

**NICHOLAS LIU**  
*Assistant Professor*  
*Singapore Management University Yong Pung How School of Law*  
 LL.M., Harvard University  
 J.D. (*summa cum laude*), Singapore Management University  
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## CAPSULE BIOGRAPHY

I write and teach in the area of private law doctrine and jurisprudence, with a focus on the law of torts. Before joining SMU in 2019, I served as a Deputy Public Prosecutor in the Attorney-General's Chambers, a Justices' Law Clerk at the Supreme Court, and a commercial disputes resolution lawyer at a leading Singaporean law firm. I draw on my diverse experiences in my teaching, emphasising the commercial, social, and philosophical context of the law and its role as a practical and principled response to recurring human problems.

## APPOINTMENTS

<b>Assistant Professor</b> , Yong Pung How School of Law, SMU	July 2022–present
<b>Lecturer</b> , Yong Pung How School of Law, SMU	July 2019–June 2022
<b>Associate Counsel</b> , REVLaw LLC	October 2020–present
<b>Associate</b> , Commercial & Corporate Disputes, WongPartnership LLP (previously Practice Trainee and Legal Executive from February–July 2018)	July 2018–June 2019
<b>Tutor</b> , Part A Bar Examinations, Singapore Institute of Legal Education	February–April 2018; February–April 2017
<b>Justices' Law Clerk</b> , Supreme Court of Singapore	January 2016–January 2018
<b>Deputy Public Prosecutor/State Counsel</b> , Criminal Justice Division, Attorney-General's Chambers	October–December 2015

## EDUCATION

**Master of Laws**, Harvard University (2022)

Long paper topic: "Preventing Wrongs: Notes Towards a Prophylactic Theory of Tort Law", supervised by Professor John C.P. Goldberg

*Dean's Scholar Prize, Private Law Workshop; Dean's Scholar Prize, Law & Philosophy Workshop; Student Fellow, Project on the Foundations of Private Law*

**Juris Doctor (*summa cum laude*)**, SMU (2015)

*Wee Chong Jin Prize for the Most Outstanding J.D. Graduate, AY 2014/2015; Kwa Geok Choo Postgraduate Scholarship, AY 2012/2013 and AY 2014/2015; various moot court competition prizes including runner-up (team) in the international championship round of the Philip C Jessup Moot (2014) and champion of the Harry Elias–SMU Moot (2013), Howard O Hunter Moot (2013), NUS Advocacy Cup (2013), and WongPartnership Commercial Arbitration Moot (2012)*

**Bachelor of Arts (Hons., First Class)**, National University of Singapore (2010)  
*Valedictorian (Faculty of Arts and Social Sciences) and NUS Society Gold Medal, AY 2009/2010; Special Book Prize for the Top Student in English Literature, AY 2007/2008*

## **PUBLICATIONS**

### **Forthcoming**

1. “Jurisprudential Underpinnings of Governmental Interventions in Crisis” (forthcoming in an edited collection on government measures in response to the COVID-19 pandemic)
2. “Illegality in Tort in Singapore” (co-authored with Professor Gary Chan and Justin Tan) (forthcoming in an edited collection on illegality in tort law)

### **Book chapters**

3. “The ‘Contracting Problem’ Revisited: Explaining the Formation of Algorithmic Contracts under the Common Law” in *Digital Technologies and the Law of Obligations* (Zvonimir Slakoper and Ivan Tot, eds) (Routledge, 2021) ch 8
4. “‘In Case of Emergency, Break Contract’? The Case for a Unified Regime for Changed Circumstances in Singapore Law” in *Law and COVID-19* (e-book) (Aurelio Gurrea-Martínez, Mark Findlay, and Goh Yihan, eds) (Singapore Management University School of Law, 2020) ch 7 at pp 69–77. Available at: [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3686357](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3686357)

### **Other publications**

1. “The Broader Impact of the New Section 37 of the Civil Law Act on Professional Negligence”, REVLaw Insights (May 2021), available at: <https://www.revlawllc.com/insights-2/>
2. “Town Councillors’ Fiduciary Duties and the Legal Risks of Discontinuing the Punggol East Lawsuit”, Singapore Law Blog (30 July 2020). Available at: <https://www.singaporelawblog.sg/blog/article/248>
3. “Equitable Compensation and the *Brickenden* “Rule” After *Winsta Holding Pte Ltd v another v Sim Poh Ping and others*”, Singapore Law Gazette (April 2019). Available at: <https://lawgazette.com.sg/feature/equitable-compensation-and-the-brickenden-rule/>
4. Headnotes for 19 reported Singapore Court of Appeal and High Court judgments

## **CONFERENCE PRESENTATIONS**

1. Private and Commercial Law Annual Conference 2024, University of Western Australia (9–10 December 2024), “Faulty Reasoning in Tort Theory: Moving Beyond the ‘Basis’ Paradigm”
2. Workshop on Understanding Illegal Tort Claims: Comparative Legal Reasoning in Global Perspective, University of Oxford (2–3 February 2024), “Illegality in Tort in Singapore” (co-presented with Professor Gary Chan; co-authored with Professor Gary Chan and Justin Tan)
3. SMU–Sydney–HKU Law & Sustainability Conference 2023, SMU (13–14 July 2023), “Doing Justice to Ourselves: Intergenerational Torts and the Protection of Present Rights”
4. Asia-Pacific Private Law Conference 2023, HKU (24–25 May 2023), “Inefficient Deterrence: Notes Towards a Prophylactic Theory of Tort Law”

5. Torts Law Reform in Asia and Beyond Conference, CCTL Obligations Lab Asia, Chinese University of Hong Kong (13 May 2022), “Codifying Professional Standards of Care in Negligence: Problems and Promises”
6. Asia-Pacific Private Law Conference 2021, SMU (20–21 May 2021): “Section 37 of the Civil Law Act: A Doctrinally Consistent Expression of Patient Autonomy” (revised)
7. Faculty research seminar, SMU (18 March 2021): “Section 37 of the Civil Law Act: A Doctrinally Consistent Expression of Patient Autonomy”
8. Society of Legal Scholars Virtual Conference 2020, University of Exeter (1–4 September 2020): “Resolving the Counterfactual Conundrum in Equitable Compensation for Breach of Fiduciary Duties” (revised)
9. Asian Private Law Workshop 2020, SMU (28–29 May 2020): “Resolving the Counterfactual Conundrum in Equitable Compensation for Breach of Fiduciary Duties”
10. Zagreb International Conference on the Law of Obligations 2019, University of Zagreb (12–13 December 2019): “Formation and Vitiating of Algorithmic Contracts – A Way Forward for the Common Law”

### **PROFESSIONAL LECTURES/COURSES**

1. “Digital Trade Facilitation”, module delivered to participants of the 2024 Korea-Singapore Cooperation Program, Capacity Building on Digital Economy and Cooperation for ASEAN Countries, 11–12 September 2024
2. “Establishing the Rule of Law in Singapore”, lecture delivered to participants of the Suzhou Industrial Park Software Transfer Project: Modernisation of Social Governance study trip at the invitation of the Ministry of Trade and Industry and the Civil Service College, 25 June 2024

### **SERVICE**

**Editorial and peer reviewing:** Peer reviewer, Singapore Academy of Law Journal, 2024, 2020; Case brief editor, SMU Lexicon, 2019–2023 (edited eight case briefs written by law students in a collaboration with the Supreme Court of Singapore)

**Committees:** Member, YPHSL Futures Committee, 2020; International Chamber of Commerce Singapore Arbitration Group Next Generation Committee, 2019–2020

**Moot court coaching:** Philip C Jessup International Law Moot Court Competition (national round champions, 2017 and 2018; international round semi-finalists, 2023; international round quarter-finalists, 2024); International Criminal Court Moot Court Competition (champions, 2016 and 2018; runners-up, 2017; joint first place, unofficial Asia-Pacific rounds (held in lieu of the official competition cancelled due to COVID-19), 2020); Asia Cup International Law Moot (champions, 2021) Herbert Smith Freehills Computational Law e-Moot (runners-up, 2021)