

SPEECH BY THE ATTORNEY GENERAL OF MALAYSIA
AT THE REFERENCE PROCEEDING IN MEMORY AND
HONOUR OF ALLAHYARHAMAH TAN SRI SITI NORMA BINTI
YAAKOB

Bismillahirrahmanirrahim.

Assalamualaikum warahmatullahi wabarakatuh, Salam Sejahtera dan Salam Malaysia Madani.

Yang Amat Arif, Yang Arif, ladies and gentlemen,

1. As we bring today's Reference Proceeding to a close, it is fitting that we pause to honour the life, contributions and enduring legacy of Allahyarhamah Tan Sri Siti Norma binti Yaakob, a distinguished jurist whose dedicated service left an indelible mark upon the Malaysian Judiciary.

A Life of Service and Distinction

2. Tan Sri Siti Norma was born on 6 July 1940 in Seremban, Negeri Sembilan. She pursued her legal education in

London, where she obtained her Barrister-at-Law degree from the Honourable Society of Gray's Inn in 1962. She also obtained a Certificate in Public International Law from the Council of Legal Education, London. Upon her return to Malaysia, she embarked on a distinguished legal and judicial career spanning 43 years.¹

3. Her journey was defined by a remarkable succession of historic achievements. In 1963, she became the first woman in Malaysia to serve in the Judicial and Legal Service. She subsequently became the first woman to be elevated to the High Court Bench in 1983, the first woman to be appointed a Court of Appeal Judge in 1994, and the first woman to serve as a Federal Court Judge in 2001.² On 8 February 2005, she was sworn in as the first woman Chief Judge of Malaya, marking another historic milestone in the Malaysian Judiciary.³

¹ University of Malaya, "Tan Sri Dato' Seri Siti Norma Yaakob"; The Malaysian Bar, "Tan Sri Siti Norma Retires Tomorrow after 43 Years of Exemplary Service," January 4, 2007.

² Malaysia Competition Commission, *Annual Report 2013*, [section "MyCC's Members" / profile of Tan Sri Dato' Seri Siti Norma Yaakob]

³ Malaysia Competition Commission, *Annual Report 2015*, 66.

4. Her extraordinary milestones were far more than personal triumphs; they were doorways of opportunity swung wide for all who would follow. Through her historic journey, she proved to the world that the true measure of a judge lies not in their gender, but in the brilliance of their intellect, the depth of their integrity, their fierce independence, and an unshakeable allegiance to the law.
5. In this respect, her career carried a significance beyond the positions she held. She helped to establish, through her own example, that women could serve with distinction at every level of the Malaysian legal and judicial system. The path she travelled would later become a path upon which many others could confidently follow.

A Judge of Principle and Jurisprudential Contribution

Yang Amat Arif, Yang Arif, ladies and gentlemen,

6. Tan Sri Siti Norma's place in our judicial history cannot be measured by her pioneering achievements alone. It is equally reflected in the quality of her judgments and in the

principles she articulated in cases that continue to resonate in Malaysian law.

7. One of the judgments for which Tan Sri Siti Norma will long be remembered is ***Foo Fio Na v Dr Soo Fook Mun & Anor***.⁴ In that case, Tan Sri Siti Norma delivered a significant judgment on medical negligence and the applicability of the Bolam principle. She observed that the *Rogers v Whitaker* test “**would be more appropriate and a viable test of this millennium than the Bolam Test**”⁵. Her judgment reflected her willingness to examine established legal principles critically and to ensure that the law remained responsive to the realities of modern medical practice.
8. Her judicial contribution extended beyond medical law. In ***Mohamad Ezam Mohd Noor v Ketua Polis Negara & Other Appeals***⁶, Tan Sri Siti Norma addressed the constitutional right of an arrested person to consult and be defended by legal counsel under Article 5(3) of the Federal

⁴ [2007] 1 MLJ 593

⁵ [2007] 1 MLJ 593 at page 611.

⁶ [2002] 4 MLJ 449

Constitution. Her judgment affirmed the importance of meaningful access to legal representation during detention.⁷

9. Her judicial contribution to constitutional law and the administration of justice is also reflected in ***Public Prosecutor v Tan Tatt Ekk***⁸. Tan Sri Siti Norma considered the role of the Chief Justice in the administration of criminal appeals. She recognised that the Chief Justice may, by virtue of the office and seniority, preside over criminal appeals and direct which judge should prepare and deliver a separate judgment. Such administrative functions, exercised within the law, do not in themselves amount to interference with judicial independence or impartiality.
10. Her judicial contribution also extended to criminal justice. In ***Yusmarin bin Samsudin v Public Prosecutor***⁹, Tan Sri Siti Norma carefully assessed the circumstantial evidence and distinguished between possession and trafficking. At the sentencing stage, she also gave due consideration to the substantial quantity of drugs involved and the public interest

⁷ [2002] 4 MLJ 449 at page 459.

⁸ [2005] 2 MLJ 685

⁹ [1999] 4 MLJ 625

in deterrence. The judgment demonstrated a measured approach: **meticulous in assessing the evidence, while conscious of the wider interests of public safety and the administration of criminal justice.**

11. Together, these judgments reflect the breadth of Tan Sri Siti Norma's jurisprudence. Across cases concerning individual rights and important questions of law, she approached complex issues with clarity, careful reasoning and a deep appreciation of the constitutional principles that underpinning the administration of justice. Her judgments stand as a lasting testament to her judicial wisdom and continue to form an important part of the jurisprudential legacy she leaves to the Malaysian Judiciary and the law.

A Pioneer Beyond the Bench

Yang Amat Arif, Yang Arif, ladies and gentlemen,

12. Tan Sri Siti Norma's contribution did not end with her retirement from the Judiciary. Following her retirement in January 2007, she continued to contribute to public

institutions and professional life. She was appointed Pro-Chancellor of the University of Malaya on 4 September 2007¹⁰ and subsequently served in various public and corporate capacities.

13. Her standing was also recognised internationally. In January 2008, she was appointed as one of the six pioneer judges of the Dubai International Financial Centre Courts (“DIFC”), becoming the first female judge to join the DIFC Courts.¹¹ This further reflected the recognition of her experience and standing beyond the Malaysian legal system.
14. She also served as the first Malaysian elected President of the Commonwealth Magistrates and Judges Association, further demonstrating the respect she commanded within the international judicial community.¹² Her leadership in that capacity placed a Malaysian jurist at the forefront of an important Commonwealth judicial organisation.

¹⁰ University of Malaya, “Tan Sri Dato Seri Siti Norma Yaakob,” accessed September 2, 2026, <https://www.um.edu.my/tan-sri-dato-seri-siti-norma-yaakob>

¹¹ Dubai International Financial Centre Courts, *Annual Review 2008*, 25.

¹² The Malaysian Bar, “Tan Sri Siti Norma Retires Tomorrow after 43 Years of Exemplary Service,” January 4, 2007.

A Legacy of Leadership

Yang Amat Arif, Yang Arif, ladies and gentlemen,

15. Tan Sri Siti Norma's legacy is therefore not confined to the judgments she delivered or the offices she held. It lies equally in the example she provided. She entered the legal service when opportunities for women in senior judicial positions were still limited. She retired having opened new possibilities for generations of women who would follow.
16. Her journey also reminds us that progress within an institution is often achieved quietly, through individuals who discharge their responsibilities with consistency and dignity. She did not need to proclaim the significance of the barriers she crossed. Her career itself was the statement.

A Lasting Example

Yang Amat Arif, Yang Arif, ladies and gentlemen,

17. Tan Sri Siti Norma leaves behind a legacy of considerable significance. She demonstrated that courage without confrontation, authority without arrogance, and independence guided by principle.
18. Her career also carries a message for future generations of lawyers and judges: **that excellence is achieved through preparation, discipline, integrity and service.** The opportunities available today to those entering the legal profession owe something to the pioneers who came before them.
19. On behalf of AGC, I pay tribute to Allahyarhamah Tan Sri Siti Norma binti Yaakob for her distinguished service to the law, the Judiciary and the nation. We honour not only the offices she held, but the doors she opened and the example she left behind.
20. May her memory continue to inspire the Judiciary, the legal profession and all who serve the administration of justice. May her family take solace in knowing that her life of service

has left an enduring mark upon Malaysia's legal and judicial history.

21. Finally, let us pray that Allah SWT grants Mercy and Forgiveness to Allahyarhamah Tan Sri Siti Norma binti Yaakob, that her soul be placed among the righteous, and that her family is granted strength, patience, and solace during this time of bereavement. ***Al-Fatihah.***

22. Allow me to conclude by humbly praying, in the hallowed tradition of the Bar, that this Reference Proceeding, held in honour and memory of Allahyarhamah Tan Sri Siti Norma binti Yaakob, be entered into and preserved in the Court archives. May a copy thereof also be extended to her family.

Thank you.

Wabillahi taufiq walhidayah, wassalamualaikum warahmatullahi wabarakatuh.

THE ATTORNEY GENERAL OF MALAYSIA

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