



Legal Year

2015

THE OPENING OF
LEGAL YEAR

23 APRIL 2015
4 REJAB 1436H **2015**



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His Majesty Sultan Haji Hassanal Bolkiah Mu'izzaddin Waddaulah
ibni Al-Marhum Sultan Haji Omar 'Ali Saifuddien Sa'adul Khairi Waddien
Sultan and Yang Di-Pertuan of Brunei Darussalam

EXCERPTS FROM HIS
MAJESTY'S TITAH

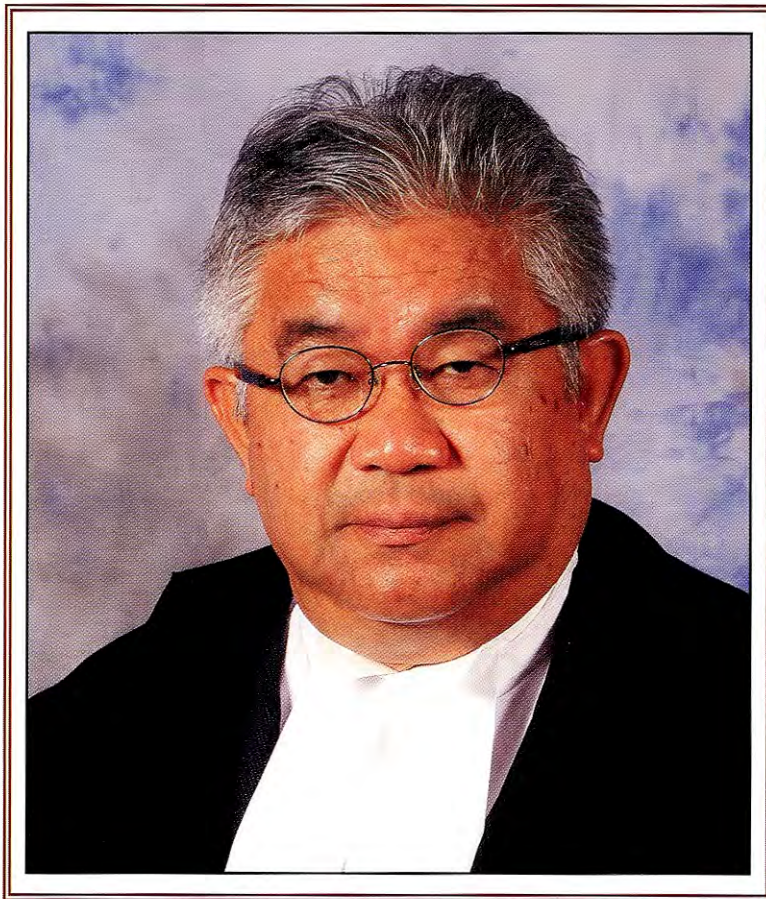
“Sesungguhnya adalah harapan Beta supaya pada suatu ketika nanti semua pegawai-pegawai dan kakitangan kehakiman kita akan ke semuanya terdiri dari rakyat Beta iaitu sepertimana juga kedudukan Jabatan Undang-Undang sekarang. Tetapi yang penting sekali ialah memelihara kedudukan Kehakiman yang adil dan saksama. Ke arah itu Beta menggesa rakyat Beta khususnya mereka yang masih berada di bangku sekolah dan institusi-institusi pengajian tinggi untuk juga memilih mata pelajaran-mata pelajaran undang-undang supaya pada satu ketika nanti mereka dapat memainkan peranan yang penting di dalam pentadbiran kehakiman dan kepeguaman baik di sektor Kerajaan mahupun di sektor swasta.”

Petikan Titah Kebawah Duli Yang Maha Mulia Paduka Seri Baginda
Sultan Hassanah Bolkiah Mu'izzaddin Waddaulah,
Sultan dan Yang Di-Pertuan Negara Brunei Darussalam
sempena Istiadat Pembukaan
Rasmi Bangunan Baru Mahkamah Besar Negara Brunei
Darussalam pada 15 haribulan Mac 1984.

“Although it is my hope that one day all our judicial officers and staff would be from my subjects as can be found in the Legal Department now, but the most important factor is the maintenance of the status of a just and impartial judiciary. Towards this end I call upon my subjects especially those who are still in schools and institutes of higher learning to choose law as a subject which they should pursue so that in future they would be able to play an important role in the administration of justice and laws either in the public sector or the private sector.”

Titah of His Majesty Sultan Hassanah Bolkiah Mu'izzaddin Waddaulah,
Sultan and Yang Di-Pertuan of Brunei Darussalam at the Official
Opening of the New Supreme Court Building of Brunei Darussalam
on 15th March, 1984.

The Hon. Chief Justice of Brunei Darussalam



**The Honourable
Dato Seri Paduka Haji Kifrawi bin Dato Paduka Haji Kifli
Chief Justice of Brunei Darussalam**



Foreword by The Hon. Chief Registrar of Supreme Court

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
السَّلَامُ عَلَيْكُمْ وَرَحْمَةُ اللَّهِ وَبَرَكَاتُهُ

It is a great honour and privilege for me to welcome you to the ceremony marking the Opening of the Legal Year 2015.

This occasion is also an opportunity to reflect on the past year and to renew our commitment to continuously strive to improve the quality of services in every aspect of the court system.

It has been a full year, one that is filled with new ideas and further growth.

I am proud to say that the Judiciary Case Management System (JCMS) will be officially launched today.

This is a highly-anticipated moment for us at the Judiciary and for our own development team who have dedicated a tremendous amount of energy and time.

We have successfully completed the JCMS roll-out in three districts from the 23rd March 2015.

We have also provided comprehensive training sessions of the system for court officers and staff, legal practitioners, officers and staff of the Attorney General's Chambers and officers from other enforcement agencies.

JCMS consist of e-Filing System (EFS), Case Management System (CMS), and Queue Management System (QMS). This will assist to enhance both court's efficiency and productivity.

It is indeed a great achievement for the Judiciary in our effort to provide better access to justice.

As JCMS is a new system, we sincerely apologize for any technical issues that may affect the system's stability and performance, during the transition period. The development team looks forward to your continuous support, cooperation and feedback to make the JCMS project a success.

As part of our continuous effort to strive for judicial excellence, Judicial Officers and court staff have undergone a second workshop on mediation to manage conflicts and resolve disputes effectively towards reaching settlements. This mediation training will give an opportunity for the participants to be assessed and ultimately be accredited.

In our commitment to maintain our judicial cooperation with other judiciaries, in November 2014, the Brunei Judiciary became host for the 3rd Joint Tri-Judiciary Conference between Brunei, Singapore and Malaysia.

I like to congratulate Senior Magistrate Muhammed Faisal bin PDJLD DSP Hj Kefli on his new appointment as the Chief Magistrate.

I take this opportunity to thank the Intermediate Court Judge Hj Abdullah Soefri bin POKSM DSP Hj Abidin for his tireless contribution to the Subordinate Court as the former Chief Magistrate.

I welcome our two new Judicial Officers, Awangku Shahyul Khairuddien bin Pengiran Abdul Rahman and Dewi Norlelawati binti Haji Abdul Hamid.

I take this opportunity to express my appreciation to the officers and staff for their continuing support and dedication. The success of this year, Legal Year is a tribute to their diligent effort and contribution to the Judiciary.

I would like to offer my sincere appreciation and gratitude to the members of the organizing committee and various Government Departments that helped to make today's event a success.

On behalf of the Judiciary, I thank you all for your presence today and wish you all a successful and prosperous year ahead.

**The Hon. Justice Pengiran Hajah Rostaina binti Pengiran Haji Duraman
Judicial Commissioner / Chief Registrar of the Supreme Court
(Chairperson of the Organising Committee)**

MISSION STATEMENT

Mission

“Administration of Justice”

Objective

“Upholding the Rule of Law”

Goals

“Securing Justice”

“Enhancing Access to Justice”

“Preserving Public Trust and Confidence”

Values

“Taqwa”

“Independence”

“Accountability”

“Timeliness”

“Accessibility”

“Equality and Fairness”

“Integrity”

Principle

“To Faithfully discharge judicial duties”

“To do right to all manner of people after the Laws and Usage of Brunei Darussalam without fear or favour affection or ill will to the best of their ability”

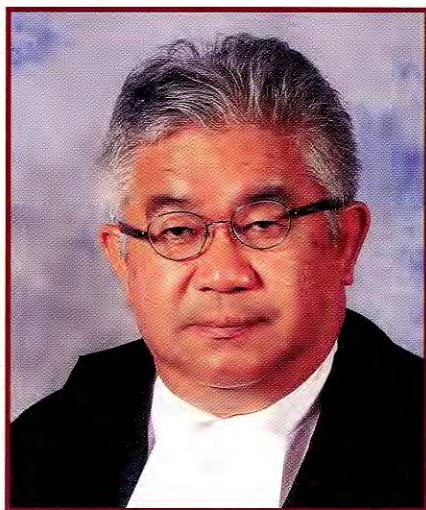
“To be faithful and bear true allegiance to Brunei Darussalam”

SPEECHES DURING
THE OPENING OF
THE LEGAL YEAR 2014

THE HONOURABLE CHIEF JUSTICE

Dato Seri Paduka Haji Kifrawi bin

Dato Paduka Haji Kifli



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
السَّلَامُ عَلَيْكُمْ وَرَحْمَةُ اللَّهِ وَبَرَكَاتُهُ

The Honourable Attorney General, The Honourable Chief Syar'ie Judge, President of Brunei Darussalam's Law Society, Members of the Bar, Distinguished Guests, Ladies and Gentlemen.

Welcome to the Year of the Horse 2014. With Allah's Blessing, I hope this New Year 2014 will be a more happy, peaceful, prosperous and exciting New Year.

1. STATISTICS

Court of Appeal, High Court and Intermediate Court Statistics

41 criminal cases were registered in the High Court in 2013 as against 28 in 2012, and 83 civil cases were filed in the High Court in 2013 as against 97 in the previous year.

Civil appeals from the High Court and Intermediate Court to the Court of Appeal in 2013 numbered 11, that being 1 LESS than in 2012; and criminal appeals to the Court of Appeal in 2013 were 15 in number, this being 4 LESS than in 2012.

There are 3 capital cases before the High Court in 2013, 2 cases of murder awaiting trial, and 1 drugs case on trial.

There were 50 criminal appeals to the High Court from the Magistrate's Court in 2013 compared to 53 criminal appeals in 2012 and 1 civil appeal to the High Court from the Magistrate's Court in 2013 compared to 3 civil appeals in 2012.

High Court and Intermediate Court civil cases (Chamber Hearings) registered to be heard before the Senior Registrars and Registrars DECREASED by 188 from 394 in 2012 to 206 in 2013.

In 2013, the Registry of Civil Marriages registered 89 marriages.

With regards to Bankruptcy matters, 338 Notices were received during 2013, that being 323 LESS than in 2012; 919 Receiving Orders were made in 2013, that is 258 MORE than in 2012; and 67 Adjudication Orders were made in 2013, that being 16 MORE than the previous year.

The Intermediate Court had 217 civil matters registered in 2013, this being 20 MORE than in 2012; and 46 criminal matters were registered in 2013, that being 18 MORE than in 2012.

The Subordinate Court's Statistics

Criminal Cases

In the Magistrate's Court for 2013 for criminal cases, 1770 cases were registered in Bandar Seri Begawan, 219 cases LESS than that in 2012, 574 cases were registered in Kuala Belait, 278 cases MORE than in 2012, 82 cases were registered in Tutong, 69 LESS than in 2012 and no criminal cases were registered in Temburong.

Civil Cases

The figures for civil cases registered in the Magistracies were as follows : in Bandar Seri Begawan, 895 suits were registered in 2013 as against 1182 filed in 2012, in Kuala Belait, 173 suits were registered in 2013 as against 236 filed in 2012, in Tutong, 122 suits were registered in 2013 as against 207 filed in 2012 and in Temburong, no civil matters were registered.

Inquests

Figures for Inquests heard in Bandar Seri Begawan were 19 in 2013 as against 27 in 2012. In Tutong Court, no Inquest was heard in 2013 as against 4 in 2012. In Kuala Belait Court and Temburong Court no Inquests were heard for both 2013 and 2012.

Applications made under the Lunacy Act

Figures for applications made under the Lunacy Act in Bandar Seri Begawan court were 61 in 2013 and 79 in 2012, in Kuala Belait Court, no applications were made in 2013 compared to 10 in 2012. In Tutong Court and Temburong Court no applications were made for both 2013 and 2012.

Statutory Declarations

The number of Statutory Declarations filed in Bandar Seri Begawan Court were 15,681 in 2013 as against 16,370 in 2012, in Kuala Belait Court, 2390 in 2013 as against 2511 in 2012, in Tutong Court 1141 were filed in 2013 as against 2033 in 2012 and in Temburong Court, 201 were filed in 2013 as against 150 in 2012.

Probate and Letters of Administration

In Bandar Seri Begawan, 185 applications for Letters of Administration were registered in 2013, 112 Letters of Administration were granted. 4 applications for Probate were registered and 3 Probate were granted. In Tutong, 47 applications for Letters of Administration were registered in 2013 and 41 Letters of Administration were granted. In Kuala Belait, 87 applications for Letters of Administration were registered in 2013 and 84 Letters of Administration were granted; 2 applications for Probate were registered, 2 Probate were granted. In Temburong, 8 applications for Letters of Administration were registered in 2013 and 4 Letters of Administration were granted.

Total Revenue

Lastly, the Total Revenue collected during 2013 amounted to B\$5,430,245.55 as compared to B\$6,810,368.73 during 2012.

2. SMALL CLAIMS TRIBUNAL

The Small Claims Tribunal is now in its 2nd year of operations. Between April to December 2013, there were 5 registered cases, 3 of which were disposed of successfully.

3. JUVENILE COURT

The Juvenile Court continues to recognize that the potential for change is present in every young person and the court's role is to give due consideration to helping him to do so. Achieving a balance between deterrence and public protection and the juvenile's reform and reintegration remains an objective that the Juvenile Court strives to achieve.

The statistics of the Juvenile Court are as follows. In 2013, 23 cases were registered in Bandar Seri Begawan, as against 22 registered in 2012, 1 case was registered in Tutong and 0 cases were registered in Kuala Belait and Temburong.

Of the 23 cases registered in 2013 in Bandar Seri Begawan Juvenile Court, 9 were Beyond Parental Control applications, 4 Child Protection Order Applications, 5 Juvenile Traffic cases and 5 Juvenile Arrest cases were registered in 2013. In 2012, 22 cases were registered.

4. COURT MARTIAL

In 2012, I mentioned that a number of my Judicial officers were also appointed as Judge Advocates to assist in hearing Court Martial cases.

I am pleased to report that 2 cases have just recently been referred to the Judiciary by the Royal Brunei Armed Forces requesting assistance of a Judge Advocate for Court Martial proceedings. I am informed we can expect a few more cases in the near future.

I wish to take this opportunity to record my appreciation to the Royal Brunei Armed Forces for the close and good relations that have been fostered and maintained with the Judiciary and assure the Royal Brunei Armed Forces of the utmost dedication and commitment of our judicial officers in providing their professional expertise to the Court Martial.

5. TECHNOLOGY COURT

And now I turn to an exciting area of development for the Judiciary. We all know that the legal profession is still one of the most traditional professions in the world. We associate litigation with lawyers wheeling in cartons and cartons of paper documents, usually to the horror of the presiding Judge!

In this day and age therefore, giving due consideration to save the environment amongst other things, paperless litigation has become an objective to be achieved by the Judiciary.

There are many benefits of embracing a paperless litigation system. We have seen from the Singapore experience, the refining of a legal system by way of introduction of electronic filing of court documents for court proceedings. And this, undoubtedly, is also the way the Brunei Judiciary should move forward.

I am pleased to announce that the implementation of a Judicial Case Management System will be initiated this year which will introduce the concept of E-Filing into our legal system.

Court users will be able to file, process, retrieve, serve, extract and store electronically all documents that form part of any court proceedings.

It is very much our hope that this advancement will reduce backlogs and delays in the administering of cases and provide court users with a workable system all round. To support the use of electronic documents in a court environment, the Judiciary has established Technology Courts, which are housed at the Supreme Court Building, Court 6 of the Bandar Seri Begawan Subordinate Court Building and Court 1 of the Kuala Belait Subordinate Court Building. These courtrooms are now equipped with a computer system as well as audio-visual equipment including a computer based recording facility which allows oral testimony to be digitally recorded. This was particularly useful in several cases heard recently of 2 sexual cases, a corruption case, a road traffic cases and a civil trial. The video conferencing facility was used in the criminal trial for the vulnerable witnesses to give evidence, the digital recording facility was used in the corruption case, the audio visual equipment was used in the road traffic case and the use of video conferencing in the civil trial for the presentation of the testimony of a witness overseas.

From this, I think it is safe to say that the investment in the installation of the technologies into our legal system has proved that it is a worthwhile one and look forward to the ease and convenience it will bring to the hearing of cases that have such requirements.

It is also our hope that this audio-visual link equipment can also be used in future for applications for remand or bail as the case may be, from Jerudong prison, police stations and the Attorney General's Chambers by the relevant parties to reduce cost and time in transporting prisoners or detainees in custody to the Courthouse as well as maximize security in doing so.

To prepare for the possible introduction of this process, I am informed that my officers are in the planning stage of proposing amendments to the Criminal Procedure Code to be referred to the Attorney General's Chambers for their consideration, to enable the use of audio visual link for such applications.

It is also within this context that I wish to stress the necessary cooperation of all enforcement agencies to ensure the success of this process and invite the higher authorities to consider the planning and budget consideration for installing the required infrastructure in the premises of these agencies when the proposed amendments are ready to be considered.

An electronic legal system will no doubt, upon its introduction, present teething problems for court users and court staff alike. It is important, therefore, to stress that the Judiciary is committed to providing better professional services by also ensuring that the Judiciary has complete and available support in the supervision of technical problems that may arise in the working of the system.

That being so, I would like to highlight the need for budget allocation for creation of posts for recruitment of technical personnel with the aim of creating an in-house Information Technology unit to serve the Judiciary's needs and requirements.

Last but not least, I wish to mention that with the introduction of a computer based recording facility, there are opportunities for outsourcing the transcribing of the notes of proceedings by private sector companies as it is done in Malaysia. This will allow a faster turnaround for

transcripts of evidence to be furnished and is just one of many exciting developments we can all look forward to in embracing technology as a legal tool in the administration of court proceedings.

To conclude, it is clear that the advancements in technology for the legal profession will bring about many benefits to court users. Indeed, we should leverage on IT as a tool in our administration of justice. What we must be mindful of, however, as eloquently said by Singapore's Chief Justice Yong Pung How at the Technology Renaissance Conference, 24 September 1996.

'Whatever changes the future brings, we must always remember that justice must be assisted, not dominated by technology. Technology alone does not improve the system. It is people, assisted by technology, who make the justice system work. We must be careful not to blindly substitute technology or become slaves of technology'.

6. MACHINERY OF JUSTICE

In 2013 two local lawyers have joined the Judiciary. We still need more local Magistrates, Registrars, Intermediate Court Judges and High Court Judges. Our Chief Magistrate has just been appointed as the new Intermediate Court Judge. He is the Honourable Judge Haji Abdullah Soefri bin Pehin Orang Kaya Saiful Mulok Dato Seri Paduka Haji Abidin.

The Chief Registrar of the Supreme Court has also been appointed as the new Judicial Commissioner of the Supreme Court. She is Her Ladyship Pengiran Hajah Rostaina binti Pengiran Haji Duraman.

I congratulate them on their new appointment. I think it is high time for more Magistrates and Intermediate Court Judges to be appointed to deal with increasing load of cases and duties. There are still 4 Magistrate/Registrar posts available to be filled up.

The increase in the civil jurisdiction of the Intermediate Court has led to the increase in the number of civil case registered in the Intermediate Court in 2013.

There is also an increase in the number of criminal cases registered in the Intermediate Court in the same year. We already have several Senior Magistrates and Senior Registrars who deserve to be appointed as Intermediate Court Judges.

The Judiciary should have enough well experienced local Judges to deal with both criminal and civil cases so as to ensure that the cases can be disposed off within reasonable time.

7. CONCLUSION

As usual I am grateful to the Chief Registrar and the officers and staff of the Judiciary for the preparations they have made for this ceremony.

My thanks also go to the Commissioner of Police and the Royal Brunei Police Force for the guard of honour which I was privileged to inspect this morning.

I am also grateful to the State Judiciary Department and the Prime Minister's Office for their continuous support and cooperation in making sure the courts are managed properly.

Finally, on behalf of the Judiciary, I must express my appreciation to all of you who have found time to attend this annual occasion. Thank you for supporting and showing interest in our judicial system which I believe has served Brunei Darussalam well and will continue to do so in the future.

THE HONOURABLE ATTORNEY GENERAL
Datin Seri Paduka Hajah Hayati binti POKS Dato
Seri Paduka Haji Mohd Salleh



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
السَّلَامُ عَلَيْكُمْ وَرَحْمَةُ اللَّهِ وَبَرَكَاتُهُ

A very good morning to all.

My Lord Honourable Chief Justice, Yang Arif Chief Syarie Judge, Honourable Judges, President of the Brunei Darussalam Law Society, Members of the Bar, Excellencies, Distinguished Guests, Ladies and Gentlemen.

On 15th March, 1984, during the official opening of this historical building, His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam delivered a Titah and I quote an excerpt of the English translation as follows :

“We shall strive tirelessly as far as we can to ensure that the Rule of Law is always preserved and the fair and free administration of justice is always protected. Insyallah, in such way, Brunei Darussalam will continue to prosper in harmony for the everlasting welfare of its citizens and the people.”

Alhamdulillah, here we are assembled in this very building almost 30 years later. Most of us present here are involved in the administration of justice led by Judiciary, with the same ends in mind, to administer a fair and efficient justice and service to the public with he professionalism and integrity expected from all of us. We reaffirm our support to the Judiciary in all courts.

On the implementation (in phases) of the Syariah Penal Code Order, our Criminal Justice Division will be providing our expertise to the Syariah Prosecution Unit. The syariah prosecution had done their attachment with out Criminal Justice Division to enhance their expertise and skills in basic prosecution. Chambers is also involved in the discussion and drafting of the Syariah Criminal Procedure Code.

Congratulations / acknowledgement

1. I begin my address today by conveying our best wishes and congratulations on the much deserved and much welcome appointment of Her Ladyship Pengiran Hajah Rostaina binti

Pengiran Haji Duraman, the Chief Registrar as Judicial Commissioner and His Honour Judge Haji Abdullah Soefri bin Pehin Orang Kaya Saiful Muluk DP Haji Abidin as Intermediate Court Judge. We also welcome the appointment of the additional Magistrate / Registrar. The much needed addition will no doubt allow cases to be heard more expeditiously.

2. We also congratulate Awang Haji Mohd Rozaiman bin DP Haji Abd Rahman the President of Law Society for 2014-2016 and the Council members.

3. We commend the laudable effort of the Law Society on their initiatives including the voluntary legal clinic. We wish that more members respond to provide their services although I note that there are also members who have gone out of their way to contribute to the less fortunate member of our society in various ways. I hope that the Law Society being the only institution that looks after the legal fraternity, will strengthen their esprit de corps. As the ASEAN Community 2015 and the TPP amongst others becomes closer to reality, the liberalisation of legal services may become inevitable.

Condolences

4. Last year, Chambers was saddened to hear of the passing of our former Chief Justice Dato Sir Denys Emil Roberts who passed away peacefully on 19th May 2013. Most of us on the bench or had been, will always be inspired by his humility, professionalism and judicial qualities which are the hallmark of judicial temperament. He made outstanding contribution to the development of the Brunei Judiciary which will always be remembered. We are also saddened by the passing of one of the senior members of the Brunei legal fraternity, Mrs Jinni Veerasamy, who was the Vice President of the Law Society from 2011-2013. Those who knew her would be inspired by her resilience even in the face of adversity.

Our Quest towards continuous improvement

5. In my Speech at the last Opening of Legal Year My Lord may recall that I spoke about the various initiatives launched by Chambers in our quest towards continuous improvement. I would like to report on some of them and other initiatives since taken by Chambers. First, on the role of AG as legal adviser. The advisory role of my officers may be the least known and the least profiled being done mostly behind the scene, and sometimes alongside consultants engaged by the relevant Ministry.

Legislative Drafting Division

6. I am pleased to announce that as a follow up of the publication of the Handbook on Drafting Instruction, the Legislative Drafting Division and Research and Law Review Division held a series of briefings on the Law Making Process to all Government Departments, Ministries and statutory bodies.

7. Alhamdulillah, the Legislative Drafting Division had received positive feedback. We are pleased to learn that some Ministries have even disseminated what they had learned to all their Departments under their Ministry, one such Ministry being the Ministry of Home Affairs. We are most encouraged by such positive support.

8. In October last year the Legislative Drafting Division organized a Legislative Drafting Workshop conducted by an expert from the Commonwealth.

9. In an effort to ensure that the Malay translations of English text of the laws of Brunei Darussalam are translated in accordance with the context of the laws and consistently throughout, the Translation Unit took the initiative to hold group working discussions amongst themselves with the guidance of the Legislative Drafting officers. This is to encourage the

translators to be more confident and to discuss and exchange matters of interest to them on recent trend in translation.

10. Chambers through BruLaw Unit under Legislative Drafting Division, the Law Library and the Information and Communication Technology Unit, is continuously uploading Government Gazettes publication onto the AGC website to allow interested parties to have access of the Laws of Brunei Darussalam. The Law Revision Unit under the Legislative Drafting Division is also continuously revising the Laws of Brunei Darussalam to ensure updated versions are available for ease of reference. From January 2013 to January 2014 the numbers of Chapters that had been revised are 17 Acts and the numbers of principal and subsidiary legislation passed and gazetted are 45.

Civil Division

11. The referrals for the core business of the Civil Division in advising/vetting and drafting of contracts for Government project, Government debt recovery despite the constraint of manpower continue to increase in numbers and complexities. In the effort to be more proactive and efficient, the Civil Division conducted several muzakarah sessions and briefings in relation to contract management and debt collection which aim to increase awareness of Ministries and Department's responsibilities and legislated powers. Recently the Civil Division in co-operation with the E-Government National Centre held a muzakarah session with the objective of explaining the functions and responsibilities of the Civil Division, to increase awareness as to the importance of proper contract management, to enable EGNC and my Chambers to better assist clients / departments / ministries in providing advice and drafting appropriate contract within a reasonable timeframe and to help agencies / department understand the process involved in preparation of contract. Alhamdulillah we received encouraging feedback from the representatives attending the muzakarah, with some requesting for a workshop on this topic as well as more awareness be targeted to senior management.

International Affairs Division

12. During the past year IAD continue to assist in preparing country reports attending meetings and advising on key international law issues. Amongst the highlights being :

- membership to the ASEAN enhanced dispute settlement mechanism task force
- legal advice in on-going negotiations of the trans pacific partnership agreement
- development of the Asean Single Window
- accession to treaties
- privileges and immunities of international organisations
- human rights issues
- consultancy agreements with international organisations
- legal scrubbing of international law instruments
- advice on ASEAN instruments

13. The increase in the work load of the International Affairs Division is testament of Brunei Darussalam's increased prominence in the international fora.

The 6th Annual Event between the Attorney General's Chambers (AGCs) of Brunei Darussalam, Malaysia and Singapore (Tri-AGC)

14. Chambers successfully organized the 6th Tri AGC Event in October 2013. Your Lordship had initiated this gathering of officers from the Attorney General's Chambers of Brunei Darussalam, Malaysia and Singapore during your term as the AG. The theme for the event was "Overcoming new challenges with innovative legal solution". This Event served as a forum for the exchange of information and experiences between the 3 Chambers, to strengthen the existing ties and to forge closer working relationship between the 3 Chambers.

15. I wish to record my sincere appreciation to members of the Organising Committee for their hard work and the relevant agencies who had contributed to the success of the Event.

16. To commemorate the Event, Chambers also published compilation of papers presented at the First, Second and Third Annual Event as well as Attorney General's Chambers Report from August 2009 - June 2013. I wish to record my sincere appreciation to the Members of the Editorial Committee for the initiative.

Intellectual Property

17. On the further development of IP, I am pleased to report that His Majesty has consented to the amendment of the Copyright Order in 2013. This Order enhanced enforcement provisions for copyright infringement by increasing penalties for offences under the Copyright Order, adding new offences, strengthening the powers of the enforcement agencies and allowing for private prosecutions by way of authorization or fiat by the Public Prosecutor.

18. The Copyright (Amendment) Order 2013 is one of the many initiative undertaken by Brunei Darussalam to improve the protection of intellectual property. In May 2013 Brunei Darussalam was removed from the USTR 301 Special Report. This cannot be achieved without coordinated support from the relevant agencies and the continuous support from the Government.

19. Another significant milestone is the establishment of Brunei Intellectual Property Office (Bru IPO) in June 2013. The setting up of Bru IPO will be an important driver to the economy. I wish them a very successful future and Chambers will continue to provide support where required.

Information Technology

20. Chambers are in the final stage of having a customized file management application system designed to facilitate internal work process and to enable user to conduct routine task more efficiently and effectively. The project is 70% in its implementation stage. The schedule training for the Administrators, train the trainers and end user training will be due this month. Hopefully after the commissioning and completion of the said training the system can be fully run by my Chambers and evaluation on the real time use of the system can be made. In this regard I urge all my officers and staff to fully embrace the system once it is ready and running.

Development of Human capital

21. Chambers is constantly striving to improve the quality of legal service and prosecution. We aspire to do better and better despite facing continuous challenges including transfer, resignation of officers mostly lured by the much greener pastures elsewhere. Human resource developments is therefore crucial for Chambers. The Human Resource Committee in Chambers chaired by the Solicitor General with all Head of Divisions and the Senior Administrative Officer as members, plays a very integral part. We gratefully acknowledge the Prime Minister's Office for the support and understanding of our training needs.

22. Training includes inviting experts to conduct in house training, regular sharing and discussing legal issues of common interest among the officers. Officers from all Division in Chambers were attached to our counterparts in Malaysia, Singapore, Hong Kong and renown civil and criminal Chambers in London and Singapore. The exposure and networking had proved beneficial to the officers. We hope to continue to send more officers as part of our specialization career progression and succession planning in line with Brunei Darussalam vision 2035 to provide educated and highly skilled people. We hope we will continue to get the understanding and support to make this possible. I see training as an investment for the country as they will be an asset, whether they continue to stay in Chambers or join other Ministry, Statutory Board or other private institution in their future career.

23. In line with Chambers Strategic Planning of producing one specialist in some identified subjects and areas of practice I am happy to announce in 2013 Chambers saw the return of 3 officers after doing their Masters of Law in various areas.

24. Three officers from Chambers are currently doing their Masters of Law in the United Kingdom in various field of law and hopefully when they come back this year they will form another pool of expertise in the areas which the Human Resource Committee had identified.

25. In June 2013, Dayangku Didi-Nuraza binti Pengiran Latiff from the Criminal Justice Division, successfully graduated from the National Association of Attorney's General (NAGTRI) International Fellows Programme on Cybercrime after being selected from over 200 participants worldwide from 70 countries to participate in the said programme. The purpose of the NAGTRI International Fellows Program is to provide a forum for elite government attorneys from around the world to learn from each other, explore common issues together, and establish an intergovernmental network to the mutual benefit of their respective offices.

26. From January to December 2013 Chambers had also hosted work attachments for over 40 students ranging from those doing their A-Levels as well as university undergraduates and graduates. It is hoped that such exposure to the variety of work in Chambers will inspire them to join this novel profession. Chambers is proud to say that most of these students do indeed join Chambers to start their legal career after they have graduated.

AG as Public Prosecutor

27. Last year saw the introduction of the Criminal Case Negotiation Guidelines which was intended to expedite the resolution of criminal cases. From January to December 2013, there were 20 cases that went for CCN of which 9 cases resulted in a plea bargain (plea of guilty to lesser offence/lesser number of charges), 3 cases resulted in agreement of facts thereby narrowing the issues for trial, 8 were unsuccessful. I would like to express our appreciation to the Judges for the support and to the criminal defence lawyers for their co-operation in this initiative towards timely disposal of cases. I hope that the CCN can be more effectively utilized this year with your continuous support.

28. The Criminal Justice Division held Basic Prosecution Training Course in January this year. We aim to hold such course annually. The aim for such a course is to train more officers to be prosecutors so as to be able to conduct the prosecution of offences within their jurisdiction. This is the practise in our neighbouring countries. Currently Police Prosecutors do the bulk of all traffic cases, the Narcotics Control Bureau Prosecutors do the bulk of all traffic cases, the Narcotics Control Bureau Prosecutors do their part in prosecuting simple undefended cases of possession and consumption of drugs, customs conduct prosecution for undefended Custom and Excise offences and Immigration Prosecutors conduct prosecution for simple and undefended Immigration and passport offences. However, the bulk of the criminal offences, are still handled by Deputy Public Prosecutors.

29. In order to allow DPPs to give priority in the preparation of more serious and complex cases and appeals, we will continue to encourage and assist other Departments to set up their own prosecution unit to deal with the prosecution of simple offences under their jurisdiction so as to expedite the prosecution of their cases as being done in other jurisdiction.

30. Our Deputy Public Prosecutors have also been very active in holding dialogues with various enforcement agencies namely the Police, Customs, Immigration, Narcotics, Municipal and AiTi in our efforts to highlight their powers of investigations under their relevant jurisdiction. Their standard of investigation will inevitably have a direct impact on the success of any prosecution. We therefore strongly support their intensive training and the enhanced knowledge and experience can be brought in and be disseminated to their respective Organisation. My Chambers stand committed to assist including in the drafting of internal checklist and guidelines as well as officers' instruction manual, where suitable.

31. The Criminal Justice Division is also currently working on a number of written guidelines namely the Mutual Legal Assistance, Criminal Asset Recovery Order Manual. These publications aim to provide user-friendly guidance not only to prosecutors but also law enforcement agencies in clarifying and detailing the procedures behind these laws which will no doubt be of benefit to those involved in such work.

Timely completion of cases

32. On the important subject of timely completion of cases, we take serious note of the Court of Appeal observation in recent cases in particular Maimun Haji Omar vs PP, Criminal Appeal 1 of 2013.

33. We therefore applaud my Lord's initiatives of the Judicial Case Management System. We agree that it is people assisted by technology that make the justice system work. With My Lord's laudable initiative, Chambers own initiatives, supported by a competent, professional and responsible enforcement agencies and the Bar, I am confident that we can continue to work collectively to improve the administration of justice in Brunei Darussalam, that we can all be proud of.

The Internet and Social Media

34. Starting September 2013 the Criminal Justice Division embarked on a pilot project aimed specifically to educate youths and to raise awareness on cybercrimes and the dangers and risks of social media. In this regard there are legislations such as offences under the Penal Code, the Public Order Act, the Broadcasting Act as well as under the Syariah Penal Code Order and the Sedition Act amongst others. These Orders are accessible from our website for reference.

35. So far the project have reached over 600 students in 3 schools in the Brunei-Muara district with plans to continue the project to educational institutions in the other districts and perhaps, the general public, this year.

36. In a similar way the Criminal Justice Division continues to raise awareness concerning laws, particularly those which are complex and have transnational implications, particularly amongst stakeholders. One recent initiative was a talk to Embassies on Brunei Darussalam's legal framework on trafficking and smuggling of persons which was done in conjunction with the National Ad Hoc Committee on Trafficking in Persons of which my Chambers is a member. We are most encouraged by the great response and positive feedback.

Conclusion

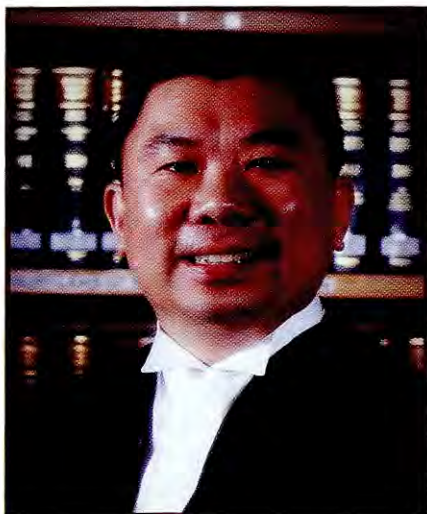
In conclusion, I take this opportunity to express my heartfelt gratitude and appreciation to all my officers and support staff for their continuous commitment, their support, integrity, perseverance and unity to meet the ever increasing expectation of legal services entrusted upon us. I welcome those who have recently joined Chambers. I am impressed by their enthusiasm to learn. Many of them have great potential to lead Chambers in the future, Insya-Allah. To those that have left us to start a new beginning, we thank them for their contribution to Chambers and wish them the best. To those who have retired, we thank them and wish them all a happy retirement. We also value the good rapport and cooperation of the various enforcement agencies, Ministries and Departments and look forward to further co-operation.

Finally, I and all in Chambers, wish my Lord, members of the legal fraternity and all present a happy and successful 2014.

Thank you.

THE PRESIDENT OF THE LAW SOCIETY

Haji Mohamad Rozaiman Bin DSLJ Haji Abdul Rahman



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
السَّلَامُ عَلَيْكُمْ وَرَحْمَةُ اللَّهِ وَبَرَكَاتُهُ

1. Preamble

May it Pleases the Court :

My Lord, The Chief Justice, The Honourable Chief Syar'ie Judge, The Honourable Attorney General, My Lords and My Lady, Justices of the High Court, The Honourable Justices and Magistrates of the Supreme and Subordinate Courts, My Learned Friends, Members of the Bar and Members of the Attorney General's Chambers, Distinguished Guests, Ladies and Gentlemen.

2. Universiti Islam Sultan Sharif Ali

Our beloved country, Brunei Darussalam, had commemorated its 30th National Day celebrations. This also marked 30 years since the Supreme Court and Subordinate Courts moved to their present location from the old building at Jalan James Pearce in Bandar Seri Begawan. The titah of His Majesty the Sultan and Yang Di-Pertuan during the official opening ceremony of this very building, thirty (30) years ago, on the need to adhere and preserve the principle of the "Rule of Law" still reverberates to this very day.

As of 1st January 2014, there are a total number of thirty-two (32) law firms in Brunei Darussalam. A total of one hundred and eleven (111) advocates are currently practicing. Fifty-four (54) of these total advocates and solicitors are Brunei /and or Bruneian Permanent residents. Advocates and Solicitors admitted to the Brunei Bar are from four (4) different Jurisdictions namely United Kingdom, Malaysia, Singapore and Australia. There has also been a steady flow of graduates graduating in the field of Bachelor in Law (LLB) from University Islam Sultan Sharif Ali (UNISSA). I now request My Learned Friend, The Honourable Attorney General to include qualifications from UNISSA in the list of alternative qualifications for purpose of admission under the Legal Profession Act, Chapter 132. This will enable graduates from the

Bachelor of Laws of UNISSA to join us in the private practice and be admitted to the Brunei Bar. Hence the market for lawyers graduating from our local university is now open enabling these graduates to have a choice of either working with the Attorney General's Chambers or other governmental posts or joining private practice to sharpen their skills.

3. Recognition of our Private Practitioners

Thirty (30) years have now evolved since Brunei Darussalam gained independence. The numbers of law firms throughout these years have increased. The numbers of members of the Brunei Bar including those practicing have also increased. As highlighted earlier, there are thirty two (32) registration law firms and a total number of one hundred eleven (111) advocates and solicitors practicing in the country. The talent and specialization of my Learned Friends ranges from very able and experienced lawyers, in the field of commercial, conveyance, litigators (both civil and criminal) areas of copyrights, intellectual property and many more. In fact, it is my humble opinion, the Brunei Bar is the only Bar in this region where "Transfer of Knowledge" amongst local and foreign lawyers are adopted and hopefully being practiced. It is now high time, Government Link Companies (GLCs) gives recognition to the local law firms and practitioners rather than dealing directly or a direct engagement of law firms from abroad. These pools of talents are akin and similar to other lawyers practicing in this region and elsewhere. More importantly, the law firms and advocates in Brunei have been duly admitted and are committed to adhere to the provisions of the Legal Profession Act, Chapter 132 and readily adaptable to our local circumstances and customs.

4. Land Matter

The announcement by the Honourable Minister of Development sometime in March 2012 during the session of Legislative Council with regards, issues on Power of Attorney, Equitable Ownership and Conversion on conditions of land from perpetuity to 60 years lease are all issues, which have not been fully resolved. We abide with the Honourable Minister's decision of such policy that ownership of lands must only be transferred to Bruneians and such procedure should be in accordance with the requirement of the Land Code, Chapter 40. However it is to be noted that the highest Court of the land, the Court of Appeal, has in numerous cases also recognized the doctrine of equity on equitable ownerships.

Up till today, the Land Office has implemented policies, which seem to contravene the existing laws of the land in particular negating the used of Power of Attorney & Deed of Trusts. We understood that amendments to the Land Code have been drafted pending approval. It is our humble views that until such time the laws are amended, the present status quo in relation to ownerships and transfers of land should be maintained following pre-March 2012. A departmental policy should not override existing laws, which have been applied and recognised by the highest Court in the land, the Court of Appeal. That, My Lord, is the Rule of Law which His Majesty The Sultan and Yang Di-Pertuan reminded us in 1984. We sincerely hope, our pleas could be considered enabling the interests of justice to all parties can be served in accordance with the laws that we know of.

5. Access to Counsel

The Criminal Procedure Code (CPC) warrants for the detention of an accused for FORTY-EIGHT (48) HOURS before either be released on bail or indicted. During these vital hours, there are times and accused person requires and seeks Counsel's advice. Presently, there are no

provisions in the CPC enabling an accused to have a right to counsel during detention. It is vital and very important for an accused at this stage to know and understand why he / she is being investigated and what rights he can be afforded to. We strongly recommend to My Learned Friend, The Honourable Attorney General, to consider implementing a practice direction or amending the CPC enabling an accused person to have access to counsel for legal advice and representations, if necessary.

Further, detention of an accused for a period of FOURTEEN (14) DAYS before either be released on bail or indicted provided under Section 22A of the Misuse of Drugs Act, Chapter 27 should as far as possible be exercised sparingly in the absence of provisions on access to counsel. We strongly recommend to My Learned Friend, the Honourable Attorney General to consider reviewing this provision and 'aligning' it similar to the CPC where an accused should only be detained for FORTY-EIGHT (48) HOURS and thereafter be released or indicted.

6. Criminal Case Negotiations

The Criminal Case Negotiations (C.C.N) was introduced by the Criminal Justice Division, AGC in January 2013. It is our view that Criminal Case Negotiation is a good medium where both Counsels and DPP are able to assess the evidence in each case and discuss an opportunity for a more expedient disposal of matters before the Courts. If Criminal Case Negotiation is successful, this will save enormous time for all parties from going to trial and adducing witnesses. The advantage for Courts in Brunei Darussalam, it frees the court diary from having a long and unnecessary trial. To move forward, we opined that the role Counsels and DPP to agree on an aggregate term of sentences. This will give a better leverage to an accused person to know what form of sentence he may receive from the Courts upon a guilty plea.

Another aspect where the CCN may be utilise to better serve the interest of justice are on cases involving the Misuse of Drugs Act. Parties in those cases are experiencing delays to obtain analyst scientific report confirming whether the substance are deemed to be categorised as controlled drugs or otherwise. An accused person who is being remanded in prison may be incarcerated for a long period of time between 2-3 months or even more whilst waiting the outcome of the analyst report. The CCN maybe enhanced to cover theses cases where a plea bargain is amenable, priority is given by the analyst to complete the analysis report.

Thus the CCN frees the courts diary and negates for parties from conducting unnecessary trials and / or appeals.

7. Legal Aid & Legal Aid Clinic

The Legal Aid Clinic operated by the Law Society will shortly be resumed and we invite once again active participation by all law firms in Brunei Darussalam. This enables the Law Society to fulfill one of many of their Corporate Social Responsibilities to the Public in Brunei Darussalam. The Legal Aid Clinic covers all aspect of Laws from civil, criminal and syariah matters.

The Supreme Court is currently providing Legal Aid for an accused person that is charged for offence(s), which carries the death penalty. Nevertheless, in the Penal Code and other legislations such as People Smuggling and Trafficking Order, Misuse of Drugs Act, there are offences, which carry a maximum of THIRTY (30) YEARS imprisonment. It is our opinion and humble request for My Lord to consider extending Legal Aid to cases involving these criteria enabling an accused person be represented by counsels.

8. Miscellaneous

- (i) We congratulate My Lord and the Honourable Chief Registrar for implementing the Judicial Case Management System Project (JCMS). We, in the legal profession are looking forward to begin the training session being organised by the Supreme Court effective 18th March 2014;
- (ii) We wish to express our sincere appreciation to My Lord and the Honourable Chief Registrar for allocating the Law Society with a designated room located at the 1st floor of the Supreme Court Building. This premise will be used as the Law Society's official and registered office;
- (iii) We also wish to congratulate the Honourable Chief Registrar, Pengiran Hajah Rostaina binti Pengiran Haji Duraman, on her elevation and appointment as a Judicial Commissioner. We also congratulate the Honourable Haji Abdullah Soefri bin Pehin Orang Kaya Saiful Mulok Dato Seri Paduka Haji Abidin on his appointment and elevation as an Intermediate Court Judge.
- (iv) The elevation of judges and judicial officers will certainly help reduce back-logs of cases due to numerous litigations (both civil and criminal) being filed in both Supreme and Subordinate Courts. It is acknowledged that the Supreme Court is experiencing difficulties and struggling to elect and recruit experienced advocates in Brunei Darussalam. It is our humble opinion and recommendation for My Lord to consider selection recruitment / elevation of Bruneian private practitioners from the Brunei Bar to the Judiciary. Commemorating thirty years of Brunei Darussalam's independence, it is high time such opportunity and recognition be given to members of the law fraternity in private practice. The same may apply if My Learned Friend, the Honourable Attorney General may wish to engage practitioners in the prosecution of cases should her chambers require assistance.

9. Conclusion

To conclude, I on behalf of the Law Society join your Lordship and my Learned Friend Honourable Attorney General's Chambers, Prime Minister's Office and relevant authorities to discuss on any relevant matters involving issues of law. We, being lawyers are created to be "Argumentative". Some may view us as a constant "thorn" in society and some may view us as representing the interest of Justice in society. Let me assure My Lord, we are the latter and not the former as we in the Law Society strive to serve the interest of Justice as required by law and precedence and achieving justice for all.

THE SUPREME COURT

Supreme Court

The Supreme Court Registries consisting of the Court of Appeal Registry, High Court Registry, Intermediate Court Registry and Registry of Civil Marriages remains committed in its efforts to improve the efficiency and quality of its services. The Supreme Court Registries also includes the Probate Office and Official Receiver's Office.

Court of Appeal

The Court of Appeal has continued its efforts to ensure the efficient and timely disposal of appeals. It has maintained its position in having all appeals listed in a session to be heard and disposed of within that same session. Counsel and DPP's will now be familiar with the Court of Appeal's strict non-adjudgment policies, where adjournments are only granted in extremely limited circumstances with very few exceptions.

High Court

In its continuous efforts to improve its services the High Court Registry has introduced monthly training sessions in order to maintain quality of knowledge of the staff and officers. The training sessions are primarily held for the benefit of the High Court Staff but have also been offered to all registries, units, officers and staff within the Judiciary. Training sessions are designed to address key areas that are most relevant to the needs of the Registry staff including criminal and civil processes, records management and reviewing the filing systems and handling litigants in person.

Bankruptcy Office

Since the Opening of the Legal Year 2014, the Bankruptcy Registry has had improvements overall. The most notable would be the number of Bankruptcy Notices filed since the amendments to the Bankruptcy Act.

Prior to the amendments in 2012, the number of bankruptcy notices filed were 661 whereas in 2013, 328 bankruptcy notices were filed and in 2014, a slight increase was recorded where 384 bankruptcy notices were filed.

In its' effort to improve services, counter service remains a work in progress as this would also be dependent on the number of staff available to the Registry. After September 2012, the Registry has tasked one clerk on rotation to deal with general inquiries and another clerk to deal with law firms. The clerks on counter duty would also multitask with their main work as well. Prior to 2012, it was difficult to streamline the duties due to the shortage of staff available to the Registry. It is hoped that the current arrangements provide a more systematic approach to the flow of work within the Registry with continuous assessments to remain.

Due to the demanding work, the Bankruptcy Registry has been fortunate to receive an additional Assistant Official Receiver in August 2014 and prior to that, received a Registration Clerk in December 2013.

Currently, the Registry is running with two (2) Assistant Official Receivers, one (1) Assistant Financial Officer, one (1) Registration Clerk, three (3) clerks and one (1) process server. All staff are tasked with various duties but it remains imperative that all within the unit understands and is able to carry out all aspects of the work.

With the new additions, there is now a wider distribution of work and it has garnered much improvement.

Within the Bankruptcy Chambers, currently there are eight (8) Judicial Officers who are on the distribution list to hear Bankruptcy matters. Again, distribution of work is now wider amongst the Deputy Official Receivers to promote long term efficiency.

Physically, the Bankruptcy Registry has undergone renovations in the past year. The main renovations were the provision of file compactors which have immensely assisted in the filing system in the Registry. It has provided a systematic and safer environment for file storage and it was put to full usage from 28th February 2014.

Other renovations include the installation of a proper main counter, workstations for the staff, new pigeon holes integrated within the Bankruptcy counter and new rooms for the Assistant Official Receivers.

In line with the setting of the Judiciary's case management system (JCMS), the Registry has been provided with new computers. Seven (7) desktops and three (3) laptops have been distributed throughout the year. This has greatly assisted in speeding up routine work and of course will be heavily utilized once the JCMS is up and running. Training for the JCMS will be a continuous process to ensure that the Registry is able to utilize the system to its' full capacity. Further, two (2) of the desktops have been placed in the Search Room and will be utilized once all data entry is accomplished.

As the JCMS works towards greater efficiency and production, the Bankruptcy Registry plans to add to the 'smoother' running by having specific units within the Registry. Initial discussions are currently ongoing to have one unit dealing with the general administration of Bankruptcy work and the other unit dealing specifically with the financial administration. Currently, the Registry is fortunate to have an Assistant Financial Officer who has greatly assisted the Deputy Official Receivers in this particular aspect.

The officers within the Registry were also fortunate to be included in an in house training (initiated by Madam Hajah Hazarena binti POKSJ DP Haji Abu Hurairah who specifically spoke) on the issue of dealing with litigants in person, court processes and court documents. With such talks being held, this will certainly aid all relevant officers and staff to understand the legal environment in its approach to lay persons.

The administration remains committed to the continuous training and it is hoped that there are ample opportunities for the Officers and staff in the Registry to be sent for various courses in the future on a national and international level.

Probate Office

The Supreme Court of Brunei Darussalam has exclusive jurisdiction to make Orders in relation to the validity of a will of a deceased person, the appointment of an Executor or an Administrator, and the administration of deceased estates. The Probate Office deals with all applications for grants of probate (when the deceased person left a valid will and an executor is acting - only for non-muslim) or letters of administration (usually when there is no valid will) in Brunei Darussalam. The Probate Office is established in all four districts and people may now apply for Probate and Letters of Administration in the district of Temburong.

For 2014, the High Court and Probate Office intends to place an emphasis on settling complex or disputed probate matters through mediation provided by the High Court Registrars on a case-by-case basis. Mediation is voluntary and provided free of charge. In the past year, parties have been encouraging and has shown a willingness to mediate to resolve probate related disputes. High Court Registrars are trained in mediation and hope to continue to develop their mediation skills in the future by attending more alternative dispute resolution courses and workshops and eventually hope to become accredited mediators.

Training

Several High Court Judges and Officers attended various conferences and workshops throughout 2014 including :

- 'Court Excellence Forum' in Singapore attended by The Intermediate Court Judge Haji Abdullah Soefri POKSM DSP Haji Abidin and Chief Magistrate Muhammed Faisal bin PDJLD DSP Haji Keffi in March 2014
- 'AIJA – Assisting Unrepresented Litigants – A Challenge for Courts and Tribunals Conference' in Sydney, Australia attended by Senior Registrar Ramzidah binti PDKD Haji Abdul Rahman and Registrar Azrimah binti Haji Abdul Rahman in April 2014
- 'Asean Law Association (ALA) Ad Hoc Committee Meeting' in Jakarta, Indonesia attended by Senior Registrar Dayangku Hajah Norismayanti binti Pengiran Haji Ismail in May 2014
- 'United Nations Office on Drugs and Crime (UNODC) Regional Workshop on Challenges and Good Practices in the Investigation, Prosecution and Adjudication of Terrorism Preventive Criminal Offences : International Cooperation and Human Rights' in Kuala Lumpur, Malaysia attended by Registrar Hajah Noor Amalina binti Dato Paduka Haji Alaihuddin in September 2014
- 'RIPA International – Judicial Administration' in London, United Kingdom attended by Senior Registrars Hajah Hazarena binti POKSJ DP Haji Hurairah and Harnita Zeld Skinner in October 2014
- 'ASEAN USPTO Roundtable for the Judiciary on Intellectual Property Rights Issues and Enforcement' in Manila, Philippines attended by The Honourable Chief Registrar Pengiran Hajah Rostaina binti Pengiran Haji Duraman and Magistrate Hajah Ervy Sufitriana binti Haji Abdul Rahman in October 2014
- 'ASEAN Judiciary Cooperation Workshop' in Phnom Penh, Cambodia attended by Senior Registrar Ramzidah binti PDKD Haji Abdul Rahman and Senior Magistrate Pengiran Masni binti Pengiran Haji Bahar in October 2014
- 'United Nations Office on Drugs and Crime (UNODC) Regional Child Justice Training Workshop' in Bangkok, Thailand attended by Magistrate Hajah Ervy Sufitriana binti Haji Abdul Rahman in November 2014
- 'GCTF Workshop on Criminal Justice Responses to Terrorism in ASEAN' in Yogyakarta, Indonesia attended by Senior Magistrate Haji Nabil Daraina bin PUKDPSS Ustaz Haji Awang Badaruddin in November 2014
- 'United Nations Regional Consultation on Role of Key Stakeholders in Ending Violence Against Women & Girls in Asia' in Bangkok, Thailand attended by The Honourable Chief Registrar Pengiran Hajah Rostaina binti Pengiran Haji Duraman in November 2014
- 'Singapore Cooperation Programme - Dispute Resolution Systems : Policies, Structures and Strategies' in Singapore attended by Registrars Azrimah binti Haji Abdul Rahman and Hajah Noor Amalina binti Dato Paduka Haji Alaihuddin in December 2014
- '4th ASEAN Chief Justices' Roundtable on Environment' in Hanoi, Vietnam attended by The Honourable Chief Registrar Pengiran Hajah Rostaina binti Pengiran Haji Duraman in December 2014

Conclusion and Aims for 2015

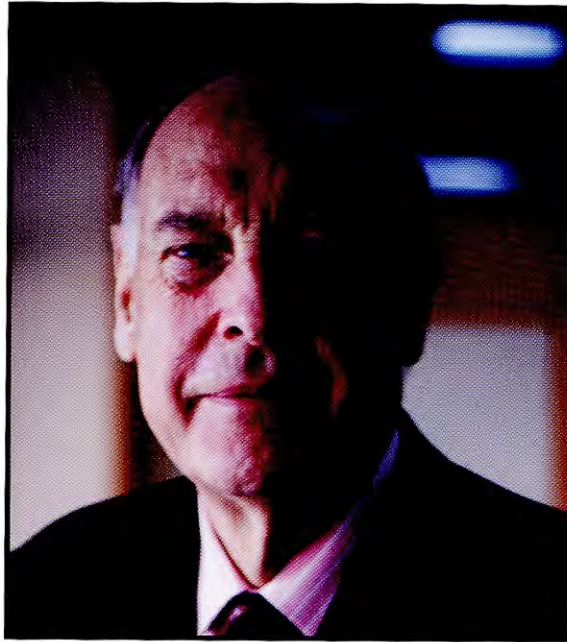
As 2015 continues, the Supreme Court Registries welcome the introduction of the Judiciary's Case Management System (JCMS) and will continue to strive to improve in its delivery of services. The theme for 2015 would be 'efficiency' with the introduction of the electronic systems that will without doubt aid in this endeavor.

The Judiciary also welcomes two new judicial officers, Awangku Shahyzul Khairuddin bin Pengiran Abdul Rahman and Dewi Norlelawati binti Haji Abdul Hamid. They will be attached both at the High Court and Magistrate's Court to gain experience in criminal and civil matters.



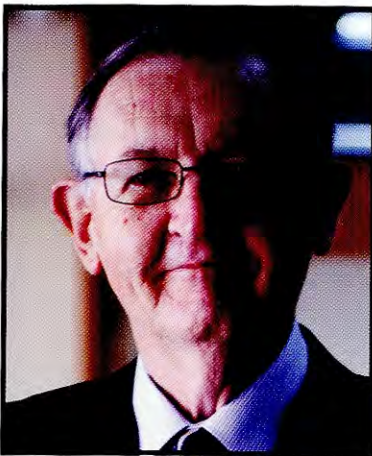
**The Honourable
Dato Seri Paduka Haji Kifrawi bin Dato Paduka Haji Kiffi
Chief Justice of Brunei Darussalam**

Court of Appeal Judges

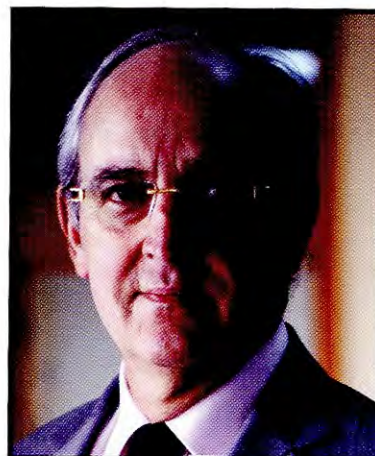


**The Hon. Justice John Barry Mortimer
President of the Court of Appeal**

Judicial Commissioner of the Supreme Court and members of the Court of Appeal

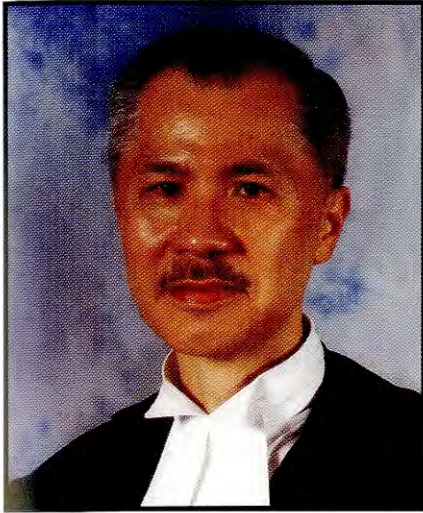


**The Hon. Justice
David John Leonard**



**The Hon. Justice Michael
Peter Burrell**

Supreme Court Judges



**The Hon. Justice
Dato Paduka
Steven Chong Wan Oon
High Court Judge**



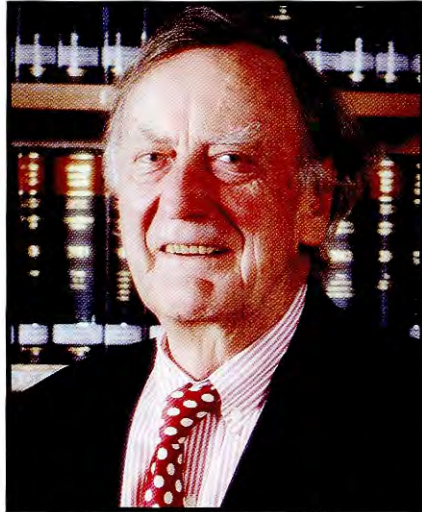
**The Hon. Justice Dato Paduka
Haji Hairol Arni bin Haji
Abdul Majid
High Court Judge**

Judicial Commissioner of the Supreme Court

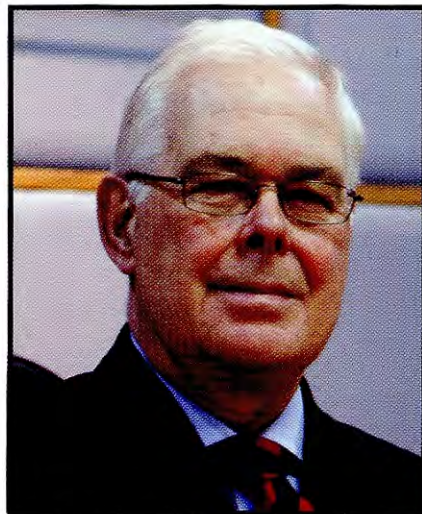


**The Hon. Justice Pengiran Hajah Rostaina
binti Pengiran Haji Duraman
Judicial Commissioner / Chief Registrar**

High Court Visiting Judges Judicial Commissioners of the Supreme Court



The Hon. Justice James Kerr Findlay



The Hon. Justice Gareth John Lugar-Mawson

SWEARING-IN CEREMONY

**Swearing -In Ceremony of The Hon.
Justice Pengiran Hajah Rostaina binti Pengiran Haji Duraman
Istana Nurul Iman, 10th April 2014**



Registrars of the Supreme Court



The Hon. Justice Pengiran Hajah Rostaina binti Pengiran Haji Duraman
Judicial Commissioner / Chief Registrar



Ramzidah binti PDKD
Haji Abdul Rahman
Senior Registrar



Radin Safiee bin Radin
Mas Basiuni
Deputy Chief Registrar



Pengiran Masni binti
Pengiran Haji
Bahar
Senior Magistrate /
Registrar



Dayangku Hajah
Norismayanti binti
Pengiran Haji Ismail
Senior Registrar



Hajah Hazarena binti
POKSJ DP Haji Hurairah
Senior Registrar



Harnita Zelda Skinner
Senior Registrar /
Magistrate

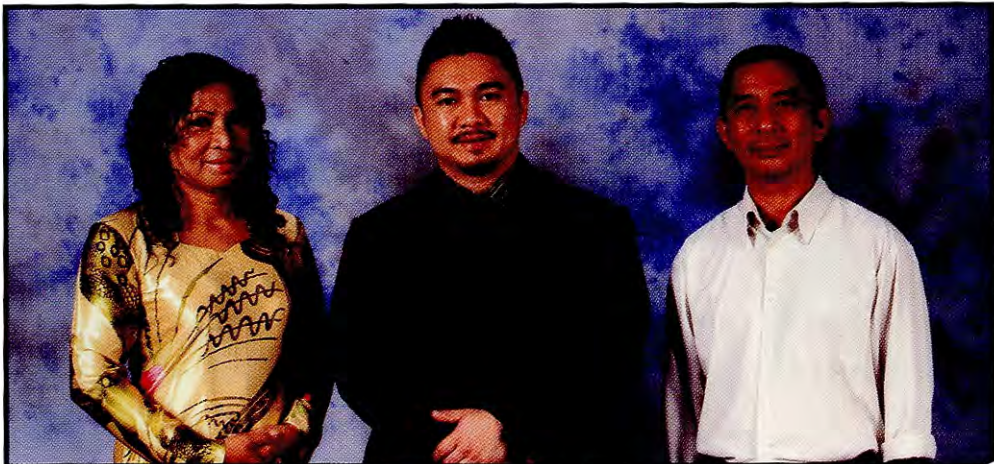
Staff of The Supreme Court



Confidential Secretaries



High Court Registry



Probate Registry



Court Translators



Court Librarians



Court Finance



Bankruptcy Registry

THE INTERMEDIATE COURT

Intermediate Court

Intermediate Courts Act, Chapter 162 establishes the Intermediate Courts. The Act provides for the constitution, jurisdiction and powers of the Intermediate Court.

Criminal Jurisdiction

Section 13(1) provides :

“... Intermediate Courts in exercise of their criminal jurisdiction shall have (concurrently with the High Court) all the jurisdiction, powers, duties and authority as are vested, conferred and imposed on the High Court in the exercise of its original jurisdiction.”

Section 13(3) provides :

“Intermediate Courts shall have no jurisdiction –

- (a) In respect of any offence punishable with death or imprisonment for life, or
- (b) To impose a period of imprisonment longer than 20 years in respect of any offence of the Brunei Laws.”

Civil Jurisdiction

Section 14 (1) provides :

“... Intermediate Courts shall have in exercise of their civil jurisdiction original jurisdiction in every action where the amount claimed or the value of the subject-matter in dispute exceeds \$50,000 but does not exceed \$300,000....”

The subject matters that cannot be heard in the Intermediate Courts are listed in Section 14(3).

The Intermediate Court saw the permanent appointment of Intermediate Court Judge Haji Abdullah Soefri POKSM DSP Haji Abidin who previously held the appointment of both Chief Magistrate and Intermediate Court Judge. The Supreme Court Registries congratulate His Honour on his appointment and would also like to take this opportunity to congratulate Muhammed Faisal bin PDJLD DSP Haji Kefli on his appointment as the new Chief Magistrate.

Aims

In order to further improve the administration of the Intermediate Court, the Intermediate Court Registry must be manned by separate personals. Presently, the Intermediate Court Registry is manned by the same personals of the High Court Registry who are also looking after the Court of Appeal. The aim for 2015 is to increase the number of personals either by filling vacant positions or by creating new posts.

Judges of the Intermediate Court



**Judge Pengiran Hajah Hanani binti
Pengiran Haji Metusain**



**Judge Haji Abdullah Soefri bin
POKSM Dato Seri Paduka Haji Abidin**

THE SUBORDINATE COURT

Subordinate Court

The Subordinate Court consists of the Courts of Magistrate, Juvenile Courts and Small Claims Tribunals. It comprises of the Chief Magistrate, Senior Magistrates and Magistrates. The Magistrate's Court hears criminal cases in the first instance.

Magistrates' Courts

The Subordinate Court is pleased to announce that the renovation on the Subordinate Court Registry in Bandar Seri Begawan, which started in late 2014, is now complete. This marks the first time that an open concept is introduced in any existing Court building in Brunei Darussalam. The new layout for the registry includes more stations to accommodate the increasing number of Registrars of the Subordinate Court. Further, it incorporates the new service bureau counter. The new layout is an initiative to provide public with better accessibility to the registry and better Court services. Moreover, it provides the public with more ease and convenience when accessing Court services. By enhancing public access to Court service, it will in return increase their confidence in the Justice system. It is planned that this open concept registry will be integrated in all Court buildings in every district.

Construction of the new Tutong Court building is expected to be completed by middle to late 2015. The new Tutong Court houses both the Civil Court and the Syariah Court, and is situated near Mahad Islam Brunei in Kampong Bukit Bendera, Mukim Pekan Tutong. It will be the first planned building to be shared between the Civil Court and the Syariah Court. The new Tutong court building will replace the old Tutong Court at Jalan Inchee Awang in Tutong town.

In addition, the upgrading of the Temburong Court, which commenced in 2014, is near completion. Once completed, Temburong Court will be moved back to its original premises and resume normal services.

Juvenile Court and Small Claims Tribunal

The Juvenile Court is governed by the Children and Young Persons Act, Chapter 219. It is presided by a Magistrate, who is assisted by Panel of Advisers. The Juvenile Court must consider the best interest of the child or young person as paramount when deciding on the case. The orders that are available in the Juvenile Court are, for the child or young person to attend an approved home or school, to undergo counseling either individually or with his or her family, and to undergo community service. The main aim is to rehabilitate and restore the child or young person back into the society.

Small Claims Tribunal has been in operation since 2013, and has jurisdiction to hear claims under \$10,000. There are two stages in the Small Claims Tribunal; the Consultation stage and the Adjudication stage. During the consultation stage a Registrar will be present to mediate the issues and assist parties to reach a settlement. If a settlement cannot be reached, the Registrar will refer the matter to an Adjudicator for a hearing to be conducted. In 2014, there are about 6 claims heard in the Small Claim Tribunal.

Appointment of Judicial Officers

The year 2014 marks a few number of changes to the Subordinate Court with the appointment of a new Chief Magistrate and the arrival of 2 new Magistrates.

Firstly, the Subordinate Court is pleased to welcome the new Chief Magistrate, Awang Muhammed Faisal bin PDJLD DSP Haji Kefli, and to congratulate him for his new appointment.

The Subordinate Court also welcome two new Judicial Officers, Awangku Shahyzul Khairuddin bin Pengiran Abdul Rahman and Dayang Dewi Norlelawati binti Haji Abdul Hamid.

With these appointments, we enter the new legal year with 1 Chief Magistrate, 3 Senior Magistrates and 6 Magistrates.

Judicial Officers and Court Staffs' Trainings

The aspiration for judicial excellence continues in 2014 as Judicial Officers were sent for training, both locally and overseas. Some of the trainings that the Judicial Officers attended were 'AIJA-Assisting Unrepresented Litigants – A Challenge for Courts and Tribunals Conference' (Sydney), 'Regional Workshop : Challenges and Good Practices in the Investigation, Prosecution and Adjudication of Terrorism Preventive Criminal Offences : International Cooperation and Human Rights (Kuala Lumpur), 'RIPA International Judicial Administration: London Study Tour 2014' (London), 'ASEAN-USPTO Roundtable for the Judiciary on Intellectual Property Rights Issues and Enforcement' (Manila), 'Regional Child Justice Training Workshop' (Bangkok), 'Workshop on Criminal Justice to Terrorism in Asean' (Jakarta), 'ASEAN Judges Environmental Seminar' (Indonesia) and 'Sentencing Conference 2014' (Singapore).

Equipping Court staffs with the relevant skill and expertise are also part and parcel toward achieving Court excellence and providing better Court services to the public. Court staffs have been attending trainings organized by Registrars of the Supreme Court. These trainings focus on advancing their knowledge, skill and expertise on the Court system and services. Some of the trainings attended by the Court staffs are "Mengenal Asas-Asas Mahkamah dan Undang-Undang", "Proses-proses Mahkamah", "Pengurusan Rekod yang terbaik dan Pemfailan" and "Unrepresented Litigants". Court staffs are also sent for English courses conducted by CfBT to improve their English language skill every Friday since the 16th of January 2015 until the 3rd of April 2015.

Judicial Officers and Court staffs have also completed their training for the Judiciary Case Management System (JCMS).

Aims

The year 2014 proved to be a successful year for the Subordinate Court.

The year 2015 aims to enhance human capacity by giving more opportunities to the Judicial Officers and Court Staff to become more versatile in their roles in administering justice. This speaks of the Subordinate Court's intent to ensure that the Justice system and rule of law are upheld efficiently and effectively.

Conclusions

The Subordinate Court would like to express its gratitude to Officers and Staff for their hard work and contribution in 2014. The Subordinate Court hopes that such dedication continues for 2015.

Magistrates of Subordinate Court



**Haji Nabil Daraina bin
PUKDPSSU Haji Badaruddin
Senior Magistrate**



**Muhammed Faisal bin
PDJLD DSP Haji Kefli
Chief Magistrate**



**Pengiran Masni binti
Pengiran Haji Bahar
Senior Magistrate / Registrar**



**Lailatul Zubaidah binti
Haji Mohd Hussain
Senior Magistrate**



**Harnita Zelda Skinner
Magistrate /
Senior Registrar**



**Azrimah binti Haji
Abdul Rahman
Magistrate**



**Awangku Shahyzul
Khairuddin bin
Pengiran Abdul
Rahman
Magistrate**



**Hajah Noor Amalina
binti DP Haji
Alaihuddin
Magistrate**

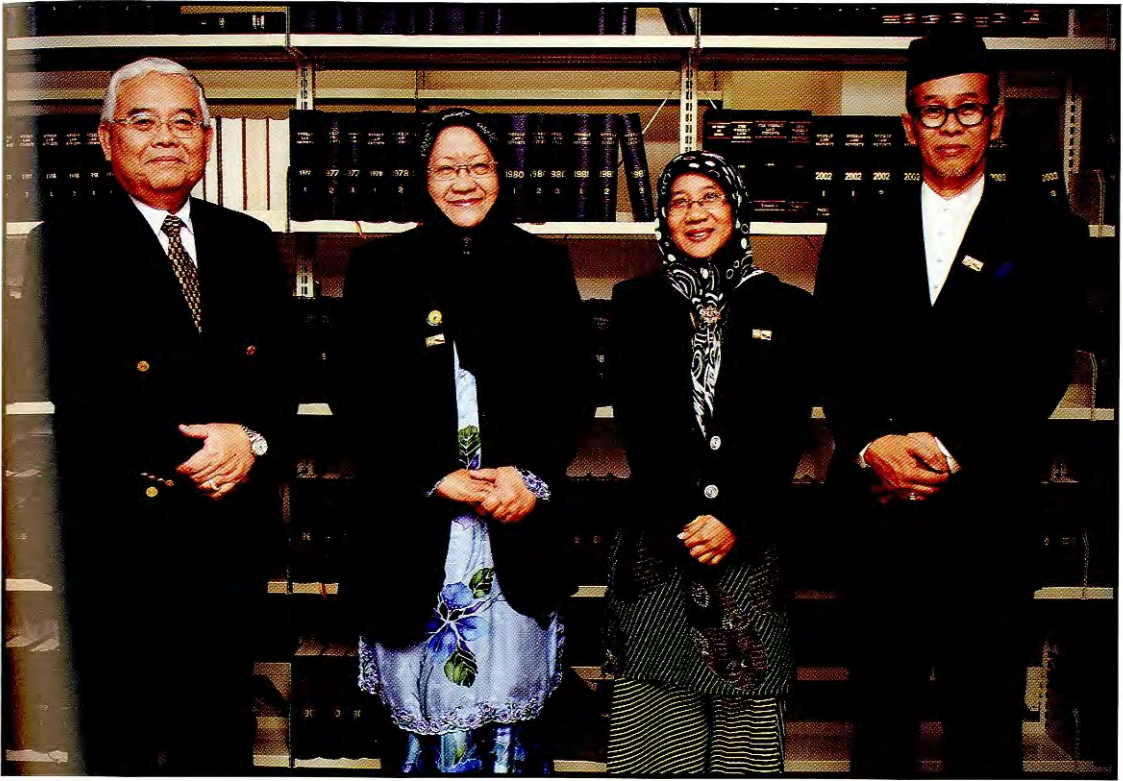


**Hajah Eryv Sufitriana
binti Haji Abdul Rahman
Magistrate**



**Dewi Norlelawati binti
Haji Abdul Hamid
Magistrate**

Panel of Advisers to the Juvenile Court



From left :
**Haji Awang Abd Alim bin Haji Awang Othman,
Hajah Mordiah binti Haji Jackia,
Alinah binti Haji Tamin,
Ustaz Haji Md Lazim bin Haji Matali**

Registrars / Adjudicators of Small Claims Tribunal

Registrar :

Judge Awang Haji Abdullah Soefri bin POKSM Dato Seri Paduka Haji Abidin

Deputy Registrar :

Awang Muhammed Faisal bin PDJLD Dato Seri Pahlawan Haji Keffli

Assistant Registrars :

Awang Radin Safiee bin Radin Mas Basiuni

Awang Haji Nabil Daraina bin PUK Dato Paduka Seri Setia Awang Haji Badaruddin

Dayang Ramzidah binti PDKD Haji Abdul Rahman

Pengiran Masni binti Pengiran Haji Bahar

Dayangku Hajah Norismayanti binti Pengiran Haji Ismail

Dayang Lailatul Zubaidah binti Haji Mohd Hussain

Dayang Hajah Hazarena binti POKSJ Dato Paduka Haji Hurairah

Dayang Harnita Zelda Skinner

Dayang Azrimah binti Haji Abdul Rahman

Awangku Shahyzul Khairuddien bin Pengiran Abdul Rahman

Dayang Hajah Noor Amalina binti DP Haji Alaihuddin

Dayang Hajah Ervy Sufitriana binti Haji Abdul Rahman

Adjudicator :

Awang Haji Abdullah Soefri bin POKSM Dato Seri Paduka Haji Abidin, Registrar

Deputy Adjudicators :

Awang Radin Safiee bin Radin Mas Basiuni

Awang Muhammed Faisal bin PDJLD Dato Seri Pahlawan Haji Keffli

Awang Haji Nabil Daraina bin PUK Dato Paduka Seri Setia Awang Haji Badaruddin

Dayang Ramzidah binti PDKD Haji Abdul Rahman

Pengiran Masni binti Pengiran Haji Bahar

Dayangku Hajah Norismayanti binti Pengiran Haji Ismail

Dayang Lailatul Zubaidah binti Haji Mohd Hussain

Dayang Hajah Hazarena binti POKSJ Dato Paduka Haji Hurairah

Dayang Harnita Zelda Skinner

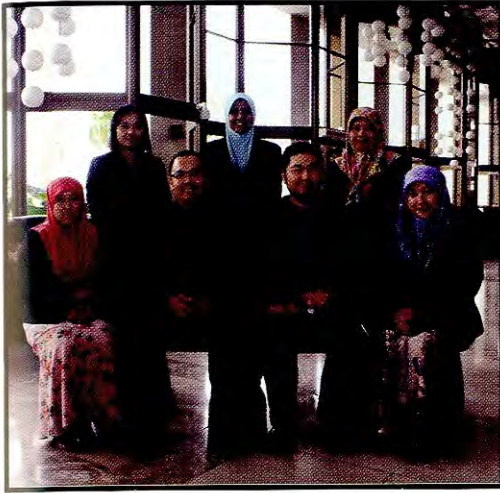
Dayang Azrimah binti Haji Abdul Rahman

Awangku Shahyzul Khairuddien bin Pengiran Abdul Rahman

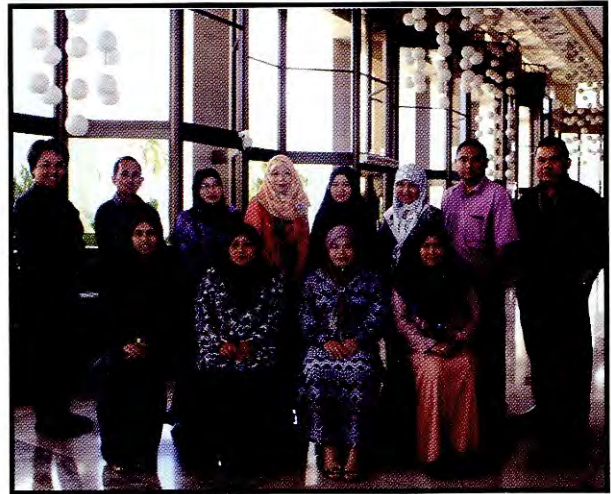
Dayang Hajah Noor Amalina binti DP Haji Alaihuddin

Dayang Hajah Ervy Sufitriana binti Haji Abdul Rahman

Staff of Subordinate Court



Registrars of Subordinate Court



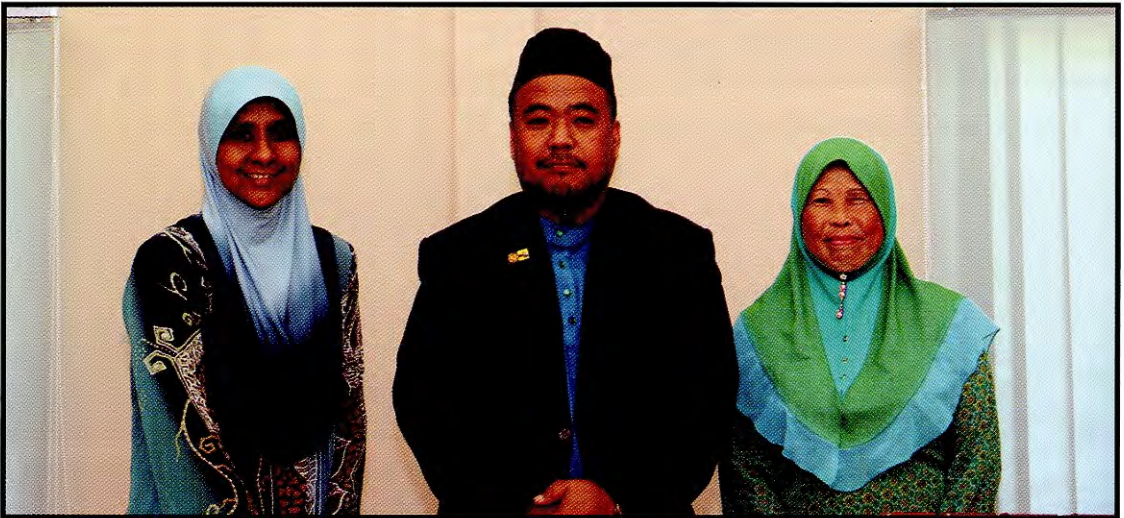
Bandar Seri Begawan Officers and Staff



Court Interpreters



Kuala Belait Court Staff



Tutong Court Staff



Temburong Court Staff

Judge Advocates at Court-Martial

In 2006, a number of judicial officers were appointed as Judge Advocates by the Judge Advocate General on the Royal Brunei Armed Forces Court-Martial Section 124(3)(b) of the Royal Brunei Armed Forces Act, Cap, 149, provides for the appointment of persons having judicial or legal experience as may from time to time, be required to act as Judge Advocates at Court-Martial.

The appointed Judge Advocates are as follows :

The Hon. Justice Dato Paduka Steven Chong Wan Oon

The Hon. Justice Dato Paduka Haji Hairol Arni bin Haji Abdul Majid

The Hon. Justice Pengiran Hajah Rostaina binti Pengiran Haji Duraman

Judge Awang Haji Abdullah Soefri bin POKSM Dato Seri Paduka Haji Awang Abidin

Awang Radin Safiee bin Radin Mas Basiuni

Awang Muhammed Faisal bin PDJLD Dato Seri Pahlawan Haji Keffi

Pengiran Masni binti Pengiran Haji Bahar

Dayang Lailatul Zubaidah binti Haji Mohd Hussain

Court-Martial Session 2 of 2014

7 - 13 May 2014



THE
STATE JUDICIARY
DEPARTMENT

The State Judiciary Department

The State Judiciary Department was established in May 2002 which is responsible for the administration and management of support services, provision and financial affairs of the Civil Courts.

In order to fulfill the aspirations of this establishment, the State Judiciary Department has outlined five strategic keys such as to provide an efficient and quality administrative services and human resource management to the Court, Improving financial management accountability and collection of revenue systematically and efficiently, providing a complete, conducive, safe and secure court building infrastructure, providing an adequate training programs and capacity building strategies and to enhance the use of information technology, application systems and ICT Infrastructure in the Court managements and processes.

In 2014, the State Judiciary Department has implemented the replacement of all computers and printers to each court officers and personnel under central procurement project. This initiative was intended to improve quality of court services and to increase the court productivity. In addition, this initiative was also aimed as a preparation for the upcoming Judicial Case Management System which will be officially launched by April 2015.

In the same year, 2014, the State Judiciary Department also manages by the help of the Public Works Department (PWD) to implement the construction of the proposed new court building for Tutong District. The signing contract for this project was held on 8 May 2014. The Honorable Chief Justice with the Syariah Chief Judge have officiated the ground breaking ceremony on 23 June 2014. The Project will be completed by June 2016.

The State Judiciary Department will continue to provide management and financial services to ensure that the administration of the court will continue to run smoothly.



**Haji Mohd Serudin bin Haji Timbang
Director of the State of Judiciary Department**



Officers and Staff of the State of Judiciary Department

CONFERENCES
&
TRAINING

**3rd Joint Judicial Conference between
Brunei Darussalam, Singapore and Malaysia,
Empire Hotel and Country Club, Jerudong,
14 to 16 November 2014**



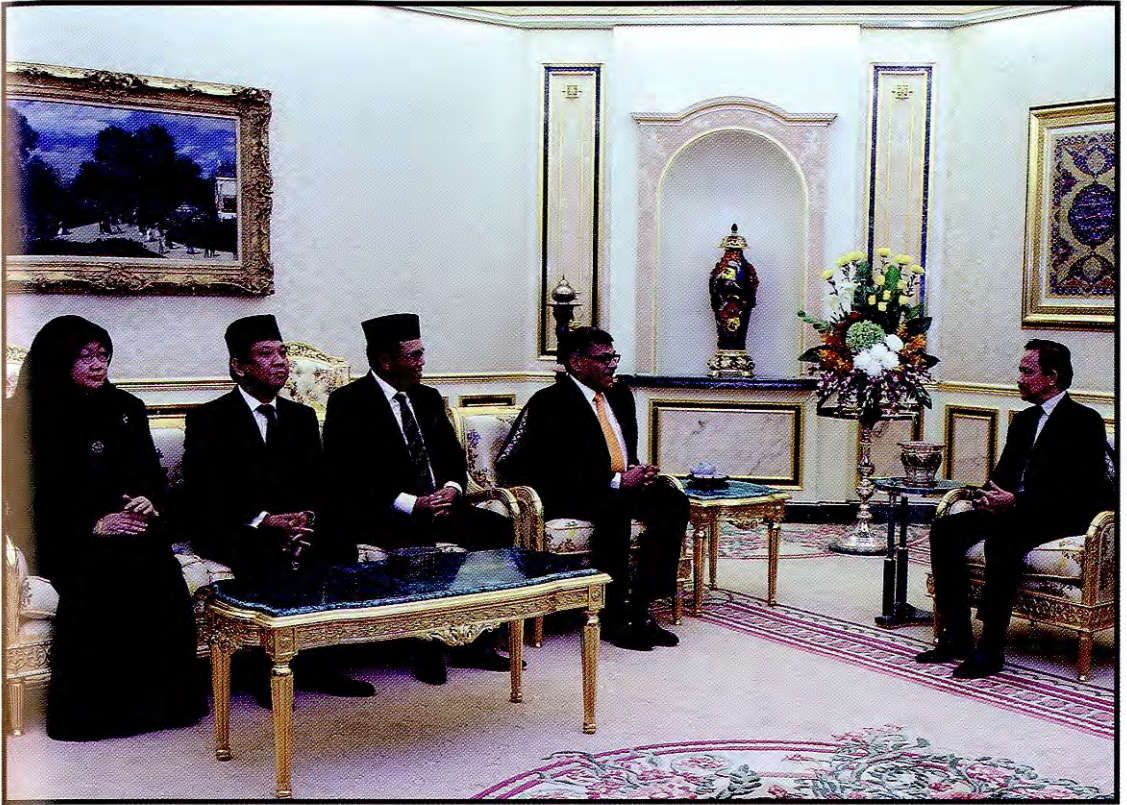
3rd Joint Judicial Conference between Brunei, Singapore and Malaysia

Perhaps the most notable outcome of 2014 was the hosting of the 3rd Joint Judicial Conference between Brunei, Singapore and Malaysia hosted by the Supreme Court of Brunei Darussalam. The event was held on 14-15 November 2014 and was a collaborative effort between all members of the Judiciary. The conference was held at The Empire Hotel and Country Club and was attended by the Chief Justices of Brunei and Singapore and the President of the Court of Appeal of Malaysia, together with senior judges of all three judiciaries. Two panel discussions were held whereby the keynote addresses were delivered by the Honourable Chief Justice of Singapore on 'Judicial Codes of Conduct' and the Honourable President of the Court of Appeal of Malaysia on 'Access to Justice'. The Joint Judicial Conference was aimed at reinforcing cooperation and the sharing of knowledge and experience between the three judiciaries.

**His Majesty Sultan and Yang Di-Pertuan of Brunei Darussalam
consented to grant audience with Head of Delegations of Brunei, Malaysia
and Singapore
Istana Nurul Iman
Saturday, 15th November 2014**



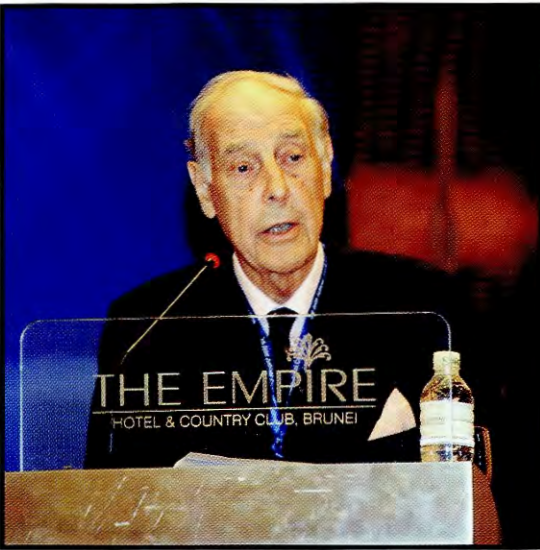






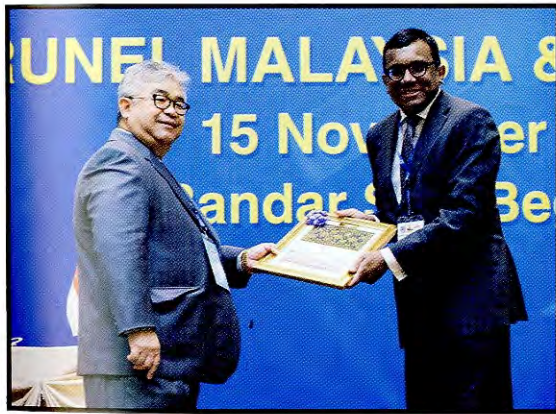
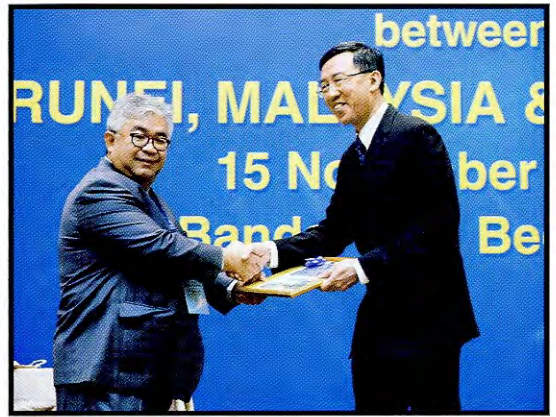
**3rd Joint Judicial Conference
Empire Hotel and Country Club
Saturday, 15th November 2014**







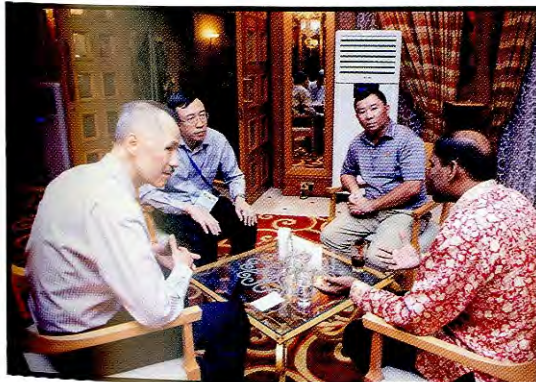
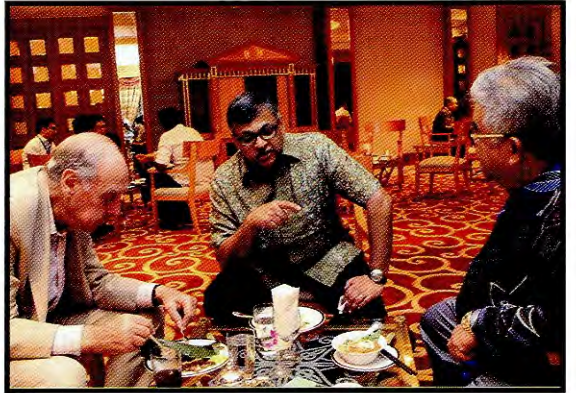
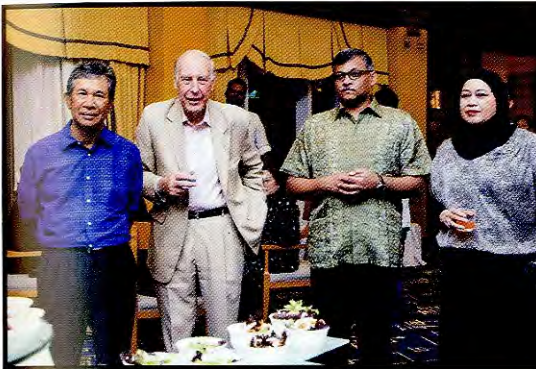




**Tour of Kampong Ayer
Friday, 14th November 2014**



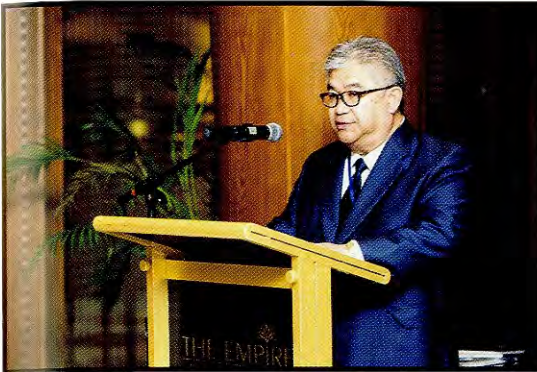
**Welcoming Reception
Empire Hotel and Country Club
Friday, 14th November 2014**



Golf Activity
Empire Hotel and Country Club
Friday, 14th November 2014



**Farewell Dinner
Empire Hotel and Country Club
Friday, 14th November 2014**



MEDIATION WORKSHOP
Managing Conflicts & Resolving Disputes
Effectively Through Mediation,
16 - 20 March 2015













COURT EXCELLENCE AND JUDICIAL COOPERATION FORUM 2014
Singapore, 5th - 7th March 2014
Haji Abdullah Soefri bin POKSM DSP Haji Abidin, Intermediate Court Judge
Muhammed Faisal bin PDJLD DSP Haji Kefi, Chief Magistrate



21ST PACIFIC JUDICIAL CONFERENCE 2014
Auckland, New Zealand, 9th - 12th March 2014
Hon. Dato Seri Paduka Haji Kifrawi bin DP Haji Kifli, Chief Justice
Lailatul Zubaidah binti Haji Mohd Hussain, Senior Magistrate
Hajah Eryv Sufitriana binti Haji Abdul Rahman, Magistrate



**2ND CONGRESS OF THE ASSOCIATION OF ASIAN CONSTITUTIONAL COURTS
AND EQUIVALENT INSTITUTION**
Istanbul, Turkey, 27th April - 1st May 2014
Hon. Dato Seri Paduka Haji Kifrawi bin DP Haji Kifi, Chief Justice
Hon. Dato Paduka Haji Hairol Arni bin Haji Abdul Majid, Justice of the High Court
Harnita Zelda Skinner, Senior Registrar



AD-HOC COMMITTEE MEETING / 35TH GOVERNING COUNCIL MEETING
Jakarta, Indonesia, 9th - 10th September 2014
Dayangku Hajah Norismayanti binti Pengiran Haji Ismail, Senior Registrar



REGIONAL WORKSHOP ON 'CHALLENGES AND GOOD PRACTICES IN THE INVESTIGATION, PROSECUTION AND ADJUDICATION OF TERRORISM PREVENTIVE CRIMINAL OFFENCES : INTERNATIONAL COOPERATION AND HUMAN RIGHTS'
 Kuala Lumpur, Malaysia, 9th - 10th September 2014
 Hajah Noor Amalina binti DP Haji Alaihuddin, Magistrate



CHINA - ASEAN JUSTICE FORUM
 Nanning, China
 16th - 17th September 2014
 Hon. Dato Seri Paduka Haji Kifrawi bin DP Haji Kifli, Chief Justice
 Muhammed Faisal bin PDJLD DSP Haji Kefli, Chief Magistrate
 Hajah Hazrena binti POKSJDP Haji Abu Hurairah, Senior Registrar

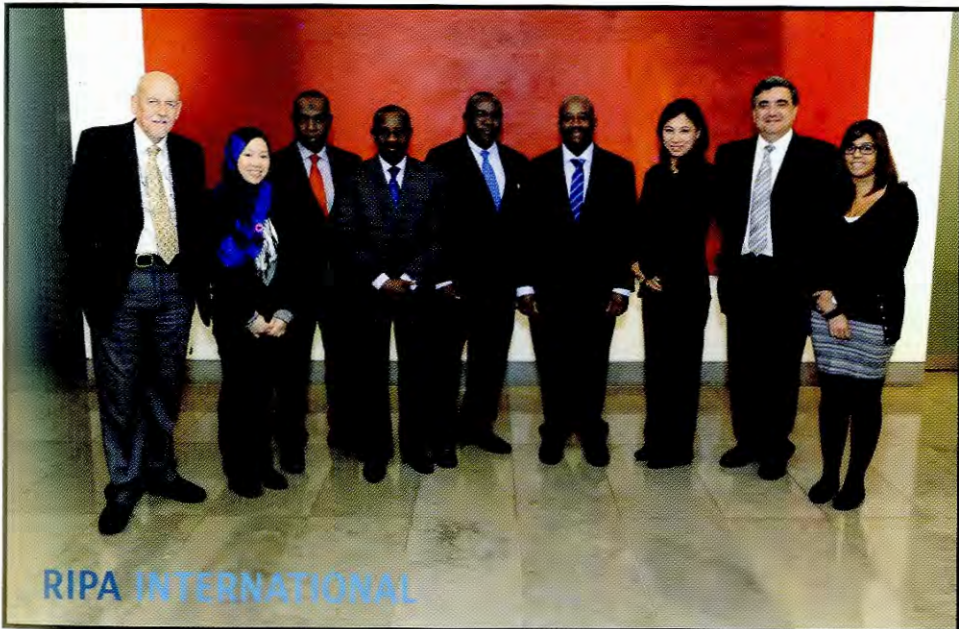


**2ND ASEAN CHIEF JUSTICES MEETING INCONJUNCTION
 WITH THE 36TH ALA GOVERNING COUNCIL MEETING**
 Kuala Lumpur, Malaysia, 18th - 21st September 2014
 Hon. Dato Seri Paduka Haji Kifrawi bin DP Haji Kifi, Chief Justice
 Dayangku Hajah Norismayanti binti Pengiran Haji Ismail, Senior Registrar



SENTENCING CONFERENCE 2014
Singapore, 9th - 10th October 2014

Hon. Dato Seri Paduka Haji Kifrawi bin DP Haji Kifli, Chief Justice
 Hon. Pengiran Hajah Rostaina binti Pengiran Haji Duraman, Judicial Commissioner / Chief Registrar
 Pengiran Hajah Hanani binti Pengiran Haji Metusain, Intermediate Court Judge
 Haji Abdullah Soefri bin POKSM DSP Haji Abidin, Intermediate Court Judge
 Hajah Ervy Sufitriana binti Haji Abdul Rahman, Magistrate



RIPA INTERNATIONAL

Judicial Administration : London Study Tour
 London, United Kingdom, 6th - 17th October 2014
 Hajah Hazarena binti POKSJDJ Haji Awang Abu Hurairah, Senior Registrar
 Harnita Zelda Skinner, Senior Registrar



**ASEAN UPSTO ROUNDTABLE FOR THE JUDICIARY ON INTELLECTUAL PROPERTY RIGHTS ISSUES
AND ENFORCEMENT**

Philippines, 21st - 22nd October 2014

Hon. Pengiran Hajah Rostaina binti Pengiran Haji Duraman, Judicial Commissioner / Chief Registrar
Hajah Ervy Sufitriana binti Haji Abdul Rahman, Magistrate



ASEAN JUDICIARY COOPERATION WORKSHOP

Phnom Penh, Cambodia, 28th - 29th October 2014

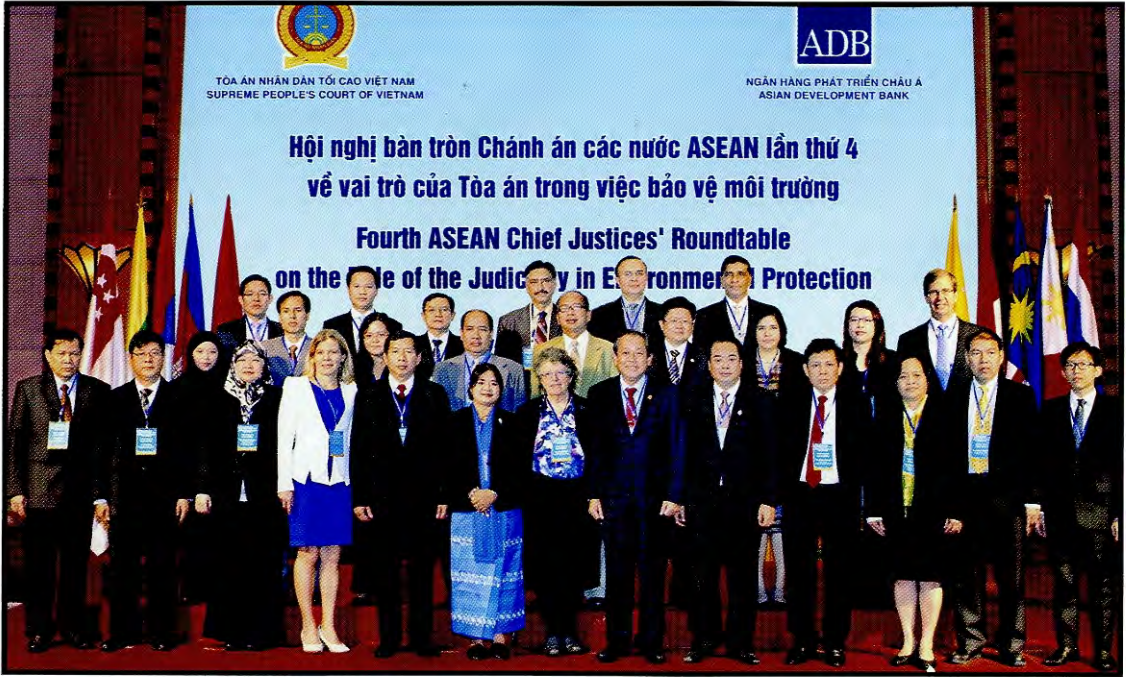
Ramzidah binti PDKD Haji Abdul Rahman, Senior Registrar
Pengiran Masni binti Pengiran Haji Bahar, Senior Magistrate



WORKSHOP ON CRIMINAL JUSTICE RESPONSES TO TERRORISM IN ASEAN
Yogyakarata, Jakarta, Indonesia, 19th - 20th November 2014
Haji Nabil Daraina bin PUKDPSS Ustaz Haji Badaruddin, Senior Magistrate



DISPUTE RESOLUTION SYSTEMS : POLICIES, STRUCTURES AND STRATEGIES
Singapore, 4th - 12th December 2014
Azrimah binti Haji Abdul Rahman, Magistrate
Hajah Noor Amalina binti DP Haji Alaihuddin, Magistrate



4TH ASEAN CHIEF JUSTICES ROUNDTABLE ON ENVIRONMENT

Hanoi, Vietnam, 12th - 14th December 2014

Hon. Pengiran Hajah Rostaina binti Pengiran Haji Duraman, Judicial Commissioner / Chief Registrar
 Hajah Ervy Sufitriana binti Haji Abdul Rahman, Magistrate



VISIT FROM REPRESENTATIVES OF THE UNITED NATION ASIA AND FAR EAST NATIONS ASIA AND FAR EAST INSTITUTE FOR THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS (UNAFEI)

Subordinate Court, BSB, 5th July 2014

Haji Abdullah Soefri bin POKSM DSP Haji Abidin, Intermediate Court Judge
 Mohammed Faisal bin PDJLD Haji Kefli, Chief Magistrate
 Hajah Ervy Sufitriana binti Haji Abdul Rahman, Magistrate



IMPLEMENTATION OF SYARIAH PENAL CODE

INTERNATION CONVENTION CENTRE, BERAKAS, BRUNEI DARUSSALAM

Hon. Pengiran Hajah Rostaina binti Pengiran Haji Duraman, Judicial Commissioner / Chief Register

Haji Mohd Serudin bin Haji Timbang, Director of the State of Judiciary Department

Haji Abdullah Soefri bin POKSM DSP Haji Abidin, Intermediate Court Judge

Muhammad Faisal bin Haji PDJLD DP Keffi, Chief Magistrate

Haji Badaruddin bin Abdul Karim, Senior Registrar Subordinate Court

COURT PROJECTS

JUDICIAL CASE MANAGEMENT SYSTEM (JCMS)

Judiciary Case Management System, or JCMS in short, started its journey in 2013, with the assistance of the State Judiciary Department for the Civil Courts in all four districts. JCMS comprises of three (3) sub-systems: the Electronic Filing System (EFS), the Case Management System (CMS) and the Queue Management System (QMS). JCMS is an electronic system that is aimed at establishing and maintaining an effective way to manage court documents as well as improving services for both the public and legal community.

With the Case Management System (CMS), Judges and Judicial Officers are able to access information pertaining to cases via an online portal. CMS allows for concurrent access to any case file by more than one officer at any one time. This information includes parties' names, the representatives, case notes and case schedules. The Electronic Filing System (EFS) will help shorten the time taken for a case to be filed, registered and retrieved by the registered users. The QMS is used to register parties' attendance for court hearings, enquire case details and to check the filing status of any case.

JCMS will effectively reduce the processing time of any one case and minimize the paper flow throughout the litigation process as all court documents will be filed and stored electronically in the system. To a large extent, the system will also help to reduce the use of paper in the courts, paving the way to a paperless court. JCMS will eliminate the need for physical storage spaces for case files and effort required to transport the said files from any location between the courts.

**JCMS ROLL OUT AT SUPREME COURT - HIGH COURT BUILDING
AND BANDAR SERI BEGAWAN SUBORDINATE COURT**
23rd March, 2014





JCMS ROLL OUT AT KUALA BELAIT COURT
30th March, 2014



JCMS ROLL OUT AT TUTONG COURT
6th April, 2015



FINAL JCMS DEMONSTRATION BEFORE THE HON. CHIEF JUSTICE

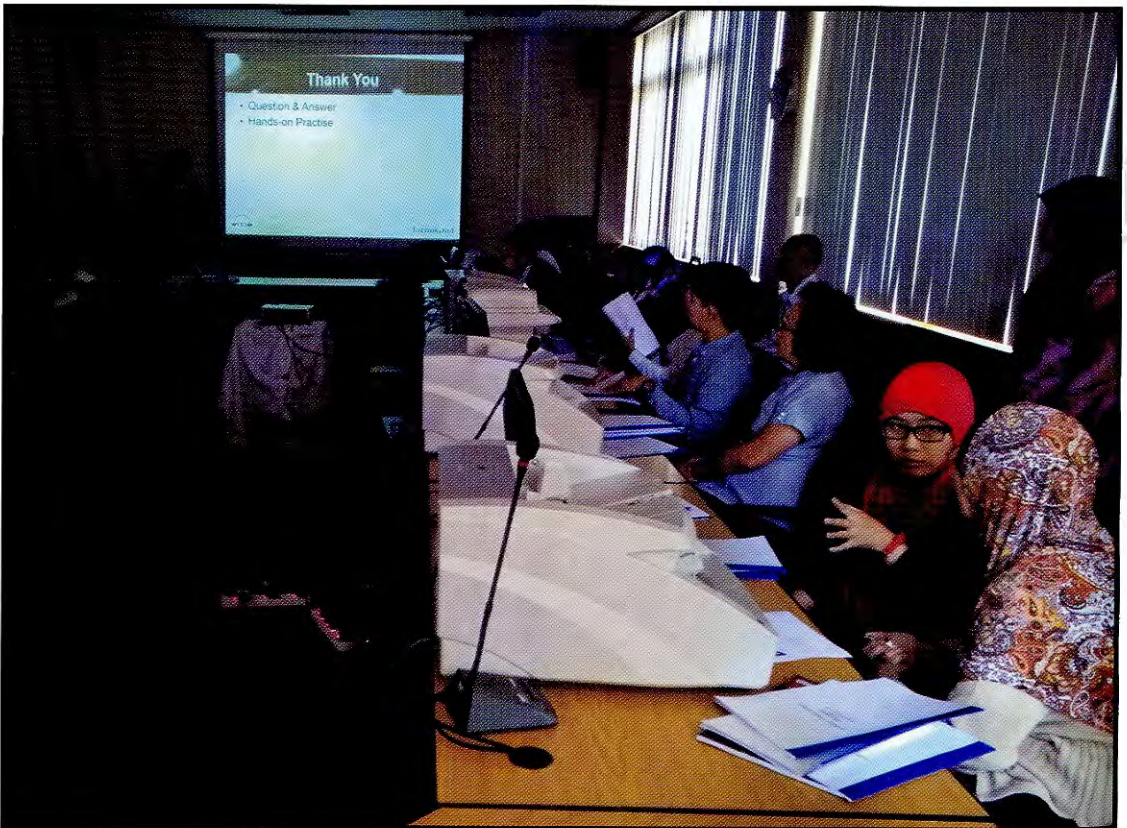












**THE FOUNDATION LAYING CEREMONY OF
NEW TUTONG COURT BUILDING
23 June 2014**





VIDEO CONFERENCING
between Civil Court and Prison Department
16 November 2014

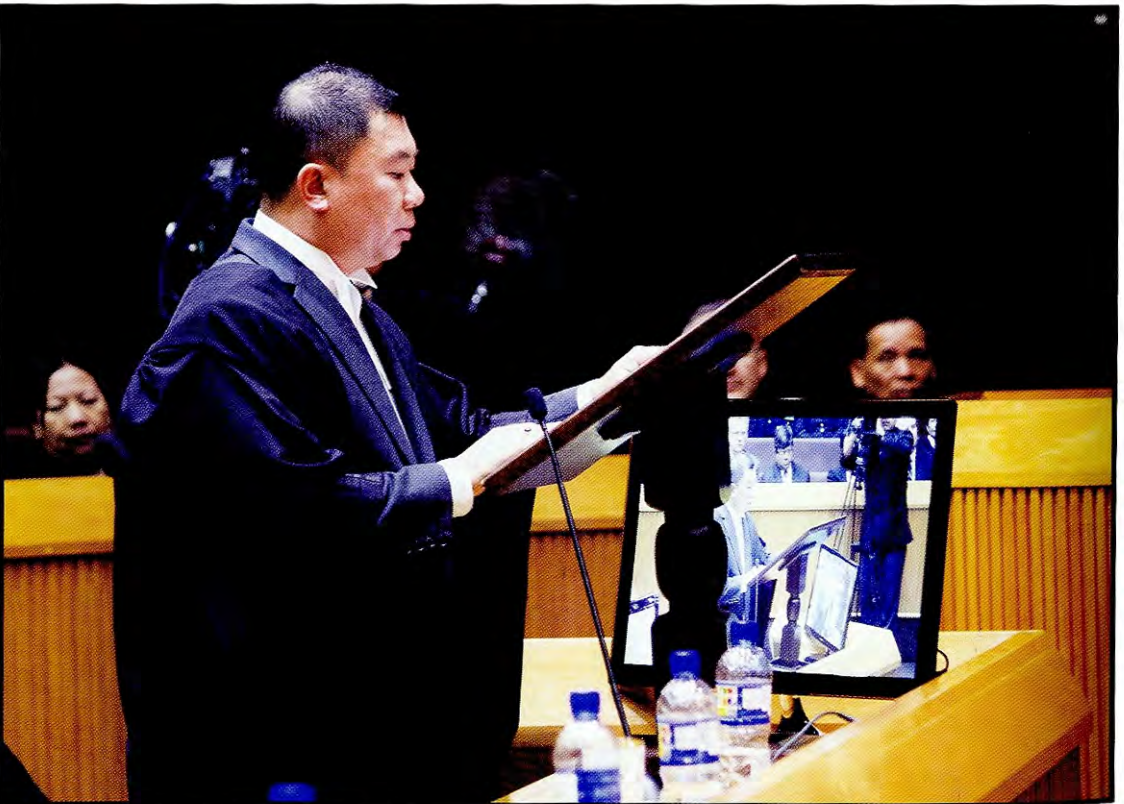




HIGHLIGHTS OF 2014





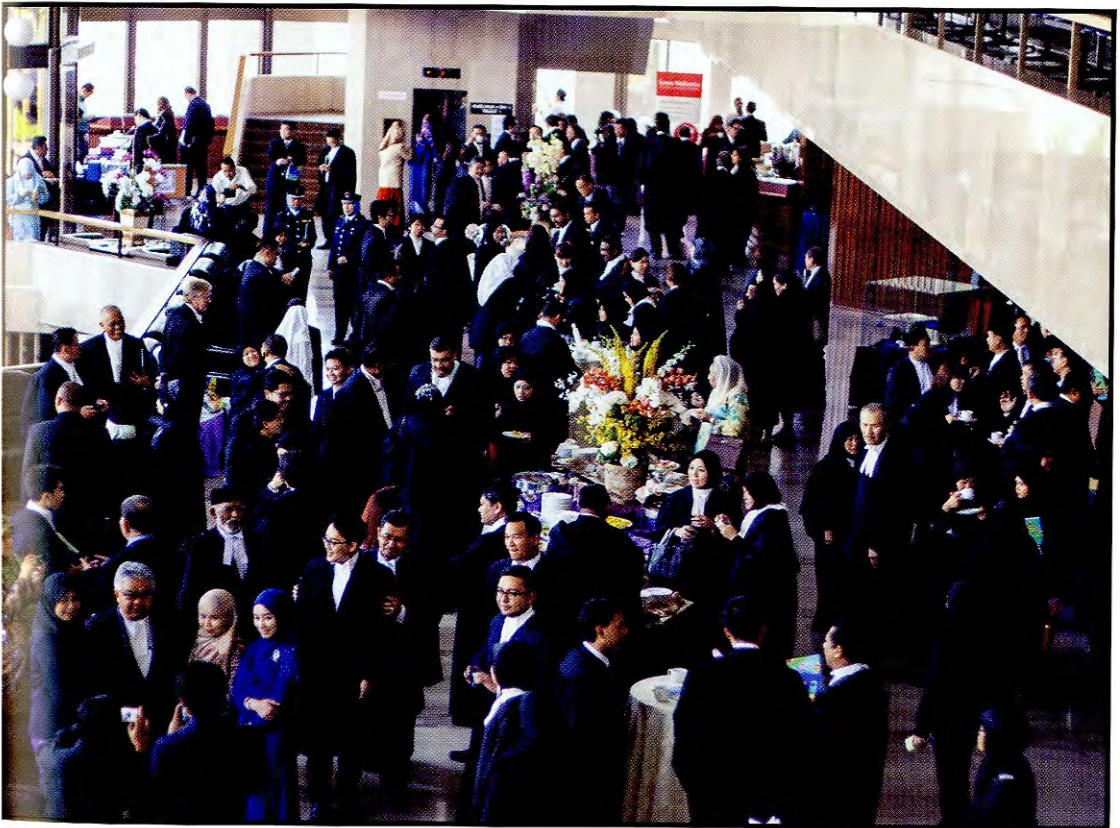














ACTIVITIES

**31ST National Day
23rd February, 2014**



Call to the Bar Ceremony, High Court Building
22nd April 2014



**Cleaning Campaign and Tahlil at Tanah Perkuburan Kg. Ujung Bukit
2014**



**Tadarus and Khatam Al-Quran Ceremony
Supreme Court Building 2014**





**Hari Raya Aidilfitri Celebration
Subordinate Court, Bandar Seri Begawan 2014**



**Ramadhan Charity Event
Subordinate Court Kuala Belait, July 2014**



**Hari Raya Aidilfitri Celebration
Subordinate Court Kuala Belait, July 2014**





**Awang Sabli bin Haji Osman's farewell,
27th September, 2014**



**Law Society Badminton Tournament Champion 2014
Judiciary Badminton Team**

STATISTICS

SUPREME COURT

COURT OF APPEAL

Civil & Criminal Appeal Cases (From High Court and Intermediate Court to Court of Appeal)		
Year	2013	2014
Civil	11	15
Criminal	15	31

HIGH COURT

Civil & Criminal Cases Registered in High Court		
Year	2013	2014
Civil	83	84
Criminal	41	18

Civil & Criminal Appeal Cases (From Magistrates Court to High Court)		
Year	2013	2014
Civil	1	Nil
Criminal	50	50

Chamber Hearing before Registrars in High Court		
Year	2013	2014
Civil	206	190

Other Matters

Legal Aid		
Year	2013	2014
Civil	3	Nil

Bankruptcy		
Year	2013	2014
Bankruptcy	338	384
Receiving Order	919	487
Adjudication Order	67	57
Recession	54	80
Discharge of Adjudication Order	2	3
Winding-Up Order	7	4
Creditors Meeting	2708	2535

Letters of Administration		
Year	2013	2014
Received	327	450
Issued	341	338

Probate		
Year	2013	2014
Received	6	12
Issued	5	7

Marriage and Divorces		
Year	2013	2014
Marriage	89	91
Divorce	33	28

INTERMEDIATE COURT

Civil & Criminal Cases Registered in Intermediate Court		
Year	2013	2014
Civil	217	209
Criminal	46	45

SUBORDINATE COURT

Magistrate's Court

Bandar Seri Begawan		
Year	2013	2014
Civil	895	1330
Criminal	1770	1506
Lunacy Complaints	61	66 (up to 1/11/2014)
Married Women Order	Nil	Nil

Kuala Belait		
Year	2013	2014
Civil	173	254
Criminal	574	619
Lunacy Complaints	13	11 (up to 1/11/2014)
Married Women Order	Nil	Nil

Tutong		
Year	2013	2014
Civil	122	197
Criminal	82	63
Lunacy Complaints	Nil	Nil (up to 1/11/2014)
Married Women Order	Nil	Nil

Temburong		
Year	2013	2014
Civil	Nil	Nil
Criminal	Nil	Nil
Lunacy Complaints	Nil	Nil (up to 1/11/2014)
Married Women Order	Nil	Nil

Juvenile Court

Year	2013	2014
Juvenile Arrest	5	7
Juvenile Traffic	5	3
Child Protection Order	4	3
Beyond Parental	9	15

Small Claim Tribunal Cases

Year	2013	2014
Bandar Seri Begawan	5	6

Inquest Hearing

Year	2013	2014
Bandar Seri Begawan	19	42
Kuala Belait	Nil	Nil
Tutong	Nil	Nil
Temburong	Nil	Nil

Statutory Declarations

Year	2013	2014
Bandar Seri Begawan	15,681	14,263
Kuala Belait	2,390	2,029
Tutong	1,141	1,025
Temburong	201	145

The Revenue of the Judiciary of Brunei Darussalam

Year	2013	2014
Estate Duty	\$5,980.97	Nil
Stamp Duty	\$2,640,443.56	\$1,790,844.64
Search and Registration	\$32,740.00	\$33,620.00
Miscellaneous	\$2,751,081.02	\$3,158,294.74
Total Revenue	\$5,430,245.55	\$4,982,759.38

Committee Members of the Opening of the Legal Year 2015

1. PROTOCOL COMMITTEE

Adat Istiadat Department Officers
State Judiciary Department Officers and Staff
Radin Safiee bin Radin Mas Basiuni
Haji Nabil Daraina bin PUKDPSSU Haji Badaruddin
Ramzidah binti PDKD Haji Abdul Rahman
Azrimah binti Haji Abdul Rahman
Hajah Ervy Sufitriana binti Haji Abdul Rahman
Haji Badaruddin bin Haji Abdul Karim
Muhammad Hardy Iman bin Haji Muhammad Ukit
Muhd Afandi bin Haji Ebil
Suhana binti Haji Mohd Jaini
Shahrin bin Haji Ibrahim / Sharbini
Hajah Noorinah binti Haji Noorkaseh
Mohd Fadzillah bin Haji Abu Bakar
Noorhayati binti Haji Ismail
Hjh Asmawati binti Haji Jaafar / Ismail
Norhayati binti Haji Idris
Hajah Nurul Hazimah binti Haji Tengah
Hajah Norsiah binti Haji Jamil
Sumarni binti Haji Sairan
Selamah binti Haji Bujang / Zahrina
Rabiqah binti Ahmad
Rodglan bin Haji Abd Rahman
Awangku Mohd Abdul Malik bin Pengiran Haji Ibroh

2. FINANCE COMMITTEE

Haji Mohd Serudin bin Haji Timbang
Haji Tamin bin Haji Lamat

3. INVITATION AND SECRETARY COMMITTEE

Justice Pengiran Hajah Rostaina binti Pengiran Haji Duraman
Hajah Mariah binti Awang Ali
Suzanah binti Basman
Pengiran Hajah Rahaiyah binti Pengiran Haji Mohd Yassin
Norhayati binti Haji Idris
Norhayati binti Haji Masri
Hajah Nurul Hazimah binti Haji Tengah
Noraidah binti Haji Mohd Yussof
Nani Hamizah binti Haji Omar Ali
Rohani binti Haji Jaafar
Pengiran Suhaili bin Pengiran Ahmad
Puasa bin Tuah
Rodglan bin Haji Abdul Rahman
Mohamad Shamri bin Alias
Pengiran Hairulari bin Pengiran Ahmad
Pengiran Abu Nurhairah bin Pengiran Hashim
Mohd Ghazali bin Haji Tassim
Mohd Yussof bin Haji Ahmad
Asrina binti Jukin
Mohamad Izzam bin Mahmood / Mahmud

4. REFRESHMENTS COMMITTEE

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Hajah Fauzihana binti Haji Mohamad
Norhamizah binti Mohamad
Nur Kamilah binti Haji Metussin
Awangku Ibrahim bin Pengiran Badar
Noor Khadizah binti Abdullah
Siti Rafeah binti Haji Md Yusof
Hajah Norazizah binti Haji Ering

5. FACILITIES & BUILDING MAINTENANCE COMMITTEE

Pengiran Haji Mohd Khairuddin bin Pengiran Haji Hashim
Shahrezawati binti Ahmad
Haji Badaruddin bin Haji Abdul Karim
Haji Omar bin Haji Mohd Daud
Muhammad Hardy Iman bin Muhammad Ukit
Mohd Amin bin Abdullah Lim
Muhd Afandi bin Haji Ebil
Haji Morshidi bin Haji Mokhtar
Khamis bin Haji Tamit
Shahrin bin Haji Ibrahim / Sharbini
Mohd Fadzillah bin Haji Abu Bakar
Haji Mohd Noor bin Tamit
Yusof bin Haji Mustapa
Haji Rakawih bin Haji Dollah
Pengiran Kamarudin bin Pengiran Haji Md Tahir
Muhammad Fauzi bin Haji Duraim
Nur Afiq bin Haji Morsidi
Hanafi bin Ibrahim
Ali Rahman bin Haji Simba
Haji Md Shamsul bin Haji Ismail
Mohammad Hassim bin Othman
Mohd Daud bin Haji Metussin
Pengiran Suhaili bin Pengiran Ahmad
Puasa bin Tuah
Rodglan bin Haji Abdul Rahman
Mohamad Shamri bin Alias
Pengiran Hairulardi bin Pengiran Ahmad
Pengiran Abu Nurhairah bin Pengiran Hashim
Mohd Ghazali bin Haji Tassim
Haji Jasni bin Haji Misir
Mohd Yussof bin Haji Ahmad
Pengiran Metali bin Pengiran Metamin
Mohamad Izzam bin Mahmood / Mahmud

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Justice Dato Paduka Haji Hairol Arni bin Haji Abdul Majid
Justice Pengiran Hajah Rostaina binti Pengiran Haji Duraman
Haji Abdullah Soefri bin POKSM DSP Haji Abidin
Hajah Hazarena binti POKSJ DP Haji Abu Hurairah
Harnita Zelda Skinner
Haji Badaruddin bin Haji Abd. Karim
Pengiran Hajah Rahaiyah binti Pengiran Haji Mohd Yassin
Zulfadli bin Hamdi
Muhamad Faizal bin Haji Saban
Md Zaini bin Haji Japar
Razidah binti Haji Md Daud
Shuzalina binti Jainoh @ Sabariah
Noridah binti Haji Matnoor
Abdul Rahman bin Haji Omar
Pengiran Yusaffry bin Pengiran Haji Kamaluddin
Pengiran Haji Ibrahim bin Pengiran Mohd Daud
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Hajah Rosmimah binti Haji Abd Rahim

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8. WEBSITE COMMITTEE

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Muhammad Hardy Iman bin Muhammad Ukit
Zulfadli bin Hamdi

9. PHOTOGRAPHY COMMITTEE

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Harnita Zelda Skinner
Alizah binti Hidup
Nur Afiq bin Haji Morsidi
Izzati binti Mohd Ali

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Awangku Shahyzul Khairuddin bin Pengiran Abdul Rahman
DSP Haji Mahran bin Haji Ahmad, Acting Deputy Commandant of Police Training Centre
ASP Pengiran Saiful Rezal Malek Faisal bin Pengiran Haji Marali, Pengarah Pancaragam
S/Insp Md Baharin Shah Hj Abu Bakar, JSKLL
Insp Haji Azwan bin DPS Haji Abdul Rahman, Police Training Centre
Insp Asmah binti Haji Bakar, Ag OC Police Prosecution Unit
Insp Pengiran Haji Symshahai'rul Ismar bin Pengiran Haji Shahbudin, Police Prosecuting Officer
Insp Zalinda Susan Skinner, Police Prosecuting Officer
Inspector Normazlina binti Emran, Police Prosecuting Officer
Ketua Perbarisan Kawalan Kehormatan
Pelapis Ketua Perbarisan Kawalan Kehormatan
Ketua Perbarisan Kawalan Kehormatan 2
Pelapis Ketua Perbarisan Kawalan Kehormatan 2
Pegawai Pengiring Panji-Panji
Pelapis Pegawai Pengiring Panji-Panji
SM2727 Abdul Hamid bin Totong, Police Training Centre
Mohd Amin bin Abdullah Lim

11. EMCEE

Hajah Norinah binti Haji Norkaseh
Jazmi bin Haji Kamel
Nor Hadizah binti Haji Yahya

12. COMMITTEE MEMBERS OF JCMS OFFICIAL LAUNCHING

Justice Dato Paduka Haji Hairol Arni bin Haji Abdul Majid
Justice Pengiran Hajah Rostaina binti Pengiran Haji Duraman
Haji Abdullah Soefri bin POKSM DSP Haji Abidin
Radin Safiee bin Radin Mas Basiuni
Muhammed Faisal bin PDJLD DSP Haji Kefli
Pengiran Haji Khairuddin bin Pengiran Haji Hashim
Harnita Zelda Skinner
Azrimah binti Haji Abdul Rahman
Awangku Shahyzul Khairuddin bin Pengiran Abdul Rahman
Hajah Ervy Sufitriana binti Haji Abdul Rahman
Dewi Norlelawati binti Haji Abdul Hamid
Shahrewati binti Haji Ahmad
Haji Badaruddin bin Haji Abdul Karim
Muhammad Hardy Iman bin Haji Muhammad Ukit
Pengiran Norfarzat binti Pengiran Haji Mohd Jaafar
Hashimah binti Haji Abu Bakar
Catherine Khoo Sau Yew
Sumarni binti Haji Sairan

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PRIME MINISTER'S OFFICE

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MINISTRY OF FOREIGN AFFAIRS AND TRADE

MINISTRY OF HEALTH

MINISTRY OF RELIGIOUS AFFAIRS

ATTORNEY GENERAL'S CHAMBERS

ADAT ISTIADAT NEGARA DEPARTMENT

ROYAL BRUNEI POLICE FORCE

RADIO TELEVISION BRUNEI

THE GOVERNMENT PRINTING DEPARTMENT

INFORMATION DEPARTMENT

PUBLIC WORKS DEPARTMENT

DEPARTMENT OF ENVIRONMENT, PARKS AND RECREATION

FIRE AND RESCUE DEPARTMENT

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OFFICERS AND STAFFS OF THE STATE JUDICIARY

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