

Digital Consumer Redress for Persons with Disabilities in Malaysia: From Online Filing to Accessible Justice

Wan Farahiyah Izni W Abd Rahman¹, Mohamad Rizal Abd Rahman¹, Siti Farahiyah Ab Rahim¹, Nur Farahiyah Mohd Nasir¹, Masnizah Mohd²

¹Faculty of Law, Universiti Kebangsaan Malaysia, Bangi, Selangor, Malaysia

²Centre for Cyber Security Studies, Faculty of Information Science and Technology, Universiti Kebangsaan Malaysia, Bangi, Selangor, Malaysia

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ABSTRACT:

Malaysia's consumer-redress architecture includes trader complaints, e-Aduan, the Tribunal for Consumer Claims Malaysia and sector-specific forums, yet online filing does not guarantee equal access for consumers with disabilities. Through doctrinal analysis and comparison of Malaysian, ASEAN, Singaporean, European Union and W3C materials, this article treats redress as an end-to-end justice process, from information discovery and authentication to hearings, decisions and enforcement. It proposes an Accessible Digital Consumer Redress Framework informed by ASEAN guidance, Singapore's integrated eNegotiation and eMediation system, WCAG 2.2 and the European Union's discontinued ODR platform. The framework combines a statutory duty, reasonable accommodation, multiple participation channels, assisted digital support, accessible evidence and hearings, auditing, enforceable remedies and co-design with persons with disabilities.

Keywords: persons with disabilities, digital accessibility, consumer protection, online dispute resolution, access to justice

1. Introduction

The digitalisation of commerce has been accompanied by the digitalisation of complaint handling and dispute resolution. Consumers now purchase goods and services through websites, mobile applications, social media interfaces and digital marketplaces. When a transaction fails, the route to redress commonly begins in the same environment: an online help centre, automated chatbot, complaint form, document-upload page or electronic tribunal portal. This development

can lower cost and geographical barriers. It can also create a new class of exclusion where the redress mechanism is technically available but cannot be used effectively by a person who relies on a screen reader, keyboard navigation, captioning, sign-language interpretation, simplified language, additional time, alternative authentication or human assistance.

The problem is especially important for persons with disabilities because a consumer dispute is rarely resolved by a single click. Redress is a

sequence of legally significant steps. The consumer must discover the correct forum, understand jurisdictional rules, create an account, pass identity checks, complete forms, describe the claim, upload evidence, receive notices, communicate with the trader or tribunal, attend a mediation or hearing, understand the outcome and pursue enforcement. A barrier at any one stage can extinguish a right that formally exists at the substantive level. Digital redress must therefore be examined as an end-to-end process of access to justice, not merely as the existence of a portal.

Malaysia's existing consumer-redress system provides a substantial foundation. The Tribunal for Consumer Claims Malaysia (TTPM) was established under section 85 of the Consumer Protection Act 1999 (CPA 1999) as an alternative forum to the civil courts. Its current published information states that it hears eligible consumer claims not exceeding RM50,000, where the claim accrued within three years, and permits online filing through the e-Tribunal system for a RM5 filing fee. These features reflect a legislative commitment to inexpensive and simplified redress. Yet affordability and online availability are not synonymous with accessibility. A claimant who cannot complete an authentication step, identify an error message, upload evidence in the required format or participate in a hearing on equal terms remains excluded from the practical benefit of the forum (TTPM, n.d.-a, n.d.-c).

This article develops a doctrinal and reform-oriented analysis of digital consumer redress for persons with disabilities in Malaysia. It does not purport to present an empirical accessibility audit of every relevant portal. Instead, it asks a legal design question: what duties, standards, procedures and remedies are necessary to ensure that digital consumer redress is accessible in substance? The analysis is anchored in the CPA 1999, the Persons with Disabilities Act 2008 (PWD Act 2008), Article 8 of the Federal Constitution, the Convention on the Rights of Persons with Disabilities (CRPD), relevant Malaysian redress institutions and international accessibility and ODR standards.

The article makes four arguments. First, the right to consumer redress must be interpreted together with the right of persons with disabilities to equal access to services, information, communication and technology. Secondly, the present Malaysian framework is fragmented: consumer law creates remedies, while disability law recognises accessibility, but neither statute clearly converts digital accessibility into an enforceable procedural condition of consumer redress. Thirdly, accessibility must cover the whole claim lifecycle and include reasonable accommodation and assisted digital alternatives, not only technical compliance. Fourthly, Malaysia should adopt an Accessible Digital Consumer Redress Framework that connects legal duties, technical standards, institutional responsibility, oversight and remedies.

2. Methodology

This study adopts a doctrinal legal methodology and a reform-oriented comparative approach. It examines the Consumer Protection Act 1999, the Persons with Disabilities Act 2008, the Federal Constitution, the Convention on the Rights of Persons with Disabilities, the Mediation Act 2012, relevant TTPM and KPDN procedures, and official materials on digital accessibility and online dispute resolution. Statutes, subsidiary legislation and treaty provisions are treated as primary legal materials. Official institutional guidance, WCAG 2.2 and peer-reviewed scholarship are used to explain the operation of the legal framework and evaluate reform options.

The analysis proceeds in three stages. First, it identifies the rights, duties and remedial routes that structure Malaysian consumer claims. Secondly, it maps disability-related barriers across the complete claim lifecycle, from information discovery and authentication to hearing, decision and enforcement. Thirdly, it compares ASEAN guidance, Singapore's institutionally integrated system and the European Union's discontinued ODR platform to identify design principles that are relevant to Malaysia without assuming that foreign arrangements can be transplanted unchanged. The study is doctrinal and normative; it does not report usability testing or an empirical

audit of the portals discussed. No human participants, animals or personally identifiable data were involved.

3. Results of the Doctrinal Analysis

The analysis identifies five connected findings. Accessibility depends on the complete redress process; Malaysia's redress architecture provides substantive remedies but fragments accessibility responsibilities; domestic and international law support a procedural accessibility obligation; barriers may arise at every stage of a claim; and the current framework lacks a clear, enforceable remedy for inaccessible procedures. These findings are developed below.

3.1 Digital Consumer Redress and the Meaning of Accessible Justice

3.1.1 Redress as a Process Rather Than a Portal

Consumer redress refers to the means by which a consumer seeks correction, repair, replacement, refund, compensation, explanation, cessation of an unlawful practice or another appropriate remedy. The route may be internal, administrative, conciliatory, mediatory, adjudicative or judicial. Malaysia's system is layered. A consumer may first complain to the trader or e-commerce platform, approach KPDN through e-Aduan, seek assistance through a consumer organisation, file an eligible claim at the TTPM, or use a sector-specific mechanism for financial, communications, multimedia or aviation disputes (Civil Aviation Authority of Malaysia, n.d.; Communications and Multimedia Consumer Forum of Malaysia, n.d.; Financial Markets Ombudsman Service, n.d.; Ministry of Domestic Trade and Cost of Living, n.d.; TTPM, n.d.-a). The layered model is rational because no single institution can resolve every consumer dispute. It also creates complexity. The consumer must identify the correct route and distinguish between a complaint channel, a mediation process and a forum capable of issuing a binding award. Complexity becomes an accessibility issue where information is dispersed, written in technical language, presented without clear headings or inaccessible to assistive technology. The legal right may be lost not because the claim

lacks merit, but because the consumer entered the wrong channel, missed a time limit or could not complete the required process.

Accordingly, accessible digital redress has at least four dimensions. The first is technical accessibility: compatibility with assistive technologies, keyboard operability, captions, text alternatives, adequate contrast, scalable text, accessible authentication and clear error identification. The second is communicative accessibility: plain language, Malaysia Sign Language, alternative formats, understandable notices and the ability to communicate through an appropriate mode. The third is procedural accessibility: reasonable time, flexible evidence rules, support persons, interpreters, remote participation and alternative methods where the standard digital process cannot be used. The fourth is remedial accessibility: a meaningful way to challenge inaccessible procedures and obtain correction, accommodation or compensation.

3.1.2 The Social Model of Disability and Procedural Barriers

The PWD Act 2008 reflects an interactional understanding of disability. Its preamble recognises that disability results from the interaction between persons with disabilities and attitudinal and environmental barriers that hinder full and effective participation. The statute also defines persons with disabilities by reference to long-term physical, mental, intellectual or sensory impairments interacting with barriers. This approach is significant for digital redress. The barrier is not located solely in the claimant's impairment. It may be created by the design of the portal, a visual-only CAPTCHA, an unlabelled form field, a short timeout, a PDF that cannot be read by a screen reader, a hearing without captioning, or an institution that accepts only one mode of communication (Persons with Disabilities Act 2008 [Act 685], preamble & s. 2).

A process may therefore be identical for all users but unequal in effect. Formal sameness can require a blind claimant to navigate an image-based interface, a deaf claimant to attend an uncaptioned video session, a claimant with limited dexterity to complete time-sensitive

mouse movements, or a person with an intellectual or cognitive disability to understand dense procedural language without support. Equality in this context requires removal of barriers and, where necessary, individual accommodation. The PWD Act 2008 defines 'reasonable accommodation' as necessary and appropriate modifications and adjustments that do not impose a disproportionate or undue burden and that enable equal enjoyment or exercise of quality of life and wellbeing (Persons with Disabilities Act 2008 [Act 685], s. 2).

3.1.3 Accessibility Standards as Evidence of Reasonable Design

Technical accessibility need not be left to intuition. The Web Content Accessibility Guidelines (WCAG) 2.2 provide an internationally recognised framework for perceivable, operable, understandable and robust digital content. For consumer-redress systems, several requirements are particularly relevant: form labels and instructions, text-based error identification, suggestions for correcting errors, visible and unobscured keyboard focus, target size, consistent help, avoidance of redundant entry and accessible authentication. WCAG 2.2 specifically recognises that authentication should not depend on cognitive-function tests unless an accessible alternative or assistance mechanism is provided (World Wide Web Consortium [W3C], 2024, 2026). WCAG is not a complete justice standard. It does not determine tribunal jurisdiction, evidential fairness, reasonable extensions of time, interpreter provision or enforcement. It is nevertheless a credible technical baseline. In Malaysia, the official MyGovernment portal states that it provides disability-access facilities in pursuit of the W3C Web Accessibility Initiative. SUHAKAM has also called for public digital platforms to comply with universal accessibility standards and for private technology developers and service providers to embed accessibility in their products and services. These developments support the use of WCAG 2.2 Level AA as a minimum reference point for Malaysian consumer-redress portals, subject to procedural and human-support obligations that go beyond web coding (Government of Malaysia,

n.d.; Human Rights Commission of Malaysia [SUHAKAM], 2026).

3.2 Malaysia's Existing Consumer Redress Architecture

3.2.1 Substantive Rights and Remedies under the Consumer Protection Act 1999

The CPA 1999 supplies the principal statutory framework for consumer transactions. It applies to a person who acquires or uses goods or services ordinarily acquired for personal, domestic or household purposes and not primarily for resupply, manufacturing or trade repair. The Act regulates misleading conduct, false representations, unfair practices, implied guarantees and rights of redress. In relation to goods, a consumer may require a remediable failure to be corrected within a reasonable time and may reject the goods or obtain damages where the failure cannot be remedied or is substantial. Comparable rights apply to services that fail to comply with statutory guarantees (Consumer Protection Act 1999 [Act 599], ss. 3, 39–46, 53–65).

These substantive rights are important but incomplete without an accessible enforcement route. A consumer may be legally entitled to a refund or damages yet unable to obtain them because the complaint and adjudication process is inaccessible. Consumer protection should therefore be understood as comprising both substantive fairness in the transaction and procedural fairness in the route to redress. An inaccessible claims process can neutralise a statutory remedy just as effectively as an exclusion clause.

3.2.2 TTPM and e-Tribunal

The TTPM performs a central access-to-justice function. Its official materials describe it as an alternative forum to the civil courts that is intended to be convenient, fast and inexpensive. Eligible claims may be filed online, and the portal supports account registration, forms and case management. The current procedure also recognises electronic service of notices or documents under the Tribunal's 2024 procedure for service by electronic communication

(Tatacara Tribunal Tuntutan Pengguna (Penyampaian Notis atau Dokumen Secara Komunikasi Elektronik) 2024; TTPM, n.d.-b, n.d.-c).

Digital filing can reduce travel, queuing and geographic disadvantage, including for persons with mobility impairments or chronic health conditions. It can also assist consumers who need additional time to prepare a claim. However, the existence of an online system does not answer whether it is accessible. Published information about a portal's functions is not equivalent to a verified statement that account creation, identity verification, forms, uploaded documents, notifications, mediation and hearing interfaces comply with accessible design standards. The law should not depend on an assumption that digitalisation automatically produces inclusion.

The TTPM's simplified structure makes it an appropriate institution through which Malaysia could lead accessible consumer justice. It already has jurisdiction, procedural forms, a national presence and an electronic system. Reform would not require creation of a wholly new tribunal. The more proportionate approach is to impose an end-to-end accessibility duty on the existing system and to provide equivalent non-digital and assisted-digital routes where required.

3.2.3 Administrative and Sector-Specific Routes

Outside the TTPM, consumers may use KPDN's e-Aduan system for complaints within the Ministry's regulatory sphere. Sector-specific disputes may be directed to bodies such as the Financial Markets Ombudsman Service for eligible financial disputes, the Communications and Multimedia Consumer Forum for communications matters and the Civil Aviation Authority of Malaysia through FlySmart for aviation complaints. The institutional diversity is useful but can be difficult to navigate. Each body may have different jurisdictional thresholds, pre-complaint requirements, filing interfaces, communication practices and remedies (Civil Aviation Authority of Malaysia, n.d.; Communications and Multimedia Consumer Forum of Malaysia, n.d.; Financial Markets

Ombudsman Service, n.d.; Ministry of Domestic Trade and Cost of Living, n.d.).

A disability-inclusive redress policy should therefore operate horizontally across consumer bodies rather than being confined to one portal. At minimum, each institution should publish accessible jurisdiction guidance, provide a clear referral path where a claim is misdirected, preserve limitation periods during reasonable referral, and avoid requiring the consumer to repeatedly enter the same information. Interoperability should not mean unrestricted data sharing; it should mean that institutions can transfer or guide a claim lawfully, securely and with the consumer's informed participation.

3.3 The Legal Basis for Accessible Digital Redress

3.3.1 Sections 26 and 30 of the Persons with Disabilities Act 2008

The PWD Act 2008 contains provisions that can support a strong legal argument for accessible digital redress. Section 26 recognises the right of persons with disabilities to access and use public facilities, amenities, services and buildings on an equal basis, and requires appropriate consideration and necessary measures to facilitate access through universal design. A tribunal service, administrative complaint channel or government-supported redress mechanism is a service provided to the public. Its digital interface should not be treated as legally separate from the service itself (Persons with Disabilities Act 2008 [Act 685], s. 26).

Section 30 is even more direct. It recognises the right of persons with disabilities to access information, communication and technology on an equal basis. It further requires the Government and providers of information, communication and technology to provide accessible formats and technologies appropriate to different disabilities in a timely manner and without additional cost. The Government and private sector must also accept and facilitate Malaysia Sign Language, Braille, augmentative and alternative communication, and other accessible means, modes and formats in official

transactions (Persons with Disabilities Act 2008 [Act 685], s. 30(1)–(3)).

A digital consumer claim is both an information transaction and an official transaction. The claimant receives legal information, submits data and documents, communicates with an institution and may participate in a formal adjudicative process. Section 30 therefore supports a reading that accessible communication is not a voluntary service enhancement. It is part of equal access to the redress mechanism. The phrase 'without additional cost' is particularly important: a person should not have to pay privately for conversion, interpretation or technical assistance merely to exercise a statutory consumer right.

The weakness lies in enforcement. The PWD Act 2008 recognises rights and institutional responsibilities but does not create a comprehensive complaints tribunal, civil cause of action or detailed remedial code for digital accessibility. Part V also contains protections in relation to legal proceedings and the application of the Public Authorities Protection Act 1948. The result is a gap between declaratory entitlement and practical remedy. Consumer-law reform provides an opportunity to close that gap in a defined field without waiting for a complete reconstruction of disability legislation (Persons with Disabilities Act 2008 [Act 685], ss. 41–42).

3.3.2 Constitutional Equality

Article 8(1) of the Federal Constitution provides that all persons are equal before the law and entitled to equal protection of the law. Article 8(2), however, does not expressly list disability among its prohibited grounds. This omission has been criticised by the Malaysian Bar and disability-rights advocates. The absence of an express ground does not make disability irrelevant to Article 8(1), especially where a public body administers a statutory forum. A procedure that excludes a class of persons from meaningful use of the law raises an equal-protection concern even if the rule is facially neutral (Federal Constitution, art. 8; Malaysian Bar, 2024).

For present purposes, the constitutional argument reinforces rather than replaces the

statutory case. The CPA 1999 creates a public remedial forum; the PWD Act 2008 recognises equal access to services and ICT; and Article 8(1) supplies the broader principle that legal protection must not become practically unavailable to persons with disabilities. An accessibility duty for TTPM and other public redress mechanisms would therefore be consistent with constitutional equality and the rule of law.

3.3.3 The Convention on the Rights of Persons with Disabilities

Malaysia ratified the CRPD on 19 July 2010, subject to a declaration and reservations that do not concern Articles 9 or 13. Article 9 requires appropriate measures to ensure access, on an equal basis, to information and communications technologies and systems and to services open or provided to the public. Article 13 requires effective access to justice on an equal basis, including procedural accommodation that facilitates participation in legal proceedings (Convention on the Rights of Persons with Disabilities [CRPD], 2006, arts. 9 & 13; United Nations Treaty Collection, n.d.).

A consumer tribunal or administrative complaints system may not resemble a superior court, but it determines legal rights and remedies and forms part of the administration of justice. Article 13 should therefore inform its design. Procedural accommodation may include accessible documents, additional time, alternative evidence formats, communication support, captioning, sign-language interpretation, permission for a support person, accessible remote participation and flexibility in authentication. These measures do not confer an advantage. They enable equivalent participation.

3.4 Accessibility Barriers Across the Consumer Redress Lifecycle

The legal analysis becomes clearer when the claim is divided into stages. The following matrix identifies common barrier categories, the rights affected and the minimum institutional response. It is a normative framework rather than a finding that every Malaysian portal presently exhibits each defect.

Table 1 Accessibility barriers across the consumer redress lifecycle

Stage	Potential barrier	Legal consequence	Minimum response
1. Finding the correct forum	Fragmented information; inaccessible PDFs; technical language; no clear referral.	Loss of time, wrong filing, expiry of limitation period.	Accessible jurisdiction checker; plain-language guidance; warm referral; limitation protection during transfer.
2. Registration and authentication	Image CAPTCHA; memory-dependent login; short timeouts; no alternative identity route.	Consumer cannot enter the system or maintain access.	WCAG 2.2 accessible authentication; password-manager support; alternative verification; human help.
3. Form completion	Unlabelled fields; visual-only error messages; repeated data entry; inflexible mandatory fields.	Incomplete or rejected claim; inaccurate pleading.	Programmatic labels; text errors and correction suggestions; save-and-return; optional assisted filing.
4. Evidence submission	Scanned-image PDF requirements; file-size limits; inaccessible upload controls; no audio/video route.	Relevant evidence excluded or distorted.	Multiple accessible formats; conversion support; receipt and integrity confirmation; alternative submission.
5. Communication, mediation and hearing	Uncaptioned video; no sign-language interpreter; poor audio; inaccessible notices; rigid time.	Ineffective participation and procedural unfairness.	Captioning, interpreters, accessible notices, support person, breaks, additional time, choice of channel.
6. Decision and enforcement	Image-only award; complex language; inaccessible enforcement instructions.	Consumer cannot understand or enforce outcome.	Accessible-text award, plain-language summary, explanation of deadlines, assisted enforcement referral.

Note. The matrix is a normative framework and does not assert that every Malaysian portal currently exhibits each identified barrier.

3.4.1 Information Discovery and Forum Selection

The first accessibility barrier arises before any claim is filed. Consumers may be required to choose between the trader, platform, KPDN, TTPM and a sector-specific forum. The distinction between an administrative complaint and a claim for a binding award may be unclear. For a person using assistive technology, fragmented links, poorly structured pages and image-based guidance increase the risk of misdirection. The institution should therefore

treat accessible jurisdiction guidance as part of due process.

A national redress gateway could use a guided questionnaire to identify the likely forum without purporting to give legal advice. The result should explain why a forum is suitable, its limits, time requirements and possible remedies. Where a complaint is sent to the wrong institution, the consumer should receive an accessible referral rather than a bare rejection. A 'warm referral' would transmit basic information with consent or generate an accessible package for re-filing. This

approach reduces repetition and protects consumers who face cognitive, language or technological barriers.

3.4.2 Registration and Authentication

Account creation is a critical but frequently overlooked legal gateway. A portal may require identity numbers, passwords, one-time passcodes, visual CAPTCHA or repeated transcription. WCAG 2.2's accessible-authentication criterion responds to the fact that some users cannot reliably solve puzzles, remember credentials or transcribe codes. A tribunal should not make a consumer's ability to perform a cognitive test the condition for exercising a statutory right where a secure alternative can be provided (W3C, 2026).

Security remains legitimate. Consumer claims involve personal data, transaction records and sometimes disability-related information. Accessibility reform should not weaken identity assurance; it should diversify it. Alternatives may include secure links, password-manager compatibility, assisted verification, voice or video verification by trained staff, in-person verification at a tribunal office, or authorisation of a representative. The claimant should not be forced to disclose more disability information than is necessary to arrange accommodation.

3.4.3 Forms, Errors and Time Limits

Claim forms translate lived events into legally relevant facts. A poorly designed form can suppress a valid claim by preventing the consumer from describing the problem accurately. Fields must have programmatic labels, instructions must be associated with the relevant inputs, and errors must be identified in text rather than colour alone. The portal should preserve partially completed forms, avoid unnecessary repeated entry and provide sufficient time before a session expires.

Reasonable accommodation may require more than an accessible interface. A claimant with an intellectual, cognitive or psychosocial disability may need plain-language explanations, a support person or assisted filing. A claimant with fatigue or chronic pain may need to complete the form

over several sessions. These measures should be available through a published accommodation process and should not depend on the discretion of an individual officer who has received no disability training.

3.4.4 Evidence Submission and Digital Integrity

Consumer claims are evidence-intensive. Relevant materials include receipts, invoices, screenshots, chat logs, emails, photographs, audio, video and platform records. Accessibility barriers can arise when the portal accepts only limited file formats, when the upload control cannot be operated by keyboard, or when documents must be converted into image-only PDFs. A claimant may also be unable to describe visual evidence without assistance.

An accessible evidence system should accept multiple formats, provide clear file requirements, confirm successful upload and preserve the integrity of the submission. Where conversion is required, the institution should offer a service that does not alter evidential meaning. Audio and video evidence should be accompanied by an accessible method for transcription or description where relevant. The opposing party must also receive the evidence in a form it can access. Accessibility therefore applies symmetrically to all parties and to the tribunal.

3.4.5 Communication, Mediation and Hearing

Digital communication can either remove or reproduce barriers. Email notices may be inaccessible if the essential information is placed in an image attachment. Video hearings may exclude deaf participants without accurate captioning or sign-language interpretation. A person with a speech disability may require text-based participation. A person with anxiety, cognitive disability or attention impairment may need structured breaks, clear turn-taking and advance information about the process.

The Mediation Act 2012 provides a general statutory basis for consensual mediation, but it does not establish a detailed accessibility regime for online consumer mediation. Any e-mediation

process connected to TTPM should therefore publish accommodation options, confirm the mediator's role, disclose the use of automation or AI, and permit a human review where technology affects case triage or settlement suggestions (Mediation Act 2012 [Act 749]; Mohd Nasir & W Abd Rahman, 2026).

3.4.6 Decisions, Reasons and Enforcement

Access does not end when an award is issued. A decision must be provided in accessible text, with a plain-language explanation of the order, deadlines and enforcement steps. Where the award is final and binding and enforceable as a Magistrates' Court order, the claimant must understand how to obtain compliance. An inaccessible decision can create a second justice gap: the claimant succeeds in law but cannot understand or enforce the result (Consumer Protection Act 1999 [Act 599], Part XII; TTPM, n.d.-c).

3.5 Structural Gaps in the Current Framework

3.5.1 Fragmentation Between Consumer Law and Disability Law

The CPA 1999 and PWD Act 2008 address different parts of the problem. The former creates rights and remedies for consumer transactions; the latter recognises equal access to services, information, communication and technology. The statutes do not expressly state how accessibility affects the validity or fairness of a consumer-redress procedure. This separation allows an institution to satisfy the consumer statute by providing a forum while treating accessibility as an administrative matter rather than a legal condition of meaningful access.

The solution is not to duplicate the entire PWD Act 2008 in consumer legislation. The CPA 1999 should instead contain a targeted cross-cutting duty requiring prescribed consumer-redress bodies and digital complaint systems to provide accessible procedures and reasonable accommodation. The duty should expressly incorporate the PWD Act 2008 and be supported by regulations setting minimum technical and procedural standards.

3.5.2 Absence of an Enforceable Accessibility Standard

A general aspiration to be 'user-friendly' is too vague for legal accountability. Accessibility should be measured against a published standard, preferably WCAG 2.2 Level AA for web and mobile interfaces, supplemented by standards for accessible documents, remote hearings, interpretation, captioning and human support. The standard should apply to government-built systems and outsourced platforms. Public procurement contracts should require continuing compliance, user testing and prompt remediation.

Technical conformance should not become a safe harbour where the process remains practically unusable. Automated testing cannot determine whether legal language is understandable, whether accommodation is easy to request, or whether a hearing officer manages disability-related needs fairly. Compliance should therefore combine automated testing, expert review and usability testing by persons with diverse disabilities.

3.5.3 Weak Remedial Pathways

An accessibility right without a complaint and remedy mechanism risks becoming symbolic. A claimant should be able to report a barrier through an accessible channel, receive interim assistance so the underlying consumer claim is not prejudiced, and obtain a reasoned response within a short period. The complaint should be independent from the merits of the consumer dispute. A consumer should not fear that requesting accommodation will influence the adjudication of the claim.

Where an institution fails to provide reasonable accommodation, available remedies should include immediate procedural correction, extension of time, re-opening of a step affected by the barrier, re-service of an accessible notice, adjournment or rehearing where prejudice occurred, and administrative compensation in appropriate cases. Persistent non-compliance should attract regulatory directions and public reporting.

4. Discussion

The findings support a reform model that combines legal enforceability with technical design, procedural accommodation and institutional accountability. Comparative and regional materials are used here to test the design of that model, while recognising differences in jurisdiction, institutional capacity and legal context.

4.1 Comparative and Regional Lessons

4.1.1 ASEAN: Design, Interoperability and Regional Redress

The ASEAN Guidelines on Online Dispute Resolution were launched in 2022 to assist Member States in establishing or improving national ODR systems for e-commerce disputes. The Guidelines address system design, interoperability, data security and privacy, legal and procedural requirements, and regional cooperation. ASEAN also launched an Online Consumer Complaints Function for cross-border complaints, with tracking and confidentiality features (ASEAN Committee on Consumer Protection, 2022; ASEAN Secretariat, 2022).

For Malaysia, the ASEAN materials support a national ODR strategy that can connect with regional processes. Disability accessibility should be embedded before interoperability is built. Otherwise, regional digitalisation may scale exclusion across borders. Common data fields, complaint tracking and referral protocols should therefore be designed around accessible forms, alternative communication and user control over personal information.

4.1.2 Singapore: Institutionally Integrated eNegotiation and eMediation

Singapore's Community Justice and Tribunals System (CJTS) provides an instructive institutional model. Parties can file and manage claims online and may attempt eNegotiation or apply for eMediation in specified tribunals. eMediation involves an online chat session with a court-appointed mediator, while the broader system supports document filing, case monitoring, notifications and online payment (Singapore Judiciary, n.d.-a, n.d.-b).

The lesson is not that Malaysia should copy CJTS. The value lies in institutional integration. Online settlement is connected to a formal tribunal process rather than being offered as an isolated private platform. This strengthens continuity, accountability and enforceability. Malaysia can adapt the principle by embedding accessible e-negotiation and e-mediation within e-Tribunal, while preserving the claimant's right to proceed to adjudication and to request a different communication mode.

4.1.3 The European Union: Discontinuation as a Warning Against Portal Formalism

Earlier ODR literature frequently treated the European Union's central ODR platform as a leading model. That description is no longer current. Regulation (EU) 2024/3228 repealed Regulation (EU) No 524/2013 with effect from 20 July 2025 and discontinued the platform. New complaints ceased on 20 March 2025. The recitals record very low use, including no more than 200 cases per year being transferred to an ADR entity, and conclude that continued maintenance was not efficient or effective (Regulation (EU) 2024/3228, 2024, recital 5 & arts. 1–2).

This development is highly relevant to Malaysia. It shows that a central portal can fail even when it is legally established, multilingual and technically available. A platform must produce a clear pathway to an active dispute-resolution body, secure trader participation, generate user trust and provide measurable outcomes. Accessibility is part of that effectiveness. An accessible portal that leads nowhere is not redress; an effective tribunal that cannot be accessed is equally deficient. Malaysia should therefore measure successful digital redress by completion, settlement, adjudication, user experience and enforcement, disaggregated where appropriate to identify disability-related barriers.

4.2 Proposed Accessible Digital Consumer Redress Framework for Malaysia

Malaysia should adopt a framework that combines legal obligation, technical design, procedural accommodation and institutional accountability. The following ten elements can be

implemented progressively through amendments to the CPA 1999, regulations, TTPM practice directions, cross-agency standards and public procurement conditions.

4.2.1 Express Statutory Duty

The CPA 1999 should provide that every prescribed consumer complaint, mediation, ombudsman and tribunal service must be accessible to persons with disabilities and must provide reasonable accommodation. The provision should apply to digital and non-digital services, public bodies and private entities performing a statutory consumer-redress function. A failure should not automatically invalidate every proceeding, but the tribunal or reviewing body should grant an effective remedy where the barrier caused or risked procedural prejudice.

4.2.2 Binding Accessibility Regulations

Regulations should prescribe WCAG 2.2 Level AA as the minimum web and mobile baseline, accessible PDF or HTML alternatives, captioning standards, keyboard access, accessible authentication, plain-language error messages, save-and-return functions and compatibility with common assistive technologies. The standards should be updated administratively so that the legislation does not become tied to an obsolete technical version.

4.2.3 A Single Accommodation Gateway

Consumers should be able to request accommodation through telephone, text, email, online form, Malaysia Sign Language video or in person. The request should be acknowledged quickly and handled by trained staff. The system should ask what support is required rather than demand unnecessary medical detail. Urgent assistance should be available where a filing or hearing deadline is approaching.

4.2.4 Multi-Channel and Assisted Digital Access

Digital-first must not become digital-only. Consumers should retain counter, telephone and assisted-filing options. Assistance can be provided at TTPM offices, KPDN offices or

approved community access points. A staff member may enter information on the consumer's instructions, but the consumer must be able to review and confirm the claim in an accessible format. The service should be free.

4.2.5 Accessible Evidence and Communication Protocol

A national protocol should specify acceptable evidence formats, conversion assistance, confirmation of receipt, accessible disclosure to the opposing party and preservation of original digital files. Notices, forms and awards should be available in accessible electronic text. Where audio description, transcription, captioning or interpretation is required for effective participation, the institution should arrange it without additional cost.

4.2.6 Accessible Online Negotiation and Mediation

e-Tribunal should include a voluntary negotiation and mediation pathway for suitable disputes. The pathway should allow asynchronous text, audio or video communication, subject to security and confidentiality. Consumers must be told whether automation or AI is used for triage, translation, summarisation or settlement suggestions. No automated recommendation should determine legal rights, and a human mediator or officer should remain accountable.

4.2.7 Procedural Safeguards in Hearings

Practice directions should address interpreters, captioning, support persons, communication breaks, additional time, accessible bundles, alternative oath or affirmation arrangements where necessary, and remote or hybrid attendance. A presiding officer should confirm at the start of the hearing that the parties can hear, understand and participate. Accommodation decisions should be recorded and reviewable.

4.2.8 Independent Auditing and Co-Design

Each major redress system should undergo periodic accessibility audits by qualified experts and usability testing by persons with visual, hearing, physical, speech, intellectual, learning, neurological and psychosocial disabilities.

Persons with disabilities and their representative organisations should participate in design, procurement and evaluation. Co-design is not merely consultative courtesy; it is a method for identifying barriers that technical teams and lawyers may overlook.

4.2.9 Data Transparency and Accountability

Institutions should publish accessibility statements, known limitations, contact routes, audit dates and remediation progress. They should collect proportionate data on accommodation requests, response time, completion, abandonment and outcomes, while protecting privacy. The purpose is not to create a register of disabled claimants. It is to identify systemic failure and allocate resources. Public performance reporting should avoid disclosing personal information.

4.2.10 Effective Remedies and Institutional Oversight

An accessibility complaint should trigger immediate support for the underlying claim and an independent review of the barrier. The reviewing authority should be able to order correction, extension of time, restoration of access, re-service, rehearing or other procedural relief. Repeated institutional failure should permit regulatory directions and, where appropriate, financial consequences. Without a remedy, accessibility standards risk being treated as optional procurement specifications rather than legal obligations.

4.3 Implementation Priorities

Implementation should begin with the most legally significant and high-volume systems. TTPM and KPDN should jointly conduct an end-to-end accessibility review of e-Tribunal and e-Aduan, covering public information, registration, forms, uploads, notifications, settlement, hearing and enforcement. The review should include disabled users and should publish a remediation plan.

Secondly, KPDN should issue an interim consumer-redress accessibility protocol pending legislative amendment. The protocol can require accessible documents, an accommodation

contact, alternative filing, interpreter and captioning arrangements, and protection of time limits where an accessibility barrier prevented compliance. Administrative reform can therefore begin without delaying statutory reform.

Thirdly, future digital procurement should make accessibility a mandatory acceptance criterion and continuing contractual obligation. Vendors should provide testing evidence, fix defects within defined periods and support independent audits. Accessibility should be tested after major updates, because a compliant system can become inaccessible through redesign, new authentication or third-party components.

Fourthly, Malaysia should connect domestic reform to ASEAN ODR development. A national accessible redress standard can become a model for regional interoperability and cross-border e-commerce. This is particularly valuable for small-value disputes where litigation is economically irrational but consumer confidence depends on a credible remedy.

4.4 Limitations

This study is doctrinal and reform-oriented. It does not establish that every identified barrier currently exists in e-Tribunal, e-Aduan or each sector-specific interface, and it does not measure the prevalence of abandoned claims among consumers with disabilities. It also does not quantify implementation costs or evaluate the experience of claimants, tribunal officers, mediators and support persons. The comparative materials identify design principles rather than rules that can be transplanted directly into Malaysia. Future research should include end-to-end accessibility testing with persons with diverse disabilities, interviews with redress institutions and claimant representatives, and evaluation of completion, settlement, adjudication and enforcement outcomes before and after reform.

5. Conclusion

Malaysia has already taken important steps toward inexpensive and digitally enabled consumer redress. The TTPM provides a specialised forum, e-Tribunal permits online filing, e-Aduan supports administrative

complaints and sector-specific institutions extend the remedial landscape. The next stage is to ensure that these systems are accessible as a matter of law and procedure.

The governing principle should be simple: access to a website is not necessarily access to justice. A consumer must be able to identify the correct forum, enter the system, understand the process, submit evidence, communicate, participate in settlement or adjudication, receive an accessible decision and enforce the remedy. Where disability-related barriers interrupt that chain, substantive consumer rights become practically unequal.

Sections 26 and 30 of the PWD Act 2008, the remedial structure of the CPA 1999, Article 8(1) of the Federal Constitution and Articles 9 and 13 of the CRPD provide a strong normative basis

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