if I allowed my reason to leave me at that point and my feelings to get the better of me instead and acted out physically against Anthony, it may have assuaged my feelings then, but I would objectively recognise when my feelings have settled and my reason has returned that I would have to take responsibility for the consequences for my actions.

9 I hope Mr Wong understands how the standard operates and what it inevitably results in for this case. That standard seeks to protect all from subjective acts of self-justified violence. It may be difficult for Mr Wong to really appreciate this because he is in his prime now. But the day will come when his youth and vitality leaves him, and he may find himself in another similar interaction with a much younger man. By us constantly reinforcing and applying this same standard, that man will know he had better be prepared for the consequences if he chooses to lash out at Mr Wong. As such, the law will protect that version of Mr Wong too.

10 Having reviewed the materials before me, I find that the right of private defence is not available to absolve Mr Wong from his actions. There being no

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valid defence to the VCGH charge, he is based on the materials before me and the positions taken in these proceedings, hereby found guilty and convicted of the VCGH charge.

11 I will hear parties on consequential directions for the POHA charge and on sentencing.



Eugene Teo Weng Kuan

District Judge

Deputy Public Prosecutor Clara Low (Attorney-General's Chambers)
for the Public Prosecutor;
Mr Alfred Dodwell & Ms Lolita Andrew [Dodwell & Co LLC] for
Wong Chun Xiong.