

Registration Fee		
	On or before 1st July 2009	After 1st July 2009
Participants	RM 700.00	RM 800.00
Academicians/ CI Arb member	RM 600.00	RM 700.00
Students	RM 200.00	

Registrations Fees will cover conference materials, two lunches, four tea breaks and one conference dinner. Kindly indicate if you are attending the dinner.

Conference Dinner		
Attending Dinner	Yes	No

Participant's Details	
Full Name :	
Title(Mr/Ms/Dr/.....):	Occupation :
Firm/Organisation :	
Address :	
Telephone :	Postcode :
Fax:	Email :
Dietary or other special requirements:	

Payment		
	On or before 1st July 2009	After 1st July 2009
Registration of Conference	RM	RM

**Please send registrations to Ms Joann Tan**

Upon confirmation, kindly make payment to **Chartered Institute of Arbitrators Malaysia Branch** with account details as below.

**Cheque**

Payable to **"Chartered Institute of Arbitrators Malaysia Branch"**  
G-3-8, Block G, Plaza Damas, 60 Jalan Sri Hartamas 1, 50480 Kuala Lumpur, Malaysia

**Telegraphic Transfer**

Payable to **"Chartered Institute of Arbitrators Malaysia Branch"**

Account No: 1425-0000-689-055

Bank Address: **CIMB Bank Berhad**

Menara PNB, 1st Floor, Menara PNB, Jalan Tun Razak, 50400 Kuala Lumpur

If you wish to pay via bank telegraphic transfer, kindly fax us a copy of the remittance advice in order for us to issue receipt.

Signature \_\_\_\_\_

Date \_\_\_\_\_

**Enquiries & Registration**

**The Chartered Institute of Arbitrators,  
Malaysia Branch**

G-3-8, Block G, Plaza Damas  
60 Jalan Sri Hartamas 1  
50480 Kuala Lumpur  
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Tel : +(603) 6203 5457  
Fax : +(603) 6203 5471  
Email : ciarb.mal@gmail.com

Contact Person: Ms Joann Tan

**Enquiries Only**

**Ahmad Ibrahim Kulliyah of Laws  
International Islamic University Malaysia**

PO Box 10, 50728 Kuala Lumpur  
Malaysia  
Tel : +(603) 6196 4229  
Fax : +(603) 6196 4854  
Email : nemie@iiu.edu.my

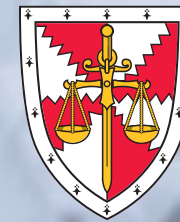
Contact Person: Assoc. Prof Dr Puteri Nemie Jahn Kassim

**Terms & Condition:**

- i) Please be informed that any cancellation received in writing within 10 working days prior to the Conference Date will be subjected to a 50% cancellation charge.
- ii) Registration is confirmed only upon receipt of the registration fee.
- iii) Kindly let us have your substitute delegate in writing before the Conference Date to avoid incurring cancellation charges.
- iv) Any "no-show" by registered participant on Conference Date will be liable for full payment of the Conference Fee.

**Disclaimer:** The Conference Organizers reserve the right to change the speakers, date and to cancel the programme or part of it should circumstances arise beyond its control. CI Arb also reserves the right to make alternative arrangements without prior notice should it be necessary to do so. Upon registration, you are deemed to have understood and agreed to the above terms and conditions.

The Chartered Institute of Arbitrators, Malaysia Branch  
&  
Ahmad Ibrahim Kulliyah of Laws and Kulliyah of Medicine,  
International Islamic University Malaysia



Chartered  
Institute of  
Arbitrators  
**CI Arb**



International  
Islamic  
University  
Malaysia

are proud to jointly organise the

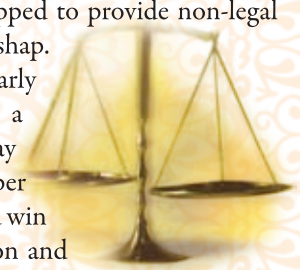
**"ADR CONFERENCE ON MEDICAL NEGLIGENCE 2009"**  
**New Directions in Resolving  
Medical Disputes in Malaysia:  
Is ADR a Viable Option?**

**24th – 25th July 2009 (Friday and Saturday)**  
**Venue: Moot Court, Ahmad Ibrahim Kulliyah of Laws,  
International Islamic University Malaysia**



**Litigation** has never been a haven for neither the doctor nor the patient. The difficulties faced by the patient in proving medical negligence have long been apparent due to the deficiencies in the tort or fault-based system. Often, both the substantive and the procedural law tend to work against the interest of the patient. For the doctors, the threat of litigation and the publicity which

a medical negligence claim entails is sufficient to cause a loss of reputation regardless whether the trial ends in their favour. Further, the tort or fault-based system seems ill equipped to provide non-legal remedies such as explanation and investigation of events leading to the mishap. Alternatives to the tort or fault-based system have been advocated, particularly in employing various methods of alternative dispute resolution to reach a settlement between disputing parties. Such methods can be seen to do away with the rigours of litigation by offering settlement through a fairer, cheaper and more helpful approach. These methods do not emphasize on who should win or lose or who is right or wrong. Rather, it focuses on goals of conciliation and personal settlement.



## Objectives of The Alternative Resolution Dispute (ADR) Conference

- To discuss the problems faced by patients and doctors involved in medical negligence claims under the present system.
- To discuss the methods of ADR relevant to resolving disputes in medical negligence claims.
- To analyse whether ADR is able to resolve disputes in medical negligence claims by studying experiences of other countries.
- To offer recommendations and remedial approaches to overcome the problems that exist in the present system in handling medical negligence claims.

## Who Should Attend

ADR practitioners including Arbitrators and Mediators, Doctors, Lawyers, Academicians, Judges, Students, etc.

## Featuring Eminent Speakers/Moderators

- Dr Nik Shamsidah Nik Ibrahim** Deputy Director, Medical Practice Division, Ministry of Health Malaysia
- Prof. Dr Kulenthran Arumugam** MBBS(Spore), FRCOG, MD, PhD, LLB Hons(Lond), Dip Epid(Lond)
- Dr Eddie Soo Fook Mun** MBBS, FRCS(Edinburgh), Orthopaedic Surgeon
- Dato' Norashikin Tan Sri Abdul Rahim** Director, KLRC
- Prof. Tay Sun Kuie** MBBS(London), MD(London), FRCOG, FAMS, MappLaw (Australia)
- Mr Shibly Aziz** P.C. (President Counsel), Former Attorney General of Sri Lanka
- Mr P S Ranjan** Advocate & Solicitor
- Mr Chan Bing Woon** BH, MBE, LLB, MCI Arb, AHKIArb, FHKIoD, General Accredited Mediator-HKIAAC
- Prof. Dr Mohd Akram Shair Mohd** PhD
- Prof. Dr Puteri Nemie Jahn Kassim** PhD
- Prof. Dr Mohammed Fauzi Abdul Rani** MBChB, FRCP, FCCP
- Prof. Dr Nasser Muhammad Amjad** MBBS, MS, FRCS
- Puan Mahiran Bt Md. Isa** AG's Chamber
- Datuk Kuthubul Zaman Bukhari** Advocate & Solicitor
- Prof. Dr Syed Khalid Rashid** PhD
- Dr Ainul Jaria Maidin** PhD
- Mr Darryl Goon** Advocate & Solicitor
- Ms Raja Eileen Soraya** Advocate & Solicitor
- Mr Lee Swee Seng** Advocate & Solicitor
- Mr Muralee Nair** Advocate & Solicitor
- Mr Saprudin Mohd Sharif** Advocate & Solicitor

# Programme

24th – 25th July 2009 (Friday and Saturday)

DAY 1	24th July 2009 (Friday)	DAY 2	25th July 2009 (Saturday)
8.30am – 9.00am	Registration of Participants	8.45am – 10.00am	<b>Problems of Litigation in Handling Medical Disputes and ADR Alternatives</b> Moderator – Mr Muralee Nair
8.45am – 9.00am	Arrival of VIP & VVIP		
9.00am – 9.30am	Welcoming Address  i. Chairman of CI Arb, Malaysia Branch ii. Dean, Ahmad Ibrahim Kulliyah of Laws iii. Dean, Kulliyah of Medicine		i. Hong Kong's Perspectives – Mr Chan Bing Woon ii. Singapore's Perspectives – Prof Tay Sun Kuie iii. Sri Lanka's Perspectives – Mr Shibly Aziz
9.30am – 10.30am	Keynote Address – Minister of Health, Malaysia "Medical Negligence in Malaysia – Trends and Challenges"  Press Conference	10.00am – 10.15am	Q & A
10.30am – 11.00am	Tea Break	10.15am – 10.45am	Tea Break
11.00am – 12.30pm	<b>Overview of the Law &amp; Procedural Problems relating to Medical Negligence Claims in Malaysia:</b> Moderator – Dr Ainul Jaria Maidin  i. The Substantive Law on Medical Negligence – Assoc. Prof. Dr Puteri Nemie Jahn Kassim ii. Expert Evidence in Medical Negligence Claims – Prof. Dr Mohd Akram Shair Mohd iii. Procedural Problems in Medical Negligence Claims – Mr PS Ranjan	10.45am – 12.30pm	<b>ADR in Malaysia – Where do we Stand?</b> Moderator – Puan Mahiran bt Md. Isa  i. Court Annexed Mediation – Datuk Kuthubul Zaman Bukhari ii. Mediating Medical Disputes in Malaysia - A Viable Option? – Dr Nik Shamsidah Nik Ibrahim iii. Mediation in KLRC – Dato' Norashikin Tan Sri Abdul Rahim
12.30pm – 12.45pm	Q & A	12.30pm – 12.45pm	Q & A
12.45pm – 2.30pm	Lunch & Friday Prayers	12.45pm – 2.15 pm	Lunch & Zuhur Prayers
2.30pm – 4.00pm	<b>Medical Negligence: From the Doctor's Perspective</b> Moderator – Prof Dr Naseer Mohammad Amjad  i. How to Avoid Medico-Legal Litigation – Prof Dr Kulenthran Arumugam ii. A Doctor as a Defendant – Prof Dr Mohd Fauzi Abdul Rani iii. The Price of Litigation – Dr Eddie Soo Fook Mun	2.15pm – 3.30 pm	<b>Forum : Challenges in Resolving Medical Disputes &amp; Looking Ahead</b> Moderator – Mr Darryl Goon  • Viability of Applying ADR in Medical Disputes • Implications of Court Annexed Mediation • A Road Map for the use of Mediation in handling Medical Disputes i. Mr Shibly Aziz ii. Prof Tay Sun Kuie iii. Mr Chan Bing Woon iv. Ms Raja Eileen Soraya
4.00pm – 4.15pm	Q & A	3.30pm – 3.45pm	Q & A
4.15pm – 4.45pm	Tea Break	3.45pm – 4.15pm	Tea Break
4.45pm – 5.30pm	<b>Overview of various ADR Processes relevant in Medical Negligence Cases</b> Moderator – Mr Saprudin Mohd Sharif Speaker – Prof Dr Syed Khalid Rashid	4.15pm – 5.15pm	<b>Staged Mediation – Arbitration</b> Coordinator: Mr Lee Swee Seng
5.30pm – 5.45pm	Q & A	5.15pm – 5.30pm	Closing Ceremony
8.00pm – 10.00pm	Conference Dinner		