









# TAYLOR'S INTERNATIONAL CONFERENCE ON THE

### **FUTURE OF LAW AND LEGAL PRACTICE 2021**

LAW AND LEGAL PRACTICE IN THE POST-PANDEMIC ERA: OPPORTUNITIES, SOLUTIONS AND INNOVATIONS

26 and 27 October 2021 An Online Conference via ZOOM

# Taylor's International Conference on the Future of Law and Legal Practice 2021 'Law and Legal Practice in the Post-Pandemic Era: Opportunities, Solutions and Innovations'.

The 2nd Taylor's International Conference on the Future of Law and Legal Practice (ICFLP 2021), to be organized by Taylor's Law School in Taylor's University on 26 and 27 October 2021, in a fully online e-Conference format, aims to explore contemporary legal developments in Malaysia and abroad. The theme of ICFLP 2021 is 'Law and Legal Practice in the Post-Pandemic Era: Opportunities, Solutions and Innovations'.

ICFLP 2021 aims to canvass the unique nature of the challenges posed to law, legal practice, and the teaching and learning of law by a global pandemic such as COVID-19; the ingenuity of the legal and regulatory responses around the world; and the opportunities for the development of law, legal practice, and legal pedagogy in the post-pandemic era.

The International Conference aims to showcase a range of academic and practice-oriented perspectives on these issues, exploring the ways in which the practice and teaching of law - and indeed the fundamental concept of law itself - can be developed in response to the challenges created by a global pandemic such as COVID-19 with the assistance of technology and innovation driven solutions.

Participants from academia, legal practice, and related industries have been invited to present papers and to share their thoughts and views relating to various aspect of these broad themes. Presentations at the International Conference will be clustered into four main streams, namely Private Law, Healthcare & Medical Law, Public Law, and Legal Education.

The International Conference is intended to provide a forum for scholars, practitioners, regulators, academics, and researchers to explore and debate issues relating to the innovations and opportunities highlighted by the COVID-19 pandemic. Junior scholars and those seeking to develop ideas towards publication are particularly encouraged to present.









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#### **Overview of Conference Streams**

The ICFLP 2021 aims to provide participants and paper presenters with the opportunity to provide insights and be engaged in reflective discussion in the following streams:

#### **Private Law**

Presentations on issues and perspectives in the field of private law subjects such as Contract, Tort, Unjust Enrichment, Equity and Trusts, Corporate and Commercial Law, Competition Law, Banking and Finance Law, Intellectual Property, family law, Information Technology and Innovation Law and other related areas of law.

#### **Healthcare and Medical Law**

Presentations on topics within the contemporary healthcare environment; laws regulating the provision of healthcare; the aged and other vulnerable communities; ethical issues; the public-private divide in the provision of healthcare; and related areas of law.

#### **Public Law**

Presentations on topics relating to constitutional law and principles, governmental and regulatory powers, emergency powers and issues of scrutiny, administrative law, criminal offences, refugee rights, protection of migrant workers, the law of ASEAN, and international human rights.

#### **Legal Education**

Presentations on topics concerning improvements to the delivery of legal education, including techniques to enhance teaching, learning, and research in law. The impact of the recent global pandemic on methods of teaching, learning, and research will also be discussed.









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# **Conference Programme**

(Note: The Conference is fully online via the Zoom® application)

# Day 1 – Tuesday, 26 October 2021

Time	Session Details		
1.40 pm – 2.00 pm	Welcome		
	Guests and Participants enter the ZOOM Session for Opening Ceremony		
2.00 pm – 2.10 pm	Opening Address		
	Associate Professor Dr Harmahinder Singh Iqbal Singh		
	Chairperson of the Organizing Committee, ICFLP 2021		
	Welcome Address		
	Professor Michael John Driscoll		
	Vice-Chancellor & President, Taylor's University		
2.10 pm – 2.45 pm	Keynote Address		
	Yang Arif Justice Datuk Nallini Pathmanathan		
	Judge of the Federal Court of Malaysia		
2.45 pm – 2.50 pm	Official Launch of Conference and Photo-Taking		
2.50 pm – 3.00 pm	Break		
	Virtual Networking in Breakout Rooms		
3.00 pm - 4.30 pm	Parallel Sessions #1		
	Parallel Session 1A   Private Law	Presenters:	
	Moderator:	1. Ms. Adeline Chin	
	Dr. A Vijayalakshmi Venugopal	Co-Founder of LawTech Malaysia, Law Asia 365, and	
	Theme:	Cyrus Book Store.	
	"Dealing with Disruptive Innovation in the	2 Martachtas	
	Digital Age"	Mr. Josh Lee     Chairperson, Asia Pacific Legal	
	This session aims to provoke a critical discussion	Innovation and Technology	
	of the challenges that lawyers face in this brave	Association (ALITA).	
	new world. Sustainability and the adoption of		









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LegalTech in this Digital Age form a tripod upon which lawyers strive to prop up the everchanging legal landscape. How do we strike the legal equilibrium between providing ease of access to justice and enhancing business profits? All of these are to be tested against the backdrop of the Digital Age where artificial intelligence, machine learning, and big data analytics abound. How do we compete in a sustainable manner by employing digitalized ways and means? The presentations in this session will explore how much of a legal evolution, as opposed to a legal revolution, is taking place in the current legal industry.

- Ms. Mei Yan Tan
   Partner Technology Strategist,
   Microsoft Malaysia.
- 4. Ms. Josephine Bhavani Rajendra (PhD candidate, Taylor's University)
- Dr. Pierre Horna Legal Officer, United Nations Conference on Trade and Development (UNCTAD).

#### Parallel Session 1B | Healthcare & Medical Law

#### **Moderator:**

Dr. Heama Latha Nair

#### Theme:

"Mental Health Post-COVID-19 – Practitioner, Academic and Student Perspectives"

Mental health disorders are projected to rise during the post-pandemic period due to the long-term effects of the pandemic, the restrictive measures undertaken such as social distancing and quarantine, as well as the socioeconomic effects. Unless preventive measures are considered and taken now, the mental health impact of the COVID-19 pandemic can persist and have long-lasting negative effects on our communities. This session will aim to consider mental health issues arising out of the pandemic; explore possible methods and approaches in overcoming mental health challenges; problems and and canvass recommendations on tackling this pressing issue post-COVID-19.

- Dr. Paul Jambunathan (Consultant Clinical Psychologist & Senior Lecturer, Monash University Malaysia)
- Mr. Mavindra Jothi (Messrs. Thomas Philip)
- Associate Professor Dr. Anasuya Jegathevi Jegathesan (Department of Social Sciences, School of Liberal Arts & Sciences (SLAS), Taylor's University)







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#### Parallel Session 1C | Public Law

#### Moderator:

Dr. Tamara Joan Duraisingam

#### Theme:

"Vulnerable communities: Lessons from the pandemic"

The presentations in this session will address the challenges faced by vulnerable communities in Malaysia and abroad as a result of the pandemic. These communities include migrant workers, stateless persons, the urban poor, and underserved rural communities, among others.

This session also aims to address the challenges faced by stakeholders in providing assistance to these communities during the pandemic, as well as efforts towards overcoming these challenges.

#### Presenters:

- Mr. Shaun Kang Wei Hsiang (Former Special Advisor, International Committee of the Red Cross)
- Ms. Prema Arivanathan & Ms. Tee Michelle (AWAM)
- Mr. Kenneth Cheng
   (Suara Rakyat Malaysia –
   SUARAM)
- Ms. Lee Su-Anne
   (Child Protection Specialist, UNICEF)
- Mr. Lai Mun Onn &
   Ms. Cynthia Lorraine Silva (Senior Lecturer, Taylor's Law School, Taylor's University)

#### Parallel Session 1D | Legal Education

#### **Moderator:**

Ms. Jenita Kanapathy

#### Theme:

Legal Education during the Pandemic: An Academic Perspective"

This session will focus on educators' views and perspectives on legal education during the Covid-19 pandemic. This includes the challenges faced in terms of teaching and learning activities – from in-class teaching to online delivery – and suggestions to overcome those challenges.

The presentations in this session will also include an educator's perspective on their supervisory roles in student-led activities and how the pandemic has affected these roles.

- Mr. Tay Eng Siang, Mr. Clement Hii Zi Kang, Mr. See Keng Ng & Dr. Chee Ying Kuek (Faculty of Law, Multimedia University)
- Ms. Puteri Sofia Amirnuddin, Dr. Jesrina Ann Xavier, Ms. Adeline Chin & Mr. Matthew Philip (Taylor's University)
- Dr. Rosie Fox (Lecturer, School of Law, University of Leeds)
- Associate Professor Dr.
   Harmahinder Singh
   (Head of School, Taylor's Law School, Taylor's University)







#### TAYLOR'S

TAYLOR'S LAW SCHOOL

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		<b>26 and 27 October 2021</b> An Online Conference via ZOOM
4.30 pm - 4.45 pm 4.45 pm - 6.15 pm	Break Virtual Networking in Breakout Rooms Parallel Sessions #2	
	Parallel Session 2A   Private Law  Moderator: Mr. Harcharan Singh Ujagar Singh  Theme: "The impact of the COVID-19 pandemic on commercial and consumer contract laws"  The consequences of the COVID-19 pandemic for both commercial contracts and consumer contracts spotlighted many issues which highlight the limitations of the legal tools currently available to deal with the impact on these contracts. Thus, discussions on whether and when the adjustments made to commercial and consumer contract law could constitute an instance of "legal disruption" are crucial to better understand how these areas of law might be affected beyond the current circumstances. The presentations in this session aim to discuss a myriad of current approaches to deal with pandemic towards consumer contract and commercial contract laws in Malaysia and other jurisdictions.	Presenters:  1. Ms. Joan Ting Pang Chung (Partner, ZICO Law, Malaysia)  2. Mr. Mangyo Kinoshita (Founding Partner, Southgate Japan; Attorney-at-law admitted to the Japanese and California Bars)  3. Mr. Chew Phye Keat (Managing Partner, Raja, Darryl & Loh)  4. Ms. Rushmila Bintay Rafique (Taylor's University)
	Parallel Session 2B   Healthcare & Medical Law  Moderator: Dr. Ambikai Thuraisingam	Presenters:  1. Dr. Sivashanker  Kanagasabapathy  (Modical Practitioner)

"Front liners - Level of Preparedness, Support and Challenges in Handling Bereavement in a Pandemic"

The COVID-19 pandemic has resulted in an unprecedented number of deaths globally, which is undoubtedly an overwhelming experience for front liners who were not

- (Medical Practitioner)
- 2. Dr. Kuek Chee Ying (Dean & Senior Lecturer, Faculty of Law, Multimedia University) & Dr. Sharon Kaur Gurmukh Singh (Senior Lecturer, University of Malaya)







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prepared to face such a devastating situation. Although bereavement is a natural part of the human experience and front liners are deemed to be trained to cope with death, the intensity of handling numerous deaths during the pandemic can have a traumatic, painful, and negative impact on front liners physically, emotionally, and mentally. This session explores how to prepare and support front liners in handling bereavement and to introduce a viable support system that can assist front liners in tackling bereavement during a pandemic.

- Dr. Ong Kong Seng (Medical Practitioner, Hospital Shah Alam & alumnus of Taylor's Law School LLM Programme)
- 4. Ms. Hoo Ling Lee
  (Chief Executive Officer,
  Gleneagles Kuala Lumpur)

#### Parallel Session 2C | Public Law

#### **Moderator:**

Mr. Lai Mun Onn

#### Theme:

"Human rights in the pandemic era: Issues and Perspectives"

The presentations in this session will consider various perspectives on the impact of the Covid-19 pandemic (and national responses to the pandemic) on the availability of fundamental rights and liberties in Malaysia, the region, and globally.

Presenters in this session will also discuss the lessons that could be learnt from experiences during the pandemic, in terms of the protection of fundamental rights and liberties.

#### **Presenters:**

- Mr. Simon Wood (Lecturer, Faculty of Law, University of Malaya)
- Ms. Marini Arumugam,
   Dr. Wilson Tay Tze Vern &
   Dr. Tamara Joan Duraisingam,
   (Taylor's Law School, Taylor's
   University)
- Ms. Suzanna Hadi & Mr. Nakeeran Kanthavel (Taylor's Law School, Taylor's University)
- 4. Ms. Koh Ker Xuan (Taylor's University)

#### Parallel Session 2C(ii) | Public Law

#### Moderator:

Ms. Saratha Muniandy

#### Theme

"Constitutional interpretation in the post-Covid era"

- Prof. Dr. Ashgar Ali Ali Mohamed (Professor, Ahmad Ibrahim Kuliyyah of Laws, International Islamic University Malaysia)
- 2. Ms. Chithra Latha Ramalingam







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	Papers in this session will aim to consider the myriad possibilities in constitutional interpretation that have arisen as a result of governmental responses to the pandemic worldwide. Novel questions of law and practice confronting courts, practitioners, and academics in the field of constitutional interpretation will also be explored. This session also aims to consider the way forward in addressing the new constitutional questions that have arisen during, and as a result of, the recent global pandemic.	(Senior Lecturer, HELP University)  3. Dr Muhammad Hassan Ahmad (Assistant Professor, Ahmad Ibrahim Kuliyyah of Laws, IIUM)  4. Dr A Vijayalakshmi Venugopal (Senior Lecturer, Taylor's Law School, Taylor's University)
6.15 pm – 6.30 pm	Briefing to all participants for Day 2	
6.30pm	Closing of Day 1	

# Day 2 – Wednesday, 27 October 2021

Time	Session Details	
2.00 pm – 3.30 pm	Parallel Sessions 3 (All Streams)	
	Parallel Session 3A   Private Law	Presenters:
	Moderator: Dr. Sia Chin Chin	Mr. Raphael Tay Choon Tien     (Partner, LAW Partnership,     Malaysia)
	Theme:  "Can the Law Keep Up with the Internet of Things in times of pandemic?"	Mr. Federico Vasoli     (Partner, dMTV Global, Italy)
	The Internet of Things (IoT) is the latest phase in the evolution of the internet, bringing unprecedented access and insights into people's lives, especially in the times of pandemic. The IoT has the ability to collect and exchange data on every aspect of our lives and business, which increases efficiency and predictability. By virtue of this, the exponential growth of technology beckons the question of whether the law is able to keep up with the new issues and challenges which IoT brings about in times of pandemic, for	3. Ms. Raja Eileen Soraya binti Raja Aman (Partner, Messrs Raja Darryl & Loh)









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example, intellectual property, data protection, privacy, automated contracts, and product liability. The challenge is for both the lawmakers and the legal professionals. What are the skills and concepts which are critical to advocate for laws well-suited for the IoT in the pandemic era?

#### Parallel Session 3B | Healthcare & Medical Law

#### Moderator:

Ms. Marini Arumugam

#### Theme:

"Vaccination – Exploring the Legal Perspective of National Vaccine Programme"

In an effort to grapple with the COVID-19 outbreak that has ravaged Malaysia, the Malaysian government rolled out the National Covid-19 Immunisation Programme in phases starting from March 2021. On the heels of this programme, pertinent questions to be asked include those around the legal requirements for vaccine importation and implementations. What are the legal challenges for a national vaccine programme such as Malaysia's? What will be the legal ramifications of vaccine injuries, as well as the legal probability of setting up a national vaccine injury compensation trust fund in Malaysia?

This session aims to explore the legal aspects of vaccination, the effectiveness and safety of the vaccine, and the legal implications as well as the possibility of a compensation programme in the event vaccine-related injury occurs.

#### **Presenters:**

- Prof. Dr. Chong Pei Pei (Professor, School of Medicine, Taylor's University)
- Dr. Sudhir Kumar A/L Sri Kumar (Medical Practitioner, Ministry of Health Malaysia)
- Dr. Abdul Gafoor Mubarak (Specialist, Island Hospital, Penang)

#### Parallel Session 3C | Public Law

### Moderator(s):

Dr. Wilson Tay Tze Vern

#### Theme:

"Constitutional interpretation in the post-Covid era"

#### **Presenters:**

 Mr. Lim Wei Jiet (Secretary-General, National Human Rights Society – HAKAM)









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Presentations in this session will consider the myriad possibilities in constitutional interpretation that have arisen as a result of governmental responses to the pandemic worldwide. Novel questions of law and practice confronting courts, practitioners, and academics in the field of constitutional interpretation will also be explored. This session also aims to consider the way forward in addressing the novel constitutional questions that have arisen as a result of the recent global pandemic.

- Prof. Andrew Harding (Visiting Research Professor, National University of Singapore)
- Mr. Srimurugan A/L Alagan (Practitioner, Messrs Srimurugan & Co.)
- Mr. Andrew Khoo Chin Hock (Co-Chair, Bar Council Constitutional Law Committee, Malaysian Bar).

#### Parallel Session 3D | Legal Education

#### Moderator(s):

Ms. Puteri Sofia Amirnuddin

#### Theme:

"Legal Education Pre- and Post-Pandemic: A Practitioner's Point of View"

This session focuses on the legal profession, individual practitioners, and other stakeholders, and what they expect from Law Schools and law students, as preparation for students before entering the workforce.

Presentations in this session will include the practitioners' and stakeholders' experiences in their respective careers. Presenters will also share their thoughts on the skills set required for their jobs, interesting moments, challenges, values, and the quest for work-life balance during the pandemic, as a guideline to future members of the workforce.

#### **Presenters:**

- Ms. Santhi Latha, (Dean, Rajah & Tann Asia Academy)
- Ms. Crystal Wong Wai Chin (Partner, Messrs Lee Hishammuddin Allen & Gledhill)
- Mr. Teh Wai Fung (Associate, Messrs Lee Hishammuddin Allen & Gledhill)
- Ms. Larissa Ann
   (Associate, Messrs Azri Lee Swee Seng)

3.30 pm - 3.45 pm

#### **Break**

Virtual Networking in Breakout Rooms







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#### 3.45 pm - 5.15 pm

### **Parallel Sessions 4 (All Streams)**

#### Parallel Session 4A | Private Law

#### Moderator:

Dr. Bhuvanes Veerakumaran

Theme: "An ethical perspective of corporate social responsibility (CSR) in a post pandemic era"

While the government uses laws, regulations, and policies to set a minimum standard of behaviorism for corporate entities, ethics imposes a higher level of standard on corporate entities. Corporations are expected to act in the best interests of society, while protecting their employees and maintaining the trust of their various stakeholders. As this was and has been the practice in the past, the Covid-19 pandemic has shaken the core purpose and direction of CSR. Presenters in this session will accordingly share their views and understandings of the future direction of maintaining ethics in CSR in the post-pandemic era.

#### **Presenters:**

- Dr. Loganathan Krishnan (Lecturer, Monash University, Malaysia)
- Dr. Pankaj Kumar Gupta & Ms. Manvi Gupta (Jamia Millia Islamia, India)
- Ms. Francesca Chin Nyuk Oi, Mr. Gary Ng Kit Ming, Ms. Joanne En Ling Lau & Mr. Tay Eng Siang (Multimedia University)
- Dr. Sia Chin Chin &
   Ms. Jolyn Toh
   (Taylor's Law School, Taylor's
   University)

# Parallel Session 4B | Healthcare & Medical Law

#### **Moderator:**

Dr. Sia Chin Chin

#### Theme:

"Medical, Healthcare and Food Aid of the marginalised – The Covid-19 Pandemic Experience"

The COVID-19 pandemic has brought great challenges in safeguarding the health and wellbeing of individuals, specifically in the provision of medical, healthcare, and food aid to the marginalized and vulnerable communities such as the aged and elderly, migrant communities, the urban poor, stateless persons, and many others. Statistics in Malaysia and globally reveal

- Mr. Luca Polizzi
   (Policy Officer, Research and Innovation Policy on Hydrogen, European Commission Directorate-General for Research & Innovation Clean Energy Transition)
- Ms. Pang Chia Yee –
   (Psychologist and Lecturer, School of Liberal Arts & Sciences, Taylor's University)
- Dr Ved Pal Singh
   (Assistant Professor, Maharshi
   Dayanand University, India)







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large number of infections are from these communities. This session will aim to examine issues in this context and address the challenges faced by these communities in Malaysia and abroad, the challenges faced by stakeholders in provision and aiding of these communities during the pandemic, as well as potential solutions and concerted efforts towards overcoming these challenges.

#### Parallel Session 4C | Public Law

#### **Moderator:**

Ms. Suzanna Abdul Hadi

#### Theme:

"Public Law in the era of COVID-19: Practical Experiences and Perspectives."

This session draws on the experience of dealing with the challenges posed by the global pandemic to the practice of public law generally. Presentations in this panel will discuss the impact of the pandemic on various aspects of the teaching, research, and professional practice of public law.

#### **Presenters:**

- Mr. Sachin Menon (Taylor's University)
- Associate Professor Dr. Khairil Azmin Mokhtar & Mr. Hani Adhani (Ahmad Ibrahim Kuliyyah of Laws, International Islamic University Malaysia)
- Mr. Harpajan Singh,
   Ms. Syarifah Mastura SA Bakar,
   Ms. Abidah Saad &
   Ms. Sukjeet Kaur
   (INTI Education Group
   Malaysia)
- Dr. Tamara Joan Duraisingam & Ms. Johanna Mahadevan (Taylor's Law School, Taylor's University)

#### Parallel Session 4D | Legal Education

#### **Moderators:**

Ms. Sharon Chong Tze Ying Ms. Charmayne Ong (Messrs. Skrine)

#### Theme:

"Legal Career Paths and Market Outlook, Post-Pandemic"

- 1. Ms. Charmayne Ong (Partner, Messrs. Skrine)
- Ms. Tan Lee Quin (In-house counsel, Grab Malaysia)







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	The world has changed over the course of the COVID-19 pandemic and has caused significant impact on all industries and sectors on a global scale, including the legal industry.  This session focuses on the various legal career options available to law graduates and aspiring lawyers in these challenging times and will provide helpful information for prospective law students, academics, and anyone interested in learning more about legal career options. The panel will share their insights on current industry and market trends and their respective experiences, challenges and future outlook from their perspectives.  Accordingly, this session brings together academicians, legal practitioners, and other stakeholders to share the outcome of their studies on legal education pre- and post- Covid-19.	<ol> <li>Ms. Sharon Chong Tze Ying (Partner, Messrs. Skrine)</li> <li>Ms. Serena Lim (Director, Bizibody Technology Pte Ltd, Litigation Edge Pte Ltd</li> </ol>
5.15 pm – 5.30 pm	Break Virtual Networking in Breakout Rooms	
5.30 pm – 5.50 pm	Awards for Best Papers and Virtual Prize-Giving	
5.50 pm – 6.00 pm	Closing Address Co-Chairpersons of the Organizing Committee, ICFLP 2021	
6.00 pm	End of Conference Virtual Networking in Breakout Rooms	