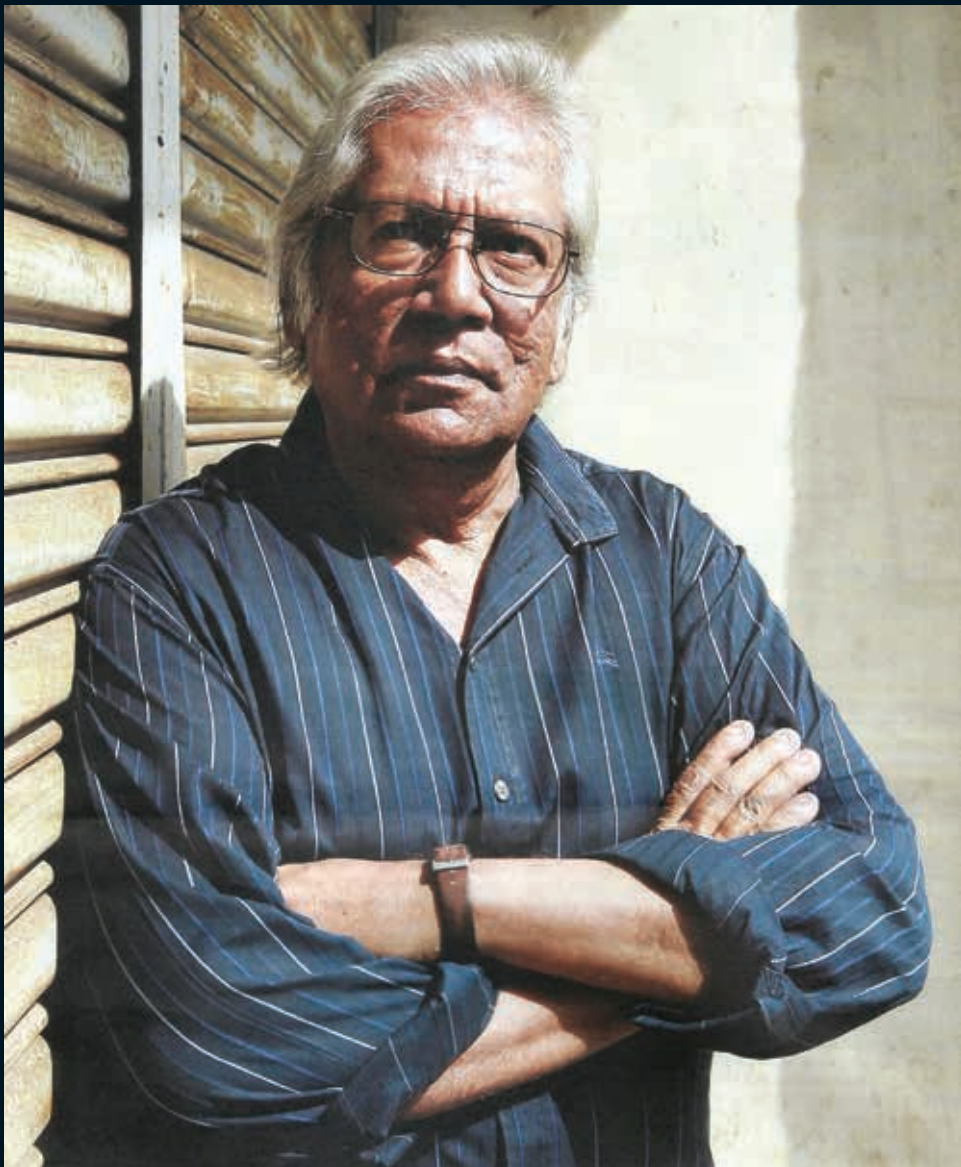




VOIX D'ADVOCAT

The same voice - A lawyer's voice

FOR MEMBERS ONLY • ISSUE 01/2019



SPECIAL FEATURE
CECIL RAJENDRA

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However, the Penang Bar Committee and the Editorial Board reserve the right not to publish them or to edit those published as regards content, clarity, style and space considerations.

Contributions from individuals that are published contain the personal views of the writers concerned and are not necessarily the views of the Penang Bar.

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A WORD FROM THE EDITOR

Dear Members,

2019 has unfolded with some significant events for us the Penang Bar members. The Penang Bar Committee's election witnessed a tough battle. Our heartiest congratulations to Lee Guan Tong, our new Chairman, and his committee. On behalf of the Editorial Board, I wish him and his team all the best as the Penang Bar marches towards greater heights under the guidance of his leadership.

Further, in the recent Malaysian Bar Council election, Abdul Fareed Abdul Gafoor was elected as our new President for the term 2019/2020. On 16 March 2019, at the 72nd Malaysian Bar Annual Dinner & Dance, the Bar Council conferred the 2019 Lifetime Achievement Award on our veteran lawyer, Cecil Rajendra, for his outstanding contributions to the country's legal aid sector. On the same night, Simon Tan Hong Jin, who has been very active in sports activities of the Malaysian Bar since his pupillage in 1998, was accorded with the Malaysian Bar's Sports Personality of the Year Award 2019.

Indeed a glorious moment for the Penang Bar to have its members stand out in the eyes of the nation and other state Bars. I am pleased and privileged to pen my first editorial message by congratulating each one of them on behalf of the Editorial Board. They certainly are an inspiration to all the young members of the Penang Bar Committee.

We proudly present to you the labour of our hearts as we step into our 3rd year. The publication has evolved greatly since its revival from years of ceased publication. I remember our first issue vividly, and those who have been following our editions from the beginning would reckon to this.

This year's first edition marks the revamp of Suara Peguam. Today, we are honoured to present to you, hot off the press, a very special issue, our new, **VOIX D' ADVOCAT**, the same voice - a lawyer's voice.

To provide a glimpse of the contents of this issue - we have included many new segments in this edition in an attempt to place in your hands a balanced and informative read. We have covered some of the major divisions of law: Family, Conveyancing, Syariah and Criminal. Apart from that, the highlights of this edition are the 'Special Feature' on Cecil Rajendra, and a special interview with Abdul Fareed Abdul Gafoor, who shares with us his visions and missions to enhance the Malaysian Bar to being 'world class'.

The Editorial Board has curated this edition to provide a stimulating feast to your eyes and a quench of your thirst for information.

On a final note, a warm welcome to all our new members: Harbhajan Kaur a/p Ranjit Singh, Aniza Binti Sultan, Lee Jing Yao, Shaarmila Rajendran and Munes Geetha Munyadi. The contributions of all the members in the Editorial Board are worthy of appraisal. Putting the edition together is a team effort. My sincere thanks to my team and on behalf of the Editorial Board, I would like to extend our thanks to our fellow members for contributing their articles. I would also like to congratulate, on behalf of the team, our very own Ramesh Rajadurai, who tied the knot recently.

Enjoy the edition!

Warm regards,

Krishnaveni Ramasamy

Editor

June 2019

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CHAIRMAN'S MESSAGE



The last election saw the nation and many of us re-ignite the once blazing but since smouldering zeal - to offer our time, intellect or even finance towards developing the country and the society in the greater pursuit of quality life. One outstanding example is how fervent the nation reacted to the Government's call to contribute towards "Tabung Harapan". The collective mood was for changes and changes for the better.

Capricious politics aside, we can observe that the current environment has been much more tolerant of public discourses and narratives advocating for many long overdue reforms this country direly needs and reminding the power that be of those promised. It is utmost important to keep this momentum, or we risk going back to the mire that has trapped the country for so many decades.

We as lawyers certainly play a key part in this joint effort.

Collectively, our immediate past President and the current President have issued many prompt and cogent press statements making the Malaysian Bar's concerns and stands on these reforms heard. One can check these press statements at <http://www.malaysianbar.org.my/press-statements/>.

Individually, many of us are already doing our bids, be it professionally, socially or in our own private spheres, for many of these changes we are seeking may never be truly achieved if they are to be brought about top-down.

This edition of Voix d'Advocat is yet another sterling effort by our Publication Subcommittee and all the contributors, which I hope would provoke or stimulate your thoughts in the grand scheme of things.

I will leave you to ponder over the following extract from the President's Press Release issued on 26 March 2019 titled, "Stakeholders in Administration of Justice Must Play Their Role in Enhancing Public Perception of the Judiciary":

"An excellent justice system requires a combination of a fair conduct of cases, their speedy disposal, and well-reasoned decisions, so as to ensure that justice is done, and seen to be done, in all cases. In the administration of justice, the emphasis must be on quality and integrity over quantity, and to ensure that justice is in no instance sacrificed for speed or expediency."

Regards,

Lee Guan Tong

Chairman

Penang Bar Committee 2019/2020

SPECIAL FEATURE

CECIL RAJENDRA

Lifetime Achievement Award 2019

by Guhapria Kumaravellu



Acceptance address delivered by Cecil Rajendra, the recipient of the Malaysian Bar Lifetime Achievement Award 2019, at the 72nd Malaysian Bar Annual Dinner & Dance 2019 held on 16 March 2019

Lifetime Achievement Award - yearned by professionals from various professions or fields, however, attained only by a selected few. Veteran lawyer Cecil Rajendra became the recipient of the Malaysian Bar Lifetime Achievement Award 2019, an award given as the highest form of recognition and appreciation to members of the Bar who have demonstrated tremendous dedication, meritorious lifetime service and exceptional contributions to the Bar. The award was conferred to Cecil at the 72nd Malaysian Bar Annual Dinner & Dance 2019.

A Penangite by birth, Cecil completed his primary and secondary education in St Xavier's Institution. He describes himself as "a lawyer by profession and a poet by compulsion." He read law at the University of Malaya in Singapore. When he was questioned why he decided to do law, he answered that as the firstborn son in a traditional Indian family, he was given only three options; to be a lawyer, doctor or civil servant and he chose the *softest* option. He enrolled at Lincoln's Inn in 1964, and the following year his first book of poems, *Embryo* was published. He was the first Malaysian to have a book of poems published in London.

**"I've always stood up for
justice and equal rights for
all"**

In 1969, he returned home to explore legal options. However, he felt that he had not honed his skills as a writer and decided to return to London. Upon returning to London, Cecil got himself involved with a wide range of civil rights groups. He worked as a Legal Officer with the Student Christian Movement ("SCM") and the United Kingdom ("UK") Community Relations Commission ("CRC"). He also worked with groups like Amnesty, National Council of Civil Liberties, Anti-Apartheid Movement, etc.

In 1972, he decided to end his bachelor days when he married his wife Rebecca at the Paddington Registry London. The couple returned home in 1976 after the birth of their son in December 1975. In 1976 he chambered at the firm of Messrs Subbiah & Co. His call was moved by a legendary lawyer of the Malaysian Bar, Lim Kean Chye in 1977.

Cecil lived by one mantra during his legal career spanning more than four decades “There is no law without justice” which spurred him and several friends to set up the first legal aid clinic in Penang in 1980, known as Penang Legal Advisory Centre (“PLAC”). Following Penang’s lead in 1983, the Malaysian Bar Council launched a nationwide legal aid programme to provide free legal advice to the poor.

In 1984, Cecil organized the first National Legal Aid Conference at the Royal Selangor Club. He has served as Chairman of the Human Rights and Legal Aid Committees of the Bar Council for several terms. During his stewardship, the Bar Council Human Rights and Legal Aid Committees took up several groundbreaking cases pertaining to the rights of the indigenous and dispossessed people such as the *Sagong Tasi* case. During his term of office, he also initiated numerous remarkable law awareness campaigns such as “Save the Judiciary” in 1988, “No Detention Without Trial (“NDWT”)”, in an effort to abolish the Internal Security Act 1960 and all forms of legislation which allows detention without trial. In 2000, Cecil launched the country’s first mobile legal aid clinic (van) at Penang Youth Park.

**“How can everyone be equal
before the Law if one person
has no access to justice?”**

Cecil was also a fervent sportsman. After his admission to the Bar, he started the Penang Bar’s first football team, which he captained in 1977. He represented the Penang Bar and Malaysian Bar at various Bar Games in the 70s and 80s.

Cecil has written several poems that address human rights and environmental issues. Cecil Rajendra’s socio-political poems were recognized in an academic paper presented at England’s



Cecil being congratulated by Attorney General Tommy Thomas while past Bar President George Varughese (right) and present President Fareed Gafoor look on.

prestigious Oxford University as part of a seminar on “Intellectuals and Independent Thought in Malaysia” in the year 2016. Cecil has authored 25 books including *No Bed of Roses: The Rose Chan Story*. His poems have been published in over 50 countries and translated into several languages. The most notable poem titled *The Animal & Insect Act* amassed over three million hits on the Internet and has appeared in scores of anthologies, textbooks, calendars and diaries in several countries. It was used by Amnesty International in one of its calendars and diaries.

Cecil was the first recipient of the Malaysian Lifetime Humanitarian Award in 2004 and an individual human rights award by Human Rights Commission of Malaysia (“SUHAKAM”) in 2012. In 2011, he received a DIVA (Danish International Visiting Artist) Award from the Arts Council of Denmark, in recognition of his poems about ecological devastation and climate change. In 2015, he was declared a Living Heritage Treasure by Penang Heritage Trust.

This dedication and honour to Cecil would be incomplete without quoting one of his recent poems, hence:

Life's Reality Check

*A lifetime achievement award?
What's that all about?*

*Especially as he thought
all his endeavours
had trickled to nought*

*He'd spent a lifetime pursuing
not Law – that indomitable 'Ass';
but Justice – the forever elusive
fugitive from corridors of power.*

*A thankless task, marked
for the most part, by failure!*

*And, as for his poetry
with Michaelangelo Buonarotti
he repeatedly asks of himself
if he had achieved anything at all.*

*He wonders if two lines
of his verse will survive posterity*

*A lifetime achievement award?
Pray tell, what's that all about?*



Child Adoption in Malaysia

by Shaarmila Rajendran



For some, the ideal scenario for a happy family is a glowingly pregnant woman with her husband by her side, both anticipating the joyful addition to their family.

For others, namely, couples suffering from infertility and may never bear their own biological children despite exhausting all options, this scenario is rendered merely a fantasy. For them, adoption is the happy compromise not just for the couple but also for the child.

There are also some couples who are indeed fertile and able to bear children who decide to adopt a child, to make a difference in both the child's life and also theirs, and to provide the family love and support the child deserves.

The adoption of a child is an act that transcends humanity. When a couple or a single parent adopts a child, they are bringing in the child as one of their own. This child will have rights over the adopters' property and estate, and vice versa. In short, that child now has all the rights similar to that of a biological child.

Legally, a child is defined as an individual who is below 18 years old. However, in most situations, a child is usually adopted at their stage of infancy or at a very young age to enable the child to adapt easily into the new environment.

There are many children out there who lack a loving home and family when they have been orphaned, abandoned, abused, given up voluntarily, or even forced to leave home due to poverty.

Statistics show that up to 50,000 Malaysian children live in institutions and orphanages. Whilst, these institutions are helping them by providing basic needs, it can never replace a loving home and family. Every child certainly has the right to grow up with love and care, with the necessary support to build a good foundation for a good life.

In Malaysia, adoption is a lengthy process with lots of paperwork involved with a period of some 6 to 9 months. However, while some may find the adoption process tedious and considering that there is some stigma attached to it in our modern but traditional society, it is certainly worthwhile when one considers how it improves not just the child's life but the adoptive parents' lives as well.

There are two separate but contemporaneous legislative schemes for adoption in Malaysia, the Adoption Act 1952 ("Adoption Act") and Registration of Adoptions Act 1952 ("Registration of

Adoptions Act”). While the Adoption Act is applicable for the non-Muslims, the Registration of Adoptions Act (ROAA) caters for the Muslims but is not restricted to Muslims only.

The main differences between the two (2) legal regimes are, firstly, the Adoption Act provides for adoption process through an order of the Court. The ROAA, on the other hand, provides for adoption process through “self-registration” by the adoptive parents. The second difference is, under the Adoption Act, the birth certificate of the adoptive child is issued as if the adoptive parents are the birth parents, whereas, the ROAA will not have such effect.

The person seeking to adopt a child must be someone who is 25 years of age at the time of making the adoption application. This age requirement is justified by the common presumption in law that anyone who is 25 years of age and above should be reasonably understood to discharge parental duties to the child. This rule comes with an exception that a 21 year old is allowed to make an adoption application provided he or she is a relative of the child.

Next, to ensure that the child is already familiar with the adopter, the subsequent requirement is that the individual should have already been taking care of the child for at least three months prior to the application to the court.

Permission must be obtained from the parent(s) of the child they seek to adopt, and if the child concerned does not have parents, permission must be obtained from the guardian of the child. If the applicant fails to obtain permission from the guardian, then he or she may apply to the court to waive that requirement provided it can be proven that the parent(s) or guardian cannot be traced or are unreasonably holding back their permission.

Once the application is made, the court will in the interim appoint a guardian whose duties will be to investigate all possible circumstances of the child and applicant in all matters related to the proposed adoption such as the applicant’s occupation and income, health and living circumstances. By producing a report which would help the court make the necessary assessment of the application, the guardian would have duly discharged his or her appointed duties.

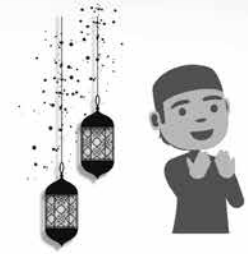
Based on the said report, the court can make such an order as it thinks just. For example, that the applicants are on a probation period not more than 2 years, to see how the applicants are caring for the child because parenting is not an easy task, and not everyone is capable of being a responsible parent.

The law is very stringent on the requirements of adopting a child because when a child is put up for adoption, the child’s welfare and future is in question. Hence, the law takes it upon itself to protect the child’s welfare and future.

When the order of adoption is granted by the Court, the Registrar will make an entry in the register of adoption, and the applicant shall proceed to apply for the birth certificate of the child. The child’s birth certificate will not state the status of adoption; instead, the name of the child would be changed to reflect the name of the adopters. The child will also carry the family surname, if any.

The child is now officially a part of the family, and every other relationship in the said family binds to that child as if he or she was born into that family. In law, the child is recognized to have rights as a beneficiary upon his or her parent’s estate as well as trusts. The child’s future and welfare are now guaranteed.

SYARIAH IN A NUTSHELL



SEJARAH PERMULAAN UNDANG-UNDANG SYARIAH DI MALAYSIA

by Muneer Mohamed Farid

Undang-undang Islam mula bertapak di rantau nusantara kira-kira pada abad ke 13 dan di Melaka lewat satu kurun kemudian. Semasa pemerintahan Kesultanan Melaka, suatu Undang-undang yang dikenali sebagai Undang-undang Melaka atau Hukum Kanun Melaka, telah diperkenalkan dan diterima pakai sebagai Undang-undang Islam. Ini membuktikan bahawa Undang-undang Islam telah pun diterima pakai sejak ketika itu.

Kanun Melaka atau Undang-undang Melaka merupakan hasil rujukan daripada teks *Abu Shuja' at-Tariq* dan *Fath al-Qarib* oleh Ibn Qasim al-Ghazzi. Malah Undang-undang ini juga dikatakan mengandungi perundangan Islam dan ianya terdiri daripada Undang-undang Melaka Asal, Undang-undang Laut, Undang-undang Keluarga dan Undang-undang Jual Beli. Di Perak pula, terdapat Undang-undang 99 Perak. Manakala bagi negeri Terengganu, Undang-undang Islam telah ditadbir dengan berkesan di bawah pemerintahan Sultan Zainal Abidin II. Sementara di negeri Johor, *Majallah Al-Ahkam* dari Turki telah diterjemahkan ke Bahasa Melayu dan dilaksanakan di Johor. Malah pada akhir abad ke 19, Perlembagaan Johor melalui Artikel 2 menyatakan dengan jelas bahawa Raja yang terpilih hendaklah berbangsa Melayu, beragama Islam dan berketurunan Raja. Malah agama Islam juga diiktiraf sebagai agama rasmi Johor.

Justeru, satu rumusan boleh dibuat bahawa sebelum penjajahan Inggeris, kuasa Sultan atau Raja adalah meliputi semua perkara termasuklah adat istiadat Melayu dan persoalan agama Islam. Didapati bahawa sebahagian kuasa pentadbiran ketika itu juga ditentukan melalui autoriti Sultan sebagai ketua negeri dan ketua agama Islam di negeri masing-masing. Selain itu, mereka juga mempunyai kuasa eksekutif.

Melihat kepada bukti-bukti sejarah, memang menjadi satu kenyataan bahawa Undang-undang Islam merupakan antara Undang-undang yang diterima di Tanah Melayu sejak dahulu kala. Ini dapat dibuktikan dalam kes *Sheikh Abdul Latif & Others lwn Shaikh Elias Bux (1915) 1 FMSLR 204*, dimana mahkamah memutuskan bahawa Undang-undang yang terpakai kepada orang Islam pada masa itu adalah Undang-undang Islam yang diubahsuai oleh adat tempatan. Dalam satu kes terpenting, *Ramah lwn Laton (1927) 6 FMSLR (CA)*, mahkamah semasa penjajahan Inggeris menerima hakikat bahawa bukan sahaja Undang-undang Islam adalah Undang-undang tempatan Tanah Melayu, malah Undang-undang Islam juga mestilah diberi pengiktirafan oleh mahkamah.

Semoga artikel pengenalan tentang sejarah Undang-Undang Syariah di Malaysia ini mampu memberi input kepada para pembaca bahawa Undang-Undang Syariah bukanlah satu Undang-undang asing malah ia merupakan antara Undang-undang terawal yang dilaksanakan di Tanah Melayu.

Face to Face with...



Abdul Fareed Abdul Gafoor PRESIDENT, MALAYSIAN BAR

by Munes Geetha Munyadi



It is our greatest delight to present to you the new President of the Malaysian Bar for the 2019/2020 term — Abdul Fareed Abdul Gafoor. Since his election as President, Fareed has pledged to visit each State Bar to meet its members. Our esteemed President prefers a personal touch, preferring to meet members face-to-face. He has also expressed an interest in active interaction between the four Office Bearers and the Members of the Malaysian Bar, and welcomes direct feedback from the Members. Fareed aims to visit all the States Bars in the entire peninsular by 15 August 2019.

On 7 May 2019, the Publications Subcommittee of the Penang Bar Committee was fortunate to have a photo session with Fareed, followed by a brief interview with him. He shared his views on

a few general topics.

The interview is presented in question-and-answer format below.

Q: Will the Common Bar Course ever be implemented, and what is your opinion about it?

A: The draft in relation to the Common Bar Course (CBC) is currently with one of the stakeholders — the Attorney General's Chambers (AGC), for evaluation since January. The AGC will be conducting a review of the proposal together with other stakeholders. Ideally, and hopefully, the Bill pertaining to the CBC will be submitted to the Parliament for its July or November sitting. Naturally, I am in full support of it and believe the CBC is the right direction for a unified qualifying entry point to the Malaysian Bar. The main concern for the opposition, especially the local universities, is purportedly the high costs. However, this is easily solved, in my opinion. My take is that the issue of costs should be brought to the relevant governing body, which is Legal Profession Qualifying Board (LPQB), which ultimately is a government institution. I am confident that by working with LPQB and the Government, a mechanism can be found to resolve the cost issue.

Q: What is your overall vision for the Bar Council?

A: First of all, the Bar Council, as a whole, aims to make law practice for lawyers as seamless as possible. It might sound a piped dream, but we must begin with baby steps to achieve our

objectives. For instance, maintaining a good relationship with the courts, public prosecutors and the police department. We are also aiming to reduce any breakdown of relationships with these departments in order to ensure that all parties can work together to uphold the administration of justice effectively, without having to be in a state of conflict.

Secondly, we want to strengthen relationships with foreign lawyers and law firms, which is a step forward to export our expertise and legal services in an ever-increasing borderless world. The Bar Council is currently trying to establish international law programmes to provide members of the Malaysian Bar with an opportunity to gain exposure in the practice of law in foreign countries. Currently, we already have a collaborative programme with the Korean Bar Association to send our members to law firms in Korea to learn their way of legal practice. Likewise, the Korean lawyers are also employed in Malaysian law firms. We hope to expand this exchange programme to other Bars that the Bar Council has signed Memorandums of Understanding with.



We also hope to organise similar programmes for our members in countries like Japan and China. The idea is to conduct exchange programmes, whereby our lawyers will be sent to international law firms for, let's say, two weeks. This would allow our lawyers to indulge their interests in the new cultures and work ethics of the countries visited, and most importantly, make new friends where such friendship would turn into worthwhile contacts for future collaborations on shared legal works. Possessing these contacts would assist Malaysian lawyers should they, in future, require help from foreign lawyers or legal firms to deal with legal matters beyond Malaysian borders. Take, for instance, the murder of North Korean Kim Jong-nam, where both the accused were internationals. Hence, it is crucial to establish contact with foreign lawyers.

We have to remember that the world is gradually becoming borderless, and the limitation of distance was not as much a hindrance as it used to be. Therefore, Malaysian lawyers should not limit themselves by only looking inwards, as other countries may have expertise in areas of law that we do not have, and vice versa.

This actually brings me to my next point: we cannot be satisfied with where we are. We must constantly strive to improve the quality of our knowledge and skills. I do not think an LLB/ law degree alone would be sufficient. Unfortunately, improving oneself will require spending money and time. However, I believe this to be a worthy trade-off. I have done a mediation and adjudication course, respectively. In fact, I completed the adjudication course after having to re-sit one of the papers. Nonetheless, I did not give up and had since successfully completed those courses.

The next issue is to find passion in the work you do. I do not wish to discourage anyone, but the fact is the legal profession can be very tedious and stressful. Moreover, the legal profession is not as lucrative as it used to be. If you do not enjoy the profession, you will stagnate. The worst scenario is, to look back one day and find yourself stuck in a profession you dislike. Therefore, if you do not enjoy practising law, it would be wise to consider other options that may suit your interest. I know lawyers in some areas in Penang who have been in service for roughly 15 years, but only earn salaries worth around RM4,000 to RM5,000. Compared to other professions, it might not even be worth the time and effort if your salary is so low. A senior lawyer told me that when he started practice in 1980, his starting pay was RM1,000. However, RM1,000 back then was a huge amount, but today, almost 40 years on, even getting paid RM2,000 to RM3,000 is nothing. Therefore, young lawyers must constantly strive to improve themselves and expose themselves to a competitive edge to stand out.



Q: In relation to what we have just discussed, can the Bar Council take steps to improve the wages or job opportunities for young lawyers?

A: Wages and job opportunities are completely dependent on market forces. It is difficult to standardise wages across the country. Even in the state of Penang, there is already disparity between the wages on the island and mainland.

Q: Can the Bar Council develop some standard in terms of a minimum wage for fresh graduates?

A: Where would we draw the line? Wages differ according to areas — for instance, between Nibong Tebal and Georgetown. Wages for young lawyers further differ from state to state. It will be extremely difficult for the Bar Council to draw a line without causing a negative impact. It is also unfair for us to tie the hands of prospective employers or dictate to them in such a manner.

Q: Currently, practising lawyers must have at least 16 Continuing Professional Development (CPD) points per 24-month CPD cycle. However, is this compulsory? And how do you enforce this among practising lawyers, especially young lawyers?

A: Although this is compulsory for certain segments of the Malaysian Bar — those who are currently in their first to tenth year of practice — the Bar Council has no immediate plans to take action against these lawyers who do not attain the requisite CPD points.

Our resolve is to continue to promote and encourage the culture of pursuing knowledge among lawyers. We have received complaints that there are insufficient CPD courses, but this is not really accurate. There are many options to achieving the 16 points in a two-year cycle. But most importantly, the culture of learning must be present. Otherwise, how are young lawyers going to improve themselves? If you are advising your clients on old laws that have been repealed, you can get caught, as the law keeps evolving. That's why lawyers must constantly learn. There are no two ways about it. It is worth noting that just because the Bar Council does not have immediate plans to penalise those who have not attained the requisite CPD points, it does not mean one will not get caught. Anyway, the CPD points are not really hard to achieve. I have 14 CPD points so far in the span of about one year.

Q: The final question — what advice do you have for young lawyers?

A: Nothing beats hard work. There are two main qualities involved, which I term as the two "I"s. Firstly, one must have the **Interest** in whatever one does. Secondly, one must also have the **Initiative**. It is my belief that if you master these two "I"s, the prospect of success in whatever you do will be there. You must have the thirst to gain knowledge and to improve. I was fortunate that during my pupillage, my master gave me a lot of work to complete, forcing me to learn a lot. In contrast, nowadays I do not pass as much work to my lawyers. However, they do assist me during the preparatory stage as well as during hearings. I guide them through their work, but my work is my responsibility, and I do not have the habit of passing everything to them. I would rather work as a team.

Q: Do you wish to add on anything else?

A: Yes, the Bar Council is always here to support the lawyers. While we do respect the court and its officers, we should not be unnecessarily or unreasonably trampled on by the court officers. As far as I am concerned, we are all equal partners in the administration of justice. There must be mutual respect. Therefore, if there are any instances of unreasonable conduct by any court official, please do not hesitate to bring this to our attention, to my attention.

Thank you, Dato' Fareed, for your time. It was a pleasure interviewing you.

Malay Language National Moot Court Competition 2018

by Yeoh Wei Ting



Featured Photo: Penang Bar duo all set to slay the Moot Court.

(From Left to Right) Yeoh Wei Ting and Sharifah Nor Hanim.

You are on the edge of your seat, face alight, heart palpitating, and mind spinning – does this sound familiar to you? No, I am not describing how one feels before he or she confesses to his or her crush. I am describing how the participants of the Malay Language National Moot Court Competition felt while they waited with bated breath for the results at the close of the Final.

It was that time of the year again – where pupils and young practitioners, donned in black and white, are invited on stage to pit their wits against the very best that Malaysia has to offer in an adrenaline-packed war of words. With every year comes yet another edition of the Malay Language National Moot Court Competition.

This year's Moot Court Competition, which was jointly organised by The Malaysian Bar, the Dewan Bahasa & Pustaka and the University of Malaya, was the biggest ever mooting event. Eight state bars across

the country, namely, Pahang, Penang, Johor, Kedah, Kelantan, Kuala Lumpur, Terengganu and Selangor cemented their positions as participants in the competition. Penang Bar made its debut by sending two representatives - Yeoh Wei Ting and Sharifah Nor Hanim for the competition.

The moot subjects for 2018's edition of the Malay Language National Moot Court Competition were much like a thriller, with two fictitious disputes - one criminal and one civil fact patterns involving betrayal, gang robbery, luxurious sports utility vehicle, and extreme car driving.

The teams were required to compete in two elimination rounds before the top four advanced to the next knockout stages. Each round pitted two teams against each other, and each team consisted of two speakers, mirroring the system of senior and junior counsel. For every round the Coram comprised of two esteemed members of the legal fraternity and one distinguished academician from the Dewan Bahasa & Pustaka as judging criteria were placed on the participants' insight and analysis of the law, their ability to respond and rebut, linguistic mastery, clarity, and strategy.

As the rounds commenced, the participants presented their cases with much fervour and mental acuity, showcasing their pithy, forceful and deliciously suave arguments and courtroom etiquettes while standing unflinchingly amidst the intimidating and seemingly interminable inquiry from the bench. Needless to say, all of the participants more than held their own. The

audience and judges were treated to a fine demonstration of lingual dexterity and intellectual prowess.

After the gruelling elimination rounds, Team Penang Bar progressed to the Semi-final – making the last four teams in the Moot Court Competition.

As the rounds came to an end, two teams – Selangor and Johor stepped into the Finals which took place in the grand moot courtroom of the University of Malaya before the highly esteemed panel of judges including the current Sessions Court judge, Puan Rohatul Akmar binti Abdullah.

The prize-giving ceremony was inaugurated by the Deputy Minister in the Prime Minister's Department (Law), YB Mohamed Hanipa Maidin; the then President of The Malaysian Bar, George Varughese; the Deputy Chief Director of Policy of Dewan Bahasa dan Pustaka, Datuk Haji Abang Sallehuddin bin Abang Shokeran and the Vice Chancellor of University of Malaya, Datuk Ir. Dr Abdul Rahim Hj. Hashim. In his remarks for the closing ceremony, YB Mohamed Hanipa Maidin, addressed the audience in his inimitable style, generously peppering his speech with humorous anecdotes while he stressed on the importance of mastering the national language of Malaysia as an extremely important facet of the courtroom advocacy.



Featured Photo: Penang Bar representative, Yeoh Wei Ting, winning the Best Overall Oralist award.

(From Left to Right) Deputy Chief Director of Policy of Dewan Bahasa dan Pustaka, Datuk Haji Abang Sallehuddin bin Abang Shokeran; Yeoh Wei Ting; Deputy Minister in the Prime Minister's Department, YB Mohamed Hanipa Maidin; Vice Chancellor of University of Malaya, Datuk Ir. Dr. Abdul Rahim Hj. Hashim and former President of The Malaysian Bar, George Varughese.

Judges in every round of competition were uniformly fulsome in their praise of the standard of oral advocacy. On that note, the champion and 1st runner-up of the Malay Language National Moot Court Competition 2018 were bagged by the Selangor Bar and Johor Bar, respectively, whereas the Penang Bar prevailed over all the participants for the individual award with one of their representatives - Yeoh Wei Ting, winning the Best Overall Oralist award.

The team would like to express their deepest gratitude to the Penang Bar Committee and Executive Director of the Penang Bar for the opportunity and to all the lawyers from their firms for having sheer confidence in them. Though the competition only lasted for moments, the team grew by how much they put in. They would not have missed the Moot Court Competition for the world!



Letter of Offer: Can it stand alone?

by Nur Farhana Binti Abdul Karim

While looking for a suitable bank to finance your housing loan or corporate loan, you may stumble upon a preliminary document called a letter of offer. A letter of offer is a cardinal first step which allows the parties to agree on the key commercial terms, which may be non-negotiable, before executing formal documents. In Malaysia, most of the banks treat the letter of offer as an integral part of the facility agreement due to the weight carried by the letter of offer, itself. Not only that it gives an overview of the financing structure, but it also records the commercial terms initially agreed by the parties during the negotiation stage. Even though the letter of offer is non-binding, it is nevertheless, a good approach for the banks to treat it as an integral part of the facility agreement. This is to avoid any confusion as to which document is enforceable in the court of law, especially when the issues of 'subject to contract agreement' are involved. It is not easy to have a legally binding contract. The journey starts with an offer and acceptance, followed by valid consideration, intention to create legal relation and the capacity to enter into a valid and binding contract. Yet, the point at which a binding agreement is finally reached between the contracting parties is still unclear and debatable. In some cases, even though all the contractual elements are present, the inclusion of "subject to contract" provision could easily reverse the outcome of the case.

Under the banking law, a letter of offer is broadly used in most of the facilities offered by the banks to its customers. The question is whether a letter of offer is more than just a pre-contractual negotiation and is of material importance to the extent that it has a bearing on the facility agreement? Can a letter of offer stand alone as a contract in the absence of a facility agreement? Theoretically, a letter of offer and its acceptance may constitute a valid contract in the conventional banking system which binds the contracting parties. The bank may disburse the loan amount to the customer after getting a confirmation that the customer has accepted the terms and conditions of the letter of offer. Nevertheless, this may not be the case in Islamic financing. Letter of offer in Islamic financing is a good example of 'subject to contract' agreement. 'Subject to contract' agreement may not always be expressly phrased as such. There are numerous ways to express terms to the same effect. In Islamic financing, acceptance of the letter of offer is just an acceptance to the terms and conditions contained therein and not an acceptance to the sale transaction. The letter of offer can be considered merely as a memorandum of understanding between the bank and the customer, which consist of the agreed terms between the parties while the negotiations are still ongoing. The actual contract of sale and purchase will only be concluded after the bank and customer execute the Property Purchase Agreement or the Facility Agreement ¹.

The Supreme Court in a landmark case of **Ayer Itam Tin Dredging Malaysia Berhad vs YC Chin Enterprise Sdn Bhd** ² held that arrangement made 'subject to contract' or 'subject

1 Zulkifli Hassan, A Shari'Ah Perspective On The "Letter Of Offer" As Practised by the Islamic Financial Institutions: A Comparative Study with the Malaysian Law of Contract.

2 [1994] 2 MLJ 754.

to the preparation and approval of a formal contract' and similar terms would mean that the parties were still in negotiations and did not intend to be bound until a formal contract was agreed.

Meanwhile, in the case of **Turriff Construction Ltd. vs Regalia Knitting Mills Ltd**³, a Letter of Intent was issued by Regalia Knitting to Turriff Construction to urgently commence construction of a factory with the intention that Regalia award a contract to Turriff subject to an agreement and acceptable contract. Turriff agreed to commence work provided that Regalia undertakes liability for its work done. The Court held that Regalia was still liable to Turriff because a subsequent contract was made in that Regalia had agreed to undertake liability for Turriff's work done and it could not be construed as part of the subject to an agreement of an acceptable contract as stated in the Letter of Intent pending the acceptable contract. The Letter of Intent was merely an expression of an intention to enter into an acceptable contract and therefore, not a binding contract but the subsequent contract which Regalia agreed to undertake was a binding one.

Based on the above analysis, it can be observed that when the elements of 'subject to contract' are present, the contracting parties are not bound by any contractual obligations. In this context, in the case of a letter of offer, if it has been expressly spelt that the letter of offer is subject to the execution of a facility agreement, the bank and the customer are bound only to the extent of the facility i.e the bank is obliged to grant the financing facility and the customer has to meet the conditions precedent contained in the Letter of Offer. There is no obligation for the bank to disburse the financing amount to the customer until the execution of a facility agreement between the parties which stipulates the terms and conditions of the financing.

In spite of that, the insertion of a 'subject to contract' clause does not always guarantee that a binding contract has not been concluded. The decision depends on the facts of the situation as well as the language used in each case. In the case of **Abdul Rahim Bin Abdul Hamid v Perdana Merchant Bankers Bhd**⁴, a variation was made in the facility agreement which contradicts the term sheet agreed between the parties during the negotiation. The Borrower had executed the facility agreement believing that it must have reflected all the terms and conditions agreed in the term sheet. It was later found that there was a variation made in the facility agreement which was not in accordance with the term sheet. It was decided that the term sheet constituted an important document, given the evidence that the facility agreement was merely meant to formalize what was agreed upon by the parties in the term sheet. The conduct of the bank in relation to the amendment of the facility agreement was in breach of a bank's duties as bankers to their customers⁵.

In the case of **Khaw Kim Chua & Anor v Dayani Sdn Bhd**⁶, it was decided that the Memorandum of Understanding ("MOU") was a binding contract, although no sales and purchase agreement was entered between the parties, because the Defendant had benefited from the MOU when the Plaintiff acted in accordance with the MOU. This case has demonstrated that the acts of the parties after the contract also give credit in deciding whether the parties intend to be bound by contractual obligations at the point of entering into the contract.

3 [1971] 9 BLR 20.

4 [2006] 3 CLJ 1.

5 Ibid at 4.

6 [2005] 6 CLJ 260.

Based on the cases above, it is clear that there is no definite answer as to whether or not there is a valid and binding contract during the pre-negotiation stages. It very much depends on the facts of each case. It goes back to the intention of the contracting parties whether they intend to be bound by the contractual obligations or not. As there is no hard and fast rule in drafting a letter of offer, financial institutions must have a clear intention whether to have a letter of offer which binds the parties or subject to a formalization of a contract. Whenever possible, the letter of offer should be structured in such a way that it forms the basis of a formal contract that would be concluded between the parties while maintaining an appropriate balance of risk for both parties.

The Pure Water

*Virtue is
Purity of mind*

*Waters of the Ganges
Cannot wash away
The stain of hatred*

Yet

*The pure water
Of morality is
Able to do so*

*Lee Bok Seong
2019*



LEGAL AID & HUMAN RIGHTS

T-CLAS: A New Dawn for Legal Aid in Malaysia

by William Lee Jing Yao



Event Banner

On 1 March 2019, the Thai Citizens Legal Aid Scheme (T-CLAS) was officially launched by the Bar Council and the Royal Thai Embassy. T-CLAS is a recent joint effort between both institutions and aims to extend legal aid to Thai nationals residing in Malaysia.

T-CLAS initially started as a pilot program in Kuala Lumpur around May 2018 with resounding success. Upon the request of the Thai Embassy this scheme has now been extended to the Northern States, i.e., Perlis, Kedah, Perak, Terengganu and Penang, the only state in the scheme other than Kuala Lumpur not sharing a border with Thailand.

The Penang Legal Aid Centre (PLAC) is proud to announce its participation in this scheme. The PLAC Chairman, Ravi Chandran, affirmed that a detailed standard operating procedure is being ironed out as we speak. Although the program has been officially launched, he predicts the implementation would realistically only begin in May or June 2019.

Ravi expressed full support for the scheme, explaining, “We (PLAC) agreed to get into the scheme because we do assist a lot of Thai citizens here (in Penang). We thought it would be a great idea to get the Thai Embassy to pay us something because we have already been doing the work (that the T-CLAS encompasses). However, we have been doing the work on a pro-bono basis. By participating in this scheme, our lawyers will now get a small remuneration, similar to how the National Legal Aid Foundation (YBGK) pays their lawyers for representing Malaysian citizens.”



T-CLAS signing ceremony

In short, T-CLAS presents a platform that benefits both parties. The Thai citizens will have access to free legal aid while our lawyers get compensation for their services.

“What we have found in our years of pro-bono work is that pure pro-bono gets very few volunteers. We have to be realistic. As long as there is some sort of small incentive, even well below the commercial rates, people will be more enthusiastic to participate. After all, who doesn’t want money, right?” he quips.

On the issue of whether the implementation of T-CLAS would introduce any new complexities, Ravi answered in the negative.



Pupil interviewing a client

“As far as the PLAC goes, we have never differentiated between citizens and non-citizens. Legal aid was founded based on the concept of human rights, and one of the fundamental human rights is access to justice. It was only when the YBGK programme started a distinction was made between citizens and non-citizens. T-CLAS while focused on Thai citizens, just means our lawyers will be paid for covering certain areas of law. If a Thai citizen comes with an issue that does not fall within T-CLAS, we will still assist them subject, of course, to the limitations of what PLAC does.”

As for how T-CLAS would be executed, Ravi envisioned the Thai Consulate in Penang would serve as the preliminary contact for Thai citizens in need of free legal aid. The Thai Consulate will then look into the socio-economic background of the applicant. Assuming the applicant

qualifies under the scheme, the Thai Consulate will send them to PLAC with a referral letter. Naturally, this also means a separate filing basis for T-CLAS clients. Furthermore, part of the scheme means the Thai Consulate will provide social workers who can act as interpreters in the event of any language barriers.

Overall, T-CLAS marks the beginning of new growth in legal aid for PLAC. To quote the former Chief Justice of Canada, Beverley McLachlin, “As long as justice has existed, there have been those who struggled to access it.” As PLAC reaches its 38th year of providing legal aid, T-CLAS provides the platform for the evolution of PLAC to expand and improve human rights-based services available to the public. Hope in the near future similar schemes may be extended by PLAC to other nationals working and residing in Malaysia.



Participants at the launch of the T-CLAS Program

Medley of Moments



Klinik Undang-Undang – Memahami Sewa Beli & Muflis (6 March 2019)



Basic Conveyancing Practice: Part 1 (25 Apr 2019)



Visit to Temiar Village, Sungai Siput (27 Apr 2019)



Courtesy Call with MACC (2 May 2019)



The Endgame for Exclusion Clauses ? (10 May 2019)



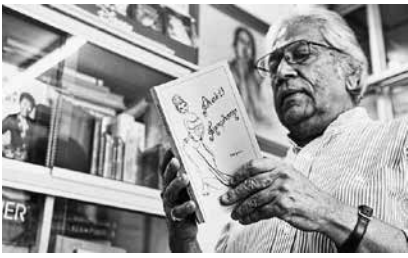
Taipei Bar Association 2019 Cities' Invitational (25 May 2019)



Iftar Ukkhuwah (31 May 2019)



In Honour of Cecil Rajendra



ELECTORAL REFORM

by Archana Chandrasekaran



The electoral system in Malaysia was subjected to heavy criticism, especially during the recent past two elections. An Electoral Reform Committee was formed to study, analyse and present proposals to improvise our electoral system to match the international standards by having an independent, fair and transparent electoral system.

As the criticisms came mainly from the members of the public, on 12 March 2019, the Electoral Reform Committee held an engagement programme with the members of the public from the Northern Zone. The programme known as the Electoral Reform Committee Engagement Programme (Northern Zone) or Program Libat Urus ERC (Zon Utara) was held at the University of Science, Malaysia. The programme was chaired by the Chairman of the Electoral Reform Committee, YBhg. Tan Sri Haji Ab Rashid bin Ab Rahman, and also present was the legal advisor of the University of Science, Malaysia, Dr Khairul Anuar Bin Che Azmi. The participants were representatives from various organisations such as Bar Committees of the Northern Zone, police departments, Suruhanjaya Pilihan Raya, Bersih and many other non-governmental organisations. I attended this programme representing the Penang Bar Committee, which I regard as an honour, and an excellent opportunity to contribute for the betterment of our country.

The Chairman in his opening speech addressed the problems faced during the election periods. Admitting to the criticisms, he mentioned that during the past elections, the ruling government took advantage of the existing law and made use of it during its term as a caretaker government. He compared the electoral system of other countries that he visited. He pointed out that there is no need for police protection during the election in Australia. On the other hand, in our country, many embarrassing incidents during the election periods necessitated police protection. These incidents, of course, disparaged our image in the eyes of the world. The condemnation of our election process was not merely within the country but also ridiculed internationally. Thus, the Reform Committee is working with high determination for the betterment of the system.

Tan Sri Haji Ab Rashid emphasized the need for the engagement of the public to reform our electoral system. He urged the participants to be productive and give useful input as he stressed the importance of the participatory culture to grow as a nation. He, then, went on to point out the issues in our electoral system which were divided into eight clusters, namely, the electoral system, the registration of voters, registration of political parties and political financing, gerrymandering, the election process, caretaker government, administrative machinery and access to media, election management body and voter education.

One of the sessions, on the election process, was conducted by YBhg. Datuk Kamaruzaman Bin Hj Mohd Noor. Reforms to the voting calculation process, the handling of Form 13, 14 and 15 and international election observers were among the many recommendations he suggested. Pertaining to the votes calculation process, he prompted the participants to consider whether the counting should be done after the voting is closed or should it be amended to a specific time later than the current closing time, considering the long queue in some of the voting centres. Besides finding ways to tackle the issues with Forms 13, 14 and 15, where the 'Ketua Tempat Mengundi' often refuses to give a copy to some candidates' polling or counting agents and refusal to sign the form, Datuk Kamaruzaman also posted a question on whether we should have international

observers from countries with respectable electoral systems other than our very own observers such as Bersih and Malaysian Corruption Watch.

The representation of women and indigenous people in the Parliament and State Assembly was amongst the questions posed after the session, which was compared with Australia, where women are given a representation of at least 30%. Other questions were on financial fuel to political parties and candidates, local elections and state council elections and also suspicious free dinners during the campaigning period. The questions asked seemed to be marked as proposals where the organisers too accepted these questions as such and promised to give due consideration.

The participants were divided into eight groups according to the clusters, where they were free to choose the cluster they were interested in. Each group was led by an individual with expertise in the given cluster. Also, a set of feedback and proposal form was given to each participant, which included all the eight clusters. The participants were given the freedom to move to other groups upon joining the discussion and sharing inputs in their original group. The chairman of the Election Reform Committee also joined the discussions in every group, at least for a short while, to consider proposals made and to engage in the question and answer session. This made the engagement programme more productive.

Other issues discussed in depth were residential voting, where voters are not residing at the constituency that they are voting from. Rule 15 of the 'Peraturan-Peraturan Pendaftaran Negara 1990' requires those who move from their residence to change their address in their identification card at the registration department, however, there is not much enforcement as to this issue.

The unfairness of the Registrar of Society had always been spoken of, particularly during the recent general elections when it temporarily deregistered Parti Pribumi Bersatu Malaysia for failing to furnish minutes of meetings of its divisions and branches by the stipulated deadline. The deregistration disallowed Parti Pribumi Bersatu Malaysia to use its logo or name during the campaign period. The Pakatan Harapan coalition then came up with the contingency plan to use Parti Keadilan Rakyat's logo for the election, which it eventually did. It was suggested that the Election Commission (EC) takes over the role of Registrar of Societies (RoS) in managing the registration and supervision of political parties.

The excessive expenditure during campaigning periods was also discussed. In some constituencies, there was a distribution of cash to the voters, and lavish dinners were organised by the candidates. To curb this issue, enforcement of law plays a vital role. Whenever there is suspicious cash, gifts, treats and food distribution, the Election Commission should send officers to monitor and seize whatever that is being distributed. This should extend to entertainment organised by inviting celebrities, as these shows cost large sums of money. The proposal was compared with the enforcement, successfully being carried out in the world's largest democracy, the Republic of India, where cash, liquor and drugs have been seized to curb vote buying.

In his closing speech, the Chairman thanked all the participants for their active involvement during discussions and sharing of input. He promised that the Electoral Reform Committee would look into the proposals made and he is willing to organise another engagement programme here if more participants wish to join. He expressed his determination to reform the electoral system by quoting the former President of South Africa, Nelson Mandela, "Election is the trust of democracy, if you fail to deliver a proper election to your country, then it's a failure of democracy."





by Gowri Subbaiyah

CUMBRIA : Leisure in the backwoods of England



A trip to the great city of London is prestigious for its heritage and history. After spending a freezing 5 days in downtown London, we looked forward to warmer days in the beautiful Lake District, which was our next pit stop. We hired a 9 seater vehicle and looked forward to a scenic British road trip. But much to our disappointment we drove for about 5 hours through

the highways and didn't get much to see through our large, wet, foggy windows due to the rain.

Holiday in the heart of England's most beautiful scenic region of Cumbria is voted one of the must-sees, and it boasts its verdant woodlands, pristine lakes and rich history. Cumbria or the Lake District was once the home to some of the world's best-loved poets, such as Beatrix Potter and Wordsworth. I remember reading the tales from Peter Rabbit by Beatrix Potter during my younger days and not to mention citing poems from the famous scripts of William Wordsworth for my law assignments.



After a lousy wet road trip, we arrived at Brockwood Hall: our accommodation for the next 7 days, and is nestled deep in the spectacular Whicham Valley, surrounded by protected ancient woodland and overlooked by Blackcombe Mountain. Brockwood Hall commands stunning views and offers a perfect base for relaxing in the beautiful doorstep of the Lakes and the Irish Sea. It houses 32 Norwegian style wooden chalets each with its own private hot tub overlooking the



rolling hills of Cumbria. The nearest town is Millom, a medieval like town. Now there were absolutely no regrets having travelled thus far to arrive at this gorgeous location!

We woke up to rolling green hills with the sun perched in between: a feast for the sleepy eyes in the morning. I heard some noises in the balcony and rushed to open it. Pretty peacocks! I called out to my youngest since he is the animal lover in the family. The peacocks were friendly and wandered around

our wooden balcony whilst we fed them some bread crumbs.

After a typical English breakfast, we drove through the valleys and grassy meadows towards the touristy town of Bowness and Windermere. Driving south, we passed mountain after mountain and farm after farm. In the fields, white faced sheep grazed peacefully. There are many sheep in this area, which reminded me of New Zealand. We stopped for a couple of pictures with the white sheep in the fields.



The Lake District in the northwest corner of England is famed for its stunning lakes, gorgeous scenery and impressive mountains. We were made to understand that there are sixteen lakes in the Lake District, the largest being Windermere. Only Bassenthwaite Lake is officially a lake by name, the others are known as “meres” or waters. We spent the rest of the week exploring other small towns and attractions in the Lake District.

Bowness-on-Windermere is one of the most popular resort towns in the Lake District. Bowness-on-Windermere is the only town on Lake Windermere itself. The touristic town boasts the World of Beatrix Potter Attraction and the Steam Boat Museum. The famous fish & chips not to be missed! Being vegans, we ate heaps of only the chips!

Grasmere is one of the most adorable little towns and probably Cumbria’s most popular village; thanks to William Wordsworth. Other popular attractions include the Oswald’s Church, Wordsworth Daffodil Garden, Sarah Nelson’s Grasmere Gingerbread and the Grasmere Garden.

I love a pub anywhere in England and especially the pubs in the Lake District! The old fashioned pubs are cozy, rustic, and have unique interior settings. A glass of wine or hard apple ciders



is a must during the winters. We adjourned to different pubs in the late evenings after a tiring sightseeing day. I am not an expert, but the pubs in the Lakes are my favourite in England.

The grand finale of my trip was a Valentine's Dinner at a Michelin Star restaurant. And yes, Cumbria is home to two Michelin-starred restaurants as of the 2018 guide. And I chose The Hrishi at Gilpin Hotel and Lake House since Hrishi suggested a creative vegan menu. The idea of dining at a Michelin star restaurant was inspired by the movie "A 100 Foot Journey", and since then I wanted my first Michelin star restaurant to be an unforgettable experience, and I bet it did! My preference in dining in a restaurant in the backwoods of England rather than downtown London was because I enjoyed the rustic district of Cumbria and its surrounding farmland produces quality local meat and dairy. The wide temperature differences between the cool nights and hot

summer plus fresh water from the mountain make very sweet vegetables, or so I read in the reviews. We arrived early for a drink in the cozy lounge while perusing the menu. We sank into a sofa while eating snacks. We ordered the tasting menu instead of a full fledge course.

We were later led to an old fashioned, but gorgeously decorated dining room and shown our corner table, which was pre-booked with specific requirements. The atmosphere was hushed. I fell in love with everything about the place. Our butler for the day came by and introduced himself and narrated a short history of Gilpin and Chef Hrishi. We were served the appetizer, 3 main courses in small bits, a generous portion of pre-dessert and a dessert followed by coffee and chocolates. Service was stiff and absolutely formal. The quality of the ingredients was top notch, and Chef Hrishi explained that his preparation of vegan food was high in protein and low carbs. The food presentation was outstanding with creative plating and attractive colours. My personal favourite was the *Moule*, which was a particular highlight, and *Nutty Carrot Tomato Parfait with Kaffir lime dressing*. Nevertheless, each and every flavor was delectable and tantalizing.

The Hrishi set up maybe tad dated, but the food certainly makes up for it. The dishes are at the fancier end of fine dining, and it costs a pretty penny, but it was worth my Valentine's!

Attorney Humour

What's the difference between a good lawyer and a great lawyer?

A good lawyer knows the law. A great lawyer knows the judge.

CRIMINAL JUSTICE



Mysteries excite any individuals, regardless of age. Our own land has her fair share of age-old unsolved murders which warrants a Sherlockian detective to solve it. In this edition, we present to you one of the sensational murders in the history of the Malaysian criminal cases that was a sizzling topic once upon a time, apparently even among the elementary school children in the 70's.

The Killing of a Beauty Queen

It had all the ingredients of a sensational murder case: a former beauty queen, a love triangle and a fatal stabbing in a parked car. All these came to a head on the night of April 6, 1979, in a secluded underpass off the Federal Highway.

This is the Jean Perera Sinnappa murder, one that probably stands out among all others for its news value, and which would probably have been investigated quite differently by today's forensics technology. But even today, those who followed the case still wonder whether the accused, S. Karthigesu, who was convicted but was later freed, actually did it.



Interestingly, all Malaysians connected directly to the case have passed on, except for Karthigesu and the investigating officer Datuk Ramli Yusuff. "They are all dead; the judge, members of the jury, the prosecuting officer. Only Karthigesu and I are alive," Ramli, now 65, tells The Heat in a recent interview.

Ramli rose to the rank of Bukit Aman Commercial Crimes Investigation Department director before he retired. He himself was subjected to a court hearing when he was charged with failure to declare ownership of company shares and interest in two properties. He was however acquitted by the High Court in November 2011.

At the peak of her career, the vivacious and curvaceous Jean won beauty contests in Negri Sembilan and Selangor and was a Miss Malaysia first runner-up. She became a celebrity of sorts and later married chemist Sinnappa Sivapakiam, with whom she had three children. After leaving the beauty pageant scene, Jean became a teacher at Sekolah Sultan Abdul Samad in Petaling Jaya, and according to those who knew her, was a dedicated one.

Her husband tragically died in a road accident near Jalan 222, Petaling Jaya, on New Year's Eve in 1978.

Jean, who was also in the car, was flung out of the vehicle but survived with minor injuries. The night before the accident, her husband had told her to make herself "the most beautiful girl" for a romantic night out.

As fate would have it, four months later, the beautiful 31-year-old widow met her end. She was found stabbed to death in her car, a white Fiat 125, while her brother-in-law S. Karthigesu was found lying on the ground near it, seemingly semi-conscious. Jean, who was clad in a colourful saree, was stabbed 10 times in the chest.

After 35 years, a sensational trial that was covered to its fullest in all newspapers, and after countless theories on the murder, the case remains unsolved, and police never found a single piece of evidence that could positively identify the killer. Even the murder weapon was never discovered despite an intensive search of the crime scene.

The investigators of the most sensational murder case of its time took almost four months to close the investigation papers. Karthigesu, who was arrested on April 26, was charged with Jean's murder on May 9.

Jean's murder was documented by the Crime & Investigation Network in collaboration with the National Film Development Board (Finas) in 2012 and the documentary, Jean Perera, The Beauty Queen Murder was aired on Astro channel 732 on Dec 20, 2012.

The producers tried to interview Jean's brother, Brian Perera, and her daughter, who is a lawyer, but understandably both of them declined and expressed they wish to stay away from any publicity pertaining to the tragedy.

The Jean Perera Sinnappa murder was the first case to be tried in a Malaysian court on circumstantial evidence and extra judicial confession. The prosecutors had it made when a witness revealed an incriminating outburst by the accused, and that led to his conviction. But in a bizarre twist, the witness later admitted he lied and was jailed. The Heat spoke to the case's investigating officer Datuk Ramli Yusuff.

For Ramli, who was then a Senior Investigation Officer, it was "just another routine murder case" if not for the fact that she was a beauty queen.

"I was on 24-hour duty on the day the murder happened. I was at Taman Tun Dr Ismail investigating another case when I received a call from the Petaling Jaya police headquarters informing me about the incident," Ramli says.

He was told that two staff members of Malaysia Airlines had lodged a report claiming they found a woman dead in a car at a secluded underpass off the Federal Highway, some 5 km from the

Sultan Abdul Aziz Shah Airport (now known as Skypark Terminal).

“When I arrived at the scene, I was surprised to find a man lying face down but still breathing. He kept murmuring something which I could not understand. I decided to send him to University Hospital (now Universiti Malaya Medical Centre) for treatment.”

The man was later identified as Jean’s brother-in-law and lover, Karthigesu Sivapakiam, a psychology lecturer at the Special Teachers Training Institute in Cheras. It was reported they were planning to tie the knot but during the trial, a priest with the Our Lady of Lourdes Church in Klang, Rev Edward Soosai, said neither Jean nor Kathigesu applied to the church to register their marriage.

After the loss of her husband, Jean and her three children, son Damendra and daughters Rohini and Malini lived with her mother-in-law and Karthigesu. The two were believed to have fallen in love with each other and decided to marry.

According to Ramli, Jean’s murder was one of a kind as it was the first in Malaysian judicial history where a suspect was convicted on circumstantial evidence and extra judicial confession.



Karthigesu, 37, who was the sole suspect in the murder, was sentenced to death by the High Court after a 38 day trial. However, he was sensationally freed when a prosecution witness, Bandhulanda Jayathilake, who was a friend of the family, came forward four days later and admitted he had lied to the court about Karthigesu having said to him that “the bitch did not deserve to live”.

Jayathilake was jailed 10 years for perjury, and died two years into incarceration. As for Karthigesu, he walked out of jail a free man on May 20, 1981 after spending two years, one month and four days in prison.

Ramli explained why the police had zoomed in on Karthigesu. The lecturer, when questioned by the police, claimed he had stopped the car along the road side to ease himself while returning home after having dinner with Jean at Abad Century Hotel in Petaling Jaya.

“He said he was hit from behind while easing himself and he fell to the ground and could not remember what had transpired,” Ramli says.

He says he became suspicious because there were no obvious signs of injuries on Karthigesu and there was no sign or smell of urine at the location where he was said to have eased himself.

Because of those doubts, Ramli detained Karthigesu to assist in the investigation to find out the truth. A few days after the arrest, Ramli said Karthigesu led him and his team to his house in Klang where they carried out a full search for evidence.

Here, Ramli found the first of his circumstantial evidence – a bag full of love letters to Jean, and some written by her but were not posted to the person intended.

“There were almost 20 letters in the bag, mostly written by Dr Narada Warnasurya to Jean. She had met him at a function in YMCA in Brickfields during his visits to Malaysia in September 1978,” Ramli says.

He adds that if Jean had an affair with Narada then, and the intense letters suggested so, it meant she had been unfaithful to her husband who was still alive then.

Karthigesu’s love towards Jean may have turned into hatred when he found one of the letters in Jean’s bag but did not question her on the matter. It was heard in court that he held a grudge and was waiting for the right time to take revenge.

In one of the letters, Narada discussed plans to marry Jean, including converting to Islam so he could have more than one wife. This also probably triggered Karthigesu’s anger and jealousy. Narada, however, refused to come to Malaysia to assist police investigation and the trial.

As the investigation officer of the most high profile case of that time, Ramli said he remembered the content of every one of those letters. “They were very intimate, and it is not proper to publicise them for public consumption.”

Could a love triangle between Jean, Kartigesu and Narada have led to the tragedy? That, at least, was the crux of the prosecution’s case. It was, however, bogged down by lack of supporting evidence to link it to the murder.

Ramli said: “Although police managed to track down his location with the help of Sri Lankan government and police, Narada refused to come down to attend the court hearing which took 38 days.”

Narada himself had a press statement issued later to say that nothing he had to say would have helped in the case anyway. To him, his evidence would have brought more pain to the family.

On whether they could have pursued the matter with Jayathilake on whether he knew more than he admitted, Ramli said he did not, as the man had been sentenced to jail for perjury. Did Jayathilake actually suffer from a conscience attack, or did he speak the truth the first time?

Nobody will ever know now.

Sourced from: <https://www.riflerangeboy.com/2014/06/35-year-old-unsolved-murder-killing-of.html>

Attorney Humour

When attorneys die, why do they bury them 600 feet underground?

A: Because deep down, they're really nice guys.

Journey to the unknown

by Aniza Sultan

The sun does not forget a village just because it is small.

It was my first courtesy call with a group of pupils to Gowri Subbaiyah's firm when she told us about the trip to the Orang Asli village in Sungai Siput that was organized by the Family Law Subcommittee. It immediately caught my attention as I've read the circular about it just a couple of days before. I enthusiastically told her that I'm joining! Fast forward to the day of the event, 27 April 2019, we gathered at McDonald's Autocity at 7:30 am, and it was drizzling. "Ah! Blessings from the Almighty," I thought. Not to mention the night before, I packed my bag in a jiffy and was extremely excited. Water bottle – checked, tidbits – checked, umbrella – checked, summer hat – checked.

On that morning, we didn't immediately leave for the Orang Asli village. It took us a while to rearrange the packed foods and essentials in the cars to accommodate some space for the passengers. It's always fun when travelling in a group! Hence, I jumped into the four-wheel drive of Gowri together with William, Junie and Molly. All of us, although almost strangers to each other, clicked so well instantaneously! It was one fun road trip with loads of laughter and story-sharing. It took us approximately two and a half hours to reach Sekolah Kebangsaan Chenein, Sungai Siput, where we were greeted and welcomed by Ustaz Rani, a representative of the Orang Asli community.

Right after reaching the school we had a quick breakfast and left to please our eyes with the beautiful surroundings of the village. Innumerable pictures were clicked on the way, of course. William Lee, a fellow pupil, our de facto tour guide, accompanied us into the village, explaining all the things that were falling our way from an ant nest on the tree trunk to the origins of tapioca plants until we end up 'playing' with tadpoles. After an enlightening walk through the village, we went down to the river where we saw a sunbeam breaking through the clouds, sending a shaft of light down on to the river. It was flabbergasting! A few quick clicks along the river and little durian-pickings and off we went, back to the school.

From the school, Ustaz Rani in his four-wheel drive led us to the interior of the village. It was another hilly ride of about 40 minutes, and we finally reached the much awaited and anticipated Orang Asli village. There were tents with chairs and a group of villagers, eagerly and patiently, waiting for our slightly delayed arrival. They were the Orang Asli! We finally got to meet them. They were just like us, a group of happy and cheerful people comprising families and friends, probably just less fortunate. Without further ado, we quickly unloaded all the food packs from the cars to be distributed. We arranged the packed foods and essentials on a long table under the tent and distributed them to the villagers as Ustaz Rani read out the names of the representatives of each family. There were 50 Orang Asli families. At the same time, we had a brief introductory session with the Orang Asli.

Being able to provide and put a smile on the receiving faces, connecting with people who were complete strangers and feeling as if you've known them all for ages is the best feeling in the world. We gave them bags and bags of foods and essentials, but the joy and happiness of the kids when receiving the used clothes and pre-loved items were just beyond words. They were jumping in joy. Only then I realized that it was their version of shopping, and how we, the so-called city people, take these little joys of life for granted.

For me, the village walk was the most prodigious part of the trip. Spending time in nature, seeing and experiencing new things, taking a breath of fresh, crisp air for a change, practically away from the mobile device and the social media, the hustle and bustle of city life, the four walls of the office room, made all the difference. It altered my perspective of reality, even if for a bit. These are some of the things that you never get to experience in the city life. Although we did not interact with many village folks, a couple of kids followed us around. They were a bit shy, but they wanted to talk and mingle. Well, by the time we were about to leave, we did succeed in getting a few clicks with these adorable, shy kids.

As we were leaving the village, driving down the hilly roads, I sat by the window, looking out to a little girl excitedly waving us goodbye. This small gesture of love from that girl added on to my reminiscent memories. The feeling is a bit hard to explain, though. We left the village with a lot of memories in our hearts and our cameras. We were a tad bit lost on our way back. Good gracious, we could have headed straight to Kelantan instead of Penang! There was no mobile network, hence no data and no Google maps! It felt like we were in the ice age for a wee bit. Nevertheless, the day ended on a good note. We safely reached McDonald's Autocity to our respective vehicles, and headed back home for a good bath and rest.

Last but not least, my sincere and heartfelt thanks to the organizing committee for such a wonderful, successful, and memorable trip. Thank you for including me and giving me this unforgettable experience. Special thanks to the donors who have contributed in helping us achieve our mission. Thank you for your kindness and generosity. It takes a heart to give. The list of donors: Bavani, Vinitha, Muniandy, Harbhajan, Ravichandran, Jemilah, Tan Swee Cheng, Kavitha, Imavathi, Yeoh, Molly Teoh, Junie Ong Jiew Ging. Thanks again, for standing with us.

Losing oneself is dreadful, diabolical; says who?

I spent all my life with the aim of losing myself.

Every action adhering to my thoughts;

Take me to the woods, before my body rots.

Being covetous is not my thing,

Life is nothing else, but a fling.

Audacious enough to see a traveler's pot of Jack?

Leave me in the woods, and I shall never return...



HELLO TOM! WE SEE YOU!!

by Christina Anna Marie Raj

Ever felt the gratification of stalking your favourite person on Facebook or Instagram because you were able to get away with it without this person ever knowing you have done so? Be it denial, many of us are certainly guilty of this. In legal terms, stalking can be defined as a course of conduct or a series of actions **intended**, or which would reasonably likely to cause harassment or distress to the ‘victim’.

Malaysia, like most countries across Asia-Pacific, does not have an anti-stalking law. Behaviours such as staking or prying are often culturally seen as private or a family matter – something not to be discussed openly. If someone repeatedly or continuously follows or communicates with you in a way that causes you fear or distress, like a stranger or ex-partner showing up at your workplace, home, or child’s school, there is little the police can do to help, even if an investigation takes place.

Based on domestic violence studies and their statistics, Woman’s Aid Organisation (WAO) estimates that 250,000 Malaysian women have been stalked by an intimate partner in their lifetime. Meanwhile, United Nations research suggests that of the 87,000 women killed last year, 58 per cent were killed by intimate partners or family members. Other research suggests that up to 90 per cent of murders by intimate partners are preceded by stalking.

In spite of the staggering numbers, Malaysia has yet to take concrete steps towards an anti-stalking law, lagging globally as more and more countries including India and South Korea crack down on acts of stalking. Under the country’s Penal Code, stalking repeatedly following and communicating with someone is not an offence. It also fails to provide protection mechanisms. So even if a stalker is charged under a separate provision such as assault or criminal intimidation, the victim is unprotected during the police investigation, leaving the complainant vulnerable to retaliation from the stalker.

Although the Attorney General’s Chambers under the previous Barisan Nasional-led government had drafted the legal language of a potential bill, it was never tabled nor enacted. Members of the newly minted Pakatan Harapan helmed Cabinet are currently discussing the possibility of instituting a stalking law, although it is still unclear when a bill may be tabled.

Just across the border, (yes, you guessed it!) Singapore has enacted the anti-stalking laws for some years now. Under Section 7 of the Protection from Harassment Act 2014, “no person shall unlawfully stalk another person”. A person unlawfully stalks another person if he/she engages in a course of conduct which involves acts/omissions associated with stalking; causes harassment, alarm or distress to the victim, and the accused intends to or ought reasonably to know, it is likely to cause the same. The examples illustrated include following the victim, communicating with the victim, and loitering outside the victim’s residence or any place frequented by the victim.

As a corollary of this enactment, Singapore’s netizens have a new legal weapon to defeat the “trolls” of the Internet. Under this law, anti-social acts such as cyber harassment, bullying of children, sexual harassment in the workplace, and stalking are now deemed illegal. A person found guilty of unlawful stalking will get a fine of up to S\$5,000 or a jail term not exceeding 12 months. Repeat offenders may face a fine of up to S\$10,000 and/or a jail term of not more than two years.

Conducts illustrated under the Act may appear to an objective observer as entirely innocuous or trivial in nature. It could even encompass something as minor as sending letters or gifts to a person or lingering at the void deck where the victim lives. Opposition to Singapore’s anti-stalking law arose from concerns that the net would be cast so wide that harmless but irritating conducts will be criminalised as well. This may include repetitive e-mails from insurance or estate agents, or even zealous volunteers seeking donations.

There is, however, the mens rea aspect of the provision which has to be fulfilled. It must be recognised however that there are potential difficulties in applying the test. Who is the ‘reasonable person’ to be used in such assessment? It is not inconceivable to argue that there are differences between men and women or persons of different cultures on what is “acceptable behaviour”. For instance, it may be argued that men view rejections of affection by women to be expected, and as such rejections are meant to encourage men to make greater declarations of ‘love’.

Meanwhile, in the neck of the woods, Minister in the Prime Minister’s Department, Liew Vui Keong, announced that he had received all the necessary documents pertaining to an anti-stalking bill for study. He told the reporters that we could look forward to the possibility of tabling the bill in the Parliament in July and October. This bill would be against stalking, peeping Toms, and those prying into the lives of others.

Much research and study have to be carried out in evaluating effective responses to harmful behaviour against women (in particular). The passing of an anti-stalking law will, at the very least, serve to raise awareness of stalking in the public media and spur deliberations on what are socially acceptable conducts.

Attorney Humour

Q: What’s the difference between a good lawyer and a bad lawyer?

**A: *A bad lawyer makes your case drag on for years.
A good lawyer makes it last even longer.***



5 things you need to know about Malaysia's first female Chief Justice

For the first time in the history of Malaysia's judiciary, a **female Chief Justice was appointed**; making her the top judge in the country. **Datuk Tengku Maimun Tuan Mat** is the 16th Chief Justice of Malaysia, after the retirement of our former Chief Justice, Tan Sri Richard Malanjum. Before we go into the details about our new CJ, let us briefly understand what a Chief Justice does and why this role is important for the country.

Who is a Chief Justice?

A Chief Justice is the head of the Malaysian judiciary system and is nominated by the Prime Minister of the country. The appointment is then further instated by the Yang-Di Pertuan Agong.

The role of a Chief Justice (CJ) is defined by the Federal Constitution, under Article 122(1):

"The Federal Court shall consist of a president of the Court (to be styled "the Chief Justice of the Federal Court"),"

As we explained earlier, the Chief Justice (CJ) is the head of the Judiciary. The roles and functions of a CJ differ from an Attorney General (AG) mainly in that they work in different branches of the government.

In other words, the Chief Justice is the head of all courts and has seniority over all the judges. The CJ is also in-charge of liaising between the Judiciary and the Government in matters involving policies and practices.

I guess you can say she's basically the judge of all judges in Malaysia. With that, now let's look at five interesting facts about Tengku Maimun.

Tengku Maimun graduated from the University of Malaya in 1982 and was first appointed as a judicial commissioner in 2007. She then rose up the ranks to become one of the justices in the Federal Court last November. So, what exactly did she have to go through in order to be appointed as a CJ?

There are actually 3 requirements to become the Chief Justice in Malaysia:

1. Firstly, you must be a Malaysian Citizen.
2. You must have been a lawyer handling cases in higher courts OR become a member of the judicial service for at least 10 years.
3. You must be appointed by the Yang-Di Pertuan Agong (on advice of the Prime Minister, after consulting the Conference of Rulers).

Since Malaysia got its independence, fifteen judges had held the top judicial post in Malaysia, and this is the first time in all these years where a woman has been appointed as a CJ. But there was more than just these requirements that she fulfilled to be appointed as the CJ. Since January 2013, Tengku Maimun has sat as one of the judges in multiple high-profile cases in the Court of Appeal and the Federal Court.

One of the reasons why she's prominent is because...



She's well known for her sound decisions and independence in the judiciary

The former Malaysian Bar president George Varughese stated:

“Her Ladyship is known for her sound decisions, impeccable judicial temperament and most of all her independence. Her Ladyship’s appointment augurs well especially for the reform of the judiciary.” – **This Week in Asia**

So, besides fulfilling the 3 requirements which made her the first female Chief Justice in Malaysia, there are several notable judgements made by Tengku Maimun which became landmark decisions in Malaysia’s judiciary.

The Sedition Act case involving the late Karpal Singh

Karpal Singh also known as the *Tiger of Jelutong*, was a renowned Criminal lawyer in Malaysia, who was charged under the Sedition Act 1948 **over a press statement** issue and was recently **acquitted from the charges in March 2019**.

Our Chief Justice, Tengku Maimun was the only judge who gave a dissenting judgement (*a differing judgement from the other judges*) where she upheld and favoured to set aside Karpal Singh’s charges, and stated:

“The High Court has failed to look at the appellant’s defence independently,” Tengku Maimun stated, adding that Karpal’s statements were merely his legal opinion of public interest. – **The Star.com.my**

This is just one of the times our female CJ had stood firm on her decision and gave an independent stand.

On the unilateral conversion of children in Malaysia

This is a case of a unilateral conversion which was appealed by a Buddhist man, whose two children were converted to Islam by their Muslim mother. The mother of the children converted herself to Islam first, and later obtained custody of the children where she subsequently converted them without the permission from their father.

So when the father appealed to the Court of Appeal, CJ Tengku Maimun granted the father to reverse the High Court ruling, which had previously given custody to his ex-wife. The court had also given the father sole guardianship of his children and declared that the certificates of the conversions were null and void. Just to side track a little on this, and explain the legal reasoning behind Tengku Maimun's judgement, it is now in the Malaysian law that both parents must give their consent when converting their children to Islam.

For some reason, most of her prominent judgements involved cases related to child laws/child custody.

She decided that illegitimate children can still carry their father's name

Tengku Maimun was one of the judges who stood by the landmark decision for cases of Muslim children who are conceived out of wedlock and decided that they should be allowed to carry his/her father's surname. The court in that decision further stated that the National Registration Department (NRD) is not bound by the *fatwa* or religious orders issued by the National Fatwa Committee when it comes to deciding on the surname of the child that is conceived out of wedlock.

This is because the child's welfare is the paramount consideration and the court felt that the child did not deserve to carry the stigma of being known as an illegitimate child in the community.

From legal officer to Chief Justice

With that, Tengku Maimun has indeed lived up to her sound and firm decisions, which is particularly seen in cases involving children. She started off as a legal officer in the Southern Kelantan Development Board (Kesedar) in 1982 and 37 years into her career, she is now the **first female CJ of Malaysia**.

Attorney Humour

Q: What's the difference between a lawyer and God?

A: *God doesn't think he's a lawyer.*



LEGAL MOVIE REVIEW

PHILADELPHIA (1993)

by Ramesh Rajadurai

More than a decade after AIDS was first identified as a disease, “Philadelphia” marks the first time Hollywood has risked a big-budget film on the subject. Tom Hanks gives an Oscar-winning performance as Andrew Beckett, the Ivy-educated lawyer, whose employment is terminated when his law firm discovers he has contracted AIDS. One of the first mainstream Hollywood films to acknowledge HIV/AIDS, homosexuality, and homophobia, the film is not a fictional movie, but the true story of an attorney who sued the world’s largest law firm for firing him because he had HIV/AIDS -“inspired in part” by the life and litigation of Geoffrey Bowers, an attorney who died of HIV/AIDS, resulted in a real-life lawsuit. This film was written by Ron Nyswaner, directed by Jonathan Demme and stars Tom Hanks and Denzel Washington. Hanks won the Academy Award for Best Actor at the 66th Academy Awards for his role as Andrew Beckett in the film, while the song “Streets of Philadelphia” by Bruce Springsteen won the Academy Award for Best Original Song.

Upcoming events

DATE	EVENT	CIRCULAR NO.	VENUE	SPEAKERS / TRAINER	ORGANISING SUBCOMMITTEE
4 July 2019	Talk: Basic Conveyancing Practice – Part 2	CPC 8/19	Auditorium	Mary Yeo Noorazah Mohd Noor Trish Ho Tsui Hsia	Conveyancing Practice
11 July 2019	Talk: Emotional Health	Family Law 2/19	Auditorium	Dr Arivalan Ramaiyah	Family Law
15 July 2019	Talk: Advocacy in Relation to Ex Parte Applications for Interim Injunctions	CPD 5/19	Auditorium	P Gananathan James Khong	CPD
2 Aug 2019	Talk: Stateless Children in Malaysia		Auditorium	Annou Xavier	Family Law
18 Aug 2019	Penang Bar Run	Sports 4/19	Bangunan Sri Pinang		Sports
20 & 21 Sept 2019	Workshop: Ancillary Relief		Bayview Georgetown Hotel	Honey Tan Lay Ean Matt Wong Chong Ee	Family Law
22 Sept 2019	Charity Treasure Hunt	Social 2/19	Black Kettle		Social
21 Oct 2019	Workshop: Current Issues Affecting Conveyancing Practice				CPC
15 Nov 2019	Talk: Custody		Penang Bar Auditorium	Honey Tan Lay Ean	Family Law
16 Nov 2019	Penang Bar Annual Dinner & Dance		The Wembley – A St Giles Hotel		Social
13 Dec 2019	End-of-Year Gathering				Social

* The above list is not exhaustive and may be subject to change.



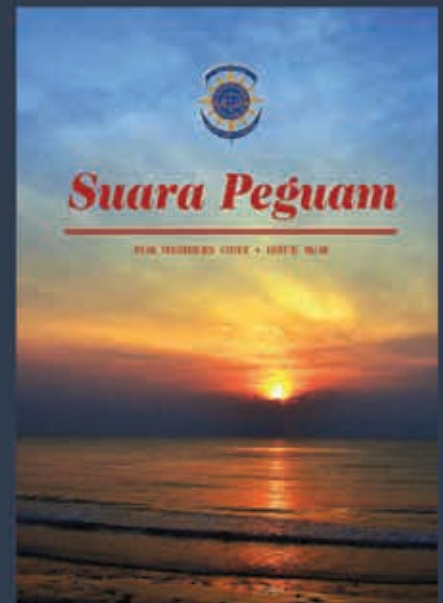
2017 (Volume 1)

Rebirth of Suara Peguam after years of ceased publication



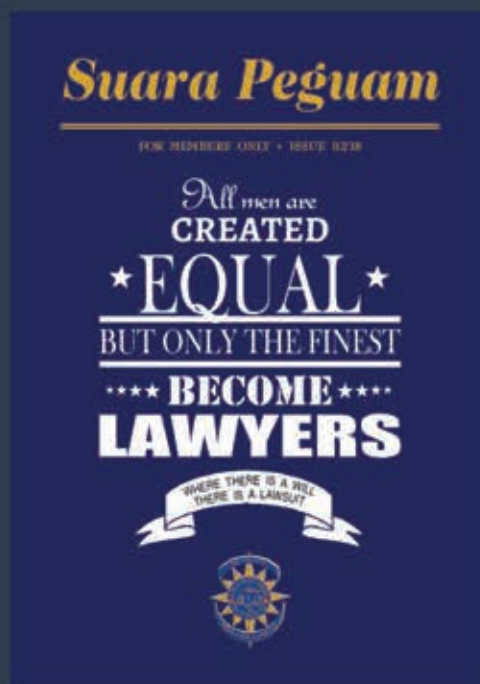
2017 (Volume 2)

Suara Peguam's first hardcopy edition



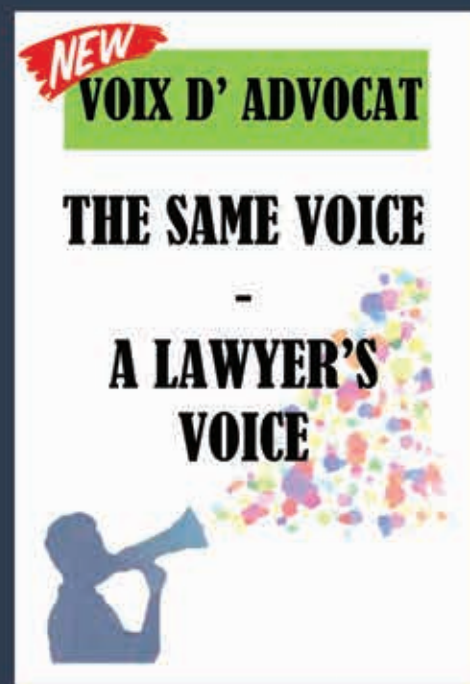
2018 (Volume 1)

New Dawn edition welcoming a New Malaysia



2018 (Volume 2)

Suara Peguam's last publication under the name "Suara Peguam"



2019 (Volume 1)

"Suara Peguam" revamps into "Voix D' Advocat"