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Doors of Justice Remain Open Despite Movement Control Order

As many Malaysians are aware, the government has imposed the Movement Control Order (**MCO**) effective 18 March 2020 (which has since been extended to 14 April 2020) to control the spread of the COVID-19 pandemic. Like many others, the courts became physically inaccessible. Be that as it may, the courts have not turned away those who have come knocking on the doors of justice.

Since the implementation of the MCO, LHAG has been involved in two cases in which the courts may have, for the first time in the legal history of Malaysia, heard substantive arguments and delivered orders solely through an exchange of e-mails and Skype audio video proceedings:

- (a) On 20 March 2020, through an exchange of e-mails, the courts granted an injunction. The cause papers were filed on 19 March 2020. The same day, the court reverted, informing us that a hearing would be conducted the next day at 9.30am purely through the exchange of e-mails. Written submissions were submitted at or about 3am and the hearing proceeded at 9.30am.
- (b) The following week, a separate injunction hearing was heard and determined through a Skype audio video conference. The hearing was conducted over three days which included a Saturday due to the urgency of the matter.

It is truly commendable how the court was quick to respond to the current situation and was prepared to make available pioneering as well as innovative techniques to conduct its cases in ensuring access to justice. This is certainly a reminder to all that no matter the circumstances, the doors of justice remain open to those who are in need of it.

Guidelines have been provided by the courts on the various

modes of conducting hearings online during the MCO period, which may be accessed [here](#).

** The first matter was heard and determined by Judicial Commissioner Tuan Ong Chee Kwan (assisted by Puan Nor Asma binti Dato' Ahmad, Tuan Ashraf Rezal bin Abdul Manan and Puan Khairun Neesha binti Raj Mohamed). The client was represented by partner Darshendev Singh, associate Tasha Lim Yi Chien and pupil-in-chambers, Hanna Suhaila binti Haizal, of Lee Hishammuddin Allen & Gledhill.*

*** The second matter was heard and determined by Justice Datuk Wong Kian Kheong (assisted by Puan Amira Sariaty binti Zainal). The client was represented by partners Dato' Nitin Nadkarni and Darshendev Singh, along with associate Leong Chee Weng, of Lee Hishammuddin Allen & Gledhill.*

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