

LEGAL YEAR

TWO THOUSAND TWENTY THREE

TABLE OF

INTRODUCTION

| | |
|----|--|
| 5 | PHOTO OF HIS MAJESTY THE SULTAN AND YANG DI-PERTUAN OF NEGARA BRUNEI DARUSSALAM |
| 6 | EXCERPTS FROM HIS MAJESTY'S TITAH |
| 9 | PHOTO OF THE HON. CHIEF JUSTICE |
| 10 | FOREWORD BY THE HON. CHIEF REGISTRAR |
| 13 | THE JUDICIARY STATEMENT |

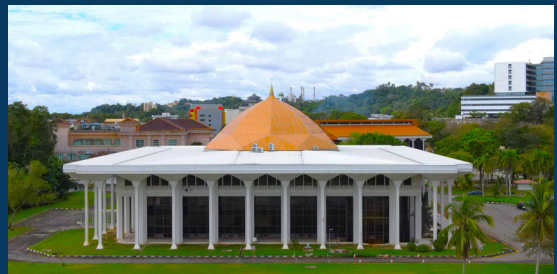


SPEECHES

| | |
|----|------------------------------|
| 16 | THE HON. CHIEF JUSTICE |
| 23 | THE HON. ATTORNEY GENERAL |
| 28 | PRESIDENT OF THE LAW SOCIETY |

SUPREME COURT

| | |
|----|----------------------------------|
| 35 | COURT OF APPEAL |
| 36 | HIGH COURT REGISTRY |
| 38 | BANKRUPTCY OFFICE |
| 39 | PROBATE OFFICE |
| 41 | MARRIAGE REGISTRY |
| 42 | TRANSLATION UNIT |
| 43 | COURT INTERPRETERS AND RECORDERS |
| 45 | LIBRARY |
| 46 | SUPREME COURT JUDGES |
| 47 | PANEL OF INTERNATIONAL JUDGES |
| 48 | SUPREME COURT REGISTRARS |
| 51 | SUPREME COURT UNITS |
| 54 | FAREWELL |



INTERMEDIATE COURT

| | |
|----|---------------------------|
| 57 | INTRODUCTION |
| 58 | INTERMEDIATE COURT JUDGES |

CONTENTS



SUBORDINATE COURT

| | |
|----|-------------------------------------|
| 59 | INTRODUCTION |
| 61 | DISTRICT |
| 67 | MAGISTRATES |
| 69 | JUVENILE COURT PANEL OF ADVISERS |
| 70 | SMALL CLAIMS TRIBUNAL |
| 71 | SUBORDINATE COURT OFFICERS & STAFFS |

DISTRICTS COURTS

| | |
|----|-----------|
| 76 | TUTONG |
| 79 | TEMBURONG |
| 80 | BELAIT |

COURT MARTIAL

| | |
|----|-----------------|
| 82 | JUDGE ADVOCATES |
|----|-----------------|

STATE JUDICIARY DEPARTMENT

| | |
|----|--------------|
| 85 | INTRODUCTION |
|----|--------------|

HIGHLIGHTS & EVENTS

| | |
|-----|-------------------------------------|
| 86 | CONFERENCES, TRAININGS AND VISITS |
| 105 | OPENING CEREMONY OF LEGAL YEAR 2022 |
| 114 | SOCIAL ACTIVITIES |

ORGANISATIONAL STRUCTURES

| | |
|-----|--------|
| 127 | CHARTS |
|-----|--------|

STATISTICS

| | |
|-----|------------|
| 131 | STATISTICS |
|-----|------------|

COMMITTEE MEMBERS

| | |
|-----|-------------------|
| 137 | COMMITTEE MEMBERS |
|-----|-------------------|

ACKNOWLEDGMENT

| | |
|-----|-----------------|
| 141 | ACKNOWLEDGEMENT |
|-----|-----------------|



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

EXCERPTS

FROM HIS MAJESTY'S TITAH

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

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

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

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

SUPREME COURT

CHIEF JUSTICE



The Honourable Chief Justice
Dato Seri Paduka Steven Chong Wan Oon

FOREWORD

CHIEF REGISTRAR



Justice Haji Abdullah Soefri bin POKSM Dato Seri Paduka Haji Abidin
Chief Registrar of the Supreme Court
(Chairman of the Organising Committee)

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
السلام عليكم ورحمة الله وبركاته

As in 2021, the year 2022 was also a challenging year due to the Covid-19 pandemic. I am grateful to Allah SWT and also to the Government of His Majesty the Sultan and Yang Di Pertuan of Brunei Darussalam that most of the restrictions imposed previously were lifted in stages from mid 2022.

The pandemic has taught us to be more resilient, innovative and creative in executing our duties and responsibilities. Our greatest assets in overcoming these challenges are the judicial officers, the staff of the Judiciary and also our strategic partners. –All our stakeholders have adopted to changes effectively and the changes have become a norm such as online hearings amongst others.

Good working relationships and cooperation with our strategic partners must be continued not only for the judicial services but also legal services and practitioners.

Goal 1 of Wawasan Brunei 2035 focuses on ensuring that the people of Brunei Darussalam are educated, highly skilled and accomplished. Fulfilling the nation's aspiration to be a developed country relies on its most valuable asset, which is its people. I am grateful and thankful to the Prime Minister's Office for leading and organizing the Advocacy Course for our local law graduates and our local practitioners. The commitment and cooperation given by the Judiciary, Attorney General's Chamber and the Law Society of Brunei Darussalam is a testament that the legal fraternity is committed to ensure that the local law graduates and our local practitioners are given the chance to develop their potential to be part of a workforce that is productive and marketable and this must be continued.

I would like to take this opportunity to commend the young group of local lawyers who represented the Brunei Darussalam Law Society at the finals of the mooted competition recently held in Singapore by the Essex Court Chambers and the Singapore Academy of Law. We celebrate their achievements in winning the Best International Team trophy and hope that their skills will continue to be nurtured.

Before I take my leave, I wish to reiterate that working in the law is ultimately a public service. We are all officers of the court, judges, prosecutors and private lawyers alike, and our responsibilities centered on our ethical obligations to serve the profession and the rule of law.

I would like to extend my greatest gratitude and appreciation to all Judicial officers and staff of

the Judiciary in all districts for their unwavering cooperation and commitment in ensuring that the Judiciary is able to deliver their services with excellence and also to all our strategic partners in supporting our mission to administer justice and for their contribution to the delivery of justice in Brunei Darussalam.

I would also like to extend my greatest appreciation to the organizing committee of the Opening of Legal Year 2023 for their efforts in making the event a successful one.

I wish all of you a productive, healthy and happy new year ahead. Wassalam and thank you.

Haji Abdullah Soefri Bin POKSM Dato Seri Paduka Haji Abidin
Chief Registrar of Supreme Court
(Chairperson of the Organising Committee)



THE JUDICIARY

STATEMENT



THE JUDICIARY STATEMENT



MISSION

“Administration of Justice”



OBJECTIVE

“Upholding the Rule of Law”



GOALS

“Securing Justice”
“Enhancing Access to Justice”
“Preserving Public Trust and
Confidence”



VALUES

“Taqwa”
“Independence”
“Accountability”
“Timeliness”
“Accessibility”
“Equality and Fairness”
“Integrity”



PRINCIPLES

“To faithfully discharge judicial duties”
“To do right to all manner of people after the Laws and
Usage of Brunei Darussalam without fear or favour,
affection or ill will to the best of their ability”
“To be faithful and bear true allegiance to Brunei Darussalam”



LEGAL YEAR

SPEECHES



THE HONOURABLE CHIEF JUSTICE

Dato Seri Paduka Steven Chong Wan Oon

Yang Berhormat Pehin Orang Kaya Laila Setia Bakti Diraja Dato Laila Utama Haji Awang Isa, Special Adviser to His Majesty and Minister at the Prime Minister's office,

Yang Berhormat Dato Seri Setia Haji Abdul Mokti Bin Haji Mohd Daud, Minister at the Prime Minister's Office,

Honourable Attorney General,

Yang Amat Arif Chief Syarie Judge,

President of the Law Society,

Members of the Bar,

Distinguished Guests,

Ladies and Gentlemen,

I. INTRODUCTION

1. Good morning and on behalf of the Judiciary, I am pleased to welcome you to the Opening of the Legal Year 2022. The Opening of this Legal Year is historic in that it marks the first time we are conducting the ceremony online and I am grateful that everyone is able to join us for today's proceedings through video conference.

2. This transition online is a reflection of how COVID-19 has changed the way we live and work, and the justice system is no exception. Over the past year, the challenges posed by the second and third waves of COVID-19 have required us to adapt and re-examine how we administer and deliver justice. Technology has helped us immensely in this respect and I must acknowledge the efforts of the Judiciary, the Attorney-General's Chambers (AGC) and the Bar in working together to ensure that our justice system remains open and functional during these times.

3. Before I turn to address our key developments in the past year, please allow me to recount the changes affecting the bench and the legal profession.

4. Firstly in May 2021, we welcomed the appointment of Muhammed Faisal bin Pehin Datu Juragan Laila Diraja Colonel (Rtd) Dato Seri Pahlawan Haji Kefli as Judicial Commissioner of the Supreme Court, Radin Safiee bin Radin Mas Basiuni and Pengiran Masni binti Pengiran Haji Bahar as Judges of the Intermediate Court, Dayangku Hajah Norismayanti binti Pengiran Haji Ismail as Chief Magistrate of the Subordinate Courts and Dayang Hajah Hazarena binti Pehin Orang Kaya Setia Jaya Dato Paduka Haji Hurairah as Deputy Chief Registrar of the Supreme Court.

5. In July 2021, we saw the appointments of four senior judicial officers who were confirmed in their respective positions as Senior Registrars of the Supreme Court and Senior Magistrates of the Subordinate Courts. And in September 2021, we retained the expertise of our international judges and extended the appointments of Judicial Commissioner Edward Timothy Starbuck Woolley and Judicial Commissioner Kannan Ramesh for another two years.

6. I extend my heartiest congratulations to my colleagues on their respective appointments and extensions. Both local and international appointments bring with them a wealth of experience and these developments will provide continuity to the Judiciary and strengthens our senior bench.

7. I also congratulate Mr. Haji Mansur bin Dato Paduka Dr Hj Latif on his election as President of the Law Society and we look forward to working closely with him and the Law Society in strengthening the relationship between the Bench and the Bar. Mr. Haji Mansur succeeds Mr. Pengiran Izad Ryan bin Pengiran Laila Kanun Di Raja Pengiran Hj Bahrin who has made valuable contributions to the legal fraternity through the introduction of rules for professional indemnity insurance and through his involvement in developing the legal profession framework for pupillage. I extend our appreciation to Mr. Pengiran Izad for the service he has rendered to the profession.

II. THE PAST YEAR

8. Please allow me to outline the Courts' key developments and work done over the course of the past year.

Judicial Response to COVID-19

9. As part of the response to COVID-19, the Judiciary took a number of steps to overcome the challenges in carrying out the vital work of administering justice both online and in person. In March 2021, we remodelled our court rooms and registry counters in our High Court and in all district courts by installing plexi-glass shields in order to ensure the health and safety of all those attending court. Amendments were also made to our legislation in May 2021 to allow for the conduct of hearings online in the Supreme Court,

Intermediate Courts and Subordinate Courts. And in June 2021, the Court of Appeal conducted their first criminal appeal via Zoom where they heard submissions from Queen's Counsel and Senior Counsel attending remotely from England and Singapore.

10. However, as the second wave of COVID-19 and partial lockdown came upon us in August 2021, the Judiciary re-implemented its business continuity measures and where possible, we transitioned to having matters heard online. It is essential that justice proceeds and our courts have continued to function and we continue to conduct as many court proceedings as possible remotely in order to facilitate the efficient and expeditious processing of cases. In February 2022, the High Court begun its first visiting judge session online with Judicial Commissioner Woolley presiding from Australia via Zoom conducting both civil and criminal proceedings. Counsel and parties have also attended these proceedings remotely in Brunei and from various locations abroad, such as Canada, India, Malaysia and Singapore.

11. Technology has aided us greatly in keeping our courts running and we have for the most part, heard matters in all levels of court and provided court services online through Zoom. Again, I must thank the AGC and the Bar for their support and I am pleased that court users and stakeholders have adapted well to the transition online. We will continue to capitalise on the greater use of technology to administer justice efficiently and are committed to ensuring that technology enables safe and effective access to justice.

Statistics

12. Moving on to statistics, in the 12-month period ending December 2021, the number of cases filed in the Court of Appeal and High Court fell compared to the previous year, as did new cases in the Intermediate Court and Subordinate Courts. Similarly, applications for civil marriages through the Marriage Registry and letters of administration through the Probate Registry also fell compared to those in 2020.

13. In ensuring the efficiency of court performance, the Judiciary closely monitors clearance rates as an indicator of whether the court is experiencing a backlog in cases. From January to December 2021, the clearance rates for civil suits in the High Court was at 64% whereas civil suits in the Magistrates Court had a clearance rate of 70%. As for matters in the Intermediate Court, criminal trials had a clearance rate of 63% whereas commercial and civil matters were cleared at a rate of 65% and 77% respectively.

14. Another key performance indicator that the Court monitors is the time taken for the delivery of judgments by judges and judicial officers. I am pleased to report that our statistics have shown that 66% of judgments at all levels of court were delivered between 1 to 3 months from the close of submissions.

15. On to the Official Receiver's Chambers, I am pleased to report that from January to December 2021, payments of composition and dividends have been declared in 443 cases totalling \$19,918,901.46 with a total of 146 rescission orders granted. However,

new filings for winding up and bankruptcy petitions received by the Official Receiver's Chambers fell by nearly a third.

16. These statistics reflect our best efforts in coping with the demands arising from the pandemic. During this time, the Courts were undoubtedly affected by the second wave of COVID-19 which resulted in the vacation of hearings, save those that were essential and urgent. However, cases were re-fixed and heard online or in person once restrictions were eased and these cases are steadily being disposed of, with backlogs being cleared. I am deeply grateful to all those who work in, with and around the courts for their adaptability, resilience and commitment to the cause of justice and in providing key services and handling the flow of cases with diligence, effort and care in spite of the challenges posed by COVID-19.

Mediation

17. As for cases referred to mediation, a total of 13 suitable cases were invited to mediate with the courts, and from these, 5 cases were successfully settled by consent. However, due to the constraints posed by COVID-19, 5 cases are still pending to be heard before Court mediators.

18. The Judiciary is aware of the growing need to put in place effective and timely dispute resolution mechanisms and has worked to develop frameworks for the greater use of mediation. In this regard, we introduced Practice Direction No.1 of 2021 on the use of alternative dispute resolution for matters involving family law disputes which took effect from December 2021.

19. The introduction of the Practice Direction aims to strengthen the court's powers in the resolution of matrimonial disputes and introduces a new 'judge-led' approach that empowers the court to direct parties to mediation. The Practice Direction requires that as part of divorce proceedings, couples with at least one child below 18 years of age must undergo mandatory court annexed mediation. It is hoped that mediation will better assist families in reducing the emotional burden, time and cost of resolving their disputes.

International Relations

20. In the international sphere, we have continued to engage actively and advanced judicial cooperation with our counterparts overseas. In July 2021, we successfully hosted the 6th Joint Judicial Conference (JJC) between Brunei Darussalam, Malaysia and Singapore. The biennial conference convened online for the first time since its inception and was attended by the Chief Justices of Brunei, Malaysia and Singapore with judges and judicial officers from their respective judiciaries. The conference serves as a platform to reaffirm the longstanding friendship and cooperation that exists between our three countries and promotes the discussion of judicial and legal issues of common interest among us.

21. Over the course of the year, we also participated in various virtual events, including:

i. the International Framework for Court Excellence (IFCE) Train-the-Trainer Workshop conducted by the State Courts of Singapore in which our judges and court administrators were guided on the journey to court excellence and the approaches taken to evaluate court performance;

ii. the 9th Council of ASEAN Chief Justices (CACJ) meeting where we continued to strengthen our partnerships with fellow ASEAN Judiciaries;

iii. the Maritime Silk Road (Quanzhou) International Forum on Judicial Cooperation in which we affirmed our commitment to deepen judicial cooperation with the Supreme People's Court of the People's Republic of China and the Belt and Road initiative;

iv. the Temasek Foundation-Singapore Management University Mediation and Dispute Resolution Programme in Asia, organised by the Singapore International Dispute Resolution Academy (SIDRA), in which we wish to thank the Australian High Commission and Professor Nadja Alexander, Academic Director of SIDRA for supporting our commitment to encourage the use of mediation and alternative dispute resolution in settling disputes; and

v. the 7th Judicial Seminar on Commercial Litigation where the Judiciaries of the Hong Kong Special Administrative Region, New South Wales and Singapore invited the Judiciaries of Australia, Brunei Darussalam, China, India, Japan, Malaysia, New Zealand and South Korea to join the closed-door seminar covering issues of substantive commercial law as well as challenges pertaining to case and court management.

22. In November 2021 and February 2022, we collaborated with the British High Commission to organise a virtual seminar series delivered by experts from the UK Slynn Foundation. Seminars on judgment writing, the legal profession and the Sentencing Council in England and Wales were delivered by distinguished speakers, namely The Honourable Mrs Justice Maura McGowan DBE, judge of the High Court of England and Wales, Mr Nicholas Vineall, QC, Chair of the Bar Council's Education and Training Committee and Lord Justice Holroyde as Chairman of the Sentencing Council for England and Wales. The series brought together members of the legal fraternities from Brunei Darussalam and the United Kingdom and in keeping with the close relationship we enjoy with our British counterparts, we reaffirmed our shared commitment to promote capacity building and advance our cooperation in judicial education and training across our legal systems.

Developments in Tutong Court

23. I turn now to developments in the Tutong District Court where with effect from January 2022, one Intermediate Court Judge and one Senior Magistrate are to preside over cases in the district court full time. The permanent presence of judges and judicial officers at Tutong District Court marks a significant transition to ensure that there is access to justice across the country and we hope that this will offer court users and the community in Tutong more convenient access to judicial services and that cases can

also be dealt with more expeditiously.

24. The Tutong District Court is strengthened by the able and dedicated senior team comprising of Intermediate Court Judge Pg Masni binti Pg Hj Bahar and Senior Magistrate Pg Hazirah binti Pg Mohd Yusof. I commend them both for their work in providing a gateway to the justice system for the residents of Tutong District and I am confident that the Tutong District Court will continue to do well during their tenure.

Pupillage Framework

25. During last year's Opening of the Legal Year, I urged the Judiciary, the AGC and the Law Society to work together and form a committee to develop a comprehensive framework for the training of pupils. On this note, I am pleased to report that the pupillage framework is on its final draft and I would like to express my sincere appreciation to the Chief Registrar as the committee chair and the committee members from the Judiciary, the AGC and the Law Society for their invaluable contribution to the discussions. Indeed, pupillage is the gateway into the legal profession and we must ensure the professional competence of our aspiring lawyers. It is hoped that the framework will ensure that pupils will possess the quality, consistency, and rigour to equip themselves with skills to succeed in the legal practice

III. LOOKING AHEAD

Transcription System

26. The Judiciary hopes to continue to leverage technology and build on our experience to continuously improve the administration of justice and deliver an effective and efficient justice system. On this note, I would encourage the State Judiciary Department and the Courts to collaborate with interested developers to provide a system that transcribes speech into text in real time for use in court.

27. A transcription system will allow oral evidence and court proceedings to be transcribed instantly, providing judges, and counsel access to transcripts in real time. It is our hope that this will not only improve productivity for court staff but also enable cases to be conducted in a more expeditious manner. Harnessing such technology will also allow for more effective participation by parties involved, especially when questioning a witness on the stand and will benefit all parties to court proceedings.

Code of Practice for the Conduct of Criminal Proceedings

28. In last year's speech, I encouraged the AGC and the Law Society to consider working together to prepare a Code of Practice for the Conduct of Criminal Proceedings by the Prosecution and the Defence to ensure due process and fair outcomes. To date, no progress has been made in this respect and therefore I must ask the Chief Registrar to assist in forming a committee comprising of members from the Judiciary, the AGC and the Law Society to develop the Code of Practice.

29. It is my hope that the Code of Practice will help us to further improve access to justice and streamline our criminal procedure and processes. I must reiterate that it is important that we continue to review and improve our criminal justice system in order to secure fairness and to better serve the needs of our society. The Courts cannot carry the burden of administering justice alone and the Prosecution and the Bar each have their duties and responsibilities in upholding the integrity of our justice system.

Pro Bono

30. Following on from this, I must highlight the pro bono work done by members of the Law Society and express my sincere appreciation to all those who have undertaken such work in the past year. Your contribution is essential to the cause of justice and is both commendable and inspiring. On behalf of the Judiciary, please accept our heartfelt thanks for your commitment to ensuring that justice remains accessible to all. I hope to see more members of the Bar continue to undertake such efforts to provide representation and assistance to those in need, without expectation or remuneration, for the public good.

IV. APPRECIATION

31. Please allow me close by thanking the Prime Minister's Office, the State Judiciary Department and the entire legal fraternity for supporting the essential work of administering justice during such trying times. I am also honoured and privileged to thank all of the judges, judicial officers and staff throughout the Judiciary for their service. There is plenty of work to be done and I call upon the Courts, the AGC and the Bar to continue working together in a collaborative spirit to uphold a fair and efficient justice system for all.

32. I would also like to express my appreciation to the Chief Registrar and members of the organizing committee for the Opening of the Legal Year for their hard work and efforts in organising these historic proceedings online and in person in spite of the challenges of COVID19. Thank you all very much for attending these proceedings and my best wishes and good health to you all for the year ahead.



THE HONOURABLE ATTORNEY GENERAL

Yang Mulia Awang Haji Ahmad bin Pehin Orang Kaya Laila Setia
Bakti Di-Raja Dato Laila Utama Haji Awang Isa
(now known as Dato Seri Paduka Awang Haji Ahmad)

My Lord Chief Justice Dato Seri Paduka Steven Chong,

Yang Berhormat Pehin Orang Kaya Laila Setia Bakti DiRaja Dato Laila Utama Haji Awang
Isa bin Pehin Datu Perdana Manteri Dato Laila Utama Haji Awang Ibrahim,
Special Adviser to His Majesty the Sultan and Yang Di-Pertuan
Negara Brunei Darussalam and the Minister in the Prime Minister's Office,

Yang Berhormat Dato Seri Setia Awang Haji Abdul Mokti bin Haji Mohd Daud, Minister
at the Prime Minister's Office,

Yang Amat Arif Chief Syar'ie Judge,

Honourable Justices, Judges,

Excellencies,

(My Learned Friend) President of the Law Society,

Members of the Bar,

Distinguished Guests,

Ladies and Gentlemen,

INTRODUCTION

My Lord,

1. It is with great pleasure that I am able to address Your Lordship and my fellow members of the legal fraternity once more on this important occasion. Things certainly look vastly different from previous opening of the legal year ceremonies with the majority of attendees viewing the ceremony online and only a handful of us here in person.

2. It has been, without a doubt, an unbelievably challenging time for us all; It seems that before we were able to catch our breath from the second wave, the country was once again brought into turbulence with daily Covid-19 cases reaching unprecedented numbers due to the Omicron variant.

3. I am proud to say that during this time the AGC remained steadfast in its mission, providing crucial legal support where required – such as for the procurement of the vaccines and anti-viral oral therapy and providing critical amendments to the law to forward national policy and local developments.

4. In addition to this, the AGC also managed to accomplish much towards its own internal growth and development which, if Your Lordship will recall, was one of the key priorities I had set last year (in addition to the fostering and maintaining of good working relationships). I hope to give Your Lordship a flavour of what has transpired since.

PROMOTIONS/CAPACITY DEVELOPMENT

My Lord,

5. In my address last year, I emphasised that an organisation is only as good as the people who live and work in it. To this end, the AGC has embarked on various initiatives designed to develop and bring out the best of its work force.

6. To begin with, 15 AGC officers were promoted to senior positions across a variety of roles marking a significant milestone in career development and succession planning within the AGC. I would like to take this opportunity to congratulate, once again, our officers on their promotions. Your promotion means that you have shown a high level of competence, hard work, dedication and importantly, leadership qualities. I hope that you feel proud of your achievements and that this will, in turn, be a source of motivation and positivity for everyone in Chambers.

7. Career development will continue to be a priority for the AGC with a Competency Framework now in place and is one of two strategic focus areas in our 3 year Strategic Plan – the other focus area being the adoption of legal technology.

INFORMATION TECHNOLOGY

8. Living in a pandemic has meant that we have all had to find novel solutions for novel problems and it has become ever-evident that technology is the way forward. We have thus accustomed ourselves to the new norm of using various online platforms for a wide variety of purposes whether it be participating in online training, meetings or ceremonies such as today. It is imperative therefore, that we keep up with the times and enhance the efficiency and effectiveness of our legal services through the use of IT.

9. The adoption of technology by the AGC will primarily involve two major projects – EDMS and LEDO. Firstly, the Electronic Document and Case Management System (EDMS) will digitise the current manual processes of all AGC Divisions and implement paperless workflow management, allowing for transparent process and accessible information with all documents related to any matter referred to the AGC available in a single centralised location.

10. Talks between AGC and the vendor have also begun for the second project – the Legislative Electronic Drafting and Online System (“LEDO”) which will allow legislative drafting, revision of laws and publication processes to be in one single system.

11. This is but just the beginning and a small window into what I hope will be more developments to come in our ongoing effort to achieve excellence.

OTHER

12. Besides our internal work, Chambers also remained dedicated to its work with other ministries and government departments such as: -

a. introducing major amendments to our laws to give effect to our national policy, including amendments to the Constitution of Brunei Darussalam, the Succession and Regency Proclamation, 1959; the Old Age and Disability Pensions Act and its regulations and the Minor Offences Act as well as introducing new laws such as the International Finance Corporations Order, 2021 and the Animal (Diseases and Quarantine) Order, 2021. A notable amendment of public interest being the Penal Code (Amendment) Order, 2021 which was drafted by the Attorney General’s Chambers as part of the Government of His Majesty the Sultan and Yang Di-Pertuan’s initiative to strengthen the laws to stem the proliferation of cases affecting key services, especially in light of the increasing number of cable theft offences over the past years.

b. collaborating with the Prime Minister’s Office, to develop a Draft Legislation Database (DLD) which is a platform to share updates of the status of drafts legislations with our instructing ministries and government departments. I hope the ministries and departments will find the database useful to keep track of their drafts and assist them to make the necessary planning.

c. Providing training to law enforcement agencies such as Royal Brunei Armed Forces, Royal Brunei Police Force, Royal Customs and Excise Department, Department of Immigration and National Registration, Anti-Corruption Bureau and Narcotics Control Bureau on areas of legal matters ranging from enforcement powers in Brunei Darussalam waters and powers of investigations as well as the investigation process and court procedures such as preserving evidence; preparation of documents during investigations; statement recording; preliminary inquiries and trial preparation; and

d. on-going discussions between the Judiciary, AGC and the Law Society to develop a pupillage framework to improve the standard and quality of pupillage training.

13. It has been no mean feat for all those involved to continue to perform at our highest ability during such trying times. We can only hope that we are reaching the light at the end of the tunnel and meanwhile, continue doing our part to keep the wheels of justice turning and I thank all my officers and staff in the AGC for their dedication and support.

CONGRATULATIONS

14. Before I conclude, I would like to take this opportunity to express on behalf of the Chambers, our heartiest congratulations to:

(a) The Honourable Justice Muhammed Faisal bin Pehin Datu Juragan Laila Diraja Colonel (Rtd) Dato Seri Pahlawan Haji Kefli on his appointment as Judicial Commissioner of the Supreme Court;

(b) Honourable Judge Radin Safiee bin Radin Mas Basiuni and Honourable Judge Pengiran Masni binti Pengiran Haji Bahar on their appointment as Judge of the Intermediate Court;

(c) Dayangku Hajah Norismayanti binti Pengiran Haji Ismail on her appointment as Chief Magistrate;

(d) Hajah Hazarena binti Pehin Orang Kaya Setia Jaya Dato Paduka Haji Hurairah on her appointment as Deputy Chief Registrar of the Supreme Court

(e) Dayang Hajah Noor Amalina binti Dato Paduka Haji Alaihuddin and Dayang Kamaliah Fadhilah binti Haji Ibrahim on their appointment as Senior Registrars of the Supreme Court;

(f) Pengiran Hazirah binti Pengiran Mohd Yusof and Dayang Hajah Ervy Sufitriana binti Haji Abdul Rahman on their appointment as Senior Magistrate; and

(g) Awg Hj Mansur bin Dato Paduka Dr Haji Latif on his appointment as the President of the Law Society Council as well as the appointment of the new members to the Law Society Council.

CONCLUSION

15. This brings me to the end of my address, My Lord. I shall conclude by extending my good wishes to Your Lordship, Honourable Judges, the legal fraternity and everyone present, a happy, safe and successful 2022.

Thank you.



THE PRESIDENT OF LAW SOCIETY

Haji Mansur bin Dato Paduka Dr Hj Latif

INTRODUCTION

1. My Lord Chief Justice, Yang Berhormat Pehin Orang Kaya Laila Setia Bakti Diraja Dato Laila Utama Haji Awang Isa, Special Adviser to His Majesty and Minister at the Prime Minister's Office, Yang Berhormat Dato Seri Setia Haji Abdul Mokti Bin Haji Mohd Daud, Minister at the Prime Minister's Office, Yang Amat Arif Ketua Hakim Mahkamah Syariah, the Honourable Justices of the Supreme Court, the Honourable Attorney General, and to everyone who is joining us virtually, my fellow colleagues of the legal profession, distinguished guests, ladies, and gentlemen.

2. Assalamualaikum Warahmatullahi Wabarakatuh, by the grace of Allah Subhanahu wa ta'ala, I am honoured, blessed, and happy to appear before Your Lordship today as the President of the Law Society.

3. I also wish to extend a warm welcome to our overseas guests who has joined us virtually:-

i) Antonio Sim Peak Khiong, President of the Advocates Association of Sarawak;

ii) Brian Speers, President of the Commonwealth Lawyers Association;

iii) Chan Chak Ming, President of the Law Society of Hong Kong;

iv) Jason Chan Tai-Hui, Vice President of the Law Society of Singapore;

v) Karen Cheah Yee Lynn, President of the Malaysian Bar Council; and,

vi) Roger Chin Ken Fong, President of the Sabah Law Society.

4. Today, we celebrate the strength, unity, and cooperation between the Judiciary, Attorney General Chambers, and the Law Society. We are synergetic, striving towards a common objective; advancing the rule of law and enhancing access to justice for all. I shall highlight some of the collaborative work that we have achieved together but I begin by congratulating the appointment of eight Judicial Officers of the Supreme Court.

i) Muhammed Faisal bin Pehin Datu Juragan Laila Diraja Colonel (Rtd) Seri Pahlawan Haji Kefli as the Judicial Commissioner of the Supreme Court;

ii) Radin Safiee bin Radin Mas Basiuni and Pengiran Masni binti Pengiran Haji Bahar as Intermediate Court Judges;

iii) Dayangku Hajah Norismayanti binti Pengiran Haji Ismail as the Chief Magistrate;

iv) Hajah Hazarena binti Pehin Orang Kaya Setia Jaya Dato Paduka Haji Hurairah as the Deputy Chief Registrar of the Supreme Court;

v) Kamaliah Fadhilah binti Haji Ibrahim as the Senior Registrar of the Supreme Court; and,

vi) Pengiran Hazirah binti Pengiran Mohd Yusof and Hajah Ervy Sufitriana binti Abdul Rahman as Senior Magistrates.

5. These Judicial Officers have continued their commitment to serve the public and judicial system and on behalf of the Law Society, we wish you all the best in your appointment.

6. We further applaud the Judiciary's determination in improving the legal service in this country by appointing a resident Intermediate Court Judge and resident Senior Magistrate at the Tutong District Civil Court. This is the Judiciary's testament to keep the wheels of justice turning.

THE COUNCIL OF THE LAW SOCIETY OF 2020-2021

7. I commend our immediate past President, Pg Izad-Ryan bin Pg Leila Kanun DiRaja Pg Hj Bahrin, the office bearers and council members of the Law Society of 2020-2021. This exceptional group of people steered and steady the Society at an unprecedented time faced in our country. Here are some of the accomplishments carried by this Council, together with the Judiciary and Attorney General Chambers.

PROPOSED LEGAL PROFESSION (PROFESSIONAL INDEMNITY INSURANCE RULES)

8. We expect this rule to be in effect this year. The main objective of this rule is to offer a safeguard for both the client and practitioner. The proposed rule will require all practitioners in a law firm to have in place an insurance policy. This rule will strengthen the trust between the public and our members in the interest of the rule of law.

THE PROPOSED INTESTATE SUCCESSION ACT

9. This proposed Act will only apply to the estates of non-muslims and we also hope this Act to be in force this year. Presently, if you pass away without a Will, you would be categorized as dying intestate and there is no certainty as to how your property will be distributed. The enactment of this proposed Act will remedy this uncertainty as it will amongst others, give clarity on how the deceased's property will be distributed.

PUPILLAGE FRAMEWORK

10. We rejoice with Your Lordship on announcing the 1st edition of the Pupillage Framework. This Framework was made possible due to the collaborative effort of the Judiciary, Attorney Generals Chambers, and members of the Law Society. This framework is important to the development of future lawyers so they can be well equipped with the requisite skills and knowledge before being called to the Brunei Bar. I would like to add three further points about this framework.

11. First, pupils should not use this framework as a checklist task where you can "tick a box" upon completion. I believe most, if not, all would agree with me when I say, "in this profession, you never stop learning". This framework is a map, and pupils must use it as a tool to navigate in their legal profession.

12. Second, we understand the responsibility of a pupil master but the framework was not created to cause burden, it is to establish a structured training programme. It is the pupil masters' duty to nurture and guide their pupils in their journey. As the saying goes, "with great power comes great responsibility".

13. Third, the success of a pupil's career ultimately falls on the willingness, perseverance, and commitment of a pupil. This profession is difficult and demanding but through adversity comes triumph. To quote the titah of His Majesty's Sultan Haji Hassanal Bolkiah Mu'izzadin Waddaulah ibni Al-Marhum Sultan Haji Omar Ali Saifuddien Sa'adul Khairi Waddien, Sultan and Yang Di-Pertuan of Brunei Darussalam at the opening of this Supreme Court Building on 15th March 1984:-

"... I call upon my subject especially those who are still in schools and institutes of higher learning to choose law as a subject which they should pursue so that in the future, they would be able to play an important role in the administration of justice and laws, either in the public sector or the private sector".

SOCIAL EVENTS

14. Just before we experienced the second wave in 2021, the Law Society managed to organize our annual High Tea session where we welcomed our new members who were called to the Brunei Bar in the year 2018-2019. We also hosted the return of our Law Society Legal Night. Although, the night did not end without controversy as all the costume winners were from the Law Society but, application to appeal against this decision is time-barred. Regrettably, we were unable to organise our Law Society sports events and we will only resume activities once it is safe to do so. In the meantime, as of 2019, the Law Society football team remains as reigning champion.

THE COUNCIL OF THE LAW SOCIETY OF 2022-2023

15. As the Council's tenure of 2020-2021 draws to an end, I would like to introduce and welcome the Council for 2022-2023. The Office bearers of the Council are Vice President On Hung Zheng, Secretary Nur 'Azizah Binti Ahmad, and our Treasurer Nabilah Binti Zainal Abidin. We welcome back Subrina Tan who previously served as Council member in 2010-2011. I give my thanks to Pg Izad-Ryan, Ahmad Basuni Hj Abbas, Hj Muhammad Zainidi bin Hj Abdul Hamid, Vanessa On Wei, and Navrita Kaur for staying on as council members as they bring continuity and experience. We also welcome new Council members Roy Prabhakaran, who is our statutory member appointed by the council, Karen Tan, a statutory member appointed by the Honourable Attorney General and, Awang Abdul Muqtadir bin Awg Haji Suhaimi. I shall highlight some of the Council's aim for this year and beyond and, I can assure Your Lordship that the new Council have hit the ground running with a busy head start to the year.

IMPROVING THE STANDARD OF ADVOCACY

16. On 10th and 11th February 2022, a two-day basic advocacy course was organised for the law graduates from the Sultan Sharif Ali Islamic University and foreign institutions. This course was a momentous event as judicial officers, officers from the Attorney General Chambers, and our members of the Law Society combined their knowledge, resources and most importantly, contributed their valuable time to improve the proficiency of legal advocacy.

17. However, this course would not have been possible without the Prime Minister's Office, who initiated and spearheaded this project with an underlying objective, to further strengthen the legal fraternity's bond so together, we can enhance the standard and quality of advocacy skills in the legal community. The Law Society will use this as a stepping-stone to carry out two objectives.

18. Firstly, the Law Society hopes to coordinate an advocacy course together with the Prime Minister's Office, Judiciary and Attorney General Chambers for our young lawyers this year. Lawyers from the private and public sector are encouraged to join this advocacy course.

19. Second, to improve the advocacy programme for our future local law graduates. This is a long-term goal, and we wish to enable a conducive platform with the relevant stakeholders for further discussion.

REGULATING MEDIATION

20. We commend the Judiciary for pushing mediation into the legal framework. Even during the 3rd wave, the Court offered online mediation services to encourage parties to settle their dispute. This is the Court's commitment to make access to justice more accessible. Warren Burger as Chief Justice of the United States of America said in his State of Justice speech:-

The entire legal profession... has become so mesmerized with the stimulation of the courtroom contest, that we tend to forget that we ought to be healers of conflict..."

21. Currently, there is not statutory body that regulates Mediation, and we hope the relevant government bodies can address this matter sooner than later. The Law Society offers its' assistance when called upon.

CODE OF PRACTICE FOR THE CONDUCT OF CRIMINAL PROCEEDINGS

22. We hear Your Lordship's initiative on the proposed code of practice and we are pleased to inform Your Lordship that we are working together with the Attorney General Chambers on issuing this code. The proposed code would set out a guideline for prosecution and defence to observe good practice and etiquette during criminal proceeding. We hope to introduce this Code of Practice sometime this year.

ACTIVITIES

23. Since 2021, the Law Society has collaborated with Darussalam Enterprise in running a legal workshop for start-ups entrepreneurs and companies. I would like to express my gratitude to Vanessa On who led this workshop and our members who volunteered their time in making this workshop a success.

24. The Law Society is also collaborating with Brunei Shell Petroleum in organizing a project titled: "Legal Industry Day: Digitisation and Digitalisation". This will be a one-day physical seminar and we proposed to co-host this event tentatively in June 2022. However, we will only proceed with the event when it is reasonably safe to do so.

LEGAL AID

25. We are pleased to inform Your Lordship that we have resumed our Legal aid clinic program online. In fact, the Law Society is doing its part in developing our technological capabilities and I am pleased to inform members of the public that you can now apply for legal aid through our website. I would like to extend my appreciation to Ms. Veronica

Rajakanu, who served as Head of Legal Aid Committee with honour and compassion. Navrita Kaur has bravely stepped in as Head of Legal Aid. She will bring energy and enthusiasm to the Committee.

EXPANDING THE LAW SOCIETY

26. We shall take this opportunity to invite in-house counsel from government departments and Government Linked Companies to join the Law Society as a “non-practitioner member”. This is part of the Law Society’s initiative to expand the legal community and hope we can organise more collaborative works in the near future.

THE FUTURE OF COURT PROCEEDING

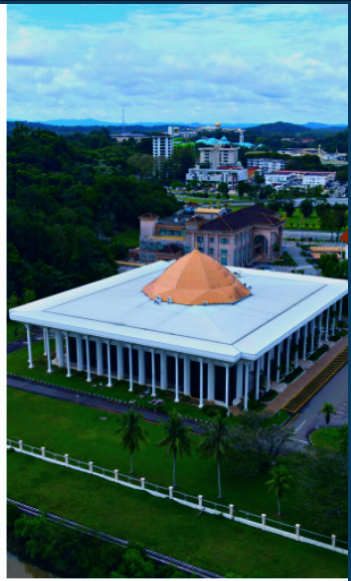
27. Throughout this pandemic, our legal system showed resilience and adapted with the latest technology which has resulted in greater access to justice for all. We are appreciative of the safety measures that the Court has taken in keeping everyone’s health and safety in the forefront by utilizing virtual hearings and trials and, we hope that this continues until the pandemic situation improves. This was aptly put by Your Lordship at the 8th Council of ASEAN Chief Justice Virtual Meeting, “Justice cannot wait out a crisis and we, like everyone have had to adapt”. The Law Society will be readily available to assist the Court when called upon.

CONCLUSION

28. To conclude, I would like to express my appreciation to Your Lordship, the Chief Registrar, Judicial Officers, and staffs in organizing this unforgettable ceremony. I am truly blessed to have the support and guidance from the legal fraternity, our senior members who are willingly ready to lend a helping hand, and in return, we will do our utmost best to repay that faith and uphold the integrity of this profession. I shall close my speech with a quote from the late Nelson Mandela:-

“I was in the company of great men indeed. Some of them more qualified, more talented than I am and to sit down with them to exchange views was one of the most revealing experiences I had. To sit down with those men and exchange views, it enriched your own life, it fortified your morality, it gave you courage to do better than your best”.

29. Thank you all for joining us today and I take this opportunity to wish everyone a blessed and happy Ramadan. Stay safe everyone. wabillahitaufig walhidayah wassalamualaikum.



SUPREME COURT

BRUNEI DARUSSALAM



SUPREME COURT

COURT OF APPEAL

A second Covid-19 wave in late 2021 meant that the Court of Appeal was unable to sit in late 2021. Successive waves of Covid-19 meant that the Court of Appeal session did not resume until October 2022. As such in order to tackle the backlog of appeals, the session held in 2022 was extended slightly to cater to the backlog.

Currently the Court of Appeal comprises of the Presidents of the Court of Appeal and two Judicial Commissioners. The appeal judges are supported by Registrars from the Supreme Court and staff from the Supreme Court Registry.

A total of 35 appeals were heard during the session comprising of 29 Criminal Appeals and 6 Civil Appeals.

The Court of Appeal has always actively managed its cases due to the nature of having fixed sessions during the year. Dialogue between the law society and the Attorney General's Chambers has opened ideas of exchange and collaboration to ensure that appeals are heard efficiently and in a timely manner.

Counsel were reminded of key documents that ought to be filed during appeal hearings and the importance of being succinct when submitting and referring to case authorities.



Out of the 29 criminal appeals, 9 appeals came from the High Court whilst the remaining 20 appeals came from the Intermediate Court. This is indicative of the volume of cases and larger pool of Judges that are available in the Intermediate Court.

With respect to civil cases, a variety of cases were heard on issues including unjust enrichment, banking law and personal injury.

All judgments are published either on the Judiciary's website or may be searched using the E-Filing Service portal.

The Court of Appeal is committed to continued regular and consistent sessions to ensure that parties and appeals are heard in a timely manner despite the ongoing pandemic. As the apex court with the Civil Court structure the Court of Appeal has the responsibility to ensure the development of jurisprudence, case precedent and criminal and sentencing guidelines.

The Court of Appeal is expected to resume its session in the first half of 2023.

HIGH COURT REGISTRY

The High Court Registry is currently led by the Chief Registrar who assisted by the Deputy Chief Registrar.

With Covid-19 continuing to spread in late 2021 and early 2022, the High Court experienced dips and shortages in manpower with officers and staff becoming infected.



Despite this, the court and registry stayed resilient and remained open throughout 2022.

The Supreme Court Registry was able to resume its 'new-normal' operations which now means a hybrid of both in-person and online hearings and an emphasis of the use of technology for communication and transmitting documents.

The judicial officers in the High Court currently comprise of:

- The Chief Justice of the Supreme Court
- One full time Judicial Commissioner
- The Chief Registrar who is also a Judicial Commissioner
- The Deputy Chief Registrar
- Two Senior Registrars
- Seven Registrars
- Two Judicial Law Officers

In order to assist in the administration of justice, the High Court recognises the need for assistance of the following:

- The Supreme Court Registry
- Corporate Unit
- Research and Data Collection Unit
- Interpreters and Court Recorder Unit
- Translation Unit

In recognising the relatively small pool of local High Court Judges, the High Court continues to utilize Section 16 C of the Supreme Court Act, Chapter 5 to transfer cases from the High Court to the Intermediate Court where a larger pool of judges is available. This ensures that cases are dealt with in an efficient and expeditious manner. A further 15 cases have been selected and have been assigned to various Intermediate Court Judges. Further the High Court has continued to leverage technology and held a 6 weeklong visiting judge's session entirely online before Justice Woolley in September and October 2022. The High Court was also pleased to welcome back Justice Ramesh to hear cases in person in October 2022.

Judgments for all High Court matters are available on the judiciary's website or may be searched through the e-filing portal.

The legal amendments were also passed in 2021 to the Supreme Court Act. In particular Section 15 A has allowed High Court hearings to be conducted online from various jurisdictions whether it be the judges, witnesses or even counsel being overseas. The High Court wishes to take the opportunity to thank Counsel who have been highly participative and willing to have matters online.

The everchanging landscape and environment has meant the Registry has had to learn to quickly adapt and will continue to do so in 2023.



Sitting: Nazurah, Noorhadina, Dk Nur Amalina

Standing: Ali Rahman, Puasa, Salmiah, Masrina, Hj Fatimah, Safwan, Pg Suhaili

BANKRUPTCY OFFICE

The Chief Registrar of the Supreme Court also holds the position as the Official Receiver. The Bankruptcy Office is currently overseen by Chief Magistrate and is assisted one other Registrar/Deputy Official.



Amongst the number of changes made to the workings of the Office, one notable change is in respect to collection of dividend cheques. To ensure a better management of the collection of cheques, it is envisaged that cheques may be collected through a centralized system. This practice has been rolled out in 2022 to some files and is hoped to applicable to all future bankruptcy files.

The Finance Unit was established and fully functional by early 2022. The Unit was set up to ensure the financial management of bankruptcy files is done in an orderly manner and in accordance with existing regulations.

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The Finance Unit was established and fully functional by early 2022. The Unit was set up to ensure the financial management of bankruptcy files is done in an orderly manner and in accordance with existing regulations. A Senior Finance Officer assisted by a Finance Officer and other staff with qualifications and experience in finance and accounting run the Finance Unit. The finance unit will:

- Oversee the receipt and issuance of cheques to and from the Bankruptcy Office.
- Monitor payment of judgment debtors
- Monitor Official Receiver's account
- Create and maintain an independent database
- Prepare notices for Payment of Compositions/dividend cheque collection



From left: Sa'adatul Firdaus, Afandi, Hjh Rakiah, Nurul Atiyah, Nur 'Afifah Basyirah, Hjh Azza Yossie, Hj Shamsul, Sarinah, Norzafan, Siti Aliah, Nurhafizah, Suraimah, Hasiah, Hanafi

With challenges that are ongoing, the Bankruptcy Office seeks to reassure its users that the office is committed to ensuring that procedures and services will continue to be offered at the highest level and also adapt to the uncertainty of times.

PROBATE OFFICE



The Probate Officer head the Probate Office. Officers tasked to assist in the day to day running and implementation of policies also include the Deputy Chief Registrar and a Senior Registrar.

The Probate Office has continued to develop its rules and practices in 2022. The primary aim of the Probate Office to accept applications for Probate, hear the applications and grant the Letter of Administration or Letter of Probate for all non-contentious matters.

The Probate Office also acts as the central Probate Office for the district court probate registries. As such, the Probate Committee has been working hard to ensure that the processes and procedures in all four districts are streamlined and consistent. Newer initiates are piloted in Bandar Seri Begawan before being rolled out in the districts.

With probate matters become more and more complex issues with respect to documentation required for probate applications have had to be revised. In today's global world cross border issues with respect to probate matters are becoming more and more apparent.

As with the other registries the Probate Office was affected in during the second COVID-19 wave. This propelled the need to expand online hearings to include the Probate Office. Online hearings began in September 2021 and have continued through to the endemic stage.

As part of its initiatives in 2023, the probate Office seeks to:

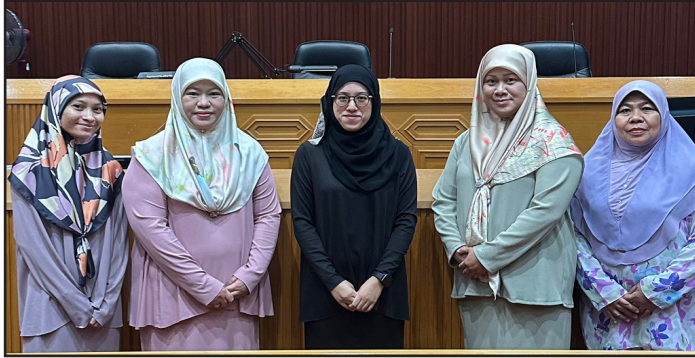
- Increase the number of Deputy Probate Officers
- Revisit and clarify and simplify the probate procedures
- Provide and publish information on probate related issues
- Set-up an appointment system for the Probate Office
- Revising the Probate Procedural Rules

There wishes to thank the staff and also its stakeholders for their continued support. The Probate Office seeks to continue to improve its services to ensure that applications are dealt with properly, effectively and efficiently.



From left: Nurul Zahra Aqilah, Noorhayati, Kamaliah Fadhilah,
Hj Abdullah Soefri, Mohammad Fikri Fathuddin, Asrina, Nora

MARRIAGE REGISTRY



From left: Nazurah, Noorhadina, Hjh Nor Amalina, Masrina, Salmiah (Supreme Court)

The Registry of Civil Marriages continues to assist couples on their marriage journey and provides the following services :

- the solemnisation and registration of civil marriages;
- name searches for marriage records; and
- duplicates of marriage certificates.

As of May 2022, an unlimited number of guests are allowed entry to be present for the registration of marriage ceremony, regardless of their vaccination status and with no further requirements for negative ART results. Safe distancing and mask wearing are still encouraged however couples are now allowed photo or video taking sessions inside the court house.

Marriage interviews continue to be conducted with couples via Zoom and the Civil Marriage Registry continues to be active in communicating with couples and in responding to inquiries through the Registry's e-mail address civil.marriage@judicial.gov.bn.

The Civil Marriage Registry looks forward to assisting couples on their marriage journey in 2023.

Civil Marriages



Supreme Court



Tutong Court



Belait Court

TRANSLATION UNIT

At the end of December 2021, after the announcement of the country's Early Endemic phase, as well as the court's BCP initiative and under the instructions of The Honorable Chief Registrar, the unit was divided and operated in a Group A and Group B basis - manning the registry whilst adhering to guidelines and Standard Operating Procedures provided - thus embracing the new norms.

By April 2022, Translation Office fully resumed operation in the new normal era with all officers committed to working in the office. Due to the dynamic nature and characteristics of this office, two translators, TI Nurhafizah Haji Moksin and TI Norzafan Haji Nordin upon instruction by the Chief Registrar, assist the Bankruptcy Unit commencing July 2022 in a form of temporary attachment.



From left: Sun Tze Yun, Nureizah, Dewi Susianty, Norfazidah, Norzafan, Nurhafizah

THE REGISTRY

Apart from doing translations for inter-departmental purposes, this unit serves to accept various types of documents for translation and for certification pertaining to court cases such as documents from other government departments. Although generally the unit does not accept documents to be translated from private individuals for private purposes, it accepts certain official pieces which need to be certified by the Court and embossed with the Court seal to be recognized and submitted in foreign jurisdictions.

These documents are Birth Certificates, Identification Cards, Adoption Certificates, Marriage Certificates, Divorce Certificates, Personal Academic Certificates and official documents from other government departments.

As at December 2022, statistics shows from December 2021 to December 2022, this office received 215 translation applications and attained 90% target success starting from receiving process until completion of each applications. This number of applications has risen from 154 last year which demonstrates a growing demand of service from the public.

The translation service and certification this unit provides are chargeable for \$20 per page for translation and \$20 per page for certification.

A team of dedicated translators in this unit are Chief Translator Dewi Susianty Haji Md Daud, Senior Translator Nurfazidah Taib, Translator/Interpreter Nooreizah Haji Md Jaya, Translator/Interpreter Nurhafizah Haji Moksin, Translator/Interpreter Norzafan Haji Nordin and Senior Interpreter Awang Sun Tze Yun (for Chinese translation only).

COURSES

In June 2022, ST Nurfazidah Taib, TI Nurhafizah Haji Moksin and TI Norzafan Haji Nordin attended an oath taking at Majlis Taklimat dan Ikrar Angkat Sumpah at State Judiciary Department. From 17 to 22 October 2022, TI Nurhafizah Haji Moksin and TI Norzafan Haji Nordin attended an In-House Training Kursus Induksi Perkhidmatan Awam, also at State Judiciary Department.

COURT INTERPRETERS AND RECORDERS

We welcome 2023 with new aspirations in embracing the New Norm confronting the uncertainty and challenges with resilience and hopes.

We have gone back to normal working time and mode, physical mentions and trial cases whilst some still maintaining online method for fresh cases and mentions

Maintaining self-observed distancing, sanitizing and wearing mask when necessary and random ART test in ensuring safety and health for all.

Today, in Bandar Seri Begawan the number of interpreters remain 17, 2 in Kuala Belait, 2 in Tutong, 21 altogether giving full time services.

1 clerk/Interpreter post and 1 Senior Interpreter post are still vacant. The process of acquiring them is in the pipeline.

In providing the services of interpreter Foreign Embassy and High Commission in Brunei or foreign nationals residing in Brunei listed by their Embassy or High Commission.



Sitting: Alizah, Pg Norfarzat Irwani, Hjh Noorinah

2nd row: Dk Syafeeqah Hakeemah, Nurarina Nazirah, Nariyyah, Dk Khadijah, Khairunnisa, Nur Izzati, Nurul Ain, Hadizah

3rd row: Fadzillah, Hafizurahman, 'Arief, Sun Tze Yun, Qhaire, Faizin

As for Recorders, the number still remain 6 and currently assigned to the High Court Justices and Intermediate Court Judges only.

Efforts has been made in search of training provider locally and abroad specifically for Interpreters and Recorders in improving our service but to date, none of the training offered suits our need. Nonetheless we will continuously find a way with the support and assistance of the HRD of the State Judiciary Department.

With the experience and knowledge gained on-the job, we will give our best in ensuring a better service of interpretation and in providing court records and will continue to keep improving our performance.



From left: Siti Noraqilah, Nurnajiah, Suhailah, Nurbazilah,
Diyana Rashidah @ Ruz'zainnah, Khairul Khairiah

LIBRARY

The Supreme Court Library is located at the second floor of the Supreme Court Building. All members of the legal community are welcomed to use the Supreme Court Library, which is one of the major legal libraries in the nation and offers a legal reference service. About 21,000 volumes of textbooks, legal reports, and research journals encompassing a variety of legal resources from Brunei Darussalam, Malaysia, Singapore, India, Pakistan, Hong Kong, Australia, and Britain make up its collection, which comprises primarily of legal works and materials.



From left: Rohani, Nur Eleana, Nurul Hidayah, Mohammad Marzuqi, Setia Wati

The Library Unit is responsible for a variety of tasks, including updating the electronic catalogue, the judgment database, and the laws of Brunei Darussalam in order to provide an accurate and up-to-date legal source of information. It also organizes and facilitates the purchase and preservation of library materials.

As of 07-April-2022, the Library Working Committee is supervised by Registrar/ DOR Nurul Hidayah Binti Hamdan, Registrar / DOR Mohammad Marzuqi bin Sabtu and Magistrate Nur Eleana binti Dato Seri Paduka Haji Hairol Arni.

In adapting with the new norm and towards the digitalization approach of legal research it is a part of the Library Working Committee plan to propose for a course on LawNet, a leading portal for legal research, to the Library staffs especially, so as to be up-to-date with the LawNet system.

The Library Unit is currently manned by two staffs, Dayang Setia Wati binti Hj Tamit (based in Bandar Seri Begawan & Temburong) and Dayang Rohani binti Haji Zakaria (based in Tutong & Belait). The Supreme Court would also like to bid farewell to Hjh Norsiah binti Hj Jamil (Previously the Chief Librarian), who ended her service with the Supreme Court Library in June 2022. We wish her well in her future endeavor and thank her for her valuable contribution, dedication and hard work to the Judiciary.



JUDGES



Chief Justice
The Hon. Chief Justice Dato Seri Paduka Steven Chong Wan Oon

JUDICIAL COMMISSIONERS



Judicial Commissioner of the Supreme Court
The Hon. Justice Haji Abdullah Soefri bin
POKSM Dato Seri Paduka Haji Abidin



Judicial Commissioner of the Supreme Court
The Hon. Justice Muhammed Faisal bin PDJLD
DSP Haji Kefli

JUDGES AND JUDICIAL COMMISSIONERS



President of the Court of Appeal
The Hon. Justice Michael Peter Burrell



Judicial Commissioner of Court of Appeal
The Hon. Justice Conrad Seagroatt



Judicial Commissioner of Court of Appeal
The Hon. Justice Michael Victor Lunn



Judicial Commissioner of Supreme Court
The Hon. Justice Gareth John Lugar-Mawson



Judicial Commissioner of Supreme Court
The Hon. Justice Edward Timothy Starbuck
Woolley



Judicial Commissioner of Supreme Court
The Hon. Justice Kannan Ramesh

REGISTRARS



The Hon. Justice Haji Abdullah Soefri bin
POKSM Dato Seri Paduka Haji Abidin
Chief Registrar



Hajah Hazarena binti POKSJ
Dato Paduka Haji Hurairah
Deputy Chief Registrar



Hajah Noor Amalina binti
Dato Paduka Haji Alaihuddin
Senior Registrar



Hajah Kamaliah Fadhilah binti Haji
Ibrahim
Senior Registrar

REGISTRARS



Muhammad Muzakkir bin Awang Haji Zakaria
Registrar



Pengiran Siti Nursu'adah binti Pengiran
Judfrizar @ Pengiran Tajudin
Registrar



Nurul Hidayah binti Hamdan
Registrar



Hajah Normazdina binti Haji Md Maskub
Registrar

REGISTRARS



Nuuror-Raheebah binti Haji Abdul Wahab
Registrar



Mohammad Marzuqi bin Sabtu
Registrar



Muhammad Syafiq bin Awang Haji Zakaria
Registrar



Syaffina binti Shahif
Registrar

THE SUPREME COURT UNITS

CORPORATE AFFAIRS UNIT



Front row: Md Izzam Mahmud, Ak Md Saifuddin, Hj Badaruddin, Yusof, Ghazali
2nd row: Nur Kamalia, Suzana, Norhayati, Pg Hj Rahaiyah, Hj Nurul Hazimah, Mastika
3rd row: Asrina, Suzie, Noraidah, Asiah

DATA COLLECTION & STATISTICS UNIT



From left: Syamimi (attachment), Muhammad Kamaluddin, Syazwani (i-Ready)

SUPREME COURT INTERNAL TRAINING UNIT



From left: Mohamad Marzuqi, Mohamad Muzzakir, Mohamed Faisal, Nurul Hidayah



From left: Hjh Izzatul Faizah (attachment), Abdul 'Azim (i-Ready)

CONFIDENTIAL SECRETARIES AND CONFIDENTIAL CLERKS



From left: Norhayati, Suzana, Pg Hj Rahaiyah, Hj Nurul Hazimah

FINANCE UNIT



From left: Hj Normawati, Aini, Noralinah

COURT BAILIFFS & PROCESS SERVERS



From left: Puasa, Mohammad Shamri, Pg Suhaili, Tajudin, Mahmud Zuhdi, Masrina

FAREWELL

On 1st December 2022, the Supreme Court hosted a Court of Appeal Tea Party, which served simultaneously as a farewell event for the Honourable President of the Court of Appeal. The Honourable Justice Michael Peter Burrell marks his final sitting in Brunei Darussalam as President of Court of Appeal in November 2022.

The farewell was commenced with a speech by the Honourable Chief Justice Dato Seri Paduka Steven Chong Wan Oon, expressing profound appreciation to Justice Burrell for his service as both the President and as Judge of the Court of Appeal. The Honourable Justice Burrell rejoined by thanking the officers and staff of the Supreme Court and the State Judiciary Department for their hospitality throughout his tenure. The Chief Justice then presented Justice Burrell with a token of appreciation in the form of a hand-drawn sketch of the Supreme Court Building by Senior Assistant Professor Rui Oliveira Lopes of the University of Brunei Darussalam's Faculty of Arts and Social Sciences.



Justice Burrell was appointed as a Judicial Commissioner of the Court of Appeal of Brunei Darussalam in 2013. In 2018, he succeeded Justice John Barry Mortimer as the President of the Court of Appeal. Prior to his service in Brunei Darussalam, Justice Burrell served in Hong Kong as a Judge in the Court of First Instance of the High Court until 2009, and as Chairman of the Insider Dealing Tribunal (presently the Market Misconduct Tribunal) until 1998.

INTERMEDIATE COURT

BRUNEI DARUSSALAM

INTERMEDIATE COURT



The Supreme Court Registry also deals with Intermediate Court matters. As the the Intermediate Court shares a registry with the High Court, similar problems were faced by the Intermediate Court. Currently there is pool of 5 Intermediate Court Judges. Two Judges serve on a full-time basis with one Judge based in the Tutong District. There are three other judges who have powers as an Intermediate Court whilst performing other judicial functions.

This year, the Intermediate Court has revisited and emphasized mediation. The Intermediate Court has focused on offering more mediation opportunities for parties in Intermediate Court matters. Mediation is initiated upon close of proceedings to which parties are invited to consider mediation. Mediation is also part of the commercial court process and ought to be seen a valued option for parties to settle their disputes.

The Intermediate Court would seek the opportunity for parties to understand and explore mediation and for counsel to explain the advantages of mediation. Mediation may either be conducted by the court or privately depending on the decision of the party.

Legislation in 2021 has assisted the Intermediate Court to hear a substantial number of online cases. A mixture of the online and in person hearings is part of the 'new normal' and has been encouragingly adopted by parties.

The Intermediate Court has continued to play a special role in the area of commercial cases. Covid-19 has meant a decline in the filing of cases generally. However, this has not been the case for the commercial court and has seen the number of filings maintain pre and post pandemic. This illustrates the need to pay special attention to commercial cases so that cases are heard in an efficiently and effective manner and that the judges are well trained to deal with complex commercial matters.

In 2023, the Intermediate Court renews its pledge to effectively administer its cases in a timely, fair and judicious manner.

JUDGES



Radin Safiee Bin Radin Mas Basiuni
Judge



Pengiran Masni Binti Pengiran Haji Bahar
Judge



Dayangku Hajah Norismayanti Binti
Pengiran Haji Ismail
Judge



Hajah Hazarena binti POKSJ
Dato Paduka Haji Hurairah
Judge



Harnita Zelda Skinner
Judge



SUBORDINATE COURT

BRUNEI DARUSSALAM



SUBORDINATE COURT

The Subordinate Court continues to be led by the Honourable Dk Hajah Norismayanti binti Pg Haji Ismail in her capacity as the Chief Magistrate in overseeing its administration, ensuring the delivery of justice and the services provided therein. The Honourable Chief Magistrate is assisted by six judicial officers, namely:

- Senior Registrar Harnita Zelda Skinner
- Senior Magistrate Hajah Azrimah binti Haji Abdul Rahman
- Senior Magistrate Hajah Ervy Sufitriana binti Haji Abdul Rahman
- Acting Senior Magistrate Dewi Norlelawati binti Haji Abdul Hamid
- Magistrate Nur Eleana binti Dato Seri Paduka Haji Hairol Arni

The Subordinate Court is pleased to welcome two new judicial officers, Muhammad Syafiq bin Haji Zakaria and Syaffina binti Shahif.



In addition, the Subordinate Court consists of four Subordinate Court Registrars and five Deputy Registrars, where two of those Deputy Registrars are based in the district courts. They are namely :

- Registrar Hajah Fauzihana binti Haji Mohamad
- Registrar Muhammad Hardy Iman bin Haji Muhd Ukit
- Registrar Mohamad Jazmi bin Haji Mohamad Kamel
- Registrar Mohamad Norhamizan bin Mohd Nurazman
- Deputy Registrar Norhayati binti Haji Ismail
- Deputy Registrar Hashimah binti Haji Abu Bakar
- Deputy Registrar Hajah Asmawati binti Haji Ismail
- Deputy Registrar Dk Norafidah binti Pg Haji Bungsu (Tutong District Court)
- Deputy Registrar Catherine Khoo Sau Yew (Belait District Court)

District Courts

The administration of the district courts is overseen by the District Magistrates in its day-to-day operation of the respective court buildings. The assigned District Magistrates are as follows:

- Tutong District Court – Senior Magistrate Pg Hazirah binti Pg Mohd Yusof
- Belait District Court – Acting Senior Magistrate Dewi Norlelawati binti Haji Abdul Hamid
- Temburong District Court – Magistrate Nur Eleana binti Dato Seri Paduka Haji Hairol Arni



Subordinate Court after the Endemic Phase

The Court Registry and services provided has resumed its operation in full capacity. Despite resuming normal operations, the court is maintaining its online platform to receive applications for the convenience of its users. The key services to the public in all four districts include:

- Attestation of documents;
- Witnessing the signing of statutory declarations;
- Witnessing the affirmation of affidavits and any other declarations;
- Certifying true copies of documents;
- Attesting Powers of Attorney
- Notary Public; and
- Process servers for litigant-in-person.



Registry

Magistrates Court

Criminal Section

The Magistrate's Court recognizes the importance of remote access, which has been especially crucial in a time where movement has been restricted due to health and safety reasons. As part of the Magistrate's Court's continuous efforts to enhance access to justice and to minimize delay, criminal fresh cases can now be opened online and heard before a Duty Magistrate remotely via the Zoom platform.

In early 2022, the Criminal Section updated the Bailor Application Form and introduced a set of Terms and Conditions for bailors. This change is aimed to assist potential bailors to gain a better understanding of the role of a bailor and the responsibilities that are attached to it.

By mid-year, the Criminal Section introduced a guide on the criminal trial process for defendants. It highlights the key features of the trial process, starting from the outset at the preparation stage up to the final stage of appeal. The guideline is available in both English and Bahasa Melayu and accessible online via the Judiciary website.

Civil Section

During the second wave of pandemic, the Magistrate's Court moved to adopt digital tools in conducting civil cases to allow the public and counsels to have a more accessible system to justice. As the restrictions were eased in January 2022, the Court in all districts had slowly transitioned to the pre-pandemic system by recommencing the hearing of civil cases in open court which were conducted in limited numbers and time slots.

In May 2022, the Court began to fully conduct civil cases in open court without the above limitations. In accordance to Circular No. 2 of 1992, parties may continue to make certain applications in writing.

Further, as part of the Magistrate's court effort and initiative in enhancing access to justice, the Court has introduced the 'Statement of Admission' form which took effect from 12th December 2022. The statement of admission allows the defendants to a civil claim in the Magistrate's court effectively admit to the claim against them by filing in the said form at the Civil Section. The statement of admission can be downloaded at the Judiciary website under the 'downloadable forms' tab.



Road Traffic Section

Road traffic cases has resumed in open court as of February 2022 and are no longer being heard virtually. The Court observed a decrease for incoming road traffic summons filed, thus hearing of road traffic cases in Bandar Seri Begawan was reduced from two days per week to only once per week. Road traffic cases also continued to be heard in other districts.

Juvenile Court

Under the Children and Young Persons Act, Chapter 219, the Juvenile Court continues its effort in administering effective juvenile justice during the 2nd wave of COVID-19 as juvenile cases were continued to be heard virtually. The Juvenile Court not only deals with youth offenders, but also with children in need of care and protection and who are beyond parental control.

For the past 12 months, there was 1 Juvenile arrest case, 3 beyond parental control and 9 Children Protection Order registered in Bandar Seri Begawan. No case was registered in other district. Based on this statistic, there has been significant decrease of cases registered.

On 8th November 2022, Juvenile Court organized a visit to Kompleks Rumah Kebajikan, JAPEM. The visit involved Judicial Officers, Panel of Advisers, officers and staff from Juvenile Court. We highly appreciate and thank JAPEM for accommodating our visit.

Small Claims Tribunal

The Small Claims Tribunal being a specialized division of the court, ensures claimants who have meritorious claims not being more than \$10,000 in value, to have a flexible, quick and inexpensive forum. Having less complicated procedures and more relaxed rules than a regular court allows parties to the dispute to be more engaging in the process with the assistance of a Registrar/Deputy Registrar taking up a role as a mediator, leaving both parties satisfied, if an amicable agreement is reached.

This year, the Small Claims Registries had embarked on a project of 'strategic planning' for the years ahead, in order to improve its administrative processes to serve the community. As part of its efforts, they engaged on a SWOT analysis in identifying issues and provided solutions. Aside from this, the members of staff of the Small Claims Tribunal Registries have attended an in-house training on the 29th October 2022 to ensure a good understanding of their roles, as well as, the jurisdiction of the Small Claims Tribunal. Although, the Registries' role is not to provide any legal advice to members of the public, but with their deeper understanding of the Small Claims Tribunal, the community is better served.



Use of Technology

As the Court resumed its hearings in open court, virtual hearings still remain an option to allow court hearings to proceed without the physical presence of the parties whenever necessary.



Student Attachment

The Subordinate Court continues to provide internship programs for undergraduates as part of their learning process of the judicial system.

Judicial Officers and Court Staff Training

This year, the Subordinate Court is pleased to report that judicial officers and court staff have been attending training courses/conferences/workshops both in person and virtually.

Below is a list of training courses/conferences/workshops attended:

- Commonwealth Secretariat Conference on Addressing Cybercrime in Asia, Singapore
- Singapore Cooperation Programme Technology and Courts Of The Future, Singapore
- Sentencing Conference 2022 - Sentencing Frameworks by Singapore Academy of Law
- The 18th Conference of Chief Justices of Asia and the Pacific Conference
- Insolvency Training by INSOL International
- 3rd China ASEAN Justice Forum
- Slyn Foundation Seminar Series – Sentencing Council
- Managing Conflicts and Resolution Disputes through Mediation (Strategic Conflict Management for Professional) by BDAC-SMC
- 10th Meeting of the Council of ASEAN Chief Justices - 2022
- CACJ – Working Group Meeting on ASEAN Judiciaries Portal - 2022
- CACJ – Working Group Meeting on The Study on the Future of CACJ - 2022
- CACJ – Working Group Meeting on Service of Civil Processes within ASEAN - 2022
- CACJ – Working Group Meeting on Case Management and Court Technology - 2022

Coroner's Zoning

The assigned coroner at each zone as of the 3rd January 2023 is as follows:

| Zone / Mukim | Assigned Coroner |
|--|---|
| BRUNEI-MUARA DISTRICT | |
| Mukim Berakas B Mukim Mentiri Mukim Serasa | CM Pg Hjh Norismayanti binti Pg Hj Ismail |
| Mukim Sengkurong | SR Harnita Zelda Skinner |
| Mukim Gadong B | SM Hjh Azrimah binti Hj Abdul Rahman |
| Mukim Gadong A Mukim Berakas A | SM Hjh Ervy Sufitriana binti Hj Abdul Rahman |
| Mukim Kianggeh Mukim Kota Batu | ASM Dewi Norlelawati binti Hj Abdul Hamid |
| Mukim Pangkalan Batu Mukim Kampong Ayer | Mag. Nur Eleana binti DSP Hj Hairol Arni |
| Mukim Kilanas Mukim Lumapas | Mag. Syaffina binti Shahif |
| OTHER DISTRICTS | |
| Tutong District | Mag. Syaffina binti Shahif |
| Belait District | ASM Dewi Norlelawati binti Hj Abdul Hamid |
| Temburong District | Mag. Nur Eleana binti DSP Hj Hairol Arni |

Further details of the each zone can be found on the Judiciary website.

MAGISTRATES



Dayangku Hajah Norismayanti Binti Pengiran Haji Ismail
Chief Magistrate



Harnita Zelda Skinner
Senior Registrar / Magistrate



Hajah Azrimah Binti Haji
Abdul Rahman
Senior Magistrate

MAGISTRATES



Hajah Ervy Sufitriana Binti Haji
Abdul Rahman
Senior Magistrate



Dewi Norlelawati Binti
Haji Abdul Hamid
Acting Senior Magistrate



Nur Eleana Binti Dato Seri Paduka
Haji Hairol Arni
Magistrate



Muhammad Syafiq bin Awang Haji
Zakaria
Magistrate



Syaffina binti Shahif
Magistrate

JUVENILE COURT

PANEL OF ADVISERS



From left:

- *Haji Awang Abd Alim Bin Haji Awang Othman*
- *Hajah Mordiah Binti Haji Jackia*
- *Alinah Binti Haji Tamin*
- *Ustaz Haji Md Lazim Bin Haji Matali*

The Panel of Advisers of the Juvenile Court are nominated by the Chief Justice to assist the Court in exercising its jurisdiction under the Children and Young Persons Act.

The Children and Young Persons Act confers upon Magistrates such powers as imposing alternative 'sentencing' measures and protective orders upon children and young persons within the juvenile justice system. These measures and orders include probation orders, community service orders, placement in an Approved School and Approved Home, and placement in a Detention Centre.

Prior to making any such order, the Magistrate presiding over each juvenile case engages in discussions with the Panel of Advisers to determine whether the order and any contemplated course of action is suitable and proper. In these discussions, the Panel of Advisers places primacy upon the best interest of the child or young person.

Presently, four advisers serve within the Panel upon nomination in 2010 under Notification No. 214 of the Children and Young Persons Order 2006. The contribution of these advisers' experience and expertise has been indispensable in the application of juvenile justice in Brunei Darussalam.

SMALL CLAIMS TRIBUNAL

REGISTRARS/ADJUDICATORS



Registrar:

Pengiran Masni Binti Pengiran Haji Bahar

Deputy Registrar:

Hajah Hazarena Binti POKSJ Dato Paduka Haji Hurairah

Assistant Registrars:

Radin Safiee Bin Radin Mas Basiuni

Dayangku Hajah Norismayanti Binti Pengiran Haji Ismail

Harnita Zelda Skinner

Hajah Azrimah Binti Haji Abdul Rahman

Pengiran Hazirah Binti Pengiran Yusof

Hajah Noor Amalina Binti Dato Paduka Haji Alaihuddin

Hajah Kamaliah Fadhilah Binti Haji Ibrahim

Hajah Ervy Sufitriana Binti Haji Abdul Rahman

Dewi Norlelawati Binti Haji Abdul Hamid

Deputy Adjudicators:

Radin Safiee bin Radin Mas Basiuni

Dayangku Hajah Norismayanti Binti Pengiran Haji Ismail

Harnita Zelda Skinner

Hajah Azrimah Binti Haji Abdul Rahman

Pengiran Hazirah Binti Pengiran Yusof

Hajah Noor Amalina binti Dato Paduka Haji Alaihuddin

Hajah Kamaliah Fadhilah Binti Haji Ibrahim

Hajah Ervy Sufitriana Binti Haji Abdul Rahman

Dewi Norlelawati Binti Haji Abdul Hamid

[As of 1st January 2022]

THE SUBORDINATE COURT

OFFICERS AND STAFFS

REGISTRARS OF THE SUBORDINATE COURT



Chief Magistrate:

Dk Hjh Norismayanti binti Pg Hj Ismail

Senior Registrar:

Haji Badaruddin Bin Haji Abdul Karim

Registrars:

Hajah Fauzihana Binti Haji Mohamad
Muhammad Hardy Iman Bin Haji Muhammad Ukit
Mohamad Jazmi Bin Haji Mohamad Kamel
Mohamad Norhamizan Bin Mohamad Nurazman

Deputy Registrars:

Noorhayati Binti Haji Ismail
Hashimah Binti Haji Abu Bakar
Dayangku Norafidah Binti Pg Haji Bungsu
Hajah Asmawati Binti Haji Ismail/Haji Jaafar
Khoo Sau Yew

BANDAR SERI BEGAWAN

CRIMINAL SECTION



From left: Nur Kamilah, Norhamizah, Pg Hazirah, Mohamad Norhamizan, Nor Hafizah, Siti Nur Mumtazah

CIVIL SECTION



Front row: Nurul Hafizah Dewiyana, Norkhadizah, Hjh Ervy Sufitriana, Hjh Asmahwati, Nurafiqah, Nor Hafizah
Back row: Mahmud Zuhdi, Mohamad Jazmi, Yusof

JUVENILE COURT SECTION



From left: Muhammad Hardy Iman, Harnita Zelda Skinner, Norhamizah, Nur Kamilah

ROAD TRAFFIC SECTION



From left: Nur Kamilah, Nor Hafizah, Nur Eleana, Hjh Fauzihana, Nur Fadillah

OFFICE ADMINISTRATION SECTION



From left: Nur Fadillah, Norhayati, Siti Rafeah, Pg Abu Nurhaira, Yenny, Hjh Fauzihana, Rohani, Nani Hamizah

FINANCE UNIT



Pg Saerah, Hjh Anisah

PROCESS SERVERS



Mohammad Shamri, Rodglan



DISTRICTS COURTS

BRUNEI DARUSSALAM

TUTONG DISTRICT COURT



In January 2022, Tutong District Court increased its operations with the appointment of Intermediate Court Judge Pg Masni binti Pg Hj Bahar and Senior Magistrate Pg Hazirah Pg Mohd Yusof as the resident Intermediate Court Judge and the resident Senior Magistrate respectively. Aside from managing the administration of the courthouse and the registries, they sit in Tutong district on a full-time basis where they hear cases from both the Brunei-Muara and Tutong districts. The Judicial Officers are assisted by a Deputy Registrar and nine court personnel.



In light of the new full-time appointments, there has inevitably been an increase in the volume of cases being heard in Tutong District Court. In response to the influx of workload and court users, the court has introduced various new facilities to improve its services to stakeholders. The court building has allocated rooms for mediation and chamber matters, probate hearings and notary services. For the convenience of private lawyers and prosecutors, Tutong District Court has also provided a Robing Room and a Prosecutor Room with access to internet facilities.



Registry



Mediation Room / Chamber Hearing



Court room

In terms of in-court facilities, Tutong District Court is now equipped with a technology court which enables remote court proceedings. The introduction of a technology court is part of the court's initiative to keep the legal process moving and to minimise the need to reschedule cases due to any availability or mobility issues faced by counsels, parties or witnesses.



Sitting: Nor 'Izzati, Dk Norafidah, Pg Hazirah, Pg Masni, Rafidah Izzati,
Standing: Rakinah, Jauyah, Abd Razak, Mohammad Khairuddin, Nurul Qaidah, Aliza, Rosnah



In May 2022, Tutong District Court hosted a hi-tea in commemoration of Hari Raya Aidilfitri. The celebration was attended by the Honourable Chief Justice, the Director of the State Judiciary Department, the Honourable Chief Registrar and officers and staff of the Judiciary.

TEMBURONG DISTRICT COURT



The Temburong District Court is located at the Temburong District Office Building in Pekan Bangar, Temburong. It comprises of three fixed members of staff. The Temburong District Court continues to provide key services to the public such as the witnessing of signing of statutory declarations and affirmations of affidavits.

The registry also accepts probate applications for the issuance of Letters of Administrations and summary grants, which are heard by the assigned Deputy Probate Officer.

With the availability of an assigned District Magistrate, the Court can hear any criminal and road traffic cases brought in the Temburong District.



Court room



Registry



From left: Ulat Pilang, Noraiman Al-Emi, Nur Eleana, Kasman

BELAIT DISTRICT COURT



The Belait District Court building is located at Spg 28, Jalan Maulana, Kuala Belait.

The court building comprises of a General Counter, Service Bureau Counter, three court rooms for Magistrates or a High Court Judge to hear both civil and criminal proceedings. Magistrates also hear Road Traffic cases, Juveniles court cases and civil claims made under the Small Claims Tribunal.

Public services provided by the Belait District Court are as follows:

- Attestation of documents
- Witnessing statutory Declaration, Employment contract, contract of Agreement, Affidavit and any other declarations
- Making Certified True Copies of documents
- Attesting power of Attorney
- Notary Public services



Registries

The court also houses the Probate and Marriage Registries. Probate hearings and solemnizations of marriages are conducted by the assigned Magistrate to the Belait District in their capacity as Deputy Probate Officer and Marriage Registrars respectively.

The Probate Registry accepts probate applications for the issuance of Letters of Administrations, Letters of Probate and summary grants.



The Marriage Registry administers the registration and solemnization of civil marriages strictly for non-muslim couples only.

Library



Sitting: Zulhazmi, Khoo Sau Yew, Dewi Norlelawati, Rohani, Pg Zamahin

Standing: Nardhatul Qartika Sari, Salina, Zuraidah, Anurafif Atiqah, Selamah @ Zahrina, Nurfattyma, Nurhamizah, Sumarni

COURT-MARTIAL

JUDGE ADVOCATES

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

The current Judge Advocates are as follows:-

The Hon. Chief Justice Dato Seri Paduka Steven Chong Wan Oon
Justice Haji Abdullah Soefri bin POKSM DSP Hj Abidin
Justice Muhammed Faisal Bin PDJLD Dato Seri Pahlawan (B) Haji Kefli
Judge Radin Safiee Bin Radin Mas Basiuni
Judge Pengiran Masni Binti Pengiran Haji Bahar



STATE JUDICIARY DEPARTMENT

BRUNEI DARUSSALAM



Shahminan Haji Tengah
Acting Director of the State Judiciary Department

The year, 2022, marks the 20th anniversary of the establishment of the State Judiciary Department on 1st May 2022. The department marks the anniversary with “Majlis Khatam Al-Quran” among the officers and staffs. The State Judiciary Department have evolved throughout the years with having more officers and supporting staffs to manage both the Civil and Syariah Courts’ welfare and the creation of new sections lead by the Head section to foresee and manage the sections efficiently and effectively.

Though Brunei have entered its endemic phase, the State Judiciary Department still maintain its own Business Continuity Planning (BCP) by making sure that the Standard Operating Procedure are implemented.



Officers and Staff of the State Judiciary Department

HIGHLIGHTS AND EVENTS

CONFERENCES, TRAININGS AND VISITS

COURTESY CALL FROM HER EXCELLENCY CARYN R. MCCLELLAND, U.S. AMBASSADOR TO BRUNEI DARUSSALAM

26th July 2022

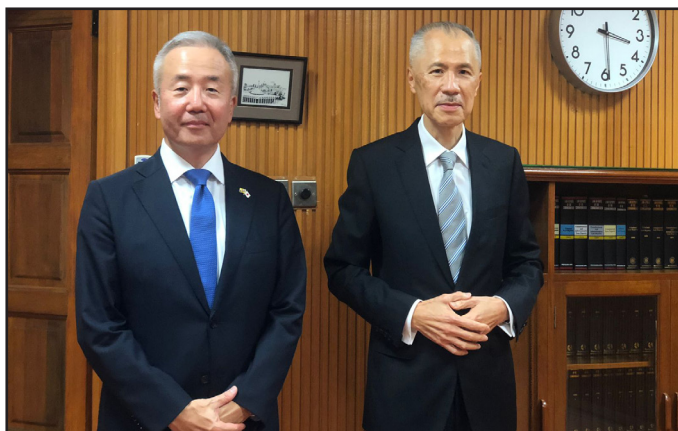
HIGH COURT - SUPREME COURT BUILDING, BANDAR SERI BEGAWAN



COURTESY CALL FROM HIS EXCELLENCY MAEDA TORU, AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF JAPAN TO BRUNEI DARUSSALAM

27th July 2022

HIGH COURT - SUPREME COURT BUILDING, BANDAR SERI BEGAWAN



COURTESY CALL FROM HIS EXCELLENCY BERNARD REGNAULD-FABRE, AMBASSADOR OF FRANCE TO BRUNEI DARUSSALAM

3rd August 2022

HIGH COURT - SUPREME COURT BUILDING, BANDAR SERI BEGAWAN



7TH JUDICIAL SEMINAR ON COMMERCIAL LITIGATION (VIRTUAL)

24th February 2022 - 25th February 2022



The Honourable Chief Justice of the Supreme Court of Brunei Darussalam, Dato Seri Paduka Steven Chong, attended the 7th Judicial Seminar on Commercial Litigation held on 24-25 February 2022.

The Judicial Seminar on Commercial Litigation is a closed-door conference of judges and judicial officers jointly organised by the Supreme Court of New South Wales, the Hong Kong Court of Final Appeal and the Supreme Court of Singapore. The Seminar aims to provide a platform for the frank exchange of ideas, experiences and judicial best practice in the context of managing modern commercial litigation and also innovations in civil procedure and use of technology during a pandemic. This year's Seminar covered issues of substantive commercial law as well as challenges pertaining to case and court management.

The Seminar was attended by judges and judicial officers from Australia, Brunei Darussalam, the People's Republic of China, the Hong Kong SAR, India, Japan, Malaysia, New Zealand, Singapore and South Korea. This was the first time Brunei Darussalam, India and South Korea were invited to participate in the Seminar.

Also in attendance at the Seminar was The Honourable Judicial Commissioner and Chief Registrar of the Supreme Court, Haji Abdullah Soefri bin POKSM DSP Haji Abidin, together with judges and senior judicial officers from the Judiciary.

UK - BRUNEI JUDICIAL COOPERATION SEMINAR SERIES (VIRTUAL)

14th March 2022



On 14 March 2022, the Supreme Court of Brunei Darussalam, the British High Commission in Brunei Darussalam and the Slyn Foundation organised a virtual seminar delivered by the Right Honourable Lord Justice Holroyde.

At the seminar, Lord Justice Holroyde as Chairman of the Sentencing Council for England and Wales, looked at the establishment of the Council in 2010 and gave an overview of its work, statutory obligations, structure and operations. Lord Justice Holroyde went on to describe how judicial independence in criminal sentencing is maintained despite the creation of guidelines which courts must follow unless the interests of justice dictate otherwise. He emphasised the benefits of consistency and transparency which are achieved. In attendance at the event together with the Chief Justice of the Supreme Court of Brunei Darussalam, the Honourable Dato Seri Paduka Steven Chong were the Deputy British High Commissioner, Catherine Pochkhanavala-Cleeve, and Trustee of the Slyn Foundation, Sir Stephen Irwin. Participants in the seminar were justices, judges and judicial officers from the Supreme Court of Brunei Darussalam.

The event commenced with welcoming remarks from the Chief Justice. He stated that “the task of sentencing an offender justly is a complex exercise and it is therefore important that consistency, coherence and clarity should be maintained in our sentencing practices.” The Chief Justice expressed his view that “sentencing guidelines and benchmarks can assist judges in the discharge of their functions and provide a degree of predictability and consistency”. He went on to emphasize the importance of the judiciary to “always look to improve and enhance our sentencing practices so as to better ensure that the punishment imposed fits the offence and the offender” and encouraged judges and judicial officers to continue their efforts in updating and expanding [the] ‘Bench Book’, which contains guideline cases on a range of offences, to provide assistance to Judges and Magistrates in discharging their sentencing functions.

The Chief Justice highlighted the Supreme Court's continued engagement with the British High Commission in Brunei Darussalam and the Slyn Foundation and how it is "a testament to our commitment to the rule of law, demonstrates the trust and confidence in the integrity of our institution and signals the strength of our relations." He also expressed his sincere appreciation to both the British High Commission in Brunei Darussalam and the Slyn Foundation for their continued support of the Judiciary and his hope to further strengthen Brunei Darussalam's long-standing relationship with the United Kingdom.

Deputy High Commissioner, Catherine Pochkhanavala-Cleeve said "The United Kingdom and Brunei Darussalam enjoy an incredibly close and supportive relationship. The United Kingdom has a proud tradition of championing international Rule of Law and Rules Based International System and our judicial cooperation is an important area of partnership for us. We're delighted to be able to work closely with our friends here in Brunei again on these lecture series delivered by the UK Slyn Foundation."

Trustee of the UK Slyn Foundation, Sir Stephen Irwin expressed his thanks to Lord Justice Holroyde for the excellent presentation, and to all those who had helped to organise the event. He emphasized the continuing commitment of the Slyn Foundation to mutual learning and understanding between the judges of England and Wales and their colleagues in Brunei Darussalam.

The UK Slyn Foundation is a UK based charity working with senior judges and justice institutions around the world to enhance the rule of law, and to improve professional understanding of human rights, mediation and legal practice.

3RD CHINA - ASEAN JUSTICE FORUM (VIRTUAL)

20th July 2022



The Honourable Chief Justice of the Supreme Court of Brunei Darussalam, Dato Seri Paduka Steven Chong attended the 3rd China-ASEAN Justice Forum on Wednesday 20 July 2022. The virtual forum was hosted by the Supreme People's Court of the People's Republic of China ('the SPC'). Through the forum, the SPC wished to enhance judicial exchanges, build harmonious economic, trade and investment ties and form pragmatic and effective judicial cooperation between China and ASEAN countries. The ASEAN Chief Justices and the Secretary General of ASEAN were invited to have an in-depth discussion with the Chief Justice and Justices from the SPC on the theme of 'Establishing a High-Level Judicial Cooperation Platform to Jointly Build the 21st Century Maritime Silk Road'.

In his opening remarks during the forum's opening ceremony, Chief Justice Dato Seri Paduka Steven Chong highlighted the forum as "an important platform for China-ASEAN cooperation" in providing "an excellent setting for China and ASEAN judiciaries to share their experiences and enhance judicial networks." The Chief Justice added that "in offering each other much needed support through such trying times, it is hoped that through our judiciaries' joint efforts and constructive dialogues, we are able to support China-ASEAN trade, investment and economic recovery."

The forum discussed three topics, namely the acceleration of the adaption of the new Regional Comprehensive Economic Partnership (RCEP) economic and trade rules, the enhancement of intellectual property rights and cross border online litigation. The Chief Justice said that "bringing together such themes is fitting when discussing how our judiciaries can work together and help promote the region's trade and development post-COVID-19."

Chief Justice Dato Seri Paduka Steven Chong then gave a speech on the 'promotion of crossborder online litigation to provide judicial assistance for pandemic prevention, control

and economic recovery’ and spoke on Brunei Darussalam’s experiences in promoting online litigation and what steps were taken to continue the court’s work to deliver justice and keep up with cases while reducing the risk of infection amidst the COVID-19 pandemic. The Chief Justice said that the courts “continue to conduct as many court proceedings as possible remotely in order to facilitate the efficient and expeditious processing of cases and support the efforts in the economic recovery post-COVID-19.”

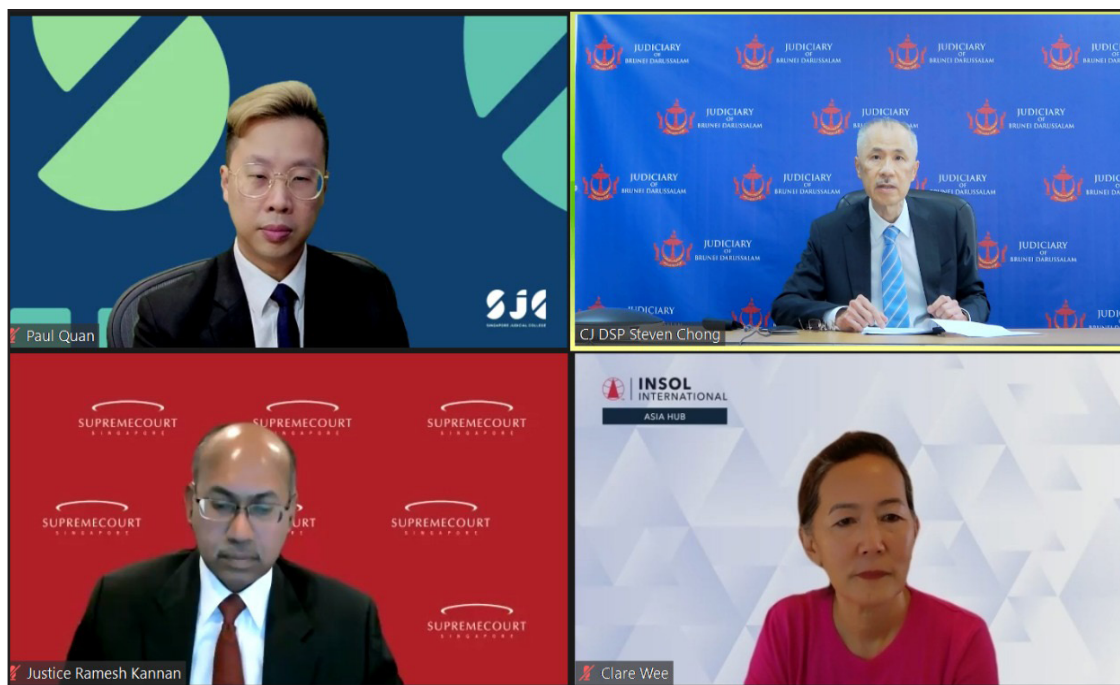


The Chief Justice emphasized the role of technology and the use of online video conferencing platforms such as Zoom in enabling the Judiciary to “connect court users and stakeholders in order to make justice more accessible.” He informed that there was a steady rise in the number of cases conducted online “from 91 cases heard online in August 2021 to 351 cases by December 2021” and added that “despite Brunei Darussalam entering the early endemic phase of its response to COVID-19 at the end of 2021, court proceedings have remained online with a total of 1,364 out of 3,329 hearings from January to May 2022, making up 41% of total hearings conducted virtually.” It was highlighted that in February 2022, “the High Court had a judge from its international panel presiding from Australia via Zoom conducting both civil and commercial proceedings. Counsel and parties attended these proceedings remotely in Brunei Darussalam and from various locations abroad, such as Canada, India, Malaysia and Singapore.”

Also present at the forum were the Honourable Judicial Commissioner and Chief Registrar of the Supreme Court, Justice Haji Abdullah Soefri bin Pehin Orang Kaya Saiful Mulok Dato Seri Paduka Haji Abidin, the Honourable Judicial Commissioner, Muhammed Faisal bin Pehin Datu Juragan Laila Diraja Colonel (Rtd) Dato Seri Pahlawan Haji Kefli together with judges and judicial officers from the Judiciary.

INSOLVENCY TRAINING FOR BRUNEI COURTS, ATTORNEY GENERAL CHAMBERS, LAW SOCIETY, BANKS AND FINANCIAL REGULATORS (VIRTUAL)

8th September 2022



The Brunei Judiciary and Singapore Judiciary collaborated together in organizing the 'Insolvency Training Programme for the Brunei Courts, the Attorney General's Chambers, The Law Society, Banks and Financial Regulators' hosted and organized by INSOL International.

The three-day training programme is held as a webinar and is a landmark event, being the first of its kind in Brunei Darussalam in bringing together key players in the domestic insolvency and restructuring landscape. The programme covered topics ranging from the Personal Insolvency experience in Singapore and Australia, Current Trends and Practice in Insolvency and Restructuring Law, and MSME Insolvency.

The speakers at the training programme featured a line up of eminent international speakers, including those from the Supreme Court of Singapore, the Insolvency and Public Trustee's Office of Singapore (IPTO), the Australian Financial Security Authority (AFSA), INSOL International, Singapore Management University, the World Bank, the Ministry of Law of Singapore and DHC Capital.

The programme commenced on Thursday 8 September 2022 with opening remarks made by The Honourable Chief Justice of the Supreme Court of Brunei Darussalam, Dato Seri Paduka Steven Chong. In his address, the Chief Justice expressed his gratitude to INSOL International and Justice Kannan Ramesh of the Singapore Judiciary for making the training programme possible and for their support and continued engagement with the Brunei Judiciary.

JUDICIAL OFFICERS TRAINING IN THE SUPREME COURT AND SUBORDINATE COURT

19th May 2022

HIGH COURT - SUPREME COURT BUILDING

Attended by : Judicial Officers and staffs



MAJLIS TAKLIMAT & IKRAR ANGKAT SUMPAAH

2nd June 2022

JABATAN KEHAKIMAN NEGARA

Attended by : Judicial Officers and staffs



STRATEGIC CONFLICT MANAGEMENT FOR PROFESSIONALS TRAINING PROGRAMME

27th June 2022 - 1st JULY 2022

BRUNEI DARUSSALAM ARBITRATION CENTRE BERHAD

Attended by : Senior Registrar Hajah Kamaliah Fadhilah Binti Haji Ibrahim

Senior Magistrate Pg Hazirah Binti Pg Mohd Yusof

Magistrate Nur Eleana Binti Dato Seri Paduka Haji Hairol Arni

Registrar Muhammad Muzakkir Bin Haji Zakaria

Registrar Nurul Hidayah Binti Hamdan



STRATEGIC CONFLICT MANAGEMENT FOR PROFESSIONALS TRAINING PROGRAMME

BRUNEI DARUSSALAM ARBITRATION CENTRE BERHAD
MONDAY, 27 JUNE 2022 - FRIDAY, 01 JULY 2022





Front row from left: Rafidah binti Mohd Raffi, Nur Raqibah binti Rafeah, Muhamad Hisyamuddin bin Mohamad Ali, Nurhasyimah binti Haji Sabtu, Dayangku Sri Zarith Zarina Pengiran Haji Mohamed, Dyg Noor Serena @ Fiona Binti Haji Awang Omar, Siti Nurhazirah binti Hashim, Loong Seng Onn, Awang Omsarule bin Haji Awang Omar, Shanti Abraham, Nur 'Azizah Ahmad, Nur Eleana binti Dato Seri Paduka Haji Hairol Arni, Nur' Azzah Afiah Haji Md Yusuf Thani, Nurul Hidayah binti Hamdan, Adi Syohreni Abdul Hadi.

Second row from left: Khairunnazim bin Abiddin, Muhammad Abdul Raafie' bin Haji Ibrahim, Muhammad Muzakkir bin Haji Zakaria, NorAzizah Haji Mohd Jaafar, Norazlina Binti Abdul Jami, Szen Lim, Siti Rozana Dato Haji Mohd Yunus, Pengiran Hazirah binti Pengiran Mohd Yusof, Kamaliah Fadhilah Binti Haji Ibrahim, Camran Nadeem Riaz, Muhammad Ishak bin DSP Dr Haji Abdul Manaf, Norfirdaus Rashid, Zulkifli bin Abdul Rahim.



COUNCIL OF ASEAN CHIEF JUSTICES

21st August 2022 - 23rd August 2022

SAMA-SAMA HOTEL, KLIA, SELANGOR

Attended by : Chief Magistrate Dk Hajah Norismayanti Binti Pg Haji Ismail

Senior Registrar Hajah Kamaliah Fadhilah Binti Haji Ibrahim



WORKING GROUP ON JUDICIAL TRAINING AND EDUCATION OF COUNCIL OF ASEAN CHIEF JUSTICE (WG-JTE-CACJ)

21st August 2022 - 23rd August 2022

SAMA-SAMA HOTEL, KLIA, SELANGOR

Attended by : Registrar Muhammad Muzakkir bin Awang Haji Zakaria

Registrar Mohammad Marzuqi bin Sabtu



HR DYNAMICS FORUM (ENVISIONING HR TECH, REVAMPING TALENT AND EMPLOYEE LIFE CYCLE)

10th October 2022 - 11th October 2022

EQUARIUS HOTEL, SINGAPORE

Attended by : Subordinate Court Senior Registrar Haji Badaruddin bin Haji Abdul Karim



KURSUS INDUKSI PERKHIDMATAN AWAM

17th October 2022 - 22nd October 2022
BILIK LATIHAN TINGKAT 2, MAHKAMAH SYARIAH
Attended by : Judiciary staffs



COMMUNITY BASED DISASTER RISK MANAGEMENT (CBDRM) COURSE

27th October 2022
CAE BRUNEI MPTC
Attended by : Mastika Binti Mohd Kamal



10TH COUNCIL OF ASEAN CHIEF JUSTICES (CACJ)

3rd November 2022 - 6th November 2022

GRAND HYATT, KUALA LUMPUR, MALAYSIA

Attended by : Justice Muhammed Faisal bin PDJLD DSP Haji Kefli

Chief Magistrate Dk Hajah Norismayanti binti Pg Haji Ismail

Senior Registrar Hajah Noor Amalina binti DP Haji Alaihuddin

Senior Registrar Hajah Kamaliah Fadhilah Binti Haji Ibrahim



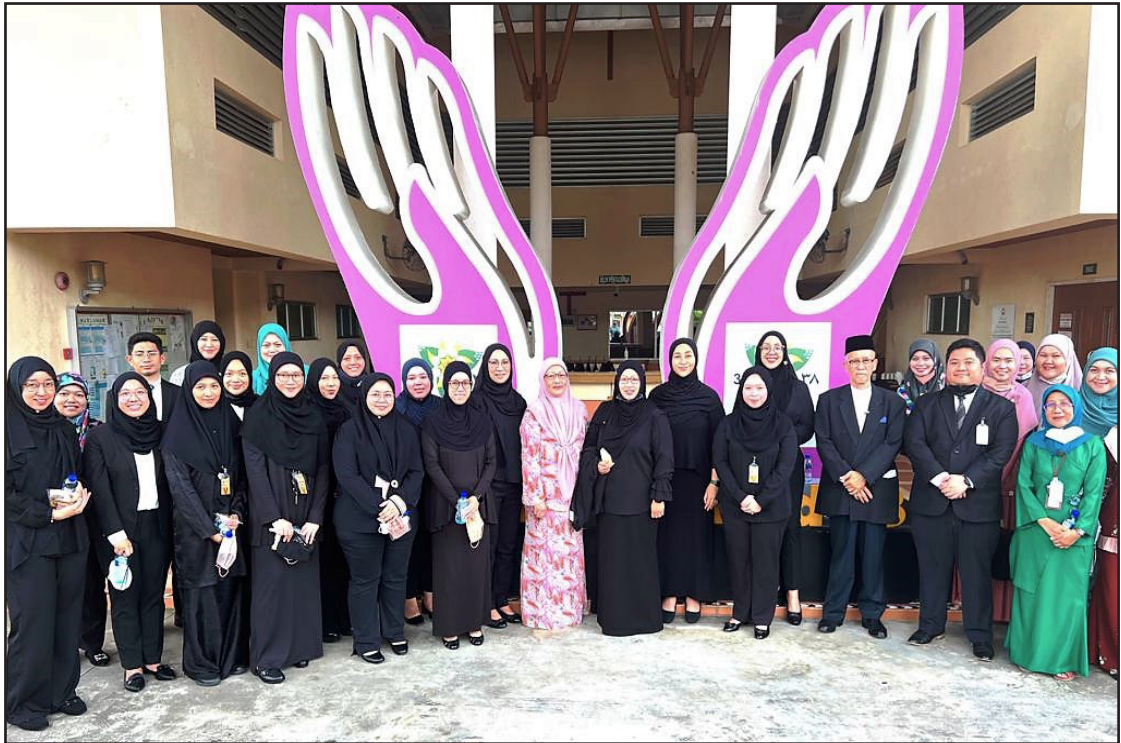


VISIT TO SOCIAL WELFARE DEPARTMENT

8th November 2022

WELFARE HOME, BELIMBING SUBOK

Attended by : Judicial Officers and staffs



JUDICIAL EXECUTIVE PROGRAM

14th NOVEMBER - 2nd December 2022

SINGAPORE

Attended by : Intermediate Court Judge Radin Safiee bin Radin Mas Basiuni

Deputy Chief Registrar Hjh Hazarena binti POKSJ DP Haji Hurairah

Senior Registrar Zelda Harnita Skinner



SINGAPORE DELEGATION VISIT TRANSLATION UNIT

16th November 2022

HIGH COURT - SUPREME COURT BUILDING, BANDAR SERI BEGAWAN

On 16th November 2022, The Translation Office of the Supreme Court, State Judiciary Department received a working visit from Nadzri Eunus, Assistant Director Translation Department, Public Communications Division, Ministry of Communications and Information Singapore and Miss Radhiah Ibrahim, Senior Manager (Citizen Engagement), Communications and Engagement Department, Ministry of Manpower Singapore. The two senior officers visited the court as part of their 5th Translator Immersion Programme visit and one day sitting at the Attorney General's Chamber.

The objective of their visit to the Translation Office of the Supreme Court was to study closely translation works such as official and court documents to Malay Language and vice versa as well as to witness the process of in-court interpretation.

A briefing for the Singapore delegation was held at the Conference Room at Magistrates' Court. Present at the event was the Honorable Chief Registrar Haji Abdullah Soeffri bin Pehin Orang Kaya Saiful Mulok Dato Seri Paduka Hj Abidin, Dr Hussin Ali bin Idris and officers and staff from State Judiciary Department and Attorney General's Chamber.



A presentation saw 4 officers from Translation Office and Interpreter Unit deliver briefings on their respective fields. Chief Translator Dewi Susianty spoke about Brief history, background and scope of work of the Translation Office, Senior Translator Nurfazidah Taib talked about Workflow Processes, Senior Interpreter Fadillah Abu Bakar of Interpreter Unit delivers about In-Court Interpretation and Senior Interpreter Sun Tze Yun briefly shares about Chinese Translation and his 35 year experience in the field of Translation and Interpretation.

Prior to visits to court room, a question and answer session was held where the officers from both countries held brief discussions and exchanges of information and knowledge regarding Translation works.

The event was organised by The Translation Unit of the Supreme Court, State Judiciary Department.

STATE HONORARY MEDALS



SUPREME COURT
BRUNEI DARUSSALAM

Congratulatory Message



The Supreme Court of Brunei Darussalam wishes to congratulate the following officers and staff who have been awarded State Honorary Medals on the 01st of August 2022 in honor of His Majesty the Sultan and Yang Di-Pertuan's 75th and 76th birthday celebrations:

1. Yang Arif Haji Abdullah Soefri bin Pehin Orang Kaya Saiful Mulok Dato Seri Paduka Haji Abidin, Darjah Seri Paduka Mahkota Brunei Yang Amat Mulia Darjah Ketiga (S.M.B.)
2. Yang Arif Muhammed Faisal bin Pehin Datu Juragan Laila Diraja Dato Seri Pahlawan Colonel (B) Haji Kefli, Darjah Seri Paduka Mahkota Brunei Yang Amat Mulia Darjah Ketiga (S.M.B.)
3. Yang Mulia Dayangku Hajah Norismayanti binti Pengiran Haji Ismail, Darjah Setia Negara Brunei Yang Amat Bahagia Darjah Keempat (P.S.B)
4. Yang Mulia Hajah Hazarena binti Pehin Orang Kaya Setia Jaya Dato Paduka Haji Hurairah, Darjah Setia Negara Brunei Yang Amat Bahagia Darjah Keempat (P.S.B)
5. Yang Mulia Harnita Zelda Skinner, Darjah Setia Negara Brunei Yang Amat Bahagia Darjah Keempat (P.S.B)
6. Yang Mulia Haji Badaruddin bin Haji Abdul Karim, Darjah Setia Negara Brunei Yang Amat Bahagia Darjah Keempat (P.S.B)
7. Yang Mulia Pengiran Norfarzat Irwani binti Pengiran Haji Mohd Jaafar, Darjah Setia Negara Brunei Yang Amat Bahagia Darjah Keempat (P.S.B)



SUPREME COURT
BRUNEI DARUSSALAM

Congratulatory Message

The Supreme Court of Brunei Darussalam wishes to congratulate the following officers and staff who have been awarded State Honorary Medals in honour of His Majesty the Sultan and Yang Di-Pertuan's 75th and 76th birthday celebrations:

1. Yang Arif Pengiran Masni binti Pengiran Haji Bahar, Pingat Jasa Kebaktian (P.J.K.) on the 02nd June 2022 and Pingat Kerja Lama (P.K.L.) on the 07th June 2022
2. Yang Mulia Haji Hanafi bin Ibrahim, Pingat Indah Kerja Baik (P.I.K.B.) on the 02nd June 2022
3. Yang Mulia Noorhayati binti Haji Ismail, Pingat Kerja Lama (P.K.L.) on the 07th June 2022



OPENING CEREMONY

LEGAL YEAR
2022







The Chief Justice's speech was followed by speeches by the Attorney General, Yang Berhormat Haji Ahmad bin bin Pehin Orang Kaya Laila Setia Bakti Di-Raja Dato Laila Utama Haji Awang Isa and the President of the Law Society, Haji Mansur bin Dato Paduka Dr Haji Latif.

The opening of the legal year ceremony was also attended in person by Yang Berhormat Pehin Orang Kaya Laila Setia Bakti Di-Raja Dato Laila Utama Haji Awang Isa bin Pehin Datu Perdana Manteri Dato Laila Utama Haji Awang Ibrahim, Special Adviser to his Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam and the Minister in the Prime Minister's Office and Yang Berhormat Dato Seri Setia Haji Awang Abdul Mokti bin Haji Mohd Daud, the then Minister at the Prime Minister's Office.

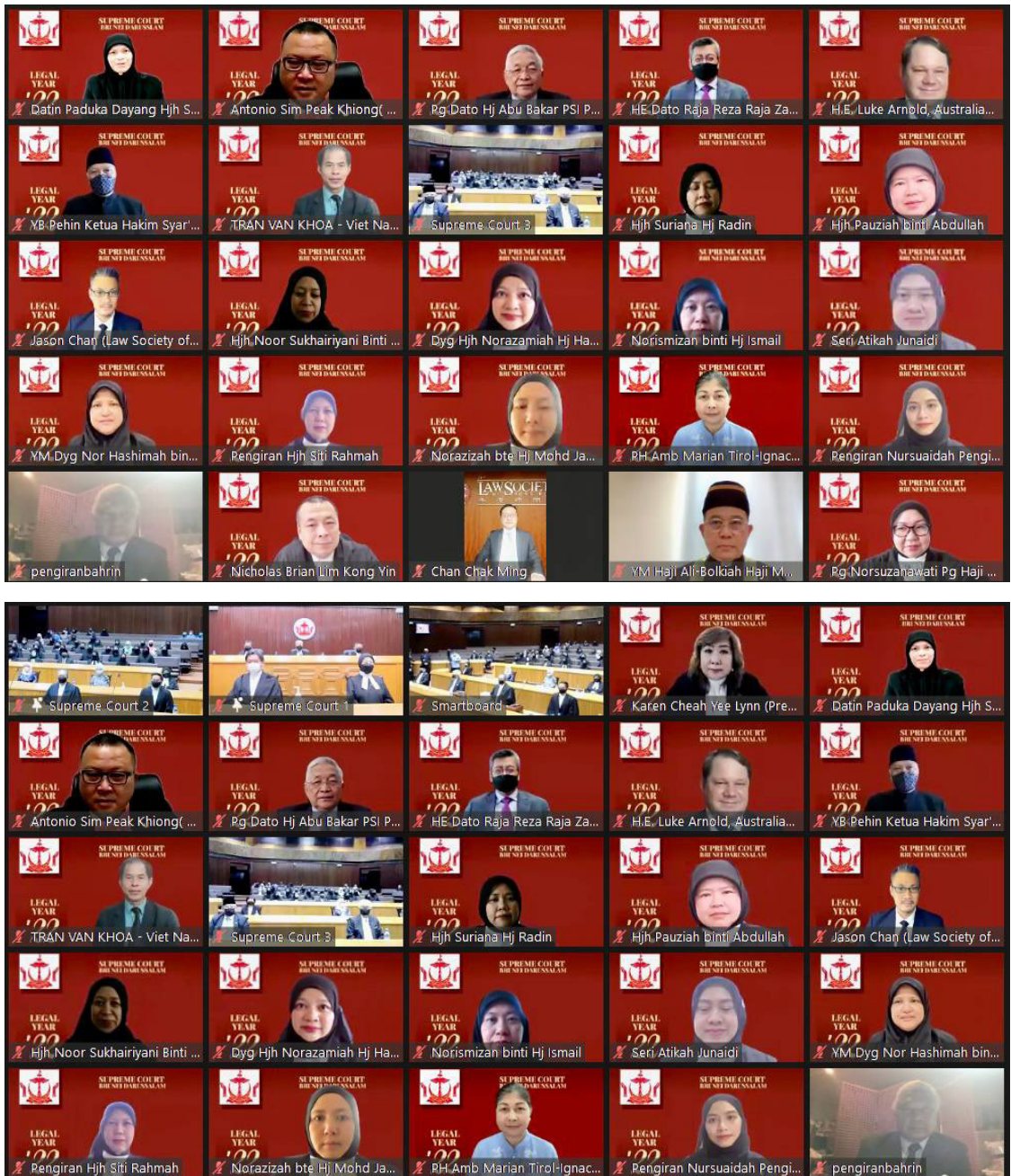












The annual event was conducted in a scaled down manner when compared to previous years to take into account the current COVID-19 situation and was only attended in person by members of the Judiciary and invited guests.

Members of the Attorney General's Chambers and the Law Society attended online along with invited guests comprising of The Honourable Chief Syarie Judge, judges from the Syariah Courts, Ambassadors and High Commissioners, the Deputy Permanent Secretary of the Prime Minister's Office, Senior Government Officials, and representatives from various government enforcement agencies.

SOCIAL ACTIVITIES

2022

RAMADHAN CHARITY DRIVE (BANDAR SERI BEGAWAN)

26th APRIL 2022

Civil Court's charity drive is an annual activity in which the contribution will be collected amongst the officers and staff. The distributions of the donation are throughout all four districts and regularly done in Ramadhan month.



RAMADHAN CHARITY DRIVE (TUTONG)

26th APRIL 2022

As part of the court's activities, in April 2022 in conjunction with the holy month of Ramadhan 1444 Hijrah, the officers and staff of Tutong District Court donated to five underprivileged families within the district.



RAMADHAN CHARITY DRIVE (KUALA BELAIT)

26th APRIL 2022



KHATAM AL-QURAN - April 2022
HIGH COURT - SUPREME COURT BUILDING, BANDAR SERI BEGAWAN



HARI RAYA CELEBRATION - May 2022

GOLDEN JUBILEE HALL, LAW AND COURTS BUILDING, BANDAR SERI BEGAWAN





RECREATIONAL SPORTS EVENTS BETWEEN STATE JUDICIARY DEPARTMENT AND COURTS

BADMINTON MATCH - 13th November 2022

MENGLAIT SPORTS COMPLEX

The Civil Courts organised a badminton tournament amongst the departments under the State Judiciary. The tournament was officiated by Acting Director of State Judiciary department, Shahminan bin Haji Tengah who also participated in the match.

There were 3 categories in the tournament namely Veteran; Men's Doubles and; Women's Doubles. Civil Courts was the overall Champion of the tournament.



FUTSAL MATCH - 18th November 2022
DEWAN GERAK BADAN MINDEF, BERAKAS GARRISON



The Civil Courts participated in a futsal tournament organised by the Syariah Court. Acting Chief Registrar of the Syariah Court, Pengiran Mohammaddin bin Pengiran Haji Aliakbar officiated the event.

Judicial Commissioner / Chief Registrar Haji Abdullah Soefri bin POKSM DSP Haji Abidin was in attendance to support the Civil teams. Also participated in the tournament was Judicial Commissioner of the Supreme Court, Muhammed Faisal bin PDJLD DSP Haji Kefli who bagged one goal for the team.

I-Ready Judicial Law Officer Abdul 'Azim bin Othman was the Golden Boot winner who scored 7 goals for the Supreme Court, in which the team was the runner-up of the tournament.



BOWLING MATCH - 20th November 2022

GOLDEN BOWLING, AIRPORT MALL, BERAKAS



The Civil Courts participated in a bowling tournament organized by the State Judiciary department. The event was officiated by the Acting Director of State Judiciary department, Shahminan bin Haji Tengah. There were 21 teams participating in the tournament consisting of Judiciary State department, Civil Courts and Syariah Courts personnel.

Civil court team comprising of Haji Abdullah Soefri bin POKSM DSP Haji Abidin, Ak Md Saifuddin bin Pg Baharudin, Mohd Izzam bin Mahmud, Hajah Nurul Azimah binti Haji Tengah and Asrina binti Jukin was the 2nd runner up of the tournament.

JUDICIARY FAMILY FUN DAY - 11th December 2022
TAMAN REKREASI TUMPUAN TELISAI





APPRECIATION DAY - 17th December 2022

GOLDEN JUBILEE HALL, LAW AND COURTS BUILDING, BANDAR SERI BEGAWAN



Retired staff and i-Ready apprentices received certificates of appreciation in a ceremony organized by the Civil Court. Appreciation certificates were presented by the Honourable Chief Justice Dato Seri Paduka Steven Chong. The Court would like to thank each and every recipient for their incredible services and wishes them the best for their future endeavors.

Retired staff:

1. Hjh Yalus Binti Abdullah @ Dayang Erih (1982 - 2022)
2. Dayang Hjh Norsiah Binti Haji Jamil (2002 - 2022)
3. Shahdan Bin Hj Abdul Rahman (1986 - 2022)
4. Dayang Hjh Siti Mariam Binti Haji Mohammad Yussof (1987 - 2019)
5. Dayang Mariam Binti Hj Ahmad (2003 - 2021)

i-Ready officers:

1. Awangku Md Saifuddin Bin Pg Haji Baharuddin (Corporate Officer)
2. Dayang Siti Nur Kamaliah Binti Abd Razak (Corporate Officer)
3. Abdul Azim Bin Othman (Justice Law Clerk)
4. Nurul Syazwani Binti Ariffin (Statistician)
5. Muhammad Zulfikri Bin Tom (System Analyst)
6. Izma' Iffah Afiqah Binti Abdul Zani (System Analyst)
7. Khairil Lyana Binti Haji Ya'akub (Accounting Officer)
8. Muhammad Khairul Nazmi Bin Ibrahim (Accounting Officer)

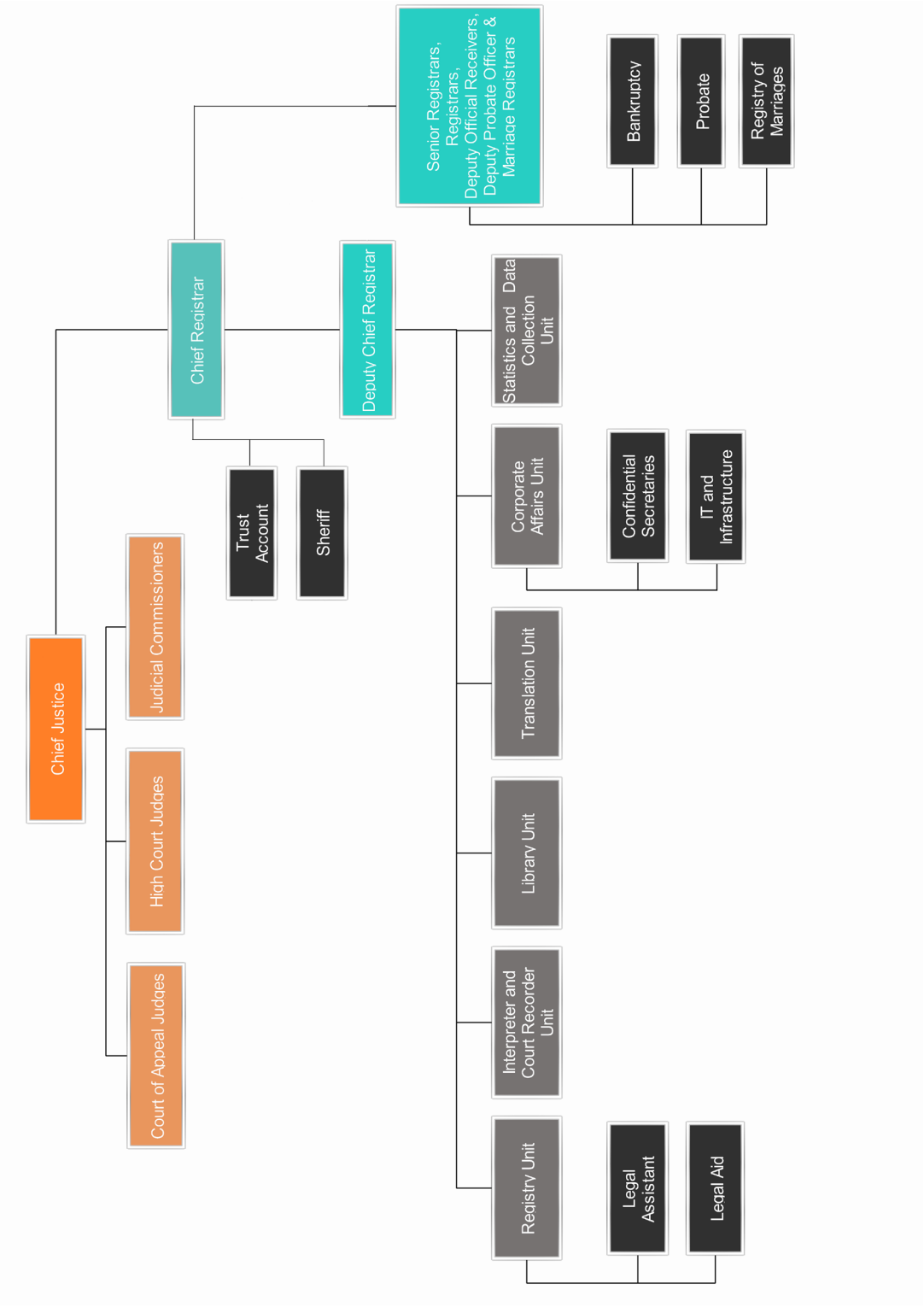




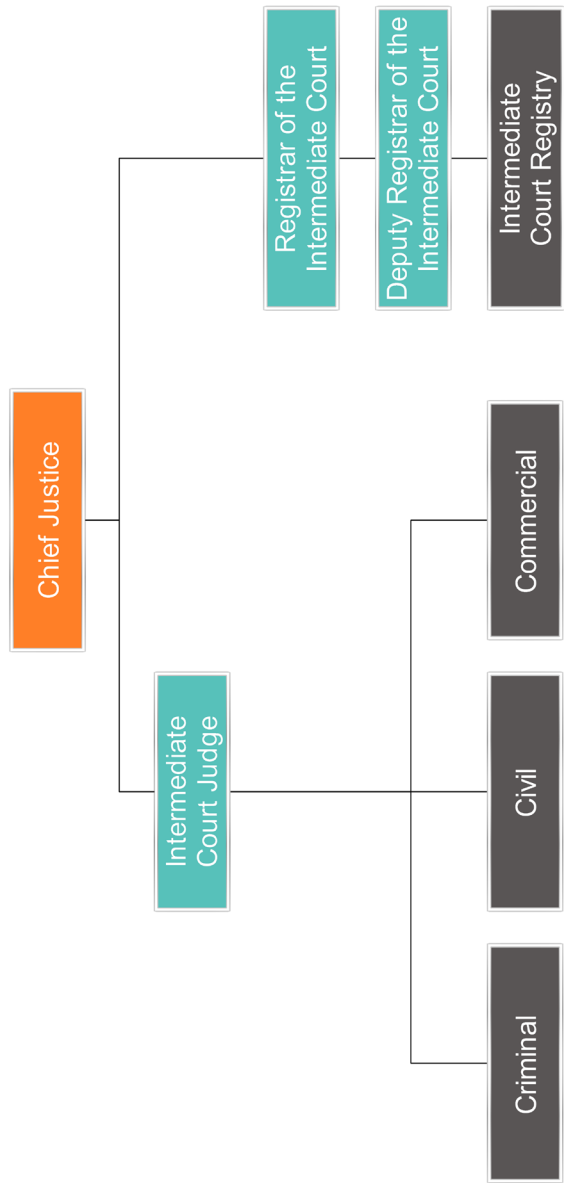
JUDICIARY

ORGANISATIONAL STRUCTURES

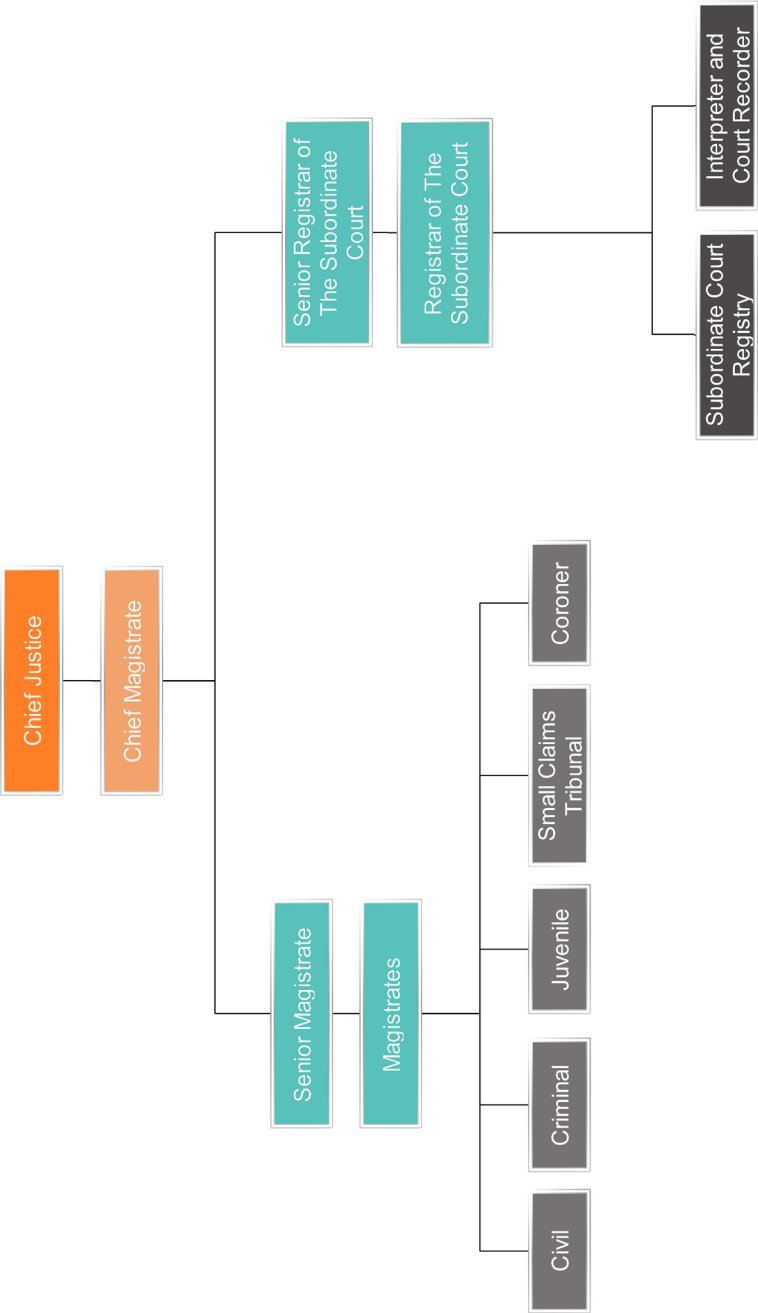
SUPREME COURT



INTERMEDIATE COURT



SUBORDINATE COURT



STATISTICS

2022

The statistics will show the breakdown of the number of High Court case registered filed in the State Judiciary. Data was collected from the year 2021 until 2022.

SUPREME COURT

| | No. of cases | |
|---|--------------|------|
| | 2021 | 2022 |
| <u>Court of Appeal</u> | | |
| Civil | 6 | 21 |
| Criminal | 22 | 11 |
| <u>Appeal to High Court from Magistrate Court</u> | | |
| Civil | 3 | 2 |
| Criminal | 25 | 29 |
| <u>High Court</u> | | |
| Civil | 66 | 62 |
| Criminal | 10 | 14 |
| <u>Other Matters</u> | | |
| Chamber hearings in the High Court and Intermediate Court before Registrars | 398 | 573 |
| Legal Aid applications granted | 3 | 17 |

| Bankruptcy Proceedings | | |
|-------------------------------|------|------|
| | 2021 | 2022 |
| Bankruptcy Notice | 260 | 348 |
| Receiving Order | 253 | 235 |
| Adjudication Order | 107 | 114 |
| Rescission | 146 | 219 |
| Discharge of Adjudication | 4 | 9 |
| Winding-Up Order | 7 | 10 |
| Creditors Meeting | 3074 | 3587 |

| Executions made in the Sheriff Office | | |
|--|------|------|
| | 2021 | 2022 |
| <u>Supreme Court</u> | | |
| Writ Seizure | 1 | 2 |
| Writ of Possession | - | 3 |
| Notice of Sale | - | 1 |
| <u>Magistrate's Court</u> | | |
| Warrant of Attachment and Sales of Goods | - | - |
| Notice of Sale | - | - |

| Registry of Civil Marriages and Divorce Petitions | | |
|--|------|------|
| | 2021 | 2022 |
| Marriage Application Registered | 76 | 148 |
| Divorce Petition Received | 36 | 34 |

| Registry of Probate | | | | |
|--------------------------|------------------------------|------|-----------------------------|------|
| | No. of applications received | | No. of applications granted | |
| | 2021 | 2022 | 2021 | 2022 |
| Letter of Administration | 173 | 621 | 206 | 375 |
| Letter of Probate | 20 | 26 | 12 | 19 |

INTERMEDIATE COURT

| | No. of cases | |
|---------------------------|--------------|------|
| | 2021 | 2022 |
| Intermediate Court | | |
| Civil | 70 | 58 |
| Criminal | 54 | 69 |
| Commercial | 98 | 80 |

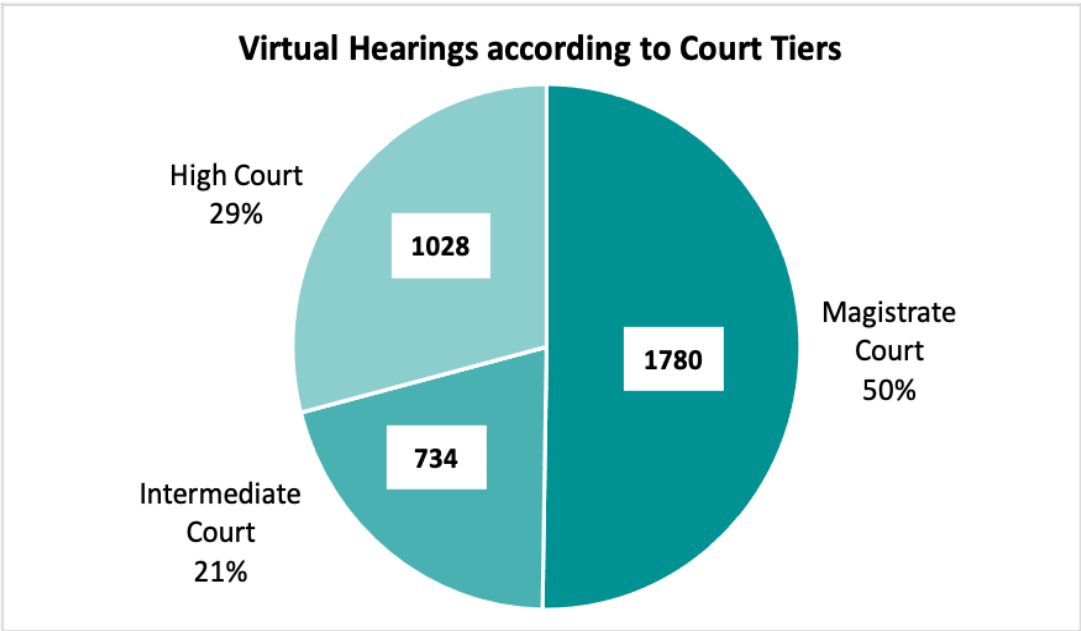
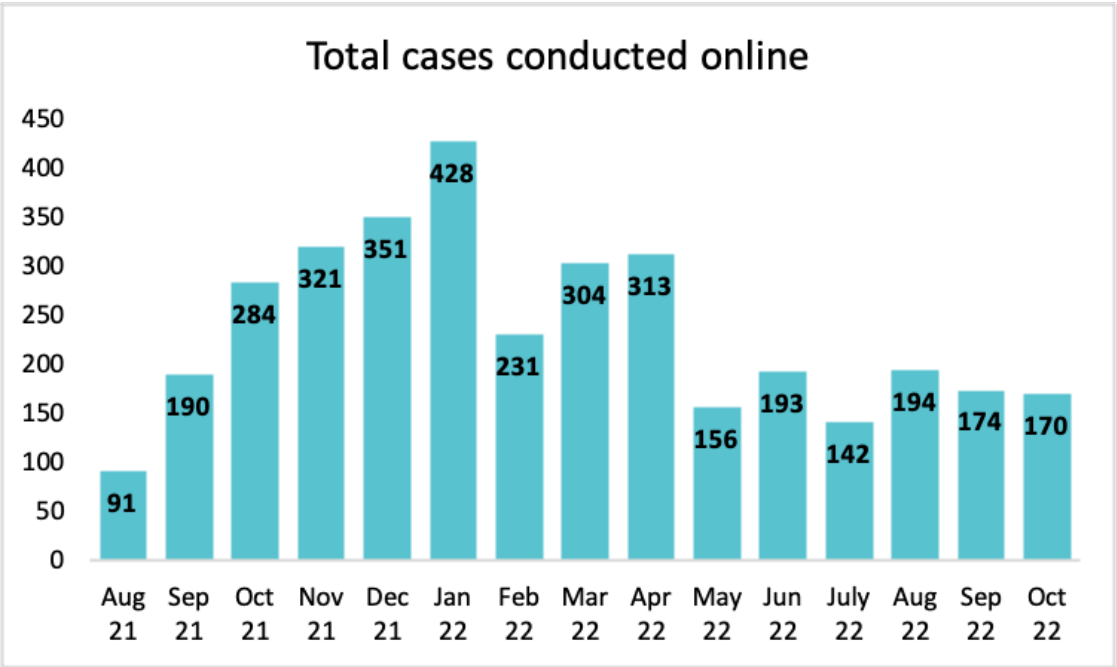
MAGISTRATE COURT

| | No. of cases | |
|-------------------------|--------------|------|
| | 2021 | 2022 |
| Magistrate Court | | |
| Civil | 695 | 826 |
| Criminal | | |
| Bandar Seri Begawan | 379 | 454 |
| Kuala Belait | 42 | 87 |
| Tutong | 8 | 44 |
| Total | 429 | 585 |
| Road Traffic Act | | |
| Bandar Seri Begawan | 291 | 302 |
| Kuala Belait | 84 | 119 |
| Tutong | 71 | 50 |
| Temburong | 2 | 0 |
| Total | 448 | 471 |

| Juvenile Court | | |
|------------------------------|------|------|
| | 2021 | 2022 |
| Care and Protection Order | 30 | 9 |
| Beyond Parental Control | 3 | 3 |
| Juvenile Arrest Case | - | 1 |
| Juvenile Traffic Case | 1 | - |
| Statutory Declaration | | |
| Brunei-Muara | 4289 | 7626 |
| Tutong | 383 | 710 |
| Belait | 700 | 676 |
| Temburong | 138 | 187 |

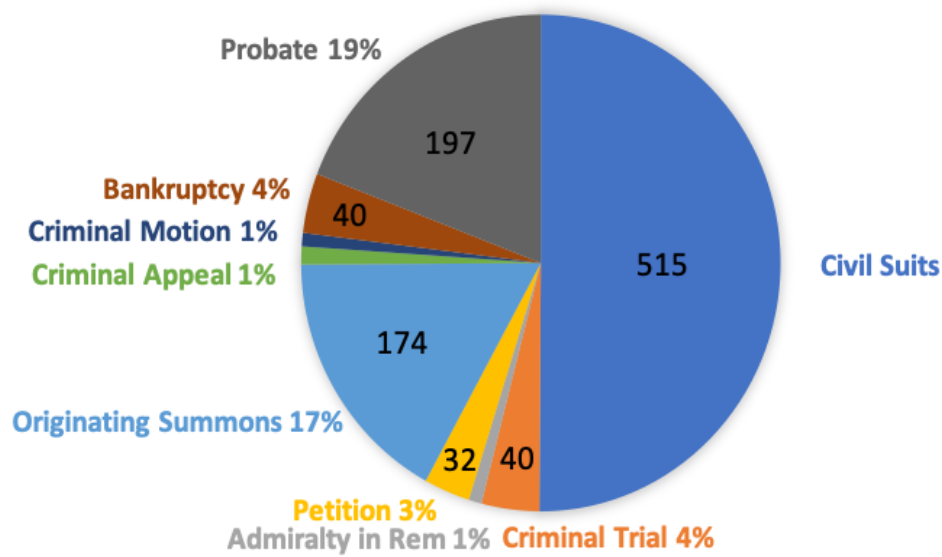
ONLINE HEARING SUMMARY

A total of 3542 online cases were conducted between August 2021 and October 2022. The graphs below show monthly cases conducted online and the number of virtual hearings according to the Court tier.

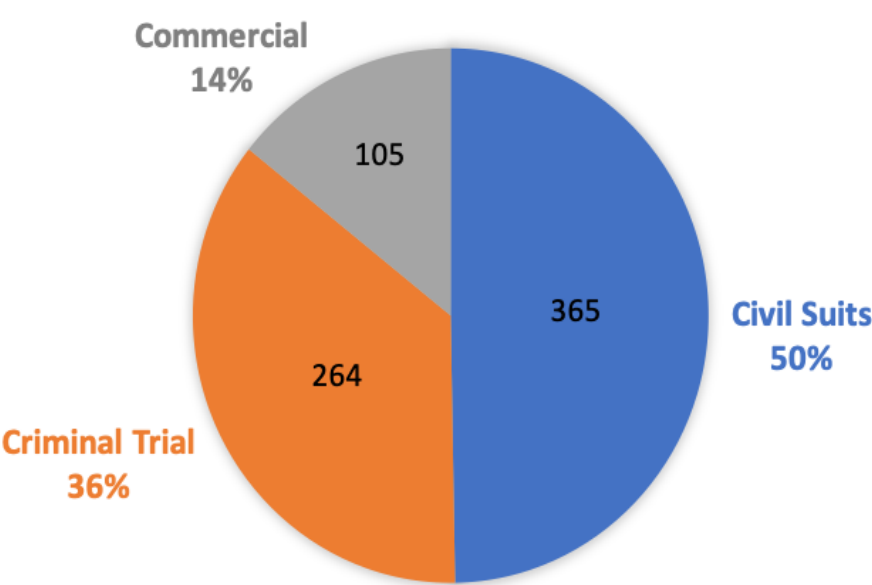


TOTAL NUMBER OF VIRTUAL HEARINGS ACCORDING TO COURT TIER & CATEGORY

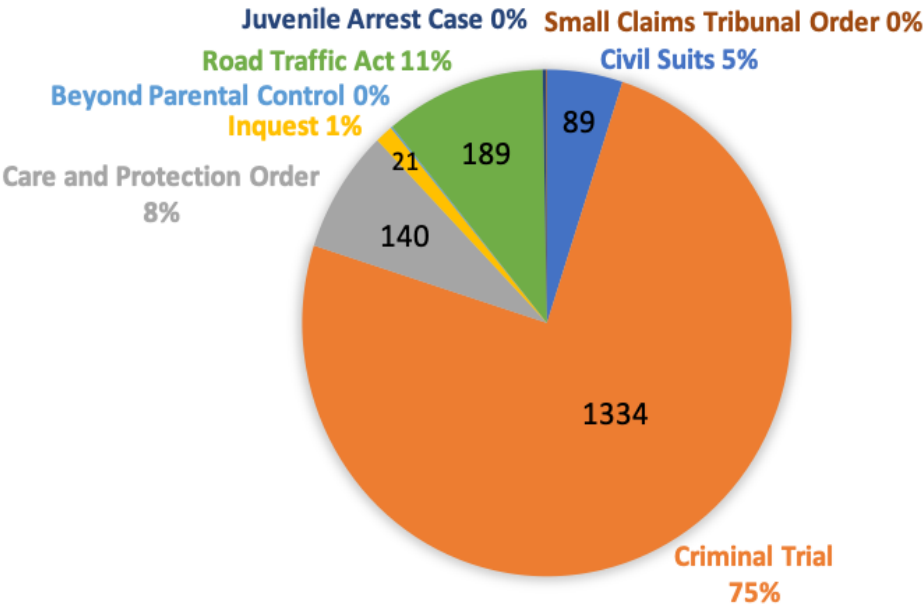
HIGH COURT REMOTE HEARING (1028)



INTERMEDIATE COURT REMOTE HEARING (734)



MAGISTRATE COURT REMOTE HEARING (1780)



COURT REVENUE

| Court Revenue | | |
|-------------------------|----------------|----------------|
| | 2021 | 2022 |
| Stamp Duty | \$578,468.63 | \$431,885.65 |
| Search and Registration | \$23,184.00 | \$47,510.00 |
| Miscellaneous | \$2,667,328.65 | \$3,249,645.83 |

COMMITTEE MEMBERS OF THE OPENING OF THE LEGAL YEAR 2023

1. ADVISOR

The Hon. Chief Justice Dato Seri Paduka Steven Chong

2. CHAIRMAN

The Hon. Justice Haji Abdullah Soefri bin POKSM Dato Seri Paduka Haji Abidin

3. DEPUTY CHAIRPERSON

Pengiran Masni binti Pengiran Haji Bahar

4. FINANCE

Hajah Suzunah @ Hajah Suzanah binti Haji Sulaiman

Shahrezawati binti Ahmad

5. REFRESHMENTS

Nuuror Raheebah binti Haji Abdul Hamid

Hajah Normazdina binti Haji Md Maskub

Hajah Fauzihana binti Haji Mohamad

Siti Rafeah binti Haji Mohd Yusof

Siti Nurfadilah binti Untong

Noorhadina binti Abdul Aziz

Dayangku Nuramalina binti Pengiran Haji Umar

Norhayati binti Haji Idris

Siti Nor Khairunnisa binti Haji Hassan

6. PROTOCOL

Radin Safiee bin Radin Mas Basiuni

Mohammad Marzuqi bin Sabtu

Mohamad Norhamizan bin Mohd Nurazman

Noorhayati binti Haji Ismail

Hjh Azza Yossie binti Haji Abdul Aziz

Norhayati binti Haji Idris

Mastika binti Mohd. Kamal

Norhamizah binti Mohamad

Hajah Nurul Hazimah binti Haji Tengah

Setiawati binti Haji Tamit
Farah Najihah binti Kasim
Nurbazilah binti Haji Muhammad Ya'kub
Nurhafizah binti Haji Moxsin
Pengiran Siti Saerah binti Pengiran Haji Abdul Rahman
Rashidah binti Awg Haji Tengah
Siti Nurafiqah binti Haji Sufri
Nur Kamilah binti Haji Metusin
Mohammad Hafizurahman bin Awang Haji Majid
Sarrah Azizah binti Abdul Aziz

7. INVITATION

Haji Abdullah Soefri bin POKSM DSP Haji Abidin
Hajah Hazarena binti POKSJ DP Haji Hurairah
Haji Badaruddin bin Haji Abd Karim
Shahrezawati binti Ahmad
Suzana binti Basman
Norhayati binti Haji Masri
Hajah Nurul Hazimah binti Haji Tengah
Dayangku Nuramalina binti Pengiran Haji Umar
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10. PRESS RELEASE AND WEBSITE

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