CONTINUING LEGAL EDUCATION

MEDICAL NEGLIGENCE – CIVIL LIABILITY AND DISCIPLINARY SANCTIONS

by
Professor Kumaralingam Amirthalingam
NUS Law

WEDNESDAY, 23 OCTOBER 2019 | 5.30PM TO 7.45PM
SEMINAR ROOM SR5-4, BLOCK B LEVEL 5, NUS LAW (BUKIT TIMAH CAMPUS)

ABSTRACT
The last three years have seen significant developments in the law relating to medical negligence in two distinct, yet overlapping, contexts, namely tort liability and disciplinary sanctions. This seminar reviews the basic principles underpinning both areas and analyses the major decisions. The first part on medical negligence deals with recent developments in the standard of care, liability for systemic negligence, and institutional liability of hospitals through the doctrine of non-delegable duties. The key cases from Singapore, the United Kingdom and Malaysia will be examined, including Montgomery v Lanarkshire Health Board [2015] AC 1430; Hii Chii Kok v Ong Peng Jin London Lucien and another [2017] 2 SLR 492; Noor Azlin Bte Abdul Rahman v Changi General Hospital Pte Ltd [2019] SGCA 13; and Dr Hari Krishnan & Anor v Megat Noor Ishak bin Megat Ibrahim & Anor and another appeal [2018] 3 MLJ 281. The second part of the seminar deals with disciplinary cases involving allegations of medical negligence. This part of the seminar begins with a brief review of the relevant sections of the Medical Registration Act (Cap 174) and the Singapore Medical Council’s Ethical Code and Ethical Guidelines (2016), before focusing on the duty to inform and the circumstances under which medical negligence may fairly result in a doctor being sanctioned for professional misconduct. Key themes will be the distinction between the duty to inform and the duty to obtain consent, as well as the distinction between civil, criminal and regulatory conceptions of negligence. The recent decision of Singapore Medical Council v Lim Lian Arn [2019] SGHC 172 will be the focus of the discussion, with other relevant decisions considered.

SPEAKER
Kumaralingam Amirthalingam is a Professor at the Faculty of Law, National University of Singapore where he teaches Law of Torts, Business Torts and Criminal Law. His research is primarily in the areas of criminal law and justice (focusing on the role of the Public Prosecutor) and tort law (focusing on medical liability and economic loss). He is an Expert Adviser to the Ministry of Health, Government of Singapore and is on the Teaching Faculty of the Singapore Medical Association Centre for Medical Ethics and Professionalism. From 2012-2014, he was on secondment to the Attorney-Generals Chambers, Singapore as a Deputy Public Prosecutor and Senior Director (Research & Policy). In 2019, he appeared before the Singapore Court of Appeal as amicus curiae in a criminal sentencing matter.

Programme

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.00 pm</td>
<td>Registration</td>
</tr>
<tr>
<td>5.30 pm</td>
<td>Seminar Part I</td>
</tr>
<tr>
<td>6.30 pm</td>
<td>Tea-Break</td>
</tr>
<tr>
<td>6.45 pm</td>
<td>Seminar Part II</td>
</tr>
<tr>
<td>7.45 pm</td>
<td>End of Seminar</td>
</tr>
</tbody>
</table>

Registration Fees
$149.80 (Inclusive of 7% GST)
Limited complimentary seats to NUS Law Staff & Students. Registration is compulsory.

Please register at https://nus.edu/2L2rGmJ
or scan the QR Code.

Closing Date for Registration: Wednesday, 16 October 2019

Participants who wish to obtain CPD Points are reminded that they must comply strictly with the Attendance Policy set out in the CPD Guidelines. For this activity, this includes signing in on arrival and signing out at the conclusion of the activity in the manner required by the organiser, and not being absent from the entire activity for more than 15 minutes. Participants who do not comply with the Attendance Policy will not be able to obtain CPD Points for attending the activity. Please refer to http://www.sileCPDcentre.sg for more information.

Public CPD Points: 2
Practice Area: Personal Injury
Training Level: Foundation