



JAWATANKUASA PEGUAM PULAU PINANG (PENANG BAR COMMITTEE)

Your ref :

Our ref :

Date :

CL 15/09

25-11-2009

To all Members of the Penang Bar,

OUTCOME & UPDATE FROM EXTRAORDINARY GENERAL MEETING (EGM) OF THE PENANG BAR HELD ON 20th NOVEMBER 2009

We wish to inform members that the following Resolutions were unanimously passed by the 224 members who attended the recent EGM of the Penang Bar:

1. The Penang Bar unequivocally objects to the use of disposal of a minimum number of cases as a measure of Key Performance Indicators (KPIs) for the Judiciary and Judicial officers as this compromises the quality of the administration of justice in the name of speed. Other indicators such as judicial temperament, fair and just hearings, quality of judgments etc. which are important aspects of the administration of justice must be given more emphasis.
2. That the Penang Bar immediately send a Memorandum to the Chief Justice of Malaysia and the relevant authorities with actual details, examples and illustrations on how the new Court system and directives have undermined the administration of justice and caused undue hardship and injustice to the public and members of the Bar.
3. The Penang Bar urges the Penang Bar Committee and the Bar Council to take up this issue seriously with the Chief Justice of Malaysia and the relevant authorities and to find ways of working with the Judiciary with a view to finding a solution to improve the administration of justice without compromising the justice meted out to the litigants.

We therefore invite members who continue to face problems with for example, requests for postponements/adjournments, not being allowed to stand down cases, cases proceeding without Counsel being present, parties being asked to close their cases despite witnesses not being able to attend Court with valid reasons, Medical

Certificates not being accepted the Court, etc. to notify the Bar Committee via the Feedback Form attached hereto with details of such incidents in order for us to follow up with the Courts as part as of our effort to ensure that the administration of justice is effectively carried out.

Thank you.

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MURELI NAVARATNAM
CHAIRMAN

FOLLOW-UP COURT FEEDBACK FORM

Date of Incident:

Case No. & Court:

Name(s) & firm(s) of lawyers:

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Brief facts on what transpired:

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We assure members that all information will be kept confidential and will not be made known without the prior consent of the members involved.