

WHAT IS A REFERENCE PROCEEDING ?



A Reference Proceeding is a High Court sitting held to pay tribute to a member of the Bar who has passed away. It is the profession's own ceremony of remembrance, held in open court.



A Reference Proceeding is a special, non-adversarial sitting of the High Court convened for one purpose only: to formally honour a member of the Bar who has passed away. No case is heard and no ordinary court business is transacted, the sitting exists solely for tribute.



WHAT HAPPENS IN A REFERENCE PROCEEDING ?



It typically opens with a member of the Bar addressing the Court on behalf of the deceased family, recounting the deceased's life, career and character, followed by speeches by the representative on behalf of the Bar Council and the Penang Bar Committee and the representative from the Attorney General's Chambers.

Thereafter, the presiding judge responds, sharing their own recollections where relevant and formally accepting the tributes on behalf of the Bench. The sitting closes with a motion that the record be preserved in the Court's archives, with a copy extended to the family.

A Reference Proceeding can honour one member or several members who passed within the same period in a single sitting and any member of the Bar qualifies.

IT DOESN'T HAPPEN UNLESS THE BAR MAKES IT HAPPEN



A Reference Proceeding is only convened when a member of the Bar has passed and the Committee is notified of the same. The Committee in turn approaches a judge for consent to preside over the proceedings. If no one raises it, the sitting simply never happens.

This is a tradition that is kept alive only by memory and for the sittings to continue, it requires every generation of lawyers to actually show up and carry it forward.

WHY SHOULD I ATTEND A REFERENCE PROCEEDING ?



For the deceased member's family, the sitting and the record and tributes they receive afterwards is often a meaningful, lasting acknowledgment of a career the profession chose not to let pass unmarked.

Attending a Reference Proceeding is not merely a courtesy extended to a colleague or fellow member of the Bar you may have known personally. It is one of the few moments the Bar and Bench sit together in open court to reminisce and honour an officer of the Court. A lawyer who never attends a Reference Proceeding has missed a part of what being part of a fraternity is meant to mean.