

**7TH JOINT JUDICIAL CONFERENCE 2023 BETWEEN BRUNEI,
MALAYSIA AND SINGAPORE**

Address by The Honourable Chief Justice of Brunei Darussalam
Dato Seri Paduka Steven Chong

Friday, 21 July 2023
Kuala Lumpur, Malaysia

The Right Hon. Tun Tengku Maimun binti Tuan Mat, Chief Justice of Malaysia,

The Hon. Sundaresh Menon, Chief Justice of Singapore,

The Right Hon. Tan Sri Datuk Amar Abang Iskandar bin Abang Hashim, President of the Court of Appeal of Malaysia,

The Right Hon. Dato' Mohamad Zabidin bin Mohd Diah, Chief Judge of Malaya,

The Right Hon. Tan Sri Dato' Abdul Rahman bin Sebli, Chief Judge of Sabah and Sarawak,

Fellow judges, friends and colleagues from Malaysia and Singapore,

Ladies and gentlemen.

1. A very good morning. I am delighted to be here with you today in Kuala Lumpur for the 7th Joint Judicial Conference (JJC) of the Judiciaries of Brunei, Malaysia and Singapore. This marks the first time we've convened in person since we last met at the 5th JJC in Singapore in 2019. I am sure most will agree that in a post-COVID

world, the value of face-to-face meetings like these takes on a renewed significance. While virtual communication helped bridge the gap during the pandemic, there are unique benefits that can only be achieved through in person interactions that can help facilitate collaboration, networking, building relationships and these are all key to nurturing the long-term partnerships that we've fostered through the JJC.

2. The JJC is a testament to our shared commitment to strengthen our bonds and for over a decade, it has served as a valuable platform for our Judiciaries to come together to engage in meaningful dialogue, share best practices and develop a shared understanding of the complex issues we face. Indeed, it is important that Judiciaries are receptive to and can effectively address the evolving societal issues in the administration of justice. The theme of this year's conference, **'Criminal Justice System in ASEAN: Moving towards a more compassionate society'**, is therefore most pertinent as effective collaboration and cooperation across our borders and among our jurisdictions, is crucial as the region moves towards ever-increasing integration.
3. The theme also allows us to put into perspective one of the principles of the 2008 ASEAN Charter, which is to *"enhance the well-being and livelihood of the peoples of ASEAN by providing them with equitable access to opportunities for human development, social welfare and justice."* And in the pursuit of justice, it is important to acknowledge that our work extends beyond the courtroom. The decisions we make impact the lives of countless individuals and shape the societies we serve.

4. Moving towards 'compassion' acknowledges the humanity of those involved in the justice system and promotes the idea of rehabilitation and restorative justice for offenders, victims and the community as a whole. I look forward to hearing from the lineup of speakers on the judicial perspective on reconciling compassion and the criminal justice system. They will be discussing a range of issues in the area of criminal justice, wherein the first topic focuses on '**Due Process and Crime Control Model: Judicial Decision-Making in Criminal Justice**'. The due process and crime control models are essential frameworks that shape our judicial making process and I am keen to hear insights from our counterparts in Malaysia and Singapore in finding a balance between protecting individual rights and liberties and maintaining public order and safety in judicial decision making.

5. The second topic deals with '**Improving [the] Criminal Justice System: Best Practices and Collaboration**'. My colleague Judge Harnita Zelda Skinner will speak on the Bruneian perspective in which she highlights the development of our Code of Practice for the Conduct of Criminal Proceedings by the Prosecution and the Defence, jointly undertaken by the Attorney General's Chambers of Brunei Darussalam ('AGC') and the Law Society of Brunei Darussalam ('the Law Society'). The Code of Practice, while not legally binding, lays down the best practices that should be observed by the Prosecution and the Defence both in pre-trial proceedings and in court proceedings to ensure due process and fair outcomes. It is also important to note that the AGC and Law Society turned to their Singaporean counterparts and their jointly issued code of practice for guidance when drafting the code.

6. And onto the final topic, **‘Cross Border Criminal Conviction and Punishment: The Importance of Mutual Respect, Understanding and Dialogue’**. My colleague, Justice Muhammed Faisal will offer our perspective on cross border cooperation through mutual legal assistance, extradition and the international transfer of prisoners and the use of both formal and informal mechanisms to initiate and facilitate requests between jurisdictions.
7. It clear that this year’s topics demonstrate that ultimately, cooperation enriches the quality of justice delivered in our respective jurisdictions and by learning from one another, we are able to broaden our perspectives and consider new approaches into our own systems. Fostering a spirit of cooperation empowers us to address common challenges, learn from one another’s experiences and collectively strengthen the principles that form the rule of law.
8. Before I conclude, please allow me to express our deepest gratitude and appreciation to Chief Justice Tun Tengku Maimun and her team for their tireless efforts and excellent organization as the host of this year’s conference. The delegation and I are grateful for the warm and generous hospitality extended to us and I am confident that today will bring us meaningful and insightful discussions. Thank you very much.