



TUESDAY
23RD FEBRUARY 2010
02:00 PM

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AUDITORIUM
WISMA MCA
JALAN AMPANG
KUALA LUMPUR



18TH



ANNUAL GENERAL MEETING
KUALA LUMPUR BAR

KUALA LUMPUR BAR COMMITTEE 2009/10



L to R (Front):

Mary Tan (Executive Secretary), Anand Ponnudurai (Chairman),
Richard Wee Thiam Seng (Honorary Secretary)

(Back):

Muhendaran Suppiah, Reggie Wong Mew Sum, Janet Chai Pei Ying,
Lai Chee Hoe, Dipendra Harshad Rai, Pushpa Ratnam, Datuk N. Sivananthan,
Brendan Navin Siva (Rep. to Bar Council), Ravinder Singh Dhalliwal

Not in picture:

Saha Deva Arunasalam, Nurul Muhaniza Hanafi

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CHAIRMAN'S REPORT



Anand Ponnudurai
Chairman

A. INTRODUCTION

I am pleased to inform members that for the 2009/2010 term, the Kuala Lumpur Bar Committee ("KLBC") has indeed had a busy and productive term assisted by the hard work and dedication of the Secretariat, members of the various sub-committees and the many other volunteers who had sacrificed their time for the Kuala Lumpur Bar.

The KLBC, at its first meeting in March 2009, appointed Richard Wee Thiam Seng as its Honorary Secretary for the term 2009/2010. Nurul Muhaniza Hanafi and Janet Chai Pei Ying were co-opted as members of the KLBC under Section 73(vii) of the Legal Profession Act 1976.

We have this term continued with the regular dialogues with the Judiciary which have increased due to the various changes in the administration of the Courts.

This year, the KLBC has decided to hold its 18th Annual General Meeting on 23.02.2010 at the Auditorium in Wisma MCA to save costs. This decision will save the KLBC approximately RM10,000 to RM12,000. To further save costs, the KLBC has decided to continue with last year's practice of producing the Annual Report on CD Rom and providing limited hardcopies for the AGM. Members might be pleased to know that this change to CD Rom will save the KLBC approximately RM25,000.

B. COMMITTEE ACTIVITIES

i) Fostering closer working relationship with the Selangor Bar Committee (SBC)

Upon taking office, the SBC and KLBC met up on 17.04.2009 to discuss how to work more closely together to cater to the mutual needs of members of both the KL Bar and Selangor Bar. This year, the Meet was hosted by the SBC. The Meet had certainly further enhanced and strengthened the existing good relationship between the SBC and KLBC.

ii) Courtesy Calls and Meetings

- The KLBC paid a courtesy call on the Chief Justice, President Court of Appeal and the Chief Judge of Malaya on 14.04.2009. Though it was a courtesy call, many issues of concern were raised and discussed.
- The KLBC also participated in many meetings called by the Judiciary, amongst which were:
 - » 06.03.2009 - Meeting at the Palace of Justice on eBanking.
 - » 06.07.2009 - Meeting with the Chief Justice to discuss the issue of postponements/adjournments of cases.
 - » 21.08.2009 - Dialogue with the Chief Justice on the implementation of the new Commercial Courts.
 - » 03.09.2009 - Meeting with the Managing Judge of the Commercial Division to discuss the New Commercial Courts



- The KLBC was also involved in many of the meetings between the Office Bearers of the Bar Council and the Judiciary to iron out issues arising from the implementation of the new Tracking System and the KPI.

iii) Official Launch of the New Commercial Courts

At the invitation of the Judiciary, I represented the KLBC at the Official Launch of the New Commercial Courts at the Kuala Lumpur Court Complex on 01.09.2009.

iv) Visit by Australian Deputy High Commissioner, His Excellency Mr. Craig Chittick

The Australian Deputy High Commissioner, His Excellency Mr Craig Chittick, accompanied by the President of the Malaysian Bar, Mr Ragunath Kesavan, visited the KL Bar Secretariat and the KL Legal Aid Centre (LAC) on 06.04.2009. H.E. was given a briefing of the Legal Aid Scheme and the programs run by the LAC.

v) Collaborations

• **CrimsonLogic**

- » The collaboration with CrimsonLogic, initiated by the previous KLBC (through the Professional Development Committee), to introduce and promote Legal Workbench to members of the KL Bar had entered into its 2nd year. Besides monetary sponsorship, CrimsonLogic had also provided 2 complimentary user IDs of Legal Workbench for members' use. For members who may not be aware, the 2 user IDs are installed in the computers at the Bar Room on the left wing of level 5 of the KL Court Complex.
- » The KLBC had also entered into a collaboration with CrimsonLogic to produce the Pupillage Guide and Directory. The Guide is in the midst of being finalised for print. 16 law firms had signed up to advertise in this first edition of the Guide.

• **LexisNexis Malaysia**

The KLBC had once again collaborated with LexisNexis to organise the LexisNexis-KL Bar Treasure Hunt 2009 and the project was undertaken by the Social, Arts & Culture Committee. Held on 25.10.2009, it managed to raise RM7,500 (KL Bar's share of the proceeds) for the KLBC to utilise to fund a community development project of its choice.

vi) Acquisition of a KL Bar Building

The KLBC, upon taking office in February 2009, continued to pursue the acquisition of a building of its own for the KL Bar. The Bar Council, however, was keen to have the KLBC under one roof with them together with the Disciplinary Board and KL LAC. The KL Bar's representative to the Bar Council, Brendan Navin Siva, was then appointed by the Bar Council to chair the Bar Council Building Committee to look into buying a joint building to house the 4 bodies. The KLBC had submitted an estimate of space and requirements to the Building Committee.

vii) Revamping of the KL Bar Website

A major revamp of the KL Bar Website was carried out this term. This exercise was undertaken by the IT Committee which had done a good job in bringing to members a more informative and interactive website.

viii) KL Bar Twitter

Last term saw the initiation of the KL Bar Blog (klbar.blogspot.com) and this term, the KL Bar Twitter page (<http://twitter.com/klbar>). Also mooted by the IT Committee, the KL Bar Twitter page serves as an additional channel for the KLBC to reach out to members.

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ix) YLC Charity Nite 2009

This year's YLC Charity Nite raised a record sum of RM46,151.15 for charity. This tremendous success certainly was attributed to the hard work of the Young Lawyers Committee.

x) KL Bar Annual Dinner & Dance

Themed, "Reminiscing the 1920s", the Annual Dinner & Dance 2009 held at the Sime Darby Convention Centre on 14.11.2009, attracted approximately 400 people. The occasion was graced by the Chief Judge of Malaya and many other distinguished guests. Credit must go to the Social, Arts & Culture Committee for their efforts in making this event yet another success.

xi) Legal Career Fair 2010

Recognising the limited opportunity for legal firms to meet potential law graduates and potential pupils and vice versa, the Pupils Welfare Committee had once again undertaken the task to organise a Legal Career Fair to create a valuable platform for legal firms to meet potential candidates from the legal fraternity and vice versa. This 3rd Legal Career Fair was held on 09.01.2010 at the Legend Hotel Kuala Lumpur.

xii) Study Tour to the Singapore Court

The Civil Court Liaison Committee ("CLC") organised a Study Tour to the Singapore Court to look at their Tracking and eCourt System. The Study Tour was held on 29 and 30.10.2009. I together with the Honorary Secretary and nine members of the CLC headed by the Deputy Chair attended the Study Tour. Reports have been compiled and the CLC is preparing a paper with its recommendations for the KLBC to present to the Chief Justice.

xiii) Arrest of 5 LAC lawyers

The Honorary Secretary and I together with a few other KLBC members were present at the Brickfields Police Station on 07.05.2009 and various other Police Stations on 08.05.2009 trying to seek the release of the 5 LAC lawyers including the LAC Chair and Secretary who were arrested while trying to perform their duties in rendering legal aid to 15 arrested people.

The KLBC issued a press statement on 08.05.2009 condemning the decision of the Police to arrest the 5 LAC lawyers who were at the Brickfields Police Station to represent their clients and demanding an immediate release of the said 5 lawyers.

xiv) Funds for the 4 lawyers detained under the ISA

With the release of the 4 lawyers detained under the ISA, the Bar Council directed the KLBC to close the Account at Maybank that was opened to collect funds to help ease the financial hardship faced by the families during the period of detention of the 4 lawyers. For members' information, a total sum of RM84,133.64 was collected and divided equally amongst the 4 families with each family receiving RM21,033.41. We would like to take this opportunity to express our gratitude to members of the Bar who had contributed generously to the said fund.

xv) Bar Room at the Kuala Lumpur Court Complex

The KLBC had always endeavoured to provide members with more facilities in the Bar Room. The facilities/services available in the Bar Room are Legal Workbench, MLJs and selected textbooks, wifi, computers, photocopying, printing (from the computers), facsimile, telephone, robes, jackets, bibs, bands and water dispenser. Some of these facilities/services are available at a charge the rate of which can be found on the KL Bar website at www.klbar.org.my. This term, the KLBC introduced 3-in-1 and 2-in-1 (with no sugar) Nescafe which are sold at RM1.00 per sachet.



At the request of the Judiciary, the KLBC had on 25.12.2009 vacated the Bar Room on the Right Wing of the Kuala Lumpur Court Complex for the Judiciary to set up an additional Magistrate's Court to handle the increasing number of cases.

xvi) Committee Meetings

As at 15.01.2010, the KLBC met 11 times and the attendance of each member was as follows:

Anand Ponnudurai	- 11
Richard Wee Thiam Seng	- 10
Datuk N Sivananthan	- 5
Reggie Wong Mew Sum	- 9
Dipendra Harshad Rai	- 8
Lai Chee Hoe	- 11
Muhendaran Suppiah	- 8
Pushpa Ratnam	- 10
Saha Deva Arunasalam	- 6
Ravinder Singh Dhaliwal	- 10
Nurul Muhaniza Hanafi	- 2
Janet Chai Pei Ying	- 10

Brendan Navin Siva, KL Bar's representative to the Bar Council, was invited to attend the KLBC meetings as observer and also to report to the Bar Council on relevant matters as and when pertinent and necessary. He attended all the meetings and worked closely with the KLBC.

xvii) Finance, Subscriptions and Non-subscription Income

The financial position of the KLBC remains stable with a sum of RM710,207 in Fixed Deposit and RM311,555 in Trust Account with Amanah Raya Berhad. Details of the financial position are set out in the Audited Accounts ending 31.12.2009.

The subscription for the year 2009 was fixed at RM100 at the last AGM on 26.02.2009. At the closing of the KLBC's financial year on 31.12.2009, 56 members were in arrears of the 2009 subscription.

This term, the KLBC managed to raise a total of RM62,724 from sponsorships, website and newsletter advertisements, PDC and PWC lectures and the Legal Career Fair.

Though the financial position of the KLBC remains stable, it must be noted that fixed overhead expenses are increasing and there may come a time in the not too far future that subscriptions may have to be increased.

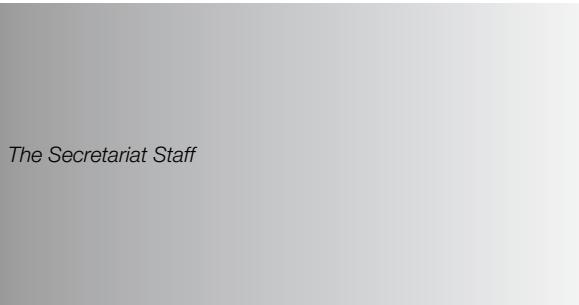
C. SUB-COMMITTEE ACTIVITIES

12 Sub-committees were established to facilitate the organisation of the KLBC's various activities and to cater to the needs of members. The Sub-committees were ably led by the following members:

i) **Civil Court Liaison**
Reggie Wong Mew Sum

ii) **Conveyancing Practice**
Nurul Muhaniza Hanafi

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- iii) **Criminal Practice**
Datuk N Sivananthan
- iv) **Environmental & Humanities**
Saha Deva Arunasalam
- v) **Information Technology**
Richard Wee Thiam Seng
- vi) **Legal Aid**
Ravinder Singh Dhaliwal
- vii) **Professional Development**
Dipendra Harshad Rai
- viii) **Publications**
Brendan Navin Siva
- ix) **Pupils Welfare**
Pushpa Ratnam
- x) **Social, Arts & Culture**
Janet Chai Pei Ying
- xi) **Sports**
Muhendaran Suppiah
- xii) **Young Lawyers**
Lai Chee Hoe

The accompanying reports of the various Sub-committees are a reflection of the work performed by the Sub-committees.

D. OBITUARIES

We record with deep sorrow the passing of the following members of the Kuala Lumpur Bar during the year under review:

Tan Sri Dato' Seri Haji Mohamed Yusoff bin Haji Mohamed on 04.03.2009
Au Yeong Khuen @ Au Yong Khim on 16.06.2009
Noeline Cheah Lei Lin on 27.07.2009
Govin Sreedharan on 29.07.2009
Mohd Rezal bin Haron on 09.09.2009
M. Thiruchelvasegaram on 30.10.2009

The Reference Proceedings in memory of the abovenamed members and Ganesan Govindasamy who departed on 26.11.2008 is scheduled to be held on 24.02.2010, 9.00am. The Proceedings will be presided by Y.A. Dato' Haji Mohamed Apandi bin Haji Ali.

E. SECRETARIAT

In 2009, the KLBC engaged an additional support staff for the Secretariat in view of the increased workload. Kartini Aris joined the Secretariat as a general clerk on 15.05.2009. The KLBC now has a staff strength of 11 (including 1 based in the Bar Room at the KL Court Complex). The restructuring of the job scope of some of the staff that was initiated towards the end of 2008 took effect in the new term of the KLBC 2009/10. The restructuring exercise was to further improve the provision of secretariat and administrative support to the KLBC and its Sub-committees. The organisation structure containing details of the portfolios of each staff member can be found on the KL Bar website (www.klbar.org.my).

The staff was given the opportunity to participate in two of the Seminars conducted by the Bar Council in 2009; Seminar Bahasa Melayu and Seminar on Legal Research Skill. The staff was also invited to attend a briefing on the Professional Indemnity Insurance Policy for the Malaysian Bar Council that covers State Bar Committees as well.

The KLBC is looking into in-house training courses for the staff to enhance their performance to better serve the KL Bar.

Two members of the Secretariat staff received their long service award this year; Yazid Yusof, Despatch Clerk, had served the KLBC for 25 years and Siti Affaeza, Accounts and General Admin Officer, for 5 years.

F. ACKNOWLEDGEMENT AND CONCLUSION

I wish to record and acknowledge the co-operation and assistance received from the Judiciary at all levels and other stakeholders who had always met us, sometimes at short notice, to discuss the various issues that have arisen this term. There can be no doubt that it has been a "busy" term with the various changes being introduced in the Court's system. Special thanks to Reggie Wong and her entire committee who have tirelessly looked into all issues this term.

I have enjoyed serving members as Chairman this term and my initial fears that there was a lot of work to be done was proven true. However, my task as Chairman was made easier by the dedication, commitment and sacrifice demonstrated by each and everyone of my committee members and it has indeed been my privilege to have worked and served the KL Bar with them.

My thanks also goes to the Honorary Secretary, Richard Wee and Mary Tan the Executive Secretary who have both worked tirelessly to ensure smooth administration of the Secretariat.

Finally, I offer my sincere apologies if there has been any shortcomings during this term and any criticism of the KLBC must be borne by me alone. I wish the incoming committee all the best and I am confident that they will strive to serve members in the best possible way and that members will continue to encourage and support them as you have supported and encouraged us this term.



Anand Ponnudurai

Chairman

Kuala Lumpur Bar Committee 2009/10

CIVIL COURT LIAISON COMMITTEE

Reggie Wong Mew Sum
Chairperson



To ensure better service to members of the KL Bar, the Civil Court Liaison Committee ("CCLC") this year has implemented sub-units with a senior KL Bar member to lead each sub-unit. Each sub-unit is specifically targeted to specific division of the Courts namely; Federal/Appellate, Civil, Commercial, Appellate and Miscellaneous Matters, Family, Subordinate Courts, Bankruptcy and Selangor Bar Liaison.

TRACKING SYSTEM KL HIGH COURTS

This year the term started with the distribution of the survey forms on the Tracking System which had commenced on 03.02.2009 at the Kuala Lumpur High Court for the Civil and Commercial Divisions. The response to the survey mainly reflected that the system was still at its initial stages and there were areas that needed to be improved. Subsequently another survey was undertaken in May and the response from members showed that many areas had improved and members of the Bar generally agree that the Tracking System does speed up the process.

The CCLC has also had meetings with the various Divisions of the Kuala Lumpur Courts, and amongst the issues raised with the various Divisions were the Tracking System, Case Management procedures, cause lists, uniformity of practices amongst the Courts, urgent application uniformity in procedures, filing system, draft orders and extraction, and many more issues.

The CCLC has had the following meetings:

- **Meeting with the Managing Judge for Commercial Division of KL High Courts on 22.04.2009**

Issues raised include matters concerning Appellate and Miscellaneous Matters Division as well as the Commercial Division such as adjournments/fixing of hearing dates, case management, fixing of dates - urgent applications, specialised commercial courts, registry, filing of written submissions and space constraint during hearing before Senior Assistant Registrar as well as complaints/feedback from the Judiciary.

- **Meeting with Representatives of DBKL and Police Traffic on Parking Problems at the KL Court Complex**

A meeting with representatives of DBKL and Traffic Police about the parking problems at the KL Courts was held on 23.04.2009 at the KL Bar Secretariat.

Issues discussed with the representative of DBKL include entrance road towards the Kuala Lumpur Court Complex, moratorium to park along the road leading to the Court Complex entrance, suggestions to ease the congestions of the area and signboards.

Whilst issues raised with the Traffic Police include summonses issued by the Traffic Police, jurisdiction of the access road leading to the Court Complex, problems of theft and cars being broken into.

Deputy Chairperson

Sanjeev Kumar Rasiah

Head, Appellate Courts and Civil Courts Unit

Colin Andrew Pereira

Head, Family Courts Unit

Ravi Nekoo

Head, Appellate & Miscellaneous Matters Courts Unit

Lee Shih

Head, Commercial Courts Unit

Peter-Douglas Ling

Head, Bankruptcy Unit

Annou A. Xavier

Head, Subordinate Courts Unit

Jennifer J Chandran

Head, Selangor Bar Liaison

Kerry Sin Yoong Ming

Committee Members

Azreen Binti Mohd Zainal Anuar

Bavanee Subramaniam

Chong Seei Yang

Darshendev Singh

James Chow

Kunasekaran A/L Sevanthi

Lim Jit Kiong

Norazmi Bin Norazman

Raymond Charles David

Richard Tee

Selva Rani Thiyagarajan

Syuhaini Safwan

Wahyun Anwar bin Abd Rahman

Wilson Heng



- **Briefing on Tracking System by the Managing Judge for High Court Civil Division**

A briefing on the Tracking System was held 28.04.2009 at the KL Courts Complex. Briefing was headed by the Managing Judge of Civil Division of the KL High Courts. Issues addressed during the meeting include transcription, adjournment/fixing of dates, urgent applications, case management, intemperate Registrars, written submissions, Family Court, space constraint at SAR cubicles as well as feedback from the Court officers.

- **Informal Meeting with CJ and CJM at KL Court Complex**

An informal meeting with CJ and CJM at KL Courts was initiated by Bar Council on 21.05.2009. Matters discussed during the meeting include an introduction on the Tracking System (cost, problems encountered, Tracking System at the Criminal Division) and the usage of mediation in Courts.

- **Meeting with the Registrars of KL Court on Format of Cause Lists**

A meeting with the Registrars of KL High Courts was held on 26.05.2009 to discuss the format of the cause list to be used and persons in charge in each Division.

- **Meeting between CCLC Subordinate Courts Unit and Acting Senior Judge of KL Courts**

A meeting with the Acting Senior Judge, Senior Registrar and several Sessions Court Judges and Magistrates on arising matters at the Subordinate Courts was held on 27.05.2009 at Putrajaya. The Senior Registrar also raised complaints by the Court officers regarding conduct of Counsel and administration matters.

- **Meeting Between Selangor Bar Committee and Shah Alam Lower Court Judges (Civil and Criminal Divisions)**

CCLC was invited and sent 2 representatives to this meeting which was held on 12.06.2009 at the Shah Alam High Court.

- **Briefing on the Tracking System at the Shah Alam Courts**

Representatives of CCLC attended the Tracking System briefing on 26.06.2009 at the Shah Alam Courts at the invitation of the Selangor Bar Committee.

- **Courtesy Call on/Meeting with Director of Insolvency Malaysia and Insolvency Department Heads on 10.07.2009**

CCLC Bankruptcy Unit along with representatives from the Bar Council and Selangor Bar Committee had a fruitful meeting with the Director of Insolvency Malaysia on 01.07.2009 at Putrajaya.

Issues addressed during the meeting include the winding up petition cost, refund of deposits, secured properties, creation of central data bank, winding up of developers, telephone problems at the Shah Alam Insolvency Office, matters concerning Section 38(1)(a) and missing creditors information in mergers.

- **Forum/Dialogue Sessions between Managing Judges of Civil and Commercial High Courts and Members of the KL Bar**

CCLC organised a dialogue/forum sessions between the Managing Judges of the Civil and Commercial Divisions and members of KL Bar on 16.07.2009 at the KL Court Complex. Issues discussed include cross examination in writing, adjournments, fixing date of hearing, lack of standard procedure for urgent applications and other administration matters.

- **Tracking System at the KL Subordinate Courts**

The system was implemented on 02.11.2009. Numerous complaints surfaced almost immediately. The CCLC responded quickly by compiling the complaints raised by members and had a meeting with the Judicial Officers on

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09.11.2009 namely the Chief Registrar, Director of the KL Courts and other related officers.

The salient issues addressed during the meeting were crowded waiting area, insufficient posted signage, long waiting period, no mobile phone coverage at level B1 (at which the Courts are located), unclear calls by the Registrar (PA system requested).

- **Follow-up Meeting on the Tracking System at the KL Subordinate Courts**

A follow-up meeting was requested by CCLC resulting from another round of feedback received from KL Bar members. The follow-up meeting was held on 21.12.2009. The Judiciary was represented by YA Dato' Md Raus bin Sharif as well as the Deputy Chief Registrar and other related Officers. The meeting was also attended by the KLBC Honorary Secretary and President of the Malaysian Bar.

Issues raised in the meeting were Interlocutory cases, adoption cases, MOB and SNS, QMS System, Duty Judge, e-kehakiman, file not listed counter, striking off matters, entrance and access to the lifts at B1 (Right Wing), signages, Judgments not collected and lawyers' attitude.

An observation of the operations of the Sessions and Magistrates Courts was also carried out.

At the meeting, it was also announced that effective 01.01.2010, Arbitration awards will be given by the NCC Courts.

The minutes of the various meetings have been circulated to members by e-mail and posted at the KL Bar website.

STUDY TOUR TO SINGAPORE

The KLBC sponsored 9 members of the CCLC to Singapore for a Study Tour on 29 and 30.10.2009. The Study Tour included a tour to the Singapore Supreme Court, Subordinate Court, the Law Society of Singapore as well as to Wong Partnership LLP (as an example of a LLP legal firm) to experience the workings of the Court Tracking System as well as the set up of a LLP legal firm.

Reports of the Study Tour have been compiled and will be made in a form of a memorandum to be handed to the Judiciary. The memorandum would include recommendations to improve to the existing Tracking System at the KL Courts.

CAR PARKING PROBLEMS AND SHUTTLE SERVICE

The shuttle service from the MATRADE car park to the KL Courts had commenced on 16.11.2009. It was hoped that with the commencement of this service, the parking problems and traffic congestion at the KL Courts will reduce to some extent. However, currently members of the Bar have yet to respond positively to the service.

Members are reminded that in order to be allowed to park within the allocated car parks in the compound of the KL Courts, members must display on their car windscreens the Bar Council sticker, which is available at the Bar Council Secretariat, at the price of RM5 per sticker.

CONCLUSION

I wish to put a special note of thanks to my Deputy Chair, Sanjeev Kumar who has been extremely supportive throughout the year.

I wish to also thank all CCLC members for their support, cooperation and contribution to the committee in serving the members of the KL Bar and in particular, my appreciation goes out to the sub unit heads, namely Colin Pereira, Peter-Douglas Ling, Kerry Sin, Lee Shih, Ravi Nekoo, Annou Xavier, Jennifer Chandran, who were ever ready to handle issues at various levels of the Courts and were at the forefront of any meeting with the various Division Heads of the Judiciary.

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I would also like to thank the Secretariat, particularly Norhayati who was constantly arranging with the Judiciary for meetings and coming up with the notes and minutes almost immediately and for arranging the shuttle service. A special note of thanks also goes out to Mary Tan who is in her usual self, very reliable and efficient.

It has been a challenging and fruitful year for me in the committee and I hope we at the CCLC had served you in the best way possible.

Reggie MS Wong

Chairperson

Civil Court Liaison Committee



CONVEYANCING PRACTICE COMMITTEE

Nurul Muhaniza binti Hanafi
Chairperson



The Conveyancing Practice Committee ("CVPC") identified the following as its objectives for the term of 2009/10;

GENERAL OBJECTIVES

- To identify and resolve issues and complaints of members of the KL Bar in the areas of Conveyancing
- To enhance relationship and communication with all parties involved in conveyancing practice i.e. Land Offices, Stamp Duty Offices, etc
- To work hand in hand with Bar Council, Selangor Bar and other State Bar (as and when necessary)

SPECIFIC OBJECTIVE

Assisting members of the KL Bar in dealing with these bodies:

- **Land Office**
To avoid unnecessary rejection of documents, rectification of titles, to expedite applications of consent to transfer and charge, to expedite the extraction of the duly registered titles, etc.
- **Stamp Duty Offices**
To standardise documents that need to be submitted to the remission of stamp duty, to resolve the e-stamping problems among solicitors
- **Bahagian Pinjaman Perumahan Perbadanan Malaysia (BPP)**
On matters regarding sub sale/assignment cases better known as Secondary Loans, (undertakings and confirmation requested unacceptable by developer)

OVERVIEW

The CVPC had held 6 meetings since taking office. The CVPC Chair had several informal discussions with senior officers of the Land Offices and Stamp Duty Offices and managed to resolve most issues and complaints from both members of the KL Bar as well as these agencies.

Details of the activities of the CVPC within this term were:

MEETING WITH PETALING LAND OFFICE

CVPC members were invited by the Selangor Bar's counterpart to attend this meeting which was held at the Petaling Land Office on 27.05.2009

Issues highlighted during the meeting were as follows:-

- a. Counsel can collect the duly registered title within 2 weeks to 1 month.
- b. Consent to transfer and consent to charge can be obtained within 2 weeks.

Deputy Chairperson

Yong Hsian Siong

Committee Members

Agnes Chan
Chong Wai Kuan
Grace Chin
Jeremiah R. Gurusamy
Kalathey Sivagnanam
Kong Kai Jye (Joey)
Lee Choi Wan
Margaret KH Koh
Noor Arianti Osman
Rahimah Mohamad
Rita Sabrina Wong Kee Ling
Rohaiza Mat Noh
Sri Rahayu Binti Mohamad
Syahizan Amir Bin Abdul Wahab
Yoon Ching Yoong (Brandon)



- c. The validity of the official search is 14 days instead of 7 days.
- d. Application for Lost Plan (Pelan Hilang) process improved and will be done within 2 weeks' time.
- e. Blanket Consent for Transfer/Charge (without the specific financial institution being named and valid for a period of 3 years).

INFORMAL DISCUSSION WITH THE DEPUTY DIRECTOR OF WILAYAH LAND OFFICE

The Chair and another member of CVPC had a discussion with the Deputy Director of the Wilayah Land Office on 04.06.2009 in which some matters were resolved to the satisfaction of both parties. Matters discussed include Fraud Cases, Strata Titles and general operations of the Kuala Lumpur Land Office.

MEETING BETWEEN LAW FIRM RUNNERS AND OFFICERS OF THE WILAYAH LAND OFFICE

The meeting was called by the Deputy Director (Registry Department) to announce new operation procedures which were to be implemented by the Wilayah Land Office on 01.06.2009. This meeting/discussion was held at the Wilayah Land Office on 05.06.2009.

The Wilayah Land Office then issued a circular resulting from the discussions, which were as follows:

1. Commencement of One Piece Flow Process

Starting on 01.06.2009 a new One Piece Flow counter will be introduced. The counter will accept, process and completed submission may be collected within a day.

The submission must only be a single submission, submission in person and matters of Housing Loan Charges. There will be a maximum limit of 50 submissions per day.

2. Operating time for Counter at Registration Unit

Starting 16.06.2009, registry counter will be open up to 4.30 pm daily, Monday to Thursday.

3. Storage Charge for uncollected Documents

PPTG WPKL will impose storage charge for uncollected documents by lawyers. RM10 will be charged for each uncollected Title, 3 months after notification was sent to Law Firms.

4. Notification to Collect Documents via email

The Registry Department will notify Law Firms that their requested documents are ready for collection by email. Lawyers are requested to update their email particulars in the Biometric System at Counter 19.

5. Fraud Documents

The Wilayah Land Office will directly report to the Bar Council fraud identified within submitted documents (submission receipt, franking chop etc).

6. Extension on Transfer and Charge

Extension for Transfer is allowed once after the 12 month deadline.

7. Copy of Assessment Receipt for application for Transfer and Charge

Copy of assessment receipt must be attached together with the submitted forms.

8. Online payment for Quit Rent

Law Firms are encouraged to pay quit rent online. Law firms are the smallest percentage using this facility. Payment

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can be made via the department at www.ptgwp.gov.my

9. Submission receipt at Collection Counter

Document not collected on the same day will not be entertained. Applicants must wait for regular daily practice on other days. The Land Office will not be responsible for lost of receipt.

10. Amendments on documents

Amendments on documents must be done by attesting lawyers ONLY to avoid further problems arising in later days.

11. MyKad Damaged

Mykad need to be changed if damaged.

12. Request letter to expedite process

All requests to expedite process will not be entertained for a period of 30 working days (for submission of landed property) and 90 working days (for submission for strata).

13. Late application for approval for Transfer/Charge

Appeals to expedite process due to late application will not be entertained. Everyone must refer to the stated Client Charter.

14. Late submission due to document been suspended

Law Firms are reminded to take immediate action on suspended documents. Delayed submission will be rejected.

15. Incomplete filling of Forms

There were numerous cases where forms filled by Lawyers were incomplete.

INFORMAL DISCUSSIONS ON MATTERS OF STAMP DUTY

The CVPC Chair had another informal discussion with the Director of the Stamp Duty Office, Kuala Lumpur on 24.06.2009. Mainly the discussion was on the implementation of the e-stamping which had commenced on 01.07.2009

Matters addressed were as follows:

- a. The E-Stamping system froze when lawyers were using it. System could not cope with the bulk of applications.
- b. Part of the problems were incorrect data keyed in by Counsel, wrong forms attached, attachment sent not in accordance with requested format and/or too many pages sent instead of the relevant/requested ones.
- c. Stamp Duty Office agreed to receive manual submission again.

MEETING WITH THE SELANGOR LAND REGISTRY

A meeting was held between the Selangor Land Registry and Selangor Bar Conveyancing Committee and CVPC was invited to send representatives.

Issues highlighted at the meeting were as follows:

- a. QMS system will be implemented at all Land Offices at the counters for Land Registration, Payments and Strata Titles on 20.07.2009
- b. Runners (including courier services) acting on behalf of Law Firms must register with the Selangor Land Offices. Only runners with valid passes may conduct business with the officers of the Land Registry and all Selangor Land Offices. A meeting with the runners was held on 29.07.2009 detailing the new procedure.
- c. Endorsement certification on payment of Stamp Duty on the Deed of Assignment
- d. The Land Registry will start disposing old documents from year 1920 -1989 to make room for increasing and new applications/submissions.
- e. The Land Registry will ask for further clarification from the law firms should the Authorisation Letter be incomplete i.e. no identification number of the Counsel. Copy of Identification Card and thumb print of the authorised person will be

recorded for purposes of collecting documents or titles

- f. For consent of transfer process to a foreigner, applications may be directly made to Land Offices (under Section 433B KTN) and without the need of approval from FIC
- g. A certified copy of the payment of the Quit Rent is not needed for applications for consent to transfer/charge.

MEETING WITH THE WILAYAH LAND OFFICE KUALA LUMPUR

The CVPC Chair had an informal discussion with the Deputy Director of the Strata Titles, Wilayah Land Office on 06.10.2009 which led to a meeting between CVPC and the Wilayah Land Office on 17.11.2009 at the Rumah Persekutuan, Kuala Lumpur.

Matters highlighted and discussed were:

1. Strata Title

Currently the applied regulations, Developer must apply for strata titles within 6 months after the issuance of Certificate of Fitness.

Most of the problems of Strata Titles in Kuala Lumpur were caused by the Developer/owner that failed to apply for the strata titles. PTGWP is having a difficult task to ensure that enforcement of the procedure is done by the developer/owner of the development.

Currently developer/owner will use the letter duly acknowledged by the PTGWP to claim the 2.5% progress payment from the Housing Development Account. Most of the time the application is not in order and since payment had been received by the developer – there is no way to ensure that the developer will do the necessary amendments to ensure the strata title process continued. (Refer to Jadual H Akta Pemaju Perumahan (Kawalan dan Perlesenan) Jadual Ketiga Fasal 4, Jadual Pembayaran Harga Beli, and Item 4)

Tuan Hj Hasim had informed that the PTGWP had held various discussion with REHDA, JUPEM, KPKT and have come up with the suggestion that the last 2.5% payment of the progressive payment to developer to be held until the application/proposed strata title plans are deemed in order by JUPEM.

Tuan Hj Hasim requested that members of the Bar help enforce this new flow of processing. Law Firms only to give certifications after the JUPEM had given their letter stating that the application are in order and further reference will be made. (Sample Letter shown to meeting)

The CVPC Chair requested that PTGWP give a circular on the matter and will ensure that members of the Bar be informed of the matter.

2. Practising Certificate

Tuan Hj Hasim informed that the Bio Metric System implemented at the PTGWP had reduced the fraud cases. However there are still many cases which involved attestations by the lawyers without having a valid practicing certificate.

Tuan Hj Hasim informed that the PTGWP will be enforcing new regulation – lawyers must attach a photocopy of their practicing certificate for all submission to PTGWP.

3. Wilayah Land Office general operations

3.1 Registration of Charges

Encik Latif announced that effective 02.11.2009, registration of charges for landed properties will only take 2 working days (provided all documentations are in order)

3.2 Application of Lost Plans

Members of CVPC wanted to know whether it is possible to be done within 2-3 weeks (as so done by Petaling Land Office)

Cik Azura stated it still take time as they have to refer to JUPEM to get the actual plans.

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3.3 **Title without Owner's Identification Card number**

En Alfian clarify that the owner must come in person for attestation.

3.4 **Documents not collected by the Lawyers**

Puan Radiyah requested CVPC to help PTGWP to ask/inform lawyers to come and collect their documents which had been piling up at the WLO.

CVPC will help inform the Law Firms if WLO can give them the list of firms involved.

Both PTGWP and CVPC agreed that WLO will impose a storage fee for the uncollected documents after 1 month period.

3.5 **Amendments done by Runners**

Cik Azura informed that some runners simply amend the documents themselves and the corrections done usually make matters worse.

3.6 **Suspended Presentation**

Puan Radiyah informed that whenever documents were suspended/ being withhold – lawyers were requested to come in person to rectify/make amendments within the specified time. Lawyers must come in person so matters can be settled and not to send their runners.

Usually once the submission had been rejected, lawyers then ask for an appeal. Puan Radiyah requested that Lawyers to cooperate in this matter.

3.7 **Waiting Room**

Cik Rahayu informed that there were numerous time the public at the waiting room were making noises because they were not entertained / kept waiting by the WLO staff.

Tuan Hj Hasim informed that there are 3 staff members in charge; Encik Mohd Azlan to monitor and improve the service.

3.8 **Blanket Consent**

CVPC Chair suggested the PTGWP to give a blanket consent to Charge/Transfer (i.e. without specific financial institution and for a period of years - as done by the PTG Petaling)

Tuan Hj Hasim said he will take that into consideration and will bring the matter to the EXCO meeting.

3.9 **Damaged Strata Titles**

Tuan Hj Hasim informed the meeting that the damaged Strata Titles will take about 6 months to be re-issued. However, for urgent cases, it can be expedited to 4 months. PTGWP welcome owners/lawyers to bring their copies of the titles to speed up the process. About 1,000 Strata Titles were damaged.

CONCLUSION

I wish to thank members of the Conveyancing Practice Committee for their support and cooperation. The Committee has managed to resolve most of the arising problems faced by the Conveyancing Practitioners in Kuala Lumpur and made good bridging contacts with the bodies involved in the conveyancing practice. This will surely ensure easier dealings in the future.

My sincerest thanks and appreciation to the KL Bar Secretariat staff for who were always supportive and ever ready to assist at any time.

Nurul Muhaniza Binti Hanafi

Chairperson

Conveyancing Practice Committee

CRIMINAL PRACTICE COMMITTEE

Datuk N. Sivananthan
Chairperson



The Criminal Practice Committee (“CPC”) was set up to ensure the existence of a body specially focused on issues involving members of the Kuala Lumpur Bar with other bodies involved in the practice of criminal law.

OVERVIEW

The CPC has met 7 times since taking office and has carried out the yearly routine of paying courtesy calls and had meetings with the agencies involved in the administration of Criminal Justice in Kuala Lumpur which amongst others included the following:-

MEETING WITH THE SUPERVISING CRIMINAL JUDGE OF THE KUALA LUMPUR SESSIONS COURT

The meeting was held on 21.05.2009 at the Meeting Room, Level 7, Kuala Lumpur Court Complex and was attended by 8 members of the CPC and 2 members of the Selangor Bar Committee. Most Magistrates and Sessions Courts Judges were in attendance.

Issues discussed were as follows:

1. Unrepresented accused persons who are on remand

- Tuan Zainal Abidin of Sessions 6 informed the CPC members that letters have been sent to the Bar Council Legal Aid Centre (LAC) with regard to the issue of unrepresented accused persons in Court.
- The CPC Chair informed the Judges and Magistrates present that the LAC will try their best to assist these accused persons.
- Puan Komathy said that the Courts had written many letters to the LAC but had no response.
- The CPC Chair said that the LAC needs volunteer lawyers to come forward and provide legal representation for these accused persons. The LAC cannot force any lawyers to assist but this must be done voluntarily by the lawyers.
- Puan Komathy asked to whom should the Courts write to if they need any information with regard to LAC matters.
- The CPC Chair advised the Judges and Magistrates to call any of the CPC members listed in the list if they needed assistance. (The CPC members' list was distributed to the Judges and Magistrates present at the start of the meeting.)
- Tuan Zainal advised lawyers who interviewed accused persons at the prison to provide their names to the clients so that the accused persons and the Courts are aware of the lawyers who are representing the said accused persons.

Datuk N. Sivananthan

Chairperson
High Court Liaison Officer

Deputy Chairperson

Viknesvaran Kanapathippillai

**Magistrates Courts
Liaison Officer**

Chow Kok Leong, James

Selangor Bar Liaison Officer

Lee Teong Hooi

Sessions Courts Liaison Officer

Navinderan Subramaniam

Committee Members

Ahmad Zaidi Zainal
Choi Kian You
Hemly Hannismar Bin Omar
Kamalanathan a/l Vellaipoovan
Ken Yong
Lee Kuang Wei
Md. Radzi Mustafa
Natarajan A/L Chinnaswami
Phang Kian Chung, Brendan
Richard Ho Peng Kwang
Tina Ong Chiew Chin
Venkateswari Alagendra (Rohini)
Victor Chong Tun Foo

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- The CPC Chair then informed Tuan Zainal that the CPC will notify the LAC with regard to the above

2. **Touting at the KL Magistrates Courts**

- CPC raised the touting issue which had not been solved and notified the Judges and Magistrates that the members of the Bar have identified some of the touts at the Magistrates Courts. The Judges and Magistrates were informed that the Bar needs assistance from the Courts in solving this issue.
- Puan Komathy asked whether the police may arrest these touts to which the CPC Chair replied that this was previously done at the old Court complex at Jalan Raja.
- Puan Komathy assured the CPC members that she would have a word with the police about this issue and further informed the CPC that police personnel are lacking at the KL Courts.
- CPC members informed Puan Komathy that the touts also approach the police personnel stationed at the Magistrates Courts to get information about cases.
- Magistrates have also been informed by the interpreters that unqualified persons had on a few occasions appeared in Court impersonating as lawyers and some even addressed the Magistrates to mention on behalf of lawyers.
- The CPC members were further informed that the Magistrates did not want to specifically identify the suspected persons as they were not sure as to the accuracy of the information given to them.
- Judges and Magistrates were advised to ask for the lawyers' name cards and to do a quick check with the Bar Council.
- A suggestion was also put forward to ask for a copy of the lawyer's practising certificate to which Puan Komathy replied that it will be troublesome for all if they do so.
- Puan Komathy seemed very concerned about this issue and asked those present whether this problem of touting was rampant in the Court.
- The CPC Chair replied that this issue was becoming quite rampant as the members of the public have also been cheated by these touts who claimed that they have connections with members of the Bench. These touts also went to the extent of arguing with the pupils who are present in Court on behalf of the LAC.
- Puan Komathy was also informed that in a particular case details of bailors were made known to the touts a day before the relevant case was heard in Court. She then assured those present that she will look into this matter and have a talk with the police to provide some plainclothes officers to appear at the Courts in the morning to monitor the situation.

3. **Dress code for the lawyers**

- Puan Komathy informed the CPC members of a complaint received by the Court from a member of the public on the dress code of young female lawyers in Court.
- The CPC Chair informed Puan Komathy that the Bar Council has a standard rule with regard to the lawyers' dress code and that all members of the Bar are aware of the same.



4. Legal Aid Office at the KL Court Complex

- Puan Komathy inquired whether the LAC had an office at the KL Court Complex to which the CPC Chair replied that the LAC has an office at the 5th Floor. He also informed those present that there are notices pasted outside the Courts. The Magistrates said that the notices are too small and are not noticeable by the public. The CPC Chair assured the Magistrates that bigger notices will be put up by the LAC soon.
- Tuan Zainal asked whether a pupil can be stationed at the LAC office to provide assistance to the public to which he was told that the LAC will be notified of his suggestion and a pupil will be put on duty at the office during office hours if possible.

5. Bar Council Legal Aid Centre (LAC)

- Tuan Zainal asked how lawyers are assigned to the LAC files to which the CPC Chair informed him that the accused person or his family, if he is in remand, has to be present at the LAC office at Wisma Kraftangan to take a means test in order to ascertain whether or not they are qualified to be provided with free legal representation.
- The CPC Chair further informed Tuan Zainal that those accused persons who are on bail do not qualify for free legal representation.
- Magistrates asked whether pupils are allowed to represent accused persons who are on bail and they were informed that the pupils are not allowed to represent those on bail unless the accused persons want to plead guilty whereby the pupils will assist in mitigating for them.

6. Criminal Registry for the Sessions and Magistrates Courts

- Puan Komathy informed the members that the Criminal Registry for the Sessions and Magistrates Courts is now opened during lunch time and urged the members of the Bar to express their comments to the Court if they are satisfied with the services provided by the Court.

7. Complaints against lawyers

- Puan Komathy also addressed the issue of lawyers who often come late to Court.
- The CPC Chair advised the Judges and Magistrate to give a call to the Bar Council and verbal warnings will be given to the lawyers concerned. If the allegations are more serious in nature, then complaints can be lodged with the Disciplinary Board whereby disciplinary action can be taken against the lawyers involved as there are specific provisions in the Legal Profession Act with regard to this.

MEETING WITH THE HEAD OF THE PROSECUTION UNIT, ATTORNEY GENERAL'S CHAMBERS, KUALA LUMPUR

The meeting was held on 29.05.2009 at the Meeting Room, Level 7, Bangunan Bank Rakyat and was attended by most of the CPC members and the key officers of the Prosecution Unit of the AGC Kuala Lumpur.

Issues addressed at the meeting were as follows:

1. Documents under Section 51A of the Criminal Procedure Code (CPC)

- Tuan Anselm appreciated the fact that all letters sent to the office with regard to documents under section 51A of the CPC contained the relevant DPPs' names for easy reference and immediate action by the office.
- CPC members informed Tuan Anselm that the time period taken by the DPPs to deliver the said documents is too long. Documents were faxed to lawyers and the fax copies obtained are not clear especially the coloured

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photographs. Lawyers will only be given the original copies of documents in Court.

- Tuan Anselm explained that the DPPs would usually have to wait for the coloured photographs to be handed to them by the police and these photographs will be forwarded to lawyers as soon as possible thereafter. He urged lawyers to contact the office or the relevant DPPs if they received unclear copies of documents so that they can immediately make the necessary copies whereby the lawyers may come and collect the same from the office.
- The CPC Chair suggested to Tuan Anselm that the police may also scan the original documents and email it to the DPPs. The DPPs can then email the same to the lawyers whereby the lawyers may then straightaway print out the coloured copies to save everyone's time. This move is also in line with the paperless concept to address the existing environmental issues.
- Tuan Anselm agreed with the above suggestion and said that he would make the suggestion to the police.
- Tuan Anselm further agreed with the CPC's suggestion that the time period to hand the said documents to the lawyers of 3 weeks before the commencement of a trial should be adhered to as far as possible.
- Tuan Anselm said that documents to the accused would normally be given way before the agreed 3 weeks' period. However, Tuan Anselm also questioned as to why postponements were requested by lawyers who obtained documents 1 week before the trial date when those documents concerned are only photos and sketch plans.
- CPC members explained that Courts will not easily grant adjournments based on unreasonable grounds.
- The CPC Chair requested Tuan Anselm to have a word with the existing Prosecuting Officers at the Magistrates Courts to be more cooperative in terms of forwarding the documents under section 51A of the CPC. Tuan Anselm agreed and promised to look into this matter as well.

2. Appointment of APPs and DPPs

- Tuan Anselm informed CPC members that there would be no more appointment of Assistant Public Prosecutors but only Deputy Public Prosecutors. Existing Prosecuting Officers have slowly been withdrawn and replaced by DPPs for the prosecution of cases in Courts.
- There are 2 new Magistrates Courts in the Kuala Lumpur Court Complex. The KL prosecution unit is shorthanded to handle cases transferred to the new Magistrates Courts in Kuala Lumpur.
- Tuan Anselm expressed concern that Courts will usually fix 3 to 5 cases for trial each day and the DPPs concerned will usually be bogged down to prepare for these trials each day.
- The CPC Chair expressed his view that more Sessions Courts are needed to handle backlogs of cases and highlighted the fact that Sessions Court 6 alone has more cases than it can handle.

3. Plea bargaining

- The CPC Chair inquired about the status of the plea bargaining proposal that has been brought up earlier.
- Tuan Anselm did not know the status of the proposal and proposed that the Bar Council write to the Attorney General's Chambers to inquire about the status of the matter. He further added that the Bar Council must continue to look into this matter to prevent the issue from being forgotten.

4. Touting problem at the Magistrates Courts

- The CPC Chair urged Tuan Anselm to use his good offices to have a talk with the police to provide plainclothes officers around the vicinity the Magistrates Courts.
- Tuan Anselm acknowledged the above problem and proposed to have an undercover operations to trap the touts.
- The CPC Chair agreed with the suggestion in order to solve the problem and highlighted the fact that the

Judges are also concerned about this issue. He further suggested that the Chambers may also obtain feedback from the Magistrates as this problem involves the Magistrates Courts.

- Tuan Anselm requested the CPC to write a letter to him and he will forward it to the relevant authorities for further action.

FOLLOW-UP MEETING WITH THE HEAD PROSECUTION UNIT, ATTORNEY GENERAL'S CHAMBERS, KUALA LUMPUR

The Head of Prosecution Unit, Tuan Anselm requested a follow-up meeting which was held at the Meeting Room, Level 17, Bangunan Bank Rakyat on 12.10.2009.

Issues addressed at the meeting were as follows:

1. Documents under Section 51A of the Criminal Procedure Code (CPC)

- Tuan Anselm informed the CPC members that the DPPs have started the practice of sending scanned documents via email to lawyers.
- However, he further informed the members that some lawyers have informed the Chambers that they are not comfortable in receiving scanned documents, and some have also told the DPPs that they do not use emails in their practice. Therefore, these lawyers have asked for hardcopies of the documents.
- The CPC Chair agreed to send a circular to all lawyers informing them that if they want to get the relevant documents/photos fast from the DPPs, they are advised to send a request via letter together with their email addresses to the DPP concerned and the said DPP will then scan and email the documents to them immediately.
- Tuan Anselm agreed with the above suggestion and said that the original photos will be given to the lawyers upon receipt of the same from the police or the lawyers can also collect them from the DPP's office. Since the delivery of original photos has always been an issue with regard to Section 51A documents, Tuan Anselm has also allowed his officers to use the colour scanner in his room to scan and email the same to lawyers.
- The CPC Chair informed Tuan Anselm that he will advise lawyers to send an email to the KUP only as a last resort and only if the DPP concerned still does not respond after a few reminders. This is to avoid lawyers from taking the easy way out by sending emails to the KUP for non-urgent matters.
- Tuan Anselm then agreed that in the event the documents are still not obtained from the DPP after the first request letter is sent, lawyers are encouraged to email him directly so that immediate action can be taken.
- Tuan Anselm said lawyers to specify the Court and the DPP concerned in the letters to the Chambers as many cases have now been reassigned to new Courts.
- DPP Geethan also highlighted the issue over the change of Counsel whereby the documents have already been given to the former Counsel but the newly appointed Counsel will still ask for the said documents from the DPP and the usual reason given to the DPP is that the former Counsel refuses to forward the same to the new Counsel.
- The CPC Chair took note of the problem and advised the DPPs to inform the CPC if the above scenario becomes more rampant after this.
- Tuan Anselm said that sometimes documents will be given to the accused person as the Chambers are guided by a circular from Tun Majid, therefore lawyers are advised to liaise with their clients to check whether or not the documents have been forwarded to them.
- CPC members expressed their worries over non-cooperative Prosecuting Officers (PO) at Magistrates Courts who delay in forwarding documents to the lawyers.
- Tuan Anselm informed those present that there are no DPPs assigned to certain Courts as the Chambers lacks manpower. However, he advised the CPC members to write directly (and cc the same to him) to Supt.

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Munusamy who is the OC Court overseeing all POs if the lawyers encounter any problem with the POs.

- The CPC Chair suggested that a meeting should be organised between the CPC, the Chambers and Supt. Munusamy to resolve the above issue and this suggestion was unanimously agreed by all who were present.

2. Representations

- Tuan Anselm urged the lawyers to send in their representations early to the Chambers and not to wait until the trial date to do so. The purpose is to enable the Chambers to look into it and consider the representation at the earliest opportunity.
- Tuan Anselm also explained that in the event the representation is rejected by them, lawyers can still refer the same to the AG's Chambers at Putrajaya. Subsequently, HQ will then ask for an opinion from the Chambers at KL with regard to the representation and decide accordingly whether to accept or reject the said representation.
- However, Tuan Anselm then expressed his concern over the fact that although representations have been rejected by the Chambers at Putrajaya, some lawyers are still adamant and send in the same representation to the Chambers at KL after few months with no additional grounds for consideration.

3. Touting problem at the Magistrates Courts

- Tuan Anselm told the members that he had informed the OCCI about this problem and that the OCCI has promised to look into it.
- Tuan Anselm also informed CPC members that it is difficult to charge the touts as witnesses are unwilling to come forward and give evidence in Court.
- The CPC Chair then said that a proposal will be put to the Bar Council to convince them to adopt the American system of issuing a Bar Card whereby all lawyers with a valid practising certificate will be given a Bar Card as a way to verify their locus to appear in Courts and to also ascertain that they have valid practising certificates.

LEGAL AID CASE FILES

CPC members were encouraged by the Chair to volunteer and take some of the Legal Aid Cases not only to help out but also to gain experience in Criminal Practice. As the case files numbers increased, CPC members agreed to meet the unrepresented accused persons at the Sungai Buloh Prison. 2 meetings had been successfully organised on 21.07.2009 and 10.08.2009. These cases then were mentioned at the Criminal Sessions Court 6 on 14.08.2009 and 17.08.2009 where most of the cases were settled. The said Sessions Court Judge, Tuan Zainal Abidin Bin Kamarudin had stated his thanks and appreciation to the CPC in helping settle these cases.

Another meeting with the unrepresented accused persons at Sungai Buloh Prison was scheduled in October but due to unforeseen LAC administrative issues, the CPC decided to discontinue this activity.

PARKING PROBLEMS AT THE KUALA LUMPUR COURT COMPLEX

Insufficient parking bays at the Kuala Lumpur Court Complex has caused lawyers and the public to park their vehicle along the roads outside the Court compound resulting in massive traffic jams. Members of the Kuala Lumpur Bar were also upset when the Traffic Police and City Hall started to issue summonses.

The CPC Chair was one of the key persons within the Kuala Lumpur Bar Committee that attended the meeting between the KLBC and the representatives of Traffic Police and the City Hall to discuss ways to improve the situation. The meeting was held on 23.04.2009 at the KL Bar Secretariat.

• Issues addressed with City Hall:

1. Entrance Road towards the Kuala Lumpur Court Complex

KLBC was informed that the road leading to the entrance of the Court Complex is currently not gazetted as yet by the City Hall.

2. Moratorium to park along the road leading to the Court Complex Entrance

KLBC requested that a moratorium be given for a period of a year in which summonses will not be issued to vehicles parked along the road leading to the Court Complex. This period of time is to allow for a shuttle service provider to apply for a permit to shuttle lawyers from the MATRADE parking to the Court Complex.

3. Suggestions to ease the congestions of the area

KLBC agreed that summonses be issued to vehicles that were parked at areas that cause congestion.

- Vehicles are only allowed to be parked on the left and right side of the access road leading to the Court Complex. KLBC requested the City Hall to erase the present white line along the access road.
- No vehicle should be park at the divider of the access road. KLBC agreed and requested that City Hall paint double yellow lines along the divider and put up the traffic cones to discourage parking of vehicles.

4. Signboards

KLBC also requested City Hall to add more signboards showing the location of the Kuala Lumpur Court Complex.

• **Issues addressed with the Traffic Police:**

5. Summonses issued by the Traffic Police

KLBC was informed that once a summons was issued, it could not be cancelled. However, a person issued with a summons may apply for a reduction in the compound payable.

6. Jurisdiction of the access road leading to the Court Complex

The police said that if the said road is not gazetted as yet, it will be under the jurisdiction of the management of the Court Complex.

7. Problems of Theft and Cars being broken into

KLBC was informed that the Traffic Police had no jurisdiction on this matter and should forward this issue to the IPD Kuala Lumpur or OCPD Sentul.

APPRECIATION

I would like to record my deepest thanks and appreciations to the members of the Criminal Practice Committee for their support and cooperation to ensure all activities were successfully carried out.

Datuk N. Sivananthan

Chairperson
Criminal Practice Committee

ENVIRONMENTAL & HUMANITIES COMMITTEE

Saha Deva Arunasalam
Chairperson



The main objective of the Environmental & Humanities Committee ("EHC") for this term was to create awareness not only amongst lawyers but also the public on issues relating to environment and humanities. The activities carried out were aimed to lessen the impact on the environment as well as create awareness on humanities (social and cultural) issues.

To date the EHC had met 5 times and activities planned and successfully organised were as follows:

- **EARTH HOUR**

EHC started its activities by promoting the Earth Hour which fell on 28.03.2009, 8pm to 9pm, to all legal firms in Kuala Lumpur and members of the KL Bar via emails.

- **EARTH DAY CELEBRATION**

In conjunction with the Earth Day on 22.04.2009, EHC initiated a 'collect old newspaper' day and managed to collect about 300 kg of old newspaper and used papers with the support from 15 legal firms and other agencies. EHC hoped that this will be a yearly event with more involvement from members of the KL Bar.

Members of EHC also were involved in the Kota Damansara's resident celebration of the Earth Day which was held on 26.04.2009 at the Damansara Forest Reserve.

Seira Sacha also contributed an article on the Earth Day which was uploaded to the KL Bar Blog as well as the Malaysian Bar website.

- **MEETING WITH CEBLAW**

On 12.06.2009, EHC held a meeting with Prof. Gurdial Singh Nijar, Director of Centre of Excellence on Biodiversity Law (CEBLAW) at Universiti Malaya. It was a preliminary meeting to explore common areas of interest. From the discussion, Prof. Gurdial had agreed to EHC's proposal to organise a talk in which he will be the speaker.

The Talk titled, 'Patenting Life? The Legal Issues' was scheduled to be held on 02.12.2009 but due to unforeseen circumstances, it was postponed to another date yet to be fixed.

- **MOVIE PREMIER OF 'TRANSFORMERS'**

EHC entertained 30 children from the Pure Life Society orphanage home at the Premier of the Transformers movie on 26.06.2009 at the Pavilion GSC Cinema. 30 children from the age of 14 to 16 attended the Premier. For many of the kids this was their first time watching a movie in the cinema; each of them thoroughly enjoyed it, apparent from with huge smiles on their faces and endless chatter

**Deputy Chairperson
(Environmental)**

Richard Wee Thiam Seng

**Deputy Chairperson
(Humanities)**

Roger Chan Weng Keng

Committee Members

Abdullah Khubayb bin Awaluddin
Adiba Shareen
Ajeet Kaur Nikka Singh
Hoi Jack S'ng
Kathleen Cheong Chor Kuan
Khaizan Sharizad Binti Ab Razak
Lola Marissa Maijon
Nik Waheeda Nik Kamarulzaman
Puspawati Rosman
Rajinder Kaur Gill
Seira Sacha Binti Abu Bakar
Sri Vidhya Chelliah
Thirunavakarasu Vijayan@Ganesan
Hayyum Suleikha Binti Selamat
Soo Siew Mei
Tengku Hazwani Binti Tengku Mansor
Annie Yin
Allison Ong



after the screening. It was a delightful experience for all.

- **ORANG ASAL CELEBRATION**

Members from the EHC and the Bar Council Human Rights Committee had successfully organised a trip on 09.08.2009 to the Orang Asal Settlement in Kampong Chang, Bidor, Perak for the Orang Asal Celebration. They were welcomed with an array of cultural performance and introduced to the traditions, delicacies and daily activities of the Orang Asal. Members also participated in a dialogue session with the Leaders of each tribe on the issues they were facing with compensations as well as the effects of ecological imbalances created when land areas are converted into plantations.

- **ATV RIDES**

The EHC in collaboration with the Social, Arts and Culture Committee (SAC) had successfully organised an All Terrain Vehicle (ATV) Ride event on 16.08.2009. Members of the KL Bar were introduced to the ATV and had a ride of their life over tracks within the Kemensah Forest Reserve. The ride concluded at the 7-tier water fall where an informal briefing/discussion on environment was held.

- **SCUBA DIVING CERTIFICATION PROGRAMME**

The EHC also organised a Scuba Diving Certification Programme in which members of the KL Bar could attend and get their certificate for diving at a special price. The programme was successfully held on 28 to 30.08.2009 at Pulau Perhentian with 5 participants.

- **KDU LAW DAY**

EHC Deputy Chair (Humanities), Roger Chan had presented a paper at the KDU Law Day on 01.10.2009 at their Damansara Campus. The paper titled Legal Positivism and the Nuances of Human Rights Implementation in Malaysia had been posted on the KL Bar Blog.

- **EHC FAMILY PICNIC AT FRIM**

A half day event which included hiking, canopy walkway and picnic was successfully organised on 10.10.2009 at the Forest Reserve Institute Malaysia (FRIM). About 30 adults and children of members of the KL Bar participated in the event.

- **7th ROUND TABLE SUSTAINABLE PALM OIL (RSPO) CONFERENCE**

The EHC Chair attended the RSPO Conference in November 2009.

Other activities in the pipeline are:

- **KUALA GANDAH ELEPHANT SANCTUARY AND DEERLAND PARK VISIT**

EHC planned to hold this yearly event with some improvements which included travelling by coach and additional visit to a Deerland Park which is located a mere 8 km from the Elephant Sanctuary. The visit was planned to be held on 12.12.2009 but was postponed to 23.01.2010 to make way for the Malaysian Bar EGM which was held on the same date.

- **MEETING WITH THE ENVIRONMENTAL STUDIES FACULTY, UPM**

The EHC is currently trying to get a suitable date to set a meeting with the members of the Environmental Studies Faculty, University Putra Malaysia. The preliminary meeting was to explore common areas of interest and future cooperation in organising events such as talks or seminars.

- **STUDY VISIT TO THE PUTRAJAYA WATER MANAGEMENT FACILITIES**

The study visit is planned as a half day learning experience for members and will be held on 20.02.2010

18th ANNUAL GENERAL MEETING KUALA LUMPUR BAR



- **MNS CHILDREN CAMP**

This event was inherited from the previous committee and in the planning to be executed during the school holidays in 2010.

Ongoing project:

- **COMPILATION OF CASELAWS ON ENVIRONMENTAL ISSUES**

Compilation of the cases is an ongoing project. EHC hoped to have sufficient number of cases which can then be downloaded to CDs and be given to the Bar Council Library to enable members of the Bar to make easy research reference on Environmental Cases.

CONCLUSION

The EHC had planned many activities, some of which had been postponed to 2010 due to time constraints. I hope EHC will continue to raise public awareness in matters relating to environment and humanities.

I would like to record my thanks and appreciation to all members of the EHC for their support and cooperation to enable EHC to successfully carry out the various activities stated above.

Saha Deva Arunasalam

Chairperson

Environmental & Humanities Committee



INFORMATION TECHNOLOGY COMMITTEE

Richard Wee
Chairperson



The Information Technology Committee (ITC) embarked on 3 projects this term:

1. Website, Blog and other Social Interactive Tools
2. Law Awareness Programmes
3. Proposals for changes in IT related Laws

1. Website, Blog and other Social Interactive Tools

The ITC revamped the Kuala Lumpur Bar Website. We obtained quotations from 3 Web Designers and selected UNIT Design Collective. The new website is up and was fully functional on 24.12.2009. Members are now able to register for events online. We are currently working on an online payment function.

The Blog was revamped in terms of outlook and contents to a more professional outlook and changed the contents to include Relevant Online and Activity Reports. It was also opened for members to contribute short postings related to law and legal practice.

The ITC initiated a Twitter account for purposes of announcements.

The ITC also initiated a Flickr photo album. Using Flickr, KL Bar was able to store photos for free.

The Facebook group was also maintained as it seems to be the most effective tool of communication.

2. Law Awareness Programmes

Carrying on the projects from last term's ITC, the current ITC proposed the law awareness programme be continued. A Forum on "Internet Censorship: A Cat & Mouse Game?" is scheduled to be held in February/March 2010 depending on the availability of a speaker from MCMC. The other proposed speakers are Dipendra Harshad Rai and Nicholas Chay/Timothy Tiah from Nuffnang. The primary purpose of the Forum is to have a public discourse on the matter, with particular reference to issues like Freedom of Speech, the powers of MCMC in such matters etc.

3. Proposals for changes in IT related Laws

The ITC had met up with 4 institutions, namely MyNIC Berhad, Malaysian Communication and Multimedia Commission (MCMC), Multimedia Content Forum of Malaysia (CMCF) and CyberSecurity. These institutions had expressed their interest in working with the ITC to organise Forums and Seminars. MCMC was prepared to work with the ITC on Law Reforms.

- On 28.04.2009, the ITC met with Yeo Yee Ling and Shariya Hanis Zulkifli of MyNIC Berhad. The meeting was attended by Richard Wee, Foong Cheng Leong, Lim Hsiao Ping and Esther Anandaraj.

Deputy Chairperson

Foong Cheng Leong

Committee Members

Krishna Roy Sreenivasan
Gary Lim
Steven Wong
Sonya Liew Yee Aun
Aiu Der Lin
Geneive Ngan
Roland Kual
Boey Wei Lyn
Edwin Lee Yong Cieh
Esther Anandaraj
Lim Hsiao Ping
Lee Shih

18th ANNUAL GENERAL MEETING KUALA LUMPUR BAR



Welcome to the KL Bar Blog

Please leave your comments... All comments are moderated by the Adminstration and Terms of Use & the user must not abuse the right to freedom of speech. All comment moderation is handled by our team of full-time webmasters. All responses will be deleted. Please note that this blog is designed to give participants step-by-step briefing on how to conduct and complete an arbitration proceeding. It is not duty-bound for members of the Bar with 5 years post qualifying experience and young in legal practice to follow the above guidelines.

[facebook](#)
Bar Council Legal Aid Centre (Kuala Lumpur) is on Facebook.
Sign up the Facebook to connect to Bar Council Legal Aid Centre (Kuala Lumpur).
[Join](#) | [Edit](#) | [Photos](#)
Bar Council Legal Aid Centre Kuala Lumpur | The Bar Council Legal Aid Centre (BCL) wishes to inform all its subscriber members that the Subordinate Courts’ Trial of the Bar Council Legal Aid Centre (Kuala Lumpur) against McDonald’s Malaysia Sdn Bhd and others on 26 May 2009 will be held as follows: Date: 12, 13, 15 August 2009 (9a.m. – 3p.m.); Place: High Court Room, 4th Floor – 4:00 pm. Session: Subordinate Inquiry Room Level 7, 2nd floor, High Court, Kuala Lumpur. [View Post](#)
[Home](#) | [About](#) | [Post](#) | [Photo](#)
[Bar Council Legal Aid Centre \(Kuala Lumpur\) An editorial in the Wall Street Journal tells why to abolish the SA.](#)
[Tribunal changes – the most significant assembly of the attorney general’s office since the 1957 Constitution was adopted.](#)
[Bar Council Legal Aid Centre \(Kuala Lumpur\) ANTI-SLA RESOLVED – THE APPROVAL.](#)
[Bar Council Legal Aid Centre \(Kuala Lumpur\) ANTI-SLA RESOLVED – THE APPROVAL.](#)
Hey there! kbar is using Twitter.
Twitter is a free service that lets you keep in touch with people through the exchange of quick, often informal text messages. It's a question who's having fun today to start reading kbar's tweets.
[Join today!](#)
Name: Kuala Lumpur Bar
Display name: kbar
Bio: Malaysian Bar
Profile picture:
Following: 1
Followed: 0
Favourites: 0
Status: Hello World! This is my first tweet.
Last seen: 4 hours ago
Created: 1 year ago
Legal Career Fair 2009 http://kbar.blogspot.com/2009/12/legal-career-fair-2009.html
Bar Council Legal Aid Centre (Kuala Lumpur) is pleased to present the Annual General Meeting of the Bar Council Legal Aid Centre (Kuala Lumpur) to be held on 18th August 2009 at the High Court, Kuala Lumpur. [View Post](#)

- On 11.05.2009, the ITC met with Devi Annamalai, Elvira Shamsuddin and Zamiri of Malaysian Communication Multimedia Commission (MCMC) at Cyberjaya. The ITC was represented by Richard Wee, Foong Cheng Leong and Roland Kual.
- On 28.05.2009, the ITC met with Mohd Mustaffa Fazil Mohd Abdan, Mohamad Firdaus Mustafar and Wahyuddin of Communications and Multimedia Content Forum of Malaysia (CMCF) at Phileo Damansara. The ITC was represented by Richard Wee, Foong Cheng Leong and Roy Sreenivasan.
- On 23.06.2009, the ITC met with Lt Col Husin Jazri of CyberSecurity Malaysia at Seri Kembangan. The ITC was represented by Richard Wee and Foong Cheng Leong.

The primary purpose of the meetings was to build bridges with other relevant organisations related to Information Technology. Through the dialogues, we exchanged ideas and views particularly on issues related to Data Protection and Freedom of Information. We also urged the relevant organisations to look at changing and amending some areas of law related to Information Technology. At almost every possible opportunity, the ITC impressed upon these organisations to maintain the right to information and that private data ought to be constantly protected.

I wish to take this opportunity to thank all members of the ITC. Your efforts are appreciated and I hope you will continue to serve the Bar. I also urge other members with interest in Information Technology Law to offer support and assistance, particularly in areas related to fundamental rights such as freedom of speech and information in the internet.

I also wish to thank the Deputy Chairperson, Foong Cheng Leong, who has been a driving force in many matters involving the ITC.

Mary, Melissa and Yati of the KL Bar Secretariat must receive special thanks for their intense effort to shore up the new KL Bar website.

Richard Wee
Chairperson
Information Technology Committee



Kuala Lumpur Bar Sessions Court on Level 3, 3.00pm on 04.12.2009

Kuala Lumpur Bar Sessions Court on Level 3, 3.00pm on 04.12.2009

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Kuala Lumpur Bar Sessions Court on Level 3, 3.00pm on 04.12.2009

Kuala Lumpur Bar Sessions Court on Level 3, 3.00pm on 04.12.2009

Friday, January 22, 2010

Bar Council Kuala Lumpur | The Kuala Lumpur Bar

FREE U-LEGAL

McDonald's Malaysia v. Bar Council Kuala Lumpur (Malaysian Bar v. McDonald's Malaysia Sdn Bhd)

McDonald's Malaysia v. Bar Council Kuala Lumpur (Malaysian Bar v. McDonald's Malaysia Sdn Bhd)

McDonald's Malaysia v. Bar Council Kuala Lumpur (Malaysian Bar v. McDonald's Malaysia Sdn Bhd)

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McDonald's Malaysia v. Bar Council Kuala Lumpur (Malaysian Bar v. McDonald's Malaysia Sdn Bhd)

CIMB

CIMB

CIMB

Bar Council Kuala Lumpur | The Kuala Lumpur Bar

Notice of the 18th AGM of the KL Bar http://www.klbar.org.my/index.php?option=com_content&task=view&id=42114816-f6f2-4000-b8e1-45a7e763b73d

Bar Council Legal Aid Centre Kuala Lumpur | The Bar Council Legal Aid Centre (BCL) wishes to inform all its subscriber members that the Subordinate Courts’ Trial of the Bar Council Legal Aid Centre (Kuala Lumpur) against McDonald’s Malaysia Sdn Bhd and others on 26 May 2009 will be held as follows: Date: 12, 13, 15 August 2009 (9a.m. – 3p.m.); Place: High Court Room, 4th Floor – 4:00 pm. Session: Subordinate Inquiry Room Level 7, 2nd floor, High Court, Kuala Lumpur. [View Post](#)

PROFESSIONAL DEVELOPMENT COMMITTEE

Dipendra Harshad Rai
Chairperson



The Professional Development Committee (PDC) main objective was to continue to offer members and pupils, through its legal education programmes, the opportunity to fortify their basic legal skills and to keep themselves abreast of developments in various areas of practice. Continuing from last term, the PDC embarked on various legal education programmes for both members of the Bar and pupils-in-chambers.

This term, the PDC organised 28 events between March 2009 to February 2010, covering areas such as Maritime, Conveyancing, Islamic Law & Finance, Commercial Law, Taxation Oil & Gas Law, Arbitration, Intellectual Property, Company Law, Sports Law, Human Rights Law, and Medical Law.

The PDC through the KLBC also continued to offer sponsorships for KL Bar members to attend conferences. This year, the PDC sponsored 4 KL Bar members to attend the Employment Law Conference in January 2010. The PDC also hopes to sponsor more lawyers to conferences including the Malaysian Law Conference in July 2010.

To date, the response for the PDC events has been rather encouraging and it is our hope that members will continue to benefit from the programmes lined-up for the remainder of the term. We hope to see a continued support and increased participation from members and pupils-in-chambers. The "Tracking" system introduced in the Courts in the recent months also meant that it was difficult to get speakers and trainers due to the increased workload and schedules. To this, we would like to express our deepest gratitude to all committee members, speakers, trainers and moderators who have taken part in the events held thus far and those who agreed to be involved in the upcoming events and made the PDC events a success despite the difficulties above.

The PDC is also working with the KL Bar Secretariat in improving the facilities in the KL Bar Auditorium. Bearing in mind to keep the costs at a minimal, it is also crucial to improve the facilities on offer so as to enable the KL Bar Auditorium to be equipped with comparable facilities for the benefit of members.

Dipendra Harshad Rai
Chairperson
Professional Development Committee

Committee Members

Jeremiah R. Gurusamy
Mohd Izral Mohamed Khairy
G. Nanda Goban
Khabir Dhillon
Lee Choi Wan
Jeffrey Tan
Noor Arianti Osman
Joanne Long
Wong Tat Chung
Brendan Navin Siva

18th ANNUAL GENERAL MEETING KUALA LUMPUR BAR



The Programme for 2009/10 is set out below:

DATE	SEMINAR	SPEAKER
20.03.2009 (Friday) 3.00pm	SEMINAR: Defamation Law: Challenges Presented by the Internet	Sudharsanan Thillainathan
24.03.2009 (Tuesday) 3.00pm	PUPILS SEMINAR: Human Rights Law & Advocacy	Edmund Bon
31.03.2009 (Tuesday) 3.00pm	SEMINAR: Housing Development (Control & Licensing) Act 1966 – An Update	Pretam Singh a/l Darshan Singh
22.04.2009 (Wednesday) 2.30pm	SEMINAR: Fundamentals of Islamic Law & Finance in Practice	Prof. Andrew White Jalalullai Othman
24.04.2009 (Friday) 3.00pm	SEMINAR: Legal Practice in the UK - A Barrister's Perspective	Paul Emerson
08.05.2009 (Friday) 4.00pm	SEMINAR: Practical Skills for Lawyers in the Era of Economic Globalisation	Prof. Richard M. Perlmutter
22.05.2009 (Friday) 10.00am to 6.00pm	Young Lawyers Legal Practice Management Speedtrack Course in collaboration with PDC	Preeta Pillai Sanjeev Kumar Rasiah Kevin Loh Hsien Han YP Cheong Adrian Choong Ewe Lim



ANNUAL GENERAL MEETING
KUALA LUMPUR BAR

18th



DATE	SEMINAR	SPEAKER
26.05.2009 (Tuesday) 3.00pm	PUPILS SEMINAR: The Fundamentals of Commercial Drafting	Natalie Peh
03.06.2009 (Wednesday) 3.00pm	PUPILS SEMINAR: The Fundamentals of Conveyancing	Jeremiah R. Gurusamy
12.06.2009 (Friday) 3.00pm	PUPILS SEMINAR: Bankruptcy Proceedings	GK Ganesan
21.07.2009 (Tuesday) 3.00pm	PUPILS SEMINAR: S.218 Winding Up Petitions Introduction & The New A Track System	Alex Chang
29.07.2009 (Wednesday) 3.00pm	SEMINAR: An Introduction to Arbitration	James P. Monteiro
30.07.2009 (Thursday) 2.00pm	PUPILS SEMINAR: Human Rights Law Advocacy & Activism	Edmund Bon
12.08.2009 (Wednesday) 3.00pm	SEMINAR: Principles and Practice of Pleadings - An Overview	Maidzuara Mohammed



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DATE	SEMINAR	SPEAKER
16.09.2009 (Wednesday) 4.00pm	SEMINAR: Employment Law	Dato' Thavalingam
09.10.2009 (Friday) 3.00pm	SEMINAR: The Mysteries of Oil & Gas Explained by Lawyers for Lawyers	Animah Fuad Kosai Lim Kock Hooi
20.10.2009 (Tuesday) 3.00pm	SEMINAR: Basic Principles of Injunctions	Azhar Azizan Harun
28.10.2009 (Wednesday) 3.00pm	SEMINAR: Joint Ventures & Strategic Alliances	Jeremiah R. Gurusamy
17.11.2009 (Tuesday) 2.00pm	SEMINAR: Human Rights Law Advocacy & Activism	Edmund Bon Chin Oy Sim
09.12.2009 (Wednesday) 4.30pm	SEMINAR: Maritime Claims & Security	Sitpah Selvaratnam
16.12.2009 (Wednesday) 3.00pm	SEMINAR: Understanding Service Level Agreements	Jeremiah R. Gurusamy
19.01.2010 (Tuesday) 3.00pm	SEMINAR: Intellectual Property	Caroline Francis



ANNUAL GENERAL MEETING
KUALA LUMPUR BAR

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DATE	SEMINAR	SPEAKER
26.01.2010 (Tuesday) 3.00pm	SEMINAR: SHIPS: Sale & Purchase, Financing, Registration	Joanne Long
04.02.2010 to 06.02.2010 (Thursday to Saturday) 9.00am to 5.30pm	WORKSHOP: Advocacy in Arbitration Proceedings by the Barristers from Lamb Chambers Middle Temple, London	Paul Emerson Paul Stewart Adam Swirsky Derek Kerr Matthew Winn-Smith Robin Gist Bernard Pressman Elizabeth Dwomoh
19.02.2010 (Friday) 2.30pm	SEMINAR: Fraudulent Insurance Claims: Legal & Practical	Sudharsanan Thillainathan
24.02.2010 (Wednesday) 3.00pm	SEMINAR: Development of Law in Sports	Isa Aziz Ibrahim
10.03.2010 (Wednesday) 3.00pm	SEMINAR: Drafting International Contracts – Dealing with Cross Border Transactions	Jeremiah R. Gurusamy
26.03.2010 (Friday) 2.30pm	SEMINAR: Privileged Communications: Current Trends	Sudharsanan Thillainathan Jeremy Lee



PUBLICATIONS COMMITTEE

Brendan Navin Siva
Chairperson



The Publications Committee continued to experience a decline in the number of contributions from members of the Kuala Lumpur Bar in the form of articles, commentaries or opinions. This trend had been highlighted in the reports by the Chairpersons of the Publications Committee in the last 2 terms.

For the term 2009/10, the Publications Committee decided to publish articles and materials online on the KL Bar Blog at <http://www.klbar.blogspot.com> as and when they were made available.

There were several reasons for this change of approach. The first was a commercial one. The costs of publication of Relevan for the previous years were off-set largely by advertisement revenue, thereby making the publication, printing and posting of Relevan justifiable from a commercial point of view. 2009 was however not a good economic year and many hardcopy publications and dailies struggled to sustain advertisement revenue. The costs of publishing Relevan would therefore have been greater than previous years.

Secondly, some studies have shown that going exclusively online has allowed certain traditional media companies to significantly cut costs without a correspondingly significant drop in readership. And the ability to respond and publish in real time has in some cases increased readership. It was also supposed to generate an increase in contributions from members who may have otherwise published their articles elsewhere because of the lag time in hard copy publications. Members were encouraged to submit their articles and contributions even if the same had been published somewhere else originally.

Publication online at the KL Bar Blog also allowed us to publish material in a timely manner and it enabled us to archive all articles and contributions from members in a more organised and user friendly manner. Members were informed by email when such articles are posted on the blog.

The following articles were published online at the KL Bar Blog:-

1. "Your Life as an Open (Face)Book: The Legal Impact of Online Social Networking". The article first appeared in Netvalue2.0, the technology section of The Edge Malaysia, Issue 753, May 4-10, 2009.
2. 50 Years In The Law: A Critical Self-Assessment by The Hon Justice Michael Kirby AC CMG. **Based on an address to the legal profession of the Northern Territory in the Supreme Court, Darwin, 16 January 2009 and at the State Supreme Court and Federal Court Judges' Conference, Hobart, 26 January 2009. Justice of the High Court of Australia; First published in The Australian Bar Review. Copyright in the author.
3. A Consideration For Foreign Practitioners Entering The Legal Profession In Malaysia by Rodney Khor.

Committee Members

Chan Su-Li
Cheng Poh Heng
Edmund Balthazar
Jason Kong
Lee Shih
Lim Yin Yin
Nicole Wee
Rishwant Singh
Saravana Kumar
Sudharsanan Thillainathan
Sukhjit Kaur Gill
Yudistra Darma Dorai



4. Legal Positivism and the Nuances of Human Rights Implementation in Malaysia by Roger Chan Weng Keng. Presented at KDU Law Day on 01.10.2009.
5. Unravelling Practical Issues Surrounding Thin Capitalisation Law in Malaysia by S. Saravana Kumar. This article was first published in the inaugural issue of TaxViews Asia (July 2009), a tax magazine published by CCH Singapore.
6. Freedom Of Speech On The Net - An Illusion Or Reality? by Joanna Loy. This article originally appeared in Skrine's Legal Insights Issue 1/2009.
7. Schemes of Arrangement - Restructuring the debts of a financially distressed company by Lee Shih.
8. McDonald's Loses Trademark Battle Against Malaysia's McCurry by Boey Wei Lyn.

Relevan online would not have been possible without the time and effort of its committee members and I thank them for their efforts.

Brendan Navin Siva

Chairperson
Publications Committee

PUPILS WELFARE COMMITTEE

Pushpa Ratnam
Chairperson



The Pupils Welfare Committee ("PWC") monitors problems or difficulties faced by pupils throughout their pupillage period and recommends possible courses of action and remedies. It improves the welfare of pupils through workshops, dialogues etc.

The PWC had this year committed itself to increase the good standards that were already in place and with that in mind, it had this year carried out the following activities successfully.

WORKSHOPS ON CIVIL AND CRIMINAL LITIGATION

The PWC continued to organise monthly civil litigation and criminal litigation workshops for pupils, the aim of which was to introduce pupils to basic legal practice. This was very much a hands-on workshop in which pupils were confronted with various practical tasks and legal issues. The areas covered in the criminal workshop were client interview, mitigation, bail application and remands and trial process. As for the civil litigation workshop, pupils were trained in the drafting of opinions and pleadings and how to present a case in Court. The response to these workshops had been extremely encouraging. Once again I am obliged to thank practitioners such as Arimuthu Peritamby, Datuk Baljit Singh Sidhu, Ravi Nekoo, Edmund Bon, Amer Hamzah Arshad, Colin Pereira, Sanjeev Kumar, Mohd Izral, Wong Guo Bin and Haji Sulaiman for having made these sessions enjoyable and beneficial to the pupils.

PUPILS WORKSHOP ON CRIMINAL LITIGATION

DATE	TIME	SPEAKER
02.04.2009	2.30pm to 5.00pm	Arimuthu Peritamby
25.06.2009	2.30pm to 5.00pm	Datuk Baljit Singh Sidhu
20.08.2009	2.30pm to 5.00pm	Ravi Nekoo
22.10.2009	2.30pm to 5.00pm	Edmund Bon

Committee Members

Alex Anton Netto
Bavanee Subramaniam
Farahatun Najwa Binti Paidin
Kalpana Kumara
Lee Kuang Wei
Lee Teong Hooi
Nor Fazreen Binti Othman
Sivaruben a/l R Balasekaran
Tan Chien Liang
Tan Swee Yin
Thavaraj Subramaniam
Valen Khor Xiou Shan



PUPILS WORKSHOP ON CIVIL LITIGATION

DATE	TIME	SPEAKER
28.05.2009	2.30pm to 5.00pm	Colin Andrew Pereira Sanjeev Kumar Rasiah
23.07.2009	2.30pm to 5.00pm	Mohd Izral Bin Mohamed Khairy Wong Guo Bin
17.09.2009	2.30pm to 5.00pm	Haji Sulaiman Bin Abdullah Ravi Nekoo
19.11.2009	2.30pm to 5.00pm	Colin Andrew Pereira Sanjeev Kumar Rasiah
21.01.2010	2.30pm to 5.00pm	Ravi Nekoo

ETHICS AND PROFESSIONAL STANDARDS DIALOGUE

The PWC had also organised monthly dialogues on the Ethics and Professional Standards ("EPS") Examination where pupils were briefed on the purpose for the EPS course and the usual problems relating to the exam failure. Valuable tips were also offered to pupils sitting for the exam. For this, I take great pleasure in thanking Hendon Haji Mohamed, Sheila De Costa and Steven Thiru from the Bar Council PSDC who had rotated among themselves in assisting the PWC during the Ethics dialogue sessions. We know that these dialogue sessions had contributed to the increased pass rates in the Ethics exam. The following chart reflects the number of sessions we have had this year and the number of pupils who had attended.

NO	DATE OF ETHICS DIALOGUE	NUMBER OF PUPILS ATTENDED
1.	07.04.09	82 pupils
2.	05.05.09	39 pupils
3.	02.06.09	23 pupils
4.	02.07.09	22 pupils
5.	07.08.09	53 pupils
6.	01.09.09	39 pupils
7.	06.10.09	46 pupils
8.	10.11.09	76 pupils
9.	01.12.09	73 pupils

A TALK BY TUAN NAZRAN

The PWC organised a talk by Tuan Nazran bin Mohd Sham, Magistrate of the KL Magistrate's Court, on "Procedures in the Magistrates Courts" on 14.08.2009. The talk focused primarily on the practical aspects of how to improve performance in Court. It was a highly informative talk, with the speaker sharing his many real-life experiences and encounters. The talk was attended by 30 pupils-in-chambers and 5 members of the Malaysian Bar.

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Among the issues that Tuan Nazran raised were proper attire to be worn in Court, punctuality, speaking with clarity, knowing the law and criminal procedure, being able to mitigate and seek bail effectively, not to become emotional, knowing the likes and dislikes of the Judge presiding and coming prepared to present the case.

Among the questions raised by the audience were issues relating to mitigation, retrieving documents from the police such as the FIR, dealing with the press and how to apply to become a Judge.

PUPILS' PAMPHLETS

The pupils' pamphlet incorporating a brief summary of "S.36(2) Application (commonly known as "Short Call") and Admission to Bar" procedures had been further revised and updated, copies of which are available at the Appellate and Miscellaneous Matters Division Court registry, the Bar Room at the KL Court Complex (Level 5, Left Wing) as well as the KL Bar Secretariat at Wisma Kraftangan, Level 8. A copy had also been uploaded to the KL Bar Website.

PUPILLAGE GUIDE AND DIRECTORY

A comprehensive Pupillage Guide and Directory is almost in place and would be published early next year (2010). The aim of this publication is to further enhance the welfare of pupils. This guide is fairly explanatory of the structure of the Malaysian Bar and State Bars, filing and admission requirements, general information on Court etiquette, relevant extracts from the Legal Profession Act and much more other useful information to the pupils.

LEGAL CAREER FAIR

The PWC organised its 3rd Legal Career Fair on 09.01.2010 at the Legend Hotel, Kuala Lumpur. Many of our legal firms are constantly on the lookout for placement of new law graduates generally to start pupillage with them and to eventually serve the firm as qualified practitioners. The opportunity for legal firms to meet these potential law graduates and potential pupils and vice versa is limited. Hence, the PWC through the 3rd Legal Career Fair hopes to create this valuable platform for legal firms to meet potential candidates from the legal fraternity and vice versa.

In conjunction with the Fair, the PWC had also arranged for special speakers to talk on various current topics of interest on Islamic / Corporate Banking, Civil Litigation, ICT-related Law, Medical Negligence and Criminal Litigation/Human Rights Activism at various time slots throughout the day at the Fair. This was to encourage participants to understand better the realms of practice.

17 legal firms and 5 corporate entities participated in the Fair which attracted approximately 400 visitors. This year, the Fair also received publicity coverage on air.

THANK YOU

There would be a vacuum in this report without an expression of my gratitude to Mary Tan, Rajan and Indira of the KL Bar Secretariat for their immense support for the whole of this year. I also wish to record my appreciation to the KLBC Chairman, Anand Ponnudurai, for the space and encouragement throughout the year and my fellow members of the KLBC for their support and assistance. Last but not least, I take this opportunity to thank the PWC members and end this report with an exceptional thank you to Anthony Tan, S Thavaraj, Tan Swee Yin and Nor Fazreen from the PWC for their exceptional commitment throughout the year.

Pushpa Ratnam

Chairperson
Pupils Welfare Committee

ANNUAL GENERAL MEETING
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18th



SOCIAL, ARTS & CULTURE COMMITTEE

Janet Chai Pei Ying
Chairperson



MOVIE NITE

A private screening of one of the most anticipated movie of the year - Transformers 2: Revenge of the Fallen, organised by Social, Arts & Culture Committee ("SAC"), took place on 27.06.2009 at Golden Screen Cinemas, Pavillion. The event was very well received - the hall, which could fit 150 pax, was filled up completely by members of the Bar and their families and friends.

ALL-TERRAIN VEHICLE (ATV) RIDE

In collaboration with the Environmental & Humanities Committee, SAC organised an outdoor activity, ATV Ride, on 16.08.2009. Members of the Bar in their ATVs – a four wheel drive with a handlebar - journeyed the jungle trail of the Ulu Kemensah Forest Reserves in Ulu Kelang, for about an hour to get to a picnic spot by the 7 tier Khamisah Waterfalls.

COLLECTION DRIVE FOR THE UNDERPRIVILEGED

SAC held a non-monetary collection drive, which lasted for a month in August 2009, for the underprivileged children of Rainbow Home at No. 125, Jalan Pakis 2, Taman Fengrove, Cheras, 43200 Selangor. The Home was set up in 2002 to house abandoned, abused children or orphans. Currently there are about 30 children ranging from 2-16 years of age under the care of the Home. On 19.09.2009, boxes of canned food, medicine, clothing and school exercise books were sent to the Home.

LEXISNEXIS-KL BAR TREASURE HUNT

The 4th Annual LexisNexis-KL Bar Motor Treasure Hunt took place on 25.10.2009. Participation this year was less encouraging with about 10 cars from the closed category (staff of LexisNexis and members of KL Bar). Prizes worth of more than RM20,000 were given away – thanks to the generous sponsors. The proceeds of the Hunt as in previous years were split between LexisNexis and KL Bar to be channeled towards the funding of a community development or charitable project. KL Bar's portion of the proceeds amounting to about RM7,500.00 was donated to the Children's Homes Fundraising Dinner organised by the Bar Council's Human Rights Committee in early December.

ANNUAL DINNER & DANCE 2009 ("ADD")

The ADD 2009, themed 'Reminiscing the 1920s', was held at Sime Darby Convention Centre, Bukit Kiara on 14.11.2009. Entertained by a jazz band that evening, the crowd also saw slick dance performances such as the can can dance. This year, thanks to the generous sponsors from law firms and corporate organisations, we saw a turnout of more than 400 lawyers, gave away great lucky draw prizes and recorded a much lower deficit in the accounts.

MISCELLANEOUS

In the pipeline is a cultural walkabout in the heart of Kuala Lumpur scheduled to take place in early 2010.

Deputy Chairperson

Seira Sacha Abu Bakar

Committee Members

Andrew Liew Wye Ming

Camilla Anastasia Alim

Fong Lee Wee

Kenneth Wong Poh Lim

Khaizan Sharizad (Sherrie)

Lai Chee Hoe

Lim Hsiao Ping

Rachael Tan Sung Ling

Siti Fatimah Mohd Shahrom

Sri Sarguna Raj

Vincent Tey Wei Seng

Zuraifah Abd Rahman

ANNUAL GENERAL MEETING
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18th



Throughout 2009, SAC led by Lim Hsiao Ping has also been exploring the feasibility of a privilege/benefits card package for members of the KL Bar. The general idea is to secure holders of such cards certain discounts/privilege at restaurants, pubs, fashion outlets, book stores, optical stores.

ACKNOWLEDGEMENT

I wish to place on record my appreciation to all the SAC members for their tireless efforts and to the many lawyers and law firms for their constant support of SAC's activities.

Janet Chai Pei Ying

Chairperson

Social, Arts & Culture Committee



SPORTS COMMITTEE

Muhendaran Suppiah
Chairperson



KL BAR BADMINTON CARNIVAL

A Badminton Carnival was held on 18.04.2009 (Saturday). 25 players turned up for the Carnival, which was held at the Badminton Stadium at Cheras. Unfortunately, there was insufficient entries to have a Ladies Doubles competition, though a few ladies were present that day. The Men's Singles was won by Mohd Nassir Ibrahim. The Men's doubles was won by Ng Chin Chai and Law How Chong.

MALAYSIAN BAR INTERSTATE GOLF TOURNAMENT

The Inter-State Golf Tournament was hosted by the Melaka Bar at the Orna Golf Resort at Melaka on 04.07.2009. The KL Bar team emerged as Champions in this year's Tournament.

19TH KL BAR V RSC SPORTS CARNIVAL

This Series was inaugurated in 1985 by the Late Tan Sri Dato' Harun Hashim wherein several sports are played for the overall trophy donated by Tan Sri. There is a challenge trophy for each sport donated by senior members of the Bar / RSC members. This year's Series, held on 18, 23 to 25 July 2009, saw both sides winning 4 games each and were declared joint Champions. The KL Bar won at tennis, badminton, cricket and netball whilst the Royal Selangor Club emerged victorious in darts, soccer, hockey and billiards/pool. The End-of-Games Dinner and Prize-Giving was well attended. The Boat race was held during the dinner. Though a non-competitive event this year, it was closely fought and won by the Royal Selangor Club.

KUALA LUMPUR/SELANGOR BAR GAMES - 9TH SERIES

This Series was inaugurated after the split between the Selangor and Federal Territory Bar and both teams played various sports for the Lall Singh Muker Trophy, which is donated by Mrs Lall Singh Muker, mother of a senior member of the Bar, Mr S.S. Muker who is a member of both the Selangor Bar and KL Bar. This year's Series was hosted by the Kuala Lumpur Bar. It was originally fixed for 08.08.2009 but due to the Bar Council's Tripartite Games and Meeting in Miri, the series was postponed to 31.10.2009. Six (6) games were played in this year's series - badminton, soccer, volleyball, netball, hockey and tennis. KL Bar won at badminton, soccer, netball and tennis whilst the Selangor Bar won at volleyball and hockey. KL Bar beat Selangor Bar 4-2 to become the overall champion regaining the trophy that it lost in the last series.

GENERAL

The KLBC continues to maintain a badminton court at the SBA hall in Kampung Attap every Thursday from 6.00pm to 8.30pm to enable members and pupils to play the sport on a regular basis and to interact with other members.

Muhendaran Suppiah

Chairperson
Sports Committee

**Convenors/
Committee members**

A I Nathan
Badminton

Alex Nandaseri De Silva
Cricket

Anand Ponnudurai
Pool/Snooker

Dinesh Kanavaji
Volleyball

Khairul Idham
Hockey

Koh Yew Chong
Golf

Marie-Julie Wan Ullok
Netball

Robert Low
Soccer & Futsal

Yeoh Cho Kheong
Tennis

Sivaruben a/l R Balasekaran
Darts

Shanmugam a/l Ganesan

ANNUAL GENERAL MEETING
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YOUNG LAWYERS COMMITTEE

Lai Chee Hoe
Chairperson



The Kuala Lumpur Bar Young Lawyers Committee ("YLC") has attracted many new faces this year and remains a vibrant committee. YLC continues to seek to resolve the issues faced by young lawyers and create a platform for young lawyers to contribute to the Bar. The YLC for the term 2009/2010 is no exception and we continue to welcome young lawyers to join us to plan, lead and execute our activities for the new term.

The YLC has 4 sub units which are headed by the Deputy Chairs respectively and a YLC representative who sits in the National Young Lawyers Committee and they are:

- (a) Community Projects Unit - Fam Yu Min
- (b) Practice Management Unit - Ruth Maran
- (c) Professionals Networking Unit - Choo Dee Wei
- (d) External Liaison Unit - Sandesh Kabir
- (e) YLC Representative - Khaizan Sharizad

We called our first meeting on 03.04.2009 at Wisma Kraftangan followed by our first ever Young Lawyers Cocktail at Jalan Changkat Bukit Bintang.

1. Parliament Visit

On 15.06.2009, we visited Parliament and witnessed the shortest swearing in session in the history of Parliament when Datuk Seri Nizar Jamaludin was ejected by the Speaker even before the congratulatory notes were delivered. We were then invited to meet the Deputy Speaker of the Dewan Negara, Dato' Ir Wong Foon Meng which was also attended by Senator Dato' Yip Kum Fook.

We then proceeded with a luncheon hosted by a group of Members of Parliament from Pakatan Rakyat. During lunch, the YLC entered into a discussion with the MPs on several matters relating to Parliament.

2. Batang Kali Massacre

On 29.08.2009, YLC attended a meeting called by a campaigning group namely the Action Committee Condemning the Batang Kali Massacre ("ACCBKM") which was formed to seek justice for the victims who were killed at the massacre.

3. Dialogue with Political Parties

On 14.11.2009, the YLC held a closed-door dialogue with the youth wings of various Malaysian political parties at the Bar Council Secretariat. The objectives of the dialogue were basically to foster a closer relationship among youth of various races and to share thoughts with the intention of advancing greater understanding of politics and culture among young Malaysians. The Dialogue was attended by representatives from the MCA Youth, PPP Youth, Gerakan

Deputy Chairpersons

Choo Dee Wei
Professional Networking Unit

Sandesh Kabir
External Liaison Unit

Fam Yu Min
Community Projects Unit

Ruth Garnet Maran
Practice Management Unit

Khaizan Sharizad Abd Razak
Rep To NYLC

Committee Members

Aaron Lee Cheen Yee
Abdullah Khubayb Awaluddin
Adlan Hadi bin Mohamed Yusof
Ahmad Fadzly
Ahmad Khusyri bin Abdul Majid
Ain Farhana Mohd Hamid
Ainaa Shahirah binti Mohd Nori
Alicia Tan May Sien
Andrew Liew Wye Ming
Angus Tiong Chau Siong
Aston Philip Paiva
Audrina Azrah Azmi
Azhani
Azlina Abdul Ghani
Ben Mohd Syazrin bin Mohd Sofian
Bit Boon Hong
Cara Kamaruddin
Caryn Wong
Chan Kit Kheong
Chan Kit Kheong
Chen Boon Hong
Choi Kian You
Choo Mun Wei
Clarice Ngan
Cynthia Chan Huey Ming
Daniel Albert
Daphne Lew Chah Yee
Deepa Nambiar



Youth, DAP Youth, AMK Malaysia (PKR Youth) and Youth For Change. UMNO Youth and MIC Youth accepted the invitation to attend the Dialogue but could not make it at the last minute.

4. Retreat

Members of the YLC embarked on a retreat to Cameron Highlands over the weekend of 21-22 November 2009 to break away from the hustle bustle of the city whilst conducting a post mortem of the events held over the year and charting the way forward for 2010.

5. Political Parties v Registrar of Societies

On 24.11.2009, we held a forum at the Bar Council Auditorium to discuss the recent trend where leaders from political parties resorted in to writing to ROS to clarify and/or reinstate their position instead of adhering to their respective parties' constitution. The speakers were Edmund Bon, Dato' Leong Tang Chong from MCA, Andy Yong from Gerakan Youth and Simon Sabapathy from PPP.

A. COMMUNITY PROJECTS UNIT- FAM YU MIN

6. Charity Night

On 03.07.2009, it was that time of the year again, when talented members of the Bar gathered to showcase their talents for one night.

The night opened at 8.10pm with an act by local rock band Unabashed, featuring the former 2007 KL Bar Idol, Chryshantini Florence Niles. This year the theme of the event was "Legally Talented", which showcased 8 performances ranging from a mixture of band performances to Latin dances. There was also a pole-dancing performance! Firms such as Shook Lin & Bok, Skrine, Shearn Delamore, Lee Hishammuddin Allen & Gledhill and many others sent representatives to win the "Legally Talented" title. A pupil called Elaine showcased her talent by making and selling exquisitely handcrafted cupcakes. This year, the chosen venue was Modestos (Capsquare) and the event saw a record breaking sale of 829 tickets packed to the brim with eager fans.

In the end, it was Shook Lin & Bok's Latin dance by 'Bu Bu Cha Cha' who emerged as the winner with Raja Darryl & Loh's performance by the group 'Sweet & Salty' coming in at the number two spot and Lee Hishammuddin Allen & Gledhill's 'Mismatched' coming in at the third spot.

Overall, the event was a phenomenal success and it managed to raise RM46,151.15 in donations, breaking past records. The proceeds from the night were donated to Rumah Warga Emas NACSCOM in Setapak, an organisation providing shelter for the old and the destitute, Persatuan Penjagaan Kanak-Kanak Cacat Klang and Touch Dialysis Centre.

7. Cheques Presentation

On 15.08.2009, the YLC sent a team, led by Fam Yu Min to the Old Folks

Committee Members

Diana binti Dzul' Karnain
Dipendra Harshad Rai
Donovan Cheah Swee Kin
Dony Bin Abdullah
Edmund Bon Tai Soon
Elyne Choo Yee Leng
Emelly Sidrek
Farahatun Najwa Paidin
Farez Bin Mohd Ali Jinnah
Firdaus Husni
Foo Say Tee
Foo Siew June
Githa a/p Komaran
Goh Wei Lee
Haraesh Singh Kelly
Imran Ismail
Iskandar Zainol
James Ong
Janet Chai
Janet Olivia Tang Mou Lung
Janice Sim
Jason Kong
Jessica Audrey Jeremiah
Johnson Lim Fung Tat
Joseph Cheong Teong Han
Josephine Chin Fong Leng
Justine Shahirah
Kenneth Wong Poh Lim
Khoo Boon Hon
Lee Choi Wan
Lee Kher Huan
Lee Shih
Lim Tien Loong
Lola Marissa Maijon
Malini Madi
Mohamad Firdaus Sadina Ali
Mohamad Yusoff Abdul Kadir
Mohd Amirudin Mohamad
Mohd Farid Suhami
Muniandy Vesta Nathan
Navrita Preet Kaur
Ng Su-San
Noor Arianti Binti Osman
Noor Syazwani Muharam
Nurul Izzah Omar
Parvin Doal
Patricia Ng

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Home in Setapak run by the National Council of Senior Citizens Organisations Malaysia ("NACSCOM") and officially handed over the cheque amounting to RM26,151.15, proceeds collected from the Charity Night 2009 held on 03.07.2009.

On 22.08.2009, the YLC sent a team, led by Mr. Anand Ponnudurai (Chairman of the KL Bar Committee) to the Persatuan Dialisis Touch and officially handed over the cheque amounting to RM10,000.00, proceeds collected from the Charity Night 2009 held on 03.07.2009.

On 27.08.2009, Mr. N. Morgan, the President, Advisor and Founder of the Persatuan Penjagaan Kanak-Kanak Cacat Klang came to the KL Bar Secretariat to collect the cheque amounting to RM10,000.00. The cheque was presented by the Chairman of YLC, Lai Chee Hoe.

B. PRACTICE MANAGEMENT – RUTH MARAN

8. Young Lawyers Legal Practice Management Speed Track Course

On 22.05.2009, YLC together with the Professional Development Committee organised the 1st Young Lawyers Legal Practice Management Speed Track Course ("SpeedTrack") at the Bar Council Auditorium. SpeedTrack was structured as a comprehensive one-day program with relevant topics conducted in an effective classroom-type setting, designed to be exhaustive, relevant and effective.

The course comprised three (3) modules: The Management Module, The Professional Module and The Personal Module.

The Management Module essentially dealt with file management, time management and boss management.

The Professional Module was divided into the Litigation, Corporate and Conveyancing Tracks respectively.

The Personal Module was divided into the Personality Track, the Interpersonal Track and the Stress Management Track.

9. An Introduction of Income Tax Law

On 11.09.2009, we organised a Seminar on An Introduction of Income Tax Law. The speaker S. Saravana Kumar managed to captivate the audience of 66 with his illustrations and explanations on what is usually a dry topic.

Saravana started the 2 hour Seminar with some recent Tax Law Developments and ended with tips on how to negotiate with the IRB. Participants were given notes together with the relevant sections from the Income Tax Law Act and 2 articles that were co-written by the speaker.

Committee Members

Raja Kumar a/l Raja Kandan
Rajdeep Singh
Ravinder Singh Dhaliwal
Richard
Richard Wee Thaim Seng
Robin Lim Fang Say
Rosey Lim
Ryan Soo Chin Fook
S. Saravana Kumar
Samuel Loh Khian Seah
Sarmalah a/p Pachappan
Seira Sacha Binti Abu Bakar
Siti Aisyah Mustapha
Siti Fatimah Mohd Shahrom
Siti Sarah Mohd Yusoff
Sri Dhevi Santhana Dass
Su Lynn
Syahredzan Johan
Tan Lai Yee
Tan Sixin
Tengku Aiezuddin
Teresa Ngooi
Tracy Hah Yan Shan
Valen Khor Xiou Shan
Vincent Tey Wei Seng
Wan Mohd Zulhafiz
Woon Huei Chin
Zeenat Asyiqin
Zuhair bin Rosli
Zuhair Fikri Mohamad
Zuraifah Abd Rahman
Zurina Rahim



C. PROFESSIONALS NETWORKING UNIT – CHOO DEE WEI

10. Young Professional Night V

On 24.10.2009, YLC and the IEM Young Engineers Section successfully organised the annual Young Professional Night at OM a Malaya Café, Central Market. This event, being one of the most awaited events, saw lawyers, doctors, pharmacists, engineers and company secretaries attending.

This year saw the highest number in terms of attendance and tickets sold. Professionals from each fraternity were seen exchanging business cards and sharing professional experiences. The night ended at 12 midnight with fabulous camaraderie fostered between the members of the different fraternities.

The Professionals Networking Unit aims to organise more events with the other professionals in the near future with activities such as paintball and outdoor tracking in the pipeline.

11. Futsal Tournament with Young Engineers Section (“YES”)

On 30.05.2009, YLC was invited by YES to participate in a futsal tournament. The YLC team consisted of Lai Chee Hoe, Jack Hoi, Abdullah Khubayb, Seira Sacha, Vincent Wee, Vincent Tey and Henry. After a few rounds of match, YLC emerged as champion and took home a huge hamper.

12. Buka Puasa

On 03.09.2009, YLC organised a buka puasa event. It is an annual event organised to foster the spirit of togetherness between young lawyers and to celebrate the month of Ramadan. This year, the event was held at Medan Ikan Bakar Kampung Baru, located at No. 43, Jalan Raja Abdullah, 53100 Kuala Lumpur.

D. EXTERNAL LIAISON UNIT – SANDESH KABIR

13. Young Lawyers Workshop

This program involves visiting the Law Faculties of Universities and Law Colleges around Klang Valley to meet the LLB undergraduates and it continues to top the list of the many activities the YLC organises.

i) University Malaya (“UM”)

On 01.08.2009, YLC visited UM.

ii) University Teknologi Mara (“UiTM”)

On 08.08.2009, YLC visited UiTM

iii) Inti College

On 12.09.2009, YLC visited Inti.

iv) Taylors College

On 31.10.2009, YLC visited Taylors.

14. KPUM

On 22.08.2009, YLC was invited to the KPUM-Taylor’s Law School Law Career Convention 2009 hosted by Kesatuan Penuntut Undang-Undang Malaysia di United Kingdom & Eire (KPUM). YLC held a mock interview session and a short movie screening.

ACKNOWLEDGEMENT

Finally, the success of YLC should be attributed to all the Deputy Chairs and dedicated members for spending time and pouring out so much effort in ensuring all the activities are conducted smoothly. We also wish to record our appreciation to all the members of YLC and especially to Melissa Dass, the Executive Officer of YLC.

18th ANNUAL GENERAL MEETING KUALA LUMPUR BAR



With this, we hope to see more young lawyers joining us!

Lai Chee Hoe

Chairperson
Young Lawyers Committee



BAR COUNCIL LEGAL AID CENTRE (KUALA LUMPUR)

Ravinder Singh Dhalliwal
Chairperson



INTRODUCTION

The Bar Council Legal Aid Centre (Kuala Lumpur) "BCLAC (KL)" has indeed come a long way from its humble beginnings in 1982. Over the years, Legal Aid has evolved from advising and representing clients to playing a far more important role in society. Legal aid is now also involved in educating the public on their rights; in lobbying for law reform and in building bridges with government agencies and NGOs. Today most lawyers realise that the issue of the impecunious being unrepresented is not only the problem of the impecunious but also the problem of the entire legal profession.

THE YEAR 2009

This year we had an excellent working team, unwavering in their support and hard work. They, together with the selfless contribution of volunteer lawyers and pupils, have ensured that the majority of the BCLAC (KL) programs and activities were carried out successfully.

The BCLAC (KL) in 2009 assisted 19,328 clients which marked an increase of 2,756 clients when compared with the 16,572 clients served in 2008. The year 2009 has been very eventful for the BCLAC (KL). The following are the most memorable events that took place in 2009:

ARREST OF 5 LEGAL AID LAWYERS

On 7th May 2009, 5 Legal Aid Lawyers were arrested when they requested access to persons who were detained at the Brickfields Police Station. Amongst those arrested were the Chairperson and Hon. Secretary of the BCLAC (KL). The said arrest resulted in the Bar Council calling for an EGM and in a complaint being lodged to SUHAKAM (Human Rights Commission of Malaysia). SUHAKAM set up an inquiry into the incident, which is still ongoing.

LAUNCH OF THE NEW BCLAC (KL)'S OFFICE

The BCLAC (KL) outgrew its modest office space on the 6th Floor in Wisma Kraftangan, Jalan Tun Perak and decided to expand by taking up residence on the 9th Floor of the same building.

27th October marked the much awaited launch of the BCLAC (KL)'s new office premises. The Chief Judge of the High Court in Malaya (CJM), The Right Honourable Tan Sri Arifin bin Zakaria officially launched the new LAC office. The launch of the new office of the Legal Aid Centre was a great success for all as it showcased the nature of the Centre in improving itself to better serve the deserving members of public.

Having the CJM launch the BCLAC (KL) sprung discussions between the CJM and the BCLAC (KL) on the importance of Legal Aid and how the current trend of 'speedy trials' were affecting Legal Aid files, as well as discussions on the possibilities of waiving filing fees for Civil matters handled by the Bar Council Legal Aid Centers.

The Panel

Honorary Secretary
Fadiyah Nadwa Fikri

Asst. Honorary Secretary
Harleen Kaur

Treasurer
Khor Xiou Shan, Valen

Committee Members
Ravi Nekoo
Amer Hamzah Arshad
Latheefa Koya
Sasha Lyna Abdul Latif
N Sivanesan
Sa'adiah Din
Preetam Kaur
Renuka T Balasubramaniam
Abd Shukor Tokachil
Rajeswari Paramasevam
Puspawati Rosman
Datuk Baljit Singh Sidhu
Harvindar Singh

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URGENT ARREST ASSISTANCE - ANTI ISA GATHERING

On 1st August 2009, the BCLAC (KL) and its Urgent Arrest team assisted a group of people facing violation of their basic rights during the GMI (Gerakan Mansuhkan ISA) gathering. The gathering resulted in the arrest of over 589 members of the public including 44 juveniles.

Although the gathering resulted in arrests, the active participation of the public reflected the awareness of the public in relation to the issue of ISA. In its fight for justice, the BCLAC (KL) together with all Volunteer Lawyers, planned and executed a wide attempt to represent all those arrested in the shortest time possible. This was an achievement that should be congratulated.

LEGAL AID FOUNDATION AND GOVERNMENT FUNDING

Working with the Bar Council and the NLAC the BCLAC (KL) has been persistent in its efforts this past year in lobbying the government to set up a Legal Aid Foundation or to provide direct funding to the existing legal aid system in order to ensure that people have access to justice.

NATIONAL LAW AWARENESS WEEK

A number of activities were lined up in conjunction with the National Law Awareness Week from 24th October 2009 to 31st October 2009. Questions were submitted to be raised in Parliament on legal aid and the criminal justice system and to which we have just received the replies.

We are proud to say that a legal aid song has also been composed. An open booth was put up at Central market to promote the services rendered by Legal Aid as well as to inform the public of their rights under the law. This was then followed by a public performance at Central Market by a group of volunteer lawyers on the last day of the law awareness week.

NGO PARTNERS

We continue to maintain close working relationship with our NGO Partners, AWAM, WAO, SIS, Pink Triangle Foundation, Malaysian Aids Council, Tenaganita and UNHCR. The close cooperation between the Centre and all these parties have in fact increased our awareness and developed our skills and also enhanced the services we provide to various marginalised communities.

THANK YOU

We would like to emphasise that what we have achieved to date would not have been possible, if not for the tremendous support from our many dedicated volunteer lawyers. We would like to take this opportunity to thank every one of them.

We also acknowledge that the mainstay of the BCLAC (KL) is the pupils undergoing their compulsory 14 day legal aid duties. We are planning to create more programs for them to be involved in, even after they have finished their compulsory legal aid duties.

My special thanks goes out to all the Project Heads, members of the Management Panel, to the dedicated staff of the BCLAC (KL), my Office Bearers, our Ex-Officios and to the Executive Director of the BCLAC (KL). Each and every one of you has contributed your time and energy selflessly, and for that I am exceedingly grateful.

Ravinder Singh Dhaliwal

Chairperson



**BAR COUNCIL LEGAL AID CENTRE (KUALA LUMPUR)
STATISTICS (JANUARY – DECEMBER 2009)**

A. CLIENT STATISTICS: SUMMARY 2009

	CLINIC/PROGRAMME	CLIENTS 2007 (JAN - DEC)	CLIENTS 2008 (JAN - DEC)	CLIENTS 2009 (JAN - DEC)
1	Sungai Buloh Prison: • Malaysian clients • Migrant clients	1093 (764) (329)	1407 (1008) (399)	1152 (855) (297)
2	Kajang Women Prison	139	168	81
3	Kajang Women Migrant Prison	88	132	74
4	Kajang Men Prison (Appeal)	-	470	6
5	Kajang Men Migrant Prison (Appeal)	-	3	4
6	Kajang Men (Juvenile) Prison	217	-	393
7	Kajang Men (Juvenile) Migrant Prison	26	-	-
8	Juvenile Remand Home	116	20	30
9	Dock Brief	4200	4823	4706
10	LAC Clinic	1675	1585	2155
11	Syariah Clinic	129	130	141
12	SIS	673	665	755
13	AWAM	387	411	348
14	PTF	10	80	20
15	WAO	173	115	90
16	Tenaganita	2350	2284	5315
17	UNHCR	3360	3931	3958
18	Public Interest Cases	469	348	100
	Total	15105	16572	19328

18th ANNUAL GENERAL MEETING KUALA LUMPUR BAR



B. FILES: OPENED, ASSIGNED & UNASSIGNED – 2009

		2008			2009		
	CATEGORY	OPENED	ASSIGNED	UNASSIGNED (CARRYFORWARD)	OPENED	ASSIGNED	UNASSIGNED
1	Criminal						
1.1	• LAC Clinic	95	114	38	140	140	38
1.2	• Prisons Program	130	146	16	130	113	33
2	Employment / SOCSO	22	30	3	15	16	2
3	Family	82	86	5	65	70	-
4	Syariah	42	37	8	30	35	3
5	Others						
5.1	• Public Interest Litigation	4	2	1	8	6	3
5.2	• Misc	3	4	-	8	8	-
Total		378	419	71	396	388	79

C. NEW VOLUNTEER LAWYERS (VL) 2009

TOTAL
68

1. BCLAC (KL) REPORT ON LAC CLINIC PROGRAM

Report prepared by: Secretariat

Committee Members

Abd Shukor Tokachil (Co Project Head)
 Rajeswari Paramaesevam (Co Project Head)
 Pushpa Ratnam
 Lim Chi Chau
 Gayathri Priya
 Balbir Singh
 Nik Waheeda
 Murni Hidayah
 Komathi Arunasalam
 Puspawati Rosman

INTRODUCTION

The Legal Aid Centre Clinic (“LACC”) runs from the Secretariat of the Bar Council Legal Aid Centre (KL) at 9th Floor Wisma Kraftangan and it is one of the main programs of the Centre.

LACC maintains the practice of having pupils interview the applicants. A total of 17 pupils are involved who are at the Centre from 10.00 a.m. to 5.00 p.m. from Monday to Friday for a period of 3 months as part of their compulsory legal aid duty.

THE COMMITTEE/VOLUNTEER LAWYERS/PUPILS

On behalf of the Committee and secretariat, we would like to render our sincere appreciation and hats off to all the members of the Committee and not forgetting the bulwarks of the LAC Clinic, the pupils, without whom the Clinic would not be able to cater to the public. The lack of lawyers walking in to the Clinic and supervising the pupils made the committee's objective of providing verified legal advice lacking. This leads to situations where pupils gave advice without consulting supervising lawyers which puts the LAC Clinic in circumstances whereby the LAC could be sued for dispensing wrong advice. However, thus far our ably qualified LAC Clinic staffs have been monitoring the pupils and have been successful in averting any untoward incidents/suits. We appeal to all volunteer lawyers to drop by at the secretariat whenever possible to supervise the pupils and also to take the added burden of monitoring legal advice given by pupils off the shoulders of the LAC Clinic staff. Much as the staffs are experienced nonetheless, the monitoring and supervising the pupils in giving advice should be done by lawyers.

Further, there has been a rising trend amongst the public trying their luck to obtain free legal advice/representation when they know they are not qualified for legal aid under the means test administered by the LAC Clinic. Our very limited resources are wasted attending to such applicants. There have been instances where such people have turned unpleasant and rebuked and terrorised the pupils and staff of the LAC Clinic. It is observed that the presence of volunteer lawyers at the Clinic could prevent any of such unpleasant occasions from happening.

PUPIL'S DUTY

The pupils are given one-day training before they commence duty at the Centre. They are instructed on conducting the means test, given a briefing on how to interview applicants and specific areas of law, which attracts the most queries. These areas of law are family, employment and criminal law. The training is usually held on Saturday from 9 a.m. to 5 p.m.

A pupil's duty includes interviewing walk-in clients, conducting the means test as well as giving advice where required (these are done after consultation with lawyers on duty or by calling volunteer lawyers on the phone). Their duty would also include opening files when legal representation is required.

OBJECTIVES OF THE LACC

The objective of the LACC is to stimulate pupils/lawyers to discover their role and responsibility as holistic lawyers in our society. It is also to develop a sense of social obligation and a concern for human rights, justice and the rule of law as well as to generate a critical awareness and understanding of society in general, to understand the interplay of forces and the root causes for the problems and inadequacies in Malaysia. Last but not least, the objective of the LACC is the attempt to instill and develop a long-term commitment towards legal aid and human rights, which will go beyond the compulsory 14 days of legal aid during pupilage.

STATISTICS

As at 31st December 2009, a total of 2155 persons were interviewed. There was a slight increase compared to last year where the person interviewed was 1585 only.

Out of 2155 persons interviewed, 236 persons were given legal representation, and 952 persons were given advice only. A total of 271 applicants were referred to other clinics, Government departments and other State Lacs.

In respect of the remaining 563 applicants who were unsuccessful in obtaining legal aid, 171 persons failed the means test under the asset limb, 392 persons were disqualified due to jurisdictional grounds.

Out of 236 files, which were opened, criminal cases formed the majority, accounting for 140 files. This was followed with family cases with 65, employment cases with 15 and 8 miscellaneous cases. During the year we have also given legal representation for 8 public interest litigation.

THE LEGAL INTERVENTION

This year saw a greater increase/demand in cases involving legal intervention where our pupils and the Dock Brief pupils joined hand-in-hand in assisting clients who were being sidelined by authorities based on their status or gender. Pupils were required to escort such clients to aid them in asserting their rights. We saw a major difference when our pupils escorted such clients.

The pupils who participated in the legal intervention process were very enthusiastic as they had a chance to have various 'hands-on' experiences in situations where members of the public faced difficulties with authorities/government departments at ground level.

Unfortunately, we have had situations where to date no action or reply have been provided to us on matters where legal

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interventions have been conducted. The pupils have expressed their dissatisfaction and frustration with certain government departments. The committee found that the lack of funding and supervision by volunteer lawyers have been stumbling blocks to the legal intervention process for both the pupils and the secretariat.

THE PUPILS TRAINING

The entire committee took part actively in the training program with help of LAC officers on a rotation basis where by three committee members supervised the training each time.

We are indebted to our volunteer lawyers (who are not in the committee) such as Anand Ponnudurai, Muhendaran, Ravi Nekoo, Latheefa Koya and James Kong who so graciously gave up their precious spare time for the Clinic and came in to train our pupils.

STRENGTH

The strength of LACC lies on the programme itself. This is evident on the increase of numbers of the people came to the LACC. In addition to that, the number of the pupils served under the LACC is another added value and strength without which it would be impossible to have the clients interviewed in the first place.

The human resources i.e. the pupil and the volunteer lawyers are basically the strength of the Clinic. Although their number is small, nonetheless, their presence to the Clinic is what the Clinic is.

WEAKNESSES

The LACC regrets to report that a fair share of the pupils possesses an apathetic attitude towards their duties. This is evident from the numerous improperly prepared interview sheets that leave out crucial information necessary for rendering advice. Such interview sheets are hindrance to the LACC and its volunteer lawyers because the task of interviewing has to be repeated.

Occasionally, there are pupils that also render advice without first consulting a supervising lawyer that are physically present at the LACC or by telephone. This is reckless and may bring the LACC into disrepute if the advice rendered is incorrect.

The LACC is saddened to note that these pupils do this despite the training session, mid term review and guidance available to the pupils at the premises. This problem is exacerbated by the fact that there are no effective disciplinary procedures available to the LACC to ensure the pupils carry out their duty diligently, effectively and prudently.

Another perennial problem that the LACC faces is the lack of volunteer lawyers interested in carrying out training sessions as well as being physically present at the LACC premises to supervise the pupils. The turn out of volunteer lawyers for the outreach sessions barely reaches the minimum required. There is ample room for improvement in this area.

2. BCLAC (KL) REPORT ON LAC/SYARIAH CLINIC

Report prepared by: Sa'adiah Din (Project Head)

Committee Members

Sa'adiah Din (Project Head)

Nik Nurul Atiqah Nik Yusof (Alternate Project Head)

Ros 'Aini binti Idris

Rozita Shaikh Salleh

Norhusniah Huslin

Yusmawati binti Ab.Illah

Nur Azlin @ Azliana binti Arifin

Hamirah binti Ab Hamid

The Syariah Clinic operates from the Secretariat and is open to public from Monday to Friday 10.00a.m. – 4.30p.m. The Syariah Clinic at the Centre is manned by pupils in chambers who are supervised by experience Syariah Lawyers.

The pupils in chambers were given a half-day training focuses on Syariah Civil and Criminal Law and Procedures. They also attended a one-day training with Legal Aid Clinic providing basic training in interviewing techniques as well as discussions on criminal, employment and family law before they started their duties at the Clinic.

The figures below and cases handed by the Clinic in 2009.

Syariah clients total no. of applicants	140
Files opened	30
Sought advice only	61
Disqualified	22
No Jurisdiction	27

There has been an increased in the number of client as compared to 2008.

The entire Committee took part actively in the training program with the help of LAC officers on a rotation basis where by committee members supervised the training each time. This year the training were conducted in a workshop style.

Most of the cases referred to the Centre are Application for Divorce, Kembali Taat, Pengesahan Cerai, Maintenance and Matrimonial Property Claims.

We would like to take this opportunity to thanks the Management Panel, Staff of Legal Aid Centre, Syariah Committee members, the participating pupils and also volunteers participating pupil for their interest and commitment in making the Syariah Clinic smoothly run.

3. BCLAC (KL) REPORT ON DOCK BRIEF PROGRAM

Report prepared by: Datuk Baljit Singh Sidhu (Project Head)

Committee Members

Datuk Baljit Singh Sidhu (Project Head)
 Harvindar Singh (Alternate Project Head)
 Hor Shirley
 Lim Chi Chau

INTRODUCTION

Dock Brief programme enrolment for 2009 was 277. There were 4 Committee meetings held which were on 17.2.09, 11.5.09, 28.7.09 and 19.10.09. The issue discussed this year such as:-

- i) problems rising in the programme;
- ii) improvement of trainings and manual;
- iii) developing posters for Dock Brief services to further promote the program and services offered to the general public;
- iv) supervising issues; and
- v) procuring basic equipment for the Dock Brief room.

PROGRAMMES

The pupils are trained to develop both advocacy and interview skills. The criminal law services provided under this programme involved with mitigation, bail application, remand proceedings and other related advices. For this year, the programme developed posters which were put up a poster at every level of Magistrate Courts and Session Courts to promote the services rendered as well as to increase awareness among members of the general public. The Training Manual was updated and amended. As at 31st December 2009, the programme provided services to 4706 clients with various offences.

There were 4 batches involved in the programme for this year which are Batch 57, 58, 59 and 60 which were consists of 69, 76, 56 and 76 pupils respectively. All the training and review sessions conducted by the Project Head themselves together with committee members.

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ACTIVITIES

The daily activities started at 8.30am from Monday to Friday where the pupils check for any sentence, bail or remand cases in the court that they have been assigned to. Most of the cases handled by the pupils were mitigation under Dangerous Drugs Act such as section 15 (1) (a) for self administration, section 12 (1) for drugs possession and section 6 for possession of cannabis and etc. The other often cases were section 379 and 380 under Penal Code and section 25 (1) (n) under National Registration Act.

CONCLUSION

Along with the other Legal Aid programmes, the Dock Brief programme endeavours to provide legal services to less fortunate members of humanity while developing the advocacy skills as well as other soft skills of pupils. The Dock Brief programme provides a unique platform whereby the pupils are given an opportunity to appear in court on behalf of clients. With the continuing support of the Bar we strive to continue providing services to the members of the general public who are in need.

4. BCLAC (KL) REPORT ON LAC/PRISON PROGRAM (SG BULOH, KAJANG WOMEN, KAJANG JUVENILE, MIGRANT PRISON AND JUVENILE REMAND HOME)

Report prepared by: Sivanesan Nadarajah (Project Head)

Committee Members

Sivanesan Nadarajah (Project Head)
Ramesh Lachmanan (Alternate Project Head)
Letchiemanan
Sharon Palani Ammal
Mohd Radzlan Bin Jalaludin
S. Thavaraj
Paari Perumal
Shahir Bin Ab Razak
Rajendran Palany
Suresh Thanabalan

INTRODUCTION

The Clinic was first started in December 1997 at Sungai Buloh Prison and slowly it initiated other related programs such as the Kajang Women Prison ("KWP") in year the 2000, the Kajang Women Migrant Prison ("KWMP") in September 2003 and the Sungai Buloh Migrant Prison ("SBMP") in May 2004. Meanwhile the Juvenile Remand Home ("JRH") Program commenced in 2001 and it ventured into the Kajang Juvenile Prison ("KJP") in 2007.

In March 2005, all the five Prisons Clinic i.e. SBP, SBMP, KWP, KWMP, KJP, JRH operated under one program. The Legal Aid Centre also collaborates with the Selangor Legal Aid Centre ("Selangor LAC") by having their pupils to participate in the Sungai Buloh Prison Clinic since June 2005.

STATISTICS FOR FILES: OPENED, ASSIGNED & UNASSIGNED - 2008

	CATEGORY	2008			2009		
		OPENED	ASSIGNED	UNASSIGNED	OPENED	ASSIGNED	UNASSIGNED
1	Criminal • Prisons Program**	128	111	16	130	113	33

In the year 2009, a total of 130 files were opened and a total of 113 cases were assigned to volunteers lawyers. Please refer to the above statistics. The committee's main objective for the year was to get as many lawyers to volunteer to take up cases from the Centre as well as to reduce the no. of unassigned cases. As part of its objective, the committee itself made a point that each committee members to take up at least one (1) file to reduce the no. of unassigned cases and this is clearly reflected in the no. of assigned cases.

During the year 2008, the committee also had:

1. 5 (five) Committee meetings to discuss the various matters pertaining to the program and Action Plans for the year 2009.

2. 2 (two) meetings with the Prisons Authorities for better networking between BCLAC (KL) and the Prisons Authorities
3. The Committee also conducted 4 (four) Prisons Training Programs for pupils from Batches 57, 58, 59 and 60. A total of 72 pupils attended the said trainings.
4. The Committee also conducted 3 (three) Mid Term Reviews for the pupils involved in the Prisons Program.
5. The Committee also organised a Criminal Law Training – Criminal Litigation - “Take A File Workshop” on 23rd June 2009.

OTHER ACTIVITIES:

- On 14th July 2009, the committee had a meeting with Dato' Meme Binti Zainal Rashid (Director) and other officers of the Juvenile Remand Home. The meeting was called mainly to discuss the issue where LAC was not allowed access to interview the juveniles detained in the remand homes as the remand homes have been claimed as “tempat selamat” by the Director of Welfare Department of Wilayah Persekutuan. After discussion, Dato' Meme understood the plight of the juveniles and allowed the Legal Aid Centre to continue with the visits and informed the relevant offices on her decision. It was agreed that the visits will be held once a fortnight on every alternate Thursdays at Asrama Sentosa, Asrama Bahagia and Sekolah Tunas Bakti Sg.Besi.
- On 4th November 2009, the Committee also had a meeting with Tuan Abdul Aziz Bin Mohamad (Deputy Director) of Kajang HQ Prison and his officers to discuss the various matters pertaining to the Prisons' program for the year. The discussion includes obtaining proper details of the remand detainees and to have a proper interviewing venue for the pupils to interview the detainees. The Committee also provided the Prison with LAC posters to be placed at the Prison to inform detainees on the existence of LAC if they need any legal assistance.
- On 25th November 2009, the Prison Committee organised a very successful get-together Session and dinner for all the Prisons Authorities and the various Government Department Authorities which the Prison Committee had networked. A total of 50 guests attended the said session, namely, Prisons Authorities from both Sungai Buloh and Kajang Prisons, Dato' SAC II Ku Chin Wah from IPK Kuala Lumpur, KL Bar Chairman, KL Bar Hon. Secretary, representatives from UNHCR, Management Panel members, LAC staff and others.

Overall the Prisons Committee had been very busy throughout 2009.

5. BCLAC (KL) REPORT ON LAC/AWAM/WAO/SIS CLINIC

Report prepared by: Harleen Kaur (Project Head)

This committee consists of the Bar Council Legal Aid Centre (Kuala Lumpur) (“LAC”), Sisters-In-Islam (“SIS”), AWAM and WAO. The cooperation between the 4 organisations gives a unique opportunity to Pupils to be carry-out their legal aid duty with SIS, AWAM or WAO. This gives the Pupils a different perspective to legal work. The 4 organisations jointly and separately organised trainings for the Pupils. This committee has successfully equipped Pupils with legal knowledge, gender sensitivity, and counseling skills, among others.

This year, the Committee had 4 batches of Pupils being Batch 57, 58, 59 and 60, which respectively consisted of 18, 16, 18 and 19 Pupils respectively. Each Batch were given 3 compulsory training sessions and one mid term review. The training covered areas such as Syariah Law, Family Law, Domestic Violence Act and gender sensitivity. For Batches No.59 and 60 the training was extended to include employment law. The Pupils are also taught about the Means Test.

There were 4 committee meetings held this year. 3 of the meetings were held at LAC and one at AWAM's premises. Each meeting was minuted. The meetings facilitated the updating of status of the individual organisations' projects, identification of issues, brain-storming/consultative discussions and organisation of trainings (venue/trainers/etc).

This committee ran the Mobile Clinic Programme in Klang, Rawang and Lembah Pantai. The aim of the programme is to reach out to those who are unaware of their rights such as victims of abuse, workers, etc.

This year the Office Bearers of the LAC visited AWAM on 13.10.09. This visit was to allow the LAC and AWAM to meet and discuss ways to improve cooperation and organise joint activities. The meeting was also organised to discuss alternate activities that can be offered to the Pupils. AWAM took the opportunity to describe their daily activities, their goals and their

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mission.

6. BCLAC (KL) REPORT ON LAC MIGRANT & REFUGEE CLINIC

Report prepared by: Renuka Balasubramiam and Latheefa Koya (Co Project Heads)

At the beginning of the 2009 term, a proposal to alter the name of the project to a more generic term was approved by the management panel. The clinic is now named the LAC Migrant and Refugee clinic.

In 2009, 56 pupils were seconded to Tenaganita for exposure relating to the legal, administrative and social problems faced by migrant workers. At Tenaganita the exposure was gained through visits to the Immigration Department, Labour / Industrial Relations Department, Police Station, District Headquarters, Bukit Aman, Courts, Embassies, Ministry of Foreign Affairs, Immigration Detention Centres and Hospitals.

15 pupils were seconded to the United Nations High Commissioner for Refugees (UNHCR) for exposure relating to asylum seekers and refugees in Malaysia, the UNHCR's protection mandate and the representation of asylum seekers / refugees in court. As the office of the UNHCR in Kuala Lumpur is the only nationwide protection centre for 70,000 refugees and an indeterminate number of asylum seekers, pupils found the volume of cases in the complaints receiving section of the UNHCR's office, to be insightful of the vulnerabilities of refugees and existing gaps in protection that can be afforded to them.

In June 2009, the two project heads and a representative from Tenaganita also paid a visit to Bukit Aman's newly established trafficking unit to seek clarification concerning the procedure being applied in the rescue of victims of trafficking and their protection pending the prosecution of the traffickers. The team was informed that recommendations for improvement to the challenges within the existing procedure for protection must be tabled to the Trafficking Council which was established under the Anti Trafficking in Persons Act 2007.

Although a meeting was requested with the trafficking council, no positive response has been received.

In September 2009, a watching brief was also conducted in the taking of the deposition of a child victim of trafficking to gain greater awareness of the procedure being applied in courts under the Act.

In October 2009, both Project heads were invited to participate in the Asia Pacific Consultation on Refugee Rights which was held in Bangkok. Liaisons were built with refugee legal aid organisations in Australia, Hong Kong, Thailand and Indonesia. With a view to developing legal aid for the marginalised in Malaysia the team intends to share the knowledge gained from these regional liaisons with outgoing pupils from this project in order to develop migration law as a specialised area of practice. In this connection in December 2009, an advanced training on migrant and refugee rights was organised. A small group of former pupils voluntarily signed up. The team considers the positive responses to be an indication of the great potential this area of practice has in the future of legal aid.

The centre also hosted attachment students from various universities and colleges who were eager to learn about the laws and procedure affecting migrants and refugees. These students were permitted to visit the project's partner agencies.

7. BCLAC (KL) REPORT ON LAC/PT/MAC LEGAL CLINIC

Report submitted by: Preetam Kaur and Secretariat

Committee Members

LACKL representatives

Preetam Kaur (Head)
Lim Kar Mern (Alternate Head)
Andrew Heng
Lee Kuang Wei
Thirunavakarasu
Jag Ramachandran
Zuraifah Abd Rahman
Genevieve Tan
Adelene Teo
June Low

PT Foundation representative

Hisham Hussein (Chairperson)
Malaysian AIDS Council (MAC)
Prof Adeeba Kamarulzaman (President)

The LAC/PT/MAC Legal Clinic program has been rendering legal services and legal intervention for the five (5) recognised

marginalised communities which are the drug users, female sex workers, people living with HIV/AIDS, transgender and homosexual men for the past 11 years. It was a busy year for our NGO partners who are the MAC and PT as they were involved with the Ministry of Health (MOH) budgeting and planning programs 2010 and other events which took up most of their time.

The LAC/PT/MAC committee finds it difficult to handle activities when our NGO partners are busy with their own projects. However, the committee has this year succeeded in getting more volunteers when our past pupils/other programs pupils joined in as committee members to serve the marginalised communities. Finally after many years, we have managed to obtain a pool of lawyers to serve the legal clinic and that was the major satisfaction and achievement for year 2009.

The number of cases from January 2009 till October 2009

FEB	MARCH	APRIL	MAY	JUNE	JULY	OCT	TOTAL
3	2	5	4	3	1	2	20

The activities which the committee held over 2009 for the communities and lawyers are:-

- With the help from our young lawyers, we managed to conduct a Paralegal & Human Rights training program for PT Sex Workers on 31st October 2009 (Saturday) at Taman Rekreasi Sedayu Gombak;
- The committee also conducted its committee meeting without the NGO partners on 9th October 2009 and discussed various projected activities and future plans such as TOT (“training of trainers”) for lawyers, HIV/AIDS & STI awareness sessions and to network with Wanita & Kesihatan (Kuala Lumpur) WAKE at 7th Floor, Wisma Kraftangan as we have been made to understand that they wish to also work with us on a more regular basis due to the issues they face;
- MAC has agreed to print posters for the legal clinic to be disseminated to the communities in all states (designed by Chitrah) so that the communities are aware of the existence of the legal aid centers in each state and the assistance that can be rendered. All cost will be borne by MAC for printing of the said posters and this would be a good first step to ensure proper legal representation is given to these communities in all states;
- Finally, Preetam conducted the Training of Trainers (“TOT”) for our young lawyers who will be the front liners of this program in future. The TOT was conducted on 21st November 2009 at LACKL from 2.00 pm until 8.30 pm. Both MAC and PT representatives assisted and conducted lectures for our young lawyers together with about 15 members from our NGO partners who attended and raised the most pertinent issues that these communities face on a daily basis;
- The brainstorming for the law reform and advocacy was also conducted at the TOT and each young lawyer was then tasked to represent each of the respective communities and to present the issues raised and the best possible advise that should be rendered as follows:-

NO	LAWYER'S NAME	DUTIES
1	ZURAIFAH	DRUG USERS (DU)
2	ARASU	SEX WORKERS (SW)
3	MATHEWS	PLHIV (PL)
4	KARMERN	TRANSGENDER (TS)
5	ADELENE	MEN HAVING SEX WITH MEN (MSM)

As the head of the legal clinic, I would like to offer my sincere appreciation and gratitude to the lawyers who have volunteered for our programs and have been working hard for the marginalised legal clinic for the past 11 years as without them this clinic would not have been able to function.

A special thanks to So Chien Hao, Jag Ramachandran, Jayalechumi Rajaretnam, Sa'adiah Din and all the experienced senior lawyers who have taken the time and effort to assist in this program over the years. I also take this opportunity to thank my young lawyers for volunteering and for their zeal and interest to help the said marginalised communities. I look forward to working with them in the near future and handing over the reins to them very soon.

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8. BCLAC (KL) REPORT ON LEGAL AWARENESS PROGRAM (ORIENTATION)

Report prepared by Project Head/Secretariat

Committee Members

Puspawati Rosman (Project Head)	Amer Hamzah Arshad
Komathi Arunasalam	S. Sivaruben
Surendran Sreetharan	Siti Aliza Alias
Sasha Lyna Abdul Latif	Goh Siang Joo
Ravinder Singh	Kamaliyah Mohd Hafiz
Fadiah Nadwa Fikri	Farah Mohd Shahwahid
Valen, Khor Xiou Shan	Soh Hoon Hoon (Stephennie)
Harleen Leena	Sumitra Devi Krishnan
Mohd Radzlan Jalaludin	Gan Bee Ling
Abd Shukor Tokachil	Bong Chiew Ling, Claire
Rajesweri Paramasevam	Izyan Darlina Dato' Balia Yusof
Nik Waheeda	Afzan Harrison Zainuddin
Ravi Nekoo	Chin Hsu Lin
Latheefa Koya	Rajen Devaraj

LEGAL AIDERS (*Inclusive of all participants of Advance Training from Batches 1-6*)

INTRODUCTION

The Legal Awareness Program is one of the main program of the Centre. This program intended to give pupils a “real dimension” as to what is required and expected of them during their 14 days of compulsory Legal Aid duty and to introduce them to the various clinics and programs run by the Bar Council Legal Aid Centre (Kuala Lumpur).

OBJECTIVES

- To help pupils discover and understand their role and responsibility as lawyers in society;
- To inculcate in pupils a sense of social responsibility and a concern for human rights, the rule of law and justice; and
- To expose pupils to legal aid as well as to inculcate and develop in them a long term commitment towards legal aid and equal access to justice, which extends beyond their compulsory legal aid duties.

ACTIVITIES

As of 3rd December 2009, the committee has conducted and introduced the following programs/sessions:

A. Orientation Sessions

Eight (8) orientation sessions were held and we have trained approximately 600 pupils. The orientation sessions utilise a participative methodology, incorporating group dynamics, open discussion, human rights input as well as introduction to the various BCLAC (KL) programs.

The committee has also opened up the orientation session to pupils from other states. To date, the committee has trained approximately 81 pupils from the Selangor Legal Aid Centre.

B. Exit Evaluation Sessions

Four (4) Exit Evaluation sessions were held for all pupils involved in the various LAC programs to appreciate their contribution to the public and the LAC. Approximately 520 pupils have participated in the sessions and shared their experience in the various programs which they have served as part of their legal aid duty.

During these sessions, the committee has invited George Varghese, Secretary of the Bar Council; Tony Woon, Treasurer of the Bar Council; Ravi Nekoo, Ex-chairperson of the Bar Council Legal Aid Centre (KL) and Richard Wee, the Honorary Secretary of KL Bar to show appreciation to the pupils’ for their contribution and further to motivate them to be involved in our future activities.

C. Advance Training “Legal Awareness and Leadership for Lawyers”

The Committee conducted it's sixth (6th) Advanced Training called “Legal Awareness and Leadership for Lawyers” program which was held at the Commonwealth Park & Resort, Rawang from 26th – 28th June 2009. The aim of the

Advance Training Program is to encourage pupils/young lawyers to continue their involvement with the Legal Aid Centre (LAC) on a long term basis as well as to introduce soft skills essential for future leadership role; and to enhance their knowledge in specific areas/issues.

A total of 27 participants attended the training session along with Six Committee members (Rajen, Ravi Nekoo, Harleen Leena, Komati Arunasalam, Fadiah Nadwa and Stephanie Bastian) and seven other trainee facilitators from the Legal AIDERS (Gayathri Priya, Murnie Hidayah, Nur Zatulitri, Farida Mohamad, Juvita Jumpil, Brendan Tan Tzai Mun and Chan Kit Kheong) who facilitated the session. This training session was very successful and we managed to retain the participants for further BCLAC (KL)'s activities.

As a follow-up to the 6th Advanced training, a get-together session was held for the participants of the 6th Advance training and the Legal AIDERS. The session was held on 25th July 2009 at the BC LAC (KL) Training Room. The objective purpose of the get-together session is to share and gather/obtain feedback from participants on the training activities and development after the training session. It is also intended as a planning session where participants can share ideas and discuss possible follow-ups to address issues highlighted at the training session.

D. Training of Trainers – Training Session on Facilitation Skills for Trainers

The committee also organised a Training of Trainers session on 20th June 2009 at the BCLAC (KL) Training Room. The training was conducted by Rajen Devaraj, the CEO of the Bar Council. The training is designed to further enhance the presentation and facilitating skills of the current pool of trainers and the do's and don'ts when conducting a training session. This training session was successful and well received by the participants.

E. Legal AIDERS

The Legal AIDERS, a group comprising 50 young lawyers being those who had completed the Advance Training sessions. The group is headed by Komathi Arunasalam and the Secretary is Farida Mohamed. The Legal AIDERS are actively involved in the various programs and activities organised by the BCLAC (KL). Their involvement in the various programs is as follows:

INVOLVEMENT OF LEGAL AIDERS IN REGULAR ACTIVITIES / PROGRAMS OF BCLAC (KL)

As Trainers

1. Orientation Training Sessions for Pupils
2. Exit Evaluation Sessions for Pupils
3. Training of Trainers Sessions
4. Advance Trainings

Meetings to work out action plans

1. Legal AIDERS Get-together Sessions

The Legal AIDERS are also working under 2 Sub-Committees, namely;

1. PR & Entertainment Committee (Headed by Juvita Jumpil)

Task involved:

- i. Editorial Function
- ii. Public Awareness on LAC and its services
- iii. Drama & Public performances
- iv. Video-taping of LAC Programs – to produce a documentary on LAC and its various programs

2. Criminal Justice Committee (Headed by Sasha Lyna)

Task involved:

- i. Right to Information Campaign

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Besides the above, the Legal AIDERS also conducted the following programs for the year 2009:

1. Training for Trainers on “Ok Tak OK”

On 13th June 2009, a training for trainers on “Ok Tak Ok” program was conducted.

This program is about personal safety and is designed to educate children between the ages of 10 to 12 years of age on sexual harassment as well as the differentiation between a good (Ok) and a bad (Tak Ok) touch. The children learned safety rules about touching via songs, cartoons and stories shown in the video. At the end of the program, the children are encouraged to inform tell a trusted adult should they find themselves in a “compromising” situation in future.

This training is meant for future trainers who will be teaching children in community areas or schools. The training was conducted by Komathi, Nik Waheeda and Rajeswari who had previously attended the training conducted by Women’s Centre for Change, Penang for Legal Aid lawyers on 6th October 2007.

The training was attended by 13 Legal AIDERS and it was a successful training. Everyone present was confident and expressed interest to conduct the training in schools and community areas in future.

2. “Kopi O” Night

The LAC Secretariat and Legal AIDERS, namely Sasha Lyna and Murnie Hidayah organised three (3) successful “Kopi O” nights with the following topics of discussion:

- i) 1Malaysia: A New Concept or Mere Branding? – held on 24th July 2009
- ii) Relationships – held on 4th September 2009
- iii) Health Care – held on 20th November 2009

The sessions were lively, informal night session with open discussion over coffee on the above topics. All participants who attended the sessions took part actively and gave their views as well as digested the views of others on the said topics.

The session managed to get the participants to relax, open up and voice out their thoughts and views freely.

We could proudly say that the session also managed to attract some new lawyers and pupils to take part in LAC’s activities as well as persons outside the legal fraternity to experience the work done by LAC. The session also helped the participants to expand their networks by meeting each other.

Based on the positive feedback received from the participants, the committee will be conducting this program regularly.

3. Other Programs

The Legal AIDERS also assisted and took part in the following programs/activities of the BCLAC (KL) programs throughout the year 2009:

- i) Arrest of Five LAC Lawyers
- ii) Urgent Arrest - GMI Anti ISA Protest
- iii) Suhakam Inquiry on the arrest of 5 LAC Lawyers
- iv) National Law Awareness Week
 - a) Launch of KL LAC New Office
 - b) LAC booth at Central Market
 - c) Public Performance at Central Market
 - d) Composing of LAC song and

- e) many other activities of the Centre

Strengths

- Committee members' commitment and their ability to come up with ideas to implement and further improve the training sessions.
- Motivation of pupils on the need to serve the needy and marginalised
- Education of pupils on human rights which instill a sense of justice in them
- Retention of many young lawyers to serve voluntarily in LAC through its Advance Training Program

Weaknesses

- Time-consuming and lack of human resource support
- Follow-up actions/sessions
- Communication

Recommendations

- To be able to organise more awareness and human rights sessions for lawyers and/or the public
- To be able to discover ways to retain and maintain the involvement of Legal AIDERS.

The year 2009 has been a hectic year for this committee as well as the Legal AIDERS. The committee hopes its members and the Legal AIDERS will continue to show their commitment and dedication during the years to come.

LAPORAN PENGERUSI

A. PENDAHULUAN

Adalah dengan sukacitanya saya memaklumkan kepada ahli-ahli untuk jangka masa 2009/2010, bahawa Jawatankuasa Peguam Kuala Lumpur ("KLBC") telahpun melalui satu penggal yang sibuk tetapi produktif dengan bantuan usaha dan dedikasi Sekretariat, ahli-ahli jawatankuasa kecil dan sukarelawan lain-lain yang telah mengorbankan masa mereka untuk Badan Peguam Kuala Lumpur.

KLBC, dalam mesyuarat pertamanya pada Mac 2009 telah melantik Richard Wee Thiam Seng sebagai Setiausaha Kehormat untuk penggal 2009/2010. Nurul Muhaniza Hanafi dan Janet Chai Pei Ying telah dilantik sebagai ahli KLBC di bawah Seksyen 73(vii) Akta Profesional Undang-Undang 1976.

Penggal ini, kami telah meneruskan dialog-dialog tetap dengan Badan Kehakiman yang telah meningkat kerana perubahan-perubahan yang berbagai-bagai dalam pentadbiran Mahkamah.

Tahun ini, KLBC telah membuat keputusan untuk mengadakan Mesyuarat Agung Tahunan ke-18 pada 23.02.2010 di Auditorium, Wisma MCA untuk mengurangkan kos perbelanjaan. Keputusan ini akan memotong kos sebanyak RM10,000 hingga RM12,000. Sejurus itu, untuk mengurangkan lagi kos, KLBC akan meneruskan amalan tahun lepas dengan mengeluarkan Laporan Tahunan dalam bentuk cakera padat (CD Rom) dan menyediakan salinan terhad laporan yang bercetak untuk tujuan Mesyuarat Agung Tahunan. Untuk pengetahuan ahli-ahli, perubahan kepada CD Rom ini boleh menjimatkan KLBC kira-kira RM25,000.

B. AKTIVITI-AKTIVITI JAWATANKUASA

i) Memupuk hubungan kerja yang lebih rapat dengan Jawatankuasa Peguam Selangor ("SBC")

Apabila mengambil pejabat, SBC dan KLBC telah berjumpa pada 17.04.2009 bagi membincang bagaimana untuk bekerja lebih rapat bersama untuk saling memenuhi keperluan ahli-ahli kedua-dua Badan Peguam KL dan Badan Peguam Selangor. Pada tahun ini, Pertemuan ini telah dihoskan oleh SBC. Pertemuan ini sememangnya telah mempertingkatkan dan menguatkan hubungan baik di antara SBC dan KLBC.

ii) Kunjungan-kunjungan Hormat dan Mesyuarat-mesyuarat

- KLBC telah membuat kunjungan hormat ke atas Ketua Hakim Negara, Presiden Mahkamah Rayuan dan Hakim Besar Malaya pada 14.04.2009. Walaupun hanya sekadar kunjungan hormat, banyak isu yang dibimbing telah dibincangkan dan dipertimbangkan.
- KLBC juga telah menyertai dalam banyak mesyuarat yang telah diadakan oleh Badan Kehakiman, di kalangan itu adalah:
 - » 06.03.2009 - Mesyuarat di Istana Kehakiman mengenai isu eBanking.
 - » 06.07.2009 - Mesyuarat dengan Ketua Hakim Negara untuk membincangkan isu penangguhan kes-kes.
 - » 21.08.2009 - Dialog dengan Ketua Hakim Negara atas pelaksanaan Mahkamah-Mahkamah Dagang Baru.
 - » 03.09.2009 - Mesyuarat dengan Hakim Pengurus Bahagian Dagang bagi membincang Mahkamah-Mahkamah Dagang Baru
- KLBC juga terlibat dalam kebanyakan mesyuarat-mesyuarat antara Pemegang Jawatan Majlis Peguam dan Badan Kehakiman untuk menyelesaikan isu-isu yang muncul daripada pelaksanaan Sistem Penjejakan baru dan KPI.

iii) Pelancaran Rasmi Mahkamah-Mahkamah Dagang

Atas jemputan Badan Kehakiman, saya mewakili KLBC di Pelancaran Rasmi Mahkamah-Mahkamah Dagang Baru yang diadakan di Kompleks Mahkamah Kuala Lumpur pada 01.09.2009.

iv) Lawatan oleh Timbalan Pesuruhjaya Tinggi Australia, Tuan Yang Terutama Encik Craig Chittick

Timbalan Pesuruhjaya Tinggi Australia, Tuan Yang Terutama Encik Craig Chittick, diiringi oleh Presiden Badan Peguam Malaysia, Ragunath Kesavan, telah melawat Sekretariat Badan Peguam KL dan Pusat Bantuan Guaman KL (LAC) pada 06.04.2009. Beliau diberi satu taklimat Skim Bantuan Guaman dan program-program yang dijalankan oleh LAC.

v) Usahasama

• **CrimsonLogic**

- » Kerjasama dengan CrimsonLogic, yang dimulakan oleh KLBC tahun yang lalu (melalui Jawatankuasa Pembangunan Profesional), yang memperkenalkan dan menggalakkan "Legal Workbench" kepada ahli-ahli Badan Peguam KL, telah memasuki dalam tahun yang keduanya. Selain tajaan kewangan, CrimsonLogic telah juga menyediakan dua "user-ID" percuma "Legal Workbench" untuk penggunaan ahli-ahli. Kepada ahli-ahli yang tidak tahu, dua "user-ID" ini telah diprogramkan ke dalam komputer-komputer di Bilik Peguam, Aras 5 Sayap Kiri, Kompleks Mahkamah Kuala Lumpur.
- » KLBC juga telah memasuki suatu kerjasama dengan CrimsonLogic untuk menerbitkan "Pupillage Guide and Directory". "Guide" ini adalah dalam proses-proses akhir untuk diselesaikan sebelum pencetakan. 16 firma guaman telah berdaftar untuk mengiklankan dalam edisi pertama "Guide" ini.

• **LexisNexis Malaysia**

KLBC telah sekali lagi bekerjasama dengan LexisNexis untuk menganjurkan acara Pencarian Harta Karun 2009 LexisNexis-Badan Peguam KL dan projek ini telah dilaksanakan oleh Jawatankuasa Sosial, Kesenian & Kebudayaan. Berlangsung pada 25.10.2009, ia telah berjaya mengumpulkan sebanyak RM7,500 (saham daripada hasil Badan Peguam KL) untuk KLBC bagi menggunakan sebagai pembiayaan projek pembangunan masyarakat pilihannya.

vi) Pemerolehan sebuah Bangunan Badan Peguam KL

KLBC, apabila mengambil pejabat pada bulan Februari 2009, telah meneruskan pemerolehan sebuah bangunan untuk Badan Peguam KL. Majlis Peguam, bagaimanapun, menunjukkan minat mereka untuk menyatukan KLBC di bawah satu bumbung dengan bersama mereka dengan Lembaga Disiplin dan Pusat Bantuan Guaman KL. Wakil Badan Peguam KL ke Majlis Peguam, Brendan Navin Siva, kemudiannya dilantik oleh Majlis Peguam untuk mempengerusikan Jawatankuasa Bangunan di bawah Majlis Peguam untuk mengkaji pembelian sebuah bangunan bagi menempatkan 4 Badan tersebut. KLBC telah menyediakan satu anggaran ruang dan keperluan-keperluan yang telah diserahkan kepada Jawatankuasa Bangunan.

vii) Pengubahsuaian Laman Web Bagan Peguam KL

Pengubahsuaian yang ketara bagi laman web Badan Peguam KL telah dijalankan pada penggal ini. Usaha ini dijalankan oleh Jawatankuasa Teknologi Maklumat yang telah melaksanakan kerja yang berasas dalam membawa laman web yang lebih informatif dan interaktif kepada ahli-ahli.

viii) Twitter Badan Peguam KL

Penggal lalu telah menempatkan permulaan Blog Badan Peguam KL (klbar.blogspot.com) manakala pada penggal ini, Twitter Badan Peguam KL (<http://twitter.com/klbar>) telah dilancarkan. Juga ditutupi oleh Jawatankuasa Teknologi Maklumat, halaman Twitter Badan Peguam KL merupakan satu saluran tambahan bagi KLBC untuk menghubungi ahli-ahlinya.

ix) Malam Amal YLC 2009

Malam Amal YLC tahun ini telah berjaya mengumpul jumlah rekod RM46,151.15 untuk dermaan. Kejayaan hebat ini memang adalah hasil daripada usaha Jawatankuasa Peguam Muda.

x) Majlis Makan dan Tari-Menari Tahunan

Bertemakan, "Reminiscing the 1920s", Majlis Makan dan Tari-Menari 2009 telah diadakan di Pusat Konvensyen

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Sime Darby pada 14.11.2009 dan telah menarik kira-kira 400 orang. Majlis ini dihadiri oleh Hakim Besar Malaya antara kenamaan yang turut serta. Penghargaan diberi kepada Jawatankuasa Sosial, Kesenian & Kebudayaan atas usaha mereka dalam menjayakan Majlis ini sekali lagi.

xii) Pesta Kerjaya Perundangan 2010

Dalam mengenalpasti peluang-peluang terhad bagi firma-firma guaman untuk berjumpa dengan graduan-graduan undang-undang serta pelatih-pelatih berpotensi dan begitu juga sebaliknya, Jawatankuasa Hal Ehwal Pelatih Dalam Kamar sekali lagi menanjurkan suatu Pesta Kerjaya Perundangan untuk mewujudkan suatu platform untuk firma-firma guaman berjumpa dengan calon-calon berpotensi dari golongan peguam dan sebaliknya. Pesta Kerjaya Perundangan ini telah diadakan pada 09.01.2010 di Hotel Legend Kuala Lumpur.

xiii) Lawatan Sambil Belajar ke Mahkamah Singapura

Jawatankuasa Perhubungan Mahkamah Sivil (“CLC”) telah mengatur suatu Lawatan Sambil Belajar ke Singapura untuk mengkaji Sistem Penjejak dan eCourt mereka. Lawatan Sambil Belajar tersebut telah diadakan pada 29 dan 30.10.2009. Saya bersama Setiausaha Kehormat dan 9 ahli CLC yang diketuai oleh Naib Pengurusnya telah menghadiri Lawatan Sambil Belajar ini. Laporan-laporan telah dikumpul dan CLC sedang menyediakan suatu kertas dengan cadangan-cadangannya bagi KLBC untuk dikemukakan kepada Ketua Hakim Negara.

xiv) Penahanan 5 Peguam Pusat Bantuan Guaman

Setiausaha Kehormat dan saya bersama-sama dengan ahli-ahli KLBC yang lain telah hadir pada Balai Polis Brickfields pada 07.05.2009 dan Balai-Balai Polis yang lain pada 08.05.2009 untuk pelepasan 5 peguam Pusat Bantuan termasuk Pengerusi dan Setiausaha Pusat Bantuan Guaman yang telah ditahan ketika menjalankan tugas mereka dalam memberikan bantuan guaman kepada 15 orang yang telah ditahan.

KLBC telah mengeluarkan suatu pernyataan akhbar pada 08.05.2009 mengkritik keputusan Polis untuk menahan 5 peguam Pusat Bantuan Guaman tersebut yang telah hadir di Balai Polis Brickfields untuk mewakili anak guam mereka dan menuntut pelepasan serta-merta 5 peguam tersebut.

xv) Tabung untuk 4 orang peguam yang ditahan di bawah ISA

Dengan pelepasan 4 peguam yang telah ditahan di bawah ISA, Majlis Peguam telah mengarahkan KLBC untuk menutup Akaun di Maybank yang telah dibuka untuk mengumpul wang untuk meringankan beban yang dialami oleh keluarga dalam tempoh penahanan 4 peguam tersebut. Untuk maklumat ahli-ahli, jumlah sebanyak RM84,133.64 telah dikumpul dan dibahagi di antara 4 keluarga tersebut di mana setiap keluarga telah menerima RM21,033.41. Kami ingin mengambil kesempatan ini untuk mengucapkan ribuan terima kasih kepada ahli-ahli Badan Peguam yang telah menderma terhadap tabung tersebut.

xvi) Bilik Peguam di Kompleks Mahkamah Kuala Lumpur

KLBC sejak awal telah berusaha untuk menyediakan kemudahan-kemudahan di Bilik Peguam bagi ahli-ahlinya. Kemudahan/perkhidmatan yang disediakan di Bilik Peguam kini adalah Legal Workbench, MLJs dan buku-buku teks terpilih, kemudahan wifi, komputer-komputer, alat fotokopi, alat pencetak bagi komputer-komputer, mesin faks, telefon, jubah, jaket, “bibs”, “bands” dan air minum. Sebahagian kemudahan/perkhidmatan tersebut boleh didapati dengan kadar caj yang mana boleh dirujuk di laman web Badan Peguam KL www.klbar.org.my. Penggal ini KLBC memperkenalkan produk Nescafe 3-dalam-1 and 2-dalam-1 (tanpa gula) yang dijual RM1.00 sepaket.

Atas permintaan Badan Kehakiman, pada 25.12.2009 pihak KLBC telah mengosongkan Bilik Peguam di Sayap Kanan Kompleks Mahkamah Kuala Lumpur bagi memberi ruang agar pihak Badan Kehakiman menyiapkan Mahkamah Majistret tambahan bagi menampung jumlah bilangan kes-kes yang bertambah.

xvii) Mesyuarat Jawatankuasa

Sehingga 15.01.2010, KLBC telah bermesyuarat sebanyak 11 kali dan kehadiran setiap ahli jawatankuasa adalah seperti berikut:

Anand Ponnudurai	- 11
Richard Wee Thiam Seng	- 10
Datuk N Sivananthan	- 5
Reggie Wong Mew Sum	- 9

Dipendra Harshad Rai	-	8
Lai Chee Hoe	-	11
Muhendaran Suppiah	-	8
Pushpa Ratnam	-	10
Saha Deva Arunasalam	-	6
Ravinder Singh Dhalliwal	-	10
Nurul Muhaniza Hanafi	-	2
Janet Chai Pei Ying	-	10

Brendan Navin Siva, wakil Badan Peguam KL ke Majlis Peguam dijemput menghadiri mesyuarat-mesyuarat KLBC sebagai pemerhati dan juga untuk melaporkan kepada Majlis Peguam tentang perkara-perkara berkaitan dan di perlukan. Beliau telah menghadiri semua mesyuarat dan telah bekerja rapat dengan KLBC.

xvii) Kewangan, Yuran dan Pendapatan Bukan-Yuran

Kedudukan kewangan KLBC kekal stabil dengan jumlah RM710,207 dalam Simpanan Tetap dan RM311,555 dalam Akaun Amanah bersama Amanah Raya Berhad. Perincian bagi kedudukan kewangan adalah di dalam Akaun Teraudit berakhir 31.12.2009.

Yuran bagi tahun 2009 dikenakan pada RM100 di Mesyuarat Agung Tahunan yang lepas pada 26.02.2009. Pada akhir tahun kewangan bagi KLBC pada 31.12.2009, terdapat 56 orang ahli yang masih belum menjelaskan yuran mereka bagi tahun 2009.

Pada penggal ini, KLBC telah memungut sejumlah RM62,724 dari tajaan-tajaan, pengiklanan di laman web dan surat berita, syarahan-syarahan Jawatankuasa Pembangunan Profesional dan Jawatankuasa Hal Ehwal Pelatih Dalam Kamar dan Pesta Kerjaya Perundangan.

Meskipun kedudukan kewangan KLBC masih stabil, ia haruslah ditekankan bahawa perbelanjaan overhead tetap semakin bertambah dan kemungkinan yuran akan dinaikkan tidak lama lagi.

C. AKTIVITI-AKTIVITI JAWATANKUASA KECIL

12 jawatankuasa kecil telah ditubuhkan untuk memudahkan organisasi pelbagai aktiviti KLBC dan untuk memenuhi keperluan para ahli. Jawatankuasa-jawatankuasa kecil ini telah diketuai oleh ahli KLBC seperti di bawah:

i) **Perhubungan Mahkamah Sivil**

Reggie Wong Mew Sum

ii) **Amalan Konveyansing**

Nurul Muhaniza Hanafi

iii) **Amalan Jenayah**

Datuk N Sivananthan

iv) **Alam Sekitar & Kemanusiaan**

Saha Deva Arunasalam

v) **Teknologi Maklumat**

Richard Wee Thiam Seng

vi) **Bantuan Guaman**

Ravinder Singh Dhalliwal

vii) **Pembangunan Profesional**

Dipendra Harshad Rai

viii) **Penerbitan**

Brendan Navin Siva

ix) **Hal Ehwal Pelatih Dalam Kamar**

Pushpa Ratnam

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x) **Sosial, Kesenian & Kebudayaan**

Janet Chai Pei Ying

xi) **Sukan**

Muhendaran Suppiah

xii) **Peguam Muda**

Lai Chee Hoe

Laporan-laporan sampingan daripada jawatankuasa-jawatankasa kecil ini menggambarkan kerja yang telah dilaksanakan oleh mereka.

D. OBITUARI

Dengan rasa dukacita kami merakamkan peninggalan ahli-ahli Badan Peguam Kuala Lumpur sewaktu tahun kajian semula:

Tan Sri Dato' Seri Haji Mohamed Yusoff bin Haji Mohamed pada 04.03.2009

Au Yeong Khuen @ Au Yong Khim pada 16.06.2009

Noeline Cheah Lei Lin pada 27.07.2009

Govin Sreedharan pada 29.07.2009

Mohd Rezal bin Haron pada 09.09.2009

M. Thiruchelvasegaram pada 30.10.2009

Istiadat "Reference" bagi menghormati dan mengingati ahli-ahli yang tersebut di atas dan Ganesan Govindasamy yang meninggal dunia pada 26.11.2008 telah dijadualkan untuk dilangsungkan pada 24.02.2010, 9.00 pagi. Prosiding ini akan dipersidangkan oleh Y.A. Dato' Haji Mohamed Apandi bin Haji Ali.

E. SEKRETARIAT

Pada tahun 2009, KLBC telah merekrut seorang kakitangan tambahan untuk meringankan beban kerja Sekretariat yang kian meningkat. Kartini Aris telah menyertai Sekretariat sebagai kerani am pada 15.05.2009. KLBC kini mempunyai 11 kakitangan (termasuk seorang kakitangan yang bekerja di Bilik Peguam Kompleks Mahkamah KL). Penyusunan semula bidang kerja beberapa kakitangan yang telah dimulakan pada akhir tahun 2008, telah berkuat kuasa menjelang penggal baru KLBC 2009/10. Penyusunan semula ini adalah untuk memperbaiki peruntukan sekretariat serta memberi bantuan pentadbiran kepada KLBC dan jawatankuasa-jawatankuasa kecilnya. Struktur organisasi yang mengandungi butiran portfolio setiap kakitangan boleh didapati di laman web Badan Peguam KL(www.klbar.org.my).

Para kakitangan telah diberi peluang bagi menyertai dua seminar yang dianjurkan oleh Majlis Peguam pada tahun 2009; Seminar Bahasa Melayu dan Seminar "Legal Research Skill". Para kakitangan juga telah dijemput untuk menghadiri taklimat mengenai Polisi Indeminiti Insurans Profesional untuk Majlis Peguam Malaysia yang merangkumi Jawatankuasa Peguam Negeri.

KLBC akan memberi kursus latihan dalaman kepada para kakitangan demi meningkatkan prestasi mereka supaya dapat mengurus Badan Peguam KL dengan lebih baik lagi.

Dua orang kakitangan Sekretariat telah menerima anugerah perkhidmatan jangka panjang pada tahun ini; Yazid Yusof, Kerani Pengantar, yang telah berkhidmat untuk KLBC selama 25 tahun dan Siti Affaeza, Pegawai Akaun dan Pentadbiran Am, selama 5 tahun.

F. PENGIFTIRAFAN DAN KESIMPULAN

Saya ingin merekodkan dan mengiktiraf kerjasama dan bantuan yang telah diterima daripada Badan Kehakiman pada semua tahap dan pemegang-pemegang amanah lain yang selalu berjumpa dengan kami meskipun pada masa yang singkat, untuk berbincang isu-isu yang telah dibangkitkan dalam penggal ini. Sememangnya ini merupakan penggal yang sibuk dengan adanya perubahan pada sistem Mahkamah. Ucapan terima kasih setinggi-tingginya adalah ditujukan kepada Reggie Wong dan ahli-ahli jawatankuasanya yang telah membantu dalam meneliti isu-isu dalam penggal ini.

Saya gembira untuk berkhidmat selaku Pengerusi pada penggal ini. Pada mula-mulanya saya khuatir akan kerja-kerja yang harus ditangani oleh saya dan ini sememangnya adalah benar. Namun demikian, tugas saya sebagai Pengerusi

telah diringankan disebabkan dedikasi, komitmen dan pengorbanan yang ditunjukkan oleh setiap ahli jawatankuasa saya dan ia adalah suatu perkara yang istimewa saya dapat bekerja dan berkhidmat bersama bagi Badan Peguam KL dengan mereka.

Ribuan terima kasih juga kepada Setiausaha Kehormat, Richard Wee dan Mary Tan, Setiausaha Eksekutif yang telah bertungkus lumus untuk memastikan pentadbiran lancar Sekretariat.

Akhirnya, pohon maaf sekiranya terdapat apa-apa kesilapan sepanjang penggal ini dan apa-apa kritikan KLBC akan ditanggung oleh saya sendiri. Saya berdoa yang terbaik bagi jawantankuasa yang baru dan saya yakin bahawa mereka akan berkhidmat untuk ahli-ahli mereka seberapa baik mungkin dan bahawa ahli-ahli akan terus menggalak dan menyokong mereka sepertimana anda telah menggalak kami dalam penggal ini.

Anand Ponnudurai

Pengerusi
Jawatankuasa Peguam Kuala Lumpur 2009/10

JAWATANKUASA PERHUBUNGAN MAHKAMAH SIVIL

Untuk memberikan perkhidmatan yang lebih baik kepada ahli Badan Peguam Kuala Lumpur, pada tahun ini Jawatankuasa Perhubungan Mahkamah Sivil (“CCLC”) telah mewujudkan sub-unit yang diketuai oleh seorang peguam kanan. Setiap unit diperuntukan bagi setiap bahagian di Mahkamah iaitu Persekutuan/Rayuan, Sivil, Dagang, Rayuan/Perkara-Perkara Pelbagai, Keluarga, Mahkamah Rendah, Kebankrapan dan Perhubungan Badan Peguam Selangor.

SISTEM TRACKING DI MAHKAMAH TINGGI

Perlantikan pada tahun ini bermula dengan pengedaran borang kaji selidik berkenaan Sistem Tracking yang telah bermula pada 03.02.2009 di Mahkamah Tinggi Sivil dan Dagang. Jawapan dari kaji selidik yang utamanya menyatakan sistem tersebut masih dalam peringkat awal perlaksanaannya dan terdapat beberapa perkara perlu diperbaiki. Seterusnya satu lagi kaji selidik telah dibuat pada bulan Mei dan jawapan yang diperolehi dari para peguam menunjukkan banyak perkara telah diperbaiki dan dipertingkatkan dan secara amnya para peguam bersetuju bahawa sistem tracking ini mempercepatkan proses perundangan.

CCLC juga sering bermesyuarat dengan setiap Bahagian Mahkamah yang terdapat di Kompleks Mahkamah Kuala Lumpur, dan antara isu-isu yang dibangkitkan di peringkat Bahagian ialah Sistem Tracking, Prosedur Pengurusan Kes, senarai kausa, keseragaman kerja di antara Mahkamah, Permohonan Segera terutamanya keseragaman dalam prosedur, sistem pemfailan, format perintah dan berbagai lagi isu-isu berbangkit.

Sehingga kini, CCLC terlibat dalam mesyuarat-mesyuarat seperti berikut:

- **Mesyuarat dengan Hakim Pengurus Mahkamah Tinggi Dagang Kuala Lumpur pada 22.04.2009.**
Isu-isu yang dibangkitkan merangkumi Bahagian Mahkamah Rayuan/Perkara-Perkara Pelbagai dan juga Mahkamah-mahkamah Dagang seperti penangguhan/penetapan tarikh pendengaran kes, pengurusan kes, penetapan tarikh - permohonan segera, Mahkamah-mahkamah Dagang Khas, pendaftaran, pemfailan permohonan bertulis dan kesempitan ruang semasa pendengaran di hadapan Penolong Kanan Pendaftar dan juga aduan/maklumbalas dari Badan Kehakiman.
- **Mesyuarat bersama Wakil DBKL dan Polis Trafik berkenaan Masalah Tempat Letak Kereta di Kompleks Mahkamah Kuala Lumpur**
Satu mesyuarat bersama dengan wakil dari DBKL dan Polis Trafik berkenaan masalah tempat letak kereta di Mahkamah Kuala Lumpur telah diadakan pada 23.04.2009 di Sekretariat Badan Peguam Kuala Lumpur
Isu yang dibincangkan dengan wakil dari DBKL termasuk Jalan masuk ke Kompleks Mahkamah, kebenaran untuk meletakkan kereta di sepanjang jalan menuju pintu masuk Kompleks Mahkamah, cadangan untuk mengurangkan kesesakan dan papan tanda.
Manakala isu yang dibangkitkan dengan Polis Trafik termasuk Saman yang dikeluarkan oleh Polis Trafik, bidang kuasa berkenaan jalan menuju Kompleks Mahkamah, masalah pencurian dan kenderaan di pecah masuk.

Pengerusi Reggie Wong Mew Sum
Naib Pengerusi Sanjeev Kumar Rasiah
Ketua, Unit Mahkamah Rayuan dan Unit Mahkamah Sivil Colin Andrew Pereira
Ketua, Unit Mahkamah Keluarga Ravi Nekoo
Ketua, Unit Mahkamah Rayuan/ Perkara-Perkara Pelbagai Lee Shih
Ketua, Unit Mahkamah Dagang Peter-Douglas Ling
Ketua, Unit Kebankrapan Annou A. Xavier
Ketua, Unit Mahkamah Rendah Jennifer J Chandran
Ketua, Perhubungan Jawatankuasa Peguam Selangor Kerry Sin Yoong Ming
Ahli-ahli Jawatankuasa Azreen Binti Mohd Zainal Anuar Bavanee Subramaniam Chong Seei Yang Darshendev Singh James Chow Kunasekaran A/L Sevanthi Lim Jit Kiong Norazmi Bin Norazman Raymond Charles David Richard Tee Selva Rani Thiyagarajan Syuhaini Safwan Wahyun Anwar bin Abd Rahman Wilson Heng

- **Taklimat Sistem Tracking oleh Hakim Pengurus Mahkamah Tinggi Sivil**
 Satu taklimat sistem tracking telah di adakan pada 28.04.2009 di Kompleks Mahkamah Kuala Lumpur. Taklimat ini diketuai oleh Hakim Pangurus Bahagian Sivil, Mahkamah Tinggi Kuala Lumpur. Isu-isu yang dibangkitkan termasuk transkripsi, penangguhan/penetapan tarikh, permohonan penggesaan, pengurusan kes, tingkah laku Pendaftar, permohonan bertulis, Mahkamah Keluarga, ruang sempit di petak PKP serta maklum balas dari pegawai-pegawai Mahkamah.
- **Mesyuarat Tidak Rasmi bersama Ketua Hakim Negara dan Hakim Besar Malaya di Kompleks Mahkamah Kuala Lumpur**
 Satu perjumpaan tidak rasmi bersama Ketua Hakim Negara dan Hakim Besar Malaya di Mahkamah Kuala Lumpur telah diusulkan oleh Majlis Peguam pada 21.05.2009. Perkara-perkara yang dibincangkan termasuk pengenalan kepada Sistem Tracking (kos, masalah yang dihadapi, Sistem Tracking di Mahkamah Jenayah) dan penggunaan meditasi di Mahkamah.
- **Mesyuarat bersama Pendaftar Mahkamah Kuala Lumpur berkenaan Format Senarai Kausa**
 Mesyuarat bersama Pendaftar-pendaftar Mahkamah Tinggi Kuala Lumpur telah diadakan pada 26.05.2009 untuk membincangkan format senarai kausa dan orang yang bertanggung jawab bagi setiap bahagian.
- **Mesyuarat antara Unit Mahkamah Rendah CCLC dan Pemangku Hakim Kanan Mahkamah Kuala Lumpur**
 Mesyuarat bersama Pemangku Hakim Kanan, Pendaftar Kanan dan beberapa Hakim Mahkamah Sesyen serta Majistret mengenai perkara berbangkit di Mahkamah Rendah telah diadakan pada 27.05.2009 di Putrajaya. Pendaftar Kanan juga membangkitkan aduan-aduan dari pegawai Mahkamah berkenaan tingkah laku peguam dan hal-hal pengurusan.
- **Mesyuarat antara Jawatankuasa Peguam Selangor dengan Hakim-hakim Mahkamah Rendah Shah Alam (Bahagian Sivil dan Jenayah)**
 CCLC telah dijemput dan menghantar 2 orang wakil ke mesyuarat ini yang telah di adakan pada 12.06.2009 di Mahkamah Tinggi Shah Alam.
- **Taklimat berkenaan Sistem Tracking di Mahkamah Shah Alam**
 Wakil dari CCLC telah menghadiri Taklimat Sistem Tracking ini yang telah diadakan pada 26.06.2009 di Mahkamah Shah Alam atas jemputan dari Jawatankuasa Peguam Selangor.
- **Kunjungan Hormat/Mesyuarat dengan Pengarah Insolvensi Malaysia dan Ketua-Ketua Bahagian pada 10.07.2009**
 Unit Kebangkrapan CCLC bersama wakil dari Majlis Peguam dan Jawatankuasa Peguam Selangor telah mengadakan satu mesyuarat amat berhasil bersama Pengarah Insolvensi Malaysia pada 10.07.2009 di Putrajaya.

 Isu-isu yang dibincangkan semasa di menyuarat termasuk kos penggulungan petition, pemulangan deposit, harta tanah bercagar, penubuhan pusat pengkalan data, penggulungan pemaju, masalah telefon di Pejabat Insolvensi Shah Alam, perkara-perkara berkaitan Seksyen 38(1)(a) dan maklumat pemutang yang hilang.
- **Sesi Forum/Dialog antara Hakim Pengurus Bahagian Sivil dan Dagang Mahkamah Tinggi dengan Ahli-ahli Badan Peguam Kuala Lumpur**
 CCLC telah menganjurkan suatu sesi dialog/forum antara Hakim Pengurus Bahagian Sivil dan Dagang dengan ahli-ahli Badan Peguam Kuala Lumpur pada 16.07.2009 di Kompleks Mahkamah KL. Isu-isu yang telah dibangkitkan di forum termasuk pemeriksaan balas secara bertulis, penangguhan, penetapan tarikh pendengaran, ketiadaan prosedur standard untuk permohonan penggesaan dan lain-lain hal pengurusan.
- **Sistem Tracking di Mahkamah Rendah Kuala Lumpur**
 Sistem ini telah diimplimentasikan pada 02.11.2009. Banyak aduan telah diterima sebaik saja pelancarannya. CCPC dengan segera mengumpul semua aduan dari peguam dan terus mengadakan satu mesyuarat dengan pegawai-pegawai Mahkamah pada 09.11.2009. Pegawai-pegawai yang hadir adalah Ketua Pendaftar, Pengarah Mahkamah Kuala Lumpur dan pegawai-pegawai yang berkenaan.

 Isu-isu utama yang dibincangkan semasa mesyuarat tersebut adalah tempat menunggu yang sesak, papan tanda yang tidak mencukupi, masa menunggu yang terlalu lama, tiada kemudahan liputan telefon bimbit di aras B1 (lokasi Mahkamah), panggilan oleh pendaftar tidak dapat di dengar (Sistem pembesar suara diperlukan).

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• Mesyuarat Susulan berkenaan Sistem Tracking di Mahkamah Rendah Kuala Lumpur

Satu mesyuarat susulan telah dipohon oleh CCLC apabila menerima satu lagi kitaran maklumbalas dari ahli Badan Peguam KL. Mesyuarat susulan telah diadakan pada 21.12.2009. Badan Kehakiman di wakili oleh YA Dato' Md Raus bin Sharif dan juga Timbalan Ketua Pendaftar dan pegawai-pegawai Mahkamah yang berkenaan. Setiausaha Kehormat KLBC dan Presiden Badan Peguam Malaysia juga turut hadir.

Isu-isu yang dibangkitkan adalah kes-kes interlokutori, kes-kes pengangkatan, MOB dan SNS, Sistem QMS, Hakim Bertugas, e-Kehakiman, kaunter fail tidak tersenarai, pembatalan kes, laluan masuk ke lift di Aras B1 (Sayap Kanan), papan tanda, Perintah yang tidak di ambil dan tingkahlaku peguam.

Satu lawatan memerhatikan perjalanan operasi Mahkamah-Mahkamah Sesyen dan Majistret juga telah dibuat.

Satu pengumuman telah dibuat semasa mesyuarat iaitu bermula 01.01.2010, award timbangtara akan diberikan oleh Mahkamah NCC.

Kesemua minit mesyuarat-mesyuarat ini telahpun di hantar kepada ahli-ahli melalui emel dan telah dimuatnaikkan ke laman web Badan Peguam KL.

LAWATAN BELAJAR KE SINGAPURA

Jawatankuasa Peguam Kuala Lumpur telah menaja 9 orang ahli CCLC ke Singapura untuk suatu lawatan belajar pada 29 dan 30.10.2009. Lawatan tersebut merangkumi lawatan ke Mahkamah Agong Singapura, Mahkamah Rendah, Persatuan Perundungan Singapura serta Wong Partnership LLP (contoh firma guaman LLP) untuk mendapatkan pengalaman perlaksanaan sistem tracking di Mahkamah Singapura dan pembentukan firma guaman LLP.

Laporan lawatan ini telahpun di kumpulkan dan akan dijadikan suatu memorandum yang akan diberikan kepada Badan Kehakiman. Memorandum tersebut akan mengandungi cadangan untuk memperbaiki Sistem Tracking di Mahkamah Kuala Lumpur.

MASALAH TEMPAT LETAK KERETA DAN SERVIS BAS PENGANTARA

Servis bas pengantara dari tempat letak kereta MATRADE ke Kompleks Mahkamah Kuala Lumpur telah bermula pada 16.11.2009. Dengan adanya servis ini, diharapkan masalah tempat letak kereta dan kesesakan di Mahkamah Kuala Lumpur dapat dikurangkan. Walau bagaimanapun ahli Badan Peguam tidak memberi respon yang positif kepada kemudahan ini.

Para peguam dilingatkan bahawa untuk membolehkan mereka masuk ke kompaun Kompleks Mahkamah Kuala Lumpur, mereka perlu meletakkan pelekat Majlis Peguam di cermin depan kereta masing-masing dan pelekat ini boleh di perolehi di Sekretariat Majlis Peguam dengan harga RM5 setiap satu.

KESIMPULAN

Saya ingin mengucapkan ribuan terima kasih terutamanya kepada Naib Pengerusi saya, Sanjeev Kumar atas sokongan beliau di sepanjang tahun ini.

Saya juga ingin mengucapkan terima kasih kepada semua ahli CCLC atas sokongan, kerjasama dan sumbangan mereka dalam jawatankuasa ini demi berkhidmat kepada ahli Badan Peguam Kuala Lumpur dan terutamanya, penghargaan saya kepada ketua-ketua unit iaitu Colin Pereira, Peter-Doughlas Ling, Kerry Sin, Lee Shih, Ravi Nekoo, Annou Xavier, Jennifer Chandran yang sentiasa bersedia menghadapi berbagai isu di berbagai bahagian Mahkamah dan di hadapan setiap mesyuarat dengan berbagai ketua bahagian Badan Kehakiman.

Saya juga ingin berterima kasih kepada Sekretariat, terutamanya Norhayati yang sentiasa mengatur mesyuarat-mesyuarat dengan Badan Kehakiman dan menyediakan nota-nota dan minit-minit mesyuarat hampir sebaik sahaja ianya selesai serta dalam perlaksanaan servis bas pengantara. Juga nota terima kasih khas untuk Mary Tan yang dengan sendirinya seorang yang amat effisen.

Ia merupakan tahun yang mencabar dan berhasil kepada saya dalam jawatankuasa ini dan saya berharap kami di CCLC telah berkhidmat kepada anda dalam cara yang terbaik mungkin.

Reggie MS Wong

Pengerusi

Jawatankuasa Perhubungan Mahkamah Sivil

JAWATANKUASA AMALAN KONVEYANSING

Jawatankuasa Amalan Konveyansing (“CVPC”) telah mengenalpasti objektif-objektif berikut untuk penggal 2009/10:

OBJEKTIF AM

- Untuk mengenalpasti dan menyelesaikan isu-isu dan aduan-aduan dari ahli-ahli Badan Peguam Kuala Lumpur yang berkaitan dengan Konveyansing
- Untuk memperbaiki hubungan dan komunikasi dengan semua agensi yang terlibat dengan amalan konveyansing seperti Pejabat-pejabat Tanah, Pejabat-pejabat Duti Setem, dll.
- Untuk bekerjasama dengan Majlis Peguam, Jawatankuasa Peguam Selangor dan lain-lain Badan Peguam Negeri (pada dan bila diperlukan)

OBJEKTIF SPESIFIK

Membantu ahli Badan Peguam Kuala Lumpur dalam berurusan dengan agensi berikut:

- **Pejabat-pejabat Tanah**
Untuk mengelakkan penolakan dokumentasi yang tidak sepatutnya, pembetulan geran, mempercepatkan permohonan kebenaran untuk pindahmilik dan cagaran, untuk mempercepatkan pengeluaran geran rasmi, dll.
- **Pejabat-pejabat Duti Setem**
Untuk menyeragamkan dokumen yang perlu diserahkan untuk remitan duti setem, untuk menyelesaikan masalah e-stamping dikalangan para peguam.
- **Bahagian Pinjaman Perumahan Perbendaharaan Malaysia (BPP)**
Dalam perkara berkaitan jual semula/kes-kes menyerahan hak atau lebih di kenali sebagai Pinjaman Sekunder (akujanji dan pengesahan yang dipohon tidak diterima oleh pemaju).

GAMBARAN KESELURUHAN

CVPC telah mengadakan mesyuarat 6 kali semenjak memegang jawatan. Pengerusi CVPC telah beberapa kali mengadakan perbincangan tidak formal dengan pegawai-pegawai kanan dari Pejabat Tanah dan Pejabat Duti Setem dan telah berjaya menyelesaikan kebanyakan isu dan aduan yang dibangkitkan oleh ahli Badan Peguam Kuala Lumpur dan juga dari agensi-agensi tersebut.

Aktiviti-aktiviti CVPC secara terperinci dalam tahun ini adalah:

MESYUARAT DENGAN PEJABAT TANAH PETALING

CVPC telah dijemput oleh Jawatankuasa Konveyansing dari Badan Peguam Selangor untuk menghadiri mesyuarat ini yang telah diadakan di Pejabat Tanah Petaling pada 27.05.2009.

Antara isu-isu yang di bincangkan adalah:

- a. Peguam boleh mengambil geran rasmi dalam tempoh 2 minggu hingga 1 bulan.

Pengerusi

Nurul Muhaniza binti Hanafi

Naib Pengerusi

Yong Hsian Siong

Ahli-ahli Jawatankuasa

Agnes Chan
Chong Wai Kuan
Grace Chin
Jeremiah R. Gurusamy
Kalathevy Sivagnanam
Kong Kai Jye (Joey)
Lee Choi Wan
Margaret KH Koh
Noor Arianti Osman
Rahimah Mohamad
Rita Sabrina Wong Kee Ling
Rohaiza Mat Noh
Sri Rahayu Binti Mohamad
Syahizan Amir Bin Abdul Wahab
Yoon Ching Yoong (Brandon)

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- b. Kebenaran untuk pindahmilik dan cagaran boleh dibuat dalam tempoh 2 minggu.
- c. Tempoh sah carian rasmi telah dipanjangkan kepada 14 hari dari 7 hari.
- d. Permohonan untuk Pelan yang hilang telah diperbaiki dan boleh diperolehi dalam masa 2 minggu
- e. Kebenaran Menyeluruh untuk Pindahmilik/Cagaran (tanpa nama spesifik institusi kewangan dan sah untuk tempoh 3 tahun).

PERBINCANGAN TIDAK FORMAL DENGAN TIMBALAN PENGARAH PEJABAT TANAH WILAYAH

Pengerusi dan seorang ahli CVPC telah berbincang dengan Timbalan Pengarah Pejabat Tanah Wilayah (Kuala Lumpur) pada 04.06.2009 di mana beberapa perkara dapat di selesaikan dengan persetujuan kedua belah pihak. Antara perkara yang di bincangkan termasuk kes-kes Pemalsuan, Hakmilik Strata dan pengurusan operasi di Pejabat Tanah Kuala Lumpur.

MESYUARAT ANTARA RUNNER FIRMA GUAMAN DAN PEGAWAI-PEGAWAI PEJABAT TANAH WILAYAH PERSEKUTUAN

Mesyuarat dipanggil oleh Timbalan Pengarah (Bahagian Pendaftaran) untuk mengumumkan prosedur baru yang akan dilaksanakan di Pejabat Tanah Wilayah Persekutuan pada 01.06.2009. Mesyuarat/perbincangan ini telah di laksanakan di Pejabat Tanah Wilayah Peseckutuan pada 05.06.2009

Pejabat Tanah Wilayah Persekuatan kemudiannya telah mengeluarkan pekeliling dari perbincangan tersebut, antaranya;

1. Perlaksanaan Proses “One Piece Flow”

Mulai 01.06.2009, Bahagian Pendaftaran telah melaksanakan Kaunter "One Piece Flow" di mana perserahan yang lengkap boleh dikutip dalam masa satu (1) hari. Perserahan yang terlibat ialah urusan yang melibatkan satu perserahan, perserahan oleh individu dan urusan Gadaian Pinjaman Perumahan. Jumlah perserahan terhad kepada 50 perserahan sehari.

2. Waktu Pengurusan Kaunter Bahagian Pendaftaran

Bermula 16.06.2009, kaunter pendaftaran akan dibuka sehingga jam 4.30 petang pada setiap hari Isnin hingga Khamis.

3. Pengenaan caj penyimpanan dokumen

PPTG WPKL akan mengambil tindakan pengenaan caj bagi dokumen-dokumen yang tidak dikutip iaitu sebanyak RM10 bagi setiap hakmilik selepas 3 bulan surat peringatan dihantar ke firma-firma berkenaan.

4. Emel bagi makluman kutipan dokumen

Bahagian Pendaftaran akan melaksanakan makluman kutipan dokumen perserahan urusniaga dan bukan urusniaga melalui emel. Sehubungan itu, kerjasama semua firma guaman dipohon untuk mengemaskini maklumat emel di dalam Sistem Biometrik di Kaunter 19 (Kaunter Pendaftaran Wakil).

5. Pemalsuan dokumen

Pejabat Tanah Wilayah Persekutuan akan membuat laporan terus ke Majlis Peguam Malaysia sekiranya terdapat pemalsuan dokumen (resit perserahan, cop franking, sijil setem, dll).

6. Perlanjutan tempoh kebenaran Pindahmilik dan menggadai

Perlanjutan tempoh kebenaran pindahmilik hanya dibenarkan sekali sahaja selepas tamat tempoh 12 bulan.

7. Salinan cukai pintu bagi permohonan kebenaran pindahmilik dan menggadai

Salinan cukai pintu semasa hendaklah dikemukakan bersama borang perserahan.

8. Kaedah pembayaran cukai tanah secara online

Firma guaman digalakkan membuat bayaran cukai tanah secara online. Peratusan firma guaman adalah yang paling rendah dalam penggunaan kaedah bayaran cukai tanah secara online. Bayaran boleh dibuat melalui portal jabatan di www.ptgwp.gov.my

9. Resit perserahan di kaunter kutipan

Kutipan dokumen yang tidak dibuat pada hari yang sama tidak akan dilayan. Pemohon perlu menunggu giliran seperti biasa pada hari-hari yang berikutnya. Pejabat ini tidak akan bertanggungjawab di atas kehilangan resit.

10. Pembetulan dokumen

Pembetulan di atas dokumen hanya boleh dibuat oleh peguam yang menyaksikan bagi mengelakkan masalah kemudian hari.

11. MyKad rosak

Mykad perlu ditukar segera sekiranya rosak.

12. Surat mempercepat proses

Semua permohonan mempercepat urusan tidak akan dilayan dalam tempoh 30 hari bekerja (bagi perserahan landed) dan 90 hari bekerja (bagi perserahan strata).

13. Kelewatan permohonan kebenaran pindahmilik/menggadai

Sebarang rayuan untuk mempercepatkan proses atas sebab kelewatan permohonan tidak akan dilayan. Semua pihak dipohon merujuk Piagam Pelanggan yang disediakan.

14. Kelewatan penyerahan dokumen akibat penggantungan

Semua firma guaman diingatkan untuk menyeferkan tindakan bagi kes-kes gantung. Sebarang kelewatan penyerahan dokumen akibat penggantungan akan menyebabkan dokumen tersebut ditolak.

15. Borang tidak lengkap

Pengisian borang masih tidak lengkap walaupun sering berurusan di kaunter.

PERBINCANGAN TIDAK FORMAL BERKENaan DUTI SETEM

Pengerusi CVPC telah mengadakan satu lagi perbincangan tidak formal dengan Pengarah Pejabat Duti Setem, Kuala Lumpur pada 24.06.2009. Perkara utama yang dibincangkan adalah berkenaan perlaksanaan e-stamping yang telah bermula pada 01.07.2009

Perkara-perkara yang dibangkitkan adalah:

- a. Sistem e-stamping tergendala semasa para peguam menggunakan. Sistem tidak dapat menampung beban permohonan yang banyak.
- b. Salah satu penyebab masalah ialah data yang salah telah dimasukkan oleh peguam, borang yang lampirkan tidak betul, lampiran yang dihantar tidak menurut format yang diminta dan/atau terlalu banyak dokumen di sertakan sekali dan bukannya beberapa helai yang diperlukan sahaja.
- c. Pejabat Duti Setem bersetuju untuk menerima permohonan secara manual semula.

MESYUARAT DENGAN PEJABAT TANAH SELANGOR

Mesyuarat telah diadakan di antara Pejabat Tanah Selangor dengan Jawatankuasa Konveyansing Badan Peguam Selangor dan CVPC telah dijemput menghantar wakil untuk turut serta.

Isu-isu yang ditekankan semasa mesyuarat adalah:

- a. Sistem QMS akan dilaksanakan di semua Pejabat Tanah Selangor iaitu di kaunter Pendaftaran Tanah, Pembayaran dan Hakmilik Strata bermula 20.07.2009.
- b. Runners (termasuk syarikat kaurier) yang mewakili Firma Guaman perlu mendaftar dengan Pejabat Tanah Selangor. Hanya runner yang mempunyai pas-pas yang sah sahaja boleh berurusan dengan pegawai Pejabat Tanah di seluruh Negeri Selangor. Satu perjumpaan bersama runner telah di adakan pada 29.07.2009 untuk memberi tahu secara lebih lanjut prosedur baru tersebut.
- c. Pembayaran duti setem akan diendorskan ke atas Sijil Pemberihakkan.
- d. Pejabat Tanah Selangor akan mula melupuskan dokumen-dokumen lama dari tahun 1920 - 1989 untuk membuka ruang bagi permohonan dan penyerahan baru yang semangkin meningkat.
- e. Pejabat Tanah Selangor akan meminta penjelasan tambahan daripada firma guaman jika surat pemberi kuasa tidak lengkap contohnya tiada nombor pengenalan peguam. Salinan kad pengenalan dan cap jari orang yang diberi kuasa akan direkodkan untuk pengambilan dokumen atau geran.

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- f. Untuk proses kebenaran pindahmilik kepada warganegara asing, permohonan boleh dibuat terus kepada Pejabat-pejabat Tanah (di bawah Seksyen 433B KTN) dan tanpa kebenaran dari FIC.
- g. Salinan diperakui pembayaran Cukai Pintu tidak perlu bagi permohonan untuk pindahmilik/cagaran.

MESYUARAT DENGAN PEJABAT TANAH WILAYAH PERSEKUTUAN KUALA LUMPUR

Pengerusi CVPC telah berbincang secara tidak formal dengan Timbalan Pengarah (Hakmilik Strata), Pejabat Tanah Kuala Lumpur pada 06.10.2009 di mana kemudiannya di teruskan menjadi suatu mesyuarat antara CVPC dengan Pejabat Tanah Wilayah Persekutuan Kuala Lumpur pada 17.11.2009 di Rumah Persekutuan, Kuala Lumpur.

Perkara-perkara yang telah diketengahkan dan dibincangkan:

1. Hakmilik Strata

Menurut peruntukan yang ada, Pemaju mesti memohon untuk hakmilik strata dalam masa 6 bulan selepas Sijil Layak Menduduki di keluarkan.

Masalah utama hakmilik strata di Kuala Lumpur adalah disebabkan oleh Pemaju/Pemilik yang gagal membuat permohonan. PTGWP menghadapi masalah untuk melaksanakan perundangan tersebut memandangkan prosedur ini perlu dibuat oleh pemaju/pemilik pembangunan tersebut.

Sekarang pemaju/pemilik menggunakan surat pengesahan penerimaan permohonan untuk mendapatkan bayaran wang progresif 2.5% dari Akaun Pembangunan Perumahan. Kebanyakan permohonan hakmilik strata ini tidak lengkap dan apabila bayaran tersebut telah diterima oleh pemaju - tiada lagi cara untuk memaksa pemaju membuat pembetulan untuk memastikan proses hakmilik strata dapat diteruskan. (Sila rujuk Jadual H, Akta Pemaju Perumahan (Kawalan dan Perlesenan) Jadual Ketig Fasal 4, Jadual Pembayaran Harga Beli dan item 4)

Tuan Hj Hasim memberitahu bahawa PTGWP telah mengadakan perbincangan dengan REHDA, JUPEM, KPKT dan telah bersetuju dengan cadangan pembayaran progresif 2.5% kepada pemaju ditahan sehingga permohonan/cadangan pelan hakmilik strata disahkan menepati peraturan oleh JUPEM.

Tuan Hj Hasim meminta ahli Badan Peguam untuk membantu dalam perlaksanaan aliran baru proses tersebut. Firma peguam hanya akan memberi pengesahan selepas JUPEM memberikan surat yang menyatakan permohonan pemaju telah menepati peruntukan dan rujukan seterusnya akan dibuat. (Contoh surat di tunjukan kepada mesyuarat)

Pengerusi CVPC meminta PTGWP untuk mengeluarkan surat pekeliling berkenaan perkara ini dan akan memastikan para peguam akan dimaklumkan.

2. Sijil Amalan Guaman

Tuan Hj Hasim memberitahu bahawa sistem bio-metrik yang telah dilaksanakan di PTGWP telah mengurangkan keskes pemalsuan. Walau bagaimanapun masih banyak lagi kes-kes melibatkan pengakusaksian oleh peguam yang tidak mempunyai sijil amalan guaman yang sah.

Tuan Hj Hasim memberitahu bahawa PTGWP akan melaksanakan peraturan baru iaitu peguam mesti melampirkan satu salinan sijil amalan guaman mereka untuk semua penyerahan ke PTGWP.

3. Operasi di Pejabat Tanah Wilayah

3.1 Pendaftaran Cagaran

Encik Latif mengumumkan bahawa bermula dari 02.11.2009, pendaftaran cagaran untuk harta tanah akan mengambil masa 2 hari bekerja (dengan syarat semua dokumen mengikut syarat).

3.2 Permohonan untuk Pelan Hilang

Ahli CVPC ingin tahu jika permohonan untuk pelan hilang boleh diperolehi dalam masa 2-3 minggu (seperti mana di Pejabat Tanah Petaling).

Cik Azura memberitahu bahawa pihak PTGWP perlu merujuk kepada JUPEM untuk mendapatkan pelan sebenar dan ianya akan mengambil masa.

3.3 Geran yang tidak mempunyai No Kad Pengenalan Pemilik

Encik Alfian menerangkan bahawa pemilik perlu datang sendiri untuk perakuan sumpah.

3.4 Dokumen tidak diambil oleh Peguam

Puan Radiyah meminta CVPC untuk membantu PTGWP untuk memberitahu peguam untuk hadir dan mengambil dokumen-dokumen perserahan mereka yang kini menyebabkan kesesakan ruang.

CVPC akan memberitahu firma-firma guaman yang terlibat jika Pejabat Tanah dapat memberikan senarai firma yang terlibat.

Mesyuarat bersetuju untuk mengenakan bayaran terhadap perserahan yang tidak di ambil selepas 1 bulan.

3.5 Pembetulan dokumen dibuat oleh Runner

Cik Azura memberitahu bahawa ada runner yang membetulkan sendiri dokumen dan pembetulan ini memburukkan lagi keadaan.

3.6 Penyerahan digantung

Puan Radiyah memberitahu bahawa apabila sesuatu dokumen itu digantung, peguam diminta datang sendiri untuk membuat pembetulan dalam tempoh masa yang ditetapkan. Peguam diminta untuk hadir sendiri agar perkara dapat diselesaikan. Di harap jangan menghantar runner.

Apabila penyerahan telah ditolak, peguam akan membuat rayuan. Puan Radiyah meminta kerjasama peguam dalam hal ini.

3.7 Bilik Menunggu

Cik Rahayu memberitahu bahawa banyak kali beliau melihat orang ramai di bilik menunggu membuat bising kerana tidak dilayan / menunggu lama oleh pegawai Pejabat Tanah.

Tuan Hj Hasim memberitahu terdapat 3 orang pegawai bertanggung jawap dan meminta Encik Mohd Azlan memantau dan meningkatkan perkhidmatan mereka.

3.8 Kebenaran Menyeluruh

Pengerusi CVPC mencadangkan PTGWP memberikan kebenaran menyeluruh untuk pindahmilik/cagaran (iaitu tanpa menyatakan nama institusi kewangan dan untuk tempoh beberapa tahun - seperti mana dilaksanakan oleh PTG Petaling).

Tuan Hj Hasim menyatakan bahawa beliau akan membawa cadangan tersebut ke mesyuarat Exco yang akan datang.

3.9 Hakmilik Strata Rosak

Tuan Hj Hasim memberitahu mesyuarat bahawa Hakmilik Strata yang rosak akan mengambil masa 6 bulan untuk di keluarkan semula. Walau bagaimanapun, bagi kes-kes yang perlu di segerakan, ianya boleh dicepatkan kepada 4 bulan. PTGWP amat mengalu-alukan pemilik/peguam untuk hadir dan membawa sallinan geran mereka untuk mencepatkan proses ini. Lebih kurang 1000 Hakmilik Strata telah rosak.

KESIMPULAN

Saya ingin mengucapkan terima kasih kepada ahli Jawatankuasa Amalan Konveyancing atas sokongan dan kerjasama mereka. Jawatankuasa ini telah berjaya menyelesaikan kebanyakan masalah yang berbangkit yang dihadapi oleh Pengamal Konveyansing di Kuala Lumpur dan telah membina hubungan baik dengan agensi yang terlibat dalam amalan konveyansing. Ini pastinya akan memudahkan urusan di masa hadapan.

Ucapan ribuan terima kasih dan penghargaan saya kepada kakitangan Sekretariat Badan Peguam Kuala Lumpur yang sentiasa menyokong dan sedia membantu setiap masa.

Nurul Muhaniza Binti Hanafi

Pengerusi
Jawatankuasa Amalan Konveyansing

JAWATANKUASA AMALAN JENAYAH

Jawatankuasa Amalan Jenayah (“CPC”) telah diwujudkan dengan matlamat utamanya untuk memastikan terdapat satu badan yang khusus yang memantau isu-isu yang melibatkan ahli-ahli Badan Peguam Kuala Lumpur dan Badan lain yang terlibat dengan amalan perundangan jenayah.

GAMBARAN KESELURUHAN

CPC telah bermesyuarat sebanyak 7 kali sejak menyandang jawatan dan telah melaksanakan rutin tahunan iaitu mengadakan mesyuarat dengan agensi-agensi yang terlibat dalam pentadbiran Perundungan Jenayah di Kuala Lumpur, antara yang terlibat adalah seperti berikut:

MESYUARAT DENGAN HAKIM PENYELIA MAHKAMAH SESYEN JENAYAH KUALA LUMPUR

Mesyuarat telah diadakan pada 21.05.2009 di Bilik Mesyuarat, Aras 7, Kompleks Mahkamah Kuala Lumpur dan telah di hadiri oleh 8 orang ahli CPC dan 2 wakil dari Jawatankuasa Peguam Selangor. Hampir kesemua Hakim Mahkamah Sesyen dan Majistret turut hadir.

Antara isu-isu yang dibincangkan adalah:

1. Orang Kena Tuduh (OKT) yang di reman dan tidak diwakili peguam

- Tuan Zainal Abidin, Hakim Mahkamah Sesyen 6 memberitahu CPC bahawa surat-surat telah di hantar ke Pusat Bantuan Guaman Majlis Peguam Malaysia (Bantuan Guaman) berkenaan isu OKT yang tidak diwakili peguam semasa di Mahkamah.
- Pengerusi CPC menjelaskan kepada Hakim dan Majistret yang hadir bahawa pihak Bantuan Guaman akan berusaha sebaik mungkin dalam membantu OKT ini.
- Puan Komathy berkata pihak Mahkamah telah banyak kali menghantar surat kepada pihak Bantuan Guaman dan tiada sebarang jawapan diterima.
- Pengerusi CPC menjelaskan bahawa Bantuan Guaman memerlukan peguam-peguam sukarela untuk memberi bantuan guaman untuk OKT tersebut. Bantuan Guaman tidak dapat memaksa peguam tetapi peguam harus memberi khidmatnya secara sukarela.
- Pengerusi CPC juga mencadangkan agar Hakim dan Majistret memanggil mana-mana ahli CPC untuk bantuan. (Nama ahli CPC telah di agihkan kepada Hakim dan Majistret yang hadir.)
- Tuan Zainal menasihatkan para peguam agar memberitahu kepada OKT yang ditemubual agar anak guam tersebut dan Mahkamah tahu peguam yang mewakili OKT tersebut.
- Pengerusi CPC berjanji akan memberitahu perkara tersebut kepada Pusat Bantuan Guaman.

Pengerusi

Datuk N. Sivananthan
Pegawai Perhubungan
Mahkamah Tinggi

Naib Pengerusi

Viknesvaran Kanapathippillai

Pegawai Perhubungan Mahkamah Majistret

Chow Kok Leong, James

Pegawai Perhubungan Badan

Peguam Selangor

Lee Teong Hooi

Pegawai Perhubungan Mahkamah Sesyen

Navinderan Subramaniam

Ahli-ahli Jawatankuasa

Ahmad Zaidi Zainal
Choi Kian You
Hemly Hannismar Bin Omar
Kamalanathan a/l Vellaipoovan
Ken Yong
Lee Kuang Wei
Md. Radzi Mustafa
Natarajan A/L Chinnaswami
Phang Kian Chung, Brendan
Richard Ho Peng Kwang
Tina Ong Chiew Chin
Venkateswari Alagendra (Rohini)
Victor Chong Tun Foo

2. Masalah "Tout" di Mahkamah Majistret

- CPC membangkitkan isu masalah "tout" yang masih berleluasa dan memberitahu para Hakim dan Majistret bahawa para peguam telah mengenalpasti beberapa orang "tout" di Mahkamah Majistret. Badan Peguam meminta bantuan pihak Mahkamah untuk mengatasi masalah ini.
- Puan Komathy bertanya jika pihak polis boleh menahan "tout" dan Pengerusi CPC menjawab bahawa pihak polis pernah berbuat demikian di kompleks mahkamah lama di Jalan Raja.
- Puan Komathy berjanji akan berhubung dengan pihak polis berkenaan isu tersebut dan turut menyatakan bahawa terdapat bilangan pegawai polis di Mahkamah Kuala Lumpur tidak mencukupi.
- Ahli CPC turut memberitahu Puan Komathy bahawa "tout" turut mendekati dengan pegawai polis yang bertugas di Mahkamah Majistret untuk mendapatkan maklumat kes.
- Majistret telah diberitahu oleh Penterjemah bahawa terdapat beberapa insiden di mana mereka yang tidak berkelayakan telah hadir ke Mahkamah dan menyamar sebagai peguam dan ada yang meminta Majistret untuk melaksanakan sebutan bagi pihak peguam.
- Pihak CPC diberitahu bahawa Majistret tidak mahu mengenalpasti orang yang menyamar ini secara spesifik kerana mereka kurang pasti atas maklumat yang diberikan.
- Para Hakim dan Majistret dinasihatkan agar meminta kad nama penguam tersebut dan membuat rujukan dengan Majlis Guaman.
- Cadangan untuk peguam membawa salinan Sijil Amalan telah ditolak oleh Puan Komathy kerana akan membebankan semua pihak yang terlibat.
- Puan Komathy amat prihatin terhadap masalah ini dan bertanya kepada yang hadir sama ada masalah "tout" ini semakin menjadi-jadi di Mahkamah.
- Pengerusi CPC menjawab bahawa isu ini semakin serius kerana orang awam juga telah tertipu oleh "tout" ini yang menyatakan bahawa mereka mempunyai hubungan terus dengan Anggota Kehakiman. Mereka juga berani bertengkar dengan pelatih dalam kamar yang berada di Mahkamah bagi pihak Pusat Bantuan Guaman.
- Puan Komathy turut diberitahu dalam suatu kes, butir-butir bailor telah diketahui oleh "tout" sehari sebelum kes tersebut di dengar di Mahkamah. Beliau kemudiannya berjanji akan meneliti masalah ini dan akan berbincang dengan pihak polis untuk meletakkan beberapa pegawai polis berpakaian awam untuk meneliti situasi di Mahkamah di waktu pagi.

3. Kod Pakaian untuk peguam

- Puan Komathy memberitahu CPC tentang aduan yang diterima oleh Mahkamah dari orang awam berkenaan pakaian peguam wanita muda semasa di Mahkamah.
- Pengerusi CPC memberitahu Puan Komathy bahawa Majlis Peguam mempunyai arahan tetap berkenaan kod pakaian peguam dan semua peguam telahpun tahu berkenaan perkara ini.

4. Pusat Bantuan Guaman di Kompleks Mahkamah

- Puan Komathy bertanya jika Pusat Bantuan Guaman (Bantuan Guaman) mempunyai pejabat di Kompleks Mahkamah Kuala Lumpur dan dijawab oleh Pengerusi CPC bahawa pejabat Pusat Bantuan berada di Aras 5. Notis juga telah diletakkan di luar kawasan Kompleks Mahkamah. Majistret mengadu bahawa notis-notis tersebut terlalu kecil dan tidak dapat dilihat oleh orang awam. Pengerusi CPC berjanji bahawa Bantuan Guaman akan menampal notis yang lebih besar.
- Tuan Zainal meminta seorang pelatih dalam kamar berada di pejabat Bantuan Guaman untuk memudahkan orang awam meminta bantuan dan beliau dibertahu cadangan beliau akan dipanjangkan ke pihak yang berkenaan.

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5. Pusat Bantuan Guaman Majlis Peguam

- Tuan Zainal ingin tahu bagaimana peguam dilantik untuk fail Bantuan Guaman dan pengerusi CPC memberitahu bahawa OKT (orang kena tuduh) atau ahli keluarga, jika OKT dalam reman, perlu hadir di pejabat Pusat Bantuan Guaman di Wisma Kraftangan untuk mengambil ujian kemampuan untuk memastikan sama ada mereka layak untuk mendapatkan bantuan guaman secara percuma.
- Pengerusi CPC juga memberitahu Tuan Zainal bahawa OKT yang di ikat jamin tidak layak untuk mendapat bantuan guaman secara percuma.
- Majistret bertanya jika pelatih dibenarkan untuk mewakili OKT yang telah di ikat jamin dan mereka telah dimaklumkan bahawa pelatih tidak dibenarkan untuk mewakili mereka yang telah diikat jamin kecuali OKT tersebut ingin mengaku bersalah - pelatih akan membantu dalam proses mitigasi.

6. Pejabat Pendaftaran Mahkamah Rendah Jenayah

- Puan Komathy memaklumkan ahli CPC bahawa Pejabat Pendaftaran Mahkamah Rendah Jenayah kini dibuka pada waktu makan tengahari dan meminta maklum balas sama ada peguam berpuas hati dengan khidmat yang disediakan ini.

7. Aduan terhadap peguam

- Puan Komathy menegahkan isu berkenaan peguam yang sering lewat hadir ke Mahkamah.
- Pengerusi CPC menasihatkan para Hakim dan Majistret yang hadir untuk memanjangkan perkara ini ke Majlis Peguam dan amaran akan diberi kepada peguam-peguam tersebut. Jika ianya melibatkan perkara yang lebih serius, aduan boleh dibuat kepada Lembaga Tatatertib Peguam-Peguam, di mana tindakan disiplin boleh dikenakan terhadap peguam yang terlibat sepertimana dalam peruntukan Akta Profesional Undang Undang yang berkaitan dengan perkara ini.

MESYUARAT DENGAN KETUA UNIT PENDAKWAAN, JABATAN PEGUAM NEGARA, KUALA LUMPUR

Mesyuarat telah diadakan pada 29.05.2009 di Bilik Mesyuarat, Aras 7, Bangunan Bank Rakyat dan telah dihadiri oleh hampir semua ahli CPC dan pegawai-pegawai kanan Unit Pendakwaan, Jabatan Peguam Negara Kuala Lumpur.

Isu-isu yang telah dibangkitkan adalah seperti berikut:

1. Dokumentasi di bawah Seksyen 51A Kanun Prosedur Jenayah

- Tuan Anselm menyatakan penghargaan beliau terhadap semua surat yang di hantar ke pejabat beliau berkenaan dokumen di bawah seksyen 51A telah menyertakan nama DPP yang mana memudahkan rujukan dan tindakan segera dapat dilaksanakan.
- Ahli CPC memberitahu Tuan Anselm bahawa DPP mengambil masa terlalu lama untuk menghantar dokumen berkaitan. Dokumen tersebut diantar melalui faksimili and salinan tersebut tidak jelas terutamanya gambar-gambar berwarna. Peguam hanya diberi dokumen asal di Mahkamah.
- Tuan Anselm menerangkan bahawa kebiasaanya pihak DPP menunggu gambar-gambar warna dari pihak polis yang kemudiannya dipanjangkan kepada peguam secepat mungkin. Beliau meminta peguam agar menghubungi pejabat beliau atau DPP yang berkenaan jika dokumen yang diterima tidak jelas agar mereka dapat membuat salinan dan peguam boleh datang dan mengambilnya dari pejabat KUP.
- Pengerusi CPC mencadangkan kepada Tuan Anselm supaya pihak polis terus mengimbas dokumen asli tersebut dan menghantarnya terus kepada DPP melalui emel. DPP kemudiannya boleh terus emel kepada peguam dan peguam dapat terus mencetak salinan yang berwarna untuk menjimatkan masa semua. Langkah ini juga selaras konsep tanpa kertas bagi menangani masalah alam sekitar.
- Tuan Anselm bersetuju untuk membawa cadangan tersebut kepada pihak polis.
- Tuan Anselm juga turut bersetuju dengan cadangan CPC bahawa tempoh penghantaran dokumen kepada peguam 3 minggu sebelum hari perbicaraan perlu dipatuhi sepenuhnya.
- Tuan Anselm menyatakan bahawa dokumen kepada tertuduh kebiasaanya diberi lebih awal dari tempoh

3 minggu. Walau bagaimanapun, Tuan Anselm turut mempersoalkan mengapa peguam masih memohon penangguhan yang telah menerima dokumen 1 minggu sebelum tarikh perbicaraan sedangkan dokumen yang terlibat hanyalah gambar dan pelan lakaran.

- Ahli CPC menerangkan bahawa pihak Mahkamah tidak akan memberi penangguhan atas sebab-sebab yang tidak menasabah.
- Pengerusi CPC meminta Tuan Anselm untuk berbicara dengan Pegawai Pendakwa di Mahkamah Majistret untuk lebih bertolak ansur dalam memanjangkan dokumen di bawah seksyen 51A ini. Tuan Anselm bersetuju untuk berbuat demikian dan akan memantau perkara ini pada masa yang sama.

2. Perlantikan APP dan DPP

- Tuan Anselm memberitahu ahli CPC bahawa tiada lagi perlantikan Pembantu Pendakwaraya (APP) hanya Timbalan Pendakwaraya (DPP) sahaja. Pegawai yang sedia ada akan secara perlahan ditukar dengan DPP untuk kes-kes pendakwaan di Mahkamah.
- Terdapat 2 Mahkamah Majistret baru di Kompleks Mahkamah Kuala Lumpur. Unit Pendakwaan Kuala Lumpur menghadapi masalah kekurangan kakitangan untuk mengendalikan kes-kes yang dipindahkan ke Mahkamah Majistret yang baru.
- Tuan Anselm menyatakan kerisauan beliau kerana Mahkamah biasanya akan menetapkan 3 hingga 5 kes sehari dan DPP yang berkaitan akan tertekan keran perlu bersedia untuk perbicaraan-perbicaraan tersebut setiap hari.
- Pengerusi CPC berpendapat bahawa Mahkamah Sesyen perlu ditambah untuk menampung kes-kes yang telah tertunggak dan memberi contoh Mahkamah Sesyen 6 sahaja mempunyai terlalu banyak kes untuk dikendalikan.

3. Tawaran Rayuan

- Pengerusi CPC bertanya tentang status cadangan tawaran rayuan yang pernah dikenakan sebelum ini.
- Tuan Anselm tidak tahu status cadangan tersebut dan mencadangkan Majlis Peguam untuk menulis surat kepada Kamar Pendakwaraya untuk mendapatkan status perkara tersebut. Beliau juga menyatakan bahawa Majlis Peguam perlu memerhatikan isu ini agar ianya tidak dilupakan.

4. Masalah "Tout" di Mahkamah Majistret

- Pengerusi CPC meminta Tuan Anselm menggunakan pejabat beliau untuk berhubung dengan pihak polis untuk meletakkan beberapa orang pegawai berpakaian awam di kawasan Mahkamah Majistret.
- Tuan Anselm sedar masalah di atas dan mencadangkan operasi penyamaran untuk memerangkap "tout".
- Pengerusi CPC bersetuju dengan cadangan tersebut dan memberitahu bahawa para Hakim turut risau atas isu tersebut. Beliau juga mencadangkan pihak Pendakwaraya mendapatkan maklum balas dari Majistret memandangkan ianya berkaitan dengan Mahkamah Majistret.
- Tuan Anselm meminta CPC untuk menulis surat kepada beliau berkenaan perkara ini dan beliau akan memanjangkannya ke pihak yang berkenaan untuk tindakan lanjut.

MESUARAT SUSULAN DENGAN KETUA UNIT PENDAKWAAN, JABATAN PEGUAM NEGARA, KUALA LUMPUR

Ketua Unit Pendakwaan (KUP), Tuan Anselm telah meminta suatu mesuarat susulan yang telahpun diadakan di Bilik Mesuarat, Aras 17, Bangunan Bank Rakyat pada 12.10.2009.

Isu-isu yang telah di bincangkan adalah seperti berikut:

1. Dokumentasi di bawah Seksyen 51A Kanun Prosedur Jenayah

- Tuan Anselm memberitahu bahawa DPP telah mula menghantar dokumen secara emel kepada peguam-peguam.

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- Walau bagaimanapun, ada peguam yang menyatakan mereka kurang senang menerima imbasan dokumen dan ada juga yang memberitahu DPP bahawa mereka tidak mempunyai kemudahan emel. Oleh itu peguam tersebut telah meminta dokumen dalam bentuk asal.
- Pengerusi CPC bersetuju untuk memaklumkan semua peguam jika mereka ingin mendapatkan dokumen/gambar yang berkaitan dengan segera dari DPP, mereka perlu memohon secara bertulis bersama alamat emel kepada DPP yang berkenaan dan DPP tersebut akan mengimbas dan menghantar dokumen kepada mereka dengan segera.
- Tuan Anselm bersetuju dengan cadangan di atas dan menyatakan bahawa gambar asli akan diberikan kepada peguam sebaik sahaja menerima dari pihak polis atau peguam boleh juga mengambilnya dari pejabat DPP. Memandangkan penghantaran gambar asli merupakan isu utama berkenaan dokumen Seksyen 51A, Tuan Anselm telah membentarkan pegawai-pegawaiannya menggunakan mesin mengimbas warna di pejabat beliau untuk pengimbas gambar dan terus dihantar secara emel kepada peguam.
- Pengerusi CPC memberitahu Tuan Anselm bahawa beliau akan menyarankan peguam menghantar emel kepada KUP hanya sebagai langkah terakhir jika DPP yang terlibat masih tidak menjawab selepas peringatan dihantar beberapa kali. Ianya untuk mengelakkan peguam dari mengambil langkah mudah dengan menghantar emel kepada KUP untuk perkara yang tidak mustahak.
- Tuan Anselm bersetuju dan jika dokumen masih belum diterima selepas permohonan bertulis dihantar, beliau menggalakkan peguam untuk menghantar emel kepadanya agar tindakan segera dapat dibuat.
- Tuan Anselm meminta peguam memberitahu butir-butir seperti Mahkamah dan nama DPP yang berkenaan memandangkan banyak kes yang telah dipindahkan ke Mahkamah baru.
- DPP Geethan turut menyatakan isu pertukaran Kaunsel di mana dokumen telah diberikan kepada Kaunsel yang lalu tetapi Kaunsel baru masih meminta dokumen tersebut dari DPP dengan alasan Kaunsel lalu tidak mahu memberikan dokumen tersebut kepada Kaunsel yang baru.
- Pengerusi CPC mengambil nota masalah tersebut dan mencadangkan DPP agar menghubungi CPC jika masalah ini bertambah rumit selepas ini.
- Tuan Anselm turut menyatakan kadangkala dokumen akan diberikan kepada orang kena tuduh kerana Pendakwaraya menurut garis panduan dari surat pekeliling dari Tun Majid, oleh itu peguam perlu berhubung dengan anak guam mereka untuk memastikan sama ada dokumen telah diberikan kepada mereka.
- Ahli CPC membangkit rasa khuatir mereka terhadap Pegawai Pendakwa (PO) di Mahkamah Majistret yang tidak mahu bekerjasama dan melambatkan penghantaran dokumen kepada peguam.
- Tuan Anselm memberitahu yang hadir bahawa tiada DPP yang bertugas di beberapa Mahkamah kerana kekurangan kakitangan di Kamar Pendakwaraya. Bagaimanapun, beliau menasihatkan ahli CPC agar membuat aduan secara bertulis (s.k. kepada beliau) kepada Supt. Munusamy yang merupakan PO yang memantau semua PO yang lain jika peguam menghadapi masalah dengan PO.
- Pengerusi CPC mencadangkan mesyuarat diadakan antara CPC, Kamar Pendakwaraya dan Supt. Munusamy untuk menyelesaikan isu di atas dan cadangan ini disokong oleh semua yang hadir.

2. Perwakilan

- Tuan Anselm meminta peguam untuk menghantar perwakilan mereka dengan segera ke Kamar dan jangan menunggu sehingga tarikh perbicaraan untuk berbuat demikian. Ianya bertujuan untuk membolehkan Kamar untuk melihat dan mempertimbangkan perwakilan tersebut secepat mungkin.
- Tuan Anselm juga menjelaskan jika perwakilan ditolak oleh mereka, peguam masih boleh merujuk ke Jabatan Peguam Negara di Putrajaya. Seterusnya, ibu pejabat akan merujuk ke Kamar KL untuk mendapatkan pendapat mereka berkenaan perwakilan tersebut dan akan memutuskan sama ada akan menerima atau menolak perwakilan tersebut.

- Walau bagaimanapun, Tuan Anselm turut menyuarakan kerisauan beliau kerana walaupun perwakilan telah ditolak oleh Jabatan Peguam Negara di Putrajaya, terdapat peguam yang berdegil dan menghantar perwakilan yang sama ke Kamar KL selepas beberapa bulan berlalu tanpa sebarang alasan tambahan untuk dipertimbangkan.

3. Masalah "Tout" di Mahkamah Majistret

- Tuan Anselm berkata beliau telah memberitahu OCCI berkenaan masalah ini dan OCCI telah berjanji akan mengambil tindakan.
- Tuan Anselm juga berkata bahawa sukar untuk mendakwa "tout" ini kerana tiada saksi yang ingin memberi keterangan di Mahkamah.
- Pengerusi CPC menyatakan bahawa satu cadangan akan dibawa ke Majlis Peguam agar menggunakan sistem di Amerika iaitu mengeluarkan Kad Peguam di mana semua peguam yang mempunyai sijil amalan yang sah akan diberi kad peguam sebagai tanda pengesahan kedudukan mereka untuk hadir di Mahkamah dan juga sebagai pengesahan mereka mempunyai sijil amalan yang sah.

FAIL-FAIL KES PUSAT BANTUAN GUAMAN (LAC)

Ahli CPC digalakkan oleh Pengerusi untuk sukarela mengambil kes-kes Bantuan Guaman bukan sahaja untuk membantu tetapi untuk menimba pengalaman dalam amalan jenayah. Memandangkan bilangan kes yang terus meningkat, ahli CPC bersetuju untuk berjumpa dengan Orang Kena Tuduh (OKT) yang tidak diwakili peguam di Penjara Sungai Buloh. 2 perjumpaan telah berjaya diadakan pada 21.07.2009 dan 10.08.2009. Kes-kes ini kemudiannya telah disebut di Mahkamah Sesyen Jenayah 6 pada 14.08.2009 dan 17.08.2009 di mana kebanyakan kes ini dapat di selesaikan. Hakim Mahkamah Sesyen tersebut, Tuan Zainal Abidin Bin Kamarudin telah menyatakan terima kasih dan penghargaan beliau kepada CPC atas bantuan mereka dalam menyelesaikan kes-kes tersebut.

Satu lagi perjumpaan dengan OKT di Penjara Sungai Buloh telah dirancang pada bulan Oktober tetapi atas sebab berbagai isu pentadbiran Pusat Bantuan Guaman yang tidak dapat dielakkan, CPC membuat keputusan untuk tidak meneruskan aktiviti ini.

MASALAH TEMPAT LETAK KERETA DI KOMPLEKS MAHKAMAH KUALA LUMPUR

Ruang tempat kereta yang tidak mencukupi di Kompleks Mahkamah Kuala Lumpur telah menyebabkan para peguam dan orang ramai untuk meletakkan kenderaan mereka di sepanjang jalan di luar kawasan Kompleks Mahkamah yang mana menyebabkan kesesakan jalan raya semakin teruk. Ahli Badan Peguam Kuala Lumpur juga tidak berpuas hati apabila pihak polis dan Dewan Bandaraya mula mengeluarkan saman.

Pengerusi CPC merupakan antara orang yang utama Jawatankuasa Peguam Kuala Lumpur yang menghadiri suatu mesyuarat antara pihak Jawatankuasa dengan wakil dari Polis Trafik dan Dewan Bandaraya untuk membincangkan cara penyelesaian terhadap masalah tersebut. Mesyuarat tersebut telah di adakan pada 23.04.2009 di Sekretariat Badan Peguam Kuala Lumpur.

- Isu yang dibincangkan dengan Dewan Bandaraya Kuala Lumpur:**

- Jalan Masuk menuju Kompleks Mahkamah Kuala Lumpur**

Pihak Jawatankuasa Peguam Kuala Lumpur ("KLBC") diberitahu bahawa jalan masuk menuju Kompleks Mahkamah Kuala Lumpur masih lagi belum diwartakan oleh Dewan Bandaraya Kuala Lumpur (DBKL). Pada masa ini, ianya tidak mempunyai papan tanda nama jalan di atas jalan tersebut. Jabatan di bawah DBKL yang bertanggungjawab untuk mewartakan jalan tersebut adalah Jabatan Kerja Awam (JKA).

- Moratorium untuk meletak kereta di sepanjang tepi jalan menuju Kompleks Mahkamah Kuala Lumpur**

Pihak KLBC meminta agar moratorium diberi untuk tempoh setahun di mana saman tidak akan dikeluarkan atas kenderaan yang diletak di sepanjang tepi jalan menuju Kompleks Mahkamah Kuala Lumpur. Tempoh masa ini adalah untuk membolehkan syarikat bas pengangkutan untuk memohon kebenaran bagi perkhidmatan ulang alik peguam dari tempat letak kereta MATRADE ke Kompleks Mahkamah.

- Cadangan untuk mengurangkan kesesakan laluan di jalan menuju ke Kompleks Mahkamah**

Pihak KLBC bersetuju bahawa saman dikeluarkan untuk kenderaan yang menghalang laluan.

- Kenderaan hanya boleh diletakkan di sebelah kiri dan kanan bahu jalan (menuju Kompleks Mahkamah)

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sahaja. KLBC meminta pihak DBKL untuk memadam garisan putih di sebelah kiri dan kanan yang sedia ada sepanjang jalan ini.

- Tiada kenderaan boleh diletakkan di bahagian pembahagi jalan tersebut (bahagian tengah). KLBC bersetuju dan meminta pihak DBKL untuk mengecat bahagian pembahagi jalan dengan dua garisan kuning dan memasang kon trafik bagi menghalang kenderaan diletakkan di kawasan ini.

4. Papan Tanda

KLBC meminta pihak DBKL agar menambah bilangan papan tanda di semua jalan menuju ke Kompleks Mahkamah Kuala Lumpur kerana papan tanda arah yang sedia ada tidak mencukupi dan tidak menyeluruh.

• Isu yang di bincangkan dengan Polis Trafik:

5. Saman yang dikeluarkan oleh Polis Trafik Kuala Lumpur

KLBC telah diberitahu bahawa apabila suatu saman dikeluarkan, ia tidak boleh dibatalkan. Walau bagaimanapun, seseorang yang disaman boleh memohon untuk mengurangkan jumlah kompaun yang perlu dibayar.

6. Bidang Kuasa Jalan masuk menuju ke Kompleks Mahkamah

Pihak Polis menyatakan Jika jalan tersebut belum diwartakan, ianya terletak di bawah bidang kuasa pihak pengurusan Kompleks Mahkamah.

7. Masalah keselamatan dan kecurian

KLBC diberitahu bahawa pihak Polis Trafik tidak mempunyai bidang kuasa dalam hal ini dan mencadangkan agar KLBC menghubungi IPD Kuala Lumpur ataupun OCPD Sentul.

PENGHARGAAN

Saya ingin merekodkan ribuan terima kasih dan penghargaan kepada ahli-ahli Jawatankuasa Amalan Jenayah atas sokongan dan kerjasama yang diberikan dalam memastikan semua aktiviti dapat dilaksanakan dengan jayanya.

Datuk N. Sivananthan

Pengerusi
Jawatankuasa Amalan Jenayah

JAWATANKUASA ALAM SEKITAR & KEMANUSIAAN

Objektif utama Jawatankuasa Alam Sekitar & Kemanusiaan ("EHC") di penggal ini adalah untuk meningkatkan kesedaran bukan sahaja dikalangan peguam tetapi juga orang ramai berkenaan isu-isu berkaitan alam sekitar dan kemanusian. Aktiviti-aktiviti yang dilaksanakan adalah bertujuan untuk mengurangkan kesan kepada alam sekitar dan pada masa yang sama untuk meningkatkan kesedaran berkenaan isu-isu kemanusiaan (sosial dan kebudayaan).

Sehingga kini EHC telah mengadakan mesyuarat sebanyak 5 kali dan aktiviti-aktiviti yang telah dilaksanakan dengan jayanya adalah seperti berikut:-

- **EARTH HOUR**

EHC memulakan aktiviti dengan mempromosikan *Earth Hour* yang di tetapkan pada 28.03.2009 (8 hingga 9 malam) kepada semua firma guaman di Kuala Lumpur dan semua ahli di bawah Badan Peguam Kuala Lumpur melalui emel.

- **SAMBUTAN HARI BUMI**

Bersempena dengan Hari Bumi (Earth Day) pada 22.04.2009, EHC telah mengadakan hari mengumpul surat khabar lama dan telah berjaya mengumpul lebih kurang 300 kilogram surat khabar lama dan kertas-kertas terpakai dengan sokongan 15 firma guaman dan agensi-agensi lain. EHC berharap ini akan menjadi suatu acara tahunan dengan lebih banyak penyertaan dari ahli Badan Peguam KL.

Ahli-ahli EHC juga turut terlibat dalam sambutan Hari Bumi yang dianjurkan oleh Persatuan Penduduk Kota Damansara yang telah adakan pada 26.04.2009 di Hutan Simpan Damansara,

Seira Sacha juga turut menyumbangkan satu artikel berkenaan Hari Bumi dan ianya telah dimuat naikkan ke Blog Badan Peguam KL serta di laman web Majlis Peguam Malaysia.

- **MESYUARAT BERSAMA CEBLAW**

Pada 12.06.2009, EHC telah mengadakan satu perjumpaan dengan Prof. Gurdial Singh Nijar, Pengarah Pusat Kecermelangan dalam Undang-undang Biodiversiti (CEBLAW) di Universiti Malaya. Ia merupakan perjumpaan permulaan untuk meneroka arah tujuan dan kepentingan yang boleh dicapai bersama. Dari perbincangan tersebut, Prof. Gurdial telah bersetuju dengan cadangan EHC untuk menganjurkan suatu ceramah di mana beliau akan menjadi penceramah utama.

Ceramah bertajuk 'Patenting Life? The Legal Issues' telah dijadualkan untuk di adakan pada 02.12.2009 tetapi terpaksa ditangguhkan ke satu tarikh yang belum ditetapkan atas sebab-sebab yang tidak dapat elakkan.

- **TAYANGAN PERDANA WAYANG 'TRANSFORMERS'**

EHC juga telah menghiburkan 30 orang kanak-kanak dari rumah anak yatim Pure Life Society di tayangan perdana wayang 'Transformers' pada 26.06.2009 di Panggung GSC Pavilion. 30 orang kanak-kanak berumur dari 14 hingga 16 tahun menghadiri tayangan perdana tersebut. Bagi kebanyakan

Pengerusi

Saha Deva Arunasalam

Naib Pengerusi (Alam Sekitar)

Richard Wee Thiam Seng

Naib Pengerusi (Kemanusiaan)

Roger Chan Weng Keng

Ahli-ahli Jawatankuasa

Abdullah Khubayb bin Awaluddin

Adiba Shareen

Ajeet Kaur Nika Singh

Hoi Jack S'ng

Kathleen Cheong Chor Kuan

Khaizan Sharizad Binti Ab Razak

Lola Marissa Maijon

Nik Waheeda Nik Kamarulzaman

Puspawati Rosman

Rajinder Kaur Gill

Seira Sacha Binti Abu Bakar

Sri Vidhya Chelliah

Thirunavakarasu Vijayan@Ganesan

Hayyum Suleikha Binti Selamat

Soo Siew Mei

Tengku Hazwani Binti Tengku Mansor

Annie Yin

Allison Ong

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kanak-kanak ini ianya merupakan pengalaman pertama mereka menonton wayang di panggung; masing-masing nampak amat teruja dengan senyum lebar dan perbualan tanpa henti selepas tayangan tersebut. Ianya merupakan suatu pengalaman yang menggembirakan kepada semua yang terlibat.

- **PERAYAAN ORANG ASAL**

Ahli-ahli EHC dan Jawatankuasa Hak Asasi Manusia Majlis Peguam telah berjaya menganjurkan satu lawatan pada 09.08.2009 ke penempatan Orang Asal di Kampung Chang, Bidor, Perak untuk menghadiri Perayaan Orang Asal. Peserta disambut dengan persempahan-persempahan kebudayaan dan diperkenalkan dengan tradisi, makanan dan aktiviti harian Orang Asal. Para peserta juga turut serta dalam sesi dialog bersama ketua-ketua puak berkenaan isu-isu yang sedang mereka hadapi berkenaan pampasan juga kesan-kesan ketidakseimbangan ekologi yang berlaku apabila tanah diubah menjadi ladang-ladang.

- **MENUNGGANG ATV**

EHC dengan kerjasama Jawatankuasa Sosial, Seni dan Kebudayaan ("SAC") telah berjaya menganjurkan satu aktiviti menunggang kenderaan All Terrain Vehicle (ATV) pada 16.08.2009. Ahli-ahli Badan Peguam KL telah diperkenalkan mengenai ATV dan kemudiannya telah menunggang kenderaan tersebut melalui denai-denai di dalam Hutan Simpan Kemensah. Perjalanan ATV ini ditamatkan di air terjun 7-tingkat di mana suatu taklimat/perbincangan secara tidak formal berkenaan alam sekitar diadakan.

- **PROGRAM PERSIJILAN MENYELAM SKUBA**

EHC juga menganjurkan Program Persijilan Menyelam Skuba di mana ahli-ahli Badan Peguam KL boleh turut serta dan memperolehi sijil untuk menyelam (skuba) dengan harga istimewa. Program ini telah dilaksanakan dengan jayanya pada 28 hingga 30.08.2009 di Pulau Perhentian dengan 5 orang peserta.

- **HARI UNDANG-UNDANG KDU**

Naik Pengerusi (Kemanusiaan) EHC, Roger Chan telah meyampaikan satu kertas kerja di Hari Undang-undang KDU di kampus utama mereka di Damansara pada 01.10.2009. Kertas kerja bertajuk Legal Positivism and the Nuances of Human Rights Implementation in Malaysia telah diposkan ke Blog Badan Peguam KL.

- **PERKELAHAN KELUARGA DI FRIM**

Ianya merupakan acara setengah hari yang merangkumi merentas denai, berjalan di kanopi dan berkelah telah berjaya dianjurkan pada 10.10.2009 di Institut Hutan Simpan Malaysia (FRIM). Seramai 30 orang dewasa dan kanak-kanak ahli Badan Peguam Kuala Lumpur telah menyertai acara ini.

- **KONFEREN ROUND TABLE SUSTAINABLE PALM OIL (RSPO) KE 7**

Pengerusi EHC telah menghadiri Konferen ini pada bulan November 2009.

Aktiviti-aktiviti lain yang telah dirancang adalah:

- **LAWATAN KE PUSAT PERLINDUNGAN GAJAH KUALA GANDAH DAN TAMAN RUSA**

EHC merancang untuk mengadakan acara tahunan ini dengan sedikit penambahan iaitu perjalanan dengan bas dan lawatan tambahan ke Taman Rusa yang terletak hanya 8 km dari Pusat Perlindungan Gajah. Lawatan ini pada awalnya dirancang pada 12.12.2009 tetapi telah ditunda ke 23.01.2010 kerana membeli laluan kepada Mesyuarat Agung Luar Biasa Majlis Peguam yang diadakan pada tarikh yang sama.

- **MESYUARAT DENGAN FAKULTI KAJIAN ALAM SEKITAR, UPM**

EHC sedang mendapatkan tarikh yang sesuai untuk mengadakan mesyuarat bersama pegawai Fakulti Kajian Alam Sekitar, Universiti Putra Malaysia. Mesyuarat permulaan bertujuan untuk meneroka arah tujuan dan kepentingan yang boleh dicapai bersama dan kerjasama di masa depan untuk menganjurkan aktiviti seperti ceramah dan seminar.

- **LAWATAN BELAJAR KE PUSAT PENGURUSAN AIR PUTRAJAYA**

Lawatan ini dirancang sebagai aktiviti setengah hari untuk ahli-ahli dan dijadualkan pada 20.02.2010.

- **PERKHEMahan KANAK-KANAK MNS**

Aktiviti ini diwarisi dari Jawatankuasa penggal yang lepas dan dirancang untuk dilaksanakan semasa musim cuti sekolah 2010.

Project berterusan:

• **PENGUMPULAN KES-KES PERUNDANGAN ISU-ISU ALAM SEKITAR**

Pengumpulan kes-kes ini adalah projek yang berterusan. EHC berharap akan mencapai suatu tahap di mana himpunan kes-kes ini boleh di muatkan dalam bentuk CD dan di berikan kepada perpustakaan Majlis Peguam untuk membolehkan ahli Badan Peguam membuat rujukan mudah berkenaan kes-kes alam sekitar.

KESIMPULAN

EHC telah merancang banyak aktiviti, sebahagiannya terpaksa ditunda ke tahun 2010 kerana kesuntukan masa. Saya berharap EHC akan terus meningkatkan kesedaran orang ramai berkenaan perkara-perkara alam sekitar dan kemanusiaan.

Saya ingin mengucapkan terima kasih dan penghargaan saya kepada semua ahli EHC yang banyak menyokong dan bekerjasama dalam melaksanakan berbagai aktiviti EHC yang di nyatakan di atas.

Saha Deva Arunasalam

Pengerusi

Jawatankuasa Alam Sekitar & Kemanusiaan

JAWATANKUASA TEKNOLOGI MAKLUMAT

Jawatankuasa Teknologi Maklumat (JTM) telah memulakan 3 projek pada penggal ini:

1. Laman Web, Blog dan lain-lain Peralatan Interaktif Sosial
2. Kempen Kesedaran Undang-undang
3. Cadangan untuk meminda Undang-undang berkaitan Teknologi Maklumat

1. Laman Web, Blog dan Peralatan Interaktif Sosial

JTM telah mengemaskinikan Laman Web Badan Peguam Kuala Lumpur. Kami menerima sebut harga daripada 3 Syarikat Pembinaan Laman Web dan telah memilih UNIT Design Collective. Laman Web baru telah dilancarkan pada 24.12.2009. Ahli-ahli kini boleh membuat pendaftaran untuk sebarang aktiviti melalui internet. Kami kini sedang proses perlaksanaan untuk fungsi pembayaran melalui internet.

Blog telah dikemaskini dari segi rupa dan kandungan untuk lebih kelihatan profesional dan kandungannya juga telah diubah untuk memuatkan Relevan Online dan laporan-laporan aktiviti. Ianya juga terbuka bagi ahli-ahli untuk menyumbang cereka/rencana pendek berkaitan Undang-undang dan Amalan Perundangan.

JTM telah membuka akaun ‘Twitter’ sebagai satu cara untuk membuat pengumuman.

JTM juga telah memulakan satu album gambar menggunakan ‘Flickr’. Dengan penggunaan ‘Flickr’, Badan Peguam KL dapat menyimpan gambar-gambar secara percuma.

Kumpulan ‘Facebook’ juga dikekalkan memandangkan ia merupakan peralatan perhubungan yang paling efektif.

2. Kempen Kesedaran Undang-Undang

Bagi meneruskan aktiviti-aktiviti penggal yang lepas, JTM meneruskan kempen kesedaran Undang-undang. Satu Forum bertajuk “Internet Censorship: A Cat and Mouse Game?” dijadualkan akan dilaksanakan pada bulan Februari atau Mac bergantung kepada kelapangan penceramah dari Suruhanjaya Komunikasi dan Multimedia Malaysia (SKMM). Penceramah-penceramah lain yang dicadangkan adalah Dipendra Harshad Rai dan Nicholas Chay/Timothy Tiah dari Nuffnang. Tujuan utama Forum tersebut adalah untuk mendapatkan pendapat orang ramai berkenaan perkara yang berkaitan terutamanya berkaitan Kebebasan Bersuara, Bidang Kuasa SKMM dalam perkara tersebut.

3. Cadangan untuk meminda Undang-undang berkaitan Teknologi Maklumat

JTM telah bertemu dengan 4 institusi iaitu MyNIC Berhad, Suruhanjaya Komunikasi dan Multimedia Malaysia (SKMM), Forum Kandungan Komunikasi dan Multimedia Malaysia dan CyberSecurity. Institusi-institusi ini telah menunjuk minat (interest) untuk bekerjasama dengan JTM untuk menganjurkan Forum dan Seminar. SKMM bersetuju bekerjasama dengan JTM untuk melaksanakan

Pengerusi

Richard Wee

Naib Pengerusi

Foong Cheng Leong

Ahli-ahli Jawatankuasa

Krishna Roy Sreenivasan

Gary Lim

Steven Wong

Sonya Liew Yee Aun

Aiu Der Lin

Geneive Ngan

Roland Kual

Boey Wei Lyn

Edwin Lee Yong Cieh

Esther Anandaraj

Lim Hsiao Ping

Lee Shih

Reformasi Undang-undang.

- Pada 28.04.2009, JTM telah bertemu dengan Yeo Yee Ling dan Shariya Hanis Zulkifli dari MyNIC Berhad. Mesyuarat ini telah dihadiri oleh Richard Wee, Foong Cheng Leong, Lim Hsiao Ping dan Esther Anandaraj.
- Pada 11.05.2009, JTM telah bertemu dengan Devi Annamalai, Elvira Shamsuddin dan Zamiri dari Suruhanjaya Komunikasi dan Multimedia Malaysia (SKMM) di Cyberjaya. Mesyuarat ini telah dihadiri oleh Richard Wee, Foong Cheng Leong dan Roland Kual
- Pada 28.05.2009, JTM telah bertemu dengan Mohd Mustaffa Fazil Mohd Abdan, Mohamad Firdaus Mustafar dan Wahyuddin dari Forum Kandungan Komunikasi dan Multimedia Malaysia di Phileo Damamsara. Mesyuarat ini telah dihadiri oleh Richard Wee, Foong Cheng Leong dan Roy Sreenivasan.
- Pada 23.06.2009, JTM telah bertemu dengan Lt Col Husin Jazri dari CyberSecurity di Seri Kembangan. Mesyuarat ini telah dihadiri oleh Richard Wee dan Foong Cheng Leong.

Tujuan utama mesyuarat-mesyuarat ini adalah untuk membina hubungan baik dengan organisasi-organisasi lain yang berkaitan dengan Teknologi Maklumat. Melalui dialog-dialog yang telah diadakan, kami dapat menukar idea dan pandangan terutamanya dalam isu berkaitan Perlindungan Data dan Kebebasan Maklumat. Kami juga menggesa organisasi berkaitan untuk mengubah dan meminda beberapa bahagian Undang-undang berkenaan Teknologi Maklumat. Hampir di setiap peluang yang ada, JTM mendorong organisasi-organisasi ini untuk mengekalkan hak untuk maklumat dan data persendirian harus sentiasa dilindungi.

Saya ingin mengambil kesempatan ini untuk mengucapkan terima kasih kepada semua ahli JTM. Semua usaha yang diberikan amat dihargai dan saya berharap anda akan terus berkhidmat untuk Badan Peguam. Saya juga menggesa ahli-ahli lain yang mempunyai minat dalam Undang-undang Teknologi Maklumat supaya memberi sokongan dan bantuan, terutamanya di bahagian Hak Asasi seperti Kebebasan Bersuara dan Maklumat di Internet.

Saya juga ingin mengucapkan terima kasih kepada Naib Pengurus, Foong Cheng Leong, yang merupakan daya penggerak dalam banyak perkara berkaitan JTM.

Mary, Melissa dan Yati dari Sekretariat Badan Peguam Kuala Lumpur harus menerima ucapan jutaan terima kasih atas usaha keras mereka dalam pelancaran laman web Badan Peguam KL yang baru.

Richard Wee
Pengerusi
Jawatankuasa Teknologi Maklumat

JAWATANKUASA PEMBANGUNAN PROFESIONAL

Objektif utama Jawatankuasa Pembangunan Profesional (Professional Development Committee) ("PDC") adalah untuk memberi peluang kepada ahli-ahli dan pelatih-pelatih-dalam-kamar, melalui program-program, untuk mengukuhkan kemahiran asas undang-undang mereka dan mengikuti perkembangan di dalam pelbagai bidang amalan. Meneruskan program-program daripada tahun lepas, PDC mengaturkan pelbagai program-program untuk ahli-ahli Badan Peguam KL dan juga pelatih-dalam-kamar.

Dalam penggal ini, PDC telah menganjurkan 28 acara di antara Mac 2009 sehingga Februari 2010, merangkumi bidang-bidang seperti Maritim, Hal Ehwal Tanah/Konveyansing, Undang-Undang Kewangan Islam, Undang-Undang Komersil, Pencukaian, Undang-Undang Minyak & Gas, Timbangtara, Harta Intelektual, Undang-Undang Syarikat, Undang-Undang Sukan dan Undang-Undang Perubatan.

Seperti tahun-tahun terdahulu, PDC meneruskan tawaran tajaan untuk ahli-ahli Badan Peguam KL untuk menghadiri persidangan. Tahun ini PDC telah menaja 4 orang ahli Badan Peguam KL untuk menghadiri Persidangan "Employment Law Conference" yang diadakan pada bulan Januari 2010. PDC juga ingin menaja lebih ramai peguam ke persidangan-persidangan termasuk "Malaysian Law Conference" pada bulan Julai 2010.

Sehingga kini, sambutan terhadap acara-acara PDC sangat menggalakkan dan kami berharap bahawa ahli-ahli akan terus mendapat faedah melalui program-program yang telah diaturkan untuk penggal yang selebihnya. Kami harap mendapat sokongan terus dan melihat lebih ramai ahli-ahli dan pelatih-dalam-kamar menyertai program-program PDC. Sistem 'Tracking' yang telah diperkenalkan dalam Mahkamah sejak berberapa bulan yang dahulu menyebabkan kesukaran untuk mendapat penceramah dan jurulatih. Dalam ini, kami ingin berterima kasih kepada semua ahli-ahli jawatankuasa, penceramah-penceramah, jurulatih-jurulatih dan penyelaras-penyelaras yang telah mengambil bahagian dalam acara-acara yang telah diaturkan setakat ini dan kepada mereka yang telah bersetuju untuk mengambil bahagian dalam acara-acara akan datang meskipun perkara di atas.

PDC juga sedang bekerjasama dengan Sekretariat Badan Peguam Kuala Lumpur untuk meningkatkan kemudahan-kemudahan dalam Auditorium KL Bar. Dengan memastikan bahawa kos-kos berada dalam tahap minimal, adalah penting untuk meningkatkan kemudahan-kemudahan yang sedia ada untuk memastikan Auditorium KL Bar dilengkapi dengan kemudahan-kemudahan yang setaraf untuk ahli-ahlinya.

Dipendra Harshad Rai
Pengerusi
Jawatankuasa Pembangunan Profesional

Pengerusi

Dipendra Harshad Rai

Ahli-ahli Jawatankuasa

Jeremiah R. Gurusamy
Mohd Izral Mohamed Khairy
G. Nanda Goban
Khabir Dhillon
Lee Choi Wan
Jeffrey Tan
Noor Arianti Osman
Joanne Long
Wong Tat Chung
Brendan Navin Siva

Program bagi 2009/10 adalah seperti disenaraikan di bawah:

TARIKH	TAJUK SEMINAR	PENCERAMAH
20.03.2009 (Jumaat) 3.00 petang	SEMINAR: <i>Defamation Law: Challenges Presented by the Internet</i>	Sudharsanan Thillainathan
24.03.2009 (Selasa) 3.00 petang	PUPILS SEMINAR: <i>Human Rights Law & Advocacy</i>	Edmund Bon
31.03.2009 (Selasa) 3.00 petang	SEMINAR: <i>Housing Development (Control & Licensing) Act 1966 – An Update</i>	Pretam Singh a/l Darshan Singh
22.04.2009 (Rabu) 2.30 petang	SEMINAR: <i>Fundamentals of Islamic Law & Finance in Practice</i>	Prof. Andrew White Jalalullai Othman
24.04.2009 (Jumaat) 3.00 petang	SEMINAR: <i>Legal Practice in the UK - A Barrister's Perspective</i>	Paul Emerson
08.05.2009 (Jumaat) 4.00 petang	SEMINAR: <i>Practical Skills for Lawyers in the Era of Economic Globalisation</i>	Prof. Richard M. Perlmutter
22.05.2009 (Jumaat) 10.00 pagi hingga 6.00 petang	Young Lawyers Legal Practice Management Speedtrack Course in collaboration with PDC	Preeta Pillai Sanjeev Kumar Rasiah Kevin Loh Hsien Han YP Cheong Adrian Choong Ewe Lim
26.05.2009 (Selasa) 3.00 petang	PUPILS SEMINAR: <i>The Fundamentals of Commercial Drafting</i>	Natalie Peh
03.06.2009 (Rabu) 3.00 petang	PUPILS SEMINAR: <i>The Fundamentals of Conveyancing</i>	Jeremiah R. Gurusamy
12.06.2009 (Jumaat) 3.00 petang	PUPILS SEMINAR: <i>Bankruptcy Proceedings</i>	GK Ganesan
21.07.2009 (Selasa) 3.00 petang	PUPILS SEMINAR: <i>S.218 Winding Up Petitions Introduction & The New A Track System</i>	Alex Chang
29.07.2009 (Rabu) 3.00 petang	SEMINAR: <i>An Introduction to Arbitration</i>	James P. Monteiro
30.07.2009 (Khamis) 2.00 petang	PUPILS SEMINAR: <i>Human Rights Law Advocacy & Activism</i>	Edmund Bon

**18th ANNUAL GENERAL MEETING
KUALA LUMPUR BAR**

TARIKH	TAJUK SEMINAR	PENCERAMAH
12.08.2009 (Rabu) 3.00 petang	SEMINAR: <i>Principles and Practice of Pleadings - An Overview</i>	Maidzuara Mohammed
16.09.2009 (Rabu) 4.00 petang	SEMINAR: <i>Employment Law</i>	Dato' Thavalingam
09.10.2009 (Jumaat) 3.00 petang	SEMINAR: <i>The Mysteries of Oil & Gas Explained by Lawyers for Lawyers</i>	Animah Fuad Kosai Lim Kock Hooi
20.10.2009 (Selasa) 3.00 petang	SEMINAR: <i>Basic Principles of Injunctions</i>	Azhar Azizan Harun
28.10.2009 (Rabu) 3.00 petang	SEMINAR: <i>Joint Ventures & Strategic Alliances</i>	Jeremiah R. Gurusamy
17.11.2009 (Selasa) 2.00 petang	SEMINAR: <i>Human Rights Law Advocacy & Activism</i>	Edmund Bon Chin Oy Sim
09.12.2009 (Rabu) 4.30 petang	SEMINAR: <i>Maritime Claims & Security</i>	Sitpah Selvaratnam
16.12.2009 (Rabu) 3.00 petang	SEMINAR: <i>Understanding Service Level Agreements</i>	Jeremiah R. Gurusamy
19.01.2010 (Selasa) 3.00 petang	SEMINAR: <i>Intellectual Property</i>	Caroline Francis
26.01.2010 (Selasa) 3.00 petang	SEMINAR: <i>SHIPS: Sale & Purchase, Financing, Registration</i>	Joanne Long
04.02.2010 hingga 06.02.2010 (Khamis hingga Sabtu) 9.00 pagi hingga 5.30 petang	WORKSHOP: <i>Advocacy in Arbitration Proceedings by the Barristers from Lamb Chambers Middle Temple, London</i>	Paul Emerson Paul Stewart Adam Swirsky Derek Kerr Matthew Winn-Smith Robin Gist Bernard Pressman Elizabeth Dwomoh
19.02.2010 (Jumaat) 2.30 petang	SEMINAR: <i>Fraudulent Insurance Claims: Legal & Practical</i>	Sudharsanan Thillainathan
24.02.2010 (Rabu) 3.00 petang	SEMINAR: <i>Development of Law in Sports</i>	Isa Aziz Ibrahim

ANNUAL GENERAL MEETING
KUALA LUMPUR BAR 18th

TARIKH	TAJUK SEMINAR	PENCERAMAH
10.03.2010 (Rabu) 3.00 petang	SEMINAR: <i>Drafting International Contracts – Dealing with Cross Border Transactions</i>	Jeremiah R. Gurusamy
26.03.2010 (Jumaat) 2.30 petang	SEMINAR: <i>Privileged Communications: Current Trends</i>	Sudharsanan Thillainathan Jeremy Lee

JAWATANKUASA PENERBITAN

Jawatankuasa Penerbitan terus mengalami pengurangan di dalam sumbangan artikel, komentari dan pandangan dari ahli-ahli Badan Peguam Kuala Lumpur. Hakikat ini telahpun ditimbulkan di dalam laporan-laporan Pengerusi Jawatankuasa Penerbitan di dalam 2 tahun yang lepas.

Untuk penggal 2009/10, Jawatankuasa Penerbitan telah mengambil keputusan untuk menerbitkan artikel secara online di Blog Badan Peguam KL di <http://www.klbar.blogspot.com> apabila ianya sedia untuk terbitan.

Terdapat beberapa alasan kenapa format penerbitan telah diubah. Pertama sekali adalah alasan kewangan. Kos penerbitan Relevan untuk tahun-tahun lepas telah dikurangkan oleh kerana hasil pengiklanan yang menyebabkan penerbitan, percetakan dan pengiriman Relevan boleh dijustifikasi dari segi komersial. Walaubagaimanapun, 2009 bukan merupakan tahun yang baik untuk ekonomi dan kebanyakan penerbitan menghadapi kesukaran untuk memperolehi hasil pengiklanan. Oleh yang demikian, kos penerbitan Relevan sememangnya akan meningkat dari tahun-tahun yang lepas.

Kedua, terdapat kajian yang menunjukkan bahawa penerbitan secara eksklusif online telah membenarkan syarikat media tradisional untuk mengurangkan kos tanpa mengurangkan bilangan pembaca. Dan keupayaan untuk menerbit dalam masa yang singkat juga meningkatkan pembacaan. Ianya juga sepatutnya meningkatkan bilangan artikel yang disumbangkan oleh ahli. Ahli-ahli juga diminta untuk menyumbangkan artikel walaupun ianya telah diterbitkan di dalam media yang lain.

Penerbitan online di Blog Badan Peguam KL juga membolehkan kami menerbitkan material di dalam jangka masa singkat dan membolehkan kami menyimpan sumbangan dan artikel dari ahli-ahli secara tersusun dan di dalam bentuk yang mudah dicari oleh ahli-ahli. Ahli-ahli telah dimaklumkan secara emel bila artikel-artikel diterbitkan di dalam blog.

Artikel-artikel berikut telah diterbitkan online di Blog Badan Peguam KL:-

1. "Your Life as an Open (Face)Book: The Legal Impact of Online Social Networking". The article first appeared in Netvalue2.0, the technology section of The Edge Malaysia, Issue 753, May 4-10, 2009.
2. 50 Years In The Law: A Critical Self-Assessment By The Hon Justice Michael Kirby AC CMG. **Based on an address to the legal profession of the Northern Territory in the Supreme Court, Darwin, 16 January 2009 and at the State Supreme Court and Federal Court Judges' Conference, Hobart, 26 January 2009. Justice of the High Court of Australia; First published in The Australian Bar Review. Copyright in the author.
3. A Consideration For Foreign Practitioners Entering The Legal Profession In Malaysia by Rodney Khor.
4. Legal Positivism and the Nuances of Human Rights Implementation in Malaysia by Roger Chan Weng Keng. Presented at KDU Law Day on 01.10.2009.

Pengerusi

Brendan Navin Siva

Ahli-ahli Jawatankuasa

Chan Su-Li
Cheng Poh Heng
Edmund Balthazar
Jason Kong
Lee Shih
Lim Yin Yin
Nicole Wee
Rishwant Singh
Saravana Kumar
Sudharsanan Thillainathan
Sukhjit Kaur Gill
Yudistra Darma Dorai

5. *Unravelling Practical Issues Surrounding Thin Capitalisation Law in Malaysia by S. Saravana Kumar. This article was first published in the inaugural issue of TaxViews Asia (July 2009), a tax magazine published by CCH Singapore.*
6. *Freedom Of Speech On The Net - An Illusion Or Reality? By Joanna Loy. This article originally appeared in Skrine's Legal Insights Issue 1/2009.*
7. *Schemes of Arrangement - Restructuring the debts of a financially distressed company by Lee Shih.*
8. *McDonald's Loses Trademark Battle Against Malaysia's McCurry by Boey Wei Lyn.*

Saya merakamkan penghargaan kepada ahli-ahli jawatankuasa penerbitan atas masa dan sumbangan mereka di dalam menjayakan usaha-usaha kami.

Brendan Navin Siva

Pengerusi
Jawatankuasa Penerbitan

JAWATANKUASA HAL EHWAL PELATIH-DALAM-KAMAR

Jawatankuasa Hal Ehwal Pelatih-Dalam-Kamar (“PWC”) memantau masalah atau kesulitan yang dihadapi oleh para pelatih-dalam-kamar sepanjang tempoh latihan mereka serta mencadangkan mereka kepada tindakan-tindakan yang boleh diambil dan remedinya. Kebajikan para pelatih dapat ditingkatkan melalui bengkel, dialog dan sebagainya.

Komitmen PWC pada tahun ini adalah untuk meningkatkan standard yang sedia ada dan untuk mencapai tujuan tersebut, PWC pada tahun ini telah berjaya menjalankan aktiviti-aktiviti berikut:

BENGKEL LITIGASI SIVIL DAN JENAYAH

PWC telah meneruskan penganjuran Bengkel Litigasi Sivil dan Litigasi Jenayah di setiap bulan untuk para pelatih, dimana matlamat PWC adalah untuk memperkenalkan para pelatih kepada asas amalan perundangan. Bengkel kerja ini lebih kepada penglibatan interaktif para pelatih di mana mereka diuji dengan pelbagai jenis senario secara praktikal dan isu-isu perundangan. Bengkel litigasi jenayah merangkumi temubual klien, mitigasi, permohonan iktikad jamin dan reman dan proses perbicaraan. Bagi bengkel litigasi sivil, para pelatih dilatih untuk mendrafkan pendapat dan pliding serta cara penyampaian suatu kes di Mahkamah. Kedua-dua bengkel ini telah mendapat sambutan yang amat menggalakkan. Di sini saya ingin mengucapkan ribuan terima kasih kepada para pengamal undang-undang seperti Arimuthu Peritamby, Datuk Baljit Singh Sidhu, Ravi Nekoo, Edmund Bon, Amer Hamzah Arshad, Colin Pereira, Sanjeev Kumar, Mohd Izral, Wong Guo Bin dan Haji Sulaiman yang menjayakan bengkel-bengkel ini sebagai suatu sesi yang menarik dan berfaedah kepada para pelatih.

BENGKEL LITIGASI JENAYAH

TARIKH	MASA	PENCERAMAH
02.04.2009	2.30 hingga 5.00 petang	Arimuthu Peritamby
25.06.2009	2.30 hingga 5.00 petang	Datuk Baljit Singh Sidhu
20.08.2009	2.30 hingga 5.00 petang	Ravi Nekoo
22.10.2009	2.30 hingga 5.00 petang	Edmund Bon

Pengerusi

Pushpa Ratnam

Ahli-ahli Jawatankuasa

Alex Anton Netto
Bavanee Subramaniam
Farahatun Najwa Binti Paidin
Kalpana Kumara
Lee Kuang Wei
Lee Teong Hooi
Nor Fazreen Binti Othman
Sivaruben a/l R Balasekaran
Tan Chien Liang
Tan Swee Yin
Thavaraj Subramaniam
Valen Khor Xiou Shan

BENGKEL LITIGASI SIVIL

TARIKH	MASA	PENCERAMAH
28.05.2009	2.30 hingga 5.00 petang	Colin Andrew Pereira Sanjeev Kumar Rasiah
23.07.2009	2.30 hingga 5.00 petang	Mohd Izral Bin Mohamed Khairy Wong Guo Bin
17.09.2009	2.30 hingga 5.00 petang	Haji Sulaiman Bin Abdullah Ravi Nekoo
19.11.2009	2.30 hingga 5.00 petang	Colin Andrew Pereira Sanjeev Kumar Rasiah
21.01.2010	2.30 hingga 5.00 petang	Ravi Nekoo

DIALOG BERKENAAN PEPERIKAAN ETIKA DAN STANDARD PROFESIONAL (“EPS”)

PWC juga telah menganjurkan dialog bulanan berkenaan Peperiksaan Etika dan Standard Profesional (“EPS”) di mana para pelatih diberi penerangan mengenai tujuan kursus EPS serta masalah berkaitan punca kegagalan para pelatih yang menduduki peperiksaan ini. Petua yang berguna juga diberi kepada pelatih yang akan menduduki peperiksaan Etika. Disini saya ingin mengucapkan ribuan terima kasih kepada Hendon Haji Mohamed, Sheila De Costa dan Steven Thiru dari Jawatankuasa Standard dan Pembangunan Profesional (PSDC) Majlis Peguam yang telah membantu PWC secara bergilir sepanjang sesi-sesi dialog tersebut. Kami tahu bahawa sesi-sesi dialog ini telah menyumbang kepada peningkatan bilangan kelulusan dalam peperiksaan Etika ini. Carta di bawah ini menunjukkan jumlah sesi yang telah diadakan pada tahun ini dan bilangan para pelatih yang menghadirinya.

NO	TARIKH DIALOG ETIKA	BILANGAN PELATIH YANG HADIR
1.	07.04.09	82 pelatih
2.	05.05.09	39 pelatih
3.	02.06.09	23 pelatih
4.	02.07.09	22 pelatih
5.	07.08.09	53 pelatih
6.	01.09.09	39 pelatih
7.	06.10.09	46 pelatih
8.	10.11.09	76 pelatih
9.	01.12.09	73 pelatih

CERAMAH OLEH TUAN NAZRAN

PWC telah menganjurkan satu ceramah oleh Tuan Nazran bin Mohd Sham, Majistret di Mahkamah Majistret Kuala Lumpur mengenai “Prosedur di Mahkamah Majistret” pada 14.08.2009. Fokus utama ceramah adalah aspek praktikal dalam cara-cara mempertingkatkan prestasi di Mahkamah. Ia merupakan suatu ceramah yang amat memberikan maklumat di mana penceramah telah berkongsi berbagai pengalaman sepanjang perjalanan kerjaya beliau. Ceramah ini dihadiri oleh 30 orang para pelatih dan 5 orang ahli Badan Peguam Malaysia.

Antara isu-isu yang dibangkitkan oleh Tuan Nazran adalah berkenaan pakaian yang teratur untuk menghadiri Mahkamah, ketepatan masa, bercakap dengan jelas, mengetahui undang-undang dan prosedur jenayah, berupaya untuk mitigasi dan memohon ikti jamin secara efektif, tidak menurut emosi, mengenali para Hakim yang bersidang dan hadir ke Mahkamah bersedia untuk mengendalikan kes.

Antara persoalan-persoalan yang dibangkitkan oleh para peserta adalah isu-isu mengenai mitigasi, mendapatkan dokumen dari pihak polis seperti “FIR”, menangani wartawan dan cara memohon untuk menjadi Hakim.

18th ANNUAL GENERAL MEETING KUALA LUMPUR BAR

RISALAH PELATIH-DALAM-KAMAR

Risalah Pelatih-Dalam-Kamar yang merangkumi rumusan mengenai prosedur “Permohonan di bawah Seksyen 36(2) (yang dikenali sebagai “Short Call”) dan Penerimaan Masuk Peguambela dan Peguamcara” telah diperbaiki dan dikemaskini. Risalah-risalah ini boleh diperolehi di Kaunter Pendaftaran di Bahagian Rayuan/Perkara-Perkara Pelbagai dan Bilik Peguam di Kompleks Mahkamah Kuala Lumpur (Aras 5, Sayap Kiri) dan juga di Sekretariat Badan Peguam Kuala Lumpur di Wisma Kraftangan, Aras 8. Sesalinan risalah ini juga boleh didapati di laman web Badan Peguam Kuala Lumpur.

PANDUAN DAN DIREKTORI PELATIHAN DALAM KAMAR

Satu Panduan dan Direktori Pelatihan Dalam Kamar yang komprehensif akan diterbitkan awal tahun depan (2010). Matlamat penerbitan panduan ini adalah untuk menaiktarafkan kebajikan para pelatih-dalam-kamar. Panduan ini memberi penjelasan mengenai struktur Badan Peguam Malaysia dan Badan Peguam Negeri, cara pemfailan dan syarat penerimaan masuk peguambela dan peguamcara, maklumat am mengenai etika Mahkamah, petikan-petikan yang relevan dari Akta Profesional Undang-Undang dan banyak lagi maklumat yang berguna kepada para pelatih-dalam-kamar.

PESTA KERJAYA PERUNDANGAN

PWC juga telah menganjurkan Pesta Kerjaya Perundangan Ke-3 yang telah berlangsung pada 09.01.2010 di Hotel Legend, Kuala Lumpur. Banyak firma guaman kini dalam proses pencarian para graduan perundangan untuk menjalani latihan dalam kamar dan seterusnya menjadi pengamal perundangan di firma mereka. Peluang bagi firma guaman untuk bertemu dengan para graduan dan pelatih-dalam-kamar yang berpotensi dan sebaliknya adalah terhad. Oleh itu, PWC berharap melalui Pesta Kerjaya Perundangan Ke-3 ini, ia dapat menyediakan platform untuk firma guaman bertemu dengan calon-calon yang berpotensi dari dunia perundangan dan sebaliknya.

Sempena dengan Pesta Kerjaya ini PWC juga telah menganjurkan beberapa ceramah khas dalam pelbagai jenis topik seperti Perbankan Islam/Korporat, Litigasi Sivil, ICT - Undang-undang berkaitan, Kecuaian Perubatan dan Litigasi Jenayah/Aktivisme Hak Asasi Manusia di pelbagai slot masa yang berbeza sepanjang Pesta Kerjaya tersebut. Ini untuk menggalakkan para peserta untuk memahami dengan lebih baik alam pengamal.

17 firma guaman dan 5 badan korporat mengambil bahagian dalam Pesta ini yang telah menarik hampir 400 pelawat. Pesta Kerjaya tahun ini juga mendapat liputan publisiti melalui radio.

PENGHARGAAN

Laporan saya tidak akan lengkap tanpa ucapan terima kasih kepada Mary Tan, Rajan dan Indira dari Sekretariat Badan Peguam Kuala Lumpur atas sokongan padu mereka sepanjang tahun ini. Saya juga ingin merakamkan ribuan terima kasih kepada Pengurus Jawatankuasa Peguam Kuala Lumpur, Anand Ponnudurai, atas ruang dan galakkan yang diberinya sepanjang tahun ini serta rakan sejawat saya di Jawatankuasa Peguam Kuala Lumpur atas sokongan dan bantuan mereka. Akhir sekali saya ingin mengambil kesempatan ini untuk mengucapkan terima kasih kepada ahli-ahli PWC dan ucapan terima kasih tidak terhingga kepada Anthony Tan, S Thevaraj, Tan Swee Yin dan Nor Fazreen dari PWC atas komitmen tidak berbelah bagi mereka sepanjang tahun ini.

Pushpa Ratnam

Pengerusi

Jawatankuasa Hal Ehwal Pelatih-Dalam-Kamar.

JAWATANKUASA SOSIAL, KESENIAN & KEBUDAYAAN

MALAM CEREGA

Satu tontonan persendirian bagi salah satu cereka/filem yang paling dinanti-nantikan tahun ini - Transformers 2: Revenge of the Fallen, anjuran Jawatankuasa Sosial, Kesenian & Kebudayaan ("SAC"), telah diadakan pada 27.06.2009 di Golden Screen Cinemas, Pavillion. Acara tersebut telah mendapat sambutan yang baik - dewan yang boleh memuatkan 150 orang telah dipenuhi oleh ahli-ahli Badan Peguam bersama-sama keluarga dan rakan-rakan mereka.

ALL-TERRAIN VEHICLE (ATV) RIDE

Dengan kerjasama Jawatankuasa Alam Sekitar & Kemanusiaan, SAC telah menganjurkan satu aktiviti luar iaitu 'ATV Ride' pada 16.08.2009. Ahli-ahli Badan Peguam dengan ATV mereka - sebuah kenderaan pacuan empat roda dengan pemegang - telah mengharungi laluan denai-denai di dalam Hutan Simpan Ulu Kemensah di Ulu Kelang, selama satu jam untuk sampai ke kawasan perkelahan di tepi Air Terjun 7-tingkat Khamisah.

PUNGUTAN DERMA BAGI YANG KURANG BERKEMAMPUAN

SAC telah mengadakan satu pungutan derma yang bukan berbentuk wang, yang telah berlangsung selama sebulan dalam bulan Ogos 2009, bagi kanak-kanak yang kurang berkemampuan di Rumah Rainbow di No. 125, Jalan Pakis 2, Taman Fengrove, Cheras, 43200 Selangor. Rumah tersebut telah ditubuhkan pada 2002 untuk menempatkan kanak-kanak terbiar, didera atau anak-anak yatim. Pada masa kini terdapat 30 kanak-kanak berusia antara 2 hingga 16 tahun di bawah jagaan Rumah tersebut. Pada 19.09.2009, berkotak-kotak makanan bertin, ubatan, pakaian dan buku-buku latihan sekolah telah didermakan kepada Rumah tersebut.

PENCARIAN HARTA KARUN LEXISNEXIS-KLBAR

Acara tahunan Pencarian Harta Karun Bermotor LexisNexis-KL Bar kali ke-4 telah diadakan pada 25.10.2009. Penyertaan tahun ini sedikit kurang memberansangkan dengan 10 buah kereta daripada kategori tertutup (kakitangan LexisNexis dan ahli-ahli Badan Peguam KL). Hadiah bernilai lebih RM20,000 telah diberikan kepada pemenang-pemenang - terima kasih kepada penaja-penaja yang sangat bermurah hati. Hasil daripada acara tersebut, seperti tahun-tahun yang lalu telah dibahagikan di antara LexisNexis dan Badan Peguam KL untuk diagihkan bagi tujuan tabungan pembangunan komuniti atau projek kebajikan. Hasil bahagian Badan Peguam KL yang berjumlah RM7,500.00 telah didermakan kepada Makan Malam Pungutan Derma untuk Rumah Kanak-Kanak (Children's Homes Fundraising Dinner) yang telah dianjurkan oleh Jawatankuasa Hak Asasi Manusia Majlis Peguam pada awal Disember.

MAKAN MALAM DAN TARI-MENARI TAHUNAN 2009

Makan Malam dan Tari-Menari Tahunan 2009 dengan tema 'Reminiscing the 1920s' telah diadakan di Pusat Konvensyen Sime Darby, Bukit Kiara pada 14.11.2009. Dihiburkan oleh persembahan kumpulan jazz pada malam tersebut, hadirin juga telah menyaksikan pertunjukan tarian yang sangat bergaya seperti tarian can can. Tahun ini, terima kasih kepada penaja-penaja dari firma-firma guaman dan organisasi korporat yang bermurah hati, kami menyaksikan kehadiran lebih daripada 400 peguam-pegawai, menghadiahkan hadiah cabutan bertuah yang hebat dan mencatatkan penurunan ketara defisit di dalam akuan.

Pengerusi

Janet Chai Pei Ying

Naib Pengerusi

Seira Sacha Abu Bakar

Ahli-ahli Jawatankuasa

Andrew Liew Wye Ming

Camilla Anastasia Alim

Fong Lee Wee

Kenneth Wong Poh Lim

Khaizan Sharizad (Sherrie)

Lai Chee Hoe

Lim Hsiao Ping

Rachael Tan Sung Ling

Siti Fatimah Mohd Shahrom

Sri Sarguna Raj

Vincent Tey Wei Seng

Zuraifah Abd Rahman

18th ANNUAL GENERAL MEETING KUALA LUMPUR BAR

LAIN-LAIN

Dalam perancangan adalah ‘jalan-jalan melihat kebudayaan’ (cultural walkabout) di tengah-tengah Kuala Lumpur yang dijadualkan berlangsung pada awal 2010.

Sepanjang 2009, SAC dengan pimpinan Lim Hsiao Ping telah juga meneroka kebolehlaksanaan satu pakej kad istimewa untuk ahli-ahli Badan Peguam KL. Tujuan umumnya adalah untuk membolehkan pemegang kad tersebut mendapat diskaun/keistimewaan tertentu di restoran-restoran, pub-pub, kedai fesyen, kedai buku, kedai optikal.

PENGHARGAAN

Saya ingin merekodkan penghargaan kepada semua ahli SAC di atas usaha mereka yang tidak mengenal penat lelah dan kepada peguam-peguam dan firma-firma guaman di atas sokongan mereka yang berterusan di dalam aktiviti-aktiviti SAC.

Janet Chai Pei Ying

Pengerusi

Jawatankuasa Sosial, Kesenian & Kebudayaan

JAWATANKUASA SUKAN

KARNIVAL BADMINTON BADAN PEGUAM KUALA LUMPUR

Satu Karnival Badminton telah diadakan pada 18.04.2009 (Sabtu). 25 pemain telah hadir untuk Karnival tersebut, yang berlangsung di Stadium Badminton Cheras. Walaupun terdapat beberapa wanita hadir pada hari itu, ia tidak cukup untuk mengadakan pertandingan Beregu Wanita. Pertandingan Individu Lelaki dimenangi oleh Mohd Nassir Ibrahim. Beregu Lelaki dimenangi oleh Ng Chin Chai dan Law How Chong.

KEJOHANAN GOLF ANTARA NEGERI BADAN PEGUAM MALAYSIA

Badan Peguam Melaka menjadi tuan rumah Kejohanan Golf antara Negeri Badan Peguam Malaysia yang diadakan di Orna Golf Resort, Melaka pada 04.07.2009. Badan Peguam Kuala Lumpur muncul sebagai Juara Kejohanan tahun ini.

KARNIVAL SUKAN KE-19 BADAN PEGUAM KUALA LUMPUR LAWAN KELAB DIRAJA SELANGOR

Siri ini dimulakan pada 1985 oleh Allahyarham Tan Sri Dato' Harun Hashim di mana beberapa sukan dimainkan untuk piala keseluruhan yang disumbangkan oleh Allahyarham Tan Sri. Terdapat piala pertandingan untuk setiap sukan yang disumbangkan oleh peguam-pegawai kanan dari Badan Peguam Malaysia / ahli-ahli Kelab DiRaja Selangor. Siri tahun ini diadakan pada 18, 23 hingga 25 Julai 2009, di mana kedua-dua pihak seri memenangi 4 permainan dan diisytiharkan sebagai Johan Bersama. Badan Peguam Kuala Lumpur memenangi acara tenis, badminton, kriket dan bola jaring manakala Kelab DiRaja Selangor muncul sebagai pemenang dalam acara damak, bola sepak, hoki dan "billiard/pool". Jamuan Makan Malam Akhir Sukan dan Upacara Pemberian Hadiah mendapat sambutan yang baik. Pertandingan "boat race" diadakan ketika jamuan makan malam. Walaupun ia bukan satu acara persaingan pada tahun ini, namun mereka melawan dengan sengit dan dimenangi oleh Kelab DiRaja Selangor.

SUKAN BADAN PEGUAM KUALA LUMPUR/SELANGOR - SIRI KE-9

Siri ini dimulakan setelah pemisahan di antara Badan Peguam Selangor dan Badan Peguam Kuala Lumpur dan kedua-dua pasukan bertanding dalam pelbagai sukan untuk Piala Lall Singh Muker yang disumbangkan oleh Puan Lall Singh Muker, ibu kepada seorang peguambela kanan Badan Peguam, Encik S.S. Muker yang merupakan ahli kedua-dua Badan Peguam Selangor dan Kuala Lumpur. Badan Peguam Kuala Lumpur menjadi tuan rumah siri tahun ini. Pada asalnya, ia ditetapkan pada 08.08.2009 tetapi oleh sebab Sukan Tiga pihak Majlis Peguam Malaysia dan Mesyuarat di Miri, siri ini ditangguhkan ke 31.10.2009. Enam (6) acara dimainkan dalam siri ini - badminton, bola sepak, bola tampar, bola jaring, hoki dan tenis. Badan Peguam Kuala Lumpur merampas semula Piala dari Badan Peguam Selangor yang memenanginya dalam siri tahu lepas.

AM

Badan Peguam Kuala Lumpur masih mengekalkan gelanggang badminton di Dewan SBA di Kampung Attap setiap hari Khamis dari 6.00 hingga 8.30 malam untuk

Pengerusi

Muhendaran Suppiah

Konvenor-konvenor/

Ahli-ahli Jawatankuasa

A I Nathan
Badminton

Alex Nandaseri De Silva
Kriket

Anand Ponnudurai
Pool/Snuker

Dinesh Kanavaji
Bola Tampar

Khairul Idham
Hoki

Koh Yew Chong
Golf

Marie-Julie Wan Ullok
Bola Jaring

Robert Low
Bola Sepak & Futsal

Yeoh Cho Kheong
Tenis

Sivaruben a/l R Balasekaran
Damak

Shanmugam a/l Ganesan

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membolehkan ahli-ahli dan pelatih-pelatih-dalam-kamar tetap bermain sukan tersebut sambil berinteraksi.

Muhendaran Suppiah

Pengerusi
Jawatankuasa Sukan

JAWATANKUASA PEGUAM MUDA

Jawatankuasa Peguam Muda Kuala Lumpur ("JPM") telah menarik ramai muka baru pada tahun ini dan terus merupakan sebuah jawatankuasa yang bertenaga. JPM terus cuba untuk menyelesaikan isu-isu yang dihadapi oleh peguam muda dan menubuhkan satu pentas untuk peguam-peguam muda untuk menyumbang kepada Badan Peguam. JPM untuk penggal 2009/2010 adalah tiada pengecualian dan kami menyambut kedatangan peguam-peguam muda untuk menjadi ahli bersama-sama untuk merancang, mengetuai dan melaksanakan aktiviti-aktiviti kami di penggal baru akan datang.

JPM mempunyai 4 sub unit yang diketuai oleh Naib Pengerusi masing-masing dan seorang perwakilan JPM yang mengambil jawatan di JPM Nasional (NYLC) dan mereka adalah:

- (a) Unit Projek Kemasyarakatan - Fam Yu Min
- (b) Unit Pengurusan Amalan - Ruth Maran
- (c) Unit Rangkaian Profesional - Choo Dee Wei
- (d) Unit Hubungan Luar - Sandesh Kabir
- (e) Wakil ke NYLC - Khaizan Sharizad

Kami mengadakan perjumpaan pertama peguam-peguam muda pada 03.04.2009 di Wisma Kraftangan diikuti dengan koktel Peguam Muda pertama di Jalan Changkat Bukit Bintang.

1. Lawatan ke Parlimen

Pada 15.06.2009, kami melawat ke Parlimen dan dapat menyaksikan sesi sumpah yang terpendek dalam sejarah Parlimen di mana Datuk Seri Nizar Jamaludin telah dihalau oleh Speaker sebelum perucapan tahniah diberikan. Kemudian, kami dijemput untuk berjumpa dengan Timbalan Speaker Dewan Negara, Dato' Ir Wong Foon Meng yang juga dihadiri oleh Senator Dato' Yip Kum Fook.

Kami sejurus itu meneruskan perjumpaan jamuan makan tengah hari dengan tuan rumah ahli-ahli Parlimen dari Pakatan Rakyat. Dalam jamuan tersebut, JPM berbincang dengan kumpulan ahli-ahli Parlimen pelbagai perkara berkenaan dengan Parlimen.

2. Pembunuhan Beramai-ramai Batang Kali

Pada 29.08.2009, JPM menghadiri satu perjumpaan yang diadakan oleh satu kumpulan kempen iaitu *Action Committee Condemning the Batang Kali Massacre* ("ACCBKM") yang ditubuhkan untuk mendapatkan keadilan untuk mangsa-mangsa yang dibunuh berama-ramai di Batang Kali.

3. Dialog dengan parti-parti politik

Pada 14.11.2009, JPM telah mengadakan satu sessi dialog bersifat tutup pintu dengan sayap-sayap pemuda pelbagai parti-parti politik di Sekretariat Majlis Peguam Malaysia. Tujuan dialog adalah secara asasnya untuk memupuk

Pengerusi	Lai Chee Hoe
Naib-naib Pengerusi	
Unit Rangkaian Profesional	Choo Dee Wei
Unit Hubungan Luar	Sandesh Kabir
Unit Projek Kemasyarakatan	Fam Yu Min
Unit Pengurusan Amalan	Ruth Garnet Maran
Wakil ke NYLC	Khaizan Sharizad Abd Razak
Ahli-ahli Jawatankuasa	
Aaron Lee Cheen Yee	
Abdullah Khubayb Awaluddin	
Adlan Hadi bin Mohamed Yusof	
Ahmad Fadzly	
Ahmad Khusyri bin Abdul Majid	
Ain Farhana Mohd Hamid	
Ainaa Shahirah binti Mohd Nori	
Alicia Tan May Sien	
Andrew Liew Wye Ming	
Angus Tiong Chau Siong	
Aston Philip Paiva	
Audrina Azrah Azmi	
Azlina Abdul Ghani	
Ben Mohd Syazrin bin Mohd Soffian	
Bit Boon Hong	
Cara Kamaruddin	
Caryn Wong	
Chan Kit Kheong	
Chen Boon Hong	
Choi Kian You	
Choo Mun Wei	
Clarice Ngan	
Cynthia Chan Huey Ming	
Daniel Albert	
Daphne Lew Chah Yee	
Deepa Nambiar	
Diana binti Dzul' Karnain	
Dipendra Harshad Rai	

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perhubungan yang lebih erat antara golongan pemuda dari pelbagai kaum dan berkongsi pemikiran dengan niat untuk memajukan pemahaman dalam politik dan budaya antara golongan pemuda Malaysia. Dialog ini adalah dihadiri oleh perwakilan-perwakilan dari Pemuda MCA, Pemuda PPP, Pemuda Gerakan, Pemuda PKR, Pemuda DAP dan Youth For Change. Pemuda UMNO dan Pemuda MIC telah menerima jemputan tetapi tidak dapat menghadiri dalam saat-saat akhir.

4. **Retreat**

Ahli-ahli JPM berkunjung ke Cameron Highlands pada hujung minggu 21-22 November 2009 untuk memisahkan daripada kesibukan bandaraya dan pada masa yang sama membuat satu post-mortem terhadap peristiwa-peristiwa yang diadakan dalam setahun dan mencartakan laluan kemajuan untuk tahun 2010.

5. **Parti-parti Politik Iwn Jabatan Pendaftaran Pertubuhan Malaysia (“ROS”)**

Pada 24.11.2009, kami telah mengadakan satu forum di Auditorium Majlis Peguam Malaysia untuk berbincang tren baru-baru ini di mana pemimpin-pemimpin parti-parti politik telah mengambil keputusan untuk menulis kepada ROS untuk mendapatkan penjelasan dan/atau penghidupan semula jawatan mereka daripada mematuhi perlembagaan parti masing-masing. Speaker-speaker adalah Edmund Bon, Dato' Leong Tang Chong dari MCA, Andy Yong dari Pemuda Gerakan and Simon Sabapathy dari PPP.

A. **UNIT PROJEK KEMASYARAKATAN – FAM YU MIN**

6. **Malam Amal**

Pada 13.07.2009, tiba masanya apabila sekali lagi ahli-ahli Badan Peguam berkumpul bagi mempamerkan bakat mereka untuk satu malam.

Malam itu dibuka oleh kugiran tempatan Unabashed, dengan tampilan khas bekas Idol Badan Peguam Kuala Lumpur 2007, Chryshantini Florence Niles. Tema malam ini adalah ‘Legally Talented’ dan sebanyak lapan persembahan ditayangkan, merangkumi beberapa kugiran sehingga tarian Latin. Malah, ada persembahan ‘pole dancing’ yang cukup mendebarkan. Firma peguam seperti Shook Lin & Bok, Skrine, Shearn Delamore, Lee Hishamuddin Allen & Gledhill dan pelbagai lagi telah menghantar peserta bagi merebut gelaran ‘Legally Talented’. Tambahan lagi, seorang pelatih dalam kamar yang bernama Elaine telah mempamerkan bakatnya dengan menyajikan ‘cupcake’ yang bukan sahaja sedap dipandang tetapi enak disantap. Modestos (Capsquare) dipilih sebagai lokasi Malam Amal ini dan dengan sukacitanya, saya ingin memaklumi sekalian bahawa kami berjaya memecahi rekod jualan tahun lepas dengan jualan sebanyak 829 tiket kepada para peminat.

Akhirnya, tarian Latin tampilan kumpulan ‘Bu Bu Cha Cha’ dari Shook Lin & Bok telah meraih tempat pertama manakala kumpulan ‘Sweet & Salty’ dari Raja Darryl & Loh memenangi tempat kedua. Tempat ketiga dimenangi oleh kumpulan ‘Mismatched’ dari Lee Hishammuddin Allen & Gledhill.

Secara keseluruhannya, acara ini adalah kejayaan hebat dan tidak mungkin dijayaikan tanpa sokongan gemuruh daripada para peguam dan peminat-peminat lain. Wang derma sebanyak RM46,151.15 dikumpul, mengatasi rekod lama. Hasilnya didermakan kepada tiga pihak, Rumah Warga Emas NACSCOM di Setapak (sebuah organisasi yang menjaga warga tua dan terbiasa), Persatuan Penjagaan Kanak-Kanak Cacat Klang dan Persatuan Dialisis Touch.

Ahli-ahli Jawatankuasa

Donovan Cheah Swee Kin
Dony Bin Abdullah
Edmund Bon Tai Soon
Elyne Choo Yee Leng
Emelly Sidrek
Farahatun Najwa Paidin
Farez Bin Mohd Ali Jinnah
Firdaus Husni
Foo Say Tee
Foo Siew June
Githa a/p Komaran
Goh Wei Lee
Haraesh Singh Kelly
Imran Ismail
Iskandar Zainol
James Ong
Janet Chai
Janet Olivia Tang Mou Lung
Janice Sim
Jason Kong
Jessica Audrey Jeremiah
Johnson Lim Fung Tat
Joseph Cheong Teong Han
Josephine Chin Fong Leng
Justine Shahirah
Kenneth Wong Poh Lim
Khoo Boon Hon
Lee Choi Wan
Lee Kher Huan
Lee Shih
Lim Tien Loong
Lola Marissa Maijon
Malini Madi
Mohamad Firdaus Sadina Ali
Mohamad Yusoff Abdul Kadir
Mohd Amirudin Mohamad
Mohd Farid Suhaimi
Muniandy Vesta Nathan
Navrita Preet Kaur
Ng Su-San
Noor Arianti Binti Osman
Noor Syazwani Muhamram
Nurul Izzah Omar
Parvin Doal
Patricia Ng
Raja Kumar a/l Raja Kandan
Rajdeep Singh
Ravinder Singh Dhaliwal
Richard Wee Thiam Seng
Robin Lim Fang Say
Rosey Lim
Ryan Soo Chin Fook
S. Saravana Kumar
Samuel Loh Khian Seah
Sarmalah a/p Pachappan
Seira Sacha Binti Abu Bakar
Siti Aisyah Mustapha

7. Persembahan Cek

Pada 15.08.2009, JPM telah menghantar sebuah pasukan yang diketuai oleh Fam Yu Min ke Rumah Warga Emas NACSCOM. Tujuan lawatan ini adalah untuk menyampaikan dengan rasminya cek bernilai RM26,151.15, pungutan dari Malam Amal 2009 yang diadakan pada 03.07.2009.

Pada 22.08.2009, JPM telah menghantar satu lagi pasukan, diketuai oleh Encik Anand Ponnudurai (Pengerusi Jawatankuasa Peguam KL) ke Persatuan Dialisis Touch untuk menyampaikan dengan rasminya cek bernilai RM10,000, pungutan dari Malam Amal 2009 yang diadakan pada 03.07.2009.

Pada 27.08.2009, Encik N. Morgan, Presiden, Penasihat dan Pengasas Persatuan Penjagaan Kanak-Kanak Cacat Klang, melawati Sekretariat Badan Peguam Kuala Lumpur bagi menerima cek bernilai RM10,000. Cek itu disampaikan oleh Pengerusi JPM, Lai Chee Hoe.

B. UNIT PENGURUSAN AMALAN - RUTH MARAN**8. Kursus Perundangan Pengurusan Speed Track Peguam Muda ("SpeedTrack")**

Pada 22.05.2009, JPM bersama dengan Jawatankuasa Pembangunan Profesional telah menganjurkan Kursus Perundangan Pengurusan Speed Track Peguam Muda ("SpeedTrack") yang pertama di Auditorium Majlis Peguam Malaysia. SpeedTrack telah disusun secara sesuatu program satu hari yang komprehensif dengan topik-topik yang relevan yang dikendalikan dalam suasana kelas yang efektif dan direka sebagai lengkap, relevan dan berkesan.

Kursus tersebut merangkumi tiga (3) modul iaitu Modul Pengurusan, Modul Profesional dan Modul Peribadi.

Modul Pengurusan meliputi pengurusan fail, pengurusan masa dan pengurusan bos.

Modul Profesional telah dibahagikan kepada Trek Litigasi, Korporat dan Konveyansing.

Modul Peribadi telah dibahagikan kepada Trek Perwatakan Diri, Trek Antara Perorangan (Interpersonal) dan Trek Pengurusan Tekanan.

9. Pengenalan Kepada Undang-Undang Cukai Pendapatan

Pada 11.09.2009, kami telah menganjurkan satu Seminar Pengenalan Kepada Undang-Undang Cukai Pendapatan. S. Saravana Kumar telah memberikan ceramah tersebut dan berjaya mendapat perhatian 66 orang peserta dengan ilustrasi dan keterangan bagi yang biasanya satu topik yang agak kering.

Saravana telah memulakan Seminar 2-jam tersebut dengan informasi tentang Perkembangan dalam Undang-Undang Cukai terkini dan telah berakhir dengan petua-petua tentang cara-cara berunding dengan Lembaga Hasil Dalam Negeri. Peserta-peserta telah diberikan nota-nota bersama dengan seksyen-seksyen yang relevan daripada Akta Undang-Undang Cukai Pendapatan dan dua artikel yang telah ditulis bersama oleh penceramah.

C. UNIT RANGKAIAN PROFESIONAL - CHOO DEE WEI**10. Malam Profesional Muda V**

Pada 24.10.2009, JPM dan IEM "Young Engineers Section" telah menganjurkan dengan jaya Malam Profesional Muda tahunan di OM a Malaya Cafe', Central Market. Acara ini yang merupakan salah satu acara yang dinanti-nantikan, membolehkan peguam-pegawai, doktor-doktor, ahli-ahli farmasi, jurutera-

Ahli-ahli Jawatankuasa

Siti Fatimah Mohd Shahrom

Siti Sarah Mohd Yusoff

Sri Dhevi Santhana Dass

Su Lynn

Syahredzan Johan

Tan Lai Yee

Tan Sixin

Tengku Aiezuddin

Teresa Ngooi

Tracy Hah Yan Shan

Valen Khor Xiou Shan

Vincent Tey Wei Seng

Wan Mohd Zulhafiz

Woon Huei Chin

Zeenat Asyiqin

Zuhair bin Rosli

Zuhair Fikri Mohamad

Zuraifah Abd Rahman

Zurina Rahim

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jurutera dan setiausaha-setiausaha syarikat hadir.

Tahun ini telah melihat jumlah tertinggi dari segi kehadiran dan jumlah tiket yang dijual. Profesional-profesional yang hadir terlihat bertukar-tukar kad bisnes serta berkongsi pengalaman mengenai kerja-kerja mereka. Malam tersebut berakhir pada pukul 12 tengah malam dengan semangat keakraban yang dipupuk di antara profesional-profesional dari pelbagai bidang.

Unit Rangkaian Profesional mempunyai matlamat untuk merancang acara-acara lain dengan profesional-profesional lain dalam masa hadapan seperti paintball dan aktiviti-aktiviti luar yang dalam peringkat perancangan.

11. Pertandingan Futsal dengan “Young Engineers Section” (“YES”)

Pada 30.05.2009, JPM telah dijemput oleh YES untuk menyertai pertandingan futsal. Pemain-pemain JPM terdiri daripada Lai Chee Hoe, Jack Hoi, Abdullah Khubayb, Seira Sacha, Vincent Wee, Vincent Tey dan Henry. Selepas beberapa pusingan, JPM muncul sebagai juara dan telah memenangi sebuah hamper yang besar.

12. Buka Puasa

Pada 03.09.2009, JPM telah menganjurkan jamuan berbuka puasa. Ini adalah jamuan tahunan yang dianjurkan untuk memupuk semangat bersatu hati di antara peguam muda dan menyambut bulan Ramadan. Tahun ini, jamuan ini diadakan di Medan Ikan Bakar Kampung Baru yang terletak di No. 43, Jalan Raja Abdullah, 53100 Kuala Lumpur.

D. UNIT HUBUNGAN LUAR - SANDESH KABIR

13. Bengkel Peguam Muda

Program ini melibatkan lawatan ke Fakulti Undang-undang Universiti-universiti dan Kolej-kolej Undang-undang untuk bertemu dengan mahasiswa-mahasiswa LL.B dan ia masih menduduki tempat yang atas dalam senarai aktiviti-aktiviti yang dianjurkan oleh JPM.

i) Universiti Malaya (“UM”)

Pada 01.08.2009, JPM telah melawat UM.

ii) Univeriti Teknologi Mara (“UiTM”)

Pada 08.08.2009, JPM telah melawat UiTM

iii) Kolej Inti

Pada 12.09.2009, JPM telah melawat Kolej Inti.

iv) Kolej Taylors

Pada 31.10.2009, JPM telah melawat Kolej Taylors.

14. KPUM

Pada 22.08.2009, JPM telah diundang ke Konvensyen Kerjaya Perundangan 2009 KPUM-Taylor's Law School yang dianjurkan oleh Kesatuan Penuntut Undang-Undang Malaysia di United Kingdom & Eire (KPUM). JPM telah mengadakan sesi temu duga olok-lok dan penayangan filem pendek.

PENGHARGAAN

Akhir sekali, kejayaan JPM sebenarnya berpuncak daripada Naib-naib Pengerusi dan ahli-ahli berdedikasi yang sentiasa meluangkan masa dan usaha untuk memastikan semua aktiviti-aktiviti dijalankan dengan licin. Kami juga ingin merekodkan penghargaan kepada kesemua ahli-ahli JPM dan terutamanya Melissa Dass, Pegawai Eksekutif JPM.

Dengan ini, kami berharap dapat melihat lebih ramai peguam-peguam muda menyertai JPM!

Lai Chee Hoe

Pengerusi

Jawatankuasa Peguam Muda

PUSAT BANTUAN GUAMAN MAJLIS PEGUAM (KUALA LUMPUR)

PENGENALAN

Pusat Bantuan Guaman Majlis Peguam Kuala Lumpur "BCLAC (KL)" telah melalui satu perjalanan yang jauh sejak penubuhannya pada tahun 1982. Sejak dari ianya ditubuhkan, Pusat Bantuan Guaman telah memainkan peranan yang bukan sahaja bertumpu kepada khidmat nasihat dan mewakili klien bahkan telah melebarkan sayapnya dengan bertindak selari dengan kehendak dan keperluan rakyat. Pusat Bantuan Guaman juga terlibat dalam mendidik masyarakat umum tentang hak-hak mereka, berperanan melobi terhadap pembaharuan undang-undang dan membina hubungan dengan agensi-agensi kerajaan dan badan-badan bukan kerajaan. Pada hari ini, masalah untuk mendapatkan khidmat guaman bukanlah merupakan beban atau masalah yang hanya perlu dipikul oleh golongan yang tidak berkemampuan tetapi ianya turut ditanggung dan dirasai oleh golongan peguam-pegawai sendiri.

Tahun 2009

Pada tahun ini kami mempunyai satu pasukan kerja yang baik yang telah bekerja keras dan memberi sokongan yang tidak berbelah bahagi. Mereka bersama-sama dengan peguam dan pelatih sukarela telah memastikan bahawa hampir kesemua program dan aktiviti berjalan dengan lancar.

Pada tahun 2009, BCLAC (KL) telah membantu 19,328 klien yang mana bilangannya menunjukkan peningkatan sebanyak 2,756 klien berbanding 16,572 klien pada tahun 2008. Tahun 2009 juga adalah tahun yang penting kepada BCLAC (KL). Berikut adalah kenangan aktiviti-aktiviti BCLAC sepanjang tahun 2009:

PENANGKAPAN 5 ORANG PEGUAM PUSAT BANTUAN GUAMAN

Pada 7 Mei 2009, Lima (5) orang peguam sukarela telah ditangkap dalam usaha mendapatkan hak lawatan dan representasi terhadap mereka yang ditangkap di Balai Polis Brickfields. Antara yang ditangkap adalah Pengurus dan Setiausaha Kehormat BCLAC (KL) sendiri. Penangkapan tersebut telah menyebabkan Majlis Peguam terpaksa mengadakan satu Mesyuarat Agong Luarbiasa dan satu aduan juga telah dibuat kepada SUHAKAM. SUHAKAM telah membuat siasatan terhadap insiden tersebut dan ianya masih berjalan sehingga ke hari ini.

PELANCARAN PEJABAT BARU BCLAC (KL)

BCLAC (KL) pada suatu ketika dahulu pernah mencadangkan agar satu penempatan semula pejabatnya dibuat bagi mengatasi masalah kesederhanaan ruang sedia ada di tingkat 6, Wisma Kraftangan, Jalan Tun Perak , Kuala Lumpur.

Tanggal 27 Oktober 2009 adalah saat yang sangat dinantikan apabila satu acara Pelancaran pejabat baru BCLAC (KL) telah selamat disempurnakan oleh YAA Hakim Besar Malaya, Tan Sri Arifin bin Zakaria. Pelancaran pejabat baru Pusat Bantuan Guaman ini adalah satu kejayaan yang besar dalam usaha memberi perkhidmatan yang terbaik kepada masyarakat awam yang berhak.

Bersempena dengan Majlis Pelancaran tersebut, satu perbincangan juga telah diadakan dengan YAA Hakim Besar Malaya, tentang kepentingan Pusat Bantuan Guaman dan bagaimana kaedah "Speedy Trial" yang diperlakukan di Mahkamah kini memberi kesan kepada fail-fail Pusat Bantuan Guaman. Perbincangan tersebut juga menyentuh tentang kemungkinan pengecualian bayaran pemfailan dalam perkara Sivil

PANEL PENGURUSAN

Pengerusi

Ravinder Singh Dhaliwal

Setiausaha Kehormat

Fadiyah Nadwa Fikri

Penolong Setiausaha Kehormat

Harleen Kaur

Bendahari

Khor Xiou Shan, Valen

Ahli-ahli Jawatankuasa

Ravi Nekoo

Amer Hamzah Arshad

Latheefa Koya

Sasha Lyna Abdul Latif

N Sivanesan

Sa'adiah Din

Preetam Kaur

Renuka T Balasubramaniam

Abd Shukor Tokachil

Rajeswari Paramasevam

Puspawati Rosman

Datuk Baljit Singh Sidhu

Harvinder Singh

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yang dibawa oleh Pusat Bantuan Guaman Majlis Peguam.

BANTUAN SEGERA TERHADAP PENANGKAPAN

Perhimpuan anti-ISA – pada 1hb Ogos 2009, BCLAC (KL) dan pasukan “Urgent Arrest” telah membantu kumpulan orang awam yang telah dipertikalkan hak-hak asasi mereka semasa Perhimpunan Gerakan Mansuhkan ISA. Perhimpunan tersebut telah membawa kepada penangkapan seramai lebih 589 orang awam termasuk 44 orang kanak-kanak dibawah umur.

Walaupun Perhimpuan tersebut telah membawa kepada banyak penangkapan, ianya pada masa yang sama telah menunjukkan penyertaan yang aktif dan memberi kesedaran yang tinggi berkaitan isu ISA di kalangan masyarakat umum. Di dalam proses menuntut keadilan, BCLAC (KL) dengan kerjasama Peguam-peguam sukarela yang lain telah merancang dan berusaha keras bagi mewakili mereka yang ditangkap dalam jangkamasa yang sesingkat mungkin. Ini adalah satu pencapaian yang patut dihargai.

YAYASAN BANTUAN GUAMAN DAN PEMBIAYAAN KERAJAAN

Bekerja bersama Majlis Peguam dan NLAC (National Legal Aid Committee), BCLAC (KL) telah berusaha dengan gigih pada tahun kebelakangan ini dalam melobi kerajaan untuk menubuhkan Yayasan Bantuan Guaman ataupun menyediakan pembiayaan terus kepada Pusat Bantuan Guaman yang sedia ada di dalam memastikan masyarakat mendapat keadilan terhadap hak mereka.

MINGGU KESEDARAN UNDANG-UNDANG KEBANGSAAN

Pelbagai aktiviti diatur bersempena dengan Minggu Kesedaran Undang-undang Kebangsaan bermula dari 24 hingga 31 haribulan Oktober 2009. Pelbagai soalan telah diberikan untuk dilontarkan di Parlimen berkaitan dengan bantuan guaman dan Sistem Keadilan Jenayah yang mana pihak kami baru sahaja mendapat jawapan balas.

Kami juga berbangga untuk mengumumkan bahawa Lagu Pusat Bantuan Guaman juga telah berjaya dihasilkan dan dinyanyikan pada Minggu Kesedaran tersebut buat kali pertamanya. Khemah terbuka juga telah diletakkan di perkarangan Pasar Seni untuk mempromosikan khidmat yang diberikan oleh Pusat Bantuan Guaman dan pada masa yang sama memberitahu masyarakat tentang hak-hak mereka disisi undang-undang. Program ini juga disusuli dengan persembahan oleh kumpulan Peguam Sukarela pada hari terakhir program.

RAKAN-RAKAN BADAN BUKAN KERJAAN

Kami masih meneruskan kerjasama erat dengan rakan-rakan Badan Bukan Kerajaan, AWAM, WAO, SIS, Pink Triangle Foundation, Malaysian Aids Council, Tenaganita dan UNHCR. Kerjasama erat yang terjalin antara Pusat Bantuan Guaman dengan kesemua pihak tersebut telah meningkatkan lagi kesedaran dalam membangunkan kemahiran kami dan juga dalam meningkatkan lagi tahap perkhidmatan yang diberikan kepada pelbagai golongan masyarakat yang terpinggir.

TERIMA KASIH

Kami hendak menekankan bahawa apa yang telah kami capai sehingga ke hari ini tidak mungkin menjadi kenyataan tanpa sokongan dan bantuan yang telah diberikan oleh rakan-rakan peguam sukarela yang berdedikasi. Kami mengambil peluang ini untuk merakamkan ucapan terima kasih kepada mereka.

Kami juga mengakui bahawa rakan utama BCLAC (KL) adalah Pelatih-Dalam-Kamar yang menjalani empat belas (14) hari latihan wajib tugas bantuan guaman. Kami bercadang untuk mewujudkan lebih banyak program untuk melibatkan mereka walaupun setelah mereka tamat menjalani latihan wajib bantuan guaman.

Ucapan terima kasih yang tidak terhingga diucapkan kepada semua Ketua Projek, Ahli-ahli Panel Pengurusan, Kakitangan BCLAC (KL) yang berdedikasi, Exco Pejabat, Ex-Oficio dan juga kepada Pengarah Eksekutif BCLAC (KL). Saya sangat bersyukur kerana anda semua telah menyumbangkan masa dan tenaga yang tak berbelah bahagi.

Ravinder Singh Dhaliwal

Pengerusi

**PUSAT BANTUAN GUAMAN MAJLIS PEGUAM (KUALA LUMPUR)
STATISTIK (JANUARI – DISEMBER 2009)**

A. STATISTIK KLIEN: RUMUSAN 2009

	KLINIK/PROGRAM	KLIEN 2007 (JAN - DEC)	KLIEN 2008 (JAN - DEC)	KLIEN 2009 (JAN - DEC)
1	Penjara Sungai Buloh: • Klien Malaysian • Klien Pendatang asing	1093 (764) (329)	1407 (1008) (399)	1152 (855) (297)
2	Penjara Wanita Kajang	139	168	81
3	Penjara Pendatang Asing Wanita Kajang	88	132	74
4	Penjara Lelaki Kajang (Rayuan)	-	470	6
5	Penjara Pendatang Asing Lelaki (Rayuan)	-	3	4
6	Penjara Lelaki Juvana	217	-	393
7	Penjara Pendatang Asing Lelaki Juvana	26	-	-
8	Rumah Tahanan Juvana	116	20	30
9	Dock Brief	4200	4823	4706
10	Klinik LAC	1675	1585	2155
11	Klinik Syariah	129	130	141
12	SIS	673	665	755
13	AWAM	387	411	348
14	PTF	10	80	20
15	WAO	173	115	90
16	Tenaganita	2350	2284	5315
17	UNHCR	3360	3931	3958
18	Kes Kepentingan Awam	469	348	100
	Keseluruhan	15105	16572	19328

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FAIL-FAIL: DIBUKA, DITUGASKAN & TIDAK DITUGASKAN – 2009

		2008			2009		
	KATEGORI	BUKA	DITUGASKAN	TIDAK DITUGASKAN	BUKA	DITUGASKAN	TIDAK DITUGASKAN
1	Jenayah • Klinik LAC • Program Penjara	95 130	114 146	38 16	140 130	140 113	38 33
2	Pekerjaan / SOCSO	22	30	3	15	16	2
3	Kekeluargaan	82	86	5	65	70	-
4	Syariah	42	37	8	30	35	3
5	Lain-lain • Kes Kepeintingan Awam • Misc	4 3	2 4	1 -	8 8	6 8	3 -
Jumlah		378	419	71	396	388	79

PEGUAM SUKARELA BARU: 2009

JUMLAH
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1. PBG MAJLIS PEGUAM (KL) LAPORAN KLINIK LAC

Laporan disediakan oleh: Sekretariat

Ahli-Ahli Jawatankuasa

Abd Shukor Tokachil (Ketua Projek)
Rajeswari Paramaesevam (Ketua Projek)
Pushpa Ratnam
Lim Chi Chau
Gayathri Priya
Balbir Singh
Nik Waheeda
Murni Hidayah
Komathi Arunasalam

PENGENALAN

Klinik Pusat Bantuan Guaman beroperasi dari Sekretariat Pusat Bantuan Guaman Majlis Peguam (KL) di Tingkat 9, Wisma Kraftangan dan ia merupakan salah satu program utama Pusat tersebut.

Klinik Pusat Bantuan Guaman mengamalkan amalan Pelatih Dalam Kamar menemuramah pemohon-pemohon. Pelatih-Pelatih Dalam Kamar yang terlibat dalam program ini akan berada di Pusat Bantuan Guaman dari pukul 10 pagi hingga 5 petang, setiap Isnin hingga Jumaat untuk tempoh masa selama 3 bulan, sebagai sebahagian dari tugas wajib yang perlu dilaksanakan.

AHLI-AHLI JAWATANKUASA/ PEGUAM-PEGUAM SUKARELA/ PELATIH-PELATIH DALAM KAMAR

Bagi pihak Ahli Jawatankuasa dan sekretariat, kami ingin mengucapkan setinggi-tinggi penghargaan kepada ahli-ahli Jawatankuasa dan tidak dilupakan kepada warga LAC Klinik, Pelatih-pelatih Dalam Kamar, di mana tanpa mereka, Klinik ini tidak mampu untuk melayan orang awam yang datang ke Klinik untuk bantuan guaman. Masalah kekurangan Peguam-pegawai sukarela di Klinik dan untuk memantau Pelatih dalam kamar telah membuatkan objektif Ahli Jawatankuasa tidak kesampaian. Ini menyebabkan keadaan di mana Pelatih dalam kamar memberikan nasihat tanpa pengawasan Peguam sukarela dan ini boleh menyebabkan LAC Klinik di dalam situasi di mana ianya boleh disaman kerana memberikan nasihat

yang salah. Walau bagaimanapun, staf-staf LAC Klinik yang bertauliah telah memantau Pelatih-Pelatih dalam kamar dan telah berjaya mengelakkan situasi yang seperti di atas. Kami memohon kepada semua Peguam-peguam Sukarela untuk datang ke Klinik sekerap mungkin untuk memantau Pelatih-pelatih dalam kamar dan untuk mengurangkan beban staf-staf Klinik LAC yang memantau semua nasihat yang diberikan kepada klien. Walaupun staf-staf Klinik LAC adalah mereka yang berpengalaman, tetapi kerja-kerja memantau dalam memberikan nasihat kepada klien adalah kerja-kerja Peguam.

Selain itu, terdapat juga satu amalan di kalangan warga awam, di mana mereka mencuba untuk mendapatkan khidmat nasihat dan khidmat guaman secara percuma padahal mereka tahu bahawa mereka tidak layak untuk menerima bantuan guaman kerana mereka gagal "Means Test" yang dijalankan oleh Klinik LAC. Ianya merupakan satu pembaziran untuk melayan kumpulan tersebut kerana sumber-sumber kami yang terhad. Terdapat juga situasi di mana kumpulan klien tersebut bertindak ganas dan mengganggu Pelatih dalam kamar dan Staf-staf Klinik LAC. Sekiranya Peguam-peguam sukarela dapat hadir di Klinik, situasi tersebut dapat dielakkan.

TANGGUNGJAWAB PELATIH DALAM KAMAR.

Pelatih-pelatih dalam kamar telah diberikan latihan selama satu hari sebelum mereka memulakan tugas harian mereka di Klinik LAC. Mereka diminta untuk melakukan "Means Test", satu pengenalan bagaimana untuk menemuramah klien dan mana-mana cabang undang-undang yang selalu mempunyai banyak persoalan telah diberikan kepada mereka. Cabang undang-undang ini adalah termasuk keluarga, pekerjaan dan kes-kes jenayah. Selalunya, latihan tersebut diadakan pada hari Sabtu dari jam 9 pagi hingga 5 petang.

Tanggungjawab Pelatih dalam kamar termasuk menemuramah Klien yang datang ke Klinik LAC, menjalankan "Means Test", dan juga memberikan nasihat jika diperlukan (ini dilakukan selepas mendapatkan nasihat daripada Peguam sukarela dengan menelefon mereka). Tugas mereka juga termasuklah untuk membuka fail sekiranya khidmat guaman diperlukan.

OBJEKTIF LACC

Objektif LACC ialah untuk mendorong Pelatih dalam kamar dan Peguam bagi menyedarkan mereka mengenai tanggungjawab mereka kepada orang awam dan masyarakat. Ianya juga untuk memupuk semangat tanggungjawab sosial dan prihatin terhadap hak-hak asasi, keadilan dan undang-undang selain daripada untuk meningkatkan kesedaran dan pemahaman bagi tanggungjawab sosial secara amnya, untuk memahami peranan dan penyebab masalah. Akhir sekali, objektif LACC ialah untuk menerapkan dan membina komitmen bagi jangka masa yang panjang terhadap bantuan guaman dan hak asasi, yang akan melangkaui tempoh 14 hari yang diwajibkan bertugas semasa tempoh latihan dalam kamar.

STATISTIK

Setakat 31hb Disember 2009, sebanyak 2155 klien telah ditemuramah. Terdapat peningkatan jika dibandingkan dengan tahun sebelum ini di mana hanya sebanyak 1585 klien yang ditemuramah.

Daripada 2023 klien yang telah ditemuramah, sebanyak 236 klien telah diberi representasi, dan sebanyak 952 klien telah diberi khidmat nasihat. Sejumlah 271 klien telah dirujuk kepada klinik yang lain, Jabatan-Jabatan Kerajaan dan LAC negeri.

Bagi baki sebanyak 563 klien yang gagal untuk mendapatkan bantuan guaman, 171 klien gagal kerana tidak lepas "Means Test" terutamanya bahagian asset, 392 klien tidak layak kerana diluar kawasan.

Daripada 236 fail yang dibuka, kes majoriti adalah daripada kes-kes jenayah iaitu sebanyak 140. Diikuti kes-kes keluarga sebanyak 65, kes-kes pekerja dengan 15 fail, dan 8 kes dari cabang undang-undang yang lain. Pada tahun yang sama juga kami telah memberikan khidmat representasi bagi 8 kes yang berkaitan dengan kepentingan awam.

CAMPUR TANGAN PERUNDANGAN

Tahun ini menunjukkan satu peningkatan/permintaan dalam kes-kes berkaitan dengan campur tangan perundangan di mana Pelatih dalam kamar kami dan juga Pelatih dalam kamar bagi program Dock Brief untuk membantu klien yang telah dipinggirkan berdasarkan status dan jantina. Pelatih dalam kamar telah menemani klien bagi membantu mereka untuk menegakkan hak mereka. Kami dapat melihat satu perubahan yang besar semasa Pelatih dalam kamar menemani mereka.

Pelatih dalam kamar yang terlibat dalam proses campur tangan perundangan sangat bersemangat kerana mereka dapat mengalami pengalaman sendiri bila berdepan dengan klien yang berdepan dengan masalah dengan pihak berkuasa/jabatan-jabatan kerajaan.

Malangnya, kami mempunyai beberapa situasi di mana sehingga kini tiada tindakan yang diambil atau balasan yang diberikan kepada kami berkenaan campur tangan perundangan. Pelatih dalam kamar telah menunjukkan rasa tidak puas hati dengan

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beberapa Jabatan Kerajaan. Ahli jawatankuasa mendapati disebabkan oleh kekurangan pembiayaan dan pemantauan daripada peguam sukarela yang menjadi penyebab kepada penghalang campur tangan perundangan.

LATIHAN UNTUK PELATIH DALAM KAMAR.

Kesemua Ahli Jawatankuasa telah memainkan peranan yang aktif untuk latihan ini dengan pertolongan daripada pegawai-pegawai LAC yang bertugas mengikut giliran di mana 3 Ahli Jawatankuasa yang memantau latihan tersebut pada setiap masa

Kami berbesar hati kepada Peguam sukarela (yang bukan Ahli Jawatankuasa) seperti Encik Anand Ponnudurai, Encik Muhandaran, Encik Ravi Nekoo, Puan Latheefa Koya dan Encik James Kong yang telah berkongsi masa mereka dengan kami untuk melatih Pelatih dalam kamar.

KEKUATAN

Kekuatan LAC adalah pada programnya sendiri. Di mana terdapat peningkatan pada jumlah orang ramai yang datang ke LACC. Selain itu, jumlah Pelatih dalam kamar yang bertugas di LACC juga telah memberikan kekuatan bilamana ianya adalah mustahil untuk menemuramah klien.

Tenaga kerja iaitu Pelatih dalam kamar dan Peguam sukarela adalah kekuatan utama Klinik ini. Walaupun mempunyai jumlah tenaga kerja yang terhad, kehadiran mereka di klinik lah yang menghidupkannya.

KELEMAHAN

Malangnya, LACC ingin mengatakan bahawa terdapat sesetengah daripada Pelatih dalam kamar mempunyai satu pemikiran yang negatif terhadap tugas-tugas mereka. Ini boleh dilihat daripada kertas-kertas temuramah yang jelas terdapat kekurangan butir-butir yang penting yang amat diperlukan semasa memberikan nasihat. Kertas temuramah yang tidak lengkap boleh menyebabkan halangan kepada LACC dan kepada Peguam sukarela kerana tugas menemuramah terpaksa dilakukan kembali.

Kadang-kadang, terdapat juga Pelatih dalam kamar yang akan memberikan nasihat tanpa merujuk kepada Peguam yang bertugas ataupun dengan menelefon mereka. Ini adalah satu kecuaian dan boleh menyebabkan nama baik LACC tercemar.

LACC amat kecewa mengenai hal ini walaupun latihan telah diberikan, ulasan pertengahan penggal dan bimbingan kepada Pelatih dalam kamar di LACC. Masalah ini menjadi lebih buruk disebabkan ketiadaan prosedur disiplin yang sedia ada di LACC untuk memastikan Pelatih dalam kamar menjalankan tugas dengan rajin, berkesan dan berhemat.

Selain itu, terdapat juga satu masalah yang kekal dihadapi oleh LACC adalah masalah kekurangan Peguamsukarela yang berminat untuk menguruskan sesi latihan dan juga menghadirkan diri di LACC untuk memantau Pelatih dalam kamar. Kehadiran peguam sukarela yang menghadirkan diri semasa sesi latihan “out reach” amatlah jarang dan tidak menepati jumlah minimum yang ditetapkan. Terdapat ruang untuk diperbaiki bagi masalah ini.

2. PBG MAJLIS PEGUAM (KL) LAPORAN KLINIK SYARIAH

Laporan disediakan oleh: Sa'adiah Din (Ketua Projek)

Ahli Jawatankuasa

Sa'adiah Din (Ketua Projek)

Nik Nurul Atiqah Nik Yusof (Ketua Projek Alternate)

Ros 'Aini binti Idris

Rozita Shaikh Salleh

Norhusniah Huslin

Yusmawati binti Ab.Illah

Nur Azlin @ Azliana binti Arifin

Hamirah binti Ab Hamid

Klinik Syariah diperkenalkan adalah untuk memberi perkhidmatan perundangan yang melibatkan pihak-pihak di Mahkamah Syariah. Seseorang itu dianggap layak untuk memperolehi faedah dari klinik ini adalah seseorang yang memenuhi kriteria-kriteria yang telah ditetapkan oleh Pusat. Kami percaya bahawa adalah satu keperluan bagi kami untuk menyediakan perkhidmatan kepada sesiapa sahaja yang layak dan pada masa yang sama melindungi kebajikan mereka di Mahkamah Syariah.

Klinik Syariah beroperasi dari sekretariat dan dibuka kepada semua golongan masyarakat dari Isnin hingga Jumaat 10.00 pagi hingga 4.30 petang. Klinik Syariah yang terletak di Pusat Bantuan Guaman telah dikendalikan oleh Pelatih Dalam Kamar yang

mana telah diberi tunjuk ajar oleh Peguam-peguam Syariah yang berpengalaman; kegenapan perkhidmatan perundangan mereka adalah sebahagian daripada Aturan Majlis Peguam untuk Pusat Bantuan Guaman. Setiap pelatih mesti menjalankan tanggungjawab mereka sehari dalam satu minggu dalam tempoh 3 bulan.

Jadual di bawah menunjukkan kes-kes Syariah yang dikendalikan oleh Majlis Peguam Pusat Bantuan Guaman Kuala Lumpur:-

Klien bagi kes-kes Syariah	140
Fail yang dibuka	30
Nasihat guaman sahaja	61
Tidak layak	22
Tidak mempunyai kuasa	27

Ini telah menunjukkan peningkatan dalam bilangan pelanggan berbanding tahun 2008. Ini adalah penerangan yang telah dikeluarkan dengan melekatkan poster-poster di Mahkamah Jalan Duta Kuala Lumpur.

Kebanyakkan kes-kes yang dirujuk kepada Pusat Bantuan Guaman adalah seperti Permohonan Perceraian, Kembali Taat, Pengesahan Cerai, Nafkah dan Harta Sepencarian.

Kami mengambil peluang ini untuk mengucapkan terima kasih kepada Panel Pengurusan, kakitangan Pusat Bantuan Guaman, Ahli Jawatankuasa Syariah, pelatih-pelatih yang terlibat dan juga pelatih sukarela yang mengambil bahagian untuk kebajikan mereka dan memberikan komitmen yang sepenuhnya dalam menjayakan Klinik Syariah ini.

3. PBG MAJLIS PEGUAM (KL) LAPORAN PROGRAM DOCK BRIEF

Laporan disediakan oleh: Datuk Baljit Singh Sidhu (Ketua Projek)

Ahli Jawatankuasa

Datuk Baljit Singh Sidhu (Ketua Projek)
 Harvinder Singh (Ketua Projek Alternate)
 Hor Shirley
 Lim Chi Chau

PENGENALAN

Seramai 277 pelatih telah terlibat di dalam program Dock Brief. Sebanyak 4 mesyuarat telah dijalankan iaitu pada 17.2.09, 11.5.09, 28.7.09 dan 19.10.09. Isu yang telah dibincangkan pada tahun ini adalah seperti: -

- i) masalah-masalah yang timbul di dalam program;
- ii) kemajuan latihan-latihan dan manual;
- iii) mencipta poster untuk servis ‘Dock Brief’ bagi mempromosi program dan khidmat-khidmat yang ditawarkan kepada orang ramai;
- iv) perkara-perkara penyeliaan; dan
- v) memperolehi kelengkapan asas yang lebih baik untuk bilik Dock Brief.

PROGRAM-PROGRAM

Pelatih-pelatih dilatih untuk membina kedua-kedua kemahiran iaitu kepeguanan dan menemuramah. Khidmat undang-undang jenayah yang diperuntukkan di bawah program ini termasuk mitigasi, permohonan jamin, reman dan lain-lain khidmat yang berkaitan. Pada tahun ini, program ini telah merekacipta poster dimana setiap poster telah diletakkan setiap tingkat Mahkamah-Mahkamah Majistret dan Sesyen bagi mempromosi khidmat-khidmat yang ada dan juga meningkatkan kesedaran di kalangan khalayak awam. Manual latihan turut dikemaskini dan diubahsuai. Setakat 30hb November 2009, seramai 4447 orang klien dari pelbagai kesalahan telah diberikan khidmat undang-undang.

Terdapat 4 kumpulan terlibat dalam program pada tahun ini iaitu kumpulan 57, 58, 59 dan 60 dimana masing-masing

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mempunyai 69, 76, 56 dan 76 pelatih. Kesemua sesi latihan dan ulasan dilakukan sendiri oleh ketua-ketua Projek bersama-sama ahli-ahli jawatankuasa.

AKTIVITI-AKTIVITI

Aktiviti harian bermula pada 8.30 pagi dari hari Isnin hingga Jumaat dimana pelatih-pelatih akan memeriksa di setiap mahkamah yang telah ditugaskan bagi sebarang kes jatuh hukum, jamin atau reman. Kebanyakan kes yang dikendalikan oleh pelatih-pelatih adalah mitigasi di bawah Akta Dadah Merbahaya seperti seksyen 15 (1) (a) bagi memasukkan dadah ke dalam badan, seksyen 12 (1) bagi memiliki dadah dan seksyen 6 bagi memiliki ganja dan sebagainya. Kes-kes lain yang kerap ialah seksyen 379 dan 380 di bawah Kanun Acara Jenayah dan seksyen 25 (1) (n) di bawah Akta Pendaftaran Negara.

KESIMPULAN

Seperti program-program Pusat Bantuan Guaman yang lain, program Dock Brief berusaha memberi khidmat-khidmat guaman kepada mereka yang kurang berasib baik dari segi kemanusiaan sementara membina kemahiran-kemahiran guaman dan juga kemahiran-kemahiran mudah yang lain kepada pelatih-pelatih. Program Dock Brief memperuntukkan satu platform yang unik dimana pelatih-pelatih berpeluang untuk tampil di dalam Mahkamah bagi mewakili klien. Melalui sokongan berterusan daripada Majlis Peguam kami meneruskan perjuangan dalam memberikan khidmat-khidmat kepada khalayak ramai yang memerlukan.

4. PBG MAJLIS PEGUAM (KL) LAPORAN PROGRAM PENJARA (SG BULOH, WANITA KAJANG, JUVANA KAJANG, PENDATANG ASING DAN RUMAH TAHANAN JUVANA)

Laporan disediakan oleh: Sivanesan Nadarajah (Ketua Projek)

Ahli Jawatankuasa

Sivanesan Nadarajah (Ketua Projek)

Ramesh Lachmanan (Ketua Projek Alternate)

Letchiemanan

Sharon Palani Ammal

Mohd Radzlan Bin Jalaludin

S.Thavaraj

Suresh Thanabalan

Paari Perumal

Shahir Bin Ab Razak

Rajendran Palany

PENGENALAN

Klinik ini telah bermula pada bulan Disember 1997 di Penjara Sungai Buloh dan ia telah beransur-ansur berkembang kepada program-program yang berkaitan seperti Penjara Wanita Kajang ("KWP") pada tahun 2000, Pusat Tahanan Sementara Wanita Kajang ("KWMP") pada bulan September 2003 dan Pusat Tahanan Sementara Sungai Buloh ("SBMP") pada buan Mei 2004. Sementara itu, program Pusat Tahanan Reman Juvana ("JRH") telah bermula pada tahun 2001 dan ia telah diserap sebagai sebahagian daripada Pusat Tahanan Juvana Kajang ("KJP") pada tahun 2007.

Pada bulan Mac 2005, kesemua lima Klinik Penjara iaitu SBP, SBMP, KWP, KWMP, KJP, JRH telah beroperasi di bawah satu program. Pusat Bantuan Guaman Kuala Lumpur ("BCLAC") (KL) turut bekerjasama dengan Pusat Bantuan Guaman Selangor ("Selangor LAC") dengan mendapatkan kerjasama daripada pelatih dalam kamar untuk mengambil bahagian di dalam program Klinik Penjara Sungai Buloh semenjak bulan Jun 2005.

STATISTIK FAIL: DIBUKA, DITUGASKAN & TIDAK DITUGASKAN - 2009

	KATEGORI	2008			2009		
		DIBUKA	DITUGASKAN	TIDAK DITUGASKAN	DIBUKA	DITUGASKAN	TIDAK DITUGASKAN
1	Jenayah • Program Penjara**	128	111	16	130	113	33

Pada tahun 2009, sejumlah 130 fail telah dibuka dan sejumlah 113 kes telah ditugaskan kepada peguam- peguam sukarela.

Sila rujuk pada statistik di atas. Objektif utama jawatankuasa bagi tahun ini adalah untuk mendapatkan seramai mungkin bilangan peguam untuk mengambil kes-kes daripada Pusat secara sukarela dan juga untuk mengurangkan jumlah kes yang tidak dapat ditugaskan. Sebagai sebahagian daripada langkah yang telah diambil untuk merealisasikan objektif ini, pihak jawatankuasa sendiri telah menetapkan bahawa setiap ahli jawatankuasa perlu mengambil sekurang-kurangnya satu (1) fail untuk mengurangkan jumlah fail yang tidak dapat ditugaskan dan ini dapat dilihat daripada jumlah kes yang telah ditugaskan.

Pada tahun 2009, ahli jawatankuasa juga telah mengadakan:

1. Enam (6) mesyuarat ahli jawatankuasa bagi membincangkan pelbagai perkara berkaitan dengan program dan Pelan Tindakan bagi tahun 2009.
2. Dua (2) mesyuarat bersama dengan Pihak Berkuasa Penjara bagi mempertingkatkan hubungan kerjasama di antara BCLAC (KL) dengan pihak Berkuasa Penjara.
3. Ahli jawatankuasa juga telah menjalankan Empat (4) Program Latihan Penjara untuk pelatih-pelatih dalam kamar daripada Sesi 57, 58, 59 dan 60. Sejumlah 72 pelatih telah menyertai program tersebut.
4. Ahli jawatankuasa telah turut menjalankan tiga (3) Penilaian Pertengahan Tahun bagi pelatih-pelatih dalam kamar yang terlibat di dalam Program Penjara.
5. Ahli jawatankuasa juga telah mengadakan Latihan Undang-undang Jenayah - Litigasi Jenayah – “Bengkel Mengambil Fail” pada 23 Jun 2009.

AKTIVITI-AKTIVITI LAIN:

Pada 14 Julai 2009, ahli jawatankuasa telah mengadakan perjumpaan dengan Dato' Meme Binti Zainal Rashid (Pengarah) dan beberapa orang pegawai daripada Pusat Tahanan Reman Juvana. Tujuan utama mesyuarat tersebut diadakan adalah untuk membincangkan isu di mana Pusat Bantuan Guaman telah dinafikan akses untuk menemubual pesalah juvana yang telah ditahan di Pusat Tahanan Reman di mana pusat tahanan tersebut telah dilabel sebagai “tempat yang selamat” oleh Pengarah Jabatan Kebajikan Wilayah Persekutuan. Selepas perbincangan tersebut, Dato' Meme memahami kesukaran yang dialami oleh para pesalah juvana tersebut dan telah membernarkan Pusat Bantuan Guaman untuk meneruskan lawatan dan telah memaklumkan kepada pegawai yang berkenaan mengenai keputusan beliau itu. Adalah dipersetujui bahawa sesi lawatan akan diadakan sekali bagi setiap dua (2) minggu pada hari Khamis secara berselang-seli di Asrama Sentosa, Asrama Bahagia dan Sekolah Tunas Bakti Sg.Besi.

Pada 4 November 2009, ahli jawatankuasa juga telah mengadakan pertemuan dengan Tuan Abdul Aziz Bin Mohamad (Timbalan Pengarah) Penjara Pusat Kajang dan para pegawainya bagi membincangkan pelbagai perkara berkaitan dengan program Penjara bagi tahun tersebut. Perbincangan tersebut antara lain adalah untuk mendapatkan maklumat yang berkaitan dengan tahanan-tahanan reman dan bagi mendapatkan tempat menemubual yang lebih sesuai bagi para pelatih di dalam kamar untuk menemubual para tahanan. Ahli jawatankuasa juga telah membekalkan pihak Penjara dengan poster-poster Pusat Bantuan Guaman untuk ditampalkan di penjara bagi memberitahu para tahanan tentang kewujudan Pusat Bantuan Guaman sekiranya mereka memerlukan sebarang bantuan guaman.

Pada 25 November 2009, Ahli jawatankuasa Penjara telah dengan jayanya mengadakan Sesi Perjumpaan dan makan malam untuk kesemua Pihak Berkuasa Penjara dan pelbagai Pihak Berkuasa Jabatan Kerajaan di mana Ahli jawatankuasa Penjara telah bekerjasama. Seramai 50 orang tetamu telah menghadiri sesi tersebut antaranya, Pihak Berkuasa Penjara daripada Penjara Sungai Buloh dan Penjara Kajang, Dato'SAC II Ku Chin Wah daripada IPK Kuala Lumpur, Pengurus Majlis Peguam Kuala Lumpur, Setiausaha Kehormat Majlis Peguam Kuala Lumpur, wakil daripada UNHCR, ahli-ahli Panel Pengurusan, petugas Pusat Bantuan Guaman dan lain-lain lagi.

Secara keseluruhannya, Ahli Jawatankuasa Penjara menghadapi jadual yang padat dan sibuk pada tahun 2009.

5. PBG MAJLIS PEGUAM (KL) LAPORAN KLINIK LAC/AWAM/WAO/SIS

Laporan disediakan oleh: Harleen Kaur (Ketua Projek)

Jawatankuasa program ini termasuk Pusat Bantuan Guaman (Kuala Lumpur) (“PBG”), Sisters In Islam (“SIS”), AWAM dan WAO. Kerjasama antara 4 organisasi ini telah memberikan satu peluang yang unik kepada Pelatih Dalam Kamar (“pelatih”) untuk menjalankan tugas bantuan guaman bersama SIS, AWAM dan WAO. Ini memberikan peluang kepada pelatih dalam perspektif yang berbeza di dalam bidang undang-undang. Jawatankuasa ini telah dengan jayanya memperlengkapkan pelatih-pelatih dengan pengetahuan undang-undang, sensitiviti gender dan kemahiran kaunselling antara yang lain.

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Pada tahun ini, Jawatankuasa ini telah mempunyai 4 kumpulan pelatih-pelatih iaitu kumpulan 57, 58, 59 dan 60 yang masing-masing terdiri daripada 18,16, 18 dan 19 pelajar. Setiap kumpulan diberikan 3 sesi latihan yang wajib dan satu ulasan pertengahan penggal. Latihan tersebut merangkumi bidang Syariah, Keluarga, Akta Keganasan Rumahtangga dan Sensitiviti Gender. Bagi kumpulan ke 59 dan 60 latihan telah dilanjutkan bagi merangkumi Undang-undang Pekerjaan. Pelatih-pelatih juga telah diajar mengenai Ujian Kelayakan.

Terdapat 4 mesyuarat jawatankuasa diadakan pada tahun ini. Tiga daripada mesyuarat tersebut di adakan di PBG Dan satu lagi di premis AWAM. Setiap mesyuarat telah diminitkan. Mesyuarat-mesyuarat tersebut telah membantu dalam pengemaskiniaan status projek-projek bagi setiap organisasi, mengenalpasti isu-isu, peyelesaian/perbincangan mengenai rundingan membina, latihan-latihan organisasi (tempat/pelatih-pelatih/lain-lain).

Jawatankuasa ini juga telah menjalankan Program Klinik Bergerak di Klang, Rawang dan Lembah Pantai. Tujuan program ini adalah untuk mewarwarkan kepada golongan yang tidak tahu mengenai hak-hak mereka seperti mangsa-mangsa dera, pekerja dan sebagainya.

Pada tahun ini pegawai urusetia dari PBG telah melawat AWAM pada 13.10.09. Lawatan ini bertujuan untuk memberikan peluang supaya PBG dan AWAM dapat bersemuka bagi membincangkan langkah-langkah bagi memperbaiki kerjasama dan menganjurkan aktiviti bersama. Mesyuarat tersebut dianjurkan untuk membincangkan aktiviti-aktiviti lain yang boleh diperkenalkan kepada pelatih. AWAM mengambil peluang untuk menerangkan aktiviti-aktiviti harian mereka, misi dan juga matlamatnya.

6. PBG MAJLIS PEGUAM (KL) LAPORAN KLINIK MIGRAN DAN PELARIAN LAC

Laporan disediakan oleh: Renuka Balasubramaniam dan Latheefa Koya (Ketua Projek Bersama)

Pada permulaan tahun 2009, cadangan untuk menukar nama projek ini dari LAC- Tenaganita/UNHCR Clinic kepada satu nama yang lebih generik telah diluluskan oleh panel pengurusan. Klinik sekarang dinamakan klinik Migran dan Pelarian LAC.

Pada tahun 2009, seramai 56 pelatih dalam kamar telah ditempatkan di Tenaganita untuk mendapatkan pendedahan mengenai masalah undang-undang, pentadbiran dan sosial yang dialami oleh pekerja-pekerja migran. Di Tenaganita, pendedahan diberi melalui lawatan ke Jabatan Imigresen, Jabatan Perhubungan Industri dan Jabatan Tenaga Kerja, Balai Polis, Ibu Pejabat Daerah, Bukit Aman, Mahkamah, Kedutaan, Kementerian Luar Negeri, Pusat Tahanan Imigresen dan Hospital.

15 pelatih dalam kamar yang lagi pula ditempatkan di Pesuruhjaya Tinggi untuk Pelarian Pertubuhan Bangsa2 Bersatu (UNHCR) untuk mendapatkan pendedahan berkenaan isu-isu melibatkan pemohon suaka ('asylum seekers') dan pelarian (refugees) di Malaysia, mandat perlindungan UNHCR serta representasi bagi para pemohon-pemohon suaka dan pelarian ini di Mahkamah.

Oleh kerana pejabat UNHCR di Kuala Lumpur merupakan satu-satunya pusat perlindungan di seluruh negara bagi 70,000 para pemohon suaka dan pelarian yang jumlahnya tidak dapat ditentukan, pelatih-pelatih dalam kamar telah mendapati jumlah kes yang diterima oleh bahagian penerimaan aduan di pejabat UNHCR menunjukkan ketidakupayaan para pelarian dan jurang yang wujud di dalam perlindungan yang boleh diberi kepada mereka.

Pada bulan Jun 2009, kedua-dua Ketua Projek dan wakil dari Tenaganita telah melawat Unit Anti Pemerdagangan Orang (Anti Trafficking Unit) yang baru diperkenalkan di Bukit Aman bagi mengenalpasti prosedur yang digunakan bagi menyelamatkan mangsa pemerdagangan dan perlindungan bagi mereka sewaktu pendakwaan dijalankan ke atas pesalah pemerdagangan orang (trafficker). Mereka telah dimaklumkan bahawa cadangan-cadangan bagi menggubal prosedur perlindungan yang telah wujud untuk menghadapi cabaran-cabaran mesti dikemukakan kepada Majlis bagi Anti Pemerdagangan Orang yang telah ditubuhkan di bawah Akta Anti Pemerdagangan Orang 2007.

Walaupun satu perjumpaan dengan Majlis bagi Anti Pemerdagangan Orang telah dipohon namun setakat ini masih belum terima apa respon positif.

Pada bulan September 2009, satu perhatian telah dijalankan bagi pengambilan keterangan seorang kanak-kanak yang telah menjadi mangsa pemerdagangan bagi tujuan mendapatkan kesedaran yang lebih jelas mengenai prosedur yang digunakan dalam Mahkamah di bawah peruntukan Akta ini.

Pada bulan Oktober 2009, kedua-dua Ketua Projek telah dijemput untuk menyertai Persidangan Rangkaian Hak Pelarian Asia Pasifik yang telah diadakan di Bangkok. Perhubungan telah dibina dengan pertubuhan-pertubuhan bantuan guaman di

Australia, Hong Kong, Thailand dan Indonesia.

Dengan tujuan untuk mengembangkan bantuan guaman bagi golongan tidak berkemampuan di Malaysia, mereka ingin berkongsi pengetahuan yang diperolehi dari perhubungan wilayah pentadbiran ini dengan pelatih-pelatih dalam kamar yang telah menyertai projek ini bagi menambahbaikkan dan mengubah Undang-undang Imigresen sebagai bidang khusus di dalam amalan guaman.

Sehubungan dengan itu, pada Disember 2009, satu latihan tambahan berkenaan dengan Hak Migran dan Pelarian telah diadakan.

Sekumpulan kecil pelatih dalam kamar telah mendaftar secara sukarela. Mereka beranggapan bahawa respon positif yang diterima ini merupakan satu penanda aras bagi potensi besar yang dimiliki oleh bidang ini bagi masa depan bantuan guaman.

Pusat ini juga menerima pelajar program bersangkutan dari pelbagai universiti dan kolej yang berminat untuk mempelajari undang-undang dan prosedur yang berkenaan dengan migran dan pelarian. Pelajar-pelajar ini telah dibenarkan untuk melawat agensi-agensi yang mengambil bahagian di dalam projek ini.

7. PBG MAJLIS PEGUAM (KL) LAPORAN KLINIK PERUNDAGAN LAC/PT/MAC

Laporan disediakan oleh: Preetam Kaur / Sekretariat

Ahli Jawatankuasa

Wakil-wakil LACKL	Wakil Pengasas PT
Preetam Kaur (Ketua Projek)	Hisham Hussien (Pengerusi)
Lim Kar Mern (Ketua Projek Alternate)	
Andrew Heng	
Lee Kuang Wei	Malaysian AIDS Council (MAC)
Thirunavakarasu	Prof Adeeba Kamarulzaman (Presiden)
Jag Ramachandran	
Zuraifah Abd Rahman	
Genevieve Tan	
Adelene Teo	
June Low	

Program Klinik Perundangan LACKL/PT/MAC telah menyediakan perkhidmatan perundangan dan perantaraan perundangan untuk lima (5) buah komuniti terpinggir yang diakui iaitu penagih dadah, pekerja seks, orang-orang yang hidup dengan HIV/AIDS, Mak Nyah dan lelaki homoseksual sejak 11 tahun dahulu. Ia merupakan tahun yang paling sibuk untuk MAC dan PT yang merupakan rakan kongsi NGO kami memandangkan mereka terlibat dengan pembiayaan Kementerian Kesihatan dan perencanaan program-program untuk tahun 2010 dan rancangan-rancangan lain yang kebanyakannya mengambil masa mereka.

Ahli Jawatankuasa LAC/PT/MAC mendapat bahawa terdapat kesulitan untuk mengendalikan aktiviti-aktiviti ini apabila rakan kongsi NGO kami sibuk menguruskan projek-projek mereka. Walaubagaimanapun, pada tahun ini ahli jawatankuasa kami telah berjaya mendapatkan lebih banyak sukarelawan, apabila bekas-bekas pelatih kami/bekas-bekas pelatih program yang lain menyertai kami sebagai ahli jawatankuasa untuk berkhidmat kepada komuniti terpinggir. Akhirnya, selepas beberapa tahun, kami telah berjaya mendapatkan sekumpulan peguam untuk berkhidmat di klinik perundangan ini dan merupakan pencapaian utama untuk tahun 2009.

Bilangan kes dari bulan Januari 2009 hingga Oktober 2009.

FEB	MAC	APRIL	MEI	JUN	JULAI	OKT	JUMLAH
3	2	5	4	3	1	2	20

Aktiviti-aktiviti yang telah dijalankan oleh ahli jawatankuasa untuk ahli-ahli jawatankuasa dan peguam-peguam sepanjang tahun 2009:

- Kami telah mengendalikan Program Latihan Paralegal & Human Rights untuk PT Pekerja Seks pada 31hb Oktober, 2009 (Sabtu) di Taman Rekreasi Sedayu Gombak dengan bantuan daripada peguam-peguam muda kami;

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- Ahli Jawatankuasa juga telah mengendalikan mesyuarat sesama ahli-ahli jawatankuasa tanpa kehadiran rakan kongsi NGO pada 9hb Oktober, 2009 dan membincangkan pelbagai aktiviti-aktiviti and rancangan akan datang seperti Latihan Untuk Pelatih TOT (“training of trainers”) untuk peguam-peguam, sesi kesedaran HIV/AIDS & STI and menjalankan rangkaian dengan Wanita & Kesihatan (Kuala Lumpur) WAKE di Tingkat 7, Wisma Kraftangan mermandangkan kami difahamkan mereka juga ingin bekerjasama dengan kami;
- MAC telah bersetuju untuk mencetak poster-poster (direka oleh Chitrah) untuk memperkenalkan Klinik Perundungan kepada komuniti di seluruh negeri untuk memberi kesedaran tentang wujudnya Pusat Bantuan Guaman di setiap negeri serta bantuan yang disediakan. Segala kos percetakan poster-poster tersebut akan ditanggung oleh MAC and ini merupakan langkah pertama yang baik untuk memastikan perwakilan memberikan gambaran perundungan dengan cara yang betul kepada komuniti-komuniti ini di seluruh negeri;
- Akhir sekali, Preetam telah mengendalikan Program Latihan Untuk Pelatih (“TOT”) untuk peguam-peguam muda kami yang akan menjadi peneraju utama di dalam program ini pada masa hadapan. Program ini telah dijalankan pada 21hb November, 2009 di LACKL bermula dari pukul 2.00 pm hingga 8.30 pm. Kedua-dua wakil MAC and PT telah membantu dan mengendalikan ceramah untuk peguam-peguam muda kami bersama-sama lebih kurang 15 orang ahli jawatankuasa daripada rakan kongsi NGO kami yang menghadiri dan mengemukakan isu-isu yang berkaitan dengan perkara-perkara yang dihadapi oleh komuniti pada setiap hari;
- Sesi bertukar pendapat untuk pembaharuan undang-undang dan sokongan juga telah dijalankan di dalam Program TOT and setiap peguam-peguam muda telah diberi tugas untuk mewakili setiap komuniti and mempersembahkan isu-isu yang telah dibangkitkan dan nasihat yang bersesuaian yang telah diberikan adalah seperti berikut:

NO	NAMA PEGUAM	TUGASAN
1	ZURAIFAH	PENGGUNA DADAH (DU)
2	ARASU	PEKERJA SEKS (SW)
3	MATHEWS	MEREKA HIDUP DGN HIV/AIDS (PLHIV)
4	KARMERN	MAK NYAH (TS)
5	ADELENE	GAY (MSM)

Sebagai Ketua Klinik Perundungan, saya ingin memberikan penghargaan yang seikhlasnya dan terhutang budi kepada peguam-peguam yang telah secara sukarela dalam menjayakan program-program kami and telah bekerja keras untuk klinik perundungan untuk komuniti terpinggir sejak 11 tahun dahulu kerana tanpa mereka klinik ini tidak akan berfungsi. Penghargaan khas untuk En So Chien Hao, En Jag Ramachandran, Cik Jayalethcum Rajaretnam, Cik Sa'adiah Din and semua peguam senior yang berpengalaman yang telah meluangkan masa dan usaha untuk menjayakan program ini sepanjang tahun. Saya juga mengambil kesempatan untuk berterima kasih kepada peguam-peguam muda saya yang secara sukarela and semangat dan perhatian mereka untuk membantu komuniti-komuniti terpinggir. Saya ingin bekerjasama dengan mereka pada masa akan datang and akan menyerahkan mandat kepada mereka tidak lama lagi.

8. PBG MAJLIS PEGUAM (KL) LAPORAN PROGRAM KESEDARAN UNDANG-UNDANG (ORIENTASI)

Laporan disediakan oleh: Ketua Projek/Sekretariat

Ahli Jawatankuasa

Puspawati Rosman (Ketua Projek)	Chin Hsu Lin
Komathi Arunasalam	Afzan Harrison Zainuddin
Surendran Sreetharan	Izyan Darlina Dato' Balia Yusof
Sasha Lyna Abdul Latif	Bong Chiew Ling, Claire
Ravinder Singh	Gan Bee Ling
Fadiyah Nadwa Fikri	Sumitra Devi Krishnan
Valen, Khor Xiou Shan	Soh Hoon Hoon (Stephennie)
Harleen Leena	Farah Mohd Shahwahid
Mohd Radzlan Jalaludin	Kamaliyah Mohd Hafiz
Abd Shukor Tokachil	Goh Siang Joo
Rajesweri Paramasevam	Siti Aliza Alias

Nik Waheeda
Ravi Nekoo
Latheefa Koya

S. Sivaruben
Rajen Devaraj
Amer Hamzah Arshad

LEGAL AIDERS (*termasuk semua peserta Latihan Lanjutan dari Batch 1-6*)

PENGENALAN

Program ini merupakan salah satu program utama Pusat Bantuan Guaman untuk meningkatkan kesedaran orang ramai tentang sistem undang-undang Malaysia. Program ini bertujuan untuk memberikan gambaran kepada Pelatih Dalam Kamar tentang apa yang diperlukan dan dijangkakan daripada mereka sepanjang 14 hari tugas wajib Bantuan Guaman (Legal Aid) dan untuk memperkenalkan kepada mereka pelbagai jenis klinik dan program-program yang diaturkan oleh Pusat Bantuan Guaman Majlis Peguam (Kuala Lumpur).

OBJEKTIF

- Untuk membantu Pelatih Dalam Kamar menyelami dan memahami peranan dan tanggungjawab mereka sebagai peguam dalam masyarakat.
- Untuk memupuk rasa tanggungjawab sosial kepada Pelatih Dalam Kamar dan mengambil berat terhadap hak-hak kemanusiaan, peraturan undang-undang dan keadilan; dan
- Untuk mendedahkan Pelatih Dalam Kamar kepada khidmat bantuan guaman dan juga memupuk minat dalam diri mereka komitmen yang berpanjangan terhadap bantuan guaman, hak samarata untuk mendapatkan keadilan, dimana ianya merangkumi lebih daripada tugas wajib mereka.

AKTIVITI-AKTIVITI

Setakat 3 Disember 2009, ahli Jawatankuasa telah menjalankan dan memperkenalkan program-program/ sesi-sesi berikut:-

A. Sesi Orientasi

Lapan (8) sesi orientasi telah diadakan dan seramai lebih kurang 600 orang Pelatih Dalam Kamar telah diberikan latihan. Sesi Orientasi ini telah menggunakan kaedah penyertaan (participative methodology) dengan membentuk kumpulan dinamik, diskusi terbuka, memupuk hak-hak kemanusiaan di samping memperkenalkan pelbagai program BCLAC (KL).

Ahli Jawatankuasa juga telah membuka penyertaan bagi sesi orientasi ini kepada Pelatih Dalam Kamar dari negeri-negeri lain. Sehingga hari ini, seramai lebih kurang 81 orang Pelatih Dalam Kamar dari Pusat Bantuan Guaman Selangor telah diberikan latihan.

B. Sesi Penilaian Akhir (Exit Evaluation Session)

Empat (4) sesi Penilaian Akhir (Exit Evaluation) telah diadakan untuk semua Pelatih Dalam Kamar yang terlibat di dalam pelbagai program Pusat Bantuan Guaman bagi menghargai sumbangan mereka kepada masyarakat dan Pusat Bantuan Guaman. Lebih kurang 520 Pelatih Dalam Kamar telah menyertai sesi ini dan berkongsi pengalaman daripada pelbagai program yang telah mereka serta sebagai sebahagian daripada tugas bantuan guaman mereka.

Semasa sesi-sesi tersebut, ahli jawatankuasa telah menjemput Encik George Verghese, Setiausaha Kehormat Malaysian Bar, Encik Tony Woon, Bendahari Malaysian Bar, Encik Ravi Nekoo bekas Pengurus Pusat Bantuan Guaman Majlis Peguam(Kuala Lumpur) dan Encik Richard Wee Setiausaha Kehormat KL Bar untuk menghargai sumbangan Pelatih Dalam Kamar dan memberikan dorongan serta motivasi kepada mereka untuk menyertai aktiviti-aktiviti BCLAC (KL).

C. Latihan Lanjutan “Legal Awareness and Leadership for Lawyers”

Ahli jawatankuasa juga telah mengadakan Latihan Lanjutan (advance training) pada kali keenam yang bertajuk Program Kesedaran dan Kepimpinan untuk Peguam-Peguam atau “Legal Awareness and Leadership for Lawyers” yang telah diadakan di Commonwealth Park & Resort, Rawang pada 26 hingga 28 haribulan Jun 2009. Matlamat program tersebut adalah untuk menggalakkan Pelatih Dalam Kamar/ Peguam muda untuk meneruskan penglibatan mereka di Pusat Bantuan Guaman (LAC) secara berterusan di samping memperkenalkan kemahiran-kemahiran kepimpinan; dan untuk meningkatkan pengetahuan mereka di dalam pelbagai bidang/isu yang khusus.

Sejumlah 27 orang peserta telah hadir pada sesi latihan bersama enam orang ahli Jawatankuasa (En. Rajen, En. Ravi

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Nekoo, Cik Harleena Leena, Cik Komati Arunasalam, Cik Fadiah Nadwa, dan Cik Stephanie) dan tujuh orang pelatih Fasilitator dari Legal AIDERS (Cik Gayathri Priya, Cik Murnie Hidayah, Cik Nur Zatulitri, Cik Farida Mohamad, En Juvita Jumpil, En Brendan Tan Tzai Mun dan En Chan Kit Kheong) untuk membantu sesi tersebut. Sesi latihan ini juga telah berjaya dan kami telah berjaya menarik peserta-peserta untuk menyertai aktiviti-aktiviti BCLAC (KL).

Sebagai sambungan kepada latihan lanjutan kali keenam, satu sesi bersama para peserta latihan dan juga Legal AIDERS telah diadakan. Sesi tersebut telah diadakan pada 25 Julai 2009 di Bilik Latihan BC LAC (KL). Tujuan sesi tersebut adalah untuk berkongsi dan mendapatkan maklum balas daripada para peserta mengenai aktiviti yang disertai dan perkembangan mereka sejak bermulanya sesi latihan tersebut. Sesi tersebut juga merupakan sesi perancangan di mana para peserta boleh berkongsi ide dan berbincang tentang kemungkinan yang akan timbul serta mengetengahkan isu-isu berbangkit.

D. **Latihan untuk Pelatih – Sesi Latihan mengenai Kemahiran Fasilitator untuk Pelatih**

Ahli Jawatankuasa juga menganjurkan Latihan untuk Pelatih Dalam Kamar/ Peguam Muda pada 20 Jun 2009 di Bilik Latihan BC LAC (KL). Sesi latihan ini telah dikendalikan oleh En Rajen Devaraj, Ketua Pengarah Eksekutif, Majlis Peguam Malaysia. Latihan tersebut direka untuk meningkatkan lagi kemahiran presentasi dan fasilitator Pelatih dan apa yang patut/tidak patut dibuat apabila mengendalikan sesi latihan. Sesi latihan ini telah dijalankan dengan jayanya dan mendapat sambutan yang menggalakkan daripada para peserta.

E. **Legal AIDERS**

Sukarelawan Biro Bantuan Guaman (The Legal AIDERS), sebuah kumpulan yang dianggotai 50 orang Peguam Muda yang telah menjalani Latihan Lanjut Legal AIDERS diketuai oleh Cik Komathi Arunasalam dan dibantu oleh Cik Farida Mohamed, Setiausaha. Ianya merupakan sebuah kumpulan yang melibatkan diri secara aktif di dalam pelbagai program dan aktiviti-aktiviti anjuran BCLAC (KL). Program-program tersebut adalah seperti berikut:-

PENYERTAAN SUKARELAWAN BBG DALAM AKTIVITI BIASA/ PROGRAM BCLAC (K/L)

Sebagai Jurulatih

1. Sesi Latihan Orientasi bagi Pelatih Dalam Kamar
2. Sesi Penilaian Akhir untuk Pelatih Dalam Kamar
3. Latihan untuk Pelatih
4. Latihan Lanjutan

Mesyuarat untuk mengendalikan aktiviti yang dirancang

1. Sesi Bersama Sukarelawan BBG

Di samping itu, Sukarelawan BBG juga ditugaskan di bawah 2 Ahli Jawatankuasa yang dibahagikan kepada 4 kumpulan berasingan, iaitu:-

1. Jawatankuasa Perhubungan Awam & Hiburan (Diketuai- Juvita Jumpil)

- Tugas yang terlibat:
- i. Fungsi Editorial
 - ii. Kesedaran Awam mengenai LAC dan perkhidmatannya
 - iii. Drama dan Persembahan Awam
 - iv. Rakaman Video Program-Program LAC- untuk menghasilkan dokumentari LAC dan program-program yang dikendalikannya.

2. Jawatankuasa Keadilan Jenayah (Diketuai- Sasha Lyna)

- Tugas yang terlibat:
- i. Kempen Hak kepada Maklumat

Selain daripada aktiviti-aktiviti yang disebutkan di atas, Legal AIDERS juga telah mengendalikan program-program berikut sepanjang tahun 2009 ini:

1. Latihan untuk Pelatih Program “Ok Tak Ok”

Pada 13 Jun 2009, satu sesi latihan untuk tenaga pelatih program “Ok Tak Ok” telah diadakan.

Program ini dijalankan dengan tujuan memberi kesedaran dan pendidikan kepada kanak-kanak yang berumur 10 hingga 12 tahun tentang jenayah gangguan seksual dan juga perbezaan di antara apa yang dikatakan sentuhan yang Ok dan juga sentuhan yang Tak OK.

Kanak-kanak ini juga diberi penerangan tentang perkara ini melalui lagu, kartun animasi, dan juga video. Pada akhir program ini, kanak-kanak ini diberikan galakan untuk memberitahu mana-mana orang dewasa yang mereka percayai sekiranya mereka berada dalam keadaaan yang mencurigakan pada suatu masa kelak.

Latihan ini adalah khusus untuk pelatih yang akan mengajar kanak-kanak di sekolah ataupun di komuniti-konuniti yang mereka diami. Sesi latihan ini telah dikendalikan oleh Komathi, Nik Waheeda dan Rajeswari yang pernah menyertai latihan yang pernah diadakan oleh Women’s Centre for Change, Penang Legal Aid pada 6 Oktober 2007.

Latihan ini telah disertai oleh 13 Legal AIDERS dan telah dijalankan dengan jayanya dan semua yang hadir yakin dan menunjukkan minat untuk mengendalikan latihan di sekolah-sekolah dan kawasan komuniti pada masa hadapan.

2. Malam Kopi-O

Sekretariat LAC dan Legal AIDERS, Sasha Lyna dan Murnie Hidayah telah megendalikan tiga (3) Malam Kopi O dengan jayanya dengan tajuk perbincangan seperti berikut:

- i) 1Malaysia: satu Konsep Baru atau Label Semata-Mata? – 24 July 2009
- ii) Hubungan – 4 September 2009
- iii) Penjagaan Kesihatan – 20 November 2009

Sesi-sesi tersebut meriah, dan merupakan satu sesi perbincangan terbuka sambil minum kopi menai topik-topik di atas. Semua peserta yang menghadiri sesi tersebut mengambil bahagian dengan aktif dan memberikan pandangan mereka dan juga mendengar pandangan orang lain mengenai topic-topik tersebut.

Sesi tersebut berjaya membuat peserta untuk relaks, menyuarakan pandangan serta pendapat secara bebas.

Kami dengan bangganya sesi ini merupakan satu aktiviti yang amat berjaya kerana ianya bukan sahaja menarik perhatian peguam untuk mengambil bahagian malah juga mereka yang bukan peguam juga telah hadir dan memberikan pendapat mereka.

Memandangkan program ini telah mendapat sambutan yang positif, jawatankuasa telah membuat keputusan untuk mengadakan program ini lebih kerap.

3. Program-program Lain

Legal Aiders juga telah membantu dan menyertai program-program BCLAC (KL) berikut untuk sepanjang tahun 2009:

- i) Tangkapan lima Peguam LAC
- ii) Tangkapan Segera – Protes GMI Anti ISA
- iii) Inkuiri Suhakam mengenai tangkapan lima 5 Peguam LAC
- iv) Minggu Kesedaran Undang-Undang Kebangsaan
 - a) Pelancaran Pejabat Baru KL LAC
 - b) “Booth” LAC di Pasar Sentral
 - c) Persembahan Awam di Pasar Sentral
 - d) Mencipta lagu LAC dan

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- e) Banyak aktiviti lain di Pusat tersebut

Kelebihan

- Ahli Jawatankuasa yang komited dan kemampuan mereka untuk menyumbangkan idea bagi melaksana dan memperbaiki sesi latihan.
- Motivasi kepada Pelatih dalam Kamar terhadap kepentingan untuk memberikan perkhidmatan kepada mereka yang memerlukan dan terpinggir.
- Pendidikan kepada Pelatih Dalam Kamar mengenai hak-hak asasi manusia dan memupuk kesedaran mengenai keadilan.
- Mengekalkan ramai Peguam Muda untuk berkhidmat secara sukarela di LAC melalui Program Latihan Lanjutan.

Kelemahan

- Mengambil masa dan kekurangan sumbangan sumber manusia
- Tindakan/ Sesi Lanjutan
- Masalah Komunikasi

Cadangan

- Berusaha untuk menjalankan lebih banyak sesi kesedaran dan hak asasi manusia kepada peguam-peguam dan/ atau orang awam.
- Berusaha untuk mencari jalan bagi mengekalkan penglibatan Legal AIDERS.

Tahun 2009 merupakan tahun yang sibuk bagi BCLAC (KL) dan juga Legal AIDERS. BCLAC (KL) berharap agar ahli-ahlinya dan juga Legal AIDERS akan memberikan sokongan dan juga dedikasi yang berterusan bukan sahaja untuk tahun ini tetapi untuk tahun-tahun yang akan datang.





JAWATANKUASA PEGUAM KUALA LUMPUR KUALA LUMPUR BAR COMMITTEE

Tingkat 8, Wisma Kraftangan, No.9 Jalan Tun Perak,
50050 Kuala Lumpur, Malaysia.

Tel: +603 2693 3585 (Hunting Line) Fax: +603 2691 1090
Email: klbc@klbar.org.my Website: www.klbar.org.my