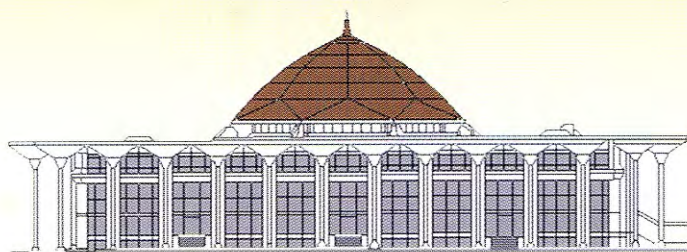


*The Opening of The Legal Year 2007*







*The Opening Of The Legal Year*  
**2007**

*27th March 2007*  
*8 Rabiulawal 1428*







**HIS MAJESTY PADUKA SERI BAGINDA 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 NEGARA BRUNEI DARUSSALAM**



## FOREWORD



It is a great honour and a privilege to welcome you to the ceremony marking the Opening of the Legal Year, an occasion for us to renew our commitment to continuously strive to improve the quality of the delivery of services in every aspects of the court system.

I am happy to report that the first phase of the Court Computerisation Project had been successfully implemented with the installation of the IT Network Infrastructure Project. The final element of the project will be the Court Recording and Management System which we hope will eventually provide the tools to deliver a better quality and an improve performance of court services as well as a more focus and coherent court management system.

The year 2006 also marked another mile stone for the Judiciary with the Magistrate Court moving into its own building. I would like to thank the Officers and Staff of the Magistrate Court for their hard work especially the Chief Magistrate for her leadership and dedication which she has shown in overseeing that the business of the court continue to function smoothly without interruption. Also, during the last few years we are seeing new younger officers taking over the strategic posts in the Probate Office, Bankruptcy Office and the Registry of the High Court and the Subordinate Court. I would like to welcome them on board. I am enormously grateful to the committed officers and staff of the Judiciary who work tirelessly in providing such a good service and looking after a heavy and ever increasing workload at the same time rising to the challenge that had been set for them.



This morning success is owed due to the effort of various people. My sincere appreciation and gratitude to the members of the organising committee and various government departments in ensuring that all the arrangement today will run smoothly.

Thank you for your presence today and offer you all the best wishes, a happy and successful 2007.

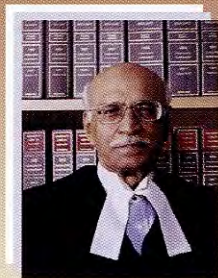
**HAIROL ARNI MAJID**  
**Judicial Commissioner/Chief Registrar of Supreme Court**  
**Chairman of Organising Committee**



# Speeches

*During the Opening of  
the Legal Year 2006*





*Dato Seri Paduka Mohammed Saied*  
The Chief Justice

بسم الله الرحمن الرحيم  
السلام عليكم ورحمة الله وبركاته

Four Royal Highness Paduka Seri Pengiran Anak Puteri Hajah Muta-Wakkilah Hayatul Bolkiah, the Honourable Dato Attorney General, President of the Law Society, of Brunei Darussalam, your Excellencies of the Diplomatic Corps, members of the legal profession, ladies and gentlemen.

Welcome to this annual function, which marks the close of the past legal year and heralds in the new legal year. Very many hold special joyful functions and sumptuous feasts for bidding good bye to the previous year and welcoming the arrival of the new year with prayers that it will bring brilliant success to all their endeavours with rich fruits for their labours; others are more constrained due perhaps to their faiths; nevertheless they too join in the prayers that the incoming new year will bring an era of peace and happiness for the mankind. We, in the judiciary, too have this tradition that, as you just saw, starting with our prayer.

The endeavours of the judicial officers are all geared towards faithfully upholding and practising, in full view of the public, each and every word of the judicial oath that each one of us took at the time of our appointment.



To regulate the conduct of advocates all common law countries have a disciplinary body known as the Law Society, whose main function is to maintain discipline in the profession. I am happy to say that we now have in existence the Law Society of Brunei Darussalam. The Society now bears the burden of ensuring that its members, who are not massive in numbers, behave and conduct themselves in a manner which, while not tarnishing the image of the profession and bringing it into disrepute both outside in their treatment of their clients and inside the courthouse, is such that it reflects the true and recognisable reflection or face of the honourable profession to which they claim to belong. This is not as easy a task as it looks, particularly in a comparatively small community of lawyers and, as such, it will call for absolute adherence to the principles of the society, including above all their ability to absolutely erase from their minds the slightest remnant of friendship or any other relationship of any sort or any inclination of considering the complaint as being minor deserving outright rejection. Their function is to thoroughly investigate any complaint against a member of the fraternity, and deal with it on the basis of the evidence that is placed before them by both sides in a detached, forthright and independent manner in arriving at their decision. The gauntlet has been thrown, the ball is in its court and it is for the Law Society to prove its worth to the citizens. Let me remind them also of the natural comprehension mixed with suspicion of the community that a Law Society, comprising as it is of members of the same profession, is "notoriously reluctant" to adequately deal with one of their own by suspending him or disbarring him. It is a challenge to the Law Society, and it can rest assured that their conduct will be under close scrutiny.

On behalf of all those assembled here this morning I wish our Law Society success in their endeavours to keep the profession off limits to any 'rouge' elements against whom any member of the public makes a complaint.



However, with our limited mental capacity, no matter how wise one may be, yet his mental reach is nevertheless restricted to a certain extent and not beyond, we have formulated our system, that is the adversarial system, to the extent, as I explained earlier, of the prosecution's burden being proof beyond reasonable doubt for a conviction, thus providing the corollary that the burden of the accused is much lighter of creating a doubt about the prosecution allegations and evidence. And to make doubly sure that the prosecution has proved the guilt of the accused person to the full satisfaction of the law and the conviction was proper and fully justified according to the law, we have a well established appellate system, which scrutinises the evidence and the judgment of the convicting court very carefully. Nevertheless, the question is often asked, do our rules of evidence and the criminal justice system provide us with a definite, flawless and error-free system of justice?.

Keeping in mind the human frailties generally, including the mental and intellectual deficiencies and limitation, the answer must be a resounding 'no'. Besides this being quite obvious because of our deficiencies, which must be accepted that we do have them, the proof of which, if any is required, lies in cases where in some jurisdictions which boast of having the most perfect criminal system and the most eminent jurists and the appellate system of various tiers, some people convicted of capital offences have been executed after the whole lot of appeals and pleas for clemency were dismissed, evidence surfaced which proved that the convicted person who had been sent to the gallows was after all an innocent person. In order to avoid this unfortunate occurrence some jurisdictions have done away with capital punishment.

The well-known American writer and director, Mr. Woody Allen, is reported to have expressed his view about capital punishment in these words, "Capital punishment would be more effective as a preventive measure if it were administered prior to the crime". This is not, I can assure you, a mere jocular comment fit to be brushed aside, but is something serious to ponder over and compare to what extent has capital punishment in any jurisdiction helped reduce crime, let alone eradicate it altogether, other than reducing the population by one.



To regulate the conduct of advocates all common law countries have a disciplinary body known as the Law Society, whose main function is to maintain discipline in the profession. I am happy to say that we now have in existence the Law Society of Brunei Darussalam. The Society now bears the burden of ensuring that its members, who are not massive in numbers, behave and conduct themselves in a manner which, while not tarnishing the image of the profession and bringing it into disrepute both outside in their treatment of their clients and inside the courthouse, is such that it reflects the true and recognisable reflection or face of the honourable profession to which they claim to belong. This is not as easy a task as it looks, particularly in a comparatively small community of lawyers and, as such, it will call for absolute adherence to the principles of the society, including above all their ability to absolutely erase from their minds the slightest remnant of friendship or any other relationship of any sort or any inclination of considering the complaint as being minor deserving outright rejection. Their function is to thoroughly investigate any complaint against a member of the fraternity, and deal with it on the basis of the evidence that is placed before them by both sides in a detached, forthright and independent manner in arriving at their decision. The gauntlet has been thrown, the ball is in its court and it is for the Law Society to prove its worth to the citizens. Let me remind them also of the natural comprehension mixed with suspicion of the community that a Law Society, comprising as it is of members of the same profession, is "notoriously reluctant" to adequately deal with one of their own by suspending him or disbarring him. It is a challenge to the Law Society, and it can rest assured that their conduct will be under close scrutiny.

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☞ I have touched upon this topic in a general way just to show that no matter what sort of judicial system we may endeavour to have, it cannot be said to be perfect and it will be perfect only to the extent of our intelligence and our shortcomings, and that is all we can expect and hope for. In other words, we should all be thankful and hold our head high in the realization that our legal system, despite its shortcomings, has performed and continues to work as well as it does. That is a great feeling of satisfaction that any judicial officer can have in the execution of his task of decision-making.

☞ It goes to the credit of the judicial officers who have the misfortune of seeing their decision in criminal cases upset by a superior court, that they accept it as part of the system to which they belong; otherwise it might be well nigh impossible for them, were they to be affected by the higher court's ruling, to carry on with their chosen profession.

This brings to mind the encouragement that the lead counsel for the prosecution Ms Marcia Clark gave to her fellow attorneys in the notorious O.J. Simpson trial on his acquittal. She is reported to have said, "please do not let this [not guilty verdict] make you lose faith in our system. Please don't let this deter you from doing a job you're so well equipped to do. "Some of us will still remember Voltaire's exhortation, "It is better to risk saving a guilty man than to condemn an innocent one". Therefore, repeating the words of Stephen Landsman, Law Professor of the Marshall College (USA) that "the adversary system has served as a guardian of individual liberty since its inception". And we as judicial officers, sitting in these courts of justice, not only affirm that statement but also resolve to be vigilant to ensure that we are not lacking in the proper application to the adversary system of justice and thus can rightfully claim to be the guardians of individual liberty.



The duty undertaken by any class of judicial officer remains constant and does not vary according to the weather. Experience has shown that the justice system has immense resilience in that no matter what the situation or the circumstance: political or social, public or private, the system is not affected and the officers manning the system carry on with their judicial functions regardless of what might be happening around them, thus upholding the supremacy of the law, remembering always the words of David Frost, a British television journalist, about the law. He said, "This is what has to be remembered about the law. Beneath that cold, harsh, impersonal exterior there beats a cold, harsh impersonal heart". That indeed is a proper codification not only of the law as such, but of the character of those entrusted with the task of enforcing the laws of the country in whom 'there beats a cold, harsh impersonal heart', for only then would the enforcement of the law by the courts provide the foundation of peace, tranquility and stability for the citizens. Thus and this is the other side of the coin, if the justice system fails for any reason and grinds to a halt, anarchy would take over with disastrous consequences.

The new beautiful and attractive building nearby indicates by its outward appearance that it is almost ready for occupation. The judiciary is fortunate in being allocated sufficient accommodation for the magistracy. Space will be available for the setting up of the Small Claims Tribunal. Whereas now the accommodation is available the manpower required does not seem to have been provided for. It may also require training for the adjudicator and sufficient staff will be required. This Tribunal will be of great assistance as the process will be shorter and simpler. Our emphasis now is for the appropriate authority to consider the issue of trained staffing for the Tribunal and providing the extra staff required for the smooth launching of this Tribunal. The Chief Registrar will discuss the details of the requirement with the relevant authorities.

I am happy to say that with the cooperation of the police, there has been a marked improvement in the disposal of traffic cases. Whereas formerly traffic matters were dealt with only once a week. This marked improvement is due to the cooperation of the police prosecutors as well as the magistrates, which is greatly appreciated.



With regard to the criminal cases there too some progress has been made with the assistance of police prosecutors and other government agencies. The problem of lack of sufficient courtrooms, which has been a stumbling block to speedier trials will hopefully be a thing of the past when the magistrates move into the new building, thus the bottleneck created by the shortage of courtrooms will disappear. This however is only a partial remedy in this regard because the problem of the availability of sufficient trained interpreters still persists.

Generally speaking our courts must have adequate number of interpreters proficient in the local language and dialects. It is obvious that without the availability of properly trained and qualified interpreters some courts are put on hold until another court finishes its business for the day. This is an unacceptable situation and I must emphasize that it is a problem that has to be solved as soon as possible for the smooth functioning of the justice system. The significant importance of the availability of trained interpreters to courts cannot be over emphasized, as they form an important constituent in the entire process of having a fair trial in the sense that it is fair not only to the State as prosecutor but also to the defence and, what is often forgotten or overlooked, also to the witness whose testimony may be presented to the court by an untrained and inexperienced interpreter in a different manner putting on the evidence an interpretation that was not what the witness had said or meant.

I submit therefore that this is an area which is of such importance not only to the Courts but also to the reputation of the entire justice system that there should be no hesitation or argument for the provision of sufficient funds as well as for training facilities to be made a matter of top priority if the courts are to function smoothly and efficiently in the disposal of cases at a quicker pace, much to the satisfaction primarily of all those involved in the entire process of the trial, particularly the defendant or the accused person. As the old adage says, justice delayed is justice denied. Perhaps it is not fully or properly appreciated that an early trial to the satisfaction of all concerned in the entire exercise is something that enhances the confidence of the people in our justice system, which ought to be properly understood so that no hurdles, be they budgetary or the order of priority or any other reason, would be an acceptable excuse for denying the courts their fair, just and pressing requirement. I hope and trust that the responsible Department will now be able to comprehend this problem fully, which I stress is of immediate concern, and provide adequate means for the training of the interpreters locally, if possible or, in the alternative, sending them elsewhere having similar judicial system for training. I should like to stress that this is a pressing and urgent need of the Judiciary and the sooner it is attended to the better for the efficient and speedy resolution of cases. The alternative to ignoring this call for immediate action is to face a backlog of criminal and other type of cases increasing by the day, which to any sensible person is horrendously implausible.



We now have two new laws awaiting implementation, these being the Offenders (Probation and Community Service) Order, 2006 (No. S 6), and the Children and Young Persons Order, 2006 (No. S 9). A lot needs to be done by way of staffing by properly trained and qualified personnel before these laws come into force. I consider these laws absolutely necessary and useful in the general interests of the community, and particularly the young people. I should suggest that the sooner the plans are worked out and training facilities etc provided for those who are to supervise such offenders, the better will it be all round. The intention of having these laws on the statute book is certainly not to let them lie dormant in the Laws of Brunei Darussalam gathering dust, but the very fact that they have now been promulgated is proof of the realization that they are considered to be important in the general interests of the public, more so for the training of the unfortunate young persons who now see in these two laws the distinct probability of them becoming useful citizens. Hence I should say that it is in the general interests of the community as well as the young folk that the preliminary requisites are completed as soon as possible to enable the early enforcement of these two Acts.

It is always the last item that is the most important. The burden of a judicial officer as set out in the judicial oath is not visible or apparent for people to see. Therefore it may be difficult, if not impossible altogether, to compare it with any other of the many services for the well being of the society. For this profession of the judicial officer to succeed requires absolute compliance of and adherence to, the judicial oath. This is well recognized in all common law jurisdictions, which understand fully that the nature of the burden, if properly executed, is such that some unscrupulous people or their relatives may be persuaded by the nature of the crime faced by the accused and/or the sentence prescribed by the law that they dare tempt the judicial officer with awards beyond the contemplation of the judicial officer, who may consequently fall prey to such temptation. Such instance of the existence of a weak link in the chain of the process of justice is not uncommon. In order to maintain the independence of the judicial process as well as the integrity of the judicial officer, governments have devised various means to counter such temptations, including the provision of special and exclusive terms of service quite distinct and apart from the rest of the civil service, to ensure that the judicial officer who, after all like any other human being, suffers from, if not all, at least some of the weaknesses of character, does not succumb to any temptation in the process of decision making so that his decision, rather than being an independent decision, instead becomes one contaminated by the dictates of the award that he has accepted for so doing.



Whereas I do not doubt that our judicial officers conduct themselves in strict compliance not only of the judicial oath but also by the dictates of their individual beliefs in the discharge of their duties, I do consider that the judicial officer, being an imperfect human being, is just as much prone to character weaknesses as is the next human being, despite his resolve to always act in accordance with the judicial oath. That weakness of human character is fully recognized and some governments have made special provisions peculiar to the judicial service, including the pay structure which is distinctly separate and apart from the rest of the civil service, in order to maintain the rule of law above any other consideration. I should add that in other jurisdictions this distinction between the civil service and the judicial service has not drawn any criticism or disapproval from any arm of the government or understandably from the citizens, and has worked out to the benefit of the judiciary as well as the public, the latter resting assured that their judicial officers were beyond any sort of temptation in the discharge of their duties as judicial officers.

I should nevertheless say that in the discharge of their functions, the judicial officers have conducted themselves in a commendable manner such that their honesty and dedication to their professional duties has remained constantly beyond any reproach or criticism, for which I am most grateful to each and every one of them. We are of course assisted in our endeavours by the other staff within the judiciary, who have always done their best in making this institution proud of their achievements, and I thank them wholeheartedly for their devotion and commitment to their respective duties.

I see no reason not to recommend to the appropriate authority, as I now hereby do, to consider that it is about time, as I had suggested in my address at a similar gathering last year, that consideration be given to the possibility of establishing an independent Judicial Services Commission. In the meantime, I humbly pray that the distinction to which I have referred is considered and the pay structure of the judiciary reviewed, which will provide further impetus to the judicial officers in the discharge of their unique and onerous function of doing justice in accordance with their judicial oath.

I am grateful to the Police Commissioner and the Police contingent that participated in the march past, and I am indeed happy to appreciate their performance, for which I am most thankful.



Some persons accused of any serious criminal offence may not be allowed bail and have to be remanded in custody; and there are others who are unable to meet any bail condition and have to be remanded in custody. The duty of producing such persons held on remand in court on the date stated in the remand warrant, is of the prison authorities. It is manifest that generally speaking, a criminal trial cannot proceed without the presence of the accused person. Our thanks are due to the Director of Prisons for ensuring that the remand prisoners are always produced in court according to the date and time stated in the warrant, thus enabling the court proceedings to be conducted punctually and smoothly.

My thanks go to the audience also who have so patiently listened to my hopes and aspirations for the Judiciary.

Apart from myself, an old foggy now, the other judicial officers, ladies and gentlemen, can look forward to a long career in the Judiciary, with opportunities for promotion. I owe them a special vote of thanks for their co-operation and commitment to their respective functions which will, I am certain, stand them in good stead in the future.

To the qualified prosecutors, the police prosecutors and prosecuting officers from other Government law enforcement agencies, namely the Anti-Corruption Bureau, the Customs and Excise Department, the Immigration Department, the Narcotics Control Bureau, I say that all the judicial officers are indebted to them for their devotion to their task. There may be areas of improvement which I am sure are pointed out to them either during the trial or in our judgments.

While on this topic one particular section of judiciary has not had any mention in the past years. That is the office of the Coroner. I am informed that there has been a steady flow of cases and magistrates in their capacity as coroners have been called out, irrespective of the time, be it night or day, to the scene to assist the police in determining the cause of death. The post-mortem follows subsequently. This is a useful service to the society as a whole. I know that a Coroner's Manual is in the process of being compiled for the assistance of the police investigators, the coroners and the pathologists in general and more particularly in cases where doubt may arise concerning the procedure and practice. I take this opportunity of wishing this venture which I am sure will go a long way in making this important area of investigation that much clearer all the best.



✎ shall now deal with the statistics, starting with criminal cases. Figures for 2005 show an Increase in this area in all the magistrate's courts: in Bandar Seri Begawan the number of criminal cases registered had gone up from 2180 in 2004 to 2415 in the year 2005; Kuala Belait showed an increase of 92 to 432, Tutong Court showed an increase of 16 to 123 and Temburong an increase of 15 bringing the total to 32. Criminal cases registered in the Intermediate Court were 22 and in the High Court 29 cases. There were 41 criminal appeals from the Magistrates' Courts to the High Court and 15 criminal appeals in total from the High Court and the Intermediate Court to the Court of Appeal.

✎ With regard to the civil cases in the Magistracies the figures from Bandar and Kuala Belait courts showed some decrease: in Bandar 784 were registered in 2005, indicating a decrease of 88 cases from the previous year; in Kuala Belait for the same period the total civil cases registered numbered 100, a decrease of 20 from 2004. In Temburong no civil cases have been recorded since 1996. 190 civil cases were registered in the Intermediate Court, which was an increase 67 from the previous year 2004.

✎ Civil appeals to the High Court from the lower courts numbered only 3 in 2005, a decrease of 4 from the previous year; whereas the number of criminal appeals from the Magistrate's Courts to the High Court in the same year remained constant at 41 compared with 2004.

✎ Criminal cases filed in the High Court in 2005 totalled 29, showing a decrease of 13 from the previous year. 21 civil appeals went to the Court of Appeal in 2005, an increase of 5 from the previous year, and 15 criminal appeals were filed in the Court of Appeal during 2005, a decrease of 5.



Whereas the total criminal cases filed in the last year showed a decrease compared with the previous year, there are of today no less than 8 capital cases pending trial as of 7th March 2006. This is a disturbing factor, particularly considering that two judges are required to hear such cases, thus affecting the other court cases, be they criminal or civil or whatever. In some jurisdictions capital offences were tried with the assistance of lay assessors. Their opinion or decision was not binding on the trial judge, who had the discretion of not accepting their decision. After some time this system was scrapped and a single judge would hear such case. Trial with a jury has different considerations, and has survived in some Commonwealth jurisdictions outside the United Kingdom. I would suggest that serious consideration be given to reconsider the trial system in capital offences, which, in my view, can just as conveniently and efficiently be done by a single judge in rotation, thus sparing the other for other cases. I can say with some conviction and confidence that this will not adversely affect the standard of justice in capital cases in any manner or form, for the simple reason that legal aid is made available in such cases and secondly, we have a Court of Appeal composed of three Justices to deal with the appeal which, in capital cases are automatic. It has succeeded in other jurisdictions and I see no reason why we should be any different in the regard.

We are happy to have one additional judge for a fixed term. He is our Chief Registrar doubling up as a judge of the High Court. His assistance in helping clear up the back log is greatly appreciated. Legal aid was provided in 7 capital cases in 2005, an increase of 6 from the previous year.

Applications for Letters of Administration in 2005 totalled 318, an increase of 234 over the previous year, whereas 264 Letters of Administration were issued in 2005 compared to 2006 in the previous year.

9 Probate matters were registered in 2005 compared to 5 in the previous year; and 6 Probates were issued in 2005 as against 2 in the previous year.

Coming now to Bankruptcy matters, bankruptcy notices totalling 350 were filed in 2005, an increase of 69 from previous year; 220 receiving orders were made, being 59 more than in 2004; 56 Adjudication Orders were made showing an increase of 33 from 2004; there were 19 Recession orders made compared to one in 2004; there was one discharge of the Adjudication Order compared to 3 in 2004 and there 3 winding-up orders made, there seem to have been none made in 2004 and 2003.



There were 158 court marriages registered in 2005 compared to 140 in the previous year; and 16 divorces registered showing a decrease of 4 from the previous year.

The Revenue figures for 2005, those for 2004 are shown in brackets, are as follows: (i) Revenue: \$4,790,759.70 (\$3,706,381.84); (ii) Miscellaneous: \$4,300.00 (\$22,088.09); (iii) Estate Duty: \$381,485.52 (\$122,783.23); (iv) Stamp Duty: \$1,772,858.57 (\$1,051,265.32). The total comes to: \$6,949,403.79 (\$4,902,518.48).

I am hugely grateful for your patience listening to my talk this morning, and I hope that I have brought out some areas in which you may agree that there is room for improvement. Insha-Allah, we have strive to do better during the year.

I now call upon the Honourable the Attorney General to address us, followed by the President of the Law Society.





The Honourable the Attorney General

*Dato Seri Paduka Haji Kifrawi bin Dato Paduka Haji Kifli*

Bismillahir Rahmanir Rahim

Assalamualaikum Warahmatullahi Wabarakatuh

Your Royal Highness, Princess Pengiran Anak Puteri Hajah  
Muta-Wakillah Hayatul Bolkiah

My Lord, Judges of the Supreme Court

President of Brunei Darussalam's Law Society

Members of the Bar

Distinguished guests

Ladies and gentlemen

It gives me great pleasure to address Your Lordship again on this occasion. We are thankful to Allah Subhanahu Wata'ala for His blessings in making it possible for us to once again be present at this ceremony this morning and to renew our usual pledges of cooperation and mutual support for the upholding of the independence of the judiciary and the rule of law.



(A) Law Society of Brunei Darussalam

My Lord

The Law Society of Brunei Darussalam has just formally been set up. I would like to take this opportunity to congratulate the President and the council members of the Law Society on their election to office. I would also like to remind the council that their election to office comes with heavy responsibilities - both professionally and socially. Being elected to office is an indication of the respect which you command among your peers. It also means that you will be expected to carry out your duties as Council members diligently, honestly and with the integrity demanded of representatives of what is often referred to as "*an honourable profession*".

To understand the magnitude of the Council's task, I think it is necessary to remind ourselves of the characteristics of a profession and about what is it that differentiates a profession from other occupations?

Up to the latter part of the 18th century, the word 'profession' was usually understood as extending only to three groups - the lawyers, doctors, and the clergy. The Industrial Revolution and the progress of science during the 19th century brought about an enormous increase in the numbers and types of professions. Indeed, the development of a wide range of recognized professions and of professional associations among their members is an important characteristic of modern society.

Many commentators have written about what differentiates a profession from other vocations. The Right Honourable Lord Alexander of Weedon QC cited the findings of the Royal Commission on Legal Services set up 25 years ago in England, which described a profession in the following words:

"When a profession is fully developed it may be described as a body of men and women;

- a) identifiable by reference with some register or record;
- b) recognized as having a special skill and learning in some field of activity in which the public needs protection against incompetence, the standards of skill and learning being prescribed by the profession itself;



- c) holding themselves out as being willing to serve the public;
- d) voluntarily submitting themselves to the standards of ethical conduct beyond those required of the ordinary citizen by law; and
- e) undertaking to accept personal responsibility to those whom they serve for their actions and to their profession for maintaining public competence

Another useful description was given by William Reece Smith Jr, the then President of the International Bar Association in his address to the 9th Commonwealth Law Conference. He said:

"...{F}irst ...since lawyers are highly educated in a complex discipline, they are allowed the privilege of self regulation: those who are uninitiated in the learning of the law are considered unsuited to regulate the profession. Second, in recognition to the 'common calling' facet of the definition, members of the legal profession nurture a high degree of collegiality, civility, and mutual trust. And most important of all because lawyers play a public role as officers of the court and because the practice of law affords a comfortable and relatively affluent lifestyle, a lawyer is obliged to give something back to the community either through civic service or pro bono work or a combination of the two."

So, to be regarded as a profession is to have the characteristics set out by Lord Alexander. But more importantly, if I put the two quotes together, I think what it means is that there exists a social contract between a profession, including the legal profession and society - a social contract by which society confers social status upon professionals and permits them the liberty to regulate entry into the profession.

In return, society expects members of that profession to ensure competence and discipline of its own members and contribute to society by serving the public interest.

In short, it is not about glamour or fame. Neither should it be merely about the money and the glory. Being the elected representatives of the legal profession is about upholding the ideals of the profession and if any member of profession falls short of these ideals, then the Council will be expected to take action against such shortcomings irrespective of whether it is a minor or serious breach of the standards which the legal profession in Brunei Darussalam has set for itself.



All professions continue to owe society a debt for the bargain they made and the privileges they enjoy. Moreover, I would like to believe that the vast majority of lawyers, particularly those who have done well in Brunei Darussalam, regard public service as not only their duty but an honour to be associated with - and the Law Society may provide appropriate avenues for this. May I propose again that the Law Society of Brunei Darussalam should consider offering legal aid to poor defendants in certain non-capital cases.

*My Lord*

Join Your Lordship in wishing the Law Society of Brunei Darussalam all the best and success in the discharge of their heavy burden.

#### (B) New Legislation

*My Lord*

This year marks an important milestone in our legal system. The introduction of the British Residency system in 1906 also introduced a new legal system which we continue to inherit today. The last 100 years have seen tremendous changes in the development and administration of our country. With changing times, the legal system must also change to continue to be relevant and to promote proper administration of justice.

In 2005 and early this year, several new laws have been made. As usual I would like to mention several notable Orders.

#### **1. Children and Young Persons Order, 2006**

An issue of perennial concern is the administration of justice in respect of children and young persons. It has long been accepted that a child offender must be treated differently from an adult offender. In this regard, I am pleased to announce that His Majesty the Sultan and Yang Di-Pertuan has consented to a new Children and Young Persons Order. This Order, once enforce, will establish juvenile courts as part of our legal system. The Ministry of Culture, Youth and Sports with His Majesty's approval would fix the date of commencement of the Order when the requirement infrastructure and trained manpower are ready. Such courts will be given a wide range of powers when dealing with child offenders, including making orders for probation or for community service. Such court may also make an additional order requiring either or both the child or young person and his guardian to undergo counseling, psychotherapy or other programme for the purpose of rehabilitation or for enhancing, promoting or protecting the physical, social and emotional well-being and safety of the child or young person.



## **2. *Child Care Centres Order, 2006 and Child Care Centres Regulations, 2006***

To protect and ensure the welfare of children in the country, His Majesty the Sultan and Yang Di-Pertuan has consented to the introduction of another new legislation called the child Care Centres Order, 2006 and the Child Care Centres Regulations, 2006. This Order commences on the 8th March 2006. These legislations regulate the operation or management of a child care centre by licensing and deal with matters such as the period of its operation and daily programme schedule, medical care, nutrition and discipline, hygiene and environmental health and safety and emergency information.

## **3. *Evidence Act (Amendment) Order, 2006***

The impact of technological advances is all pervasive in our everyday lives. The Courts must not be left behind and must take advantage of such advances. In this respect, the Evidence Act was recently amended to allow for the use of live video or live television link in giving evidence in any proceedings before a court. Evidence may now also be given in the form of charts, summaries, computer output or other explanatory material if it appears to the court that the material would be likely to aid the court's comprehension or the evidence that is to be given by any party is so voluminous or complex that the court considers it convenient to assess the evidence by reference to such material.

## **4. *Mutual Assistance in Criminal Matters Order, 2005***

Brunei Darussalam is also aware of its international obligation in combating crimes together with other countries. In this regard, the Mutual Assistance in Criminal Matters Order has come into effect as from 1st January 2006. This Order allows Brunei Darussalam to extend cooperation in the investigation of criminal cases by foreign countries, in many instances even without any prior treaty arrangements.



## **5. Extradition Order, 2006**

I am also pleased to announce that His Majesty the Sultan and Yang Di-Pertuan has also consented to the new Extradition Order, 2006. This Order replaces the Extradition Act of 1915 and ensures that Brunei Darussalam will never be a safe haven for criminals and fugitives from justice. This new Order brings our extradition law in line with current international law and practice and allows this country to fulfil its international commitments in this area.

## **6. Legal Profession (Amendment) (No. 2) Order, 2006**

His Majesty the Sultan and Yang Di-Pertuan has also consented to the amendment of the Legal Profession Act to allow for Barrister, Solicitor or Barrister and solicitor of a Supreme Court of any Australian State or Territory to be recognized as qualified persons for the purposes of the Act. I hope this would be good news to Brunei students and parents of Brunei students who want to read law in Australia.

## **7. Customs Orders (2005)**

Brunei Darussalam as a part of ASEAN is fully committed in concluding a number of multi lateral trade Agreements and my Chambers through the International Law Division have been actively involved in the negotiations of these agreements especially on the relevant chapters such as the Dispute Settlement Mechanisms and intellectual property rights.

As a follow-up to the conclusion of these multilateral trade agreements, my Chambers had been assisting the various Government agencies in the introduction of new legislations to implement Brunei Darussalam's economic commitment under these agreements. This includes assisting our Royal Brunei Customs and Excise Department in the introduction of two legislations under the customs Act namely the Customs (ASEAN Common Effective Preferential Treatment) Order, 2005 and Customs (Goods Under the Early Harvest Programme) (Framework Agreement on Comprehensive Economic Co-operation Between ASEAN-China) Order, 2005.



## **8. Disaster Management Order, 2006**

Another new law to provide for effective disaster management for Brunei Darussalam has been passed by His Majesty the Sultan and Yang Di-Pertuan. This law is known as the Disaster Management Order, 2006. This Order establishes the National Disaster Council and the National Disaster Management Centre and provides the framework for the management of preventive measures, preparedness, response and recovery from any event including a terrorist attack.

### **(C) Right of Witnesses and Victim's of Crime**

In 2004, I mentioned briefly that we shall always be more responsive to the needs of victims of crimes. I wish to mention this issue again which in my view merits special attention namely the rights of witnesses and victims of crimes. In recent decades, the balance has gone far enough with safeguarding the rights of accused persons. Now the new challenge is to establish effective mechanisms designed to protect the victim, when he or she is involved in the judicial process as a witness. The criminal justice system is intimidating to most people in particular witness and victims of crimes who have to give evidence in court. It is not enough for them to understand the law and legal process. Witnesses and victims should have appropriate protection and assistance and should be given appropriate information on the investigation, prosecution and disposal of criminal cases. It is in the public interest to ensure that witnesses are satisfied with the criminal process. A criminal prosecution will be rendered ineffective if witnesses refuse to testify in court.

The interests and needs of victims and witnesses were now being given far more attention in certain Asian and Pacific jurisdictions than has ever previously been the case. This change in emphasis had been most clearly demonstrated in legislative changes in each jurisdiction that have highlighted the need to fully inform witnesses in a timely fashion at all stages of the criminal process. "Witness Assistance Officers", "Victims Aid Officers" or dedicated teams of specialists were now established across the region to manage and cater for the special needs of victims and witnesses, Victims' telephone hotlines, the use of screens in court, close circuit television and close co-operation with victim support groups were now common features in jurisdictions throughout the Asia and Pacific region.



#### **(D) Judicial and Legal Service Commission**

*My Lord*

I support and share Your Lordship's concern on the need for Judicial Officers to be honest and high integrity. I am sure Your Lordship would agree that it is also in the public interests for us to maintain well-experienced, honest and efficient officers in the Attorney General's Chambers. In our neighbouring countries there is a body referred as the Legal Service Commission (Singapore) or the Judicial and Legal Service Commission (Malaysia) which look after both the Judicial Officers from the Judiciary and the Legal Officers from the Attorney General's Chambers. There should therefore be a body to be referred as Judicial and Legal Services Commission looking after both the welfare of Officers from my Chambers and Judicial Officers from the Courts.

*My Lord*

I would like to thank all my officers from the various Divisions in the Chambers namely Criminal Justice, Civil, International Law, Legislative Drafting and Registry for their hard work.

I would also like to thank all Ministries and Departments in particular the Prime Minister's Office for all their support, help and cooperation.

I would also like to thank the Commissioner of Police and his officers as well as the other law enforcement agencies namely the Narcotic control Bureau, Anti Corruption Bureau, Royal Customs and Excise Department, Immigration Department, Royal Brunei Armed Forces and Internal Security Department for their assistance and cooperation and in their continuing effort in the preservation and the maintenance of law and order.

May it please Your Lordship, this brings me to the end of my address.

I hope the good relations between my Chambers and the Judiciary as well as with the private practitioners and the newly established Brunei Law Society will continue in the years to come. We are all responsible to uphold the integrity of our Legal System.

Lastly, I wish Your Lordship and everyone present here this morning a successful and prosperous year.





*Ahmad Basuni bin Haji Abbas*  
President, Law Society of Brunei Darussalam

Our Royal Highness Princess Hajah Muta-Wakillah Hayatul Bolkiah, My Lord Chief Justice, your lordships, the Honourable Attorney General, your excellencies of the Diplomatic Corps, distinguished guests, fellow members of the legal profession, ladies and gentlemen .

It is with great pleasure to say, as your Lordship has stated, that there is now a Law Society of Brunei Darussalam functioning and we are grateful to the wishes that your lordship conveyed to us. On behalf of the fellow council members, we thank to those who gave us the trust. We take this opportunity to thank the Government of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam for promulgating and effecting the Legal Profession (Law Society of Brunei Darussalam) (Amendment) Order, 2003. The fact that the Law Society was established by a separate statute showed the recognition, trust and honor given for being members of this honourable profession in this country.



By virtue of this Law Society Orders, members of the legal profession can now be able to maintain and improve the standards of conduct and learning of the legal profession cohesively, looking after the interests of fellow members and coming up with regulations governing the etiquettes, discipline and well-being of members. But more importantly we are to play a role in the administration and practice of law in this country. As of today, we have about 80 members in our Society with practicing certificates.

We do not forget the pro-tem committee members who had contributed their time and effort in the drafting stages of the Law Society Order, running up to the election and formation of the Council.

Now as members of the legal profession we have a society. We look forward to the cooperation and contribution from members and their feedback to us will be most welcome. Though at this early stage, what I can gather is that there is still the apathy attitude of some of the members, watching and seeing how the Society will fare.

We wish also to thank those various departments and ministries which scope of work are related and directly affecting all our members, who have found the time and effort to meet us, council members, and get to know us in order to understand and establish better working relationship collectively. From these visits to various government departments, we will be able to convey and extend to our members the procedures and policies with which the government departments function when it comes to dealing with lawyers. These visits will continue to be held.

As I said, the Law Society is still at an early sate. Office bearers and council members came into office by January this year. Council meetings are now being regularly held to map the directions of the Society. So far, I am pleased to inform your lordship and those gathered here that we have set up various committees within the Law Society. Through one of these committees, we managed to organize various activities for inter Judicial/Legal/Practitioners participation. The recent games over the weekend and some upcoming sports competitions organized by the Social Committee of the Law Society with the enthusiastic support from members and staff of the law firms, the Attorney General's Chambers and the Judiciary are part of the "ice-breaker" in establishing more cordial relationship between private practitioners as a body, members of the Judiciary and the legal officers from the Attorney General's Chambers.



On the serious side, amongst the committees set up by the Law Society are the Practice and Rules Committee and the Legal Aid Clinic committee. These committees will have non-council members participating and contributing the purposes of having a Practice and Rules Committee, generally are to come up and recommended uniform standards of practice directions and procedures for the Judiciary to consider and implement. The Rules aspect will deal with standard rules and etiquettes for practitioners to follow and toe the line.

As your lordship has pointed out, skepticism sets in when the general public may question on the willingness of lawyers investigating or disciplining another lawyer in a small society as in Brunei where accordingly everyone seems to know everyone. Be it that apprehension, but the make-up of such Inquiry Panel and eventual Disciplinary Panel under the Law Society Order apart from members of the legal profession will be lay persons or professionals from other discipline, chosen by your lordship. As of today, I can reveal that there have been complaints on various issues involving members of the legal profession made or referred to the Society and these matters will be looked into by the respective panels professionally.

Which brings into mind recent write-ups in the media about "ambulance chasers" awaiting ant emergency rooms and wards in our hospitals. There have been complaints about 'chasers' coming in, complete with solicitors' warrants to act to be signed as patients lay on the hospital beds hardly recovering after suffering from road traffic accidents. These instances are the things, which will be looked into by the Practice and Rules Committee.

Related to this area of the law, there was another write up in the media on how certain piece of legislation is destroying certain service industry and how foreign this legislation is to the English and Brunei legal systems. To say the Legal Profession [Contingency Fees] Rules 1994 is foreign to the English legal system and alien to our legal code is wrong. There is the equivalent of it in the UK legal system and does not go contrary to the common law principles. The legislation governs solicitors fees in the UK similar to that of the contingency rules. Therefore there is nothing repugnant under its common law as well as statutes to have such arrangement.



And Court awarded damages and compensation made by the courts to successful litigants pursuant to valid legislation should not be questioned as these awards are within the purview and jurisdiction of the courts. Once legislation is passed by the executive arm of the State then the Courts are bound to interpret in accordance to its meaning and ambit.

Another committee which was set up by the Law Society is the Legal Aid Clinic committee which is to look at ways and means that we lawyers can further serve members of the public in general. The aim is to enlist members to spend their certain threshold in their financial standings but somehow found themselves getting entangled with the law.

The matter more pressing for some will be those who are involved in criminal cases. Our Criminal Procedure Code gave investigators more than ample time to deal with suspects irrespective of the nature of the alleged crime. And accessibility to counsel is quite difficult during their detention. Families and friends are the ones left with stressful job of relating events, which may be sketchy to lawyers when such things happened. It is in this area that the Legal Aid clinic will also look into.

One of the main purposes the society came into being pursuant to the Law Society Order is to assist the Government and the courts in all matters affecting legislation submitted to it. As such we will welcome any piece of legislation be it in a first or final draft, from any parties, be it from the Government, its various ministries and departments and the courts for the society to give its input no matter how small such contribution that it may have as we all are directly involved in the eventual administration should the draft become effective law. After all the law will only be tested should any pertinent matter arise. An independent view from the Society may well be worth such legislation.

On this subject of independence, we note your lordship's reminder on the judicial oath taken by members of the Judiciary and how difficult it is in making judicial decision with human frailties. As we follow the path in our professional career, personal integrity and achievement are two things that go along well together. To maintain personal integrity and at the same time feel the personal achievement pursuant to the rules of natural justice be it objectively or subjectively seen, away from other external factors are the elements for independence that the judiciary should strive for.



Similar consideration may well apply in the prosecution of criminal cases. As your lordship pointed out, the prosecution carry the heavy burden of proving each and every elements of the offence charged. But this need not necessarily impute upon the prosecution any different or favourable consideration from that which should be given to the person charged in court and who appears before the courts seeking justice be they represented or not.

Reciprocity is the watchword here. In as much as we understand the situation of other work commitment of members of the Judiciary and the law officers, the same understanding should also be extended to us, practitioners. We represent clients who are members of the public in general, be the clients lay persons, professionals and institutions. Whatever decisions and treatment handed to us are the decisions and treatment, which will eventually go to the public immediately. Lawyers are the front men but do not forget that in the end, it is the public who will receive and experience the treatment of justice or otherwise. Mutual respect and understanding are called for.

Therefore, any slight deviation from justice and delay in the administration of justice will be felt by the public. Physical improvement to the courts' building should also commensurate with improvement in the professional and support staff. We note that despite the increase in the numbers of judges, cases are also increasing and there still appear to be delays in appeals, either interlocutory or substantive, enforcement of orders and the hearing of actual cases. These will unnecessarily escalate the apprehension, stress and costs on the part of those seeking and administering justice.

Your lordship's call for improvement to the courts' interpreters is not without support. Further training for interpreters and other support staff of the Judiciary should not be neglected. Physical improvement to the courts is no better should those staffing the system are helpless in the need to change and update themselves. We do not want the public to appear in court where their cases are treated indifferently. Or that whoever appears to submit before a court, the words of his submissions are to be taken as the laws without further evaluating on the real principles of laws.



There may be issues in my speech that may be offensive to some. For that matter, I apologize but I hope these will be seen constructively rather than attacks on personality. For issues those are relevant, there are not meant to be severe criticisms but pointers for those who may wish to take heed and for the better understanding of how we can work together.

Which reminds me Lord Tennyson's poem "The Charge of the Light Brigade" to quote:

"When can their glory fade?  
O the wild charge they made!  
All the world wonder'd  
Honour the charge they made  
[Honour the Light Brigade  
Noble six hundred]"

Thank you.



# *The Supreme Court*



*The Supreme Court (Civil) was established in 1963 after the dissolution of joint Sarawak, North Borneo and Brunei Supreme Court. Since its establishment, the Supreme Court Building has been sited at various places, originally in Kuala Belait and for the means of ease of communication with other government departments the Hon. State Secretary instructed that the head office of the Judicial Department be transferred to Bandar Seri Begawan not later than 15 March, 1971 and occupied portion of old Secretariat building and then moved to the Old Lapau Building at Jalan James Pearce at the end of year 1979. However the Principal Magistrate was still stationed at the Kuala Belait to assist persons living in that area.*

*The present Supreme Court comprises of the Court of Appeal and the High Court.*

*The Court of Appeal sits twice a year, usually in April and November. It is composed of three Judges.*

*President of the Court of Appeal and two appeal judges sworn in by His Majesty the sultan as Judicial Commissioner of the Supreme Court of Brunei Darussalam.*

*President of The Court of Appeal: Sir Noel Plunkett Power*

*Judges of the Court of Appeal:*

*John Barry Mortimer  
Henry Litton  
Geoffrey Lance Davies*

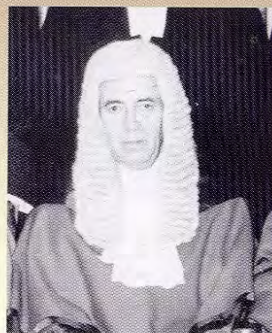


# Former Presidents of the Court of Appeal



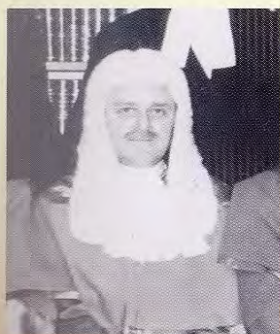
Dato Setia Sir Michael Hogan, CMG.,  
DSNB.,  
(Date of Birth: 15/03/1908)

*Appointment*  
01/03/1970 – 09/06/1973



Dato Setia Sir Ivo Charles Clayton Rigby,  
DSNB.,  
(Date of Birth: 02/06/1911)

*Appointment*  
10/06/1973 – 04/11/1979



Dato Setia Sir Geoffrey Gould Briggs,  
DSNB.,  
(Date of Birth: 06/05/1914)

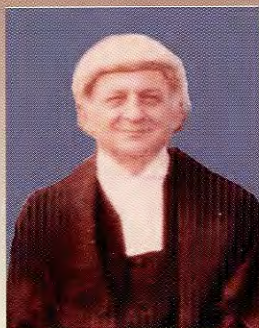
*Appointment*  
05/11/1979 – 13/03/1988



Dato Seri Paduka Sir Ti-Liang Yang,  
KBE, SPMB.,  
(Date of Birth: 30/06/1929)

*Appointment*  
24/05/1988 – 16/05/1993





Dato Seri Paduka Kutlu Tekin Fuad,  
CBE., SPMB.,  
(Date of Birth: 23/04/1926)

*Appointment*

Acting President of the Court of Appeal :  
11/03/1992 – 24/06/1992

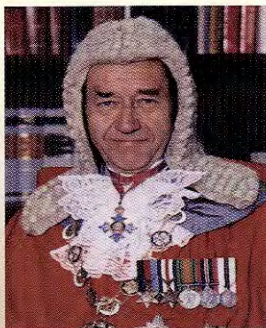
President of the Court of Appeal:  
17/05/1995 – 04/09/2000



Sir Alan Armstrong Huggins  
(Date of Birth: 15/05/1921)

*Appointment*

05/09/2001-02/10/2002



Dato Seri Paduka Sir Denys Tudor Emil  
Roberts, KBE., SPMB.,  
(Date of Birth: 19/01/1923)

*Appointment*

03/10/2002 – 26/05/2003



Dato Seri Paduka  
Sir Derek Cons, SPMB.,  
(Date of Birth: 15/07/1928)

Acting President of the Court of  
Appeal:

13/11/1989-12/12/1989

President of the Court of Appeal:  
27/05/2003-09/12/06



# *The High Court (Civil)*



The High Court consists of the Chief Justice, the High Court Judges and Judicial Commissioners of the Supreme Court.

The High Court has original unlimited Jurisdiction to hear both civil and criminal cases as a court of first instance and may pass any sentence allowed by law. In addition, the High Court also has revisionary jurisdiction over all subordinate Courts in both civil and criminal matters.



Proceedings heard in the High Court are generally dealt with before a single Judge on the bench. Special circumstances apply in Criminal cases that are capital offence. In these situations where the sentence carries the death penalty, the case will be dealt with before two Judges on the bench. In serious criminal cases the High Court Judge may also hold a pre-trial review in order for parties to agree on certain facts or issues in order to ensure that a trial is disposed of in a timely manner and saves the Court's time.

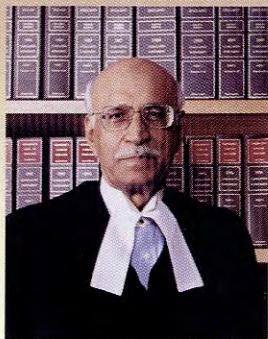
On its appellate Jurisdiction, the High Court hears appeals in criminal and civil matters against the decisions of the Magistrate Courts.

Apart from civil proceedings that come within the jurisdiction of the Syariah Laws, the High Court also has the jurisdiction to hear and try any civil action where the cause of action originates in Brunei Darussalam.

The High Court also has jurisdiction under the written laws of Brunei Darussalam relating to divorce and matrimonial causes, admiralty matters, bankruptcy and company winding-up, guardianship, adoption, and also to grant probates of wills and testament, and letters of administration of a deceased person.



# *Supreme Court Judges*



*Chief Justice*  
Dato Seri Paduka Mohammed Saied



Justice Datin Paduka Hayati binti POKSDSP  
Haji Mohd. Salleh  
*Judge*



Justice Dato Paduka  
Steven Chong Wan Oon  
*Judge*



## *Former Chief Justices*



Dato Setia Sir Michael Hogan, CMG., DSNB  
(Date of Birth: 15/03/1908)

*Appointment*  
07/09/1964-Februari 1973

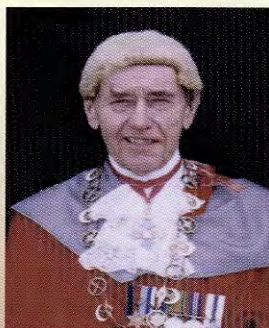
Dato Setia Sir Geoffrey Gould Briggs, DSNB  
(Date of Birth: 06/05/1914)

*Appointment*  
06/06/1973 – 04/11/1979



Dato Seri Paduka Sir Denys Tudor Emil Roberts,  
KBE, SPMB.,  
(Date of Birth: 19/01/1924)

*Appointment*  
18/06/1979 – 31/07/2001





*High Court Visiting Judges (Commissioners of the Supreme Court)*



James Kerr Findlay



David John Leonard



Nicholas John Barnett

*Judicial Commissioner of the Supreme Court*



Awang Hairol Arni bin Haji Abdul Majid



## *Former Visiting High Court Judges*

| No. | Name   | Date of Appointment  |  |
|-----|--|--|--|
|     |  | From   | To   |
| 1.  | Dato Setia Sir Ivo Charles Clayton Rigby, DSNB | 07/09/64   | 06/09/67   |
| 2.  | Alwyn Denton Scholes                           | 07/12/64<br>07/02/68   | 06/12/67<br>06/02/71   |
| 3.  | William Alexander Blair-Kerr                   | 15/02/65<br>25/07/68   | 14/02/68<br>24/07/71   |
| 4.  | Timoth Creedon                                 | 31/07/65   | 14/08/65   |
| 5.  | Dato Setia Sir Geoffrey Gould Briggs, DSNB     | 13/10/65<br>17/10/68<br>27/11/72                                     | 12/10/68<br>16/10/71<br>26/11/75                                     |
| 6.  | Sir Alan Armstrong Huggins                     | 09/02/66<br>22/02/75<br>17/05/82<br>19/05/86<br>27/05/91<br>21/11/94 | 08/02/69<br>21/02/78<br>16/05/85<br>18/05/89<br>26/05/94<br>20/11/97 |
| 7.  | Brendan Joseph Jennings                        | 27/07/66   | 26/07/69   |
| 8.  | Wilfred Francis Pickering                      | 26/07/67<br>27/01/72<br>05/03/77                                     | 25/07/70<br>26/01/75<br>04/03/80                                     |
| 9.  | Art Michael McMullin                           | 11/10/67<br>12/06/69<br>22/02/75<br>04/11/91<br>12/11/94             | 28/10/67<br>11/06/72<br>21/02/78<br>03/11/94<br>11/11/97             |
| 10. | Richard Hugh Mills-Owens                       | 18/04/68   | 17/04/71   |
| 11. | John Thomas Williams                           | 11/09/69   | 10/09/72   |
| 12. | Patrick Francis Xavier Leonard                 | 15/08/71<br>05/03/77<br>17/11/80                                     | 14/08/74<br>04/03/80<br>16/11/83                                     |
| 13. | Simon Li Fook-Sean                             | 28/11/73<br>22/05/78   | 27/11/76<br>21/05/81   |
| 14. | Sir Derek Cons                                 | 28/09/74<br>05/11/79<br>22/05/84<br>17/05/93<br>07/05/96<br>07/05/99 | 27/09/77<br>04/11/82<br>21/05/87<br>16/05/96<br>06/05/99<br>26/05/03 |
| 15. | Michael Morley-John                            | 07/12/74   | 06/12/77   |
| 16. | Dato Seri Paduka Sir Ti-Liang Yang, KBE, SPMB  | 06/08/75<br>05/11/79<br>23/11/82                                     | 05/08/78<br>04/11/82<br>22/11/85                                     |
| 17. | James Patrick Trinor                           | 13/11/75<br>18/07/79   | 12/11/78<br>17/07/82   |
| 18. | Benjamin Liu Tsz-Ming                          | 22/05/78<br>20/01/86   | 21/05/81<br>19/01/89   |



| No. | Name                                    | Date of Appointment |          |
|-----|---|---------------------|----------|
|     |   | From                | To       |
| 19. | William James Silke                     | 02/10/78            | 01/10/81 |
|     |   | 21/11/83            | 20/11/86 |
|     |   | 24/05/88            | 23/05/91 |
|     |   | 07/11/98            | No limit |
| 20. | Sir Noel Plunkett Power                 | 19/03/80            | 18/03/83 |
|     |   | 18/03/85            | 17/03/88 |
|     |   | 15/05/89            | 14/05/92 |
|     |   | 01/11/03            | No Limit |
| 21. | Archibald Zimmern                       | 21/07/80            | 20/07/83 |
| 22. | Rory O'Connor                           | 18/05/81            | 17/05/84 |
|     |   | 09/03/87            | 19/05/88 |
| 23. | Dennis Albert Barker                    | 16/11/81            | 15/11/84 |
|     |   | 20/05/85            | 19/05/88 |
| 24. | Ross Grange Penlington                  | 16/11/81            | 15/11/84 |
|     |   | 20/05/85            | 19/05/88 |
|     |   | 04/11/91            | 03/11/94 |
|     |   | 25/02/96            | 24/02/99 |
| 25. | John James Rhind                        | 15/03/82            | 14/03/85 |
|     |   | 17/11/86            | 16/11/89 |
| 26. | Edward De Beauvoir Bewley               | 17/05/82            | 16/05/85 |
|     |   | 27/05/91            | 26/05/94 |
|     |   | 26/07/96            | No limit |
| 27. | Brian Leslie Jones                      | 19/07/82            | 18/07/85 |
|     |   | 22/07/85            | 21/07/88 |
|     |   | 18/07/90            | 17/07/93 |
| 28. | Arthur Garcia                           | 15/11/82            | 14/11/85 |
|     |   | 21/07/86            | 20/07/89 |
| 29. | Noel Barrie Hooper                      | 21/03/83            | 20/03/86 |
|     |   | 19/05/86            | 18/05/89 |
|     |   | 19/11/90            | 18/11/93 |
|     |   | 28/09/94            | 27/09/97 |
| 30. | Michael Edmund Ivor Kempster            | 16/05/83            | 15/05/86 |
|     |   | 09/03/87            | 08/03/90 |
|     |   | 11/05/92            | 10/05/95 |
|     |   | 13/07/95            | 12/07/98 |
| 31. | Eric Charles Barnes                     | 18/07/83            | 17/07/86 |
| 32. | David Stronach Hunter                   | 10/10/83            | 09/10/86 |
|     |   | 13/11/89            | 12/11/92 |
| 33. | Dato Seri Paduka Kutlu Tekin Fuad, SPMB | 21/11/83            | 20/11/86 |
|     |   | 21/11/88            | 20/11/91 |
|     |   | 04/10/01            | No limit |
| 34. | Charles Barrie Knight Mantell           | 16/01/84            | 15/01/87 |
| 35. | Simon Herbert Mayo                      | 22/05/84            | 21/05/87 |
| 36. | Miles Henry Jackson-Lipkin              | 23/-/7/84           | 22/07/87 |
| 37. | Frank Addison                           | 18/11/85            | 17/11/88 |
| 38. | Neil Macdougall                         | 18/05/87            | 17/06/90 |
|     |   | 19/11/90            | 18/11/93 |
| 39. | John Barry Mortimer                     | 20/07/87            | 19/07/90 |
|     |   | 27/04/05            | No limit |



| No. | Name                        | Date of Appointment |          |
|-----|-----------------------------|---------------------|----------|
|     |                             | From                | To       |
| 40. | Raymond Arthur William Sear | 14/09/87            | 13/09/90 |
| 41. | Philip Gerald Clough        | 30/11/87            | 29/11/90 |
| 43. | Gerald Michael Godfrey      | 24/05/88            | 23/05/91 |
| 44. | Michael Wong Kin-Chow       | 21/11/88            | 20/11/91 |
| 45. | Gerald Paul Nazareth        | 13/03/89            | 12/03/92 |
|     |                             | 16/11/92            | 17/11/95 |
| 46. | John Edmund Hopkinson       | 15/05/89            | 14/05/92 |
| 47. | Syed Kemal Shah Bokhary     | 13/11/89            | 12/11/92 |



## *Intermediate Court*

The Intermediate Court was established in 1991 and consists of the Intermediate Court Judges. Cases that are heard in the Intermediate Court are those that fall outside the jurisdiction of the Subordinate Courts.

In Criminal matters, the Intermediate Court's jurisdiction extends to all offences that carry sentences of imprisonment not exceeding 20 years. Civil cases heard by the Intermediate Court include all actions and suits where the disputed or value of subject matter does not exceed BND\$100,000.00.

Proceedings heard in the Intermediate Court are dealt with by a single Judge on the bench. Intermediate Court Judges are appointed by His Majesty the Sultan and the Yang Di-Pertuan of Brunei Darussalam.

### **INTERMEDIATE COURT JUDGES**



*Awg. Hairol Arni bin Hj. Abdul Majid*



*Lim Siew Yen*



## *Former Intermediate Court Judges*



*Dato Seri Paduka Hj. Kifrawi bin Dato Paduka Hj. Kifli  
(01/07/1991-23/06/1998)*



*Datin Paduka Hajah Hayati binti POKSDSP Haji Mohd. Salleh  
(01/07/1991-02/02/1999)*



*Dato Paduka Steven Chong Wan Oon  
(01/01/1998-02/02/1999)*



*Pg. Hajjah Zabaidah binti Pg. Hj. Kamaludin  
(01/01/2001-28/07/2001)*



## *Registrars of the Supreme Court*



Awg. Hairol Arni bin Hj. Abdul Majid  
*Chief Registrar of the Supreme Court*



Lim Siew Yen  
*Deputy Chief Registrar  
of The Supreme Court*



Dk. Hjh Hanani binti  
Pg. Hj. Metusain  
*Senior Registrar  
of the Supreme Court*



Ramzidah binti Pehin Datu Kesuma  
Diraja Hj Abdul Rahman  
*Senior Registrar of the Supreme Court*



Radin Safiee bin Radin  
Mas Basiuni  
*Senior Registrar of  
the Supreme Court*



Dk. Hajah Norismayanti binti  
Pengiiran Hj. Ismail  
*Registrar of the Supreme Court*



Hajah Hazarena binti POK Setia  
Jaya Dato Paduka Awang Hj. Abu Hurairah  
*Registrar of the Supreme Court*





*Chief Justice Mohammed bin Rashid Al Maktoum with Eight Court Judges, Judicial Commissioner, Intermediate Court Judges, Magistrates and Registrars*





*High Court Officers and Staff*



# Former Chief Registrars of the Supreme Court



*Mr. Tan Yam Thong  
(1951-1960)*



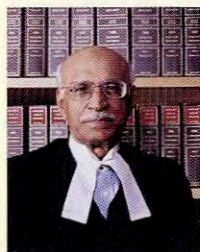
*Mr. Charlie Foo Chee Tung  
(01/03/1973-05/01/1981)*



*Late Dato Mohd. Ali bin Salleh  
(06/01/1981-30/06/1986)*



*Mr. Edward Timothy Starbuck Woolley  
29/06/1987-31/01/1989)*



*Dato Seri Paduka Mohammed Saied  
(01/07/1986-28/06/1987)*



*Dato Seri Paduka Hj. Kijrawi bin Dato Paduka Hj. Kijli  
(01/02/1989-23/06/1998)*



*Datin Paduka Hajah Hayati binti POKSDSP Haji Mohd. Salleh  
(24/06/1998-31/12/2000)*



*Pj Hjh Zabaidah binti Pj Hj Kamaludin  
(1/1/2001 to 28/7/2001)*



# Former Deputy Chief Registrars



*Dato Seri Paduka Hj. Kifrawi bin Dato Paduka Hj. Kiffli  
(1/7/1986-31/1/1989)*



*James Chiew Siew Hua  
(1/2/1989-1/8/1990)*



*Datin Paduka Hajah Hayati binti POKSDSP Haji Mohd. Salleh  
(1/7/1991-23/6/1998)*



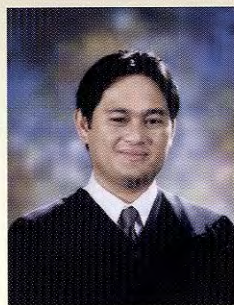
# *Bandar Seri Begawan Magistrates*



Dk. Hajah Rostaina  
Pg. Hj. Duraman  
*Chief Magistrate*



Haji Abdullah Soefri bin POK Saiful  
Mulok Dato Seri Paduka Haji Abidin  
*Senior Magistrate*



Mohammed Faisal bin Pehin Datu Juragan  
Laila Diraja Dato Seri Paduka Haji Kefli  
*Senior Magistrate*



Lailatul Zubaidah binti  
Haji Mohamad Hussain  
*Magistrate*



Harnita Zelda Skinner  
*Magistrate*





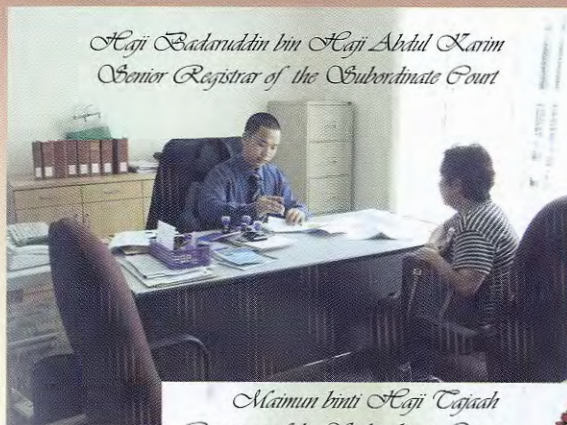
*Bandar Seri Begawan Magistrates Courts Officers and Staff*





*Courts Interpreters*



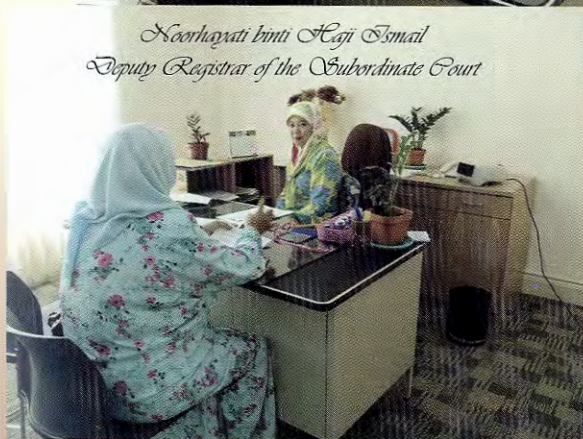


*Haji Badaruddin bin Haji Abdul Karim  
Senior Registrar of the Subordinate Court*

*Maimun binti Haji Tajiah  
Registrar of the Subordinate Court*



*Noorhayati binti Haji Ismail  
Deputy Registrar of the Subordinate Court*





# *Officer & Staff of Kuala Belait Magistrate's Court*



Dk. Masni binti Pg. Bahar  
*Magistrate*



*Kuala Belait Magistrate Court Staff*





*Magistrate Court Staff  
and Tulang Magistrate*



*Staff of Temburong  
Magistrate Court Staff*



# *Former Chief Magistrates*



Yang Dimuliakan Pehin Orang Kaya Setia  
Raja Dato Paduka Haji Awang Haji Mohd.  
Ali bin Hj Mohd. Daud  
(1976-16/6/1977)



Awang Ivan Leong Onn Khong  
(01/05/1978-04/11/1979)



Awang Robert Adrien Augustin  
(05/11/1979-31/01/1989)



Datin Paduka Hajah Hayati binti  
POKSDSP Hj. Mohd. Salleh  
(01/02/1989 - 30/06/1991)



Dato Paduka Steven Chong Wan Oon  
(01/07/91-31/12/1997)



Awang Hairol Arni bin Haji Abdul Majid  
(01/02/1999 - 01/02/2002)



## **Former Magistrates**

Edward Timothy Starbuck Wooley

Dato Seri Paduka Mohammed Saied

Dato Seri Paduka Haji Kifrawi bin Dato Paduka Haji Kifli

Datin Paduka Hajah Hayati binti POKSDSP Hj. Mohd. Salleh

Dato Paduka Steven Chong Wan Oon

James Chiew Siew Hua

Lim Siew Yen

Rokiah binti Swed

Dayang Alice Khan binti Ahmad Khan

Sulaiman bin Haji Buntar @ Ghani

Haji Mohammad Anas bin Haji Abdul Latif

Sheikh Noordin bin Sheikh Mohammad

Mohd. Shazale bin Mat Salleh

Haji Zul-Sukarla bin Haji Zulkiflie

Hairol Arni bin Haji Abdul Majid

Ridzlan bin Haji Ibrahim

Fathan bin Haji Anuar



## *List of Magistrates Appointed Under The Court Enactment*

(Names as written in relevant Government Gazettes):-

### **First Class Magistrate**

Duli Yang Teramat Mulia Paduka Seri Pengiran Bendahara Seri  
Maharaja Permaisua Pengiran Muda Haji Sufri Bolkiah Ibni  
Al-Marhum Sultan Haji Omar 'Ali Saifuddien Sa'adul Khairi Waddien

Awang J.C.H. Barccroft

Awang T.J. Weeks

Awang J.O. Gilbert

Awang H.P.K. Jacks

Awang G. Lloyd Thomas

Awang R.H. Morris

Awang P.A. Coates

Awang J.T. Weekes

Awang D.L. Bruen

Awang R.G.P.N. Combe

Awang T.M. Ainsworth



Awang D.C. White

Awang Mohamed Taib bin Awang Besar

Pehin Orang Kaya Shahbandar Haji Ahmad bin Daud

Pengiran Abu Bakar bin Pengiran Omar

Awang Charlie Foo Chee Tung

Awang W.I. Glass

Awang Zakaria bin Haji Sulaiman

Awang Mohd. Ali bin Daud

Awang James Graham Wilson

Awang Ivan Leong On Khong

Awang Adenan bin Pehin Dato Panglima Haji Abu Bakar

Syed Ahmad bin Syed Abdullah Idid

Awang Zainal Abidin bin Jamal

Awang Mohd. Ali bin Salleh

Awang Kong Seng Kwong

Awang Robert Adrien Augustin



### ***Second Class Magistrate***

Awang Abdul Ghani bin Hassan

Pengiran Momin bin Pengiran Haji Ismail

Awang Patrick McAfee

Awang Jaya bin Abdul Latif

Awang Abidin bin Abdul Rashid

Awang Abdullah bin Haji Mohd. Jaafar

Awang Mohd. Hassan bin Haji Md. Yusof

Awang Puasa bin Tudin

Awang Abdul Hamid bin Ismail

Awang Aziz bin Mohammad

Pengiran Ali Hassan bin Pengiran Haji Abbas

Awang Adenan bin Pehin Dato Panglima Haji Abu Bakar

### ***Third Class Magistrate***

Pengiran Momin bin Pengiran Haji Ismail

Awang Ali bin Awang Besar

Pengiran Ahmad bin Pengiran Bendahara Pengiran Haji Mohd. Yassin

Pengiran Abdul Rahman bin Pengiran Haji Abdul Rahim



# State Judiciary Department

State Judiciary Department was setup on 18 Safar 1423 corresponding to 1st May, 2002 to look after the administration and financial affairs of the Civil and Syariah Courts' Staff.



Haji Azahari bin Haji Ahmad  
*Director*  
*State Judiciary Department*



Dayang Zainab binti Haji Tuah  
*Deputy Director*  
*State Judiciary Department*





*Members of The Law Society of Brunei*



# *Legal Year 2006*













# *2006 Events*



*Study Attachment of  
H.R.H Princess  
Hajjah Muta-Wakkilah Hayatul Bolkiyah*





## *Supreme Court Registrars'/Magistrates' Visit to Military Court*



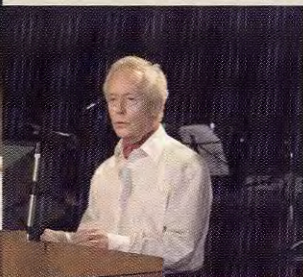


*Welcoming Dinner for Justice Jiang Xing Phang,  
Vice President of the Supreme People's Court  
of China hosted by the Hon. the Chief Justice  
Dato Seri Paduka Mohammad Saied  
21 November 2006*





*Farewell Dinner for  
Dato Seri Paduka Sir Derek Fong's Retirement as  
President of the Court of Appeal  
28 November, 2006*







*International Judicial Conference, Islamabad, Pakistan*

*11<sup>th</sup> to 14<sup>th</sup> August, 2006*



# *Statistics*



## MAGISTRATES COURT CRIMINAL CASES

|                     | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 |
|---------------------|------|------|------|------|------|------|------|------|------|------|------|
| <b>BSB</b>          | 2044 | 2469 | 1880 | 1660 | 1973 | 2382 | 2774 | 2025 | 2180 | 2415 | 2662 |
| <b>Kuala Belait</b> | 699  | 546  | 508  | 524  | 481  | 381  | 461  | 496  | 340  | 432  | 310  |
| <b>Tutong</b>       | 108  | 132  | 152  | 171  | 128  | 124  | 151  | 194  | 103  | 123  | 83   |
| <b>Temburong</b>    | 17   | 29   | 34   | 36   | 34   | 16   | 20   | 41   | 15   | 32   | 6    |

## MAGISTRATES COURT CIVIL CASES

|                     | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 |
|---------------------|------|------|------|------|------|------|------|------|------|------|------|
| <b>BSB</b>          | 868  | 1277 | 2411 | 2771 | 1266 | 1032 | 953  | 967  | 872  | 784  | 1926 |
| <b>Kuala Belait</b> | 66   | 158  | 325  | 325  | 164  | 187  | 132  | 227  | 120  | 100  | 104  |
| <b>Tutong</b>       | 3    | 4    | 13   | 13   | 1    | 8    | 10   | 25   | 7    | 7    | 5    |
| <b>Temburong</b>    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    | 0    |



## CHAMBER HEARINGS BEFORE SENIOR REGISTRARS AND REGISTRARS

|                         | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 |
|-------------------------|------|------|------|------|------|------|------|------|------|------|------|
| <b>Cases Dealt With</b> | 486  | 510  | 368  | 872  | 777  | 636  | 604  | 254  | 253  | 231  | 554  |

## INTERMEDIATE COURT CRIMINAL CASES

|              | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 |
|--------------|------|------|------|------|------|------|------|------|------|------|------|
| <b>Heard</b> | 38   | 34   | 22   | 18   | 8    | 14   | 9    | 11   | 16   | 22   | 9    |

## INTERMEDIATE COURT CIVIL CASES

|                   | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 |
|-------------------|------|------|------|------|------|------|------|------|------|------|------|
| <b>Registered</b> | 54   | 43   | 289  | 230  | 164  | 134  | 128  | 114  | 123  | 190  | 193  |

## CIVIL AND CRIMINAL APPEAL CASES [FROM MAGISTRATE'S COURT TO HIGH COURT]

|                                   | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 |
|-----------------------------------|------|------|------|------|------|------|------|------|------|------|------|
| <b>High Court Civil Appeal</b>    | 5    | 5    | 3    | 5    | 8    | 11   | 14   | 19   | 7    | 3    | 8    |
| <b>High Court Criminal Appeal</b> | 56   | 54   | 51   | 57   | 67   | 130  | 159  | 75   | 41   | 41   | 23   |

## HIGH COURT WRITTEN JUDGMENTS

| <b>Judgments Before</b>   | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 |
|---|------|------|------|------|------|------|------|
| <b>CJ, High Court Judges,<br/>and Visiting Judicial<br/>Commissioner of the<br/>Supreme Court</b> | 114  | 136  | 162  | 132  | 60   | 82   | 63   |



## HIGH COURT CRIMINAL CASES

|              | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 |
|--------------|------|------|------|------|------|------|------|------|------|------|------|
| <b>Heard</b> | 9    | 21   | 17   | 19   | 101  | 147  | 124  | 22   | 42   | 29   | 22   |

## HIGH COURT CIVIL CASES

|                   | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 |
|-------------------|------|------|------|------|------|------|------|------|------|------|------|
| <b>Registered</b> | 155  | 176  | 330  | 352  | 245  | 208  | 211  | 214  | 316  | 196  | 174  |

## CIVIL AND CRIMINAL APPEAL CASES [FROM HIGH COURT AND INTERMEDIATE COURT TO COURT OF APPEAL]

|                                       | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 |
|---------------------------------------|------|------|------|------|------|------|------|------|------|------|------|
| <b>Court of Appeal<br/>(Civil)</b>    | 8    | 8    | 15   | 14   | 15   | 20   | 17   | 11   | 16   | 21   | 17   |
| <b>Court of Appeal<br/>(Criminal)</b> | 14   | 24   | 8    | 14   | 30   | 19   | 16   | 10   | 20   | 15   | 14   |

## LEGAL AID FOR CAPITAL OFFENCES

|                | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 |
|----------------|------|------|------|------|------|------|------|------|------|------|------|
| <b>Granted</b> | 2    | 5    | 4    | 2    | 6    | 1    | 0    | 3    | 1    | 7    | 0    |

## LETTERS OF ADMINISTRATION

|                 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 |
|-----------------|------|------|------|------|------|------|------|------|------|------|------|
| <b>Received</b> | 385  | 274  | 247  | 253  | 275  | 363  | 343  | 381  | 294  | 318  | 323  |
| <b>Issued</b>   | 253  | 251  | 223  | 180  | 130  | 276  | 254  | 286  | 206  | 264  | 237  |



## PROBATE

|                   | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 |
|-------------------|------|------|------|------|------|------|------|------|------|------|------|
| <b>Registered</b> | 7    | 6    | 4    | 5    | 9    | 13   | 4    | 12   | 5    | 9    | 10   |
| <b>Issued</b>     | 2    | 6    | 4    | 4    | 1    | 12   | 3    | 7    | 2    | 6    | 7    |

## BANKRUPTCY

|  | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 |
|--|------|------|------|------|------|------|------|------|------|------|------|
| <b>Bankruptcy Notice</b>               | 103  | 111  | 242  | 308  | 326  | 350  | 261  | 343  | 281  | 350  | 387  |
| <b>Receiving Order</b>                 | 48   | 71   | 73   | 168  | 203  | 165  | 181  | 218  | 161  | 220  | 303  |
| <b>Adjudication Order</b>              | 3    | 13   | 29   | 28   | 15   | 32   | 80   | 59   | 41   | 56   | 114  |
| <b>Recission</b>                       | 6    | 4    | 3    | 8    | 6    | 13   | 19   | 26   | 23   | 19   | 29   |
| <b>Discharge of Adjudication Order</b> | -    | -    | -    | -    | -    | -    | -    | -    | 1    | 1    | 0    |
| <b>Winding-Up Orders</b>               | 1    | 2    | 2    | 8    | 4    | 6    | 5    | 4    | 3    | 3    | 2    |

## MARRIAGES

|                  | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 |
|------------------|------|------|------|------|------|------|------|------|------|------|------|
| <b>Marriages</b> | 191  | 212  | 198  | 178  | 198  | 152  | 168  | 167  | 140  | 158  | 161  |
| <b>Divorce</b>   |      | 19   | 27   | 37   | 19   | 26   | 16   | 25   | 20   | 16   | 22   |



## THE REVENUE OF THE SUPREME COURT OF BRUNEI DARUSSALAM

|                      | 1996         | 1997         | 1998         | 1999         | 2000         | 2001                |
|----------------------|--------------|--------------|--------------|--------------|--------------|---------------------|
| <b>Revenue</b>       | 3,250,970.80 | 3,870,114.67 | 3,642,234.54 | 4,146,204.02 | 4,196,403.49 | <b>4,388,148.76</b> |
| <b>Miscellaneous</b> | 14,485.89    | 14,795.00    | 10,922.50    | 13,961.09    | 14,582.54    | <b>8,758.31</b>     |
| <b>Estate Duty</b>   | 400,540.77   | 497,860.68   | 808,593.43   | 968,869.59   | 517,675.31   | <b>851,719.62</b>   |
| <b>Stamp Duty</b>    | 676,386.74   | 664,848.99   | 450,855.17   | 572,068.86   | 1,059,582.50 | <b>901,465.97</b>   |

|                      | 2002                | 2003                | 2004                | 2005                | 2006                |
|----------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| <b>Revenue</b>       | <b>5,129,548.35</b> | <b>4,685,958.79</b> | <b>3,706,381.84</b> | <b>4,790,759.70</b> | <b>2,721,039.34</b> |
| <b>Miscellaneous</b> | <b>12,999.53</b>    | <b>9,433.24</b>     | <b>22,088.09</b>    | <b>4,300.00</b>     | <b>3,150.00</b>     |
| <b>Estate Duty</b>   | <b>281,198.54</b>   | <b>1,010,928.40</b> | <b>122,783.23</b>   | <b>381,485.52</b>   | <b>859,261.58</b>   |
| <b>Stamp Duty</b>    | <b>1,677,089.80</b> | <b>1,103,952.54</b> | <b>1,051,265.32</b> | <b>1,772,858.57</b> | <b>1,454,506.88</b> |



*Chairman and Committee Members  
of The Opening of  
the Legal Year 2007*

1. **Protocol Committee**  
Awang Razali bin Hj. Badar (Jabatan Adat Istiadat Negara)  
Hj. Badaruddin bin Hj. Abdul Karim
2. **Invitation Committee**  
Radin Safiee bin Radin Mas Basiuni  
Awg. Mohd. Yassin bin Hj. Manggong (Jabatan Percetakan)  
Hj. Morshidi bin Hj. Mokhtar  
Mohd. Noor bin Ismail  
Pg. Hairuddin bin Pg. Ahmad  
Muhammad Zulfadhli Bin Hj. Abd. Hamid
3. **Secretariat Committee**  
Pg. Anak Hajah Norul Aiyun PIM Pg. Anak Hj. Kemaludin  
Hajah Mariah binti Awang Ali  
Suzanah binti Hj. Basman
4. **Refreshments Committee**  
Hj. Abdullah Soefri bin POKSMDSP Hj. Abidin  
Pg. Masni bin Pg. Hj. Bahar  
Rukiah binti Anusar @Anuar  
Dk. Hajah Rohaiyah binti Pg. Hj. Mohd. Yassin
5. **Facilities Committee**  
Norhayati binti Haji Idris  
Lim Ching  
Hanafi bin Hj. Ibrahim  
Mohd. Noor bin Ismail  
State Judiciary Department Officers
6. **Building Maintenance Committee**  
Hj. Morshidi bin Hj. Mokhtar  
Hj. Omar bin Hj. Daud  
Mohd. Noor bin Ismail
7. **Media and Photography Committee**  
Mohd. Faisal bin PDJLDDSP Hj. Kefli  
Pg. Hj. Mohd. Khairuddin bin Pg. Hj. Hashim  
Harnita Zelda Skinner



8. **Finance Committee**  
Awang Hj. Tamin bin Hj. Lamat  
Hajah Yalus binti Abdullah @ Dayang binti Erih
9. **Program Committee**  
Pg. Anak Hajah Norul Aiyun PIM Pg. Anak Hj. Kemaludin  
Muhammad Zulfadhli bin Haji Abdul Hamid  
Haji Rosli bin Haji Omar  
Mohammad Sahrulazmi bin Tengah
10. **Royal Police Force Guard of Honour Committee**  
ASP Hajah. Rosni binti Hj. Ali
11. **Reception Committee**  
Dyg Lim Siew Yen  
Pg. Hajah Rostaina bint Pg. Hj. Duraman  
Radin Safiee bin Radin Mas Basiuni  
Ramzidah binti PDKD Hj. Abd. Rahman  
Lailatul Zubaidah binti Hj. Mohammed Hussain  
Dk. Hajah Norismayanti binti Pg. Hj. Ismail  
Hajah Hazarena binti POKSJDPAwang Hj. Hurairah  
Harnita Zelda Skinner  
Maimun binti Hj. Tajaah  
Norhayati binti Hj. Ismail  
Dayang Hajah Fauzihana binti Hj. Mohammad  
Rozliani Haji A. Timbang
12. **Programmer**  
Abd. Faris bin Haji Mutaliff
13. **Thanks Giving Commttee**  
Suffriana bin Hj. Masri



# *Sitting Plans*



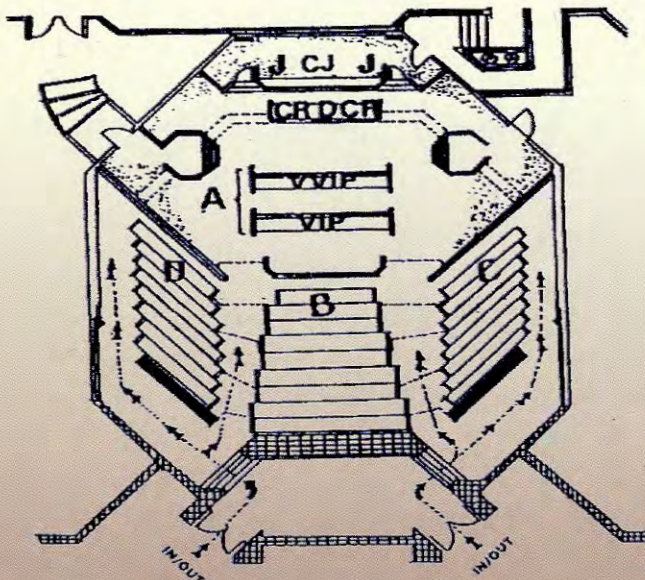
## *In the High Court Room*

A - VVIP and VIP

- B - 1. Chief Magistrate/Senior Magistrates/Magistrates and Registrars of the Supreme Court *1 Syarifah Cemel*  
 2. Assistants Solicitor General/Legal Counsels/Legal Officers  
 3. ~~Members of Private Lawyers~~ *Advocates / Legal Practitioners*

- C - 1. Permanent Secretaries *ITB / UNISSA*  
 2. Chairman EDB/UBD *Vice* Chancellor/Deputy Chairman PSC/  
 Members of Board of Directors of Yayasan  
 3. ~~Deputy Con. Sec of His Majesty and Con Sec Crown Prince~~  
 4. Deputy Permanent Secretary  
 5. Heads of Department  
 6. Deputy Heads of Department  
 7. Senior Government Officers.

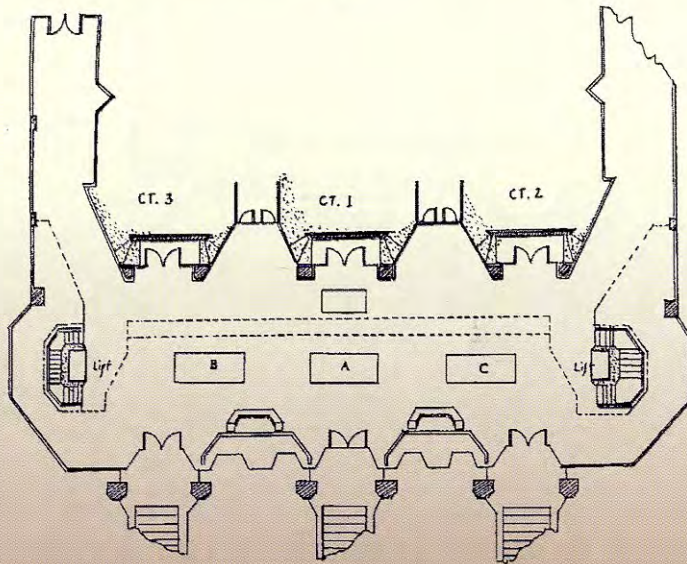
- D. - 1. Ambassadors/High Commissioners  
~~2. Members of Legislative Council~~  
 3. Police and other Prosecuting Officers  
 4. Business Communities  
 5. ~~Officers and Staff of Judicial Department~~  
*5. Schools*





## *Main Entrance Lobby*

- A - VVIP and VIP
- B - Ambassadors/High Commissioners  
Members of Brunei Legislative Council  
Business Communities  
Advocates/Legal Practitioners  
Police and other Prosecuting Officers
- C - 1. Permanent Secretaries  
2. Chairman EDB/UBD Vice Chancellor/Deputy Chairman PSC/  
Members of Board of Directors of Yayasan  
3. Deputy Con. Sec of His Majesty and Con Sec Crown Prince  
4. Deputy Permanent Secretary  
5. Heads of Department  
6. Deputy Heads of Department  
7. Senior Government Officers.  
8. Deputy Public Prosecutors





## *Outside the High Court Building*

**A** - VVIP and VIP

**B** - Ambassadors/High Commissioners

~~Members of Brunei Legislative Council~~

Business Communities

Advocates/Legal Practitioners

Police and other Prosecuting Officers

*Students Schools*

**C** - 1. Permanent Secretaries *ITA / UNISSA*

2. Chairman EDB/UBD *Vice* Chancellor/Deputy Chairman

PSC/Members of Board of Directors of Yayasan

3. ~~Deputy Con. Sec of His Majesty and Con Sec Crown Prince~~

4. Deputy Permanent Secretary

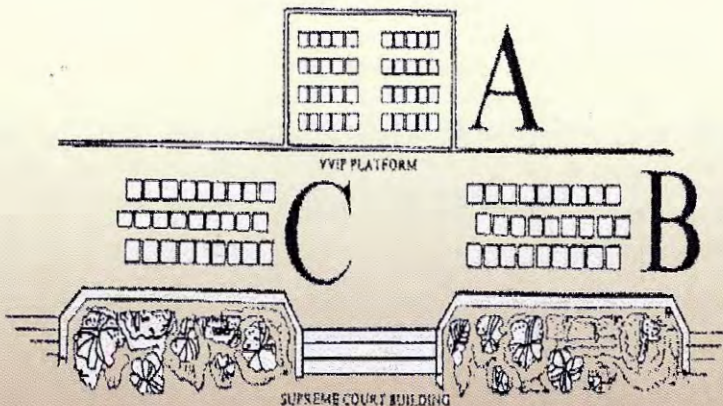
5. Heads of Department

6. Deputy Heads of Department

7. Senior Government Officers.

8. Deputy Public Prosecutors

*9. Officers of the Syariah Court*





# *Acknowledgements*

Adat Istiadat Negara

Royal Brunei Police Force

Government Printing Department

Attorney General's Chambers

Ministry of Religious Affairs

Department of Prime Minister

Ministry of Foreign Affairs

Information Department

Municipal Department

Public Works Department

Electrical Services Department

Radio and Television Brunei

Fire Services

Organising Committee for The Opening of  
the Legal Year 2007

And Officers and Staff of the Judiciary



## THE CHIEF JUSTICE

*Dato Seri Paduka Mohammed Saiful*

cordially invites

to attend the

*OPENING OF THE LEGAL YEAR 2007*

*On*

Tuesday, 27 March, 2007/8 Rabiulawal 1428

*At*

High Court Building  
Km 1 ½ Jalan Tutong  
Bandar Seri Begawan BA1910  
Brunei Darussalam

- 8.30-8.45 a.m. - Arrival of Guests
- 9.00 a.m. - Guests take their seats.
- 9.10 a.m. - Police Guard of Honour fall in.
- Arrival of the Hon. The Attorney General.
- Arrival of the Honourable the Chief Justice  
And Inspection of the Guard of Honour.
- After the parade, guests assemble in the High  
Court (2<sup>nd</sup> Floor).
- Speech by the Honourable the Chief Justice  
followed by the Honourable the Attorney  
General and the President of the Law Society.
- Prayer
- Light Refreshment (Ground Floor)

Dress: Fully Robed  
Lounge Suit

Reply to: The Chief Registrar,  
High Court Building,  
Km 1 ½ Jalan Tutong,  
Bandar Seri Begawan BA1910,  
Brunei Darussalam.

(R.S.V.P.: 2225853/2243939 ext. 148/149)



*Note*



*Note*



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2007 Edition (March)

Printed by the Government Printing Department,  
The Prime Minister's Office, Brunei Darussalam