

Unreasonable behaviour is the most common ground for divorce
Per s 95A(1)(b) WC, a marriage between X and Y is taken to have irretrievably broken down if X has **behaved** in such a way that **Y cannot reasonably be expected to live with X**.

From *Teo Hoon Ping v Tan Lay Ying Angeline*, both a literal reading of s 95(3)(b) of the Women's Charter as well as the test in *Wong Siew Boey* suggest that the focus of the analysis should be on whether the defendant's behaviour was so **unreasonable** that the union has become **impossible**.

Section 95(3)(b) deals only with behaviour that is sufficiently grave for the court to conclude that one party **cannot reasonably be expected** to live with the other.

1. What characteristics does your spouse have
2. What is their personality
3. What are their faults/ attributes

The test for determining whether a spouse has behaved in such a way that the other spouse cannot reasonably be expected to live with him or her was laid down in the case of *Wong Siew Boey v Lee Boon Fatt* [1994] 2 SLR 115 ("Wong Siew Boey").

This test requires the court to ask if the plaintiff, with his or her **characteristics and personality**, with his or her **faults and other attributes**, good and bad, and having regard to his or her **behaviour during the marriage**, can reasonably be expected to live with the defendant.

4. Have you lived together with your spouse for a total of 6 months or less after the most recent behaviour by spouse?
 - a. Relevant bc under s 95A(3) WC, if Y **continues to live together** with X for a **total of 6 months or LESS after the most recent instance** of the relevant behaviour by X, **the fact that Y continued to live together with X must be IGNORED** in deciding whether Y can reasonably be expected to live with X
 - i. eg, In *Teo Hoon Ping* HC, W's two returns to stay with H after his mistreatment of her through abusive emails **amounted to no longer than 6 months in all** and could be disregarded
2. All the behaviour that has affected the respondent
 - a. Following *Wong Siew Boey v Lee Boon Fatt*, **any conduct**, active or passive, of the Resp which affects the App is relevant. The court must take into account the **cumulative effect** of the behaviour.
 - b. the behaviour **need NOT be confined to behaviour towards the applicant**. it should affect the marriage although it **may be towards other members of the family or towards outsiders** (*Wong Siew Boey v Lee Boon Fatt* HC)