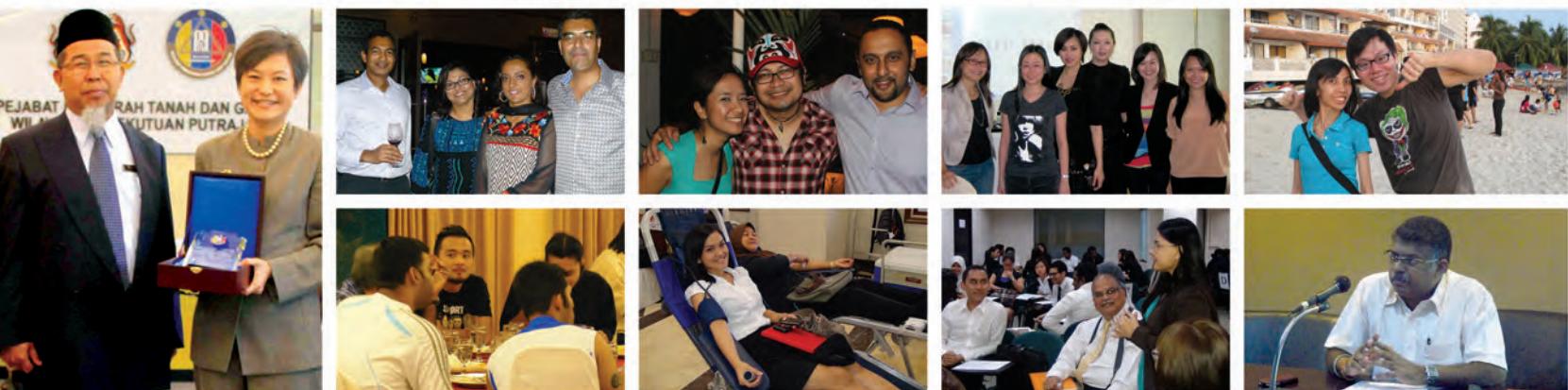




21st ANNUAL GENERAL MEETING

KUALA LUMPUR BAR



FRIDAY 22ND FEBRUARY 2013
03:00 PM @ AUDITORIUM, WISMA MCA, JALAN AMPANG, KUALA LUMPUR

21st ANNUAL GENERAL MEETING

KUALA LUMPUR BAR

KUALA LUMPUR BAR COMMITTEE 2012/13



L to R (Front):

Goh Siu Lin, Agnes Chan Kim Hong, Khaizan Sharizad Ab. Razak, Brendan Navin Siva (Chairman),
Ravinder Singh Dhaliwal (Honorary Secretary), Mary Tan (Executive Secretary), Melissa Sasidaran

(Back):

Muhendaran Suppiah, Roger Chan Weng Keng, Jeremiah R. Gurusamy,
Lim Chi Chau, Jason Kong, Dipendra Harshad Rai (Rep. to Bar Council)

Not in picture:

Harleen Kaur, Amrit Pal Singh

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CHAIRMAN'S REPORT

Brendan Navin Siva
Chairman



A. INTRODUCTION

It has been my privilege to serve as Chairman of the Kuala Lumpur Bar for a second term and again I am pleased to say that I believe that the Kuala Lumpur Bar Committee (KLBC) have discharged its duties honestly, diligently and responsibly.

I would like to thank the Honorary Secretary and the members of the KLBC who have sacrificed a great deal of their time and effort and have led their respective sub-committees effectively and to the best of their abilities.

B. HONORARY SECRETARY AND CO-OPTED MEMBERS

At its first meeting in March 2012, the KLBC appointed Ravinder Singh Dhalliwal (Ravin) as its Honorary Secretary with Lim Chi Chau and Melissa Sasidaran being co-opted as members of the KLBC under Section 73(vii) of the Legal Profession Act 1976.

C. CASUAL VACANCY IN THE COMMITTEE

NoorHajran Mohd Noor who was elected to serve as a member of the KLBC for the term 2012/13 at the 20th Annual General Meeting of the Kuala Lumpur Bar on 23 February 2012, vacated her said position on 16 May 2012 as she had moved her practice to the State of Selangor. Pursuant to Section 75(1) of the Legal Profession Act 1976, Roger Chan Weng Keng was appointed to fill the casual vacancy.

D. COMMITTEE ACTIVITIES

i) Monthly Activities Report

The KLBC continued to keep members apprised of its activities through its monthly activities report that is uploaded to the KL Bar Blog. The KL Bar Blog was reactivated this year after it was shut down in the last term. It was felt that the KL Bar Blog was still a useful outlet for the KLBC to reach out to its members.

ii) Court Lecterns in the KL Courts

As part of its continuing efforts to improve services to members, the KLBC provided lecterns which were placed in selected courtrooms for use by members during open Court matters at the KL Courts.

iii) Wifi at the KL Court Complex

The KLBC had made attempts to provide members with wifi facilities at the lobby of level 3, 4 and 5 of the KL Court Complex but without any success. The Court was not in favour of the KLBC setting up its own wifi facility at the Court premises and had instead suggested that we use the wifi facility provided by TM where only unifi or streamyx account holders could have free access. Others would have to use prepaid cards to access the wifi facility.

The KLBC had learnt that there is free wifi facility at the Palace of Justice and is now trying to pursue the matter with the Chief Registrar to get the Court to also provide free wifi at the KL Court Complex.

iv) Lactation Rooms

Mooted by the Practitioners' Affairs Committee, 2 lactation rooms had been put up in the Bar Room for use by lady lawyers who are breast-feeding.

v) **Admissions to the Bar**

As raised at the last AGM of the KL Bar, the KLBC through its Honorary Secretary had actively pursued the “Mass Call” idea with the Chief Judge of Malaya (CJM). The CJM is on board with the KLBC on the idea but wanted the Attorney General’s Chambers to also be called on board for further discussions. A comprehensive working paper is being prepared for a full discussion by all relevant parties.

In the interim, a meeting was held with the Managing Judge of the Appellate & Special Powers Division of the KL High Court to iron out the problem of long hearing dates for Admissions to the Bar. Arising from the meeting, Admissions to the Bar are no longer being heard by just the Judges of the Appellate & Special Powers Division but also by Judges of the Civil, Commercial and Criminal Divisions. The waiting time for pupils to obtain a hearing date has since reduced significantly. The KLBC appreciates the assistance of all the Judges who agreed to hear Admissions to the Bar.

vi) **Annual Get-together between the KLBC and Selangor Bar Committee**

The Annual Get-together between the KLBC and Selangor Bar Committee (SBC) was held on 30 August 2012 at Shiz Grill in Bangsar Baru and was hosted by the KLBC. This annual get-together, normally held at the beginning of the new term but delayed due to many unforeseen circumstances, was for the office bearers of the KLBC and SBC to meet and get to know each other and to discuss how to work closely to cater to the mutual needs of members of both the KL Bar and Selangor Bar.

vii) **Visit of the Seoul Bar Association’s President and 2 others**

We had the pleasure of meeting the President of the Seoul Bar Association, Oh Wook-Hwan and 2 others, Yoon Jong-Suk (Auditor) and Choi Young-Ho (Assistant Manager) who paid a social visit on the KLBC at the Bar Council office on 12 July 2012. There was a casual exchange of information on the roles of each Institution and views on a number of issues such as the issue of human rights, peaceful assemblies, globalisation of the legal profession and electronic filing. It was our hope that this would be the start of further co-operation between our 2 Bar Associations.

viii) **Conference Sponsorship Programme**

- In support of the International Malaysia Law Conference organised by the Bar Council and to provide members with an opportunity to attend a Conference of this magnitude which we felt they would derive valuable experience, the KLBC sponsored 10 members and pupils-in-chambers to attend the said Conference which was held from 26 to 28 September 2012 at the Kuala Lumpur Convention Centre.
- As a token of appreciation for the good work done by the young lawyers for the KL Bar, KLBC sponsored 11 young lawyers to attend the Young Lawyers’ Training entitled “The Fundamentals of International Legal Business Practice” jointly organised by the Bar Council and International Bar Association (IBA) in conjunction with the 3rd Asia Pacific Regional Conference which took place in Kuala Lumpur. The Training was held on 28 November 2012 at the Raja Aziz Addruse Auditorium.

ix) **Other Sponsorship**

The KLBC sponsored 100 copies of the Handbook on Law and Practice on Arrest and Remand for distribution to participants of the YBGK (National Legal Aid Foundation) Trainings held in Kuala Lumpur. Authored by the KL Legal Aid Centre and published by the Bar Council, this handbook is a practical guide covering topics such as what constitutes an arrest and the role of lawyers when dealing with arrest and remand.

x) **Collaborations**

The collaboration with CrimsonLogic that was renewed for another 2 years at the end of the initial 3 years, had entered its 2nd year. The KLBC will seek a renewal of the collaboration for a third term when the collaboration expires in September next year. In this collaboration, the KLBC was to promote Legal Workbench to members of the KL Bar and in return, CrimsonLogic will provide the KLBC with monetary sponsorship and 2 complimentary user IDs of Legal Workbench which were installed in the computers at the KL Court Bar Room for members’ use.

xii) Committee Meetings

As at 31 December 2012, the KLBC met 10 times and the attendance of each member was as follows:

Brendan Navin Siva	- 9
Ravinder Singh Dhalliwal (Ravin)	- 10
Muhendaran Suppiah	- 6
Agnes Chan Kim Hong	- 7
Jeremiah R Gurusamy	- 10
Harleen Kaur (Leena)	- 9
Khaizan Sharizad Ab Razak (Sherrie)	- 10
Jason Kong	- 9
Roger Chan Weng Keng	- 7 (<i>appointed on 17.05.2012</i>)
Goh Siu Lin	- 10
Amrit Pal Singh	- 8
Lim Chi Chau	- 9
Melissa Sasidaran	- 10

Dipendra Harshad Rai, KL Bar's representative to the Bar Council, was invited to attend the KLBC meetings as an observer and also to report to the Bar Council on relevant matters as and when pertinent and necessary. He attended a total of 8 meetings and worked closely with the KLBC.

xiii) Finance, Subscription and Non-subscription Income

The financial position of the KLBC remains stable with a sum of RM1,370,398 in Fixed Deposit. Details of the financial position are set out in the Audited Accounts ending 31 December 2012.

The subscription for the 2012 was fixed at RM125 at the last AGM on 23 February 2012. At the closing of the KLBC's financial year on 31 December 2012, 324 members were in arrears of the 2012 subscription.

This term, the KLBC managed to raise a total of RM183,393.08 from sponsorships, website and newsletter advertisements, PDC lectures and talks held by other sub-committees.

E. SUB-COMMITTEES

This term saw the setting up of a new Sub-committee, the Practitioners' Affairs Committee, with the purpose of addressing issues faced by members as they progress in the profession and evolve in their professional careers and providing training and mentoring programmes on the non-legal aspects of practice. The other 12 Sub-committees from the previous term were maintained but with the Conveyancing Practice Committee being expanded to include Corporate Practice and the Environmental & Humanities Committee renamed as Environmental Law Committee.

The KLBC also for the first time, following the Bar Council's practice, invited a general member of the KL Bar to co-chair one of its sub-committees, the Information Technology & Communications Committee, as it was felt that someone who is not just IT savvy but also practises in the area of IT Law should run the said committee.

The 13 sub-committees and their heads are:

i) Civil Court Liaison Committee

Brendan Navin Siva (High Court)
 Ravinder Singh Dhalliwal (Subordinate Courts)

ii) Corporate & Conveyancing Practice Committee

Agnes Chan Kim Hong

iii) Criminal Practice Committee

Amrit Pal Singh

iv) Environmental Law Committee

Roger Chan Weng Keng

- v) **Information Technology and Communications Committee**
Lim Chi Chau
Foong Cheng Leong
- vi) **Legal Aid**
Harleen Kaur
- vii) **Practitioners' Affairs Committee**
Goh Siu Lin
- viii) **Professional Development Committee**
Jeremiah R Gurusamy
Lim Chi Chau
- ix) **Publications Committee**
Jeremiah R Gurusamy
- x) **Pupils Welfare Committee**
Jason Kong
- xi) **Social, Arts & Culture Committee**
Melissa Sasidaran
- xii) **Sports Committee**
Muhendaran Suppiah
- xiii) **Young Lawyers Committee**
Khaizan Sharizad Ab. Razak

The respective Sub-committee Chairpersons led well and the accompanying Sub-committees' reports are a reflection of the many activities undertaken by the Sub-committees. Fuller accounts of the activities are provided in the reports of the respective Sub-committees but the following are worthy of mention:

- **Environmental Talk - Beyond Me & Mine: From Solid Waste to Climate Change - 13 April 2012**
This year, the Environmental Law Committee together with the Professional Development Committee presented an environmental talk by Mr Gurmit Singh to kick-start the "Old/Disused Paper Collection Week". Instead of paying a registration fee, participants were encouraged to bring along recyclable items as a ticket for admission to the talk.
- **IEM Tree-Planting Community Project at Taman Botani Negara, Shah Alam - 23 and 24 June 2012**
The KL Bar was invited by the Young Engineers Section (YES) of the Institution of Engineers Malaysia (IEM) to participate in their tree-planting project at Taman Botani Negara Shah Alam. Led by the Environmental Law Committee and the Young Lawyers Committee, the KL Bar with some corporate and personal friends sponsored 90 out of the 190 trees that were planted.
- **Vaisakhi Night - 26 April 2012**
A new event, Vaisakhi Night, was organised by the Young Lawyers Committee for members to get together to celebrate this Sikh religious festival which marks the beginning of a new solar year and a new harvest season.

It is hoped that more events celebrating the different ethnic festivals would be organised in the coming year.

- **KL Bar Social Get-together - 8 June 2012**
The KLBC had hoped to revive the monthly social get-together but due to many unforeseen circumstances and a tight schedule, the KLBC through the Social, Arts & Culture Committee could only organise one such get-together.
- **Visit to the Palace of Justice - 6 July 2012**
The Pupils Welfare Committee embarked on a new project this term - taking pupils on a tour of the Palace of Justice to enhance the pupils' knowledge of the Malaysian Justice System.

- **Briefing on the Rules of Court 2012 - 17 and 23 July 2012**
With the Rules of Court 2012 coming into force on 1 August 2012, the Professional Development Committee organised 2 briefings to highlight the major and substance changes to the Rules.
- **Workshop on Projecting a Professional Image conducted by Bobbi Brown - 21 July and 24 November 2012**
Recognising the importance of projecting a professional image when meeting clients and appearing before Judges or even just interacting with people, the Practitioners' Affairs Committee organised an image and grooming workshop conducted by Bobbi Brown Cosmetics. The first workshop was so well received that a 2nd session was held.
- **YLC Charity Night 2012 - 12 October 2012**
The Young Lawyers Committee must be lauded for yet another successful Charity Night with a collection of RM52,000, this time going in aid of "Project Light a Home".
- **KL Bar Year-End Party - 8 December 2012**
The KLBC went for a change this year and held a party instead of the usual formal sit-down dinner. The event, held at one of the hottest establishment in town, The Pool at Nihonkan, attracted a crowd of more than 400 people who were entertained by live music and songs by our very own members. There were some shortcomings but overall I believed most members had a great time.
- **Public Interest Litigation Workshops**
This term saw the Young Lawyers Committee setting up a Public Interest Litigation Unit and it is heartening to see the eagerness of the young lawyers to be involved in public interest litigation cases. Special thanks must be extended to the Malaysian Centre for Constitutionalism and Human Rights (MCCHR) for conducting a series of workshops to prepare our interested young lawyers to handle the demands of such cases.
- **Introductory Session to the Legal Profession for Law Undergraduates - 29 September and 15 December 2012**
Replacing the University Visits, this Introductory Session proved to be more popular and because of the demand, a second session had to be held. Organised by the Young Lawyers Committee, the aim was to provide law undergraduates an insight to the legal profession.
- **Sexual Harassment Code endorsed and adopted at the 59th AGM of the Malaysian Bar**
Special mention must be made of our Practitioners' Affairs Committee for working towards raising awareness about the Sexual Harassment Code (Code) drawn up by the Bar Council. A talk on sexual harassment was held and periodic e-blasts were sent out to members to create the awareness. More will be done and the ultimate aim was to get as many law firms as possible to adopt the Code.
- **Mentoring Programmes**
This term saw the launch of 2 mentoring programmes:
 - 1) **Criminal Practice Mentoring Programme**
Run by the Criminal Practice Committee, the programme allows young lawyers to shadow senior criminal law practitioners through the whole process of an actual criminal trial from beginning to the end. The aim was to encourage more young lawyers to practise criminal litigation to expand the pool of criminal law practitioners.
 - 2) **PAC Mentoring Circle**
Run by the Practitioners' Affairs Committee (PAC), the aim was to create an informal group where professional, social guidance and support from senior members of the Bar may be given to young practitioners on areas of concern not related to the practice of law.
- **Monthly Free Seminars**
As undertaken at the last AGM of the Malaysian Bar, the KLBC via its Professional Development Committee conducted monthly free seminars in line with the Malaysian Bar's resolution regarding a mandatory Continuing Professional Development (CPD) Scheme.

F. OBITUARIES

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

Henry Lee Yee Lian on 16 April 2012
 Mohd Alakhir Bin Brahim on 6 May 2012
 Mohd Zahid Bin Ab Hamid on 30 August 2012
 Lim Choon Wee on 31 October 2012
 Augustine Christopher Nathan on 15 December 2012

The Reference Proceedings in respect and memory of the abovenamed members and Ng Fook Loy who departed on 27 November 2011 is scheduled to be held on 1 March 2013 at 10:00 a.m. at the Kuala Lumpur High Court. The Proceedings will be presided by Y.A. Dato' Seri Zakaria Bin Sam.

G. SECRETARIAT

With the engagement of a full-time general worker/tea lady in March 2012, the KLBC now has a staff strength of 12 (including 1 based in the Bar Room at the KL Court Complex).

The Secretariat staff continues to play an active role in supporting the work of the KLBC and its sub-committees and work tirelessly to ensure that all projects and activities were successfully carried out while performing other regular functions such as keeping records of meeting proceedings, processing Petitions for Admission to the Bar, collecting annual subscriptions and BC Box rental, maintaining the accounts, register of members, website and other social media of the KL Bar, attending to day-to-day enquiries from members of the Bar, pupils-in-chambers and members of the public, just to name a few.

Indira who handles Petitions for Admission and deals with pupils-in-chambers received her long service award on 16 January 2012. She has served the KLBC for 15 years.

While we are fortunate to have a group of loyal and dedicated staff, the majority of whom have served the KLBC for many years, 2 members of the staff had chosen to leave us in 2012. Kartini, our front desk personnel, left the Secretariat to move forward in her career path. She was replaced by Jayashree who joined on 11 July 2012. The other member of the staff who had left us was Norhafizah from the Bar Room. The vacant position was filled by Vasanthe Kumari who joined on 1 October 2012.

As always, the Secretariat works very closely with the KLBC in striving to serve the KL Bar better and provide members with a more efficient Secretariat. We welcome feedback and suggestions from members on how the Secretariat can improve its service to members and the profession.

H. ACKNOWLEDGEMENT AND CONCLUSION

I would like to end by asserting the same point I have made throughout my time in office and which continues to ring true. The Bar is only as strong as its members. The Bar relies on the time and effort of its members. Every initiative we work on is entirely dependent on the efforts and support of the members of the KL Bar.

I have had the pleasure of meeting and getting to know many members of the KL Bar who worked and continue to work tirelessly and unselfishly for the Bar with the common and simple goal of improving the standards of the legal profession and facilitating our members to practise law. The Bar as a whole owes a great debt to these people. And yet we could do so much more to make the Bar stronger and more responsive to the needs of the members of the Bar if all members came forward and contributed in their respective ways to achieve the aforesaid objective.

I would like to take this opportunity to thank Mary Tan (the Executive Secretary) and the staff at the Secretariat for all their hard work and dedication. Without them, the KLBC would not be able to function effectively and efficiently.

Brendan Navin Siva

Chairman
 Kuala Lumpur Bar Committee 2012/13

21st
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MEETING
KUALA LUMPUR BAR



SECRETARIAT STAFF



Mary



Melissa Dass



Norhayati



Rajan



Siti Affaeza



Indira



Rosilawati



Masni



Jayashree



Yazid



Silmah



Vasanthe

CIVIL COURT LIAISON COMMITTEE

**Brendan Navin Siva
Ravin Singh**
Co-Chairpersons



The Civil Court Liaison Committee (CCLC) retained its two sub-units covering both the Subordinate Courts and High Courts to be better equipped to handle specific issues arising therefrom more promptly.

In order to resolve the issues faced by the members of the Kuala Lumpur Bar, CCLC had requested and attended meetings with relevant Judicial Officers of the Kuala Lumpur Courts and the related service providers, which included the following:

16 APRIL 2012

E-FILING MEETING WITH THE KUALA LUMPUR COURT OFFICERS AND THE SERVICE PROVIDER (FORMIS)

The meeting was held on 16 April 2012 at 4.00pm at the Kuala Lumpur Courts. CCLC members were introduced to the KL Courts Officers in charge of the E-filing System (EFS) as well as to the service provider's (Formis) representatives.

Some of the salient issues that were discussed include the delays and congestion at the Service Bureau counter, issues on timing, online payment mechanism, Transfer Praecepse, Service Bureau's fees, file search, filing in the Appeals Court and E-filing system being implemented at Perak Courts on 1 April 2012. Other matters discussed during the meeting involved the online payment, service interruptions, the helpdesk, case management for the Subordinate Courts, incomplete documents, and delay on extraction of documents and issues on the payment counter.

17 APRIL 2012

E-PURSE BRIEFING AT PUTRAJAYA

The Briefing was held on 17 April 2012 at 3.30pm. E-purse was suggested as an alternative way of e-payment for the Courts E-filing System. The briefing was attended by Brendan Navin Siva, Lew Chee Seong and James Ee Kah Fuk. However, the proposal was neither feasible nor acceptable.

15 MAY 2012

MEETING WITH THE PENGARAH OF KUALA LUMPUR COURTS

The meeting was held at the Pengarah's office at the KL Courts on 15 May 2012 at 4.00pm. Main issues discussed were related to parking and security. The CCLC was also advised to write directly to the Chief Registrar regarding our request for a Lactation Room.

1 JUNE 2012

MEETING WITH THE MANAGING JUDGE OF RKKK, COMMERCIAL HIGH COURTS AND THE SUBORDINATE COURTS

The meeting was held on 1 June 2012 at 9.30am at the Kuala Lumpur Courts. Main issue discussed was the delay in scheduling of hearings for Admission to the Bar.

At the meeting, it was agreed with YA Datuk Zaharah Binti Ibrahim that this issue could be alleviated if other Judges from the Commercial Division would also hear Admissions to the Bar. Since then, the problem of long delays for Admission to the Bar has lessened.



Committee Members

Balan Nair
Chakravarthi
Dominic Gan Teck Long
Fatimah Zulaikha Binti Ahmad Bashri
G Nanda Goban
Gayathri Priya
James Ee Kah Fuk
Lew Chee Seong
Samreet Singh Sagoo
Shiyamala Devi Manokaran
Sunita Sankey
Yeoh Tung Seng

DISCUSSIONS WITH THE PERSONAL INJURY LAWYERS

Discussions were held mainly to determine whether there is currently a necessity to set up another sub-committee at the KLBC level specifically for the Personal Injury lawyers.

4 DECEMBER 2012

MEETING WITH THE REGISTRAR OF THE HIGH COURT OF MALAYA (PMT) REGARDING FILING OF DOCUMENTS

The meeting was requested by the PMT and was held on 4 December 2012 at 2.30pm at the Kuala Lumpur Courts. The CCLC raised issues such as the problems regarding the file searches at the Registries of the Kuala Lumpur High Courts, non-smoking policy at the Kuala Lumpur Court Complex, issues relating to the E-filing system, rejection of documents without grounds/explanations and problems of break-ins of cars parked at the Kuala Lumpur Courts parking areas.

The PMT informed the meeting that the Courts is currently doing a survey on how to improve the Malaysian Courts' ranking at the World Bank. The Judiciary would like to get feedback from members of the Bar for the said case study.

The PMT also informed the CCLC of future plans by the Judiciary and would like feedback from the Bar on several issues including Automated signing of Document and increasing the jurisdiction of the Small Claims Court

CONCLUSION AND APPRECIATION

We would like to record our thanks and appreciation to members of the CCLC for their time, support and cooperation for the term 2012/13.

Brendan Navin Siva

Ravin Singh

Co-Chairpersons

Civil Court Liaison Committee

CORPORATE AND CONVEYANCING PRACTICE COMMITTEE

Agnes Chan Kim Hong
Chairperson



The Corporate and Conveyancing Practice Committee (CCPC) maintains its main objectives of resolving issues and problems faced by corporate and conveyancing practitioners of the KL Bar with the relevant government agencies. The CCPC does not involve itself in policy issues which are under the Bar Council's purview.

To date CCPC had met 5 times since taking office, and in addition, attended meetings with some related government agencies.

The meetings attended with the relevant agencies and the activities of the CCPC for 2012/13 were as follows:

15 MARCH 2012

BRIEFING ON MYFORM SYSTEM BY THE WILAYAH LAND OFFICE

The Wilayah Land Office (WLO) had invited 10 Law Firms and CCPC for a briefing and a trial run of the MyForm system on 15 March 2012 from 9.00am to 4.00pm.

2 members of CCPC attended the briefing and reported that they were asked to do a trial run of the system on the desktops provided and to give feedback on how to improve the system.

As a pilot project, MyForm is an online registration system to be introduced by WLO for 4 basic Land Office transactions, namely, Transfer (Borang 14), Charge (Borang 16A), Discharge of Charge (Borang 16N) and Withdrawal of Private Caveat (Borang 19G).

To date we have not, as yet, been informed of the status of this MyForm System implementation by the WLO.

8 JUNE 2012

COURTESY CALL TO THE PUTRAJAYA LAND OFFICE

CCPC representatives were warmly welcomed by the Deputy Director of the Wilayah Land Office and 2 other officers. Issues that were discussed were regarding fraud, uncollected documents by lawyers and system upgrades by the Putrajaya Land Office.

It is our pleasure to inform members of the KL Bar that the Putrajaya Land Office will soon implement a system to notify members of the Bar of their pending transactions via sms and email. The system is expected to be introduced in 2013.

25 SEPTEMBER 2012

MEETING BETWEEN THE SELANGOR LAND REGISTRY (PTGS) AND THE REPRESENTATIVES OF KL BAR, SELANGOR BAR AND THE BAR COUNCIL

CCPC was invited to this meeting by PTGS. This is the follow-up meeting from the first meeting held by them on 5 December 2011.

The meeting was attended by several members of the Bar and representatives of all 9 Land/District Offices in Selangor.

Deputy Chairperson

Ally Chong Wai Kuan

Committee Members

Angie Tong Mood Mei

Annie Yin

Choo Chiew Ann

Dennis Teoh

Grace Chang

Grace Chin

Lee Ai Wi

Mohd Irwan Bin Mohd Mubarak

Nahzatul Ain Binti Mohd Khalid

Nurmurni Binti Zabirri

Oh Teik Keng

Rita Sabrina Wong Kee Ling

Rozian Idrus

Sarah Kambali

Susan Joseph

The Meeting discussed the actions that had been taken following the first meeting in 2011 and current issues arising which include:

- delay on the processing of documents;
- complaints about the law firms continued failure to affix their rubber stamp which shows their respective BC number and firm's name and address on the prescribed documents;
- PTGS clarified the issue on JPN search which is only required if the photocopied IC filed by the law firms are illegible;
- Land offices rejecting documents with minor mistakes;
- matters relating to e-wakil or the runners problems;
- upcoming upgrade of PTGS (1-day registration and the online registration checklist);
- matters relating to the official title searches;
- matters regarding registration of private caveat;
- blanket approval for strata properties;
- land fraud; and
- PTGS informed the meeting that they are not accepting e-seals from the Courts, which was introduced via e-filing system. They would require a copy of the documents to be certified true by the Courts when e-seals are involved.

COURTESY CALL TO OTHER LAND OFFICES

CCPC had planned and sent written request to Petaling, Gombak, Hulu Langat and Klang Land/District Office for Courtesy Call/Meeting.

Since the meeting organised by PTGS held on 25 September 2012 was attended by all the officers representing the 9 Districts of Selangor, CCPC decided not to pursue any courtesy call to the Selangor district offices individually.

MEETING/COURTESY CALL TO WILAYAH LAND OFFICE

CCPC received numerous complaints regarding the operational procedures of the Wilayah Land Office from members of the KL Bar. CCPC had sent written requests to the Wilayah Land Office for a courtesy call since taking office. A meeting was indeed called by Wilayah Land Office, however, with only one day notice. Due to shortness of the notice, CCPC could not make it to the meeting. Since then, the then Director had been promoted and transferred out of the Wilayah Land Office and the vacancy was left open for months and not filled until December 2012.

At the date of preparation of this report, CCPC had written to the new Director, Tuan Haji Yahaya Bin Mohamad, for a meeting to discuss the issues brought up by the members of the KL Bar.

UPCOMING EVENT

Courtesy Call/Meeting with the Jabatan Operasi Cukai, LHDN Cyberjaya

Initial contact had been done and at the time of this report, CCPC is awaiting confirmation of a suitable date from the agency.

A Talk on Understanding the Anti Money Laundering Act

CCPC had proposed this talk for a while but had decided to postpone it to a later date since the Bar Council and the Selangor Bar had organised a similar talk in 2012. We have obtained the agreement of a Bank Negara's representative and a member of the Bar to give a talk under this topic. The date set for the talk is 16 January 2013.

Workshop for Young Lawyers - Incorporation of a Private Limited Company and Members Voluntary Winding-up

CCPC will conduct a half-day workshop to cover the two topics. The secretariat is allocating a free date for CCPC to use the auditorium. The workshop is targeting the very young lawyers or lawyers who are not familiar with basic corporate law work.

CONCLUSION AND APPRECIATION

I would like to take this opportunity to thank all the sub-committee members of CCPC, especially those who have been active, for their time and support in attending the committee meetings and their assistance in resolving issues brought forward by both members of KL Bar and the relevant government agencies. I also thank those CCPC members who had generously sponsored some of our lunches.

Last but not least, my heartfelt thanks to all the other members of the KLBC and the secretariat for their support, without which, it is impossible for the CCPC to carry out its allocated tasks.

Agnes Chan Kim Hong

Chairperson

Corporate & Conveyancing Practice Committee



CRIMINAL PRACTICE COMMITTEE

Amrit Pal Singh
Chairperson



The Criminal Practice Committee (CPC)'s two main objectives for 2012/13 are as follows:

- i. To overcome issues and difficulties faced by criminal practitioners of the KL Bar with other stakeholders involved in criminal practice such as the Attorney General's Chambers, the Police, the KL Criminal Courts and Judicial officers.
- ii. To expose and encourage young lawyers to participate in criminal practice by conducting and organising talks, workshops, forums and mentoring programme pertaining to criminal law and practice.

To date CPC had met 5 times this term and had attended meetings with related stakeholders of the criminal justice administration. Meetings and other activities organised by the CPC were as follows:

12 APRIL 2012

MEETING WITH KETUA UNIT PENDAKWAAN KUALA LUMPUR

The Meeting was held on 12 April 2012 at 2.30pm at the Ketua Unit Pendakwaan's Office at Chase Perdana, Damansara Heights. It was attended by 6 CPC members. Numerous issues were discussed and resolved.

18 APRIL 2012

A PDC SEMINAR ON REMAND AND BAIL

The Chairperson presented the seminar organised by the KL Bar Professional Development Committee (PDC) that was held on 18 April 2012 and attended by 55 participants.

30 APRIL 2012

MEETING WITH KL COURT CRIMINAL OFFICERS AND PDRM

The Meeting was held on 30 April 2012 at the KL Courts and was attended by 10 CPC members. Issues discussed were problems arising from the new KL Remand Centres (Jinjang and Dang Wangi), Section 28A of the Criminal Procedure Code, Investigation Officer (replacing another) during remand hearing, punctuality and adjournment of trial cases requested by members of the Bar.

7 MAY 2012

MEETING WITH THE REGISTRAR OF THE HIGH COURT (PMT) REGARDING KL REMAND CENTRES

The Meeting was held on 7 May 2012 at 3.00pm at the KL Courts which was attended by representatives from the Bar Council, KL Bar CPC, YBGK, KL Criminal Court Officers and PDRM. Main issues discussed were regarding the operations and facilities provided at the 2 Remand Centres i.e. Jinjang and Dang Wangi.

Committee Members

Bruno Khor Boon How

Cheow Wee

Datuk Ganesalingam Kanagaretnam

Dominic Gan Teck Long

Jagdish Kaur

James Fong Fook Chuen

Jason Kung Que Seng

Justin Lim Keat Theam

Lee Teong Hooi

Natarajan a/l Chinnaswami

Rajinder Singh

Saranjeet Kaur Sidhu (Sharon)

Shamsul Sulaiman

Tharamjit Singh

Yasutha Reny

18 JUNE 2012

CRIMINAL CASE MANAGEMENT MEETING WITH PENGARAH KMKL, COURT OFFICERS, PDRM AND AGC KL

It was the first meeting held between all related stakeholders. Issues discussed were on statistics for postponed cases of the Sessions and Magistrates Courts for the month of February, March and April 2012. Objective of the meeting was to reduce the unacceptable postponements. Parties also discussed outstanding issues between themselves.

5 JULY 2012

TALK ON CRIMINAL ADVOCACY FROM PROSECUTORS' PERSPECTIVE

The talk was jointly organised by CPC and PDC and was held on 5 July 2012 at the KL Bar Auditorium. The talk was presented by Shamsul Sulaiman, a former DPP and now a CPC member. 44 participants attended this talk.

6 JULY 2012

2ND CRIMINAL CASE MANAGEMENT MEETING WITH PENGARAH KMKL, COURT OFFICERS, PDRM AND AGC KL

The Meeting discussed the statistics of cases postponed for the month of May 2012. Parties also discussed outstanding issues between themselves.

8 SEPTEMBER 2012

A SEMINAR ON CRIMINAL APPEALS

The seminar was jointly organised with PDC and Bar Council Criminal Law Committee on 8 September 2012 and was held at the KL Bar Auditorium. The seminar was presented by 2 distinguished members of the Bar - Hisyam Bin Abdullah @ Teh Poh Teik and Gurbachan Singh. Each speaker presented a topic covering Appeals in the High Courts and the Appellate Courts. The seminar was very well received with 92 participants.

18 OCTOBER 2012

CPC MENTORING PROGRAMME 2012

The idea was initiated by Cheow Wee during a CPC meeting and subsequent discussions were held at the office of Amrit & Company on the details of the programme. Khor Boon How and Justin Lim Keat Theam gave valuable insight on improving the programme from a young lawyer's prospective. After the approval of the KLBC, an e-blast was sent to KL Bar members and with 13 members signing up as mentees and 9 as mentors, the programme was launched on 18 October 2012. E-groups were created for both mentors and mentees to enable them to be in contact with each other and to share their comments. To date there are 17 mentees.

20 OCTOBER 2012

A SEMINAR ON PROTECTION OF CONSTITUTIONAL RIGHTS

Another seminar jointly organised with PDC and it was held on 20 October 2012 at the KL Bar Auditorium. The speaker was Malik Imtiaz Sarwar, a distinguished human rights lawyer. The seminar was well received with 54 participants.

23 OCTOBER 2012

MEETING BETWEEN THE SELANGOR BAR CRIMINAL LAW COURT LIAISON SUB-COMMITTEE AND THE KUPS OF SELANGOR AND KUALA LUMPUR

The Chairperson represented the CPC in this meeting between the Selangor Bar and the KUPs of Wilayah Persekutuan and Selangor. The meeting was held at the office of the Selangor Bar Committee and it was to discuss how all parties could work hand in hand in discharging their respective duties and at the same time ensuring justice is served.

10 NOVEMBER 2012

1-DAY WORKSHOP ON THE ART OF CRIMINAL CROSS-EXAMINATION

The 1-Day Workshop was another event jointly organised with the PDC and Bar Council Criminal Law Committee. It was held on 10 November 2012 at the KL Bar Auditorium. Another distinguished figure of the criminal practice fraternity, Athimulan Muruthiah, was the esteemed speaker for the day. The Chairperson of the Bar Council Criminal Law Committee, Rajpal Singh, was present along with the CPC Chairperson who acted as both moderator/facilitator. The workshop was well received with 56 participants.

28 NOVEMBER 2012

A PWC WORKSHOP ON CRIMINAL LITIGATION

Chairperson volunteered to present a Criminal Litigation Workshop organised by the Pupils Welfare Committee (PWC) on 28 November 2012 which was held at the KL Bar Auditorium. The workshop was designed specifically for pupils-in-chambers to be introduced and exposed on the fundamentals of criminal litigation.

21st ANNUAL GENERAL MEETING

KUALA LUMPUR BAR

Further to all the above, numerous circulars and emails were issued to members informing of developments and updates on criminal practice in KL and Selangor. We trust that members will find this information helpful. We shall continue to update members on all developments in future.

CONCLUSION AND APPRECIATION

I would like to record my deepest thanks to all members of CPC for their support and contribution during the term 2012/13 and not forgetting Norhayati, our officer in charge from the KL Bar Secretariat. We wish to express our appreciation to the members of the Kuala Lumpur Bar Committee and its Chairman for their continuous support in all our cause and activities.

Amrit Pal Singh

Chairperson

Criminal Practice Committee



ENVIRONMENTAL LAW COMMITTEE

Roger Chan Weng Keng
Chairperson



The Environmental Law Committee (ELC)'s overall objective is the greater involvement of lawyers both in terms of awareness and proactive approaches in addressing the myriad of environmental issues, such as radioactive waste disposal, cyanide poisoning and climate change. Their effect on survival of species invariably leads to issues of ecological imbalance, wildlife destruction, and sustainable use of resources.

This report will be based on 3 dimensions adopted by ELC for the term 2012/2013 namely awareness, environmental activism, and legal framework on environmentalism.

AWARENESS DIMENSION

EARTH HOUR 2012

Environmentalism recognises no state or national boundaries. Earth Hour is the time every year, which seeks to remind peoples throughout the world that light is a relatively recent invention as a result of harnessing limited energy supply from limited sources. The need to reduce wastage and for reduced carbon emission is therefore relevant and obvious. Thus ELC sent out an e-blast reminding KL Bar members regarding this annual global event of switching off all electrical appliances for an hour from 8.30pm to 9.30pm on 31 March 2012.

ENVIRONMENTAL TALK: BEYOND ME AND MINE: FROM SOLID WASTE TO CLIMATE CHANGE?

This talk held on 13 April 2012 was conducted by one of the country's foremost environmentalist Mr Gurmit Singh, who authored the book of the same title. Mr Gurmit invited us to explore some of the far reaching implications of environmental destruction as a result of poor waste management as borne out in his book, by drawing on many Malaysian examples. One of his strong messages is that affluence can exact high environmental cost, which challenges us to rethink some of our habitual lifestyles, and perhaps to make adjustments.

SUPPORTING COMMUNITY TREE PLANTING PROJECT

ELC managed to secure sponsors for a total of 80 trees with the YLC contributing another 10 trees in supporting a community tree planting project undertaken by the Institution of Engineers Malaysia (IEM) who managed to identify the site and area for the replanting of one of nature's most valuable resources. The tree-planting event was held at Taman Botani Negara, Shah Alam on 23 and 24 June 2012, with the ELC team led by Nicole Chee Chai Kuan.

TURTLE CONSERVATORY PROJECT (WWF TURTLE CONSERVATION IN TERENGGANU)

The researcher at WWF Terengganu had in October 2012 called for volunteers on the area of turtle conservation. The nature of the work also involves following turtle hatchlings on kayaks at night and recording their coordinates every 10 minutes for 2 hours. The project provides a rare opportunity for training in this species of wildlife conservation. A few ELC members have volunteered for this project.

Deputy Chairperson
Saha Deva Arunasalam

Committee Members

Amanda Man

Aw Ee Va

Donny Kwa

Elena Shim

Nicole Chee Chai Kuan

Muhammad Amar Bin Shaaruddin

Sharanya Premanathan

Thirunavakarasu Vijayan @ Ganesan

Yohendra Nadarajan

ENVIRONMENTAL ACTIVISM DIMENSION

ELC members in collaboration with the Bar Council's Environmental and Climate Change Committee (ECC) have taken part in a number of green rallies emanating from some of the environmental hotspots in the country, such as Gebing (Lynas issue), Bukit Koman (alleged use of cyanide in gold mining) and Pengerang (fossil fuel and climate change issue). The purpose of attending these rallies is to perform the role of monitors to ensure that peoples' environmental rights are safeguarded, besides ensuring that rights of freedom to assemble and speech as guaranteed under the Federal Constitution are respected.

On 30 September 2012, ELC lawyers together with 5 others from the Malacca Bar monitored an environmental rally against the building of a petrol chemical industrial complex in Pengerang, Johor.

On 24 November 2012, a small team from ELC also monitored a green rally from Gombak toll gate till Taman Melewar which was one of a number of milestones in a 300 kilometer Green Walk Campaign organised by a civil society group, Himpunan Hijau. This monitoring duty was continued on 25 November 2012, witnessing the biggest environmental rally around Dataran Merdeka, in Malaysian history.

THE LEGAL FRAMEWORK DIMENSION

THE ENVIRONMENTAL COURT

The Chairperson and his deputy attended a briefing on the proposed setting up of the Environmental Court by the Chief Registrar of the Federal Court on 31 July 2012.

ELC together with ECC, voiced their views that the composition, scope and function could be further improved and made known its views on the weaknesses with its implementation. It is also the considered view of ELC that a joint task force comprising representatives of the Judiciary and members of ELC and ECC would be an effective platform to move forward in terms of preparing recommendations on how to improve the Environmental Court by prioritising environmental cases and identifying some of the practical problems that may be encountered.

4-DAY ROUNDTABLE DISCUSSION OF ASEAN CHIEF JUSTICES AND SENIOR JUDICIARY ON ENVIRONMENTAL LAW AND ENFORCEMENT IN AIR KEROH, MALACCA IN DECEMBER 2012

The Chairperson attended one day of the 4-day event. The topics discussed were mainly based on Asean Environmental Challenges. They addressed green issues of deforestation and illegal logging, biodiversity and illegal wildlife. Blue issues were also discussed. They focused on ocean destruction, illegal fishing, marine pollution, freshwater pollution and flooding. ELC will invite more members in its next term to contribute and engage on these issues.

CONCLUSION AND APPRECIATION

ELC takes this opportunity to thank all members of the KL Bar who have assisted, supported or taken part in its activities in one way or another. ELC also thanks the KL Bar Secretariat for the immense help they have rendered without which some of the projects would definitely not have taken off.

Roger Chan Weng Keng

Chairperson
Environmental Law Committee

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A total of 100 trees were sponsored by:

E Choo Kok Beng
E. Cheah Boon Hwa
Chong Es Lian
Dato' Dr. Mohd. Zaini
Goh Jin Ming
BESCORP Sdn Bhd
YES Young Engineers Section
YEM Young Engineers Section
Yonamakai Bhd.
Lee Cheng Pui
Liam Ak. Weston Anjof
Mazlan Md. Yusoff
Norliza Linda Dass
Sury Um Eng Hwa

Organised by:

Mohamed Ridzuan Abdane
Mountbatten Sdn. Bhd.
Nayindiran Mageswaran
Nurul Izzati Chee Chung
Nicole Chee
Ir. Nik Mardzil Hawaie
Ir. Nor Ismail Abdullah
Norhayati Bt. Ramadhan
Razali
Rishi Ganesh A/L Kuppusami
Dr. S. Ramamurthy
Sarita & Siti
Shafiq Ezzak
AlMSU University

Co-organised by:

Pharmacy Bhd
Rahimah
Ranjan Prakash
Renuka
Renuka Bini Shuhada
Ir. Siew Yew Jen
Dato' Dr. Siew Siew Lee
Audrey Siew Sze Yen
Timothy Siew Sze Chung
Kenneth Siew Kang Chung
Vivekashtha A/L Gunawardan
Wong Siew See
Yang Phua See
Ir. Yau Chiu Fong
Maybank Corporation Bank
Universiti Teknologi Malaysia

INFORMATION TECHNOLOGY AND COMMUNICATIONS COMMITTEE

**Lim Chi Chau
Foong Cheng Leong**
Co-Chairpersons



The Information Technology and Communications Committee (ITCC) continued to push for reforms and changes within the KL Bar's IT framework. The KL Bar Blog (www.klbar.blogspot.com) was revived this year to create a platform for reports and articles to be published.

The KL Bar website (www.klbar.org.my), KL Bar Facebook group (KL Bar FB Group - www.facebook.com/groups/208444762526623/) and Twitter Account (<http://twitter.com/klbar>) were also utilised more this term to disseminate information to members and also to publicise events. We had also created a new Page on Facebook (KL Bar Pics - <http://www.facebook.com/KLBarPics>) to share all our photos.

Using these Internet Tools, the ITCC continued to explore advertising incomes on our website in order to bring more income to the KL Bar. In 2012, the ITCC managed to generate an income of RM28,150 from the Vacancies and Classifieds on the KL Bar website.

MONTHLY IT TIPS

The ITCC came up with monthly IT Tips which were uploaded on the KL Bar Blog and emailed to members as well. The Tips were:

1. Dropbox - Stop emailing documents to yourself, share large files and collaborate on work on the go!
2. Backing up is easy to do
3. The benefits of owning a Tablet
4. Keep calm and keep e-Grouping!
5. Keeping information safe online and in the Cloud
6. Calendar sharing among your colleagues through smart phones

INTERNET BLACKOUT DAY

The ITCC co-organised the Internet Blackout Day on 14 August 2012. The Internet Blackout Day was part of a campaign to call for the withdrawal of the new Section 114A in the Evidence Act 1950, otherwise known as Evidence (Amendment) (No. 2) Act 2012. It began on 31 May 2012 when the Centre for Independent Journalism, Malaysia (CIJ) launched an online petition to call on the government to withdraw the Evidence (Amendment) (No. 2) Act.

The Internet Blackout Day initiative was aimed to create awareness among Internet users about the negative impact of the amendment on online expression. Under Section 114A, an Internet user is deemed the publisher of any online content unless proven otherwise.

The Internet Blackout Day was a success and the Stop114A Facebook page (<http://www.facebook.com/stopSection114aInternetFreedom>) gained 43,000 likes from 400 likes within two days.

DIALOGUE SESSION ON THE BENEFITS OF ALTERNATIVE DISPUTE RESOLUTION FOR IP AND IT DISPUTES

The ITCC together with Messrs RamRais and Partners presented a dialogue session by Erik Wilbers, the Director of the World Intellectual Property Organization Arbitration and Mediation

Committee Members

Alvin Chai
Anita Gerewal
Justine Chew Bee Ling
Krishna Roy Sreenivasan
Phang Soon Mun

Observers

Gaythri Raman
Joachim Leong
Edwin Lee Yong Cieh

Center (WIPO) at the KL Bar Auditorium on 29 November 2012 from 10.30am to 12.00pm. He was also joined by Leandro Emilio Toscano, the Representative of the WIPO Arbitration and Mediation Centre in Singapore. 29 participants attended the Dialogue Session.

KL BAR/LEXISNEXIS APP

The ITCC is working with LexisNexis to come up with an App. The features are still being discussed and LexisNexis suggested having a focus group to help with this process.

UPGRADING THE COMPUTERS AT THE KL BAR SECRETARIAT AND BAR ROOM

The ITCC is also looking at upgrading the computers at the KL Bar Secretariat and the Bar Room.

DIGITISING KL BAR SECRETARIAT RECORDS

The ITCC has also proposed that the Secretariat start digitising its records. We need a new server to accommodate the scanned files.

COLLABORATION WITH ALCASSOFT

The ITCC is considering a collaboration with Alcassoft Solutions Sdn Bhd. Alcassoft is a custom software development firm that brings new technology products to market.

APPRECIATION

These projects cannot be carried out without the strong and genuine interest of our ITCC members who continued to assist and work behind the scenes to get the projects running and going. The ITCC members have continued to be supportive and helpful.

Lim Chi Chau

Foong Cheng Leong

Co-Chairpersons

Information Technology and Communications Committee



PRACTITIONERS' AFFAIRS COMMITTEE

Goh Siu Lin
Chairperson



1. The Practitioners' Affairs Committee (PAC) was established in the 2012/13 term with the following objectives:

- To address issues faced by lawyers as they progress in the profession and evolve in their professional careers;
- To conduct programmes and projects to improve the working conditions of lawyers;
- To conduct programmes for members on the non-legal aspects of practice (for example, soft skills and business development); and
- To provide mentoring and networking opportunities to enable more experienced members of the Bar to share their experience with young practitioners.

2. The following PAC projects were successfully implemented:

a) Mentoring Circle Programme

The Mentoring Circle is an informal group where professional and social guidance/support from senior members of the Bar may be given to young practitioners on topics of concern relating to practical issues.

The inaugural dinner was successfully held on 28 November 2012 at "Chef & Brew", Damansara Heights. It was attended by 10 mentees and 7 senior members of the Bar.

Following this, an e-group for the Mentoring Circle Programme was also created to enable the mentees and mentors to stay connected online.

b) A soft skills talk on "What Clients Want" on 7 June 2012

The Talk was held at the KL Bar Auditorium and presented by a member of the PAC, Ong Eu Jin from Messrs Lee Hishammuddin Allen & Gledhill.

It was well received with over 50 participants who were mainly lawyers. Feedback from the evaluation forms indicated that most participants were satisfied with the talk and the speaker and requested for similar talks to be organised in the future.

c) Projecting a Professional Image - Workshops by Bobbi Brown Cosmetics on 21 July and 24 November 2012

Special grooming and make-up sessions were held for female lawyers at Bobbi Brown's Training Hall, Midvalley, Megamall. 2 separate sessions were held on 21 July 2012 (21 participants) and 24 November 2012 (15 participants), respectively. The feedback showed that lawyers enjoyed themselves and had a lot of fun.

Committee Members

Lam Kin Fei
Lee Lyn Ni
Low Chooi Ping
Ong Eu Jin
Yap Chiu Wan

d) “Robes, Bibs and Heels” a talk on the challenges of balancing legal practice with family life on 31 October 2012

The Talk was presented by Anit Kaur Randhawa of Messrs Asbir Hira Singh and Goh Siu Lin of Messrs Shook Lin & Bok. It was an interactive session, attended by 12 participants out of which, 3 were male. Due to the intimate numbers, the session was held in the Conference Room at the KL Bar Secretariat which encouraged participants to freely speak out and share their concerns.

Participants found the session useful and the majority of the feedback forms gave a rating of excellent. The speakers have been invited by the Perak Bar to reprise this talk to its members.

e) Talk on Sexual Harassment on 20 November 2012

The Talk was jointly organised with PDC as a free seminar and was held on 20 November 2012 at the KL Bar Auditorium.

The 2 speakers were Meera Samanther of the Association of Women Lawyers (AWL) and Betty Yeoh of All Women's Action Society (AWAM).

This interactive talk was a success with approximately 80 participants.

f) Sexual Harassment Code

With the aim of raising the awareness of the Sexual Harassment Code (SHC), the PAC had worked with the Pupils Welfare Committee for the insertion of a page on the SHC in all future editions of the Pupillage Handbook.

The PAC has since issued 3 e-blasts to raise awareness of the SHC and the Bar Council's Sexual Harassment Complaints Mechanism to the KL Bar members. This information is also made publicly available on the KL Bar website.

g) Lactation Room at the Kuala Lumpur Court Complex

The PAC had issued a letter of request to the Chief Registrar requesting for a designated room/area to be used as a lactation room/area for nursing lawyers at the Kuala Lumpur Court Complex and the Palace of Justice. Regretfully, due to space constraints, the said request could not be acceded to.

The KLBC has agreed to support PAC's initiative by allocating a portion of the premises of the existing Bar Room at the Kuala Lumpur Court Complex for use as a lactation room.

Renovation works are currently on-going and women lawyers will be informed by an e-blast once this new facility is available for use.

3. CONCLUSION AND APPRECIATION

I would like to thank the Chairman and the KLBC Exco for entrusting me with this new and exciting portfolio. It has indeed been an enriching experience to be given this opportunity to serve the KL Bar.

My sincere gratitude for the ideas, support, enthusiasm and hard work shown by the members of the PAC and the KL Bar Secretariat (in particular Mary, Yati and Melissa) in the implementation of our projects.

Goh Siu Lin

Chairperson

Practitioners' Affairs Committee

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PROFESSIONAL DEVELOPMENT COMMITTEE

Jeremiah R Gurusamy
Lim Chi Chau
Co-Chairpersons



The Professional Development Committee (PDC)'s main objective is 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. As always, the PDC embarked on various legal education programmes for both members of the Bar and pupils-in-chambers.

With the introduction of the Malaysian Bar's resolution regarding a mandatory Continuing Professional Development (CPD) Scheme, the PDC had decided to organise one FREE Seminar every month for members of the Bar, pupils-in-chambers and law students, towards encouraging participation at no cost to members.

This term, the PDC organised 44 events in total between the period of 24 February 2012 and 31 December 2012, covering a wide area of topics as listed below:

SEMINAR ON THE FUNDAMENTALS OF CONVEYANCING

Jeremiah R Gurusamy from Messrs Arianti Dipendra Jeremiah presented the seminar which was held at the KL Bar Auditorium at 3.00pm on 24 February 2012. The seminar was attended by 126 participants. The seminar covered the following areas: "Parties to a sale and purchase transaction", "Property with and without individual title", "Direct developer and subsale transactions" and "Conveyancing and retail banking documentation and common mistakes and how to avoid them".

SEMINAR ON AN INTRODUCTION TO THE COMMON DISPUTES IN THE CONSTRUCTION INDUSTRY AND ADR PROCESSES

Belden Premaraj, Shanthi Supramaniam and Adrian See Jooi Hong from Messrs Belden presented the seminar which was held at the KL Bar Auditorium at 10.00am on 25 February 2012. The seminar was attended by 58 participants. The seminar covered various areas, amongst which were "An introduction to common disputes ADR processes", "Project delays & extension of time - understanding the contract, the evidence, the analysis", "Termination", "Performance bonds", "Arbitration in Malaysia" and "The Construction Industry Payment and Adjudication Bill".

SEMINAR ON PREPARATION AND CONDUCTING CIVIL TRIALS

Colin Andrew Pereira from Messrs Goh Wong Pereira and Sanjeev Kumar Rasiah from Messrs Sanjeev Kumar presented the seminar which was held at the KL Bar Auditorium at 3.00pm on 8 March 2012. The seminar was attended by 125 participants. The seminar covered the following Preliminaries: "Preparing Agreed Facts and Issues to be Tried", "Preparing Summary of Case", "Preparing Agreed Bundle of Documents" and "Preparing Witness Statements". The following areas on Conducting a Trial were also covered: "Opening Speech", "Examination In Chief", "Cross Examination", "Re-Examination" and "Evidential Issues".

SEMINAR ON JUDICIAL REVIEW OF INDUSTRIAL COURT AWARDS

Muhendaran Suppiah from Messrs Muhendaran Sri presented the seminar which was held at the KL Bar Auditorium at 10.00am on 17 March 2012. The seminar was attended by 53 participants. The seminar covered the following areas, "A Brief History of the Industrial Court",



Committee Members

Balwant Singh Sidhu
Donny Kwa Soo Chuan
G. Nanda Goban
K. C. Cheng
Leong Yin Wei
Marian Lee
Melinda Marie D'Angelus
Amir Bahari bin Md Noor
New Sin Yew
Sunita Sankey
Wong Tat Chung

"Referral to the Industrial Court", "The Indirect Route - S.20 IRA 1967, S.26 IRA 1967, S.33 IRA 1967", "The Direct Route - S.33 IRA 1967, S.56 IRA 1967", "Overview of the Industrial Court", "The Jurisdiction of the Industrial Court", "Award of the Industrial Court", "S.33B IRA 1967", "Finality of the Industrial Court Award", "Overview of Judicial Review - Order 53 RHC 1980", "Mandamus", "Prohibition", "Qua Warantor", "Certiorari", "Judicial Review Procedure - Leave Stage and the Cause Papers and Filing Periods", "Judicial Review in the Context of Industrial Jurisprudence", "Grounds on which the High Court will Review the Industrial Court Award", "Appeal to the Court of Appeal - The Procedure".

SEMINAR ON DEFAMATION - LATEST TRENDS AND DAMAGES AWARDED

Mohd Izral Khairy from Messrs Izral Partnership presented the seminar which was held at the KL Bar Auditorium at 3.00pm on 23 March 2012. The seminar was attended by 58 participants. The seminar covered the following areas, "Emerging Trend in the Last few Years", "Order 78 Rule 2 Rules of the High Court 1980", "Examples of Bad Pleading", "Consequence of Bad Pleading", "Usage of the Reportage Defence in Malaysia", "The Reynold's 10 Point Questions", "Types of Damages", "General Factors to be Taken into Consideration in Assessing General Damages", "General Mitigating Factors - Assessment of Damages", "Aggravated Damages" and "Exemplary Damages".

SEMINAR ON AN INTRODUCTION TO S.218 COMPANIES WINDING UP PETITIONS

Alex Chang from Messrs Alex Chang and Co presented the seminar which was held at the KL Bar Auditorium at 10.00am on 24 March 2012. The seminar was attended by 101 participants. The seminar covered the following areas, "An Introduction to Companies Winding Up Petitions in the New Commercial Courts", "218 Petition - Unable to Pay its Debts", "Affidavit Verifying Petition", "Appointment of a Provisional Liquidator under s231", "Advertisement of the Petition in the Newspapers", "Registrar's Certificate", "Affidavit In Opposition to Petition", "The Unless Order, Appointment of Liquidator", "Costs" and "Advocacy in the Companies Winding Up Court".

TAX LAW SPECIALIST SERIES - SEMINAR ON TAXATION OF COMPENSATION

S. Saravana Kumar from Messrs Lee Hishammuddin Allen and Gledhill presented the seminar which was held at the KL Bar Auditorium at 3.00pm on 30 March 2012. The seminar was attended by 23 participants. The seminar covered the following cases, "KPHDN v Metacorp Development: Is Compensation for Land Acquisition Taxable?", "Suasana Indah v KPHDN: Is Compensation for Termination of Contract Taxable?" and "KPHDN v Abdul Jalil: Is Compensation for Termination of Employment Taxable?".

SEMINAR ON REMAND, BAIL AND CRIMINAL ADVOCACY

Amrit Pal Singh from Messrs Amrit & Company presented the seminar which was held at the KL Bar Auditorium at 3.00pm on 18 April 2012. The seminar was attended by 55 participants. The seminar covered basic advocacy skills required for a Criminal Trial including Remand and Bail.

SEMINAR ON MARITIME LAW AND SHIPPING BUSINESS IN MALAYSIA

Prof. Dr. Sabirin Ja'afar who is currently Professor of Business Law and Ethics in the International Business School (IBS), Universiti Teknologi Malaysia (UTM), Kuala Lumpur presented the seminar which was held at the KL Bar Auditorium at 3.00pm on 20 April 2012. The seminar was attended by 64 participants. The seminar covered the following areas "Malaysia as a Maritime Nation", "UN Convention 1982", "Malaysia and UNCLOS (United Nations Convention on the Law of the Sea)", "Shipping Trends" and "Ship Building".

SEMINAR ON AN INTRODUCTION TO DUE DILIGENCE: PRACTICE AND PROCEDURES

Kenny Poon and Anne Wong from Messrs Jeff Leong, Poon & Wong presented the seminar which was held at the KL Bar Auditorium at 10.00am on 27 April 2012. The seminar was attended by 105 participants. The seminar covered the following areas "What is Due Diligence?", "Why is Due Diligence Necessary?", "Relevant Legislation", "Guidelines and Requirements", "Important Elements of Due Diligence", "Process of Compliance Due Diligence" and "Role of Solicitors in Due Diligence".

SEMINAR ON ISLAMIC WILLS I (BASIC)

Amir Bahari from Messrs Bahari & Bahari presented the seminar which was held at the KL Bar Auditorium at 10.00am on 11 May 2012. The seminar was attended by 43 participants. The seminar covered the following areas, "Key Objectives in Estate Planning", "Legal Framework of Estate Administration", "Faraid - Islamic Laws of Inheritance", "Sources of Islamic Will", "6 Steps in Estate Planning", "Issues in Islamic Estate Planning" and "Sample of Islamic Basic Will".

SEMINAR ON FAMILY LAW PRACTICE IN THE MEDIATION SYSTEM

Lim Siew Symn from Messrs Thomas Philip and Tong Soo Tim from Messrs Tong S-Tim and Associates presented the seminar which was held at the KL Bar Auditorium at 2.30pm on 17 May 2012. The seminar was attended by 41 participants. The seminar covered the following areas, "Arguing for Family Law Practice as a Specialised Area of Practice", "How to handle Family Law matters", "Various options available for resolving Family Breakups", "Mediation vs. Litigated Divorce", "The Mediator's Role" and "Mediation Costs".

SEMINAR ON PROFESSIONAL MISCONDUCT

Datuk Jerald Gomez from Messrs Jerald Gomez and Associates presented the seminar which was held at the KL Bar Auditorium at 3.00pm on 18 May 2012. The seminar was attended by 23 participants. The seminar covered the following areas, "What Constitutes Professional Misconduct", "The rationale and ambit of why lawyers are held to a higher standard", "How to avoid being the subject matter of a complaint and investigation" and "When faced with a complaint, the best manner to respond".

SEMINAR ON AN INTRODUCTION TO THE INDUSTRIAL RELATIONS ACT

Wong Keat Ching from Messrs Zul Rafique and Partners presented the seminar which was held at the KL Bar Auditorium at 3.00pm on 23 May 2012. The seminar was attended by 23 participants. The seminar covered the following areas, "A Preamble of the Industrial Relations Act 1967 ("IRA")", "Section 26 of the IRA", "Section 33 of the IRA", "Section 56 of the IRA", "Section 20 of the IRA", "The Remedies available", "Grounds for Dismissal/Termination" and "The Power of the Industrial Court under the IRA".

TAX LAW SPECIALIST SERIES - SEMINAR ON TAX ISSUES IN FINANCIAL TRANSACTIONS

S. Saravana Kumar from Messrs Lee Hishammudin Allen and Gledhill presented the seminar which was held at the KL Bar Auditorium at 3.00pm on 25 May 2012. The seminar was attended by 27 participants. The seminar covered the following areas, "Section 29: Interest obtainable on demand - what is the meaning of obtainable?", "Section 22(2): Does receivable include release of debt?", "Section 30(4): Does it include the release of debt from non-business income source?", "Section 140(1): Can Section 140(1) be used for thin capitalisation?", "Section 140(1): Can Section 140(1) be used for transfer pricing?", "Section 33(1): Are bank guarantee fees, pre-payment penalty and rating fees deductible?" and "Section 33(1)(a): Must interest be disbursed to be eligible for deduction?"

SEMINAR ON SERVICE LEVEL AGREEMENTS

Jeremiah R. Gurusamy from Messrs Arianti Dipendra Jeremiah presented the seminar which was held at the KL Bar Auditorium at 2.30pm on 30 May 2012. This free seminar was attended by 71 participants. The seminar covered the following areas, "Characteristics of an SLA", "Drafting a SLA", "Typical Clauses for a SLA", "Outsourcing of Human Resources", "Specifying Quality of Service", "Measuring Performance" and "Risk Management/Mitigation Policies".

SEMINAR ON ISLAMIC WILLS II (INTERMEDIATE)

Amir Bahari from Messrs Bahari & Bahari presented the seminar which was held at the KL Bar Auditorium at 10.00am on 8 June 2012. The seminar was attended by 40 participants. The seminar covered the following areas, "The Format for a Will Writing Questionnaire", "Taking Instructions Effectively", "Faraid Calculation", "Drafting of the Wills - Hands On Approach", "Drafting Issues" and "Specific Issues".

SEMINAR ON DIVORCE AND THE EMOTIONAL IMPACT ON THE SPOUSES

Warren Tan, marriage & family therapist/trainer & clinical supervisor in Singapore and Malaysia with 31 years of field experience presented the seminar which was held at the KL Bar Auditorium at 2.30pm on 14 June 2012. This free seminar was attended by 44 participants.

SEMINAR ON WILLS, PROBATE AND THE ADMINISTRATION OF ESTATES

Jeremiah R. Gurusamy from Messrs Arianti Dipendra Jeremiah presented the seminar which was held at the KL Bar Auditorium at 3.00pm on 21 June 2012. The seminar was attended by 82 participants. The seminar covered the following areas, "Probate and Letters of Administration", "Procedures in obtaining the Grant of Probate", "Letters of Administration" and "Broad Overview of Wills".

SEMINAR ON THE FUNDAMENTALS OF CIVIL LITIGATION

Mohd Izral Khairy and Tharminder Singh from Messrs Izral Partnership presented the seminar which was held at the KL Bar Auditorium at 3.00pm on 29 June 2012. The seminar was attended by 84 participants. The seminar covered the following areas, "Securing Proper Instructions (Warrant to Act, etc)", "File/Client Management", "Jurisdiction of Courts (Territorial, Monetary)", "Subordinate Court Procedures (Commencing Proceedings, Service, Appearance, Filing of Defence, etc)", "High Court Procedures (Commencing Proceedings, Appearance, Filing of Pleadings, etc)", "Drafting Court Documents", "Opinion writing" and "Overview of Appellate Procedures".

TALK ON CRIMINAL ADVOCACY FROM THE PROSECUTORS' PERSPECTIVE

The KL Bar Criminal Practice Committee together with the PDC presented the Talk as one of its programmes to encourage more lawyers to practise Criminal Litigation. Shamsul Bin Sulaiman from Messrs Edlin Ghazaly & Associates presented the Talk which was held at the KL Bar Auditorium at 3.00pm on 5 July 2012. The event was attended by 44 participants. The Talk covered the following areas, "Powers of the Public Prosecutor", "Understanding the hierarchy of the PP's Office", "Workflow and how decisions are made", "The Prosecutors' mindset", "How to be effective as a defence counsel vis-a-vis the prosecutor" and "What I have learnt from being across the divide".

SEMINAR ON ISLAMIC WILLS III (ADVANCED)

Amir Bahari from Messrs Bahari & Bahari presented the seminar which was held at the KL Bar Auditorium at 10.00am on 6 July 2012. The seminar was attended by 46 participants. The seminar covered the following areas, "Key differences between Wasiyyah, Wisayah & Wakaf", "Who can prepare the Will", "Witnessing of the Will", "Probate processes", "Role of PERWARISAN", "Effective estate planning tools" and "Sample of Islamic Advance Will".

SEMINAR ON LEGAL DUE DILIGENCE IN MERGERS AND ACQUISITIONS

Kelvin Loh Hsien Han from Messrs Shook Lin and Bok presented the seminar which was held at the KL Bar Auditorium at 2.30pm on 6 July 2012. The seminar was attended by 80 participants. The seminar covered areas in "Transactional Due Diligence" and "Compliance Due Diligence" including, "Purposes of a transactional due diligence, developing a strategy and planning", "Executing a transactional due diligence - Case Studies", "Due diligence in acquisition of minority stakes", "Defensive due diligence", "Purposes of a compliance due diligence and penalties under the law", "Formation of a due diligence working group and roles of each member" and "Standards of a due diligence".

SEMINAR ON EFFECTS OF DIVORCE ON ADULT CHILDREN AND TEENAGE CHILDREN

Yvonne Lee, the Director of Enrich Counselling & Therapy Centre presented the seminar which was held at the KL Bar Auditorium at 2.30pm on 12 July 2012. This free seminar was attended by 56 participants.

BRIEFING ON THE RULES OF COURT 2012

Brendan Navin Siva and 3 members from the Bar Council's Task Force on Combined Rules of Court presented the Briefing on 17 July 2012 at the Raja Aziz Addruse Auditorium, Bar Council at 4.00pm. 302 participants attended the Briefing.

SEMINAR ON FOREIGN MARRIAGES AND FOREIGN DIVORCES OF MALAYSIANS - WHAT YOU NEED TO KNOW

Balwant Singh Sidhu from Messrs Balwant Singh Sidhu & Co presented the seminar which was held at the KL Bar Auditorium at 5.30pm on 19 July 2012. The seminar was attended by 37 participants. The seminar covered the following areas, "Law Reform (Marriage & Divorce) Act 1976", "Application of Section 2 of the Act", "Solemnisation of Marriages of Malaysians Abroad", "Validity of the Marriages", "Lex loci celebrationes", "Solemnisation of Malaysian Marriages at Malaysian Embassies Abroad (Section 26)", "Registration of Foreign Marriages of Malaysians at Malaysian Embassies Abroad (Section 31)", "Registration of such Divorces (Section 107)", "Effect of obtaining a Foreign Decree of Divorce in relation to division of assets acquired during a marriage (Section 76)" and also the case of Gurcharan Singh Karnal Singh v. Mninder Kaur Piara Singh (2011) 2 CLJ 204.

BRIEFING ON THE RULES OF COURT 2012

Due to the overwhelming response to the Briefing held on 17 July 2012, a second Briefing was held on 23 July 2012 at the Raja Aziz Addruse Auditorium, Bar Council. Brendan Navin Siva and S. Nantha Balan from the Bar Council's Task Force on Combined Rules of Court presented the Briefing. 220 participants attended the Briefing.

TAX LAW SPECIALIST SERIES - SEMINAR ON TAXATION OF LAND TRANSACTIONS

S. Saravana Kumar from Messrs Lee Hishammuddin Allen and Gledhill presented the seminar which was held at the KL Bar Auditorium at 3.00pm on 27 July 2012. The seminar was attended by 23 participants. The seminar covered the following areas, "G Sdn Bhd v KPHDN: Are gains from disposal of land automatically subject to income tax?", "KPHDN v SE Sdn Bhd: Is development right stock in trade?" and "BD Sdn Bhd v KPHDN: Is contractual right an interest over land for the purposes of RPGT?".

SEMINAR ON THE EFFECTS OF DIVORCE ON YOUNG CHILDREN AND THE VARIOUS THERAPIES AVAILABLE

Lisa Sum, the Director of Training at the Agape Counselling Centre Malaysia presented the seminar which was held at the KL Bar Auditorium at 2.00pm on 9 August 2012. This free seminar was attended by 42 participants.

SEMINAR ON THE FUNDAMENTALS OF BANKRUPTCY PROCEEDINGS

Trevor Jason Mark Padasian from Messrs Skrine presented the seminar which was held at the KL Bar Auditorium at 3.00pm on 6 September 2012. The seminar was attended by 45 participants. The seminar covered the following areas, "Bankruptcy principles", "Bankruptcy practicalities" and "Relationship to winding up proceedings".

SEMINAR ON CONSTITUTIONAL LAW

Mahalethuchi Balakrishnan from Messrs Srivilliputhur Andal Alayam presented the seminar which was held at the KL Bar Auditorium at 3.00pm on 7 September 2012. She was assisted by Leong Yeng Kong, Joanne Leong, Nimalan Devaraja and Lingswaran Singh. This free seminar was attended by 57 participants. The seminar covered the following areas, "A brief outline of the Federal Constitution", "Recent Constitutional Issues in Malaysia" and "Using and Interpreting the Constitution".

SEMINAR ON CRIMINAL APPEALS

The KL Bar Criminal Practice Committee together with the PDC and the Bar Council Criminal Law Committee jointly organised the Seminar as one of its programmes to encourage more lawyers to practise Criminal Litigation on 8 September 2012. This Seminar, held at the KL Bar Auditorium from 10.00am to 4.00pm, was presented by Hisham Abdullah @Teh Poh Teik and Gurbachan Singh a/l Bagawan Singh and attended by 91 participants.

SEMINAR ON AN INTRODUCTION TO COMPETITION LAW

Lee Lin Li and Sudhar Thillainathan from Messrs Shook Lin & Bok presented the seminar which was held at the KL Bar Auditorium at 4.00pm on 13 September 2012. The seminar was attended by 61 participants. The seminar covered the following areas, "Competition Law & Policy", "The Competition Act 2010" and "The Competition Commission Act 2012".

TAX LAW SPECIALIST SERIES - SEMINAR ON TAX DEDUCTIONS FOR BUSINESS PROMOTION EXPENSES

S. Saravana Kumar from Messrs Lee Hishammuddin Allen & Gledhill presented the seminar which was held at the KL Bar Auditorium at 3.00pm on 21 September 2012. The seminar was attended by 46 participants. The seminar covered the following areas, "NV Alliance v KPHDN: The deductibility of sales incentives payments?", "Eli-Lily Malaysia v KPHDN: Are business promotion expenses entertainment expenses? and "ME v KPHDN: Provision of free legal fees for SPA & loan agreement - is that entertainment?".

SEMINAR ON ONLINE DEFAMATION

Rishwant Singh from Messrs Zul Rafique & Partners presented the seminar which was held at the KL Bar Auditorium at 3.00pm on 4 October 2012. The seminar was attended by 39 participants. The seminar covered the following areas, "Online vs Traditional Defamation", "Publication", "Republication", "The Cause of Action", "Hyperlinks" and "Section 114 of the Evidence Act 1950".

WORKSHOP ON FINANCIAL PLANNING

Chooi Kum Ying, a Certified Financial Planner presented the workshop which was held at the KL Bar Auditorium at 3.00pm on 17 October 2012. This free workshop was attended by 45 participants. The workshop covered the following areas, "Financial Planning", "Making it Work", "Insurance", "Investment Projection" and "Investment Evaluation".

SEMINAR ON PROTECTION OF CONSTITUTIONAL RIGHTS

The KL Bar Criminal Practice Committee together with the Professional Development Committee and the Bar Council Criminal Law Committee jointly presented the Seminar on 20 October 2012. Malik Imtiaz Sarwar presented the seminar which was held at the KL Bar Auditorium at 10.00am. The event was attended by 52 participants.

SEMINAR ON DRAFTING COMMERCIAL CONTRACTS 101

Jeremiah R. Gurusamy from Messrs Arianti Dipendra Jeremiah presented the seminar which was held at the KL Bar Auditorium at 3.00pm on 5 November 2012. Ken Tan Yong Xu moderated the seminar which was attended by 124 participants. The seminar covered the following areas, "Dealing with Compliance & Regulatory issues", "Scoping the Transaction", "Drafting Techniques", "Understanding Key Provisions", "Boiler Plate Clauses" and "Common Mistakes & Pitfalls".

WORKSHOP ON THE ART OF CRIMINAL CROSS EXAMINATION

The KL Bar Criminal Practice Committee together with the Professional Development Committee and the Bar Council Criminal Law Committee jointly presented the Workshop on 10 November 2012. Athimulan Muruthiah presented the workshop which was held at the KL Bar Auditorium at 9.30am. The workshop was moderated by Amrit Pal Singh and assisted by Rajpal Singh. The workshop was attended by 56 participants.

TALK ON SEXUAL HARASSMENT

The Practitioners' Affairs Committee together with the Professional Development Committee jointly presented the talk on 20 November 2012. Meera Samanther of the Association of Women Lawyers (AWL) and Betty Yeoh of the All Women's Action Society (AWAM) presented the talk which was held at the KL Bar Auditorium at 5.00pm. The talk was moderated by Goh Siu Lin. The free talk was attended by 74 participants.

SEMINAR ON JUDICIAL REVIEW 101

Shanmuga Kaneshalingam from Messrs Kaneshalingam & Co presented the seminar which was held at the KL Bar Auditorium at 3.00pm on 7 December 2012. The seminar was attended by 61 participants. The seminar covered the following areas, the Basics; "What relief can you get?", "When, where and how do you file the application", "Preparing the accompanying Statement", "Procedure at Leave stage" and "Steps to be taken after getting leave" and the Common problems; "Alternative remedies and Ouster Clauses", "Is there a decision at all", "Delays and Extension of Time" and "Stay".

SEMINAR ON THE FUNDAMENTALS OF BANKRUPTCY PROCEEDINGS

Sanjeev Kumar Rasiah from Messrs Sanjeev Kumar presented the seminar which was held at the KL Bar Auditorium at 3.00pm on 12 December 2012. The seminar was attended by 116 participants. The seminar covered the following area, "Bankruptcy Proceedings", "Introduction to the Bankruptcy Act", "The Bankruptcy Notice", "The Creditor's Petition", "Obtaining an Adjudication and Receiving Order", "Proving of debts" and "The first Creditors' meeting".

SEMINAR ON AN INTRODUCTION TO REAL PROPERTY GAINS TAX

N. Rajagopal, the former Principal Assistant Director of the Technical Division, IRB Headquarters and K. Kanthaiah the former Assistant Director of the National Tax Academy presented the seminar which was held at the KL Bar Auditorium at 3.00pm on 14 December 2012. The seminar was attended by 113 participants. The seminar covered the "Scope of charge, chargeable person, year of assessment & rate of tax", "Recent developments in RPGT", "Disposals & Acquisitions", "Computation of RPGT", "Section 8 Election", "Duties of Acquirer", "Duties of disposer", "Real Property Companies (RPC)" and "Disposal of RPC shares".

SEMINAR ON DRAFTING COMMERCIAL CONTRACTS 101

Jeremiah R. Gurusamy from Messrs Arianti Dipendra Jeremiah presented the seminar which was held at the KL Bar Auditorium at 2.30pm on 19 December 2012. The seminar was attended by 120 participants. The seminar covered the following areas, "Dealing with Compliance & Regulatory issues", "Scoping the Transaction", "Drafting Techniques", "Understanding Key Provisions", "Boiler Plate Clauses" and "Common Mistakes & Pitfalls".

UPCOMING SEMINARS

- The Domestic Violence Act: Perspectives from a Family Law Practitioner on 9 January 2013
- Corporate Litigator's WMDs: Winding-up, Minority Oppression and Derivative Action on 10 January 2013
- Professional Speaking: 7 Essentials Every Lawyer Should Master on 23 January 2013
- Introduction to Arbitration on 30 January 2013
- An Introduction to Employment Law on 19 February 2013
- An Introduction to Intellectual Property on 26 February 2013
- Climate Change: Mother of All Environmental Problems and the Biggest Human Rights Violation of All Times on 28 February 2013
- An Introduction to Islamic Banking in Malaysia: Syariah Concept in Islamic Banking on 6 March 2013
- Fundamentals of Civil Litigation on 20 March 2013
- Workshop on Basic Conveyancing Practice 18 April 2013

The response to the PDC events has continued to be encouraging and it is our hope that members will fully exploit these programmes for their professional development. We hope to see a continued support and increased participation from members and pupils alike.

The PDC is also looking at organising a 2-day conference in 2013 specifically targeting the corporate sector and also in the pipe-line is a Dialogue Session and Hi-Tea Get-Together with Bank Negara, Securities Commission, Bursa Malaysia, Companies Commission of Malaysia and Malaysian Competition Commission.

It is our hope that more practitioners will participate in the PDC Programmes for 2013.

The PDC would like to record our appreciation to the KL Bar Secretariat, especially Mary Tan and Melissa Dass for their immense contribution and assistance to this committee.

Jeremiah R. Gurusamy

Lim Chi Chau

Co-Chairpersons

Professional Development Committee



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PUBLICATIONS COMMITTEE

Jeremiah R. Gurusamy
Chairperson



The Publications Committee primary focus was in editing all monthly activity reports produced for all KL Bar Activities. The committee also edited the Annual Report 2012/13 and other event reports issued from time to time on a regular basis.

All activity/event reports were circulated by e-mail to the KL Bar members and also uploaded to the KL Bar Blog (www.klbar.blogspot.com) and links were put up on the KL Bar Website (www.klbar.org.my), KL Bar FB group page (www.facebook.com/groups/208444762526623/) and the KL Bar Twitter page (<http://twitter.com/klbar>).

Going forward, the Publications Committee plans to produce a book on the lives, practice and impact of distinguish senior members of the Bar.

The Publications Committee would like to record our appreciation to the KL Bar Secretariat, especially Mary Tan and Melissa Dass for their immense contribution and assistance to this committee.

Jeremiah R. Gurusamy
Chairperson
Publications Committee

PUPILS WELFARE COMMITTEE

Jason Kong
Chairperson



The Pupils Welfare Committee (PWC) began the term with its first meeting on 30 March 2012. The recruitment of its sub-committee members continued throughout the year. Currently the PWC membership comprise mainly of young lawyers. The PWC has also been working very closely with other sub-committees for the duration of the term.

PUPILS INTRODUCTION SESSION

This term, the Pupils Introduction Session (P.I. Session) continues to be more interactive. The pupils are invited to share any problems they have encountered or any experience which they wished to share during their period of pupillage.

Together with Ravin Singh, Harleen Kaur (Leena), the KLBC Chairman Brendan Navin Siva and with the support other KLBC members, two (2) additional P.I. Sessions were held on 13 July 2012 and 10 August 2012 apart from the monthly P.I. Session to accommodate the large number of pupils to be called to the Bar.

The PWC would like to record its appreciation to Ravin Singh and Leena for their contribution and unconditional support towards the new P.I. Sessions. The PWC also extends its sincerest appreciation to the KLBC Chairman, Brendan Navin Siva and members of the KLBC who had rotated among themselves to assist at the P.I. Sessions.

PUPILS WORKSHOPS

This term, the Pupils Workshops Programme was headed by PWC member Nur Khairunnisa. PWC continued to organise a series of monthly Civil Litigation, Criminal Litigation and Conveyancing workshops for pupils. While these workshops were specially designed for pupils, the limit on the number of attendees had to be expanded to 50 pupils per session due to the overwhelming response. This term, the PWC also introduced a new Corporate workshop. The PWC continues to achieve its objective to introduce to the pupils-in-chambers the practical aspect of the operation of the law and also attempts to improve pupils' basic legal knowledge, especially on the fundamentals of Court practices in the real world.

In the area of criminal law, the PWC continued to organise Criminal Litigation workshops for pupils. In November 2012, the PWC in collaboration with the Criminal Practice Committee organised a Criminal Litigation workshop where the pupils were mainly exposed to client interview skills, mitigation, bail applications, remand hearings and trial procedure. The PWC wishes to record its thanks to the speakers Amrit Pal Singh and Kuldeep Kumar for their unconditional support in conducting the Criminal Litigation workshops.

In Civil Litigation, the pupils were taught opinion drafting, drafting summonses and statements of claim, Civil Court Rules and advocacy skills. The PWC thanks the speakers Richard Wee, Mohd Izral Mohamed Khairy, Colin Andrew Pereira and Sanjeev Kumar Rasiah for their time and effort in conducting these Civil Litigation workshops.

On the conveyancing side, Michael Leow continued to provide his unconditional support to the pupils workshops to enhance the pupils' knowledge on conveyancing practice in Malaysia. The PWC would like to record its thanks to Michael Leow.

Deputy Chairperson

Kuldeep Kumar a/l Jamna Dass

Committee Members

Adrian See Jooi Hong

Cheng Khang Chween

Choo Dee Wei

Erma Syafinaz Samain

Fateen Najlaa Idayu Mohamad Nor

Johana Rosli

Kenneth Wong Poh Lim

Kitty Oh Swee Kar

Koong Hui Jiun

Lee Ai Wi

Nur Khairunnisa Zainal Abidin

Por Yang Wei

Raja Habibatul Zaharah Raja Chulan

Teh Zhing Lee, Jilly

The PWC had introduced a new workshop this year, namely Corporate workshop with the first one being held in August and the second one scheduled for February 2013. PWC would like to record its appreciation to Ong Eu Jin and Sharanya Premanathan for conducting the first workshop.

2012/13 Pupils Workshops as follows:-

DATE	TIME	TOPIC	SPEAKERS
26 April 2012	3.00pm	Civil Litigation	Richard Wee Thiam Seng
24 May 2012	3.00pm	Conveyancing	Michael Leow Yon Meng
27 June 2012	3.00pm	Criminal Litigation	Kuldeep Kumar
29 August 2012	3.00pm	Corporate	Ong Eu Jin Sharanya Premanathan
25 September 2012	3.00pm	Civil Litigation	Mohd Izral Bin Mohamed Khairy
23 October 2012	3.00pm	Conveyancing	Michael Leow Yon Meng
28 November 2012	3.00pm	Criminal Litigation	Amrit Pal Singh
20 December 2012	3.00pm	Civil Litigation	Colin Andrew Pereira Sanjeev Kumar Rasiah
22 January 2013	3.00pm	Conveyancing	Michael Leow Yon Meng
20 February 2013	3.00pm	Corporate	Ong Eu Jin Yong Yishan C.

LEGAL CAREER FAIR

This year, the Legal Career Fair was headed by PWC member Adrian See. The PWC intended to collaborate with local private colleges and universities such as HELP University and University of Malaya to organise the Legal Career Fair but due to logistic issues the collaboration did not work out and the PWC had to defer the said Career Fair to the following year. On another note, the PWC had been advised that January would be the most ideal month to hold the Legal Career Fair. Hence, considering the time factor and preparations to be made, PWC could only hold the Legal Career Fair in the next term.

IMPLEMENTATION OF “MASS CALL” IN MALAYSIA

The “Mass Call” has been placed under special projects and is being handled by the KLBC which would be working together with the Bar Council as it involves not only pupils serving their pupillage in Kuala Lumpur but also in other jurisdictions.

MEETING WITH THE DEPUTY REGISTRAR OF THE APPELLATE & SPECIAL POWERS DIVISION OF THE KL HIGH COURT

The KLBC had gathered a list of issues pertaining to the Courts raised by the pupils during the monthly pupils introduction sessions. PWC is arranging a meeting with the Deputy Registrar of the Appellate & Special Powers Division of the KL High Court to resolve those issues. The meeting is being planned for January 2013.

PALACE OF JUSTICE VISIT

PWC organised its inaugural visit to the Palace of Justice for its pupils. 17 pupils including 6 attachment students from Japan participated in this visit which was held on Friday, 6 July 2012.

The pupils gathered outside Wisma Kraftangan (where the KL Bar Secretariat is located on the 8th floor) from as early as 7.30am and enjoyed a light breakfast at the neighbouring restaurant. Our entourage departed from Wisma Kraftangan at 8.15am by coach and arrived at the Palace of Justice at 9.00am.

On hand to welcome us at the Palace of Justice was DPP Encik Mohd Sabri who was also our designated guide for the day. The programme began with a video show at the conference room on the history of the Malaysian Justice System followed by a visit to the museum. The pupils also had the opportunity of witnessing a Court of Appeal proceeding at 10.30am. The visit ended with a tour of the Library at 11.45am.

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It was a rewarding visit for the pupils and it achieved its objective of enhancing the pupils' knowledge of the Malaysian Justice System.

CONCLUSION AND APPRECIATION

I wish to record my deepest appreciation to the members of the Pupils Welfare Committee 2012/13 who have selflessly volunteered their time and I acknowledge all their hard work done and cooperation they have given.

Further, I wish to thank the KL Bar Secretariat, the lovely people that I have had the pleasure of working with, especially the Executive Secretary Mary Tan, as well as Rajan, Indira and Melissa.

Last but not least, I take this opportunity to thank members for entrusting me, for a second term, with this duty and providing me a platform to work with many great teams of people and contribute my time in serving the KL Bar.

Jason Kong

Chairperson
Pupils Welfare Committee



SOCIAL, ARTS AND CULTURE COMMITTEE

Melissa Sasidaran
Chairperson



To date, the Social, Arts and Culture Committee (SACC) had organised the following events for members of the KL Bar, their friends and families:

BLOOD DONATION DRIVE

With the assistance of the National Blood Bank, a Blood Donation Drive was held on 14 May 2012 at Level 2 of the Kuala Lumpur Court Complex at Jalan Duta. Members of the Bar, Court staff and members of the public nobly came forward to participate in this Blood Donation Drive. There were 54 donors who registered. However, only 43 were eligible to donate. The 11 were rejected because they were either underweight, had either high blood pressure or low blood pressure or had lived in the United Kingdom from 1980 till 1996 or in Europe between 1980 until the present. A total of 43 units of blood were collected from the caring donors.

MOVIE NIGHT

A Movie Night - a private screening of The Avengers (2D) was held on 3 May 2012 at Golden Screen Cinemas, Pavillion, Kuala Lumpur. The event drew a crowd of lawyers who came with family and friends to enjoy a night of action and thrill. The SACC is pleased to have sold all tickets for this movie screening and would like to thank everyone for their support for the event.

SOCIAL NIGHT

The SACC and the Young Lawyers Committee (YLC) jointly organised its first social get together for the term 2012/2013 on 8 June 2012 at 21, Bangsar Shopping Centre. The venue was quickly filled with lawyers coming straight from work, hoping to let their hair down at the end of a typically busy working week. Loud chatters and laughter quickly filled the air and created a very lively atmosphere. It was very encouraging to see quite a few senior lawyers gracing the event, as well as many young lawyers and pupils-in-chambers in attendance. This social event definitely achieved its aim of providing an opportunity for lawyers to meet and mingle in an informal setting. Many had also expressed interest in getting involved in future SACC and YLC events.

DRAGON BOAT

The SACC together with the Young Lawyers Committee co-organised introductory workshops on dragon boating on 14 July 2012, 21 July 2012, 28 July 2012, 23 September 2012, 28 October 2012 and 13 January 2013 at the Putrajaya Maritime Centre, Prescint 6 Putrajaya. The workshop was conducted by our very own KL Bar member, Janet Chai and was attended by KL Bar members and pupils. The Team, KL-BARBARIANS trained every weekend and their hard work paid off in various competitions including the Penang International Dragon Boat Festival on 30 June 2012 and 1 July 2012.

KL BAR'S YEAR-END PARTY

Formerly known as the KL Bar Annual Dinner & Dance, the KLBC decided to do it a little differently this year. A year-end party was hosted at one of the year's hottest establishment, The Pool in Nihonkan, Jalan Ampang on 8 December 2012. 432 guests including former Bar Presidents and former Kuala Lumpur Bar Chairmen attended the event. The guests were treated to a delectable buffet spread as well as a variety of canapés, coupled with free flow of selected drinks, with the cool ambience of the venue's signature pool. They were also

Deputy Chairperson
Shobana Segran

Committee Members

Ahmad Aizat Bin Ab Rahman
Aziyan Azlan
Crystal Sue Nilsson
Fyiona Lai Phik-Wy
Jasmine Lukman
Kenneth Wong Poh Lim
Khaizan Sharizad
Lai Yee Fan
Md Azmi Bin Mohd Shari
Mohamed Hashim Abd Rahiman
Nur Haedzernie Binti Md. Noor
Nurhazwanie Binti Mohd Salleh
Sheelaa Ragavan
Yeoh Tung Seng

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entertained with live performances by members of the Bar and a DJ throughout the event.

Melissa Sasidaran

Chairperson

Social, Arts & Culture Committee



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SPORTS COMMITTEE

Muhendaran Suppiah
Chairperson



22ND KL BAR V RSC SPORTS CARNIVAL

This "Sports Carnival" Series was inaugurated in 1985 where several sports are played for the overall challenge trophy donated by the late Tan Sri Dato' Harun Hashim. There is also a challenge trophy for each sport donated by senior members of the Bar / RSC members.

This year's Series was held on 1 and 3 November 2012 and 6 games were played namely badminton, tennis, cricket, soccer, hockey and billiards/pool. The KL Bar beat the Royal Selangor Club 1-0 winning at badminton and drew at tennis, billiards/pool, soccer, hockey and cricket to become the overall champion. The End-of-Games and Prize-Giving Dinner was well attended.

INTERSTATE GOLF TOURNAMENT

The Malaysian Bar Interstate Golf Tournament 2012 was held in Malacca at Tiara Golf Resort on 7 July 2012. The KL Bar Sports Committee sent a team of 9 players to participate in the said Tournament.

This year's Tournament attracted participation from 8 State Bars - Kuala Lumpur, Johor, Selangor, Malacca, Negeri Sembilan, Perak, Penang and Kelantan. Johor Bar emerged as Champions followed by the Selangor Bar as 1st runners-up. KL Bar secured the 3rd spot as 2nd runners-up and one of its players won a prize for nearest the pin.

KUALA LUMPUR/SELANGOR BAR GAMES - 12TH SERIES

This Series was inaugurated after the split between the Selangor and Federal Territory Bar and both teams will play various sports for the Lall Singh Muker Challenge Trophy, which is donated by Mrs Lall Singh Muker, mother of a senior member of the Bar, S.S. Muker who is a member of both the Selangor Bar and KL Bar. This year's series, to be hosted by the Selangor Bar, will be held on 11 and 12 January 2013 wherein 7 games will be played - badminton, darts, football, volleyball, netball, snooker and golf.

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
Snooker/Pool

Khairul Idham
Hockey

Robert Low
Soccer and Futsal

Shiyamala Devi
Volleyball

Sivaruben a/l R Balasekaran
Darts

V Stanislaus
Golf

Wan Syarifah Binti Razman
Netball

Yeoh Cho Kheong
Tennis

Amrit Pal Singh
Ang Wei Chao

Gary Kuah Jiun Yu

Saha Deva

Samreet Singh Sagoo
Sathyananthan

21st
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KUALA LUMPUR BAR



YOUNG LAWYERS COMMITTEE

Khaizan Sharizad Abd Razak
Chairperson



The KL Bar Young Lawyers Committee (KLYLC) continued to strive to create a platform for young lawyers to contribute back to the Bar.

The KLYLC sub-units were revamped this term and were headed by the following Unit Heads and their roles were:

1. YL Communications - Phang Soon Mun
To manage web contents under the KL Bar website, to liaise with the KL Bar ITCC to update KLYLC events, to set up and manage KLYLC's helpline email, to manage KLYLC Facebook and Twitter account.
2. YL Professional Development - New Sin Yew
To manage expectations for law students, to organise Seminar/Workshops for the Professional Development of young lawyers and to set up the YL Mentor Programme.
3. YL Socials - Cindy Cheong Sing Yee and Thirunavakarasu a/l Vijayan @ Ganesan
To organise the Charity Night, Legal Dining, Futsal Challenge Trophy Tournament, to liaise with Young Professional Alliance and to co-manage the KL Bar Dragon Boat Team (KL-BARbarians) with the KL Bar Social, Arts and Culture Committee.

The KLYLC also had a Representative who sat in the National Young Lawyers Committee - Vince Chong.

The activities carried out for the 2012/13 term were:

KLYLC/SACC INTRODUCTORY WORKSHOP TO DRAGON BOATING

The KL-BARbarians organised 5 Introductory Workshops to Dragon Boating this year on 14 July 2012, 21 July 2012, 28 July 2012, 23 September 2012 and 28 October 2012. All the Workshops were conducted at the Putrajaya Maritime Centre at 9.30am.

DRAGON BOAT COMPETITIONS

The KL-BARbarians competed in the following competitions in 2012:

- Dragon Boat Competition at Putrajaya on 24 March 2012
- KBSM Watersports Carnival from 25 to 27 May 2012
- Melaka International Dragon Boat Festival 2012 on 16 and 17 June 2012
- 33rd Penang International Dragon Boat Festival 2012 on 30 June and 1 July 2012
- Pesta Penang Dragon Boat Competition on 8 and 9 December 2012
- Dragon Boat Competition in Malacca on 29 and 30 December 2012

KL BAR VAISAKHI NIGHT

The KLYLC organised its inaugural Vaisakhi Night at Sangam @ Plaza Kelana Jaya on 26 April 2012 from 7.00pm onwards. 55 members attended this inaugural event. It was an enjoyable evening with good food and entertainment by the "Mumbai Stars".

Deputy Chairs

Daniel Albert
Yeoh Tung Seng

YL Communications Chair

Phang Soon Mun

YL Professional

Development Chair
New Sin Yew

YL Socials Co-Chairs

Cindy Cheong Sing Yee
Thirunavakarasu Vijayan @ Ganesan

NYLC Representative

Vince Chong Khin Young

Committee Members

Alvin Oh Seong Yew
Ang Wei Chao
Ariani Ilda Bakri
Azri Malek
Benedict Khu
Bryan Ho Jiann Yau
Chan Kit Kheong
Charlaine Chin
Chen Hong Sze
Choo Dee Wei
Choo Mun Wei
Chris Chin
Christine Ooi Wai Ching
Chua Chinn Yuan
Crystal Sue Nilsson
Darren Malis
Dennis Thong
Dipendra Harshad Rai
Donny Kwa Soo Chuan
Edmund Bon Tai Soon
Fareez bin Zahir
Foo Yong Luk
Fyiona Lai Phik-Wy
Gan Lu Suan
Geeta Krishna
Henry Ting Jeng Sheng

KLYLC RETREAT

The KLYLC decided to invite new young faces for the Retreat this year. We had 4 senior young lawyers and 18 new young lawyers participating in our retreat held on 2 and 3 June 2012. The 4 senior young lawyers, namely, the KLYLC Chair, Khaizan Sharizad (Sherrie), KLYLC Co-Deputy Chairs Daniel Albert, Yeoh Tung Seng and Yohendra Nadarajan were mainly facilitators and assisted with the retreat. Melissa Dass, the Executive Officer from the KL Bar Secretariat helped search for venues for the retreat as many were not available because the dates coincided with the school holidays. Eventually the KLYLC managed to secure a good deal with Corus Hotel in Port Dickson.

KL BAR'S SOCIAL GET-TOGETHER

The KL Bar Social, Arts & Culture Committee and the KLYLC jointly organised the first social get-together for the term 2012/2013 on Friday, 8 June 2012 at 21, Bangsar Shopping Centre (BSC). The event was scheduled for 8.00pm and the venue was quickly packed with lawyers coming straight from work, hoping to let their hair down at the end of a typically busy working week.

IEM TREE-PLANTING COMMUNITY PROJECT AT TAMAN BOTANI NEGARA, SHAH ALAM

The KL Bar Environmental Law Committee and the KLYLC participated in the tree-planting project at Taman Botani Negara, Shah Alam on 23 and 24 June 2012. The event, organised by the Young Engineers Section (YES) of the Institution of Engineers Malaysia (IEM), was launched and officiated by IEM Deputy President Choo Kok Beng, Chairman of the Young Engineers Section Shuhairy bin Norhisham and ENSEARCH Vice-President Elias Saidin by planting the first out of the 190 trees sponsored by various individuals and organisations around the Klang Valley. KL Bar with some corporate/personal friends had sponsored 90 out of those 190 trees.

KLYLC-MCCHR PUBLIC INTEREST LITIGATION WORKSHOP

The KLYLC established a Public Interest Litigation Unit (PILU) in association with the Malaysian Centre for Constitutionalism and Human Rights (MCCHR). In line with this, a series of formal workshops were organised for members of PILU on the basics of strategic public interest litigation, free of charge, to prepare interested young lawyers to handle the demands of such cases and to encourage the use of strategic litigation to promote human rights. The workshops were held on 7 July 2012, 22 September 2012 and 3 November 2012 at the KL Bar Auditorium and 5 January 2013 at the Raja Aziz Addruse Auditorium, Bar Council from 9.30am to 2.30pm.

KLYLC BUKA PUASA

About 30 members and pupils turned up for the Buka Puasa organised by the KLYLC on 14 August 2012 at a Malay styled restaurant (with attap roof and all) in the middle of KL called "Tupai-Tupai". Surrounded by greenery and there were even some chickens (in cages) at the entrance to the restaurant, it really gave the place a "kampong" feel to it and sent a subtle message to patrons that you have already "balik kampong" by just going there.

VISIT TO ORANG ASLI SETTLEMENT AT KG BERTANG, PAHANG

The KLYLC jointly with 'Project Light A Home' organised a visit to the Orang Asli Settlement at Kg Bertang, Pahang on 2 September 2012 as a run up to the Charity Night 2012. During the visit, the villagers were given groceries, courtesy of the collection from the Social, Arts & Culture Committee's Go-Kart Race held on 7 August 2010 and Nokero light bulbs, courtesy of 'Project Light A Home'.

SEMINAR ON THE BASICS OF CROSS EXAMINATION IN CIVIL AND COMMERCIAL TRIALS

Brendan Navin Siva from Messrs Brendan Siva presented the seminar which was held at the KL Bar Auditorium on 20 September 2012 at 3.00pm. The seminar was attended by 86 participants. The seminar was designed to teach the basics of cross-examination to junior lawyers and to impart useful lessons and pointers for the young advocates in their cross-examination of witnesses. The seminar covered the following areas, "The objective and purpose of cross-examination", "The nature of cross-examination in civil and commercial

Committee Members

Ida Daniella Zulkifli
James Ong
Janet Chai
Jeremy Lim Wei Chang
Joanne Leong Pooi Yaen
Joe Teoh Zhuo Wei
Johana Rosli
Johnson Lim Fung Tat
Joshua W.K Chong
Kenneth Wong Poh Lim
Kho Sze Jia
Kirsty Lim Jun-Zhi
Kok Wen Ying
Kong Teng Mun @ Jason Kong
Kuah Jiun Yu (Gary)
Lai Chee Hoe
Lai Yee Fan
Lee Ai Wi
Lee Cincee
Lee Yiing Yng
Lim Qiu Jin
Lim Wei Lih
Melissa Sasidaran
Michael Anthony
Mohamed Hashim Abdul Rahiman
Mohd Iqbal Zainal Abidin
Muthuveeramani Nadesan
Natalie Yasotha Sooriyamurthi
Neil Tan Wei Shin
Nicole Chee Chai Kuan
Nimalan Devaraja
Nurhazwanie Bt. Mohd. Salleh
Ong June Siang
Ooi Seow Wen
Paul Ngooi Shinn Han
Raphael Kok Chi Ren
Richard Wee
Shahid Adli Bin Kamarudin
Sharon Lee May Yin
Sheelaa Ragavan
Siti Fatimah Mohd Shahrom
Siti Munirah Maarof
Sri Sarguna Raj
Syahredzan Johan
Tan Yong Xu
Teh Zhing Lee (Jilly)
Tham Hui Ying
Tracy Hah Yan Shan
Yohendra Nadarajan

matters”, “Common mistakes during cross-examination” and “Practical tips for young lawyers”.

INTRODUCTORY SESSION TO THE LEGAL PROFESSION FOR LAW UNDERGRADUATES

The KLYLC organised two Introductory Sessions to the Legal Profession for Law Undergraduates to provide law undergraduates an insight into the legal profession. The first session was held at the Raja Aziz Addruse Auditorium at the Bar Council from 10.00am to 2.00pm on 29 September 2012. The following topics were presented, “Myths and Realities of Practice” by Brendan Navin Siva, “How do I better prepare for practice in Law School” by Daniel Joseph Albert and “History, Role and Relevance of the Malaysian Bar” by Lim Chee Wee. 136 participants from Advance Tertiary College (ATC), Brickfields Asia College (BAC), KDU University College, HELP University College and INTI International University (Nilai) attended the session. The second session was held on 15 December 2012 from 9.30am to 2.30pm also at the Raja Aziz Addruse Auditorium at the Bar Council. The following topics were presented, “History, Role and Relevance of the Malaysian Bar” by Christopher Leong, “S.42 LPA - The Answer to Life, Universe and Everything” by Edmond Bon Tai Soon, “BVC, CLP or Local University” by Khaizan Sharizad and Wilson Chia and “Myths and Realities of Practice” by Brendan Navin Siva. 103 participants from Universiti Teknologi MARA (UiTM), Universiti Kebangsaan Malaysia (UKM) and Advance Tertiary College (ATC) attended the session.

YLC CHARITY NIGHT

The Charity Night 2012 was held on 12 October 2012 at Club Neverland, Jalan Kia Peng from 7.00pm onwards and featured 7 performances by young lawyers who competed in raising the most funds for charity. The performers were The Sexy Lawyers Crew; Kishore, Arif & Nizam; Fang Lay Har; The Usual Suspects; Your Mama; The SYB; and Oh My Swag. Total collections from the performances on the night were RM32,905.50 and 968 tickets were sold. The total proceeds raised was RM52,000.00.

YLC WORKSHOP ON VOICE ENRICHMENT

Mervin S. Singhe, a Coach/Presenter presented the workshop which was held at the KL Bar Auditorium at 3.00pm on 18 October 2012. The workshop was attended by 33 participants. The workshop covered the following areas, “Successful Communication”, “Highlights of Speech” and “Demonstrative Exercises”.

UPCOMING EVENTS

13 January 2013

KLYLC/SACC Introductory Workshop to Dragon Boating

19 January 2013

KLYLC Explore Race

February 2013

Visit to Orang Asli Settlement

27 February 2013

Workshop on Marketing for Young Lawyers

May 2013

Introductory Session to the Legal Profession for Law Undergraduates

May 2013

KLYLC-MCCHR Public Interest Litigation Workshops

September 2013

Asian Young Lawyers Conference

Khaizan Sharizad Abd Razak

Chairperson

Young Lawyers Committee

21st
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21st ANNUAL GENERAL MEETING

KUALA LUMPUR BAR



BAR COUNCIL LEGAL AID CENTRE (KUALA LUMPUR)



Harleen Kaur (Leena)
Chairperson

1. REPORT OF THE MANAGEMENT PANEL

Report submitted by Harleen Kaur (Leena) (Chairperson)

1.1 Introduction

Thank you for taking the time to read our report. Our goal for the year 2012 was to hold true to our tenets of providing access to justice to those in need as well as to be a platform for the launch of new ideas to aid in the development of legal aid.

We at the Bar Council Legal Aid Centre (Kuala Lumpur) ("KLLAC") know that our greatest assets are our volunteer lawyers and our pupils. It is our volunteer lawyers who are driven, passionate, frustrated and yet hopeful, who keep our KLLAC a vibrant and dynamic centre.

Our Pupils imbue the KLLAC with youth and vitality and robust humor. We do serious work but in an atmosphere of camaraderie. Approximately 975 pupils have been trained in the year 2012 in various areas of the law, principles of legal aid and human rights. If you have not stepped foot into the KLLAC or have not done so for some time, then I take this opportunity to invite you to do so.

The KLLAC, with our Pupils and our Volunteer Lawyers have done much but there is much more to be done – legal advice, legal intervention, legal representation, outreach programs, educational training programs, law reform legislation, working together with communities, NGOs and government agencies.

This past year we are especially proud of the commencement of the YAYASAN BANTUAN GUAMAN KEBANGSAAN (YBGK) in April 2012. The YBGK could be considered as Malaysia's first comprehensive Criminal Legal Aid program that is funded by the government and carried out by the Bar Council State Legal Aid Centres. Our KLLAC was instrumental in the setting up of the YBGK, both in terms of negotiations and discussions with the authorities and in conducting trainings and being a source of support to other State Legal Aid Centres.

1.2 KLLAC - Service Programs

KLLAC continued with its services through our regular service programs such as the Legal Aid Centre Walk-in-Clinic, Syariah Clinic, Dock Brief Program, Prisons Program and Legal Awareness Program.

The Centre saw an increasing request from members of the public for legal advice and assistance in civil matters such as consumer transactions, bankruptcy and banking issues, insurance problems and medical negligence.

THE PANEL

Honorary Secretary
Abd Shukor Tokachil

Assistant Honorary Secretary
Rajeswari Paramasewam

Treasurer
Shairahtul Adora Yusof

Panel Members
Ravinder Singh Dhaliwal
Ravi Nekoo
Preetam Kaur
Ramesh Lachmanan
Khairil Anuar Azmi
Mohd Radzlan Bin Jalaludin
Nurulsabariah Binti Mohd
Elaine Gan Peay Er
Shiyamala Devi Manokaran

1.3 KLLAC - Programs with NGO Partners

The KLLAC continues to maintain close working relationships with its NGO partners such as AWAM, WAO, SIS, Pink Triangle Foundation, Tenaganita and UNHCR. The KLLAC is humbled and glad to work alongside its NGO partners and would like to thank all those who are involved in maintaining the programs.

1.4 KLLAC - Urgent Arrest Assistance

This year the Urgent Arrest Team and Secretariat worked tirelessly in providing assistance during the BERSIH 3.0 rally held on 28th April 2012, the LYNAS Rallies and for other gatherings where the organizers had requested for assistance. The Urgent Arrest Team is a team working together united in the belief that legal representation is a human right and a constitutionally protected right.

1.5 KLLAC - Launch of the book “Law and Practice on Arrest and Remand”

KLLAC's first publication, a product of the Law Reform & Research Committee – is a user friendly book entitled “Law and Practice on Arrest and Remand”. It was launched by Mr. Lim Chee Wee, the President of the Malaysian Bar on 10th March 2012 at the 66th Annual General Meeting of the Malaysian Bar. Thus far, 576 copies of the book have been sold. The LAC is very proud of this publication which originated and took shape through the efforts of our lawyers in the Law Reform and Research Committee and culminated as a resource-rich book any library would be proud to have.

1.6 KLLAC - Meetings & Networking

The LAC continues to have regular meetings with the Judiciary, Prosecution/Attorney-General Chambers, Prison Authorities, Welfare Department, Legal Aid Department and other relevant departments and NGOs to foster better working relationship between all parties.

1.7 KLLAC - Yayasan Bantuan Guaman Kebangsaan (YBGK)

The KLLAC played an important role in the introduction of the YAYASAN BANTUAN GUAMAN KEBANGSAAN [(YBGK) (NATIONAL LEGAL AID FOUNDATION (NLAF)] which commenced officially on 2nd April 2012. The YBGK is a government funded criminal legal aid scheme, whereby citizens arrested, remanded, charged, facing trials or appeals may receive legal advice, assistance and representation.

The YBGK has caused a paradigm shift in the way the Criminal Justice System is administered in the country. For the first time in the history of the nation, the police and all enforcement agencies are required to notify the YBGK of every arrest made and are further required to allow YBGK lawyers access to those detained.

Detained persons now have the right to legal advice and representation at all stages of the criminal process. The detained persons also have the right to inform their family or friends on being detained. The YBGK has given life to these rights that have been provided for in the Malaysian Constitution.

The KLLAC has been assisting the Bar Council Steering Committee on YBGK in conducting trainings nationwide both for lawyers and the staff of the Bar Council State Legal Aid Centres. Thus far, 30 trainings have been conducted and 983 lawyers trained.

1.8 Conclusion

The KLLAC is not ready to conclude. As I said at the beginning, we have done much and we can take a moment to be proud but there is much more to do. The KLLAC, together with our volunteers and our pupils will continue to strive to move forward.

1.9 Appreciation

In no particular order, I wish to say thank you to my family of staff. I could not have asked for a more committed and idealistic team.

Thank you to my fellow Office Bearers and Project Heads. Thank you for your time and selfless dedication to the KLLAC through your respective committees.

Thank you to our trainers who quietly come, train and leave an indelible impression on our pupils.

Thank you for the support from the KLBC and the Bar Council; especially the Office Bearers and the CEO for trusting the KLLAC and giving it space to do its activities.

Like every organization, it is important to have someone navigating, charting our course and keeping track of our progress. I thank Ms. Stephanie Bastian the Executive Director of KLLAC for navigating with a sure, capable and even hand and giving the KLLAC and its staff direction.

Lastly, I thank everyone that has spent a moment or more to share their wisdom or to give their encouragement to us to continue doing what we are doing. I especially thank Mr. Ravi Nekoo and Mr. Ravin Singh, the Co-Chairperson and Deputy Chairperson, respectively, of the National Legal Aid Committee for their support and guidance.

Harleen Kaur (Leena)

Chairperson

Bar Council Legal Aid Centre (Kuala Lumpur)

2. STATISTICS FOR CLIENTS AND FILES

A. CLIENT STATISTICS

**BAR COUNCIL LEGAL AID CENTRE (KL) CLIENTS - (JAN - DEC 2012) AND
YBGK CLIENTS - (APR - DEC 2012)**

NO.	BCLAC (KL) CLIENTS	CLIENTS 2010 (JAN - DEC)	CLIENTS 2011 (JAN - DEC)	CLIENTS 2012 (JAN - DEC)
1	Sungai Buloh Prison	1130	1076	1126
2	Kajang Prison	492	494	533
3	Juvenile Remand Home	26	16	17
4	Dock Brief Program	3210	3143	4198
5	LAC Clinic	2628	3131	3838
6	Syariah Clinic	225	189	100
7	SIS	484	477	426
8	AWAM	318	316	296
9	Community Legal Aid Clinic (PTF Clinic)	41	34	51
10	WAO	83	118	104
11	Tenaganita	202	127	933
12	UNHCR	5916	5143	3437
	Sub-total- BCLAC(KL)	14895	14860	15059
13	YBGK Clients	-	-	8001
	Grand Total of BCLAC (KL) & YBGK Clients	-	-	23060

B. STATISTICS ON CRIMINAL MATTERS
BAR COUNCIL LEGAL AID CENTRE (KL) CLIENTS – (JAN - DEC 2012) AND
YBGK CLIENTS – (APR - DEC 2012)

NO.	CRIMINAL MATTERS	BCLAC (KL) CLIENTS	YBGK CLIENTS	GRAND TOTAL BCLAC (KL) + YBGK CLIENTS
1.	LAC walk-in-clients	695		
2.	Sungai Buloh Prison - Malaysian clients	929		
3.	Sungai Buloh Prison - Migrant clients	197		
4.	Kajang Prison - Malaysian clients	526		
5.	Kajang Prison - Migrant clients	07		
6.	Juvenile Remand Home	17		
7.	Dock Brief Program	4198		
8.	Arrest		148	
9.	Remand		7283	
10.	Charge		570	
	Sub-total	6569	8001	14,570

C. STATISTICS ON FILES: OPENED, ASSIGNED & UNASSIGNED
BAR COUNCIL LEGAL AID CENTRE (KL) FILES – (JAN – DEC 2012) AND
YBGK FILES – (APR – DEC 2012)

NO.	BCLAC (KL) PROGRAM FILES	As at December 2012			As at December 2012		
		OPENED/ RETURNED	ASSIGNED/ SETTLED	UNASSIGNED	OPENED/ RETURNED	ASSIGNED/ SETTLED	UNASSIGNED
1.	Employment / SOCSO	18	20	-	37	37	-
2.	Family	79	68	15	78	83	10
3.	Syariah	28	30	02	04	06	-
4.	Others • Public Interest Litigation • Misc	2 4	3 4	-	- 02	02	-
5.	Criminal – BCLAC (KL) • LAC Clinic • Prisons Program	74 89	70 100	68	15	78	83
	Sub-Total BCLAC (KL)	294	295	33	205	216	12
	YBGK Criminal Files						
	• YBGK (LAC Clinic) Files • YBGK – Prisons Files	-	-	-	98 103	88 92	10 11
	Sub-Total YBGK	-	-	-	201	180	21
	Grand Total BCLAC (KL) + YBGK Files	294	295	33	406	396	33

3. KLLAC REPORT ON LEGAL AWARENESS PROGRAM (ORIENTATION)

Report Prepared By Mohd Radzlan Jalaludin, Project Head & Secretariat

Project Head

Mohd Radzlan Jalaludin

Committee Members

Vernon Jude Samuel	Sasha Lyra Abdul Latif
Harleen Kaur (Leena)	Munie Hidayah Anuar
Abd Shukor Tokachil	Intan Farida Adnan
Surendran Sreetharan	Juvita Jumplil
Puspawati Rosman	Stephanie Bastian
Ravinder Singh Dhaliwal	Sheena Manicam (Secretariat)
Rajen Devaraj	

3.1 Introduction

The Legal Awareness Program (“Program”) is one of the most important programs of the Bar Council Legal Aid Centre (KL) (“KLLAC”). This program aims to give pupils some understanding of what is required and expected from them during their 14 days of Compulsory Legal Aid Duty and to introduce them to various clinics and programs run by the KLLAC.

3.2 Objectives

- to help pupils to discover and understand their roles and responsibilities as an advocate and solicitor in society;
- to educate the pupils about the sense of social responsibility, concerns about human rights, the rule of law and right to access to justice; and
- to expose pupils to legal aid as well as to instill in them a long term commitment towards legal aid, which extends beyond their Compulsory Legal Aid Duties.

3.3 Activities

As of 31st December 2012, the Legal Awareness Program Committee (“Committee”) has conducted the following programs/sessions:

a) Committee Meetings

Two (2) committee meetings were held throughout the year.

b) Orientation Sessions

Thirteen (13) orientation sessions were held and the Committee had trained approximately 975 pupils from Batch 70, 71, 72, 73 & 74. The orientation sessions utilize a participatory methodology, incorporating group dynamics, open discussion, human rights input as well as an introduction to the various KLLAC programs/clinics.

The Committee has also opened up the orientation sessions for the pupils from the other states. To date, approximately 50 pupils from Selangor Legal Aid Centre have been trained.

The sessions were facilitated by Vernon Jude Samuel, Harleen Kaur (Leena), Abd Shukor Tokachil, Mohd Radzlan Jalaludin, Sasha Lyra, Surendran Sreetharan, Rajen Devaraj, Stephanie Bastian and Sheena Manicam.

c) Exit Evaluation Sessions

Four (4) Exit Evaluation sessions were held for all pupils from Batch 69, 70, 71 and 72 who were involved in the various KLLAC Programs/Clinics.

This session is designed to appreciate the pupils’ contributions towards the public and KLLAC. A total of 770 pupils have participated in the sessions and shared their experiences in the various programs/clinics which they served as part of their legal aid duty.

The sessions were facilitated by Mohd Radzlan Jalaludin, Surendran Sreetharan, Rajen Devaraj, Stephanie Bastian and Sheena Manicam.

d) Other Programs

As a follow-up session, the Committee has organized a Get-together Session for volunteers who have volunteered during the Exit Evaluation Sessions on 21st September 2012.

The aim of this session was to bring back pupils/volunteers who have indicated their interest to assist the KLLAC and brief them on the tasks, which is involved in the various programs/activities for their better understanding and to give them a better perspective of what is expected from them.

3.4 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 marginalized;
- Education of pupils on human rights which instill a sense of justice in them.

3.5 Weaknesses

- Time-consuming and lack of human resource support;
- Time constraints for follow-up actions/sessions.

3.6 Recommendations

- To be able to organize more awareness and human rights sessions for the lawyers and/or the public;
- To be able to discover ways to retain and maintain the involvement of pupils and young lawyers.

3.7 Future Programs

a) Advance Training “Legal Awareness and Leadership for Lawyers”

Due to time constraint, the Committee had to postpone one of its most popular program called the Advance Training “Legal Awareness and Leadership for Lawyers” to 2013.

This program emphasized the importance of the role played by pupils/young lawyers in the society and their duties towards the society. The Committee also used this opportunity to recruit young volunteers/leaders for legal aid work and to obtain more detailed feedback and recommendation to improve KLLAC programs and the Malaysian Bar as a whole.

b) Training of Trainers

The committee is also looking into having a training of trainers to increase the current pool of trainers to assist the committee to carry out its activities.

As usual, 2012 has been a hectic year for this Committee and the Committee hopes its members will continue to show their commitment and dedication during the years to come.

4. KLLAC REPORT ON DOCK BRIEF PROGRAM

Report prepared by Khairil Anuar Azmi, Project Head & Secretariat

Project Head

Khairil Anuar Azmi

Committee Members

Jason Kong - Advisor

Lim Chi Chau

Norashikin Amiruddin

Amirul Ridzuan Bin Haanif

4.1 Introduction

The Dock Brief Program was started in 1989 at Jalan Raja Magistrate Court. In the beginning it started with 2 courts and 4 pupils on duty. Now it covers 14 courts with 75 pupils to assist both local and foreign clients including juveniles.

The pupils are trained to develop both advocacy and interview skills. The criminal law services provided under this programme are involved with mitigation, bail application, and other related advices.

Senior lawyers are invited by the Committee to conduct training for pupils. For this year, Mr G K Ganesan, Mr Amrit Pal Singh and Mr Kitson Foong have assisted in conducting the training. Besides that, the Committee also conducted role-play and mock-trial sessions during the training in order for the pupils to have a better understanding of the Dock Brief program.

During the year 2012, the committee had:

1. 3 (three) Committee meetings to discuss the various matters pertaining to the program and Action Plans for the year 2012.
2. The Committee also conducted 4 (four) Dock Brief Training Programs for pupils from Batch 70, 71, 72 and 73. A total of 300 pupils attended the said trainings.
3. The Committee also conducted 3 (three) Mid Term Reviews for the pupils involved in the Dock Brief Program.

4.2 Other Activities

Meeting with Judiciary and Prosecution

- On 13th January 2012 the committee had a meeting with Puan Komathi, Sessions Court Judge, to discuss the various matters pertaining to the Dock Brief program for the year. The Dock Brief committee had discussed the problems faced by Pupils on a daily basis such as touting lawyers etc.
- On 28th February 2012, the committee had a meeting with Puan Raja Roslina, Head of Ketua Unit Pendakwaan Wilayah Persekutuan, to discuss problems faced by Pupils on a daily basis such as touting lawyers and some of the DPPs who do not co-operate with us.
- On 3rd August 2012 the Management panel had a meeting with Puan Komathi, Sessions Court Judge, to discuss matters pertaining on YBGK and Dock Brief program in court.

4.3 The Statistics

As at 31st December 2012 the Dock Brief Program had represented 4,731 clients in the Kuala Lumpur Criminal Magistrate Courts at Jalan Duta. The table below indicates the allocation of the cases mitigated by pupils:-

MONTH	MITIGATIONS & REPRESENTATIONS	BAIL APPLICATIONS	ADVICE GIVEN/ POSTPONED	REMAND-YBGK	TOTAL
January	244	18	63		325
February	200	74	25		299
March	321	31	95		447
April	311	11	73	57	452
May	353	24	64	59	500
June	303	43	20	59	425
July	326	46	31	58	461
August	266	13	12	74	365
September	221	30	89	107	447
October	283	28	44	77	432
November	201	30	14	42	287
December	206	22	26	37	291
Total	3235	370	556	570	4731

5. KLLAC REPORT ON PRISONS PROGRAM (SUNGAI BULOH, KAJANG WOMEN, KAJANG JUVENILE, MIGRANT PRISON AND JUVENILE REMAND HOME)

Report prepared by Ramesh Lachmanan, Project Head & Secretariat

Project Head

Ramesh Lachmanan

Alternate Project Head

Rajendran V. Palany

Advisor

Sivanesan Nadarajah

Committee Members

Mohan Sankaran

Sharon Palaniammal

Letchemanan

Dato' Dr. Arunan Selvaraj

Shahir Bin Ab Razak

Manimaran Sinnakanoo (Secretariat)

S.Thavaraj

5.1 Introduction

The Clinic started in December 1997 at Sungai Buloh Prison ("SBP") 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.

During the year 2012, the committee had:

1. 3 (three) Committee meetings to discuss the various matters pertaining to the program and Action Plans for the year 2012.
2. The Committee also conducted 4 (four) Prisons Training Programs for pupils from Batch 70, 71, 72 and 73. A total of 100 pupils attended the said trainings.
3. The Committee also conducted 3 (three) Mid Term Reviews for the pupils involved in the Prisons Program.

5.2 Other Activities

- The Committee had a meeting with the HQ Director of Prisons at Kajang on 20th June 2012 to discuss the issue of Prison visits and courtesy visit to foster better working relationship with the Prisons Authorities.
- The committee had a get-together dinner on 19th December 2012 to build a better networking between the KLLAC, KL Bar, the various Prisons Authorities, Welfare Department and other related departments.

STATISTICS FOR JANUARY TO DECEMBER 2012

A CLIENT STATISTICS: SUMMARY - 2012

	CLINIC/PROGRAM	2012
1	Sungai Buloh Prison: • Malaysian clients 929 • Migrant clients 211	1140
2	Kajang Women Prison	41
3	Kajang Women Migrant Prison	7
4	Kajang Men Prison (Appeal)	11
5	Kajang Men Migrant Prison (Appeal)	-
6	Kajang Juvenile Prison	477
7	Kajang Juvenile Migrant Prison*	-
8	Juvenile Remand Home (Sek. Tunas Bakti Sungai Besi) and(Asrama Sentosa Sentul)	17

B FILES: OPENED, ASSIGNED & UNASSIGNED 2012

	CATEGORY	UNASSIGNED YEAR 2011	OPENED THIS YEAR	ASSIGNED THIS YEAR	UNASSIGNED CURRENT
1	Criminal LAC Prison Files	0	55	54	1
2	YBGK Prison Files		103	89	14

6. KLLAC REPORT ON LAC CLINIC

Report prepared by Shiyamala Devi, Project Head & Secretariat

Committee Members

Shiyamala Devi Manokaran (Project Head)
Kasthuri Krishnan (Alternative Project head)
Jeevanathan Angappan (Secretariat)
John Das
Kiran Kaur
Naveen
Florence Liw
Afiqah
Thevini
Fatima Zulaikha

6.1 9th Floor, Wisma Kraftangan's Daily Life

The Legal Aid Centre Clinic ("LAC Clinic") which is being operated at the Secretariat of the Bar Council Legal Aid Centre (KL) ("KLLAC") at the 9th Floor of Wisma Kraftangan is one of the main programmes run by the KLLAC.

LAC Clinic provides free legal advice to the public and representation in selected areas of law to the under privileged community who do not afford a counsel. The walk-in-clients are interviewed by the pupils in chambers assigned to this Clinic in order to fulfil their compulsory legal aid duty of 14 days. The Centre allocates 20 pupils per week to be on duty at the KLLAC from Monday to Friday, starting from 10 a.m. to 5p.m.

6.2 Why are We Formed?

The aim of this programme is to educate the pupils/lawyers of their role to assist the public who is in need. This programme also imparts a sense of social responsibility or obligation in them towards the society especially the underprivileged and the marginalised community who are often stranded and left in lurch without a helping hand. In addition, the pupils or volunteer lawyers are also encouraged to share their legal knowledge with the society by empowering

them with the basic understanding of the fundamental rights every citizen is accorded with in this nation.

6.3 The Beefed Up Committee

The competent and experienced lawyers are always welcomed to be volunteers at the KLLAC to ensure that we achieve our objective in assisting the public in need and sharing legal knowledge which they are lacking.

The Committee has reformatted the pupils training programmes whereby we have incorporated role-plays and group dynamics which require active participation by the pupils. During the role-plays, either the Secretariat staff(s) and / or the Committee members are required to play the role of the clients with strong resemblance as to the case facts of our past / present clients with some latitude to add additional facts in given circumstances whereas the pupils are required to attend to those 'client(s)' and advise them accordingly. Thereafter, the trainer is required to comment on the client-handling method employed by the said pupil as well as on the accuracy or appropriateness of the advice rendered to the client(s). Implementation of these methods have been found to be effective as they have garnered positive feedbacks from the pupils in terms of better understanding of the law as compared to delivery of lectures per se in the past.

The Committee has also reformatted the pupils training programme by highlighting the crucial involvement and duties of the pupils which includes interviewing walk-in clients/applicants, conducting the means test and giving advice where required/necessary (these are done after consulting lawyers on duty or volunteer supervising lawyers).

6.4 LAC Clinic's Sincere Gratitude & Appreciation Goes To:

The Committee members conducted and facilitated most of the talks. We are indebted to our volunteer lawyers such as Mr Lo Yean Meow, Ms Santha Menon Bhaskara, Ms Kasthuri Krishnan, Mr Chandran Segaran, Mr Ravinder Singh Dhaliwal, Encik Fahri Azzat, Ms Honey Tan Lay Ean, Ms Harleen Kaur, Mr Mageswaran Rajangom, Ms Janice Anne Selvanathan, and Ms Mehala Marimuthoo who spent their precious time in sharing their invaluable experiences as well as providing trainings for the pupils of the Clinic.

6.5 The Poor are Pushed Away but Pupils/Staff Help them to Assert their Rights

Legal intervention and assistance was required in cases involving clients who were being sidelined by the authorities based on their status or gender. Hence, the pupils were required to accompany and assist the clients in asserting their rights. 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 and discriminated by the authorities / government departments or agencies at the grassroots levels.

6.6 The Numbers/Statistics

As At 31st December 2012 Total Walk In Clients 3143	Legal representation	138
	Follow up cases	582
	No Jurisdiction	652
	Other states	362
	No Merits	130
	Means Test Rejected	355
	KIV	533
	Legal Intervention	81
	Walk in client (Dock Brief)	310
	TOTAL	3143

Table shows the interviews conducted by LAC Clinic throughout the year of 2012.

Furthermore, LAC Clinic had 4 Mid Term Reviews for this year where the pupils discussed problems faced by them during their 14 days Legal Aid Duty at the KLLAC. Overall, pupils were satisfied with their Legal Aid duty as they gained invaluable experiences whilst being attached to the LAC Clinic.

7. KLLAC REPORT ON LAC/SYARIAH CLINIC

Report prepared by Secretariat

Committee Members

Sa'adiah Din (Advisor)
 Nurulsabariah Binti Mohd (Project Head)
 Dato' Yusof Ali Bin Haji Muhammed Zain
 Nik Nurul Atiqah B Nik Yusof
 Zati Farahiyah Binti A. Halim
 Ahmad Shahrizal Bin Abdul Aziz
 Shaharizat Binti Hashim
 Firdaus Abdullah
 Jamadi bin Saleh
 Jeevanathan Angappan (Secretariat)

7.1 KLLAC's Syariah Clinic

The Syariah Clinic operates from the Secretariat of KLLAC and is open to public from Monday to Friday at 10.00 a.m. to 5.00 p.m. The Syariah Clinic is manned by Pupils who are supervised by experienced Syariah Lawyers.

7.2 Syariah Law Training & Its Legal Advisory Clinic

The Pupils are given a half-day training course, which focuses on Syariah Civil as well as Criminal Laws and Procedures. The Pupils are also required to attend one day training with Legal Aid Clinic. The training is aimed to provide basic/brief knowledge on criminal, employment and family laws as well as the basic techniques and skills of interviewing walk-in clients in order to ensure that the Pupils are well-equipped before they start their duties at the Clinic. The entire Committee have actively participated in the training program with the help of LAC officers on a rotation basis whereby the committee members supervised the training each time. This year, the training was conducted in a workshop style and the participants were divided into groups in several slots of discussions. By dividing the participants into groups had enable them to share opinions and views.

7.3 Syariah Clinic's Statistics

Appended below are the cases handled by the Clinic for 2012.

Syariah clients total no. of applicants	100
Files opened	04

7.4 Legal Representation Cases Referred to BBG except foreigners cases

This year, most of our clients were referred to Jabatan Bantuan Guaman (JBG) as the clients could not afford to pay a nominal fee to conduct their cases. Therefore, they should be referred to JBG. Some clients were also referred to other State LACs as it was not within our jurisdiction.

7.5 Outreach Clinic in Future

The Syariah Committee members wish to organize more outreach projects in future to educate members of the public, to increase awareness and better understanding of their rights in Syariah Law. Outreach project in Taman Faderson, Kepong and Semua House, Jalan TAR were a great success. Further, we are looking forward to have a meeting with Majlis Agama and/or Mahkamah Syariah to discuss related issues, basic procedures and whether we can have a joint venture program with them in the future.

7.6 Thanks to Committee, Volunteer Lawyers & Staff

We would like to take this opportunity to thank Dato' Yusof Ali Bin Haji Muhammed Zain, Puan Azah Yusof, Cik Sa'adiah Din, Encik Jamadi Saleh, Encik Firdaus Abdullah and Puan Nik Nurul Atiqah Nik Yusof, Management Panel, Staff of KLLAC, Syariah Clinic Committee Members, the participating pupils and also volunteers for their time, interest and commitment in making the Syariah Clinic run smoothly.

8. KLLAC REPORT ON COMMUNITY LEGAL AID CLINIC

Report prepared by Preetam Kaur, Project Head

Committee Members

LACKL representatives

Preetam Kaur (Project Head)
Genevieve Tan (Alternate Head)
Pramodini Nair
Shiyamala Devi
Lalitha Nagamuthu
Matthew Lee

PT Foundation (PT)

Hisham Hussein (Chair)

Malaysian AIDS Council (MAC)

Datuk Dr. Raj Abdul Karim (President)

8.1 The Committees Development in 2012

a) A tiny minute committee

This Clinic represents the most marginalized communities in Malaysia for more than 15 years. We render legal aid services and legal intervention to drug users (DU), people living with HIV/AIDS (PLHIV), men having sex with men (MSM), sex workers (SW), lesbian, gay, bisexual, intersex and queer (LGBQ), transgender (TG) and people supporting these communities. The committee mainly teaches the marginalized to assert their rights during abusive arrest or tortured. The head for the Clinic is Preetam Kaur whereas the alternate head is Gene Tan for year 2012/2013.

b) Malaysian Aids Council approached the committee to conduct **Nationwide Legal Workshop** to educate their clients on their basic legal rights during arrest and remand period. It was a great opportunity for the committee to embark into the legal workshop activities as the avenue taught our members that (in every state) our communities are treated badly by the authorities. For the 1st time in history of the Clinic, our committee managed to **reach out** to a total of **565 marginalised community members** to share or train them. This included training on their legal rights and how to assert their basic and fundamental rights was indeed honorable. Repeated case sharing include drug users being beaten up, 14 days period of remand, public urine examination, loss of their jobs, medication and constitutional phone calls denied. Cases of effects of abuse and discrimination extend to running due to the sight of the authorities (resulting in falls or injuries), vulgar and abusive language against them, NLAF lawyers and legal aid denied (in syariah cases). People living with HIV were also not provided with their HIV medications during remand despite being aware of the arrested person's HIV status. Additionally, complaints extended to jewelry and money of sex workers being taken away by the police without being recorded. There are constant complaints from our community members and that our marginalized communities are not provided with NLAF lawyers.

c) Leaflet by committee to community

The committee is proud to announce that it had drafted its own user-friendly leaflet of Remand & Arrest in Malay language with assistance from a transgender activist (Shieko Reto) to draw the cartoons and made it into a community project. The MAC have sponsored the printing of the same and during our legal workshop in all states, the MAC reps have disseminate the distribution of the leaflets with a soft launch by community for community concept. At this juncture the committee would like to render our **heartfelt gratitude** to **MAC** for sponsoring the printing of the leaflet for the marginalized communities and more pledges had been promised for future community legal projects/activities which will benefit the marginalized communities.

8.2 New Name for New Work

(a common, user-friendly and serviceable to All NGOs which work with the marginalized)

On 12 July 2012 at the committee meeting, the members have decided to change the name of the clinic from **LAC/MAC/PT Legal Clinic** to **“Komuniti Legal Aid Clinic” (KLAC)**. Subject to grammatical change, the management panel of the Legal Aid Centre have then approved the name to **“Community Legal Aid Clinic”**. The primary objective of this decision is to network and to further enhance the larger scope of the marginalized rather than confining our services to PT Foundation and Malaysian Aids Council.

8.3 Activities for Marginalised Communities in 2012

1. Nationwide Legal Workshop with MAC

Total Number of marginalized community Reached Out during Legal Workshop in All States

NO	PHASES	TOTAL
1	1ST PHASE	270
2	2ND PHASE	295
	GRAND TOTAL	565

1st Nationwide Legal Awareness sessions for marginalized communities in March 2012 with MAC Reached out to: 270 community members

The target marginalized communities are sex workers, transgenders and injecting drug user and these trainings were implemented to launch a series of legal awareness talks with the aim of sensitizing and creating nationwide awareness towards the clientele's rights and liberties in spite of marginalization. The lawyers conducted legal awareness sessions in criminal law procedures of arrest, remand and bail in various states. At the 1st phase session, the states involved were Kuala Lumpur (19 March 2012), Seremban (22 March 2012), Johore Bharu (24 March 2012), Perak (27 March 2012), Pahang (29 March 2012) and Terengganu (30 March 2012). The lawyers who conducted the legal awareness session are Lalitha Nagamuthu, Gene Tan, Mageswaran Rajangom and Thilagavathy Ram.

2nd Nationwide Legal Awareness sessions for marginalized communities in September 2012 with MAC

Reached out to: 295 community members

The 2nd phase of the legal workshop was extended in September and October 2012 to cover the remaining areas by each organization under MAC. The target groups are sex workers, injecting drug users and transgender. The arrest and remand leaflet were used during sessions. The 2nd phase session was conducted on weekends (Saturdays & Sundays only) and the lawyers travel every weekend in rotation basis. The targeted states were Kedah (Alor Setar) -1 September 2012, Penang (Island) -2 September 2012, Johore (Segamat) -8 September 2012, Johore (Muar) - 9 September 2012, Kelantan (Kuala Krai) -15 September 2012, Kelantan (Gua Musang) -16 September 2012, Sabah (Sandakan) -22 September 2012, Kelantan (Kota Bharu) -29 September 2012 and finally Selangor (Kajang) -6 October 2012. The committee members who were assigned are Pramodini Nair, Preetam Kaur, Shiyamala Devi and Genevieve Tan. To note here, MAC have appointed their own consultant (legally qualified activist lawyer) to review our training method, content, level of understanding, quality, presentation, language and overall assessment. He is about to provide his assessment of the legal workshop for the committees' improvements.

8.4 Meetings of committee members

i) 14 June 2012 (6.30 pm) with MAC reps

To moot a National Paralegal Training Program in Kuala Lumpur

MAC requested our committee members to conduct a paralegal training program for all their station managers across Malaysia. This is to follow up the previous training provided to them in 2008. The training was conducted on 3rd, 4th & 5th August 2012. We managed to train 67 participants (mainly marginalized communities) including MAC staff members. The goal is to train them and they will follow up on cases which affect their communities.

ii) 12 July 2012 (5.30 pm) with PT reps

To beef up the running of the pupils legal clinic

The committee hosted a meeting with PT reps to iron out issues in relation with the legal clinic. Upon discussion, the meeting decided that the assigned pupils are to send a weekly report to KLLAC. Also decided that KLLAC to prepare a card about the legal clinic which PT will cover the printing expenses as a means of publicity via outreach sessions and a template to be in place to cover the statistics of all walk-in clients which is to be supervised by PT staff member.

iii) 12 July 2012 (6.30 pm) with MAC reps

To discuss and plan for the Nationwide 2nd phase legal workshop

The meeting was to plan and evaluate the 1st phase legal workshop and to plan the 2nd phase legal workshop in September 2012. The MAC Director personally complemented the team for conducting the 1st phase legal workshop successfully. They also thanked the team for drafting and making the leaflet a history for MAC publication department.

iv) 12 July 2012 (7.30 pm) 1st committee meeting year 2012

The committee meets for the year 2012 after finishing two previous meeting with PT and MAC.

8.5 Legal Awareness for Outreach Workers of HIVOS

Date: 1 November 2012 (Thursday)

Venue: Shah Village Hotel (Petaling Jaya)

Time: 9.00 am - 12.45 pm

Pramo conducted the session whereas Chitrah facilitated the role plays with various scenarios which are commonly faced by the community. It is noted here that even the highly educated staff members fear the authorities and empowerment within them is crucial. They stated that they require more legal empowerment sessions in near future.

8.6 Malaysian HIV Bill

The meeting discusses the HIV Bill and assigned Mathews Lee to conduct the comparative laws among other Asian countries whereas, Gene Tan will review and submit opinions to the committee and will forward her recommendations to all committee members.

8.7 Legal Awareness/World Aids Day (WAD) Celebration for Transgender & Sex Workers Community in Klang

PAMT (Pertubuhan Advokasi Masyarakat Terpinggir)

Date: 20 December 2012 (Thursday)

Venue: Family Hotel (Klang)

Time: 2.00 pm - 6.00 pm

Mageswaran Rajangom conducted the session whereas Chitrah facilitated.

8.8 Statistics

Cases Handled by Pupils January 2012 until December 2012

NO	TYPE	TOTAL
1	REMAND	13
2	CRIMINAL	4
3	FAMILY	4
4	IMMIGRATION	2
5	INSURANCE	1
6	CHANGE OF GENDER	7
7	LOW COST HOUSE	1
8	EMPLOYMENT	7
9	CHILD RIGHTS	3
10	PENSION	2
11	SOCSCO	7
GRAND TOTAL		51

9. KLLAC REPORT ON LAC/AWAM/WAO/SIS CLINIC

Report prepared by Secretariat

Project Head

Harleen Kaur (Leena)
Sukhvinder Kaur (Secretariat)
Sufiah Mansurdin - SIS

NGO Representative

Betty Yeoh / Wei San - AWAM
Nazlina Abd Ghani - WAO

The LAC/AWAM/WAO/SIS Clinic (“the Clinic”) facilitates liaison and cooperation between the KLLAC, All Women Action Society (“AWAM”), Women Aid Organisation (“WAO”) and Sisters In Islam (“SIS”). This cooperation allows the KLLAC to reach a wider spectrum of the community, whilst it also provides AWAM, WAO and SIS with access to legally trained resources such as Chambering Pupils, Volunteer Lawyers, etc. All 3 clinics deal with issues in regards to women. They assist clients by giving legal advice, assistance to family members, domestic violence and other matters relating to women.

Despite the lack of volunteer lawyers in the Committee, the Clinic, together with its NGO Partners and the assistance of volunteer lawyers on an ad-hoc basis, has successfully carried out trainings and reviews.

9.1 Pupils

There were 4 batches of Pupils i.e. Batch 70, 71, 72, and 73. The allocation was as follows:

Programme	Batch 70		Batch 71		Batch 72		Batch 73	
	KL	SEL	KL	SEL	KL	SEL	KL	SEL
AWAM	12	0	12	0	12	0	6	6
WAO	2	0	2	0	2	0	2	0
SIS	2	4	0	6	0	6	0	6
TOTAL	16	4	14	6	14	6	8	12

From the table above we can see that KLLAC had consistently provided 12 pupils for AWAM every batch except for Batch 73. This is due to the fact that there were lack of pupils that registered for that intake, therefore Legal Aid Selangor provided 6 pupils for the program for that particular batch. On the other hand, KLLAC had provided 2 pupils consistently to WAO for all 4 batches.

From January – December 2012, AWAM had attended to 254 clients, WAO had 96 clients and SIS on the other hand had 392 clients. There were 4 trainings and 4 Mid Term Reviews that were held throughout the year. Students were given training on various areas of the law. The training covered Family Law, Domestic Violence and Syariah Law. Besides that, pupils were also required to attend a separate training that was conducted by AWAM/WAO/SIS jointly that covered areas and laws in regards to protection of women.

Besides that, 4 Mid Term Reviews were also held where pupils discussed their problems they faced during their 14 days of Legal Aid Duty with AWAM/WAO/SIS. All 3 Clinics also gave their feedback on the performance of the pupils and highlighted areas for the pupils to work on. Overall pupils were satisfied with their Legal Aid duty as they gained invaluable experiences while being attached to AWAM/WAO/SIS.

10. KLLAC REPORT ON LAC/TENAGANITA MIGRANT WORKERS CLINIC

Report prepared by Secretariat

KLLAC - Secretariat

Sukhvinder Kaur (Legal Officer)

Tenaganita Representative

Aegile Fernandez

Glorene

Nisha

Liva

Tenaganita is an organisation that promotes a culture where equality and human rights for all are embraced, valued and protected. They believe in mobilizing and empowering communities to understand, uphold and defend their rights. They also solve and address rights violations against women, migrants and refugees. The KLLAC works jointly with them in order to promote this cause by providing chambering students to provide legal assistance during their compulsory legal aid duties.

10.1 Pupils

There were 4 batches of Pupils i.e. Batch 70, 71, 72, and 73. The allocation was as follows:

Programme	Batch 70		Batch 71		Batch 72		Batch 73	
	KL	SEL	KL	SEL	KL	SEL	KL	SEL
TENAGANITA	15	10	16	10	15	10	6	9
TOTAL	15	10	16	10	15	10	6	9

Each batch of pupils had to go through a 2 day compulsory training that was conducted by Tenaganita. During the two day training the students are trained on their interviewing skills, negotiating skills as well as documentation skills. Besides that the pupils were also trained on relevant areas of law such as Anti Trafficking Law and Employment Law. They were also familiarised with the rights of Domestic Workers and the Legal Mechanisms and Policies in Malaysia.

KLLAC also had a meeting with Tenaganita at the beginning of the year, to discuss dates of upcoming trainings, statistics and job scope of the pupils. Throughout the year Tenaganita had attended to approximately 805 clients including various problems such as unpaid wages, physical abuse, mental illness, forceful extension of contract, human trafficking, PR application and extortion. In the month of April 2012, Tenaganita dealt with an exorbitant figure of 200 clients just in relation to 6P fraud cases.

Pupils were given a wide scope of jobs to deal with during their Legal Aid with Tenaganita which included researching for facts, making calls to confirm details, documenting, lodging police reports and assisting in matters pertaining to immigration. Besides that pupils were also required to facilitate with discussions and provide legal advice and assistance between employer and survivor.

Overall, the pupils were very satisfied with having to be placed at Tenaganita. They expressed that having to do their Legal Aid duty at Tenaganita was a platform for them to give back to the society especially to help those in need. Tenaganita had taught them how empathy and compassion can be culminated into action. Last but not least, it is hoped that Tenaganita will continue to achieve its aims in reaching out to the people/public garnering support for its cause.

11. KLLAC REPORT ON LAC/UNHCR CLINIC

Report prepared by Secretariat

KLLAC - Secretariat

Sukhvinder Kaur (Legal Officer)

UNHCR Representative

Asha Dhillion

Shobna

KLLAC works hand in hand with the United Nations High Commissioner of Refugees (UNHCR) to protect and help refugees in Malaysia. UNHCR is solely responsible for the registration, documentation and status determination of asylum-seekers and refugees. There were 4 batches of chambering students that were involved in the programme for this year which are Batch 70, 71, 72 and 73 which consist of 20, 20, 14 and 10 pupils respectively. The number of pupils assigned to UNHCR had decreased at Batch 73 due to the fact that there were not many chambering students that registered for that intake.

All 4 batches of chambering students have to undergo a compulsory training that was conducted by UNHCR. Besides that pupils with full locus were also trained by the Dock Brief Committee. The pupils were trained to develop both advocacy and interviewing skills. The dock brief training consist areas such as mitigation and bail application as well as other related advices.

Throughout the year UNHCR had attended to approximately 2500 clients. The job scope of the chambering students at UNHCR basically covered areas such as:

- a) Interviewing refugees with problems ranging from arrest, assault, robbery, matrimonial to taking death reports
- b) Assist in following up with arrest reports
- c) Assisting in releases in detention camps
- d) Attending court for mitigation, bail application
- e) Liaising with various departments

There were also 4 Mid Term Reviews that were held. The review basically highlighted the problems that chambering students were facing during their 14 weeks of Legal Aid duty. UNHCR also provided students with feedback in regards to their work done and gave suggestion as well as ideas and areas to improve on.

Along with other Legal Aid programmes, the UNHCR programme endeavours to provide legal services to refugees and less fortune members of humanity while developing the advocacy skills as well as other soft skills of pupils. The programme provides a unique platform whereby pupils are given the opportunity to help refugees that are in dire need of help.

12. KLLAC REPORT ON URGENT ARREST

Report prepared by Secretariat

Committee Members

Ravinder Singh

Harleen Kaur (Leena)

Rajen Devaraj

Adora Yusof

Ravi Nekoo

Ahmad Shahrizal

Sivamalar Genapathy

Lim Chi Chau

Stephanie Bastian

Rajeswari Paramasevam

Jeevanathan Angappan (Secretariat)

The Urgent Arrest Team was mooted in 1998 following a mass arrest of peaceful street demonstrations in 1998. The objective of this program is to provide legal assistance to groups of people or individuals facing violation of their basic rights such as freedom of assembly, freedom of speech and freedom of religion.

The team has approximately 150 volunteer lawyers who have undergone specific trainings on how to handle urgent arrest matters as and when assistance is required. In order to be more effective and efficient in dealing or handling such situations, KLLAC had developed an Urgent Arrest Training Manual.

This year, the Urgent Arrest Team has provided legal assistance during the Bersih 3.0 rally, held on 28th April 2012, and Lynas rallies which triggered massive arrests of protestors by the police force. During these arrests, our volunteers have assisted those arrested by advising them on their legal rights and negotiated their release with the police officers.

Besides that, through request, the Urgent Arrest Team was put on standby for the following events:

DATE	REMARKS
18.03.12	International Women's Day Programme
07.04.12	Teoh Beng Hock's Gathering
10.04.12	Anti ISA Build at Parliament
28.04.12	BERSIH 3.0 & Lynas Rally
30.08.12	Gabungan JANJI
24.11.12 & 25.11.12	Green Walk

13. KLLAC REPORT ON LAW REFORM & RESEARCH COMMITTEE

Report prepared by Elaine Gan, Project Head & Secretariat

Project Head

Elaine Gan Peay Er

Committee Members

Jayashree Vengadachalam
 Boo Min Lee
 Lee Sit Ching, Joey
 Joanne Chua Tsu Fae
 Jasmine Goh Huay Mien
 Justine Shahirah Ghazali
 Ravi Nekoo
 Ravin Singh
 Stephanie Bastian
 Sheena Manicam (Secretariat)

13.1 Introduction

The Bar Council Legal Aid Centre (Kuala Lumpur)'s Law Reform & Research Committee was initiated in 2010 comprising a group of enthusiastic young lawyers and pupils who are passionate about legal aid.

The main aim of this Committee is to delve into research and to recommend law reform. It is hoped that with the work that is done in the Committee, there would be more clarity in the application of the law especially in areas where there is a need for reform.

The Committee finalized the "Guide to Law and Practice on Arrest and Remand" which has been published and launched during the last Malaysian Bar AGM. A total of 576 books have been sold so far to members of the public and also practitioners. Great time and effort has been undertaken to prepare the said manual by the committee members under the guidance of experienced practitioners in the area and the staff of KLLAC.

The Committee is in the process of drafting a second manual regarding the powers of arrest of other enforcement agencies.

13.2 Strengths

Committee members' commitment, their ability to research and come up with ideas on certain topics.

13.3 Weaknesses

Time consuming and lack of human resource support.

14. KLLAC REPORT ON ATTACHMENT PROGRAM

Report prepared by Secretariat

The Secretariat at the Bar Council Legal Aid Centre (KL) runs an attachment program tailored for students from both public and private institutions. This program is especially catered to those who are eager to experience the nature of the Centre's role in the legal system.

Students especially with legal background are most welcomed to partake in this program where they will be exposed to the Centre's activities via the available programs. Among the programs included are:-

- (a) Legal Aid Centre ("LAC") Clinic (where distressed clients are interviewed by pupil in chambers and given advice);
- (b) Dock Brief Program (where pupil in chambers conduct mitigation for those who have pleaded guilty);
- (c) Prison Program (where pupil in chambers conduct interviews with those remanded in prison); and,
- (d) NGOs such as the All Women's Action Society Malaysia ("AWAM"), Women's Aid Organisation ("WAO"), Sisters in Islam ("SIS"), United Nation High Commissioner for Refugees ("UNHCR"), Tenaganita and Pink Triangle Foundation (where pupil in chambers assist/conduct interview with less fortunate and distressed clients).

Attachment students will have an opportunity to be exposed to the above programs at KLLAC. Moreover, attachment students will have the opportunity to be involved in day to day management of the KLLAC, to attend various trainings conducted by the KLLAC and conduct researches.

Attachment students have the option to experience the array of programs lined up by KLLAC for a week up to three (3) months. Upon completion of the attachment program, every attachment student will be awarded a certificate from KLLAC.

Listed below are the various colleges and universities that participated in the attachment program for the year 2012:

- i. University Malaya (UM)
- ii. International Islamic University Malaysia (IIUM)
- iii. Zaid Ibrahim & Co. (visit)
- iv. Skrine (visit)
- v. Universiti Teknologi Malaysia, Shah Alam (UiTM) (visit)
- vi. National University Malaysia (UKM)

15. KLLAC REPORT ON YAYASAN BANTUAN GUAMAN KEBANGSAAN (APRIL - DECEMBER 2012)

Report prepared by Secretariat

15.1 Clients Served under YBGK in Kuala Lumpur

In the last 9 months, NLAF Lawyers from KLLAC have attended to 148 persons at IPDs and 7,283 persons at remand courts. We have also assisted 570 persons who were charged, with mitigation and bail applications. 180 Files have been assigned to lawyers to conduct trials.

This access to lawyers to give legal advice and representation to persons detained has been made possible with the introduction and implementation of the Yayasan Bantuan Guaman Kebangsaan (YBGK) scheme. The YBGK is a Criminal Legal Aid Scheme set up whereby trained lawyers, funded by the government can provide free legal advice and representation to Malaysian citizens who are detained or charged.

15.2 Background

In 2009 it was revealed in Parliament that accused persons were unrepresented in 84,376 out of 108,528 criminal trials that took place in magistrates court. In early 2010 a proposal was made to the Prime Minister and soon after, discussions to set up a criminal legal aid system commenced between the Bar Council, the AGs chambers and other government agencies.

On the 25th of February 2011, the Prime Minister launched the Yayasan Bantuan Guaman Kebangsaan (YBGK) [National Legal Aid Foundation (NLAF)]. The YBGK is set up as a public company limited by guarantee, independent of

existing legal aid schemes. It has an eleven member board of directors with the AG as the Chairman and the Chairman of the Bar Council as Vice Chairman. The YBGK officially commenced operations on 2nd of April 2012

The YBGK funded by the government is a comprehensive criminal legal aid scheme. YBGK will provide free legal assistance to all Malaysians at the police station, at remand hearings and when they are charged in court. In so far as trials are concerned, a means test will be applied and only those who pass the means test will qualify to receive legal assistance from YBGK.

The Bar Council and its Legal Aid Centres work jointly with the YBGK to assist in its delivery of services by training Lawyers and Pupils to provide legal advice and representation and administrative assistance.

15.3 Bar Council State Legal Aid Centres serving as YBGK Offices

The existing Bar Council State Legal Aid Centres serve as the offices of the YBGK. The Centres ensure that the services provided under the YBGK scheme are carried out and that there are sufficient lawyers trained and willing to do YBGK work. They collate the interview sheets and claims made by the lawyers. All State Legal Aid Centres report to the National Legal Aid Committee on the work and activities of the YBGK.

15.4 Police and enforcement agencies

The YBGK scheme requires the Police and all Enforcement agencies in the country to notify the YBGK offices about each arrest made by them and to allow access to YBGK lawyers to advise and represent the detainee. YBGK in Kuala Lumpur covers 5 IPDs and 1 IPK. The 5 IPDs are in Dang Wangi, Brickfields, Cheras, Putrajaya and Sentul. In addition to that the YBGK also covers the two remand courts in Jinjang and Dang Wangi.

15.5 YBGK Lawyers

All lawyers carrying out YBGK work need to attend YBGK training with a few exceptions. A lawyer is considered as an YBGK lawyer once he attends training and hands in his completed registration form. As of date, 5 trainings have been held in Kuala Lumpur and 211 lawyers have been trained.

15.6 Sub-Committee on Reform of Drug Laws

In the course of their YBGK work, especially while conducting remands, the Lawyers were concerned with the high number of arrests of drug users daily and unhappy with the lengthy remand period given by magistrates (normally 14 days) to the police.

Many of the YBGK lawyers feel that drug users should be considered as a medical problem and placing the drug users in a lock up for 14 days when they would be going through withdrawal symptoms – was an inhumane act.

As such a sub-committee was formed at KLLAC to look at reform and recommendations on the Drug laws in Malaysia. The sub-committee has had five meetings and is in the midst of its recommendations to the AGs chambers.

15.7 Pupils YBGK Program

A YBGK pupils program has been commenced at KLLAC to introduce and expose the pupils to workings of the YBGK criminal legal aid. Pupils assist with administrative duties, interviewing of clients, legal intervention, monitoring at the remand courts and police station and research. There were four batches of pupils this year, with each batch consisting of 20 pupils.

15.8 Conclusion

At the beginning, many problems were encountered in the implementation of the YBGK scheme, such as denial of access to lawyers to interview their clients, lack of cooperation from the police force and lack of lawyers to perform YBGK work. While some of the problems remain, much of the issues have been settled through meetings called by State AGC and meetings with police.

Overall YBGK has brought significant difference to the Criminal Legal System in Malaysia. It has given life to the constitutional rights of persons detained and charged.

LAPORAN PENGERUSI

A. PENGENALAN

Yeraya adalah satu penghormatan bagi saya untuk berkhidmat sebagai Pengerusi Bar Kuala Lumpur untuk penggal kedua dan dengan sukacitanya saya nyatakan bahawa saya yakin Jawatankuasa Bar Kuala Lumpur (KLBC) telah menjalankan tugas-tugasnya secara telus, tekun dan penuh tanggungjawab.

Saya ingin mengucapkan terima kasih kepada Setiausaha Kehormat dan ahli-ahli Jawatankuasa Bar Kuala Lumpur yang telah banyak mengorbankan masa dan usaha mereka dan mengetuai jawatankuasa-jawatankuasa kecil masing-masing dengan efektif dan sebaik mungkin.

B. SETIAUSAHA KEHORMAT DAN AHLI-AHLI YANG DI LANTIK

Pada mesyuarat yang pertama di bulan Mac 2012, KLBC telah melantik Ravinder Singh Dhaliwal (Ravin) sebagai Setiausaha Kehormat. KLBC juga melantik Lim Chi Chau dan Melissa Sasidaran sebagai ahli-ahli KLBC di bawah Seksyen 73 (vii) Akta Profesional Undang-Undang 1976.

C. KEKOSONGAN DALAM JAWATANKUASA

NoorHajran Mohd Noor yang telah dipilih untuk berkhidmat sebagai ahli KLBC untuk penggal 2012/13 pada Mesyuarat Agung Tahunan ke-20 Bar Kuala Lumpur pada 23 Februari 2012, telah mengosongkan kedudukan beliau pada 16 Mei 2012 kerana dia telah berpindah ke Negeri Selangor. Menurut Seksyen 75 (1) Akta Profesional Undang-Undang 1976, Roger Chan Weng Keng telah dilantik untuk mengisi kekosongan tersebut.

D. AKTIVITI-AKTIVITI JAWATANKUASA

i) Laporan Aktiviti Bulanan

KLBC terus memastikan ahli-ahli dimaklumkan mengenai aktiviti-aktivitinya melalui laporan aktiviti bulanan yang dimuat naik terus ke Blog Bar KL. Blog Bar KL telah diaktifkan semula pada tahun ini selepas ia ditutup di penggal lepas. Blog Bar KL masih di anggap sebagai saluran yang berguna bagi KLBC untuk berhubung dengan ahli-ahlinya.

ii) 'Lecterns' di Mahkamah Kuala Lumpur

Sebagai sebahagian daripada usaha berterusan untuk meningkatkan perkhidmatan kepada ahli-ahli, KLBC telah menyediakan 'lecterns' yang diletakkan di bilik-bilik mahkamah terpilih untuk kemudahan ahli-ahli semasa menjalankan kes-kes Mahkamah Terbuka di Mahkamah Kuala Lumpur.

iii) Wifi di Kompleks Mahkamah Kuala Lumpur

KLBC telah membuat beberapa percubaan untuk menyediakan ahli dengan kemudahan wifi di lobi aras 3, 4 dan 5 di Kompleks Mahkamah Kuala Lumpur tetapi tidak berjaya. Pihak Mahkamah tidak bersetuju KLBC menyediakan kemudahan wifi sendiri di premis Mahkamah dan sebaliknya mencadangkan supaya menggunakan kemudahan wifi yang disediakan oleh TM di mana pemegang akaun UniFi atau Streamyx boleh mendapatkan akses percuma. Pengguna lain perlu menggunakan kad prabayar untuk mengakses kemudahan wifi tersebut.

KLBC telah dimaklumkan bahawa terdapat kemudahan wifi percuma di Istana Kehakiman dan kini sedang memohon kepada Ketua Pendaftar untuk mendapatkan kemudahan wifi percuma di Kompleks Mahkamah Kuala Lumpur.

iv) Bilik Laktasi

Dicadangkan oleh Jawatankuasa Hal Ehwal Pengamal, 2 bilik laktasi telah disediakan di dalam Bilik Peguam untuk kegunaan peguam wanita yang sedang menyusukan bayi.

v) **Kemasukan ke Bar**

Seperti yang dibangkitkan pada AGM lepas Bar Kuala Lumpur, Setiausaha Kehormat KLBC telah bekerja keras untuk idea ‘Kemasukan beramai-ramai’ dengan Hakim Besar Malaya (CJM). CJM bersetuju dengan idea KLBC tetapi mahukan Jabatan Peguam Negara turut serta dalam perbincangan selanjutnya. Satu kertas kerja yang komprehensif sedang disediakan untuk perbincangan penuh oleh semua pihak-pihak yang berkaitan.

Sementara itu, satu mesyuarat telah diadakan dengan Hakim Pengurus Bahagian Rayuan & Kuasa-kuasa Khas Mahkamah Tinggi Kuala Lumpur untuk menyelesaikan masalah tarikh pendengaran yang mengambil masa terlalu lama untuk Kemasukan ke Bar. Keputusan dari mesyuarat itu, Kemasukan ke Bar tidak lagi hanya di dengar oleh Hakim Bahagian Rayuan & Kuasa-kuasa Khas tetapi juga oleh Hakim-hakim Bahagian Sivil, Dagang dan Jenayah. Masa menunggu bagi pelatih-pelatih untuk mendapatkan tarikh pendengaran telah dikurangkan dengan ketara. KLBC menghargai bantuan semua Hakim-hakim yang bersetuju untuk mendengar Kemasukan-kemasukan ke Bar.

vi) **Perjumpaan Tahunan antara KLBC dan Jawatankuasa Bar Selangor**

Perjumpaan Tahunan antara KLBC dan Jawatankuasa Bar Selangor (SBC) telah diadakan pada 30 Ogos 2012 di Shiz Grill, Bangsar Baru dan telah dihoskan oleh KLBC. Perjumpaan tahunan ini, yang kebiasaannya diadakan pada awal penggal tetapi telah ditangguhkan atas sebab-sebab yang tidak dapat dielakkan, adalah untuk ahli-ahli KLBC dan SBC untuk bertemu dan berkenalan satu sama lain dan untuk berbincang bagaimana untuk bekerjasama dalam menghadapi keperluan-keperluan ahli-ahli kedua-dua Bar Kuala Lumpur dan Bar Selangor.

vii) **Lawatan Presiden dan 2 pegawai dari Persatuan Bar Seoul**

Kami berpeluang bertemu Presiden Persatuan Bar Seoul, Oh Wook-Hwan dan 2 pegawai, Yoon Jong-Suk (Pegawai Audit) dan Choi Young-Ho (Penolong Pengurus) yang mengadakan lawatan sosial pada KLBC di pejabat Majlis Peguam pada 12 Julai 2012. Terdapat pertukaran maklumat secara kasual mengenai peranan Institusi masing-masing dan pandangan mengenai beberapa isu seperti isu hak asasi manusia, perhimpunan aman, globalisasi profesi undang-undang dan pemfailan elektronik. Adalah harapan kita bahawa ini akan menjadi titik permulaan kerjasama antara 2 Persatuan Bar ini.

viii) **Program Penajaan Persidangan**

- Dalam menyokong Persidangan Antarabangsa Undang-undang Malaysia yang dianjurkan oleh Majlis Peguam dan untuk memberi peluang untuk ahli-ahli menghadiri Persidangan yang akan memberikan mereka pengalaman yang berharga, KLBC telah menaja 10 ahli-ahli dan pelatih-pelatih dalam kamar untuk menghadiri Persidangan tersebut yang telah diadakan pada 26 hingga 28 September 2012 di Pusat Konvensyen Kuala Lumpur.
- Sebagai tanda penghargaan terhadap sumbangan-sumbangan yang dilakukan oleh peguam-peguam muda untuk Bar Kuala Lumpur, KLBC telah menaja 11 peguam muda untuk menghadiri Latihan Peguam Muda bertajuk ‘The Fundamentals of International Legal Business Practice’ anjuran bersama oleh Majlis Peguam dan Persatuan Bar Antarabangsa (“IBA”) bersempena dengan Persidangan Serantau Asia Pasifik ke-3 yang berlangsung di Kuala Lumpur. Latihan telah diadakan pada 28 November 2012 di Auditorium Raja Aziz Addruse.

ix) **Tajaan Lain-lain**

KLBC telah menaja 100 naskah *Handbook on Law and Practice on Arrest and Remand* untuk diagihkan kepada peserta Latihan-latihan YBGK (Yayasan Bantuan Guaman Kebangsaan) yang diadakan di Kuala Lumpur. Hasil karangan Pusat Bantuan Guaman Kuala Lumpur dan diterbitkan oleh Majlis Peguam, buku panduan ini adalah satu panduan praktikal yang meliputi topik-topik seperti tangkapan dan peranan peguam apabila berurusan dengan penangkapan dan tahanan reman.

x) **Usahasama**

Usahasama dengan CrimsonLogic yang telah diperbaharui selama 2 tahun lagi selepas berakhirnya tempoh 3 tahun pertama, telah memasuki tahun yang ke-2. KLBC akan berusaha untuk meneruskan usahasama ini untuk tempoh ketiga apabila iaanya tamat pada September tahun depan. Dalam usahasama ini, KLBC perlu mempromosikan *Legal Workbench* kepada ahli-ahli Bar Kuala Lumpur dan sebagai balasan, CrimsonLogic akan memberi tajaan kewangan dan 2 ID pengguna percuma *Legal Workbench* yang telah diprogramkan di komputer-komputer di Bilik Peguam di Mahkamah Kuala Lumpur untuk kegunaan ahli-ahli Bar.

xii) Mesyuarat Jawatankuasa

Sehingga 31 Disember 2012, KLBC telah bermesyuarat sebanyak 10 kali dan kehadiran setiap ahli adalah seperti berikut:

Brendan Navin Siva	- 9
Ravinder Singh Dhaliwal (Ravin)	- 10
Muhendaran Suppiah	- 6
Agnes Chan Kim Hong	- 7
Jeremiah R Gurusamy	- 10
Harleen Kaur (Leena)	- 9
Khaizan Sharizad Ab Razak (Sherrie)	- 10
Jason Kong	- 9
Roger Chan Weng Keng	- 7 (dilantik pada 17.05.2012)
Goh Siu Lin	- 10
Amrit Pal Singh	- 8
Lim Chi Chau	- 9
Melissa Sasidaran	- 10

Dipendra Harshad Rai, wakil Bar Kuala Lumpur di Majlis Peguam, dijemput menghadiri mesyuarat-mesyuarat KLBC sebagai pemerhati dan juga untuk melapor kepada Majlis Peguam tentang perkara-perkara berkaitan dan apakah penting dan bila diperlukan. Beliau telah menghadiri sebanyak 8 mesyuarat dan telah bekerja rapat dengan KLBC.

xiii) Kewangan, Yuran dan Pendapatan Bukan Yuran

Kedudukan kewangan KLBC kekal stabil dengan jumlah RM1,370,398 dalam Simpanan Tetap. Kedudukan kewangan terperinci dinyatakan di dalam Akaun Teraudit berakhir 31 Disember 2012.

Yuran bagi tahun 2012 telah ditetapkan pada RM125 di Mesyuarat Agung yang lepas pada 23 Februari 2012. Pada penutupan tahun kewangan KLBC pada 31 Disember 2012, terdapat 324 orang ahli yang masih belum menjelaskan yuran mereka bagi tahun 2012.

Pada penggal ini, KLBC telah memungut sebanyak RM183,393.08 dari tajaan-tajaan, pengiklanan di laman sesawang dan surat berita, ceramah-ceramah dan seminar-seminar anjuran PDC dan jawatankuasa-jawatankuasa kecil yang lain.

E. JAWATANKUASA-JAWATANKUASA KECIL

Penggal ini menyaksikan penubuhan satu jawatankuasa kecil baru, Jawatankuasa Hal Ehwal Pengamal, dengan tujuan menangani isu-isu yang dihadapi oleh ahli-ahli dalam memajukan diri dalam bidang guaman dan dalam mengembangkan kerjaya profesional mereka dan menyediakan latihan dan program mentor dari aspek bukan amalan undang-undang. 12 jawatankuasa-jawatankuasa kecil yang lain dari penggal sebelumnya dikekalkan tetapi dengan Jawatankuasa Amalan Konveyansing diperluas untuk merangkumi Amalan Korporat dan Jawatankuasa Alam Sekitar & Kemanusiaan dinamakan sebagai Jawatankuasa Undang-undang Alam Sekitar.

KLBC juga buat pertama kalinya, selaras dengan amalan Majlis Peguam, menjemput seorang ahli umum Bar Kuala Lumpur untuk menjadi pengurus bersama satu jawatankuasa kecil, iaitu Jawatankuasa Teknologi Maklumat & Komunikasi, kerana KLBC berpendapat bahawa jawatankuasa kecil tersebut perlu diketuai oleh seseorang yang bukan sahaja celik IT tetapi juga seorang pengamal Undang-undang IT.

13 jawatankuasa-jawatankuasa kecil dan pengurus-pengurus mereka adalah:

i) Jawatankuasa Perhubungan Mahkamah Sivil

Brendan Navin Siva (Mahkamah Tinggi)
Ravinder Singh Dhaliwal (Mahkamah Rendah)

ii) Jawatankuasa Amalan Korporat dan Konveyansing

Agnes Chan Kim Hong

iii) Jawatankuasa Amalan Jenayah

Amrit Pal Singh

- iv) **Jawatankuasa Undang-undang Alam Sekitar**
Roger Chan Weng Keng
- v) **Jawatankuasa Teknologi Maklumat dan Komunikasi**
Lim Chi Chau
Foong Cheng Leong
- vi) **Bantuan Guaman**
Harleen Kaur
- vii) **Jawatankuasa Hal Ehwal Pengamal**
Goh Siu Lin
- viii) **Jawatankuasa Pembangunan Profesional**
Jeremiah R Gurusamy
Lim Chi Chau
- ix) **Jawatankuasa Penerbitan**
Jeremiah R Gurusamy
- x) **Jawatankuasa Hal Ehwal Pelatih-Dalam-Kamar**
Jason Kong
- xi) **Jawatankuasa Sosial, Kesenian dan Kebudayaan**
Melissa Sasidaran
- xii) **Jawatankuasa Sukan**
Muhandaran Suppiah
- xiii) **Jawatankuasa Peguam Muda**
Khaizan Sharizad Ab. Razak

Pengerusi-pengerusi Jawatankuasa-jawatankuasa kecil memimpin jawatankuasa masing-masing dengan baik dan laporan-laporan jawatankuasa-jawatankuasa kecil yang dilampirkan mencerminkan aktiviti-aktiviti yang telah dilaksanakan oleh mereka. Laporan terperinci aktiviti-aktiviti tersebut disediakan dalam laporan jawatankuasa-jawatankuasa kecil tetapi yang berikut wajar diberi perhatian:

- **Ceramah Alam Sekitar - ‘Beyond Me & Mine: From Solid Waste to Climate Change’ - 13 April 2012**
Tahun ini, Jawatankuasa Undang-undang Alam Sekitar bersama-sama dengan Jawatankuasa Pembangunan Profesional menganjurkan ceramah alam sekitar oleh Encik Gurmit Singh untuk memulakan “Old/Disused Paper Collection Week”. Sebagai ganti kepada yuran pendaftaran, peserta digalakkan untuk membawa bersama-sama barang-barang kitar semula sebagai tiket untuk ke ceramah tersebut.
- **Projek Komuniti Penanaman Pokok IEM di Taman Botani Negara, Shah Alam - 23 dan 24 Jun 2012**
Bar Kuala Lumpur telah dijemput oleh Seksyen Jurutera Muda (YES) dari Institusi Jurutera Malaysia (IEM) untuk mengambil bahagian dalam projek menanam pokok di Taman Botani Negara Shah Alam. Diketuai oleh Jawatankuasa Undang-undang Alam Sekitar dan Jawatankuasa Peguam Muda, Bar Kuala Lumpur dengan beberapa rakan-rakan korporat dan peribadi telah menaja 90 daripada 190 pokok yang telah ditanam.
- **Malam Vaisakhi - 26 April 2012**
Satu acara baru, Malam Vaisakhi, telah dianjurkan oleh Jawatankuasa Peguam Muda untuk ahli-ahli sama-sama meraikan perayaan Sikh ini yang menandakan permulaan tahun dan musim menuai baru.

Adalah diharapkan bahawa lebih banyak acara meraikan perayaan-perayaan etnik yang berbeza akan dianjurkan pada tahun akan datang.

- **Pejumpaan Sosial Bar Kuala Lumpur - 8 Jun 2012**
KLBC telah bercadang untuk mengadakan acara sosial ini secara bulanan tetapi disebabkan oleh keadaan yang tidak diduga dan jadual yang ketat, KLBC melalui Jawatankuasa Sosial, Kesenian dan Kebudayaan hanya mampu menganjurkan satu perjumpaan.
- **Lawatan ke Istana Kehakiman - 6 Julai 2012**
Jawatankuasa Hal Ehwal Pelatih-Dalam-Kamar melaksanakan projek baru di penggal ini - membawa pelatih-pelatih melawat Istana Kehakiman untuk meningkatkan pengetahuan para pelatih berkenaan Sistem Kehakiman Malaysia.
- **Taklimat mengenai Kaedah-Kaedah Mahkamah 2012 - 17 dan 23 Julai 2012**
Dengan Kaedah-Kaedah Mahkamah 2012 mula berkuat kuasa pada 1 Ogos 2012, Jawatankuasa Pembangunan Profesional menganjurkan 2 taklimat bagi memaklumkan perubahan-perubahan besar yang terdapat dalam Kaedah tersebut.
- **Bengkel berkenaan ‘Projecting a Professional Image by Bobbi Brown’ - 21 Julai dan 24 November 2012**
Menyedari kepentingan menonjolkan imej yang profesional apabila bertemu dengan pelanggan dan hadir di hadapan Hakim bahkan hanya berinteraksi dengan orang perseorangan, Jawatankuasa Hal Ehwal Pengamal menganjurkan bengkel imej dan dandanannya yang dilaksanakan oleh Bobbi Brown Cosmetics. Bengkel pertama mendapat sambutan yang sangat baik membawa kepada perlaksanaan sesi yang ke-2.
- **Malam Amal YLC 2012 - 12 Oktober 2012**
Jawatankuasa Peguam Muda mesti dipuji kerana sekali lagi berjaya menganjurkan Malam Amal dengan kutipan sebanyak RM52,000, sumbangan kali ini untuk “Project Light a Home”.
- **Parti Akhir Tahun Bar Kuala Lumpur - 8 Disember 2012**
KLBC membuat perubahan pada tahun ini dengan mengadakan parti menggantikan acara makan malam rasmi biasa. Acara tersebut, yang diadakan di salah satu daripada tempat paling hangat di bandar, The Pool di Nihonkan, menarik lebih daripada 400 orang hadirin yang telah dihibur dengan muzik secara langsung oleh ahli-ahli kami sendiri. Terdapat beberapa kelemahan tetapi secara keseluruhannya saya percaya kebanyakan ahli amat terhibur dan berseronok di malam tersebut.
- **Bengkel Litigasi Kepentingan Awam**
Penggal ini menyaksikan Jawatankuasa Peguam Muda menujuhan Unit Litigasi Kepentingan Awam dan ianya adalah suatu yang memberangsangkan melihat kesungguhan peguam muda untuk terlibat dalam kes-kes litigasi kepentingan awam. Ucapan terima kasih khas perlu dipanjangkan kepada *Malaysian Centre for Constitutionalism and Human Rights (MCCHR)* kerana menjalankan satu siri bengkel-bengkel bagi menyediakan peguam muda yang berminat dalam menghadapi kes-kes seperti ini.
- **Sesi Pengenalan kepada Profesional Undang-undang untuk Mahasiswa Undang-undang - 29 September dan 15 Disember 2012**
Bagi menggantikan acara lawatan ke Universiti-universiti, Sesi Pengenalan ini terbukti lebih popular dan atas permintaan, sesi kedua terpaksa diadakan. Dianjurkan oleh Jawatankuasa Peguam Muda, tujuan utamanya adalah untuk memberi para mahasiswa wawasan tentang profesion undang-undang.
- **Kod Gangguan Seksual yang telah disahkan dan diterima pakai di Mesyuarat Agung ke-59 Bar Malaysia**
Kenyataan khas mesti dibuat tentang Jawatankuasa Hal Ehwal Pengamal kami yang berusaha ke arah meningkatkan kesedaran mengenai Kod Gangguan Seksual (Kod) yang disediakan oleh Majlis Peguam. Satu ceramah mengenai gangguan seksual telah diadakan dan maklumat berkala (elektronik) telah dihantar kepada ahli-ahli untuk mencetuskan kesedaran. Lebih banyak perkara akan dilaksanakan dan matlamat utama adalah untuk mendapatkan seberapa banyak firma-firma undang-undang yang mungkin menerima Kod ini.

- **Program-program Mentor**

Penggal ini menyaksikan pelancaran 2 program mentor:

- 1) **Program Mentor Amalan Jenayah**

Dikendalikan oleh Jawatankuasa Amalan Jenayah, program ini membolehkan peguam muda untuk mengekor pengamal kanan undang-undang jenayah melalui keseluruhan proses perbicaraan jenayah sebenar dari awal hingga akhir. Tujuannya adalah untuk menggalakkan lebih ramai peguam muda untuk menjadi barisan pelapis pengamal undang-undang jenayah.

- 2) **'Mentoring Circle' PAC**

Dikendalikan oleh Jawatankuasa Hal Ehwal Pengamal (PAC), dengan matlamat untuk mewujudkan sebuah kumpulan tidak formal yang mana bimbingan, sokongan secara profesional dan sosial daripada ahli-ahli kanan Bar boleh diberikan kepada pengamal-pengamal muda tentang berbagai perkara yang menjadi kerisauan kepada mereka yang tidak berkaitan dengan amalan undang-undang.

- **Seminar Bulanan Percuma**

Seperti yang dijanjikan pada Mesyuarat Agung Bar Malaysia yang lalu, KLBC melalui Jawatankuasa Pembangunan Profesional telah menganjurkan seminar bulanan percuma selaras dengan resolusi mengenai mandatori Skim Pembangunan Berterusan Profesional (CPD) Bar Malaysia.

F. OBITUARI

KLBC dengan dukacitanya merakamkan peninggalan ahli-ahli Bar Kuala Lumpur pada tahun yang ditinjau:

Henry Lee Yee Lian pada 16 April 2012

Mohd Alakhir Bin Brahim pada 6 Mei 2012

Mohd Zahid Bin Ab Hamid pada 30 Ogos 2012

Lim Choon Wee pada 31 Oktober 2012

Augustine Christopher Nathan pada 15 Disember 2012

Istiadat Reference bagi menghormati dan memperingati ahli-ahli di atas dan Ng Fook Loy yang meninggal dunia pada 27 November 2011 dijadualkan untuk dilangsungkan pada 1 Mac 2013 jam 10:00 pagi di Mahkamah Tinggi Kuala Lumpur. Prosiding ini akan dipersidangkan oleh Y.A. Dato' Seri Zakaria Bin Sam.

G. SEKRETARIAT

Dengan perlantikan seorang pekerja am/tea lady sepenuh masa pada Mac 2012, KLBC sekarang mempunyai kekuatan 12 orang kakitangan (termasuk 1 yang ditempatkan di Bilik Peguam di Kompleks Mahkamah Kuala Lumpur).

Kakitangan Sekretariat terus memainkan peranan aktif dalam menyokong kerja-kerja KLBC dan jawatankuasa-jawatankuasa kecil dan bekerja keras untuk memastikan bahawa semua projek dan aktiviti dilaksanakan dengan jayanya dan dalam masa yang sama melaksanakan fungsi biasa lain seperti menyimpan rekod prosiding mesyuarat, memproses Petisyen Kemasukan ke Bar, mengutip yuran tahunan dan sewaan BC Box, menguruskan akaun, pendaftaran ahli-ahli, laman sesawang dan lain-lain media sosial Bar Kuala Lumpur, melayan sebarang pertanyaan-pertanyaan dari ahli-ahli Bar, pelatih-pelatih dalam kamar dan orang ramai, semuanya ini hanya sebahagian dari tugas harian mereka.

Indira yang mengendalikan Petisyen Kemasukan ke Bar dan berurusan dengan pelatih-pelatih dalam kamar menerima anugerah perkhidmatan beliau pada 16 Januari 2012. Beliau telah berkhidmat untuk KLBC selama 15 tahun.

Walaupun kita bertuah kerana mempunyai sekumpulan kakitangan yang setia dan berdedikasi, yang majoritinya telah berkhidmat untuk KLBC selama bertahun-tahun, 2 orang kakitangan telah memilih untuk meletakkan jawatan mereka pada tahun 2012. Kartini, kakitangan meja hadapan, meninggalkan Sekretariat untuk meningkatkan bidang kerjaya beliau. Beliau telah digantikan oleh Jayashree pada 11 Julai 2012. Seorang lagi kakitangan yang telah meletakkan jawatan adalah Norhafizah dari Bilik Peguam. Kekosongan jawatan tersebut kemudiannya diisi oleh Vasanthe Kumari pada 1 Oktober 2012.

Seperti biasa, Sekretariat bekerja sangat rapat dengan KLBC dalam usaha untuk memberikan khidmat yang lebih baik kepada Bar Kuala Lumpur dan menyediakan Sekretariat yang lebih cekap kepada para ahli. Kami mengalu-alukan maklum balas dan cadangan-cadangan daripada ahli-ahli bagaimana Sekretariat dapat meningkatkan perkhidmatan kepada ahli dan profesion.

H. PENGHARGAAN DAN KESIMPULAN

Saya ingin mengakhiri dengan menegaskan perkara yang sama saya telah nyatakan sepanjang masa saya memegang jawatan dan yang terus menerus menjadi kenyataan yang benar. Bar kita adalah hanya sekutu ahlinya. Bar kita bergantung kepada masa dan usaha ahli-ahlinya. Setiap inisiatif kerja yang kita usahakan adalah bergantung sepenuhnya kepada kerja keras dan sokongan daripada ahli-ahli Bar Kuala Lumpur.

Saya telah berpeluang bertemu dan berkenalan dengan ramai ahli-ahli Bar Kuala Lumpur yang bekerja dan terus bekerja keras tanpa mementingkan diri untuk Bar kita dengan hanya bermatlamatkan untuk meningkatkan taraf profesion undang-undang dan memudahkan ahli-ahli lain untuk mengamalkan undang-undang. Bar secara keseluruhannya terhutang budi kepada mereka-mereka ini. Dan kita sepatutnya boleh melakukan lebih banyak lagi untuk menjadikan Bar kita lebih kukuh dan lebih responsif kepada keperluan ahli-ahli Bar jika semua ahli datang ke hadapan dan menyumbang dalam cara tersendiri untuk mencapai objektif yang dinyatakan sebelum ini.

Saya ingin mengambil kesempatan ini untuk mengucapkan terima kasih kepada Mary Tan (Setiausaha Eksekutif) dan semua kakitangan di Sekretariat atas segala kerja keras dan dedikasi mereka. Tanpa mereka, KLBC tidak akan dapat berfungsi dengan cekap dan berkesan.

Brendan Navin Siva

Pengerusi

Jawatankuasa Bar Kuala Lumpur 2012/13

JAWATANKUASA PERHUBUNGAN MAHKAMAH SIVIL

Jawatankuasa Perhubungan Mahkamah Sivil (CCLC) telah mengekalkan dua sub-unitnya iaitu Mahkamah Rendah dan Mahkamah Tinggi bagi memastikan isu-isu yang berbangkit dapat dikendalikan dengan cekap dan segera.

Dalam usaha untuk menyelesaikan isu-isu yang dihadapi oleh ahli-ahli Bar Kuala Lumpur, CCLC telah memohon untuk mengadakan dan menghadiri mesyuarat-mesyuarat dengan pegawai-pegawai Mahkamah Kuala Lumpur dan penyedia perkhidmatan yang berkaitan, termasuk yang berikut:

16 APRIL 2012

MESYUARAT PEMFAILAN ELEKTRONIK (E-FILING) BERSAMA PEGAWAI-PEGAWAI MAHKAMAH KUALA LUMPUR DAN PENYEDIA PERKHIDMATAN (FORMIS)

Mesyuarat tersebut telah diadakan pada 16 April 2012 jam 4.00 petang di Mahkamah Kuala Lumpur. Ahli-ahli CCLC telah diperkenalkan kepada pegawai-pegawai Mahkamah Kuala Lumpur yang bertanggung jawab ke atas Sistem Pemfailan Elektronik (EFS) serta wakil dari penyedia perkhidmatan (Formis).

Beberapa isu penting telah dibincangkan termasuk kelewatan dan kesesakan di kaunter Biro Perkhidmatan, isu-isu berkenaan masa, mekanisme pembayaran dalam talian, Pemindahan Praecipe, yuran yang di kenakan oleh Biro Perkhidmatan, pencarian fail, pemfailan di Mahkamah Rayuan dan perlaksanaan sistem pemfailan elektronik di Mahkamah Perak pada 1 April 2012. Perkara-perkara lain yang dibincangkan dalam mesyuarat tersebut adalah mengenai pembayaran dalam talian, gangguan perkhidmatan, meja bantuan, pengurusan kes bagi Mahkamah Rendah, dokumen tidak lengkap, kelewatan pengeluaran dokumen dan isu-isu di kaunter bayaran.

17 APRIL 2012

TAKLIMAT E-PURSE DI PUTRAJAYA

Taklimat tersebut telah diadakan pada 17 April 2012 jam 3.00 petang. E-purse dicadangkan sebagai cara pembayaran alternatif secara elektronik untuk sistem pemfailan elektronik di Mahkamah. Taklimat ini telah di hadiri oleh Brendan Navin Siva, Lew Chee Seong dan James Ee Kah Fuk. Walau bagaimanapun, cadangan tersebut tidak boleh diterimakai mahupun dilaksanakan.

15 MEI 2012

MESYUARAT BERSAMA PENGARAH MAHKAMAH KUALA LUMPUR

Mesyuarat telah diadakan di pejabat Pengarah di Mahkamah Kuala Lumpur pada 15 Mei 2012 jam 4.00 petang. Isu-isu utama yang dibincangkan adalah berkaitan dengan tempat letak kereta dan keselamatan. Bar Kuala Lumpur juga telah di nasihatkan untuk membuat permohonan secara bertulis kepada Ketua Pendaftar untuk Bilik Laktasi.

1 JUN 2012

MESYUARAT BERSAMA HAKIM PENGURUS BAHAGIAN RKKK, MAHKAMAH TINGGI DAGANG DAN MAHKAMAH-MAHKAMAH RENDAH

Mesyuarat telah diadakan pada 1 Jun 2012 jam 9.30 pagi di Mahkamah Kuala Lumpur. Isu utama yang dibincangkan adalah kelewatan dalam penjadualan pendengaran-pendengaran untuk Kemasukan ke Bar.

Pengerusi Bersama

Brendan Navin Siva
Ravin Singh

Ahli-ahli Jawatankuasa

Balan Nair
Chakravarthi
Dominic Gan Teck Long
Fatimah Zulaikha Binti Ahmad Bashri
G Nanda Goban
Gayathri Priya
James Ee Kah Fuk
Lew Chee Seong
Samreet Singh Sagoo
Shiyamala Devi Manokaran
Sunita Sankey
Yeoh Tung Seng

Dalam mesyuarat itu, ia telah dipersetujui oleh YA Datuk Zaharah Binti Ibrahim bahawa isu ini dapat diatas jika hakim-hakim dari Bahagian Dagang turut mendengar Kemasukan-kemasukan ke Bar. Sejak itu, masalah-masalah yang berkaitan dengan kelewatan pendengaran ini telah berkurangan.

PERBINCANGAN DENGAN PEGUAM KECEDERAAN PERIBADI

Perbincangan telah diadakan untuk menentukan sama ada terdapat keperluan untuk menubuhkan satu lagi jawatankuasa kecil di peringkat Jawatankuasa Bar Kuala Lumpur khusus untuk peguam Kecederaan Peribadi.

4 DISEMBER 2012

MESYUARAT BERSAMA PENDAFTAR MAHKAMAH TINGGI MALAYA (PMT) BERKENAAN PEMFAILAN DOKUMEN

PMT telah memanggil mesyuarat ini yang telah diadakan pada 4 Disember 2012 jam 2.30 petang di Mahkamah Kuala Lumpur. CCLC telah membangkitkan beberapa isu termasuk masalah mengenai carian fail di bahagian Pendaftaran Mahkamah Tinggi, dasar bebas rokok di Kompleks Mahkamah Kuala Lumpur, isu-isu yang berkaitan dengan sistem pemfailan elektronik, penolakan dokumen tanpa alasan/penjelasan dan masalah pecah masuk kereta yang diletakkan di kawasan tempat letak kereta Mahkamah Kuala Lumpur.

PMT memaklumkan mesyuarat bahawa Mahkamah sedang melakukan kaji selidik tentang bagaimana untuk memperbaiki kedudukan Mahkamah Malaysia di Bank Dunia. Badan Kehakiman ingin untuk mendapatkan maklumbalas daripada ahli-ahli Bar untuk kajian kes tersebut.

PMT juga memaklumkan mesyuarat tentang perancangan masa depan Badan Kehakiman dan meminta pihak Bar memberi maklum balas mengenai beberapa isu termasuk Dokumen ditanda tangan secara Automatik dan meningkatkan bidang kuasa Mahkamah Tuntutan Kecil.

PENUTUP DAN PENGHARGAAN

Kami ingin merekodkan ucapan terima kasih dan penghargaan kami kepada ahli-ahli CCLC atas masa, sokongan dan kerjasama mereka untuk penggal 2012/13.

Brendan Navin Siva

Ravin Singh

Pengerusi Bersama

Jawatankuasa Perhubungan Mahkamah Sivil

JAWATANKUASA AMALAN KORPORAT DAN KONVEYANSING

Jawatankuasa Amalan Korporat dan Konveyansing (CCPC) mengekalkan objektif-objektif utamanya iaitu menyelesaikan isu-isu dan masalah-masalah yang di hadapi oleh pengamal-pengamal perundangan korporat dan konveyansing Bar Kuala Lumpur dengan agensi-agensi kerajaan yang berkaitan. CCPC tidak melibatkan diri dalam isu-isu polisi yang mana adalah di bawah tanggungjawab Majlis Peguam.

Sehingga kini CCPC telah bermesyuarat sebanyak 5 kali semenjak memegang jawatan dan pada masa yang sama turut menghadiri mesyuarat-mesyuarat bersama dengan agensi-agensi yang berkaitan.

Mesyuarat-mesyuarat dengan agensi-agensi berkaitan dan aktiviti-aktiviti CCPC untuk 2012/13 adalah seperti berikut:

15 MAC 2012 TAKLIMAT BERKENAAN SISTEM MYFORM OLEH PEJABAT TANAH WILAYAH

Pejabat Tanah dan Galian Wilayah Persekutuan (PTGWP) telah menjemput 10 firma-firma guaman untuk satu taklimat dan ujian percubaan sistem MyForm pada 15 Mac 2012 bermula jam 9.00 pagi hingga 4.00 petang.

2 ahli CCPC telah menghadiri taklimat tersebut dan telah melapurkan bahawa mereka telah di minta untuk melakukan satu ujian percubaan sistem tersebut menggunakan komputer-komputer yang telah disediakan dan di minta untuk memberi maklum balas bagaimana untuk menambahbaikkan sistem tersebut.

Sebagai projek perintis, MyForm merupakan sistem pendaftaran secara online yang akan diperkenalkan oleh PTGWP untuk 4 transaksi asas pejabat tanah iaitu Pindahmilik (Borang 14), Gadaian (Borang 16A), Melepaskan Gadaian (Borang 16N) dan Penarikbalikan Caveat Persendirian (Borang 19G).

Sehingga kini kami belum lagi mendapat sebarang makluman dari PTGWP berkenaan status perlaksanaan sistem MyForm ini.

8 JUN 2012 KUNJUNGAN HORMAT KE PEJABAT TANAH PUTRAJAYA

Wakil-wakil CCPC telah disambut dengan mesra oleh Timbalan Pengarah Tanah Wilayah Persekutuan dan 2 pegawai lain. Isu-isu yang dibincangkan adalah berkenaan frod, dokumen-dokumen yang tidak di ambil oleh peguam-peguam dan penaikkan taraf sistem oleh Pejabat Tanah Putrajaya.

Kami dengan senang hati memaklumkan kepada ahli-ahli Bar Kuala Lumpur bahawa Pejabat Tanah Putrajaya akan melaksanakan sistem yang akan memaklumkan para peguam berkenaan status transaksi mereka melalui sms dan emel. Sistem ini dijangkakan akan dilaksanakan pada 2013.

Pengerusi

Agnes Chan Kim Hong

Naib Pengerusi

Ally Chong Wai Kuan

Ahli-ahli Jawatankuasa

Angie Tong Mood Mei

Annie Yin

Choo Chiew Ann

Dennis Teoh

Grace Chang

Grace Chin

Lee Ai Wi

Mohd Irwan Bin Mohd Mubarak

Nahzatul Ain Binti Mohd Khalid

Nurmurni Binti Zabirri

Oh Teik Keng

Rita Sabrina Wong Kee Ling

Rozian Idrus

Sarah Kambali

Susan Joseph

25 SEPTEMBER 2012

MESYUARAT DI ANTARA PEJABAT TANAH DAN GALIAN SELANGOR (PTGS) DAN WAKIL-WAKIL DARI BAR KUALA LUMPUR, BAR SELANGOR DAN MAJLIS PEGUAM

CCPC telah dijemput untuk menghadiri mesyuarat ini oleh PTGS. Ianya merupakan mesyuarat susulan dari mesyuarat pertama yang telah diadakan pada 5 Disember 2011.

Mesyuarat ini telah dihadiri oleh beberapa orang ahli Bar dan wakil-wakil dari kesemua 9 pejabat-pejabat daerah/tanah di Selangor.

Mesyuarat tersebut membincangkan tindakan-tindakan yang telah dilaksanakan daripada mesyuarat pertama pada 2011 dan isu-isu semasa yang berbangkit yang di antaranya adalah:

- Kelewatan dalam pemprosesan dokumen-dokumen;
- Aduan-aduan terhadap firma-firma guaman yang masih tidak meletakkan nombor BC dan nama serta alamat penuh firma di cop mereka ke atas semua dokumen-dokumen yang sepatutnya;
- PTGS menjelaskan isu berkenaan carian JPN yang mana ianya hanya perlu dibuat jika salinan fotostat KP yang dilampirkan oleh firma guaman tidak boleh dibaca;
- Pejabat Tanah menolak dokumen-dokumen yang hanya mempunyai kesalahan-kesalahan kecil;
- Perkara-perkara berkaitan dengan e-wakil atau masalah-masalah ‘runners’;
- Perkembangan terbaru dari PTGS (pendaftaran 1-hari dan senarai semak secara online);
- Perkara-perkara berkaitan dengan carian rasmii hakmilik;
- Perkara-perkara berkaitan pendaftaran kaveat persendirian;
- Kebenaran menyeluruh (blanket approval) untuk hakmilik-hakmilik strata;
- Frod tanah; dan
- PTGS memaklumkan mesyuarat bahawa mereka tidak menerima mohor elektronik (e-seals) dari Mahkamah-mahkamah yang telah melaksanakan sistem pemfailan elektronik (e-filing). Mereka memerlukan dokumen-dokumen tersebut disahkan sebagai salinan sah oleh Mahkamah-mahkamah yang terlibat.

KUNJUNGAN HORMAT KE PEJABAT-PEJABAT TANAH YANG LAIN

CCPC telah merancang dan telahpun mengutus surat kepada Pejabat-pejabat Tanah/Daerah Petaling, Gombak, Hulu Langat dan Klang memohon di adakan kunjungan hormat/mesyuarat.

Memandangkan mesyuarat yang dianjurkan oleh PTGS pada 25 September 2012 telah dihadiri oleh kesemua para pegawai-pegawai yang mewakili 9 daerah-daerah di Selangor, CCPC memutuskan tidak meneruskan kunjungan-kunjungan hormat ke pejabat-pejabat Tanah di Selangor secara individu.

MESYUARAT/KUNJUNGAN HORMAT KE PEJABAT TANAH WILAYAH

CCPC telah menerima banyak aduan-aduan berkenaan prosedur-prosedur operasi Pejabat Tanah Wilayah daripada ahli-ahli Bar Kuala Lumpur. CCPC telah menghantar permohonan-permohonan bertulis kepada Pejabat Tanah Wilayah untuk mengadakan kunjungan hormat/mesyuarat semenjak memegang jawatan. Sememangnya Pejabat Tanah Wilayah telah memanggil satu mesyuarat diadakan, tetapi hanya dengan memberikan notis satu hari. Oleh kerana kekurangan masa dengan notis sehari, CCPC tidak dapat menghadiri mesyuarat tersebut. Semenjak itu, Pengarah Pejabat Tanah Wilayah telahpun dinaikkan pangkat dan berpindah dari Pejabat Tanah Wilayah. Jawatan Pengarah telah dikosongkan selama berbulan-bulan dan hanya di isi pada bulan Disember 2012.

Pada masa laporan ini disediakan, CCPC telah menulis kepada Pengarah yang baru, Tuan Haji Yahaya Bin Mohamad, memohon untuk mengadakan suatu mesyuarat untuk membincangkan isu-isu yang dibangkitkan oleh ahli-ahli Bar Kuala Lumpur.

ACARA-ACARA AKAN DATANG

Kunjungan hormat/Mesyuarat bersama Jabatan Operasi Cukai, LHDN Cyberjaya

Hubungan awal telah dilaksanakan dan semasa laporan ini disediakan, CCPC sedang menunggu maklum balas berkenaan tarikh yang sesuai daripada agensi tersebut.

Ceramah bertajuk ‘Understanding the Anti Money Laundering Act’

CCPC telah lama bercadang untuk menganjurkan ceramah ini tetapi terpaksa menangguhkannya kerana Majlis Peguam dan Bar Selangor telah menganjurkan ceramah yang sama pada 2012. Semasa laporan ini disediakan, kami telah memperolehi persetujuan wakil dari Bank Negara dan seorang ahli Bar untuk menyampaikan ceramah dengan tajuk ini. Tarikh yang ditetapkan untuk ceramah ini adalah pada 16 Januari 2013.

Bengkel untuk peguam-peguam muda - Penubuhan Syarikat Sendirian Berhad dan Penggulungan Syarikat secara sukarela oleh Ahli

CCPC akan menganjurkan satu bengkel setengah hari untuk meliputi dua topik tersebut. Sekretariat masih menetapkan suatu tarikh sesuai untuk CCPC menggunakan auditorium. Bengkel ini disasarkan kepada peguam-peguam muda atau peguam yang tidak biasa dengan kerja-kerja asas undang-undang korporat.

KESIMPULAN DAN PENGHARGAAN

Saya ingin mengambil kesempatan ini untuk mengucapkan terima kasih kepada semua ahli-ahli CCPC, terutamanya kepada mereka yang aktif, di atas masa dan sokongan mereka dalam menghadiri mesyuarat-mesyuarat jawatankuasa dan bantuan mereka dalam menyelesaikan isu-isu yang dibangkitkan oleh ahli-ahli Bar Kuala Lumpur dan juga agensi-agensi kerajaan yang berkaitan. Saya juga berterima kasih kepada ahli-ahli CCPC yang bermurah hati telah menaja sebahagian dari makan tengahari kami.

Akhirnya sekali, ucapan jutaan terima kasih kepada semua ahli-ahli Jawatankuasa Bar Kuala Lumpur dan sektretariat atas sokongan mereka, yang mana tanpanya, amat mustahil bagi CCPC untuk melaksanakan kesemua tugasannya.

Agnes Chan Kim Hong

Pengerusi
Jawatankuasa Amalan Korporat dan Konveyansing

JAWATANKUASA AMALAN JENAYAH

2 objektif utama Jawatankuasa Amalan Jenayah (CPC) untuk penggal 2012/13 adalah seperti berikut:

- i. Menyelesaikan isu-isu dan kesulitan-kesulitan yang dihadapi oleh pengamal undang-undang jenayah di bawah Bar Kuala Lumpur dengan agensi-agensi yang berkaitan dengan amalan jenayah seperti Jabatan Peguam Negara, Polis DiRaja Malaysia (PDRM), Mahkamah Jenayah Kuala Lumpur dan pegawai-pegawai Kehakiman.
- ii. Memberikan pendedahan dan sokongan kepada peguam-peguam muda untuk menceburi amalan jenayah dengan mengadakan dan menganjurkan ceramah-ceramah, bengkel-bengkel, forum-forum dan program mentor yang berkaitan dengan perundangan dan amalan jenayah.

Setakat ini CPC telah bermesyuarat sebanyak 5 kali penggal ini dan telah menghadiri mesyuarat-mesyuarat dengan badan-badan yang berkaitan dengan pentadbiran keadilan jenayah. Mesyuarat-mesyuarat dan aktiviti-aktiviti yang dianjurkan oleh CPC adalah seperti berikut:

12 APRIL 2012

MESYUARAT DENGAN KETUA UNIT PENDAKWAAN KUALA LUMPUR

Mesyuarat telah diadakan pada 12 April 2012 di pejabat Ketua Unit Pendakwaan di Chase Perdana, Bukit Damansara. Mesyuarat telah di hadiri oleh 6 orang ahli CPC. Berbagai isu-isu telah dibincangkan dan diputuskan.

18 APRIL 2012

SEMINAR PDC BERTAJUK 'REMAND AND BAIL'

Pengerusi CPC telah menyampaikan seminar yang dianjurkan oleh Jawatankuasa Pembangunan Profesional (PDC) yang telah di adakan pada 18 April 2012 dan dihadiri oleh 55 peserta.

30 APRIL 2012

MESYUARAT BERSAMA PEGAWAI-PEGAWAI MAHKAMAH JENAYAH KUALA LUMPUR DAN PDRM

Mesyuarat telah diadakan pada 30 April 2012 di Mahkamah Kuala Lumpur dan di hadiri oleh 10 ahli CPC. Isu-isu yang dibincangkan adalah masalah-masalah yang berkaitan dengan Pusat-pusat Reman Kuala Lumpur yang baru (Jinjang dan Dang Wangi), Seksyen 28A Kanun Prosedur Jenayah, Pegawai-pegawai penyiasat gantian yang menghadiri pendengaran reman, ketepatan waktu dan penangguhan kes-kes perbicaraan oleh ahli-ahli Bar.

7 MEI 2012

MESYUARAT BERSAMA PENDAFTAR MAHKAMAH TINGGI MALAYA (PMT) BERKENAAN PUSAT-PUSAT REMAN KUALA LUMPUR

Mesyuarat telah diadakan pada 7 Mei 2012 jam 3.00 petang di Mahkamah Kuala Lumpur yang di hadiri oleh wakil-wakil dari Majlis Peguam, CPC Bar Kuala Lumpur, YBGK, pegawai-pegawai Mahkamah Jenayah Kuala Lumpur dan PDRM. Isu-isu utama yang dibincangkan adalah berkenaan operasi-operasi dan kemudahan-kemudahan yang disediakan di kedua-dua Pusat Reman tersebut iaitu Jinjang dan Dang Wangi.

Pengerusi

Amrit Pal Singh

Ahli-ahli Jawatankuasa

Bruno Khor Boon How

Cheow Wee

Datuk Ganesalingam Kanagaretnam

Dominic Gan Teck Long

Jagdish Kaur

James Fong Fook Chuen

Jason Kung Que Seng

Justin Lim Keat Theam

Lee Teong Hooi

Natarajan a/l Chinnaswami

Rajinder Singh

Saranjeet Kaur Sidhu (Sharon)

Shamsul Sulaiman

Tharamjit Singh

Yasutha Reny

18 JUN 2012

**MESYUARAT PENGURUSAN KES-KES JENAYAH YANG TERTANGGUH BERSAMA PENGARAH KMKL,
PEGAWAI-PEGAWAI MAHKAMAH, PDRM DAN PEJABAT PEGUAM NEGARA KUALA LUMPUR**

Ianya merupakan mesyuarat yang pertama diadakan antara semua agensi yang berkaitan. Isu-isu yang dibincangkan adalah statistik untuk kes-kes tertangguh di Mahkamah-mahkamah Sesyen dan Mahkamah-mahkamah Magistret untuk bulan Februari, Mac dan April 2012. Objektif mesyuarat adalah untuk mengurangkan penangguhan-penangguhan kes-kes yang tidak wajar. Isu-isu berbangkit antara pihak-pihak yang hadir turut dibincangkan bersama.

5 JULAI 2012

CERAMAH BERTAJUK ‘CRIMINAL ADVOCACY FROM THE PROSECUTORS’ PERSPECTIVE’

Ceramah ini dianjurkan bersama oleh CPC dan PDC dan telah dilangsungkan pada 5 Julai 2012 di Auditorium Bar KL. Ceramah ini disampaikan oleh Shamsul Sulaiman, seorang bekas DPP dan kini ahli CPC. 44 orang peserta menghadiri ceramah tersebut.

6 JULAI 2012

**MESYUARAT PENGURUSAN KES-KES JENAYAH YANG TERTANGGUH BERSAMA PENGARAH KMKL,
PEGAWAI-PEGAWAI MAHKAMAH, PDRM DAN PEJABAT PEGUAM NEGARA KUALA LUMPUR KE-2**

Mesyuarat membincangkan statistik kes-kes tertangguh untuk bulan Mei 2012. Isu-isu berbangkit antara pihak-pihak yang hadir turut dibincangkan bersama.

8 SEPTEMBER 2012

SEMINAR BERTAJUK ‘CRIMINAL APPEALS’

Seminar ini dianjurkan bersama dengan PDC dan Jawatankuasa Undang-Undang Jenayah Majlis Peguam pada 8 September 2012 dan telah diadakan di Auditorium Bar KL. Seminar telah disampaikan oleh 2 orang ahli Bar yang unggul - Hisyam Bin Abdullah @ Teh Poh Teik dan Gurbachan Singh yang masing-masing menyampaikan topik-topik yang merangkumi rayuan-rayuan di Mahkamah Tinggi dan Mahkamah Rayuan dan Persekutuan. Seminar ini mendapat sambutan yang amat baik dengan hadiran 92 peserta.

18 OKTOBER 2012

PROGRAM MENTOR CPC 2012

Idea program ini dicetuskan oleh Cheow Wee semasa mesyuarat CPC dan perbincangan-perbincangan yang lebih terperinci berkenaan program tersebut telah diadakan di pejabat Amrit & Company. Khor Boon How dan Justin Lim Keat Theam telah memberikan pandangan-pandangan yang membina dari perspektif peguam-pegawai muda. Selepas mendapat kebenaran dari KLBC, suatu e-makluman kepada ahli-ahli Bar Kuala Lumpur telah dihantar dan dengan 13 penyertaan sebagai ‘mentee’ dan 9 orang ‘mentor’, program ini telah dilancarkan. Kumpulan-kumpulan elektronik (egroups) telah dibentuk khas bagi para ‘mentor’ dan ‘mentee’ untuk memudahkan mereka berhubung antara satu sama lain dan berkongsi pendapat. Sehingga kini terdapat 17 peserta sebagai ‘mentee’.

20 OKTOBER 2012

SEMINAR BERTAJUK ‘PROTECTION OF CONSTITUTIONAL RIGHTS’

Satu lagi seminar dianjurkan bersama dengan PDC pada 20 Oktober 2012 dan telah diadakan di Auditorium Bar KL dan disampaikan oleh Malik Imtiaz Sarwar, seorang peguam hak asasi manusia yang unggul. Seminar ini mendapat sambutan baik dengan hadiran 54 peserta.

23 OKTOBER 2012

**MESYUARAT ANTARA JAWATANKUASA KECIL AMALAN JENAYAH PERHUBUNGAN MAHKAMAH
BAR SELANGOR DENGAN KUP SELANGOR DAN KUALA LUMPUR**

Pengerusi mewakili CPC di mesyuarat antara Bar Selangor dan KUP-KUP Wilayah Persekutuan dan Selangor. Mesyuarat ini telah di adakan di pejabat Jawatankuasa Bar Selangor dan ia merupakan suatu mesyuarat untuk berbincang bagaimana semua badan yang berkaitan dapat bekerja sama dalam menyelesaikan tugas-tugas masing-masing dan pada masa yang sama memastikan keadilan terjamin.

10 NOVEMBER 2012

BENGKEL 1-HARI BERTAJUK ‘THE ART OF CRIMINAL CROSS EXAMINATION’

Bengkel sehari ini merupakan suatu lagi aktiviti anjuran bersama dengan PDC dan Jawatankuasa Undang-Undang Jenayah Majlis Peguam yang diadakan pada 10 November 2012 di Auditorium Bar KL. Satu lagi peguam pengalaman jenayah yang unggul, Athimulan Muruthiah, merupakan penceramah untuk hari tersebut. Pengerusi Jawatankuasa Undang-undang Jenayah Majlis Peguam, Rajpal Singh, dan Pengerusi CPC turut serta bertindak sebagai moderator/fasilitator. Bengkel ini mendapat sambutan baik dengan penyertaan 56 orang.

28 NOVEMBER 2012

BENGKEL LITIGASI JENAYAH PWC

Pengerusi PDC secara sukarela telah bersetuju untuk menyampaikan Bengkel Litigasi Jenayah yang dianjurkan oleh Jawatankuasa Hal Ehwal Pelatih-Dalam-Kamar (PWC) pada 28 November 2012 di Auditorium Bar KL. Bengkel ini direka khas untuk pelatih-pelatih dalam kamar sebagai pengenalan dan pendedahan pertama mereka kepada asas-asas litigasi jenayah.

Selain dari yang di nyatakan di atas, berbagai pekeliling-pekeliling elektronik telah dikeluarkan kepada ahli-ahli memaklumkan perkembangan dan maklumat terbaru berkenaan amalan jenayah di Kuala Lumpur dan Selangor. Kami percaya maklumat-maklumat tersebut dapat membantu mereka. Kami akan terus memberikan perkembangan terkini kepada ahli-ahli di masa hadapan.

PENUTUP DAN PENGHARGAAN

Saya ingin merekodkan ucapan jutaan terima kasih kepada ahli-ahli CPC atas sokongan dan sumbangan mereka semasa penggal 2012/13 dan tidak lupa kepada Norhayati, pegawai eksekutif kami di Sekretariat Bar KL. Kami ingin menyatakan penghargaan kami kepada ahli-ahli Jawatankuasa Bar Kuala Lumpur dan Tuan Pengurusnya atas sokongan mereka yang berterusan ke atas semua perjuangan dan aktiviti-aktiviti kami.

Amrit Pal Singh

Pengerusi

Jawatankuasa Amalan Jenayah

JAWATANKUASA UNDANG- UNDANG ALAM SEKITAR

Objektif keseluruhan Jawatankuasa Undang-undang Alam Sekitar (ELC) adalah untuk meningkatkan penglibatan peguam-peguam dengan cara meningkatkan kesedaran dan dengan cara proaktif dalam menangani berbagai isu-isu alam sekitar yang merangkumi pembuangan sisa radioaktif, keracunan cyanide dan perubahan iklim. Kesannya terhadap kelangsungan hidup spesies selalunya membawa kepada isu-isu ketidakseimbangan ekologi, kemusnahan hidupan liar, dan penggunaan mampan sumber.

Laporan ini akan berdasarkan 3 dimensi yang digunakan oleh ELC untuk penggal 2012/2013 iaitu kesedaran, aktivisme alam sekitar, dan rangka kerja undang-undang ke atas persekitaran.

DIMENSI KESEDARAN

‘EARTH HOUR 2012’

Alam sekitar tidak mengiktiraf sebarang sempadan negeri atau negara. ‘Earth Hour’ merupakan suatu masa setiap tahun, yang bertujuan mengingatkan semua orang diseluruh dunia bahawa lampu merupakan suatu ciptaan yang agak baru yang dihasilkan daripada memanfaatkan bekalan tenaga yang terhad dari sumber-sumber yang juga terhad. Oleh itu keperluan untuk mengurangkan pembaziran dan pengurangan perlepasan karbon adalah relevan dan jelas. Justeru itu, ELC telah menghantar e-makluman (e-blast) mengingatkan ahli-ahli Bar Kuala Lumpur berkenaan acara tahunan global untuk mematikan semua barang-barangan elektrik selama sejam dari jam 8.30 hingga 9.30 malam pada 31 March 2012.

CERAMAH ALAM SEKITAR: ‘BEYOND ME AND MINE: FROM SOLID WASTE TO CLIMATE CHANGE?’

Ceramah ini yang diadakan pada 13 April 2012 telah disampaikan oleh salah seorang pejuang alam sekitar negara yang terkemuka Encik Gurmit Singh, seorang penulis buku dengan tajuk yang sama. Encik Gurmit menjemput kita untuk meneroka beberapa implikasi-implikasi akibat kemusnahan alam sekitar berpuncu dari kesalahan pengurusan sisa pepejal seperti mana yang dinyatakan dalam buku beliau, dengan memberikan berbagai contoh-contoh yang berlaku di Malaysia. Salah satu pesanan utama beliau adalah kemewahan boleh menyebabkan peningkatan kos alam sekitar, yang mana mencabar kita untuk berfikir untuk mengubah gaya hidup kebiasaan kita dan juga membuat beberapa penyelesaian.

MENYOKONG PROJEK KOMUNITI PENANAMAN POKOK

ELC berjaya mendapatkan tajaan untuk 80 batang pokok dengan 10 lagi ditaja oleh Jawatankuasa Peguam Muda untuk sama-sama menyokong projek komuniti penanaman pokok anjuran Institut Ingenier Malaysia (IEM) yang telah mendapatkan tapak dan kawasan untuk menanam semula salah satu khazanah alam yang amat bernilai. Acara penanaman pokok tersebut di adakan di Taman Botani Negara, Shah Alam pada 23 dan 24 Jun 2012 dengan pasukan ELC diketuai oleh Nicole Chee Chai Kuan.

PROJEK PEMULIHARAAN PENYU (PUSAT PEMULIHARAAN PENYU WWF DI TERENGGANU)

Penyelidik di WWF Terengganu pada bulan Oktober 2012 telah memanggil sukarelawan-sukarelawan untuk membantu dalam kerja-kerja pemuliharaan penyu. Kerja-kerja sukarelawan termasuk menolong mengikut anak-anak penyu dengan kayak di waktu malam dan merekodkan koordinat mereka setiap 10 minit selama 2 jam. Projek ini memberikan peluang latihan yang jarang diperolehi tentang pemuliharaan spesies kehidupan liar ini. Beberapa orang

Pengerusi

Roger Chan Weng Keng

Naib Pengerusi

Saha Deva Arunasalam

Ahli-ahli Jawatankuasa

Amanda Man

Aw Ee Va

Donny Kwa

Elena Shim

Muhammad Amar Bin Shaaruddin

Nicole Chee Chai Kuan

Sharanya Premanathan

Thirunavakarasu Vijayan @ Ganesan

Yohendra Nadarajan

ahli ELC telah menawarkan diri untuk projek tersebut.

DIMENSI AKTIVISME ALAM SEKITAR

Ahli-ahli ELC bersama dengan Jawatankuasa Alam Sekitar dan Perubahan Iklim Majlis Peguam (ECC) telah turut serta dalam beberapa perhimpunan-perhimpunan hijau yang bermula dari kawasan-kawasan ‘panas’ dari segi alam sekitar di sekitar negara ini, contohnya di Gebing (isu Lynas), Bukit Koman (dakwaan penggunaan cyanide dalam perlombongan emas) dan Pengerang (isu Isu bahanapi fosil dan perubahan iklim). Tujuan kehadiran kami ke perhimpunan-perhimpunan ini adalah untuk menjadi pemerhati dan untuk memastikan hak-hak orang ramai berkaitan dengan alam sekitar dilindungi, di samping memastikan hak kebebasan untuk berhimpun dan bersuara seperti yang dijamin dalam Perlembagaan Persekutuan dihormati.

Pada 30 September 2012, peguam-peguam ELC bersama 5 yang lain dari Bar Melaka telah menjadi pemerhati di suatu perhimpunan hijau membantah pembinaan kompleks industri petrol kimia di Pengerang, Johor.

Pada 24 November 2012, sepasukan kecil dari ELC juga menjadi pemerhati satu perhimpunan hijau dari pintu Tol Gombak sehingga Taman Melewar di mana ia merupakan salah satu peristiwa penting dalam Kempen 300 kilometer ‘Green Walk’ anjuran sekumpulan persatuan sivil, Himpunan Hijau. Tugas pemerhati ini diteruskan pada 25 November 2012 yang menyaksikan suatu perhimpunan alam sekitar terbesar di sekitar Dataran Merdeka, dalam sejarah Malaysia.

DIMENSI RANGKA KERJA UNDANG-UNDANG

MAHKAMAH ALAM SEKITAR

Pengerusi dan Timbalan Pengerusi telah menghadiri satu taklimat mengenai cadangan menuju Mahkamah Alam Sekitar oleh Ketua Pendaftar Mahkamah Persekutuan pada 30 Julai 2012.

ELC bersama ECC menyuarakan pandangan mereka bahawa komposisi, skop dan fungsi masih boleh diperbaiki dan dengan jelas menyatakan kelemahan-kelemahan yang terdapat dalam penubuhan mahkamah tersebut. ELC merasakan bahawa satu pasukan petugas yang terdiri dari wakil-wakil dari badan kehakiman dan ahli-ahli ELC dan ECC akan menjadi suatu platform yang efektif dalam memberikan pandangan-pandangan serta cadangan-cadangan untuk memperbaiki Mahkamah Alam Sekitar tersebut dengan memberikan keutamaan kepada kes-kes alam sekitar dan mengenalpasti masalah-masalah praktikal yang mungkin dihadapi.

4-HARI PERBINCANGAN MEJA BULAT KETUA-KETUA HAKIM DAN PEGAWAI-PEGAWAI KANAN BADAN KEHAKIMAN ASEAN BERKENaan UNDANG-UNDANG ALAM SEKITAR DAN PENGUATKUASAAN DI AIR KEROH, MELAKA DALAM BULAN DISEMBER 2012

Pengerusi telah menghadiri satu hari dari acara 4-hari tersebut. Topik-topik perbincangan memberi keutamaan kepada Cabaran-cabaran Alam Sekitar di peringkat Asean. Mereka menangani isu-isu hijau berkaitan penebangan hutan dan pembalakan haram, biodiversiti dan hidupan liar haram. Isu-isu biru juga dibincangkan. Fokus perbincangan termasuk kemusnahan laut, penangkapan ikan secara haram, pencemaran laut, pencemaran air tawar dan masalah banjir. ELC akan menjemput lebih ramai ahli di penggal yang akan datang untuk turut serta menyumbang dan melibatkan diri dalam isu-isu sebegini.

PENUTUP DAN PENGHARGAAN

ELC ingin mengambil peluang ini untuk mengucapkan terima kasih kepada ahli-ahli Bar Kuala Lumpur yang telah membantu, menyokong ataupun mengambil bahagian dalam aktiviti-aktiviti yang telah dianjurkan. ELC juga mengucapkan terima kasih kepada Sekretariat Bar KL yang telah banyak membantu dan tanpa bantuan mereka pastinya projek-projek tersebut tidak dapat dilaksanakan.

Roger Chan Weng Keng

Pengerusi

Jawatankuasa Undang-undang Alam Sekitar

JAWATANKUASA TEKNOLOGI MAKLUMAT DAN KOMUNIKASI

Jawatankuasa Teknologi Maklumat dan Komunikasi (ITCC) terus berusaha untuk membuat pembaharuan dan perubahan dalam rangka kerja teknologi maklumat Bar Kuala Lumpur. Blog Bar KL (www.klbar.blogspot.com) dihidupkan semula pada tahun ini untuk mewujudkan satu platform bagi membolehkan laporan dan artikel untuk disiarkan.

Laman sesawang Bar KL (www.klbar.org.my), Kumpulan Facebook Bar KL (KL Bar FB Group - www.facebook.com/groups/208444762526623/) dan Akaun Twitter (<http://twitter.com/klbar>) juga telah digunakan lebih meluas dalam penggal ini untuk menyebarkan maklumat secara lebih menyeluruh kepada ahli-ahli dan juga untuk membuat publisiti tentang acara-acara. Kami juga telah mewujudkan satu laman Facebook baru (<http://www.facebook.com/KLBarPics>) khusus untuk mempamerkan gambar-gambar kami.

Menggunakan medium-medium Internet tersebut, ITCC berupaya untuk terus menambah pendapatan Bar Kuala Lumpur melalui pengiklanan di laman sesawang kami. Pada tahun 2012, ITCC berjaya untuk menjana pendapatan RM28,150 dari ‘Jawatan Kosong dan Iklan Kecil’ di laman sesawang Bar KL.

TIP-TIP TEKNOLOGI MAKLUMAT (IT) BULANAN

ITCC telah berkongsi tip-tip IT bulanan yang telah dimuat naik ke Blog Bar KL dan juga e-mel kepada ahli-ahli. Tip-tip tersebut adalah seperti berikut:

1. ‘Dropbox - Stop emailing documents to yourself, share large files and collaborate on work on the go!’
2. ‘Backing up is easy to do’
3. ‘The Benefits of owning a Tablet’
4. ‘Keep Calm And Keep E-Grouping!’
5. ‘Keeping Information Safe Online And In The Cloud’
6. ‘Calendar sharing among your colleagues through smart phones’

HARI INTERNET GELAP

ITCC telah anjurkan secara bersama Hari Internet Gelap pada 14 Ogos 2012. Hari Internet Gelap tersebut adalah sebahagian daripada kempen untuk melaungkan seruan untuk memansuhkan Seksyen baru 114A dalam Akta Keterangan 1950, atau dikenali sebagai Akta Keterangan (Pindaan) (No. 2) 2012. Ianya bermula pada 31 Mei 2012 apabila Pusat Kewartawanan (CIJ) melancarkan petisyen secara dalam talian untuk menyeru kepada kerajaan untuk menarik balik Akta Keterangan (Pindaan) (No. 2) tersebut.

Inisiatif Hari Internet Gelap ini adalah bertujuan untuk mewujudkan kesedaran di kalangan pengguna Internet tentang kesan negatif pindaan pada penerbitan bahan di dalam internet. Seksyen 114A memperuntukkan bahawa pengguna internet dianggap penerbit kandungan di mana-mana laman internet melainkan ia dibuktikan sebaliknya.

Hari Internet Gelap tersebut dianggap satu kejayaan dan laman Facebook ‘Stop114A’ (<http://www.facebook.com/stopSection114aInternetFreedom>) memperoleh 43,000 undian ‘like’ dari 400 undian ‘like’ dalam tempoh dua hari selepas ia dilancarkan.

Pengerusi Bersama

Lim Chi Chau

Foong Cheng Leong

Ahli-ahli Jawatankuasa

Alvin Chai

Anita Gerewal

Justine Chew Bee Ling

Krishna Roy Sreenivasan

Phang Soon Mun

Pemerhati-pemerhati

Gaythri Raman

Joachim Leong

Edwin Lee Yong Cieh

SESI DIALOG ‘BENEFITS OF ALTERNATIVE DISPUTE RESOLUTION FOR IP AND IT DISPUTES’

ITCC bersama Tetuan RamRais and Partners telah menganjurkan satu sesi dialog oleh Erik Wilbers, Pengarah ‘World Intellectual Property Organization Arbitration and Mediation Center (WIPO)’ di Auditorium Bar KL pada 29 November 2012 dari 10.30 pagi hingga 12.00 tengahari. Beliau hadir bersama Leandro Emilio Toscano, seorang wakil ‘WIPO Arbitration and Mediation Centre’ di Singapura. 29 peserta menghadiri sesi Dialog tersebut.

“APP” BAR KUALA LUMPUR/LEXISNEXIS

ITCC bekerjasama dengan LexisNexis untuk mereka satu “App”. Butir-butir teliti “App” tersebut masih dalam perbincangan dan LexisNexis mencadangkan untuk mewujudkan satu kumpulan kerja untuk membantu dengan proses ini.

MENAIK TARAF KOMPUTER DI SEKRETARIAT BAR KL DAN BILIK PEGUAM

ITCC juga dalam usaha untuk menaik taraf sistem komputer di Sekretariat Bar KL dan Bilik Peguam.

MENDIGITALKAN REKOD-REKOD DI DALAM SEKRETARIAT BAR KL

ITCC juga telah mencadangkan supaya Sekretariat mula mendigitalkan rekod-rekodnya. Kami memerlukan server baru untuk menampung fail-fail yang akan diimbas.

KERJASAMA DENGAN ALCASSOFT

ITCC sedang menimbaangkan satu usahasama dengan Alcassoft Solutions Sdn Bhd. Alcassoft adalah sebuah firma pembangunan perisian yang membawa produk-produk teknologi baru ke pasaran.

PENGHARGAAN

Projek-projek ini tidak boleh dilaksanakan tanpa sokongan tulus ahli-ahli ITCC kami yang berterusan membantu dan bekerja di belakang tabir untuk memastikan projek-projek berjalan dengan baik. Ahli-ahli ITCC masih lagi memberi sokongan dan bantuan sepenuhnya.

Lim Chi Chau

Foong Cheng Leong

Pengerusi Bersama

Jawatankuasa Teknologi Maklumat dan Komunikasi

JAWATANKUASA HAL EHWAL PENGAMAL

1. Jawatankuasa Hal Ehwal Pengamal (PAC) telah ditubuhkan dalam penggal 2012/13 dengan objektif-objektif yang berikut:

- Untuk menangani isu-isu yang dihadapi oleh peguam dalam memajukan diri dalam bidang guaman dan dalam mengembangkan kerjaya profesional mereka;
- Untuk menjalankan program-program dan projek-projek bagi memperbaiki keadaan kerja para peguam;
- Untuk melaksanakan program-program untuk ahli-ahli dari aspek bukan amalan undang-undang (contohnya, kemahiran insaniah dan pembangunan perniagaan); dan
- Untuk memberi bimbingan dan peluang membina rangkaian bagi membolehkan ahli-ahli Bar yang berpengalaman berkongsi pengalaman mereka dengan peguam-peguam muda.

2. Projek-projek yang telah dilaksanakan oleh PAC:

a) Program ‘Mentoring Circle’

Program ‘Mentoring Circle’ merupakan kumpulan tidak formal di mana bimbingan/sokongan secara profesional dan sosial dari ahli-ahli kanan Bar dapat diberi kepada pengamal muda mengenai topik-topik kebimbangan yang berkaitan dengan isu-isu praktikal.

Sebagai pembukaan, satu makan malam telah diadakan pada 28 November 2012 di restoran “Chef & Brew”, Bukit Damansara. Ia telah dihadiri oleh 10 ‘mentee’ dan 7 anggota kanan Bar.

Berikutnya ini, e-kumpulan untuk Program ‘Mentoring Circle’ telah diwujudkan untuk membolehkan ‘mentee’ dan ‘mentor’ terus berhubung secara dalam talian (online).

b) Ceramah kemahiran insaniah mengenai “What Clients Want” pada 7 Jun 2012

Ceramah ini telah diadakan di Auditorium Bar KL dan disampaikan oleh ahli PAC, Ong Eu Jin dari Tetuan Lee Hishammuddin, Allen & Gledhill.

Ceramah ini telah mendapat sambutan yang baik dengan lebih 50 peserta yang kebanyakannya terdiri daripada peguam. Maklumbalas daripada borang penilaian menunjukkan bahawa kebanyakan peserta berpuas hati dengan ceramah dan penceramah dan meminta untuk diadakan ceramah yang serupa di masa depan.

c) Bengkel Mengunjurkan Imej Professional oleh Bobbi Brown Cosmetics pada 21 Julai 2012 dan 24 November 2012

Sesi-sesi dandanan dan solekan telah dianjurkan khas untuk peguam-peguam

Pengerusi
Goh Siu Lin

Ahli-ahli Jawatankuasa
Lam Kin Fei
Lee Lyn Ni
Low Chooi Ping
Ong Eu Jin
Yap Chiu Wan

wanita di Dewan Latihan Bobbi Brown, Midvalley Megamall. 2 sesi yang berasingan telah diadakan pada 21 Julai 2012 (21 peserta) dan 24 November 2012 (15 peserta). Maklumbalas daripada peguam yang turut serta adalah ianya sangat menggembirakan dan menyeronokkan.

d) ‘Robes, Bibs and Heels’ satu ceramah mengenai cabaran mengimbangi praktis undang-undang dengan kehidupan keluarga pada 31 Oktober 2012

Ceramah ini telah disampaikan oleh Anit Kaur Randhawa dari Tetuan Asbir Hira Singh dan Goh Siu Lin dari Tetuan Shook Lin & Bok. Ia merupakan satu sesi interaktif yang dihadiri oleh 12 peserta, di mana 3 daripadanya adalah lelaki. Memandangkan nombor penyertaan, sesi telah diadakan di Bilik Persidangan di Sekretariat Bar KL yang menggalakkan para peserta untuk bebas bersuara dan berkongsi kebimbangan mereka.

Ceramah ini telah di terima baik oleh para peserta di mana majoriti borang maklumbalas telah memberikan nilai cemerlang. Para penceramah telah dijemput oleh Bar Perak untuk menyampaikan ceramah yang sama kepada ahli-ahli mereka.

e) Ceramah mengenai Gangguan Seksual pada 20 November 2012

Ceramah ini telah dianjurkan bersama dengan PDC sebagai seminar percuma dan telah diadakan pada 20 November 2012 di Auditorium Bar KL.

Dua orang penceramah adalah Meera Samanther dari Persatuan Peguam-Peguam Wanita (AWL) dan Betty Yeoh dari Persatuan Pergerakan Wanita (AWAM).

Ceramah interaktif ini mendapat sambutan baik dengan kehadiran 80 peserta.

f) Kod Gangguan Seksual

Bertujuan untuk meningkatkan kesedaran tentang Kod Gangguan Seksual (SHC), PAC telah bekerjasama dengan Jawatankuasa Hal Ehwal Pelatih-Dalam-Kamar (PWC) untuk memasukkan satu halaman berkenaan SHC ke dalam ‘Pupilage Handbook’ dalam edisi akan datang.

PAC telah mengeluarkan 3 e-makluman untuk meningkatkan kesedaran tentang SHC dan mekanisme aduan Gangguan Seksual di Majlis Peguam kepada ahli-ahli Bar Kuala Lumpur. Informasi ini boleh dilihat di laman sesawang Bar KL.

g) Bilik Laktasi di Kompleks Mahkamah Kuala Lumpur

PAC telah memohon secara bertulis kepada Ketua Pendaftar untuk disediakan bilik/kawasan sebagai bilik/kawasan laktasi bagi para peguam-peguam yang menyusu badan di Kompleks Mahkamah Kuala Lumpur dan di Istana Kehakiman. Akan tetapi, atas sebab kekurangan ruang, permohonan tersebut tidak diluluskan.

Jawatankuasa Bar Kuala Lumpur telah bersetuju untuk menyokong inisiatif PAC ini dengan memperuntukan sebahagian dari premis Bilik Peguam yang sedia ada di Kompleks Mahkamah Kuala Lumpur untuk digunakan sebagai bilik laktasi.

Kerja-kerja pengubahsuaian sedang dijalankan ketika ini dan peguam-peguam wanita akan dimaklumkan apabila kemudahan ini siap sedia untuk digunakan.

3. KESIMPULAN DAN PENGHARGAAN

Saya ingin mengucapkan terima kasih kepada Pengurus dan ahli-ahli Jawatankuasa Bar Kuala Lumpur yang telah mengamanahkan portfolio yang baru dan menarik ini kepada saya. Ia sememangnya merupakan suatu pengalaman yang berharga untuk diberikan peluang ini untuk menyumbang kepada ahli-ahli Bar Kuala Lumpur.

Penghargaan ikhlas saya untuk idea-idea, sokongan, semangat dan kerja keras yang ditunjukkan oleh ahli-ahli PAC dan Sekretariat Bar KL (khususnya Mary, Yati dan Melissa) dalam pelaksanaan projek-projek kami.

Goh Siu Lin

Pengerusi

Jawatankuasa Hal Ehwal Pengamal

JAWATANKUASA PEMBANGUNAN PROFESIONAL

Objektif utama Jawatankuasa Pembangunan Profesional (PDC) adalah untuk terus menawarkan ahli-ahli dan pelatih-pelatih, melalui program-program pendidikan undang-undang, peluang untuk mengukuhkan kemahiran asas undang-undang mereka dan untuk memastikan mereka mengikuti perkembangan dalam pelbagai bidang amalan. Seperti biasa, PDC memulakan pelbagai program-program pendidikan undang-undang bagi ahli-ahli Bar dan juga pelatih-pelatih dalam kamar.

Dengan pengenalan resolusi Bar Malaysia mengenai Skim Mandatori Pembangunan Lanjutan Profesional (CPD), PDC telah memutuskan untuk menganjurkan satu Seminar secara PERCUMA setiap bulan untuk ahli-ahli Bar, Pelatih-pelatih Dalam Kamar dan Pelajar-pelajar Undang-undang, sebagai menggalakkan penyertaan ahli-ahli tanpa sebarang kos.

Penggal ini menyaksikan PDC menganjurkan sejumlah 44 aktiviti dan program dalam tempoh di antara 24 Februari 2012 dan 31 Disember 2012, meliputi berbagai topik yang relevan dengan amalan guaman terkini seperti yang disenaraikan di bawah:

SEMINAR ASAS AMALAN KONVEYANSING

Jeremiah R. Gurusamy dari Tetuan Arianti Dipendra Jeremiah telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 24 Februari 2012 jam 3.00 petang. Seminar tersebut telah dihadiri oleh 126 peserta. Seminar ini merangkumi bidang-bidang berikut: "Pihak-pihak yang terlibat dalam transaksi jual beli", "Harta tanah yang mempunyai geran dan tanpa geran individu", "Transaksi-transaksi langsung dan jual semula oleh Pemaju" dan "Dokumentasi Konveyansing dan perbankan dan kesilapan-kesilapan biasa dan bagaimana untuk mengelakkannya".

SEMINAR PENGENALAN KEPADA PERTIKAIAN BIASA DALAM INDUSTRI PEMBINAAN DAN PROSES ADR

Belden Premaraj, Shanthi Supramaniam dan Adrian Jooi Hong dari Tetuan Belden telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 25 Februari 2012 jam 10.00 pagi. Seminar tersebut telah dihadiri oleh 58 peserta. Seminar ini meliputi pelbagai bidang, antaranya ialah "Pengenalan kepada proses-proses pertikaian biasa ADR", "Kelewatan Projek dan Lanjutan masa - memahami kontrak, bukti-buktii, analisa-analisa", "Penamatan", "Bon-bon Pelaksanaan", "Timbangtara di Malaysia" dan "Rang Undang-Undang Pembayaran Industri Pembinaan dan Penghukuman".

SEMINAR PERSEDIAAN DAN PENGENDALIAN PERBICARAAN SIVIL

Colin Andrew Pereira dari Tetuan Goh Wong Pereira dan Sanjeev Kumar Rasiah dari Tetuan Sanjeev Kumar telah menyampaikan seminar yang telah diadakan di Auditorium Bar KL pada 8 Mac 2012 jam 3.00 petang. Seminar tersebut telah dihadiri oleh 125 peserta. Seminar ini meliputi prosedur permulaan berikut: "Menyediakan Fakta-fakta dan Isu-isu yang dipersetujui untuk Perbicaraan", "Menyediakan Rumusan Kes", "Menyediakan Ikatan Dokumen yang dipersetujui" dan "Menyediakan Keterangan-keterangan Saksi". Bidang-bidang berkaitan dengan Pengendalian Perbicaraan seperti berikut juga dirangkumi: "Ucapan Pembukaan", "Pemeriksaan Utama", "Pemeriksaan Balas", "Pemeriksaan Semula" dan "Isu-isu keterangan".

Pengerusi Bersama

Jeremiah R. Gurusamy
Lim Chi Chau

Ahli-ahli Jawatankuasa

Balwant Singh Sidhu
Donny Kwa Soo Chuan
G. Nanda Goban
K. C. Cheng
Leong Yin Wei
Marian Lee
Melinda Marie D'Angelus
Amir Bahari bin Md Noor
New Sin Yew
Sunita Sankey
Wong Tat Chung

SEMINAR KAJIAN SEMULA KEHAKIMAN TENTANG AWARD MAHKAMAH PERUSAHAAN

Muhendaran Suppiah dari Tetuan Muhendaran Sri telah membentangkan seminar ini yang telah diadakan di Auditorium Bar KL pada 17 Mac 2012 jam 10.00 pagi. Seminar tersebut telah dihadiri oleh 53 peserta. Seminar ini merangkumi tajuk-tajuk berikut, "Ringkasan sejarah Mahkamah Perusahaan", "Rujukan kepada Mahkamah Perusahaan", "Laluan tidak langsung - S.20 IRA 1967, S.26 IRA 1967, S.33 IRA 1967", "Laluan Langsung - S.33 IRA 1967, S.56 IRA 1967", "Tinjauan Mahkamah Perusahaan", "Bidang Kuasa Mahkamah Perusahaan", "Award Mahkamah Perusahaan", "S.33B IRA 1967", "Kemuktamadan Award Mahkamah Perusahaan", "Tinjauan Kajian Semula Kehakiman - Perintah 53 RHC tahun 1980", "Mandamus", "Larangan", "Qua Warantor", "Certiorari", "Prosedur Kajian Semula Kehakiman - Peringkat Kebenaran dan Kertas-kertas Kausa dan Tempoh Pemfailan", "Kajian Semula Kehakiman dalam Konteks Jurisprudens Perindustrian", "Alasan-alasan yang Mahkamah Tinggi akan Mengkaji Semula Award Mahkamah Perusahaan", "Prosedur merayu kepada Mahkamah Rayuan".

SEMINAR FITNAH - TREND-TREND TERKINI DAN GANTIRUGI-GANTIRUGI YANG DIPEROLEHI

Mohd Izral Khairy dari Tetuan Izral Partnership telah menyampaikan seminar ini yang diadakan di Auditorium Bar KL pada 23 Mac 2012 jam 3.00 petang. Seminar tersebut telah dihadiri oleh 58 peserta. Seminar ini meliputi tajuk-tajuk berikut, "Kemunculan Trend-trend baru dalam beberapa tahun kebelakangan ini", "Perintah 78 Kaedah 2 Kaedah-Kaedah Mahkamah Tinggi 1980", "Contoh-contoh Pliding yang buruk", "Akibat daripada Pliding yang buruk", "Penggunaan Pembelaan Reportage di Malaysia", "Soalan-soalan 10-Point Reynold", "Jenis-jenis Gantirugi", "Faktor-faktor Umum untuk diambilkira dalam Pertimbangan Menaksir Gantirugi Am", "Faktor-faktor Am Mitigasi - Penaksiran Gantirugi", "Gantirugi Tambahan" dan "Gantirugi Teladan".

SEMINAR PENGENALAN KEPADA S218 PETISYEN-PETISYEN PENGGULUNGAN SYARIKAT

Alex Chang dari Tetuan Alex Chang and Co. telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 24 Mac 2012 jam 10.00 pagi. Seminar tersebut telah dihadiri oleh 101 peserta. Seminar ini meliputi topik-topik berikut, "Pengenalan kepada Petisyen Penggulungan Syarikat di Mahkamah Dagang Baru", "Petisyen 218 - Tidak Dapat Membayar Hutang", "Afidavit Mengesahkan Petisyen", "Pelantikan Likuidator Sementara di bawah s231", "Iklan Petisyen dalam Suratkhabar", "Sijil Pendaftar", "Afidavit Bertentangan Petisyen", "The Unless Order, Pelantikan Likuidator", "Kos-kos" dan "Advokasi dalam Mahkamah Penggulungan Syarikat".

SEMINAR CUKAI KE ATAS PAMPASAN - SIRI KEPAKARAN UNDANG-UNDANG CUKAI

S. Saravana Kumar dari Tetuan Lee Hishammuddin Allen dan Gledhill telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 30 Mac 2012 jam 3.00 petang. Seminar tersebut telah dihadiri oleh 23 peserta. Seminar ini merangkumi kes-kes yang berikut, "KPHDN Iwn Metacorp Development: Adakah Pampasan Pengambilan Tanah dikenakan Cukai?", "Suasana Indah Iwn KPHDN: Adakah Pampasan bagi Penamatan Kontrak dikenakan Cukai?" dan "KPHDN Iwn Abdul Jalil: Adakah Pampasan bagi Penamatan Pekerjaan dikenakan Cukai?".

SEMINAR REMAN, IKAT JAMIN AND ADVOKASI JENAYAH

Amrit Pal Singh dari Tetuan Amrit & Company telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 18 April 2012 jam 3.00 petang. Seminar ini telah dihadiri oleh 55 peserta. Seminar ini meliputi kemahiran-kemahiran asas advokasi yang diperlukan untuk Perbicaraan Jenayah termasuk proses Reman dan Ikat Jamin.

SEMINAR UNDANG-UNDANG MARITIM DAN PERNIAGAAN PERKAPALAN DI MALAYSIA

Prof Dr Sabirin Ja'afar, Profesor Undang-Undang Perniagaan dan Etika di Sekolah Perniagaan Antarabangsa (IBS), Universiti Teknologi Malaysia (UTM), Kuala Lumpur telah menyampaikan seminar ini yang diadakan di Auditorium Bar KL pada 20 April 2012 jam 3.00 petang. Seminar tersebut telah dihadiri oleh 64 peserta. Seminar ini meliputi bidang-bidang berikut, "Malaysia sebagai Negara Maritim", "Konvensyen PBB 1982", "Malaysia dan UNCLOS (Konvensyen Pertubuhan Bangsa-Bangsa Bersatu mengenai Undang-Undang Laut)", "Trend-trend Perkapalan" dan "Pembinaan Kapal".

SEMINAR PENGENALAN KEPADA KETEKUNAN WAJAR: AMALAN DAN PROSEDUR-PROSEDUR

Kenny Poon dan Anne Wong dari Tetuan Jeff Leong, Poon & Wong telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 27 April 2012 jam 10.00 pagi. Seminar tersebut telah dihadiri oleh 105 peserta. Seminar ini meliputi bidang-bidang berikut "Apakah itu Ketekunan Wajar?", "Mengapa Ketekunan Wajar diperlukan?", "Undang-undang yang Relevan", "Garis Panduan-garis panduan dan Keperluan-keperluan", "Elemen-elemen Penting Ketekunan Wajar", "Proses Pematuhan Ketekunan Wajar" dan "Peranan Peguamcara dalam Ketekunan Wajar".

SEMINAR WASIAT ISLAM I (ASAS)

Amir Bahari dari Tetuan Bahari & Bahari telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 11 Mei 2012 jam 10.00 pagi. Seminar ini telah dihadiri oleh 43 peserta. Seminar tersebut merangkumi topik-topik berikut, "Objektif-objektif utama dalam Perancangan Harta Pusaka", "Rangka Kerja Undang-Undang Pentadbiran Harta Pusaka", "Faraid - Undang-undang Warisan Islam", "Sumber-sumber Wasiat Islam", "6 Langkah dalam Perancangan Harta Pusaka", "Isu-isu dalam Perancangan Harta Pusaka Islam" dan "Contoh Wasiat Asas Islam".

SEMINAR AMALAN UNDANG-UNDANG KELUARGA DALAM SISTEM MEDIASI

Lim Siew Symn dari Tetuan Thomas Philip dan Tong Soo Tim dari Tetuan Tong S-Tim & Associates telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 17 Mei 2012 jam 2.30 petang. Seminar ini telah dihadiri oleh 41 peserta. Seminar tersebut meliputi bidang-bidang berikut, "Hujahan untuk Amalan Undang-Undang Keluarga sebagai suatu bidang kepakaran", "Bagaimana mengendalikan perkara-perkara berkaitan Undang-Undang Keluarga", "Pelbagai pilihan yang tersedia untuk menyelesaikan Keretakan Keluarga", "Mediasi Iwn Perceraian Litigasi", "Peranan Pengantara" dan "Kos-kos Mediasi".

SEMINAR SALAH LAKU PROFESIONAL

Datuk Jerald Gomez dari Tetuan Jerald Gomez & Associates telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 18 Mei 2012 jam 3.00 petang. Seminar ini telah dihadiri oleh 23 peserta. Seminar tersebut merangkumi bidang-bidang berikut, "Apa yang membentuk Salah Laku Profesional", "Rasional dan lingkungan mengapa pegum diletakkan kepada suatu standard yang lebih tinggi", "Bagaimana untuk mengelakkan menjadi hal perkara dalam suatu aduan dan penyiasatan" dan "Apabila berhadapan dengan aduan, cara terbaik untuk bertindak balas".

SEMINAR PENGENALAN KEPADA AKTA PERHUBUNGAN PERUSAHAAN

Wong Keat Ching dari Tetuan Zul Rafique & Partners telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 23 Mei 2012 jam 3.00 petang. Seminar ini telah dihadiri oleh 23 peserta. Seminar ini meliputi bidang-bidang berikut, "Satu Mukadimah Akta Perhubungan Perusahaan 1967 ("IRA")", "Seksyen 26 IRA", "Seksyen 33 IRA", "Seksyen 56 IRA", "Seksyen 20 IRA", "Remedi-remedi sedia ada", "Alasan bagi Pemecatan/Penamatian" dan "Bidang Kuasa Mahkamah Perusahaan di bawah IRA".

SEMINAR ISU CUKAI DALAM TRANSAKSI-TRANSAKSI KEWANGAN - SIRI KEPAKARAN UNDANG-UNDANG CUKAI

S. Saravana Kumar dari Tetuan Lee Hishammuddin Allen and Gledhill telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 25 Mei 2012 jam 3.00 petang. Seminar ini telah dihadiri oleh 27 peserta. Seminar ini meliputi bidang-bidang berikut, "Seksyen 29: Faedah yang diperolehi atas tuntutan - apakah makna diperolehi?", "Seksyen 22(2): Adakah penerimaan termasuk pelepasan hutang?", "Seksyen 30(4): Adakah ia termasuk pelepasan hutang dari sumber pendapatan bukan perniagaan?", "Seksyen 140(1): Mungkinkah Seksyen 140(1) digunakan untuk Thin Capitalisation?", "Seksyen 140(1): Bolehkah Seksyen 140(1) digunakan untuk pemindahan harga?", "Seksyen 33(1): Adakah pemotongan dapat dibuat atas yuran jaminan bank, penalti pra-bayaran dan yuran perkadarannya?" dan "Seksyen 33(1)(a): Mestikah kadar faedah dikeluarkan sebagai satu kelayakan untuk pemotongan?"

SEMINAR PERJANJIAN-PERJANJIAN TAHAP PERKHIDMATAN (SLA)

Jeremiah R. Gurusamy dari Tetuan Arianti Dipendra Jeremiah telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 30 Mei 2012 jam 2.30 petang. Seminar percuma ini telah dihadiri oleh 71 peserta. Seminar tersebut merangkumi bidang-bidang berikut, "Ciri-ciri suatu SLA", "Penggubalan suatu SLA", "Klausa-klausa Tipikal untuk suatu SLA", "Pekhidmatan Luar Sumber Manusia", "Menentukan tahap Kualiti Perkhidmatan", "Pengukur Prestasi" dan "Pengurusan Risiko/Polisi Mitigasi".

SEMINAR WASIAT ISLAM II (PERTENGAHAN)

Amir Bahari dari Tetuan Bahari & Bahari telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 8 Jun 2012 jam 10.00 pagi. Seminar tersebut telah dihadiri oleh 40 peserta. Seminar ini meliputi bidang-bidang berikut, "Format Soal Selidik untuk Penulisan Wasiat", "Mengambil Arahan secara Berkesan", "Pengiraan Faraid", "Penggubalan Wasiat - Pendekatan Hands-On", "Penggubalan Isu-isu" dan "Isu-isu Khusus".

SEMINAR PERCERAIAN DAN KESAN EMOSI PADA PASANGAN-PASANGAN

Warren Tan, seorang terapi perkahwinan dan keluarga/jurulatih dan penyelia klinikal di Singapura dan Malaysia dengan pengalaman 31 tahun dalam bidang ini telah menyampaikan seminar yang diadakan di Auditorium Bar KL petang pada 14 Jun 2012 jam 2.30 petang. Seminar percuma ini telah dihadiri oleh 44 peserta.

SEMINAR MENGENAI WASIAT, PROBET DAN PENTADBIRAN ESTET

Jeremiah R. Gurusamy dari Tetuan Arianti Dipendra Jeremiah telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 21 Jun 2012 jam 3.00 petang. Seminar tersebut telah dihadiri oleh 82 peserta. Seminar ini meliputi bidang-bidang berikut, "Probet dan Surat-surat Kuasa Mentadbir", "Prosedur mendapatkan Geran Probet", "Surat-surat Kuasa Mentadbir" dan "Tinjauan luas tentang Wasiat".

SEMINAR ASAS LITIGASI SIVIL

Mohd Izral Khairy dan Tharminder Singh dari Tetuan Izral Partnership telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 29 Jun 2012 jam 3.00 petang. Seminar tersebut telah dihadiri oleh 84 peserta. Seminar ini merangkumi bidang-bidang berikut, "Mendapatkan Arahan-arahan yang Betul (Waran untuk bertindak, dll)", "Pengurusan Fail/Pelanggan", "Bidang kuasa Mahkamah (Wilayah, Kewangan)", "Prosedur-prosedur Mahkamah Rendah (Permulaan Prosiding, Perkhidmatan, Kehadiran,

Pemfailan Pembelaan, dll)", "Prosedur-prosedur Mahkamah Tinggi (Permulaan Prosiding, Kehadiran, Pemfailan Pliding-pliding, dll)", "Penggubalan Dokumen-dokumen Mahkamah", "Penulisan Pendapat" dan "Tinjauan Prosedur-prosedur Rayuan".

CERAMAH ADVOKASI JENAYAH DARI PERSPEKTIF PENDAKWA RAYA

Jawatankuasa Amalan Jenayah Bar bersama-sama dengan Jawatankuasa Pembangunan Profesional menganjurkan ceramah ini sebagai salah satu program untuk menggalakkan lebih ramai peguam mengamalkan Litigasi Jenayah. Shamsul Bin Sulaiman dari Tetuan Edlin Ghazaly & Associates telah menyampaikan ceramah ini yang diadakan di Auditorium Bar KL pada 5 Julai 2012 jam 3.00 petang. Acara tersebut telah dihadiri oleh 44 peserta. Ceramah ini meliputi bidang-bidang berikut, "Kuasa Pendakwa Raya", "Memahami tatatingkat Pejabat Pendakwa Raya", "Aliran kerja dan bagaimana keputusan-keputusan dibuat", "Minda Pendakwa Raya", "Bagaimana menjadi peguam pembela yang efektif berbanding dengan pendakwa raya" dan "Apa yang saya telah pelajari berada di kedua-dua belah pihak".

SEMINAR WASIAT ISLAM III (LANJUTAN)

Amir Bahari dari Tetuan Bahari & Bahari telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 6 Julai 2012 jam 10.00 pagi. Seminar tersebut telah dihadiri oleh 46 peserta. Seminar ini merangkumi bidang-bidang berikut, "Perbezaan utama antara Wasiyyah, Wisayah dan Wakaf", "Siapa yang boleh menyediakan Wasiat", "Penyaksian Wasiat", "Proses-proses Probet", "Peranan PERWARISAN", "Cara-cara efektif dalam Perancangan Harta Pusaka" dan "Contoh Wasiat Islam (lanjutan)".

SEMINAR KETEKUNAN WAJAR UNDANG-UNDANG DALAM PENGGABUNGAN DAN PENGAMBILAN

Kelvin Loh Hsien Han dari Tetuan Shook Lin dan Bok telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 6 Julai 2012 jam 2.30 petang. Seminar ini telah dihadiri oleh 80 peserta. Seminar tersebut merangkumi bidang-bidang dalam "Ketekunan Wajar Transaksional" dan "Pematuhan Ketekunan Wajar" termasuk, "Maksud ketekunan wajar transaksional, membangunkan strategi dan perancangan", "Melaksanakan ketekunan wajar transaksional - Kajian-kajian Kes", "Ketekunan wajar dalam pengambilan kepentingan minoriti", "Ketekunan wajar defensif", "Tujuan-tujuan pematuhan ketekunan wajar dan penalti-penalti di bawah undang-undang", "Pembentukan kumpulan kerja ketekunan wajar dan peranan setiap ahli" dan "Piawaian ketekunan wajar".

SEMINAR KESAN PERCERAIAN PADA ANAK-ANAK DEWASA DAN ANAK-ANAK REMAJA

Yvonne Lee, Pengarah Pusat Kaunseling dan Terapi Enrich telah membentangkan seminar ini yang diadakan di Auditorium Bar KL pada 12 Julai 2012 jam 2.30 petang. Seminar percuma ini telah dihadiri oleh 56 peserta.

TAKLIMAT KAEADAH-KAEADAH MAHKAMAH 2012

Brendan Navin Siva dan 3 anggota dari Pasukan Petugas Gabungan Kaedah-kaedah Mahkamah Majlis Peguam telah menyampaikan Taklimat pada 17 Julai 2012 di Auditorium Raja Aziz Addruse, Majlis Peguam pada jam 4.00 petang. 302 peserta menghadiri taklimat tersebut.

SEMINAR PERKAHWINAN ASING DAN PERCERAIAN ASING RAKYAT MALAYSIA - APA YANG ANDA PERLU TAHU

Balwant Singh Sidhu dari Tetuan Balwant Singh Sidhu & Co. telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 19 Julai 2012 jam 5.30 petang. Seminar tersebut telah dihadiri oleh 37 peserta. Seminar ini meliputi bidang-bidang berikut, "Akta Pembaharuan Undang-Undang (Perkahwinan dan Perceraian) 1976", "Pemakaian Seksyen 2 Akta tersebut", "Pengupacaraan Perkahwinan Rakyat Malaysia di Luar Negara", "Keesahan Perkahwinan-perkahwinan tersebut", "Lex loci celebrationes", "Pengupacaraan Perkahwinan Rakyat Malaysia di Kedutaan Malaysia di Luar Negara (Seksyen 26)", "Pendaftaran Perkahwinan Asing Warganegara Malaysia di Kedutaan Malaysia di Luar Negara (Seksyen 31)", "Pendaftaran Perceraian-perceraian seperti itu (Seksyen 107)", "Kesan mendapatkan Dekri Perceraian Asing sehubungan dengan pembahagian aset yang diperolehi semasa perkahwinan (Seksyen 76)" dan juga kes Gurcharan Singh Karnal Singh Iwn Mninder Kaur Piara Singh (2011) 2 CLJ 204.

TAKLIMAT KAEADAH-KAEADAH MAHKAMAH 2012

Disebabkan sambutan hangat terhadap Taklimat yang diadakan pada 17 Julai 2012, Taklimat kedua telah diadakan pada 23 Julai 2012 di Auditorium Raja Aziz Addruse, Majlis Peguam. Brendan Navin Siva dan S. Nantha Balan dari Pasukan Petugas Gabungan Kaedah-kaedah Mahkamah Majlis Peguam telah menyampaikan taklimat ini. 220 peserta menghadiri taklimat tersebut.

SEMINAR PERCUKAIAN DALAM URUSNIAGA TANAH - SIRI KEPAKARAN UNDANG-UNDANG CUKAI

S. Saravana Kumar dari Tetuan Lee Hishammuddin Allen dan Gledhill telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 27 Julai 2012 jam 3.00 petang. Seminar tersebut telah dihadiri oleh 23 peserta. Seminar ini meliputi bidang-bidang berikut, "G Sdn Bhd Iwn KPHDN: Adakah keuntungan daripada penjualan tanah tertakluk kepada cukai pendapatan secara automatik?", "KPHDN Iwn SE Sdn Bhd: Adakah hak pembangunan merupakan stok dagangan?" dan "BD Sdn Bhd Iwn KPHDN: Adakah hak berkontrak merupakan satu kepentingan ke atas tanah bagi maksud CKHT?".

SEMINAR KESAN PERCERAIAN PADA ANAK-ANAK MUDA DAN PELBAGAI TERAPI YANG SEDIADA

Lisa Sum, Pengarah Latihan di Pusat Kaunseling Agape Malaysia telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 9 Ogos 2012 jam 2.00 petang. Seminar percuma ini telah dihadiri oleh 42 peserta.

SEMINAR ASAS PROSIDING-PROSIDING KEBANKRAPAN

Trevor Jason Mark Padasion dari Tetuan Skrine telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 6 September 2012 jam 3.00 petang. Seminar tersebut telah dihadiri oleh 45 peserta. Seminar ini merangkumi bidang-bidang berikut, "Prinsip-prinsip Kebankrapan", "Praktikaliti Kebankrapan" dan "Hubungan kepada prosiding-prosiding penggulungan".

SEMINAR UNDANG-UNDANG PERLEMBAGAAN

Mahaletchumi Balakrishnan dari Tetuan Sreenevasan telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 7 September 2012 jam 3.00 petang. Beliau telah dibantu oleh Leong Yeng Kong, Joanne Leong, Nimalan Devaraja dan Lingswaran Singh. Seminar percuma ini telah dihadiri oleh 57 peserta. Seminar tersebut merangkumi bidang-bidang berikut, "Satu Ringkasan berkenaan Perlembagaan Persekutuan", "Isu-isu terkini berkaitan dengan Perlembagaan di Malaysia" dan "Kegunaan dan Tafsiran Perlembagaan".

SEMINAR RAYUAN-RAYUAN JENAYAH

Jawatankuasa Amalan Jenayah Bar Kuala Lumpur bersama-sama dengan Jawatankuasa Pembangunan Profesional dan Jawatankuasa Undang-undang Jenayah Majlis Peguam telah menganjurkan Seminar sebagai salah satu program untuk menggalakkan lebih ramai peguam untuk mengamalkan Litigasi Jenayah pada 8 September 2012. Seminar ini, yang diadakan di Auditorium Bar KL dari jam 10.00 pagi hingga jam 4.00 petang, telah dibentangkan oleh Hisham Abdullah @ Teh Poh Teik dan Gurbachan Singh a/l Bagawan Singh dan dihadiri oleh 91 peserta.

SEMINAR PENGENALAN KEPADA UNDANG-UNDANG PERSAINGAN

Lee Lin Li dan Sudhar Thillainathan dari Tetuan Shook Lin & Bok telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 13 September 2012 jam 4.00 petang. Seminar tersebut telah dihadiri oleh 61 peserta. Seminar ini meliputi bidang-bidang berikut, "Undang-undang Persaingan dan Polisi", "Akta Persaingan 2010" dan "Akta Suruhanjaya Persaingan 2012".

SEMINAR PEMOTONGAN CUKAI BAGI PERBELANJAAN PROMOSI PERNIAGAAN - SIRI KEPAKARAN UNDANG-UNDANG CUKAI

S. Saravana Kumar dari Tetuan Lee Hishammuddin Allen & Gledhill telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 21 September 2012 jam 3.00 petang. Seminar tersebut telah dihadiri oleh 46 peserta. Seminar ini merangkumi bidang-bidang berikut, "NV Alliance lwn KPHDN: Bolehkah pembayaran insentif jualan mendapat potongan cukai?", "Eli-Lily Malaysia lwn KPHDN: Adakah perbelanjaan promosi perniagaan dikira sebagai perbelanjaan hiburan?" dan "ME lwn KPHDN: Peruntukan yuran guaman percuma untuk SPA dan perjanjian pinjaman - adakah ianya dikira sebagai hiburan?"

SEMINAR FITNAH DALAM TALIAN (ONLINE)

Rishwant Singh dari Tetuan Zul Rafique & Partners telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 4 Oktober 2012 jam 3.00 petang. Seminar tersebut telah dihadiri oleh 39 peserta. Seminar ini meliputi bidang-bidang berikut, "Fitnah Dalam Talian lwn Fitnah Tradisional", "Penerbitan", "Terbitan semula", "Punca Tindakan", "Hiperrangkai" dan "Seksyen 114 Akta Keterangan 1950".

BENGKEL PERANCANGAN KEWANGAN

Chooi Kum Ying, seorang Perancang Kewangan Bertauliah telah menyampaikan bengkel yang diadakan di Auditorium Bar KL pada 17 Oktober 2012 jam 3.00 petang. Bengkel percuma tersebut telah dihadiri oleh 45 peserta. Bengkel ini meliputi bidang-bidang berikut, "Perancangan Kewangan", "Memastikan ianya berjaya dilaksanakan", "Insurans", "Unjuran Pelaburan" dan "Penilaian Pelaburan".

SEMINAR PERLINDUNGAN HAK-HAK PERLEMBAGAAN

Jawatankuasa Amalan Jenayah Bar Kuala Lumpur bersama-sama dengan Jawatankuasa Pembangunan Profesional dan Jawatankuasa Undang-undang Jenayah Majlis Peguam telah menganjurkan Seminar ini pada 20 Oktober 2012. Malik Imtiaz Sarwar telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada jam 10.00 pagi. Acara tersebut telah dihadiri oleh 52 peserta.

SEMINAR PENGGUBALAN KONTRAK PERDAGANGAN 101

Jeremiah R. Gurusamy dari Tetuan Arianti Dipendra Jeremiah telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 5 November 2012 jam 3.00 petang dengan Ken Tan Yong Xu sebagai moderator. Seminar tersebut telah dihadiri oleh 124 peserta. Seminar ini merangkumi bidang-bidang berikut, "Berurusan dengan isu-isu Pematuhan dan Pengawalseliaan", "Skop-skop dalam Transaksi", "Teknik-teknik Penggubalan", "Memahami Peruntukan-peruntukan Utama", "Klausula Boiler plate" dan "Kesilapan-kesilapan Biasa & Kesulitan-kesulitan yang tidak diduga".

BENGKEL SENI PEMERIKSAAN BALAS JENAYAH

Jawatankuasa Amalan Jenayah Bar Kuala Lumpur bersama-sama dengan Jawatankuasa Pembangunan Profesional dan Jawatankuasa Undang-undang Jenayah Majlis Peguam telah menganjurkan Bengkel ini pada 10 November 2012. Athimulan Muruthiah telah menyampaikan bengkel yang diadakan di Auditorium Bar KL pada jam 9.30 pagi. Bengkel ini telah dipengerusikan oleh Amrit Pal Singh dan dibantu oleh Rajpal Singh. Bengkel tersebut telah dihadiri oleh 56 peserta.

CERAMAH GANGGUAN SEKSUAL

Jawatankuasa Hal Ehwal Pengamal dan Jawatankuasa Pembangunan Profesional menjadi penganjur bersama untuk ceramah tersebut pada 20 November 2012. Meera Samanther dari Persatuan Peguam-peguam Wanita (AWL) dan Betty Yeoh dari Persatuan Pergerakan Wanita (AWAM) telah menyampaikan ceramah yang diadakan di Auditorium Bar KL pada jam 5.00 petang. Ceramah ini dipengerusikan oleh Goh Siu Lin. Ceramah percuma ini telah dihadiri oleh 74 peserta.

SEMINAR KAJIAN SEMULA KEHAKIMAN 101

Shanmuga Kanesalingam dari Tetuan Kanesalingam & Co. telah menyampaikan seminar yang telah diadakan di Auditorium Bar KL pada 7 Disember 2012 jam 3.00 petang. Seminar tersebut telah dihadiri oleh 61 peserta. Seminar ini merangkumi bidang-bidang berikut, Asas; “Apa relief yang anda boleh dapatkan?”, “Bila, di mana dan bagaimana anda memfailkan permohonan itu”, “Menyediakan Penyata Pengiring”, “Prosedur di peringkat yang dibenarkan” dan “Langkah-langkah di Peringkat Kebenaran” dan “Langkah-langkah diambil selepas mendapat kebenaran” dan Masalah-masalah biasa; “Remedi-remedi alternatif dan Klausu-klausu Penyingkiran”, “Adakah keputusan langsung”, “Kelewatan-kelewatan dan Lanjutan Masa” dan “Penanganuhan”.

SEMINAR ASAS PROSIDING-PROSIDING KEBANKRAPAN

Sanjeev Kumar Rasiah dari Tetuan Sanjeev Kumar telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 12 Disember 2012 jam 3.00 petang. Seminar tersebut telah dihadiri oleh 116 peserta. Seminar ini meliputi bidang-bidang berikut, “Prosiding-prosing Kebankrapan”, “Pengenalan kepada Akta Kebankrapan”, “Notis Kebankrapan”, “Petisyen Pemutang”, “Mendapatkan Penghakiman an dan Perintah Penerimaan”, “Membuktikan hutang-hutang”, dan “Mesyuarat Pemutang yang pertama”.

SEMINAR PENGENALAN CUKAI KEUNTUNGAN HARTA TANAH

N. Rajagopal, bekas Penolong Pengarah Utama Bahagian Teknikal, Ibu Pejabat LHDN dan K. Kanthaiah bekas Penolong Pengarah Akademi Percukaian Negara telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 14 Disember 2012 jam 3.00 petang. Seminar ini telah dihadiri oleh 113 peserta. Seminar ini meliputi “Skop bertanggungjawab, orang yang boleh dikenakan cukai, tahun taksiran dan kadar cukai”, “Perkembangan terbaru dalam CKHT”, “Pelupusan dan pengambilalihan”, “Pengiraan CKHT”, “Pilihanraya Seksyen 8”, “Tugas-tugas Pemeroleh”, “Tugas-tugas Pelupus”, “Syarikat-syarikat Harta Tanah (RPC)” dan “Pelupusan saham-saham RPC”.

SEMINAR PENGGUBALAN KONTRAK-KONTRAK PERDAGANGAN 101

Jeremiah R. Gurusamy dari Tetuan Arianti Dipendra Jeremiah telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 19 Disember 2012 jam 2.30 petang. Seminar tersebut telah dihadiri oleh 120 peserta. Seminar ini merangkumi bidang-bidang berikut, “Berurus dengan isu-isu Pematuhan dan Pengawalseliaan”, “Skop-skop dalam Transaksi”, “Teknik-teknik Penggubalan”, “Memahami Peruntukan-peruntukan Utama”, “Klausu-klausu Boiler plate” dan “Kesilapan-kesilapan Biasa dan Kesulitan-kesulitan yang tidak diduga”.

SEMINAR-SEMINAR AKAN DATANG

- Akta Keganasan Domestik: Perspektif dari seorang Pengamal Undang-undang Keluarga pada 9 Januari 2013
- WMDs Litigator Korporat: Penggulungan, Penindasan Minoriti dan Tindakan Terbitan pada 10 Januari 2013
- Pidato Profesional: 7 Keperluan Asas yang Perlu Dikuasai oleh Setiap Peguam pada 23 Januari 2013
- Pengenalan kepada Timbangtara pada 30 Januari 2013
- Pengenalan kepada Undang-undang Pekerjaan pada 19 Februari 2013
- Pengenalan kepada Harta Intelek pada 26 Februari 2013
- Perubahan Iklim: Ibu Semua Masalah Alam Sekitar dan Pelanggaran Hak Asasi Manusia Terbesar Sepanjang Zaman pada 28 Februari 2013
- Pengenalan kepada Perbankan Islam di Malaysia: Konsep Syariah dalam Perbankan Islam pada 6 Mac 2013
- Asas Litigasi Sivil pada 20 Mac 2013
- Bengkel Amalan Asas Konveyansing pada 18 April 2013

Sambutan kepada acara-acara anjuran PDC adalah begitu menggalakkan dan adalah menjadi harapan kami bahawa ahli-ahli dapat memanfaatkan sepenuhnya program-program tersebut untuk meningkatkan tahap profesionalisme amalan guaman mereka. Kami berharap dapat sokongan berterusan dan peningkatan penyertaan daripada pihak ahli-ahli Bar serta pelatih-pelatih Dalam Kamar.

PDC juga bercadang untuk menganjurkan satu persidangan 2-hari pada tahun 2013 khusus mensasarkan sektor korporat dan juga dalam perancangan adalah satu Sesi Dialog, Perjumpaan dan Minum Petang bersama dengan Bank Negara, Suruhanjaya Sekuriti, Bursa Malaysia, Suruhanjaya Syarikat Malaysia dan Suruhanjaya Persaingan Malaysia.

Adalah menjadi harapan kami bahawa lebih ramai pengamal undang-undang akan menyertai Program-program PDC pada tahun 2013.

Jawatankuasa Pembangunan Profesional ingin merakamkan ucapan terima kasih kepada Sekretariat Bar KL terutamanya Mary Tan dan Melissa Dass yang telah memberi sumbangan dan bantuan yang amat besar kepada jawatankuasa ini.

Jeremiah R. Gurusamy

Lim Chi Chau

Pengerusi Bersama

Jawatankuasa Pembangunan Profesional

JAWATANKUASA PENERBITAN

Fokus utama Jawatankuasa Penerbitan adalah menyunting kesemua laporan-laporan aktiviti-aktiviti bulanan yang dihasilkan untuk semua Aktiviti-aktiviti Bar Kuala Lumpur. Jawatankuasa ini juga menyunting Laporan Tahunan 2012/13 dan laporan-laporan acara-acara lain yang dikeluarkan dari semasa ke semasa secara tetap.

Semua laporan aktiviti/acara diedarkan melalui e-mel kepada ahli-ahli Bar Kuala Lumpur dan juga dimuatnaikkan ke Blog Bar KL (www.klbar.blogspot.com) dan pautan-pautan turut telah dimasukkan ke dalam Laman Sesawang Bar KL (www.klbar.org.my), Laman Facebook Bar KL (www.facebook.com/groups/208444762526623/) dan Laman Twitter Bar KL (<http://twitter.com/klbar>).

Melangkah ke hadapan, Jawatankuasa Penerbitan merancang untuk menghasilkan sebuah buku mengenai kehidupan, amalan dan impak ahli-ahli kanan Bar yang unggul.

Jawatankuasa Penerbitan ingin merakamkan ucapan terima kasih kepada Sekretariat Bar KL terutamanya Mary Tan dan Melissa Dass yang telah memberi sumbangan dan bantuan yang amat besar kepada jawatankuasa ini.

Jeremiah R. Gurusamy

Pengerusi
Jawatankuasa Penerbitan

JAWATANKUASA HAL EHWAL PELATIH-DALAM-KAMAR

Jawatankuasa Hal Ehwal Pelatih-Dalam-Kamar (PWC) memulakan penggal dengan mesyuarat pertamanya pada 30 Mac 2012. Pengambilan ahli PWC di teruskan sepanjang tahun. Pada ketika ini, keahlian PWC kebanyakannya terdiri daripada peguam-peguam muda. PWC juga bekerjasama erat dengan jawatankuasa-jawatankuasa lain dalam tempoh penggal tersebut.

SESI PENGENALAN PELATIH DALAM KAMAR (PUPILS INTRODUCTION SESSION)

Sesi Pengenalan Pelatih dalam Kamar (Sesi Pengenalan) pada tahun ini terus bersifat interaktif. Pelatih-pelatih dalam kamar dijemput untuk berkongsi sebarang permasalahan yang dihadapi atau pengalaman sepanjang tempoh latihan dalam kamar.

Bersama-sama dengan Ravin Singh, Harleen Kaur (Leena), Pengerusi Jawatankuasa Bar Kuala Lumpur (KLBC), Brendan Navin Siva dan dibantu oleh ahli-ahli KLBC yang lain, 2 Sesi Pengenalan tambahan telah diadakan pada 13 Julai 2012 and 10 Ogos 2012 sebagai tambahan kepada Sesi-sesi Pengenalan yang diadakan setiap bulan, untuk menampung jumlah kumpulan besar pelatih dalam kamar yang akan diterima masuk ke Bar.

PWC ingin merakamkan penghargaan kepada Ravin Singh dan Leena untuk sumbangan dan sokongan tidak berbelah bagi kepada Sesi Pengenalan. PWC juga turut merakamkan setinggi-tinggi penghargaan kepada Pengerusi KLBC, Brendan Navin Siva dan ahli-ahli KLBC yang telah bergilir-gilir untuk membantu dalam Sesi-sesi Pengenalan tersebut.

BENGKEL-BENGKEL LATIHAN BAGI PELATIH

Pada penggal ini, program Bengkel-bengkel Pelatih diketuai oleh ahli PWC, Nur Khairunnisa. PWC terus mengendalikan siri bengkel bulanan Litigasi Sivil, Litigasi Jenayah dan Konveyansing untuk para pelatih. Walaupun bengkel-bengkel ini direka untuk para pelatih, had kehadiran peserta bengkel terpaksa di tambah kepada 50 orang di sebabkan oleh sambutan yang menggalakkan. Pada penggal ini, PWC juga telah memperkenalkan bengkel Korporat. PWC terus mencapai objektif untuk memperkenalkan aspek praktikal berkenaan undang-undang kepada para pelatih dan untuk memperbaiki pengetahuan asas para pelatih, terutamanya tentang perkara-perkara asas dalam amalan undang-undang.

Dalam undang-undang jenayah, PWC menganjurkan bengkel Litigasi Jenayah untuk para pelatih. Pada bulan November 2012, PWC dengan kerjasama Jawatankuasa Amalan Jenayah telah menganjurkan bengkel Litigasi Jenayah yang mana pelatih didedahkan dengan kemahiran menemubual pelanggan, mitigasi, permohonan ikat jamin, pendengaran reman, dan prosedur perbicaraan. PWC berterima kasih kepada penceramah Amrit Pal Singh dan Kuldeep Kumar untuk sokongan tidak berbelah bagi dalam mengendalikan bengkel Litigasi Jenayah.

Dalam Litigasi Sivil, para pelatih diajar kemahiran menggubal pendapat undang-undang, saman dan penyata tuntutan, Kaedah-kaedah Mahkamah dan kemahiran advokasi. PWC berterima kasih kepada penceramah Richard Wee, Mohd Izral Mohamed Khairy, Colin Andrew Pereira dan Sanjeev Kumar Rasiah untuk masa dan usaha yang diberikan dalam mengendalikan Bengkel-bengkel Litigasi Sivil tersebut.

Di peringkat konveyansing, Michael Leow terus memberi sokongan kepada bengkel-bengkel pelatih untuk meningkatkan pengetahuan para pelatih terhadap amalan konveyansing di Malaysia. PWC mengucapkan terima kasih kepada Michael Leow.

Pengerusi

Jason Kong

Naib Pengerusi

Kuldeep Kumar a/l Jamna Dass

Ahli-ahli Jawatankuasa

Adrian See Jooi Hong

Cheng Khang Chween

Choo Dee Wei

Erma Syafinaz Samain

Fateen Najlaa Idayu Mohamad Nor

Johana Rosli

Kenneth Wong Poh Lim

Kitty Oh Swee Kar

Koong Hui Jiun

Lee Ai Wi

Nur Khairunnisa Zainal Abidin

Por Yang Wei

Raja Habibatul Zaharah Raja Chulan

Teh Zhing Lee, Jilly

Tahun ini, PWC telah memperkenalkan satu bengkel baru, iaitu bengkel Korporat yang mana bengkel pertama telah diadakan pada bulan Ogos dan yang kedua dijadualkan pada Februari 2013. PWC ingin merakamkan penghargaan kepada Ong Eu Jin dan Sharanya Premanathan kerana mengendalikan bengkel pertama tersebut.

Bengkel Pelatih bagi tahun 2012/13 adalah seperti berikut:-

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TARIKH	MASA	TOPIK	PENCERAMAH
26 April 2012	3.00pm	Litigasi Sivil	Richard Wee ThiamSeng
24 May 2012	3.00pm	Konveyansing	Michael Leow Yon Meng
27 June 2012	3.00pm	Litigasi Jenayah	Kuldeep Kumar
29 August 2012	3.00pm	Korporat	Ong Eu Jin Sharanya Premanathan
25 September 2012	3.00pm	Litigasi Sivil	Mohd Izral Bin Mohamed Khairy
23 October 2012	3.00pm	Konveyansing	Michael Leow Yon Meng
28 November 2012	3.00pm	Litigasi Jenayah	Amrit Pal Singh
20 December 2012	3.00pm	Litigasi Sivil	Colin Andrew Pereira Sanjeev Kumar Rasiah
22 January 2013	3.00pm	Konveyansing	Michael Leow Yon Meng
20 February 2013	3.00pm	Korporat	Ong Eu Jin Yong Yishan C.

PESTA KERJAYA PERUNDANGAN

Tahun ini, Pesta Kerjaya Perundangan diketuai oleh ahli PWC, Adrian See. PWC bercadang untuk berkolaborasi dengan kolej pengajian tempatan dan universiti tempatan seperti Universiti HELP dan Universiti Malaya tetapi memandangkan terdapat beberapa isu logistik, kolaborasi tersebut tidak berjaya dilaksanakan dan PWC terpaksa menangguhkan Pesta Kerjaya tersebut kepada tahun hadapan. Dalam pada itu, PWC telah dinasihatkan bahawa Januari adalah bulan paling ideal bagi melaksanakan Pesta Kerjaya Perundangan tersebut. Oleh yang demikian, memandangkan faktor masa dan persiapan yang perlu dibuat, PWC hanya dapat menganjurkan Pesta Kerjaya Perundangan tersebut pada penggal yang seterusnya.

PELAKSANAAN PENERIMAAN MASUK KE BAR BERAMAI-RAMAI (MASS CALL) DI MALAYSIA

Mass Call diletakkan sebagai projek istimewa dan diuruskan oleh KLBC yang akan bekerjasama dengan Majlis Peguam memandangkan ia bukan hanya melibatkan pelatih-pelatih di Kuala Lumpur tetapi juga di negeri-negeri lain.

MESYUARAT DENGAN TIMBALAN PENDAFTAR BAHAGIAN RAYUAN DAN KUASA-KUASA KHAS MAHKAMAH KUALA LUMPUR

KLBC telah menyenaraikan isu-isu berkenaan Mahkamah yang dikemukakan oleh para pelatih sewaktu Sesi Pengenalan bulanan. PWC sedang mengaturkan satu mesyuarat dengan Timbalan Pendaftar Bahagian Rayuan dan Kuasa-kuasa Khas Mahkamah Tinggi Kuala Lumpur untuk menyelesaikan isu-isu tersebut. Mesyuarat tersebut dicadangkan untuk diadakan pada Januari 2013.

LAWATAN KE ISTANA KEHAKIMAN

PWC menganjurkan lawatan sulungnya ke Istana Kehakiman untuk para pelatih. 17 pelatih termasuk 6 pelajar yang membuat latihan dari Jepun menyertai lawatan ini yang diadakan pada Jumaat, 6 Julai 2012.

Peserta berkumpul di Wisma Kraftangan (di mana Sekretariat KL Bar terletak di tingkat 8) seawal pukul 7.30 pagi dan menikmati sarapan pagi di restoran berhampiran. Rombongan kami berangkat dari Wisma Kraftangan pada 8.15 pagi dengan bas persiaran dan tiba di Istana Kehakiman pada pukul 9 pagi.

Kami disambut oleh Timbalan Pendakwaraya Encik Mohd Sabri yang juga merupakan jurupandu kami pada hari tersebut. Program bermula dengan siaran video di bilik persidangan tentang sejarah Sistem Kehakiman Malaysia di ikuti dengan lawatan ke muzium. Para pelatih juga dapat menyaksikan prosiding di Mahkamah Rayuan pada pukul 10.30 pagi. Lawatan berakhir dengan lawatan ke Perpustakaan pada pukul 11.45 pagi.

Lawatan tersebut sangat bermanfaat bagi para pelatih dan mencapai objektif untuk mempertingkatkan pengetahuan pelatih tentang Sistem Kehakiman Malaysia.

PENUTUP

Saya merakamkan setinggi-tinggi penghargaan kepada ahli-ahli Jawatankuasa Hal Ehwal Pelatih-Dalam-Kamar 2012/13 yang telah dengan sukarela meluangkan masa mereka, dan saya mengakui semua usaha keras dan kerjasama yang telah mereka berikan.

Seterusnya, saya juga ingin mengucapkan terima kasih kepada Sekretariat Bar KL, kepada mereka yang telah sama-sama berganding bahu, terutamanya Setiausaha Eksekutif Mary Tan, juga Rajan, Indira dan Melissa.

Akhir sekali, saya mengambil peluang ini untuk merakamkan ucapan terima kasih kepada ahli-ahli kerana telah mengamanahkan saya dengan tanggungjawab ini dan memberikan saya platform untuk bekerja dengan banyak pasukan-pasukan yang hebat, dan menyumbang masa saya berkhidmat untuk Bar Kuala Lumpur.

Jason Kong

Pengerusi
Jawatankuasa Hal Ehwal Pelatih-Dalam-Kamar

JAWATANKUASA SOSIAL, KESENIAN DAN KEBUDAYAAN

Setakat hari ini, Jawatankuasa Sosial, Kesenian dan Kebudayaan (SACC) telah menganjurkan acara-acara berikut untuk ahli-ahli Bar Kuala Lumpur, rakan-rakan serta keluarga mereka:

KEMPEN DERMA DARAH

Dengan bantuan dari Pusat Darah Negara, satu Kempen Derma Darah telah diadakan pada 14 Mei 2012 di Aras 2 Kompleks Mahkamah Kuala Lumpur di Jalan Duta. Ahli-ahli Bar, kakitangan Mahkamah dan juga orang awam telah menyertai Kempen Derma Darah tersebut. Seramai 54 penderma yang telah mendaftar. Namun, hanya 43 sahaja yang layak menderma. 11 penderma terpaksa ditolak di atas sebab samada kurang berat badan, mengalami tekanan darah tinggi atau tekanan darah rendah atau telah bermastautin di United Kingdom dari 1980 sehingga 1996 atau di Eropah diantara 1980 sehingga hari ini. Sejumlah 43 unit darah telah berjaya dikumpul dari penderma-penderma yang pemurah.

MALAM CEREKA

Satu Malam Cereka - tayangan persendirian filem 'The Avengers (2D)' telah diadakan pada 3 Mei 2012 di Golden Screen Cinemas, Pavillion, Kuala Lumpur. Tayangan filem ini menarik ramai peguam yang datang dengan keluarga dan rakan-rakan untuk menikmati malam yang penuh aksi dan keseronokan. SACC dengan sukacitanya telah menjual semua tiket untuk tayangan filem ini dan berterima kasih kepada semua orang atas sokongan mereka.

MALAM SOSIAL

SACC dan Jawatankuasa Peguam Muda (YLC) telah menjadi pengajur bersama acara sosial pertama bagi penggal 2012/2013 pada 8 Jun 2012 di 21, Bangsar Shopping Centre. Lokasi tersebut dipenuhi dengan peguam yang datang terus dari tempat kerja, dengan harapan untuk berseronok dan melepaskan penat setelah sibuk bekerja sepanjang minggu. Suasana kedengaran meriah dengan perbualan dan gelak-ketawa mereka yang hadir. Ia amat menggalakkan untuk melihat beberapa peguam kanan menghadiri majlis ini, serta ramai peguam-pegawai muda dan pelatih-pelatih dalam kamar. Majlis social ini mencapai matlamatnya dengan menyediakan peluang kepada para peguam untuk bertemu dan bergaul dalam suasana yang tidak formal. Ramai juga telah menyatakan minat untuk terlibat dalam acara-acara SACC dan YLC di masa hadapan.

BOT NAGA (DRAGON BOAT)

SACC dan YLC telah menjadi pengajur bersama bengkel-bengkel sesi pengenalan bot naga pada 14 Julai 2012, 21 Julai 2012, 28 Julai 2012, 23 September 2012, 28 Oktober 2012 dan 13 Januari 2013 di Pusat Maritim Putrajaya, Presint 6 Putrajaya. Bengkel ini telah dikendalikan oleh ahli Bar Kuala Lumpur iaitu Janet Chai dan ia telah dihadiri oleh ahli-ahli Bar Kuala Lumpur dan juga pelatih-pelatih dalam kamar. Pasukan Bot Naga Bar Kuala Lumpur, dinamakan KL-BARbarians, telah menghadiri latihan pada setiap hujung minggu dan kerja keras mereka telah membawa hasil berikutan penyertaan mereka di dalam pelbagai pertandingan termasuk Pesta Bot Naga Antarabangsa Pulau Pinang pada 30 Jun 2012 dan 1 Julai 2012.

PARTI AKHIR TAHUN BAR KUALA LUMPUR

Dahulunya dikenali sebagai Majlis Makan Malam dan Tari-Menari Tahunan Bar Kuala Lumpur, Jawatankuasa Bar Kuala Lumpur memutuskan untuk melakukannya sedikit berbeza pada tahun ini. Sebuah parti akhir tahun telah dianjurkan di salah satu lokasi terhangat tahun ini, iaitu The Pool di Nihonkan, Jalan Ampang pada 8 Disember 2012. Seramai 432 tetamu termasuk bekas Presiden-Presiden Majlis Peguam dan bekas Pengerusi-Pengerusi Bar Kuala Lumpur

Pengerusi
Melissa Sasidaran

Naib Pengerusi
Shobana Segran

Ahli-ahli Jawatankuasa
Ahmad Aizat bin Ab Rahman
Aziani Azlan
Crystal Sue Nilsson
Fyiona Lai Phik-Wy
Jasmine Lukman
Kenneth Wong Poh Lim
Khaizan Sharizad
Lai Yee Fan
Md Azmi bin Mohd Shari
Mohamed Hashim Abd Rahiman
Nur Haedzernie Binti Md. Noor
Nurhazwanie Binti Mohd Salleh
Sheelaa Ragavan
Yeoh Tung Seng

telah menghadiri majlis tersebut. Tetamu telah disajikan dengan hidangan buffet yang lazat, pelbagai jenis kanape serta minuman-minuman terpilih, di dalam suasana santai di tepi kolam renang yang menjadi tarikan tempat tersebut. Mereka turut dihiburkan dengan persembahan muzik oleh ahli-ahli Bar dan seorang DJ sepanjang majlis tersebut.

Melissa Sasidaran

Pengerusi
Jawatankuasa Sosial, Kesenian dan Kebudayaan

JAWATANKUASA SUKAN

KARNIVAL SUKAN KE-22 BAR KUALA LUMPUR LAWAN KELAB DIRAJA SELANGOR

Siri "Karnival Sukan" ini dimulakan pada 1985 di mana beberapa sukan dimainkan untuk piala pusingan keseluruhan yang didermakan oleh Allahyarham Tan Sri Dato' Harun Hashim. Untuk setiap acara sukan ada piala didermakan oleh ahli-ahli kanan Bar atau ahli-ahli Kelab DiRaja Selangor.

Siri tahun ini diadakan pada 1 dan 3 November 2012, di mana enam acara dilangsungkan iaitu badminton, tenis, kriket, bola sepak, hoki, dan billiard/pool. Bar Kuala Lumpur telah mengalahkan Kelab DiRaja Selangor 1-0, memenangi dalam acara badminton dan seri dalam acara tennis, billiard/pool, bola sepak, hoki dan kriket untuk menjadi johan keseluruhan. Jamuan Makan Malam Akhir Sukan dan Upacara Pemberian Hadiah mendapat sambutan yang baik.

PERTANDINGAN GOLF ANTARA BAR NEGERI

Pertandingan golf antara Negeri Bar Malaysia tahun 2012 telah diadakan di Melaka, Tiara Golf Resort pada 7 Julai 2012. Jawatankuasa Sukan Bar Kuala Lumpur telah menghantar satu pasukan dengan 9 pemain untuk menyertai pertandingan tersebut.

Pertandingan tahun ini menarik penyertaan daripada 8 Bar Negeri - Kuala Lumpur, Johor, Selangor, Melaka, Negeri Sembilan, Perak, Pulau Pinang dan Kelantan. Bar Johor muncul sebagai juara diikuti oleh Bar Selangor sebagai naib juara. Bar Kuala Lumpur memenangi tempat ke-3 dan salah seorang pemainnya memenangi hadiah untuk pin terdekat (nearest the pin).

SUKAN BAR KUALA LUMPUR/SELANGOR - SIRI KE-12

Siri ini dimulakan setelah pemisahan di antara Bar Selangor dan Bar Kuala Lumpur dan kedua-dua pasukan bertanding dalam pelbagai acara sukan untuk Piala Pusingan Lall Singh Muker, yang didermakan oleh Puan Lall Singh Muker, ibu kepada seorang ahli kanan Bar, S.S. Muker yang merupakan ahli kedua-dua Bar Selangor dan Bar Kuala Lumpur. Bar Selangor menjadi tuan rumah Siri tahun ini yang akan berlangsung pada 11 dan 12 Januari 2013. Tujuh acara akan dimainkan dalam Siri ini - badminton, damak, bola sepak, bola tampar, bola jaring, snuker dan golf.

AM

Bar Kuala Lumpur masih mengekalkan gelanggang badminton di dewan SBA di Kampung Attap setiap Khamis dari 6.00 malam ke 8.30 malam untuk membolehkan ahli dan pelatih-dalam-kamar untuk bermain acara sukan ini secara kerap dan untuk berinteraksi dengan ahli-ahli lain.

Muhendaran Suppiah

Pengerusi

Jawatankuasa Sukan

Muhendaran Suppiah
Pengerusi

Konvenor-konvenor/Ahli-ahli
Jawatankuasa
A I Nathan
Badminton

Alex Nandaseri De Silva
Kriket

Anand Ponnudurai
Snuker/Pool

Khairul Idham
Hoki

Robert Low
Bola Sepak dan Futsal

Shiyamala Devi
Bola Tampar

Sivaruben a/l R Balasekaran
Damak

V Stanislaus
Golf

Wan Syariyah Binti Razman
Bola Jaring

Yeoh Cho Kheong
Tenis

Amrit Pal Singh
Ang Wei Chao
Gary Kuah Jiun Yu
Saha Deva
Samreet Singh Sagoo
Sathyananthan

JAWATANKUASA PEGUAM MUDA

Jawatankuasa Peguam Muda Bar Kuala Lumpur (KLYLC) berusaha untuk membina sebuah platform bagi membolehkan peguam-peguam muda menyumbang kepada Bar.

Unit-unit kecil KLYLC telah dirombak semula penggal ini dan telah diketuai oleh Ketua-ketua Unit dan tugas-tugas mereka adalah:

1. Unit Komunikasi YL - Phang Soon Mun
Untuk menguruskan kandungan sesawang di bawah laman sesawang Bar KL, berhubung dengan ITCC untuk mengemas kini acara-acara KLYLC, untuk menubuhkan dan menguruskan emel bantuan KLYLC, untuk menguruskan akaun Facebook dan Twitter KLYLC.
2. Unit Pembangunan Profesional YL - New Sin Yew
Untuk mengurus jangkaan pelajar undang-undang, untuk menganjurkan Seminar/Bengkel untuk Pembangunan Profesionalisme peguam muda dan untuk menubuhkan Program Mentor YL.
3. Unit Sosial YL - Cindy Cheong Sing Yee dan Thirunavakarasu a/l Vijayan @ Ganesan
Untuk menganjurkan Malam Amal, Jamuan Guaman, Pertandingan Piala Pusingan Futsal, untuk berhubung dengan 'Young Professional Alliance' dan untuk menguruskan Pasukan Bot Naga Bar Kuala Lumpur (KL-BARbarians) bersama dengan Jawatankuasa Sosial, Kesenian dan Kebudayaan (SACC).

KLYLC juga telah melantik seorang wakil ke Jawatankuasa Peguam Muda Kebangsaan (NYLC) - Vince Chong.

Aktiviti-aktiviti yang telah dilaksanakan sepanjang penggal 2012/13 adalah:

BENGKEL PENGENALAN BOT NAGA KLYLC/SACC

KL-BARbarians telah menganjurkan 5 Bengkel Pengenalan kepada Bot Naga bagi tahun ini pada 14 Julai 2012, 21 Julai 2012, 28 Julai 2012, 23 September 2012 dan 28 Oktober 2012. Kesemua bengkel-bengkel ini dikendalikan di Pusat Maritim Putrajaya pada jam 9.30 pagi.

PERTANDINGAN-PERTANDINGAN BOT NAGA

KL-BARbarians telah bertanding dalam acara-acara berikut dalam tahun 2012:

1. Pertandingan Bot Naga di Putrajaya pada 24 Mac 2012
2. Karnival Sukan Air KBSM pada 25 hingga 27 Mei 2012
3. Pesta Antarabangsa Bot Naga Melaka 2012 pada 16 dan 17 Jun 2012
4. Pesta Antarabangsa Bot Naga Pulau Pinang Ke-33 pada 30 Jun hingga 1 Julai 2012
5. Pesta Pertandingan Bot Naga Pulau Pinang pada 8 dan 9 Disember 2012
6. Pertandingan Bot Naga Melaka pada 29 dan 30 Disember 2012

Pengerusi
Khaizan Sharizad Abd Razak

Naib Pengerusi
Daniel Albert
Yeoh Tung Seng

Ketua Komunikasi YL
Phang Soon Mun

Ketua Pembangunan Profesional YL
New Sin Yew

Ketua Sosial YL
Cindy Cheong Sing Yee
Thirunavakarasu Vijayan @ Ganesan

Wakil NYLC
Vince Chong Khin Young

Ahli-ahli Jawatankuasa
Alvin Oh Seong Yew
Ang Wei Chao
Ariani Irdha Bakri
Azri Malek
Benedict Khu
Bryan Ho Jiann Yau
Chan Kit Kheong
Charlaine Chin
Chen Hong Sze
Choo Dee Wei
Choo Mun Wei
Chris Chin
Christine Ooi Wai Ching
Chua Chinn Yuan
Crystal Sue Nilsson
Darren Malis
Dennis Thong
Dipendra Harshad Rai
Donny Kwa Soo Chuan
Edmund Bon Tai Soon
Fareez bin Zahir
Foo Yong Luk
Fyiona Lai Phik-Wy
Gan Lu Suan
Geeta Krishna
Henry Ting Jeng Sheng

MALAM VAISAKHI BAR KUALA LUMPUR

KLYLC telah menganjurkan Malam Vaisakhi buat pertama kali di Sangam @ Plaza Kelana Jaya pada 26 April 2012 dari jam 7.00 petang sehingga lewat malam. Seramai 55 ahli menghadiri acara tersebut. Ia merupakan satu malam yang menyeronokkan dengan hidangan makanan yang enak dan hiburan oleh "Mumbai Stars".

RETREAT KLYLC

KLYLC telah memutuskan untuk menjemput muka-muka muda yang baru bagi Retreat tahun ini. Kami mempunyai 4 peguam muda kanan dan 18 peguam muda yang baru menyertai Retreat ini yang diadakan pada 2 dan 3 Jun 2012. 4 peguam muda kanan tersebut, iaitu, Pengerusi KLYLC Khaizan Sharizad (Sherrie), Naib Pengerusi KLYLC Bersama Daniel Albert dan Yeoh Tung Seng dan Yohendra Nadarajan yang merupakan fasilitator-fasilitator dan banyak membantu dalam perlaksanaan Retreat tersebut. Melissa Dass, Pegawai Eksekutif dari Sekretariat Bar KL, telah membantu mencari tempat untuk Retreat kerana kebanyakan tempat telah penuh kerana tarikh yang dipilih bersamaan dengan cuti sekolah. Akhirnya KLYLC berjaya untuk mendapatkan satu pakej yang baik dengan Hotel Corus di Port Dickson.

MALAM SOSIAL BAR KUALA LUMPUR

SACC dan KLYLC menjadi pengajur bersama malam sosial pertama bagi penggal 2012/2013 pada Jumaat, 8 Jun 2012 di 21, Bangsar Shopping Centre. Malam Sosial ini telah dijadualkan untuk bermula jam 8.00 malam dan dengan segera majlis penuh sesak dengan peguam yang datang terus dari tempat kerja, dengan harapan untuk berseronok dan melepaskan penat setelah sibuk bekerja sepanjang minggu.

PROJEK KOMUNITI MENANAM POKOK IEM DI TAMAN BOTANI NEGARA, SHAH ALAM

Jawatankuasa Undang-Undang Alam Sekitar Bar Kuala Lumpur dan KLYLC telah mengambil bahagian dalam projek penanaman pokok di Taman Botani Negara, Shah Alam pada 23 dan 24 Jun 2012. Acara ini, dianjurkan oleh Bahagian Jurutera Muda (YES) Institusi Jurutera Malaysia (IEM), telah dilancarkan dan dirasmikan oleh Naib Presiden IEM Choo Kok Beng, Pengerusi YES, Shuhairy bin Norhisham dan Naib Presiden ENSEARCH, Elias Saidin dengan penanaman pokok pertama dari 190 pokok yang ditaja oleh pelbagai individu dan organisasi di seluruh Lembah Klang. Bar Kuala Lumpur dengan beberapa rakan korporat/peribadi telah menaja sebanyak 90 daripada 190 pokok-pokok itu.

BENGKEL LITIGASI KEPENTINGAN AWAM KLYLC-MCCHR

KLYLC telah menubuhkan Unit Litigasi Kepentingan Awam (PILU) bersama dengan Malaysian Centre for Constitutionalism and Human Rights (MCCHR). Selaras dengan ini, satu siri bengkel rasmi percuma telah dianjurkan untuk ahli-ahli PILU mengenai asas-asas litigasi kepentingan awam strategik bagi menyediakan peguam-peguam muda yang berminat dalam menghadapi kes-kes seperti ini dan untuk menggalakkan penggunaan litigasi strategik bagi mempromosikan hak asasi manusia. Sesi-sesi bengkel telah diadakan pada 7 Julai 2012, 22 September 2012 dan 3 November 2012 di Auditorium Bar KL, dan 5 Januari 2013 di Auditorium Raja Aziz Addruse, Majlis Peguam dari jam 9.30 pagi hingga 2.30 petang.

MAJLIS BERBUKA PUASA KLYLC

Kira-kira seramai 30 ahli dan pelatih-dalam-kamar hadir untuk Majlis Berbuka Puasa yang dianjurkan oleh KLYLC pada 14 Ogos 2012 di sebuah restoran ala Melayu (dengan bumbung rumbia dan sebagainya) di tengah-tengah Kuala Lumpur bernama "Tupai-Tupai". Di kelilingi oleh kehijauan dan terdapat juga beberapa ekor ayam (dalam sangkar) di pintu masuk ke restoran, ia benar benar memberi suasana "kampung" dan menghantar mesej kepada pelanggan bahawa anda sudah "balik kampung" dengan hanya berada di sana.

Ahli-ahli Jawatankuasa

Ida Daniella Zulkifli
James Ong
Janet Chai
Jeremy Lim Wei Chang
Joanne Leong Pooi Yaen
Joe Teoh Zhuo Wei
Johana Rosli
Johnson Lim Fung Tat
Joshua W.K Chong
Kenneth Wong Poh Lim
Kho Sze Jia
Kirsty Lim Jun-Zhi
Kok Wen Ying
Kong Teng Mun @ Jason Kong
Kuah Jiun Yu (Gary)
Lai Chee Hoe
Lai Yee Fan
Lee Ai Wi
Lee Cincee
Lee Yiing Yng
Lim Qiu Jin
Lim Wei Lih
Melissa Sasidaran
Michael Anthony
Mohamed Hashim Abdul Rahiman
Mohd Iqbal Zainal Abidin
Muthuveeramani Nadesan
Natalie Yasotha Sooriyamurthi
Neil Tan Wei Shin
Nicole Chee Chai Kuan
Nimalan Devaraja
Nurhazwanie Bt. Mohd. Salleh
Ong June Siang
Ooi Seow Wen
Paul Ngooi Shinn Han
Raphael Kok Chi Ren
Richard Wee
Shahid Adli Bin Kamarudin
Sharon Lee May Yin
Sheelaa Ragavan
Siti Fatimah Mohd Shahrom
Siti Munirah Maarof
Sri Sarguna Raj
Syahredzan Johan
Tan Yong Xu
Teh Zhing Lee (Jilly)
Tham Hui Ying
Tracy Hah Yan Shan
Yohendra Nadarajan

LAWATAN KE PENEMPATAN ORANG ASLI DI KAMPUNG BERTANG, PAHANG

KLYLC bersama-sama dengan ‘Project Light A Home’ telah menganjurkan lawatan ke Penempatan Orang Asli di Kampung Bertang, Pahang pada 2 September 2012 sebagai salah satu usaha permulaan untuk Malam Amal 2012. Semasa lawatan tersebut, penduduk-penduduk telah diberikan barang runcit, ihsan kutipan dari Perlumbaan Go-Kart SACC yang diadakan pada 7 Ogos 2010 dan lampu-lampu Nokero, ihsan ‘Project Light A Home’.

SEMINAR ASAS-ASAS PEMERIKSAAN BALAS DALAM PERBICARAAN SIVIL DAN KOMERSIL

Brendan Navin Siva dari Tetuan Brendan Siva telah menyampaikan seminar yang diadakan di Auditorium Bar KL pada 20 September 2012 jam 3.00 petang. Seminar tersebut telah dihadiri oleh 86 peserta. Seminar ini telah direka untuk mengajar peguam-pegawai muda asas-asas pemeriksaan balas dan untuk memberikan pengajaran yang berguna dan petunjuk kepada peguam-pegawai muda dalam pemeriksaan balas saksi-saksi. Seminar tersebut merangkumi bidang berikut, “Objektif dan tujuan pemeriksaan balas”, “Sifat pemeriksaan balas dalam perkara-perkara sivil dan komersil”, “Kesilapan biasa semasa pemeriksaan balas” dan “Tip-tip praktikal bagi peguam-pegawai muda”.

SESI PENGENALAN KEPADA PROFESION UNDANG-UNDANG UNTUK MAHASISWA UNDANG-UNDANG

KLYLC telah menganjurkan dua Sesi Pengenalan kepada Profesion Undang-Undang untuk Mahasiswa Undang-undang bagi memberi para mahasiswa wawasan tentang profesi undang-undang. Sesi pertama telah diadakan di Auditorium Raja Aziz Addruse di Majlis Peguam pada jam 10.00 pagi hingga 2.00 petang pada 29 September 2012. Topik-topik berikut telah dibentangkan, “Mitos dan Realiti Amalan” oleh Brendan Navin Siva, “Bagaimana saya lebih baik bersedia untuk amalan di Sekolah Undang-undang” oleh Daniel Joseph Albert dan “Sejarah, Peranan dan Kaitan Bar Malaysia” oleh Lim Chee Wee. Seramai 136 peserta dari Advance Tertiary College (ATC), Brickfields Asia College (BAC), KDU University College, HELP University College dan Universiti Antarabangsa INTI (Nilai) telah menghadiri sesi tersebut. Sesi kedua telah diadakan pada 15 Disember 2012 jam 9.30 pagi hingga 2.30 petang juga di Auditorium Raja Aziz Addruse di Majlis Peguam. Topik-topik berikut telah dibentangkan, “Sejarah, Peranan dan Kaitan Bar Malaysia” oleh Christopher Leong, “S.42 LPA - Jawapan kepada Kehidupan, Alam Semesta dan Segalanya” oleh Edmund Bon Tai Soon, “BVC, CLP atau University Tempatan” oleh Khaizan Sharizad dan Wilson Chia dan “Mitos dan Realiti Amalan” oleh Brendan Navin Siva. Seramai 103 peserta dari Universiti Teknologi MARA (UiTM), Universiti Kebangsaan Malaysia (UKM) dan Advance Tertiary College (ATC) telah menghadiri sesi tersebut.

MALAM AMAL YLC

Malam Amal 2012 telah diadakan pada 12 Oktober 2012 di Club Neverland, Jalan Kia Peng jam 7.00 petang sehingga lewat malam dan telah memaparkan 7 persembahan oleh peguam-pegawai muda yang bertanding untuk meningkatkan dana yang paling banyak untuk kebajikan. Para penghibur adalah The Sexy Lawyers Crew; Kishore, Arif & Nizam; Fang Lay Har; The Usual Suspects; Your Mama; The SYB; dan Oh My Swag. Jumlah yang terkumpul daripada persembahan-persembahan pada malam tersebut adalah sebanyak RM32,905,50 dan 968 tiket telah dijual. Jumlah hasil yang diperolehi secara keseluruhan adalah sebanyak RM52,000.00.

BENGKEL PENGAYAAN SUARA YLC

Mervin S. Singhe, seorang Jurulatih/Penyampai telah menyampaikan bengkel tersebut yang diadakan di Auditorium Bar KL jam 3.00 petang pada 18 Oktober 2012. Bengkel ini telah dihadiri oleh 33 peserta. Bengkel tersebut meliputi bidang berikut, “Komunikasi yang Berjaya”, “Sorotan Penting tentang Pertuturan” dan “Latihan-latihan demonstratif”.

ACARA-ACARA YANG AKAN DATANG

13 Januari 2013

Bengkel Pengenalan Bot Naga KLYLC/SACC

19 Januari 2013

KLYLC Explore Race

Februari 2013

Lawatan ke Penempatan Orang Asli

27 Februari 2013

Bengkel Pemasaran untuk Peguam-pegawai Muda

Mei 2013

Sesi Pengenalan kepada Profession Undang-Undang untuk Mahasiswa Undang-Undang

Mei 2013
Bengkel Litigasi Kepentingan Awam KLYLC-MCCHR

September 2013
Persidangan Peguam-pegawai Muda Asia

Khaizan Sharizad Abd Razak

Pengerusi
Jawatankuasa Peguam Muda

PUSAT BANTUAN GUAMAN MAJLIS PEGUAM (KUALA LUMPUR)

1. LAPORAN PANEL PENGURUSAN

Laporan disediakan oleh Harleen Kaur (Leena) (Pengerusi)

1.1 Pengenalan

Terima kasih kami ucapkan kerana dapat meluangkan masa untuk membaca laporan kami. Matlamat kami bagi tahun 2012 adalah untuk terus berpegang teguh kepada prinsip kami dengan menyediakan saluran keadilan kepada yang memerlukan dan juga sebagai satu wahdah ke arah menjana idea-idea baru dalam pembangunan dan perkembangan bantuan guaman.

Kami di Pusat Bantuan Guaman Majlis Peguam (Kuala Lumpur) (“PBGKL”) sedar bahawa aset terbesar kami adalah para peguam sukarelawan dan para pelatih dalam kamar. Ini merupakan dorongan, semangat, kekecwaan dan juga harapan para peguam sukarelawan kami yang terus mengekalkan PBGKL sebagai satu pusat yang bertenaga dan dinamik.

PBGKL sentiasa dipenuhi dengan para pelatih dalam kamar yang merupakan golongan belia, yang mempunyai tenaga mantap dan sentiasa ceria. Kami melakukan kerja dengan serius tetapi dalam masa yang sama dalam suasana penuh keakraban. Dalam tahun 2012, lebih kurang 975 orang pelatih dalam kamar telah dilatih dalam pelbagai bidang undang-undang, prinsip bantuan guaman dan hak asasi manusia. Sekiranya anda belum pernah lagi menjelaskan kaki ke PBGKL atau telah meninggalkannya untuk beberapa ketika, kami mengambil kesempatan ini untuk menjemput serta mengalaukan penglibatan diri anda untuk menyertai program di sini.

Di PBGKL, para peguam sukarelawan dan pelatih dalam kamar kami telah melakukan banyak program dan aktiviti, namun begitu masih terdapat banyak lagi program dan aktiviti yang perlu dilakukan seperti memberi nasihat undang-undang, menyediakan wakil peguam, program-program di luar pejabat, program latihan pendidikan, penggubalan undang-undang yang mana ianya adalah dengan kerjasama masyarakat, NGO-NGO dan pelbagai agensi kerajaan.

Sejak tahun lepas, kami berasa amat bangga dengan penubuhan YAYASAN BANTUAN GUAMAN KEBANGSAAN (“YBGK”) pada April 2012. YBGK boleh dikatakan sebagai satu program yang komprehensif yang pertama seumpamanya di Malaysia dalam memberikan khidmat Bantuan Guaman Jenayah yang mana ia dibiayai oleh kerajaan dan dilaksanakan oleh semua pusat-pusat Bantuan Guaman Negeri Majlis Peguam. PBGKL telah memainkan peranan penting dalam penubuhan YBGK sama ada dari segi bentuk perundingan dan perbincangan dengan pihak berkuasa serta menjalankan latihan-latihan dan juga menjadi sumber sokongan kepada Pusat Bantuan Guaman Kebangsaan di peringkat negeri.

1.2 PBGKL - Program Perkhidmatan

PBGKL sentiasa terus memberikan perkhidmatan menerusi program tetap kami seperti Klinik Pusat Bantuan Guaman, Klinik Syariah, Program ‘Dock

PANEL PENGURUSAN

Pengerusi

Harleen Kaur (Leena)

Setiausaha Kehormat

Abd Shukor Tokachil

Naib Setiausaha Kehormat

Rajeswari Paramasevam

Bendahari

Shairahtul Adora Yusof

Ahli-ahli Panel

Ravinder Singh Dhaliwal

Ravi Nekoo

Preetam Kaur

Ramesh Lachmanan

Khairil Anuar Azmi

Mohd Radzlan Bin Jalaludin

Nurulsabariah Binti Mohd

Elaine Gan Peay Er

Shiyamala Devi Manokaran

Brief', Program Penjara dan juga Program Kesedaran Undang-Undang.

Pusat ini telah melihat peningkatan permintaan daripada masyarakat untuk mendapatkan nasihat guaman dan bantuan mengenai hal-hal sivil seperti transaksi pengguna, kebankrapan dan isu-isu perbankan, masalah-masalah insurans serta kes kecuaian perubatan.

1.3 PBGKL - Program bersama Rakan NGO

PBGKL terus mengekalkan hubungan kerja yang rapat dengan rakan-rakan NGO seperti AWAM, WAO, SIS, Pink Triangle Foundation, Tenaganita dan juga UNHCR. PBGKL dengan rendah diri berasa gembira untuk terus bekerja bersama-sama rakan NGO dan ingin mengucapkan terima kasih kepada semua yang terlibat di dalam mengekalkan hubungan kerja tersebut.

1.4 PBGKL - Bantuan Penahanan Segera

Pada tahun ini, Pasukan Bantuan Penahanan Segera dan Sekretariat telah bertungkus lumus memberikan bantuan sewaktu perhimpunan Bersih 3.0 yang diadakan pada 28 April 2012, Perhimpunan Lynas dan juga perhimpunan yang lain di mana penganjur meminta bantuan. Pasukan Bantuan Penahanan Segera ini adalah satu pasukan yang bekerja bersama-sama dan bersatu dengan kepercayaan bahawa perwakilan undang-undang adalah hak asasi manusia dan hak perlembagaan yang dilindungi.

1.5 PBGKL - Pelancaran Buku "Law and Practice on Arrest and Remand"

Buku terbitan pertama PBGKL adalah hasil daripada Jawatankuasa Penyelidikan dan Reformasi Undang-Undang – sebuah buku mesra pengguna bertajuk "Law and Practice on Arrest and Remand". Ianya telah dirasmikan oleh Encik Lim Chee Wee, Presiden Majlis Peguam Malaysia pada 10hb Mac 2012 sewaktu Mesyuarat Agung Tahunan Majlis Peguam kali ke-66. Setakat ini, sebanyak 576 naskhah telah dijual. PBGKL sangat berbangga dengan penerbitan buku ini yang merupakan hasil idea dan usaha gigih para peguam kami di Jawatankuasa Penyelidikan dan Reformasi Undang-Undang dan mana-mana perpustakaan akan berbangga untuk memiliki buku ini yang kaya dengan pelbagai maklumat berguna.

1.6 PBGKL - Mesyuarat dan Jaringan

KLLAC terus mengadakan mesyuarat yang berterusan dengan Badan Kehakiman, pihak Pendakwaan/Jabatan Peguam Negara, Jabatan Penjara, Jabatan Kebajikan, Jabatan Bantuan Guaman, NGO serta jabatan-jabatan lain yang relevan untuk memupuk hubungan kerja yang lebih baik dan berkesan kepada semua pihak.

1.7 Yayasan Bantuan Guaman Kebangsaan (YBGK)

PBGKL memainkan peranan yang penting dalam penubuhan Yayasan Bantuan Guaman Kebangsaan [("YBGK") ("NATIONAL LEGAL AID FOUNDATION (NLAF)"] yang bermula secara rasmi pada 2hb April 2012. YBGK dibiayai di bawah skim kerajaan dalam memberikan khidmat bantuan guaman jenayah di mana orang-orang yang ditangkap, ditahan reman, didakwa, dihadapkan ke mahkamah dan rayuan akan diberikan khidmat nasihat guaman, bantuan dan perwakilan.

YBGK telah mencetuskan satu anjakan paradigma dalam pentadbiran proses Sistem Keadilan Jenayah di negara ini. Buat pertama kali dalam sejarah negara, pihak polis dan semua agensi penguatkuasaan perlu memaklumkan kepada YBGK bagi setiap tangkapan yang dibuat dan seterusnya membenarkan peguam YBGK berhubung dengan mereka yang ditahan.

Kini, orang yang ditahan mempunyai hak untuk mendapatkan nasihat dan perwakilan undang-undang bagi semua peringkat jenayah. Malahan, mereka juga diberi hak untuk menghubungi keluarga atau rakan-rakan mengenai penahanan yang telah dibuat. YBGK telah menghidupkan semula hak-hak tersebut yang telah diperuntukkan dalam Perlembangan Malaysia.

PBGKL telah membantu Jawatankuasa Perlaksanaan Majlis Peguam berkenaan dengan YBGK dalam menjalankan latihan-latihan di seluruh negara kepada peguam dan kakitangan Pusat Bantuan Guaman Majlis Peguam Negeri. Setakat ini, 30 latihan telah dijalankan dan 983 peguam telah dilatih.

1.8 Kesimpulan

Perjalanan PBGKL masih jauh. Sepertimana yang disebut di atas, pihak kami telah melakukan pelbagai program dan aktiviti dan kami boleh berbangga dengannya tetapi masih terdapat banyak perkara yang perlu dilaksanakan. PBGKL, bersama-sama para peguam sukarelawan dan para pelatih dalam kamar akan terus maju ke hadapan meneruskan visi dan misi ini.

1.9 Penghargaan

Saya ingin mengucapkan penghargaan dan terima kasih kepada semua warga kerja PBGKL yang mana saya mungkin tidak mampu untuk meminta satu pasukan lain yang lebih komited dan idealistik.

Terima kasih juga saya ucapan kepada rakan sekerja dan ketua-ketua projek kerana sanggup meluangkan masa dan dedikasi anda semua kepada PBGKL melalui jawatankuasa masing-masing.

Terima kasih untuk tenaga pelatih yang datang secara diam, melatih dan meninggalkan kesan yang mendalam dalam diri para Pelatih dalam Kamar kami.

Terima kasih juga atas sokongan daripada Jawatankuasa Peguam Kuala Lumpur dan Majlis Peguam, terutamanya kakitangan sekerja dan CEO, untuk kepercayaan mereka kepada PBGKL dan memberi PBGKL ruang untuk menjalankan aktivitinya.

Seperti organisasi yang lain, adalah sangat penting untuk mempunyai seseorang yang boleh mengemudi, merangka perjalanan serta mengekalkan kelancaran aktiviti kami. Saya mengucapkan terima kasih kepada Pengarah Eksekutif iaitu Puan Stephanie Bastian yang telah mengemudi bahtera PBGKL dengan penuh keyakinan serta berkebolehan, malahan sering memberikan tunjuk ajar dan nasihat kepada PBGKL dan kakitangan.

Akhir sekali saya mengucapkan terima kasih kepada semua yang telah meluangkan masa untuk berkongsi pengalaman atau memberi galakan kepada kami untuk meneruskan apa yang telah dilakukan sebelum ini. Saya, secara khususnya ingin berterima kasih kepada Encik Ravi Nekoo dan Encik Ravin Singh, Pengurus dan Timbalan Pengurus, masing-masing, adalah dari Jawatankuasa Bantuan Guaman Kebangsaan kerana sokongan dan bimbingan anda yang tidak berbelah bagi.

Harleen Kaur (Leena)

Pengerusi

Pusat Bantuan Guaman Majlis Peguam (Kuala Lumpur)

2. STATISTIK KLIEN DAN FAIL

A. STATISTIK KLIEN

PUSAT BANTUAN GUAMAN MAJLIS PEGUAM (KL)(JAN - DIS 2012) DAN
KLIEN YBGK - (APR - DIS 2012)

BIL	PBG (KL) KLIEN	KLIEN 2010 (JAN - DIS)	KLIEN 2011 (JAN - DIS)	KLIEN 2012 (JAN - DIS)
1	Penjara Sungai Buloh	1130	1076	1126
2	Penjara Kajang	492	494	533
3	Pusat/Sekolah Juvana	26	16	17
4	Program 'Dock Brief'	3210	3143	4198
5	Klinik Pusat Bantuan Guaman	2628	3131	3838
6	Klinik Syariah	225	189	100
7	SIS	484	477	426
8	AWAM	318	316	296
9	Klinik Bantuan Guaman Komuniti (PTF Clinic)	41	34	51
10	WAO	83	118	104
11	Tenaganita	202	127	933
12	UNHCR	5916	5143	3437
	Jumlah – PBG (KL)	14895	14860	15059
13	Klien YBGK	-	-	8001
	Jumlah Keseluruhan untuk Klien PBG (KL) dan YBGK	-	-	23060

B. STATISTIK BAGI HAL JENAYAH
PUSAT BANTUAN GUAMAN MAJLIS PEGUAM (KL)(JAN - DIS 2012) DAN
KLIEN YBGK – (APR - DIS 2012)

BIL	HAL-HAL JENAYAH	KLIEN PBG (KL)	KLIEN YBGK	JUMLAH KESELURUHAN KLIEN PBG (KL) DAN YBGK
1.	Klinik PBG (walk-in-clients)	695		
2.	Penjara Sungai Buloh – Klien Warganegara	929		
3.	Penjara Sungai Buloh – Klien Warga Asing	197		
4.	Penjara Kajang - Klien Warganegara	526		
5.	Penjara Kajang – Klien Warga Asing	07		
6.	Pusat/Sekolah Juvana	17		
7.	Program ‘Dock Brief’	4198		
8.	Penangkapan		148	
9.	Reman		7283	
10.	Pertuduhan		570	
	Jumlah	6569	8001	14,570

C. STATISTIK FAIL: DIBUKA, DITUGASKAN & TIDAK DITUGASKAN
FAIL PUSAT BANTUAN GUAMAN MAJLIS PEGUAM (KL)(JAN - DIS 2012) DAN
FAIL YBGK (APR - DIS 2012)

BIL	FAIL PROGRAM PBG (KL)	Setakat Disember 2012			Setakat Disember 2012		
		DIBUKA/ DIPULANGKAN	DITUGASKAN/ SELESAI	TIDAK DITUGASKAN	DIBUKA/ DIPULANGKAN	DITUGASKAN/ SELESAI	TIDAK DITUGASKAN
1.	Pekerjaan / SOCSO	18	20	-	37	37	-
2.	Keluarga	79	68	15	78	83	10
3.	Syariah	28	30	02	04	06	-
4.	Lain-lain • Litigasi ‘Public Interest’ • Lain-lain	2 4	3 4	- -	- 02	- 02	- -
5.	Jenayah • Klinik PBG • Program Penjara	74 89	70 100	68	15	78	83
	Jumlah Fail PBG (KL)	294	295	33	205	216	12
	Fail Jenayah YBGK						
	• Fail YBGK - (Klinik PBG) • Fail YBGK – Program Penjara	-	-	-	98 103	88 92	10 11
	Jumlah Fail YBGK	-	-	-	201	180	21
	Jumlah Keseluruhan Fail PBG (KL) dan YBGK	294	295	33	406	396	33

3. PBGKL LAPORAN PROGRAM KESEDARAN UNDANG-UNDANG (ORIENTASI)

Laporan disediakan oleh Mohd Radzlan Jalaludin, Ketua Projek & Sekretariat

Ketua Program

Mohd Radzlan Jalaludin

Ahli-ahli Jawatankuasa

Vernon Jude Samuel	Rajen Devaraj
Harleen Kaur (Leena)	Sasha Lyna Abdul Latif
Abd Shukor Tokachil	Munie Hidayah Anuar
Surendran Sreetharan	Intan Farida Adnan
Puspawati Rosman	Juvita Jumpil
Ravinder Singh Dhaliwal	Stephanie Bastian
Sheena Manicam (Sekretariat)	

3.1 Pengenalan

Program Kesedaran Undang-Undang (“Program”) ini merupakan salah satu program utama Pusat Bantuan Guaman (KL) (“PBGKL”). Melalui program ini, Pelatih-Pelatih Dalam Kamar akan didedahkan kepada “dimensi sebenar” mengenai apa yang diperlukan dan dijangkakan daripada mereka sepanjang 14 hari tugas wajib Bantuan Guaman (Legal Aid). Selanjutnya, program ini akan memperkenalkan kepada mereka terhadap pelbagai jenis klinik dan program yang diaturkan oleh PBGKL.

3.2 Objektif

- Untuk membantu pelatih dalam kamar menyelami dan memahami peranan dan tanggungjawab mereka sebagai peguam dalam masyarakat;
- Untuk memupuk rasa tanggungjawab sosial dan keprihatinan terhadap hak-hak kemanusiaan, peraturan undang-undang dan keadilan di kalangan pelatih dalam kamar;
- Untuk mendedahkan pelatih dalam kamar kepada khidmat bantuan guaman dan juga memupuk minat dalam diri mereka serta meningkatkan komitmen yang berpanjangan terhadap bantuan guaman, hak samarata untuk mendapatkan keadilan, dimana ia merangkumi lebih daripada tugas wajib mereka di PBGKL.

3.3 Aktiviti

Setakat 31 Disember 2012, ahli-ahli Jawatankuasa Program Kesedaran Undang-Undang (“Ahli Jawatankuasa”) telah menjalankan program-program/sesi-sesi yang berikut:

a) Mesyuarat Ahli Jawatankuasa

Dua (2) mesyuarat ahli jawatankuasa telah diadakan sepanjang tahun 2012.

b) Sesi Orientasi

Sebanyak tiga belas (13) sesi orientasi telah diadakan dan Ahli Jawatankuasa telah melatih seramai lebih kurang 975 pelatih dalam kamar daripada Kumpulan 70, 71, 72, 73 & 74. Sesi-sesi orientasi menggunakan kaedah penyertaan (participatory methodology) dengan membentuk kumpulan dinamik, diskusi terbuka, maklumat hak-hak kemanusiaan serta pengenalan kepada pelbagai program/klinik PBGKL.

Ahli Jawatankuasa juga telah membuka penyertaan bagi sesi orientasi ini kepada pelatih dalam kamar dari negeri-negeri lain. Sehingga hari ini, seramai lebih kurang 50 pelatih dalam kamar dari Pusat Bantuan Guaman Selangor telah diberikan latihan.

Sesi-sesi ini telah dibantu oleh Vernon Jude Samuel, Harleen Kaur (Leena), Abd Shukor Tokachil, Mohd Radzlan Jalaludin, Sasha Lyna, Surendran Sreetharan, Rajen Devaraj, Stephanie Bastian dan Sheena Manicam.

c) Sesi Penilaian Akhir

Sebanyak empat (4) sesi penilaian akhir telah diadakan untuk semua pelatih dalam kamar daripada Kumpulan 69, 70, 71 dan 72 yang terlibat dalam pelbagai program/klinik PBGKL.

Sesi ini telah diadakan bagi menghargai sumbangan pelatih-pelatih dalam kamar terhadap masyarakat dan PBGKL. Sejumlah 770 pelatih dalam kamar telah menyertai sesi ini dan berkongsi pengalaman daripada pelbagai program/klinik yang telah mereka sertai sebagai sebahagian daripada tugas wajib bantuan guaman mereka.

Sesi ini telah dibantu oleh Mohd Radzlan Jalaludin, Surendran Sreetharan, Rajen Devaraj, Stephanie Bastian and Sheena Manicam.

d) Program-program Lain

Sebagai sesi tindakan susulan, Ahli Jawatankuasa telah mengendalikan satu sesi “Get-together” untuk sukarelawan yang telah menjadi sukarelawan semasa sesi penilaian akhir pada 21 September 2012.

Matlamat sesi ini adalah untuk membawa semula pelatih dalam kamar/sukarelawan yang telah menunjukkan minat mereka untuk membantu PBGKL dan menerangkan kepada mereka mengenai tugas-tugas yang terlibat di dalam pelbagai program/aktiviti supaya mereka boleh memahami dengan lebih mendalam dan untuk memberi mereka prespektif yang lebih mendalam mengenai apa yang diharapkan daripada mereka.

3.4 Kelebihan

- Ahli Jawatankuasa yang komited dan kemampuan mereka untuk menyumbangkan idea bagi melaksana dan memperbaiki sistem latihan.
- Motivasi kepada pelatih dalam kamar terhadap kepentingan untuk memberikan perkhidmatan kepada mereka yang memerlukan dan kurang berkemampuan.
- Mendidik Pelatih Dalam Kamar mengenai hak-hak asasi manusia dan memupuk kesedaran mengenai keadilan.

3.5 Kelemahan

- Kekurangan masa dan sumber manusia
- Tiada tindakan susulan/sesi lanjutan

3.6 Cadangan

- Berusaha untuk menjalankan lebih banyak sesi kesedaran dan hak asasi manusia kepada para peguam dan/ atau orang awam
- Berusaha untuk mencari jalan bagi mengekalkan penglibatan pelatih dalam kamar dan peguam muda.

3.7 Perancangan Program Masa Hadapan

a) Latihan Lanjutan “Legal Awareness and Leadership for Lawyers”

Ahli Jawatankuasa telah menangguhkan salah satu programnya yang paling popular iaitu Latihan Lanjutan (Advance Training) “Legal Awareness and Leadership for Lawyers” pada tahun 2013.

Program ini menekankan tentang kepentingan peranan yang dimainkan oleh para pelatih dalam kamar/ peguam-peguam muda dalam masyarakat dan tugas-tugas mereka terhadap masyarakat. Ahli Jawatankuasa juga menggunakan peluang ini untuk memasukkan sukarelawan-sukarelawan muda/ketua di dalam kerja-kerja bantuan undang-undang dan untuk mendapatkan maklum balas dan cadangan yang lebih terperinci untuk memperbaiki program-program PBGKL dan Majlis Peguam secara menyeluruh.

b) Latihan bagi Pelatih

Ahli Jawatankuasa juga cuba mengadakan latihan bagi Pelatih untuk meningkatkan jumlah Pelatih dalam membantu mereka menjalankan pelbagai aktiviti.

Tahun 2012 merupakan tahun yang sibuk bagi Ahli Jawatankuasa. Ahli Jawatankuasa berharap agar ahli-ahlinya akan berterusan menunjukkan komitmen dan dedikasi mereka untuk tahun-tahun yang akan datang.

4. PBGKL LAPORAN BAGI PROGRAM “DOCK BRIEF”

Laporan ini disediakan oleh Khairil Anuar Azmi, Ketua Projek Bersama dan Sekretariat

Ketua Projek

Khairil Anuar Azmi

Ahli-ahli Jawatankuasa

Jason Kong - Penasihat

Lim Chi Chau

Norashikin Amiruddin

Amirul Ridzuan Bin Haanif

4.1 Pengenalan

Program “Dock Brief” telah dimulakan pada tahun 1989 bertempat di Mahkamah Majistret Jalan Raja. Pada mulanya, program ini melibatkan dua mahkamah berserta empat pelatih dalam kamar yang bertugas. Sekarang, ia melibatkan empat belas (14) mahkamah dengan disertai oleh 75 pelatih dalam kamar untuk membantu klien warganegara dan warga asing termasuk pesalah juvana.

Pelatih dalam kamar yang terlibat dilatih untuk meningkatkan skil-skil advokasi dan temuduga. Antara khidmat undang-undang jenayah yang disediakan di bawah program ini adalah mitigasi, permohonan jaminan dan lain-lain.

Para peguam kanan juga telah dijemput oleh Ahli Jawatankuasa bagi menjalankan latihan untuk pelatih dalam kamar. Untuk tahun ini, Encik G K Ganesan, Encik Amrit Pal Singh dan Encik Kitson Foong telah membantu dalam memberi latihan. Selain itu, Ahli-ahli Jawatankuasa juga menjalankan aktiviti lakon peranan “role-play” dan perbicaraan olok-olok semasa latihan untuk memberi pemahaman yang lebih baik kepada pelatih dalam kamar berkenaan Program “Dock Brief”.

Sepanjang tahun 2012, ahli-ahli Jawatankuasa telah:

1. Mengadakan tiga (3) mesyuarat ahli Jawatankuasa untuk membincangkan pelbagai isu yang berkaitan dengan program ini dan rancangan Pelan tindakan sepanjang tahun 2012.
2. Ahli Jawatankuasa juga telah mengadakan empat (4) program latihan “Dock Brief” untuk pelatih-pelatih dalam kamar dari Kumpulan 70, 71, 72 and 73. Sebanyak 300 orang pelatih dalam kamar telah menghadiri latihan tersebut.
3. Ahli Jawatankuasa juga telah mengadakan tiga (3) penilaian berjangka (“Mid Term Review”) untuk pelatih-pelatih dalam kamar yang terlibat dalam Program ini.

4.2 Aktiviti-aktiviti lain

Perjumpaan dengan Badan Kehakiman dan Pendakwaan

- Pada 13 Januari 2012, ahli-ahli Jawatankuasa telah bermesyuarat dengan Puan Komathi, iaitu hakim Mahkamah Sesyen untuk membincangkan masalah-masalah mengenai Program “Dock Brief”. Semasa mesyuarat tersebut, ahli-ahli jawatankuasa telah membincangkan perkara-perkara berkaitan Program “Dock Brief” dan juga masalah-masalah yang dihadapi oleh para pelatih dalam kamar seperti peguam “touting” dan sebagainya.
- Pada 28 Februari 2012, Ahli-ahli Jawatankuasa telah mengadakan mesyuarat bersama Pn. Raja Roslina, Ketua Unit Pendakwaan Wilayah Persekutuan untuk membincangkan masalah-masalah yang dihadapi oleh para pelatih dalam kamar mengenai peguam “touting” dan sebahagian DPP yang tidak mahu bekerjasama dengan Program tersebut.
- Pada 3 Ogos 2012, Panel Pengurusan (“Management Panel”) telah mengadakan mesyuarat bersama Puan Komathi, Hakim Mahkamah Sesyen untuk membincangkan perkara-perkara mengenai program YBGK dan “Dock Brief” di mahkamah.

4.3 Statistik

Setakat 31 Disember 2012 Program “Dock Brief” telah mewakili 4,731 klien di Mahkamah Majistret Jenayah Jalan Duta, Kuala Lumpur. Jadual dibawah menunjukkan jumlah kes yang telah dijalankan mitigasi oleh para pelatih dalam kamar:

BULAN	MITIGASI & REPRESENTASI	PERMOHONAN JAMINAN	NASIHAT DIBERI/TANGGUH	REMAN-YBGK	JUMLAH
JANUARI	244	18	63		325
FEBRUARI	200	74	25		299
MAC	321	31	95		447
APRIL	311	11	73	57	452
MEI	353	24	64	59	500
JUN	303	43	20	59	425
JULAI	326	46	31	58	461
OGOS	266	13	12	74	365
SEPTEMBER	221	30	89	107	447
OKTOBER	283	28	44	77	432
NOVEMBER	201	30	14	42	287
DISEMBER	206	22	26	37	291
JUMLAH	3235	370	556	570	4731

5. KLLAC LAPORAN BAGI PROGRAM PENJARA (SUNGAI BULOH, PENJARA WANITA KAJANG, PENJARA JUVANA KAJANG, WARGA ASING DAN PUSAT/SEKOLAH REMAN JUVANA)

Laporan ini disediakan oleh Ramesh Lachmanan, Ketua Projek dan Sekretariat

Ketua Projek

Ramesh Lachmanan

Ketua Projek Alternatif

Rajendran V. Palany

Penasihat

Sivanesan Nadarajah

Ahli-ahli Jawatankuasa

Mohan Sankaran

Sharon Palaniammal

Letchemanan

Dato' Dr. Arunan Selvaraj

Shahir Bin Ab Razak

Manimaran Sinnakanoo (Sekretariat)

S. Thavaraj

5.1 Pengenalan

Klinik ini telah dimulakan/diwujudkan pada bulan Disember 1997 di Penjara Sungai Buloh (“SBP”) dan secara beransur-ansur ianya telah diterapkan/diserapkan kepada program-program lain yang berkaitan seperti Penjara Wanita Kajang (“KWP”) pada tahun 2000, Penjara Migrasi Wanita (“KWMP”) pada bulan September 2003 dan Penjara Migrasi Sungai Buloh (“SBMP”) pada bulan Mei 2004. Selain itu, Program Rumah Reman Juvana (“JRH”) telah dimulakan pada tahun 2001 dan ianya telah diperkenalkan kepada Penjara Juvana Kajang (“KJP”) dalam tahun 2007.

Pada bulan Mac 2005 kelima-lima Klinik Penjara iaitu SBP, SBMP, KWP, KWMP, KJP, JRH telah beroperasi di bawah satu program yang sama. Malah, PBGKL juga telah bergabung dengan Pusat Bantuan Guaman Selangor (“Selangor LAC”) dengan membenarkan Pelatih-pelatih dalam kamar mereka menyertai program Penjara sejak bulan Jun 2005.

Sepanjang tahun 2012, ahli-ahli jawatankuasa telah:

1. Mengadakan 3 (Tiga) mesyuarat ahli jawatankuasa untuk membincangkan pelbagai isu yang berkaitan dengan program ini dan rancangan Pelan Tindakan untuk sepanjang tahun 2012.
2. Ahli jawatankuasa juga telah mengadakan 4 (Empat) Program Latihan Penjara untuk pelatih-pelatih dalam kamar dari Kumpulan 70, 71, 72 dan 73. Sebanyak 100 orang pelatih dalam kamar telah hadir pada sesi latihan tersebut.
3. Ahli jawatankuasa juga telah mengadakan 3 (tiga) penilaian berjangka ("Mid Term Review") untuk pelatih-pelatih dalam kamar yang terlibat di dalam Program Penjara.

5.2 Aktiviti-aktiviti lain:

- Ahli Jawatankuasa telah mengadakan mesyuarat bersama Pengarah Ibu Pejabat Penjara di Kajang pada 20 Jun 2012 untuk membincangkan isu mengenai Lawatan Penjara dan lawatan hormat untuk membina hubungan yang baik.
- Ahli Jawatankuasa telah mengadakan sesi suai kenal dan majlis makan malam pada 19 Disember 2012 untuk membina kerjasama yang lebih baik dengan PBGKL, Jawatankuasa Peguam Kuala Lumpur, Penguatkuasa Penjara, Jabatan Kebajikan dan jabatan-jabatan yang berkaitan.

STATISTIK UNTUK BULAN JANUARI KE DISEMBER 2012

A) STATISTIK KLIEN: RINGKASAN-2012

BIL	PROGRAM/KLINIK	2012
1	Penjara Sungai Buloh: • Klien Warganegara *929 • Klien Warga Asing *211	1140
2	Penjara Wanita Kajang *	41
3	Penjara Migrasi Wanita Kajang *	7
4	Penjara Lelaki Kajang (Rayuan)	11
5	Penjara Migrasi Lelaki Kajang (Rayuan)	-
6	Penjara Juvana Kajang	477
7	Penjara Migrasi Juvana Kajang *	-
8	Sekolah/Pusat Reman Juvana (Sek Tunas Bakti Sungai Besi) Dan (Asrama Sentosa Sentul)	17

B) STATISTIK UNTUK FAIL-FAIL:

DIBUKA, DITUGASKAN DAN TIDAK DITUGASKAN- 2012

BIL	KATEGORI	TIDAK DITUGASKAN TAHUN 2011	DIBUKA TAHUN INI	DITUGASKAN TAHUN INI	TIDAK DITUGSAKAN, SEMASA
1	Jenayah PBG Fail Program Penjara	0	55	54	1
2	Fail Program YBGK		103	89	14

6. PBGKL LAPORAN KLINIK PUSAT BANTUAN GUAMAN

Laporan disediakan oleh Shiyamala Devi, Ketua Projek & Sekretariat

Ahli-ahli Jawatankuasa

Shiyamala Devi Manokaran (Ketua Projek)

Kasthuri Krishnan (Ketua Projek Alternatif)

Jeevanathan Angappan (Sekretariat)

John Das

Kiran Kaur

Navein

Florence Liw

Afiqah

Thevini

Fatima Zulaikha

6.1 Rutin Harian di Tingkat 9, Wisma Kraftangan

Klinik Pusat Bantuan Guaman (“Klinik PBG”) yang dikendalikan oleh Sekretariat Pusat Bantuan Guaman Majlis Peguam (KL) (“PBGKL”) di Tingkat 9, Wisma Kraftangan adalah salah satu program utama yang dikendalikan oleh PBGKL ini.

Klinik LAC menyediakan khidmat nasihat undang-undang secara percuma kepada orang awam dan khidmat guaman percuma dalam bidang perundangan tertentu khusus kepada mereka yang tidak berkemampuan untuk mendapatkan khidmat peguam. Klien yang datang akan ditemuramah oleh pelatih dalam kamar yang bertugas di PBGKL bagi memenuhi kewajipan mereka bertugas selama 14 hari di PBGKL ini sepanjang tempoh menjalani latihan dalam kamar (“chambering”). PBGKL memperuntukkan 20 orang pelatih dalam kamar dalam seminggu untuk bertugas di Klinik LAC, dari hari Isnin hingga Jumaat bermula dari jam 10.00 pagi hingga 5.00 petang.

6.2 Mengapakah Program ini Dijalankan?

Matlamat program ini adalah untuk mendidik pelatih dalam kamar/ peguam tentang peranan mereka untuk membantu orang awam yang memerlukan bantuan undang-undang. Program ini secara tidak langsung akan menyemai kesedaran tanggungjawab dan kewajipan sosial terhadap masyarakat terutama mereka yang kurang berpendidikan serta daif yang seringkali tersesihis dan terabai. Selain itu, para pelatih dalam kamar serta peguam sukarela digalakkan untuk berkongsi ilmu perundangan mereka dengan masyarakat dengan memperlengkapkan mereka dengan kefahaman asas hak asasi setiap rakyat di negara ini

6.3 Jawatankuasa ini telah Ditambah Baik

Penglibatan peguam yang berkelayakan serta berpengalaman sentiasa dialu-alukan untuk memberikan khidmat secara sukarela di PBGKL bagi memastikan objektif untuk membantu orang ramai yang memerlukan dan berkongsi pengetahuan undang-undang.

Jawatankuasa ini telah pun mengolah semula program latihan bagi pelatih dalam kamar dengan memasukkan aktiviti lakon peranan serta aktiviti kumpulan dinamik. Semasa aktiviti lakon peranan, staf dan ahli jawatankuasa akan memainkan watak klien sebagaimana di dalam fakta kes sebenar dan para pelatih dikehendaki mengendalikan klien itu serta menasihati mereka dengan sewajarnya. Kemudian, pengajar akan memberikan ulasan serta komen terhadap kaedah yang digunakan bagi menguruskan klien tersebut termasuk ketepatan dan kewajaran nasihat yang telah diberikan. Kaedah ini dikenal pasti berkesan setelah mendapat maklum balas positif daripada para pelatih dari segi mendapatkan pemahaman undang-undang yang lebih baik berbanding mendengar syarahan sepenuhnya sebelum ini.

Jawatankuasa ini turut mengolah semula program latihan dengan menitikberatkan keperluan penglibatan serta tugas pelatih termasuk menemuduga klien/pemohon dengan melaksanakan ujian kelayakan (“means test”) dan memberikan nasihat jika perlu (perkara ini dilakukan setelah merujuk kepada peguam bertugas ataupun peguam penyelia sukarela).

6.4 Ucapan Terima Kasih & Penghargaan Tulus Ikhlas daripada Klinik Pusat Bantuan Guaman (Klinik PBG) khusus ditujukan kepada:

Semua Ahli-ahli jawatankuasa yang telah mengendalikan serta menyampaikan banyak program bual bicara. Kami terhutang budi kepada peguam-pegawai sukarela kami seperti Encik Lo Yean Meow, Cik Santha Menon Bhaskara, Cik Kasthuri Krishnan, Encik Chandran Segaran, Encik Ravinder Singh Dhaliwal, Encik Fahri Azzat, Cik Honey Tan Lay Ean, Cik Harleen Kaur (Leena), Encik Mageswaran Rajangom, Cik Janice Anne Selvanathan, dan Cik Mehala Marimuthoo yang telah sudi meluangkan masa berharga mereka untuk melatih pelatih Klinik PBG ini.

6.5 Golongan Miskin diabaikan tetapi pelatih dalam kamar/kakitangan membantu mereka mempertahankan hak-hak mereka.

Bantuan dan campurtangan undang-undang amat diperlukan dalam kebanyakan kes di mana klien telah disisihkan oleh pihak berkuasa atas dasar perbezaan status dan jantina. Justeru, para pelatih dikehendaki untuk mengiringi serta membantu klien dalam mempertahankan hak-hak mereka. Para pelatih yang terlibat di dalam proses campurtangan undang-undang berasa amat teruja di mana mereka berpeluang memperoleh pengalaman sebenar daripada situasi-situasi orang ramai menghadapi pelbagai kesukaran termasuk diskriminasi oleh kakitangan bawahan pihak berkuasa/jabatan dan agensi kerajaan.

6.6 Statistik

Jumlah klien setakat 31 Disember 2012 3143	Representasi perundangan	138
	Kes-kes susulan	582
	Tiada bidangkuasa	652
	Lain-lain negeri	362
	Tiada merit	130
	Ujian kelayakan - ditolak	355
	Kes ditangguhkan	533
	Campurtangan perundangan	81
	Klien yang Hadir (Dock Brief)	310
	Jumlah keseluruhan	3143

Jumlah klien setakat 31 Disember 2012

Jadual ini menunjukkan temubual yang dikendalikan oleh Klinik PBG sepanjang tahun 2012.

Selain itu, Klinik PBG turut melaksanakan 4 kali ulang kaji separuh penggal bagi tahun ini di mana para pelatih membincangkan masalah yang mereka hadapi sepanjang tempoh 14 hari mereka menjalankan tugas di PBGKL. Secara keseluruhannya, pelatih-pelatih amat berpuashati dengan tugas-tugas mereka kerana memperolehi pengalaman yang amat berharga semasa bertugas di Klinik PBG.

7. PBGKL LAPORAN KLINIK BANTUAN GUAMAN MAJLIS PEGUAM (KL) / KLINIK SYARIAH

Laporan disediakan oleh Sekretariat

Ahli-ahli Jawatankuasa

Sa'adiah Din (Penasihat)
Nurulsabariah Binti Mohd (Ketua Projek)
Dato' Yusof Ali Bin Haji Muhammed Zain
Nik Nurul Atiqah B Nik Yusof
Zati Farahiyah Binti A. Halim
Ahmad Shahrizal Bin Abdul Aziz
Shaharizat Binti Hashim
Firdaus Abdullah
Jamadi bin Saleh
Jeevanathan Angappan (Sekretariat)

7.1 Klinik Syariah

Klinik Syariah dikendalikan oleh Sekretariat di Pusat Bantuan Guaman dan dibuka kepada orang awam dari hari Isnin hingga Jumaat bermula pada jam 10.00 pagi hingga 5.00 petang. Syariah Klinik dikendalikan untuk Pelatih-Pelatih dalam Kamar di bawah pengawasan Peguam Syariah yang berpengalaman.

7.2 Latihan Undang-undang Syariah

Para pelatih dalam kamar diberikan latihan selama setengah hari yang memberi tumpuan kepada Sivil Syariah dan juga Undang-undang dan prosedur Jenayah. Pelatih-pelatih dalam kamar juga dikehendaki menghadiri satu hari latihan dengan Klinik Pusat Bantuan Guaman. Latihan tersebut adalah bertujuan untuk memberi asas-asas pengetahuan berkenaan dengan undang-undang jenayah, undang-undang pekerjaan dan undang-undang keluarga, begitu juga dengan teknik-teknik asas dan kemahiran untuk menemurah klien dalam memastikan para pelatih dalam kamar bersedia sebelum memulakan tugas di Klinik Syariah. Kesemua ahli-ahli jawatankuasa telah melibatkan diri secara aktif dalam program latihan dengan kerjasama pegawai-pegawai PBG secara bergilir-gilir di mana ahli-ahli jawatankuasa akan menyelia latihan tersebut. Pada tahun ini, latihan tersebut telah dijalankan secara bengkel dan peserta-peserta telah dibahagikan kepada kumpulan-kumpulan dalam beberapa slot perbincangan, dengan membahagikan peserta-peserta kepada kumpulan telah memberi peluang kepada mereka untuk berkongsi pandangan dan pendapat.

7.3 Statistik Klinik Syariah

Lampiran di bawah ialah kes-kes yang dikendalikan oleh Klinik ini bagi tahun 2012.

Jumlah pemohon klien syariah	100
Fail-fail yang dibuka	04

7.4 Kes yang dirujuk kepada Jabatan Bantuan Guaman kes warga asing dikecualikan

Sepanjang tahun ini, kebanyakan klien kami dirujuk kepada Jabatan Bantuan Guaman (JBG) memandangkan klien-klien tersebut tidak berkemampuan untuk membayar fi minima untuk menjalankan kes-kes mereka. Oleh itu, mereka perlu dirujuk kepada JBG. Ada di antara klien-klien juga yang dirujuk ke PBG di lain-lain negeri memandangkan ianya berada di luar bidangkuasa kami.

7.5 Klinik Syariah “Outreach” untuk masa hadapan

Ahli-ahli Jawatankuasa Syariah berhasrat untuk menganjurkan lebih banyak projek-projek di luar “Outreach” pada masa hadapan untuk memberikan pendidikan kepada orang awam dan meningkatkan kesedaran dan kefahaman kepada masyarakat awam tentang hak-hak mereka dalam undang-undang syariah. Projek-projek di luar “Outreach” yang diadakan di Taman Faderson, Kepong dan Semua House, Jalan TAR telah berjalan dengan jayanya. Selain itu, kami berhasrat untuk mengadakan mesyuarat dengan Majlis Agama dan/atau Mahkamah Syariah untuk membincangkan isu-isu berkaitan, prosedur-prosedur asas dan samaada kami dapat mengadakan usahasama bersama mereka di masa hadapan.

7.6 Ucapan Penghargaan.

Akhir sekali, kami berasa amat berbangga untuk menjadi sebahagian daripada usaha ini dan ingin mengucapkan terima kasih kepada Dato' Yusof Ali Bin Haji Muhammed Zain, Puan Azah Yusof, Cik Sa'adiah Din, Encik Jamadi Bin Saleh, Encik Firdaus Abdullah dan Puan Nik Nurul Atiqah Binti Nik Yusof, Panel Pengurusan, Staf PBGKL, Ahli-ahli Jawatankuasa Syariah, Pelatih-pelatih dalam kamar yang terlibat dan sukarelawan-sukarelawan untuk masa, minat dan komitmen dalam menjadikan Klinik Syariah berjalan lancar. Terima Kasih.

8. PBGKL LAPORAN KLINIK BANTUAN GUAMAN KOMUNITI

Laporan disediakan oleh Preetam Kaur, Ketua Projek

Ahli-ahli Jawatankuasa

Wakil PGBKL:

Preetam Kaur (Ketua Projek)
Genevieve Tan (Timbalan Ketua)
Pramodini Nair
Shiyamala Devi
Lalitha Nagamuthu
Matthew Lee

Yayasan PT (PT)

Hisham Hussein (Pengerusi)

Majlis AIDS Malaysia (MAC)

Datuk Dr. Raj Abdul Karim (Pengerusi)

8.1 Perkembangan Jawatankuasa bagi tahun 2012

a) Satu Jawatankuasa kecil

Klinik ini mewakili komuniti yang paling terpinggir di Malaysia selama lebih daripada 15 tahun. Kami memberi khidmat undang-undang dan intervensi perundungan kepada penagih dadah (DU), orang yang hidup dengan HIV / AIDS (ODHA), lelaki yang mempunyai hubungan seks luar tabii (MSM), pekerja seks (SW), transgender (TG) dan orang-orang yang menyokong komuniti ini. Jawatankuasa ini memberi pendedahan kepada mereka yang terpinggir untuk menuntut hak-hak mereka semasa penangkapan taksah atau sekiranya mereka diseksa oleh pihak berkuasa. Ketua untuk Klinik ini adalah Preetam Kaur manakala timbalan ketua projek adalah Gene Tan bagi tahun 2012/2013.

b) Majlis Aids Malaysia, menghampiri jawatankuasa untuk menjalankan Bengkel Undang-undang Seluruh Negara untuk mendidik pelanggan mereka mengenai hak asasi mereka undang-undang semasa penangkapan dan tempoh reman. Ia adalah peluang besar bagi jawatankuasa kami untuk memulakan ke dalam aktiviti bengkel undang-undang sebagai saluran mengajar ahli-ahli kami (di setiap negeri) masyarakat kita dilayan secara kasar oleh pihak berkuasa. Di dalam sejarah Klinik ini, jawatankuasa kami berjaya untuk mencapai jumlah 565 terpinggir ahli komuniti untuk berkongsi atau melatih mereka. Latihan ini yang disertakan dengan hak-hak mereka di sisi undang-undang dan bagaimana untuk menuntut hak-hak asasi mereka. Perbuatan kes jenayah yang dilanggar termasuk penagih dadah yang dipukul, tempoh 14 hari tahanan, pemeriksaan air kencing awam, kehilangan pekerjaan mereka, memohon ubat-ubatan dan hak membuat panggilan telefon dinafikan. Kes-kes kesan penderaan dan diskriminasi melanjutkan untuk berjalan disebabkan sisa-sisa oleh pihak berkuasa (menyebabkan mereka jatuh atau cedera), bahasa kasar dan kesat terhadap mereka. Orang yang hidup dengan HIV juga tidak disediakan dengan ubat-ubatan HIV mereka walaupun menyedari status HIV orang yang ditangkap. Selain itu, aduan diperluaskan kepada barang kemas dan wang pekerja seks yang diambil oleh pihak polis tanpa direkodkan. Terdapat aduan berterusan dari ahli komuniti kami bahawa komuniti terpinggir kami tidak disediakan dengan peguam YBGK.

c) Risalah oleh jawatankuasa kepada masyarakat

Jawatankuasa ini dengan bangganya ingin mengumumkan bahawa ia telah menerbit sebuah risalah yang mesra pengguna berjudul Reman & Penangkapan dalam bahasa Melayu dengan bantuan daripada aktivis transgender (Shieko Reto) untuk melukis kartun dan membuat ia ke dalam projek komuniti. MAC telah menaja percetakan yang sama dan semasa bengkel undang-undang kita di semua negeri, wakil MAC telah menyebarkan pengedaran risalah dengan pelancaran oleh masyarakat bagi konsep masyarakat. Pada ketika ini, jawatankuasa ingin mengucapkan ribuan terima kasih kepada MAC untuk menaja percetakan risalah untuk komuniti terpinggir dan lebih banyak janji telah dijanjikan projek komuniti masa depan undang-undang / aktiviti yang akan memberi manfaat kepada komuniti yang terpinggir.

8.2 Nama Baru dan Skop Kerja Baru

Pada 12 Julai 2012 di mesyuarat jawatankuasa, ahli-ahli yang telah membuat keputusan untuk menukar nama klinik dari Klinik LAC / MAC / PT Undang-undang kepada "Klinik Bantuan Guaman Komuniti" (PBGKL). Tertakluk kepada perubahan tatabahasa, panel pengurusan Pusat Bantuan Guaman telah kemudiannya meluluskan nama "Community Legal Aid Clinic". Objektif utama keputusan ini adalah untuk rangkaian dan untuk meningkatkan lagi skop yang lebih besar yang terpinggir bukannya mengurung perkhidmatan kami kepada PT Foundation dan Majlis Aids Malaysia sahaja.

8.3 Aktiviti bagi Komuniti Terpinggir 2012.

1. Bengkel Undang-undang di seluruh negara dengan MAC

Jumlah masyarakat terpinggir yang ditemubual semasa Bengkel Undang-undang

BIL	TAHAP/FASA	JUMLAH
1	TAHAP/FASA PERTAMA	270
2	TAHAP/FASA KEDUA	295
	JUMLAH KESELURUHAN	565

1 Sesi Nationwide - Program Kesedaran Undang-Undang untuk komuniti terpinggir Mac 2012 anjuran MAC mendekati hampir 270 pelanggan

Sasaran komuniti yang terpinggir adalah pekerja seks, transeksual dan penagih dadah suntikan dan latihan ini telah dilaksanakan untuk melancarkan satu siri ceramah kesedaran undang-undang dengan tujuan kepekaan dan mewujudkan kesedaran di seluruh negara terhadap hak dan kebebasan pelanggan walaupun dipinggiran. Peguam mengadakan sesi kesedaran undang-undang dalam prosedur undang-undang jenayah reman penangkapan dan ikat jamin di pelbagai negeri. Pada sesi fasa pertama, negeri-negeri yang terlibat adalah Kuala Lumpur (19 Mac 2012), Seremban (22 Mac 2012), Johor Bharu (24 Mac 2012), Perak (27 Mac 2012), Pahang (29 Mac 2012) dan Terengganu (30 Mac 2012). Peguam-peguam yang menjalankan sesi kesedaran undang-undang adalah Lalitha Nagamuthu, Gene Tan, Mageswaran Rajangom dan Thilagavathy Ram.

2 Sesi Nationwide - Program Kesedaran Undang-Undang untuk komuniti terpinggir pada September 2012 anjuran MAC mendekati hampir 295 pelanggan

Fasa kedua bengkel undang-undang telah dilanjutkan pada bulan September dan Oktober 2012 untuk meliputi kawasan selebihnya oleh setiap organisasi di bawah MAC. Kumpulan sasar adalah pekerja seks, pengguna dadah suntikan dan transgender. Risalah tangkap dan reman telah digunakan semasa sesi. Sesi fasa kedua telah dijalankan pada hujung minggu (Sabtu & Ahad sahaja) dan para peguam mengambil giliran setiap minggu untuk perjalanan ke negeri-negeri yang disasarkan. Negeri-negeri yang disasarkan adalah Kedah (Alor Setar) -1 September 2012, Pulau Pinang (Pulau) -2 September 2012, Johor (Segamat) -8 September 2012, Johor (Muar) - 9 September 2012, Kelantan (Kuala Krai) -15 September 2012 , Kelantan (Gua Musang) -16 September 2012, Sabah (Sandakan) -22 September 2012, Kelantan (Kota Bharu) -29 September 2012 dan akhirnya Selangor (Kajang) - 6 Oktober 2012. Ahli jawatankuasa yang ditugaskan ialah Pramodini Nair, Preetam Kaur, Shiyamala dan Genevieve Tan. Untuk diperhatikan di sini, MAC telah melantik perunding mereka sendiri (aktivis peguam yang berkelulusan di sisi undang-undang) untuk mengkaji kaedah latihan kami, kandungan, tahap kefahaman, kualiti, persempahan, bahasa dan penilaian secara keseluruhan. Beliau akan menyediakan penilaian bengkel undang-undang untuk penambahbaikan pelatih jawatankuasa.

8.4 Mesyuarat Ahli Jawatankuasa

i) 14 Jun 2012 (6.30 petang) dengan wakil MAC

Untuk mengusulkan Latihan Program Paralegal Kebangsaan di Kuala Lumpur, MAC meminta ahli jawatankuasa kami untuk menjalankan program latihan paralegal untuk semua pengurus stesen mereka di seluruh Malaysia. Ini adalah untuk susulan latihan sebelumnya yang diberikan kepada mereka pada tahun 2008. Latihan telah dijalankan pada 3, 4 & 5 Ogos, 2012. Kami berjaya melatih 67 peserta (terutamanya komuniti yang terpinggir) termasuk kakitangan MAC. Matlamatnya adalah untuk melatih mereka dan mereka akan membuat susulan terhadap kes-kes yang memberi kesan kepada komuniti mereka.

ii) Julai 2012 (5.30 petang) dengan wakil PT

Untuk memantapkan perjalanan klinik undang-undang, Jawatankuasa tuan rumah mesyuarat dengan PT wakil untuk menyelesaikan isu-isu berhubung dengan klinik undang-undang. Selepas perbincangan, mesyuarat memutuskan bahawa pelatih-pelatih dalam kamar untuk menghantar laporan mingguan kepada PBGKL. Juga memutuskan bahawa PBGKL untuk menyediakan kad tentang klinik undang-undang yang PT akan meliputi perbelanjaan percetakan sebagai satu cara publisiti melalui sesi bimbingan dan template untuk berada di tempat untuk menampung statistik "walk-in" semua pelanggan yang akan diseliakan oleh kakitangan PT.

iii) 12 Julai 2012 (06:30) dengan wakil MAC

Untuk membincangkan dan merancang untuk bengkel fasa Nationwide undang-undang, Mesyuarat ini adalah untuk merancang dan menilai bengkel fasa pertama undang-undang dan untuk merancang bengkel fasa kedua undang-undang pada September 2012. Pengarah MAC memuji pasukan yang menjalankan bengkel fasa pertama undang-undang dengan berjaya. Mereka juga mengucapkan terima kasih kepada pasukan untuk merangka dan membuat risalah sejarah untuk Jabatan Penerbitan MAC.

iv) 12 Julai 2012 (07:30), Mesyuarat jawatankuasa tahun 2012

Jawatankuasa ini bermesyuarat bagi tahun 2012 selepas tamat dua mesyuarat sebelumnya dengan PT dan MAC.

8.5 Kesedaran Undang-undang untuk Capaian Pekerja HIVOS

Tarikh: 1 November 2012 (Khamis)

Tempat: Shah Village Hotel (Petaling Jaya)

Masa: 9:00 pagi - 12:45 petang

Pramo menjalankan sesi manakala Chitrah menyelia lakonan peranan dengan pelbagai senario yang dihadapi oleh masyarakat. Ia dinyatakan di sini bahawa kakitangan yang berpendidikan tinggi juga takut kepada pihak berkuasa dan penting untuk memperkasakan mereka. Mereka menyatakan bahawa mereka memerlukan lebih sesi memperkasakan undang-undang dalam masa terdekat.

8.6 HIV Rang Undang-Undang Malaysia

Mesyuarat membincangkan Rang Undang-undang HIV dan menugaskan Mathews Lee untuk menjalankan undang-undang perbandingan di kalangan negara-negara Asia yang lain manakala Gene Tan akan mengkaji dan mengemukakan pendapat kepada jawatankuasa dan akan mengemukakan cadangan kepada semua ahli jawatankuasa.

8.7 Program Kesedaran Undang-undang / Sambutan Hari Aids Sedunia (WAD) untuk Pekerja

Komuniti transgender & Pekerja Seks di Klang PAMT (Pertubuhan Penyokongan Masyarakat Terpinggir)

Tarikh: 20 Disember 2012 (Khamis)

Tempat: Family Hotel (Klang)

Masa: 2:00 - 6:00 petang

Mageswaran Rajangom menjalankan sesi manakala Chitrah menyelia program tersebut.

8.8 Statistik

Kes yang dikendalikan oleh Pelatih dalam Kamar dari Jan – Dis 2012

BIL	JENIS KES	JUMLAH
1	REMAN	13
2	JENAYAH	4
3	KELUARGA	4
4	IMMIGRASI	2
5	INSURAN	1
6	PERTUKARAN JANTINA	7
7	RUMAH KOS RENDAH	1
8	PEKERJAAN	7
9	HAK KANAK-KANAK	3
10	PENCEN	2
11	SOCSCO	7
JUMLAH KESELURUHAN		51

9. PBGKL LAPORAN MENGENAI KLINIK PBG/AWAM/WAO/SIS

Laporan disediakan oleh Sekretariat

Ketua Projek

Harleen Kaur (Leena)

Sukhvinder Kaur (Sekretariat)

Sufiah Mansurdin - SIS

Wakil NGO

Betty Yeoh / Wei San - AWAM

Nazlina Abd Ghani - WAO

Klinik PBG /AWAM /WAO / ("Klinik") memudahkan perhubungan dan kerjasama antara PBGKL, Persatuan Tindakan Wanita ("AWAM"), Pertubuhan Bantuan Wanita ("WAO") dan 'Sisters In Islam' ("SIS"). Kerjasama ini membolehkan PBGKL untuk membantu masyarakat dalam spektrum yang lebih luas sementara menyediakan tenaga perundangan yang terlatih untuk AWAM, WAO dan SIS seperti pelatih dalam kamar, peguam sukarela dan lain-lain. Ketiga-tiga klinik ini mengendalikan isu mengenai hal ehwal wanita dengan memberikan nasihat undang-undang, memberi bantuan kepada ahli keluarga, mengendalikan masalah keganasan rumah tangga dan lain-lain.

Walaupun menghadapi masalah kekurangan peguam sukarela, Klinik ini telah berjaya mengadakan latihan dan penilaian bersama-sama dengan NGO dan bantuan “ad-hoc” daripada peguam sukarela.

9.1 Pelatih Dalam Kamar

Terdapat empat (4) kumpulan pelatih dalam kamar iaitu Kumpulan 70, 71, 72, and 73. Pembahagian mereka adalah seperti berikut:-

Program	Kumpulan 70		Kumpulan 71		Kumpulan 72		Kumpulan 73	
	KL	SEL	KL	SEL	KL	SEL	KL	SEL
AWAM	12	0	12	0	12	0	6	6
WAO	2	0	2	0	2	0	2	0
SIS	2	4	0	6	0	6	0	6
JUMLAH	16	4	14	6	14	6	8	12

Daripada jadual di atas, kita dapat lihat bahawa PBGKL telah secara konsistennya memperuntukkan 12 pelatih dalam kamar bagi AWAM daripada setiap kumpulan kecuali untuk Kumpulan 73 memandangkan terdapat kekurangan pelatih dalam kamar yang mendaftar bagi pengambilan itu. Pusat Bantuan Guaman Selangor pula telah menyediakan 6 pelatih dalam kamar bagi kumpulan tersebut manakala PBGKL telah menyediakan 2 pelatih dalam kamar secara konsisten bagi WAO untuk kesemua 4 kumpulan.

Dari Januari - Disember 2012, AWAM telah menghadiri 254 pelanggan, WAO telah menghadiri 96 pelanggan dan SIS telah menghadiri 392 pelanggan. Terdapat empat (4) latihan dan empat (4) penilaian berjangka (“Mid-Term Review”) yang telah diadakan sepanjang tahun. Para pelatih dalam kamar diberi latihan dalam pelbagai cabang undang-undang yang meliputi Undang-Undang Keluarga & Keganasan Rumah Tangga dan Undang-Undang Syariah. Selain itu, pelatih dalam kamar juga dikehendaki menghadiri latihan tersendiri yang dijalankan bersama oleh AWAM / WAO / SIS yang meliputi cabang dan undang-undang mengenai perlindungan wanita.

Selain itu, 4 Penilaian Berjangka (“Mid-Term Review”) juga diadakan untuk para pelatih dalam kamar membincangkan masalah yang dihadapi semasa menjalankan tugas Bantuan Guaman selama 14 hari dengan AWAM/WAO/SIS. Klinik-klinik tersebut juga telah memberi maklum balas mengenai prestasi pelatih dalam kamar dan menekankan perkara yang perlu dititikberatkan oleh para pelatih dalam kamar. Secara keseluruhannya, pelatih dalam kamar berpuas hati dengan tugas Bantuan Guaman dan pengalaman yang diperoleh sepanjang menjalani program Klinik ini.

10. PBGKL LAPORAN MENGENAI KLINIK PEKERJA ASING PBG/TENAGANITA

Laporan disediakan oleh Sekretariat

Ketua Projek

KLLAC - Secretariat

Sukhvinder Kaur (Pegawai Undang-undang)

Wakil Tenaganita

Aegile Fernandez

Glorene

Nisha

Liva

Tenaganita adalah sebuah organisasi yang menggalakkan kesamarataan dan hak asasi sesama manusia. Tenaganita mementingkan keperkasaan masyarakat dalam memahami, mendukung dan mempertahankan hak mereka selain menyelesaikan dan menangani kes-kes pencabulan hak asasi terhadap wanita, pendatang asing dan pelarian. PBGKL bekerjasama dengan Tenaganita dalam usaha untuk mempromosikan kesamarataan dan hak asasi sesama manusia dengan menyediakan pelatih dalam kamar untuk memberi bantuan guaman sepanjang tempoh wajib para pelatih dalam kamar untuk melaksanakan tugas bantuan guaman.

10.1 Pelatih Dalam Kamar

Terdapat empat (4) kumpulan pelatih dalam kamar iaitu Kumpulan 70, 71, 72, and 73. Pembahagian mereka adalah seperti berikut:-

Program	Kumpulan 70		Kumpulan 71		Kumpulan 72		Kumpulan 73	
	KL	SEL	KL	SEL	KL	SEL	KL	SEL
TENAGANITA	15	10	16	10	15	10	6	9
JUMLAH	15	10	16	10	15	10	6	9

Setiap kumpulan perlu menjalani latihan wajib selama dua (2) hari yang dikendalikan oleh Tenaganita. Dalam tempoh dua (2) hari tersebut, para pelatih dalam kamar akan diberi latihan menemubual, latihan perundingan dan latihan dokumentasi. Pelatih-pelatih dalam kamar juga diberi latihan dalam cabang undang-undang yang relevan seperti Undang-Undang Anti-Penyeludupan dan Undang-Undang Buruh selain diberi pendedahan mengenai hak Pekerja-Pekerja Domestik serta Mekanisme dan Polisi Undang-Undang di Malaysia.

PBGKL juga telah mengadakan mesyuarat dengan Tenaganita pada awal tahun 2012 untuk membincangkan tarikh latihan akan datang, statistik, dan skop kerja para pelatih dalam kamar. Sepanjang tahun ini, Tenaganita telah mengendali lebih kurang 805 klien yang menghadapi pelbagai masalah seperti gaji tidak dibayar, penderaan fizikal, penyakit mental, lanjutan kontrak secara paksa, pemerdagangan manusia, permohonan Penduduk Tetap dan peras ugut. Dalam bulan April 2012, Tenaganita telah mengendalikan 200 pelanggan hanya berhubung kes-kes penipuan 6P.

Para pelatih dalam kamar diberi skop kerja yang luas sepanjang tempoh tugasannya Bantuan Guaman mereka dengan Tenaganita seperti menyelidik fakta, membuat panggilan untuk mengesahkan butiran, dokumentasi, membuat laporan polis dan membantu dalam hal-hal yang berkaitan dengan imigresen. Selain itu, pelatih-pelatih dalam kamar juga diperlukan untuk memudahcara perbincangan dan memberi nasihat dan bantuan undang-undang dan bantuan kepada majikan dan mangsa. Secara keseluruhannya, pelatih-pelatih dalam kamar sangat berpuas hati ditempatkan di Tenaganita. Mereka menyatakan bahawa melakukan tugas di Tenaganita adalah satu platform bagi mereka untuk berkhidmat kepada masyarakat terutamanya membantu mereka yang memerlukan. Tenaganita telah mengajar mereka bagaimana simpati dan belas kasihan boleh ditunjukkan melalui tindakan. Adalah juga diharapkan bahawa Tenaganita akan terus berusaha untuk mendekati rakyat dan meraih sokongan orang ramai dalam mencapai matlamat mereka.

11. PBGKL LAPORAN MENGENAI PBG/KLINIK UNHCR

Laporan disediakan oleh Sekretariat

Ketua Projek

KLLAC - Secretariat

Sukhvinder Kaur (Pegawai Undang-undang)

Wakil UNHCR

Asha Dhillion

Shobna

PBGKL bekerjasama dengan Pesuruhjaya Tinggi Bangsa-Bangsa Bersatu untuk Pelarian (UNHCR) untuk melindungi dan membantu pelarian-pelarian di Malaysia. UNHCR hanya bertanggungjawab di dalam pendaftaran, dokumentasi dan penentuan status pencari suaka dan pelarian. Terdapat 4 kumpulan pelatih dalam kamar yang terlibat bagi program tahun ini iaitu Kumpulan 70, 71, 72 dan 73 yang terdiri daripada 20, 20, 14 dan 10 pelatih dalam kamar dalam setiap kumpulan. Pada Kumpulan 73, bilangan pelatih dalam kamar yang diberikan kepada UNHCR telah merosot kerana tidak ramai pelatih dalam kamar yang mendaftar bagi pengambilan program tersebut.

Kesemua 4 kumpulan pelatih dalam kamar perlu menjalani 1 latihan wajib yang dikendalikan oleh UNHCR. Selain itu, pelatih dalam kamar yang mempunyai "locus" juga dikehendaki untuk menyertai latihan bagi Program "Dock Brief". Kesemua pelatih dalam kamar dilatih untuk meningkatkan kemahiran advokasi dan temubual. Latihan Program "Dock Brief" juga meliputi cabang seperti mitigasi dan permohonan jamin di samping pelbagai nasihat-nasihat lain yang berkenaan.

Sepanjang tahun ini, UNHCR telah menerima kira-kira 2500 klien. Antara bidang tugas para pelatih dalam kamar di UNHCR

meliputi beberapa cabang seperti:

- a) Menemubual pelarian yang mempunyai masalah yang meliputi tangkapan, rompakan, perkahwinan hingga menerima laporan kematian
- b) Membantu di dalam mengambil langkah susulan mengenai laporan tangkapan
- c) Membantu di dalam membebaskan klien dari kem tahanan
- d) Menghadiri Mahkamah bagi melakukan mitigasi dan permohonan ikat jamin
- e) Berhubung dengan pelbagai jabatan

Selain itu, terdapat empat (4) sesi Penilaian Berjangka “Mid Term Review” yang dijalankan. Sesi penilaian ini pada kebiasaannya menekankan masalah-masalah yang dihadapi oleh pelatih-pelatih dalam kamar sepanjang 14 minggu menjalani tugas bantuan guaman. Di dalam Penilaian Berjangka ini, UNHCR juga memberi peluang kepada pelatih-pelatih dalam kamar untuk memberi maklum balas berkenaan dengan tugas yang telah mereka jalankan serta memberi cadangan dan idea untuk meningkatkan lagi mutu program ini.

Seperti program PBGKL yang lain, program UNHCR juga berusaha untuk menyediakan khidmat guaman kepada pelarian dan pihak-pihak yang kurang bernasib baik selain dapat meningkatkan kemahiran advokasi, juga kemahiran insaniah para pelatih dalam kamar. Program ini menyediakan satu landasan yang unik di mana pelatih-pelatih dalam kamar telah diberi peluang untuk membantu pelarian yang benar-benar memerlukan bantuan.

12. PBGKL LAPORAN BAGI PROGRAM PENAHANAN SEGERA “URGENT ARREST”

Laporan disediakan oleh Sekretariat

Ahli-ahli Jawatankuasa

Ravinder Singh Dhaliwal	Rajen Devaraj
Harleen Kaur (Leena)	Adora Yusof
Jeevanathan Angappan (Sekretariat)	Lim Chi Chau
Ravi Nekoo	Rajeswari Paramasevam
Ahmad Shahrizal	
Sivamalar Genapathy	

Pasukan Penahanan Segera (“Urgent Arrest”) telah dicadangkan pada tahun 1998 berikutan penangkapan secara beramai-ramai peserta-peserta demonstrasi-demonstrasi jalanan yang telah diadakan secara aman pada tahun 1998. Objektif program ini adalah untuk memberi bantuan khidmat guaman kepada kumpulan-kumpulan atau individu-individu yang menghadapi pelanggaran hak-hak asasi mereka seperti kebebasan berhimpun, kebebasan bersuara dan kebebasan beragama.

Pasukan ini mempunyai lebih-kurang 150 peguam sukarela yang telah menjalani latihan-latihan spesifik berkenaan dengan cara untuk mengendalikan hal-hal berkaitan dengan Penahanan Segera seperti bila dan ketika bantuan diperlukan. Untuk menjadi lebih efektif dan efisien dalam mengendalikan situasi-situasi yang berkaitan, PBGKL telah membangunkan sebuah “Manual Latihan Urgent Arrest”.

Tahun ini, Pasukan Penahanan Segera telah menyediakan khidmat nasihat guaman sewaktu perhimpunan Bersih 3.0 yang telah diadakan pada 28 April 2012 dan Perhimpunan Lynas yang telah menyebabkan banyak tangkapan dibuat oleh pihak polis. Sewaktu tangkapan dibuat, sukarelawan kami telah memberi khidmat nasihat mengenai hak-hak mereka di sisi undang-undang dan membincangkan hak kebebasan dengan pegawai polis.

Atas permintaan, Pasukan Penahanan Segera telah diminta untuk bersedia bagi program-program berikut;

TARIKH	CATATAN / BUTIRAN
18.03.12	International Women's Day Programme
07.04.12	Teoh Beng Hock's Gathering
10.04.12	Anti ISA Build at Parliament
28.04.12	BERSIH 3.0 & Lynas Rally
30.08.12	Gabungan JANJI
24.11.12 & 25.11.12	Green Walk

13. PBGKL LAPORAN JAWATANKUASA REFORMASI UNDANG-UNDANG & PENYELIDIKAN

Laporan disediakan oleh Elaine Gan, Ketua Projek dan Sekretariat

Ketua Projek

Elaine Gan Peay Er

Ahli-ahli jawatankuasa

Jayashree Vengadachalam	Justine Shahirah Ghazali
Lee Sit Ching, Joey	Ravi Nekoo
Joanne Chua Tsu Fae	Ravin Singh
Jasmine Goh Huay Mien	Stephanie Bastian
Sheena Manicam (Sekretariat)	

13.1 Pengenalan

Jawatankuasa Reformasi Undang-Undang dan Penyelidikan PBGKL telah diperkenalkan pada 2010 yang terdiri daripada sebuah kumpulan peguam-pegawai muda dan pelatih-pelatih dalam kamar yang bersemangat dan mempunyai minat yang mendalam terhadap bantuan guaman.

Matlamat utama Jawatankuasa ini adalah untuk melibatkan diri dalam penyelidikan dan untuk mencadangkan reformasi undang-undang secara giatnya. Adalah diharapkan dengan segala kerja yang telah dilakukan oleh Ahli Jawatankuasa, aplikasi undang-undang akan menjadi lebih jelas khususnya bagi bidang di mana terdapat keperluan untuk reformasi.

Pada masa ini, Jawatankuasa telah menyempurnakan Panduan Undang-undang dan Amalan Penangkapan dan Reman yang telah diterbitkan dan dilancarkan pada AGM Majlis Peguam yang lepas. Sejumlah 576 buku telah dijual setakat ini kepada orang awam dan juga peguam. Banyak masa dan usaha telah digunakan dalam proses menyediakan Panduan tersebut oleh Jawatan Kuasa ini dibawah bimbingan peguam berpengalaman dan ahli staf PBGKL.

Jawatankuasa ini dalam proses merangka manual kedua mengenai kuasa penangkapan agensi penguatkuasaan yang lain.

13.2 Kelebihan

Ahli Jawatankuasa yang serius, komited, keupayaan mereka untuk menyelidik dan memberi idea-idea terhadap sesuatu isu kontemporari.

13.3 Kelemahan

Kesuntukan masa dan kekurangan sokongan sumber manusia.

14. PBGKL LAPORAN PROGRAM LATIHAN ('ATTACHMENT PROGRAM')

Laporan disediakan oleh Sekretariat

Sekretariat di Pusat Bantuan Guaman Majlis Peguam (KL) menjalankan program latihan yang dikhaskan kepada pelajar-pelajar dari institusi kerajaan dan swasta. Program ini dianjurkan khususnya bagi mereka yang berminat untuk mendapat pengalaman dalam memahami fungsi Pusat Bantuan Guaman di dalam sistem perundangan.

Pelajar khususnya yang mempunyai pengetahuan dalam sistem perundangan adalah amat digalakkan untuk mengambil bahagian di dalam program ini di mana mereka akan didedahkan kepada aktiviti-aktiviti yang dijalankan oleh PBGKL ini melalui program-program yang disediakan. Di antara program-program yang disediakan termasuklah:-

- (a) Klinik Pusat Bantuan Guaman / 'Legal Aid Centre (LAC) Clinic' (Klien -Klien yang mengalami kesusahan akan ditemubual oleh Pelatih Dalam Kamar dan nasihat akan diberikan);
- (b) Program Pemerhati / 'Dock Brief Program' (Pelatih Dalam Kamar akan menjalankan mitigasi bagi mereka yang telah mengaku bersalah);
- (c) Program Penjara / 'Prisons Program' (Pelatih Dalam Kamar akan menjalankan temubual dengan banduan yang berada di Penjara);

- (d) Organisasi Bukan Kerajaan / 'NGOs' seperti 'All Women's Action Society Malaysia' ("AWAM"), 'Women's Aid Organisation' ("WAO"), 'Sisters in Islam ("SIS")', 'United Nation High Commissioner for Refugees' ("UNCHR"), Tenaganita dan 'Pink Triangle Foundation' (Pelatih Dalam Kamar akan membantu / menjalankan temubual dengan Klien-Klien yang kurang bernasib baik dan mengalami kesusahan)

Melalui program-program yang telah disenaraikan di atas, pelajar-pelajar Pelatih akan mendapat peluang untuk melibatkan diri dalam pengurusan sehari-hari di Pusat Bantuan Guaman, untuk mengikuti pelbagai latihan-latihan yang dijalankan oleh Pusat Bantuan Guaman dan menjalankan kajian.

Pelajar-pelajar Pelatih mempunyai peluang untuk mencari pengalaman melalui pelbagai program yang telah disusun oleh PBGKL selama seminggu sehingga tiga (3) bulan. Apabila tempoh program latihan ini tamat, setiap pelajar-pelajar pelatih akan diberikan sijil oleh Pusat Bantuan Guaman.

Di bawah ini disenaraikan pelbagai Kolej-Kolej dan Universiti-Universiti yang mengambil bahagian dalam program Latihan untuk tahun 2012:

- i. Universiti Malaya (UM)
- ii. Universiti Islam Antarabangsa Malaysia (UIAM)
- iii. Lawatan Zaid Ibrahim & Co
- iv. Lawatan Skrine
- v. Lawatan Universiti Teknologi Mara, Shah Alam (UiTM)
- vi. Universiti Kebangsaan Malaysia (UKM)

15. PBGKL LAPORAN YAYASAN BANTUAN GUAMAN KEBANGSAAN (YBGK) (APRIL - DISEMBER 2012)

Laporan disediakan oleh Sekretariat

15.1 Klien yang diberikan perkhidmatan di bawah YBGK Kuala Lumpur

Semenjak 9 bulan yang lepas, para Peguam YBGK dari PBGKL telah hadir memberikan khidmat guaman kepada 148 orang di IPD dan 7,283 orang yang di tahan reman di Mahkamah. Kami juga telah membantu 570 orang yang telah didakwa, dengan permohonan mitigasi dan permohonan ikat jamin. 180 fail telah ditugaskan kepada peguam untuk menjalankan perbicaraan.

Capaian kepada peguam-peguam untuk memberikan nasihat guaman dan mewakili orang-orang yang ditahan bukan lagi mustahil dengan pengenalan dan penubuhan Skim Yayasan Bantuan Guaman Kebangsaan (YBGK). YBGK merupakan satu Skim Khidmat Bantuan Guaman Jenayah yang telah ditubuhkan di mana peguam-peguam yang terlatih, hasil biaya daripada Kerajaan menyediakan khidmat nasihat guaman dan perwakilan secara percuma kepada seluruh warganegara Malaysia yang ditahan atau didakwa.

15.2 Latar Belakang

Pada tahun 2009, ianya telah didekahkan di Parlimen bahawa sebanyak 84,376 daripada 108,528 Orang Kena Tuduh tidak diwakili ketika perbicaraan jenayah di Mahkamah Majistret. Sehubungan dengan itu, pada awal 2010, satu cadangan telah di buat kepada Perdana Menteri dan kemudiannya, pelbagai perbincangan untuk menubuhkan satu sistem khidmat guaman jenayah tercetus antara Majlis Peguam, Jabatan Peguam Negara dan agensi-agensi kerajaan yang lain.

Pada 25 Februari 2011, Perdana Menteri telah melancarkan Yayasan Bantuan Guaman Kebangsaan (YBGK)[(National Legal Aid Foundation)(NLAF)]. YBGK telah ditubuhkan sebagai sebuah syarikat awam berhad melalui jaminan, bebas daripada skim bantuan undang-undang yang sedia ada. Ia mempunyai 11 ahli lembaga pengarah dengan AG sebagai Pengurus dan Pengurus Majlis Peguam sebagai Naib Pengurus. YBGK telah secara rasmi memulakan operasinya pada 2 April 2012

YBGK yang mana dibiayai oleh kerajaan merupakan satu skim khidmat bantuan guaman jenayah yang komprehensif. YBGK menyediakan khidmat bantuan guaman secara percuma kepada seluruh warganegara Malaysia di balai polis, di pendengaran reman dan apabila didakwa di mahkamah. Setakat mana perbicaraan berkenaan, satu ujian keupayaan kewangan akan diguna pakai dan hanya pihak yang lulus ujian tersebut layak untuk mendapat khidmat bantuan guaman daripada YBGK.

Majlis Peguam dan Pusat-Pusat Bantuan Guaman Negeri bekerjasama dengan YBGK untuk membantu memberikan perkhidmatan dengan cara memberikan latihan kepada Peguam-Peguam dan Pelatih dalam Kamar bagi menyediakan khidmat bantuan guaman dan perwakilan serta bantuan dari segi pentadbiran.

15.3 Pusat Bantuan Guaman Majlis Peguam Negeri berkhidmat sebagai Pejabat YBGK

Pusat Bantuan Guaman Majlis Peguam Negeri yang sedia ada berfungsi sebagai pejabat kepada YBGK. Pusat-pusat ini akan memastikan perkhidmatan yang disediakan di bawah Skim YBGK akan dijalankan dan wujud peguam-pegawai terlatih yang mencukupi dan sukarela untuk melakukan kerja-kerja YBGK. Mereka mengumpul kertas-kertas temuduga dan juga tuntutan yang dibuat oleh peguam. Semua Pusat Bantuan Guaman Negeri melaporkan kepada Jawatankuasa Bantuan Guaman Kebangsaan terhadap kerja dan aktiviti YBGK tersebut.

15.4 Polis dan Agensi-Agenzi Penguatuksaan

Skim YBGK memerlukan pihak Polis dan Agensi-agensi Penguatuksaan di Negara ini memaklumkan kepada Pejabat YBGK berkenaan dengan setiap tahanan yang dibuat oleh mereka dan membernarkan peguam-pegawai YBGK memberikan nasihat guaman dan mewakili orang-orang yang ditahan. YBGK di Kuala Lumpur merangkumi 5 IPD dan 1 IPK. 5 IPD ini adalah di Dang Wangi, Brickfields, Cheras, Putrajaya and Sentul. Tambahan lagi, YBGK juga merangkumi 2 mahkamah reman di Jinjang dan Dang Wangi.

15.5 Peguam YBGK

Semua peguam yang menjalankan kerja-kerja YBGK perlu menghadiri latihan YBGK dengan beberapa pengecualian. Seseorang peguam itu akan dianggap sebagai peguam YBGK sebaik sahaja beliau menghadiri latihan dan menyerahkan borang pendaftaran yang lengkap. Setakat hari ini, sebanyak 5 latihan telah dijalankan di Kuala Lumpur dan 211 peguam telah dilatih.

15.6 Jawatankuasa Kecil Pembaharuan Undang-Undang Dadah

Dalam menjalankan kerja-kerja YBGK, terutamanya ketika sedang menjalankan reman, Peguam-Peguam peka dengan jumlah tahanan sehari yang tinggi ke atas pengguna dadah dan juga tidak gembira dengan tempoh tahanan reman yang panjang diberikan oleh Majistret (kebiasaannya 14 hari) kepada polis.

Ramai Peguam YBGK merasakan pegguna dadah seharusnya dianggap sebagai masalah kesihatan dan dengan meletakkan pengguna dadah di dalam lokap selama 14 hari di mana mereka akan melalui pengeluaran gejala – merupakan satu tindakan yang tidak berperikemanusiaan.

Oleh itu, sebuah jawatankuasa kecil telah dibentuk di PBGKL untuk mengkaji pembaharuan dan cadangan undang-undang dadah di Malaysia. Jawatankuasa kecil tersebut telah mengadakan lima mesyuarat dan tengah mengemukakan cadangan tersebut kepada Dewan Peguam Negara.

15.7 Program Pelatih Dalam Kamar YBGK

Program Pelatih dalam Kamar YBGK telah dimulakan di PBGKL untuk memberikan pengenalan dan pendedahan kepada Pelatih dalam Kamar bekerja dengan Khidmat Bantuan Guaman Jenayah YBGK. Pelatih dalam Kamar akan membantu dalam kerja-kerja pentadbiran, menemuduga klien, penglibatan undang-undang, mengawasi proses reman di mahkamah dan balai polis serta menjalankan kajian. Pada tahun ini, terdapat empat kemasukan di mana untuk setiap kemasukan mengandungi 20 orang Pelatih dalam Kamar.

15.8 Kesimpulan

Pada peringkat permulaan, terdapat banyak masalah yang telah dihadapi dalam perlaksanaan Skim YBGK seperti penafian hak peguam untuk menemuduga klien, kurangnya kerjasama daripada pasukan polis dan kekurangan peguam untuk menjalankan kerja-kerja YBGK. Walaupun sesetengah permasalahan ini telah diselesaikan, kebanyakan isu-isu telah diselesaikan melalui mesyuarat yang dibuat antara Jabatan Peguam Negeri dan pihak polis.

Secara keseluruhannya, YBGK telah membawa satu perubahan yang signifikan ke atas Sistem Undang-Undang Jenayah di Malaysia. Ia telah memberikan satu nafas baru kepada hak-hak perlombagaan bagi orang yang ditahan dan didakwa.





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