



CHAIRMAN'S REPORT



Kokila Vaani Vadiveloo

“EMPOWERING THE MEMBERS – NORMALIZING IN THE ENDEMIC”

Leading the change of the Covid -19 Endemic Era

When I first helmed the Selangor Bar Committee in 2021, I felt a strong sense of obligation to protect my Members from the challenges thrown to us by the pandemic. I am still recovering from the heartbreaks of losing Members to Covid-19, often remembering all of them to the days of waking up to messages on the phone of losing Members daily. Tears ran dry and spirit was at an “all time low” but my team and I were then entrusted and elected for a second term to lead and to empower the Selangor Bar Members through an endemic, a transition phase more difficult than the pandemic itself. As I had no guiding precedents, from power distance learning in organizational skills and behaviors, I then made my own.

Reference Proceedings

One of the first things, the Committee was set out to do upon elected was to hold a reference proceedings to pay our last respects for almost 20 members of the Bar on 21.3.2022 and we also co-organized a separate reference proceedings upon the instructions of the Chief Justice of Malaysia, Yang Amat Arif Tun Tengku Maimun binti Tuan Mat in Istana Kehakiman, Putrajaya paying tribute to the late former Lord President Tun Mohamed Salleh Abas on 14.9.2022, as he was a practicing lawyer in Selangor at that time of passing.

The reference proceedings of year 2023 is fixed on 17.3.2023 which will be reported by the incoming term of 2023/2024.



I was of course not alone in my task to empower and lead the change in the term 2022/2023, allow me to also acknowledge the significant contributions of my fellow Selangor Bar Committee members, Alvin Neo, M K Thas, Afifuddin Hafifi, Dinesh Nandrajog, Eugene Roy Joseph, Ambiga Rajendran, Syahrul Syazwan, K. Theivaendran (Dave), Nurul Muhaniza, Richard Teh, Yu Ai Ting, Yohendran Nadarajan and last but not least Haji Zainal Abidin Shaikh Zakaria together with the very able Secretariat team who were the driving force behind many of the Selangor Bar initiatives.

Following below are some of the Selangor Bar term 2022/2023 highlights:-

1. Dana Bantuan Guaman Selangor (DBGS) of RM 3 million



We officially launched the ‘Dana Bantuan Guaman Selangor (DBGS)’ programme, a collaboration between the Selangor State Government and the Selangor Bar Committee through the Bar Council Malaysia pursuant to the Memorandum of Understanding (‘MOU’) dated 30.08.2022.

This DBGS programme is an initiative of the State Government under the Selangor State Welfare Standing Committee partnering with the Selangor Bar Committee in helping the poor, the under-privileged and the needy get legal help especially for family law matters and labour law cases. The creation of DBGS is only the first step to ensure that every citizen of Selangor state has access to legal representation.

Those who would be eligible for DBGS must be within these three categories:-

- i. Malaysian
- ii. Voters in Selangor state and/or residents of the Selangor state for at least 10 years;
- iii. Having a monthly income of less than RM3,000.00

The Selangor State Government had initiated discussions with the Selangor Bar Committee to set up “Dana Bantuan Negeri Selangor” with the primary aim of addressing the need for legal assistance to the Rakyat on legal matters related to family law and employment law. Its participation would be open to all lawyers in Selangor for employment and family matters only as parties foresee a need for legal representation for retrenchment matters and divorce cases that may rise due to the lockdowns experienced nationwide.

Other than the existing YBGK and Legal Aid mechanism already in place that primarily deals with criminal law matters, legal aid can be now rendered by lawyers dealing with family law and employment matters. We are overjoyed to highlight that the State Government has approved us an allocation amounting to the grand total of RM3 million a year for 3 years from 2022- 2025 and lawyers taking up cases under “Dana Bantuan Negeri Selangor” will be remunerated a small token fee of RM1,500.00

We are currently in talks with the State Government of Selangor to improvise the DBGS by increasing the payout amount to the lawyers to RM3,000 and to include the addition



of the category of Syariah cases. Further, we have been engaging and liaising with Persatuan Peguam Syarie Malaysia (PGSM) Selangor to work on matters involving Syariah law for the DBGS Programme.

2. Continuous Efforts by SBC to engage with Bar Council (BC)

Post pandemic coupled with high inflation making a recession inevitable, the State Bar decided to engage the BC in various discussions to help assist and facilitate the daily runnings of the State Bar.

We are proud to announce that the Selangor Bar Committee (SBC) have managed to convince the BC to reimburse the State Bars on the painting and the leakage costs to the State Bar Buildings. The State Bar now can claim for painting costs of the buildings 10 years once and leakage of RM3,000 above. This was done after many meetings with the Finance Committee and the Bar Council.

The Bar Council had also graciously granted a RM10,000 library fund which allows the State Bar to purchase any reading materials for the library. The Committee then had decided to purchase 14 sponsored tickets for the International Malaysian Law Conference (IMLC) for young lawyers below 7 years in practice on a first come first serve basis.

Further, upon having a meeting with the Office Bearers of BC, the Quit Rent and Assessment Fee of year 2022 which amounted to RM17,484.00 for all 3 State Bar Buildings have also been borne by the Malaysian Bar.

The Selangor Bar is currently carved out from the LexisNexis Settlement Suit entered by the Malaysian Bar. We have written to the BC pending reply to see whether the Selangor Bar members can be reimbursed to reduce the existing subscription fee of the Selangor Bar LexisNexis Agreement.

In view of all of the above, the SBC wishes to record its utmost gratitude to the Malaysian Bar in assisting a helping hand in all the endeavours taken by the State Bar in its recovery phase of the endemic.

3. Meeting with the Officers of Pejabat Tanah & Daerah Klang on 11.3.2022



The CPC team sought clarifications from PTD Klang Officers on the following issues:-

A. Implementation of Circular issued by PTD Klang on 24.02.2022

- (i) Every individual transferor(s) who is/are of the age of 70 years and above are required to go through biometric identification process through e-SELAMAT (Secured Land Management System) at PTD Klang before any instruments of transfer could be registered;
- (ii) the requirement for the Bank to renew their Power of Attorney every 5 years is now revoked;
- (iii) For the discharge of charge registration, a letter of confirmation from the charge bank confirming the details of the Bank's attorney must also be enclosed during the presentation of the discharge of charge.

B. The requirement to produce SD for lost titles which has been replaced/issued

CPC team also sought explanation on why lawyers are required to produce a copy of statutory declaration ("SD") with chronology of the lost/misplaced titles and police report again for cases where the lost title has been replaced with a new title since the original SD and the police report would have been submitted to PTD Klang during the application for the replacement of lost title- which not required at other land offices.

4. Meeting with Pejabat Tanah & Galian WP Kuala Lumpur on 21.4.2022

The CPC team's first "physical" meeting since pandemic days with the officers of Pejabat Tanah & Galian Wilayah Persekutuan Kuala Lumpur (PTGWPKL) namely Datuk Pengarah YBhg.Datuk Muhammad Yasir bin Yahya, EnMohd Firdaus bin Ibraruslan (Timbalan Pengarah (Pendaftaran), En.Khairul -Azam bin Saroni (Ketua PenolongPengarah (Pendaftaran), En.Ahmad Nazri bin Md.Nasir, Cik Norlina binti Mohd Mokhtar, Pn Umi Khalsum binti Omar, PnNoorhafizah binti Harun to discuss any issues arising in order to maintain the good relations between the members of the



Selangor Bar and PTGWPKL. Generally there were no pressing issues to be discussed as the CPC team acknowledged the fact that with the implementation of the online *e-tanah* system, matters have been settled expeditiously, notably the ability to conduct private and official land searches via online.

The CPC team was informed by PTGWPKL officers that certified true copy (“CTC”) of land titles can now be applied via online and members are advised to frequently visit the PTGWPKL official website/portal for latest updates and enhancements of their services.

The CPC team was also informed that the way forward for PTGWPKL would be to introduce online presentation in the near future- to avoid fraudulent transaction, akin to the current online system that is being implemented by Jabatan Pengangkutan Jalan requiring the use of a thumbprint device. However, PTGWPKL will seek the Bar Council’s cooperation and consultation before implementing such an online system.

A. Request for waiver of late penalties

The CPC team sought PTGWPKL’s kind consideration to look into the current practice of lawyers having to write in officially to PTGWPKL for waiver of late penalties and wait for physical official letter from PTGWPKL for re-presentation of a registration and that a nominal re-registration fee of approximately RM20.00 be imposed, similar to that of Selangor land offices’ current practice as opposed to the imposition of full re-registration fees.

5. Iftar Dinner with the children





On 28.4.2022, the Selangor Bar hosted a Buka Puasa event with two (2) orphanages in Puchong which saw over 50 children enjoying a scrumptious Iftar meal.

6. Meeting with Pejabat Tanah & Galian Negeri Selangor on 10.5.2022

The CPC team met Pengarah Pejabat Tanah & Galian Negeri Selangor (“PTG Selangor”) YBrs Tn Yusri bin Zakariah, En Mohd Norshahnaz bin Md Zahir (Timbalan Pengarah), Dr.Hizan bin Wahed (Timbalan Pengarah), En Khairi bin Zaman Huri, Pn Norizah binti Ramly, En Mohd Ali Hanafi bin Mohd Yunus, En Mohd Azhar bin Mohd Daud, Pn Maizatul Munirah binti Abdul Rahman, Pn Nurulhidaya binti Mohd Aluwi, Pn Nur Syahirah Pathmes binti Muhammad Nizam, Pn Azlinawaty binti Ahmad Bahar, Pn Siti Amira Adilah binti Ahmad, Pn Erma Fatima binti Ahmad, En Ahmad Syukry bin Sulaiman and En Kamarol Ariffin bin Adzhan. The meeting was held to maintain the good relationship between the members of the Selangor Bar and PTG Selangor and to discuss the latest development and issues arising.

- (i) Implementation of *Smartbox* kiosk system at 9 district land offices**
- (ii) Auction Cases Issues**
- (iii) Requirement to produce Identity Cards in color for presentation**
- (iv) Issuance of Presentation Statement Receipts**
- (v) Presentation of Documents to be made within 3 working days from the waiver**
- (vi) Presentation of “Tolak” Documents For Strata Cases**
- (vii) Extraction of Titles/Documents**
- (viii) Incomplete Presentation Documents**
- (ix) Documents to be Submitted at *Smartbox* kiosks**
- (x) All letters to be properly signed off by the name of signatory/lawyers with BC numbers**
- (xi) Senior Lawyers to guide their own junior lawyers or pupils**
- (xii) Application for Consent from District Offices In Respect of Lembaga Perumahan Hartanah Selangor (LPHS) Consent To Transfer Cases**



7. Meeting with the Timbalan Ketua Polis Selangor, Dato' Sasikala Devi Subramaniam on 12.5. 2022



This meeting was held with the attendance of officers of the Police Force – Ibu Pejabat Kontinjen and Ketua Pejabat Daerah, the Selangor Bar Committee members. Many important issues pertaining to complaints against police procedure within the respective departments and conduct of police officers in court were deliberated in detail. The Selangor Bar Committee members who were present were firm that the rule of law must be followed. We have emphasized that the Standard Operating Procedure must be followed at all times.

The Police and the Selangor Bar Committee members meeting ended well with a firm stand by both parties that there will be more cooperation and understanding whilst carrying out the duties between lawyer and police officers.

8. Gaya Raya Movie Night on 20.5.2022





As we were finally able to come together this Raya after a long two years, the Selangor Bar invited Members of the Bar to join children from orphanages for a movie screening of “Fantastic Beasts: The Secrets Of Dumbledore” at GSC Paradigm Mall, Petaling Jaya in May 2022. The movie certainly brought cheer and joy to over 120 children and also the Members who attended wearing their amazing Raya clothes.

9. Meeting with the Sharia Division, Attorney General's Department on 8.6.2022

The JKS paid a courtesy visit to the Shariah Division, Attorney-General's Department, Putrajaya. In the meeting, JKS exchanged views with BSPUU about current issues, for example, related to judicial review cases involving contempt of the Syariah Court, children's rights in divorce cases or child custody disputes (*hadhanah*) so that children's voices in the Syariah Court can be heard and the need to create an independent/neutral committee that can represent, support and protect children's rights, counseling and so on.

10. Meeting with the Managing Judges of Selangor on 13.6.2022

This meeting was chaired by both the Managing Judges of Civil and Criminal of Selangor Yang Arif Dato' Zabariah Mohd. Yusof and Yang Amat Arif Dato' Mohamad Zabidin Mohd Diah together with all the High Court Judges of Selangor. The Deputy Registrars and the Senior Assistant Registrars was also in attendance.



Issues :

A. Winding-Up

Draft Order for Winding-up takes one (1) week to be approved.

Resolved: The Court's existing standard operating ("SOP") procedure all documents filed will be processed within three (3) working days. Due to the high volume of orders to be processed or other various reasons some time the processing will take more than three working days. The officers have always tried their best to comply with the SOP.

B. Execution – Auction

Whether extraction of the sealed application for Code 38 for execution can be shortened from the current period two (2) weeks/ 14 days?

Resolved: Based on the Court's record, the processing period is between 3 to 5 working days. The delay referred to the MCO period and once MCO was lifted, it was resolved.

C. Foreclosure

Payment of deposit for auction matters to provide guide/steps on how to use the kiosks for cash payment and if payment by bank draft where it should be deposited?

Resolved:

a) Guide to Pay Deposit Fee Pelaksanaan (3% of the Reserve Price)



i. Payment by Cash or Debit Card or Bank Draft under the name of ‘Akauntan Negara Malaysia’

ii. First, the Payer can proceed to the counter at the Execution registry. At the counter, the staff will generate the Bill for payment of the deposit.

iii. After the staff generated the Bill, the Payer can proceed to make the payment:-

a) Payment by Cash - The Payer will proceed to the CDM machine, scan the Bill issued and deposit the Cash into the CDM machine. A receipt will be issued from the CDM machine once the transaction is successful.

b) Payment by Debit Card - If the payment is by way of Debit card, the Payer can proceed to pay at e-pos machine situated at the Execution counter itself. A receipt will be issued from the e-pos machine after that.

c) Payment by Bank Draft - If payment by Bank Draft, the Payer can proceed to Kewangan Counter No 1 – 5 at Level 3, Annexe Building to make the payment. A receipt will be issued by the staff at the counter after that.

iv. The Payer then has to upload the receipt into the E-filing System.

b) Guide to pay Deposit for auction (10% of the Auction Price)

i. Payment by Bank Draft under the name ‘Akauntan Negara Malaysia’.

ii. Bidder will have to bring the Bank Draft together with the Auction Form (Borang Bidaan) obtained from E-Lelong website to the counter at Execution Registry.

iii. The staff will receive both Bank Draft and Auction form and email the copy to Pusat Operasi e-Lelong. Both documents will be kept at the Registry. Pusat Operasi e-Lelong will later give further instruction on the Bank Draft once the auction is finished



D. E-Reviews

Sessions end once the dates are given without consulting the parties.

Resolved: Most of the time the officers will ensure that the dates are fixed with the agreement of the parties involved. However, from the feedback that we have from our officers, there were occasions where party/parties did not reply in the e-Review session until 4.00 pm in which the officers would then fix the following date according to the suitability of the court and end the e-Review session.

E. Bankruptcy Notice

Inconsistency of practice certain clerks will reject the filing of a Bankruptcy Notice if a sealed Writ and Statement of Claim are not enclosed.

Resolved: Members are advised to strictly comply with Rule 90 of the Insolvency Rules 2017 for the issuance of a Bankruptcy Notice.

F. Appropriate Footwear

Problems encountered by the public who have been prevented from entering the court premises due to what has been deemed inappropriate footwear (sandals).

Resolved: The Courts have assured us that there will be no restriction for the public to be wearing sandals within the court premises as long as it is not slippers. The Courts will take the necessary action and will inform the guards on the ground in regard to this issue to prevent this from happening again in the future.

11. Laser Tag Team Challenge on 18.6.2022





The SYLPC organised a Laser Tag Team Challenge on 18.6.2022 at Galactic Laser, Sunway Pyramid to bring members and pupils in chambers together for a unique and fun experience. It ended up being the first time playing laser tag for most participants and a nice way to spend their Saturday morning bonding with fellow members.

12. Meeting with the Pengarah Pendakwaan Negeri Selangor on 22.6.2022



The meeting was held in Bilik Mesyuarat Unit Pendakwaan and various matters relating to criminal practice were brought up and discussed. The meeting was held with Pengarah Pendakwaan Tuan Khairul Azreem Bin Mamat, DPPs and the Selangor Bar Committee members. In the meeting, various issues regarding representation, chemist reports and issues encountered at the courts which hampered our members in discharging their duties well were highlighted. The Pengarah assured that these issues will be resolved.

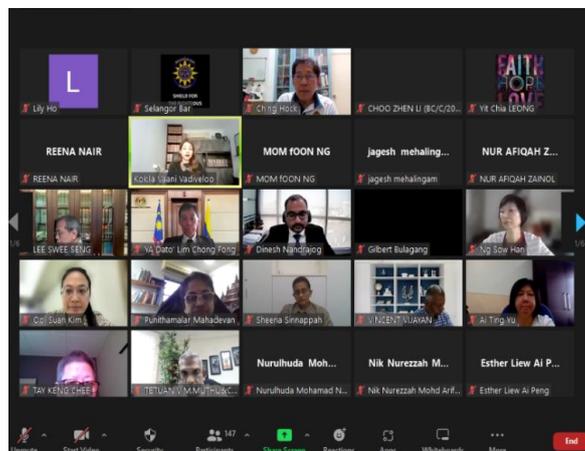
13. 3rd Malaysia Competition Law Conference 2022 with a focus on "Digital Economy, Merger & Bid Rigging" on 23.6.2022 and 24.6.2022



The Malaysia Competition Commission (MyCC) had organised the 3rd Malaysia Competition Law Conference 2022 with a focus on "Digital Economy, Merger & Bid Rigging", on 23.6.2022 and 24.6.2022 at Sunway Resort, Selangor.

SBC had secured 20 free tickets from MYCC who had graciously offered to waive the registration fee of Pupils in Chambers signing up for the Conference through Selangor Bar.

14. Civil Law E-Conference 2022 on 1.7.2022 and 2.7.2022



The Selangor Bar hosted its first ever virtual law 2 day conference, the Civil Law E-Conference 2022, on 1.7.2022 and 2.7.2022 respectively jointly together with the Inns of Court Malaysia (ICM) via the Zoom Platform.

The Conference showcased a variety of distinguished speakers who presented on various current topics of law in civil litigation as below:-

- YA Dato' Mary Lim Thiam Suan presented on "Challenges on Arbitral Awards"



- YA Dato' Sri Hasnah Binti Dato' Mohamed Hashim presented on "Damages"
- YA Datuk S. Nantha Balan presented on "Effective Civil Trials & Appellate Advocacy"
- YA Dato' Lee Swee Seng presented on "Introduction to CIPAA"
- YA Datuk Vazeer Alam Bin Mydin Meera presented on "Medical Negligence"
- YA Datuk Seri Mohd Firuz Bin Jaffril presented on "Defamation"
- YA Dato' Lim Chong Fong presented on "Introduction to CIPAA"
- YA Datuk Wong Kian Kheong presented on "Construction Cases – From Filing Suits to Final Judgments"
- YA Dato' Faizah Binti Jamaludin presented on "Divorce & Matrimonial Proceedings"
- YA Tuan Nadzarin Bin Wok Nordin presented on "Judicial Management"
- Datin Foo Yet Ngo presented on "Divorce & Matrimonial Proceedings"
- Dato' T. Thavalingam presented on "Employment Law"
- En. Fahri Azzat presented on "Judicial Review"
- Tun Ariffin Zakaria delivered the Opening Speech
- YB Datuk Wira Hajjah Mas Ermieyati Binti HjSamsudin delivered the Opening Address
- Ms. Karen Cheah delivered the Closing Remarks

The Conference saw 250 attendees of law students, pupil-in-chambers, practising lawyers, Judges and non-members of the Bar attend the two-day event. All attendees were awarded 13 CPD Points and were entitled to redeem a complimentary unique Bag-Pack specifically designed for this E-Conference.

The attendees and speakers were thankful for the invitation, were extremely pleased with the smooth running of the Conference, and congratulated the Organising Committee for a well-executed event. They look forward to future conferences organized by the Selangor Bar.

15. Meeting Hulu Langat Land Office on 8.7.2022

The CPC team had a meeting with the Hulu Langat Land Office led by YBrs. Dr. Ani Binti Ahmad . En Hafiy, Puan Zila and Cik Intan Shahira. It has come to the attention



of the Selangor Bar Committee that Pejabat Tanah Daerah Hulu Langat has issued a notice that effective from 01.06.2022 the following documents are required to be furnished for presentation of the “Application for Registration as Representative” of the estate of the Deceased (under Form 51(O) of Selangor Land Rules 2003) for registration involving Grant of Letters of Administration or Grant of Probate.

- (i) A copy of the Identity Card of the Administrator(s);
- (ii) A copy of Jabatan Pendaftaran Negara (“JPN”) status search on the individual (whether dead or alive) (mandatory);
- (iii) Form 51(O)
- (iv) A copy of Death Certificate

The CPC managed to request for the requirement to furnish a copy of the JPN Search on the status of the individual (whether dead or alive) retracted by the said Land Office with immediate effect.

The CPC team raised the issues and complaints raised by the members particularly in respect of the requirement for the biometric for transaction more than RM 2 Millions, CPC requested not to impose the said requirement for cases involved perfection of transfer and also highlighted issue of rejection of the presentation due to unclear copies of the NRIC.

16. Meeting with the Ketua Pengarah Jabatan Kimia Malaysia on 14.7.2022



The meeting was held in Dewan Syarahan, Bangunan Forensik, Ibu Pejabat, Jabatan Kimia Malaysia and various matters were discussed. The meeting was held with Ketua Pengarah YBhg. Dato’ Haji Mohamed Zaini bin Abdul Rahman and the Selangor Bar Committee members. Highlighted various issues regarding representation, chemist



reports and issues encountered at the courts which hampered our members in discharging their duties well. The Pengarah assured that these issues will be resolved.

17. Meeting with Petaling Land Office on 29.7.2022

The CPC team had contacted Tuan Mohd Jusni Bin Hashim the DO of Petaling Land Office that the land office has been rejecting the consent application signed by the Bank's Attorney and requested copy IC of principal purchaser of the principal purchaser has defaulted the loan repayment, resulting the auction by the financier/bank) which is immaterial in nature and the Land Office agreed to the CPC request.

18. ISBG 2022 on 29.7.2022 until 30.7.2022



With that, Selangor Bar Committee took to host the Interstate Bar Games 2022 from 29.7.2022 until 30.7.2022.

The single major event required many man hours to coordinate with multiple meetings leading up to the event on 29.7.2022 until 30.7.2022 and post meetings. All blood, sweat and tears paid off in the end as the ISBG 2022 ended up as the largest gathering of lawyers to date with close to 1,020 participants in the 10 games. A great momentum for sports is required to encourage more Members to have a better sport-work balance for the betterment and health of lawyers, The night ended with an appreciation dinner in Wyndham Hotel, Klang.

A. Golf



B. 8-Ball Pool



C. Badminton



D. Basketball

E. Cross-Country



F. Darts



G. Premier Football



H. Veterans Football



I. Ladies Futsal



J. Netball



K. Volleyball



19. Meeting with the ‘Jabatan Kehakiman Negeri Selangor’ (“JAKES”) on 9.8.2022

The JKS was given the honor of paying a courtesy visit to the Selangor Syariah Justice Department (“JAKES”). In the meeting, Yang Amat Arif Hakim Dato’ Mohammad Adib bin Husain informed the current developments in the legislation where several amendments in the Selangor State Property Procedure Enactment related to the online hearing/mention of cases have been passed.

JKS were also informed that the Federal Territories Syariah Lawyers Council was just launched on 08.08.2022 under the Syarie Legal Profession Act (Federal Territories) 2019 (Act 814). Following the footsteps of the Federal Territories Syariah Bar Council, JAKES is also currently in the process of making amendments in the Selangor State Syariah Bar Rules, particularly in matters involving the disciplinary board, recruitment and admission of Syariah lawyers in the state of Selangor.



20. Shuttle Bus Service



In order to assist and to ease the burden of some Members during the rainy season, having to take the arduous steps up to the court complex from the main road, Selangor Bar had arranged for a van to pick-up and drop-off Members who park their cars along Persiaran Pegawai to and from the Shah Alam Courts Complex Main Lobby. The operating hours are daily Monday to Friday from 7.30 a.m to 12.00 p.m.

21. Zoom Webinars on Criminal Law

ORGANISED BY THE SELANGOR BAR COMMITTEE PROFESSIONAL DEVELOPMENT SUB-COMMITTEE 2 CPD POINTS

AUTOPSY REPORT IN MURDER CASES
11th AUGUST 2022 (THURSDAY)
3.00-5.00pm VIA ZOOM Webinar

LIMITED TO 400 PAX ONLY
REGISTRATION FEE: RM100.00
MEMBERS OF THE BAR (BND) RM100.00, YOUNG LAWYERS (10 YEARS & BELOW) RM50.00, PUPILS IN CHAMBERS (BND) RM100.00, NON-MEMBERS (PUBLIC) RM50.00

There is a hair line distinction between the offences of murder under section 302 & the lesser offence of culpable homicide under section 304 of the Penal Code. The definitions of the two offences are the weaker part of the Penal Code. They are defined in terms closely resembling each other and at times it is difficult to distinguish between the two because the causing of death is common to both. In both offences the mens rea is both intention and knowledge. However, the difference between the two is not without a distinctly subtle. The nature of the injuries inflicted by the Accused as well as any pre-existing medical conditions of the Deceased will be decisive in determining the operating and substantial cause at the time of death.

This talk will focus on identifying issues in the report which may earn an outright acquittal or a conviction on a lesser charge. A Matter of Life and Death!

Speaker
T. VIJAYANDRAN

About the Speaker
Prior to being called to the bar in the year 1990, Mr. T. Vijayandran was a Superintendent of Customs with the Royal Malaysian Customs and Excise Department. During that period, he had been in charge of Prosecuting Customs cases. Subsequently, he served as a magistrate in Bukit Mertajam Court before commencing private practice. He has vast experience in criminal litigation mainly in trials and appeals on cases that attract the death penalty.

Moderator
SYAHIRUL SYAZWAN

ORGANISED BY THE SELANGOR BAR COMMITTEE PROFESSIONAL DEVELOPMENT SUB-COMMITTEE 2 CPD POINTS

SEXUAL OFFENCES AND CRIMINAL TRIAL
22nd SEPTEMBER 2022 (THURSDAY)
3.00-5.00pm VIA ZOOM Webinar

LIMITED TO 400 PAX ONLY
REGISTRATION FEE: RM100.00
MEMBERS OF THE BAR (BND) RM100.00, YOUNG LAWYERS (10 YEARS & BELOW) RM50.00, PUPILS IN CHAMBERS (BND) RM100.00, NON-MEMBERS (PUBLIC) RM50.00

Speaker
SALIM BASHIR

About the Speaker
Mr. Salim Bashir, former President of Malaysian Bar 2020/2021. He is an Adjunct Professor UTM (Law Faculty) 2021/2022. He is a UK trained lawyer specialising in Criminal Defence and trials. He was the Chairman of the Selangor Bar 2015-2017. He has conducted many notable public interest cases amongst others Kim Jong Nam murder, Aminul Rashid police shooting case and many other prominent criminal trials.

Moderator
SYAHIRUL SYAZWAN

ORGANISED BY THE SELANGOR BAR COMMITTEE PROFESSIONAL DEVELOPMENT SUB-COMMITTEE 2 CPD POINTS

Application of Section 112 & 113 Criminal Procedure Code in Criminal Trial
25th August 2022 (THURSDAY)
3.00-4.30pm VIA ZOOM Webinar

LIMITED TO 400 PAX ONLY
REGISTRATION FEE: RM100.00
MEMBERS OF THE BAR (BND) RM100.00, YOUNG LAWYERS (10 YEARS & BELOW) RM50.00, PUPILS IN CHAMBERS (BND) RM100.00, NON-MEMBERS (PUBLIC) RM50.00

Overview of The Talk
Statement given by an accused person during police investigation has raised a lot of questions among the public and the legal profession. A person giving a statement has to be cautioned either before or after the giving of the statement.

There are general statutory provisions such as Section 112 & Section 113 of the Criminal Procedure Code which codify this civil right. This short talk will focus on these statutory provisions.

Speaker
DATUK DR. RAJESH SINGH SIDIHU

About the Speaker
Datuk Dr. Rajesh Singh Sidihi is a senior partner of Shukor Rajesh & Partners. He is versed in the practice of law. His wealth of passion and expertise lie in criminal litigation. He has appeared in courts defence counsel for a whole gamut of cases. His areas of practice are Anti-Money Laundering, Blue/White Collar Crimes, Criminal Advisory Work, Corruption, Drug Offences, Environmental, Financials, Human Trafficking, Immigration, Kidnapping, Offences for Capital Punishment, Security Laws and Personal Injuries, Securities and Money Markets, Statutory Offences and Terrorism.

Moderator
RICHARD TEH

Embracing digital technology in this endemic year, the Selangor Bar Criminal Practice & Court Liaison sub-committee had organized a few important talks via Zoom on the hot topics namely-

- Autopsy Report in Murder cases
- Application of Section 112 & 113 Criminal Procedure Code in Criminal Trial
- Sexual Offences and Criminal Trial



22. Conducting the Meet Us & Tell Us Sessions



Since its inception in 2015, the Meet Us & Tell Us sessions were always received well by our Members, hence we have continued to uphold the tradition of holding it physically in the respective courts such as the Ampang Courts, Kuala Selangor Courts, Petaling Jaya Courts and Klang Courts. These physical meetups with the Members of the Bar in the various venues were to facilitate and sort out their issues faced in these respective Courts.

23. Ad-Rem Magazine

The Ad-Rem magazine has always been the Selangor Bar's landmark production throughout the years which showcases exciting and thought-provoking articles and interviews, to increase our Members' reading pleasure. This year is no different with the Ad-Rem having an exceptional line-up of interviews which include the current Chief Justice of Malaysia, Yang Amat Arif Tun Tengku Maimun Bt Tuan Mat, Federal Court Judge, Yang Arif Datuk Nallini Pathmanathan, and the Director of Asian International Arbitration Centre (AIAC), Tan Sri Suriyadi Halim Bin Omar.



24. LIAAM-Selangor Bar e-Moot Court Competition on 24.9.2022 and 25.9.2022:



After breaking tradition by having the first ever e-Moot Competition last year, the Criminal Law & Court Liaison sub-committee together with Young Lawyers & Pupils Sub-committee members proceeded with having the second one. They played an active role in conducting the *E-MOOT Competition 2022 "BAIL & DAA OR DNAA"* on 24.9.2022 and 25.9.2022, via Zoom. It was also jointly organised by the Lincoln's Inn Alumni Association Malaysia (LIAAM).

Safe to say, it was a successfully executed event and one that hopefully will continue to be held in the coming years to provide young lawyers and pupils a great experience as well as exposure.

25. Blood Donation Programme on 5.10.2022





Safe blood saves lives and donating blood products is essential to community health. On 5.10.2022, a Blood Donation Programme collaborating together with the Courts was held at Dewan Sri Orkid, Shah Alam Court.

26. Deepavali Charity on 16.10.2022



A Deepavali Cheer - Bring a Smile this Deepavali to Underprivileged Children. We raised funds to buy festive clothes, chicken biryani and even hired an ice cream truck vendor and gifted 'angpaos' to 100 underprivileged children in Dewan Kuil Sri Mahamariamman, PKNS (Banting) for Deepavali. The gifts definitely cheered up and lit up their children's faces with big smiles.

27. Community Outreach Programmes



Due to the limited time constraints, community outreach programs during the month of Ramadhan, such as *Ramadhan* iftar, which are usually conducted by the JKS from the Selangor Bar Committee, cannot be physically implemented.



However, JKS remained steadfast in contributing to the community hence JKS proceeded with donating clothes and basic food stocks to a few orphanages such as Rumah Nur Sakinah, Rumah Anak Cahaya Tengku Ampuan Rahimah (RECTAR) and Rumah Yaakubiah.

There are several other programs that will only be implemented in 2023 due to time constraints and pending approval from the relevant parties.

28. Human Rights, the Environment & Gender Equality

The image displays three promotional posters for seminars organized by the Selangor Bar Human Rights, the Environment & Gender Equality Sub-Committee. Each poster includes the date, time, registration fee, and details about the speaker and moderators.

- Poster 1:** "No means No! Break the silence stop Domestic Violence" on 7th February 2023 (Tuesday) from 3.00 - 5.00pm via Zoom Webinar. Speaker: THANASHRI K. SUPPAYA. Moderator: Ambiga Rajendran.
- Poster 2:** "SEXUAL HARASSMENT: IDENTIFYING IT & SEEKING HELP" on Wednesday, 3rd August 2022 from 2.30pm - 4.30pm. Speaker: Ms. Hastiny Subramaniam. Moderators: Mr. Yohendra Nadarajan and Ms. Ambiga Rajendran.
- Poster 3:** "Effective Functioning of National Human Rights Institutions (NHRI)-SUHAKAM as Oversight for Human Rights in Malaysia" on Tuesday, 4th October 2022 from 4.00pm - 5.30pm via Webinar. Speaker: Mr. JERALD JOSEPH. Moderators: Mr. Yohendra Nadarajan and Ms. Ambiga Rajendran.

The Selangor Bar Human Rights, the Environment & Gender Equality had also organized various talks and seminars for the benefit of the members such as follows:

1. **The Importance of Human Rights**
2. **Sexual Harassment: Identifying It & Seeking Help**
3. **Effective Functioning of National Human Rights Institutions (NHRI) - Suhakam as Oversight for Human Rights in Malaysia**
4. **No means No! Break The Silence, Stop Domestic Violence**

29. Art of Advocacy from The Perspective of a Practitioner on 3.11.2022

The Selangor Bar Criminal Practice & Court Liaison organized 'Art of Advocacy from The Perspective of a Practitioner' via Zoom to about 39 practitioners, chambering pupils and public. This seminar was presented by Steven Perian KC.



30. A tripartite friendly Badminton Game between Selangor Bar vs Shah Alam Court & Kuala Lumpur Court on 5.11.2022

Mahkamah Shah Alam, Mahkamah Kuala Lumpur together with Selangor Bar had a friendly badminton game on 5.11.2022. It was a day of fun albeit heavily contested games. Everyone was happily exhausted but left with good sweat and happy memories.

31. Conveyancing Hi-Tea and Get Together on 11.11.2022



After a few years since Covid-19 pandemic, the CPCT team was able to organize a Hi-Tea and Get Together programme at Armada Hotel, in Petaling Jaya, Selangor on 11.11.2022 which involved the officers from all parties involved such as Land Offices, LHDN, LPPSA, SSM and Insolvency Department.

The event was for the Members and the relevant officers to mingle and exchange ideas. The representatives of every government department were given an opportunity to give a speech on their expectation, ideas for the betterment of the working relationship with the Members. Overall, it was a very successful event and tickets were all sold out.

32. Selangor Bar Annual Dinner & Dance 2022 on 26.11.2022





As a result of the Covid-19 pandemic, the Annual Dinner & Dance could not be hosted in 2020 and 2021. Since we moved into the endemic phase in 2022 and social events were allowed to be held, the Selangor Bar was thrilled to finally be able to host the Selangor Bar Annual Dinner & Dance for everyone on 26.11.2022 at the Sunway Pyramid Convention Centre.

The theme the Selangor Bar opted for this year was Black-Tie/Colors of Life, which we felt is a smart way to celebrate the colours of life, with a touch of class. Overall, it was a splendid event with 610 people in attendance. We even had multiple Malaysia treasures like Reshmonu as the opening act, Ziana Zain as the main act, Douglas Lim and Keeran Bala as the comedy acts serenading and cracking us up with their outstanding performances.

33. Meeting with the Pengarah Mahkamah Rendah Negeri Selangor on 15.12.2022





34. "Make A Wish to the Selangor Bar" on 16.12.2022



On Christmas last year, the Selangor Bar Committee held a Christmas event to spread the Christmas joy by inviting the Selangor Bar Members and Pupils to enjoy the festive evening together. It was a heartwarming and a joyful evening as all the participants were together to celebrate Christmas and share each other's Christmas wishes of Selangor Bar on the Christmas tree.

35. Towards a Paperless Selangor Bar

The SBC is conscious of the environment around us. In view thereof, we adopt a paperless approach at the Bar upon the brilliant suggestion made by our Human Rights and the Environment Committee. This means that all materials for talks and/or seminars held at Selangor Bar are to be emailed to participants in advance to minimise the printing of papers.

36. Pupils' Introduction & Interview Sessions

As a requirement during their pupillage period, pupils in chambers in Selangor attend an Introduction & Interview Session organized by the Committee either physically or virtually. The session starts with a briefing from a representative of the Legal Aid Centre regarding the mandatory legal aid component to be completed, followed by a session by the SYLPC on key matters that pupils need to know for a smooth pupillage journey and then an interview session where Selangor Bar Committee members interact



with the pupils as well as provide valuable guidance in their journey to becoming advocates and solicitors.

Completion of the session will see pupils getting their Introduction Session forms signed by 5 Committee Members including the Chairman and Secretary. In this term, a total of 7 sessions have been held with 1 being held physically and the remainder held virtually via the Zoom online video platform in light of Covid-19 developments. A total of 481 pupils attended these sessions during this time with more sessions to come.

37. Long Calls

This term, we have seen a steady increase of pupils being called to the Bar in the Shah Alam High Court, especially as the Courts have reverted to physical hearings and opposed to virtual as was the case during the pandemic.

In this term alone, a total of 390 pupils were admitted as Advocates and Solicitors of the High Court of Malaya which also included esteemed individuals such as former judges and corporate executives. The SYLPC takes this opportunity to wish the newly admitted members all the very best in their legal career.

38. Selangor Bar Chinese New Year Celebration on 3.2.2023





On this festive evening, the Selangor Bar Committee invited Members and Pupils in Chambers of the Selangor Bar for a Chinese New Year celebration and to enjoy a special lion dance performance. Free food and drinks were also served to bring joy to the event as all the members were joyously enjoying the evening together.

39. Selangor Bar Pilataes on 8.2.2023

**INSTRUCTOR
ELAINE**

Miss Elaine Tan is the Director of Ambassador of Love (AOLove) Pilates Studio & a STOTT pilates certified instructor & Master's of Science in Sport Science. She is passionate in providing heart-to-heart impactful education in pilates.

**JOIN US FOR OUR
SBC PILATES**

8TH FEBRUARY 2023 **TIME: 5:00PM**

LIVE CLASS VIA **zoom**

Organised by:
Selangor Bar Sports Recreation & Health
EUGENE ROY JOSEPH

While pilates has been around for years, it is still gaining traction among new converts, picking up new devotees even amongst our Members all the time and there is a good reason why it continues to be a popular mode of exercise: it works.

On 8.2.2023, SBC organized a free live energizing pilates session with Miss Elaine via Zoom platform for our members and families, pupils and lawyers to exercise their minds and bodies. SBC takes great care in keeping our members stay healthy and SBC always strives to encourage members to be active.



40. Selangor Bar's Facebook Group



We have a new Facebook Private Group exclusively for our Members called “SELANGOR BAR” to help Members to stay connected and engage with us and other Members and to keep updated on the activities of the Selangor Bar Committee. This Facebook page continues to grow with 540 members as at 5.2.2023.

41. LexisNexis



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| (1) Lexis Nexis Base Package | |
| (2) Malayan Law Journal Reported | (11) My Conveyancing – NEW |
| (3) Malayan Law Journal Unreported | (12) Singapore Law reports – NEW |
| (4) Malayan Law Journal Articles | (13) Annotated Statutes of Singapore – NEW |
| (5) Unannotated Statutes of Malaysia | (14) Halsbury Laws of Singapore – NEW |
| (6) LexRead Malaysian Ebooks Digital Publications up to 2017 | (15) LexRead Malaysian Ebooks Digital Publications from 2018 to 2021 (32 titles) - NEW |
| (7) Preferential rates solely for members of the Selangor Bar for the of other materials from Lexis Nexis | |
| (8) Industrial Law Reports – NEW | |
| (9) Syariah Law Reports – NEW | |
| (10) Malayan Cases – NEW | |

We are coming to the tail end of an Agreement signed with LexisNexis Malaysia on for a term of two years (1.3.2021 to 28.2.2023) for Lexis Advance, Malayan Law Journal Reported, Malayan Law Journal Unreported, Malayan Law Journal Articles, Unannotated statutes of Malaysia and LexRead Malaysian Ebooks Digital Publications (updated as at 2017) (“the existing Selangor Bar LexisNexis package”).

As such, we are committed in continuing our mission to provide accessible online research to Members till to date and have had many engagements with LexisNexis to give members a better improvised package by including Singapore cases and statutes and the updated e-books of 32 titles. We, the SBC, will be taking the additional products averaged to RM80 per member however have decided to maintain the same amount of subscription of RM60. The good news, members will be getting back 8 more products



than the previous agreement for the same price paid before. The new products listed above are but the SBC, taking into the members' welfare and best interest, have agreed to maintain the subscription of LexisNexis to RM60.

We continue to engage the Bar Council to reimburse some sum towards the Selangor Bar subscription. We strive to ensure that the Selangor Bar Committee can continue to provide such services to the Members. We will be tabling a Motion on this LexisNexis renewal and subscription at the AGM. A copy of the Motion dated 1.2.2023 has already been posted and emailed to the Members.

Don't worry, I am almost done.

This term had therefore been a remarkable albeit challenging journey in this endemic phase. We have welcomed many structural changes and paradigm shifts in the way we approach our short-term priorities and long-term growth objectives be it digitally or physically or even in a hybrid manner. It was disruptive, particularly for our conveyancing sector, but we have witnessed some positive improvements in our efficiency as well as in our performance by securing the RM3 million grant for members from the State Government for Selangor Bar members to engage in pro bono legal aid work.

I trust that our beloved Members are able to see the efforts and work put in by each and every committee member this term to empower and protect the Members of Selangor Bar in the best way possible. See you online at the AGM on 22.2.2023.

Report submitted by:

Kokila Vaani Vadiveloo
Chairman
Selangor Bar Committee 2022/2023