

Shaun Ho

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OPERATING AS WITHERS KHATTARWONG LLP IN SINGAPORE.



Shaun is a senior associate in the family team.

Shaun is a specialist family lawyer with experience in all areas of family law. This includes divorce, guardianship and custody applications, adoption (especially where the proposed adopters are LGBT individuals), maintenance, family violence, division of assets (especially involving high net worth individuals and involving family businesses), and the drafting of pre-nuptial agreements and other marital agreements. He was called to the Bar in Singapore in 2015, and has practiced as a family law specialist throughout.

Shaun has been listed in the Doyle's Guide for Family Law Rising Stars in 2022 and 2023.

Shaun has since 2018 been involved in several high-profile cases involving non-traditional family units. This includes the landmark 2018 case of *UKM v Attorney-General*, in which a gay man was granted leave, on appeal to the Family Division of the High Court, to adopt his biological son who was conceived through surrogacy.

Shaun also has a particular interest in the international relocation of children. A particularly memorable case was the 2019 case of *UXH v UXI*, in which Shaun succeeded in resisting an application for relocation despite the applicant having appointed a Senior Counsel as instructed counsel to argue her case for her on appeal. Shaun also has substantial experience in cases involving the division of assets, where the pool of matrimonial assets includes assets that are atypical of most families. Shaun has handled cases involving the division of private family businesses worth tens of millions of dollars, discretionary trusts, and offshore companies with complex networks of wholly-owned subsidiaries in foreign jurisdictions.

Although Shaun thoroughly enjoys the thrill of a good argument in Court, his preference is to resolve his clients' disputes through alternative dispute resolution such as negotiation or mediation. He recognises that family disputes are often best determined by the parties themselves - and not by the Court - and empowers his clients to arrive at mutually beneficial agreements in their, and their children's, best interests.

Track record

Adoption order

UKM v AG, [2018] SGHCF 18: Shaun was counsel in a novel case involving the adoption by a homosexual man of his biological child. He represented the father in first instance and on appeal, and succeeded on appeal to a specially constituted 3-man bench of the High Court. The adoption order was eventually made and the father was allowed to adopt his own son.

Joint custody

VCX v VCY, [2019] SGFC 130: Shaun represented a homosexual man applying for joint custody and shared care and control of their son.

Guardianship

VET v VEU, [2020] SGHCF 4: Shaun represented a homosexual man applying for his partner to be appointed as a guardian of his two children. This case developed the law pertaining to voluntary delegation of responsibility by a parent to a non-parent under the law of guardianship, and is now a leading precedent on these issues.

Relocation with children

UXH v UXI, [2019] SGHCF 24: Shaun successfully resisted an application by a mother for leave to relocate with the children of the marriage to the United Kingdom, both at first instance and on appeal. The Court in this case provided guidance as to the factors which it will consider in determining such applications.

Leave to return to UK with children

UXT v UXU, [2019] SGFC 79: Shaun represented a mother seeking leave to return home to the United Kingdom with the children of the marriage. Although the first instance Court denied the application, Shaun succeeded on appeal to the High Court. The decision of the High Court is unreported.

Leave to relocate to UK with child

UYJ v UYK, [2020] SGHCF 9: Shaun was part of a team appointed as instructed counsel for the father, to appeal the family court's decision allowing the mother leave to relocate to the UK with the parties' child. This case has become a leading precedent for how the Court balances children's issues with other considerations in the midst of the Covid-19 pandemic.

Matrimonial assets

TYU v TYV [2017] SGHCF 8: Shaun was counsel for the father in a case in which the father's shares in a group of companies valued at over S\$40 million constituted over 80% of the pool of matrimonial assets. The primary issue in this case was how the father would meet his obligation to divide the matrimonial assets given that his shares, which formed the bulk of the assets to be divided, were illiquid.

Matrimonial assets

TZG v TZH [2017] SGHCF 9: Shaun was counsel and responsible for drafting all legal documents in a case where a dental practice jointly owned by the parties was one of the main matrimonial assets. Complexity arose because the dental practice, whilst valued at over S\$2 million, could not realistically be sold at the same price. Shaun succeeded in securing over half the realised value in the dental practice for the Plaintiff.

Division of matrimonial assets

Since 2018, Shaun has successfully resolved in mediation many cases pertaining to the division of matrimonial assets. This includes, in particular, 3 cases where the pool of assets exceeded S\$50 million, and one case where one was a technology company CEO with assets worth over S\$500 million.

External publications

"Hong Kong and Singapore: Relocation in the time of Covid " - June 2021, co-author

"Intending to relocate your children from Singapore? - What you need to know." LinkedIn, 2020

Admissions

Singapore, 2015

Education

National University of Singapore, LLB (Hons)

Languages

English

Memberships

Singapore Academy of Law, 2015

Key dates

Year joined: 2021

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