



Kuala Lumpur Bar

Tuesday 12th March 2002
10.30 AM
Grand Ballroom
The Legend Hotel
Kuala Lumpur

10TH ANNUAL GENERAL MEETING

KUALA LUMPUR BAR COMMITTEE 2001/02



L to R (Front): Ms M Moganambal (YLC), Ms Mary Tan (Executive Secretary),
Encik Zainudin Ismail (Chairman), Mr Ragunath Kesavan (Hon Secretary),
Cik Yasmeen bt Hj Muhamad Shariff

(back): Mr Sanjeev Kumar Rasiah (YLC), Mr Colin Andrew Pereira,
Mr Jerald Gomez, Mr Wong Chiong Seng, Mr Oommen Koshy

Not in picture: Cik Sa'adiyah bt Din, Ms Janet Looi,
Encik Mohamad Ariff bin Md Yusof (Rep. to Bar Council)

CHAIRMAN'S MESSAGE

I began my term as Chair of the Kuala Lumpur Bar Committee ("KLBC") with the singular purpose of sharing with my committee members my aspiration to create a feeling of solidarity and togetherness amongst members of the KL Bar, so that all members will be proud to belong to the biggest Bar in the country.

Even as each Committee's approach may differ, one aim holds strong from year to year – to serve in the best interests of members of the KL Bar.

Thus, this Committee's decision was to focus on building upon existing capabilities, and on enhancing the value of its services to directly benefit current practitioners.

Such an approach needs proper feedback and expertise from practitioners themselves. Without a high level of voluntarism, it is doubtful that members will enjoy or even seek the full benefits provided for them. Hence the Committee sought to increase significantly the number of volunteers. We were pleasantly surprised to see that many new volunteers offered their time to serve in the various sub-committees during this Committee's term. More importantly, these volunteers presented themselves without being personally called upon. We must commend them in so raising our faith in a profession where time is of the essence.

The KL Bar has almost 6,000 members. It is time that its Secretariat be upgraded and administered by professionals. It is hoped that in the near future, members will give support to this move so that a comprehensive and qualitative approach can be planned for the future of the KL Bar.

I wish to thank all members of the KLBC 2001/2002 for their time and effort in performing the tasks they set out to do. I also thank all staff at the Secretariat for their dedication. Last but not least, I thank all members who have assisted us in one way or another in the course of the year.



ZAINUDIN ISMAIL
Chairman
KUALA LUMPUR BAR COMMITTEE
2001/2002

ANNUAL REPORT 2001/02

1. 9TH ANNUAL GENERAL MEETING

The 9th Annual General Meeting was held on Monday 12th March 2001 at 10:00 a.m. at the Grand Ballroom, The Legend Hotel, Kuala Lumpur. It was adjourned from 1st March 2001 due to the lack of a quorum.

2. OFFICE BEARERS

At the 9th Annual General Meeting, the following office bearers were elected:

a) Bar Committee 2001/02

Chairman: Encik Zainudin Ismail

Members: Cik Yasmeen bt Hj Muhamad Shariff
Mr Oommen Koshy
Mr Ragunath Kesavan
Mr Jerald Gomez
Cik Sa'adiyah bt Din
Mr Colin Andrew Pereira

b) Representative to the Bar Council for 2001/02

Encik Mohamad Ariff bin Md Yusof

3. HONORARY SECRETARY

Mr Ragunath Kesavan was appointed by the Committee as Honorary Secretary for the year 2001/02.

4. CO-OPTED MEMBERS

Mr Wong Chiong Seng and Ms Janet Looi were co-opted as members of the Bar Committee under Section 73(vii) of the Legal Profession Act 1976 at the 1st Committee meeting for the year.

5. COMMITTEE MEETINGS

a) As at 20.2.2002, the Committee met 12 times and the attendance of each member was as follows:

Encik Zainudin Ismail	- 11
Cik Yasmeen bt Hj Muhamad Shariff	- 10
Mr Oommen Koshy	- 10
Mr Ragunath Kesavan	- 11
Mr Jerald Gomez	- 12
Cik Sa'adiyah bt Din	- 10
Mr Colin Andrew Pereira	- 12
Mr Wong Chiong Seng	- 6
Ms Janet Looi	- 9

b) Encik Mohamad Ariff bin Md Yusof, 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 4 meetings.

6. FINANCE

The financial position of the Committee remains stable with a sum of RM254,891.00 in Fixed Deposit. Details of the financial position are as set out in the Audited Accounts ending 31.12.2001.

7. SUBSCRIPTIONS

- 7.1 The subscription for the year 2001 was fixed at RM100.00 at the 9th Annual General Meeting of the Kuala Lumpur Bar held on 12th March 2001.
- 7.2 At the closing of the Committee's financial year on 31.12.2001, 117 members were in arrears of the 2001 subscription.

8. NUMBER OF MEMBERS

As at 20.2.2002, the Kuala Lumpur Bar has a total of 5465 members.

9. SUB-COMMITTEES AND LEGAL AID MANAGEMENT PANEL

- 9.1 The following Sub-Committees were set up to facilitate the organisation of the Committee's various activities and to cater to the needs of the Bar and were headed by the following Committee members:

- | | | |
|---|---|------------------------------------|
| i) Bahasa Malaysia | : | Cik Yasmeeen bt Hj Muhamad Shariff |
| ii) Environmental Law | : | Ms Janet Looi |
| iii) Legal Aid | : | Mr Ragunath Kesavan |
| iv) Media Communications
(IT and newsletter) | : | Encik Zainudin Ismail |
| v) Public Relations & Court Liaison | : | Mr Jerald Gomez |
| vi) Pupils' Welfare | : | Mr Oommen Koshy |
| vii) Social | : | Mr Colin Andrew Pereira |
| viii) Sports | : | Mr Oommen Koshy |

- 9.2 The Young Lawyers Committee (YLC) continued to play an active role in the Committee. Two representatives were invited to sit in the Committee as observers. Cik Sa'adiah bt Din was appointed as Advisor to the YLC.

- 9.3 During the year under review, the Sub-Committees, the Legal Aid Management Panel and the YLC respectively have been active. Their respective activities and reports appear in pages 16 to 55.

10. PROCEDURE FOR THE INTRODUCTION OF PUPILS TO THE COMMITTEE AND SERVICE OF ADMISSION PAPERS BY PUPILS ON THE ATTORNEY GENERAL

- 10.1 Upon taking office, the Committee immediately reviewed the procedure for the introduction of pupils to members of the Committee where pupils had to call on each and every member of the Committee at their respective offices, which was one of the main concern raised at the last Annual General Meeting.

We decided to meet the pupils at the Bar Committee Secretariat at an appointed date and time. Each pupil was required to attend the introduction session only once.

- 10.2 We also took up with the Attorney General the problem faced by pupils in having to travel to Putrajaya, where the Attorney General's Chambers had moved to, to serve their Admission papers.

The Attorney General accepted our suggestion to allow pupils to serve their Admission papers by A.R. Registered Post, courier or Poslaju.

11. ADVERTISING THROUGH KLBARINFO CHANNEL

The Committee's decision to allow legal firms to advertise vacancies for legal assistants at RM50.00 per advertisement and private institutions to advertise seminars/conferences at RM300.00 per A4 size page through its klbarInfo channel had generated some extra income for the Committee which the Committee hope to use for the upgrading of the computer system at the Secretariat.

12. CONGRATULATORY MESSAGES

Congratulatory messages were sent by the Committee on behalf of the Kuala Lumpur Bar to various legal personalities who were appointed to high office and who were bestowed titles.

13. OBITUARIES

13.1 The Committee records with deep sorrow the passing away of the following members of the Kuala Lumpur Bar during the year under review:

- Puan Sharifah Aloyah bt Syed Mohd Alsagoff on 3.4.2001
- Y Bhg Dato' Ahmad Shah V Balendran bin Abdullah on 17.4.2001
- Encik Mohd Maydien bin Tapil Ahmad on 12.8.2001
- Mr A M Kandasamy on 19.9.2001

13.2 We have put into action the plan to revive the holding of Reference for deceased members of the Kuala Lumpur Bar.

We plan to hold References for all members who had passed away since the last Reference in 1988.

We are making arrangements to meet up with the senior most Judge of the Kuala Lumpur High Court to discuss our plan and the procedure.

If we are unable to get this off the ground before the end of our term of office, we hope the incoming Committee would follow through it.

14. ACKNOWLEDGEMENTS

We acknowledge the co-operation and assistance received from the Chief Judge and High Court Judges, Deputy and Senior Assistant Registrars, Senior Sessions Court Judge, Sessions Court Judges, Magistrates and Registrars of the Sessions and Magistrates Court of both the KL and Selangor Courts.

We thank all our members for their continuous support and co-operation. We hope that members will continue to extend the same to the incoming Committee.

KUALA LUMPUR BAR COMMITTEE

BAHASA MALAYSIA

Chairperson: Yasmeeen bt Hj Muhamad Shariff

Members: Nasir Zihni bin Yusoff
Mohd Omar bin Hussien
Ab Halim bin Abdullah
Sunita bt Mohd Osman
Wan Aliza bt Wan Mohamed
Lathifha Ulfa bt Ismail
Iza Suhana bt Ilias

1. The Bahasa Malaysia Committee ("BMC"), a new sub-committee of the Kuala Lumpur Bar Committee was set up sometime in April last year. The objective of the BMC is to encourage and promote the usage of Bahasa Malaysia among the members of the Kuala Lumpur Bar. The BMC organised several talks, a forum and a workshop throughout its term.
2. On 23.5.2001, the BMC held its maiden talk on "Konsep Perbankan Islam". The talk was delivered by Encik Ismail Mahayudin, Pengurus Besar Kanan, Bahagian Khazanah dan Urusan Bank Antarabangsa, Bank Islam Malaysia. Encik Mohamad Illiyas, a member of the Kuala Lumpur Bar chaired the said talk. The objective of the talk was to introduce the younger members of the Kuala Lumpur Bar to Islamic Banking. The talk was presented in Bahasa Malaysia and was attended by about 180 members of the Kuala Lumpur Bar.
3. The 2nd event of the BMC was a talk entitled "Sistem Kehakiman dan Perundangan di Malaysia: Satu Wawasan (membincangkan kedudukan Undang-Undang Sivill, Undang-Undang Islam, Mahkamah Sivill dan Mahkamah Syariah di Malaysia dan kemungkinan penyatuan kedua-dua Mahkamah itu)" delivered by Yang Arif Dato' Abdul Hamid bin Hj Mohamed, Judge, Court of Appeal, Malaysia.

The said talk was chaired by the KLBC's immediate past Chairman, Mr M Puravalen. Yang Arif Dato' Abdul Hamid's views were very well received by the participants. It was encouraging to note that several heads of government departments and NGOs attended this talk. BMC was informed that Yang Arif Dato' Abdul Hamid's paper will be published in a leading Law Journal. This talk was attended by about 110 participants.

4. During the Islamic Banking month, that was in November 2001, BMC and the Islamic Banking and Finance Institute of Malaysia jointly organised a two-day workshop entitled "The 8th Annual Seminar on Syariah and Legal Aspect of Islamic Banking Practice". The said workshop, which was held at the Crown Princess Hotel was attended by 250 participants from the Kuala Lumpur Bar and the Banking sector. The keynote address was delivered by the Deputy Governor of Bank Negara.

The registration fee for the workshop was fixed at RM300.00 per participant. However, the BMC negotiated with Islamic Banking and Finance Institute of Malaysia and managed to obtain a 50% discount for all members of the Kuala Lumpur and Selangor Bar. A number of young and senior lawyers attended the said workshop.

5. During the month of Ramadan, the BMC organised a "Majlis Buka Puasa" with orphans, needy and single parent children at Darul Kifayah. The members of the Kuala Lumpur Bar were encouraged to sponsor a child for the Majlis Buka Puasa at RM25.00. It was very encouraging to note that BMC collected RM10,338.67 in donations from the members of the Kuala Lumpur Bar. A total of RM4,338.67 was spent for the Majlis Buka Puasa. The balance of RM6,000.00 was handed over to Darul Kifayah, to utilise for the training and development of the children. It was disappointing however to note that only a small number of lawyers participated in the actual "Majlis Buka Puasa" meal. It would be encouraging to see more participation from members of the Kuala Lumpur Bar.

6. On 8.2.2002, the BMC assisted the Kuala Lumpur Bar Committee in organising a Forum entitled "The Amendment to Article 8(2) of the Federal Constitution: What it Means?" Several prominent personalities spoke on the amendment. Professor Dr Shad Saleem Faruqi, the Assistant Vice Chancellor of University Technology Mara and Ms Shanthi Dairiam, the Executive Director of the International Women's Rights Action Watch-Asia Pacific, presented their respective views on the amendment while Professor Mehrun Siraj chaired the session. The sectorial group views were presented by Ms Maria Chin from the Women Development Collective, Cik Khartini of the Pink Triangle and Cik Zaitun Mohd Kassim from the Women's Candidacy Initiative. The participants for the forum were from local NGOs, University lecturers, students and members of the Kuala Lumpur Bar and the press. The general view of the speakers was that further amendments to the Federal Constitution were necessary to make the amendment to Article 8(2) meaningful and workable.

ENVIRONMENTAL LAW

Chairperson: Janet Looi

Members: Tunku Alina Alias Woo Wei Kwang
 Quek Sue Yian Hasmah Harun
 Sunita Shalini Sankey

This is the inaugural year for the Environmental Law Committee, established under the auspices of the Kuala Lumpur Bar Committee primarily to bring environmental law into the fore and to provide a platform for lawyers to play a role in the shaping of environmental protection legislation.

Our objectives

1. *To review existing environmental protection legislation affecting Kuala Lumpur and if required, propose changes with a view to efficient and concerted protection of the environment;*
2. *To promote the awareness of the importance of existing environmental protection laws to the general public;*
and
3. *To promote the practice of environmental law amongst the legal fraternity.*

Calendar of Activities

20 June 2001

Puan Hasmah Harun, a former senior officer at the Department of Environment (DOE) of Malaysia delivers her talk on "Development of Environmental Management in Malaysia" at the Bar Council Auditorium

12 July 2001

The Director of the Kuala Lumpur DOE, Puan Halimah Hassan, speaks on "Environmental Challenges for Kuala Lumpur" at the Badan Warisan. Each attendee received a plant as part of the Environmental Law Committee's campaign to make law offices go green.

WWF Charity Gala Night

At the invitation of the organisers of the WWF Charity Gala Night held at Carcosa Seri Negara, T-shirts and handbags which were specially designed for the KL Bar with a logo and the tag line "KL BAR.JUSTICE.FOR THE ENVIRONMENT.FOR CHILDREN" were launched for sale to the guests on the night. Quek Sue Yian also arranged for the designer to produce two special sequined T-shirts for the event, which were auctioned off. The proceeds of the sale for the night were donated to WWF. The Sharkie T-shirts and bags are currently available for purchase from the KL Bar Committee Secretariat and the proceeds of sales will be for a children's cause to be identified by the Environmental Law Committee.

Environmental Law and Practice Questionnaire

On 4 September 2001, questionnaires were distributed to all legal firms in Kuala Lumpur containing a fact-finding list of questions on environmental law related practice of legal firms in Kuala Lumpur. The results of the survey will be published in Relevan, the newsletter of the KL Bar based on the 27 responses received. It is also planned that the results of the survey will be presented to the Director of the KL DOE for her information and action.

Memorandum on Current Appointments of Local Authority Councillors

The Committee considered it necessary to address the issue of whether the present system of appointment of local authority councillors should be replaced by another system in view of the various problems at the local authority level affecting the environment e.g. housing, rubbish collection, flash flooding, sanitation issues. Due to the appointment system, which has led to the present situation of members of the incumbent political party often being local councillors as well, there appears to be no direct accountability of councillors to the rate paying community in respect of their decisions.

A memorandum has been prepared on the issue, and it is intended that the memorandum be presented to the Ministry of Housing and Local Government for their consideration and further action.

Sharkie's Haikus

First of the twice-a-month environment friendly tips for the KL Bar via the KL Bar e-mail (klbarInfo channel) was launched in October 2001 in the form of Sharkie's Haiku I:

Car pooling;
chatting about the work;
the stress of it all;
not alone

KL Bar 3R Campaign

July 2001 onwards

Alam Flora Sdn Bhd, the contractor of Dewan Bandaraya Kuala Lumpur for collection of solid wastes in the central and east coast region, agrees to cooperate with the KLBC Environmental Law Committee on the "KL Bar 3R Campaign" to encourage reducing, reusing and recycling of wastes amongst KL lawyers. Pursuant to the campaign, paper wastes of participating law firms will be purchased and collected from the law firms by Alam Flora.

Six (6) law firms with 40 or more lawyers forming the pilot group agree to participate in the Campaign following meetings by the Environmental Law Committee members with each of the law firms' Managing Partners.

September 2001

Each of the law firms identify someone within their firm to be the "3R Champion" to inspire other members of the firms to practise the 3Rs.

Alam Flora conducts training for all the 3R Champions of the pilot group of law firms.

October 2001 – November 2001

High Courts and Lower Courts and Wisma Kraftangan (where the KL Bar Committee Secretariat is located) consent to placement of recycling bins at their premises.

December 2001

Placement of bins at the law firms and 3R Campaign kicked-off.

Environmental Law Workshop on 6 February 2001

This was a half day workshop wherein companies were invited to present their experiences in setting up internal audit systems within their own organisations to ensure high standards of compliance with environmental protection legislation and proper reporting to top management, and to also present how they handled situations of "permit misses" e.g. the lack of approval from the Director General of Environmental Quality of approvals or permissions required under the Environmental Quality Act, whether from an internal audit finding, or from an inspection by Department of Environment officers.

The companies that made presentations were Golden Hope Plantations, Motorola, Shell, Australian-Malaysian Marine Science & Technology, Dunlopillo and Sime UEP. Following each of their presentations, there was an opportunity for Q&A before all the attendees broke out into workshop groups to analyse case studies. A distinguished panel comprising Y. Bhg. Dato' Dr Abu Bakar Jaafar, Chairman of Industry Standards Committee on Environmental Management (ISCZ), Y. Bhg. Dato' Megat Najmuddin Khas, President of Malaysian Institute of Corporate Governance, Ms Wong Mee Ling, Legal Adviser, Department of Environment Malaysia and Mr Mike Krishnan, Chairman of MICCI Environmental Committee commented on the analysis of case studies by the attendees at the workshop, allowing the attendees insights from various angles, as well as an opportunity to interact with other attendees.

I wish to record my personal appreciation and heartfelt thank you to all of the members of the Environmental Law Committee for their untiring enthusiasm and efforts. They have indeed been a "dream team".

MEDIA COMMUNICATIONS

Chairman: Zainudin Ismail

I. INFORMATION TECHNOLOGY (IT)

Members: KH Koh
Tunku Alizan bin Raja Muhammad Alias
Charles CJ Chow

Praveen Kaur
Noriswadi Hj Ismail

In this, its second year, the sub-committee on Information Technology sought to build on the efforts of the previous year.

1. eForum

1.1 As in the previous year, the eForum set up for the members of the KL Bar Committee continues to be active. In addition, new eForums were set up for some of the sub-committees among which were:

- (a) Public Relations & Court Liaison Committee
- (b) Legal Aid Management Panel

1.2 Members are encouraged to participate in the following eForums which were set up for discussions among members of the Bar on topics which are self-evident from the eForum names:

- (i) klbarMembers-subscribe@yahoogroups.com
- (ii) klbarJuniors-subscribe@yahoogroups.com
- (iii) klbarPupils-subscribe@yahoogroups.com
- (iv) klbarLanguage-subscribe@yahoogroups.com
- (v) klbarIT-subscribe@yahoogroups.com

2. klbarInfo

The klbarInfo eGroup continues to be the channel for dissemination of information. There has been little feedback from the members, which we take as a positive indication that the information is being received happily and without objection.

The KL Bar Committee is still hesitant to cut down on the sending of documents and circulars through the post. This is due partly to the information being considered important enough to send by normal mail and to the lack of a proper membership management system which will allow the Secretariat to keep records which will distinguish between members who opt for e-mail circulars exclusively and those who wish to continue to receive paper.

3. Membership system

We have looked at several proposals from different vendors for a database system that will enable the KL Bar Committee Secretariat to track membership details. Such a system will be useful in particular to reduce the work in connection with the issue of the annual subscription certifications. It can also lead to the Secretariat being able to advise the Committee on demographic and other statistics and as a base on which to build other areas for group synergy.

The cost of the system hovers in the region of RM30,000.00 to RM50,000.00 and we hope in the following year to settle on a definite choice.

4. KL Bar Website

In the course of the year, several avenues were explored on the maintenance of the KL Bar Website. As with the previous year, a lack of available members to compose and compile the web pages continues to hold us back in this area. We hesitate to commit funds to retain paid service providers for this task. A major part of the reservation is the lack of assurance that anything paid for in this year will be maintained in the coming years. It appears more and more so that the website will not be viable unless sufficient members volunteer their personal time to provide the content and hands-on maintenance.

5. eRelevan

A spark of illumination has however risen over the horizon and that is the availability of our newsletter, Relevan, in an electronic form on the internet as "eRelevan". Members can access eRelevan at www.klbar.org.my.

6. Electronic Legal System

Sometime in June 2001, one of our members, Mr KH Koh, was invited to attend a round-table discussion organised on behalf of Adobe Inc, the software company best known for its Adobe Acrobat Reader. Mr Koh's involvement was triggered by a recommendation given by Dato' Mahadev Shankar, JCA (retired). At the round-table discussion, Mr Koh decided that he should attend as a representative of the KL Bar. Following the discussion, arrangements were made by Adobe for a visit to the Supreme Court of Singapore to view the implementation of technology carried out in that jurisdiction.

Eventually in November 2001, Mr Koh, together with 2 others from Malaysia made the visit and were hosted by Ms Thean Yee Sze, a deputy registrar of the High Court in Singapore. A report on the visit can be found in the February 2002 issue of *Relevan*.

7. Conclusion

We have learnt some important lessons in the course of the year particularly on the gap between aspiration and realisation in our IT visions. We have found it difficult to garner active support from our 5,000 odd members. Whether this is due to a lack of effort in the right places on our part or to the general apathy for which Malaysians are well known is a question still to be answered. Perhaps our members are really too busy with their daily work to be interested in what they would consider to be gimmicky IT ideas, but we feel that information and communications technology has a lot to offer the practising lawyer and hope to find ways of persuading members to explore those possibilities.

II. RELEVAN NEWSLETTER

Members of the Editorial Board:

Zainudin Ismail (Editor)

Ragunath Kesavan

Ab Halim Abdullah

Nicole Wee

Megat Shaharuddin Merican

1. Two issues of *Relevan* were published for the year 2001/02. The Editorial Board could not come up with more issues of the newsletter due to the lack of contribution of articles from members. We certainly need more members to write!

2. This year, the Editorial Board decided alternating the use of Bahasa Malaysia and English for the editorial – one issue in Bahasa Malaysia and one issue in English. The editorial for the first issue was in Bahasa Malaysia entitled “Bahasa Malaysia di Mahkamah – Apa Dah Jadi?”. The second editorial entitled “Integrity and the Law” was in English.

3. Some titles of articles which had appeared in the two issues of *Relevan* are:-

First issue – July 2001

- Bar Council Gag Order? (by Ragunath Kesavan)
- Towards a Transformed Bar ... (by Charles Hector)
- Judicial Appointments – Time for Reform (by Alex De Silva)
- Raising the Bogey (by N Surendran)
- Expert Psychiatric Opinions (by Dr Lim Chee Min)

Second issue – February 2002

- Changes to the Housing Development Law - Promised Panacea or Disappointed Dawn? (by Dato' RR Sethu)
- The Censure and the Bar Elections (by Charles Hector)
- Environmental Law & Practice in Kuala Lumpur (by KLBC Environmental Law Committee)

4. We would like to thank all parties and members who had contributed to our two issues of *Relevan*.

PUBLIC RELATIONS & COURT LIAISON

Chairman: Jerald Gomez

Members:	Colin Pereira	Mohan Kanagasabai
	Mansheel Kaur	Joslyne Goonting
	Ravindra Kumar	Wong Chiong Seng
	Teh Yoke Hooi	Kenny Poon
	Alvin Julian	Adam Bachek
	Ravindran Nekoo	Mahathir Abdullah
	Christopher Leong	Lee Yu Ming

We had a very effective year. It started off with your Public Relations & Court Liaison ("PRCL") Committee writing to each and every member of the KL Bar informing you of our existence and requesting that you write in with your complaints or suggestions to enable us to take up these issues with the authorities concerned.

Some of the earliest complaints we received related to the difficulties members of the KL Bar had with the Shah Alam Courts and Tuan N Rajendran's Court in KL. We attended to the same immediately. Listed below are some of the activities and meetings organised and/or attended by your PRCL Committee.

Special meeting with Tuan Rajendran (Judge of Sessions Court, KL)

Members of your committee met with Tuan Rajendran on 15.6.2001 to try to resolve some of your difficulties. There was a frank exchange of views and your complaints were brought to his attention. He however had complaints of his own about lawyers who appeared before him. We assured him that we would look into his complaints.

Meeting with the Selangor Sessions Court Judges, Magistrates and Registrars

We had a very fruitful meeting with them on 26.5.2001. Our circular KL No. 7/01 details most of what was discussed and resolved. We had positive feedback from our members that certain difficulties were sorted out. However some problems remain that even the Sessions Court Judges cannot resolve, especially the shortage of staff.

Meeting with Yang Arif Dato' Mohd Hishamudin, Deputy Registrars and Senior Assistant Registrars at Shah Alam

We had several meetings with them on 30.5.2001, 14.7.2001 and 23.11.2001. Many issues were discussed, the problem of lack of permanent Court staff was the reason given for the delays etc. We have also brought the matter up with the Chief Judge who has assured us that he would look into the matter.

Meeting with the Klang Sessions Court Judges

We had a meeting with them on 30.6.2001 together with the Selangor Bar. The Judges were accommodating and took note of our requests, complaints and suggestions.

Meeting with all the KL Sessions Court Judges, Magistrates and Registrars

We had a very fruitful meeting with them on 8.9.2001. Many issues were discussed and resolved which is reflected in our circular KL No. 11/01 to you.

We have received positive responses from both members of the Bar and members of the Bench after the meetings. The main complaint that the Bench had was that there was very little interaction now between the Bench and the Bar as compared to the early days. It was suggested that an informal gathering be organised to further discuss and enhance the working relationship of the Bench and the Bar.

We organised a High Tea for all the Sessions Judges, Magistrates and Registrars on 6.11.2001. It was well attended. Many issues were discussed and resolved over a cup of tea.

Meeting with the KL High Court Criminal Division

We met the Criminal Division Judges on 18.8.2001. The meeting did not go very well as reflected in our circular KL No. 12/01 to you.

We also visited the one of Judges later in his Chambers to try to resolve certain difficulties, we were not successful.

Meeting with the 3 Divisions of the KL High Court

We met the Judges, Registrars and Deputy Registrars of all 3 Divisions separately as there were too many issues that needed to be resolved and too many people to address if we had just one meeting. The meetings went on very well, the Judges were very accommodating. We met them on 18.9.2001, 20.9.2001 and 25.9.2001. Much thanks must go to Ms Mansheel Kaur who persevered in contacting the Judges and organising the meetings. The Chief Judge attended one of these meetings and there was a candid exchange of views, ideas, complaints and suggestions.

We have tried to capture the essence of what was discussed and/or resolved in our circular KL No. 12/01 to you.

We received positive feedback from members especially on the extra lifts now made available and that Judges are now more accommodating with only one exception.

Dialogue Session with Selangor Valuation & Property Services Department, Stamp Duty Office & Real Property Gains Tax Unit

This was organised by the Selangor Bar and we were invited. We attended the meetings and tried to resolve what we could.

Dialogue session with Tuan Rajendran and members of the KL Bar

We had invited Sessions Court Judge Tuan Rajendran to a dialogue session with members of the KL Bar as complaints kept coming in with regard to his Court. His Honour also had complaints about members of the Bar. So we invited him to a dialogue session with members of the KL Bar on Advocacy and Court Decorum. His Honour was gracious enough to agree to meet with us.

The dialogue session was held in the Bar Council Auditorium on 16.1.2002. The auditorium was packed with lawyers, mainly from our younger members at the Bar. There was a frank and fair exchange of complaints and views. Many came away from that meeting with a different perspective of the Learned Judge. The Judge too took to heart what was shared. The Committee had tea with the Judge after the session where he told us to inform members of the KL Bar that they are welcome to see him in his chambers personally if they have any problem in his Court. His door will always be open to members of the KL Bar.

Meeting with Puan Yamuna Menon (Head of Civil Division, KL Sessions Court)

We had several meetings with Puan Yamuna Menon. Kudos to Mr Ravindra Kumar and Ms Teh Yoke Hooi for their tireless and continuous efforts in this regard. The problem with regard to BC Boxes is almost completely resolved. A special counter is now in operation for members of the Bar to make enquiries and specific Court officers have been assigned the duty of responding to any queries or complaints. We have been asked to give feedback on the effectiveness of this counter. We have yet to receive a response from members on this.

Meeting with Yang Arif Datuk Haji Suriyadi at KL High Court

We received various complaints that the Learned Judge was striking out matters and insisting that lawyers be robed for chamber matters which he heard in open Court.

We paid a courtesy call on the Learned Judge on 17.1.2002 and welcomed him to Kuala Lumpur though his stint here was only for 2 weeks. We apprised the Learned Judge of what had transpired during our meetings with the other Judges and how we have had a smooth and comfortable working relationship between the Bench and the Bar here before his Lordship arrived.

He advised us not to worry too much as he was only here for 2 weeks and if lawyers were not robed, he would stand their matters down to the afternoon to enable them to get robes etc. He would also put signs up and get his interpreter to call them in their offices to inform them.

Computerising the recording of notes

During our meeting with the Chief Judge, we raised the difficulties lawyers were having with notes of evidence not being given on time, being substantially different from counsel's notes and in some cases amendments had been made to the notes.

We suggested that the notes of evidence be recorded with a computer, and printed out immediately and that 2 monitors be placed in front of the lawyers appearing for the parties to enable them to also see what was being recorded.

The Chief Judge was very receptive. His Lordship then asked the KL Bar to take the lead and organise a pilot project with one of the Kuala Lumpur High Courts whereby the cost could be shared.

His Lordship also advised us to study Yang Arif Datuk Richard Malanjum's system in Sandakan and see if that is feasible.

The KL Bar Committee has written to Yang Arif Datuk Richard Malanjum who has graciously invited us to come to his Court and see how it works. His Lordship will also brief us on the difficulties and benefits of his system.

Time did not permit us to make a trip to Sandakan this year and so this project will have to be undertaken by the next Committee.

Malayan Law Journal for Wisma Denmark Bar Room

During our discussion with Judges and members of the Bar, we were many times asked how we plan to improve the quality of lawyers, advocacy, etc. Lawyers sometimes come unprepared, they have not read the relevant authorities etc.

Members of the KL Bar have complained that they had to wait around when matters are stood down for a few hours etc. We have tried to cut this down by asking Judges to stagger the hearings in a day.

We also decided to recommend to the KL Bar Committee to organise a set of MLJs to be placed in the Wisma Denmark Bar Room. This would provide lawyers with easy access to the journals. There is a photostating machine made available at the Bar Room.

The KL Bar Committee unanimously supported the idea. However it was decided to put it to the members at the AGM. Should the general body approve the same, then the incoming Committee can implement the suggestion.

We have had other meetings with the Courts on specific complaints. Every member of your PRCL Committee undertook to personally reply complaints assigned to them and to inform members who wrote, the results of our dialogue sessions and/or meetings to resolve your difficulty. Special mention must be made of Mr Mohan Kanasagabai for his consistent efforts in this regard.

It was a pleasure working with each and every one of your PRCL Committee members, whose dedication made my job that much easier.

PUPILS' WELFARE

Chairman: Oommen Koshy

Members: Yasmeen bt Hj Muhamad Shariff Sharmini Thiruchelvam
 Jayaletchumi Rajaretnam Leena Ghosh
 Ivan Wong Ee-Vern

The main function of this Committee for the year in review was to monitor problems faced by pupils during their pupillage period as well as to recommend possible courses of action and remedies. The Committee, besides taking up issues like pupil-master problems, scope of work of the pupils and harassment, as and when these problems arose, also looked into the following projects:-

1. Handbook for Chambering-Pupils

The existing handbook was compiled in 1995 and as such is outdated. The Committee proposed that due to many changes in the recent years, this handbook needs to be revamped or updated.

The first duty that was undertaken was to study the existing Handbook and draft guidelines and assemble the various amendments. This project is still ongoing.

2. Drawing up of a Checklist

Due to the increasing number of documents/papers that are not in order during "Short Call" and "Long Call" hearings, the Committee proposed that there was need to draw up a comprehensive checklist for pupils.

This Checklist will assist the Pupils step by step from the filing of their initial Petition right through to the stage of their respective "Long Calls".

3. Lectures on Risk Management

These lectures were previously held by Antah Sedgewick for the benefit of pupils. The Committee's recommendations were to approach Willis (M) Sdn Bhd to continue conducting these lectures. To date, Willis (M) Sdn Bhd has indicated that they were not prepared yet to do so.

4. Dialogue Session with Pupils affected by the nullification of CLP results

This dialogue session was held on 23.11.2001 at the Bar Committee Seminar Room, where chambering pupils as well as others affected by the nullification of the CLP results were invited to air their grievances to the members of this Committee, KL Bar Committee as well as Bar Council members.

The Committee who were against the nullification of the result, had decided to hold this dialogue session so that a stand to reverse the decision of the Qualifying Board could be made.

This dialogue session was crucial and played a major role in convincing Council members in arriving at their decision to call for the reversing of the nullification of the CLP results at their meeting held on 24.11.2001.

5. Others

In 2001, there were 785 new admissions to the Bar in Kuala Lumpur. The Committee would like to commend and thank the following members for their help and support in representing the KL Bar Committee at the Call proceedings:-

Aimee Liew	Francis Innasi Brigged	R Rajes
Alex Chang	GK Ganesan	Rueben Mathiavaranam
Alvin Loo	Jane Carlos	S Thilagavathy
Anand Ponnudurai	Jayaletchumi Rajaretnam	Selva Veeriah
Bhartidevi Seth	Joy Appukuttan	Selvi Kanagasabai
Cheow Wee	Loh Chien Hsiung	Stanley Sinnappen
Cheryl Nicholson	Low Chooi Ping	Viola Lettice De Cruz
Christopher Leong	Mallika Lee	Viswanathan Shanmugam
Chuah Haw Ping	Mazlinda Makhzan	Wong Heng Khong
Collin Sequerah	Mohamad Isherafer	Yokinee Selvam
Deepinder Kaur	Mohd Omar Hussien	Yong Lai Ling
Florence VJ Jayaraj	Muhendaran Suppiah	Yvonne Kalathini Raj

SOCIAL

Chairman: Colin Andrew Pereira

Members: Ivan Wong Ee-Vern Sanjeev Kumar Rasiah
 Sharmini Thiruchelvam Radha Rajasingam
 Reggie Wong Mew Sum Suhaidar Mohd Nawawi

1. Annual Dinner

The main event of the year was the 2001 annual dinner held on 13.10.2001. There was some concern initially on whether enough interest could be garnered amongst the KL lawyers to make the event a success. However, it became apparent very early on that such concerns were to be unfounded and the number of lawyers who attended the dinner surpassed even the most optimistic of expectations. In celebrating the first annual dinner of the millennium, the committee were especially honoured by the presence of a number of Judges including the Chief Judge of Malaya, Yang Amat Arif Dato' Ahmad Fairuz.

The net proceeds of this event is to be donated to the Malaysian Children's Aid Society (MACAS). MACAS was established in 1970 and was then called the Selangor Foster Care Association. It changed its name in 1980 and is now under the distinguished patronage of DYMM Tuanku Bahiyah Binti Almarhum Tuanku Abdul Rahman, the Sultanah of Kedah Darul Aman. The main aim of the society is to help enhance family life and prevent acute want, malnutrition, infant mortality and child abuse and to otherwise complement the government's efforts to care for needy and underprivileged children. The society provides assistance in the form of financial and fostering services.

The President of the society, Yang Amat Mulia Raja Dato' Seri Eleena Azlan Shah, a qualified lawyer herself, was present at the dinner.

We managed to raise a sum of RM38,440.32 for MACAS from the sale of dinner tickets, a charity auction and individual contributions.

2. KL Bar Monthly "Do"

This committee was assigned the task of organising the KL Bar monthly "Do" which was previously handled by the Young Lawyers Committee.

3. Blood Donation

Two blood donation drives were held i.e on 5.7.2001 and on 7.2.2002. Officers and staff of the Subordinate Courts were invited to participate on the second occasion.

The first blood donation drive was held jointly with University Hospital and the second one was with Kuala Lumpur Hospital.

4. Tea Party

A tea party was held on 27.7.2001 for the previous Chairmen and Secretaries of the KL Bar Committee and present members of the various Sub-Committees to show the Bar Committee's appreciation for their contributions.

SPORTS

Chairman: Oommen Koshy

Members: Dennis Appaduray	P Jeyakumar
Christopher Foo	Koh Yew Chong
Sarbjit Singh	Chan Chee Woei

1. CONVENORS

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

- | | | |
|----------------|---|----------------------|
| i. Badminton | - | A I Nathan |
| ii. Cricket | - | Alex De Silva |
| iii. Darts | - | Koh Yew Chong |
| iv. Golf | - | Sarbjit Singh |
| v. Hockey | - | Satvinder Singh |
| vi. Netball | - | Kathleen Marie Nunis |
| vii. Pool | - | Anand Ponnudurai |
| viii. Soccer | - | Peter Douglas Ling |
| ix. Squash | - | Jayne Koe |
| x. Tennis | - | Aimee Liew |
| xi. Volleyball | - | Wan Nadhri |

2. ANNUAL SERIES

**2.1 2nd KL/Selangor Bar Games
(Lall Singh Muker Challenge Trophy)**

The 2nd Series was hosted by the Selangor Bar and held in Klang on 19.10.2001 and 20.10.2001. It ended in a draw and we (KL Bar and Selangor Bar) declared ourselves Joint Champions. Results as follows:-

- | | | |
|---|---|---------------------|
| Golf | : | Won by Selangor Bar |
| <i>(Challenge Trophy donated by Kandiah Chelliah)</i> | | |
| Badminton | : | Won by KL Bar |
| Netball | : | Won by KL Bar |
| Volleyball | : | Won by KL Bar |
| Hockey | : | Won by KL Bar |
| Soccer | : | Won by Selangor Bar |
| Darts | : | Won by Selangor Bar |
| "Boat Race" | : | Won by Selangor Bar |

**2.2 13th Annual "Sports Carnival" - KL Bar vs Royal Selangor Club (RSC)
(Tan Sri Dato' Harun Hashim Challenge Trophy)**

The 13th "Sports Carnival" was held on 26.1.2002. All the games except squash and pool which were played at the RSC Town Club, were held at RSC Bukit Kiara. Once again the RSC emerged the overall champions. Results as follows:-

Game	Results	Donor of Challenge Trophy
Cricket	Won by RSC	The late Mr RR Chelliah <i>(DD Chelliah Challenge Trophy)</i>
Tennis	Won by RSC	Mr T Selvarasan
Darts	Won by RSC	Y Bhg Dato' Dr Lim Teong Wah
Squash	Draw	Y Bhg Dato' Param Cumaraswamy
Pool	Won by RSC	Mr Sou Yong
Netball	Won by RSC	Mr Max Lall Singh
Soccer	Won by RSC	Y Bhg Datuk Dr James P Ongkili
Hockey	Draw	The late Mr GTS Sidhu
"Boat Race"	Won by KL Bar	YA Dato' Faiza Tamby Chik

3. KL BAR OPEN COMPETITIONS

3.1 Hockey - 10th KL Bar 6-A-Side (held on 13.1.2002)
(Joga Singh Dhaliwal Challenge Trophy)

Champions : RSC
Runners-up : Harcharan & Co.

3.2 Soccer - 14th Thayalan Memorial Cup 7-A-Side (held on 20.1.2002)
(Challenge Trophy donated by Skrine)

Champions : Kanaga Suresh & Co.
Runners-up : Negri Sembilan Bar

4. MALAYSIAN BAR INTERSTATE TOURNAMENTS

4.1 Interstate Badminton Tournament

We sent a team of 6 players headed by our convenor, AI Nathan, to Kuantan on 18.8.2001 to participate in the 1st Malaysian Bar Interstate Badminton Tournament organised by the Pahang Bar Committee. The other 5 members of the team were David Gan, Francis Ng, Kelvin Kong, Chia Wen Chow and V Stanislaus.

Unfortunately, only 3 teams took part, namely Pahang Bar, Selangor Bar and KL Bar. We emerged the winner beating Pahang Bar 4-0 and Selangor Bar 3-1.

5. NOTE OF THANKS

We wish to place on record our thanks to all convenors for sacrificing their time and effort in organising their respective games. We also wish to thank all donors of challenge trophies for contributing towards the success of the various competitions. Last but not least we wish to thank all "sporting" members for their participation and support.

YOUNG LAWYERS

Advisor: Sa'adiyah bt Din

1. The following five members of the Bar were elected from the floor during the 9th Annual General Meeting of the Kuala Lumpur Bar to the Young Lawyers Committee 2001/02 (formerly known as the Junior Lawyers Representatives):

Sanjeev Kumar Rasiah
Gurpreet Singh Sidhu
Moganambal Murugappan
Suhaidar Mohd Nawawi
Cheng Poh Heng

2. OBJECTIVES

The primary objectives of the Young Lawyers Committee ("YLC") for the year under review were as follows:

- 2.1 To revitalise and reorganise YLC's activities for the benefit of Young Lawyers;
- 2.2 To address the concerns, challenges, needs and generally to promote the welfare of Young Lawyers;
- 2.3 To seek views on how Young Lawyers can further co-operate with the Kuala Lumpur Bar Committee ("KLBC") and Bar Council in the promotion of their respective programmes;
- 2.4 To encourage more Young Lawyers to participate actively by joining YLC; and
- 2.5 To obtain a mandate from Young Lawyers on what activities are to be organised for them.

The combined efforts of the newly formed YLC, KLBC and KLBC staff were marshalled to hold a Young Lawyers Meeting on 27 April 2001 at 6.30 p.m. at the Bar Council Auditorium, Ground Floor, Loke Yew Building, Jalan Mahkamah Persekutuan, Kuala Lumpur. However, despite such strenuous efforts, the attendance only reached the figure of 89, far short of the 200 expected at the Meeting. This figure included KLBC members, who each brought along someone, and paid RM10.00 per person, to lend their support for YLC's activities.

It also showed that despite the numerical superiority comprising 65% of the total membership of more than 5000 of the Kuala Lumpur Bar, Young Lawyers still lacked a unified voice to articulate their most important concerns. They were still dependent on the KLBC and Bar Council to provide them with the focus and direction. The responsibility to mobilise and organise themselves into a force to be reckoned with falls squarely on them.

3. ACTIVITIES

Apart from YLC's own activities, YLC members had also been very active in many KLBC and Bar Council programmes and events, and among these, were the following:

- 3.1 Law Awareness Week organised by the Bar Council and held at Central Market, Kuala Lumpur from 22 to 25 February 2001;
- 3.2 Dialogue and Lunch Session with the Deputy Prime Minister held at the Perdana Ballroom, Mint Hotel, Seri Kembangan, Selangor Darul Ehsan on 26 May 2001;
- 3.3 Remuneration Survey for Young Lawyers conducted during the month of June 2001;
- 3.4 Seminar on Trafficking of Women and Children in Malaysia organised by the Law Reform Committee, Bar Council Legal Aid Centre (Kuala Lumpur) and held at the KLBC Seminar Room on 7 July 2001;

- 3.5 KLBC Monthly Meetings as observers;
- 3.6 Monthly Meetings of the National Young Lawyers Committee ("NYLC") of the Bar Council and Lawyers Get-Together at Pulau Perhentian from 17 to 19 August 2001. Two Members of YLC were appointed to NYLC;
- 3.7 Bowling Tournament with Deputy Registrars and Senior Assistant Registrars of the High Court, Wisma Denmark, Kuala Lumpur and held at the Cosmic Bowl, Mid-Valley Megamall on 14 September 2001;
- 3.8 KL Bar Annual Dinner held at the Mutiara Hotel, Kuala Lumpur on 13 October 2001, which had been specially honoured by the presence of a number of Judges including the Chief Judge of Malaya, YAA Dato' Ahmad Fairuz. The net proceeds of RM38,440.32 from the sale of tickets, a charity auction and individual contributions were donated to the Malaysian Children's Aid Society, which is under the distinguished patronage of DYMM Tuanku Bahiyah Binti Almarhum Tuanku Abdul Rahman, the Sultanah of Kedah Darul Aman. The President of the Society, Yang Amat Mulia Raja Dato' Seri Eleena Azlan Shah, a member of the Bar herself, was also present at the Dinner.
- 3.9 Tea Reception for KL Subordinate Court Judges, Majistrates and Registrars organised by the Public Relations and Court Liaison Committee, and held at the Renaissance Hotel, Kuala Lumpur on 6 November 2001
- 3.10 NYLC delegation to a dialogue session with Mr. Matthias Chang, Political Secretary to the Prime Minister, held at his Office in Putrajaya on 12 November 2001;
- 3.11 Tea Reception for High Court Judges and Deputy Registrars organised by the Public Relations and Court Liaison Committee, and held at the Royal Lake Club, Kuala Lumpur on 12 November 2001; and
- 3.12 Meeting with candidates affected by the nullification of the July 2001 Certificate in Legal Practice results organised by the Pupils' Welfare Committee and KLBC.

4. SEMINARS AND TALKS

YLC had planned to organise relevant seminars and talks with a view to upgrading the advocacy skills of Young Lawyers. However, similar seminars and talks were organised by KLBC, Bar Council, Selangor Bar Committee and private organisations, and YLC therefore did not want to duplicate activities in this area.

5. CONCLUDING REMARKS

The preponderance of Young Lawyers to be in the forefront of change and upholding the cause of justice continues to this day, as evidenced by the judicial crisis in 1988 and misconduct of certain senior officers of our judiciary in 1999. Young Lawyers should more importantly champion their very own cause, in moving for the repeal of the seven-year ruling in Section 46A(1)(a) of the Legal Profession Act 1976.

6. NOTE OF THANKS

YLC would like to place on record its thanks and appreciation for the support of its activities provided by the Bar Council, KLBC and its other Committees.

LEGAL AID

THE PANEL

Mr. Ragunath Kesavan (Chairperson)	Ms. K Parameswary
Ms. Jayaletchumi Rajaretnam (Honorary Secretary)	Mr. B Murugayah
Mr. Ravi Nekoo (Assistant Hon. Secretary)	Mr. S Muhendaran
Ms. Sharmini Thiruchelvam	Ms. M Kamalam
Mr. M Puravalen	Mr. Zainudin Ismail
Mr. Sivarasa Rasiah	Ms. Noorsuhaida Kasri
Ms. Yasmeen Mohd Shariff	Mr. A. Balakisnan
Mr. Ngooi Chiu-Ing	Mr. S Balasubramaniam
Ms. Sa'adiah Din	Mr. Francis Pereira
Mr. Ramesh Lachmanan	Ms. Ramiah Begum
Mr. N Surendran	Mr. Charles Hector
Ms. K Nachammai	

1. INTRODUCTION

The Bar Council Legal Aid Centre Kuala Lumpur (BCLACKL) in the past year has attempted to consolidate its' activities with a singular aim of improving the quality of service rendered to our clients. Although there has been a marked increase of approximately 25.4% in the number of clients the Centre has assisted in comparison to the year 2000, indicating that the Centre has been "successful", we are apprehensive and concerned whether the services we provide are of reasonable standard and quality.

We acknowledge that the mainstay of the BCLACKL are the pupils undergoing their compulsory 14 day mandatory training with the Centre. Attempts are being made to sensitize pupils in the 14 day "service" to legal aid on their role as lawyers in the context of nation building and upholding the cause and duty of the profession as envisaged by Section 42 of the Legal Profession Act 1976.

The Training and Skills Development Committees are working towards improving the training of pupils and our training manuals are being constantly updated and revised. The KL Centre has made our manuals and training modules accessible to the other state LACs. The implementation of the Dock Brief Project in the other states is in fact a culmination of the work initiated at the BCLACKL.

The state LACs rely predominantly on the Bar Council for funding and in view of the limited funds available, we have proceeded to raise funds in line with the policy of the National Legal Aid Committee (NLAC). As a pilot project, we successfully organised a charity Premiere movie "The Mexican" and we raised the sum of \$29,720.00. We would like to thank the members of the Kuala Lumpur Bar (KL Bar) and also the various law firms who supported this project financially and in any other capacity.

We would like to take this opportunity to thank members of the KL Bar and also members from other states who have graciously volunteered their time and services for the Centre in furthering the legal aid scheme of the Bar Council. The legal aid scheme of the Malaysian Bar has been an unparallel success in terms of delivery of services and also accessibility of legal representation to the many displaced and underprivileged communities in our society.

The volunteers involved, members of the Bar have always arisen gallantly to the calls and cries of justice, in times of need. However, it is the "mundane" and "ordinary" situations, that we require greater participation from members of the KL Bar. The Kajang and Sg Buluh prisons project carried out on Saturdays, the LAC Clinic at our Centre, the Dock Brief project are critically in need of volunteer lawyers to supervise and assist pupils.

Once again, we would like to call our members to contact the Centre to volunteer their time and services to enhance and improve the quality of service we provide to society. Our flexi volunteer scheme allows lawyers from the various disciplines not limited to litigation to contribute in one way or the other. Many of our projects are carried out outside of Courts and after normal working hours and on weekends. Lawyers may opt to sign up for these projects committing a few hours once in 2/3 months.

We believe that the larger the participation of members, the lesser the burden on the existing volunteers. Less than 10% of all members of the KL Bar, a figure of approximately 400 lawyers, total the number of volunteers at our Centres, has taken on or supervised up to nearly 9000 cases attended to at the Centre. A larger pool of volunteers is greatly needed and would assist in improving our delivery of services.

We would like to thank our full-time members of the Centre, under the guidance of our administrator Ms Dorathy Benjamin and Ms Jessie Goh for their commitment and dedication in carrying out their duties. The Management Panel acknowledges their role and consider our relationship as an equal important working partner in achieving our goal and objectives.

The following pages enclose the various projects reports and accounts.

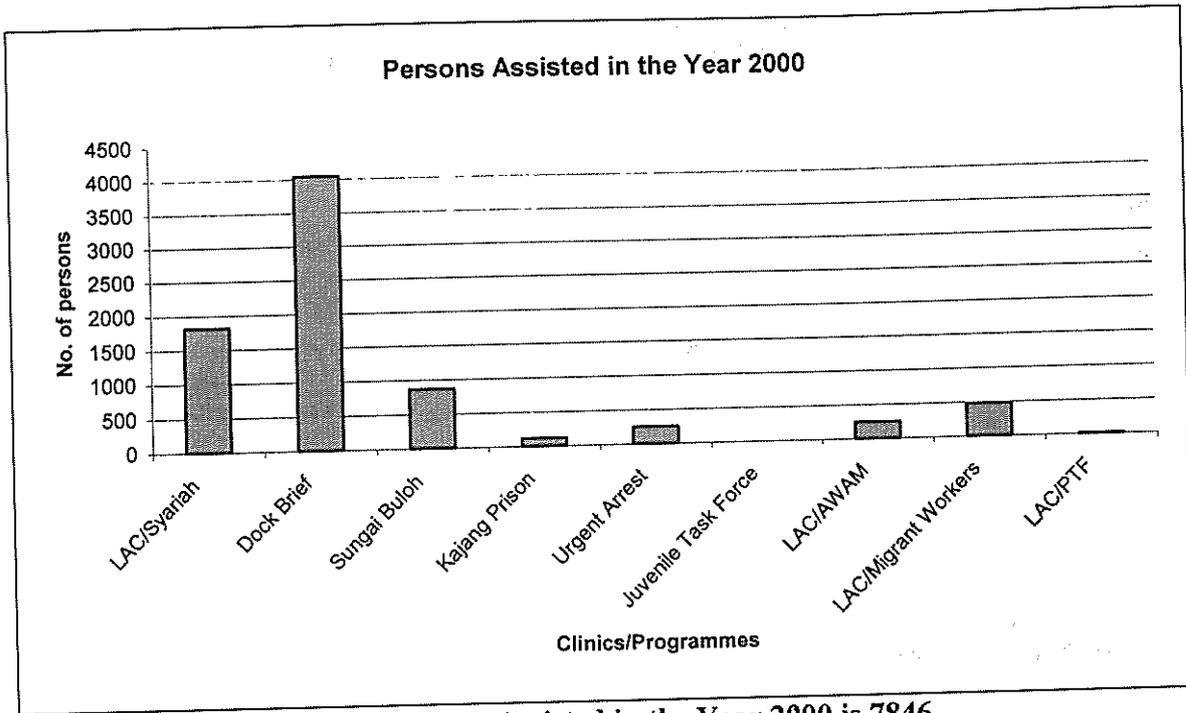
R. Kesavan

For and on behalf of the Management Panel
Bar Council Legal Aid Centre (Kuala Lumpur)

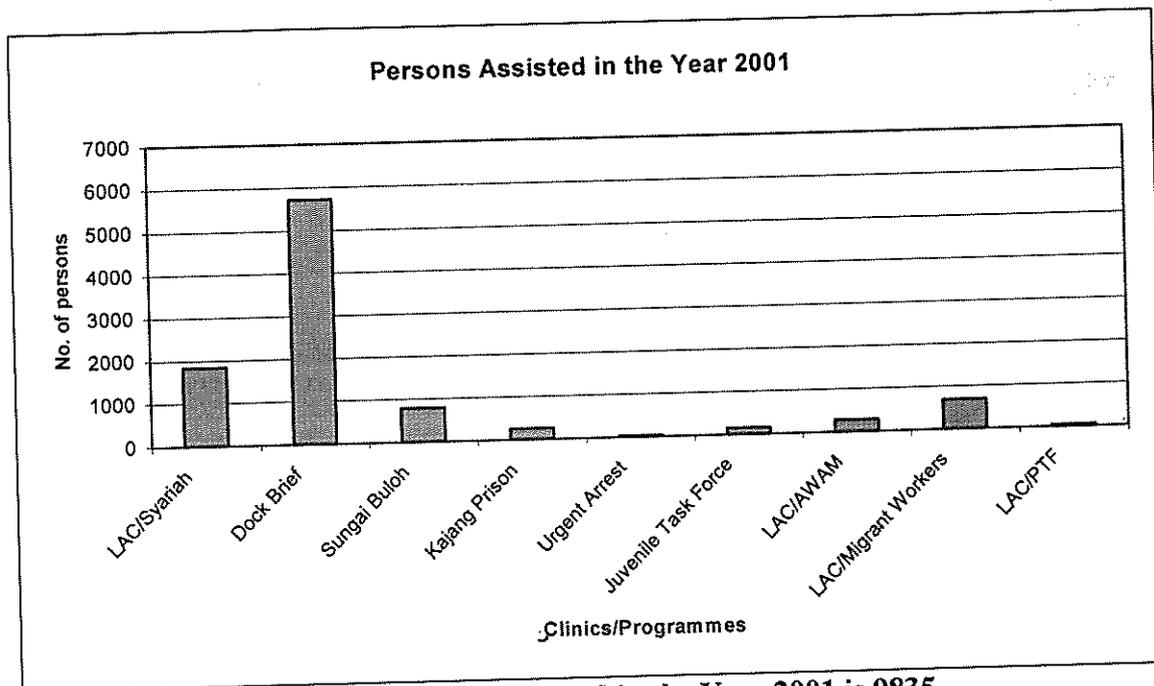
2. STATISTICS OF BCLACKL ON THE PROGRAMMES/CLINICS FOR THE YEAR 2001

PERSONS ASSISTED	YEAR 2000	YEAR 2001	% INCREASE
Legal Aid Centre Clinic/Syariah Clinic	1819	1839	1.1
Dock Brief Program	4050	5727	41.4
Sungai Buloh Prison Clinic	870	794	-8.7
Kajang Women's Prison Clinic	120	252	110
Urgent Arrest	250	37	-85.2
Juvenile Task Force	Nil	153	
OUTREACH CLINICS			
LAC/AWAM Legal Information Service Clinic	246	283	15.04
LAC/Migrant Workers Clinic	481	700	45.5
LAC/PTF Legal Information Service Clinic	10	50	400
TOTAL OF PERSONS ASSISTED	7846	9835	25.4

LEGAL REPRESENTATION FOR THE YEAR 2001 (OPEN FILES AND MITIGATION)	
Criminal	560
Family	112
Syariah	35
Employment	21
Mitigation/Bail Application by Dock Brief Program	5727
Miscellaneous	11
Housing/Tenancy	1
Land	1
Immigration	1
TOTAL FILES OPENED AND MITIGATION	6469



Total Persons Assisted in the Year 2000 is 7846



Total Persons Assisted in the Year 2001 is 9835

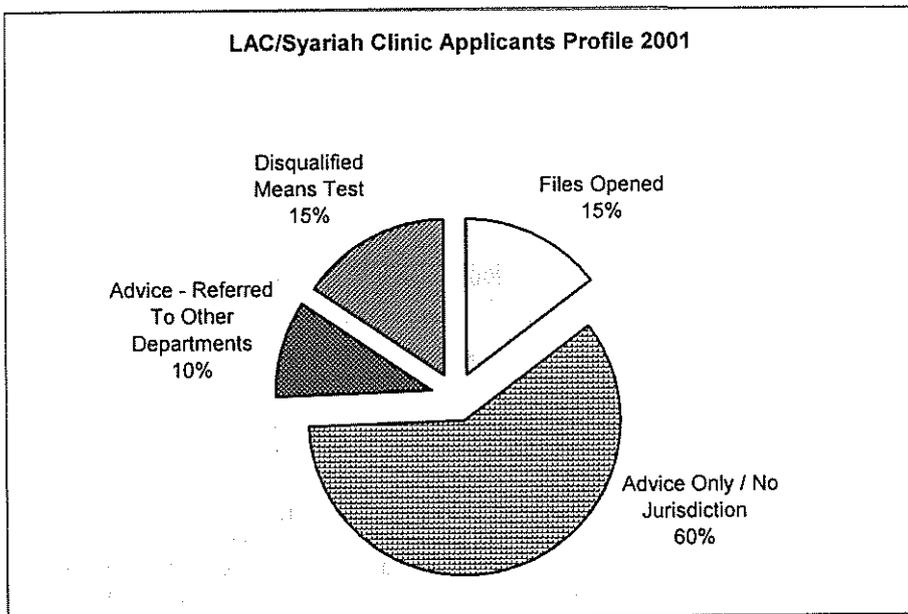
3. LEGAL AID CENTRE CLINIC

Committee Members:

Andrew Teh
S Balasubramaniam
Jayaletchumi Rajaretnam
Ong Chin Siong

Ramesh K Kumaraguru
Ramesh Lachmanan
Satvinder Singh

Legal Aid Centre / Syariah Clinic Applicant Profile 2001	
Total No. of Applicants	1843
Files Opened	269
Advice Only / No Jurisdiction	1103
Advice - Referred To Other Departments	186
Disqualified Means Test	285



The Legal Aid Centre Clinic (the LAC Clinic) operates from the Secretariat of the Bar Council Legal Aid Centre (Kuala Lumpur). The LAC Clinic is open to members of the public from Monday to Friday 10.00 am to 1.00 pm and from 2.00 pm to 4.30 pm. The LAC Clinic only provides assistance to members of the public who satisfies the means test.

The LAC Clinic is staffed by pupils in Chambers, who serve at the Centre for a period of three months. Their duty is once a week. The Syariah Clinic runs alongside the LAC Clinic. The LAC Clinic has two pupils while the Syariah Clinic has one pupil each during the morning and afternoon session.

The pupils on duty at the LAC Clinic undergo a one-day training, providing basic training in interviewing techniques as well as discussions on criminal, employment and family law.

We are looking to improving the effectiveness of this training programme to make it interesting and captivating for the pupils.

The major shortcoming of the LAC Clinic is the lack of volunteer lawyers to supervise the Clinic. We require volunteers from the KL Bar to come forward and serve at our clinics as supervisors. Each volunteer can decide on how many hours or days they would like to volunteer, depending on their schedules.

The BCLACKL under the LAC Clinic has in the past year organised a outreach clinic with the cooperation and support of the Community Development Centre (CDC) in Rumah Panjang Balakong, Seri Kembangan on 29 July 2001. CDC is a non-governmental organization involved in grassroots work at the community level. CDC organised the publicity for the outreach clinic. There was a short presentation by the volunteer lawyers on criminal law, employment law and welfare social issues, family and domestic violence law, housing and property. There was also a short role-play on criminal law performed by pupils in chambers. 19 volunteers and 2 pupils in chambers attended this outreach clinic. There was a legal clinic following the short talks. 52 persons from the community sought legal advice on that day..

The outreach clinic was not very successful as are 1,000 members in the community and the turnout was marginal. The poor response could be attributed to several reasons. One of it could have been the on which the clinic was held, a Sunday and between the hours of 10.00 am to 2.00 pm. A time which almost house holds are busy with domestic chores. However CDC had picked the day and time for this clinic.

These factors should be taken cognizance of when organising outreach clinics in the future.

The Committee would like to take this opportunity to thank and express it's appreciation to the staff of the Secretariat under the able administrator Ms Dorathy Benjamin and Executive Secretary Ms Jessie Goh for all their unstinting support and contribution which makes the LAC Clinic the success it is.

4. DOCK BRIEF PROGRAMME

Report: Submitted by Mr B Murugayah

The Dock Brief Programme has fared well this year in providing services to persons charged for criminal offences in The Kuala Lumpur Magistrates Courts.

Participating pupils handed 5727 cases made up as follows :-

	2000	2001
Advice given	1243	1147
Bail application	21	10
Advice Representations & Mitigation	2774	4564
Files Opened	12	6
TOTAL	4050	5727

It has to be noted that although the above figures indicate a sharp increase in the total number of cases handled by the pupils, there is a decline in the number of cases in which the pupils assisted in bail applications. The Committee has taken a serious view of this shortcoming and have emphasized to the pupils in training to place greater importance in this area. The main objective of the Dock Brief Programme is to reduce the remand population in the prison and to ensure that no person is incarcerated unnecessarily.

The recruitment of pupils reading in chambers went on smoothly. The Training Committee entrusted with the recruitment on choice of participants had to introduce extra criteria as qualification to be able to be picked for this programme. One requirement is for pupils interested in this programme to have locus to appear in the Magistrate Courts.

The Dock Brief committee members had various meetings with magistrate, Puan Juliana bt Mohammad , to discuss various issues in the criminal courts.

Many problems faced by the participants during the court attendances were sorted out at a joint meeting between the Committee and all the Prosecution Offices, headed by DSP Tan Kok Liang, who is the Pegawai Turus D5 (Pendahwaraya/Undang-undang). The main problem resolved during the meeting was to ensure the availability of Charge Sheets and other court papers to the pupils.

Shortcomings raised by the prosecution on pupils were addressed at the training session. Apart from the above, the programme was well received by the courts and the public due to slightly improved quality of the representations by the pupils.

The Committee received some sundry complaints regarding the behaviour of some participating pupils who have been missing from the court premises during office time. Some pupils were also found to be absenting

themselves by signing out at the time of signing their Attendances. To overcome this pupils are made to sign in at the Legal Aid Centre.

The Committee had continuously tried to improve the quality of services provided by the pupils. The introduction of joint Training Programme with the Sungai Buluh Prison and Kajang Women Programme. We would like to thank Mr. Kitson Foong for his input and invaluable service provided in assisting us in improving the quality of the training.

Furthermore, the committee had immense help from some prominent Senior Criminal Law Practitioners who had helped by delivering talks and giving various other guidance from time to time. The Committee wishes to place on record its appreciation for the services of the following practitioners:-

1. Mr. Manjeet Singh
2. Mr. Jagjit Singh
3. Mr. Rajinder Singh
4. Mr. Ananth Namasivayam
5. Mr. Jerald Gomez

The evaluation of the programme made by The Audit Committee of the Legal Aid Centre had shown that the pupils can improve on their Court Decorum and the quality of their presentations for mitigations etc. The Dock-Brief Programme Committee is aware of this and steps to overcome this weakness has been taken. A new Training Manual had been introduced after many discussions with other Programme Committees of the Legal Aid Centre. The current 24th batch is now following these guidelines and the feedback is very encouraging.

The Dock-Brief Programme Committee of the Legal Aid Centre takes this opportunity to thank all the participants and their respective Masters and also the staff of the Legal Aid Centre for their assistance for making this a successful year.

5. LAC/AWAM LEGAL INFORMATION SERVICE CLINIC

Report submitted by Ms Sharmini Thiruchelvam

Committee Members:

Jayaletchumi Rajaretnam
Manohari Subramaniam
Chen Lee Ping
Parimala Selvaraj
Sharmini Selvarajah
Parameswary K
Ida Anum

The Clinic

The Clinic is run in co-operation with a voluntary non-profit, non-government women's organization. All Women's Action Society (AWAM), at AWAM's premises. Hence, pupils man the legal sessions and provide advice and assistance to women personally and/or via the telephone. We believe that these sessions are extremely important because they provide a two-fold benefit, not only does it provide women with information on their legal rights and the legal process but in the long term equips and sensitises pupils towards issues faced by women in general. The Clinic is run everyday from Tuesday to Saturday from 10.00 am to 4.00 pm.

Review of the Year

It was a reflective year for the committee, wherein the two main projects that Committee undertook was to look into various legislations that relate to women, that the committee felt needed to be either reformed or revamped. Here, the committee decided on holding extensive workshop sessions that would help in identifying relevant issues.

MAIN PROJECTS:-

1. Section 51 Law Reform (Marriage & Divorce Act), 1976

Section 51 LRA 1976 deals with the issue of divorce when one party in a civil marriage converts to Islam.

This workshop was on the issue of the need to reform Section 51 Law Reform Act, (Marriage & Divorce) Act 1976. Due to the increasing number of cases in this area, and the problems that arise from these situations, the committee agreed decided to go ahead with this workshop despite the so called "sensitive" theme of the topic.

This Workshop was held on 20 June 2001, where various representatives of NGO's, government organisations as well as members of the Bar were invited, not only as participants but also as speakers.

This was a very intense workshop wherein after due deliberation, very thought provoking recommendations were proposed. The committee plans to prepare a comprehensive memorandum on these recommendations and submit it to the relevant authorities.

2. Sexual Harassment Talk (24 August 2001)

Due to the increasing number of sexual harassment cases, the committee held this talk. The main aim of the talk was to create awareness on this issue as well discuss the type of remedies available.

3. Anti-Rape Laws

This was AWAM's main project for the last year where a memorandum was prepared on the need for reform laws relating to rape and other sexual offences. Members of this committee sit on AWAM's Taskforce on Anti Rape Laws, wherein the committee is presently working on proposed amendments to the Criminal Procedure Code, Penal Code and the Evidence Act.

4. International Women's Day Celebrations

In conjunction with the celebration of the International Women's Day on 10.3.2001, AWAM also launched their Rape Information Kit.

The BCLACKL set up a booth at this celebration wherein we handed out legal literacy pamphlets as well as made many aware of our legal services clinic, which is run in co-operation with AWAM.

GENERAL

1. Chambering Pupils' Affairs

Besides interviewing clients and rendering advice, the pupils have also begun accompanying clients to police stations and the relevant government authorities to assist them in anyway possible. This move was decided because to date many police and government personnel still treat domestic violence issues as "household disputes". The pupils also render assistance to Women's Aid Organisation (WAO) and the One Stop Crisis Centre whenever the need arises.

Complaints are still forthcoming regarding the lack of supervisors at AWAM's premises, however due to the lack of volunteers, we are yet to overcome this hurdle. Hopefully, once a legal officer is appointed, this problem would be reduced.

2. Legal Officer

AWAM has obtained a grant for the appointment of contract based legal officer. The term of legal officer will begin sometime early 2002 and both AWAM and BCLAC (KL) are currently working together to recruit the right candidate.

The job specification of the Legal officer, we hope will include:-

a) Legal Reform

- To work with AWAM's Program Officer in the campaign for legal reform
- To draft proposed amendments to laws
- To work out strategies of lobbying for the amendments
- To liaise with relevant government agencies
- To improve amendments to existing laws relevant with women's right

b) Resource Development

- To coordinate and produces resources for public on laws relevant to women's right

c) Legal advice program

- To supervise the chambering student in AWAM by
- Conducting training (together with Services Coordinator
- Organizing the work schedule of the chambering students
- Reviewing the progress of all chambering students doing their posting in AWAM
- To look into ways of developing the LAC-AWAM legal clinic Programs

3. Others

For the upcoming year, the Committee's plans include having more awareness building programmes so that women are empowered about their rights and remedies. Eventhough the Domestic Violence Act has been passed, our experience shows that there exist a lack of understanding from relevant authorities. The new Committee has to look into ways of creating awareness and sensitivity. The Committee, with the new legal officer in place, should have more resources available and thus be able to undertake to revamp the current training programmes for chambering pupils as well supervise the pupils during their sessions.

Finally, all that was achieved by the committee would not have been possible without the dedication and commitment of its members especially Chitrah Rajandren, our programme coordinator and I would like to thank everybody for their help and support.

6. LAC'S MIGRANT WORKERS CLINIC

Report submitted by S. Muhendaran

Committee Members

Mr S. Muhendaran
Ms Aegile Fernandez

Rapid economic development over the last decade made Malaysia an attractive option for workers from the region especially Indonesia, Philippines, Bangladesh, Myanmar and Thailand. The increasing numbers of these workers in our society cannot be ignored.

The aim of the Migrant Workers Clinic is to provide legal assistance and advise to this marginalized group.

The Migrant Workers Clinic working jointly with Tenaganita's Migrant Desk addresses complaints by workers, which include fraud by employers and agents, unpaid wages, unfair dismissals, migrant workers being arrested for failing to produce valid documents which are invariably held by their employers etc.

There is a serious lack of volunteer lawyers for Migrant Workers Clinic but with pupils in chambers who undergo compulsory 14 weeks duty this problem is reduced. Pupils during a comprehensive two-day training jointly conducted by LAC and Tenaganita are trained in documenting, drafting and lodging of police reports, drafting letters to relevant government, department, filing of complaints at the Labour and Industrial Relations department, negotiations with employers in wage disputes etc.

Migrant Workers Clinic has handled 213 files involving more than 700 complainants for the year 2001. 60% of the complaints were pertaining to violation of Employment Act and Employment contract. The other major complaints are failure of employer to renew the work permit, stranded Migrant Workers in Malaysia, cheated by false recruiting agent, arrest and detention, theft of money and personal belongings, passport stolen, accident at work place (Industrial Accident) and many more.

Finally, there is definitely much room for improvement of the Migrant Workers Clinic. The pace of growth of the Migrant Workers Clinic and increase in efficiency is largely dependent on lawyers volunteering their time and effort, as the saying goes "more hands make light work".

7. LEGAL AWARENESS PROGRAM

Report submitted by Mr C I Ngooi

Through the publication of leaflets and booklets in plain English and user-friendly "Frequently Asked Questions" (FAQs) format on various areas of the law, the Legal Awareness Program ("LAP") has enabled the public to find the answers to common legal problems by themselves or by seeking legal assistance via a sound understanding of their legal rights. We believe the publications have also lessened the inconvenience to the public of needing to come to the Bar Council Legal Aid Centre Clinic for advice, thus reducing the workload of the Centre.

During this year, the following publications have been prepared or are being prepared:

- A leaflet on "Arrest and Bail" (already in the four major Malaysian languages) has been translated with the assistance of Tenaganita.
- Leaflets on "Divorce and Marriage Problems" and "Domestic Violence" in English have been printed and distributed. We are in the process of having them translated into Bahasa Malaysia, Chinese and Tamil.
- A leaflet on Syariah Law has been prepared and is in the process of peer review.
- Leaflets on "Buying and Selling a Property", "Consumer Claims" and "Hire Purchase" have been prepared, and will be posted on the KL Bar Committee website when the website is ready to accept the postings.
- A Training Manual on "Employment Law" has been printed and distributed to pupils and partner NGOs.
- A Training Manual on "Family Law/Domestic Violence" has been printed and distributed to pupils and partner NGOs.
- A Training Manual for the Dock Brief Program and Sungai Buloh/Kajang Prisons Clinic, regarding communication, listening and documenting skills, arrest, proceedings, common offences, proceedings, bail and mitigation has been prepared for use by the pupils.

With regard to publications, only the translations of the "Divorce and Marriage Problems" and "Domestic Violence" and finalization of the Syariah law leaflets remain outstanding.

The LAP has moved on to emphasise the following:

- Dissemination of the printed publications and materials. Publications targeted for those more privileged, will only be in on-line form and available through the KL Bar Committee website
- Increase public awareness through outreach clinics, seminars and talks.

An outreach clinic for the Rumah Panjang Balakong (about 1000 residents) in Seri Kembangan was conducted jointly with the Legal Centre Clinic, Syariah Clinic and our partner NGO, Community Development Centre (CDC) on 29 July 2001. The main purpose of the clinic was to improve legal awareness among the public in respect of their legal rights and liberties as well as to equip them with options and avenues in seeking legal redress. In addition, we hope that those involved in the clinic will be better able to understand the needs of marginalised communities and their legal problems.

Preparation for the clinic included CDC members distributing leaflets to publicise the clinic to the community, and radio announcements. There were four presentation sessions in simple Bahasa Malaysia and Tamil on Criminal Law, welfare problems, employment law, family law and domestic violence and housing, tenancy and conveyancing, followed by a Q & A session, and the Legal Advisory session. 52 residents attended the clinic; 15 took the opportunity to seek legal advice from the 19 volunteer lawyers and 2 pupils (19 lawyers and 2 pupils) who gave their valuable time and efforts to help the needy and deserving of Rumah Panjang Balakong.

8. LEGAL AWARENESS (ORIENTATION PROGRAMME)

Report submitted by N Surendran & Charles Hector

Objectives

- To assist pupils to discover and determine their role and responsibility as lawyers in our society.
- To develop a sense of social obligation and a concern for human rights, rule of law and questions of justice.
- To generate an understanding of the structural problems in the social, economic and political framework which create the need for legal and extra-legal interventions.
- To instill and develop long term commitment towards legal aid and access to justice, which will go beyond the compulsory 14 days of legal aid during pupillage.

Content of program

- Introductions (30 min), Value/Priority Analysis (60 min), Malaysian Reality and the Role/Response of Lawyers (60 min), What is Legal Aid? Relationship between Legal Aid and Human Rights (60 min), Conclusions and Collective Resolutions (30 mins).
- Methodology:- Participative
- Tools:- Group Dynamics, General Discussion and Brief Inputs.

Limitation

Largeness of numbers and shortness of time. A total of 810 pupils went through the program between January 2001 to December 2001. Hence, it is a fairly rigorous course with the primary objective of introducing pupils to new ideas and new means/avenues of response.

Note

The model being utilized is newly developed and is being modified and developed based on the evaluations of the various sessions.

9. SUNGAI BULOH PRISON CLINIC

Report submitted by Mr S Muhendaran

Introduction

The Sg. Buloh Prison Clinic started its operation since December 1997. The objective of the clinic is:

- i) To provide legal services to remand prisoners at the Sg. Buloh Prison
- ii) To improve the level of competency of lawyers (chambering students)
- iii) To provide permanent mechanisms to monitor the progress and to consider the improvement and expansions of existing services
- iv) To compile statistics from the clinic

Implementation

To achieve the above aim, pupils are rostered for duty every alternate Saturday for a period of three months to visit the Sg Buloh prison to interview remand prisoners. During each term, the pupils are trained and provided with training manuals, which contains information on the courts, guideline on common offences and other relevant information. A team of 20 pupils and 2 volunteer supervisors interview an average of 60 detainees each session. The pupils also do follow-up action at the Centre based on the interviews conducted. The follow-up actions are as follows:

- contacting family members on matters related to bail
- referring relevant cases to the Dock Brief Programme
- referring cases from other states to the respective state Legal Aid Centre
- referring capital offences cases to the Curt Assigned Counsel Scheme
- liaising with volunteer lawyers on the status of files

Strength & Weakness

This year, the clinic has reached out to 794 remand prisoners. Relatively, it shows a decrease of 8.74% compared to last year. Out of the 794 persons interviewed, only 229 files were assigned to volunteer lawyers to represent the accused in court. 78 cases were referred to the Dock Brief Programme for mitigation and bail application. 101 cases were referred to the other state Legal Aid Centres and only advice was given to the remaining 386. The clinic has enabled us to compile the following statistics:

- Number of juveniles assisted

Age 12	Age 13	Age 14	Age 15	Age 16	Age 17	Age 18	Total
1	1	1	4	8	34	51	100

The clinic is also facing some shortcomings in the quality of services provided to the remand prisoners in the following scope:

1. Pupils' inability to extract proper facts from the detainees, facts not in order and Interview Sheets not completed.
2. Pupils' inability to give adequate advice to the detainees.
3. The Centre is unable to cope with the number of cases to be assigned to volunteer lawyers for court representation due to the shortage of volunteer lawyers.
4. The Centre seldom gets feedback on the cases referred to other state Legal Aid Centres.

The Centre has via the KLBC News letter 'Relevan', made a plea to the members of the KL Bar to volunteer in its Sg Buloh Clinic Programme by handling some of its criminal files.

Recommendation

The clinic should look into long term objectives of the programme:

- To compile statistics on the economical and social background of the remand prisoners so that the Centre could make recommendations to the relevant authorities in a move to reduce the number of offenders
- To reform laws, which relates to the conditions of remand inmates
- To lobby for a better implementation and enforcement of the law

10. BCLACKL/PTF LEGAL INFORMATION SERVICE CLINIC 2001

Report submitted by R Kesavan

Committee Members

Mr So Chien Hao
Ms Preetam Kaur
Mr Loh Wei Leong
Ms Leena Ghosh

The Bar Council Legal Aid Centre Kuala Lumpur (BCLACKL) jointly with Pink Triangle Foundation (PTF) launched its inaugural legal information services clinic on 24 November 2000 at the Ikhlas Drop In Centre at Lorong Haji Taib 3, Jalan Chow Kit Kuala Lumpur. The target groups of the Clinic were persons from the six communities drug users, sex workers, people living with HIV/AIDS, transsexuals and homosexual men and women.

Subsequently, the Clinic moved to 7C-1, Jalan Ipoh Kechil off Jalan Raja Laut, Kuala Lumpur, the PTF office. At the moment, the Clinic is conducted once a month every third Friday. A BCLACKL volunteer would be present at this clinic throughout the session.

Activities carried out throughout the year 2001:

- i) Ms Elizabeth and Ms Selvi from the BCLAC (KL) attended the Bengkel Pembimbing Mak Nyah held on 23 till 25 May 2001, 25 till 27 April 2001 and 21 till 23 June 2001

- ii) Mr So Chien Hao a volunteer at the BCLAC (KL) delivered a talk on 25 May 2001 on the laws affecting the transsexuals.
- iii) The BCLAC (KL) successfully defended 2 TS clients on a charge under section 27 of the Syariah Criminal Act 1977.
- iv) BCLAC (KL) held a talk and discussion with the TS community with respect to their right under syariah law.

The legal information services Clinic render assistance and service to members of the six communities pertaining to arrest, bail, police powers and other problems related to application for identity card and so on.

Over the years, the BCLAC (KL) has overcome the hurdle of recruiting volunteer lawyers for this clinic. This year we managed to recruit volunteer supervisor as committee members to attend the Clinic every month.

The sub committee has proposed that at each clinic session a theme/topic of discussion be conducted. Currently, we had managed to hold discussion and sharing sessions on issues such as arrest and bail, identity cards problems, dealing with Section 27 of the Syariah criminal procedure, discussion with homosexual men and women on their rights.

We have thus opened 6 files for legal representation and at about 50 people attended the discussion session with the BCLAC (KL) supervisor.

Shortcomings/Recommendations

1. Law Reform on laws which discriminate the six communities
2. Need dialogue sessions with the relevant authorities such as the police, courts and others
3. More volunteer lawyers as supervisors and to represent clients involving the six communities
4. Sensitization training sessions with lawyers and pupils on issues pertaining the six communities
5. Awareness sessions with the six communities on their legal rights

11. REMAND PROGRAMME REPORT

Report submitted by Cik. Sa'adiah Din

Committee Members

Mr. R. Kesavan	Cik. Sa'adiah Din
Mr. N. Surendran	Mr. Sivarasa Rasiah
Cik. Noor Suhaidah Kasri	Mr. Charles Hector

In the year 2001 this clinic continue to manage the urgent arrest files opened during the previous years..

The number of files are as follows:

No. of persons approached	37
No. of remand hearings for illegal assembly	34
No. of remand hearings for other charges	03

Trials

No. of trials (trial dated in 1998)	3
No. of trials (trial dated in 1999)	11
No. of trials (trial dated in 2000)	11
No. of trials (trial dated in 2001)	11
Detention under the ISA	1
High Court Appeal Matter	2

By virtue of the decided case of Goh Kiat Peng vs Public Prosecutor about 22 of the trial files were closed, after an order of Dismissal not Amounting to Acquittal (DNAA) was granted by the Magistrate Court. Unfortunately 40 of the accused persons were re-charged. The Centre had issued a letter to the accused who had been re-charge to re-register their cases with the centre but until today none of them came back to register with the Centre.

Shortcomings

There is a noticeable lack of commitment by the existing volunteers as most of them are "uncontactable" when their service were urgently needed. Some of the lawyers on record do not appear in court on the mention and the hearing dates without informing the Centre.

Plan of Action

To recruit new volunteers as this clinic cannot function without volunteers. However the Centre planes to look into the welfare of the accused such as :-

- a) Bail – To consider the bail amount
- b) Proper treatment of persons in custody
- c) Special right of remand prisoners – he may wear his own clothes instead of prison uniform and may have food sent to him. He do have to shaved or have his hair cut. There is no limitation on the visits and he may see his legal advisers at any reasonable time in the sight but no in the hearing of the prison officer.
- d) Communications by prisoners ; an arrested person must be allowed as soon as possible after his arrest to get in touch with his family/friends and anyone who might be required as a surety for bail.

12. KAJANG WOMEN PRISON CLINIC *Report submitted by Mr S Balasubramaniam*

Committee Member

Ms Mabel Yong

Introduction

The clinic was launched one and a half-year ago and the objectives of the Kajang Women's Prison Clinic are to provide legal advice, information and representation to all female detainees from the nothern and southern regions.

Implementation

The pupils selected for this clinic are provided with training, prior to their 14 days legal aid duty in order to equip them with the necessary skills. A team of 5 chambering pupils is rostered for duty twice a month on Fridays'. Averages of 10 remand prisoners are interviewed under the supervision of volunteer supervisors at each session. They are required to follow-up with the Interview Sheets given at the Centre. Further to this they assist in:

- contacting relatives or family members of the remand detainees on matters related to bail and visiting rights
- liaising with Dock Brief pupils for mitigation
- liaising with volunteer lawyers on the status of the files assigned

Cases from other state are referred to the respective Bar Council Legal Aid Centre for their action. The Centre also assists foreign remand prisoners within the Klang Valley by contacting the respective embassies to take necessary action. The Centre is still receiving donations such as cloths for adults and babies besides monetary donations for the prison inmates.

The Kajang Women Prison Authorities are also helpful and friendly in making the clinic a success. Various courses are offered to the inmates for their future reference such as batik printing, laundry, catering, handicraft and sewing.

Strength & Weakness

In 2001, the clinic has rendered legal advice to 252 persons. Breakdowns of types of services rendered are:

Persons Approached	252
Referred to Dock Brief (Mitigation & Bail Application)	66
Cases Assigned to Counsel	40
Referred to other State Legal Aid Centres	90
Advice only	53
Own Counsel	3

2 major issues were identified in Kajang Women Prison, which are juveniles and foreign remand prisoners. The Centre has taken the initiative to hold a dialogue with the authorities and SUHAKAM to address the problem. The meeting was held on the 13 July 2001 and the Centre has since taken responsibility to assist prison authorities in clearing up both juveniles and foreign remand cases.

Since last year, lack of proper follow-up on interviews conducted still persists. In a way it has caused reluctance to remand prisoners to seek LAC's assistance. Two of the major reasons for the flaw is the insufficient feedback from the other State Legal Aid Centres to which 35.7% were referred and the other reason is that there are very few numbers of lawyers who's willing to handle remand cases. To avoid any form of incompetence on part of the Centre, the National Legal Aid Committee did brought up the matter with other State Legal Aid Centre. A guideline was structured for all Centres' to adhere which was a copy of letter to be passed to the Chairperson before passing it over to the respective Legal Aid.

Another imminent problem is the pupils' inability to extract proper facts from the detainees and inaccurate information. This causes difficulty for the Centre to take proper action. As such a better and proper training was conducted for pupils to equip them with the proper skills and knowledge.

Recommendation

- ◆ To have more volunteer lawyers helping out in handling files
- ◆ To reform laws, which relates to the conditions of remand inmates

13. AUDIT AND QUALITY CONTROL COMMITTEE ("AQC")

*Report submitted by Siti Zaliha (Programme Coordinator)
Approved By Ramesh Lachmanan*

Committee Members

Ngooi Chiu-Ing (Supervisor)
Balakisan Appalanaido (Project Head)
Ramesh Lachmanan
K. Amutha

The Audit Quality Control ("AQC") Committee was established from the year 2000, 22 April meeting as part of the Bar Council Legal Aid Centre Kuala Lumpur ("Centre") delivering distinguish services to the members of the public mainly the under privileged.

We would like to thank Ngooi Chiu-Ing, who has been supervising and contributing from the beginning towards the success of the committees' role.

Activities conducted by the AQC Control for the 2001 include audits of: -

- i) Legal Aid Centre Clinic
- ii) Orientation Session
- iii) Legal Aid Centre

Not many activities were conducted the rest of the year because there was no budget for the committee.

The AQC Committee would like to propose the following: -

- The Centre should conduct mini lectures to the pupils, volunteer lawyer and supervisors on issues pertaining to the sub committees of each clinic/programme.
- Need to get more supervisors, especially those who can be present at the Legal Aid Centre.

Shortcomings of the AQC Committee: -

The Committee faces problems in getting access into certain clinics/programmes to audit. Therefore it is proposed that a better networking system be implemented, as Project Heads should play an important role in explaining the purposes of the committee to their respective coordinators/supervisors.

The pupils, staff, supervisors, volunteer lawyers and management panel should realise that the main objective of the AQC Committee is to recommend constructive criticism as the clients who seek our services should obtain and receive quality service.

Future planning: -

- ◆ The Centre should provide systematic and quality service.
- ◆ All clinics/programmes should have at least one supervisors present during their sessions.
- ◆ All Project Heads should provide status report every year and guidelines of their respective clinics/programmes to the AQC Committee as this would avoid any misunderstanding.
- ◆ The AQC Committee to attend training session on all clinics/programmes.

In concluding the above, I would like to take this occasion to thank the management panel, volunteer lawyers, supervisors, legal aid staff and lastly my committee members who had made the AQC committee a team of well groomed auditors at last and hope for the best next year.

14. TRAINING COMMITTEE
Skills development sub-committee
Report prepared by Mr. Ravi Nekoo

Committee Members

Ngooi Chiu-Ing
Jayaletchumi Rajaretnam
Yasmeen Shariff
Sharmini Thiruchelvam
S Muhendaran
N Surendran

S Balasubramaniam
Noor Suhaidah Kasri
Sa'adiyah Din
A Balakisnan
B Murugayah

The committee acts to develop/enhance skills and increase motivation in all pupils, NGOs Partners and committed voluntary lawyers in view to further improve the quality of service delivered to the clients.

Cross training of pupils from certain programs have since took place to equip the pupils with adequate skills and exposure. Manuals have also been distributed to pupils as reference guide and to avoid time wastage. As such pupils are given the opportunity to concentrate on skill development (interviewing and documentation skills and scripted role-playing) during the training sessions.

To attain quality training, quality audit has been progressively conducted to evaluate both pupils and trainers. Further "tips for trainers" have also been distributed to trainers to ascertain greater improvement.

The committee also in the past year with the collaboration of the Malaysian Aids Council organised a two day Para Legal Training for Drug-Users Programme' Staff on 18-19 August 2001 at Malaysian Care, Jalan Ulu Kelang. The objective of the training were to upgrade the legal knowledge of the drop in center staff to enable them to advice the Drug-Users community better and to create legal awareness among the Drug-Users community.

The committee is also looking into various other methodologies to enhance the current training program provided at the various clinics.

The main problems faced by the committee when drawing up new programs are as follows:

- lack of trainers
- non-suitability of time available for pupils to attend training programs

The Skills Development Committee is assured that there are a lot more work to be done in the near future and hopefully would be able to meet the challenges.

15. LAW REFORM COMMITTEE

Report submitted by Ms M Kamalam

Committee Members

Ms Aegile Fernandez
Ms Shakila

Introduction

The Bar Council Legal Aid Law Reform Committee (LRC) was formed by the Bar Council Legal Aid Centre on April 2000. The only activity conducted by this Committee for the year 2001 was the Seminar on "Trafficking in Women and Children in Malaysia", which was held on 7th July 2001 at the Bar Committee Seminar Room, 8th Floor, Wisma Kraftangan, No. 9, Jalan Tun Perak, 50050 Kuala Lumpur.

The invited speakers were Dr Irene Fernandez, the Director of Tenaganita who spoke on "Issues at Stake in Trafficking in Women and Children" and Mr M Puravalen, an Advocate and Solicitor who presented the paper entitled "Trafficked Persons. Have They Any Rights?".

The objective of this Seminar was

- i) to create awareness on this issue
- ii) to emphasise on lawyers' role in assisting these women
- iii) to work with other non-governmental organisations on this issue

We intend to work closer with other non-governmental organizations (NGOs) to look at various areas for law reform and to create awareness.

16. JUVENILE TASK FORCE COMMITTEE

Report submitted by Cik Yasmeeen Shariff

Committee Members

Mr Christie Soosay Nathan
Mr Ravi Nekoo
Ms K Parameswary

Mr S Balasubramaniam
Cik Normaizaida Ahmad Narihan
Mr Wong Leong Hong

Introduction

The Juvenile Task Force Committee (hereinafter will be referred to as the "JTFC") which is about 16 months old (at the time of writing this report) saw a challenging path, ahead of it. However despite that several of its objectives were achieved.

After several months of trying to obtain an appointment with the Director General of the Welfare Department, an appointment was finally fixed on 9th February 2001. Pursuant to this meeting between the BCLACKL and the DG of the Welfare Department, permission was granted to BCLACKL to interview and provide legal assistance to the Juveniles held at Asrama Sentosa Sentul, Sekolah Tunas Bakti Sungai Besi and Asrama Bahagia in Kampung Pandan. Fortnightly visits were arranged to the abovenamed juvenile centres. The

"JTFC" has since interviewed and provided legal representation to 159 juveniles. Occasional prison visits were also arranged through the Kajang and Sg. Buluh Prison committees.

The biggest achievement for the JTFC came with the announcement from the authorities that juveniles would be transferred to Welfare run homes. (except for serious offenders) which was in line with the "JTFC's" first objective i.e. to urge the government to provide alternate homes or remand centres or even halfway homes for the juveniles instead of remanding them in the prison. Despite this announcement there were several occasion where juveniles were spotted in prison. Sometime in August 2001, representatives from both BCLACKL and SUHAKAM visited the juveniles held in remand in the Sungai Buluh Prison. From this visit it was discovered that there were still a large number of juveniles held in remand in Sungai Buluh Prison. On 8th September 2001, a special trip was made to Sungai Buluh Prison with volunteers from the Bar Council Criminal Law Sub-Committee, Selangor Legal Aid Centre, the Kajang and Sungai Buluh Prison programmes. About 60 juveniles were interviewed during this session. There were about 13 juveniles charged with serious offences ranging from murder, drugs and being in possession of offensive weapons.

BCLACKL has worked closely with the Prison authorities, Department of Social Welfare, Bahagian Hal Ehwal Undang-undang in the Prime Minister's Department, Polis Di Raja Malaysia (PDRM), Courts and SUHAKAM. On 20th November 2001, SUHAKAM organized a workshop on juveniles which was well attended especially by government departments. It was pleasant to note that BCLACKL was given an active role to participate in the said workshop. The feedback from BCLACKL was well-received by the participants and Suhakam.

BCLACKL through its intervention managed to remove from the Sungai Buluh Prison a juvenile charged with the murder of a 9-year-old girl to Sekolah Tunas Bakti in Taiping, Perak. In Sungai Buluh Prison he was not included in any programs or activities.

In the coming year "JTFC" hopes to look at the causes leading to Juvenile delinquency problems in this country and make the necessary recommendations to the authorities.

Lack of volunteers seems to be the major problem of the Committee again this year. The centre has worked closely with LAC from various states. We look forward to seeing more volunteers signing up with the JTFC.

The center has compiled the following statistics on juveniles held in remand in Sungai Buluh Prison, Kajang Prison, Asrama Sentosa Sentul and Sekolah Tunas Bakti Sungai Besi for future reference:

❖ Types of offences .

Charged Under Sec.	No. Juveniles
Sec.379 pc	73
Sec.411 pc	27
Sec.511 pc	1
Sec.366 pc	1
Sec.376 pc	2
Sec.511 pc	1
Sec. 366 pc	1
Sec.6 Arms Act, 1960	1
Sec.6 Offensive Weapon	2
Sec.384 pc	1
Sec.392 pc	3
Sec.302 pc	5

Charged Under Sec.	No. Juveniles
Sec.454 pc	4
Sec.380 pc	6
Sec.350 pc	1
Sec.393 pc	1
Sec.381 pc	1
Sec.417 pc	1
Sec. 34 pc	4
Sec.29 (1) minor offence	3
Sec.447 pc	2
Sec.25 (1) Immigration Act	1
Sec.34 pc	1
Sec.354 pc	2

Charged Under Sec.	No. Juveniles
Sec. 6 (d)	1
Sec.39B DDA	6
Sec. 42 (1) APY	2
Sec 6 / 7 Immigration Act	3
Sec. 6 (1) Ord 43/58	1
Sec. 395	6
Sec. 397	6
Sec.12 (3) DDA	1
Sec.12 (2) DDA	2
Sec. 456 pc	1
Sec. 25 (1) (n)	1

Apart from providing legal assistance to juveniles, the "JTFC" also organized a workshop on Child Sexual abuse which was held on 1st June 2001 and was attended by 55 participants. The participants represented Jabatan Kebajikan Masyarakat Malaysia, Polis Di Raja Malaysia, Jabatan Kebajikan Perubatan Hospital UKM Kuala Lumpur, Kementerian Pembangunan Wanita & Keluarga, Jabatan Peguam Negara, Ministry of National Unity and Development, the Press and fellow Lawyers. The workshop was presented by Ms Lois Engelbrecht, a social worker from the United States whose main area of interest is child sexual abuse, its prevention and healing within cultures.

17. FUND RAISING PROGRAMME

Report prepared by Francis Pereira

Committee Members

R Kesavan
Ngooi Chiu-Ing
Yasmeen Shariff
Sivarasa Rasiah
Jeyaveeran Naicker
Mary Manickam

Julian Jeyaseelan
Ramanaambigai Marimuthu
Lee Shet Mei
Srividya G.
Adeline A C Lee
Uma Devi

In its second year since formation the committee met and organised its first major fund-raising activity i.e. a movie premier of "The Mexican" on Tuesday 22nd May 2001 at TGV Suria KLCC. The response was encouraging with almost 400 tickets sold. This event raised for the KL Legal Aid Centre (Centre) the sum of RM29,720.00.

For purposes of promotion of the Centre and its activities and to raise funds the Committee together with Sil Ad (KL) Sdn Bhd is drawing up a profile of the Centre. The initial draft has been completed. Together with Sil Ad (KL) Sdn Bhd the committee prepared and printed posters of the Centre. These are used during outreach programmes organised by the Centre.

Upon completion of Profile the committee shall write to individuals corporations and funding agencies for financial support for the day to day operations of the Centre or sponsorship of programmes conducted by the Centre.

I take this opportunity to thank the committee Members and staff of the Centre for their support especially in the organising of the Fund Raising Movie Premier.

18. SYARIAH CLINIC

Report submitted by Cik Noorsuhaida Kasri

Committee members

Noorsuhaida Kasri
Norhusniah Husin
Haslinda Sakhrani
Norazmi Bahrom

The Syariah Clinic caters to members of the public who qualify for legal representation under the means test. The Clinic is open to the public, Monday to Friday from 10.00 am to 4.30 pm.

The figures below reflect the clients that Bar Council Legal Aid Centre Kuala Lumpur handled in Syariah matters: -

Syariah Clinic Total No. of Applicants 2001	87
Files opened	30
Sought advice only	34
Advice - referred to religious department	1
Advice - referred to Biro Bantuan Guaman	5
Advice - referred to other LAC	4
Disqualified (advice only)	13

The Syariah Clinic at the Centre is manned by pupils in chambers completing their legal aid service which is part of the Bar Council Ruling on Legal Aid Service. Each pupil is on duty 3 hours once a week over a period of 3 months.

The pupils in chambers are given a half-day training before they commence duty at the clinic. The training focuses on Syariah civil and criminal law and procedures. The training is designed to equip the pupils with sufficient knowledge and to facilitate their handling of clients walking into the Centre.

The pupils will attend to the client and in the event that the pupil is not familiar or confident in the areas of law pertaining to the client's problem, the pupil will contact any one of the syariah lawyers listed to seek guidance and advice. Files will be opened for clients who require legal representation and are qualified under the legal aid guidelines. The files will be assigned to any volunteer lawyers to handle the matter until completion.

As the clinic lacks supervisors who practice Syariah cases and are qualified and duly licensed syariah lawyers, we are planning to introduce a program to reach out to the said syariah lawyers and invite them to participate in our clinic.

The committee also plan to organise a talk/discussion with Tuan Haji Naim Mokhtar and senior Syarie practitioners on matters relating to syariah Court procedures. Participants will be lawyers, pupils, NGO, academician and government bodies.

The committee would like to express its appreciation and thanks to the staff of the Centre for their unceasing support to the committee which has largely contributed to the success of Syariah Clinic.

19. MANAGEMENT AND ADMINISTRATION

i. Finance

A sum of RM367, 973.00 was approved by the National Legal Aid Committee for the Centre's operations for the year 2001

ii. Annual Accounts

Copies of the Annual Accounts and profile of expenditure are provided in Annexure A.

20. ACKNOWLEDGEMENT

We wish to record our heartfelt thanks and appreciation to the Registrars, Magistrates, Sessions Judges, Sungai Buloh and Kajang Women's Prison Authorities, Welfare Department, Bar Council, Bar Committee, members of the Bar, our NGO partners, other Government officials, International Law Book Services, Sil Ad (K.L), Lian Huat Stationers and TGV Suria KLCC for the generous contribution and assistance to the Bar Council Legal Aid Centre (Kuala Lumpur).

BAR COUNCIL LEGAL AID CENTRE (KUALA LUMPUR)

FINANCIAL STATEMENTS – 31 DECEMBER, 2001

REPORT OF THE AUDITORS

We have audited the accompanying Balance Sheet and Income and Expenditure Account of BAR COUNCIL LEGAL AID CENTRE (KUALA LUMPUR) in accordance with approved auditing standards.

In our opinion, the accompanying Balance Sheet and Income and Expenditure Account, together with the accompanying notes, give a true and fair view of the state of affairs of BAR COUNCIL LEGAL AID CENTRE (KUALA LUMPUR) as at 31 December, 2001 and of its income and expenditure for the financial year ended on that date.



SINGAM & YONG
No. AF 0040
Chartered Accountants



GARY YONG YOON SHING
No. 633/3/03 (J/PH)
Partner

Kuala Lumpur,
30 January, 2002.

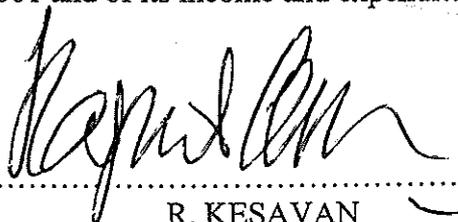
BAR COUNCIL LEGAL AID CENTRE (KUALA LUMPUR)

BALANCE SHEET – 31 DECEMBER, 2001

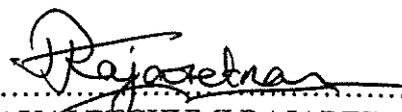
	<u>Note</u>	<u>2001</u>	<u>2000</u>
		RM	RM
FIXED ASSETS	2	52,307	47,925
CURRENT ASSETS			
Sundry debtors, deposits and prepayments	3	13,669	14,757
Disbursements recoverable		35,722	35,251
Cash and bank balances	4	47,071	37,063
		96,462	87,071
Less:			
CURRENT LIABILITIES			
Clients' account	5	19,692	19,692
Sundry creditors and accruals		10,161	8,021
		29,853	27,713
NET CURRENT ASSETS		66,609	59,358
		118,916	107,283
Represented by :		RM	RM
ACCUMULATED FUND	6	118,916	107,283

The accompanying notes form an integral part of, and should be read in conjunction with, these financial statements.

We certify that the above Balance Sheet and accompanying Income and Expenditure Account, together with the accompanying notes, give a true and fair view of the state of affairs of BAR COUNCIL LEGAL AID CENTRE (KUALA LUMPUR) at 31 December, 2001 and of its income and expenditure for the financial year ended on that date.



R. KESAVAN
Chairperson



JAYALECHUMI RAJARETNAM
Hon. Secretary

BAR COUNCIL LEGAL AID CENTRE (KUALA LUMPUR)

NOTES TO THE FINANCIAL STATEMENTS – 31 DECEMBER, 2001

1. SIGNIFICANT ACCOUNTING POLICIES

1.1 Accounting basis

The financial statements have been prepared under the historical cost convention and are in accordance with the provision of the Companies Act, 1965 and applicable approved accounting standards in Malaysia.

1.2 Fixed assets and depreciation

Fixed assets are shown at cost less accumulated depreciation. Depreciation is calculated to write off the cost of fixed assets in equal annual instalments over the estimated useful lives. The annual rate used for this purpose is 10% for all the assets except for motor vehicles which is 20%.

1.3 Cash and cash equivalents

Cash and cash equivalents represent cash in hand and bank balances.

2. FIXED ASSETS

	Air-conditioners and office equipment	Furniture and fittings	Renovation	Total
<u>2001</u>	RM	RM	RM	RM
<u>Cost</u>				
As at 1 January	88,755	8,423	11,764	108,942
Additions	13,100	715	-	13,815
As at 31 December	101,855	9,138	11,764	122,757
<u>Accumulated depreciation</u>				
As at 1 January	52,407	3,905	4,705	61,017
Current depreciation	7,471	785	1,177	9,433
As at 31 December	59,878	4,690	5,882	70,450
Net Book Value	41,977	4,448	5,882	52,307

BAR COUNCIL LEGAL AID CENTRE (KUALA LUMPUR)

NOTES TO THE FINANCIAL STATEMENTS – 31 DECEMBER, 2001
(CONT'D)

2. FIXED ASSETS (Cont'd)

	<u>Air-conditioners and office equipment</u>	<u>Furniture and fittings</u>	<u>Renovation</u>	<u>Total</u>
<u>2000</u>	RM	RM	RM	RM
<u>Cost</u>				
As at 1 January	88,755	11,763	11,764	112,282
Additions	-	2,000	-	2,000
Disposal	-	(5,340)	-	(5,340)
As at 31 December	<u>88,755</u>	<u>8,423</u>	<u>11,764</u>	<u>108,942</u>
<u>Accumulated depreciation</u>				
As at 1 January	46,245	8,531	3,529	58,305
Current depreciation	6,162	714	1,176	8,052
Disposal	-	(5,340)	-	(5,340)
As at 31 December	<u>52,407</u>	<u>3,905</u>	<u>4,705</u>	<u>61,017</u>
Net Book Value	<u>36,348</u>	<u>4,518</u>	<u>7,059</u>	<u>47,925</u>

3. SUNDRY DEBTORS, DEPOSITS AND PREPAYMENTS

	<u>2001</u>	<u>2000</u>
	RM	RM
Rental deposit	11,262	11,262
Utility deposit	1,000	1,000
Telephone deposit	950	950
Staff insurance prepaid	457	451
Staff loan	-	1,094
	<u>13,669</u>	<u>14,757</u>

BAR COUNCIL LEGAL AID CENTRE (KUALA LUMPUR)

NOTES TO THE FINANCIAL STATEMENTS – 31 DECEMBER, 2001
(CONT'D)

4. CASH AND BANK BALANCES

	<u>2001</u>	<u>2000</u>
	RM	RM
Office account	27,957	17,547
Clients' account	19,095	19,095
Cash in hand	19	421
	47,071	37,063

5. CLIENTS' ACCOUNT

	<u>2001</u>	<u>2000</u>
	RM	RM
Balance brought forward	19,692	19,709
	19,692	19,709
Less : Amount disbursed during the year	-	(17)
Balance carried forward	19,692	19,692

6. ACCUMULATED FUND

	<u>2001</u>	<u>2000</u>
	RM	RM
Balance brought forward	107,283	109,879
Surplus/(Deficit) for the financial year	11,633	(2,596)
Balance carried forward	118,916	107,283

BAR COUNCIL LEGAL AID CENTRE (KUALA LUMPUR)

INCOME AND EXPENDITURE ACCOUNT FOR THE
FINANCIAL YEAR ENDED 31 DECEMBER, 2001

	<u>2001</u>	<u>2000</u>
	RM	RM
INCOME		
Allocation from Bar Council	359,836	333,519
Net proceeds from fund raising movie premiere	19,257	-
Donation received	7,575	4,028
Other income	567	4,384
Gain on disposal of fixed assets	-	199
	387,235	342,130
Less :		
EXPENDITURE		
Salaries, overtime and allowance	159,698	158,794
Rental	39,436	42,876
Training	35,067	32,813
Bonus	26,027	-
E.P.F.	22,438	17,132
Urgent arrest task force	18,654	24,281
Telephone	15,552	14,426
Printing and stationery	13,351	10,995
Depreciation	9,433	8,052
Volunteers meeting	5,082	5,298
Electricity and water	4,946	4,586
Refreshments	3,427	2,711
Storage charges	2,874	3,236
Medical expenses	2,862	2,996
SOCSO	2,630	2,662
Upkeep and maintenance of office	2,430	3,440
Staff insurance	2,289	2,166
Juvenile task force	2,053	-
Despatch charges	1,565	2,109
Auditors' remuneration	1,500	1,500
Postage	1,487	1,061
Miscellaneous	806	885
Bank charges	640	177
Maintenance of office equipment	600	1,725
Repair and maintenance of motorbike	340	340
	375,187	344,261
Balance carried forward	375,187	344,261

BAR COUNCIL LEGAL AID CENTRE (KUALA LUMPUR)

INCOME AND EXPENDITURE ACCOUNT FOR THE
FINANCIAL YEAR ENDED 31 DECEMBER, 2001
(CONT'D)

	<u>2001</u>	<u>2000</u>
	RM	RM
Balance brought forward	375,187	344,261
Advertisement	335	377
Travelling	80	88
	<u>375,602</u>	<u>344,726</u>
SURPLUS/(DEFICIT) FOR THE FINANCIAL YEAR	<u>11,633</u>	<u>(2,596)</u>

The accompanying notes form an integral part of, and should be read in conjunction with, these financial statements.

LAPORAN TAHUNAN 2001/02

1. MESYUARAT AGUNG TAHUNAN KE-9

Mesyuarat Agung Tahunan Ke-9 telah diadakan pada hari Isnin 12hb Mac 2001 jam 10:00 pagi di Grand Ballroom, Hotel Legend, Kuala Lumpur. Ianya telah ditangguhkan daripada 1hb Mac 2000 kerana ketiadaan korum.

2. PEMEGANG-PEMEGANG JAWATAN

Pada Mesyuarat Agung Tahunan Ke-9 ini, pemegang-pemegang jawatan berikut telah dipilih:

a) Jawatankuasa Peguam 2001/02

Pengerusi: Encik Zainudin Ismail
Ahli-ahli: Cik Yasmeen bt Hj Muhamad Shariff
Encik Oommen Koshy
Encik Ragunath Kesavan
Encik Jerald Gomez
Cik Sa'adiah bt Din
Encik Colin Andrew Pereira

b) Wakil ke Majlis Peguam 2001/02

Encik Mohamad Ariff bin Md Yusof

3. SETIAUSAHA KEHORMAT

Encik Ragunath Kesavan telah dilantik oleh Jawatankuasa sebagai Setiausaha Kehormat bagi tahun 2001/02.

4. AHLI-AHLI LANTIKAN

Encik Wong Chiong Seng dan Cik Janet Looi telah dilantik sebagai ahli Jawatankuasa Peguam di bawah Seksyen 73(vii) Akta Profesion Undang-Undang 1976 pada mesyuarat Jawatankuasa yang pertama bagi tahun tersebut.

5. MESYUARAT-MESYUARAT JAWATANKUASA

a) Setakat 20.2.2002 Jawatankuasa bermesyuarat sebanyak 12 kali dan kehadiran setiap ahli adalah seperti berikut:

Encik Zainudin Ismail	- 11
Cik Yasmeen bt Hj Muhamad Shariff	- 10
Encik Oommen Koshy	- 10
Encik Ragunath Kesavan	- 11
Encik Jerald Gomez	- 12
Cik Sa'adiah bt Din	- 10
Encik Colin Andrew Pereira	- 12
Encik Wong Chiong Seng	- 6
Cik Janet Looi	- 9

b) Encik Mohamad Ariff bin Md Yusof, wakil ke Majlis Peguam, telah dijemput untuk hadir di mesyuarat-mesyuarat Jawatankuasa sebagai pemerhati dan juga untuk melaporkan kepada Majlis Peguam terhadap perkara-perkara yang berkaitan apakala ianya penting dan diperlukan. Beliau menghadiri sejumlah 4 mesyuarat.

6. KEWANGAN

Kedudukan kewangan Jawatankuasa kekal stabil dengan sejumlah RM254,891.00 berada di dalam Akaun Deposit Tetap. Perincian bagi kedudukan kewangan adalah sepertimana yang dibentangkan di dalam Akaun Teraudit berakhir pada 31.12.2001.

7. YURAN

- 7.1 Yuran bagi tahun 2001 telahpun ditetapkan sebanyak RM100.00 di Mesyuarat Agung Tahunan Ke-9 Bar Kuala Lumpur yang diadakan pada 12hb Mac 2001.
- 7.2 Pada akhir tahun kewangan Jawatankuasa ini pada 31.12.2001, seramai 117 orang ahli masih belum menjelaskan yuran bagi tahun 2001.

8. JUMLAH AHLI

Setakat 20.2.2002, Bar Kuala Lumpur mempunyai sejumlah 5465 orang ahli.

9. JAWATANKUASA-JAWATANKUASA KECIL DAN PANEL PENGURUSAN BANTUAN GUAMAN

- 9.1 Jawatankuasa-Jawatankuasa Kecil berikut telah ditubuhkan bagi memudahkan pelaksanaan pelbagai aktiviti Jawatankuasa dan untuk menyelenggara kehendak-kehendak Bar Kuala Lumpur dan diketuai oleh ahli-ahli Jawatankuasa berikut:

- | | | |
|-------|---|-------------------------------------|
| i) | Bahasa Malaysia | : Cik Yasmeen bt Hj Muhamad Shariff |
| ii) | Undang-Undang Alam Sekitar | : Cik Janet Looi |
| iii) | Bantuan Guaman | : Encik Rangunath Kesavan |
| iv) | Komunikasi Media
(Teknologi Maklumat dan Surat Berita) | : Encik Zainudin Ismail |
| v) | Perhubungan Awam & Mahkamah | : Encik Jerald Gomez |
| vi) | Kebajikan Pelatih | : Encik Oommen Koshy |
| vii) | Sosial | : Encik Colin Andrew Pereira |
| viii) | Sukan | : Encik Oommen Koshy |

- 9.2 Jawatankuasa Peguam-Peguam Muda (JPM) terus memainkan peranan yang aktif dalam Jawatankuasa. Dua wakil daripada JPM dijemput menyertai Jawatankuasa sebagai pemerhati. Cik Sa'adiah bt Din dilantik sebagai Penasihat kepada JPM.

- 9.3 Sepanjang tahun dalam kajian, Jawatankuasa-Jawatankuasa Kecil, Panel Pengurusan Bantuan Guaman serta JPM telah bergiat aktif. Aktiviti-aktiviti serta laporan-laporan mereka masing-masing terdapat di mukasurat 59 hingga 95.

10. PROSEDUR BAGI MEMPERKENALKAN PELATIH-PELATIH KEPADA JAWATANKUASA DAN PENYAMPAIAN KERTAS-KERTAS PENERIMAAN MASUK KEATAS PEGUAM NEGARA OLEH PELATIH-PELATIH

- 10.1 Setelah mengambil tugas, Jawatankuasa terus mengkaji semula prosedur memperkenalkan pelatih-pelatih kepada ahli-ahli Jawatankuasa dimana pelatih dikehendaki melawat setiap orang ahli Jawatankuasa di pejabat-pejabat mereka yang merupakan satu isu utama yang dibangkitkan di Mesyuarat Agung yang lalu.

Kami telah memutuskan akan menemui pelatih-pelatih di Sekretariat Jawatankuasa Peguam pada tarikh dan masa yang tertentu. Pihak pelatih dikehendaki menghadiri sesi perkenalan sekali sahaja.

- 10.2 Kami juga mengemukakan kepada Peguam Negara masalah yang dihadapi oleh pelatih yang dikehendaki pergi ke Putrajaya untuk menyampaikan kertas-kertas Penerimaan Masuk di Pejabat Peguam Negara.

Pihak Peguam Negara bersetuju dengan cadangan kami supaya membenarkan pihak pelatih menyampaikan kertas-kertas Penerimaan Masuk mereka melalui Pos Berdaftar AR, Kourier atau Pos Laju.

11. PENGIKLANAN MELALUI SALURAN MAKLUMAT KLBARINFO

Keputusan Jawatankuasa membenarkan firma-firma guaman mengiklankan jawatan kosong untuk pembantu undang-undang pada kadar RM50.00 setiap kali dan institusi-institusi swasta mengiklankan seminar/konferens pada kadar RM300.00 setiap mukasurat saiz A4 melalui saluran eForum klbarInfo telah menghasilkan pendapatan tambahan dan pihak Jawatankuasa bercadang menggunakan pendapatan ini untuk meningkatkan sistem komputer di Sekretariat.

12. UCAPAN-UCAPAN TAHNIAH

Jawatankuasa, bagi pihak Bar Kuala Lumpur, telah menyampaikan ucapan tahniah kepada beberapa orang tokoh bidang undang-undang yang baru dilantik ke jawatan tinggi atau dianugerahkan dengan bintang-bintang kebesaran atau gelaran.

13. OBITUARI-OBITUARI

13.1 Jawatankuasa merakamkan takziah diatas kematian ahli-ahli Bar Kuala Lumpur berikut sepanjang tahun dalam kajian:

- Puan Sharifah Aloyah bt Syed Mohd Alsagoff pada 3.4.2001
- Y Bhg Dato' Ahmad Shah V Balendran bin Abdullah pada 17.4.2001
- Encik Mohd Maydien bin Tapil Ahmad pada 12.8.2001
- Encik A M Kandasamy pada 19.9.2001

13.2 Kami telah memulakan rancangan bagi menghidupkan semula amalan mengadakan Istiadat "Reference" bagi mengingati ahli-ahli Bar Kuala Lumpur yang telah meninggal dunia.

Kami bercadang mengadakan Istiadat tersebut untuk ahli-ahli yang telah meninggal dunia sejak Istiadat terakhir dalam tahun 1988.

Kami sedang menguruskan satu pertemuan dengan Hakim Terkanan di Mahkamah Tinggi Kuala Lumpur untuk membincangkan rancangan kami dan prosedur yang berkaitan.

Jika kami tidak dapat melaksanakan rancangan ini sebelum tamatnya tempoh jawatan kami, kami harap Jawatankuasa baru akan melaksanakan usaha ini sehingga selesai.

14. PENGHARGAAN-PENGHARGAAN

Kami menghargai kerjasama dan bantuan yang diterima daripada Hakim Besar, Hakim-Hakim Mahkamah Tinggi, Timbalan-Timbalan dan Penolong-Penolong Kanan Pendaftar, Hakim Kanan Mahkamah Sesyen, Hakim-Hakim Mahkamah Sesyen, Majistret-Majistret dan Pendaftar-Pendaftar Mahkamah Sesyen dan Majistret kedua-dua Mahkamah di KL dan Selangor.

Kami mengucapkan terima kasih kepada semua ahli di atas sokongan serta kerjasama berterusan mereka. Kami berharap agar mereka akan terus berbuat sedemikian kepada Jawatankuasa yang baru.

JAWATANKUASA PEGUAM KUALA LUMPUR

BAHASA MALAYSIA

Pengerusi: Yasmeeen bt Hj Muhamad Shariff

Ahli-ahli: Nasir Zihni bin Yusoff
Mohd Omar bin Hussien
Ab Halim bin Abdullah
Sunita bt Mohd Osman

Wan Aliza bt Wan Mohamed
Lathifha Ulfa bt Ismail
Iza Suhana bt Ilias

1. Jawatankuasa Bahasa Malaysia ("JBM"), sebuah jawatankuasa kecil yang baru di bawah Jawatankuasa Peguam Kuala Lumpur telah ditubuhkan sekitar bulan April tahun lepas. Objektif JBM adalah untuk menggalakkan dan mempromosikan penggunaan Bahasa Malaysia di kalangan ahli-ahli Bar Kuala Lumpur. Sepanjang penggal ini, JBM telah mengadakan satu forum, bengkel dan beberapa ceramah.

2. Pada 23.5.2001, JBM telah mengadakan ceramah pertama bertajuk "Konsep Perbankan Islam". Ceramah ini telah disampaikan oleh Encik Ismail Mahayudin, Pengurus Besar Kanan, Bahagian Khazanah dan Urusan Bank Antarabangsa, Bank Islam Malaysia. Ceramah ini telah dipengerusikan oleh Encik Mohamad Illiayas, seorang ahli Bar Kuala Lumpur. Objektif ceramah ini adalah untuk memperkenalkan ahli-ahli muda Bar Kuala Lumpur kepada Perbankan Islam. Ceramah ini disampaikan dalam Bahasa Malaysia dan telah dihadiri oleh lebih kurang 180 ahli Bar Kuala Lumpur.

3. Aktiviti kedua JBM merupakan satu ceramah bertajuk "Sistem Kehakiman dan Perundangan di Malaysia: Satu Wawasan" yang membincangkan kedudukan Undang-Undang Sivill, Undang-Undang Islam, Mahkamah Sivill dan Mahkamah Syariah di Malaysia dan kemungkinan penyatuan kedua-dua Mahkamah itu dan ceramah ini telah disampaikan oleh Yang Arif Dato' Abdul Hamid bin Hj Mohamed, Hakim Mahkamah Rayuan, Malaysia.

Ceramah ini telah dipengerusikan oleh bekas Pengerusi Jawatankuasa Peguam Kuala Lumpur iaitu Encik M Puravalen. Pandangan-pandangan Yang Arif Dato' Abdul Hamid telah diterima dengan baik oleh peserta-peserta. Amat membanggakan ceramah ini telah dihadiri oleh beberapa ketua jabatan kerajaan dan organisasi bukan kerajaan bersama-sama 110 peserta yang lain. JBM telah dimaklumkan bahawa kertas kerja Yang Arif Dato' Abdul Hamid akan diterbitkan di dalam sebuah Jurnal Undang-Undang.

4. Semasa bulan Perbankan Islam iaitu bulan November 2001, JBM dan Institut Perbankan dan Kewangan Islam Malaysia telah sama-sama menganjurkan bengkel dua hari yang bertajuk "The 8th Annual Seminar on Syariah and Legal Aspects of Islamic Banking Practice". Bengkel yang telah diadakan di Hotel Crown Princess ini telah dihadiri oleh 250 peserta dari Bar Kuala Lumpur dan sektor perbankan. Ucapan utama telah disampaikan oleh Timbalan Gabenor Bank Negara.

Yuran pendaftaran untuk bengkel ini telah ditetapkan sebanyak RM300.00 untuk setiap peserta. Namun begitu, setelah rundingan diadakan di antara JBM dan Institut Perbankan Islam dan Kewangan Malaysia, JBM telah berjaya mendapatkan diskaun 50% untuk semua ahli Bar Kuala Lumpur dan Selangor.

5. Dalam bulan Ramadan, JBM telah menganjurkan Majlis Berbuka Puasa di Darul Kifayah bersama-sama anak yatim, anak-anak dari ibu atau bapa tunggal dan anak-anak yang memerlukan bantuan. Ahli-ahli Bar Kuala Lumpur telah digalakkan untuk menaja seorang kanak-kanak dengan bayaran RM25.00 untuk majlis tersebut. JBM telah berjaya mengumpulkan RM10,338.67 daripada sumbangan ahli-ahli Bar Kuala Lumpur. Daripada jumlah yang dikumpul, RM4,338.67 telah dibelanjakan untuk Majlis Berbuka Puasa tersebut dan bakinya sebanyak RM6,000.00 telah diberikan kepada Darul Kifayah untuk digunakan bagi tujuan latihan dan kemajuan kanak-kanak. Namun begitu sambutan daripada peguam-peguam adalah agak mengecewakan kerana hanya sebilangan kecil peguam yang turut serta dalam Majlis Berbuka Puasa. Adalah diharapkan lebih ramai ahli Bar Kuala Lumpur turut serta di dalam majlis seumpama ini.

6. Pada 8.2.2002, Jawatankuasa Peguam Kuala Lumpur dengan bantuan JBM telah menganjurkan satu forum bertajuk "The Amendment to Article 8(2) of the Federal Constitution: What it Means?". Beberapa personaliti terkenal iaitu Professor Dr Shad Saleem Faruqi, Pembantu Naib Canselor Universiti Teknologi Mara dan Cik Shanthi Dairiam, Pengarah Eksekutif International Women's Rights Action Watch-Asia Pacific, telah memberikan pandangan mereka berkenaan pindaan tersebut pada sesi forum yang dipengerusikan oleh Profesor Mehrun Siraj. Beberapa kumpulan juga telah turut memberikan pandangan mereka berkenaan pindaan tersebut - Cik Maria Chin dari Women Development Collective, Cik Khartini dari Pink Triangle dan Cik Zaitun Mohd Kassim dari Women's Candidacy Initiative. Forum ini disertai oleh organisasi bukan kerajaan, pensyarah dan penuntut Universiti, ahli-ahli Bar Kuala Lumpur dan pihak media. Panel forum bersependapat bahawa pindaan lanjut kepada Perlembagaan Persekutuan adalah perlu untuk memastikan pindaan kepada Artikel 8(2) Perlembagaan Persekutuan lebih bermakna dan dapat dilaksanakan.

UNDANG-UNDANG ALAM SEKITAR

Pengerusi: Janet Looi

Ahli-ahli: Tunku Alina Alias Woo Wei Kwang
 Quek Sue Yian Hasmah Harun
 Sunita Shalini Sankey

Ini merupakan tahun pertama bagi Jawatankuasa Undang-Undang Alam Sekitar yang ditubuhkan di bawah naungan Jawatankuasa Peguam Kuala Lumpur yang khusus tumpuannya untuk membawa undang-undang alam sekitar ke hadapan dan untuk menyediakan suatu asas bagi peguam-peguam memainkan suatu peranan dalam membentuk undang-undang melindungi alam sekitar.

Objektif-objektif kami

1. Untuk mengkaji semula undang-undang yang melindungi alam sekitar yang meliputi Kuala Lumpur dan sekitarnya perlu untuk mencadangkan perubahan bagi mewujudkan perlindungan yang efisien dan sepadu untuk alam sekitar.
2. Untuk menggalakkan kesedaran peri mustahaknya undang-undang perlindungan alam sekitar kepada orang awam.
3. Untuk menggalakkan praktis undang-undang alam sekitar di kalangan para peguam.

Kalendar aktiviti

20 Jun 2001

Puan Hasmah Harun, seorang bekas pegawai kanan di Jabatan Alam Sekitar Malaysia telah menyampaikan suatu taklimat berkenaan "Perkembangan Pengurusan Alam Sekitar di Malaysia" di Auditorium Majlis Peguam.

12 Julai 2001

Pengarah Jabatan Alam Sekitar Kuala Lumpur, Puan Halimah Hassan berucap berkenaan "Cabaran Alam Sekitar Bagi Kuala Lumpur" di Badan Warisan. Setiap hadirin telah menerima sepasu tumbuh-tumbuhan sebagai sebahagian kempen Jawatankuasa ini supaya pejabat-pejabat peguam "dihijaukan".

Malam Amal WWF

Di atas jemputan penganjur Malam Amal WWF yang diadakan di Carcosa Negara, Kemeja T serta tas tangan yang telah direka bentuk khas untuk Bar KL dengan logo serta seri kata "KL BAR.JUSTICE. FOR THE ENVIRONMENT. FOR CHILDREN" telah dilancarkan untuk jualan kepada tetamu yang hadir pada malam tersebut. Quek Su Yian juga telah mengaturkan supaya pereka mengubah dua Kemeja T bersinar untuk malam tersebut, yang telah kemudiannya dilelong. Wang kutipan jualan malam tersebut telah didermakan kepada WWF. Kemeja T "Sharkie" dan tas tangan boleh dibeli daripada Sekretariat Jawatankuasa Peguam KL dan wang yang dikutip akan digunakan untuk tujuan amal kanak-kanak yang akan dipastikan oleh Jawatankuasa ini.

Senarai Soalan Mengenai Undang-undang Alam Sekitar serta Penggunaannya

Pada 4 September 2001 senarai soalan-soalan telah diedarkan kepada semua firma guaman di Kuala Lumpur yang mengandungi soalan-soalan pencarian maklumat atas jenis undang-undang alam sekitar yang diamalkan oleh firma-firma guaman di Kuala Lumpur. Keputusan kajian berdasarkan 27 jawapan yang diterima diterbitkan di dalam Relevan, surat berita Bar KL. Keputusan kajian tersebut diberikan juga kepada Pengarah DOE KL untuk penerangan serta tindakan beliau.

Memorandum Mengenai Perlantikan Ahli Majlis Berkuasa Tempatan

Jawatankuasa ini berpendapat ianya perlu menyentuh isu samada sistem yang wujud pada masa ini bagi perlantikan Ahli Majlis Berkuasa Tempatan harus digantikan dengan suatu sistem yang lain memandangkan adanya berbagai masalah di peringkat Majlis Berkuasa Tempatan yang menjejaskan alam sekitar, umpamanya perumahan, kutipan sampah, banjir, dan isu kawalan kebersihan pembuangan najis. Sistem perlantikan kini yang melantik ahli-ahli parti politik menjadi Ahli Majlis Tempatan boleh menjejaskan "accountability" mereka kepada masyarakat yang membayar cukai berkenaan keputusan-keputusan yang dibuat.

Suatu memorandum telah disediakan mengenai isu ini dan ianya akan diserahkan kepada Kementerian Perumahan dan

Kerajaan Tempatan untuk tindakan serta kajian mereka seterusnya.

Sharkie's Haikus

"Tip" mesra alam sekitar dilancarkan dua kali sebulan untuk Bar KL melalui e-mel Bar KL (saluran klbarInfo). "Tip" pertama telah dilancarkan di bulan Oktober 2001 dalam bentuk Sharkie's Haiku I berikut:-

Car pooling;
chatting about the work;
the stress of it all;
not alone

Kempen 3R Bar KL

Mulai Julai 2001

Alam Flora Sdn Bhd, iaitu kontraktor Dewan Bandaraya Kuala Lumpur bagi pengutipan buangan kental dikawasan tengah serta kawasan pantai timur, telah bersetuju bekerjasama dengan Jawatankuasa Undang-Undang Alam Sekitar berkaitan "Kempen 3R Bar KL" iaitu untuk menggalakkan pengurangan, penggunaan kembali dan perkitaran semula buangan dikalangan peguam KL. Selaras dengan kempen ini, buangan kertas dari firma guaman yang mengambil bahagian akan dibeli dan diangkut daripada firma guaman tersebut oleh Alam Flora.

Enam (6) firma guaman yang setiap satu mempunyai 40 dan lebih orang peguam menjadi kumpulan pertama yang bersetuju untuk mengambil bahagian dalam kempen tersebut berikutan perjumpaan antara Jawatankuasa Undang-Undang Alam Sekitar dengan Rakan Kongsi utama mereka.

September 2001

Setiap firma guaman tersebut telah melantik seorang dikalangan mereka untuk menjadi "Juara 3R" bertujuan menggalakkan ahli-ahli lain untuk mengamalkan 3R.

Oktober-November 2001

Mahkamah Tinggi, Mahkamah Rendah serta Wisma Kraftangan (dimana Sekretariat Jawatankuasa Peguam KL berada) telah bersetuju untuk meletakkan tong kitaran di premis mereka.

Disember 2001

Perletakan tong-tong di firma-firma guaman dan kempen 3R bermula.

Bengkel Undang-Undang Alam Sekitar pada 6 Februari 2002.

Ini merupakan bengkel setengah hari dimana syarikat-syarikat dijemput untuk menyampaikan pengalaman mereka menubuhkan suatu sistem audit dalaman di dalam organisasi mereka bagi memastikan adanya suatu tahap pematuhan dengan undang-undang perlindungan alam sekitar serta perlaporan sewajarnya dibuat kepada pengurusan atasan dan juga untuk menyampaikan bagaimana mereka menangani situasi "permit misses", misalannya, ketiadaan kelulusan daripada Ketua Pengarah Kualiti Alam Sekitar berkaitan dengan persetujuan atau kelulusan yang diperlukan dibawah Akta Kualiti Alam Sekitar, samada melalui suatu keputusan audit dalaman atau daripada pemeriksaan oleh pegawai-pegawai Jabatan Alam Sekitar.

Syarikat-syarikat yang memberikan penyampaian tersebut terdiri daripada Golden Hope Plantations, Motorola, Shell, Australia-Malaysia Marine Science & Technology, Dunlopillo dan Sime UEP. Berikutan persembahan daripada mereka, diberi pula peluang untuk sesi soaljawab sebelum para hadirin dibahagikan kepada kumpulan kerja bagi membuat analisa kajian kes. Suatu panel yang handal terdiri daripada Y Bhg Dato' Dr Abu Bakar Jaafar, Pengarah Jawatankuasa Piawaian Industri Berkenaan Pengurusan Alam Sekitar (ISCZ), Y Bhg Dato' Megat Najmuddin Khas, Presiden Malaysian Institute Of Corporate Governance, Cik Wong Mee Ling, Penasihat Undang-Undang, Jabatan Alam Sekitar Malaysia dan Encik Mike Krishnan, Pengarah Jawatankuasa Alam Sekitar MICCI memberikan komen mereka mengenai analisa penyiasatan kes oleh para hadirin tersebut. Ini memberi mereka peluang melihat perkara tersebut dari berbagai sudut dan membolehkan mereka berinteraksi.

Saya ingin mengucapkan rasa terhutang budi saya serta terima kasih kepada semua ahli-ahli Jawatankuasa Undang-Undang Alam Sekitar diatas usaha serta minat yang mereka curahkan. Mereka sebenarnya merupakan suatu "dream team".

KOMUNIKASI MEDIA

Pengerusi: Zainudin Ismail

II. TEKNOLOGI MAKLUMAT (TM)

Ahli-ahli: KH Koh

Tunku Alizan bin Raja Muhammad Alias

Charles CJ Chow

Praveen Kaur

Noriswadi Hj Ismail

Dalam tahun keduanya ini, Jawatankuasa TM bekerja melanjutkan usaha-usaha tahun lalu.

1. eForums

1.1 Seperti tahun lepas, eForum diantara ahli-ahli Jawatankuasa Peguam KL berjalan dengan lancar. Di samping itu, beberapa eForum baru juga diwujudkan bagi, diantara lain:

- (a) Jawatankuasa Perhubungan Awam & Mahkamah
- (b) Panel Pengurusan Bantuan Guaman

1.2 Ahli-ahli digalakkan menyertai eForum berikut yang telah diwujudkan bagi tujuan perbincangan diantara ahli-ahli Bar mengenai topik sepertimana yang dicerminkan dalam nama eForum berkenaan:

- (i) klbarMembers-subscribe@yahoogroups.com
- (ii) klbarJuniors-subscribe@yahoogroups.com
- (iii) klbarPupils-subscribe@yahoogroups.com
- (iv) klbarLanguage-subscribe@yahoogroups.com
- (v) klbarIT-subscribe@yahoogroups.com

2. klbarInfo

eGroup klbarInfo tetap menjadi saluran maklumat am kepada ahli-ahli Bar KL. Walaupun tidak terdapat maklumbalas daripada ahli-ahli, kami yakin bahawa eForum ini dihargai oleh mereka.

Jawatankuasa Peguam KL masih menimbang cadangan mengurangkan edaran dokumen dan surat surat pekeliling melalui pos. Ini disebabkan maklumat maklumat tertentu dianggap terlalu penting dan sepatutnya dihantar melalui saluran biasa dan juga kerana tidak ada system pengendalian keahlian yang membolehkan pihak Sekretariat membezakan diantara ahli yang ingin menerima maklumat melalui saluran elektronik semata-mata dengan mereka yang masih memilih saluran bercetak.

3. Sistem Pengendalian Keahlian

Kami telah mengkaji beberapa cadangan sistem pangkalan data untuk membolehkan pihak Sekretariat mengendalikan maklumat keahlian. Diantara lain, sistem pangkalan data ini boleh mengurangkan kerja berkaitan dengan pengeluaran sijil caruman tahunan. Ia boleh juga membolehkan pihak Sekretariat membuat laporan tentang statistik demografik dan sebagainya dan menjadi asas untuk usaha usaha masa depan supaya mendorong kegiatan kegiatan berkumpul diantara ahli-ahli kita.

Anggaran kos sistem tersebut adalah diantara RM30,000.00 dan RM50,000.00. Kami harap dapat membuat keputusan dalam memilih sistem yang sesuai pada tahun berikutnya.

4. Laman web Bar KL

Beberapa percubaan dibuat dalam tempoh tahun ini untuk membina dan menyelenggarakan laman web Bar KL. Seperti tahun yang lalu, usaha usaha kami dihadkan oleh kekurangan sumbangan sukarela daripada ahli-ahli supaya mengarang dan menggubah bahan bagi laman web. Kami keberatan menggaji pihak luar untuk usaha ini kerana kurang yakin bahawa selepas dibayar perbelanjaan wang yang dikenakan ditahun ini, hasilnya boleh diteruskan di masa yang akan datang.

Kami berpendapat bahawa sesuatu laman web hanya boleh berjaya jika mendapat sumbangan sukarela yang secukupnya daripada ahli-ahli Bar KL dalam mengarang, menggubah dan menyelenggarakan laman web tersebut secara "hands-on".

5. eRelevan

Suatu pancaran cahaya termantul di ufuk, apabila penerbitan majalah kita, Relevan, menjelma dalam bentuk elektronik melalui internet. Penerbitan elektronik ini digelar "eRelevan". Ahli-ahli dijemput melawat www.klbar.org.my untuk membaca eRelevan.

6. Sistem Keadilan Elektronik

Pada bulan Jun 2001, seorang daripada ahli kita, Encik KH Koh, dijemput menghadiri suatu perbincangan yang diselenggarakan bagi pihak Adobe Inc, syarikat terkenal dengan perisian Adobe Acrobatnya.

Penglibatan Encik Koh bermula daripada pengesyoran oleh Dato' Mahadev Shankar (Hakim Mahkamah Rayuan, bersara). Di perbincangan tersebut, Encik Koh mewakili pihak Bar KL. Berlanjutan daripada perbincangan itu, pihak Adobe menjemput ahli-ahli persidangan melawat ke Mahkamah Tinggi Singapura untuk memerhatikan penggunaan teknologi yang dilaksanakan di negara itu.

Pada bulan November, Encik Koh, bersama-sama dengan 2 orang lain daripada Malaysia, disambut di Singapura oleh Puan Thean Yee Sze, Timbalan Pendaftar Mahkamah Tinggi Singapura. Satu laporan lawatan ini ada diterbitkan dalam isu Relevan bulan Februari 2002.

7. Kesimpulan

Daripada pengalaman tahun yang lalu ini, kami sedar dan lebih faham betapa jauhnya jarak diantara cita cita dengan pencapaian wawasan TM. Kami kurang berjaya mendapatkan sokongan daripada ahli-ahli yang berbilangan lebih daripada 5000 orang. Samada ini disebabkan usaha kami yang tidak mencukupi atau kerana sikap "tidak apa" di pihak ahli-ahli, susah dipastikan.

Kemungkinannya, ahli-ahli kami terlalu terlibat dalam kerja seharian dan tidak mengambil perhatian tentang teknologi. Akan tetapi, kami yakin bahawa TM boleh menolong dan meninggikan tahap kerja seseorang peguam dan kami akan terus berusaha menggalakkan ahli-ahli kita supaya meraih potensi yang sedia ada.

II. SURAT BERITA RELEVAN

Ahli-ahli Sidang Pengarang:

Zainudin Ismail (Pengarang)

Ragunath Kesavan

Ab Halim Abdullah

Nicole Wee

Megat Shahrudin Merican

1. Dua naskah Relevan telah diterbitkan bagi tahun 2001/02. Ahli Sidang Pengarang tidak dapat menerbitkan surat berita yang lebih dari itu kerana kekurangan sumbangan rencana/artikel daripada ahli-ahli. Kami sesungguhnya memerlukan lebih ramai ahli menulis.

2. Tahun ini, Sidang Pengarang telah bersetuju untuk silih gantikan kegunaan Bahasa Malaysia dan Bahasa Inggeris untuk Lidah Pengarang - satu terbitan dalam Bahasa Malaysia dan satu terbitan dalam Bahasa Inggeris.

Lidah Pengarang pertama adalah dalam Bahasa Malaysia yang berjudul "Bahasa Malaysia di Mahkamah - Apa Dah Jadi?" Lidah Pengarang kedua pula berjudul "Integrity and the Law" dalam Bahasa Inggeris.

3. Diantara tajuk-tajuk artikel yang terdapat dalam kedua-dua naskah Relevan tersebut adalah:-

Terbitan Pertama - Julai 2001

- Bar Council Gag Order? (oleh Ragunath Kesavan)
- Towards a Transformed Bar... (oleh Charles Hector)
- Judicial Appointment - Time for Reform (oleh Alex De Silva)
- Raising the Bogey (oleh N Surendran)
- Expert Psychiatric Opinions (oleh Dr Lim Chee Min)

Terbitan Kedua - Februari 2002

- Changes to the Housing Development Law - Promised Panacea or Disappointed Dawn? (oleh Dato' RR Sethu)
- The Censure and the Bar Elections (oleh Charles Hector)
- Environmental Law & Practice in Kuala Lumpur (oleh Jawatankuasa Undang-Undang Alam Sekitar)

4. Kami ingin mengucapkan terima kasih kepada semua pihak dan ahli-ahli yang telah menyumbang kepada penerbitan kedua-dua naskah Relevan tersebut.

PERHUBUNGAN AWAM & MAHKAMAH

Pengerusi: Jerald Gomez

Ahli-ahli:	Colin Pereira	Mohan Kanagasabai
	Mansheel Kaur	Joslyne Goonting
	Ravindra Kumar	Wong Chiong Seng
	Teh Yoke Hooi	Kenny Poon
	Alvin Julian	Adam Bachek
	Ravindran Nekoo	Mahathir Abdullah
	Christopher Leong	Lee Yu Ming

Kami telah melalui suatu tahun yang amat berkesan. Ianya bermula dengan Jawatankuasa Perhubungan Awam & Mahkamah ("PRCL") menulis kepada semua ahli Bar KL memaklumkan mengenai kewujudan kami dan meminta mereka menulis kepada kami mengenai apa apa aduan atau cadangan yang boleh kami kemukakan kepada pihak berkuasa yang berkenaan.

Mesyuarat khas dengan Tuan Rajendran (Hakim Mahkamah Sesyen, KL)

Ahli-ahli Jawatankuasa ini telah berjumpa dengan Tuan Rajendran pada 15.6.2001 untuk cuba mengatasi serba sedikit masalah yang dibangkitkan. Kami bertukar pendapat secara terus terang dan aduan-aduan ahli telah dibawa kepada perhatian beliau. Beliau pula ada beberapa aduan mengenai peguam-peguam yang hadir di Mahkamah. Kami meyakinkan kepada beliau bahawa kami akan mengambil perhatian keatas aduan-aduan beliau itu.

Mesyuarat dengan Hakim-Hakim Mahkamah Sesyen Selangor dan Pendaftar-Pendaftar

Kami telah mengadakan suatu mesyuarat yang berhasil dengan mereka pada 26.5.2001. Surat pekeliling kami No. KL 7/01 melaporkan perkara yang telah dibincangkan dan diselesaikan. Kami telahpun menerima maklumat yang positif daripada ahli-ahli bahawa sedikit sebanyak masalah telah dapat diatasi. Akan tetapi masih ada masalah berterusan dimana Hakim-Hakim Mahkamah Sesyen sendiri tidak dapat menyelesaikan diperingkat mereka, misalannya masalah kekurangan kakitangan.

Mesyuarat dengan Yang Arif Dato Mohd Hishamudin, Timbalan Pendaftar dan Penolong Kanan Pendaftar di Shah Alam

Kami telah mengadakan beberapa mesyuarat dengan mereka pada 30.5.2001, 14.7.2001 dan 23.11.2001. Banyak isu telah dibincangkan, masalah kekurangan kakitangan tetap yang disebut sebagai alasan berlakunya kelambatan dll. Kami telah juga membawa masalah ini kepada perhatian Hakim Besar yang telah menjanjikan kepada kami bahawa beliau akan mengkaji perkara tersebut.

Mesyuarat dengan Hakim Mahkamah Sesyen Klang

Kami telah mengadakan suatu mesyuarat dengan mereka pada 30.6.2001 bersama-sama dengan Jawatankuasa Peguam Selangor. Hakim-Hakim sangat bekerjasama dan telah mengambil perhatian kepada permohonan, aduan serta cadangan kami.

Mesyuarat dengan Hakim-Hakim Mahkamah Sesyen, Majistret-Majistret dan Pendaftar-Pendaftar di KL

Kami telah mengadakan suatu mesyuarat yang berhasil dengan mereka pada 8.9.2001. Banyak isu telah dibincangkan dan diselesaikan yang mana terkandung di dalam Surat Pekeliling No. KL 11/01 yang telah dihantar kepada ahli.

Kami telah menerima tindakbalas yang positif daripada ahli-ahli Bar dan juga daripada ahli-ahli Kehakiman selepas mesyuarat tersebut. Aduan yang utama daripada Badan Kehakiman ialah terdapatnya sedikit sahaja perhubungan diantara Badan Kehakiman dengan Badan Peguam berbanding dengan tahun-tahun sebelumnya. Mereka telah mencadangkan supaya suatu perjumpaan secara tidak resmi dianjurkan untuk berbincang selanjutnya dan mempertingkatkan perhubungan kerjaya diantara Badan Kehakiman dan Badan Peguam.

Kami telah menganjurkan suatu majlis "High Tea" untuk semua Hakim-Hakim Mahkamah Sesyen, Majistret-Majistret dan Pendaftar-Pendaftar pada 6.11.2001. Ramai yang menghadirinya. Banyak isu telah diperbincangkan dan diselesaikan semasa meminum teh.

Mesyuarat dengan Mahkamah Tinggi Kuala Lumpur Bahagian Jenayah

Kami telah berjumpa dengan Hakim-Hakim Bahagian Jenayah pada 18.8.2001. Mesyuarat ini tidak berjalan dengan lancar dan telahpun dilaporkan kepada ahli di dalam Surat Pekeliling No. KL 12/01.

Kami juga telah berjumpa dengan salah seorang Hakim selepas itu di dalam kamar untuk menyelesaikan beberapa isu tetapi ianya tidak berhasil.

Mesyuarat dengan 3 Bahagian Mahkamah Tinggi KL

Kami telah berjumpa dengan Hakim-Hakim, Pendaftar-Pendaftar dan Timbalan-Timbalan Pendaftar kesemua 3 Bahagian secara berasingan kerana terdapat banyak isu untuk diselesaikan dan terlalu banyak pihak yang harus ditujukan masalah ahli sekiranya hanya satu mesyuarat diadakan secara bersama. Mesyuarat-mesyuarat tersebut berjalan dengan lancar, Hakim-Hakim sangat bekerjasama. Kami berjumpa dengan mereka pada 18.9.2001, 20.9.2001 dan 25.9.2001. Kami mengucapkan terima kasih kepada Puan Mansheel Kaur yang bergiat untuk menghubungi Hakim-Hakim dan menganjurkan mesyuarat-mesyuarat tersebut. Hakim Besar juga telah menghadiri salah satu mesyuarat tersebut dan terdapat pertukaran pendapat, fikiran, aduan dan cadangan secara terus terang.

Kami telah melaporkan secara menyeluruh apa yang dibincangkan itu melalui Surat Pekeliling No. KL 12/01.

Kami telah menerima laporan yang positif daripada ahli-ahli khususnya berkenaan lif tambahan yang disediakan dan semua Hakim sekarang lebih bekerjasama, kecuali seorang.

Sessi Perbincangan dengan Jabatan Penilaian dan Perkhidmatan Harta Selangor, Pejabat Duti Setem dan Pejabat Cukai Perolehan Harta

Ini telah dianjurkan oleh Jawatankuasa Selangor dan pihak kami telah dijemput hadir. Kami telah menghadiri mesyuarat-mesyuarat dan cuba untuk menyelesaikan apa yang kami boleh.

Sessi Dialog antara Tuan Rajendran dengan ahli-ahli Bar KL

Kami telah menjemput Hakim Mahkamah Sesyen Tuan Rajendran untuk suatu sessi dialog dengan ahli-ahli Bar KL kerana banyak aduan dibuat mengenai Mahkamah beliau. Yang Arif juga mempunyai banyak aduan mengenai ahli-ahli Bar. Kami menjemput beliau untuk sessi dialog dengan ahli-ahli Bar KL berkenaan "Advocacy and Court Decorum". Yang Arif dengan baik hati bersetuju untuk berjumpa dengan kami.

Sessi dialog itu telah diadakan di Auditorium Majlis Peguam pada 16.1.2002. Auditorium telah sesak dengan peguam khususnya dengan peguam-peguam muda. Suatu pertukaran pendapat serta penyampaian aduan secara terus terang dan teratur dapat diadakan. Ramai yang keluar daripada sessi tersebut dengan perspektif yang berlainan mengenai Hakim tersebut. Hakim juga telah menerima ikhlas apa yang telah diperkatakan. Semasa jamuan teh menjamu selepas sessi tersebut, Hakim telah meminta kami memberitahu ahli-ahli Bar KL bahawa mereka bolehlah berjumpa dengan beliau di dalam kamar sekiranya ada apa-apa masalah di Mahkamah beliau. Pintu beliau sentiasa terbuka kepada ahli-ahli Bar KL, kata nya.

Mesyuarat dengan Puan Yamuna Menon (Ketua Bahagian Sivil, Mahkamah Sesyen, KL)

Kami telah mengadakan beberapa mesyuarat dengan Puan Yamuna Menon. Terima kasih kepada Encik Ravindra Kumar dan Cik Teh Yoke Hooi diatas usaha mereka yang berterusan dan yang tanpa mengira letih lesu. Masalah mengenai "BC Box" telah diselesaikan secara keseluruhannya. Suatu kaunter khas telah diwujudkan bagi ahli-ahli Bar membuat pertanyaan dan beberapa pegawai Mahkamah telah dipertanggungjawabkan untuk memaklumbalas sebarang pertanyaan atau aduan. Kami telah diminta untuk memberikan maklumbalas mengenai keberkesanan kaunter itu. Kami masih belum menerima sebarang reaksi daripada ahli-ahli mengenai kaunter tersebut.

Mesyuarat dengan Yang Arif Datuk Haji Suriyadi di Mahkamah Tinggi KL

Kami telah menerima banyak aduan bahawa Yang Arif Hakim ini telah membatalkan kes-kes dan meminta peguam-peguam hadir memakai jubah untuk kes-kes di dalam kamar yang didengar oleh beliau di dalam Mahkamah Terbuka.

Kami telah berjumpa Yang Arif Hakim ini pada 17.1.2002 dan mengucapkan selamat datang ke Kuala Lumpur kepadanya walaupun beliau hanya akan berada di sini selama 2 minggu. Kami memaklumkan kepada beliau apa yang telah dibincangkan oleh kami dengan Hakim-Hakim yang lain dan bagaimana kami mengadakan suatu perhubungan

yang baik serta selesa antara Badan Kehakiman dan Badan Peguam sebelum kehadiran beliau di sini.

Beliau menasihati kami supaya jangan bimbang kerana beliau hanya berada di sini untuk 2 minggu dan sekiranya peguam tidak berjubah beliau akan tangguh sebentar sehingga petang supaya mereka dapat mengambil jubah mereka dan selainnya. Beliau akan meletakkan papan tanda serta mendapatkan khidmat jurubahasa beliau untuk memanggil peguam di pejabat mereka untuk memaklumkan mengenai peraturan tersebut.

Pengambilan Nota secara berkomputer

Semasa mesyuarat kami dengan Hakim Besar kami telah mengemukakan masalah peguam-peguam mengenai nota prosiding yang tidak diberikan mengikut masa, yang terlalu berbeza dengan nota peguam dan berlakunya perubahan keatas nota-nota tersebut didalam beberapa kes.

Kami mencadangkan supaya nota-nota prosiding dirakamkan di dalam komputer dan dicetak serta merta dan 2 "monitor" diletakkan di hadapan peguam yang hadir supaya semua pihak dapat melihat apa yang sedang dirakamkan.

Ketua Hakim sangat bersetuju. Beliau meminta Jawatankuasa Peguam KL untuk mengambil langkah pertama dan menganjurkan projek pertama dengan salah satu Mahkamah di Kuala Lumpur yang mana kosnya dapat dikongsi.

Yang Amat Arif telah menasihati kami supaya mengkaji sistem yang diperkenalkan oleh Yang Arif Datuk Richard Malanjum di Sandakan untuk melihat samada ianya boleh diikuti disini.

Jawatankuasa Peguam KL telah menulis kepada Yang Arif Datuk Richard Malanjum yang secara besar hati telahpun menjemput kami datang ke Mahkamah beliau untuk melihat bagaimana ianya berfungsi. Yang Arif juga akan menerangkan kepada kami kesulitan serta kebaikan sistem tersebut.

Masa tidak memberikan kami peluang untuk membuat lawatan ini ke Sandakan dalam tempoh 2001/02 ini dan kami berharap projek ini diteruskan oleh Jawatankuasa 2002/03 nanti.

Malayan Law Journal untuk Bilik Peguam Wisma Denmark

Semasa perbincangan kami dengan Hakim serta ahli-ahli Bar kami selalu ditanya bagaimana untuk membaiki kualiti peguam, advokasi dan selainnya. Peguam kadang-kadang datang ke Mahkamah tidak bersedia, mereka tidak membaca autoriti-autoriti yang relevan dan selainnya.

Ahli-ahli Bar KL mengadu bahawa mereka harus menunggu begitu lama apabila kes mereka "ditangguh sebentar". Kami telah cuba untuk mengurangkan keadaan ini dengan memohon agar Hakim-Hakim dapat mengaturkan supaya kes untuk perbicaraan dalam sehari tidak dipanggil serentak.

Kami juga telah mencadangkan kepada Jawatankuasa Peguam KL untuk mengadakan suatu set MLJ untuk diletakkan di Bilik Peguam Wisma Denmark. Ianya akan memberikan peguam akses yang mudah kepadanya. Juga ada terdapat mesin fotostat di Bilik Peguam tersebut.

Jawatankuasa Peguam KL menyokong sebulat suara idea tersebut. Akan tetapi, ianya bersetuju membawa perkara itu kepada ahli-ahli semasa Mesyuarat Agung kelak. Sekiranya badan keseluruhannya bersetuju, maka Jawatankuasa baru boleh menyempurnakan cadangan tersebut.

Kami telah mengadakan mesyuarat-mesyuarat dengan Mahkamah mengenai beberapa aduan yang khusus. Semua ahli Jawatankuasa PRCL telah berakujanji untuk menjawab sendiri semua aduan yang diagihkan kepada mereka dan akan memaklumkan kepada ahli-ahli yang menulis, keputusan sesi-sesi dialog dan/atau mesyuarat yang diadakan untuk mengatasi masalah-masalah yang dikemukakan. Suatu pujian khas harus diberikan kepada Encik Mohan Kanagasabai kerana usaha beliau yang konsisten di dalam hal ini.

Sungguh seronok rasanya saya dapat bekerja dengan setiap dan semua ahli Jawatankuasa PRCL, kerana dedikasi mereka menjadikan tugas saya menjadi lebih mudah.

KEBAJIKAN PELATIH

Pengerusi: Oommen Koshy

Ahli-ahli: Yasmeen bt Hj Muhamad Shariff Sharmini Thiruchelvam
 Jayaletchumi Rajaretnam Leena Ghosh
 Ivan Wong Ee-Vern

Fungsi utama Jawatankuasa pada tahun ini adalah untuk mengawasi kesulitan-kesulitan yang dialami oleh peguam-peguam pelatih semasa menjalani latihan dalam kamar mereka serta mengesyorkan cara-cara tindakan dan penyelesaian kepada masalah-masalah tersebut. Selain daripada memberi perhatian kepada isu-isu seperti masalah-masalah antara peguam pelatih dan pengajar, bidang kerja peguam pelatih dan gangguan (harassment), apabila ianya dikemukakan, Jawatankuasa juga telah memberi perhatian kepada projek-projek berikut:-

1. Buku Panduan untuk peguam pelatih

Buku Panduan yang ada pada masa ini telah disediakan pada tahun 1995 dan semestinya telah ditinggal masa. Jawatankuasa mencadangkan supaya buku panduan tersebut dikemaskinikan untuk mempamerkan perubahan-perubahan yang telah berlaku.

Tugas pertama yang telah dilakukan oleh Jawatankuasa ialah mengkaji kandungan Buku Panduan dan menderafkan satu panduan yang mencerminkan pelbagai pindaan yang perlu. Projek pada masa ini masih dalam proses.

2. Menyediakan satu senarai semakan

Jawatankuasa telah mencadangkan perlunya disediakan satu senarai semakan yang menyeluruh untuk peguam pelatih memandangkan terdapat banyak dokumen-dokumen/kertas-kertas yang difail tidak lengkap untuk pendengaran "Short-call" dan "Long-call". Senarai semakan ini boleh membantu peguam pelatih secara terperinci dari pemfailan Petisyen sehingga ke peringkat "Long-call" dilaksanakan.

3. Kuliah mengenai Pengurusan Risiko

Kuliah-kuliah ini asalnya dikendalikan oleh Antah Sedgewick untuk kepentingan peguam-peguam pelatih. Jawatankuasa mengesyorkan untuk mendapatkan perkhidmatan Willis (M) Sdn Bhd untuk meneruskan kuliah-kuliah ini. Tetapi sehingga kini, Willis (M) Sdn Bhd telah menyatakan mereka tidak sedia untuk berbuat demikian.

4. Sessi Dialog dengan peguam-peguam pelatih yang terlibat dalam pembatalan keputusan CLP

Dialog telah diadakan pada 23.11.2001 di Bilik Seminar Jawatankuasa Peguam KL, di mana semua peguam-peguam pelatih serta orang-orang yang terlibat dalam pembatalan keputusan CLP telah dijemput untuk membentangkan rungutan mereka kepada ahli-ahli Jawatankuasa ini, Jawatankuasa Peguam KL dan juga ahli-ahli Majlis Peguam.

Jawatankuasa ini yang sememangnya tidak setuju dengan pembatalan keputusan CLP itu telah mengadakan sesi dialog ini supaya Jawatankuasa dapat membuat pendirian agar pembatalan yang dibuat oleh Lembaga Kelayakan itu ditarik balik.

Oleh itu, sesi dialog ini penting dan telah memainkan peranan utama dalam menyakinkan ahli-ahli Majlis Peguam dalam mesyuarat yang diadakan pada 24.11.2001 untuk memutuskan bahawa pembatalan keputusan CLP itu patut ditarik balik.

5. Lain-lain

Pada tahun 2001, seramai 785 kemasukan baru diluluskan kedalam Bar Kuala Lumpur. Jawatankuasa merakamkan penghargaan dan ucapan terima kasih kepada ahli-ahli berikut diatas segala bantuan dan sokongan mereka mewakili Jawatankuasa Peguam KL semasa prosiding-prosiding Kemasukan:-

Aimee Liew	Collin Sequerah	Low Chooi Ping	Selva Veeriah
Alex Chang	Deepinder Kaur	Mallika Lee	Selvi Kanagasabai
Alvin Loo	Florence VJ Jayaraj	Mazlinda Makhzan	Stanley Sinnappen
Anand Ponnudurai	Francis Innasi Brigged	Mohamad Isherafer	Viola Lettice De Cruz
Bhartidevi Seth	GK Ganesan	Mohd Omar Hussien	Viswanathan Shanmugam
Cheow Wee	Jane Carlos	Muhendaran Suppiah	Wong Heng Khong
Cheryl Nicholson	Jayaletchumi Rajaretnam	R Rajes	Yokinee Selvam
Christopher Leong	Joy Appukuttan	Rueben Mathiavararam	Yong Lai Ling
Chuah Haw Ping	Loh Chien Hsiung	S Thilagavathy	Yvonne Kalathini Raj

SOSIAL

Pengerusi: Colin Andrew Pereira

Ahli-ahli: Ivan Wong Ee-Vern
Sharmini Thiruchelvam
Reggie Wong Mew Sum

Sanjeev Kumar Rasiah
Radha Rajasingam
Suhaidar Mohd Nawawi

1. Majlis Makan Malam Tahunan

Acara utama bagi tahun 2001 merupakan majlis makan malam tahunan yang telah diadakan pada 13.10.2001. Terdapat keraguan pada awalnya samada minat yang cukup dapat diperolehi di kalangan peguam-peguam Kuala Lumpur untuk menjayakan majlis ini. Akan tetapi, ianya menjadi ketara dari awal lagi bahawa keraguan tersebut adalah tidak berasas dan jumlah peguam yang hadir untuk majlis makan tersebut melebihi jumlah yang dijangka akan hadir. Dalam menyambut majlis makan malam yang pertama bagi alaf baru ini Jawatankuasa ini bertuah dengan kehadiran Hakim Besar Malaya, Yang Amat Arif Dato' Ahmad Fairuz.

Jumlah kutipan bersih acara ini akan didermakan kepada Persatuan Pemeliharaan dan Penyaraan Kanak-Kanak Malaysia (MACAS). MACAS telah ditubuhkan pada 1970 di mana ianya dikenali sebagai "Selangor Foster Care Association". Ianya bertukar nama dalam tahun 1980 dan kini adalah dibawah naungan DYMM Tuanku Bahiyah Binti Almarhum Tuanku Abdul Rahman, Sultanah Kedah Darul Aman. Tujuan utama persatuan ini adalah untuk membantu meningkatkan taraf hidup berkeluarga dan untuk mengelakkan kekurangan yang ketara, makanan tak seimbang, kematian dan penderaan kanak-kanak serta menyokong usaha kerajaan untuk memelihara keperluan kanak-kanak yang kurang upaya dan miskin. Persatuan ini memberikan bantuan berupa kewangan dan perkhidmatan anak angkat.

Presiden persatuan ini, Yang Amat Mulia Raja Dato' Seri Eleena Azlan Shah, juga seorang peguam, telah menghadiri majlis makan malam tersebut.

Jawatankuasa ini berjaya mengumpul jumlah wang sebanyak RM38,440.32 daripada penjualan tiket untuk majlis makan malam tersebut, lelong amal dan pendermaan peribadi.

2. "Do" Bulanan Bar KL

Jawatankuasa ini juga diberi tugas untuk mengelolakan "Do" bulanan Bar KL yang sebelum ini dikendalikan oleh Jawatankuasa Peguam Muda.

3. Derma Darah

Jawatankuasa ini telah menganjurkan dua kempen derma darah iaitu pada 5.7.2001 dan 7.2.2002. Pegawai-Pegawai serta kakitangan daripada Mahkamah Rendah juga turut serta mengambil bahagian di dalam sesi yang kedua.

Kempen derma darah pertama diadakan bersama Hospital Universiti dan kempen yang kedua adalah diadakan bersama Hospital Kuala Lumpur.

4. Jamuan Teh

Suatu jamuan teh telah diadakan pada 27.7.2001 untuk bekas Pengerusi-Pengerusi serta Setiausaha-Setiausaha Jawatankuasa Peguam Kuala Lumpur bersama-sama dengan ahli-ahli Jawatankuasa dan ahli-ahli Jawatankuasa Kecil masa kini sebagai tanda penghargaan Jawatankuasa Peguam terhadap perkhidmatan mereka yang silam.

SUKAN

Pengerusi: Oommen Koshy

Ahli-ahli: Dennis Appaduray
Christopher Foo
Sarbjit Singh

P Jeyakumar
Koh Yew Chong
Chan Chee Woei

1. KONVENOR-KONVENOR

Konvenor-konvenor berikut telah dilantik untuk membantu Jawatankuasa Sukan dalam mengendalikan acara-acara permainan tersebut:-

- | | | | |
|-------|--------------|---|----------------------|
| i. | Badminton | - | A.I. Nathan |
| ii. | Kriket | - | Alex De Silva |
| iii. | Baling Damak | - | Koh Yew Chong |
| iv. | Golf | - | Sarbjit Singh |
| v. | Hoki | - | Satvinder Singh |
| vi. | Bola Jaring | - | Kathleen Marie Nunis |
| vii. | Pool | - | Anand Ponnudurai |
| viii. | Bola Sepak | - | Peter Douglas Ling |
| ix. | Skuash | - | Jayne Koe |
| x. | Tenis | - | Aimee Liew |
| xi. | Bola Tampar | - | Wan Nadhri |

2. SIRI TAHUNAN

2.1 Sukan Bar KL/Selangor Yang Ke-2
(Piala Pusingan Lall Singh Muker)

Tuan rumah bagi siri ke-2 ini adalah Bar Selangor dan ianya telah berlangsung di Klang pada 19.10.2001 dan 20.10.2001. Permainan berkeputusan seri dan kita (Bar KL dan Selangor) menggelarkan diri sebagai Juara Bersama. Keputusan-keputusan permainan adalah seperti berikut:-

- | | | |
|---|---|-----------------------------|
| Golf | : | Dimenangi oleh Bar Selangor |
| <i>(Piala Pusingan yang disumbangkan oleh Kandiah Chelliah)</i> | | |
| Badminton | : | Dimenangi oleh Bar KL |
| Bola Jaring | : | Dimenangi oleh Bar KL |
| Bola Tampar | : | Dimenangi oleh Bar KL |
| Hoki | : | Dimenangi oleh Bar KL |
| Bola Sepak | : | Dimenangi oleh Bar Selangor |
| Baling Dampak | : | Dimenangi oleh Bar Selangor |
| "Lumba Perahu" | : | Dimenangi oleh Bar Selangor |

2.2 "KARNIVAL SUKAN " BAR KL lwn KELAB DIRAJA SELANGOR (RSC) YANG KE-13
(Piala Pusingan Tan Sri Dato' Harun Hashim)

"Karnival Sukan" yang ke-13 telah berlangsung pada 26.1.2002. Selain daripada skuash dan pool yang berlangsung di RSC Town Club, semua permainan telah berlangsung di RSC Bukit Kiara. RSC sekali lagi menonjol diri sebagai juara keseluruhan. Keputusan-keputusan adalah berikut:-

Permainan	Keputusan	Penderma Piala Pusingan
Kriket	Dimenangi oleh RSC	Mendiang Encik RR Chelliah <i>(Piala Pusingan DD Chelliah)</i>
Tenis	Dimenangi oleh RSC	Encik T Selvarasan
Baling Dampak	Dimenangi oleh RSC	Y Bhg Dato' Dr Lim Teong Wah
Skuash	Seri	Y Bhg Dato' Param Cumaraswamy
Pool	Dimenangi oleh RSC	Encik Sou Yong
Bola Jaring	Dimenangi oleh RSC	Encik Max Lall Singh

Bola Sepak	Dimenangi oleh RSC	Y Bhg Datuk Dr James P Ongkili
Hoki	Seri	Mendiang Encik GTS Sidhu
"Lumba Perahu"	Dimenangi oleh Bar KL	YA Dato' Faiza Tamby Chik

3. PERTANDINGAN-PERTANDINGAN TERBUKA BAR KL

3.1 Hoki - Bar KL 6-A-Sebelah Yang Ke-10 (berlangsung pada 13.1.2002)
(Piala Pusingan Joga Singh Dhaliwal)

Juara : RSC
Naib Johan : Harcharan & Co.

3.2 Bola Sepak - Piala Memorial Thayalan 7-Sebelah Yang Ke-14 (berlangsung pada 20.1.2002)
(Piala Pusingan disumbangkan oleh Skrine)

Juara : Kanaga Suresh & Co
Naib Johan : Bar Negeri Sembilan

4. BAR MALAYSIA KEJOHANAN ANTARA NEGERI

4.1 Kejohanan Badminton Antara Negeri

Satu pasukan yang terdiri dari 6 pemain diketuai oleh convenor Encik AI Nathan telah dihantar ke Kuantan pada 18.8.2001 untuk mengambil bahagian dalam Kejohanan Badminton Antara Negeri Bar Malaysia yang pertama yang dianjurkan oleh Jawatankuasa Peguam Pahang. Lima pemain yang lain ialah David Gan, Francis Ng, Kelvin Kong, Chia Wen Chow dan V Stanislaus.

Malangnya hanya 3 pasukan sahaja yang telah mengambil bahagian, iaitu Bar Pahang, Bar Selangor dan Bar KL. Bar KL telah menjadi juara dengan mengalahkan Bar Pahang 4-0 dan Bar Selangor 3-0.

5. UCAPAN TERIMA KASIH

Jawatankuasa ingin merakamkan ucapan terima kasih kepada semua konvenor yang telah meluangkan masa dan tenaga dalam menganjurkan acara-acara masing-masing. Jawatankuasa juga berterima kasih kepada semua penyumbang piala pusingan kerana ianya membantu menjayakan pelbagai pertandingan. Akhir kata Jawatankuasa berterimakasih kepada semua ahli yang bersemangat kesukanan di atas penyertaan serta sokongan mereka.

PEGUAM-PEGUAM MUDA

Penasihat: Sa'adiah bt Din

1. 5 orang ahli Bar berikut telah dilantik dimasa Mesyuarat Agung Tahunan Bar Kuala Lumpur yang ke-9 untuk menganggotai Jawatankuasa Peguam-peguam Muda bagi sesi 2001/2002 (dahulunya dikenali sebagai Perwakilan Peguam-peguam Muda):-

Sanjeev Kumar Rasiah
Gurpreet Singh Sidhu
Moganambal Murugappan
Suhaidar Mohd Nawani
Cheng Poh Heng

2. OBJEKTIF:

Objektif-objektif utama Jawatankuasa Peguam-peguam Muda (JPM) untuk sesi ini adalah seperti berikut:

- 2.1 Bagi menggiatkan dan menyusun semula aktiviti-aktiviti JPM yang membawa manfaat kepada Peguam-peguam Muda;
- 2.2 Bagi menumpukan perhatian kepada segala masalah, cabaran serta keperluan dan secara amnya memajukan kebajikan Peguam-peguam Muda;
- 2.3 Bagi mendapatkan pandangan-pandangan bagaimana Peguam-peguam Muda boleh bekerjasama selanjutnya dengan Jawatankuasa Peguam Kuala Lumpur (JPKL) dan Majlis Peguam bagi menjayakan progam-progam mereka;
- 2.4 Bagi menggalakkan lebih ramai Peguam-peguam Muda mengambil bahagian dengan lebih aktif melalui JPM; dan
- 2.5 Bagi mendapatkan mandat daripada Peguam-peguam Muda mengenai aktiviti-aktiviti yang patut dikelolakan untuk mereka.

Gabungan usaha di antara JPM yang baru dilantik dengan JPKL dan juga kakitangan-kakitangan JPKL telah digembelngkan untuk mengadakan mesyuarat JPM pada 27 April, 2001 pada pukul 6.30 petang di Auditorium Majlis Peguam, Tingkat Bawah, Bangunan Loke Yew, Jalan Mahkamah Persekutuan, Kuala Lumpur. Walaupun dengan usaha yang gigih dijalankan oleh pihak-pihak yang terbabit, kehadiran pada mesyuarat tersebut hanya menjangkau angka 89 orang, jauh lebih kurang daripada jangkauan seramai 200 orang. Jumlah yang hadir adalah termasuk ahli-ahli Jawatankuasa JPKL yang membawa seorang lagi ahli bersama mereka yang mana mereka ini telah menghulurkan sumbangan sebanyak RM10.00 seorang bagi tujuan menjayakan aktiviti-aktiviti JPM.

Keadaan di atas juga menunjukkan bahawa walaupun keahlian peguam-peguam muda adalah sebanyak 65% daripada keseluruhan bilangan ahli Bar Kuala Lumpur yang bilangannya lebih 5000 orang, peguam-peguam muda masih tidak mempunyai pakatan untuk bersuara bagi mengutarakan kepentingan-kepentingan mereka. Mereka masih bergantung kepada JPKL dan Majlis Peguam untuk memberikan mereka fokus dan hala tuju. Tanggungjawab untuk bergerak dan membangunkan diri mereka sebagai satu kuasa yang disegani adalah sesuatu yang sepatutnya dipikul sendiri di bahu mereka.

3. AKTIVITI-AKTIVITI

Selain daripada aktiviti-aktiviti JPM sendiri, ahli-ahli JPM juga sangat aktif di dalam banyak program dan acara JPKL dan Majlis Peguam yang mana di antaranya adalah seperti berikut:-

- 3.1 Minggu Kesedaran Undang-Undang yang dianjurkan oleh Majlis Peguam di mana ianya diadakan di Pasarbudaya (Central Market), Kuala Lumpur dari 22 hingga 25 Februari, 2001.
- 3.2 Menghadiri sesi dialog dan makan tengahari dengan Timbalan Perdana Menteri yang diadakan di Perdana Ballroom, Mint Hotel, Seri Kembangan, Selangor Darul Ehsan pada 26 Mei, 2001.

- 3.3 Menjalankan kaji selidik tentang Gaji Peguam-peguam Muda pada bulan Jun, 2001.
- 3.4 Bekerjasama menjayakan Seminar yang dianjurkan oleh Jawatankuasa Pembaharuan Undang-Undang, Pusat Bantuan Guaman Majlis Peguam (Kuala Lumpur) yang diadakan di bilik Seminar JPCL pada 7 Julai, 2001.
- 3.5 Menghadiri mesyuarat bulanan JPCL sebagai pemerhati;
- 3.6 Menghadiri mesyuarat bulanan "National Young Lawyers Committee" Majlis Peguam (NYLC) di mana dua wakil telah dilantik untuk menjadi ahli Jawatankuasanya dan NYLC telah menganjurkan program "Lawyers Get Together" di Pulau Perhentian daripada 17 hingga 19 Ogos, 2001;
- 3.7 Menganjurkan Pertandingan Boling dengan Timbalan-Timbalan Pendaftar dan Penolong-Penolong Kanan Pendaftar Mahkamah Tinggi Kuala Lumpur yang diadakan di Cosmic Bowl, Mid-Valley Megamall pada 14 September, 2001;
- 3.8 Bekerjasama menjayakan Majlis Makan Malam Tahunan JPCL yang telah diadakan di Hotel Mutiara, Kuala Lumpur pada 13 Oktober, 2001 yang telah diserikan dengan kehadiran beberapa orang Hakim-Hakim termasuk Hakim Besar YAA Dato' Ahmad Fairuz. Sebanyak RM38,440.32 telah berjaya dikumpulkan daripada penjualan tiket-tiket lelongan amal dan sumbangan-sumbangan secara individu telah didermakan kepada "Malaysian Children's Aid Society" di bawah naungan DYMM Tuanku Bahiyah Binti Almarhum Tuanku Abdul Rahman, Sultanah Kedah Darul Aman. Presiden persatuan tersebut yang juga merupakan ahli peguam, iaitu Yang Amat Mulia Raja Dato' Seri Eleena Raja Azlan Shah juga telah hadir ke Majlis Makan Malam tersebut;
- 3.9 Menghadiri Jamuan Teh bersama Hakim-Hakim, Majistret-Majistret dan Pendaftar-Pendaftar Mahkamah Rendah Kuala Lumpur yang dianjurkan oleh Jawatankuasa Perhubungan Awam dan Mahkamah yang telah diadakan di Hotel Renaissance Kuala Lumpur pada 6 November, 2001;
- 3.10 Menyertai delegasi NYLC di dalam sesi dialog dengan Encik Matthias Chang, Setiausaha Politik kepada Perdana Menteri yang diadakan di pejabat beliau di Putrajaya pada 12 November, 2001;
- 3.11 Menghadiri Jamuan Teh bersama Hakim-Hakim Mahkamah Tinggi dan Timbalan-Timbalan Pendaftar yang dianjurkan oleh Jawatankuasa Perhubungan Awam dan Mahkamah yang diadakan di Kelab Taman Perdana Diraja, Kuala Lumpur pada 12 November, 2001;
- 3.12 Menghadiri mesyuarat yang dianjurkan oleh Jawatankuasa Kebajikan Pelatih dan JPCL dengan calon-calon peperiksaan "Certificate in Legal Practice" Julai 2001 yang mana keputusan peperiksaan tersebut telah dibatalkan.

4. SEMINAR DAN PERBINCANGAN

JPM telah merancang untuk mengadakan seminar-seminar dan perbincangan-perbincangan bagi tujuan menaikkan tahap kemahiran "Advocacy" peguam-peguam muda. Walau bagaimanapun seminar-seminar dan perbincangan seumpama tersebut telahpun dianjurkan oleh JPCL, Majlis Peguam, Jawatankuasa Peguam Selangor dan organisasi swasta dan ini menyebabkan JPM tidak mahu menjalankan aktiviti-aktiviti yang sama di dalam bidang tersebut.

5. AKHIR KATA

Kegiatan Peguam-peguam Muda dalam memerajui perubahan-perubahan dan mempertahankan kesucian keadilan berterusan sehingga kini sebagaimana yang dapat dilihat di dalam krisis kehakiman pada tahun 1988 dan salah laku pegawai-pegawai kanan kehakiman pada tahun 1999. Peguam-peguam Muda sepatutnya menjuarai perjuangan untuk kebaikan diri mereka, agar mengerakkan tindakan pembatalan peraturan yang menetapkan tujuh tahun seperti terkandung di dalam Seksyen 46 A(1)(a) Akta Profesion Undang-Undang 1976.

6. UCAPAN TERIMA KASIH

JPM dengan ini merakamkan penghargaan dan terima kasih kepada Majlis Peguam, JPCL dan jawatankuasa-jawatankuasa yang lain yang telah memberi sokongan kepada kami di dalam menjayakan aktiviti-aktiviti JPM.

BANTUAN GUAMAN

AHLI-AHLI PANEL :

Encik Ragnath Kesavan (Pengerusi)
Cik Jayaletchumi Rajaretnam (Setiausaha Kehormat)
Encik Ravi Nekoo (Penolong Setiausaha Kehormat)
Cik Sharmini Thiruchelvam
Encik M Puravalen
Encik Sivarasa Rasiah
Cik Yasmeen Mohd Shariff
Encik Ngooi Chiu-Ing
Cik Sa'adiyah Din
Encik Ramesh Lachmanan
Encik N Surendran
Cik K Nachammai

Cik K Parameswary
Encik B Murugayah
Encik S Muhendaran
Cik M Kamalam
Encik Zainudin Ismail
Cik Noorsuhaida Kasri
Encik A Balakisanan
Encik S Balasubramaniam
Encik Francis Pereira
Cik Ramlah Begum
Encik Charles Hector

1. PENGENALAN

Pusat Bantuan Guaman Majlis Peguam Kuala Lumpur (BCLACKL) pada kebelakangan ini telah berusaha untuk menyatukan aktiviti-aktiviti yang dijalankan dengan satu tujuan iaitu untuk meningkatkan kualiti perkhidmatan yang diberikan kepada klien-klien. Walaupun terdapat peningkatan ketara sebanyak 25.4% dari segi jumlah klien-klien yang telah dibantu oleh Pusat ini jika dibandingkan dengan tahun 2000, peningkatan ini menunjukkan bahawa Pusat ini telah mencapai kejayaan dan kami masih mengambil berat sama ada perkhidmatan yang diberikan adalah memuaskan dan berkualiti.

Kami sedia maklum bahawa penggerak utama BCLACKL adalah pelatih-pelatih dalam kamar yang sedang melalui latihan wajib selama 14 hari dengan pusat ini. Pelbagai kaedah sedang dibuat untuk menyedarkan pelatih-pelatih ini di dalam tempoh 14 hari latihan mereka di pusat ini, tentang peranan mereka sebagai peguam dalam konteks pembangunan negara dan memertabatkan perjuangan dan khidmat profesion ini seperti yang diperuntukkan oleh Seksyen 42, Akta Profesion Guaman 1976.

Jawatankuasa Latihan dan Pembangunan Kemahiran sedang berusaha untuk meningkatkan taraf latihan para pelatih dan manual latihan sentiasa dikemaskini dan diperbaharui. Pusat Kuala Lumpur telah memberikan akses kepada Pusat Bantuan Guaman di negeri-negeri lain untuk mendapatkan manual latihan kami dan juga modul-modul latihan. Penubuhan projek 'Dock Brief' di negeri-negeri lain pada hakikatnya adalah berdasarkan kerja-kerja yang telah diinisiatifkan oleh BCLACKL.

Pusat-pusat Bantuan Guaman di setiap negeri bergantung sepenuhnya kepada Majlis Peguam untuk mendapatkan bantuan kewangan dan memandangkan bantuan kewangan yang terhad, kami telah mengambil inisiatif untuk mengumpul wang selaras dengan Jawatankuasa Kebangsaan Pusat Guaman (NLAC). Sebagai projek permulaan, kami dengan jayanya menganjurkan satu Tayangan Amal Perdana "The Mexican" dan berjaya mengumpul sejumlah RM29,720.00. Kami ingin mengucapkan terima kasih kepada ahli-ahli Majlis Peguam Kuala Lumpur (Majlis Peguam KL) dan juga pelbagai firma undang-undang yang menyokong projek ini dari segi kewangan ataupun lain-lain cara.

Kami ingin mengambil kesempatan untuk berterima kasih kepada ahli-ahli Majlis Peguam KL dan juga ahli-ahli dari negeri-negeri lain yang sudi meluangkan masa dan khidmat mereka untuk Pusat ini dalam menjayakan skim bantuan guaman Majlis Peguam. Skim Bantuan Guaman Majlis Peguam Malaysia telah menjadi satu kejayaan yang tiada bandingan dari segi khidmat-khidmat yang diberi dan juga memberikan akses wakil guaman kepada komuniti-komuniti yang memerlukan dalam masyarakat kita.

Sukarelawan-sukarelawan yang terlibat adalah terdiri daripada ahli-ahli Majlis Peguam yang sentiasa bersedia untuk memberikan khidmat mereka apabila diperlukan. Namun begitu, kami memerlukan penyertaan yang lebih ramai daripada ahli-ahli Majlis Peguam dalam situasi yang 'biasa' dan 'harian'. Projek Penjara Kajang dan Sungai Buloh yang dijalankan pada hari Sabtu, klinik LAC di pusat kami serta projek 'Dock Brief' berada dalam keadaan kritikal dan sangat-sangat memerlukan peguam-peguam sukarela untuk menyelia dan membantu pelatih-pelatih.

Sekali lagi, kami ingin menggesa ahli-ahli kami untuk menghubungi Pusat ini untuk menawarkan khidmat dan masa mereka bagi meningkatkan kualiti perkhidmatan yang kami sediakan kepada masyarakat. Skim sukarelawan kami yang fleksibel membolehkan para peguam dari pelbagai disiplin, tidak terhad kepada litigasi untuk menyumbang dengan apa jua cara.

Kebanyakan daripada projek kami dijalankan di luar mahkamah dan selepas waktu pejabat serta hujung minggu. Para peguam boleh memilih untuk menyertai projek-projek ini yang hanya mengambil masa beberapa jam sekali di dalam 2-3 bulan.

Kami percaya bahawa dengan penyertaan lebih ramai ahli, makin berkuranglah bebanan yang ditanggung oleh sukarelawan yang sedia ada. Terdapat kurang daripada 10% daripada ahli-ahli Majlis Peguam KL iaitu lebih kurang 400 orang peguam menyertai sukarelawan di Pusat kami. Mereka telah mengambil atau menyelia lebih kurang 9000 kes yang dikendalikan oleh Pusat. Pihak kami memerlukan lebih ramai lagi sukarelawan untuk membantu meningkatkan lagi perkhidmatan Kami.

Kami ingin mengucapkan terima kasih kepada ahli-ahli sepenuh masa Pusat di bawah panduan Pentadbir kami Cik Dorathy Benjamin dan Setiausaha Eksekutif Cik Jessica Goh di atas komitmen dan dedikasi dalam menjalankan tugas-tugas mereka. Panel Pengurus sedia maklum akan peranan mereka dan merasakan perhubungan kami seperti rakan kongsi yang sama penting dalam mencapai tujuan dan objektif kami.

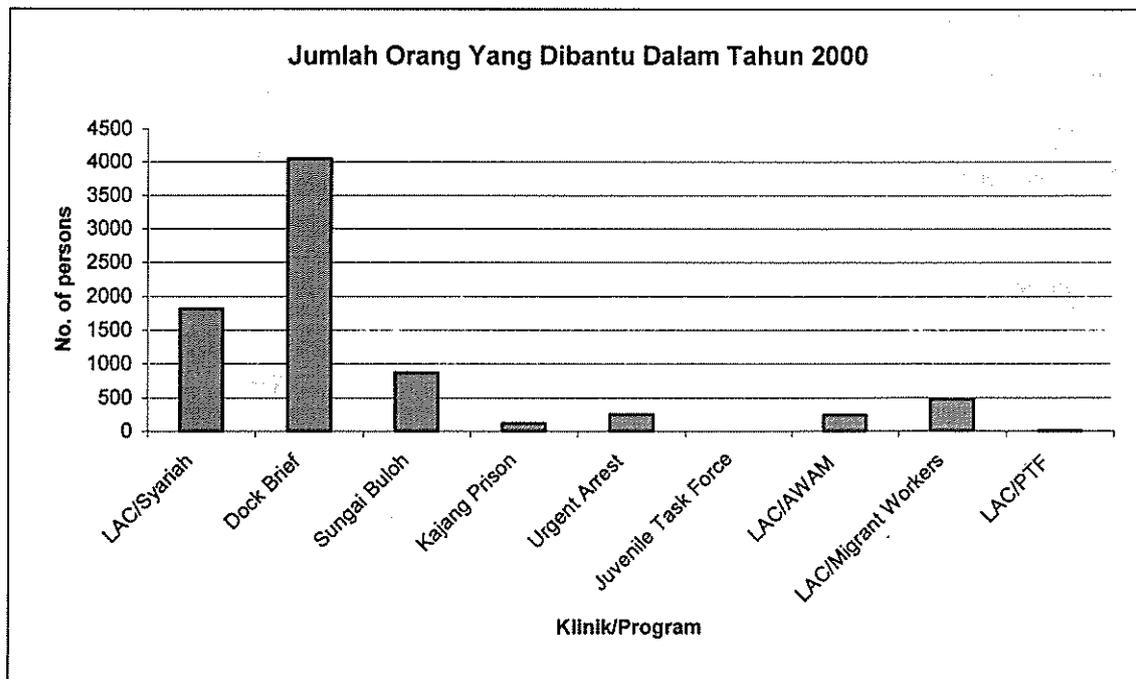
Selanjutnya dilampirkan laporan aktiviti projek-projek BCLACKL serta akaun tahunan yang sudah diaudit.

R. Kesavan
Untuk dan bagi pihak Panel Pengurusan
Pusat Bantuan Guaman Majlis Peguam (Kuala Lumpur)

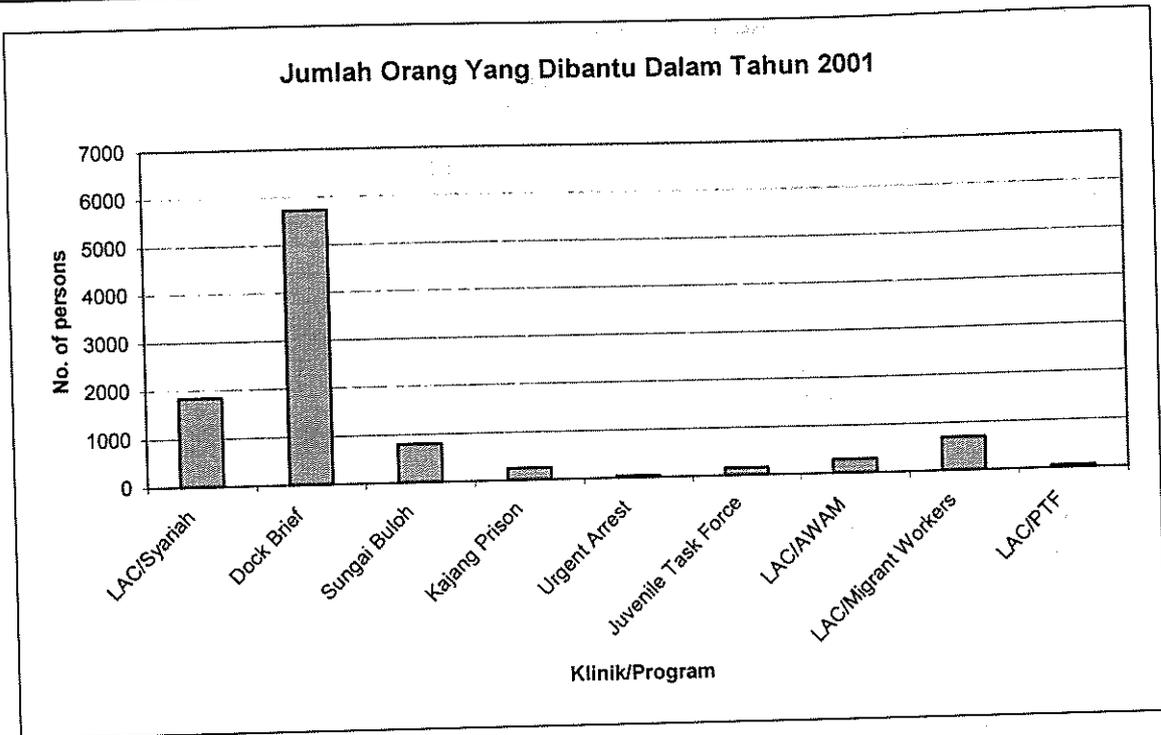
2. STATISTIK PROGRAM DAN KLINIK BCLACKL TAHUN 2001

Orang yang dibantu	TAHUN 2000	TAHUN 2001	% Peningkatan
Legal Aid Centre Klinik/Syariah Klinik	1819	1839	1.1
Program Dock Brief	4050	5727	41.4
Klinik Penjara Sungai Buloh	870	794	-8.7
Klinik Penjara Wanita Kajang	120	252	110
"Urgent Arrest"	250	37	-85.2
"Juvenile Task Force"	Nil	153	
Klinik-klinik luar			
Klinik LAC/AWAM	246	283	15.04
Klinik LAC/"Migrant Workers"	481	700	45.5
"LAC/PTF Legal Information Service Clinic"	10	50	400
JUMLAH ORANG YANG DIBANTU	7846	9835	25.4

Representasi (Fail Dibuka dan Mitigasi)	
Jenayah	560
Keluarga	112
Syariah	35
Pekerjaan	21
Mitigasi/ Permohonan Jamin Program Dock Brief	5727
Lain-lain	11
Perumahan	1
Tahah	1
Imigresen	1
Jumlah fail dibuka dan membuat mitigasi	6469



Jumlah Orang Yang Dibantu Dalam Tahun adalah 7846 orang



Jumlah Orang Yang Dibantu Dalam Tahun adalah 9835 Orang

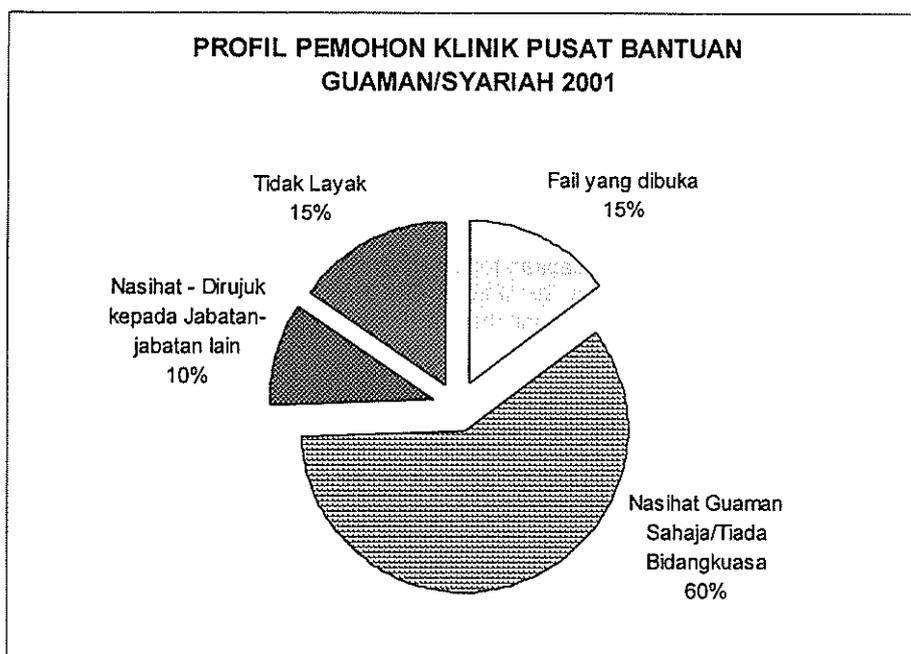
3. KLINIK PUSAT BANTUAN GUAMAN

Ahli Jawatankuasa

Andrew Teh
 Jayaletchumi Rajaretnam
 Ong Chin Siong

Ramesh K Kumaraguru
 Ramesh Lachmanan
 Satvinder Singh

Profil Pemohon Klinik Pusat Bantuan Guaman/Syarlah 2001	
Jumlah Pemohon	1843
Fail yang dibuka	269
Nasihat Guaman Sahaja/Tiada Bidangkuasa	1103
Nasihat - Dirujuk kepada Jabatan-jabatan lain	186
Tidak Layak	285



Klinik Pusat Bantuan Guaman ("Klinik LAC") ini beroperasi di bawah Urus Setia Majlis Peguam Pusat Bantuan Guaman Kuala Lumpur. Klinik LAC ini dibuka untuk umum pada hari Isnin hingga Jumaat dari jam 10.00 pagi hingga 1.00 tengah hari dan dari jam 2.00 hingga 4.30 petang. Klinik LAC ini hanya memberikan bantuan kepada mereka yang layak setelah lulus ujian penilaian kemampuan ("means test").

Klinik LAC ini dibantu oleh pelatih-pelatih dalam kamar, yang berkhidmat di Pusat Bantuan Guaman selama tiga (3) bulan dan mereka bertugas seminggu sekali. Klinik Syariah juga dijalankan bersama-sama dengan Klinik LAC. Klinik LAC mempunyai dua orang pelatih dalam kamar sementara Klinik Syariah mempunyai seorang pelatih dalam kamar pada setiap sesi pagi dan petang.

Pelatih-pelatih di Klinik LAC dikehendaki menjalani latihan sehari, yang menyediakan latihan asas di dalam teknik menemubual dan juga perbincangan mengenai undang-undang jenayah, undang-undang buruh dan undang-undang keluarga.

Kami di dalam usaha untuk memperbaiki program latihan ini supaya ia menjadi lebih efektif dan lebih menarik untuk pelatih-pelatih dalam kamar.

Antara masalah utama yang dihadapi oleh Klinik LAC ini ialah kekurangan peguam-peguam sukarela untuk membantu menyelia Klinik ini. Kami memerlukan sukarelawan dari Majlis Peguam Kuala Lumpur untuk tampil ke hadapan dan memberikan khidmat kepada Klinik kami sebagai penyelia. Setiap sukarelawan boleh menentukan sendiri jumlah jam atau hari mereka ingin berkhidmat, tertakluk kepada jadual tugas mereka sendiri.

Tahun lepas, BBLACKL di bawah Klinik LAC ini telah menganjurkan klinik pendekatan dengan kerjasama dan sokongan 'Community Development Centre (CDC)' di Rumah Panjang Balakong, Seri Kembangan pada 29 Julai 2001. CDC adalah satu badan bukan kerajaan yang terlibat secara langsung di peringkat masyarakat. CDC bertanggungjawab mempromosikan klinik pendekatan tersebut. Para Peguam sukarelawan telah mengadakan penerangan ringkas tentang undang-undang jenayah, undang-undang buruh dan isu-isu kebajikan sosial, undang-undang keluarga dan undang-undang keganasan rumahtangga, undang-undang perumahan dan harta-benda. Pelatih-pelatih dalam kamar juga telah mengadakan persembahan ringkas berkenaan undang-undang jenayah. 19 orang peguam sukarelawan dan 2 orang pelatih dalam kamar telah menghadiri klinik pendekatan ini. Satu klinik undang-undang telah diadakan selepas ceramah ringkas. 52 orang anggota masyarakat Rumah Panjang Balakong, Seri Kembangan telah tampil untuk mendapatkan nasihat guaman pada hari tersebut.

Klinik pendekatan ini didapati kurang berkesan dan tidak berjaya kerana jumlah kehadiran yang kecil berbanding dengan jumlah 1,000 orang di dalam masyarakat. Sambutan yang kurang ini mungkin kerana beberapa sebab, antaranya mungkin kerana klinik tersebut diadakan pada hari Ahad antara jam 10.00 pagi hingga 2.00 petang, iaitu waktu di mana semua orang sibuk melakukan kerja-kerja rumah. Malangnya, CDC telahpun menetapkan masa dan tarikh untuk klinik ini.

Faktor-faktor yang tersebut di atas hendaklah diambil kira ketika menganjurkan klinik-klinik pendekatan lain pada masa yang akan datang.

Jawatankuasa ini mengambil peluang untuk mengucapkan terima kasih dan penghargaan kepada petugas-petugas di Urus Setia Majlis di bawah pentadbiran Cik Dorothy Benjamin dan Setiausaha Eksekutif Cik Jessie Goh di atas kerjasama, sokongan serta sumbangan mereka untuk menjayakan Klinik LAC ini.

4. PROGRAM DOCK-BRIEF

Laporan disediakan oleh Encik B.Murugayah

DBP telah berjaya tahun ini dalam memberi perkhidmatan kepada orang kena tuduh untuk kesalahan jenayah di Mahkamah Majistret Kuala Lumpur.

Pelajar yang beserta dalam mengendalikan 5727 kes seperti berikut:-

	2000	2001
Nasihat	1243	1147
Permohonan Jaminan	21	10
Representasi & Mitigasi	2774	4564
File Dibuka	12	6
Jumlah	4050	5727

Perlu ditekankan di sini bahawa walaupun angka di atas menunjukkan peningkatan mendadak dalam jumlah keseluruhan kes-kes yang dikendalikan oleh pelajar, terdapat penurunan dalam bilangan kes di mana pelajar menolong dalam permohonan jaminan. Jawatankuasa program memandang serius kelemahan ini dan menegaskan kepada pelajar dalam latihan untuk meletakkan kepentingan dalam bidang ini. Objektif utama dalam DBP adalah untuk mengurangkan populasi tahanan dalam penjara dan tidak ada orang yang dipenjarakan tanpa sebab yang sepatutnya.

Pengambilan pelatih dalam kamar berjalan secara lancar. Jawatankuasa latihan yang diamanahkan untuk pengambilan ahli dalam pemilihan peserta harus memperkenalkan ciri-ciri tambahan sebagai kelayakan supaya boleh dipilih untuk program ini. Satu syarat utama untuk pelajar yang mengikuti program ini ialah mempunyai locus untuk menghadirkan diri di Mahkamah Majistret.

Jawatankuasa DBP telah mengadakan beberapa mesyuarat dengan Majistret, Puan Juliana binti Mohamad, untuk membincangkan pelbagai isu yang timbul dalam Mahkamah Jenayah.

Banyak masalah yang dihadapi oleh peserta semasa di Mahkamah diselesaikan dalam mesyuarat bersama antara Jawatankuasa dan semua Pendakwaraya, diketuai oleh DSP Tan Kok Liang iaitu Pegawai Turus D5 (Pendakwaraya/Undang-undang). Masalah utama yang diselesaikan semasa mesyuarat tersebut adalah untuk memastikan adanya "charge sheet" dan kertas Mahkamah yang lain untuk pelajar.

Banyak kelemahan yang ditimbulkan oleh Pendakwaraya telah dimaklumkan kepada pelajar pada sesi latihan. Selain dari itu, program ini telah digalakkan oleh Mahkamah dan masyarakat disebabkan oleh peningkatan kualiti dalam perwakilan oleh peserta-peserta.

Jawatankuasa Program telah menerima pelbagai aduan mengenai kelakuan sebilangan pelatih yang didapati menghilangkan diri daripada Mahkamah semasa waktu kerja. Sebahagian pelajar juga tidak menghadirkan diri mereka dengan mencatat masa keluar semasa mencatatkan kehadiran mereka. Untuk mengatasi masalah ini, pelatih dikehendaki untuk mencatatkan kehadiran di LAC.

Jawatankuasa Program telah sentiasa cuba meningkatkan kualiti perkhidmatan yang disumbangkan oleh pelatih. Pengenalan Program Latihan bersama dengan penjara Sungai Buloh dan Kajang. Kami ingin

mengucapkan terima kasih kepada Mr. Kitson Foong atas sumbangannya dan perkhidmatannya yang tidak ternilai dalam menghulurkan pertolongan dalam meningkatkan kualiti latihan.

Tambahan pula, Jawatankuasa Program telah meminta pertolongan daripada peguam-peguam berpengalaman dalam undang-undang jenayah untuk menyampaikan ceramah dan memberikan pelbagai panduan dari masa ke masa. Jawatankuasa Program ingin meletakkan dalam rekod penghargaan atas perkhidmatan oleh pengamal berikut:-

1. Mr. Manjeet Singh
2. Mr. Jagjit Singh
3. Mr. Rajinder Singh
4. Mr. Ananth Namasivayam
5. Mr. Jerald Gomez

Penilaian untuk program ini yang dibuat oleh Jawatankuasa Audit dari LAC telah menunjukkan bahawa pelajar boleh meningkatkan diri dalam perbicaraan Mahkamah kualiti mereka dalam penyampaian mitigasi dan lain-lain. Jawatankuasa DBP menyedari hal ini dan langkah-langkah untuk mengatasi kelemahan ini telah diambil. Latihan Manual baru telah diperkenalkan selepas beberapa perbincangan dengan Jawatankuasa Program yang lain dari LAC. Kumpulan ke-24 kini sedang mengikuti panduan ini dan maklumbalas mereka amat menggalakkan.

Jawatankuasa DBP dan LAC mengambil peluang ini untuk mengucapkan terima kasih kepada semua peserta dan "Master" mereka masing-masing dan juga pekerja LAC di atas pertolongan mereka dalam menjayakan Program tahun ini.

5. Klinik LAC/AWAM

Laporan oleh Puan Sharmini Thiruchelvam

Ahli Jawatankuasa:

Jayaletchumi Rajaretnam
Manohari Subramaniam
Chen Lee Ping
Parimala Selvaraj
Sharmini Selvarajah
Parameswary K
Ida Anum

Klinik

Klinik ini diuruskan dengan kerjasama sukarelawan, organisasi wanita bukan kerajaan dan Persatuan Tindakan Wanita (AWAM), di premis AWAM. Jesturu pelatih dalam kamar adalah yang mengendalikan sesi undang-undang dan memberi nasihat dan bantuan kepada wanita-wanita secara peribadi dan/atau melalui telefon. Kami percaya sesi-sesi tersebut adalah sangat penting kerana ia memberikan faedah dua hala, bukan sahaja memberikan wanita-wanita tersebut maklumat mengenai hak mereka di sisi undang-undang dan proses undang-undang malah dalam jangka masa panjang melengkapkan keupayaan pelatih dalam kamar dan membuatkan mereka peka terhadap isu-isu yang dihadapi oleh wanita secara umumnya. Klinik ini dibuka setiap hari daripada hari Selasa hingga Sabtu daripada 10.00 pagi ke 4.00 petang.

Semakan Tahunan

Ia adalah satu tahun yang reflektif bagi jawatankuasa, di mana dua projek utama yang dikendalikan oleh Jawatankuasa iaitu untuk meninjau pelbagai undang-undang yang berkait dengan wanita-wanita yang dirasakan oleh Jawatankuasa perlu diubahsuai atau diperbaharui. Di sini, Jawatankuasa memutuskan untuk menganjurkan bengkel secara ekstensif yang dapat membantu dalam mengenalpasti isu-isu yang relevan.

Projek-projek Utama

1. Seksyen 51 Law Reform (Marriage & Divorce) Act 1976

S 51 LRA 1976 adalah berkaitan dengan isu perceraian apabila salah satu pihak memeluk agama Islam.

Bengkel ini berkaitan dengan isu keperluan untuk pengubahsuaian Seksyen 51 Law Reform (Divorce & Marriage) Act 1976. Disebabkan peningkatan bilangan kes-kes sebegini, dan masalah yang timbul, jawatankuasa bersetuju memutuskan untuk meneruskan bengkel ini walaupun temanya sensitif.

Bengkel ini telah diadakan pada 20.6.2001 di mana wakil daripada pelbagai pertubuhan bukan kerajaan (NGO) organisasi kerajaan dan juga peguam-peguam dijemput, bukan hanya sebagai peserta tetapi sebagai penceramah.

Ini adalah satu bengkel yang hangat di mana selepas penelitian dibuat dan cadangan-cadangan yang bernas dikemukakan. Jawatankuasa bercadang untuk menyediakan satu memorandum yang komprehensif bagi cadangan-cadangan tersebut untuk diserahkan kepada pihak-pihak berkenaan.

2. Ceramah Mengenai Gangguan Seksual (24hb Ogos 2001)

Disebabkan oleh peningkatan bilangan kes-kes gangguan seksual, Jawatankuasa telah menganjurkan ceramah ini. Tujuan utama ceramah tersebut adalah untuk menimbulkan kesedaran terhadap isu-isu ini dan juga membincangkan jenis-jenis remedi yang sedia ada.

3. Undang-undang Anti-Rogol

Ini adalah projek utama AWAM untuk tahun lepas di mana satu memorandum telah disediakan untuk keperluan kepada reformasi undang-undang berkaitan dengan rogol dan jenayah-jenayah seksual yang lain. Ahli-ahli jawatankuasa ini menganggotai Pasukan Khas AWAM untuk Undang-undang Anti-Rogol, di mana jawatankuasa ini sedang mengusahakan cadangan pindaan terhadap Kanun Acara Jenayah, Kanun Keseksaan dan Akta Keterangan.

4. Sambutan Hari Wanita Antarabangsa

Sempena dengan sambutan Hari Wanita Antarabangsa paada 10.3.2001, AWAM juga telah melancarkan Bantuan Informasi Rogol.

BCLACKL telah membuka gerai pameran pada hari sambutan ini yang mana kami telah mengeluarkan risalah penerangan undang-undang dan juga menyedarkan orang ramai terhadap Klinik Perkhidmatan undang-undang yang diuruskan dengan kerjasama AWAM.

UMUM

1. Hal Ehwal Pelatih Dalam Kamar

Selain menemuramah anak guam dan memberikan khidmat nasihat, pelatih dalam kamar juga telah mula menemani anak guam ke balai polis dan pejabat pihak berkuasa yang berkenaan untuk menolong mereka dalam apa cara sekalipun. Langkah ini dicadangkan kerana sehingga kini kebanyakan Polis dan kakitangan kerajaan masih menganggap isu keganasan rumahtangga sebagai masalah peribadi. Pelatih dalam kamar juga memberi bantuan kepada "Women's Aid Organisation (WAO)" dan juga "One Stop Crisis Center" bilamana bantuan diperlukan.

Aduan sentiasa diterima mengenai kekurangan penasihat di premis AWAM, walaubagaimanapun disebabkan kekurangan sukarelawan, kami masih tidak dapat mengatasi masalah ini. Adalah diharapkan apabila seorang pegawai undang-undang dilantik, masalah ini dapat dikurangkan.

2. Pegawai Undang-undang

AWAM telah memperolehi peruntukan untuk melantik seorang pegawai undang-undang secara kontrak. Tempoh pegawai undang-undang bermula awal tahun 2002 dan kedua-dua AWAM dan BCLACKL pada ketika ini bekerja bersama-sama untuk mendapatkan calon yang sesuai.

Spesifikasi pegawai undang-undang yang kami harapkan termasuk: -

- a) Reformasi Undang-undang
 - untuk bekerja dengan Pegawai Program AWAM di dalam kempen mereformasikan undang-undang.
 - Untuk menderaf cadangan pindaan undang-undang

- Untuk merangka strategi-strategi untuk melobi pindaan undang-undang.
 - Untuk berhubung dengan agensi-agensi kerajaan yang berkaitan.
 - Untuk memperbaiki pindaan undang-undang yang sedia ada berkaitan dengan hak-hak wanita.
- b) Pembangunan Sumber
- untuk menyusun atur dan menghasilkan sumber-sumber berkenaan dengan undang-undang yang berkaitan dengan hak-hak wanita kepada orang awam.
- c) Program Penasihat Undang-Undang
- Untuk memantau pelatih dalam kamar yang bertugas di AWAM dengan: -
 - mengadakan sesi-sesi latihan (bersama-sama dengan Penyelaras Perkhidmatan)
 - menyusun atur jadual kerja pelatih dalam kamar
 - meneliti kemajuan semua pelatih dalam kamar yang bertugas di AWAM
 - meninjau cara-cara membangunkan program-program klinik undang-undang LAC-AWAM.

3. Lain-lain

Untuk tahun yang akan datang, cadangan-cadangan Jawatankuasa adalah termasuk mengadakan lebih banyak program pembinaan kesedaran supaya wanita-wanita sedar tentang hak-hak dan remedi mereka. Walaupun Akta Keganasan Rumahtangga telah diluluskan, pengalaman kami menunjukkan bahawa terdapat ketidakfahaman diperingkat pihak-pihak berkuasa. Ahli jawatankuasa yang baru harus mencari jalan untuk memberi kesedaran dan kepekaan. Ahli Jawatankuasa dan pegawai undang-undang yang baru harus mempunyai lebih banyak sumber-sumber untuk membolehkan pengubahsuaian program-program latihan yang terkini untuk pelatih dalam kamar dan juga memantau pelatih-pelatih dalam kamar semasa sesi latihan mereka.

Akhirnya, segala pencapaian ahli jawatankuasa tidak mungkin tercapai tanpa dedikasi dan komitmen ahli-ahlinya terutama Chitrah Rajendran, penyelaras Program dan saya ingin mengucapkan terima kasih kepada semua untuk segala bantuan dan sokongan.

6. LAC MIGRANT WORKERS CLINIC

Laporan disediakan oleh Encik Muhendaran

Ahli Jawatankuasa

S. Muhendaran
Aegile Fernandez

Pembangunan ekonomi yang pesat pada dekad lalu menjadikan Malaysia pilihan pekerja-pekerja dari negara-negara terutamanya Indonesia, Filipina, Bangladesh, Myanmar dan Thailand. Peningkatan bilangan pekerja-pekerja tersebut adalah sesuatu yang masyarakat kita tidak harus abaikan.

Matlamat "Migrant Workers Clinic" adalah untuk menyediakan bantuan guaman dan nasihat untuk kumpulan minoriti ini.

"Migrant Workers Clinic" bekerjasama dengan "Tenanita's Migrant Desk" berhubung dengan aduan daripada pekerja-pekerja termasuklah penipuan oleh majikan-majikan dan ejen-ejen, tidak dibayar gaji, pemecatan yang tidak adil, pekerja asing ditangkap kerana gagal untuk menunjukkan dokumen-dokumen sah yang mana masih ditahan/pegang oleh majikan-majikan dan sebagainya.

Sekarang terdapat kekurangan peguam sukarela dalam Migrant Workers Clinic tetapi dengan adanya Pelatih Dalam Kamar yang melalui tugas wajib selama 14 minggu, masalah ini dapat dikurangkan. Pelatih Dalam Kamar semasa latihan komprehensif yang dianjurkan secara bersama oleh Pusat Bantuan Guaman dan Tenaganita adalah dilatih dalam mendokumen, menderaf surat-surat kepada Jabatan Kerajaan yang berkenaan, menfailkan aduan-aduan di Jabatan Perhubungan Perindustrian dan Jabatan Buruh, perundingan-perundingan bersama majikan-majikan dalam hal pertikaian upah.

"Migrant Workers Clinic" menguruskan 213 fail yang melibatkan lebih 700 aduan bagi tahun 2001. 60% aduan-aduan adalah berkaitan dengan mengingkari Akta Pekerjaan dan Kontrak Pekerjaan. Selain itu, aduan-aduan kebanyakannya berkisar pada kegagalan majikan untuk memperbaharui permit pekerjaan, pekerja-pekerja asing terkandas di Malaysia,

ditipu oleh ejen yang mengambil pekerja-pekerja asing, ditangkap dan ditahan, kecurian wang dan harta benda peribadi mereka, kecurian passport, kemalangan di tempat kerja (Kemalangan Industri) dan banyak lagi.

Akhir sekali, banyak lagi ruang yang boleh diperbaiki di "Migrant Workers Clinic". Langkah-langkah kebangkitan Migrant Workers Clinic dan peningkatan yang efisien adalah benar-benar berdasarkan pada penguasaan yang sukarela meluangkan masa dan tenaga mereka, seperti kata pepatah 'berat sama dipikul, ringan sama dijinjing'.

7. PROGRAM KESEDARAN UNDANG-UNDANG

Laporan disediakan oleh Encik C I Ngooi

Melalui penerbitan risalah-risalah dan buku-buku kecil di dalam Bahasa Inggeris dan penerbitan "Soalan-Soalan yang Sering Ditanya" atau "Frequently Asked Questions" (FAQs) di dalam format yang mudah digunakan, Program Kesedaran Undang-Undang ini telah membolehkan masyarakat umum untuk mendapatkan penyelesaian kepada masalah-masalah undang-undang secara sendiri ataupun secara bantuan guaman melalui pemahaman yang jitu tentang hak mereka dari aspek undang-undang. Kami yakin penerbitan-penerbitan ini telah mengurangkan beban kepada masyarakat umum untuk hadir sendiri ke Klinik Pusat Bantuan Guaman di Majlis Peguam, dan secara tidak langsung mengurangkan beban kerja Pusat ini.

Sepanjang tahun ini, penerbitan-penerbitan di bawah ini telah disediakan:

- Risalah berkaitan "Penahanan dan Jaminan" atau "Arrest and Bail" (telah terdapat di dalam empat bahasa utama di Malaysia) yang telah diterjemahkan dengan bantuan Tenaganita kepada Bahasa Bangladesh.
- Risalah berkaitan "Divorce and Marriage Problems" dan "Domestic Violence" di dalam Bahasa Inggeris yang telah dicetak dan diedarkan. Kami di dalam proses menterjemahkan risalah-risalah ini kepada Bahasa Malaysia, Bahasa Cina dan Bahasa Tamil.
- Risalah berkaitan Undang-Undang Syariah telah disediakan dan dalam proses semakan.
- Risalah berkaitan "Buying and Selling a Property", "Consumer Claims" dan "Hire Purchase" telah disediakan dan akan di paparkan di Laman Web Jawatankuasa Peguam Kuala Lumpur" sebaik sahaja "website" ini sedia untuk tujuan tersebut.
- Manual Latihan berkaitan "Undang-Undang Buruh" atau "Employment Law" telah dicetak dan diedarkan kepada pelatih-pelatih dalam kamar dan Rakan Kerja Badan-badan Bukan Kerajaan.
- Manual Latihan berkaitan "Undang-Undang Keluarga/ Keganasan Rumahtangga" atau "Family Law/ Domestic Violence" telah dicetak dan diedarkan kepada pelatih-pelatih dalam kamar dan Rakan Kerja Badan-badan Bukan Kerajaan.
- Manual Latihan untuk Program "Dock Brief" dan Klinik Undang-Undang di Penjara Sungai Buluh dan Kajang berkaitan komunikasi, kemahiran mendengar dan mendokumentasi, penahanan atau "arrest", prosiding, kesalahan-kesalahan yang biasa dilakukan, jaminan atau "bail" serta mitigasi atau "mitigation" telah disediakan untuk kegunaan pelatih-pelatih.

Dalam kerja-kerja penerbitan risalah, hanya terjemahan-terjemahan risalah berkenaan "Divorce and Marriage Problems" dan "Domestic Violence" dan kerja-kerja peringkat akhir berkaitan risalah Undang-Undang Syariah yang masih belum disempurnakan.

Program Kesedaran Undang-Undang kini memberi penekanan terhadap:

- Pengagihan bahan-bahan terbitan dan material-material. Hasil-hasil penerbitan bagi mereka yang berkemampuan akan disediakan di dalam bentuk "On-Line" yang boleh didapati melalui Laman Web Jawatankuasa Peguam Kuala Lumpur.
- Peningkatan kesedaran awam melalui klinik-klinik pendekatan, seminar-seminar dan ceramah-ceramah.

Klinik pendekatan untuk Rumah Panjang Balakong (yang melibatkan hampir 1000 orang penduduk) di Seri Kembangan telah diadakan bersama dengan Klinik Pusat Bantuan Guaman, Klinik Syariah dan rakan kerja Badan Bukan Kerajaan kami iaitu "Community Development Centre" (CDC) pada 29hb Julai 2001. Matlamat utama klinik ini adalah untuk memperbaiki tahap kesedaran hak undang-undang dan kebebasan di kalangan masyarakat serta memperluaskan mereka dengan pilihan dan pendekatan dalam mendapatkan penyelesaian berkenaan permasalahan undang-undang. Selain daripada itu, kami berharap mereka yang terlibat dengan klinik ini akan dapat memahami keperluan dan permasalahan undang-undang masyarakat minoriti/kecil.

Persediaan untuk klinik ini termasuklah pengedaran risalah-risalah dan pengumuman radio oleh ahli-ahli CDC untuk memaklumkan masyarakat tentang klinik ini kepada ahli-ahli masyarakat. Empat sesi dalam Bahasa Malaysia dan Bahasa Tamil yang mudah difahami telah diadakan berkenaan Undang-Undang Jenayah, masalah-masalah kebajikan, undang-undang buruh, undang-undang keluarga dan keganasan rumah tangga serta perumahan, "tenancy" dan "conveyancing", diikuti dengan sesi soal-jawab dan Sesi Nasihat Guaman. 52 orang penduduk menghadiri klinik ini, 15 orang mengambil kesempatan untuk mendapatkan nasihat guaman daripada 19 orang peguam sukarelawan dan pelatih-pelatih yang telah meluangkan masa untuk membantu mereka yang memerlukan bantuan di Rumah Panjang Balakong.

8. KESEDARAN UNDANG-UNDANG (PROGRAM ORIENTASI)

Laporan oleh Encik N Surendran & Encik Charles Hector

Objektif-objektif

Untuk membantu pelatih-pelatih dalam kamar dalam menyedari dan menentukan peranan dan tanggungjawab mereka sebagai peguam di dalam masyarakat.

Untuk mewujudkan kesedaran terhadap tanggungjawab Social dan kepentingan hak asasi, "rule of law" dan keadilan.

Untuk mewujudkan pemahaman tentang masalah-masalah sosial, ekonomi dan politik yang menyebabkan timbulnya keperluan untuk campur tangan undang-undang.

Untuk menanam dan memperkembangkan komitmen jangka panjang terhadap bantuan guaman dan kemudahan kepada proses keadilan yang berterusan melebihi jangka masa 14 hari yang diwajibkan semasa menjadi pelatih dalam kamar.

Kandungan Program

- Pengenalan (30 min), Analisis Nilai/Keutamaan dan Peranan/Respon Peguam-Peguam (60min), Apakah yang dimaksudkan dengan Bantuan Guaman? Hubungkait antara Bantuan Guaman dan Hak Asasi (60min), Kesimpulan dan Resolusi Bersama (30min).
- Perkaedahan- Penyertaan
- Alatan- Dinamik Berkumpulan, Perbincangan Am dan Pandangan Ringkas.

Sekatan/ Had

Jumlah yang terlalu besar dan kesuntukan masa. Sejumlah 810 pelatih telah melalui program ini di antara Januari 2001 hingga Disember 2001. Maka ini adalah satu kursus yang padat dengan objektif utamanya untuk memperkenalkan pelatih kepada idea-idea baru dan kaedah-kaedah baru/ bentuk tindakbalas baru.

Nota

Model yang sedang digunakan ini baru sahaja diperkenalkan dan sedang di dalam proses pengubahsuaian dan ianya diperkenalkan berdasarkan penilaian terhadap pelbagai sesi.

9. KLINIK PENJARA SUNGAI BULOH

Laporan disediakan oleh Ketua Projek, Encik S Balasubramaniam

Pendahuluan

Klinik Penjara Sg. Buloh telah memulakan operasinya semenjak Disember 1997. Objektif klinik ini adalah:

1. Untuk menyediakan perkhidmatan guaman untuk banduan-banduan dalam reman di Penjara Sg. Buloh
2. Untuk mempertingkatkan tahap kecekapan peguam-peguam (pelatih-pelatih dalam kamar)

3. Untuk menyediakan mekanisme-mekanisme yang kekal bagi mengawal kemajuan dan untuk mempertimbangkan kemajuan dan perluasan perkhidmatan-perkhidmatan yang sedia ada
4. Untuk mengumpulkan statistik-statistik daripada klinik

Implementasi

Bagi mencapai tujuan di atas, pelatih-pelatih dalam kamar adalah dijadualkan untuk tugas pada setiap selang Sabtu bagi tempoh tiga bulan untuk melawat Penjara Sg. Buloh bagi menemuduga banduan-banduan dalam reman. Semasa setiap tempoh itu, pelatih-pelatih dalam kamar adalah dilatih dan disediakan dengan manual-manual latihan, yang mana mengandungi maklumat tentang mahkamah-mahkamah, garis panduan kesalahan-kesalahan biasa dan maklumat-maklumat penting yang lain. Seramai 20 orang pelatih-pelatih dalam kamar dan 2 orang peguam sukarela akan menemuduga lebih kurang 60 orang tahanan pada setiap sesi. Pelatih-pelatih dalam kamar juga akan mengambil tindakan yang selanjutnya di Pusat berdasarkan temuduga-temuduga yang dijalankan. Tindakan-tindakan selanjutnya adalah seperti berikut:

- menghubungi ahli-ahli keluarga untuk perkara-perkara yang berhubung kait dengan ikat jamin
- merujuk kes-kes yang relevan kepada Program "Dock Brief"
- merujuk kes-kes daripada negeri-negeri yang lain kepada Pusat Bantuan Guaman negeri yang berkenaan
- merujuk kes-kes kesalahan-kesalahan hukuman berat kepada "Skim Perlantikan Peguam Mahkamah"
- bekerjasama dengan peguam-peguam sukarela akan status fail-fail

Kekuatan & Kelemahan

Tahun ini, klinik telah berjaya membantu seramai 794 banduan-banduan dalam reman. Sehubungan dengan itu, ia menunjukkan penurunan sebanyak 8.74% jika dibandingkan dengan tahun lepas. Seramai 794 orang yang ditemuduga, hanya 229 fail-fail yang telah ditugaskan kepada peguam-peguam sukarela bagi mewakili tertuduh di Mahkamah. Sebanyak 78 kes telah dirujuk kepada Program "Dock Brief" untuk mitigasi dan permohonan mengikat jamin. Sebanyak 101 kes-kes telah dirujuk kepada Pusat-Pusat Bantuan Guaman negeri yang lain dan hanya nasihat yang diberikan untuk 386 banduan-banduan dalam reman yang lain. Klinik ini telah membolehkan kami untuk mengumpul statistik-statistik yang berikut:

- Bilangan Juvana yang dibantu

12 Tahun	13 Tahun	14 Tahun	15 Tahun	16 Tahun	17 Tahun	18 Tahun	Jumlah
1	1	1	4	8	34	51	100

Klinik ini juga menghadapi kesulitan di dalam kualiti perkhidmatan-perkhidmatan yang ditawarkan kepada banduan-banduan dalam reman di dalam skop yang berikut:

1. Ketidakupayaan pelajar-pelajar untuk mengeluarkan fakta-fakta yang betul daripada banduan-banduan dalam reman, fakta-fakta yang tidak teratur dan Borang-Borang Temuduga yang tidak lengkap.

2. Ketidakupayaan pelajar-pelajar untuk memberikan nasihat yang mencukupi kepada banduan-banduan dalam reman.
3. Pusat kurang mendapat respon untuk kes-kes yang telah dirujuk kepada Pusat-Pusat Bantuan Guaman negeri lain.

Pusat ini juga telah melalui surat "KLBC News 'Relevan' ", membuat rayuan kepada ahli-ahli Peguam KL untuk menguruskan sebahagian fail-fail jenayah dari Program Klinik Sg. Bulohnya secara sukarela.

Syor

Klinik ini sepatutnya melihat kepada objektif jangka panjang program:

- Untuk mengumpul statistik-statistik latar belakang ekonomi dan sosial banduan-banduan dalam reman supaya Pusat boleh mengesyorkan kepada pihak-pihak yang relevan sebagai suatu cara untuk mengurangkan bilangan pesalah-pesalah
- Untuk memperbaiki undang-undang, yang mana berkaitan dengan syarat-syarat banduan-banduan dalam reman
- Untuk melobi bagi mendapatkan penggunaan dan pelaksanaan undang-undang yang lebih baik

10. KLINIK PINK TRIANGLE FOUNDATION/BCLACKL

Laporan oleh ketua projek Encik R. Kesavan

Ahli Jawatankuasa

Mr So Chien Hao
Ms Preetam Kaur
Mr Loh Wei Leong
Ms Leena Ghosh

Pusat Bantuan Guaman Majlis Peguam Kuala Lumpur (BCLACKL) dengan kerjasama Pink Triangle Foundation (PTF) telah melancarkan Klinik Perkhidmatan Maklumat Guaman yang julung-julung kali diadakan pada 24 November 2000 di Ikhlas Drop In Centre di Lorong Haji Taib 3, Jalan Chow Kit, Kuala Lumpur. Kumpulan sasaran klinik ini terdiri daripada 6 golongan komuniti iaitu penagih dadah, pekerja seks (sex workers), penghidap HIV/AIDS, transseksual, dan homoseksual lelaki dan wanita.

Kemudian daripada itu, klinik ini telah berpindah ke 7C-1, Jalan Ipoh Kechil off Jalan Raja Laut, Kuala Lumpur, isitu pejabat PTF itu sendiri. Sekarang ini, klinik ini beroperasi setiap hari Jumaat ketiga sekali setiap sebulan. Seorang sukarelawan BCLACKL akan hadir di klinik ini sepanjang sesi tersebut.

Aktiviti-aktiviti yang dijalankan sepanjang tahun 2001:

- i) Cik Elizabeth dan Cik Tamil Selvi daripada BCLACKL telah menghadiri Bengkel Pembimbing Mak Nyah yang diadakan pada 25-27 April 2001, 23-25 Mei 2001 dan 21-23 Jun 2001.
- ii) En. So Chien Hao, sukarelawan daripada BCLACKL telah memberi taklimat mengenai undang-undang yang berkaitan dengan transseksual pada 25 Mei 2001.
- iii) BCLACKL telah berjaya membela dua klien transseksual yang didakwa di bawah seksyen 27 Akta Jenayah Syariah 1977
- iv) BCLACKL telah mengadakan satu ceramah dan perbincangan dengan komuniti transseksual berkenaan dengan hak mereka di bawah Undang-Undang Syariah.

Klinik Perkhidmatan Maklumat Guaman ini telah memberi bantuan dan perkhidmatan kepada ahli di kalangan enam golongan komuniti itu berkaitan dengan tangkapan, jaminan, kuasa-kuasa polis dan lain-lain permasalahan berkaitan dengan permohonan untuk kad pengenalan dan sebagainya.

Sepanjang tahun ini juga, BCLACKL telah berjaya mengatasi halangan di dalam mengambil peguam sukarela untuk klinik ini. Tahun ini kita berjaya mengambil penasihat sukarelawan sebagai ahli jawatankuasa untuk menghadiri klinik tersebut setiap bulan.

Berikutan keputusan satu kes Goh Kiat Peng vs Public Prosecutor sebanyak 22 fail perbicaraan telah ditutup setelah diberikan perintah "Pembebasan Tanpa Dilepaskan" (Dismissal Not Amounting to Acquittal (DNAA)) oleh Mahkamah Majistret. Malangnya, 40 daripada pesalah (OKT) telah dituduh semula. Pusat Bantuan Guaman telah mengeluarkan sepucuk surat kepada mereka yang telah dituduh semula untuk mendaftarkan kes mereka semula di Pusat Bantuan Guaman tetapi sehingga hari ini, tidak ada seorang pun di antara mereka yang tampil untuk berbuat demikian.

Kelemahan-kelemahan

Satu perkara yang amat ketara adalah kekurangan komitmen di kalangan sukarelawan sedia ada kerana kebanyakan dari mereka "tidak dapat dihubungi" apabila khidmat mereka amat diperlukan. Kebanyakan sukarelawan dalam rekod telah tidak hadir ke mahkamah pada hari sebutan dan tarikh perbicaraan tanpa memaklumkan kepada Pusat Bantuan Guaman.

Pelan Tindakan

Melatih atau mendapatkan sukarelawan-sukarelawan baru kerana klinik ini tidak akan dapat berfungsi dengan baik tanpa sokongan dan penyertaan mereka.

Walau bagaimanapun, Pusat Bantuan Guaman ini merancang untuk melihat perihal kebajikan tertuduh (OKT) antaranya :-

- a) Ikat Jamin – Menimbang jumlah wang ikat jamin (yang berpatutan)
- b) Layanan berpatutan dan memuaskan terhadap orang yang ditahan
- c) Hak asasi terhadap tahanan reman – mereka dibenarkan memakai pakaian sendiri selain daripada pakaian seragam banduan penjara dan makanan juga dibenarkan untuk dihantar kepada mereka. Mereka dibenarkan bercukur dan menggunting rambut. Lawatan-lawatan tidak akan dihadkan terhadap mereka dan mereka dibenarkan menemui peguam mereka untuk mendapatkan nasihat guaman tetapi di dalam pemerhatian Pegawai Penjara dan perbualan mereka tidak didengar oleh Pegawai Penjara berkenaan.
- d) Hak berkomunikasi oleh Banduan-banduan; seseorang yang ditahan mestilah dibenarkan untuk menghubungi keluarga / rakan-rakan atau sesiapa sahaja yang dapat menjadi penjamin bagi tujuan ikat jamin.

12. KLINIK PENJARA WANITA KAJANG

Laporan disediakan oleh Ketua Projek, Encik S Balasubramaniam

Ahli Jawatankuasa: Cik Mabel Yong

Pengenalan

Klinik ini telah dilancarkan satu setengah tahun yang lalu dan objektif-objektif Klinik Penjara Wanita Kajang adalah untuk menyediakan nasihat guaman, maklumat dan perwakilan kepada kesemua tahanan-tahanan wanita daripada daerah utara dan selatan.

Perlaksanaan

Pelajar-pelajar yang telah dipilih untuk klinik ini, disediakan dengan latihan, sebelum 14 hari tugas bantuan guaman mereka bagi melengkapkan mereka dengan kemahiran-kemahiran yang diperlukan. Seramai 5 orang pelatih-pelatih dalam kamar akan dijadualkan untuk tugas dua kali sebulan pada hari Jumaat. Lebih kurang seramai 10 orang banduan-banduan dalam reman akan ditemuduga di bawah pengawasan peguam sukarela pada setiap sesi. Mereka diperlukan untuk membuat tindakan selanjutnya bersama Borang-Borang Temuduga yang diberikan di Pusat. Selanjut daripada ini, mereka membantu di dalam:

- menghubungi saudara dan ahli-ahli keluarga banduan-banduan dalam reman di atas perkara perkara yang berkaitan dengan permohonan ikat jamin dan hak-hak untuk melawat
- bekerjasama dengan pelatih-pelatih dalam kamar "Dock Brief" untuk mitigasi
- bekerjasama dengan peguam-peguam sukarelawan untuk status fail-fail yang ditugaskan

Kes-kes daripada negeri yang lain akan dirujuk kepada Pusat-Pusat Bantuan Guaman yang berkenaan untuk tindakan mereka. Pusat juga membantu banduan-banduan asing dalam reman di dalam Lembah Klang dengan menghubungi kedutaan-kedutaan yang berkenaan untuk mengambil tindakan yang sewajarnya. Pusat sehingga kini masih menerima derma-derma seperti pakaian-pakaian untuk orang dewasa dan bayi-bayi di samping derma berbentuk wang untuk penghuni penjara.

Pihak Berkuasa Penjara Wanita Kajang juga sedia bekerjasama dan sedia membantu bagi menjayakan klinik ini. Pelbagai kursus ditawarkan kepada banduan-banduan dalam reman untuk rujukan masa hadapan mereka seperti percetakan batik, dobi, katering, kraftangan dan seni jahitan.

Kekuatan & Kelemahan

Pada tahun 2001, klinik telah membantu seramai 252 orang. Antaranya ialah:

Individu-Individu yang mendapatkan khidmat	252
Dirujuk kepada "Dock Brief"(Mitigasi dan Permohonan Ikat Jamin)	66
Kes-Kes yang ditugaskan kepada Peguam	40
Dirujuk kepada Pusat-Pusat Bantuan Guaman Negeri yang lain	90
Nasihat sahaja	53
Peguam sendiri	3

Dua isu utama yang telah dikenalpasti di Penjara Wanita Kajang, iaitu juvana dan banduan-banduan asing dalam reman. Pusat telah mengambil inisiatif untuk mengadakan dialog dengan pihak berkuasa dan SUHAKAM untuk mengutarakan permasalahan. Perjumpaan telah dibuat pada 13 Julai 2001 dan Pusat telah mengambil tanggungjawab untuk menolong Pihak Berkuasa Penjara bagi menyelesaikan kes-kes tahanan juvana dan banduan-banduan asing dalam reman.

Semenjak tahun lepas, kekurangan tindakan susulan ke atas temuduga-temuduga yang dijalankan masih wujud. Jesturu, ia telah menyebabkan banduan-banduan dalam reman keberatan untuk mendapatkan bantuan Pusat. dua daripada isu utama masalah ini adalah tindak balas yang kurang daripada Pusat-Pusat Bantuan Guaman yang lain di mana 35.7% telah dirujuk dan sebab lain adalah sedikit sahaja bilangan peguam yang bersedia untuk mengendalikan kes-kes reman. Bagi mengelakkan sebarang bentuk kepincangan di pihak Pusat, Jawatankuasa Bantuan Guaman Kebangsaan telah membangkitkan perkara ini kepada Pusat Bantuan Guaman Negeri. Satu garis panduan telah dirangka untuk diikuti oleh semua Pusat di mana satu salinan surat yang akan dihantar kepada Pengerusi sebelum dihantar kepada Pusat Bantuan Guaman yang berkenaan.

Antara masalah lain yang ketara adalah ketidakbolehan pelajar-pelajar untuk mengeluarkan fakta-fakta daripada banduan-banduan dalam reman dan maklumat yang tidak tepat. Ini menyebabkan Pusat mengalami masalah untuk mengambil tindakan yang berkesan. Oleh sebab itu, satu latihan yang terancang dan lebih baik telah dijalankan kepada pelajar-pelajar untuk melengkapkan mereka dengan kemahiran-kemahiran dan pengetahuan yang sepatutnya.

Syor

- Untuk mendapatkan peguam sukarelawan untuk mengendalikan fail-fail
- Untuk memperbaiki undang-undang yang berkaitan dengan syarat-syarat tahanan reman.

13. JAWATANKUASA AUDIT DAN KONTROL KUALITI ("AKK")

Laporan disediakan oleh Siti Zaliha (Kordinator Program)

Diluluskan oleh Ramesh Lachmanan

Ahli Jawatankuasa

Ngooi Chiu-Ing (Penyelia)
Balakisan Appalanaido (Ketua Projek)
Ramesh Lachmanan
K. Amutha

Jawatankuasa Audit dan Kontrol Kualiti ("AKK") telah ditubuhkan pada 22 April 2000 sebagai sebahagian daripada Pusat Bantuan Guaman Majlis Peguam Kuala Lumpur ("Pusat") menyediakan perkhidmatan-perkhidmatan yang berkualiti kepada orang awam terutamanya kepada golongan-golongan yang miskin.

Kami ingin mengucapkan terima kasih kepada Ngooi Chiu-Ing, yang telah menyelia dan membantu dari mula terhadap kejayaan peranan jawatankuasa.

Aktiviti-aktiviti yang dijalankan oleh Audit dan Kontrol Kualiti bagi tahun 2001 adalah audit bagi; -

- i) Klinik Pusat Bantuan Guaman
- ii) Sessi Orientasi
- iii) Pusat Bantuan Guaman

Tidak banyak aktiviti-aktiviti yang dijalankan bagi baki tahun 2001 kerana tiada peruntukan belanjawan bagi jawatankuasa.

Jawatankuasa "AKK" ingin mencadangkan yang berikut: -

- Pusat seharusnya mengadakan syarahan-syarahan mini kepada para pelatih, peguam sukarela dan penyelia-penyelia mengenai isu-isu berhubung kepada jawatankuasa-jawatankuasa kecil bagi setiap klinik/program.
- Perlu mendapatkan lebih ramai penyelia, terutamanya mereka yang boleh berada di Pusat Bantuan Guaman.

Kekurangan Jawatankuasa AKK: -

Jawatankuasa menghadapi masalah-masalah dalam memperolehi akses di dalam klinik-klinik/program-program tertentu untuk di audit. Oleh itu adalah dicadangkan bahawa jaringan sistem yang lebih berkesan diperkenalkan. Ketua-ketua projek harus memainkan peranan penting didalam memberi penjelasan tentang tujuan-tujuan jawatankuasa kepada kordinator/penyelia-penyelia masing-masing.

Rancangan Masa Depan

- Pusat harus menyediakan servis yang sistematik dan berkualiti.

- Kesemua klinik-klinik/program-program harus mempunyai sekurang-kurangnya seorang penyelia yang hadir semasa sesi dijalankan.
- Kesemua ketua-ketua program harus menyediakan laporan status setiap tahun dan panduan-panduan bagi setiap klinik-klinik/program-program bagi Jawatankuasa "AKK" untuk mengelakkan sebarang salah faham.

Sebagai kesimpulannya, saya mengambil kesempatan ini untuk mengucapkan terima kasih kepada pihak pengurusan, peguam-peguam sukarela, penyelia-penyelia, kakitangan Bantuan Guaman dan akhir sekali ahli-ahli jawatankuasa saya yang telah menjadikan jawatankuasa "AKK" satu pasukan audit yang terlatih akhirnya dan berharap untuk yang terbaik bagi tahun hadapan.

14. JAWATANKUASA LATIHAN DAN PEMBANGUNAN KEMAHIRAN

Jawatankuasa Kecil Perkembangan Kemahiran

Laporan Oleh Encik Ravi Nekoo

Ahli-Ahli Jawatankuasa

Ngooi Chiu-Ing	S Balasubramaniam
Jayaletchumi Rajaretnam	Noor Suhaidah Kasri
Yasmeen Shariff	Sa'adiah Din
Sharmini Thiruchelvam	A Balakisanan
S Muhendaran	B Murugayah
N Surendran	

Jawatankuasa ini berperanan untuk membangunkan/ mengembangkan kemahiran dan meningkatkan motivasi di dalam diri pelatih-pelatih, Rakan-Rakan Kerja NGO dan para peguam sukarela yang komited di dalam usaha untuk memperbaiki kualiti perkhidmatan kepada klien-klien.

Latihan silang kepada pelatih-pelatih dalam kamar daripada beberapa program telah pun diadakan untuk melengkapkan pelatih-pelatih dengan kemahiran dan pendedahan yang secukupnya. Manual-manual juga telah diedarkan kepada pelatih-pelatih sebagai bimbingan rujukan dan untuk mengelakkan pembaziran masa. Dengan ini pelatih-pelatih diberi peluang untuk menumpukan terhadap perkembangan kemahiran (menemubual dan kemahiran dokumentasi serta "scripted role-playing") semasa sesi latihan.

Untuk mencapai kualiti latihan, audit kualiti telah dilaksanakan secara progressif untuk menilai pelatih-pelatih dalam kamar serta tenaga pengajar. "Bimbingan Lanjutan untuk Tenaga Pengajar" juga telah diedarkan kepada tenaga-tenaga pengajar untuk memastikan kemajuan yang lebih baik.

Tahun lepas Jawatankuasa ini juga telah bekerjasama dengan Majlis Aids Malaysia dengan menganjurkan Latihan 'Para Legal' untuk petugas-petugas "Drug-Users Programme" pada 18 Ogos 2001 bertempat di Malaysian Care, Jalan Ulu Kelang. Objektif latihan ini adalah untuk memperbaiki dan menambah taraf pengetahuan undang-undang petugas-petugas di Pusat ini untuk membolehkan mereka memberikan nasihat guaman kepada ahli masyarakat yang terlibat di dalam penggunaan dadah dan menimbulkan kesedaran undang-undang di kalangan pengguna dadah.

Jawatankuasa ini juga sedang mengkaji lain-lain metodologi atau perkaedahan untuk menambahkan lagi program latihan semasa yang disediakan di pelbagai klinik.

Antara masalah utama yang dihadapi oleh pihak Jawatankuasa dalam merangka program-program baru adalah seperti berikut:

- Kekurangan tenaga pengajar
- Ketidak-sesuaian masa bagi membolehkan pelatih-pelatih menghadiri program-program latihan.

Jawatankuasa Pengembangan Kemahiran berkeyakinan bahawa masih terdapat banyak usaha yang perlu dilaksanakan dalam masa terdekat ini dan berharap ia akan dapat mengharungi segala rintangan.

15. JAWATANKUASA PEMBAHARUAN UNDANG-UNDANG

Laporan oleh Cik M Kamalam

Ahli-ahli Jawatankuasa

Ms Aegile Fernandez

Ms Shakila

Pengenalan

Jawatankuasa Pembaharuan Undang-undang Bantuan Guaman Majlis Peguam (LRC) telah ditubuhkan oleh Pusat Bantuan Guaman Majlis Peguam pada April 2000. Satu-satunya aktiviti yang dijalankan oleh Jawatankuasa in bagi tahun 2001 adalah seminar mengenai "Perdagangan Wanita dan Kanak-kanak di Malaysia" yang telah dijalankan pada 7hb Julai 2001 di Bilik Seminar Jawatankuasa Peguam, Tingkat 8, Wisma Kraftangan, No 9, Jalan Tun Perak, 50050 Kuala Lumpur.

Penceramah-penceramah yang diundang terdiri daripada Dr Irene Fernandez, Pengarah Tenaganita yang telah berceramah mengenai "Isu-isu yang dipertaruhkan dalam Perdagangan Wanita dan Kanak-kanak" dan En M Puravalen, seorang peguamcara dan peguambela yang telah mempersembahkan suatu kertas kerja bertajuk "Perdagangan Manusia. Adakah mereka mempunyai hak-hak?"

Objektif bagi seminar ini adalah :

- (i) untuk mencetuskan kesedaran mengenai isu ini
- (ii) untuk menekankan mengenai perana peguam dalam membantu wanita-wanita berkenaan
- (iii) untuk bekerjasama dengan badan-badan bukan kerajaan yang lain mengenai isu ini

Kami berhasrat untuk bekerjasama dengan lebih erat lagi dengan badan-badan bukan kerajaan yang lain (NGO's) untuk mengkaji pelbagai sudut pembaharuan undang-undang dan untuk mencetuskan kesedaran.

16. Jawatankuasa Gerak Khas Juvana (JGKJ)

Laporan disediakan oleh : Cik Yasmeen Shariff

Ahli Jawatankuasa

Encik Christie Soosay Nathan

Encik Ravi Nekoo

Cik K Parameswary

Encik S. Balasubramaniam

Cik Normaizaida Ahmad Narihan

Encik Wong Leong Hong

Pengenalan

Jawatankuasa Gerak Khas Juvana (selepas ini dirujuk sebagai "JGKJ") yang berusia lebih kurang 16 bulan (pada masa laporan ini ditulis) telah melihat beberapa cabaran yang perlu dilalui. Namun begitu, beberapa objektifnya telah dapat dicapai.

Setelah beberapa bulan mencuba untuk membuat temujanji dengan Pengarah Jabatan Kebajikan, akhirnya satu temujanji telah ditetapkan pada 9hb Februari 2001.

Berikutan pertemuan di antara BCLACKL dan Pengarah Jabatan Kebajikan berkenaan, kelulusan telah diberikan kepada BCLACKL untuk mengadakan sesi pertemuan dan memberikan bantuan guaman kepada juvana-juvana yang ditahan di Asrama Sentosa Sentul, Sekolah Tunas Bakti Sungai Besi dan Asrama Bahagia di Kampung Pandan.

Lawatan sekali dalam 2 minggu telah dianjurkan bagi pusat-pusat juvana di atas. Semenjak kelulusan diberikan, JGKJ telah mengadakan sesi pertemuan dan memberikan wakilan guaman kepada 159 juvana. Lawatan dari masa ke semasa ke penjara telah diatur melalui Jawatankuasa Penjara Kajang dan Sungai Buluh.

Pencapaian terbesar bagi JGKJ adalah pengumuman daripada pihak berkuasa bahawa juvana-juvana akan dipindahkan ke Rumah-Rumah yang dikendalikan oleh Jabatan Kebajikan (kecuali bagi kesalahan-kesalahan serius) sejajar dengan objektif pertama JGKJ iaitu untuk menggesa kerajaan untuk menyediakan rumah-rumah sampingan atau pusat reman atau rumah sementara bagi juvana-juvana selain daripada menahan reman mereka di penjara. Walaupun begitu, terdapat beberapa insiden di mana juvana-juvana telah dikesan berada di penjaran Sg. Buluh.

Pada bulan Ogos 2001, wakil-wakil daripada BCLACKL dan SUHAKAM telah melawat juvana-juvana yang ditahan reman di Penjara Sungai Buluh. Dari lawatan ini telah didapati bahawa masih terdapat sejumlah besar juvana-juvana yang ditahan reman di Penjara Sungai Buluh. Pada 8hb September 2001, satu lawatan khas telah diadakan ke Penjara Sungai Buluh bersama-sama sukarelawan-sukarelawan dari Jawatankuasa Kecil Majlis Peguam bagi Undang-undang Jenayah, Pusat Bantuan Guaman Selangor, program-program Penjara Kajang dan Sungai Buluh. Seramai lebih kurang 60 orang juvana telah ditemubual semasa sesi ini. Terdapat lebih kurang 13 orang juvana yang telah didakwa dengan pelbagai kesalahan serius merangkumi bunuh, dadah dan memiliki senjata-senjata berbahaya.

BCLACKL telah menjalinkan kerjasama erat dengan pihak berkuasa Penjara, Jabatan Kebajikan Sosial, Bahagian Hal Ehwal Undang-undang di Jabatan Perdana Menteri, Polis Diraja Malaysia (PDRM), Mahkamah-mahkamah dan SUHAKAM.

Pada 20hb November 2001, SUHAKAM telah menganjurkan satu bengkel berhubung pesalah-pesalah juvana yang mendapat sambutan baik dan telah dihadiri oleh para peserta terutamanya dari jabatan-jabatan kerajaan. Adalah amat membanggakan bahawa BCLACKL telah diberikan peranan aktif untuk turut serta dalam bengkel tersebut. Maklumbalas daripada BCLACKL telah diterima dengan baik oleh para peserta dan pihak SUHAKAM.

BCLACKL melalui campurtangannya telah berjaya memindahkan seorang juvana yang didakwa membunuh seorang budak perempuan berumur 9 tahun dari Penjara Sungai Buluh ke Sekolah Tunas Bakti di Taiping Perak. Di Penjara Sungai Buluh, beliau tidak dimasukkan ke dalam mana-mana program atau aktiviti.

Pada tahun yang akan datang, JGKJ berharap dapat mengkaji punca-punca yang membawa kepada masalah juvana dalam negara ini serta memberikan cadangan-cadangan membina kepada pihak berkuasa.

Kekurangan sukarelawan sekali lagi merupakan masalah utama kepada Jawatankuasa tahun ini. Pusat ini telah menjalinkan kerjasama erat dengan Pusat Bantuan Guaman dari pelbagai negeri. Kami berharap lebih ramai lagi sukarelawan mendaftar dengan JGKJ.

Pusat ini telah mengumpulkan statistik-statistik berikut mengenai juvana-juvana yang telah ditahan reman di Penjara Sungai Buluh, Penjara Kajang, Asrama Sentosa Sentul dan Sekolah Tunas Bakti Sungai Besi bagi tujuan rujukan.

* Jenis-jenis kesalahan

Tuduhan Di Bawah Sek.	Bil. Juvana
Sek.379 KK	73
Sek.411 KK	27
Sek.511 KK	1
Sek.366 KK	1
Sek.376 KK	2
Sek.511 KK	1
Sek. 366 KK	1
Sek.6 Akta Senjata Api	1
Sec.6 Ordinan Senjata Berbahaya 1958	2
Sec.384 KK	1
Sek.392 KK	3
Sek.302 KK	5

Tuduhan Di Bawah Sek.	Bil. Juvana
Sek.454 KK	4
Sek.380 KK	6
Sek.350 KK	1
Sek.393 KK	1
Sek.381 KK	1
Sek.417 KK	1
Sek. 34 KK	4
Sek.29 (1) Kesalahan Kecil	3
Sek.447 KK	2
Sek.25 (1) Akta Imigresen	1
Sek.34 KK	1
Sek.354 KK	2

Tuduhan Di Bawah Sek.	Bil. Juvana
Sek. 6 (d)	1
Sek.39B Akta Dadah Berbahaya	6
Sek. 42 (1) Akta Pengangkutan Jalan	2
Sek. 6 / 7 Akta Imigresen	3
Sek. 6 (1) Ordinan 43/58	1
Sek. 395	6
Sek. 397	6
Sek.12 (3) Akta dadh Berbahaya	1
Sek.12 (2) Akta Dadah Berbahaya	2
Sek. 456 KK	1
Sek. 25 (1) (n)	1

Selain memberikan bantuan guaman kepada juvana-juvana, JGKJ juga turut menganjurkan Bengkel Deraan Seksual Terhadap Kanak-kanak yang telah diadakan pada 1hb. Jun 2001 dan telah dihadiri oleh 55 peserta. Para peserta berkenaan mewakili Jabatan Kebajikan Masyarakat Malaysia, Polis Di Raja Malaysia, Jabatan Kebajikan Perubatan Hospital UKM Kuala Lumpur, Kementerian Pembangunan Wanita & Keluarga, Jabatan Peguam Negara, Kementerian Perpaduan dan Pembangunan Masyarakat, wakil-wakil Akhbar dan Peguam-peguam. Bengkel berkenaan telah disampaikan oleh Cik.Lois Engelbrecht., aktivis sosial dari Amerika Syarikat yang mempunyai pengkhususan dalam kes penderaan seksual kanak-kanak dan cara-cara menghindarinya dalam berbagai budaya.

17. Program Mengutip Dana ("Fund Raising Programme")

Laporan oleh Encik Francis Pereira

Ahli-ahli Jawatankuasa

R Kesavan	Julian Jeyaseelan
Ngooi Chiu-Ing	Ramanaambigai Marimuthu
Yasmeen Shariff	Lee Shet Mei
Sivarasa Rasiah	Srividya G.
Jeyaveeran Naicker	Adeline A C Lee
Mary Manickam	Uma Devi

Di dalam tahun kedua semenjak penubuhannya Jawatankuasa ini telah bermesyuarat dan menganjurkan aktiviti mengutip dana pertama secara besar-besaran, iaitu tayangan perdana "The Mexican" pada hari Selasa 22hb Mei 2001 bertempat di TGV Suria KLCC. Aktiviti ini telah mendapat sambutan yang menggalakkan dengan hampir 400 tiket habis dijual. Acara ini telah menyumbangkan RM29,720.00 kepada Pusat Bantuan Guaman Kuala Lumpur.

Untuk tujuan mempromosikan Pusat Bantuan guaman ini dan aktiviti-aktivitinya dan untuk tujuan mengumpul dana Jawatankuasa ini bersama-sama dengan Sil Ad (KL) Sdn. Bhd. telah memulakan usaha menyediakan profil Pusat Bantuan Guaman, dan draf pertama Profil ini telah disiapkan. Jawatankuasa ini dan Sil Ad (KL) Sdn Bhd telah menyediakan dan mencetak poster-poster untuk Pusat Bantuan Guaman yang digunakan untuk program-program pendekatan yang dianjurkan oleh Pusat ini.

Sebaik sahaja Profil ini disiapkan Jawatankuasa ini akan menghubungi syarikat-syarikat persendirian dan agensi-agensi penganjuran untuk bantuan kewangan bagi operasi harian ataupun penganjuran untuk program-program yang dijalankan oleh Pusat ini.

Saya mengambil peluang ini untuk mengucapkan terima kasih kepada ahli-ahli Jawatankuasa dan petugas-petugas Pusat bantuan Guaman di atas kerjasama mereka terutamanya dalam menganjurkan Tayangan Perdana untuk mengumpul Dana.

18. KLINIK SYARIAH

Laporan disediakan oleh Cik Noorsuhaida Kasri

Ahli Jawatankuasa

Noorsuhaida Kasri
Norhusniah Husin
Haslinda Sakhroni
Norazmi Bahrom

Klinik Syariah ini mengendalikan kes di kalangan orang awam yang layak untuk mendapatkan bantuan guaman di bawah ujian kelayakan. Klinik ini dibuka kepada orang awam setiap hari bermula hari Isnin sehingga Jumaat daripada jam 10.00 pagi sehingga 4.30 petang.

Statistik di bawah menunjukkan jumlah klien yang mendapat bantuan Pusat Bantuan Guaman Majlis Peguam Kuala Lumpur di dalam kes Syariah.

Jumlah Permohonan Klinik Syariah 2001	87
Fail yang dibuka	30
Minta nasihat sahaja	34
Nasihat-Rujuk kepada Jabatan Agama	1
Nasihat-Rujuk kepada Biro Bantuan Guaman	5
Nasihat-Rujuk kepada Klinik Bantuan Guaman Lain	4
Tidak layak (nasihat sahaja)	13

Klinik Syariah ini dikendalikan oleh pelatih dalam kamar yang sedang menyempurnakan perkhidmatan bantuan guaman mereka yang merupakan sebahagian daripada Peraturan Majlis Peguam berkaitan dengan perkhidmatan Bantuan Guaman. Setiap pelatih bertugas selama 3 jam sekali seminggu dalam tempoh tiga bulan.

Pelatih dalam kamar ini diberi latihan selama setengah hari sebelum mereka bertugas di klinik ini. Latihan ini bertumpu kepada undang-undang Syariah Sivil dan jenayah serta prosedurnya. Latihan ini untuk memperlengkapkan pelatih dengan pengetahuan yang mencukupi dan untuk mempermudah mereka untuk mengendalikan klien yang datang ke Pusat ini.

Pelatih akan mengendalikan klien dengan sendiri dan sekiranya pelatih tidak biasa atau tidak yakin dengan bidang undang-undang yang berkaitan dengan permasalahan klien, maka pelatih akan menghubungi salah seorang daripada peguam syarie yang disenaraikan untuk mendapatkan panduan dan nasihat. Fail akan dibuka untuk klien yang memerlukan bantuan guaman dan yang layak di bawah garis panduan guaman. Fail-fail ini akan diserahkan kepada mana-mana peguam sukarela untuk mengendalikan kes ini sehingga ke penghujungnya.

Memandangkan klinik ini kekurangan penasihat yang mengamalkan kes syariah, berkecukupan dan mempunyai tauliah sebagai peguam syarie, kami bercadang untuk memperkenalkan sebuah program untuk menarik perhatian peguam syarie yang bertauliah ini dan menjemput mereka untuk terlibat di dalam klinik ini.

Jawatankuasa ini juga bercadang untuk menganjurkan sebuah ceramah atau perbincangan dengan Tuan Haji Naim Mokhtar dan pengamal syarie berpengalaman berkenaan kes berkaitan dengan prosedur Mahkamah Syariah. Peserta program akan terdiri daripada para peguam, pelatih dalam kamar, badan bukan kerajaan, ahli akademik dan badan kerajaan.

Jawatankuasa ingin mengutarakan penghargaan dan terima kasih kepada kakitangan Pusat Bantuan Guaman ini di atas bantuan dan sokongan mereka kepada Jawatankuasa ini yang banyak menyumbang kepada kejayaan Klini Syariah itu sendiri.

19. Pentadbiran dan Pengurusan

i. Kewangan

Sejumlah RM367,973.00 telah diluluskan oleh Jawatankuasa Kebangsaan Pusat bantuan Guaman (NLAC) untuk kegunaan operasi Pusat Bantuan Guaman majlis Peguam (Kuala Lumpur) bagi tahun 2001.

ii. Akaun tahunan

Sila rujuk kepada penterjemahan Inggeris (Annexure "A").

20. Ucapan Terima Kasih

Bagi pihak Pusat Bantuan Guaman majlis Peguam (Kuala Lumpur), kami ingin merakamkan ribuan terima kasih kepada pihak-pihak berikut kerana telah membantu kami dalam menjalankan tugas kami. Di antaranya, adalah Pendaftar Mahkamah, Hakim-Hakim mahkamah Seysen, Magistret-magistret, Pihak Penjara Sungai Buloh dan Kajang, Jabatan Kebajikan Masyarakat, Majlis Peguam, Jawatankuasa Peguam Kuala Lumpur, ahli-ahli Majlis Peguam, Badan-badan Bukan Kerajaan, Badan Kerajaan, International Law Book Services, Sil Ad (KL), Lian Huat Stationers and TGV Suria KLCC.