

A SPEECH BY THE RIGHT HONOURABLE TAN SRI ZAHARAH BINTI  
IBRAHIM, CHIEF JUDGE OF MALAYA

DURING

THE OPENING OF THE LEGAL YEAR 2019

11 JANUARY 2019 (FRIDAY) / MARRIOTT HOTEL PUTRAJAYA

Thank you, my Lord Chief Justice.

Allow me to begin by giving a brief report on the performance of the High Court in Malaya and the Subordinate Courts in Peninsular Malaysia for the year 2018.

**The High Court in Malaya** performs its functions through 79 courts throughout Peninsular Malaysia, presided over by 76 Judges and Judicial Commissioners.

In 2018, a total of 5,903 criminal cases were registered in the various courts of the High Court in Malaya and 5,691 cases were disposed of. For civil cases, a total of 48,546 cases were registered and 42,008 cases were disposed of.

As for the Subordinate Courts, there are 145 Sessions Courts and 173 Magistrates' Courts in Peninsular Malaysia, presided over by 136 Sessions Court Judges and 143 Magistrates respectively.

A total of 47,727 criminal cases were registered in all the **Sessions Courts in Peninsular Malaysia** and 47,950 cases were disposed of. As for civil cases, a total of 43,597 cases were registered and 43,007 cases were disposed of.

Apart from those cases, 4,579 criminal applications and applications for execution in civil cases were registered in the Sessions Courts throughout Peninsular Malaysia and 4,656 of such cases were disposed of in 2018.

A total of 191,592 criminal cases were registered in the **Magistrates' Courts throughout Peninsular Malaysia**. 190,111 cases were disposed of in 2018.

218,044 civil cases were registered in the Magistrates' Courts and 227,901 cases were disposed of in 2018.

In addition, 1,619,802 departmental and traffic summonses as well as applications for execution in civil cases were registered in the Magistrates' Courts throughout Peninsular Malaysia in 2018, and 1,655,088 of such cases were disposed of last year.

I need to make it clear that some of the cases disposed of in 2018 were cases registered in 2017 and earlier.

I wish to put on record my personal appreciation to the Judges, Judicial Commissioners and Judicial Officers for their hard work in 2018 and hope for a better output for 2019.

Distinguished guests, ladies and gentlemen,

The year 2018 witnessed the retirement of several Judges of the High Court in Malaya and Judicial Officers of the Subordinate Courts in Peninsular Malaysia. Last year, we bid farewell to High Court Judges, Datuk Siti Mariah Binti Haji Ahmad, Datuk Samsudin bin Hassan, Dato' Hue Siew Kheng, Puan Amelia Tee Hong Geok Abdullah and Dato' Mohd Azman Bin Husin . We also bid farewell to Sessions Court Judges, Puan Tan Hooi Leng, Encik Zainal L. Salleh, Encik Allaudeen bin Ismail, Encik Amernudin bin Ahmad, Puan Vijayalakshmi a/p Muthusamy and Encik Mohd Yusoff bin Yunus. I take this opportunity to thank them for the services they rendered to the Judiciary and the country, and wish them a happy and healthy retirement.

On a happier note, 2018 also witnessed the elevation of six Judges of the High Court in Malaya to the Court of Appeal, namely Datuk Hanipah Binti Farikullah, Datuk Wira Kamaludin bin Md Said, Datuk Lau Bee Lan, Dato' Mohamad Zabidin bin Mohd Diah, Datuk Nor Bee Binti Arifin and Dato' Has Zanah binti Mehat. I would like to congratulate them on their appointment and I am certain that their vast experience will be invaluable to the Court of Appeal.

In light of the retirements and elevations, we have had to deal with a number of vacancies in various Courts in the High Court in Malaya and the Sessions Court. We hope to have several of the vacancies filled this year.

Meanwhile, we have tried our level best to redeploy Judges, Judicial Commissioners and judicial officers to fill in several of the vacancies to ensure that judicial performance is not adversely affected. During this exercise, we took the opportunity to move Judges and Judicial Commissioners who have been in one location for several years to another location. Judges who had been dealing for substantial period of time with criminal cases were moved to courts dealing with civil cases, and Judges who had been dealing with mostly civil cases were moved to the courts dealing with criminal cases. This move hopefully will give Judges and Judicial Commissioners experience in dealing with more areas of law.

Another challenge that we had to deal with was the registration of high profile cases in the Criminal Division in Kuala Lumpur, which necessitated the establishment of two additional criminal courts. These two courts are now presided over by Judges relocated from other locations.

In respect of the Subordinate Courts, we are now assessing the manpower needs of the various Sessions and Magistrates' Courts in Peninsular Malaysia with the objective of determining whether, in a particular location, instead of having a Magistrate AND a Sessions Court Judge, it is more cost effective that that location is served by a single Sessions Court Judge to deal with both Sessions Court as well as Magistrates' Court cases. This has already been done in Kuala Kubu Baru, Selangor.

Distinguished guests, ladies and gentlemen,

When we talk about the performance of the Judiciary, court infrastructure cannot be overlooked. We are aware that several court buildings are in need of improvement. One location where major improvement is sorely needed is the Kuala Lumpur Court Complex. In particular, the air-conditioning system is in dire need for refurbishment. Work to refurbish the system has already begun. It will be done in stages so as not to disrupt court proceedings.

On the bright side, last year, one court building was completed and handed over to us, namely, the Tapah Magistrate Court, which began operating from 27 July 2018.

I turn now to case management. In order to facilitate case management we embarked on the e-Review System in December last year. The e-Review System is the initiative of the Right Honourable Chief Justice. In this system, the preliminary case management of a particular case filed in court will be done online. This will reduce the necessity of lawyers coming to court in person to attend case management. For a start, the e-Review System has been implemented in the Commercial Division of the High Court in Kuala Lumpur on a trial basis and has been in operation since 24 December 2018. I am pleased to report that we have received a very positive feedback. Hence, we are planning to expand the e-Review System to other locations.

We are also hoping to implement video-conferencing for case management and the hearing of some types of applications. Facilities have already been set up in the Kuala Lumpur, Shah Alam and Penang Court Complexes.

In view of the number of courts in Peninsular Malaysia, the Managing Judge system was introduced some nine years ago to assist the Chief Judge of Malaya in the administration and management of courts in several locations. This system is continuing. In addition, again on the initiative of the Right Honourable Chief Justice, one Judge in each High Court location was appointed last year as Supervising Judge to act as a resource person for officers and staff in that location. They are encouraged to conduct in-house training on a regular basis for the officers and staff on legal and administrative matters.

The review and improvement of systems and policies in the High Court in Malaya and the Subordinate Courts in Peninsular Malaysia are ongoing and we are constantly learning, including from other jurisdictions, with the objective of providing an efficient and effective delivery system for the administration of justice.

Distinguished guests, ladies and gentlemen,

I thank you.