

HONG KONG / JUDGMENT

CCMJ v. SSM formerly known as SKL

[2025] HKFC 177

COURT

Family Court

DECIDED

30 October 2025

CASE / FILE NUMBER

FCMP67/2010

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FCMP 67 / 2010

[2025] HKFC 177 IN THE DISTRICT COURT OF THE HONG KONG SPECIAL ADMINISTRATIVE
REGION MISCELLANEOUS PROCEEDINGS NO. 67 OF 2010

IN THE MATTER of xxxx, female, a child born on xxxx 2008 in Hong Kong and IN THE MATTER
of Sections 3(1)(c)(ii), 3(1)(d) and 10(1) of the Guardianship of Minors Ordinance, (Cap.13 Laws of
Hong Kong) and IN THE MATTER of Order 90 rule 1 of the Rules of the District Court (Cap.336
Laws of Hong Kong)

BETWEEN CCMJ Applicant and SSM formerly known as SKL Respondent

Coram: His Honour Judge G. Own in Chambers (By Paper Disposal) Date of Applicant's
Submissions : 16 July 2025 Date of Respondent's Submissions : 30 July 2025 Date of Decision: 30
October 2025

D E C I S I O N (Leave to Appeal)

Foreword 1. This is the application for leave to appeal lodged by the Applicant father in respect of
the Judgment granted by me on 21 May 2025 ("21/5/2025 Judgment"). The Applicant would be
referred as "Father" in this Decision. The Respondent would be referred as "Mother". Their
daughter, who will be approaching her 17th birthday next month, would be referred as "N". 2.
Suffice for me to say is that amongst the many written Judgment(s)/Decision(s) handed down by
me in the Family Court for the past 15 years (since N was only 2 years old), there were 3

Judgment(s)/Decision(s) handed down on 11/1/2013, 12/8/2015 and 18/5/2017 dismissing all the Father's leave to appeal applications on various matters. 3. With such exposure to handling leave to appeal applications in the past, I can safely assume the Father should be familiar with the statutory provisions and legal principles governing leave to appeal applications. Hence, I will not repeat and recite those statutory provisions and legal principles again in this Decision, save to only refer to some procedural guideposts under the "New Arrangement for Application for Leave to Appeal in the Family Court" ("New Arrangement") issued by the then Acting Principal Family Court Judge C.K. Chan on 13/8/2018. The "New Arrangement" took immediate effect upon its issuance and hence was in place for about 7 years by now. 4. The "New Arrangement" was applicable to all applications for leave to appeal in the Family Court with no distinction between legally represented litigants and litigants acting in person.

Background

5. The "21/5/2025 Judgment" was granted after a 3-day trial on the Father's application for variation of maintenance order/discharge of undertakings given by him and remission of unpaid arrears of N's maintenance and the Mother's carer's allowance, pertaining to an Order granted by me back on 5/6/2015 (some 10 years ago). Within the 3-day trial, there was also the Mother's application by summons for capitalisation of periodical payments (both in terms of N's maintenance and her carer's allowance) which were past due and continued unpaid. 6. Worth to mention is that the 5/6/2015 Order was granted also after a bitterly fought 7-day full blown trial before me. The Father had once sought leave to appeal the 5/6/2015 Order from me and then at the Court of Appeal but were all unsuccessful. 7. In a gist, under the 21/5/2025 Judgment, save and except the Father only succeeded in his variation of the Mother's carer allowance from HK\$10,000 a month down to HK\$2,000 a month (instead of nil which he had sought), all his other applications were dismissed. The Mother was successful in her application for capitalisation of those long overdue and unpaid periodical payments under the 5/6/2015 Order into lump sum(s), anticipated payment(s), recovery of past dues and costs. 8. The total sum thus ordered to be paid by the Father, not including any university course fees of N in future years, came up to HK\$6,777,008 (that is HK\$2,489,108 + HK\$4,287,900). Leave to Appeal out of time 9. On 18/6/2025, I granted time extension for the Father to lodge the present application for leave to appeal until 16/7/2025 with standard directions on pages and format resembling those set out in paragraph 4(3) of the "New Arrangement". 10. On 16/7/2025, the Father issued the Summons for the present appeal together with a 5-page Written Statement/Skeleton Submissions. Surprisingly, there was a 59-page document named "Draft Grounds of Appeal" (and was attached with 4 exhibits) thus making a total of a 80-page "Draft Grounds of Appeal". This is unorthodox for this type of cases. Father's Written Statement/Skeleton Submissions 11. As set out in paragraph 4(3) of the "New Arrangement", the Written Statement/Skeleton Submissions in support should state why leave to appeal should be granted. Further, it should not be more than 5 pages on A4 paper (single side only) legibly printed in no less than 14 font size and 1.5 line spacing unless otherwise directed by the Court. The Father had complied with such

specified format in his Written Statement/Skeleton Submissions. 12. The Father set out 6 reasons/submissions that leave to appeal should be granted. They are grouped as follows :- Procedural errors compromising fairness ("Submission I"); Mis-judgment of financial needs and means ("Submission II"); Serious criminal offence of evidence manipulation and faking – evidence is not properly considered ("Submission III"); Unjust financial burden due to concealed changes and need for fresh consideration of evidence ("Submission IV"); Inappropriate carer allowance ("Submission V"); Misapplication of judicial discretion and transparency in judicial decision-making ("Submission VI"). Each of the Father's Submissions 13. On Submission I, the Father said his financial resources was immobilised since February 2022 when the interim injunction was granted against him by the Family Court. The absence of financial provisions for his sustainability, including meeting his alleged alarming medical expenses and debt liabilities, was said by the Father to be flagrant denial of due process of remedies, profound absence of equity and deprivation of his right to engage legal counsel. The Father said he was compelled to handle the complexities of legal process. 14. On Submission II, the Father said the Court had mis-judged his pressing financial exigencies which is in a dire situation whilst taking the Mother's speculations without transparency and had culminated in an inequitable financial decree. Reference was made to his financial disclosure under Form E from February 2014 to May 2023 which suggested his financial capability was in a negative figure. This was, however, not considered by this Court. 15. On Submission III, the Father referred to those monthly food and household expenses asserted by the Mother were manipulated and fabricated. This had misled the Court and he was unjustly disadvantaged. There was substantial oversight of the Court over those "manipulated" evidence by the Mother which had undermined the integrity of the judicial process. The Mother's production of those manipulated and fabricated evidence should come with legal ramifications. 16. On Submission IV, the Father claimed that the Court had languidly revisited past events but not considering matters afresh. The "21/5/2025 Judgment" was said to have referred to and relied on historic perceptions which had compelled him to pay unnecessary rent when the Mother and the child N had already moved away from the rented unit to live with the maternal parents for a year or so. 17. On Submission V, the Father considered carer's allowance was no longer required for the child N who is now 17 years of age. 18. On Submission VI, the Father said there was insufficient transparency, claiming the absence of sufficient rationale or lack of legal foundation in the 21/5/2025 Judgment, for making the robust judicial decision against him. Father's "Draft Grounds of Appeal" 19. There are altogether 6 grounds (comprising 168 paragraphs) within the 59-page "Draft Grounds of Appeal". Going through the draft carefully and in their context, the so-called "Draft Grounds of Appeal" are nothing more than extended elaboration of matters already raised under the 5-page Written Statement/Skeleton Submissions. The only difference which I can see is that at various parts of the "Draft Grounds of Appeal", some case names and, for reasons unknown, various statutes were cited such as :- Matrimonial Proceedings and Property Ordinance, Cap.192 ("MPPO"); Bill of Rights Ordinance, Cap.383 ("BRO"); Legal Aid Ordinance, Cap.91 ("LAO"). 20. Mistakenly though, hoping that this was not intentional, the Father at paragraphs 37 and 54 of the "Draft

Grounds of Appeal” (under Ground 2), put down “Children Ordinance (Cap.461)” twice. This is utterly wrong. Within the Laws of Hong Kong, Cap.461 is “Criminal Jurisdiction Ordinance” and further that there is no “Children Ordinance” within the many chapters of the legislation. Curiously, the Father then quoted a so-called section 3 of the “Children Ordinance” in a way as if such Ordinance does exist. This is unsatisfactory if not misleading conduct. 21. Although the Father at various places cited cases/authorities, he had not provided copies of those cases/authorities. I believe the Mother’s legal representatives was also not provided with any copy of the cited cases/authorities by the Father. My Views on the preparation of documents 22. Apparently this is an astute way (my emphasis) of the Father to get around the limitation on number of pages specified under paragraph 4(3) of the “New Arrangement” on Written Statement/Skeleton Submission which, unfortunately, had not limited the number of pages for the draft grounds of appeal which need to be filed. 23. Making lengthy skeleton submissions discreetly under the pretext of “Draft Grounds of Appeal” should not be allowed and must be deplored. Such unbefitting, if not underhand, conduct of preparation of appeal applications undermines the aim and objectives of the “New Arrangement” to regulate leave to appeal process. Given that we are now at the era of active case management under the spirit of the Civil Justice Reform (“CJR”), procedural economy and fairness, costs effectiveness and case expediency should always be kept at the forefront in all civil litigation process, Family Court proceedings alike, including appeals. 24. Further, the Father’s unscrupulously extending his skeleton submissions by discreetly embodied them under the pretext of “Draft Grounds of Appeal” came up with paragraphs by paragraphs in “narrative” form of submissions (adding up to 168 paragraphs in total). This is outrageous and must be deplored. 25. This had led to Mother’s Counsel Miss Alison Choy, in her Written Submissions, submitted on the unsuitability and inappropriateness for the Father to use the platform of the appeal process in the way which he did. I fully endorse Counsel Miss Choy’s submissions. 26. That said, I decided that it would only be fair for me to consider the Father’s leave to appeal application by reviewing the ground(s) that could be readily discernible from reading the headings, rather than going into those 168 paragraphs of elaborated skeleton submissions, within the “Draft Grounds of Appeal”. I would, however, cross referenced to the matters stated in the 5-page Written Statement/Skeleton Submissions which the Father had filed in compliance with the “New Arrangement”. I noticed that the headings appeared in the “Draft Grounds of Appeal” largely resembled, if not replicating, those headings in his Written Statement/Skeleton Submissions. 27. The Father should not be unjustifiably benefited from his astute way of using the platform of appeal to regurgitate the evidence and factual aspects of the case hoping that the appellate judge may view the matter differently. Mother’s Written Statement/Skeleton Submissions 28. Miss Alison Choy, Counsel assigned by the Director of Legal Aid for the Mother, in her Written Submissions opposed the Father’s leave to appeal application as being unmeritorious. Rightly put, there was the submission that the appeal process should not be designed to give a platform for a litigant to regurgitate his closing submissions on the evidence and factual aspects of the case again with the hope that the appellate judges may come to a different view to that of the primary judge (see *China Gold Finance Limited v CIL Holdings Limited & Ors*). 29. In addition, there

was the submission that the Father had improperly exhibited in his “Draft Grounds of Appeal” new evidence after trial. The Father had not been able to bring himself within the requisites set out in the case of *Ladd v Marshall* [1954] 1 LR 1489 at 1491 for adducing new evidence after trial. The burden rests squarely with the Father who had not addressed anywhere in his submissions as to admissibility of those intended new evidence for them to be included for the Court’s consideration. The legal position 30. It is trite law that leave to appeal shall not be granted unless the court is satisfied that the appeal has a reasonable prospect of success or there are some other reasons in the interests of justice that the appeal should be heard. 31. The test for determining whether the appeal has a reasonable prospect of success is whether the applicant for leave can show that he/she has an arguable case with reasonable chances of success on appeal. A reasonable chance of success means an appeal with prospects that are more than “fanciful” but which do not need to be probable (see *KNM v HTF*, HCMP No.288/2011 per Fok JA at paragraphs 8 and 9 of the Judgment). The Court’s Views Ground 1 32. The underlying facts to support this ground aimed at the injunction granted (and continued) against the Father in the Family Court. The Father said he had been immobilised on his sole financial resources which was the net proceeds of sale of his One xxxx Property by the mortgage bank in 2022. He was not given any financial provisions to cover his living costs, medical costs, paying legal fees to defend court cases and paying his debts. 33. In my decision, it was open to the Father to appeal the granting of the said injunction and the continuation of it; both of which the Father had attempted but failed. There was no room for the Father to refer to and/or rely upon his inability to “unfreeze” his financial resources through his attempted but failed appeal process, and now to say that there was “procedural errors compromising fairness” under this ground. 34. For this ground, I decided that there was no reasonable prospect of success on appeal. 35. Ground 1 would be dismissed. Ground 2 36. The contention made under this ground was that my finding of facts were made without fully assessing his dire financial situation whilst accepting the Mother’s evidence in full without stating my reasons for so doing in the 21/5/2025 Judgment. 37. The Father referred to the MPPO, LAO and BRO and submitted that those statutes supported his contention that the Court should not dictate the Mother’s wishes and should not obstruct his legitimate and lawful access to his funds which are necessary for him to obtain legal representation. 38. At paragraph 49 of the 21/5/2025 Judgment, I explicitly said:- “..... children expenses are easy to spend but difficult to quantify. From time to time the Court has to scrutinize ledgers of children’s expenses pragmatically given the parents’ conflicting views or lack of trust with each other. In some other cases, there may be a need to adjudicate children’s expenses with laxity to ensure the best interests of the children are not affected by their parents’ conflicting positions and disputes. The prevailing and dominant approach of the courts is to provide the children with quality life within parameters of reasonableness subject to the means and resources of the paying parent.” 39. I stand by what I had said above. At paragraphs 50 to 59 of the 21/5/2025 Judgment, I have given my reasons as to how the living costs and expenses (including Melaleuca supplement which the Father placed emphasis upon in his contention) of the child N was arrived at. 40. At paragraphs 60 to 63, I also considered the reason for the need,

and then proceeded to assess the appropriate amount of carer's allowance for the Mother.

41. As to the Father's alleged dire financial situation not having been assessed, this was incorrect submission made out of context. 42. At paragraphs 74 of the 21/5/2025 Judgment, I have said the Father's ability to pay would have to be considered. 43. At the very beginning at paragraph 3 of the 21/5/2025 Judgment, I have already made specific reference to the views of Hon Cheung JA in the case of CACV No.84 of 2021 where a "Hedkinson Order" was sought by the Mother and granted against the Father in one of his appeals from decisions made in the Court of First Instance. The Father then sought leave to appeal to the Court of Final Appeal which was also dismissed. 44. Under the heading "Impediment of justice" at paragraph 43 of the Court of Appeal Judgment (which I have recited in paragraph 3 of my 21/5/2025 Judgment), the Father's breaches of court orders leading to impediment of justice was clearly noted by the Court of Appeal. There was specific reference to the two orders of 5/6/2015 and 10/2/2023 both of which were the subject of the Father's variation application before me. 45. Citing and repeating the words of Hon Cheung JA as follows :- "In our view, the Father's breach to pay under the two orders impedes the course of justice. The history of this case shows the difficulty in enforcing the two orders which the Father has chosen to ignore.....The Father has no defence to the payment of these sums (my emphasis) the Father's non-payment has a very considerable and detrimental impact on N - her educational and her general well-being and it obstructs the exercise of the Court's quasi-parental powers over N who is a ward of the Court. The Father has amoral and legal obligation to discharge his obligations. Further, the costs incurred in these proceedings are totally out of proportion to the money at stake." 46. The "two orders" which Hon Cheung JA referred to precisely are the 2 orders of which the Father sought to vary before me and both of which he had lost (except only the amount of carer's allowance) under the 21/5/2025 Judgment. Given the abovementioned views and findings of Cheung JA had not been disturbed or overturned on any further appeal at the time of trial before me, I am entitled to take note of those views and findings as one of the many circumstances of the case that need to be considered; including but not limited to the Father's conduct and ability to pay per se; in particular, that the legal costs spent by the Father in these proceedings far exceeded the money at stake and the amount of which was said to be out of proportion noted by the Court of Appeal. 47. With such undisturbed views and findings of the Court of Appeal over the Father's conduct fully noted, I am entitled to consider the Father's ability to pay with reference to whatever means available to him for paying sums adjudged rather than to do a "post-mortem" of his so-called dire financial situation. 48. Furthermore, it serves no legitimate purpose for me to do the "post-mortem" exercise when, even on the Father's own evidence, it was a result of his own choice to spend millions of dollars on legal costs and choose not to fulfill his moral and legal obligations (citing the words of Cheung JA, *supra*) to make payments under the said "two orders" which he had "no defence" (in the words of Cheung JA). 49. Thus, at paragraphs 75 to 77 of the 21/5/2025 Judgment, I decided to consider the Father's means and ability to pay sums adjudged by me in the process of capitalisation of long due and unpaid arrears of periodical payments (my emphasis) with reference to the net proceeds of sale of around HK\$8 million only, which was being kept in the actively on-going

interpleader proceedings in the Court of First Instance. 50. For this ground, I decided that there was no reasonable prospect of success on appeal. 51. Ground 2 would be dismissed. Ground 3 52. This ground of appeal was raised under the heading of :- “Grave Criminal Offense of Evidence Tampering and Fabrication, deceitful practices for food or dietary supplement expenses for my daughter, domestic expenditures, and monthly expenses for my daughter. The court has a serious misunderstanding of the evidence.” 53. There was the contention that the Mother had manipulated and fabricated evidence which this Court had accepted to his disadvantages. 54. I stand by my decision on Ground 2 to also apply to this Ground 3 insofar as the Father’s asserted dire financial means was concerned. As to the Father’s assertion that his financial needs had not been properly or prudently considered, there was the primary hurdle for him to persuade this Court why his financial needs could not be met by those substantial sum of monies which he managed to obtain but chosen to spend on legal fees to contest a “no defence” case and then he could claim that his financial needs could not be met. Such contention, in my view, even does not get off the ground. 55. As for the assertion that the Mother had manipulated and fabricated evidence to mislead this Court, this is no more than his own perception of the evidence and misunderstanding as to the probable value of evidence in civil proceedings, including matrimonial litigation. 56. For this ground, I decided that there was no reasonable prospect of success on appeal. 57. Ground 3 would be dismissed. Ground 4 58. The Father was of the view that this Court languidly revisited to past events but not considering matters afresh. Such contention arose from this Court ordering him to pay rental of the unit which the Mother and the child N once lived in but no longer living at the time of trial. 59. Same as before, the Father was trying astutely and shamelessly to hide away from his misdeeds whilst attempting to put forward his contention out of context to ground his appeal. 60. From paragraphs 30 to 33 of the 21/5/2025 Judgment, I have set out the underlying facts leading up to the urgent need of an additional rental expense of HK\$22,000 to build into the original 5/6/2015 Order. In a gist, this was due to the Father’s sudden non-payment of the mortgage instalments of his property ordered by me to be settled on trust for the use and benefit of N. The Father’s non-payment, apart from breaching the 5/6/2015 Order, attracted foreclosure proceedings by the mortgagee bank. The Mother and the child N were thus forced to move out and to incur unexpected rental expense of HK\$22,000 a month for their immediate housing needs which had resulted in the 23/2/2023 Order. 61. Faced with the continuous breach of the “two orders” with no payments received for years, the Mother’s case was that she and the child N could only move to live with her parents for rent saving reasons. 62. The Father’s unscrupulous submission that this Court did not consider matters afresh is misconceived and completely groundless. On the facts of this case, if the Court was to accept Father’s contention of considering the “forced-to-be” scenario of the Mother’s and the child N’s free accommodation in the maternal grandparent place, without noting the cause and underlying facts which gave rise to such episode, this would be tantamount to recognising and accepting the Father’s continuous breach of the “two orders” without consequences. This is repugnant to any sense of justice and fairness. 63. For this ground, I decided that there was no reasonable prospect of success on appeal. 64. Ground 4 would be dismissed.

Ground 5 65. At paragraphs 60 to 63 of the 21/5/2025 Judgment, I have set out the reasons for the need of this item but assessed it from HK\$10,000 a month down to HK\$2,000 a month to run retrospectively from the month of November 2023 (when N was aged 15) to achieve fairness. 66. The Father was unable to show any error of law on my decision on this item. 67. For this ground, I decided that there was no reasonable prospect of success on appeal. 68. Ground 5 would be dismissed. Ground 6 69. It is trite law that it is not the function of a judgment to address each and every point in arguments or evidence without regard to the significance of the same in the overall exercise in assessment of facts and evidence (as per Lam VP (as he then was) in the case of LWH v NKWS & Ors [2018] HKCA 260). 70. There are ample and sufficient reasons, so far as could be found on the evidence received at trial and overall consideration of all the circumstances, for me to arrive at the 21/5/2025 Judgment to achieve justice and fairness in the case, with the child N's best interests preserved though yet to be received in the near future. This is grossly unsatisfactory. 71. For this ground, I decided that there was no reasonable prospect of success on appeal. 72. Ground 6 would be dismissed. Summary of Father's 6 grounds of appeal 73. The Father tried to do a summary of his 6 grounds of appeal by the following paragraphs in the "Draft Grounds of Appeal" which I set out as follows :- "53. It appears my evidence has not been thoroughly scrutinized, and care has been taken to prudently assess it, accompanied by a lack of elucidation. Furthermore, I am unable to perceive any justification for the approximately HK\$6.80 million adjudicated given my genuine and current financial situation disclosure, which cannot accommodate such amounts. 54. In summary, the Matrimonial Proceedings and Property Ordinance (Cap.192), particularly Sections 7 and 10, Legal Aid Ordinance (Cap.91), Children Ordinance (Cap.461) along with the Bill of Rights Ordinance (Cap.383) Article 10, which establishes the legal framework for considering the father's financial means in matrimonial maintenance claims, may not have complied with. The court is required to prudently assess my financial circumstances before making any judgments, ensuring that the welfare of the child and the needs of both parties are adequately addressed. Notably, the authentic and judicious evaluation of the father's current and prospective financial capabilities, his standard of living, as well as his medical and legal support requirements, has not been conducted with the requisite transparency. 55. There may also be scrutiny regarding the Respondent's financial resources. It is both illogical to presume that the Respondent has successfully subsisted for the past 16 years without any form of income, savings, financial support, or inappropriate recourse to my daughter's maintenance funds. 56. Neglecting my financial resources or means and the pertinent evidence in making determinations regarding maintenance variations may culminate in erroneous conclusions that could be rendered void under legal stipulations..... 57. In conclusion, the cited case law collectively supports my contention that the court erred in making a maintenance variation by disregarding my financial means and documentary evidence while relying on the Respondent's speculations with spurious and tampered evidence. The rulings emphasise the importance of basing judicial decisions on credible and substantiated evidence, ensuring that all parties are treated fairly and justly in maintenance matters." 74. These proceedings were commenced under the Guardianship of Minors Ordinance, Cap.13 ("GMO"). There are

specific provisions for adjudication of parents' liabilities and financial needs of the minor(s) in question. There is no marital relationship between the Father and the Mother for matrimonial maintenance claims (my emphasis) under the statutory regime of the MPPO so suggested by the Father in paragraph 54 of his "Draft Grounds of Appeal". The Father apparently had mixed up spousal; maintenance and carer's allowance. 75. At paragraph 26 of the 21/5/2025 Judgment, the statutory provisions governing maintenance for minors under the GMO were recited and noted by me. The 2 key factors which need to be considered are, namely, (i) the financial needs of the minor(s) in question; and (ii) the means of the parent being asked to pay (in this case the Father). 76. At paragraph 29 of the 21/5/2025 Judgment, I referred to and agreed with the decision in the case of *RMH v GY* [2021] HKFC 215 that the court's approach (my emphasis) in determining variation of maintenance applications under the MPPO and the GMO are alike. However, the likeness of the court's approach must not be mingled with the substantive legal rights afforded under the 2 different statutes. 77. When considering all the circumstances afresh (my emphasis) in variation of maintenance applications, the court is entitled to view the case overall and afresh from different perspectives. The extent or scope of the perspectives varies from case to case and is fact-sensitive. The term "all the circumstances afresh" must not be confined to simply taking records of whatever figures provided by the parties, carrying out the mathematics of addition and subtraction of the figures provided and then come up with a quick and easy answer on the outcome of the variation application without looking further into how those figures came about and/or why was that. 78. I arrived at my 21/5/2025 Judgment from 3 mutually exclusive but highly relevant and important perspectives for disposing the Father's application for variation. For the sake of completeness but at the expense of repetition, they are now repeated as follows :- "45. From the perspective of costs, M was and still is on legal aid. F in the past years engaged different reputable law firms specialised in matrimonial practice and engaged different eminent Counsel, including Senior Counsel, to represent him. F revealed before me that he had so far spent around or over 20 million dollars in legal costs and now he chose to represent himself in these proceedings. This undoubtedly contravenes the underlying aim and objectives of costs effectiveness under Order 1A rule 1 of the Hong Kong Civil Procedure ("HKCP") 2025. 46. From the perspective of time, it is now the 15th anniversary of This case and the child who was born in 2008 would be turning majority (that is, 18 years old) in November 2026 (that is, 18 months later). Worst still, the child does not seem to have enjoyed, or had ever continuously enjoyed, the fruits of litigation for having the full benefit of maintenance orders granted by the Court. This undoubtedly also contravenes the underlying aim and objectives of procedural economy and case efficacy under Order 1A rule 1 of the HKCP. 47. From the perspective of practicality, I have no hesitation to say these proceedings serve no benefit for the child who had been caught in between her parents' 15 years of battle in litigation since she was only 2 years old in 2010 when these proceedings first started." 79. As the docket judge overseeing this case for the past 15 years uninterruptedly, I have given full and careful consideration to the Father's case and his evidence produced for his variation application, including his financial resources and documents, in an attempt to show his asserted dire financial situation. As a

matter of fact, this had led me to look into the case overall and afresh with the above 3 perspectives in mind. 80. All in all, I find none of the Father's 6 grounds of appeal sustainable or supportable for me to grant him leave to appeal. 81. Accordingly, I decided that the Father's Summons dated 16 July 2025 seeking leave to appeal be dismissed. "New Evidence" produced by the Father 82. I agreed with Counsel Miss Alison Choy that the Father failed to meet the criteria for adducing new evidence after trial, which were attached as 4 exhibits to his "Draft Grounds of Appeal". 83. Hence, none of those exhibits would be considered by me. Any "interest of justice" ground for leave to appeal ? 84. I have given careful consideration and decided that no such ground exists for me to grant leave to appeal to the Father. Costs 85. With my decision on the Father's application for leave to appeal having failed completely, it is fair and reasonable for costs to follow the event in favour of the Mother, who is legally aided. 86. I also grant Certificate for Counsel.

Orders

87. I now grant the following Orders :- Father's Summons dated 16 July 2025 seeking leave to appeal be dismissed; Father do pay to the Mother the costs of the application, including costs reserved (if any), to be taxed if not agreed; There be Certificate for Counsel; and Mother's own costs be taxed in accordance with Legal Aid Regulations. (George Own) District Judge The Applicant unrepresented, acting in person Miss Alison Choy instructed by Messrs. Stevenson, Wong & Co, Solicitors for the Respondent on the instructions of the Director of Legal Aid

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