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Online Gambling and Organised Violence: The Federal Court Perspective in Lei Meng's Case

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ABSTRACT

Apart from the Common Gaming House Act (Act 289) and Betting Act (Act 495), gambling is regulated under the Prevention of Crimes Ordinance 1959 (POCA). It is not uncommon for the authorities to charge anyone who is engaged in illegal online gambling activities under the POCA. In the case of Lei Meng v. Inspektor Wayandiana Abdullah & Ors and Other Appeals, the appellants were detained under the POCA in relation to 'the organisation and implementation of online gambling'. This paper aimed to provide meaningful scrutiny on the distinction between online gambling and organised violence as stipulated under the POCA. Then, it unfolded the fact that the term "gambling" stated under Section 4 of the CGHA did not include illegal online gambling. This was because the act was enacted before the presence of technology and amendments relating to online gambling have yet to be made. Therefore, this article explored the Federal Court perspective on online gambling and organised violence as it was decided that they were two separate and disparate matters. The research method employed was doctrinal with a literature review and case study analysis. This research established that a loophole existed in the law as neither POCA nor CGHA can be used to charge anyone who had engaged in online gambling in Malaysia. It was observed that in Malaysian context, research on the subject matter was rather limited. As such, this paper hoped to shed light on online gambling and organised violence in Malaysia. It was also to serve as a preliminary study for further research on the subject in future.

Contribution/Originality: This study is one of the very few research studies which investigated the relation between online gambling and organised violence. Additionally, the study contributes to the existing online gambling literature through an analysis of a case study. Moreover, it provides a holistic analysis that explores the underlying rationale for online gambling activities to be charged under the POCA.

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1. Introduction

As the world confronts with the unprecedented challenges of COVID-19 pandemic and presently it's endemic, the online gambling industry has flourished despite the weakened economy. Individuals were spending more time at home due to the movement control order (MCO) and had plenty of spare time to fill. As a result, some even resorted to gambling to increase their income. This is evident when statistics revealed that between 2019 and 2020 the number of individuals charged for online gambling offences in Malaysia increased by 27% (Penyata Rasmi Parlimen Dewan Rakyat, 2021), whereby a total of 2,294 charges were reported in 2019, 2,911 charges in 2020, and 2,165 charges in 2021 (Penyata Rasmi Parlimen Dewan Rakyat, 2021). In addition, self-reported studies conducted during the COVID-19 pandemic indicated an increase in online gambling offences (Håkansson, 2020; Price 2020).

The rapid advancement of technology is a factor that influenced one's choice to gamble online. Adoption of blockchain technology and artificial intelligence (AI) technology in the gaming platform had certainly enhanced the user experience, which resulted in a surge of users who engaged in online gambling. New forms of digital products such as NFTs and cryptocurrency are changing the landscape of online gambling as select gambling, whereby websites can now accept payment through these mediums of exchange (Casinosblockchain.io, 2023). These advancements pose a challenge for regulators to keep up with the ever-evolving industry and ensure that appropriate measures are established to address concerns, such as fraud, money laundering, and underage gambling.

Combating gambling-related offences requires effective collaboration amongst various government agencies and stakeholders. It was reported that Federal and State Governments as well as the law enforcement authorities, had taken various measures to restrict illegal gambling activities in Malaysia. The Federal Government had decided to reduce the annual frequency of special draws from 22 times to only eight times, beginning from 2023 (Business Today, 2022). The state authorities of Kedah, Kelantan and Terengganu had declared on the non-renewal of licenses to operate gambling premises in those states to prevent people from gambling (Focus Malaysia, 2023). The police had conducted 137 raids in January 2023 in conjunction with Chinese New Year and these efforts have resulted in the arrest of 904 individuals who were suspected of being involved in illegal gambling activities (Free Malaysia Today, 2023). Additionally, upon official request from the police, the Malaysian Communications and Multimedia Commission (MCMC) had blocked 6,381 online gambling websites from 2020 to end of 2022 (The Sun Daily, 2023). However, the State Government's decision not to renew licenses has sparked concerns as experts fear it may impede the authorities' ability to track and curb the activities of illegal bookmakers, which could lead to proliferation of the 4D black market (Focus Malaysia, 2023).

The following section is dedicated to examine the key concepts of this paper: online gambling and organised violence. The second largest part presents an analysis on the link between online gambling and organised violence with reference to *Lei Meng v. Inspektor Wayandiana Abdullah & Ors and Other Appeal* [2022] 3 CLJ 177 ('*Lei Meng*') case. This case was chosen to analyse the distinction between online gambling and organised violence under the POCA as well as explore the Federal Court perspective of these matters. Lastly, the paper argues that the act of prosecuting online gambling

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offenders under the offence of organised violence can be prevented through amendment of the CGHA.

2. **Literature Review**

The literature review revolved around the two main keywords of this research, which were online gambling, and organised violence.

2.1. Online gambling

Gainsbury (2015) referred to online gambling as the range of wagering and gaming activities offered through Internet enabled devices, including computers, mobile and smartphones, tablets, and digital television. Monnye (2012) explained that online gambling is defined as gambling activities that are capable of being played online, and this applies to lotteries, sports pools, and various forms of gambling. Generally, game that are considered online gambling may vary under certain jurisdictions. Today, the phrase 'online gambling' is not defined under any laws in Malaysia. Dhillon et al. (2021) argued that the definitions provided within the CGHA 1953 are still operating with an implied understanding or notion that gambling can only occur in a physical premise. In the case of *Public Prosecutor v Multi Electrical Supply & Services & Ors* [2022] MLJU 600 the public prosecutor relied on Section 4B of the CGHA (Offences Related to Gaming Machine) to establish the offence of online gambling and the High Court decided that '*there was a serious misapplication of the law in relying on Section 4B CGHA to prove the predicate offence of online gambling*'. The Court observed that authorities were consistently using Section 4B to charge suspects who are allegedly involved in illegal online gambling and clarified that there is no legal justification for interpreting Section 4B to include the offence of online gambling as the language of provision was straightforward and clear. Therefore, it leaves no room for interpretation beyond its literal meaning. The phrase that has the closest meaning to online gambling is 'gaming machine', which is provided under Section 2 CGHA 1953. Gaming machine is defined as a mechanical, electrical, or electronic device designed or adapted for playing games of chance or mixed chance and skill and may result in winning money or money worth becoming payable. However, this definition could be broadly interpreted, and it does not cover the URLs of websites whereby one can access online gambling games. In the case of *Public Prosecutor v. Raymond Oh Weng Theng* [2019] 5 LNS 73, the trial court acquitted the accused charged on dealing with gaming machine on many technical grounds, including the insufficiency of evidence to prove the software used in entertainment machines and exchange of money winnings (Agil et al., 2022). Besides, gaming machines are known as fruit machines in the United Kingdom, poker machines in Australia, and slots in the USA, which ultimately refer to physical amusement equipment (May-Chahal et al., 2004). Section 6(1) of the Betting Act provides that any person who bets or wagers in a common betting house or with a bookmaker on any premises or by any means shall be guilty of an offence. The phrase 'by any means' in this provision could be interpreted to cover online betting; however, it may be deemed overly broad.

2.2. Organised violence

The World Health Organization (WHO) defines violence as 'the intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in

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injury, death, psychological harm, maldevelopment, or deprivation' (World Health Organization, n.d.). This definition specifies that 'the use of physical force can lead someone to commit violence'. Malesevic (2017) suggested that violence is a particular type of action with deleterious results, but it can also denote lack of any action. For instance, a violent act may involve killing or physically injuring another human. Notably, organised violence is associated with war, armed conflict, gangs, criminal groups, and violent protest. Räsänen et al. (2015) pointed out that gambling appears to be associated with violence and violent behaviours. Carrying a weapon and fighting are also linked to past-year and active gambling (Chaumeton, et al., 2010; Proimos et al., 1998). Studies indicated that gambling behaviour significantly affected one's level of engagement in violent behaviour (Abbott, 2017; Ssewanyana & Bitanihirwe, 2018; Muthenya et al., 2020). Drawing on newspaper reports, there was evidence which links to the engagement of individuals in violent acts due to problematic gambling behaviour (Agil et al., 2022). A 38-year-old woman turned violent on her husband when he chided her for constantly partaking in online gambling (Ladjana, 2019). However, organised violence is more complex than literal killing, it involves destroying the minimum conditions of a decent life, including killing hope and health (Keller et al., 2017; König & Reimann, 2018).

2.3. Online gambling and organised violence

One major question that can be raised from the case of *Lei Meng* is whether online gambling and organised violence are correlated. While current literature delved into the correlation between online gambling and organised crime, a dearth of studies had explored the link between online gambling and organised violence. This paucity of research may suggest that there is no causal relation between online gambling and organised violence, or it may simply reflect a gap in the existing scholarly discourse. Further investigation into this issue may elucidate any potential connections between these phenomena.

The nexus between online gambling and money laundering was studied as the online gambling industry provide an opportunity for money laundering to take place in Malaysia (Dhillon & Ng, 2013; Dhillon et al., 2012). Agil et al. (2022) highlighted that due to the absence of online gambling laws in Malaysia, the enforcement agencies were forced to prosecute offenders who committed online gambling under different offences. Malaysia's inadequacy of gambling legal framework in this regard was observed in various scholarly articles. For instance, Dhillon et al. (2021) expressed that Malaysia had no standalone legislation to address online gambling.

3. **Methodology**

The study implemented a library-based doctrinal legal research method with case study analysis. The doctrinal legal research method was adopted in the paper because it employs the inductive method of reasoning (Bhat, 2020). This method involves analysing and examining a large body of case law and primary materials to build a theory based on the facts and law presented. According to Hutchinson (2013), this approach involved a critical examination of key aspects of the legislation and case law, followed by a synthesis of relevant elements to establish a comprehensive and potentially accurate statement of law regarding the subject at hand. Therefore, the gambling laws under the CGHA were analysed, and recommendations were given with regard to future developments that could be made towards the CGHA. Besides, the

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research further examined the present literature by exploring the topic from various authors' perspectives. The paper utilised a range of primary and secondary sources. Primary sources, such as legislation, Hansard and case law, were meticulously examined, while secondary sources were gathered through extensive research by using peer-reviewed journals, news portals, and a range of books. The findings were explored further below.

4. Results

4. 1. Facts

The six appellants in *Lei Meng*'s case were Chinese nationals, and the respondents were: the police officer who arrested appellants, magistrate who authorised appellants' remand, Inspector-General of Police, Malaysia and the Malaysian Government. The appellants were arrested and charged for the crime of 'organisation and implementation of online gambling' under POCA. The appellants were in detention at the time of the disposal of their appeals before the High Court, although their periods of detention had expired. Therefore, the appellants filed two sets of appeals, which originated from applications for *habeas corpus*, one with six cases and the other with 19 cases. In both sets of appeal, the appellants were detained under the POCA in relation to 'the organisation and implementation of online gambling', which was stated to be in contravention of the POCA provisions. On appeal, three primary issues were raised: (i) whether the appeals as a whole were academic. The appeal would become academic when it was not a live issue. In this context, an application for release via *habeas corpus* can only be submitted if the appellants are still being detained. If that detention has expired, then the issue becomes academic; (ii) whether online gambling simpliciter falls within the scope of POCA, and (iii) whether POCA applies to non-nationals. At the end of hearing, the Court allowed the appeals. The following provisions that are significant to this case have been listed below for convenience:

> para. 5, Part I, First Schedule of the POCA: All persons concerned in the organization and promotion of unlawful gaming
> Article 5(1) of the FC: No person shall be deprived of his life or personal liberty save in accordance with law.
> Article 5(2) of the FC: If a complaint is made to a High Court or judge that someone is unlawfully detained, the Court will investigate and release the person unless their detention is deemed lawful.
> Article 8(1) of the FC: All persons are equal before the law and entitled to the equal protection of the law.
> Article 149(1) of the FC: Parliament may pass a law prohibiting any substantial group of persons from engaging in organised violence, disaffection with the government or the Yang di-Pertuan Agong, feelings of ill-will among races, unlawful alteration or damage to public services or security. The laws may be inconsistent with Article 5, 9, 10 or 13 of the Federal Constitution.
> Article 151(1) of the FC: When a law or ordinance provides for preventive detention, the authority on whose order the person is detained must inform the person of the grounds for the detention and the allegations of fact on which the order is based. Under this law, no citizen may be detained for more than 3 months without a recommendation from an advisory board.

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4.2. Judgment

The *habeas corpus* application was filed at High Court as soon as the arrest took place. The two set of applications was heard by two judges. The judges dismissed the appellants' application for illegal detention. Then, the appellants appealed, and the case was heard at the Federal Court. The appeal was heard before the Chief Justice (CJ), Tengku Maimun Tuan Mat and two Federal Court Judges (FCJ) Mohd Zawawi Salleh and Nallini Pathmanathan. The Court judgment ruled in favour of the appellants, which became the binding judgment. As the Federal Court judgment is the binding judgment, the present study will undertake a meticulous analysis of the 53-page judgment.

4.2.1. Whether the appeals as a whole were academic

The Federal Court dealt with both sets of appeals together as the issues raised were the same. As for the first issue, the Court decided that the appeals were not academic. The Court referred to the case of *Zaidi Kanapiah v. ASP Khairul Fairoz Rodzuan & Ors and Other Appeals* [2021] 5 CLJ 581 FC ('*Zaidi Kanapiah*') and ruled that the application for release under Article 5(2) of the FC or *habeas corpus* should be considered from the date of the application's filing. The Federal Court affirmed that the High Court has mandatory constitutional duty to review the legality of detention from the time the appellants filed their applications for *habeas corpus*. This was because the court jurisdiction to review detention was not based on the fact of physical custody and detention, but on legality of the detention itself. The Court had asserted the principle in the landmark case of *Mohamad Ezam Mohd Noor v. Ketua Polis Negara & Other Appeals* [2002] 4 CLJ 309 ('*Ezam*') that even if a detainee was released, the legality of their detention could still be challenged if a finding of legality was made by the High Court. In short, even if a person is released from detention before the court hears his or her case, the court has jurisdiction to review the legality of their initial detention.

4.2.2. Whether online gambling simpliciter falls within the scope of the POCA

As for the second issue, the crux of the study, the Federal Court upheld the minority decision in *Zaidi Kanapiah* which stated online gambling did not fall within the ambit of the para. 5, Part I, First Schedule of the POCA, because there was no nexus between online gambling and organised violence as envisaged under the POCA. The Court had referred to the case of *Zaidi Kanapiah* because the facts were identical to the current case. The key difference between *Zaidi Kanapiah* and the current case was that, in the former appellants aimed to challenge constitutionality of the POCA for not including the entire Article 149 of the Federal Constitution (FC), while in the latter case, the appellants contended that online gambling in general was not covered by the POCA or Article 149(1)(a) FC. The High Court approach in this case was viewed as less accurate as the Court interpreted the POCA to cover all six limbs of Article 149 FC. Article 149(1)(a) FC empowers Parliament to enact laws that are against 'subversion, action prejudicial to public order'.

The Court views that the unlawful detention that took place in the present case does not conform to the provisions set out in Article 149 FC. In other words, the restriction is justified when the action causes harm to others. It was stated that when interpreting the laws that restrict a person's personal liberty, it is accurate to adopt a restrictive approach so one's liberty is protected as guaranteed in Article 5(1) of the FC. Therefore, when determining if an act, series of acts or omissions fall under the scope of the POCA

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or Article 149(1) of the FC, the court must ensure that the facts presented inevitably result in harm, danger, or alarm to citizens or the public. It was insufficient to conclude that online gambling involves organised violence simply because some or many illegal gaming may result in violence.

To understand if online gambling falls within the scope of the POCA, the Court analysed the majority and minority decisions of *Zaidi Kanapiah*. In the majority decision, Justice Vernon Ong in *Zaidi Kanapiah* provided the rationale that the Hansard indicated that the POCA bill was designed to deal with '… secret society members, gangsters, thugs, extortioners, opium dealers, pimps and keepers of brothels and gambling dens' and this established the need to protect society from these associations. The Federal Court in this case views that when the court interprets the law, they should not be relying too much on Hansard. Instead, the interpretation should be based on an impartial evaluation of the language used in legislation, rather than on statements made by those who proposed the Act. The Court further distinguished the two matters by providing an interpretation of 'online gambling' and 'organised violence':

> **[177]** 'Online gambling', while not specifically defined in the legal dictionaries, envisages a gambling service accessed remotely ie, online, through the internet where the participants gamble by depositing funds and playing games of chance, like sports betting, online poker, etc.
>
> **[178]** 'Organised violence' envisages the commission of acts of violence which cause significant pain to persons by an organised group, often a member of a crime syndicate. It may also encompass the issuance of threats of violence or intimidation or coercion.
> When considering if online gambling falls within the purview of the POCA, the Federal Court analysed both the scope of POCA and Article 149(1) of the FC and emphasised that online gambling was not organised violence, as envisaged under the POCA or Article 149. The Court also provided a clear definition of 'online gambling' and 'organised violence' in the process.

4.2.3. Whether the POCA applies to non-nationals

The appellants' counsels in this case submitted that the POCA did not apply to non-citizens. This was because the contention was based on Article 151(1)(a) and 151(1)(b) of the FC, whereby the former refers to 'person' while and the latter refers only to 'citizen'. The Federal Court held that the POCA applies to citizens and non-citizens or foreign nationals. The Court referred to the test in *PP v. Datuk Harun Hj Idris & Ors* [1976] 1 LNS 180, which stated that Article 8(1) of the FC allows reasonable classification based on intelligible differentia and a rational nexus with the objective of statute. In simple terms, Article 8(1) FC enables different groups of people to be treated differently if it is (1) reasonably justified and (2) the link between difference in treatment and objective of the law is proven. In this context, the Court interpreted that the two provisions can be read together and do not contradict each other. The following section will analyse the judgment based on the literature review discussed above.

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5. Discussion

The Federal Court careful analysis and consideration of all relevant cases related to legal issues involved was commendable in this case. The Court had highlighted the accurate legal principle to be applied in the above-mentioned issues. In this case, the fact that the appellants were detained during hearing but released after filing an appeal with the Federal Court was irrelevant to render the application 'academic'. This was because the issue at hand was not regarding the physical detention of the appellants but identifying if the High Court took the right approach in reviewing the legality of detention. The Court also ruled that the POCA applied to citizens and non-citizens or foreign nationals as it was explained that Article 151(1)(a) and 151(1)(b) should be read together.

It was decided that it is a legal error to expand the scope of POCA to encompass all six limbs of Article 149 of the FC. Article 149 of FC and the POCA allows preventive detention which is an exception to Article 5 FC. However, the phrase 'save in accordance with law' in Article 5(1) implies that any restriction on a person's life or personal liberty must be authorised by law. This can be seen in *Ezam,* whereby the Federal Court outlined that although Article 149 may be inconsistent with Article 5(3) of the FC, the Internal Security Act (ISA) did not include any provision for restricting a person's right to legal representation. Clearly, the fundamental liberties provisions in this case had taken precedence over preventive laws as the appellants' right to challenge unlawful detention was safeguarded under Article 5(2) FC.

The Federal Court in the present case declared that online gambling, factually and legally, did not fall within the purview of the POCA. Moreover, this issue was not raised in previous cases. However, this is not the first time law enforcement authorities have resorted to detain individuals linked to online gambling activities under the POCA. In April 2022, the High Court of Kuala Lumpur declared the preventive detention of businessman Alvin Goh under POCA for one and a half years over alleged links to an online gambling syndicate was unlawful (Free Malaysia Today, 2022). The POCA is not a gambling-specific provision. Dhillon et al. (2021) argued that weakness in the existing legal framework has compelled law enforcement authorities to charge online gambling crimes under the POCA. It is said that '*all laws must be on the sleeve of a judge*', but a judge's duty is limited to interpreting the words used by the legislature and it is not his duty to fill in any gaps in a provision. The Court in the case of *Public Prosecutor v. Multi Electrical Supply & Services & Ors* held that:

> *"In interpreting and applying the laws as they stand, it is not the function and duty of this court to fill in the blanks in the law when the legislators who have the power to do so have yet to rise to the task*."

It is evident that the existing legislation is insufficient to effectively restrict illegal online gambling activities in Malaysia. There are not any provisions that cover online gambling offenses under the CGHA as the title suggests that it is an act which relate to the 'suppression of common gaming houses, public gaming, and public lotteries'.

Under the current legislation, there is a need for regulatory protection for underage and vulnerable individuals against gambling. This is mainly because in real life there will be restrictions for children to enter gambling premises; however, in virtual space there will be fewer restrictions to prevent them from accessing gambling websites. A child may be exposed to online gambling advertisements on their device while browsing or playing a

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game, allowing them to access gambling websites with just one click. On top of that, some online gambling websites lack effective age verification measures, which may allow minors to create accounts and gamble online. For example, a 13-year-old boy from England spent more than $140000 on his father's card to place hundreds of bets on horse races and soccer games (Triple M, 2018). He created an account by using his father's identity after seeing an ad for a betting site during a broadcast of a soccer game (Triple, 2018). The registration process took only few seconds as he was required to enter his dad's name, address, date of birth and card details and checked a box saying he was 18 years (Triple, 2018).

To effectively address this issue, it is imperative that operators are held accountable for advertising online gambling products to minors and vulnerable individuals, inviting them to gamble online, and providing job opportunities in the online gambling industry. This issue was raised by Member of Parliament of Tenom when she enquired if the government intends to introduce laws relating to the advertisement or promotion of online gambling through mobile phone services to teenagers under 18 as an offence (Penyata Rasmi Parlimen Dewan Rakyat, 2021).

The present provision Section 4(1)(g) of the CGHA makes it an offense to announce or publish or cause to be announced or published, either orally or by any means of communication, that a place is being used as a common gaming house, or in any way invite or solicit someone to commit an offense under Section 6 or Section 9 of the same Act. However, from this provision it can be interpreted that Section 4(1)(g) of the CGHA does not explicitly address the issue of minors or vulnerable individuals and given that the promotion or advertisement of online gambling takes place in a virtual space, this provision does not cover such activities. It is crucial to incorporate a provision that explicitly covers online gambling advertising, as the promotion of online gambling can be carried out through various means. This may include website advertising, advertisement through social media platforms and communication applications, such as WhatsApp and Telegram, and through celebrity or influencer endorsements during live streaming. Syvertsen et al. (2022) established that amongst advertisements, Internet gambling demonstrated the strongest association with increased gambling involvement as it is more interactive. Guidelines can be issued to prohibit celebrities and social media influencers who are likely to be of strong appeal to children or young persons from endorsing online gambling.

In addition, there should also be a provision which allows courts to order treatment and rehabilitation services for offenders with confirmed gambling addictions as this would help provide much-needed support to individuals struggling with gambling addiction. On top of that, statistics showed that rehabilitation programmes had significantly reduced the rate of recidivism, tendency of a convicted offender to relapse into criminal behaviour, as they were designed to increase rational thinking and responsible actions amongst convicted offenders (Kamarudin, 2022). The government may adopt Singapore's approach in allocating a portion of tax revenue generated by the gambling industry towards funding for treatment of gambling addiction (Meikeng, 2014).

The government may also consider consolidating or harmonising the existing gambling legislations (Betting Act 1953, Common Gaming Houses Act 1953, Pool Betting Act 1967, Racing (Totalizator Board) Act 1961, Lotteries Act 1952, and Lotteries (Registration and Licensing of Gaming Machines) Regulations 1973) into a single legislation which may potentially improve the efficiency of regulating the gambling industry while addressing

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any gaps or inconsistencies in the current laws. In Singapore, all statutes related to gambling were consolidated into a single legislation, the Gambling Control Act 2022 (Blaschke, 2022), which may be worth emulating.

6. Conclusion

The case analysis demonstrates that there is no inherent link between online gambling and organised violence, as the two activities are distinct and there are clear differences between online gambling and organised violence. The Court departed from the majority decision in *Zaidi Kanapiah* and referred to the minority decision which stated online gambling and organised violence were two separate and disparate matters. In exploring the link between online gambling and organised violence, the paper highlighted that preventive detention laws such as Article 149 of the FC should be construed restrictively as they contradict one's fundamental liberty guaranteed under the Federal Constitution.
The final part of the paper suggested the need for online gambling laws in Malaysia. Neither the CGHA nor BA explicitly criminalises online gambling. The paper presented several recommendations although these recommendations are by no means exhaustive it can be a starting point for further research and discussion on the topic. The recommendations suggested were to incorporate provisions to protect minors and vulnerable individuals from online gambling and amend laws with regard to advertisement of online gambling, include provisions to order treatment and rehabilitation services for offenders with confirmed gambling addictions and amends as well as consolidate all gambling laws in Malaysia. Although one must admit that a comprehensive gambling legislation alone will not be a panacea. Nevertheless, the first step that should be taken is to amend and modernise the existing gambling laws as *nulllum crimen sine lege* or no crime without law.

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Conflict of Interest

The authors reported no conflicts of interest for this work and declare that there is no potential conflict of interest with respect to the research, authorship, or publication of this article.

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