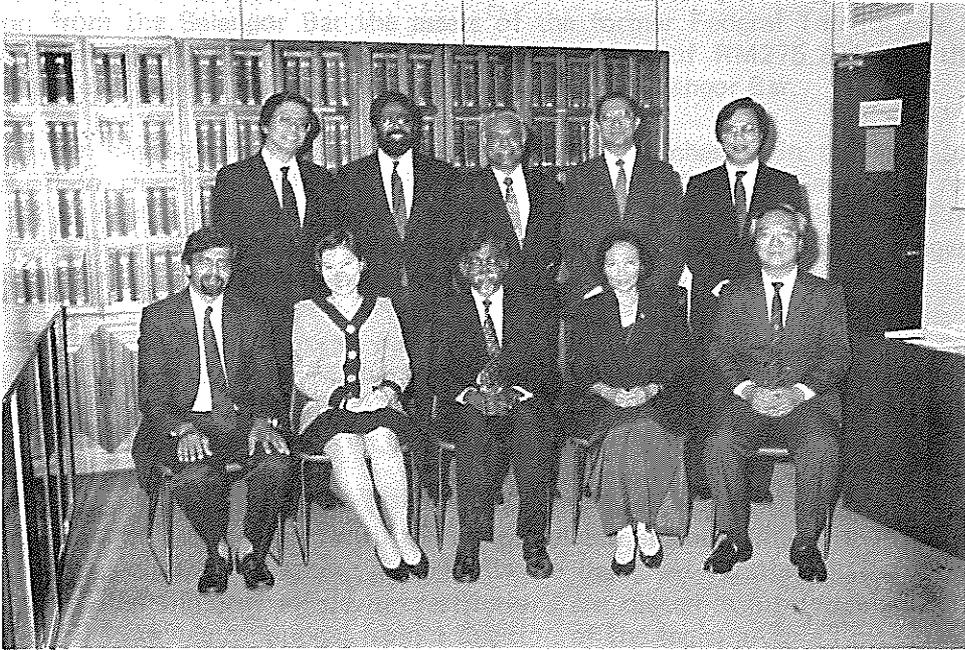


**1st Annual General Meeting  
Kuala Lumpur Bar**



**Friday, 5th March, 1993  
10.00 A.M.  
Auditorium Dewan Bandaraya  
Kuala Lumpur**

## KUALA LUMPUR BAR COMMITTEE 1992/93



**L to R (Front):** Mr. Saseedharan Menon (Hon. Secretary)  
Ms. Mary Tan (Executive Secretary)  
Mr. R.R. Sethu (Chairman)  
Puan Hendon bte Haji Mohamed  
Mr. Mah Weng Kwai

**(Back):** Mr. Lee Swee Seng  
Mr. M. Puravalen  
Mr. Roy Rajasingham  
Mr. Manjeet Singh  
Encik Zainudin bin Haji Ismail

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## *Chairman's Message*

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Less than a year has passed since the establishment of the Kuala Lumpur Bar. Yet the KL Bar must hold its first statutory annual general meeting in March. Following the separation from the Selangor Bar the assets of the former Federal Territory & Selangor Bar have been distributed. The KL Bar received a sum of RM275,201 and the sports trophies have also been sorted out by agreement with the Selangor Bar.

The past year has been most eventful and exciting with changes in the legal scene. We bid farewell to the former Chief Justice, Tan Sri Hashim Yeop A. Sani, who retired on grounds of ill health, and welcome his successor, YAA Tan Sri Datuk Gunn Chit Tuan. The Supreme Court too, with the new elevations, has its full complement of Judges. Judges would have more time to deal with appeals.

An intermediate Court of Appeal was in the offing. It is a move which the profession will welcome. It is still born. As there are problems with its legitimacy, such as whether an amendment to the Constitution was required, it would be awhile before this Court sees daylight. We only hope that the delay does not consign the intended Court into darker horizons and oblivion.

Members would be made busier with the contemplated amendments to the rules of court to speed up the disposal of cases. Time limits are being set for the setting aside default judgments and the filing of affidavits; restrictions are placed in introducing or filing new (or additional) evidence on appeal from a decision of the registrar to a judge-in-chambers. These amendments are expected to be gazetted soon.

The KL Bar Committee had spent sometime clearing complaints of professional misconduct made before 1.4.92. However, with the Legal Profession (Amendment) Act 1992, the Committee is powerless to investigate complaints made after that date. The new machinery contemplated by that amendment, unfortunately, is yet to be set up and hence all complaints since 1.4.92 are in abeyance. This unexpected, and, rather unfortunate problem is being attended to by the Bar Council.

The Committee would have to direct its energies to other aspects of the profession such as sports and creating (or restoring) the comradeship at the Bar. Another area would be the a permanent continuing legal education programme such as reviewing recent developments in particular areas of the law. The Committee is open to, and welcomes suggestions from members.

This Committee expresses its thanks and gratitude to all members for their continued co-operation and support both to the Committee and the administrative staff. The new Committee would, no doubt expect, and be accorded, the same co-operation and support.



R.R. SETHU  
Chairman

Kuala Lumpur Bar Committee

**ANNUAL REPORT 1992/93  
AS AT 20-2-1993**

**1. ESTABLISHMENT OF THE KUALA LUMPUR BAR**

The Kuala Lumpur Bar was established with effect from 1st July 1992 pursuant to a resolution of the meeting of members practising in the Federal Territory of Kuala Lumpur on 20th June 1992.

**2. OFFICE BEARERS**

At the above meeting the following office bearers were elected:

a) Bar Committee 1992/93

Chairman : Mr R.R. Sethu

Members : Puan Hendon bte Haji Mohamed  
Mr. Saseedharan Menon  
Mr. Roy Rajasingham  
Mr. M. Puravalen  
Mr. Manjeet Singh  
Encik Zainudin bin Haji Ismail

b) Representative to the Bar Council for 1992/93

Mr. Vijayaram Krishnan

**3. HONORARY SECRETARY**

Mr. Saseedharan Menon was appointed as Hon. Secretary.

**4. CO-OPT MEMBERS**

Mr. Mah Weng Kwai and Mr. Lee Swee Seng were co-opted as members of the Bar Committee under Section 73 (vii) of the Legal Profession Act 1976.

**5. COMMITTEE MEETINGS**

a) From 1-7-92 to 20-2-93 the Committee met 18 times and the attendance of each member was as follows:

1. Mr. R.R. Sethu	— 15
2. Puan Hendon bte Haji Mohamed	— 16
3. Mr. Saseedharan Menon	— 17
4. Mr. Roy Rajasingham	— 15
5. Mr. M. Puravalen	— 15
6. Mr. Manjeet Singh	— 16
7. Encik Zainudin bin Haji Ismail	— 15
8. Mr. Mah Weng Kwai	— 15
9. Mr. Lee Swee Seng	— 12

b) Mr. Vijayaram Krishnan, the Representative to the Bar Council was invited to attend the Committee meetings as observer and also to report to the Bar Council on relevant matters as and when pertinent and necessary. He attended a total of 9 meetings.

## **6. FINANCE**

Pursuant to the provision of Section 68 (6) of the Legal Profession (Amendment) Act 1992 the Kuala Lumpur Bar received 87.5% of the total assets of the Selangor & Federal Territory Bar.

The financial position of the Kuala Lumpur Bar is stable with a sum of RM150,000.00 in Fixed Deposit. Details of the financial position are as set out in the Audited Accounts ending 31-12-92.

## **7. SUBSCRIPTION**

The subscription for the year 1992 was fixed at \$100.00 at the Annual General Meeting of the Selangor & FT Bar held on 7-3-1992.

Section 68 (5) of the Legal Profession (Amendment) Act 1992 provides that at the time of the establishment of the Kuala Lumpur Bar any member who had paid the annual subscription for that calendar year to the Selangor State Bar Committee shall not be required to pay a second subscription for the same year to the Kuala Lumpur Bar Committee.

Up to 20-2-1992 83 members of the Kuala Lumpur Bar are in arrears of the 1992 subscription.

## **8. NUMBER OF MEMBERS**

As at 20-2-1992 the Kuala Lumpur Bar has a total of 2320 members.

## **9. COMPLAINTS AGAINST MEMBERS**

Between 1-7-1992 to 31-12-1992 the Committee received 22 complaints. The Committee completed investigation in respect of 15 complaints and the respective reports were submitted to the Bar Council. Of these 20 complaints the Committee recommended 11 for formal inquiry by Disciplinary Committees. 5 of the complaints were taken over by the Inquiry Committee of the Bar Council. 2 complaints are still pending investigation.

## **10. PETITIONS FOR ADMISSION**

From 1-1-1992 to 31-12-1992 538 Petitions were received by the Committee.

There were 498 members admitted to the Bar in the Federal Territory of Kuala Lumpur during the year 1992. According to the records maintained by the Secretariat out of the 498 members admitted 340 are in legal practice in the Federal Territory of Kuala Lumpur.

## **11. SUB-COMMITTEES AND LEGAL AID MANAGEMENT PANEL**

The Committee appointed the following Sub-Committees and Legal Aid Management Panel to facilitate the organisation of its various activities:

### **1) Sports Sub-Committee**

Chairman : Mr. Roy Rajasingham

Members : Mr. Saseedharan Menon  
Mr. Vijayaram Krishnan

Mr. Anthony John Dason  
Ms. Chin Chooi Ying  
Ms. Shu Lee King  
Mr. S. Krishna Aiyar  
Encik Ab. Majid Md. Yusof

**ii) Social Sub-Committee**

Chairman : Mr. Manjeet Singh  
Members : Ms. Sin Siew Kuen  
Mr. Dennis Appaduray  
Mr. Christopher Foo  
Observers : Cik Norina Yahya  
Mr. Sarbjit Singh  
Ms. Sheena Gurbakhash

**iii) Continuing Legal Education Sub-Committee**

Chairman : Mr. R.R. Sethu  
Members : Mr. Lee Swee Seng  
Mr. Bhag Singh  
Mr. Philip Koh  
Mr. Darryl Goon

**iv) Criminal Law Sub-Committee**

Chairman : Mr. M. Puravalen  
Members : Mr. Atma Singh Veriah  
Mr. Wong Som Nuck  
Mr. John Leong  
Observers : Mr. K. Balaguru  
Ms. Pamela Gomez  
Mr. Jeya Mahesan  
Mr. Sivarasa Rasiah  
Mr. Jerald Allen Gomez  
Mr. G. Ragupathy  
Mr. G. Doraisamy  
Cik Maznah Kamaruddin

**v) Ethics Lecture Sub-Committee**

Chairman : Mr. Mah Weng Kwai  
Members : Mr. Saseedharan Menon  
Mr. Lee Swee Seng

**vi) Legal Aid Management Panel**

Chairman : En. Zainudin bin Hj Ismail

- Hon. Secretary : Mr. M. Puravalen
- Advisor : Mr. R. Rajeswaran
- Members : Puan Hendon bte Hj Mohamed  
Encik Ahmad Moosdeen  
Mr. Dennis Appaduray  
Ms. Liza Chan  
En. Shahinuddin Shariff
- Observers : Mr. Jeya Mahesan  
Mr. Sivarasa Rasiah  
Mr. Nahendran Navaratnam  
Mr. Jerald Allen Gomez  
Ms. Yong Siat Lin

During the period under review the Sub-Committees and the Legal Aid Management Panel respectively have been active. Their respective activities and reports appear in pages 11 to 22.

## 12. OTHER MEETINGS

During the period under review the Committee met:

- i) Y A Dato N H Chan (on 4-7-1992); and
- ii) Sessions Judges, Magistrates and Registrars (on 26-9-1992).

The matters discussed related to complaints and suggestions brought up by certain members of the Bar. Matters of mutual interest were also raised and discussed. Decisions affecting members generally will be circulated as and when the matters are finalised.

The Committee had also written to the Director of Lands and Mines seeking a meeting to discuss various problems concerning the respective Land Offices in the State of Selangor and the Wilayah Persekutuan and is awaiting reply from the Department. It is hoped that the incoming Committee would follow-up on the matter.

## 13. CONTRIBUTIONS

### i) LAW MOOT COMPETITION ORGANISED BY THE UNIVERSITY OF MALAYA

The Committee has decided to take over and continue to award 'book prizes' worth \$100/- each annually for the best mooter in the English and Bahasa Malaysia sections of the Annual Law Moot Competition of the Faculty of Law, University of Malaya.

The winner of the 'Book Prize' in the Bahasa Malaysia section of the 1991/92 Competition was Ms Wong Bee Cheng.

The Committee has yet to receive the result for the English section.

## 14. CONGRATULATORY MESSAGES

Congratulatory messages were sent by the Committee on behalf of all members to:

- i) YA Dato Alauddin bin Dato Mohd Sheriff on his appointment as a High Court Judge.

- ii) YA Tuan Hakim Steve Shim on his appointment as a High Court Judge.
- iii) YA Datuk Abdul Malik Ishak on his appointment as a Judicial Commissioner.
- iv) YA Tuan Mohd Hishamudin bin Hj Mohd Yunus on his appointment as a Judicial Commissioner.
- v) YAA Tan Sri Gunn Chit Tuan on his appointment as the Chief Justice.
- vi) YA Datuk Wira Wan Yahya bin Pawan Teh on his appointment as a Supreme Court Judge.
- vii) YA Dato Mohamed Dzaidin bin Hj Abdullah on his appointment as a Supreme Court Judge.
- viii) YA Tuan Haji Muhamad Kamil Awang on his appointment as a Judicial Commissioner.
- ix) YA Tuan Yaacob bin Haji Ismail on his appointment as a Judicial Commissioner.
- x) YA Dato' Haji Ariffin bin Haji Jaka on his appointment as a Judicial Commissioner.
- xi) Tuan Hashim bin Dato' Haji Yusoff on his appointment as the Chief Registrar.

#### 15. OBITUARY

The Committee records with deep sorrow the passing away of the following members of the Kuala Lumpur Bar during the year 1992/93:

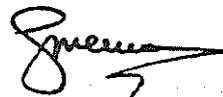
- i) Mr. Lim Cheng Poh
- ii) Mr. R. Ponnudurai
- iii) Mr. KRP Perumal
- iv) Mr. Clarence Wilfred
- v) Mr. Sanguni Nair Narayanan
- vi) Ms. Linda Tai Fook Yen

#### 16. APPRECIATION

The Chief Justice, YAA Tan Sri Gunn Chit Tuan had very kindly agreed to the adjournment of cases to enable members to attend this first Statutory Annual General Meeting. We are very grateful to him and express our thanks.

The Committee also expresses its thanks and gratitude to those senior members of the Bar who often at very short notice, assisted us in conducting the lectures on professional ethics, a new programme introduced for pupils. We record our appreciation to the administrative staff for their devoted and untiring service to the Committee. Finally, we extend our thanks to our members for whose benefit and for whose regulation we were elected and exist. Our members have been a most patient lot and had left the Committee to function without any interference.

The term of office of this Committee expires at the first Statutory Annual General Meeting. We hope that members and all those with whom we have to deal would continue to extend their support and co-operation to the new Committee.



(SASEEDHARAN MENON)  
Hon Secretary  
KUALA LUMPUR BAR COMMITTEE

## REPORTS OF SUB-COMMITTEES AND LEGAL AID MANAGEMENT PANEL

### 1. SPORTS SUB-COMMITTEE

1.1 The following Convenors were appointed to assist the Sports Sub-Committee in the organising of the respective games:

Golf	: David Hoh
Soccer	: V. Vijakumar
Cricket	: Vinayaraj/David Woo
Tennis	: Aimee Liew
Hockey	: Murali Achan/R. Ganapathi
Badminton	: S. Krishna Aiyar
Table-Tennis	: John Ng
Squash	: Teh Meng Teck
Netball	: Shahareen Begum
Bowling	: Ab Majid Md Yusof
Athletics	: Francis Brigged
Darts	: S.S. Ravichandran/T.J. Su
Sepak Takraw	: Mohd Lotfan Nadzmi

Members took an active part in sports activities organised by the Sports Committee during the period March 1992 to February 1993. Younger members of the Bar participated in almost all the various games and some emerged champions and runners-up.

The appointed Convenors and their sub-committees are to be congratulated for the successful organisation of their respective games.

Members of other States Bar were invited to participate in our Open Championships. The response was encouraging.

The following are the results of the various games:

#### *Golf*

The 5th Annual Golf Competition with the Malaysian Institute of Surveyors and the Bar for the Jones Lang Wootton Trophy was held on 19-11-92 at Kelab Rekreasi Tentera Udara. The Bar again won the Competition.

The 4th Combined Selangor Bar and K L Bar Closed Golf Competition was held on 29-10-92 at Kelab Golf Sultan Abdul Aziz Shah, Shah Alam. The Competition proved to be a great success with a number of golfers aspiring for honours.

#### **Results:**

Best Gross  
(Challenge Trophy donated by Mr Edmund Yong) – Saheran Abdullah

Best Net  
(Challenge Trophy donated by Mr. S.Y. Chan) – Yussof Ahmad

## *Soccer*

The Soccer Section had a successful season having played a number of friendly games. A number of the players from Kuala Lumpur represented the Malaysian Bar in the Law Games with Singapore.

The 6th Annual Thayalan Memorial Cup 7-A-Side Football Tournament was held on Sunday 27-9-92 at Club Aman Kuala Lumpur.

### **Results:**

Champions : Kassim Tadin Wai & Co.  
1st Runners-up : Perak Bar  
2nd Runners-up : Abdullah & Zainudin

## *Cricket*

Several friendly games were played. New talent has been discovered in the way of players and umpires.

The game between Married vs Unmarried was revived and played on Saturday 9-1-93 at Club Aman. Mr. K. Anantham donated a Challenge Trophy (known as S. Sundram Memorial Trophy).

The Married out-played the Unmarried.

## *Tennis*

Several friendly games and practice matches were played. Some of our wins were against YMCA and Bukit Kiara Equestrian & Country Resort.

Two tennis courts are available for members at the National Tennis Centre on every Tuesday.

The 4th Annual Tennis Championship was held on 25-7-92 and 26-7-92 at the National Tennis Centre, Jalan Duta, Kuala Lumpur. The results were as follows:

### **Men's Singles**

Champion : Robin Lim  
Runner-up : Chan En-Lai

### **Men's Doubles**

Champions : Muzaffar Munzir & Wong Hok Mun  
Runners-up : Zainol Abidin & Mohd Saleem Sidiq

### **Ladies Singles**

Champion : Aimee Liew  
Runner-up : Fadzilah Pilus

### **Ladies Doubles**

Champions : Fadzilah Pilus & June Chong  
Runners-up : Goh Ka Im & Lorraine Cheah

## ***Hockey***

The Hockey Section was active and played several friendly games.

The 3rd Annual Six-A-Side Hockey Tournament was held on Sunday 2-8-92 at Tun Razak Astro turf Hockey Stadium.

### **Results:**

Champions : Team from M/s Chong Harcharan Hashim  
1st Runners-up : Ipoh 'A' Hockey Team  
2nd Runners-up : Klang Crow Bar 'A' Hockey Team

(Challenge Trophy donated by Mr Joga Singh Dhaliwal)

The KL Bar Hockey team is strengthened with a number of young players.

## ***Badminton***

Badminton was played by members once a week at the Selangor Badminton Association Hall.

The 5th Annual Closed Badminton Tournament was held from 21-9-92 to 25-9-92.

### **Results:**

#### **Men's Singles**

Champion : Wong Sai Fong  
Runner-up : S. Krishna Aiyar

(Challenge Trophy donated by Selangor & FT Bar Committee)

#### **Men's Doubles**

Champions : David Gan & Leong Ooi Seong  
Runners-up : Richard Tee & Tee Han Cheong

(Challenge Trophy donated by M/s Shook Lin & Bok)

#### **Mixed Doubles**

Champions : David Gan & Ms C Y Chin  
Runners-up : Richard Tee & Chan Chui Tin

(Challenge Trophy donated by Mr. R. Rajeswaran)

#### **Ladies Doubles**

Champions : Anna Vadaketh & Charanjeet Kang  
Runners-up : C.Y. Chin & Christina San

(Challenge Trophy donated by Y.A. Tuan Hakim Ong See Seng)

### **Veterans Singles**

Champion : D.P. Vijandran  
Runner-up : R. Rajeswaran

(Challenge Trophy donated by M/s Chooi & Co.)

### **Veterans Doubles**

Champions : Khoo Eng Chin & Dato V.L. Kandan  
Runners-up : R. Rajeswaran & S. Radhakrishnan

(Challenge Trophy donated by M/s Shearn Delamore & Co.)

### **Table-Tennis**

The 3rd Closed Table-Tennis Competition was held at Bangsar Sports Complex, Kuala Lumpur on 17-10-92. Nine participants took part in the Competition.

#### **Results:**

#### **Men's Singles**

Champion : Yong Sin Wei  
1st Runner-up : John Ng  
2nd Runner-up : Ng Seng Kiok

#### **Ladies Singles**

Champion : Gan Puay Geok  
Runner-up : Lee Wooi Mien

#### **Veterans Singles**

Champion : Ng Seng Kiok  
Runner-up : Roy Rajasingham

### **Squash**

The 4th Squash Competition was held at the Hilton Racquet Club on 28-9-92 to 30-9-92.

#### **Results**

#### **Main Event – Men**

Champion : Kingston Tan  
1st Runner-up : Teh Meng Teck  
2nd Runner-up : Stanley Chang

(Challenge Trophy donated by Mr. Y. Sivaloganathan)

#### **Plate Event – Men**

Champion : Andrew Khoo  
Runner-up : Nick Leong

### **Ladies Event**

Champion : Jayne Koe  
Runner-up : Jenny Yip

### ***Netball***

The Open Netball Tournament was organised twice but on both occasions were cancelled due to poor response.

### ***Bowling***

The 2nd Closed Bowling Competition was held on 22-5-92 and 23-5-92 at the Raintree Club, Kuala Lumpur.

#### **Results:**

##### **Ladies**

Champion : Peony Lye  
1st Runner-up : Noorin Badaruddin  
2nd Runner-up : Mastura Ma'sud

(Challenge Trophy donated by Ms. C.Y. Chin)

##### **Men**

Champion : M. Rueben  
1st Runner-up : Ab Majid Md Yusof  
2nd Runner-up : Han Seng Kwang

##### **Team**

Champions : Goh Chong Ming  
Chung Swee Loong  
Ms Sharon Sidhu

1st Runners-up : Syed Tahir  
Paul Kwong  
Cik Noorin Badaruddin

2nd Runners-up : M. Rueben  
H.Y. Chong  
Ms. Lau Chooi Ling

### ***Athletics***

A mini-run will be held shortly. Response is expected to be good in the men's, ladies and veterans categories.

### ***Darts***

The annual Competition was held in Klang on 27-6-92.

**Results:**

Champion : Ab Majid Md Yusof  
 1st Runner-up : K. Ranjit Singh  
 2nd Runner-up : T.J. Su  
 3rd Runner-up : S.S. Ravichandran

(Challenge Trophy donated by MBL)

**Sepak Takraw**

Due to poor response the section was not very active. Better response is however expected in the future.

**7th 'Sports Carnival' – RSC vs K L Bar**

The Annual Series against the Royal Selangor Club was held from 7-2-93 to 12-2-93.

Royal Selangor Club won the coveted "Overall Winners Trophy" donated by Y A Tan Sri Dato Harun Hashim by 5-3.

**Results:**

Game	Donor	Result
Cricket	late R.R. Chelliah (D.D. Chelliah Challenge Trophy)	Won by RSC (116 runs)
Squash	Y.Bhg. Dato Param Cumaraswamy	Won by Bar (7-0)
Tennis	Mr. T. Selvarasan	Won by Bar (4-3)
Soccer	Y.Bhg. Datuk Dr. James Ongkili	Won by RSC (2-1)
Hockey	Mr. G.T.S. Sidhu	Won by RSC (2-0)
Darts	Y.Bhg. Dato Dr. Lim Teong Wah	Won by RSC (5-3)
Golf	Y.Bhg. Dato Ronald Khoo	Won by Bar (3-2)
Boat-Race	Y.A. Tuan Hakim Faiza Thamby Chik	Won by RSC

**2. SOCIAL SUB-COMMITTEE**

During the period under review, the Social Sub-Committee organised two functions.

**2.1 Charity Treasure Hunt**

A Treasure Hunt was held on 8-11-1992, the flag off and the finish being at the car park near the Jalan Duta Courts. A total of (39) cars participated. A dinner was held at the Club Le Chateau where the answers and the winners to the Treasure Hunt were announced. The net proceeds of the Hunt amounting to \$10,773.60 were divided equally and presented to (i) Selangor & Federal Territory Association for Retarded Children and (ii) Selangor King George V Silver Jubilee Fund Old Folks Home at the Annual Dinner & Dance.

**2.2 Annual Dinner & Dance**

The 1st Annual Dinner & Dance of the K L Bar was held at the Hotel Istana on 27-11-1992.

The formation of the K L Bar was celebrated and guests were entertained to a brilliant performance by the 'Reluctant Performers'. Tickets were priced at \$70.00 per head and total attendance was (560).

The Committee wishes to place on record its gratitude and thanks to the various donors of prizes who helped to make the Treasure Hunt and the Annual Dinner & Dance a success.

### **3. CONTINUING LEGAL EDUCATION SUB-COMMITTEE**

The Continuing Legal Education Sub-Committee had met to sort out the areas in which talks or seminars ought to be organised. There were difficulties in getting the right people to deal with the subjects selected. However it is hoped that the incoming committee would be able to continue with the work of the present committee. A major drawback facing the committee was the availability of professionally organised seminars and talks on legal topics in Kuala Lumpur besides those organised by the Bar Council.

One of the topics planned, and which could not take off, is on the Operation of the FIC Guidelines, to be delivered by the secretary of the FIC. The new committee would no doubt proceed with the contacts and arrangements already made.

### **4. CRIMINAL LAW SUB-COMMITTEE**

#### **4.1 Activities**

(a) The Committee met 6 times during its term. Its members had further met and had discussions with representatives of the Bench, prison and police authorities at various times. The Committee records its appreciation to various parties who were most willing to discuss issues frankly and constructively although they themselves were constrained by the nature of their service requirements.

(b) Two major projects were undertaken by the Committee.

#### **i. Pudu Jail**

i.(i) It was felt that the issue of remand prisoners had to be examined critically. Information is being processed to identify why the majority of prisoners who are granted bail are unable to raise the same. It is felt that the strain on resources at the prison and on the remand prisoner will be greatly alleviated if the issue of bail is realistically looked at by the authorities concerned. The Committee considers that a socio-legal study should be commissioned to study the same.

#### **i.(ii) Issue of Aids**

The Committee has received feedback in the course of its work that the issue of Aids is causing grave concern amongst prisoners. While open acknowledgement of the seriousness of the situation may be sadly lacking, the Committee is also aware of the authorities' need to reconcile security and scarcity of resources. The degree of the incidence of Aids and the various factors which could make it conducive for a higher level of transmission within a confined environment merits our urgent attention.

We are acutely aware that we are not qualified to address the issue and have taken measures to draw the attention of relevant bodies to the issue.

- i.(iii) The annual screening of the remand prisoner population was carried out with the usual efficiency by Mr Jerald Gomez with the help of volunteers of the Legal Aid Centre. 16 pupil lawyers interviewed 77 prisoners. The processed files were subsequently referred to the assigned Counsel list and the Legal Aid Centre.

ii. **Meeting with Criminal Law Practitioners**

This meeting was organised by Mr. John Leong to identify problems by Counsels. 32 practitioners sacrificed their time to attend. All problems raised at the meeting were brought to the attention of the relevant bodies and satisfactory results were achieved. Amongst these were problems involving valuation and nature of bail security; processing of bail; filing of notice of appeal before a convicted prisoner could be released on bail; the processing of section 117 applications by Registrars; informing a detained person's immediate family as to when and where the detainee would be charged to enable family to instruct Counsel to argue bail and arrange for bail; etc.

**4.2 Miscellaneous Issues**

- (a) Mr. Wong Som Nuck undertook and produced a comprehensive interview check list for criminal cases. Maximum information has been elicited by solicitors who have not had any previous experience in criminal law by the use of this format. This check list has also been adopted by the Legal Aid Centre.
- (b) Various matters raised by the Committee's memorandum on problems in the administration of criminal justice have been addressed progressively. In particular, the Committee has followed up the suggestion by Dato' Mokhtar, the previous head of the Criminal Division that Counsel for assigned cases inform the Committee as to when they are able to block off a period of 2 weeks in their annual calendar to enable the Counsel to be assigned a case. It is felt that in this way, the Counsel is assigned a case accommodating his chosen dates.

**4.3 General Review**

- (a) It is the unanimous view of this Sub-Committee that a Criminal Law Sub-Committee should be set up at the national level. It was found that the Committee lacked the locus standi to address many issues which inevitably had a national perspective. This Committee is limited to look into issues which occur within its geographical jurisdiction. It is hoped that the Bar Council would look into this matter on an urgent basis.
- (b) The Committee fervently hopes that it can receive more support from senior practitioners of criminal law. Whilst exigencies of practice are appreciated, time and effort should also be devoted to the long term objectives of the profession and in particular section 42(g) of the Legal Profession Act.

**5. ETHICS LECTURE SUB-COMMITTEE**

All pupils-in-Chambers who commenced their pupillage after 1st August 1992, are now required to attend these lectures on ethics and etiquette as part of their pupillage. This programme is held continuously throughout the year on a bi-monthly basis.

The pilot lectures were first conducted by the Bar Council on 11-9-1992 and 12-9-1992. Thereafter the task of organising these lectures was delegated to the respective State Bar Committees. The lectures were held at the Bar Council Seminar Room.

These lectures consisting of eight (8) topics are spread out over 1½ days ie on a Friday and Saturday. Senior members of the Bar have been invited to speak on these topics to about forty (40) pupils-

in-Chambers on each occasion.

As these lectures are compulsory, attendance of the pupils is taken during each lecture. Students pay a fee of RM25.00 which cover the provision of 3 teas and a lunch.

Pupils-in-Chambers from States whose Bar Committees do not organize the programme themselves are eligible to attend our programme. However, priority will be given to pupils from Kuala Lumpur.

**A. 1st Ethics Lecture Programme held on 16-10-92 and 17-10-92**

A total of (55) pupils-in-Chambers attended this programme.

This programme was conducted with the assistance of the following speakers:—

	<b>Topic</b>	<b>Speaker</b>
a)	Maintaining the Standards of the Profession	Mr. David Alfred
b)	Contempt of Court	Mr. Chandran Nair
c)	Advocacy and Decorum in Court, Professional Conduct of Counsel in and out of Court; Duties of Counsel	Mr. Mah Weng Kwai
d)	The Practice and Etiquette Rules and Bar Council Rulings	Mr. N. Chandran
e)	Solicitors' Account Rules	Mr. Louis Cheah
f)	Enforcement of Undertakings	Ms. Chew Swee Yoke
g)	Extent of Counsel's Authority	En. Abd Kadir Kassim
h)	Legal Aid	En. Ahmad Moosdeen

**B. 2nd Ethics Lecture Programme held on 11-12-92 and 12-12-92**

A total of (38) pupils-in-Chambers attended.

The programme was conducted with the assistance of the following speakers:—

	<b>Topic</b>	<b>Speaker</b>
a)	Maintaining the Standards of the Profession	Mr. Vijayaram Krishnan
b)	Contempt of Court	Mr. Mah Weng Kwai
c)	Advocacy and Decorum in Court, Professional Conduct of Counsel in and out of Court; Duties of Counsel	Mr. Tan Hock Chuan
d)	The Practice and Etiquette Rules and Bar Council Rulings	Mr. Chandran Nair
e)	Solicitors' Account Rules	Mr. Ng Seng Kiok
f)	Enforcement of Undertakings	Mr. Inderjit Singh
g)	Extent of Counsel's Authority	Ms. Rasamani Kandiah
h)	Legal Aid	En. Zainudin Ismail

**C. 3rd Ethics Lecture Programme held on 12-2-93 and 13-2-1993**

A total of (40) Pupils-in-Chambers attended.

This programme was conducted with the assistance of the following speakers:—

Topic	Speaker
a) Maintaining the Standards of the Profession	Mr. Mah Weng Kwai
b) Contempt of Court	Mr. S. Radhakrishnan
c) Advocacy and Decorum in Court, Professional Conduct of Counsel in and out of Court; Duties of Counsel	Mr. R.K. Nathan
d) The Practice and Etiquette Rules and Bar Council Rulings	Mr. Franklin Goonting
e) Solicitors' Account Rules	Mr. Charles W. Kraal
f) Enforcement of Undertakings	Mr. S.S. Muker
g) Extent of Counsel's Authority	Ms. Rasamani Kandiah
h) Legal Aid	Mr. M. Puravalen

We would like to thank all the speakers who have rendered their invaluable services and participated in this programme and for making it a success.

**6. LEGAL AID CENTRE**

**6.1 General**

(a) 1992 saw some major changes within the Centre's setup. The new Chairman has brought with him a robust, no excuse style of leadership. The Centre had set itself annual operational objectives which provide a focus for its activities and include performance measures and targets. Quarterly review on progress towards objectives were carried out. 70% of the objectives were achieved. The rest were not realised solely due to lack of manpower and time.

(b) Membership at the Centre presently stands at 1,024 volunteers handling a total of 1,126 files. Of these 399 were criminal files and 727 civil files. It is estimated that the value of legal services rendered by the above litigation profile is about RM1.12 million (averaging RM1,000 per litigation file). This excludes 953 files where advice was given to clients.

**6.2 Activities/Projects**

(a) Meetings were held with the following bodies:

Biro Bantuan Guaman, FOMCA, Director of Pudu Jail.

The Centre was also represented at joint meetings with the members of the Bench of the Lower Courts and High Court.

Effective rapport has been established by reason of the above meetings. Problems faced by the Centre with bodies involved in the administration of criminal justice have been alleviated to some extent.

**(b) Projects**

- (i) A User Manual was drawn up by Mr Nahendran Navaratnam with the assistance of Ms Sue Taylor Mobed. It is hoped that this Manual will be subsequently adopted by all other Legal Aid Centres in Malaysia with suitable adaptations being made.
- (ii) A Syariah Conference was organised by the Syariah sub-committee headed by Encik Shahinuddin Shariff and a dedicated team of workers. The Conference's objective was to increase the awareness of lawyers on the role and practice of the Syariah Law in the Syariah Courts. It was attended by 77 participants. 12 resolutions were forwarded to the the Prime Minister's Department for their consideration.
- (iii) A Resource Centre has been set up under the leadership of Ms Yong Siat Lin. The sub-committee is presently in the process of cataloging all materials at the Centre. It has also commissioned 2 research projects to identify client profile and their needs.
- (iv) The other projects which has now become part of the calendar of activities have maintained their usual level of efficacy.

The Pudu Jail Clinic has been a constant source of supply of clients to the Centre and as expected there has been an increase in the number of clients.

The Pupil Scheme is now into its 14th batch of students. Although some hiccups have been noticed in the attendance of the supervisors, it has been overshadowed by the recruitment of some dedicated volunteers who stayed on after their pupillage.

**(c) Conferences**

- (i) The Secretary attended the National Legal Aid Conference in Sydney, Australia on the 20th and 21st of February 1992 at the invitation of the Attorney General's Chambers of Australia.

Considerable assistance has been secured in terms of resource material. The Centre is presently working on the dissemination of legal literacy via the telephone. This is a joint project with the Legal Aid Centre of Melbourne.

- (ii) Mr. Nahendran Navaratnam attended the Lawasia Legal Aid Seminar in New Delhi on the 8th and 9th November 1992.
- (iii) The Centre sponsored 10 students for the Criminal Law Advocacy Workshop organised by the Bar Council as part of its training programme to increase the number of practitioners of criminal law.
- (iv) Mr. R. Rajeswaran and Ms Foo Yet Ngo presented papers on behalf of the Centre on "Land Acquisition" and "Procedures in Family Law" respectively at the National Conference of the "Biro Bantuan" held in Langkawi on the 2nd and 3rd of November 1992.
- (v) The Centre was also represented at the following seminars/workshop:
  - (ai) Seminar on Legal Education organised by the Maran Legal Aid Centre (7th July 1992);
  - (aai) Seminar on "Hak Wanita dari Perspektif Sosial-Ekonomi dan Undang-Undang: Antara Teori dan Perlaksanaannya" organised by Universiti Kebangsaan Malaysia

(18th July 1992);

(aiii) National Seminar on Ethics and Environment organised by Universiti Malaya (4th and 5th August 1992);

(aiv) Consumer Protection in Advertising organised by FOMCA (12th and 13th December 1992).

### 6.3 Review of the past year

- (a) The day to day operation of the Centre is now on a firmer footing. Staffing problems have been overcome. Computer software programmes for the management and accounting systems have considerably increased the efficient running of the Centre.
- (b) An issue that would need to be addressed sooner or later is whether the Centre should acquire its own premises. Rental of RM33,211.92 per annum is being paid out. Larger physical premises is needed to accommodate the operation. At any one time, the Centre operates with about 6–10 lawyers; 8 secretariat staff and 5–10 clients! Thus, the constraints on physical space have become critical as it has prevented the Centre from accepting more volunteers to be on duty at any one time.
- (c) The Panel thanks the staff of the Centre and those many others whose commitment and effort made it possible for the Centre to provide the services during the year.

In particular, the Panel records its appreciation to Mr. R. Rajeswaran, our Advisor and a pioneer in Legal Aid at the Bar who has unselfishly rendered his services and wisdom to guide us through the years. The Bar's loss is a gain to the academic world. We nevertheless hope he will continue to provide us his support.

- (d) Another landmark in the Centre's history has been the separation of the Selangor and Federal Territory Bar. We look forward to working with the Selangor Bar's Legal Aid Centre.
- (e) The Panel organised an annual get-together of Volunteers at the Royal Commonwealth Club on the 20th of February 1993. It was attended by some 210 participants. The presence of the President, Vice President and Secretary of the Bar Council and President elect of Lawasia was particularly appreciated. Mr. R. Rajeswaran was presented a pewter gift as a token of appreciation for his services.

### 6.4 The Forthcoming Term

- (a) It is hoped that the "Dial-A-Law" project will materialise during the coming year. It will cut across barriers of physical distance, time and costs in that it will be toll free and operational 24 hours within Malaysia in 3 languages.
- (b) The Centre is also actively studying cost effective alternatives to litigation such as mediation.

Proposals for expansion of existing legal aid services and the establishment of new programmes is also being carried out. In particular the expansion of the Pudu Clinic to Kajang and juvenile remand centres is being looked into.