

**Syazana Yahya**

*Partner*

LL.B.

National University of Singapore (2015)

Admitted to the Singapore Bar (2016)

Accredited Mediator

Singapore Mediation Centre (2020)

**T: +65 6557 2436 F: +65 6557 2437**

**E: syazana@thuraisingam.com**



## **ABOUT SYAZANA**

Syazana regularly handles international arbitrations for the firm's network of clients in East Asia and Southeast Asia, including Thailand, Indonesia and Japan. She deals with complex, technical and document-intensive disputes, with a particular focus on international trade, shipping and oil & gas matters. She is experienced dealing with institutional and ad-hoc arbitrations. Syazana was a mooted champion in 2015 in the International Maritime Law & Arbitration Competition.

Syazana also regularly acts as counsel in the Supreme Court of Singapore for various commercial matters. She handles insolvency & restructuring matters and disputes with a cross-border element which may involve working closely with foreign counsel.

Syazana also has a strong criminal practice. She has achieved notable results in the area of serious crimes including murder, rape and drug trafficking. Some of these cases have served as legal precedents for future cases. She also acts for and advises companies and businesspersons who are embroiled in criminal investigations involving white-collar crime, such as corruption, cheating and breach of trust.

Outside of law, Syazana is a passionate advocate for social causes involving gender equality and interests of minority groups.

### **Matters of significance include:-**

#### International Arbitration

- **SIAC arbitration – Expedited Procedure:** Acting for a Japanese and Thailand company in an arbitration under the SIAC's expedited procedure.
- **SIAC arbitration – Shipping Dispute:** Acted for a subsidiary of a public-listed shipping corporation against a US company in a charterparty dispute and succeeded in obtaining an award for over USD 10 million for the clients.
- **UNCITRAL arbitration – Oil & Gas Dispute:** Acting for an oil exploration company in an UNCITRAL arbitration against a middle-eastern state-owned company. Dispute involves claims of over USD 126 million and concerns petroleum operations in the South-East Asia.
- **SIAC arbitration – Shareholders' Dispute:** Acting in a shareholders' dispute involving claims of over USD 128 million for an Indonesian businessman.

### Insolvency & Restructuring

- **Scheme of Arrangement:** Acted for several distressed construction companies and facilitated a Scheme of Arrangement sanctioned by the High Court.
- **Restraining Winding up Proceedings:** Successfully acted for a metal-trading company to obtain an order from the High Court to restrain the creditor from presenting a winding up petition pursuant to a USD 30 million debt allegedly arising out of a Corporate Guarantee.

### Other Commercial Disputes

- **International Trade:** Acting for a metal-trading company in a USD 63 million dollar dispute arising out of a Corporate Guarantee issued in the course of trading. Dispute involves cross-border elements as there are ongoing-related proceedings in a foreign jurisdiction.
- **Contract Dispute:** Successfully persuaded the Court of Appeal to accept our argument on a new point of contract law regarding misrepresentation, which has now become a precedent for future contract cases: see *Broadley Construction Pte Ltd v Alacran Design Pte Ltd* [2018] 2 SLR 110.
- **Property Investment Dispute:** Acting for 22 victims of an alleged property investment scam to sell worthless plots of land in India to senior members of the Indian community.

### Serious Crimes

- **Child Murder:** Secured an acquittal for client charged for murdering his 5 year old son with his wife by scalding hot water on the victim over several occasions. Client was convicted of a lower charge of grievous hurt: see *Public Prosecutor v Azlin binte Arjunah & Ors* [2020] SGHC 168.
- **Rape/Sexual Assault:** Secured an acquittal for a doctor charged for raping his patient and convicted in the High Court for outraging the patient's modesty: see *Public Prosecutor v Wee Teong Boo* [2020] SGCA 56.
- **Drug Trafficking:** Successfully reversed the High Court's finding that accused was not a mere courier: see *Mohammad Farid Bin Batra & Anor v Public Prosecutor* [2020] SGCA 19.

### White-collar Crimes / Advisory Work

- **Offences under the purview of Commercial Affairs Department:**
  - Representing and advising an international businessman in cross-border legal matters arising out of the "1MDB" matter, involving issues of police seizure of assets; negotiated on behalf of client with the Attorney-General Chambers.
  - Representing and advising corporate clients in making complaints to the Commercial Affairs Department in relation to criminal breach of trust, misappropriation and/or cheating of company funds.
- **Employment Offences:** Acted for individuals & companies being investigated and/or charged under employment laws for breaches of the employment regulations.
- **Cheating:** Acted for accused persons accused of cheating Bangladeshi workers of over S\$18,000 at Mustafa Centre by pretending to be police officers.

### Other Criminal Cases

- **Drug-related Offences:**
  - Acted for prominent model-DJ in drug-related matters and succeeded in getting her charges reduced at the representations stage.
  - Acted for the daughter of a prominent family in drug-related matters and succeeded in persuading the Court (at the interlocutory stage) not to revoke bail despite the client re-offending, on the basis that the client had a psychiatric issue.
  - Secured a stern warning at the representations stage for clients being investigated for drug-related offences.
- **Probation:** Secured probation for a youthful offender who had cheated over 70 victims of more than SGD 200,000.

### Defamation & Harassment

- **Temple Committee Dispute:** Successfully acted for a Committee Member of a prominent temple in Singapore in a defamation suit against a fellow temple member, obtaining for the client a favourable award for damages and an injunction restricting future defamatory statements from being made.
- **Protection from Harassment Act (POHA):** Acting against a prominent social media influencer in a harassment suit.

### **Syazana's Publications include:-**

- *International Arbitration and Legal Technology in Singapore*, Benchmark Litigation, News & Analysis, January 2021
- *When Can Tenants Expect to Receive the Benefit of Property Tax Rebates From Their Landlords?*, Eugene Thuraisingam LLP publication, May 2020

### **Syazana's Professional Engagements include:-**

- Moderator for a panel session on "*Fine-Tuning Your Dispute Tactics: Strategies That Work*" at Asian Legal Business In-house Legal Summit 2020 organised by *Asian Legal Business*
- Speaker on "*Conversations with Lawyers: Criminal Law*" organised by *NUS COV-AID*
- Speaker for a webinar on "*Expedited Procedure Under the SIAC Rules for Conducting Arbitration in Singapore*" for a law firm in Cambodia