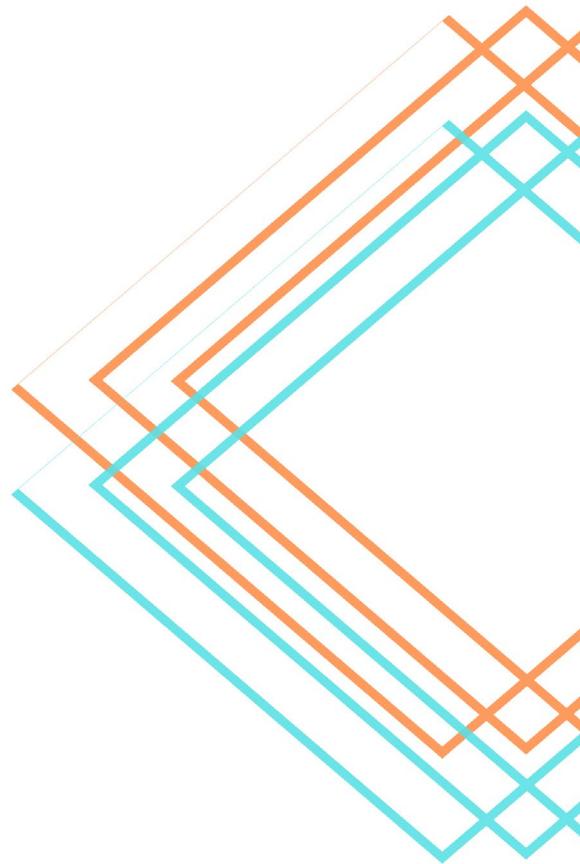


LEGAL YEAR 2022



C O N T E N T S

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
- 12 MISSION STATEMENT

LEGAL YEAR 2021 SPEECHES

- 16 THE HON. CHIEF JUSTICE
- 22 THE HON. ATTORNEY GENERAL
- 27 PRESIDENT OF THE LAW SOCIETY

SUPREME COURT

- 34 COURT OF APPEAL
- 35 HIGH COURT REGISTRY
- 38 BANKRUPTCY OFFICE
- 40 PROBATE OFFICE
- 42 MARRIAGE REGISTRY
- 43 TRANSLATION UNIT
- 45 COURT INTERPRETERS AND RECORDERS
- 46 LIBRARY
- 48 SUPREME COURT JUDGES
- 49 PANEL OF INTERNATIONAL JUDGES
- 50 SUPREME COURT REGISTRARS
- 52 SUPREME COURT STAFF
- 59 SWEARING-IN CEREMONY

INTERMEDIATE COURT

- 66 INTRODUCTION
- 69 INTERMEDIATE COURT JUDGES

SUBORDINATE COURT

- 72 INTRODUCTION
- 82 SUBORDINATE COURT MAGISTRATES
- 83 JUVENILE COURT PANEL OF ADVISERS
- 84 SMALL CLAIMS TRIBUNAL
- 85 SUBORDINATE COURT OFFICERS
- 86 SUBORDINATE COURT STAFF
- 90 COURT MARTIAL (JUDGE ADVOCATES)

STATE JUDICIARY DEPARTMENT

- 92 INTRODUCTION

HIGHLIGHTS & EVENTS

- 94 CONFERENCES, TRAININGS AND VISITS
- 106 COURT INTERNSHIP PROGRAMME
- 110 OPENING CEREMONY OF LEGAL YEAR 2021
- 115 SOCIAL ACTIVITIES
- 117 CLEANING & DISINFECTING COURTROOMS & REGISTRIES
- 121 NEWSPAPER CLIPPINGS

IN MEMORIAM

- 124 IN MEMORIAM

ORGANISATIONAL CHARTS

- 126 CHARTS

STATISTICS

- 130 STATISTICS

COMMITTEE MEMBERS

- 144 COMMITTEE MEMBERS

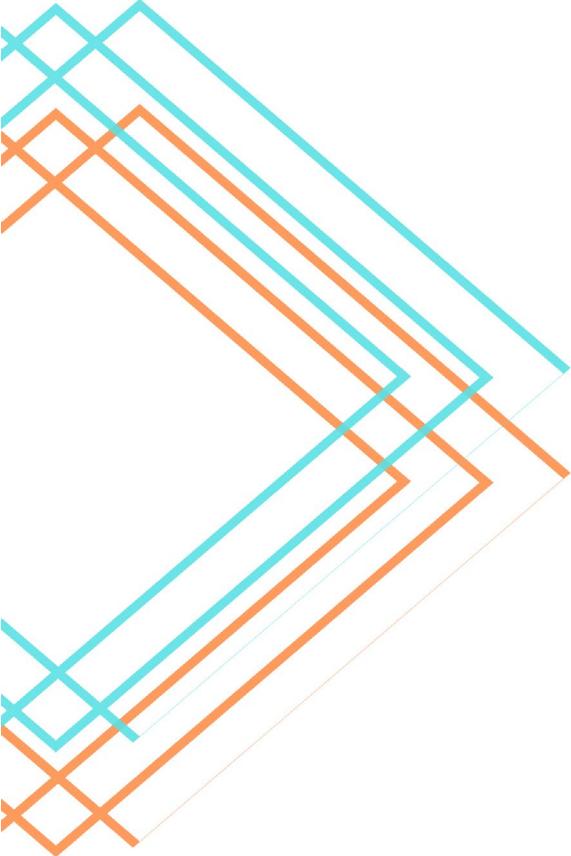
ACKNOWLEDGEMENT

- 148 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



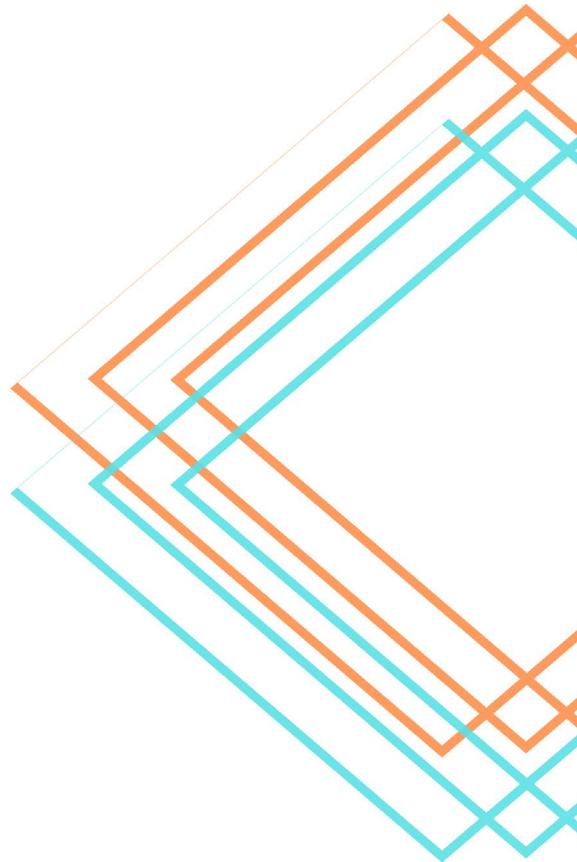
“Sesungguhnya adalah harapan Beta supaya pada suatu ketika nanti semua pegawai-pegawai dan kakitangan kehakiman kita akan kesemuanya terdiri dari rakyat Beta iaitu sepertimana juga kedudukan Jabatan Undang-Undang sekarang. Tetapi yang penting sekali ialah memelihara kedudukan Kehakiman yang adil dan saksama. Kearchah 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.

CHIEF JUSTICE SUPREME COURT





The Honourable Chief Justice
Dato Seri Paduka Steven Chong Wan Oon

FOREWORD

CHIEF REGISTRAR SUPREME COURT

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
السلام عليكم ورحمة الله وبركاته



Assalamualaikum and greetings to all. As in 2020, 2021 was a year dominated by the COVID-19 pandemic and the ensuing second and third waves have led us to re-examine how we administer and deliver justice. Whilst 2021 was a challenging period, I believe it was a year in which the Judiciary transformed and administered justice in the face of adversities.

Through the commitment and perseverance of our people, we worked to explore new and better ways of providing court services. This could not have been achieved without the strong leadership of the Honourable Chief Justice and the support of our judicial officers and staff in all districts. On this note, I would like to extend my greatest appreciation to all those in the Judiciary for their service and hard work in ensuring the timely dispensation of justice.

I must also thank all court users and stakeholders for their co-operation and support during this time. The unity and open channels of communication between all our stakeholders has been key in ensuring that the administration of justice continues

Whilst we maintained traditional modes of communication through the provision of drop boxes as an example, technology proved to be a useful asset to us and we worked hard to ensure that access to the courts remained open, albeit remotely. A balance had to be struck between public health considerations and the administration of justice and we had to ensure the continuity of the court's operations whilst keeping our people safe and minimising the need for in person contact. As a result, a large number of court hearings and services were conducted via Zoom and we are pleased that court users and stakeholders have adapted well to the transition online. Whilst physical presence and in person advocacy have been curtailed, the Judiciary hopes to leverage the integrated use of technology to optimise our processes through our continued cooperation with court users and stakeholders.

I would like to now highlight some key developments in the past year. I would like to offer my congratulations to Justice Muhammed Faisal on his appointment as Judicial Commissioner and to all judges, officers and staff who have been promoted and appointed to their respective posts in 2021-2022. I would also like to congratulate Hj Mansur Bin DP Dr Hj Latif on his appointment as the new president and also to the newly elected council members of the Law Society. We hope to continue to embrace the spirit of collaboration with members of the Law Society and wish to thank Pg Izad-Ryan Bin PLKDR Pg Hj Bahrin and the previous council members for their work and valuable contributions during their tenure.

At this juncture, I wish to express my gratitude to His Majesty the Sultan and Yang Di-Pertuan of Negara Brunei Darussalam for his care and commitment to ensuring that the country and its people are safe and cared for. We are grateful to the His Majesty's Government for their tireless work and efforts to ensure that the government machinery works as one in implementing the whole-of-nation approach during this challenging times.

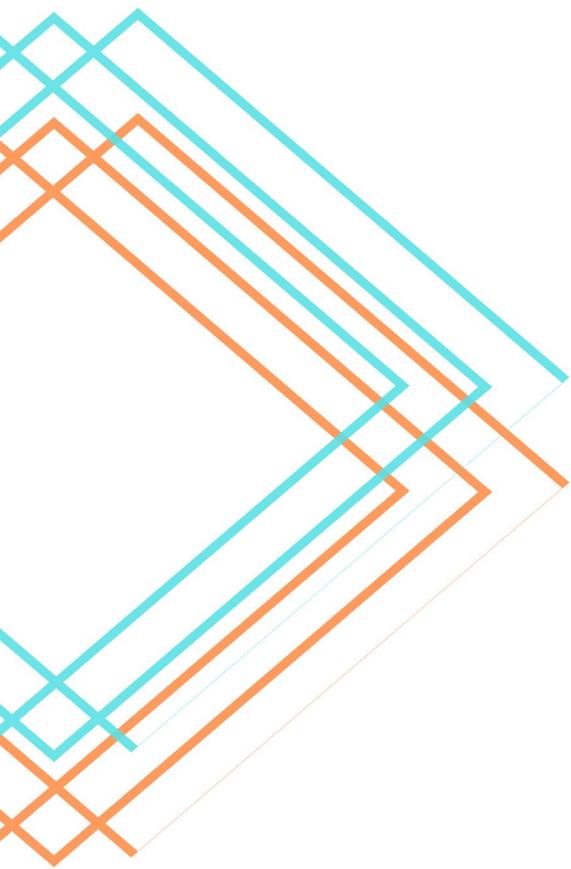
We continue to pray to Allah Subhanahu Wa Ta'ala to safeguard the country and its people from the pandemic and we hope all those affected by COVID-19 have a speedy recovery.

Thank you and my best wishes and good health to all for the year ahead.

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

JUDICIARY

MISSION STATEMENT



MISSION

“Administration of Justice”

OBJECTIVE

“Upholding the Rule of Law”

GOALS

“Securing Justice”

“Enhancing Access to Justice”

“Preserving Public Trust and Confidence”

VALUES

“Taqwa”

“Independence”

“Accountability”

“Timeliness”

“Accessibility”

“Equality and Fairness”

“Integrity”

PRINCIPLE

“To faithfully discharge judicial duties”

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

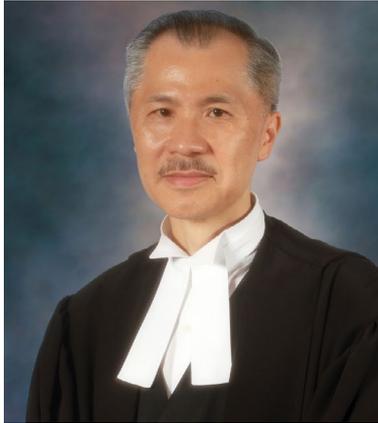
“To be faithful and bear true allegiance to Brunei Darussalam”



FIRE
EXIT

THE LEGAL YEAR 2021 SPEECHES





THE HONOURABLE CHIEF JUSTICE
Dato Seri Paduka Steven Chong Wan Oon

I. Introduction

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 Syariah Judge,

President of the Law Society,

Members of the Bar,

Distinguished Guests,

Ladies and Gentlemen,

Good Morning. On behalf of the Judiciary, please allow me to extend a warm welcome to everyone to the Opening of Legal Year 2021. Since we last convened in January 2020, the world has changed beyond imagination. The fact that we have gathered today in a format that is rather different from that of past years is a sign of the unprecedented times we live in. However, it also demonstrates the resilience of the justice system despite these times of considerable uncertainty.

I would like to begin my speech by highlighting some changes to the Bench over the past year. Firstly, I offer my congratulations to the Chief Registrar Hj Abdullah Soefri Bin Pehin Orang Kaya Saiful Mulok Dato Seri Paduka Haji Abidin on his appointment as Judicial Commissioner and also to Senior Registrars Hjh Hazarena Binti Pehin Orang Kaya Setia Jaya Dato Paduka Hj Hurairah and Harnita Zelda Skinner on being conferred powers to sit as Intermediate Court Judges. I am confident that these appointments will strengthen the High Court and Intermediate Court

bench and that it will support our work to ensure timeliness and efficiency in delivering justice.

3. To those who have left the Judiciary, we wish to thank you for your dedication to our organization and to the well-being of the people and the legal community that you have served. We are grateful for your years of service and thank you for your contribution to the administration of justice in Brunei Darussalam. We wish you every success in your future endeavours.

4. Let me also take this opportunity to offer my congratulations on the appointment of the Attorney General, Hj Ahmad Bin Pehin Orang Kaya Laila Setia Bakti Di-Raja Dato Laila Utama Haji Awang Isa. His combined experience as legal counsel and Deputy Public Prosecutor in his formative years and later in private practice as a senior member of the Bar will stand him in good stead to discharge his onerous duties and bring a new dimension and perspective in the role of the Attorney General's Chambers in the legal system.

II. Key developments in 2020

5. I will now turn to review the key developments in our courts over the preceding year.

The COVID-19 pandemic and the Judiciary's response

6. The COVID-19 pandemic has affected everyone in the world one way or another and we have learnt through this period that there are things beyond certainty and beyond control in these extraordinary times. Nevertheless, the Judiciary has the responsibility to remain open and functional even during times of crisis. Court emergency preparedness is crucial and it is important to assure the public that the courts are doing their part to stop the spread of the virus and to respond accordingly in its operations.

7. Throughout this period, the main priority for the Judiciary has been to ensure the health and safety of its personnel, of counsel and the public and to minimize disruption for services that cannot proceed as normal. However, we must be reminded that the people whom we serve must be afforded meaningful access to justice in our courts and that we should always be available when needed as this access will give our community confidence in our legal system.

8. To this end, COVID-19 has shown the importance of technology in ensuring continuity despite disruptions to operations. Court closures and the shift towards remote hearings have meant that we have been forced to adapt. However, despite ceasing some physical operations temporarily, with the help of technology, the courts were still deemed 'open' for the purpose of filing, issuing and returning of processes and for making orders via our e-Filing system.

9. The Judiciary also made full use of Microsoft Teams and Zoom for the continued functioning of the courts during the COVID-19 pandemic through the conduct of remote hearings and video conferencing. For criminal matters involving defendants in remand, physical attendance at the

courts was dispensed with and video conferencing platforms were used between the courts and the prison. For civil matters in the High Court and Intermediate Court, registrars conducted chamber hearings and pre-trial conferences online on Zoom in cases where all parties were represented by counsel. On 12 October 2020, the High Court conducted its first virtual hearing on Zoom with witnesses in Kuala Lumpur, Malaysia and counsel in Brunei Darussalam appearing before our Judicial Commissioner, Justice Kannan Ramesh sitting in Singapore.

10. It is clear that technology has contributed immensely to the administration of justice and we have embraced it in order to ensure we maintain access to justice. However, this undertaking can be honoured only through the tireless efforts of our judges, judicial officers, staff and the entire legal fraternity. I am heartened that our legal community has responded to the challenges we faced due to COVID-19 with fortitude and dedication and through our collective efforts, we were able to ensure that operations were continued as far as possible. It is a reminder that in our legal system, we must work collectively to overcome challenges together in order to continue delivering justice effectively and efficiently.

Backlog

11. In ensuring timeliness and efficiency in delivering justice, the Judiciary has largely focused on tackling issues relating to the backlog of cases and delays in disposing of cases. The Judiciary recognizes the importance of maintaining target timelines and benchmarks and the key performance indicators by which we monitor our cases are through clearance rates and time to disposition.

12. The Judiciary monitors clearance rates closely as it is an indicator of whether or not the court is experiencing a backlog in cases. It is measured by the number of cases filed and entering the system against the number of cases resolved and exiting the system during a given period. Improvements are shown in the clearance rates of cases carried forward from 2019 to 2020 where for criminal cases in the Intermediate Court, 74% of cases were cleared and for criminal cases in the Magistrates Court, 81% of cases were cleared. Whereas for commercial cases in the Intermediate Court, there is a clearance rate of 84% and for civil cases in the Magistrates Court, there is a clearance rate of 81%.

13. The Judiciary also monitors time to disposition closely as it is an indicator of whether or not the court is experiencing delays in resolving and disposing of cases. It is measured by the average length of time it takes to dispose of cases in the court from the filing of a matter, through trial, judgment and enforcement. Improvements are shown in the average time taken to dispose of cases in the Intermediate Court where in 2018 the total average number of days to dispose of commercial cases was at 598 days and in 2019 this was reduced to 344 days.

14. While I am pleased that we have made significant improvements, I also realize that the job is not yet done. For instance, it is to be expected that there will be a backlog of cases which were filed before or during the COVID-19 closure. I must stress that the backlog, if not addressed, poses not only administrative problems but also economic ones. As such, all stakeholders must

assist to facilitate the prompt and efficient resolution and disposition of these disputes.

15. Due process and efficiency are both essential in upholding the rule of law and the Judiciary will continue to monitor the progress of the cases in the system to identify trends of delay early and to take the appropriate measures to address them. We remain committed in our efforts to achieve excellence in the Judiciary and most importantly to preserve public trust and confidence in us.

Mediation

16. The Judiciary has been actively supporting and promoting the use of mediation in helping divert disputes out of court litigation. As of 2018 we have offered all litigants the opportunity of mediation before our accredited mediators. Currently it is a voluntary and informal process within the courts and it has become a practice during Pre-Trial Conferences to encourage parties to attempt mediation in appropriate cases. Presently, the Judiciary has 6 accredited mediators who have been accredited with the Singapore Mediation Centre. Our statistics have shown that in 2020 a total of 17 suitable cases were invited to mediate with the courts, and of these, 3 cases were successfully settled by consent. However, due to the constraints posed by COVID-19, 11 cases are still pending to be heard before mediators. I must reiterate that mediation is a diversionary measure taken by the courts that can result in saving trial days that would otherwise have been expended. As such, I would urge all parties to consider the benefits of mediation and to contribute to this initiative to encourage the settlement of disputes out of court.

Delivery of Judgments

17. A key performance indicator has been set since 2018 for the delivery of judgments by Judges and judicial officers of one month in general and not exceeding 3 months in complex cases after the close of submissions. Judges and judicial officers are expected to deliver their judgments without delay and this initiative has set higher standards of efficiency and ensures that judgments are delivered in a timely manner. I am pleased to report that our statistics have shown that from January to December 2020, 93% of judgments in the Magistrates Court and 84% of judgments in the Intermediate Court were delivered between 1 to 3 months.

International Front

18. Despite the restrictions posed by the pandemic, the Judiciary has continued to participate actively in international engagements. We attended the historic 8th Council of ASEAN Chief Justices (CACJ) meeting in November 2020 which was the first CACJ meeting to be held via video conference. All ten ASEAN judiciaries participated in the virtual meeting and affirmed their commitment to strengthen regional judicial cooperation through the ASEAN Judiciaries Portal, judicial training and engagement with regional partners, amongst others. This was encapsulated in the Hanoi Declaration signed by all attending Chief Justices and Heads of

Delegations at the close of the meeting.

Training and Professional Development

19. Once again, I wish to emphasize the importance of continuing education for our judges and judicial officers and reiterate the belief that when our people are provided with the opportunity to participate in professional development programmes, they will be better equipped to maintain the high standards expected of them and our Judiciary.

20. We remain committed to upgrading core competencies for our judges and judicial officers to meet the demands of court users and dispose of cases in a timely manner. I am pleased that throughout this past year, despite the restrictions posed by the pandemic, our judges and judicial officers were able to attend a number of courses held online on court technology, alternative dispute resolution, leadership in court governance, the International Framework on Court Excellence, intellectual property, and artificial intelligence, amongst others.

21. It is planned this year, depending on the COVID-19 situation, that our judges and judicial officers attend the Judicial Colleges in England and Wales and Singapore and that they are also assigned to Judge-Mentors in the respective jurisdictions' High Court. We also hope that the Singapore Judicial College will be able to conduct the 2nd Judgment Writing Programme for our judges and judicial officers this year.

Official Receiver's Chambers

22. One of the main duties of Deputy Official Receivers (DORs) is to effect payments to creditors from Official Receivers' accounts set up for bankruptcy and insolvency matters. I am pleased to report that from January to October 2020, payments of composition and dividends have been declared in 430 cases totaling \$17,957,779.83. The number of rescission orders granted increased from 59 cases in 2019 to 147 cases as of 31 October 2020. This is a substantial increase which can be attributed to the temporary suspension of creditors' meetings from 14 March to the end of May 2020. During this period, DORs managed to issue more payments of composition and declare dividends for bankruptcy matters.

III. Initiatives for 2021

Criminal Justice

23. Collegiality is critical and we need to work together to pass on to the next generation of lawyers, not only a fully functioning criminal justice system responsive to the needs of the people, but the tools to conduct themselves by and improve it. In this respect, I would encourage the Attorney General's Chambers 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 such as the one jointly issued by the Attorney General's Chambers and Law Society in Singapore.

I believe such a Code of Practice will contribute to maintaining the rule of law and assisting in the administration of criminal justice.

The Judiciary can provide assistance if necessary and it is my hope that we are able to work together in a collaborative spirit to advance the cause of justice.

Pupillage

24. On the issue of pupillage, I would urge that a comprehensive framework for the training of pupils is developed. It is our proposal that a committee be formed to review pupillage training and that the committee, to be chaired by the Chief Registrar, will comprise of members from the Attorney General's Chambers and the Law Society.

Nine months is the duration of pupillage for all trainees. However, the experience of one pupil can differ vastly from that of another. The training provided ultimately depends on the supervising lawyer or pupil master and the quality of such training will invariably determine the quality of the service the newly qualified lawyer provides to their clients in the future.

It is imperative that the standards and quality of training for those who wish to qualify to the Bar is regulated and it is necessary to have a criteria in place for those who are eligible to be a supervising lawyer or pupil master for pupils. It is our proposal that the committee be tasked to explore:

- i. The introduction of a structured training programme.
- ii. The qualifications of supervising counsel (for example the number of years in practice).
- iii. The degree of supervision expected of supervising counsel.
- iv. How and on what terms pupillage is applied for and offered.
- v. The length of training.
- vi. The areas of legal work which the pupil should be exposed to and the amount of time the pupil should appear in court for hearings.

Improving the standard of pupillage will ensure that young lawyers will be better equipped to meet the multifaceted challenges of the legal profession.

Legal Profession

25. On a final note, I am heartened to see senior members of the Bar taking on *pro bono* cases for accused persons who cannot afford to pay for legal services. Senior practitioners can serve as role models to inspire younger members of the legal profession to volunteer their services to serve the community. Indeed, we must aim to ensure that when we leave or retire from the legal profession, that the justice system will be better than it was when we joined it and I would very much encourage young lawyers to take on the mantle. I mean no disrespect to plumbers but as the late United States Supreme Court Justice Ruth Bader Ginsburg said:

"I tell law students ... if you are going to be a lawyer and just practice your profession, you have a skill – very much like a plumber. But if you want to be a true professional, you will do something outside yourself ... something to make life a little better for people less fortunate ..."

IV. Appreciation

26. As I conclude, I would like to take this opportunity to express my gratitude to the Chief Registrar and the organizing committees who have worked hard to make today possible. I wish to also thank the Prime Minister's Office, State Judiciary Department, Department of Adat Istiadat Negara, and Accident and Emergency Department of RIPAS Hospital for their continued support.

Improving the standard of pupillage will ensure that young lawyers will be better equipped to meet the multifaceted challenges of the legal profession.

27. Once again, I am privileged and honoured to be in a position to thank our judges, judicial officers, court staff, and all members of the legal fraternity in Brunei Darussalam for their continued dedication to public service and the rule of law. In our profession, we must remember to conduct ourselves with humility and integrity and we should resolve to do our best to maintain the public's trust and confidence that we are faithfully discharging our duties under the law.

28. Finally, thank you all for your presence this morning. On behalf of the Judiciary I wish you all good health and happiness in 2021.



THE HONOURABLE ATTORNEY GENERAL

Haji Ahmad bin Pehin Orang Kaya Laila Setia Bakti Di-Raja
Dato Laila Utama Haji Awang Isa

My Lord Chief Justice Dato Seri Paduka Steven Chong,

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 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 Syarie Judge,
Honourable Justices,
Judges,
Excellencies,
(My Learned Friend) President of the Law Society,
Members of the Bar,
Distinguished Guests,
Ladies and Gentlemen,

Introduction

1. A very good morning to you all. It is my great privilege to be able to address Your Lordship for the very first time as the Attorney General on this significant occasion. (For many years I had the luxury of only listening to the speeches!) Usually, the Attorney General takes the opportunity of his (or her) opening remarks to report on things that the Chambers have done throughout the year and of key challenges that lie ahead. However, it has only been a mere few months since my appointment and so to speak about the previous year seemed a bit disingenuous.

2. Indeed, I am sure a question on many people's minds is what the new AG must be like, someone that has come from the private sector and finds himself back in the government after so many years – and as Attorney General no less. Therefore, I have decided that rather than

speaking about the previous year, perhaps it would make more sense for me to talk to you about the current state of the AGC, its future, and the direction I would hope to take the AGC during my tenure as Attorney General.

AG's and AGC's Role

3. The mantle of Attorney General is not one that I find can or should be worn lightly. The role is more than just a title, it is a constitutional role that brings with it the responsibility of advising on all legal matters connected with the affairs of Brunei Darussalam referred to him by His Majesty the Sultan and Yang Di-Pertuan or by the Government, and in doing so, serves to protect the interests of the country and its people. It is painstaking, unrelenting and rigorous work, that needs to be of the utmost highest standard. If the AGC were a law firm, we are then servicing the country's largest and most important client. In addition to being the principal legal adviser to the Government of His Majesty, the Attorney General is also the Public Prosecutor exercising discretion and control over criminal prosecutions for all offences except proceedings before the Syariah Court or a Court Martial.

4. There are currently 8 Divisions covering a total of 47 Units in the AGC, with the vision of being the highest quality legal service provider for His Majesty and His Majesty's Government. However, I think we ought to cast a wider net than that, as we are not just a legal service provider, but also custodians of the Rule of Law. This adds an additional layer to what we do and must be at the forefront of our minds as we go about our duties.

5. This means that: When we perform our advisory role through our Civil or International Division, we provide advice that is sound, effective and advances the country's interests; When we take on our prosecutorial role through our Criminal Justice Division, we do not set out to win at all costs, but to prosecute fairly, independently and transparently; and when we produce legislation through our Legal Drafting Division, we generate laws that are (among other things,) clear, fit for purpose and allows for sound policies to be made.

6. It is even more important that we remain aware of this in these unprecedented times, with the global pandemic and the rate at which the world is changing. On this note, it has been encouraging to see that the AGC has been able to do our part in assisting the Ministry of Health in managing this health crisis and keeping the country safe by quickly providing amendments to relevant Acts such as the Infectious Diseases Act. As we move forward it is my hope that we continue to be able to be a stalwart of the Rule of Law in whatever time or circumstance we find ourselves, and the world, in.

7. The priority, therefore, lies in firstly, ensuring that the groundwork is laid so that the AGC can function at its best. It is said that no matter how well organized, an organization is only as good as the people who live and work in it. Hence it is imperative that we ensure the right environment is in place so that our people may hone their skills and reach their full potential. In this endeavour, despite the limitations on travel due to Covid, throughout 2020, AGC officers have had the opportunity to participate in online seminars and other programmes to enhance their professional development. We will strive to invest more in our people and generate an ecosystem where there is growth and where everyone can feel a sense of ownership over what they do so that we can deliver on our vision and mission.

8. It is testament to the quality of the officers in the AGC that a few of our officers have now moved on to greater heights and I wish to pause here to congratulate them and wish them all the best in their new positions:

- a. Datin Hajah Hasnah binti Haji Ibrahim who was the Assistant Solicitor General, on her transfer as Senior Special Duty Officer at the Ministry of Finance and Economic and as TAIB Managing Director on 3rd March 2020;
- b. Dayang Hajah Nor Hashimah binti Haji Muhammed Taib, who was the Assistant Solicitor General, on her promotion as Deputy Permanent Secretary at the Prime Minister's Office on 2nd May 2020; and
- c. Dayang Hajah Suhana binti Haji Sudin, who was Principal Counsel, on her promotion as Acting Director of ACB on 18th January 2020 and confirmation as Director of ACB on 3rd November 2020.

9. The second priority is fostering and maintaining good working relationships. It is a fact of life that one cannot work in a bubble; nor are we just cogs in a machine. Relationships are vital to building trust as well as ensuring that the legal system is understood and enforced in an appropriate manner. To illustrate this, the AGC had – despite the pandemic – continued to conduct several dialogues and in-house trainings with good response with various institutions such as the Royal Brunei Police Force, Department of Scientific Services and the Anti-Corruption Bureau in relation to aspects of the legal framework in which they operate. In addition to these dialogues, the AGC have also conducted talks, workshops and seminars on a variety of issues for Government departments and agencies in relation to their work involving legal issues from debt recovery and contracts with the public to the law-making process. This is very useful work and the AGC will continue to facilitate these dialogues to build public confidence and forge stronger synergy between the AGC and the various governmental agencies.

10. The importance of the work that we do with these governmental agencies and in particular, the Royal Brunei Police Force, Anti-Corruption Bureau and the Narcotics Control Bureau in enforcing the rule of law, were of particular significance last year where we saw the conclusion of one of the CJD's most challenging and important cases – that of the prosecution against 2 members of the Judiciary for criminal breach of trust, money laundering and unexplained wealth. The outcome of this trial was the culmination of all the efforts, and I am sure, sleepless nights of not only our prosecutorial team but that of the respective teams in the NCB and RBPF.

11. In this case, the Defendants were convicted and custodial sentences of 10 years for the 1st Defendant and 5 years' imprisonment for the 2nd Defendant, were passed and restraining orders obtained against properties that were seized in respect of these crimes. Notices of Appeal have been lodged by both the Public Prosecutor and the Defence with the appeals set to be heard in February this year subject to the COVID situation.

12. There are also serious cases of drug trafficking, murder and armed robbery which will be brought to the Courts as soon as investigations are completed. I thank the RBPF, NCB and ACB in their unrelentless hard work in, not just these cases, but in all criminal matters that are brought to the Public Prosecutor's attention. Now, the hard work begins for AGC to ensure that all these matters are brought to their ultimate conclusion based on fact, law and precedent.

13. I, of course, cannot forget the relationship between AGC and the Law Society. The Attorney General's Chambers continues to fully support the Law Society and its initiatives such as the Legal Advice Clinic as well as taking part in its Inquiry Panel Committee when required. I hope that moving forward we can continue to have interactions with the Law Society so that we are able to keep our hand on the pulse of the local legal environment. The value that lawyers in the private sector can give us, as fellow barristers, is that of a different perspective which can inform the way in which we go about our work. Therefore, it is essential that we have more interactions and constructive dialogue with them. It is unfortunate that due to the pandemic the usual Law Society games that have previously been held amongst the judiciary, AGC and the private sector have not taken place. I hope that we can continue to do so once things settle down and restrictions have eased.

14. These are but a few areas in what is bound to be a long list of tasks that lie ahead of me. The road ahead will, I am sure, be long and arduous albeit a worthy one that I, and my Chambers, will remain fully committed to in the coming years.

15. In addition to my commitment to my Chambers, My Lord, rest assured that myself and my Chambers shall continue to pledge our full support and cooperation to the Judiciary in its duty of upholding of the administration of justice and the rule of law.

16. I would like to take this opportunity to congratulate:

(a) Awang Haji Abdullah Soefri bin Pehin Orang Kaya Sariful Mulok Dato Seri Paduka Haji Abidin on his appointment as Judicial Commissioner of the Supreme Court;

(b) Senior Registrars Dayang Hajah Hazrena binti Pehin Orang Kaya Setia Jaya Dato Paduka Haji Abu Hurairah and Dayang Harnita Zelda Skinner on being conferred powers to sit as Intermediate Court Judges.

17. Lastly, I extend our good wishes to Your Lordship and Your Honours, members of the legal community and everyone present for good health and every success in the coming year. Thank you



THE PRESIDENT OF LAW SOCIETY

Pengiran Izad Ryan bin Pengiran Laila Kanun
Di-Raja Pengiran Haji Bahrin

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

Esteemed members of the judiciary, Chief Judge of the Syar'ie Court, The Honourable Attorney
General, fellow counsel and colleagues of the legal profession, distinguished guests, ladies and
gentlemen, assalamualaikum and good morning.

We are thankful for the blessings of Allah subhanahu wata'ala for being able to come together
on this occasion to mark the opening of this legal year 2021. I am honoured and thankful to
my fellow counsel and colleagues in the profession for giving me this opportunity to say a few
words on their behalves today.

We wish to express our congratulations to the Honorable Attorney General, our learned
colleague, Yang Berhormat Haji Ahmad bin Pehin Orang Kaya Laila Setia Bakti Di-Raja Dato
Laila Utama Haji Awang Isa on his appointment last year. The members of the Law Society
are particularly proud that a practitioner from private practice should be called upon to fill
this position. We have no doubt that the Attorney General will bring patience, experience
and objectivity to this role. We would observe that while it is the first time in Brunei that a
private practitioner has received this honour, in neighboring countries, it is not unusual for the
Government's highest legal advisor to be taken from practice, indeed, in other countries we
have seen that position filled by legal practitioners from the judiciary, business, academia and
the legislature. I would submit that it is a demonstration of the health of the system that this
important role may be filled by practitioners from other sectors.

The Law Society wishes also to congratulate the appointment of:-

1. the Chief Registrar Justice Haji Abdullah Soefri bin Pehin Orang Kaya Saiful Mulok Dato Seri Paduka Haji Abidin as a Judicial Commissioner of the High Court;

2. Hajah Hazarena binti Pehin Orang Kaya Setia Jaya Dato Paduka Haji Hurairah and Harnita Zelda Skinner, Senior Registrars of the Supreme Court, to sit as Intermediate Court Judges

We wish them all success in their roles, and have no doubt that they will discharge these responsibilities with dedication and fairness befitting the position.

Last year, I addressed this forum on 3 main topics: - Continuity, Challenges and the Rule of Law. I take this opportunity to re- assure My Lord that this years speech is not recycled, though, again as befits the occasion, I must revisit similar topics.

2020.

Last year, I said that we in the Law Society would seek to build on what has gone before and to make what incremental changes we can to improvethings, without seeking to re-think our purpose or mission or how we will go about doing things. Well before we could go about any of our incremental changes and “business as usual” for 2020, what started in February as a conscious effort to avoid social occasions and gatherings turned, by early March into a full-on closure of the courts, the shutting down of international travel and pretty much, for a time, the suspension of business. To say that last year was disrupted by COVID would be an understatement.

Thankfully though, we may commend the efforts of the authorities, especially the Ministry of Health and the good sense of the population to take quick and firm early action. I am thankful to my colleagues in Council who pressed for strong action early on to ask for the closure of non-essential work in court. We are also grateful to the My Lord Chief Justice, the Chief Registrar and the Judiciary in taking early and immediate steps to avoid crowding and to close the courts for all but essential work early on in March.

As a result, with very few local transmissions, we in Brunei are in a happy position here at the start of 2021 to be able to gather at events such as today and at the very least to be able to continue with business, education and important and necessary activities. Indeed, it is encouraging to see that some sectors of the economy are thriving. We almost take it for granted that we can do simple things such as take a walk, exercise, drive to work, send the children to school and eat in a restaurant. Again, for this we are thankful but should be mindful of the need to not let our guard down.

I would observe that in no small part, we are in this enviable position as a result of trust. Trust on the part of the population that the requirements and guidelines issued by the medical authorities are right to follow, trust that the science is correct, trust for example that a 14-day quarantine after travel abroad is best for all, trust that our fellow citizens will also do the right thing. Without a good dose of mutual trust, I believe that we as a society would have had to swallow much more bitter medicine down the road.

As I understand it, in other jurisdictions, the impact of COVID on the legal profession and the rule of law has been substantial Businesses and law firms have been disrupted, work from

home is the norm, courts have shut down giving rise to substantial issues such as access to justice and delayed hearings.

What last year has brought us here in Brunei, is a greater reliance on the use of technology, and an object lesson on the ability of the system, the profession and the courts to adapt to changing circumstances.

Being a small bar, for example, we were able to set up a group chat to keep communications channels open between all court counsel on what was a very fluid situation with the courts and court hearings.

Between March and May, when the courts were closed to all non-essential matters, many civil hearings with counsel involved were held on-line and remotely. The issue then was broad-band or the lack of data, and that litigants in person and those in the matters relating to bankruptcy had difficulty accessing the relevant technology.

I must commend the courage and dedication of the court staff and the judiciary and indeed all relevant parties in continuing to hold remand and bail hearings and limited criminal trials in these months. In matters such as these it was important that the machinery of justice continued to operate.

The Council of the Law Society took quite quickly to monthly Zoom meetings instead of meeting in person. Indeed, we have continued to use Zoom as an option for attendance at meetings because of the convenience. One of the things that Council members have become quite proficient at is the "Zoom Dance". Its quite simple, you point at you ear and shout at the screen "turn on your mike".

As far as work from home goes, I think in general most law firms have adapted. With the Judicial Case Management System at least, which has been in place for some time, it was possible to continue to undertake court work and to file remotely. I think however in general, perhaps we could all do much more to invest in our relevant systems and practices for the future to allow for greater ability for remote working. This I believe, will become the norm in other places and given the cost and convenience, work from home and remote attendance may well become ingrained in all aspects of legal practice.

Business has had to continue, just as engineering firms have been able to complete complex tasks with remote supervision, transactions in which law firms participated both locally and internationally have had to proceed with the assistance of technology.

At the end of last year, in a historic first, we had a trial relating to a complex contractual dispute, with the Honorable Justice Ramesh sitting in a court room in Singapore, Counsel for both Plaintiff and Defendant in a special court room in Brunei, and witnesses being examined in Malaysia. In general, most reports are that it seemed to have worked. As I understand it, this trial was only possible because parties agreed to hold it in this manner, and without such agreement it would not be possible to have such virtual trials.

I appreciate that it may not be possible in all cases, especially where the examination or cross examination of a witness and their demeanor may be important. I think that if these types of trials will become the norm, perhaps we should look into clear guidelines and procedures, such as on how to examine witnesses remotely. For example, one could have witnesses examined in agreed and neutral law firms or court rooms under agreed conditions subject to certain protocols.

One other consequence of the Pandemic that has affected practice is that given that the judicial commissioners were not able to attend in Brunei, and as a result with no early court dates available counsel and parties to litigation have been encouraged to seek alternative means to settle their disputes such as mediation. I for one have found, particularly for example in disputed family matters that mediation may be a better way to resolve issues such as custody and maintenance as opposed to the traditional adversarial nature of litigation. In family matters that especially involve young children it is certainly in the best interests of the child that matters are dealt with in the more amenable and sensitive setting of a mediation. For this the profession would welcome clear rules, procedures and guidelines.

We hope that any issues relating to access to justice as a result of the Pandemic will be minimized and resolved quickly. This would include the ability for accused persons to be able to speak with counsel of choice. We note that some civil matters are not able to be heard because litigants are not able to travel to Brunei, these litigants may not have ready access to technology so it may be necessary to consider how to be able to have these matters heard without too much delay.

Further on a positive note, we are pleased that by all indications we should expect the Court of Appeal to be able to sit sometime this year.

Last year, although we did face some disruption, the Law Society was able to get some of its work done.

We had some useful meetings with the relevant authorities on matters of interest to the profession, such as with the Ministry of Development and the Land Office. Indeed, some of our members are attending a meeting with the Land Office this morning on the practical issues relating to the registration of caveats under the Land Code. This is a useful tool for all conveyancing practitioners and will aid in transparency and the promotion of trust and confidence. We wish to express our thanks to the relevant parties that this part of the relevant legislation has come through.

We also had some helpful and useful meetings with the judiciary and the Attorney General on practice and disciplinary issues, which we hope to continue with in the coming year.

We wish to express our thanks to the Attorney Generals Chambers for organizing's a seminar last year together with the Chartered Institute of Arbitrators on Arbitration.

This was a full day course held over Zoom. We hope to be able to co-organize seminars again this year. Indeed, we hope that the costs of organizing seminars remotely without the need for travel would help to reduce these costs and make them more accessible to all.

The Law Society continued to provide its free legal aid clinic at the end of each month, except when the courts were closed. We also managed to provide some funds to counsel to cover their nominal fees and filing costs who under took pro-bono work in two matters. We hope again to continue with these initiatives in the coming year. We believe that access to advice is important for the machinery of justice and the rule of law.

One final point that I would make about last year is that the Profession welcomes the initiative to see to the settlement of number of outstanding bankruptcy matters. We believe that this can only promote trust in the system and avoids the substantial injustice being suffered by the victims of crime.

My Lord did touch on the trust being a cornerstone of the institution of justice in last years speech, and I hope that you would not mind if I were to discuss this again. The Rule of Law both encourages trust and requires it.

It need not be an article of faith that good laws and a working and efficient justice system will encourage trust. When contracts are enforced efficiently, members of the public will be confident to invest, knowing that investments will be protected. It is where there is trust that businesses may function and individuals may go about their daily activities without fear of arbitrary rules or procedures, with trust, individuals will be encouraged to put the interest of the community ahead of their self-interest.

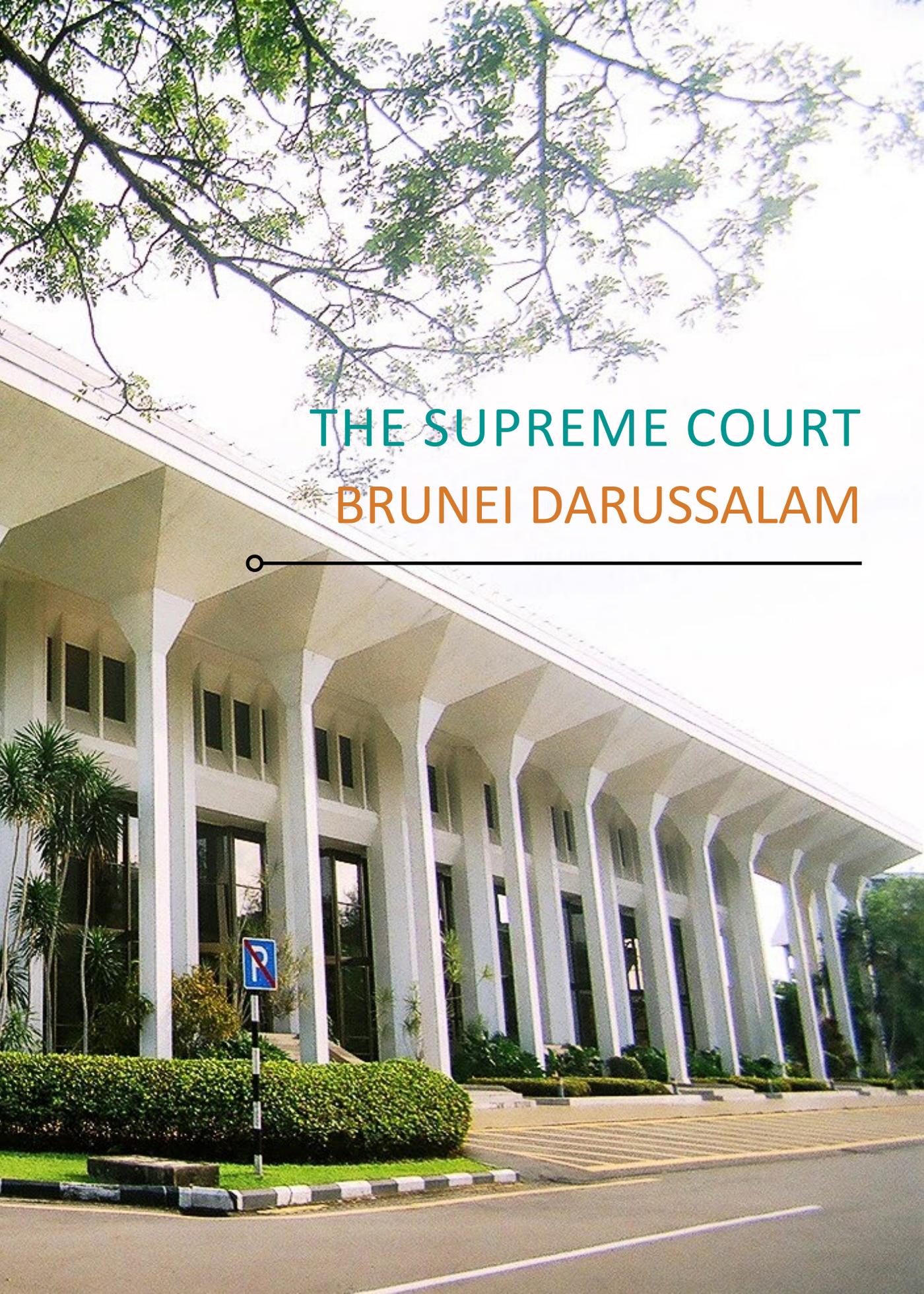
We as members of the legal profession must also work to ensure that levels of public trust and confidence in what we do are adequate. Without trust in what we do, we cannot function and discharge our duties as best that we should.

To this end, and in the wider cause of the advancement of the Rule of Law, we look forward to working in the coming year with the Judiciary and the Courts and the Attorney Generals Chambers in this important and testing function with the ultimate aim of bringing a benefit to the community that we all serve.

The Law Society will also seek to continue to support the aims and aspirations of the Government of His Majesty the Sultan and Yang Di- Pertuan of Brunei Darussalam.

I Thank My Lord Chief Justice, the Chief Registrar and all parties involved for organizing today's ceremony. I wish My Lord Chief Justice, the members of the Judiciary, the Attorney Generals Chambers and my colleagues in the Profession a safe and productive year ahead.





THE SUPREME COURT BRUNEI DARUSSALAM

COURT OF APPEAL

The Court of Appeal was able to have a session despite on-going Covid-19 restrictions in 2021. The Court of Appeal was unable to sit in 2020 due to the first wave of the Covid-19 pandemic and travel restrictions. As such, the session held in 2021 was extended to cater for the backlog caused in 2020.

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. Last year was particularly challenging for the Court of Appeal as the Court had to cater to ongoing restrictions due to covid-19. One notable case was a criminal case



where both the prosecution and original defendants both appeals against the decision of the High Court. Counsel for the prosecution was in Singapore and Counsel for one of the defendants was based in the United Kingdom. Consideration had to be given with respect to time-zones, accessibility to documents remotely and online advocacy practices. This exercise had inevitably helped the Court Appeal to develop its case management practices and also expanded the use of technology in Court.

With respect to civil cases, also most half of the cases were with respect to appeals against assessed costs before Registrars of the Supreme Court. In total 3 appeals were dismissed; 2 orders were varied on appeal and 1 appeal was allowed.

One notable case (COACV/3/2022) was on the issue of arbitration. This is particularly important as more and more litigants look towards alternative dispute resolution avenues. The Court of Appeal had to decide whether or not an arbitration clause in a construction contract between the plaintiff and defendant should operate so as to stay or strike out the proceedings commenced by the plaintiff by writ in favour of arbitration. The Court of appeal held that upon determining that there a dispute, the Writ of Summons “should have been stayed, not struck out, so that

so that the action would be merely continued in the unlikely event of the arbitration not going ahead for whatever reason.”

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 ultimate 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 2022.

HIGH COURT REGISTRY

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

The Supreme Court Registry was able to resume its ‘new-normal’ operations in the first and second quarter of 2021. Backlogged cases were identified and cases resumed either in person or continued to be heard online under the ‘new normal’ conditions.

In May 2021, the High Court welcomed the promotion of the following judicial officers and staff:

- Intermediate Court Judge Muhammed Faisal bin PDJLD DSP Haji Kefli was promoted as a Judicial Commissioner of the High Court
- Deputy Chief Registrar Radin Safiee bin Radin Mas Basiuni was promoted as a full time Intermediate Court Judge
- Senior Registrar Dayangku Hajah Norismayanti binti Pengiran Haji Ismail was promoted to the position of the Chief Magistrate
- Senior Registrar Hajah Hazarena binti POKSJ DP Haji Hurairah was promoted as is now the Deputy Chief Registrar of the Supreme Court
- Legal Assistant Mohd Nor Hamizan bin Nurazman was promoted as a Registrar of the Subordinate Court.

The Registry would like to take this opportunity to congratulate and wish them well in their new positions. Collectively they bring with them experiences and knowledge that will undoubtedly be beneficial in their respective roles.

A further milestone was hosting the 6th Joint Judicial Conference on 22nd July 2021. The Joint

Conference allows the judiciaries of Brunei, Malaysia and Singapore to reinforce and strengthen their relationships by providing a forum for the three judiciaries to speak about and exchange views and ideas on specific topics. The forum was held online for the first time and is held every two years.

By the third quarter the Registry had to reactivate its Business Continuity Plan to deal with the second COVID-19 wave.

This time, the registry had some experience and was able to plan and prepare for the second wave. Online hearings were able to resume with minimum disruption and issue. The following arrangements were put in place to ensure the safety of all court staff and court users:

- Work from home on rotation for staff
- Social distancing work areas including dividing registry staff into different work areas
- Regular and scheduled cleaning of public areas
- Temperature checks and BruHealth barcode on the Court premises
- Video conferencing hearings
- Moving chamber hearings into court
- One stop centre in the High Court lobby for easy access to information and dropping documents
- Promoting communication via email, dropbox and appointment system
- Providing online services where possible
- Adjourning non-urgent cases

In recognising the relatively small pool of local High Court Judges and travel restrictions that made it impossible for visiting judges to fly into Brunei, 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.

Legal amendments were also passed in 2021 to the Supreme Court Act. In particular Section 15 A as follows:

“The Court may conduct hearing through electronic means of communication
15A. (1) Notwithstanding any provision of this act or of any other written law, the court may conduct the hearing of any matter or proceeding through a live video link, a live television link or any other electronic means of communication within or outside Brunei Darussalam with such

directions, which may be of general or a particular nature, as may be given by the Chief Justice.

(2) Subsection (1) does not affect the operation of section 60A of the Evidence Act (Cap. 108) and section 236B, 236C, 236D and 236E of the Criminal Procedure Code (Cap. 7)”

This new legislation reflects the current condition brought about by restrictions on the movement of persons due to COVID-19 and is just one example of how the High Court continues to look for a variety of ways to improve evolve with the needs of our court users. This new section has been extremely advantageous to the High Court as over 50% of online cases were heard at the High Court and Intermediate Court level.

Other initiatives issued by the office of the Chief Registrar also included guidelines on conduct of counsel during online hearings and online payments. Several publications were also issued on the website with respect to initiatives taken during the second COVID-19 wave. Whilst cases were adjourn, the downtime was used productively to send Judges and Judicial Officers to participate in online training and courses.

The High Court also engages in regular discussions and welcomes feedback from our various court users.

This active and adaptable approach by the Registry has ensure that despite the challenges the Registry is able to continue to provide and improve its services and will continue to do so in 2022.



BANKRUPTCY OFFICE

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



Amongst the number of changes made to the workings of the Office, one notable change is in respect to monthly cash payments made by judgment debtors. To ensure a better management of payments made by judgment debtors, judgment debtors are now directed by Deputy Official Receivers to make direct cash payments to the Official Receivers' account set up in banks upon receiving written notice. In other words, the Bankruptcy Registry is no longer accepting cash payments directly from judgment debtors. This new practice has relieved the working staff and officers with valuable time which is now dedicated to other bankruptcy matters.

The Office has also established an email address: kebankrapan@judiciary.gov.bn. This email address can be used by judgment debtors and third parties to bankruptcy and winding up matters to address the court with their queries.

In order to ensure the financial management in the Office is in an orderly manner and in accordance with existing regulations, a Senior Finance Officer assisted by officers and staffs with qualifications and experience in finance and accounting has been tasked to commence with the setting up of 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

The year 2021 has been a challenging year as Brunei Darussalam was hit with the Covid19 pandemic which has affected the working environment in the country to a large extent. The country managed to curb the spread of the Covid19 pandemic in May 2020 the Bankruptcy Office slowly resumed the normal working environment with safety and precautionary measures put in place.

In August 2021, Brunei Darussalam was once again tested with the outbreak of the second wave of Covid19 pandemic which has caused the country to restrict movements to curb the spread of the said pandemic. The government agencies were instructed to activate their Business Continuity Plan (BCP), including the Bankruptcy Office, in order to ensure minimal disruptions to the current operations of the Office. In the course of the implementation of the BCP, it was accepted that there will be services that would be largely affected. These changes temporarily limited the public and legal fraternity access to services and the Office's function to hold creditors' meetings. Despite these changes, the Office's main objective was to continue its day-to-day services with as minimal disruption as possible. Logbooks were put in place requiring visitors to register themselves upon use of the drop boxes and for contact purposes. Visitors would then be contacted via telephone or email to collect any outgoing documents or correspondences at a fixed date and time.

The Office also implemented a work from home system for the Deputy Official Receivers and the staffs where they were separated into 5 teams on a daily rotation. Aside from the suspension of creditors' meetings, DORs continued to process bankruptcy matters from either the office or from home. Unlike other chamber hearings before the Registrars of the Supreme Court, the option of adopting virtual meetings was not feasible due to the number of legal representatives involved and the unavailability of internet facilities for the judgment debtors. To proceed with creditors' meetings via video conferencing would not be conducive nor efficient to deal with the agenda of the creditors' meetings.

The challenges are ongoing and the Bankruptcy Offices 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 undergone many changes in 2021. 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.

Issues with respect to documentation required for probate applications have also been revised. A comprehensive checklist has been introduced to ensure that documentation is complete, and all information is submitted at an early stage.

The checklist is as follows:

BUKAN ISLAM/NON MUSLIMS	ISLAM/MUSLIMS
Pembayaran Permohonan/ <i>Payment for application</i> BND\$160.00	<i>Pembayaran Permohonan/ Payment for application</i> <i>BND\$160.00</i>
Pembayaran Affidavit bagi Pemungut Setem/ <i>Payment for Affidavit For Collector of Stamps</i> BND\$5.00	Pembayaran Affidavit bagi Pemungut Setem/ <i>Payment for Affidavit For Collector of Stamps</i> BND\$5.00
Petisyen bagi permohonan Sebagai Pentadbir/ <i>Petition for application as Administrator</i>	Petisyen bagi permohonan Sebagai Pentadbir/ <i>Petition for application as Administrator</i>
Borang Permohonan Pentadbir/ <i>Application for applicant Administrator</i>	Borang Permohonan Pentadbir/ <i>Application for applicant Administrator</i>
Salinan kad pengenalan atau pasport si mati/ <i>Copy of deceased's Identify Card or passport</i>	Perintah Mahkamah Syariah bagi Pentadbir/ <i>Syariah Court Order as Administrator</i>
Salinan Sijil Kahwin si mati atau jika bujang, surat sumpah daripada Ketua Kampong/ <i>Copy of deceased's Marriage Certificate or, if single, Statutory declaration from Village head</i>	Sijil Faraidh dan pecahan Faraidh daripada Mahkanah Syariah/ <i>Faraidh Certificate dan Faraidh division from the Syariah Court</i>
Senarai pewaris/ <i>List of beneficiaries</i>	Salinan kad pengenalan atau pasport si mati/ <i>Copy of deceased's Identify Card or passport</i>
Salinan kad pengenalan atau surat beranak pewaris/ <i>Copy of Identify Card or birth certificate or beneficiaries</i>	Salinan Sijil Kahwin si mati atau jika bujang, surat sumpah daripada Ketua Kampong/ <i>Copy of deceased's Marriage Certificate or, if single, Statutory declaration from Village head</i>

Salinan kad pengenalan atau surat beranak pewaris/ <i>Copy of Identify Card or birth certificate or beneficiaries</i>	Salinan Sijil Kahwin si mati atau jika bujang, surat sumpah daripada Ketua Kampong/ <i>Copy of deceased's Marriage Certificate or, if single, Statutory declaration from Village head</i>
Surat Sumpah daripada permohonan bagi lantikan sebagai Pentadbir/ <i>Statutory Declaration from applicant as Administrator</i>	Senarai pewaris/ <i>List of beneficiaries</i>
Surat Sumpah tiada halangan daripada pewaris/ <i>Statutory declaration stating no objections from beneficiaries</i>	Salinan kad pengenalan atau surat beranak pewaris/ <i>Copy of Identify Card or birth certificate or beneficiaries</i>
Surat Sumpah bagi penolakan hak sebagai pentadbir/ <i>Statutory declaration for renunciation as administrator</i>	Surat Sumpah daripada permohonan bagi lantikan sebagai Pentadbir/ <i>Statutory Declaration from applicant as Administrator</i>
Senarai harta pusaka/ <i>List of assets</i>	Senarai harta pusaka/ <i>List of assets</i>
Dokumen bagi nilai harta/ <i>Documents for the value of the assets</i>	Dokumen bagi nilai harta/ <i>Documents for the value of the assets</i>

As with the other registries the Probate Office was affected in August 2021 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 the early endemic stage.

Initiatives that were taken by the Probate office in 2021 were:

- Appointment of new Judicial Officers to help lead the registries
- Increased training in specialized areas of probate
- Dialogue with stakeholders
- Introduction of new forms for applications
- Online hearings
- Activation of the Business Continuity Plan
- Increased use of electronic meanings for queries, applications and submissions of documents
- Alternative methods



As part of its initiatives in 2022, 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.

MARRIAGE REGISTRY

The Registry of Civil Marriages is here to help couples on their marriage journey and continues to provide for:

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

The Registry was affected by the second wave of the COVID-19 pandemic in August 2021 and ceremonies were put on hold due to the surge in cases. However, the Registry continued to provide assistance to couples that were affected and maintained its remaining services and responded to inquiries via e-mail and the court's drop box.



By December 2021 restrictions were eased in response to the transition and endemic phases of the COVID-19 period and ROM ceremonies were resumed in court. All ROM ceremonies were subject to the prevailing health and safety management measures such as safe distancing and mask wearing rules and as of December 2021, the group size of up to 4 attendees. The Registry maintains such health and safety management measures in line with the latest COVID-19 situation and as of February 2022, up to 8 attendees are allowed to be present for the ROM ceremony. These limits include the couple, witnesses, guests and vendors engaged to provide photography or videography services during the ceremony. The couples and all attendees are also to abide by the court's entry requirements, including that they must be fully vaccinated and provide a negative ART result with a validity of 48 hours prior to ceremony.

Marriage interviews were also conducted with couples via Zoom and this practice has continued in the transition and endemic phases of the COVID-19 period. The Civil Marriage Registry will continue serving the needs of couples and looks forward to assisting them on their marriage journey in 2022.

TRANSLATION UNIT

The year 2021 saw fresh additions of personnel to the already dynamic and experienced individuals in the Translation office, as the unit continue to strive to provide eminent service to the court and the public in general.

As directed by The Honorable Chief Registrar and as concluded in the meeting of the BCP Court Action Team, Translation, like other units, has drawn a work plan in response to COVID-19 situation in the country. The starting date of the unit's BCP was from 9th August, 2021.

The unit's workforce were working on rotation. The rotation would run in a weekly basis with team assigned working in the office (WFO) each day of the week while the other team would work from home (WFH).

1. The team members assigned would be present in the office according to the timetable prepared.
2. The team assigned to work from home would be on standby in an event of further news developments and direction by the Honorable Chief Registrar.

Court Documents were to be accepted online, processed, completed and submitted in as much as possible way via e-mail. Public applications too were accepted online. The unit facilitates the use of Drop Box for application purpose and communicated by continuously updating applicants for the current status of their application. This include the online delivery of slip for payment of services. All enquiries were entertained via telephone calls and e-mail.

By 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 operated in a Group A and Group B basis, manning the registry whilst adhering to guideline and Standard Operating Procedures provided, thus embracing the new normal.

INTRODUCTION OF NEW PERSONNEL AND PARTICIPATION IN COURSES

The office welcomed 2 new personnel.

An Information Technology graduate joins the office in March 2021. Nurhafizah binti Haji Moxin has various hands-on experience in marketing and resource management. A former primary school teacher providing education for special children joins the office in May 2021. Norzafan binti Haji Nordin has shown professional work ethics based on her previous work experience. Both are great additions to the office's personnel line-up.

On 18th January 2022, The Language and Literature Bureau of Ministry of Culture, Youth and Sports held a Language Forum as part of their Language Month Programme. Two officer and personnel from Translation Unit attended the language forum entitled 'The Relevance of Libraries in Industrial Revolution' via online zoom meeting application. Senior Translator Nurfazidah binti Taib and Translator/Interpreter Norzafan binti Haji Nordin represented The Supreme Court, Judiciary Department in the forum.

On 7th to 10th March 2022, Senior Translator Nurfazidah binti Taib took part in a short course held at IPA - "Kumpulan Kerja Cemerlang "Team Based". The course was also held online via zoom applications.

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 March 2022, From November 2020 to February 2022, this office received 154 translation applications and attained 90% target success starting from receiving process until completion of each applications.

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 Moxin, Translator/Interpreter Norzafan Haji Nordin and Senior Interpreter Awang Sun Tze Yun (for Chinese translation only).

COURT INTERPRETERS AND RECORDERS

Since 2020, we are still faced with challenges and new norms and today we are in the early stage of endemic due to Covid-19.

Working from home, online mentions and trials have become normal nowadays hence Interpreters and Recorders need to acquire an extra “skill” in accomplishing our tasks, challenging yet exciting.

Today there are 17 interpreters in Bandar Seri Begawan, 2 in Kuala Belait, 2 in Tutong, 21 altogether giving full time services excluding those who are listed in our non-full time “on-call pool”. 2 Clerk/Interpreter posts are now filled back in March 2021 leaving 1 Senior Interpreter post which is now, with the assistance of the State Judiciary Department, the post is to be advertised soon.

As for Recorders, the number still remain 6 and currently assigned to the High Court Justices and Intermediate Court Judges only. We are hopeful that the quotas for Clerk/Interpreters and Court Recorders posts will be increased in coming years in order to have an efficient and smoother running of a court services.

LIBRARY

The Library Unit is tasked with keeping, maintaining and updating the Laws of Brunei, providing an efficient and effective legal source of information and coordinating the facilitating the purchase and preservation of library materials. The Libraries of the Supreme Court and Subordinate Courts of Brunei Darussalam in Bandar Seri Begawan, Tutong, Kuala Belait and Temburong are open to all members of the legal fraternity and serves as one of the principal legal libraries in the country in providing a legal reference service. Its collection consists predominantly of legal works and material and contains approximately 21,000 volumes of textbooks, law reports and research journals covering a range of legal resources from Brunei, Malaysia, Singapore, India, Pakistan, Hong Kong, Australia and Britain.

As part of the country's measures to reduce the spread of COVID-19, the courts and its services were effectively suspended to the public on 24 March 2020 and access to the libraries for members of the judiciary and legal fraternity were affected.

Fortunately as of 18 May 2020, the Judiciary began to commence phased functionality of the courts given the country's containment of the virus and library services have been resumed since. In implementing the Ministry of Health's social distancing directives, library users are strongly encouraged to spread out in the libraries to maintain physical distancing and care is also taken to routinely clean and disinfect the spaces in the libraries.



THE SUPREME COURT

JUDGES



Chief Justice

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



Judicial Commissioner

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



Judicial Commissioner

The Hon. Justice Muhammed Faisal bin
PDJLD DSP Haji Kefli

PANEL OF INTERNATIONAL JUDGES



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

THE SUPREME COURT 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



Muhammad Muzakkir bin
Awang Haji Zakaria
Registrar



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

THE SUPREME COURT REGISTRARS



Nurul Hidayah binti Hamdan
Registrar



Hajah Normazdina binti
Haji Md Maskub
Registrar



Nuuror-Raheebah binti
Haji Abdul Wahab
Registrar



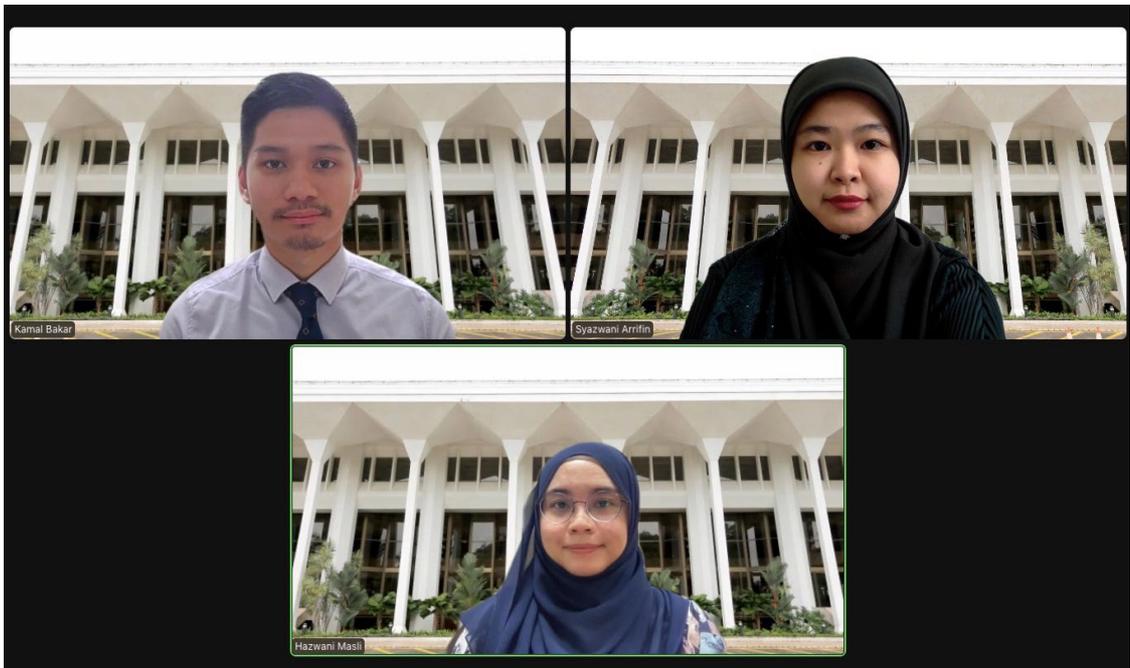
Mohammad Marzuqi bin Sabtu
Registrar

THE SUPREME COURT STAFF

CORPORATE AFFAIRS UNIT



DATA COLLECTION & STATISTICS UNIT



HIGH COURT REGISTRY



BANKRUPTCY REGISTRY



MARRIAGE REGISTRY



PROBATE REGISTRY



TRANSLATORS UNIT



LIBRARY UNIT



FINANCE UNIT



COURT INTERPRETERS



COURT RECORDERS



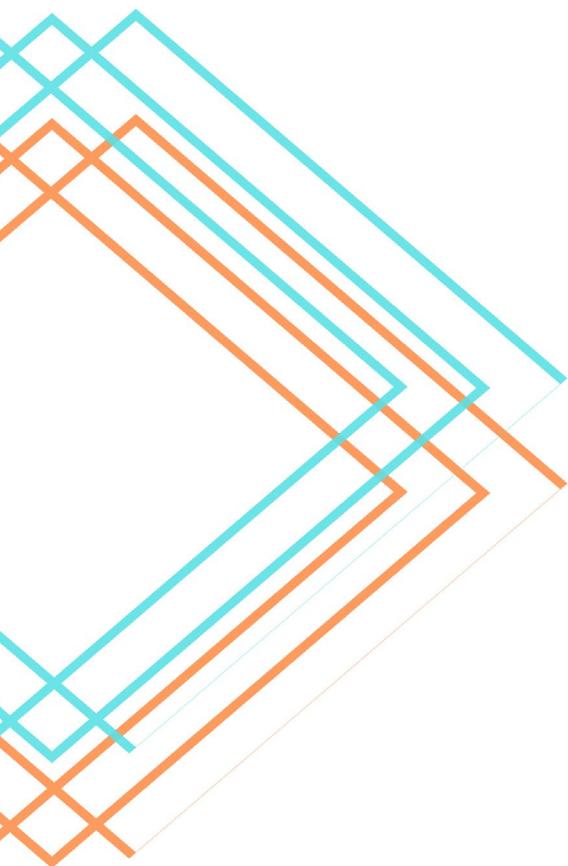
COURT BAILIFFS & PROCESS SERVERS



I-READY APPRENTICES



SWEARING-IN CEREMONY







His Majesty Sultan Haji Hassanal Bolkiah Mu'izzaddin Waddaulah, Sultan and Yang Di-Pertuan Negara Brunei Darussalam consented to preside over the swearing-in ceremony for the newly appointed Judicial Commissioner of the Supreme Court, The Honourable Justice Muhammed Faisal bin Pehin Datu Juragan Laila Diraja Colonel (Rtd) Dato Seri Pahlawan Haji Kefli.

Present at the ceremony were His Royal Highness Prince Haji Al-Muhtadee Billah, the Crown Prince and Senior Minister at the Prime Minister's Office, His Royal Highness Prince Mohamed Bolkiah, and His Royal Highness Prince Haji Sufri Bolkiah.

The ceremony began with the reading out of the letter of appointment by the Grand Chamberlain, Yang Amat Mulia Pengiran Penggawa Laila Bentara Istiadat Diraja Dalam Istana Pengiran Haji Alauddin bin Pengiran Paduka Tuan Pengiran Haji Abu Bakar. Justice Muhammed Faisal then proceeded to recite the Judicial Oath before His Majesty the Sultan and Yang Di-Pertuan Negara Brunei Darussalam.

Also present at the ceremony were 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 Minister in the Prime Minister's Office, The Honourable Dato Seri Paduka Steven Chong Wan Oon, Chief Justice of the Supreme Court and The Honourable Haji Abdullah Soefri bin Pehin Orang Kaya Saiful Mulok Dato Seri Paduka Haji Abidin, Judicial Commissioner and Chief Registrar of the Supreme Court. The swearing-in ceremony took place at Istana Nurul Iman.



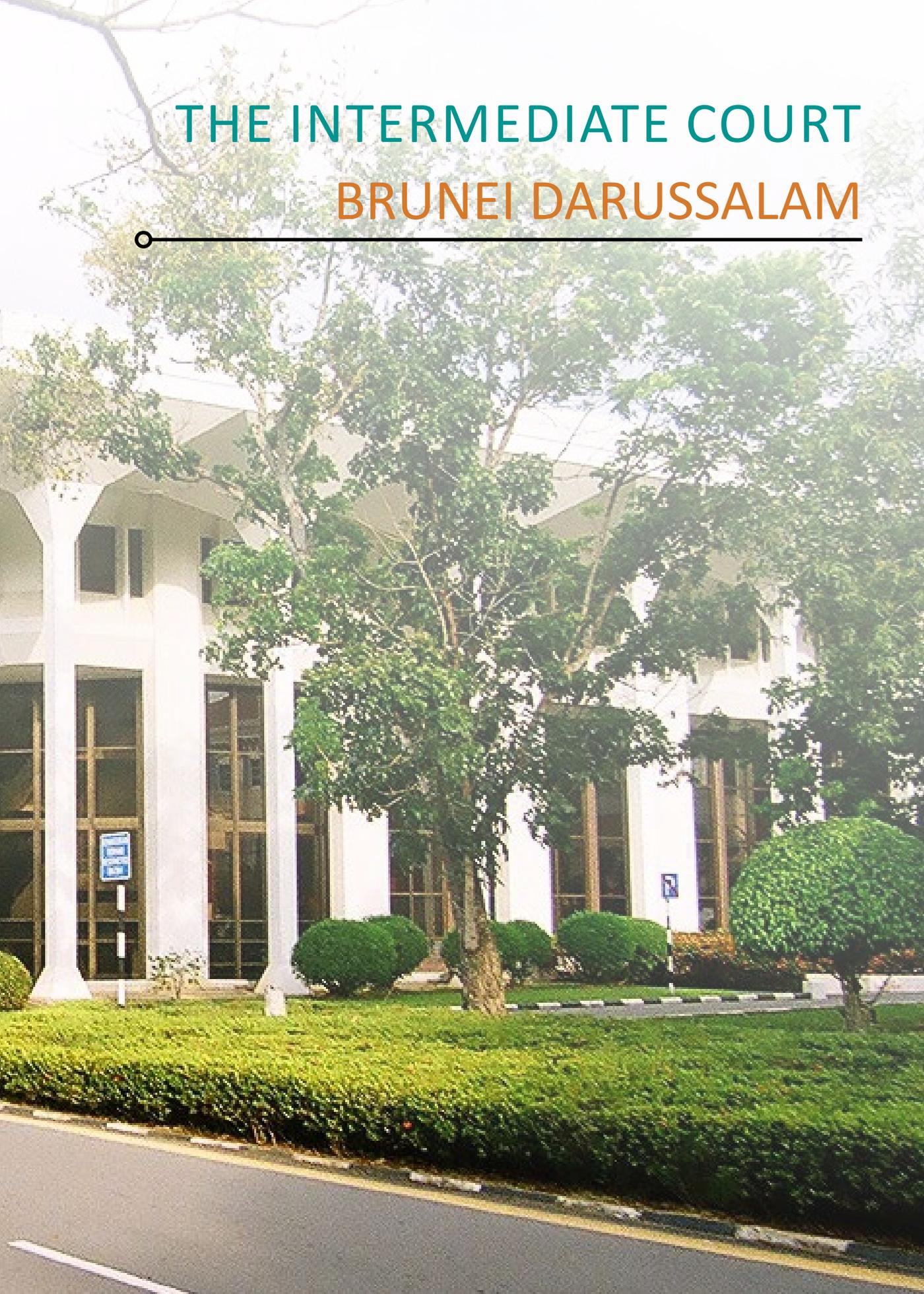


**Swearing-In Ceremony of
The Hon. Muhammed Faisal bin Pehin Datu Juragan Laila Diraja Colonel (Rtd)
Dato Seri Pahlawan Haji Kefli
Judicial Commissioner of the Supreme Court
Istana Nurul Iman, 19th February 2022**





THE INTERMEDIATE COURT BRUNEI DARUSSALAM



It had been a challenging moment since the beginning of the long pandemic and the Judiciary's BCP (Business Continuity Plan) had been varied from time to time to suit the different levels of the Covid transmission. Nevertheless, the courts had been operational either online or running physically in the building, or both. The Intermediate Courts are no exception and both forms of operations are being carried out.

The introduction of section 7A allows the court to conduct hearings through electronic means of communication within or outside Brunei Darussalam with such directions, which may be of general or a particular nature, as may be given by the Chief Justice.

For example, in criminal cases involving defendants remanded in prison, the use of this online alternative has helped tremendously in exercising safety practices in the face of the pandemic including social distancing without having the need for the prison officials to transport the defendants from and back to prison. The exceptions are when there is a full hearing when their physical presence is usually needed.

There had been some developments in the Intermediate Courts. One of them was the appointment of our former Judge of the Intermediate Court to the High Court bench. The Hon. Justice Muhammed Faisal bin Pehin Datu Juragan Laila Diraja Colonel (Rtd) Dato Seri Pahlawan Haji Kefli was recently sworn in before His Majesty the Sultan and Yang DiPertuan Negara Brunei Darussalam, for his appointment as a Judicial Commissioner of the Supreme Court. Before becoming a Judicial Commissioner, His Lordship sat in the Intermediate Court for 6 years and has a vast judicial experience dating back to his earlier days in the magistracy.



In May of last year, two permanent Judges were appointed to the Intermediate Court, Judge Radin Safiee Radin Mas Basiuni and Judge Pg Masni Binti Pengiran Bahar. Previously, Judge Radin Safiee was the Deputy Chief Registrar for 11 years. Before that he was sitting as a magistrate, which started in the old Magistrates Court of Seria town. Judge Pg Masni was the Chief Magistrate for 3 years and she is now the full-time Judge of the Intermediate Court in the Tutong district with effect from January this year. Both Judges had been sitting in the Intermediate Court on top of their previous posts by virtue of the powers vested in them to do so.

By having a full-time Judge in the Court Building in Tutong town, this has expanded the use of the facilities of the court building in that district and further, the courtroom there is an extension of the Intermediate Courts in Bandar Seri Begawan. This is part of the judiciary's efforts in making a better use of pre-existing premises and facilities to avoid wastage and redundancy of useable space.

Currently, there are 3 Judicial Officers who have powers to sit as Intermediate Court Judges, on top of their posts they hold in the Supreme Court and the Magistrates Courts. These appointments, made in 2015 and in 2020, were in order to further improve the administration of the Intermediate Court and to be as a part of its initiative to expedite cases heard in the Intermediate Court.

The Intermediate Court's civil jurisdiction are for cases where the amount in dispute is over \$50,000 but limited to \$300,000. However, section 16 C of the Supreme Court Act allows the Hon. Chief Justice to allocate certain classes of High Court cases to be heard before the Intermediate Court. A number of 22 cases of the High Court had been allocated currently with a view of expediting the hearing of these cases.

The use of mediation in the Intermediate civil cases are paramount in order to resolve disputes without going to trial. These tasks are primarily undertaken by the Registrars sitting as Mediators in their respective chambers. Many of the Registrars have undergone formal training in mediation and it is planned that training will be arranged for those who have not received it. As mediation is an important tool as an alternative medium for dispute resolution, parties are urged to take benefit of this court service which is free of charge.

In commercial cases, the use of Case Managements Conferences (CMC) had been implemented since 2017. This added feature helps parties to be alert as to their cases which must comply

with the stipulated timelines set by the Judge in the CMC hearing. It has been applied and executed in every commercial case as a means to reduce the time for the cases to come to their conclusions.

Pre-trial hearings and interlocutory applications of all civil matters including those classified as commercial cases are heard by the Registrars of the Intermediate Court who are also the Registrars of the Supreme Court. Any ruling made by the Registrars can be brought for appeal before a Judge in chambers. The Judge's decision can be further appealed to the Court of Appeal.

When dealing with criminal matters, the Intermediate Court has all the jurisdiction, powers, duties and authority as are vested, conferred and imposed on the High Court with certain exceptions. It does not have jurisdiction in respect of capital offences or those with imprisonment for life; or to impose a period of imprisonment longer than 20 years.

The decisions of the Intermediate Court for both civil and criminal cases are appealable to the Court of Appeal.

INTERMEDIATE COURT REGISTRY

The Intermediate Court Registry is housed in the same space as the Supreme Court Registry. The officers and staff there have been assigned to assist the respective judicial officers for a more manageable and organised support from the registry. This registry is also responsible on the processing and handling of commercial case files which are heard in the Commercial Court and for the preparation of case files for the Intermediate Court Judges to hear other civil and criminal matters.

A number of 222 cases were instituted in the Intermediate Court last year and there were more commercial cases filed compared to the usual civil cases.

The Intermediate Court Registry has its case files digitised on the JCMS which covers cases filed over 20 years ago. This is a very big achievement since the JCMS was only introduced less than 7 years ago. This makes case files search more easily accessible and convenient.

The Intermediate Court will continue to give its best for the services to the court users.

THE INTERMEDIATE COURT

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

THE SUBORDINATE COURT BRUNEI DARUSSALAM





COMPOSITIONS AND NEW APPOINTMENTS

The Subordinate Court welcomes the newly appointed Chief Magistrate, Dk Hajah Norismayanti binti Pg Haji Ismail, who was appointed to lead the Subordinate Court on 6th May 2021. Presently, the Honourable Chief Magistrate is assisted by the following judicial officers:

- Senior Registrar Harnita Zelda Skinner
- Senior Magistrate Hajah Azrimah binti Haji Abdul Rahman
- Senior Magistrate Pg Hazirah binti Pg Mohd Yusof
- 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



As of 6th December 2021, the Subordinate Court would like to express its gratitude to Kamaliah Fadhilah binti Haji Ibrahim and Mohamad Marzuqi bin Sabtu, who are now exercising their roles as Senior Registrar and Registrar of the Supreme Court respectively.

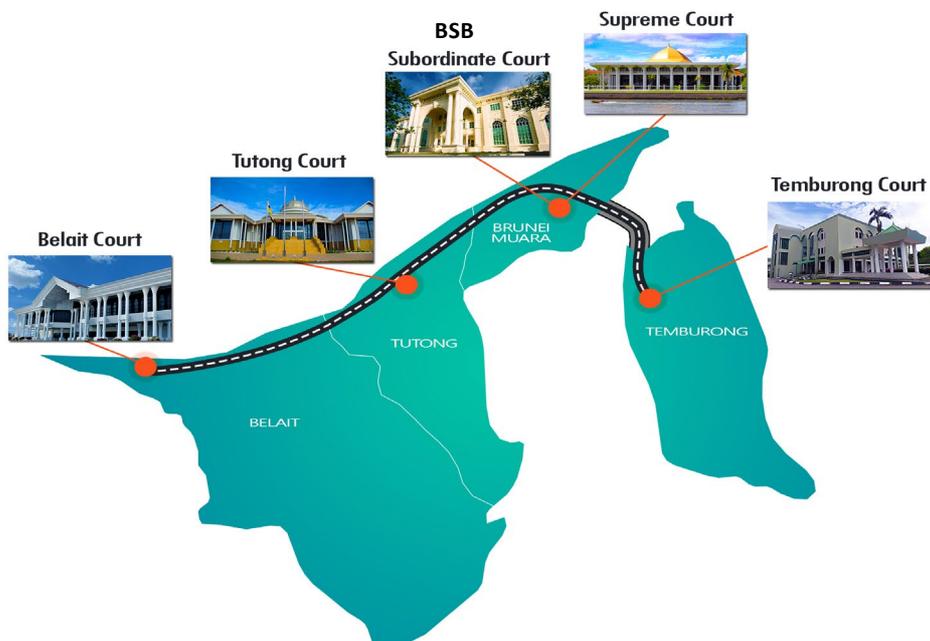
The Subordinate Court also comprises of four Subordinate Court registrars and three deputy registrars and two more deputy registrars in the district courts. They are namely:

- Registrar Hajah Fauzihana binti Haji Mohamad
- Registrar Muhd Hardy Iman bin Haji Muhd Ukit
- Registrar Mohamad Jazmi bin Haji Mohamad
- 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 (Kuala Belait District Court)

DISTRICT COURTS

As part of their task as magistrates of the Subordinate Court, the following magistrates have been assigned to assist the Chief Magistrate in the administration of the district courts:

- Tutong District Court – Senior Magistrate Pg Hazirah binti Pg Mohd Yusof
- Belait District Court – Senior Magistrate Hajah Ervy Sufitriana binti Haji Abdul Rahman
- Temburong District Court – Magistrate Nur Eleana binti Dato Seri Paduka Haji Hairol Arni



SUBORDINATE COURT REGISTRY

As we entered the second wave of the COVID-19 pandemic in August 2021, court services in the Subordinate Court registry continued to be operational with safety measures which were introduced and practiced during the first wave of the COVID-19 pandemic in 2020 and further enhanced by receiving applications through online platforms.

Despite the restrictions of the pandemic, the Subordinate Court continued to receive the following key applications:

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



Counter services remained operational but was closed to the public until the 15th December 2021. Prior to the opening, the drop-off and collection method were used for the public to send their applications and enquiries. The registry also entertained applications via telephone and email.

To limit the numbers of applicants visiting the court, the registry accepted applications via the drop-off method and emails, and set appointments for the witnessing to be conducted via video conferencing. All applications before a Notary Public or Registrars were conducted virtually.

MAGISTRATES COURT

Civil Section

During the second wave of the pandemic, the Civil Section continued to received fresh summons and documents from the public via online or the drop-off boxes. The registry actively dealt with the public via telephone and emails despite the restrictions on visitations to the Court.

The Magistrates' Court was still able to conduct civil hearings and delivery of judgments via online platforms, including mediation and pre-trial conference. There were 178 cases heard virtually via Zoom during the second wave of the pandemic. In accordance with Circular No. 2 of 1992, some applications for civil cases were able to be dealt with in writing.

Since January 2022, the Magistrates' Court recommenced open court hearing of civil cases. Cases were conducted in limited numbers and allocated time slots. As a safety pre-caution, the courtrooms are sanitised in between each time slot.

Criminal Section

Despite the sudden onset of the second wave of COVID-19, the Criminal Section continued its operations to receive fresh arrest cases and cases by summons. Newly opened cases and other urgent proceedings were heard remotely via video conference, with defendants appearing from law enforcement agencies' premises. Overall, there were 673 fresh cases opened in Bandar Seri Begawan in 2021, 72 of which recorded a plea of not guilty and were referred for Case Management for trial assignment.



From when the second wave was announced in August 2021 until December 2021, the Magistrates Court heard a total of 139 fresh criminal cases remotely throughout all the districts. This would not have been possible without the cooperation of the Attorney General's Chamber and all law enforcement agencies.

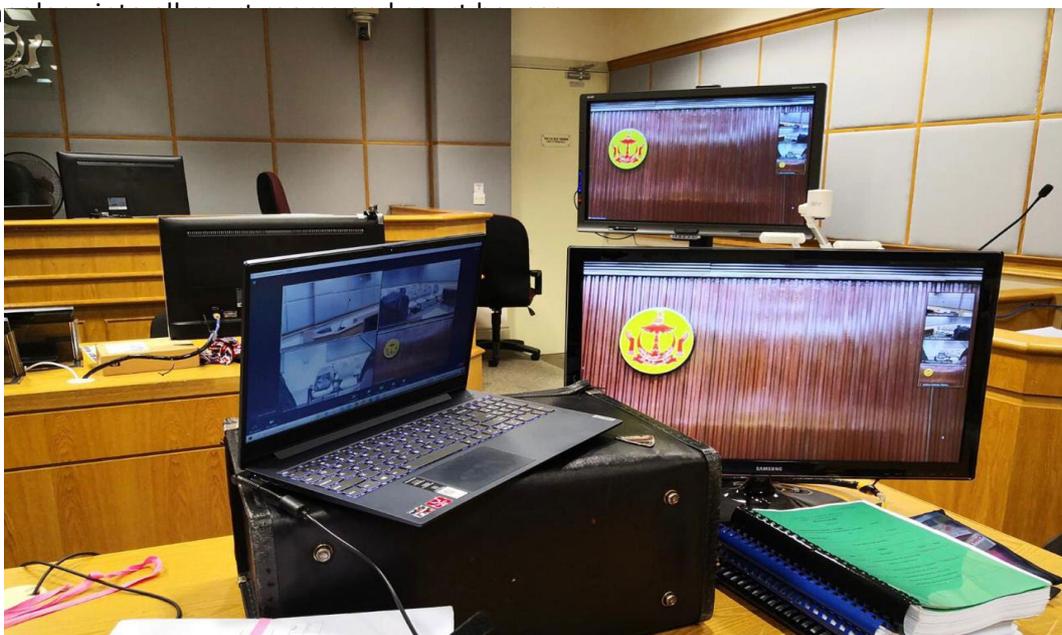
Overall, there were 673 fresh cases opened in Bandar Seri Begawan in 2021, 72 of which recorded a plea of not guilty and were referred for Case Management for trial assignment. Although criminal trials were affected due to the outbreak of the second wave, we have rescheduled all affected cases to be heard in 2022 as our endeavour to minimise backlogs.

Road Traffic Section

With the aid of technology, the hearing of road traffic cases resumed in the Magistrates' Court in November 2021 via video conferencing, where cases were able to be conducted remotely, with the police prosecution and defendants appearing virtually from a designated place at the police headquarters. This measure was put in place to ensure the continuity of the hearing road traffic summons to avoid any backlogs or delay, whilst maintaining proper health and safety measures. Open court hearings resumed for road traffic cases in February 2022.

Use of Technology

The use of technology has proven to be crucial in midst of the pandemic when the court was faced with challenges that affected access to the court. The court was able to continue offering its services and hear cases in the Subordinate Court despite the restrictions that were in place by utilising technology through various means, such as electronic correspondences and video conferencing. Since the second wave of COVID-19 in 2021, the court acknowledges the importance of technology for future developments as it is important to expand and incorporate technology into the court's operations.



Judicial Officers and Court Staff Training

Training is seen as a crucial component in maintaining the standard of the court and its services, whilst continuously improving the knowledge and skills of the judicial officers and staff. All of the courses attended were held virtually. Among the numerous training courses attended by the judicial officers and staff over the past year include:

- CMJA – UK Civil Service College Court on Ethical Behaviour and Case Management
- CMJA – UK Civil Service College – Virtual Practical Course for Coroners and Judges
- CMJA Rule of Law Virtual Conversations – Backlogs in the Civil Justice System
- Singapore Corporation Program – Technology and Courts of the Future
- The Executive Leadership Major Case Management, ILEA, Thailand
- Family Mediation in Singapore: The Past, Present and Future
- Mediation and Dispute Resolution Programme in Asia
- Webinar on Intellectual Property Mediation in South East Asia
- Lecture Series in collaboration with UK High Commission – Judgment Writing
- Judicial Symposium on Intellectual Property, Ministry of Justice, Japan
- Towards Climate Justice - Challenge, Strategy and Future Trend in Climate Change Adjudication, CACJ, Indonesia
- CACJ International Framework for Court Excellence – Train the Trainer
- Courses at Civil Service Institute

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, 30 care and protection order applications, which is the highest number recorded since its establishment. For beyond parental control applications, 3 cases were registered in Bandar Seri Begawan. In Kuala Belait, 1 juvenile arrest case application was registered. Based on these statistics, there has been a significant decrease of Juvenile Traffic cases and Juvenile Arrest cases applications that has been registered. The court has maintained its objective to achieve rehabilitation and successful reintegration to youth offenders and persons under the age of 18 so as to ensure they become law-abiding adults.

SMALL CLAIMS TRIBUNAL

The Small Claims Tribunal provides a cost effective, time saving of the settlement of disputes between parties whose claims falls within the ambit of the small claims jurisdiction without the need to engage lawyers. The parties to the dispute have the advantage to take control of the whole process allowing them to tailor the outcome of the settlement terms thereby ensuring a win-win situation.

During the pandemic, the Small Claims Tribunal adopted the use of online mediation at its consultation stage, as well as at hearings during an adjudication, when in-person mediation sessions and hearings could not take place, and in so far as when the Registrar or Tribunal directs. This facilitates an expeditious settlement between parties outside the traditional litigation process and to go to court only as the last resort, should mediation fail.



Aside from these, access to justice is further enhanced with Judicial Officers being present in other districts on most weekdays other than Bandar Seri Begawan. This ensure easy and convenient access to claimants of small claims in having their matters consulted and heard swiftly provided that their claims are filed within twelve calendar months from the date of the cause of action accruing.

CORONER

Coroner duties continued to be dealt with in person when there is a need for a judicial inquiry where the coroner is required to attend the investigation scene. The assigned coroner at each zone is as follows:

BRUNEI-MUARA DISTRICT CORONERS	
Coroner / Mukim	Kampong
<p>CM Pg Hjh Norismayanti binti Pg Hj Ismail</p> <p>Mukim Berakas B Mukim Mentiri Mukim Serasa</p>	<p>Mukim Berakas B – Kpg Salambigar, Kpg Sungai Orok, Kpg. Sungai Hanching, Lambak Kanan, Kpg Sungai Tilog, Kpg Manggis, Kpg Madang, Kpg Sungai Akar.</p> <p>Mukim Mentiri – Kpg Tanah Jambu, Kpg Salar, Kpg Sungai Buloh, Kpg Batu Marang, Kpg Panchor, Kpg Mentiri, Perumahan Mentiri, Kapong Pengkalan Sibabau, STKRJ Tanah Jambu, Perumahan Tanah Jambu, Perumahan Panchor.</p> <p>Mukim Serasa – Pekan Muara, Pulau Pelumpong & Tanjung Pelumpong, Kpg Serasa, Kpg Sabun, Kpg Kapok, Kpg Meragang, Perumahan Meragang, Pulau Muara Besar, Pulau Baru – Baru, Pulau Pasir Tengah, Pulau Salar</p>
<p>SR Harnita Zelda Skinner</p> <p>Mukim Sengkurong</p>	<p>Mukim Sengkurong – Kpg Sengkurong A & B, Kpg Pasai, Kpg Tagap, Kpg Selayun, Kpg Mulaut, Kpg Tanjong Nangka, Kpg Kulapis, Kpg Katimahar, Kpg Lugu, STKRJ Lugu, Kpg Jerudong, Kpg Peninjau</p>
<p>SM Hjh Azrimah binti Hj Abdul Rahman</p> <p>Mukim Gadong B</p>	<p>Mukim Gadong B - Kpg. Beribi, Kpg Kiarong, Kpg Kiulap, Kpg Mata – Mata, Kpg Perpindahan Mata – Mata, Kpg. Pengkalan Gadong, Kpg Menglait, STKRJ Mata - Mata</p>
<p>SM Pg Hazirah binti Pg Mohd Yusof</p> <p>Mukim Kilanas Mukim Lumapas</p>	<p>Mukim Kilanas – Kpg Madewa, Kpg Bunut, Kpg Tasek Meradun, Kpg Burong Lepas, Kpg Bengkurong, Kpg Sinarubai, Kpg Kilanas, Kpg Jangsak, Kpg Tanjung Bunut, Kpg Telanai, Kpg Bunut Perpindahan, Pulau Runggu, Pulau Labu.</p> <p>Mukim Lumapas – Kpg Putat, Kpg Baong, Kpg Kasat, Kpg Buang Sakar, Kpg Tarap Bau, Kpg Lupak Luas, Kpg Sungai Asam, Kpg Buang Tekurok, Kpg Lumapas, Kpg Panchor, Kpg Kilugus, STKRJ Kilugus</p>

<p>SM Hj Ervy Sufitriana binti Hj Abdul Rahman</p> <p>Mukim Gadong A Mukim Berakas A</p>	<p>Mukim Gadong A – Kpg Tungku, Kpg. Katok, STKRJ Tungku, Perumahan Rimba, Hutan Simpan</p> <p>Mukim Berakas A – STKRJ Lambak Kiri, Lambak Kiri, Lambak A, Terunjing, Lambak B, Serusop, Lapangan Terbang Antarabangsa Brunei, Jaya Setia, Jaya Bakti, Burong Pingai Berakas, Kawasan Jabatan – Jabatan dan Perumahan Kerajaan, Kpg. Anggerek Desa, Kpg. Orang Kaya Besar Emas, Kpg Pulaie, Kpg. Pancha Delima, Kpg. Pengiran Siraja Muda Delima Satu, Perkhemahan Berakas.</p>
<p>Mag. Dewi Norlelawati binti Hj Abdul Hamid</p> <p>Mukim Kianggeh Mukim Kota Batu</p>	<p>Mukim Kianggeh – Kpg Berangan, Kpg Kianggeh, Kpg Tungkadeh, Kpg Pular Ulak, Kpg Kumbang Pasang, Kpg Tasek Lama, Kpg Parit, Kpg Tumasek, Lingkungan Diplomatik, Kpg Melabau, Pusat Bandar.</p> <p>Mukim Kota Batu – kpg. Sungai Lampai, Kpg Pintu Malim, Kpg Kota Batu, Kpg Dato Gandi, Kpg Gadong Batu, Kpg Sungai Matan, Kpg Serdang, Kpg Sungai Belukut, Kpg Pelambaian, Kpg Sungai Besar, Kpg Subok, Kpg Belimbing, Kpg Buang Tawar, Kpg Tanjong Kindana, Kpg Puduk, Kpg Riong, Kpg Menunggul, Mengkubau, Pulau Chermin, Pulau Sibungur.</p>
<p>Mag Nur Eleana binti DSP Hj Hairol Arni</p> <p>Mukim Pangkalan Batu Mukim-Mukim Kampong Ayer</p>	<p>Mukim Pangkalan Batu – Kpg Pangkalan Batu, Kpg Parit, Kpg Batu Ampar, Kpg Batan Perhentian, Kpg Kuala Lurah, Kpg Junjongan, Kpg Limau Manis, Kpg Wasan, Kpg Masin, Kpg Batong, Kpg Panchor Murai, Kpg Bebatik, Kpg Bebuloh, Kpg Imang.</p> <p>Mukim – Mukim Kpg Ayer</p> <p>Mukim Burong Pingai Ayer – Kpg Burong Pingai Ayer, Kpg Lurong Dalam, Kpg Pandai Besi A & B, Kpg Sungai Pandan A & B, Kpg Pengiran Setia Negara, Kpg Pekan Lama</p> <p>Mukim Peramu – Kpg Peramu, Kpg Pekilong Muara, Kpg Setia Pahlawan, Kpg Bakut Pengiran Siraja Muda A & B, Kpg Lurong Sikuna, Kpg Bakut Berumput</p>

	<p>Mukim Saba - Kpg Saba Laut, Kpg Saba Darat A & B, Kpg Saba Ujong, Kpg Saba Tengah</p> <p>Mukim Sungai Kebun – Kpg Bolkiah A & B, Kpg Setia A & B, Kpg Sungai Siamas, Kpg Ujong Klinik, Kpg Sungai Kebun</p> <p>Mukim Sungai Kedayan - Kpg Sumbiling Lama</p> <p>Mukim Tamoi – Kpg Ujong Bukit, Kpg Limbongan, Kpg Pengiran Bendahara Lama, Kpg Pengiran Kerma Indera Lama, Kpg Pengiran Tajuddin Hitam, Kpg Tamoi Tengah, Kpg Tamoi Ujong</p>
OTHER DISTRICT CORONERS	
SM Pg Hazirah binti Pg Mohd Yusof	Tutong
SM Hjh Ervy Sufitriana binti Hj Abdul Rahman	Belait
Mag Nur Eleana binti DSP Hj Hairol Arni	Temburong

CONCLUSION

The Subordinate Court wishes to express its gratitude and appreciation to the officers and staff for their hard work and efforts in keeping the Subordinate Court in continuously running during the pandemic despite the challenges and difficulties faced during this time.

The court had also bid farewell to several staff members who have been in service with the court. The Subordinate Court appreciates their services and wish them all the best on their future endeavours.

The court would also like to express our immense gratitude to the Attorney General Chambers, the law enforcement agencies, the Prison Department JAPEM, Ministry of Culture, Youth and Sports, members of the Panel of Advisers and the legal fraternity for their continuous effort, commitment, and cooperation in assisting the Subordinate Court in fulfilling its functions.

THE SUBORDINATE COURT MAGISTRATES



Dayangku Hajah Norismayanti Binti
Pengiran Haji Ismail
Chief Magistrate



Harnita Zelda Skinner
Senior Registrar / Magistrate



Hajah Azrimah Binti Haji
Abdul Rahman
Senior Magistrate



Pengiran Hazirah Binti
Pengiran Mohd Yusof
Senior Magistrate



Hajah Eryy Sufitriana
Binti Haji Abdul Rahman
Senior Magistrate



Dewi Norlelawati Binti
Haji Abdul Hamid
Magistrate



Nur Eleana Binti Dato Seri
Paduka Haji Hairol Arni
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

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

REGISTRARS OF SUBORDINATE COURT



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

Deputy Registrars:

Noorhayati Binti Haji Ismail

Hashimah Binti Haji Abu Bakar

Dayangku Norafidah Binti Pg Haji Bungsu

Hajah Asmawati Binti Haji Ismail/Haji Jaafar

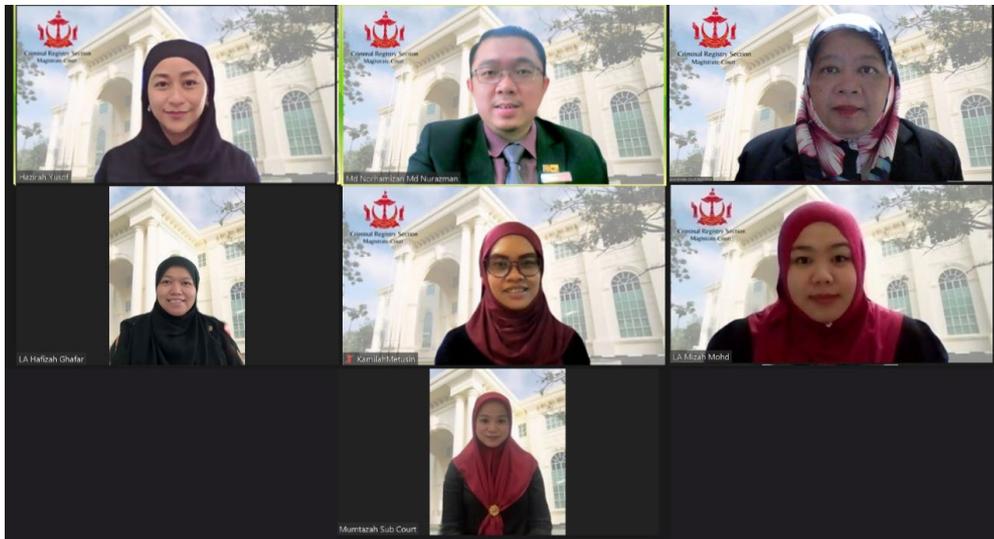
Khoo Sau Yew

THE SUBORDINATE COURT BANDAR SERI BEGAWAN

REGISTRARS SECTION



CRIMINAL SECTION



CIVIL SECTION



OFFICE ADMINISTRATION SECTION



FINANCE



PROCESS SERVERS



TUTONG COURT



As part of the Chief Justice's vision to enhance access to justice, Tutong District Court expanded its operations in January 2022 with the introduction of a Intermediate Court Judge and Magistrate who sits in Tutong District full-time.

TEMBURONG COURT



BELAIT COURT



COURT-MARTIAL

JUDGE ADVOCATES

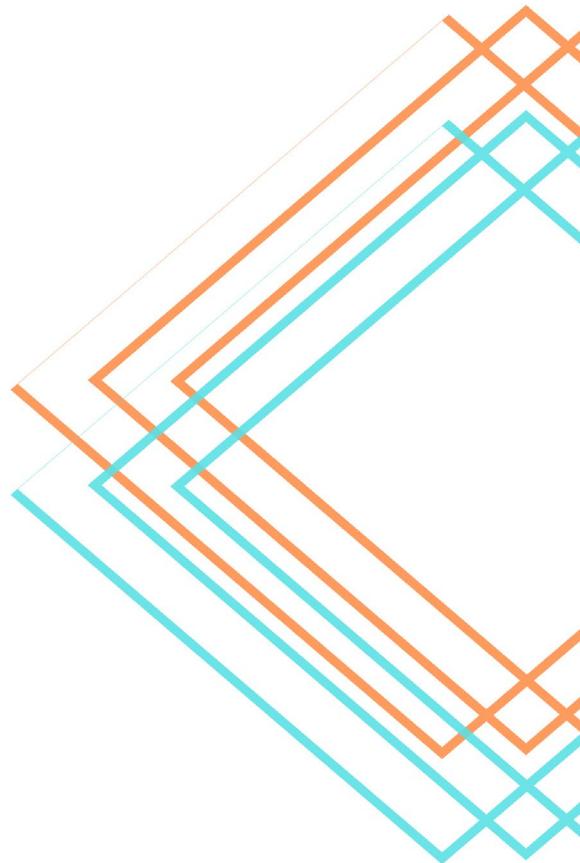
In 2006, a number of Judicial officers were appointed as Judge Advocates by the Judge Advocate General on the Royal Brunei Armed Forces Court-Martial by virtue of section 124(3)(b) of the Royal Brunei Armed Forces, Chapter 149, which provides for the appointment of persons having judicial or legal experience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

The appointed Judge Advocates are as follows:-

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



THE STATE JUDICIARY
DEPARTMENT
BRUNEI DARUSSALAM





Shahminan Haji Tengah
Acting Director of the State Judiciary Department

We welcome with our warmest heart, Tuan Shahminan Haji Tengah as our new Acting Director of the State Judiciary Department since 2nd September 2021. Previously, he worked as Administrative Officer Grade 1 at the Supreme Court of Brunei before the establishment of the State Judiciary Department in 2002. He has a vast working experience under his belt as an Administrative Officer while working in different Ministries since joining the Government of Brunei in 1997.

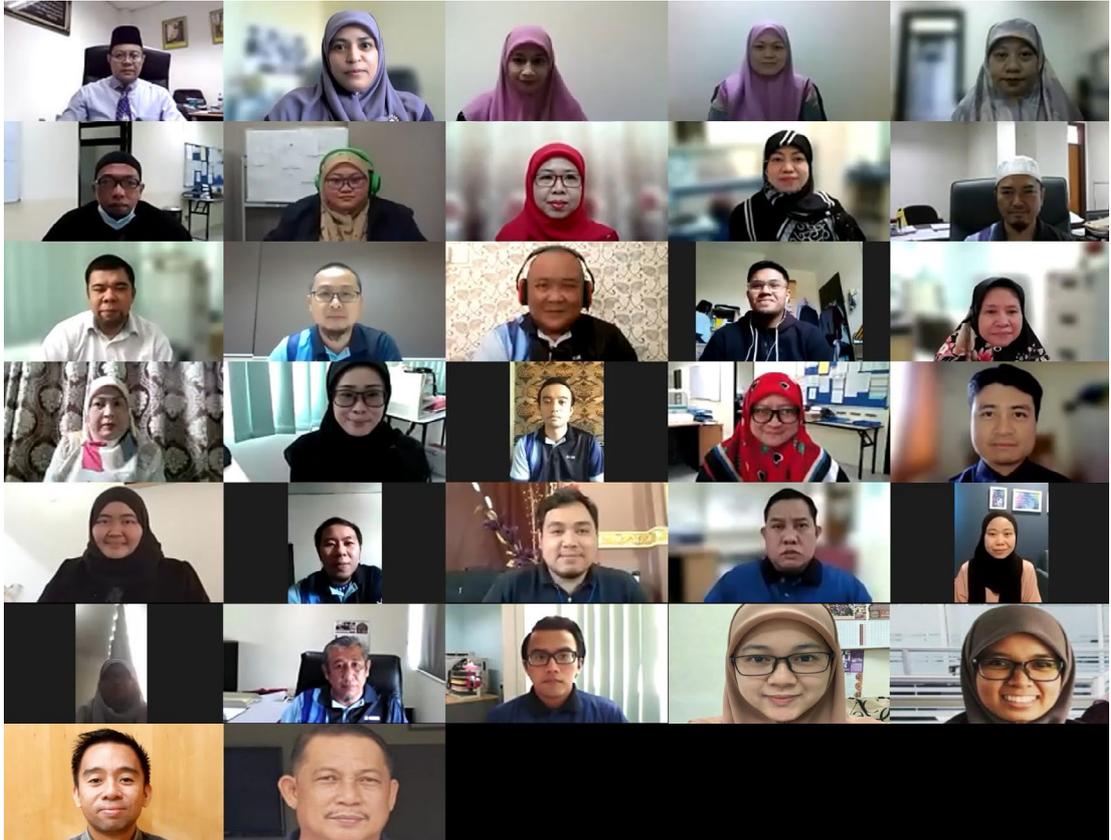
INITIATIVES & STEPS TAKEN TO CURB THE SPREAD OF COVID-19 VIRUS

The State Judiciary Department have its own Business Continuity Planning (BCP) when the second (2nd) wave of Covid-19 hit Brunei in August 2021. The Business Continuity Planning (BCP) was implemented by dividing the officers and staffs to work in two (2) different shifts, Team A and Team B; by working alternate days, i.e.; three (3) days Working from the Office and three (3) days Working from the Home to minimize the numbers of officers and staffs working in the office. Whereas for the Operator/Receptionist, they are divided into 3 Teams, Team A, Team B and Team C and working alternative days as above.

As of Pre-Endemic Phase have been declare on the 15th December 2021, the State Judiciary Department have made few amendments to its Business Continuity Planning (BCP), taking into account the Standard Operating Procedures (SOP) by implementing three different working schedules for their officers and staffs;

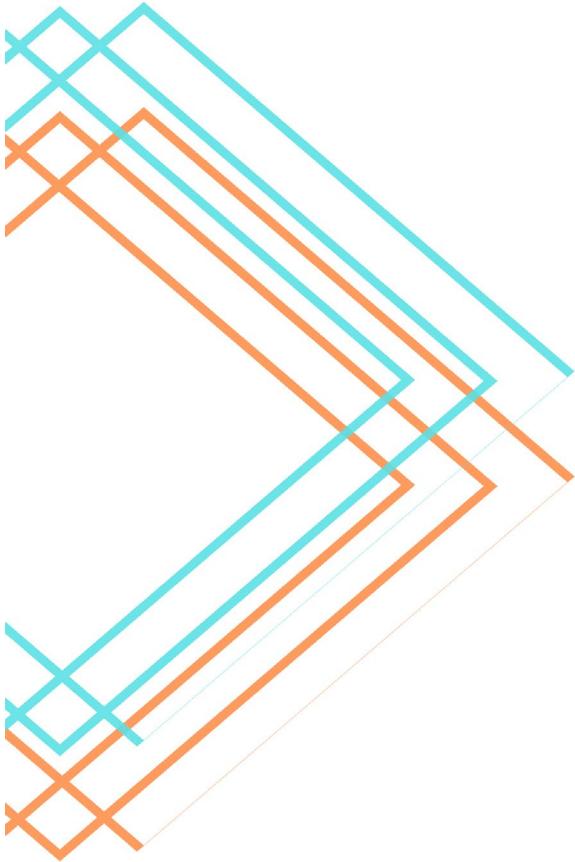
- i) The Administration and Supporting Section still works alternate days i.e., three (3) days WFO/ three (3) days WFH
- ii) The Estate and Asset Management Section works every day whereas;
- iii) The Finance and Revenue Section works two (2) days in the office & two (2) days working from home.

As per the State Judiciary Department's Business Continuing Planning (BCP), the Estate and Asset Management Team's task will do the necessary steps in curbing the spread of the Covid -19 virus by doing fogging in areas that are deem to be Red Zone area when required by both the Civil and the Syariah Courts.



Officers and Staff of the State Judiciary Department

CONFERENCES, TRAININGS & VISITS



6TH JOINT JUDICIAL CONFERENCE (VIRTUAL)

22nd JULY 2021



Held at the International Convention Centre (ICC), 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 a total of 70 judges and judicial officers from the respective judiciaries.



Held at the International Convention Centre (ICC), 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 a total of 70 judges and judicial officers from the respective judiciaries.

The judiciaries of Brunei Darussalam, Malaysia and Singapore meet at the biennial conference to discuss judicial and legal issues of common interest. The JJC serves as a platform to strengthen and deepen ties and provides a valuable setting for the exchange of views and experiences amongst fellow judges and judicial officers. It also reaffirms the long-standing friendship and cooperation that exists between Brunei Darussalam, Malaysia and Singapore.

The theme for the 6th JJC was 'The Protection of Persons and the Court's Role and Duties in Protecting Economic, Social and Cultural Rights.'



9TH COUNCIL OF ASEAN CHIEF JUSTICES (CACJ) MEETING (VIRTUAL)

7th OCTOBER 2021



Under the chairmanship of the Honourable Professor Dr. Muhammad Syarifuddin, Chief Justice of the Supreme Court of the Republic of Indonesia, the annual meeting convened virtually and was attended by the Chief Justices or their representatives from all ASEAN Judiciaries and the Secretary-General of ASEAN, Dato Paduka Lim Jock Hoi.

In his opening remarks, the Chief Justice of Negara Brunei Darussalam highlighted Brunei's theme for its ASEAN Chairmanship, 'We Care, We Prepare, We Prosper', and how these three fundamental areas apply to the sphere of judicial cooperation in the CACJ.

Chief Justice Dato Seri Paduka Steven Chong emphasized the role of CACJ in supporting people and communities by ensuring access to justice and ensuring the fair and efficient administration of justice. He spoke on the efforts of the Working Group on Cross Border Disputes Involving Children and how it is hoped that in bringing ASEAN judiciaries together, systems of family justice within ASEAN can be enhanced and can help care for the region's people and each other's well-being.

The Chief Justice also mentioned the importance of judicial education and training and how it is crucial that judges and judicial officers remain current in their knowledge and skills.

He credited the efforts of the Working Group on Judicial Education Training in identifying new ways of conducting training and education programs for judiciaries, particularly during the pandemic. He added that “It is clear that CACJ plays a significant role in helping us to prepare ourselves for future challenges and the working group’s future plans in engaging with potential international partners in obtaining support for training and education initiatives also bodes well for our future opportunities to raise the calibre and standing of our ASEAN judges and judicial officers.”



MARITIME SILK ROAD (QUANZHOU) INTERNATIONAL FORUM ON JUDICIAL COOPERATION (VIRTUAL)
26th OCTOBER 2021



UK-BRUNEI JUDICIAL COOPERATION SEMINAR SERIES (VIRTUAL)
7th OCTOBER 2021



COURTESY CALL FROM HIS EXCELLENCY HENG AIK YEOW, HIGH COMMISSIONER-DESIGNATE OF THE REPUBLIC OF SINGAPORE TO BRUNEI DARUSSALAM

2nd FEBRUARY 2021

High Court - Supreme Court Building, Bandar Seri Begawan



COURTESY CALL FROM HER EXCELLENCY TIFFANY MCDONALD, HIGH COMMISSIONER OF AUSTRALIA TO BRUNEI DARUSSALAM

8th FEBRUARY 2021

High Court - Supreme Court Building, Bandar Seri Begawan



COURTESY CALL FROM HIS EXCELLENCY DATO' RAJA REZA BIN RAJA ZAIB SHAH, HIGH COMMISSIONER OF MALAYSIA TO BRUNEI DARUSSALAM

25th FEBRUARY 2021

High Court - Supreme Court Building, Bandar Seri Begawan



COURTESY CALL FROM HIS EXCELLENCY MR FABRICE FILLIEZ, AMBASSADOR OF THE SWISS FEDERATION TO BRUNEI DARUSSALAM

22nd FEBRUARY 2022

High Court - Supreme Court Building, Bandar Seri Begawan



IGNITE YOUR CREATIVITY AND INNOVATION (VIRTUAL)

12th July 2021 - 14th July 2021

Attended by : Mohd Jazmi Bin Hj Mohd Kamel, Subordinate Court Registrar



CRITICAL THINKING, PROBLEM SOLVING & DECISION MAKING (VIRTUAL)

3rd August 2021 - 5th August 2021

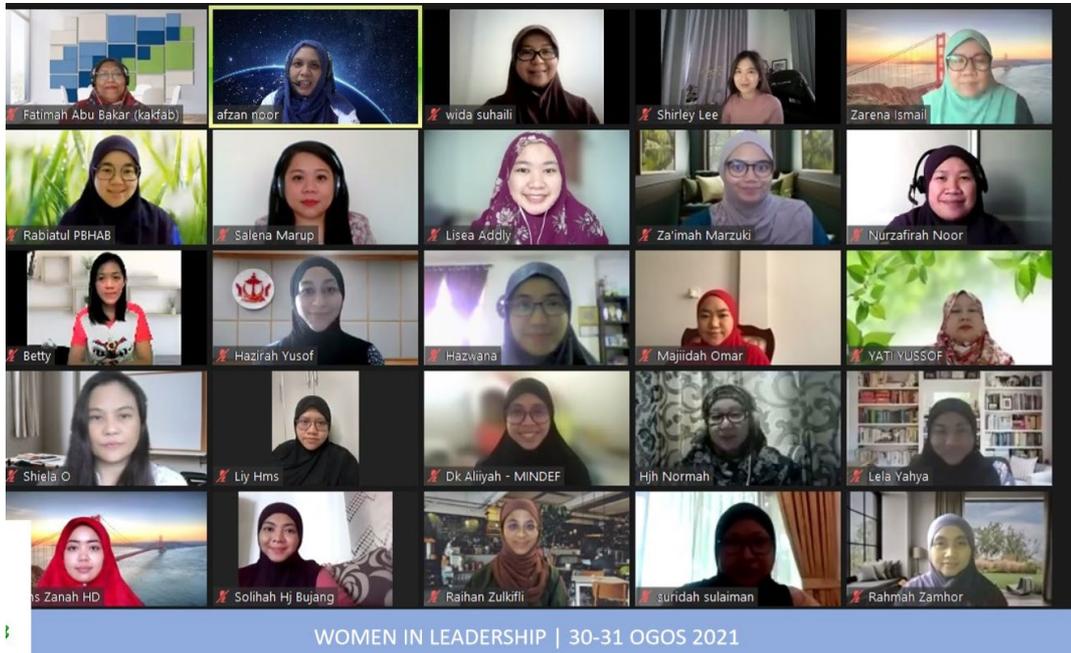
Attended by : Pg Hazirah Binti Pg Md Yusof, Senior Magistrate



WOMEN IN LEADERSHIP (VIRTUAL)

30th August 2021 - 31st August 2021

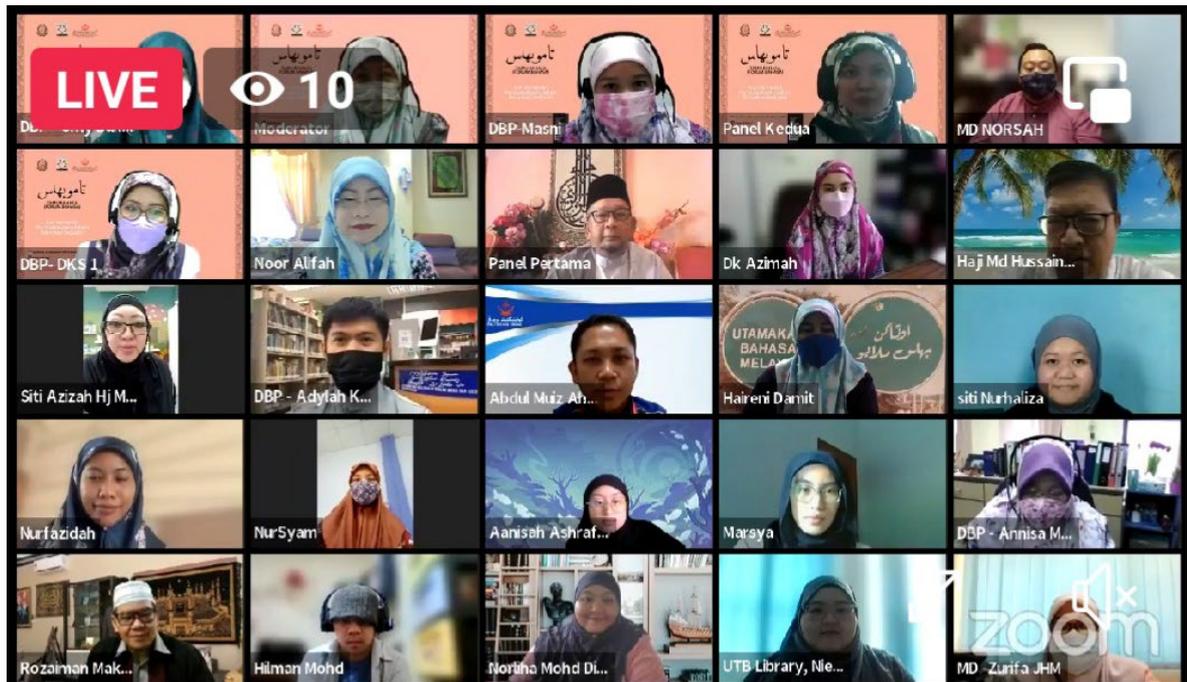
Attended by : Pg Hazirah Binti Pg Md Yusof, Senior Magistrate



4TH LANGUAGE FORUM " THE RELEVANCE OF LIBRARIES IN INDUSTRIAL REVOLUTION" (VIRTUAL)

18th January 2022

Attended by : Nurfaizidah binti Taib, Senior Translator
Norzafan binti Haji Nordin, Translator/Interpreter



STRATEGY MANAGEMENT (VIRTUAL)

10th February 2022

Attended by : Haji Badaruddin bin Hj Abdul Karim, Senior Registrar of the Subordinate Court



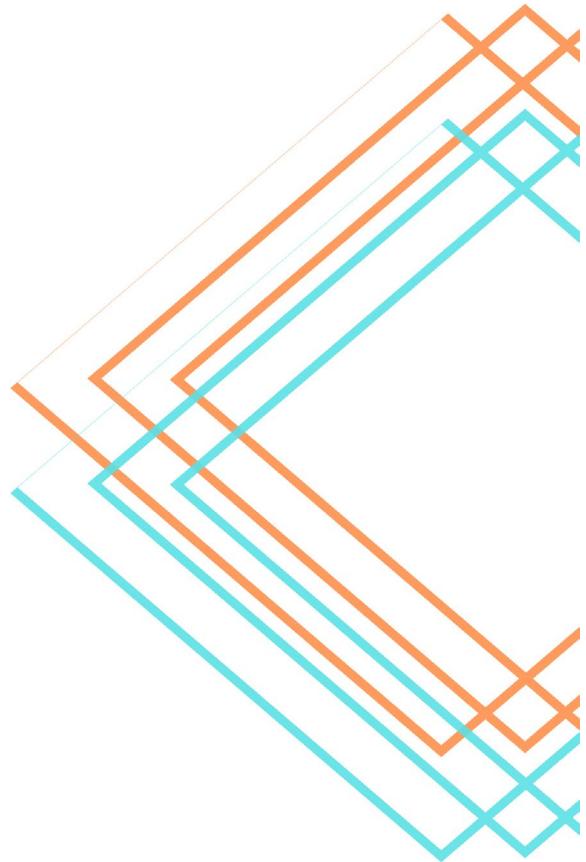
KURSUS KUMPULAN KERJA CEMERLANG (VIRTUAL)

7th Mac 2022 - 10th Mac 2022

Attended by : Rohani bint Haji Zakaria, Assistant Librarian II
Nurfazidah binti Taib, Senior Translator
Nurul Zahra Aqilah binti Azmi, Clerk



COURT INTERNSHIP PROGRAMME





High Court



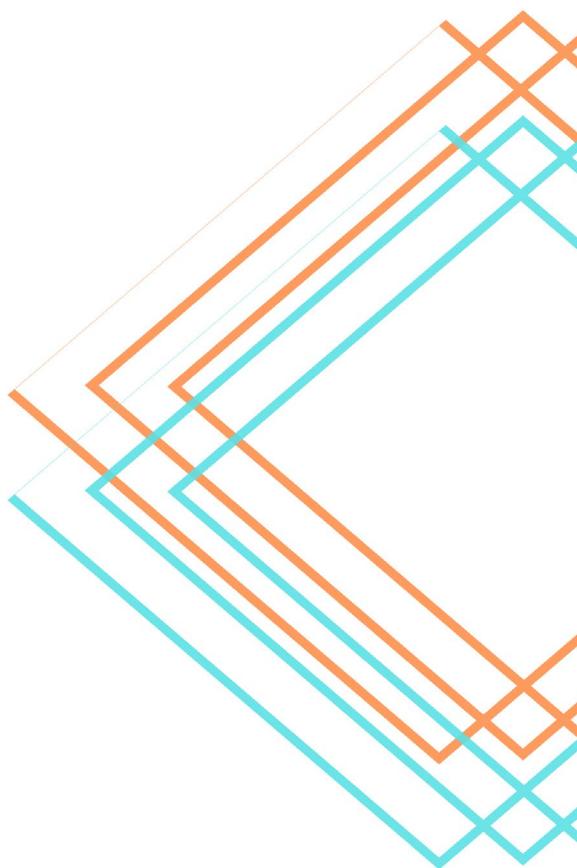
Subordinate Court

Students Attachment with the Courts

In 2021, there were 9 graduates who were attached with the Court from local and overseas institutions. As part of their attachment, the students were given the opportunity to observe different types of cases; understanding the procedures, the relevant applications, the law and its interpretation. They were also tasked with judgment writing and sentencing exercises to better comprehend the role and perspective of a judge or magistrate. The Court is open to share its knowledge and perspective with students in order to broaden their experience and enhance their legal knowledge.

HIGHLIGHTS

2021



THE OPENING CEREMONY OF LEGAL YEAR 2021







In delivering his annual speech, the Chief Justice detailed the judiciary’s response to the pandemic and how “the Judiciary has the responsibility to remain open and functional even during times of crisis”. He stated that the main priority has been to ensure the health and safety of its personnel and the public, whilst minimizing disruption for services that cannot proceed as normal. Despite ceasing some physical operations temporarily in the early half of 2020 due to the COVID-19 situation, the Chief Justice said that “with the help of technology, the courts were still deemed ‘open’ for the purpose of filing, issuing and returning of processes and for making orders via our e-Filing system”.

The Chief Justice’s speech was followed by speeches from 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, Pengiran Izad Ryan bin Pengiran Laila Kanun DiRaja Pengiran Hj Bahrin.

The annual event was conducted in a scaled down manner when compared to previous years to take into account social distancing measures and was attended by selected members of the legal fraternity, comprising members of the Judiciary, Attorney General’s Chambers and the Law Society.









SOCIAL ACTIVITIES 2021

TADARUS AND KHATAM AL-QURAN CEREMONY
10th May 2021

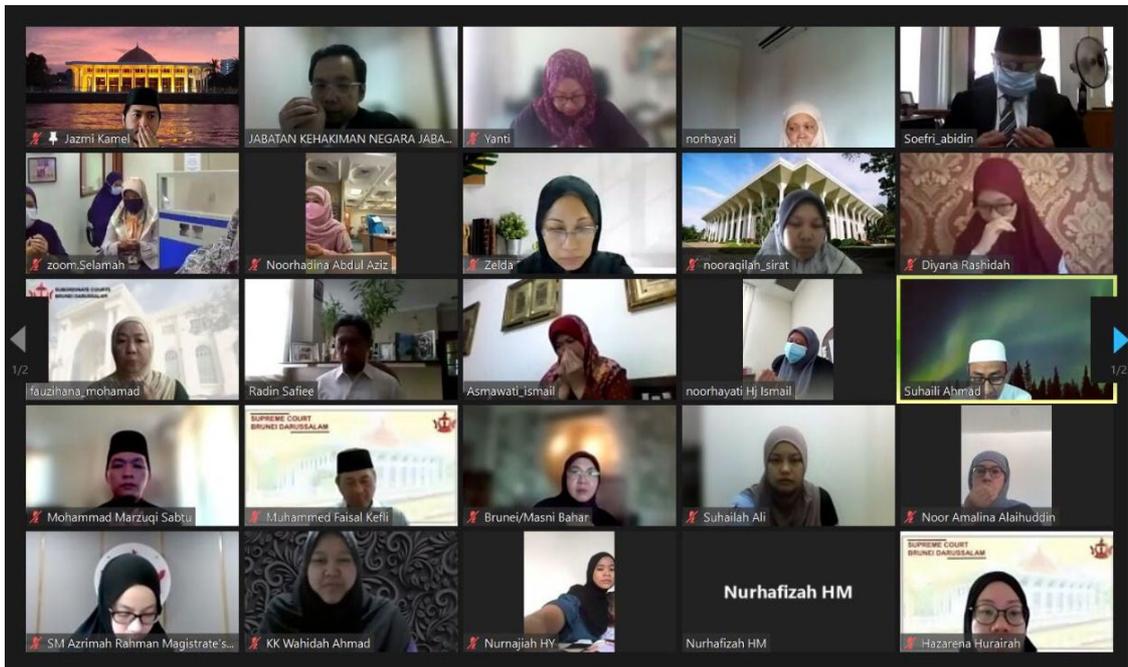


A Khatam Al-Quran ceremony was held on Monday 10 May 2021 at the High Court to mark the conclusion of the Tadarus programme for the officers and staff of the Judiciary.

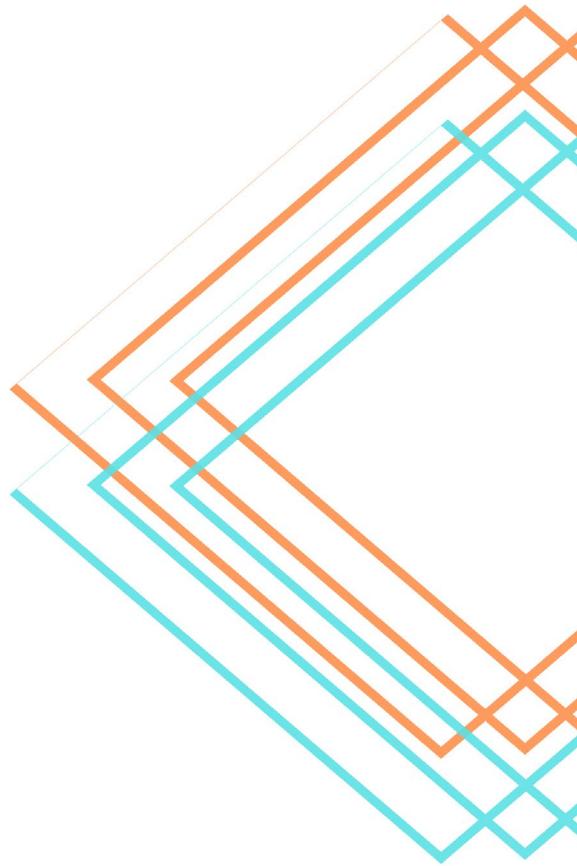
The event commenced with the recitation of Surah-Al Fatihah led by the Honourable Chief Registrar/Judicial Commissioner Haji Abdullah Soefri bin POKSM DSP Hj Abidin followed by a mass recitation of Surah Ad-Dhuha until the completion of the last surah of Al-Quran. This was then followed by the reading of the Takhtim, Khatam Al-Quran prayers and Dikir Marhaban.

A total of 120 personnel took part in the Tadarus programme consisting of officers and staff of the Supreme Court and Magistrate's Court. Also present at the event were officers of the State Judiciary Department. The Tadarus programme is an annual initiative of the Judiciary in conjunction with the holy month of Ramadhan.

TAHLIL & DOA SELAMAT



CLEANING & DISINFECTING COURTROOMS & REGISTRIES



HIGH COURT - SUPREME COURT BUILDING



SUBORDINATE COURT BUILDING



BELAIT COURT BUILDING



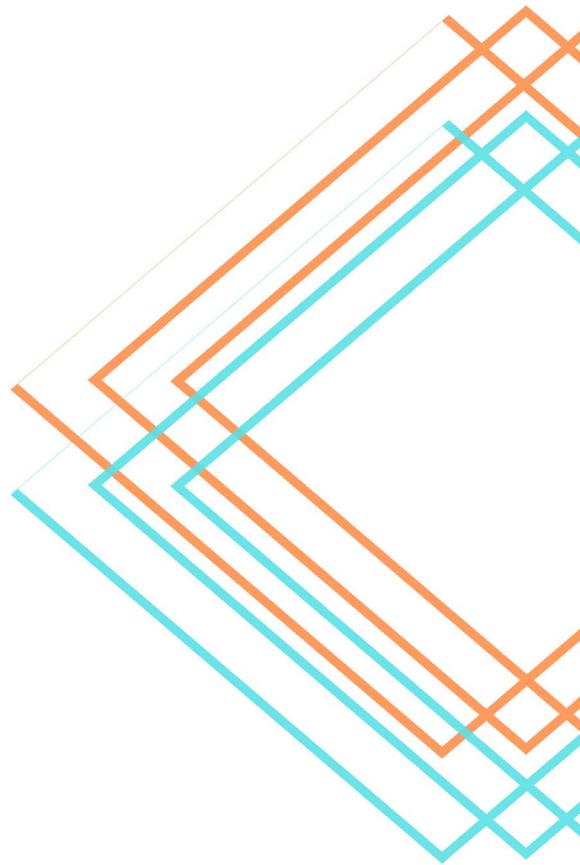
DRIVE THROUGH DISTRIBUTION OF ART KITS AT SUBORDINATE COURT BUILDING



DRIVE THROUGH DISTRIBUTION OF ART KITS AT HIGH COURT - SUPREME COURT BUILDING



NEWSPAPER CLIPPINGS



DIHADAPKAN KE MAHKAMAH KELUAR DARI PUSAT KUARANTIN



DARI MAHKAMAH BANDAR SERI BEGAWAN, Selasa, 28 September. - Akibat keluar secara tidak sah dari tempat kuarantin, di COVID Holding Area Mahad (CHAM), Mahad Islam Tutong, seorang lelaki tempatan dihukum atas kesalahan tersebut dan didakwa ke Mahkamah Majistret secara raya, hari ini.

Oleh : Rohani Haji Abdul Hamid

Majistret Kanan Hajah Eryv Sulfriana binti Haji Abdul Rahman, memerintahkan terduduk, Muhamad Haid bin Abdullah, 23 tahun diteman tahun lalu dan akan dipertanggung lagi, pada 5 Oktober 2021 pada jam 10.30 pagi. Mengikut peritua, Muhammad Hadi keluar dari pusat kuarantin berkenaan ketika sedang menerima rawatan di pusat tersebut, lalu pada kira-kira jam 10.00 malam, pada 24 September lalu. Terduduk didapati positif COVID-19 dan pergi ke kawasan tempat letak kereta Hua Ho Mall, Petani Tutong untuk mengambil barang. Terduduk mengetahui dan percaya, bahawa penyakit yang terkandung padanya berbahaya dan boleh menyebabkan jangkitan kepada orang lain. Sehubungan itu, terduduk telah melakukan kesalahan dan boleh dituduh, di bawah Seksyen 269 Kanun Jenayah Bab 22, Pendaftaran dikendalikan oleh Timbalan Pendakwa Raya Dayangkun Didi-Nuraza binti Pengiran Haji Latif.

Didakwa cetus kebimbangan orang awam

Oleh : Rohani Haji Abdul Hamid

BANDAR SERI BEGAWAN, Selasa, 28 September. - Seorang wanita tempatan didakwa di Mahkamah Majistret hari ini, secara maya kerana membuat rakaman video yang mengandungi kenyataan salah yang mungkin menimbulkan kebimbangan orang awam mengenai rakaman video tersebut. Penyataan yang terkandung di dalam rakaman video tersebut menyatakan, bahawa pihak Polis telah melakukan operasi di sebuah restoran di kawasan Mahad, di mana terdapat pekerja mereka yang melanggar Perintah Kuarantin. Timbalan Pendakwa Raya, Rahan Nabih binti Haji Ahmad Ghazali mendakwa terduduk, Hajah Farah binti Haji Abdul Gapor, di bawah Seksyen 34 Akta Keterangan Awam, Bab 148, dan jika didapati bersalah, akan dikenakan denda maksimum BND3,000 dan penjara tiga tahun.

Majistret Kanan Hajah Eryv Sulfriana binti Haji Abdul Rahman membenarkan permohonan Peguam Pertahanan Pengiran Shahyuzi Kharuddin bin Pengiran Abd Rahman untuk menangguhkan salina satu bulan sebelum pengakuan dikemukakan untuk memberi masa kepada Pembela untuk mempertimbangkan kes tersebut. Kes tersebut akan didengar lagi pada 26 Oktober 2021. Pejabat Peguam Negara ingin mengingatkan orang ramai, bahawa jika sebarang yang telah menyebabkan maklumat yang tidak sahih dan membuat pernyataan yang salah, terutama yang cenderung membuat orang ramai panik dan kegawatan semasa negara melawan gelombang kedua pandemik COVID-19 adalah boleh didakwa, di bawah Akta Keterangan Awam, Bab 148.

oleh Pegawai BKN, D2 dan D3 mengaku mengambil siasat menguak mengambil dadah. D3 juga menyatakan peralihan juga mengaku mengena satu sama lain selama beberapa tahun.

Berkaitan dengan Tindakan Pertama terhadap D1, defendan didapati terlibat dalam aktiviti berkaitan dadah ketika seruan dijalankan, di Kampung Saba Tengah, pada 4 November 2019.

D3 pula didakwa atas Tindakan Kedua kerana dipati terlibat dalam aktiviti berkaitan dadah ketika seruan ke Perumahan Bukit Sibang, Jalan Muara, pada 28 Januari 2020. Kes dikendalikan oleh Timbalan Pendakwa Raya, Dayangkun Didi-Nuraza binti Pengiran Haji Latif.

Direman kerana memiliki dadah

BANDAR SERI BEGAWAN, Isnin, 27 September. - Tiga wanita tempatan yang didapati memiliki dadah jenis Methylamphetamine semasa dikuarantin, di Pusat Pengasingan, Pusat Latihan Pengiran Khidmat Bakti Negara (PKBN), Temburong awal bulan ini, mengaku bersalah di hadapan Majistret Kanan, Azrin binti Haji Abdul Rahman.

Majistret Kanan, Azrin binti Haji Abdul Rahman memerintahkan perbicaraan bagi kesemua terduduk, lalu Noorhadahyati binti Haji (Defendan Pertama - D1), 31 tahun; Sib Kamillah binti Haji (Defendan Kedua - D2), 37 tahun; dan Fatin @ Maslyah binti Haji Anzhan (Defendan Ketiga - D3), 30 tahun akan dipertanggung pada 29 September 2021, jam 10.00 pagi bagi menetapkan hukuman terhadap ketiga-tiga terduduk.

Sementara itu, kesemua defendan kini diteman di Ibu Pejabat Biro Kawalan Narkotik (BKN). Sementara itu, D1 dan D2 dihadapkan di atas peritua tambahan daripada kes sebelumnya. Berdasarkan fakta kes yang dibacakan, mereka adalah lelaki yang ditangkap di PKBN, Temburong pada awal pagi 13 September 2021. D1 diuji positif COVID-19 dan ditempatkan, di bawah Perintah Kuarantin (QO), D1 menjalani Perintah Kuarantin dari 10 September 2021, di PKBN, Batu Apoi, Temburong yang ditetapkan sebagai Pusat Pengasingan Komuniti (CIC). Manakala D2 diuji positif COVID-19 dan diletakkan di bawah Perintah Kuarantin, di CIC dari 8 September 2021. Sementara D3 diuji positif COVID-19 dan menjalani Perintah Kuarantin, di CIC dari 9 September 2021. Pada 12 September 2021, Pegawai Tentera Udara Diraja Brunei mendapati maklumat daripada seorang pesakit di CIC yang mengesyaki adanya aktiviti yang berkaitan dengan dadah dilakukan di salah sebuah tandas wanita, di Blok 5. Setelah memeriksa rekod pesakit di CIC, salah seorang suspek didapati terlibat ialah D1. Perkara itu diserahkan kepada BKN untuk tindakan selanjutnya. Semasa siasatan awal, D1 menafikan mengambil dadah, tetapi sebaliknya menuduh D2 dan D3. Ketika disiasat

Padah melanggar Akta Penyakit Berjangkit

Oleh : Noorati Haji Abas

BANDAR SERI BEGAWAN, Isnin, 27 September. - Tujuh orang lelaki yang melanggar Akta Penyakit Berjangkit, Penggal 204, didakwa ke Mahkamah Majistret atas kesalahan, di bawah Bab 62(A) Akta Penyakit Berjangkit, Penggal 204.

Terduduk-terduduk terdiri daripada Pengiran Haji Junaidi bin Pengiran Jaafar (D1); Sawal bin Duraman (D2); Haji Karna bin Duraman (D3); Mohammad bin Haji Japar (D4); Foo Chee Vui (D5); Roslan bin Mohammad Sanh (D6); Rahim bin Mohd. Saif (D7); dan Hanan @ Sudin bin Mohd. Jal (D8). Kesemua terduduk didakwa terlibat dalam aktiviti berbasikal secara berkumpulan di Bukit Silat, Kampung Kabas 37, pada pagi Ahad, 22 Ogos 2021. Majistret Pengiran Hazrah

siasatan selepas menerima maklumat dan gambar lalu mengenai sekumpulan berbasikal yang melakukan aktiviti berbasikal di Bukit Silat. Situasi juga mendedahkan bahawa semasa kejadian tersebut, salah seorang daripada terduduk juga mengambil beberapa gambar yang menunjukkan, bahawa kesemua terduduk berbasikal bersama-sama tanpa penjarakan sosial di sepanjang perjalanan Bukit Silat - Bukit Sun-Sun. Gambar-gambar tersebut juga menunjukkan bahawa kebanyakan daripada terduduk tidak memakai sungkup muka. Dalam hujungnya, Timbalan Pendakwa Raya, Aminudin Zaki bin Dato Abdul Rahman merujuk kepada langkah-langkah kawalan dalam menghalang perhimpunan yang dikeluarkan oleh Kementerian Kesihatan pada 9 Ogos 2021, yang seterusnya

dilanjutkan hingga 4 September 2021. Langkah-langkah kawalan ini, termasuk pengecualian dalam perkumpulan beramai-ramai, termasuk melakukan aktiviti secara berkumpulan yang hanya terduduk bagi mengurangkan lagi penularan COVID-19 di Negara Brunei Darussalam. Dalam hal ini, Timbalan Pendakwa Raya, Aminudin Zaki juga mengemukakan, di mana kesemua terduduk melanggar arahan tersebut walaupun menyedari status COVID-19 di negara ini dan mengetahui tentang langkah-langkah kawalan tersebut dan usaha yang dibuat oleh Kementerian Kesihatan dan petugas barisan hadapan. Majistret Pengiran Hazrah bersetuju dengan Timbalan Pendakwa Raya agar hukuman

tersebut adalah perlu untuk memastikan orang ramai tidak memandang ringan dengan arahan yang dikeluarkan oleh Kementerian Kesihatan, lebih-lebih lagi mengadakan perkumpulan secara beramai-ramai dan aktiviti berkumpulan. Sehubungan dengan itu, Pejabat Peguam Negara turut mengingatkan orang ramai bahawa mana-mana individu yang terlibat dalam perkumpulan beramai-ramai, termasuk melakukan aktiviti berkumpulan juga perlu ingat, yang lain yang bertentangan dengan arahan yang dikeluarkan oleh Kementerian Kesihatan akan diambil tindakan dan didakwa, di bawah Akta Penyakit Berjangkit, Penggal 204, di mana hukuman denda maksimum BND10,000 dan penjara selama enam bulan bagi kesalahan pertama, dan denda maksimum BND20,000 dan satu tahun penjara bagi kesalahan berulang kali.

Borneo Bulletin

Home National SA Asia World Business Technology Lifestyle Entertainment Sports Features

izi download. search. explore. ebode's digital audio guide only on izi.TRAVEL

Local charged for punching wall at isolation centre

September 30, 2021 Fadley Falsaf

A local man was charged in the Magistrate's Court yesterday for causing mischief by punching a wall in the COVID-19 holding area Mahad (CHAM), Tutong District. The charge against Mohd Amin bin Haji Suhaili, 46, further alleges him of criminal force against an army personnel on duty at the isolation centre, after the incident went viral on social media last week.

Deputy Public Prosecutor Pengiran Norsuzanawati Pengiran Haji Abas' charge carries a maximum penalty of five years in jail and not less than two strokes of the cane; and the maximum penalty of one year in jail and a fine.

Senior Magistrate Hajah Azrin binti Haji Abdul Rahman adjourned the case to October 6, to make way for the police to complete investigations.

Meanwhile, the Attorney General's Chambers is urging for continued public cooperation with the Ministry of Health (Moh) in handling the second wave of the COVID-19 outbreak in the Sultanate.

The public is also reminded that any threats or use of force made against MOH personnel and frontliners, along with damage caused to any equipment used, will not be tolerated and will be liable to prosecution under the Penal Code, Chapter 22.

Borneo Bulletin Digital Bright hopes for healing winter

WE ARE BRUNEI PRESS

DARI MAHKAMAH Padah melanggar Akta Penyakit Berjangkit

Oleh : Noorati Haji Abas

BANDAR SERI BEGAWAN, Isnin, 13 Disember. - Padah melanggar barang terbah, seorang lelaki tiada warganegara yang dikeluarkan jaminan Pas Khas (Special Pass) Jabatan Imigrasi dan Pendaftaran Kebangsaan mengaku bersalah dan dituduh hukuman 10 bulan penjara jika gagal membayar denda BND9,800 di Mahkamah Majistret, hari ini.

Mahkamah turut memberi tempoh kepada terduduk untuk menjelaskan denda sehingga 13 Jun 2022. Hukuman ke atas Abdur Ar Rahman bin Zaidi dijatuhkan oleh Majistret Kanan, Hajah Eryv Sulfriana binti Haji Abdul Rahman.

Abdur Ar Rahman didakwa melakukan kesalahan tersebut kerana memiliki sembilan karton dan 17 paket rokok pembalaji jenis di bawah Seksyen 146 (1) (d) Perintah Eksais, 2006. Terduduk didapati oleh Pegawai Bahagian Penguatkuasaan Undang-Undang, Jabatan Kastam dan Eksais Diraja (KJED), Daerah Belait di salah sebuah rumah di kawasan Rancangan Perumahan Negara Bukit Beruang, Tutong. Kesemua barang terlibat juga dihukum rampas untuk dimusnahkan.

BINCANG, BERKONGSI ASPEK PRAKTIKAL 'JUDGE CRAFT'



MAHKAMAH Besar Negara Brunei Darussalam (NBD) dan Suruhanjaya Tinggi British di NBD menganjurkan siri seminar secara maya yang disampaikan oleh pakar dari United Kingdom (UK) Slynn Foundation yang dihadiri oleh Yang Amat Arif Ketua Hakim Mahkamah Besar NBD dan Yang Berhormat Peguam Negara.

■ Siaran Akhbar dan Foto : Mahkamah Sivil

BANDAR SERI BEGAWAN, Ahad, 14 November. - Mahkamah Besar Negara Brunei Darussalam (NBD) dan Suruhanjaya Tinggi British di NBD menganjurkan siri seminar secara maya yang disampaikan oleh pakar dari United Kingdom (UK) Slynn Foundation, baru-baru ini.

Siri seminar dua bahagian tersebut menawarkan peluang kepada Ahli-ahli Fraternities Undang-Undang dari NBD dan UK untuk berbincang dan berkongsi pandangan.

Pada seminar tersebut, Hakim Mahkamah Tinggi England dan Wales, Yang Berhormat Justice Maura McGowan DBE telah menyampaikan mengenai

Judgment Writing pada 13 November 2021.

Seminar ini diadakan bertujuan untuk membincangkan dan berkongsi aspek praktikal *judge craft* dan menawarkan nasihat mengenai seni penulisan penghakiman yang baik dan kukuh.

Hadir pada seminar tersebut bersama-sama Ketua Hakim Mahkamah Besar NBD, Yang Amat Arif Dato Seri Paduka Steven Chong ialah Peguam Negara, Yang Berhormat Awang Haji Ahmad bin Pehin Orang Kaya Laila Setia Bakti Di-Raja Dato Laila Utama Haji Awang Isa; Pesuruhjaya Tinggi British ke Negara Brunei Darussalam, Tuan Yang Terutama John Virgoe dan

dari Slynn Foundation, Yang Amat Berhormat Sir Peter Gross dan Yang Berhormat Justice Maura McGowan DBE.

Acara dimulakan dengan ucapan alu-aluan daripada Ketua Hakim Mahkamah Besar NBD, Yang Amat Arif Dato Seri Paduka Steven Chong.

"Dalam mengeja keadilan, penilaian jelas dan ringkas pada penghakiman dapat membantu pengguna mahkamah dan orang awam secara umumnya dalam pemahaman dan penerimaan keputusan mahkamah. Dengan secara konsensus berusaha untuk memberikan pertolongan yang adil dan berkesan. Ini merupakan satu cara untuk mencapai objektif yang universal - menjadi resolusi yang adil dalam pertikaian," ucap Yang

Amat Arif.

Yang Amat Arif Ketua Hakim Mahkamah Besar NBD turut menyatakan penghargaan kepada Suruhanjaya Tinggi British di NBD atas sokongan berterusan terhadap badan kehakiman dalam menyediakan latihan dan program pembangunan untuk hakim-hakim dan pegawai-pegawai kehakiman di NBD.

"Sepanjang kursus beberapa tahun kebelakangan ini, hubungan kami dengan rakan sejawatan di UK telah berkembang dengan erat dan Suruhanjaya Tinggi British telah banyak membantu kami dalam memudahkan perkongsian pengetahuan dan amalan terbaik di seluruh badan kehakiman di negara ini.

"Dengan perkongsian secara berterusan ini adalah bukti komitmen kami terhadap kedaulatan undang-undang kedua-duanya di dalam dan luar negara dan menunjukkan kepercayaan dan keyakinan yang diletakkan di dalam integriti sistem keadilan NBD," tambahnya lagi.

Pesuruhjaya Tinggi British ke NBD pada ucapan alu-aluannya, mengakui hubungan rapat dan sokongan antara UK dan NBD, dengan kerjasama dalam bidang kehakiman menjadi bidang perkongsian penting untuk UK.

"UK mempunyai tradisi yang membanggakan dalam memperjuangkan Peraturan Undang-Undang Antarabangsa dan Peraturan Berasaskan Sistem Antarabangsa.

"Kami sangat senang kerana dapat bekerjasama rapat dengan rakan-rakan kami di NBD dalam beberapa aktiviti untuk mempromosikan kerjasama

kehakiman termasuk melalui peluang untuk pembinaan kapasiti dan peluang untuk belajar antara satu sama lain. Kami berharap dengan adanya seminar seperti ini akan lebih banyak diadakan sebagai sebahagian daripada kerjasama kehakiman UK-NBD," tambahnya lagi.

Presiden UK Slynn Foundation, Yang Amat Berhormat Sir Peter Gross telah melawat NBD pada tahun 2019 untuk menyampaikan kuliah dan merupakan sebahagian daripada perbincangan panel mengenai pengurusan kes mahkamah.

"Slynn Foundation komited untuk meningkatkan kedaulatan undang-undang pada peringkat antarabangsa dan dalam semangat setia kawan, berharap untuk membangunkan hubungan yang erat dengan rakan-rakan kehakiman dan perundangan di NBD, berdasarkan perkongsian warisan undang-undang bersama dan membina hubungan kerjasama yang panjang antara NBD dan UK, termasuk kerjasama kehakiman yang sangat dihargai.

"Slynn Foundation amat berterima kasih kepada Suruhanjaya Tinggi British kerana memudahkan perjalanan kuliah bersiri tersebut," tambah Yang Amat Berhormat Sir Peter Gross lagi.

Pakar British berasal dari UK Slynn Foundation, merupakan badan amal yang berpangkalan di UK yang bekerja dengan hakim kanan dan institusi keadilan di seluruh dunia untuk meningkatkan kedaulatan undang-undang, dan untuk meningkatkan pemahaman profesional tentang hak asasi manusia, pengantaraan dan amalan undang-undang.

Penggunaan mediation bagi undang-undang keluarga

■ Siaran Akhbar : Mahkamah Besar Negara Brunei Darussalam

BANDAR SERI BEGAWAN, Selasa, 14 Disember. - Ketua Hakim Mahkamah Besar, Yang Amat Arif Dato Seri Paduka Steven Chong Wan Onn telah mengeluarkan Practice Direction No.1 of 2021 bagi penggunaan penyelesaian pertikaian alternatif untuk perkara-perkara yang melibatkan pertikaian undang-undang keluarga berkuat kuasa mulai 2 Disember 2021.

Pengenalan bagi Practice Direction ini bertujuan untuk menguatkan kuasa mahkamah dalam resolusi daripada perselisihan perkahwinan dan memperkenalkan pendekatan baharu *judge-led* yang memberikan kuasa kepada mahkamah untuk mengarahkan pihak-pihak kepada *mediation*.

Practice Direction ini menghendaki sebagai sebahagian daripada prosiding perceraian, pasangan yang mempunyai sekurang-kurangnya seorang anak berumur 18 tahun ke bawah, mesti menjalani mahkamah mandatori yang dilampirkan dalam *mediation*.

Mediation ialah satu bentuk kaedah penyelesaian pertikaian alternatif dan ia merupakan satu proses yang akan membantu pasangan yang berpisah atau bercerai untuk mencapai persetujuan mereka sendiri yang boleh diterima bersama mengenai perihal anak-anak mereka dan hal-hal lain berkaitan dengan keluarga.

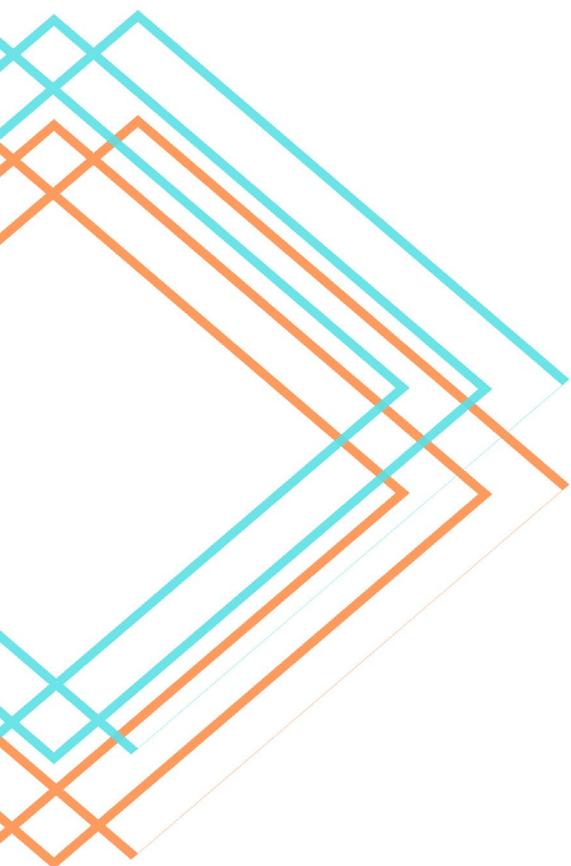
Ia merupakan suatu keputusan yang tidak memberi kemudahan dan proses kerjasama serta diharapkan dengan *mediation* akan lebih membantu keluarga dalam mengurangkan beban emosi, masa dan kos untuk menyelesaikan permasalahan mereka. Sesi *mediation* ini akan dikendalikan oleh hakim dan pegawai-pegawai kehakiman.

Mahkamah Besar Negara Brunei Darussalam komited untuk melindungi dan menyokong keluarga dan akan terus berusaha bagi memastikan kepentingan dan kesejahteraan anak-anak akan dijaga dan permasalahan keluarga akan diselesaikan secara berkesan dan adil.

Practice Direction No.1 of 2021 tersedia di Laman Sesawang Kehakiman www.judiciary.gov.bn.

IN MEMORIAM

2021



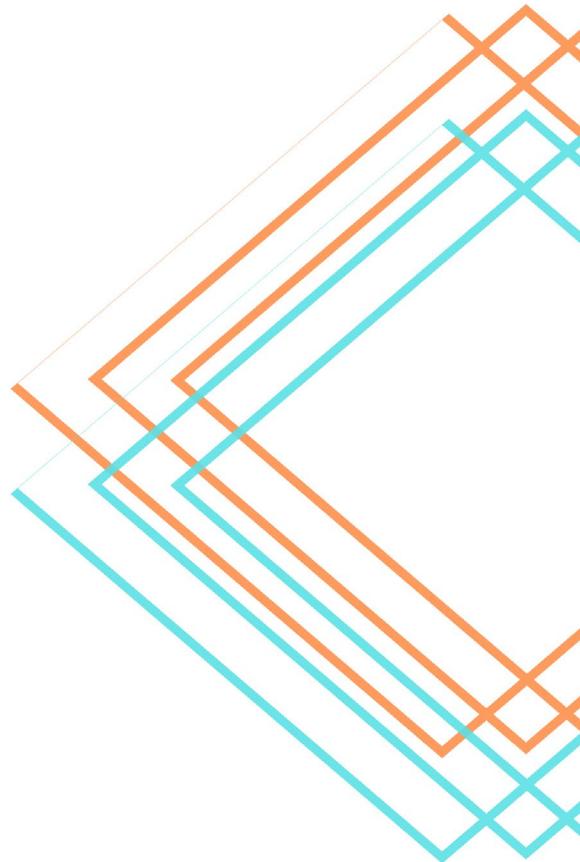
AL - FATIHAH



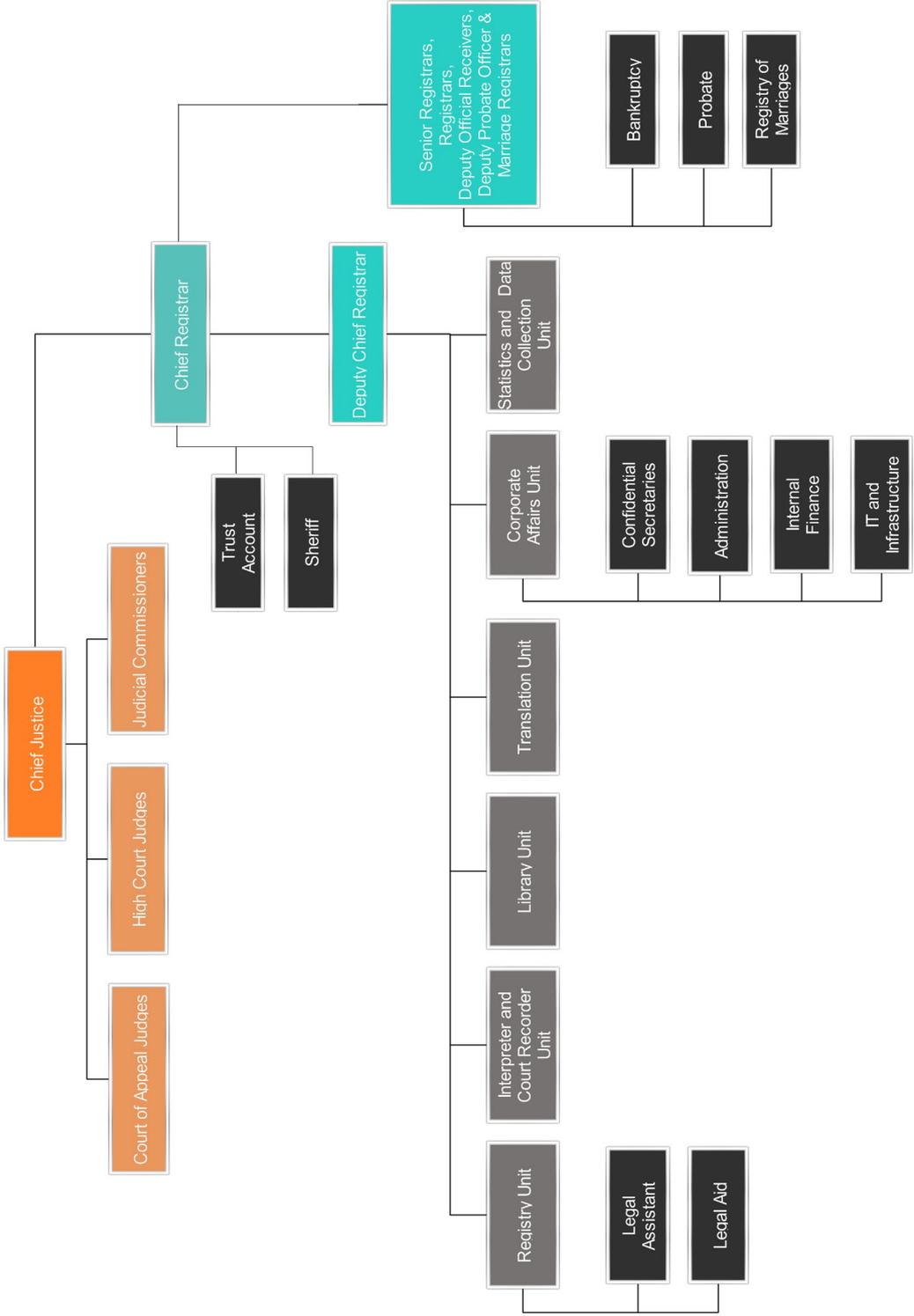
Allahyarham Md Daud bin Hj Metussin

JUDICIARY

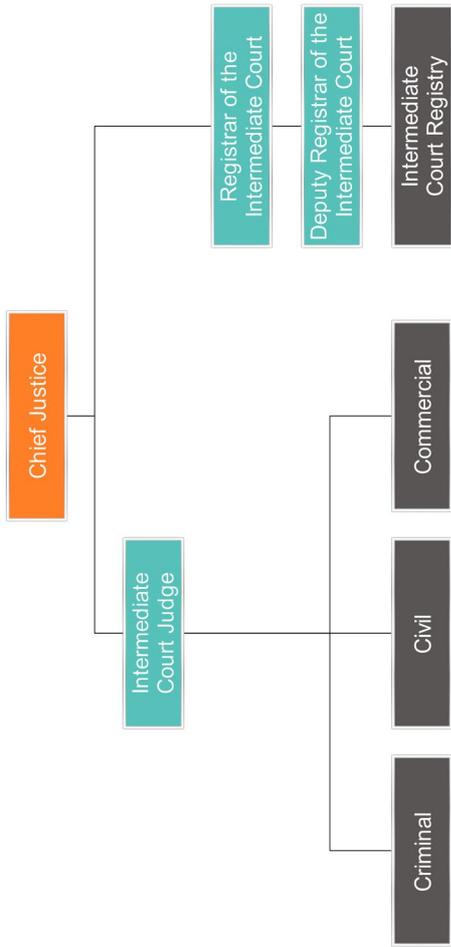
ORGANISATIONAL CHARTS



SUPREME COURT



INTERMEDIATE COURT

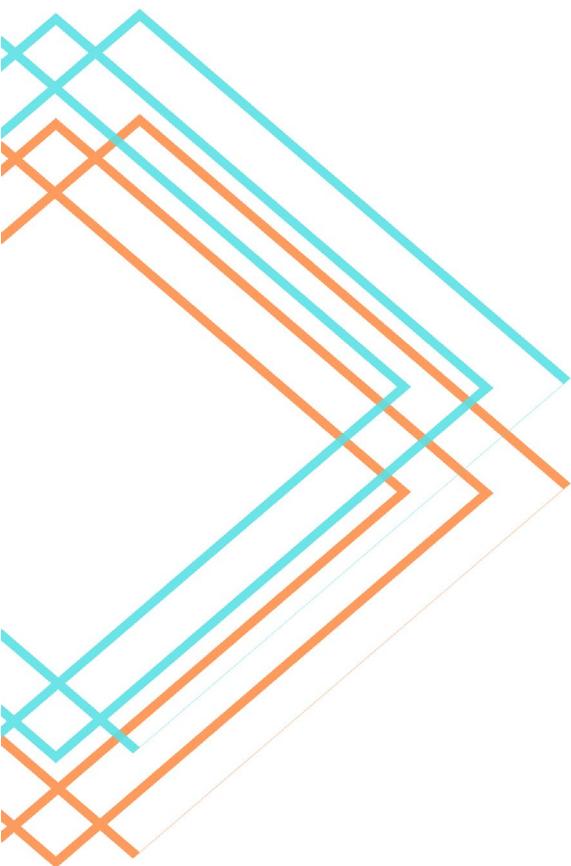


SUBORDINATE COURT



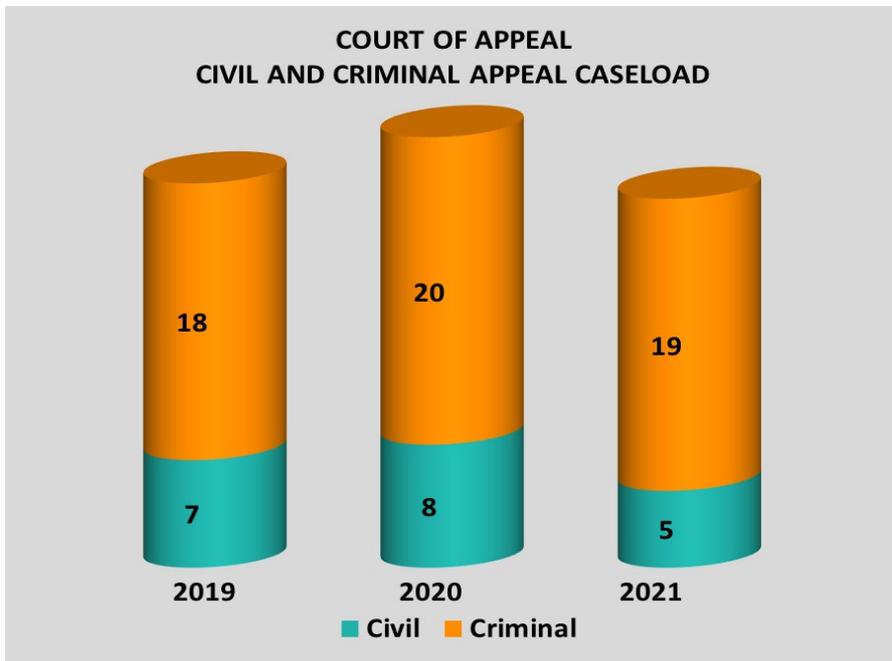
STATISTICS

2021

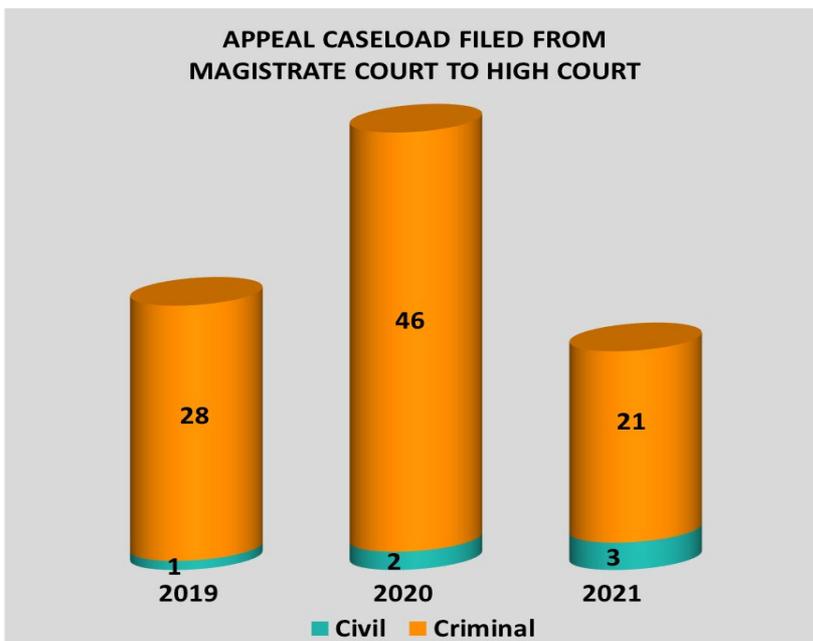


SUPREME COURT

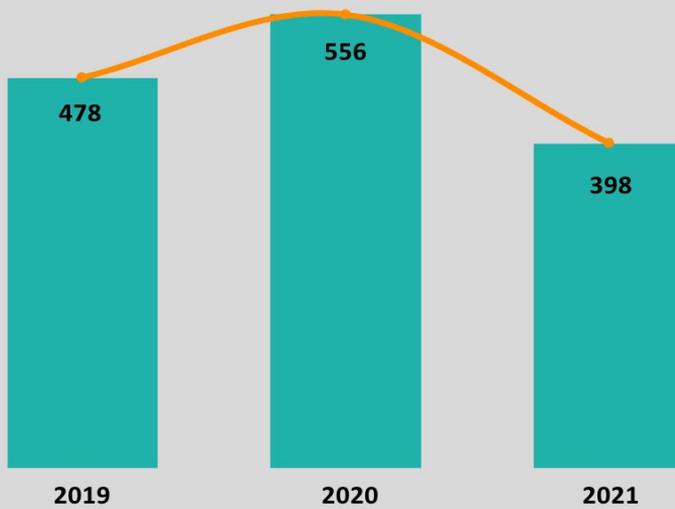
COURT OF APPEAL



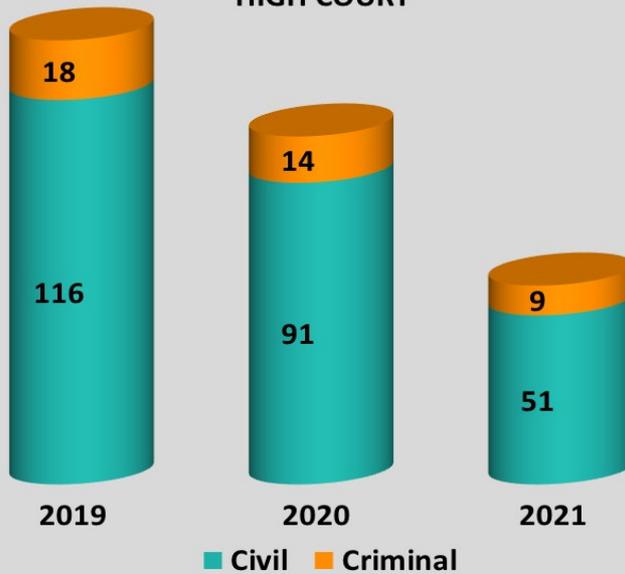
HIGH COURT



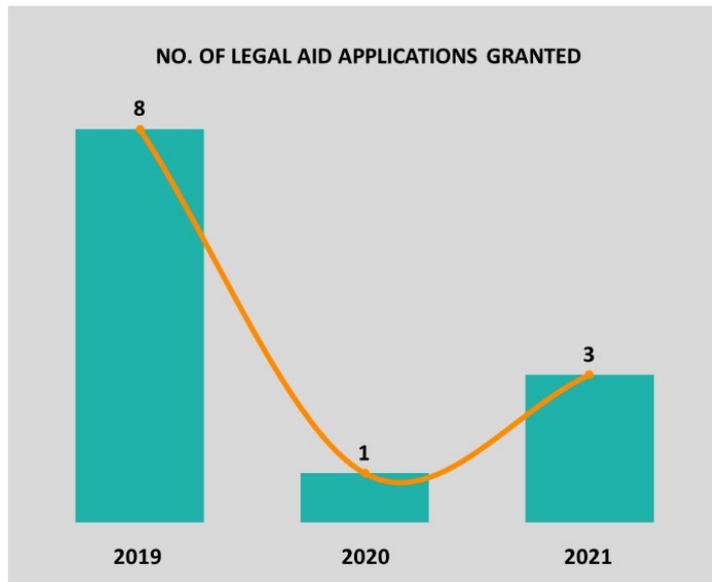
CHAMBER HEARINGS FOR CIVIL CASES IN THE HIGH COURT AND INTERMEDIATE COURT BEFORE REGISTRARS



CIVIL AND CRIMINAL CASELOAD FILED IN HIGH COURT



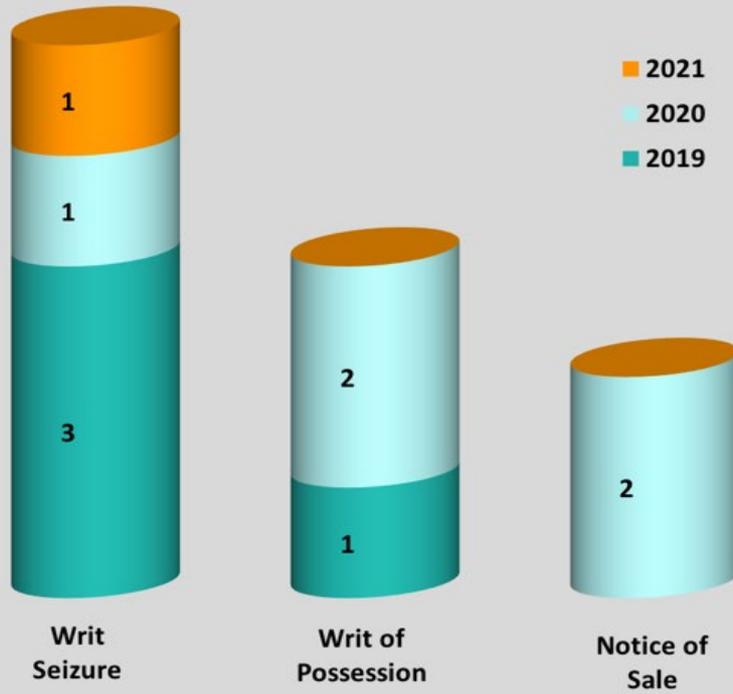
OTHER MATTERS



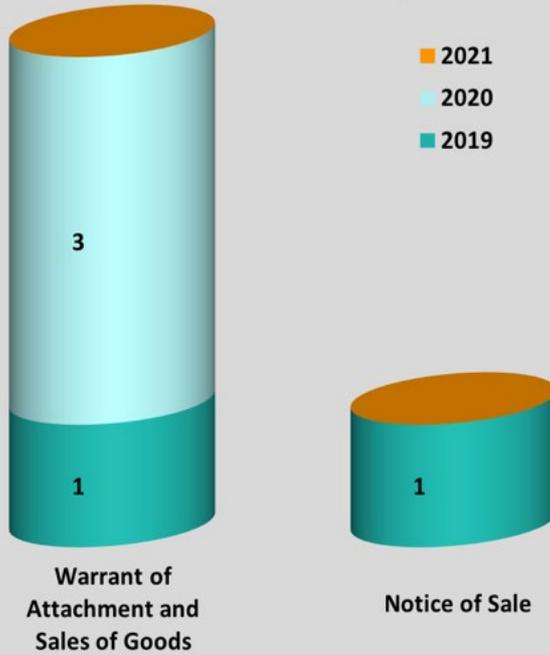
Bankruptcy Proceedings

	2019	2020	2021
Bankruptcy Notice	589	366	260
Receiving Order	267	363	253
Adjudication Order	52	147	107
Recission	44	191	146
Discharge of Adjudication Order	0	7	4
Winding-Up Order	15	12	7
Creditors Meeting	1654	2567	3074

EXECUTIONS MADE IN THE SHERIFF OFFICE



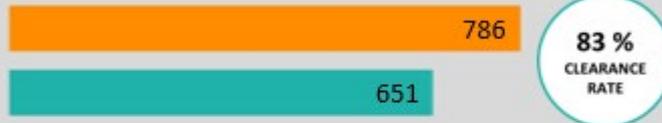
EXECUTIONS MADE IN THE SHERIFF OFFICE
(MAGISTRATE'S COURT)



REGISTRY OF PROBATE

GRANT OF LETTER OF ADMINISTRATION

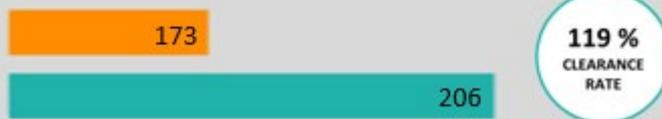
2019



2020

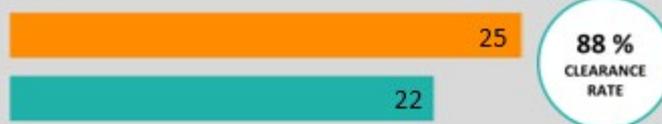


2021

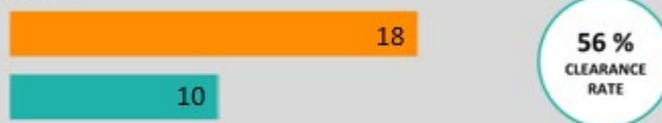


GRANT OF LETTER OF PROBATE

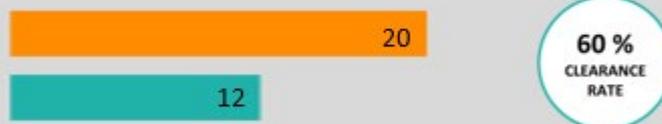
2019



2020



2021



1. No. of application received
1. No. of application issued

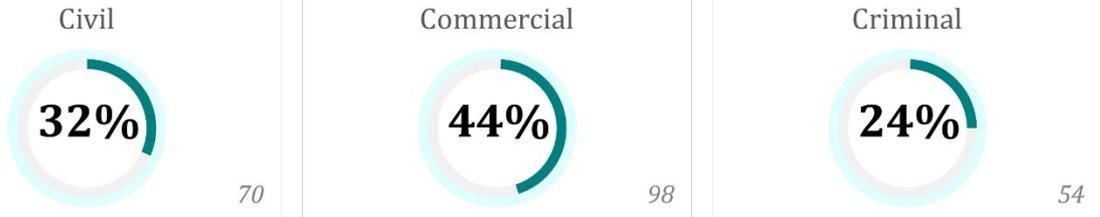
Notes: Clearance rate is the number of applications issued express as a percentage of the number of applications received in the same year.

**REGISTRY OF CIVIL MARRIAGES
AND DIVORCE PETITIONS**



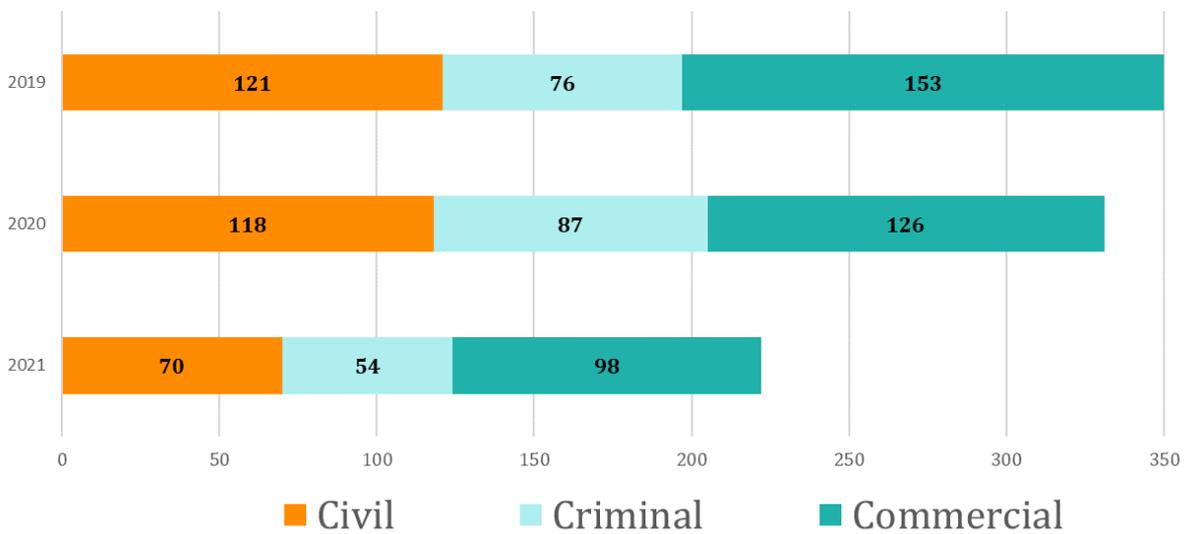
INTERMEDIATE COURT

A total of 222 caseloads being filed in 2021.



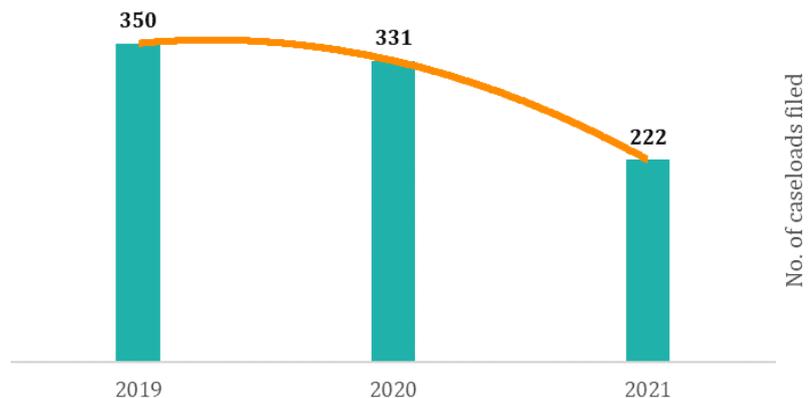
Graph below shows the aggregation of caseloads filed between 2019 and 2021.

Civil, Criminal and Commercial Caseloads filed



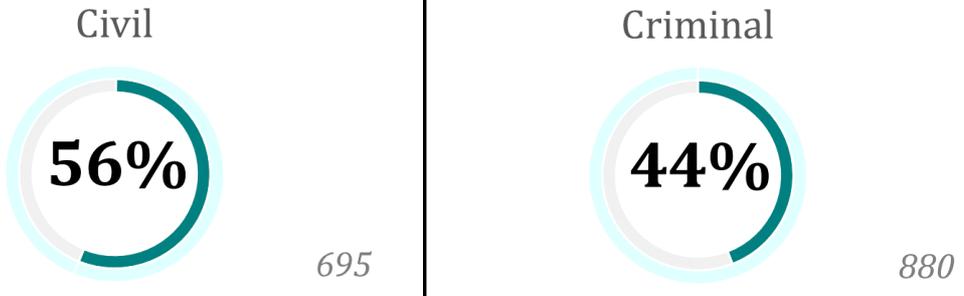
Intermediate Court Total Caseloads Filed

Intermediate Court caseload shows declining trend for the past 3 years



MAGISTRATE COURT

A total of 1575 caseloads being filed in 2021.

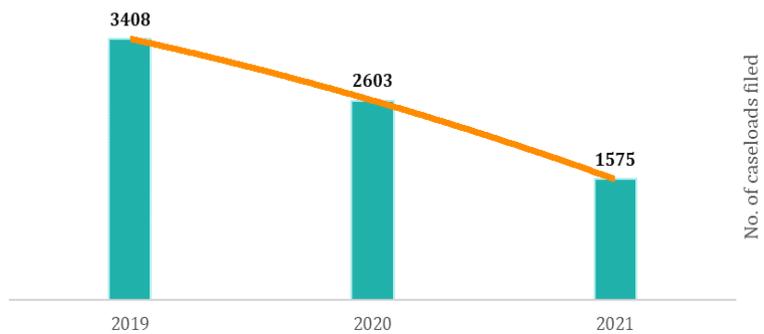


Civil and Criminal caseloads below show districts aggregation of caseload being filed in 2021.



Magistrate Court Total Caseloads Filed

Magistrate Court caseload shows declining trend for the past 3 years.



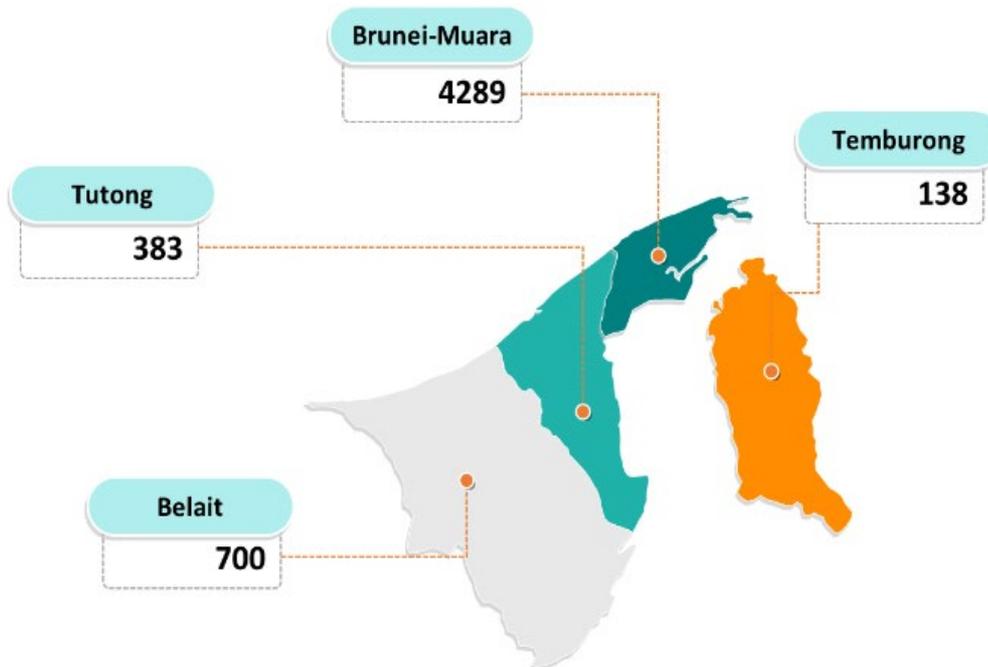
JUVENILE COURT

A total of 34 cases filed. Breakdown of each case can be seen below, where most of Juvenile cases lie under Child and Protection Order.



STATUTORY DECLARATION

A total of 5510 Statutory Declaration applications were made in 2021. 78% applications received in Bandar Seri Begawan.



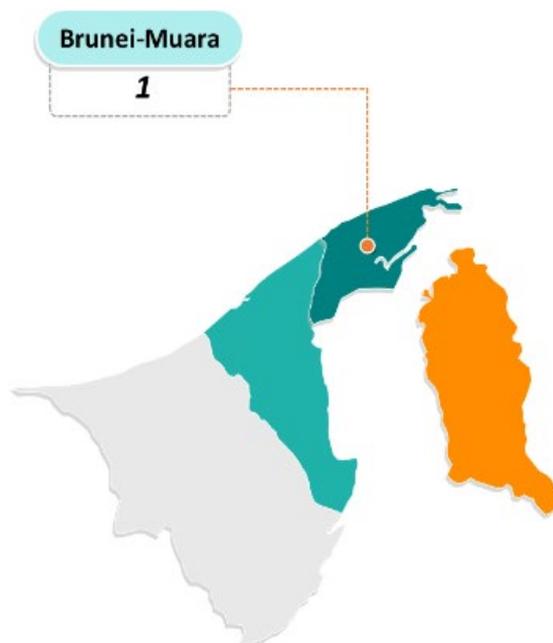
SMALL CLAIM TRIBUNAL

No caseload filed in 2021. Small Claims Tribunal can be categorised into 4 parts: settled, consultation, adjudication and withdrawn.



INQUEST HEARING BEFORE CORONERS

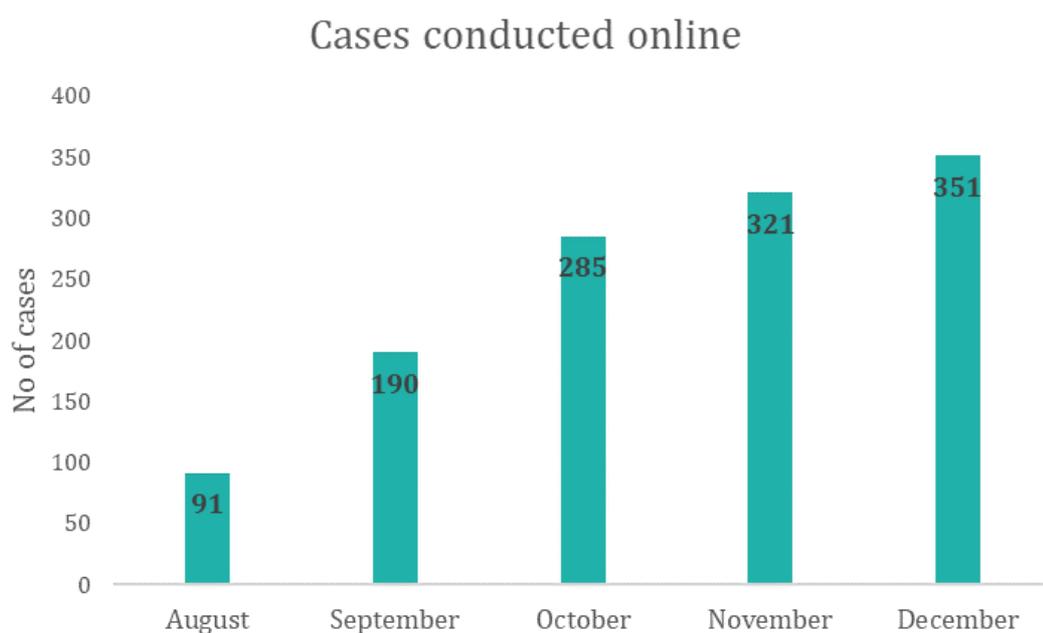
Only 1 case reported in 2021. Thus, caseloads declined 88% as 8 cases filed in 2020.



BCP VIRTUAL HEARINGS STATISTICS

TOTAL VIRTUAL CASES CONDUCTED SINCE BCP

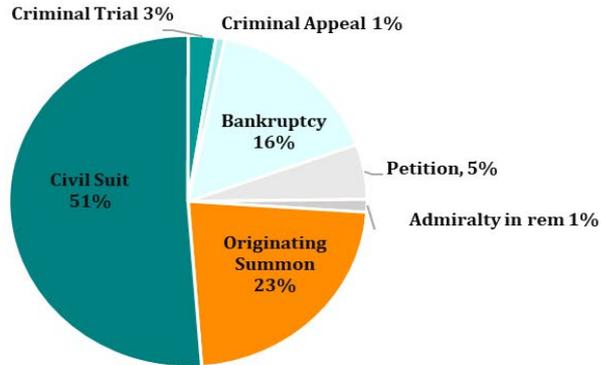
Early August 2021, the second wave of Covid-19 hit Brunei and affected everyday life across all platforms. This includes affecting Court's standard practice. Thus, causing backlogs in most cases. Despite the challenges, the Court had prepared with remote hearing which had taken place during the first wave of Covid-19. Below shows the statistics of virtual hearings conducted since the BCP activated. Thus, virtual hearing is as effective in delivering justice and continuously improving the judicial performance.



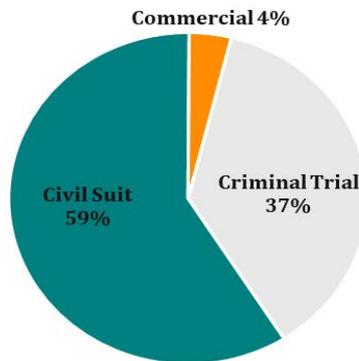
NUMBER OF VIRTUAL HEARINGS BY CATEGORY AND TIER

A total of 1238 virtual hearings conducted since BCP started. Pie charts below shows the breakdown of virtual hearings based on different level of Court: High Court, Intermediate Court and Magistrate Court.

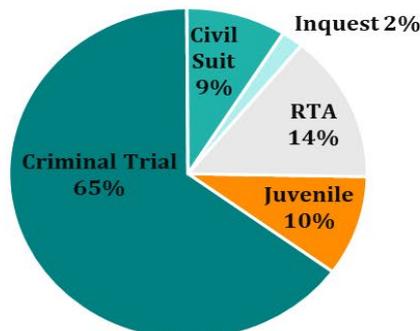
High Court Remote Hearing (242 hearings)



Intermediate Court Remote Hearing (264 hearings)

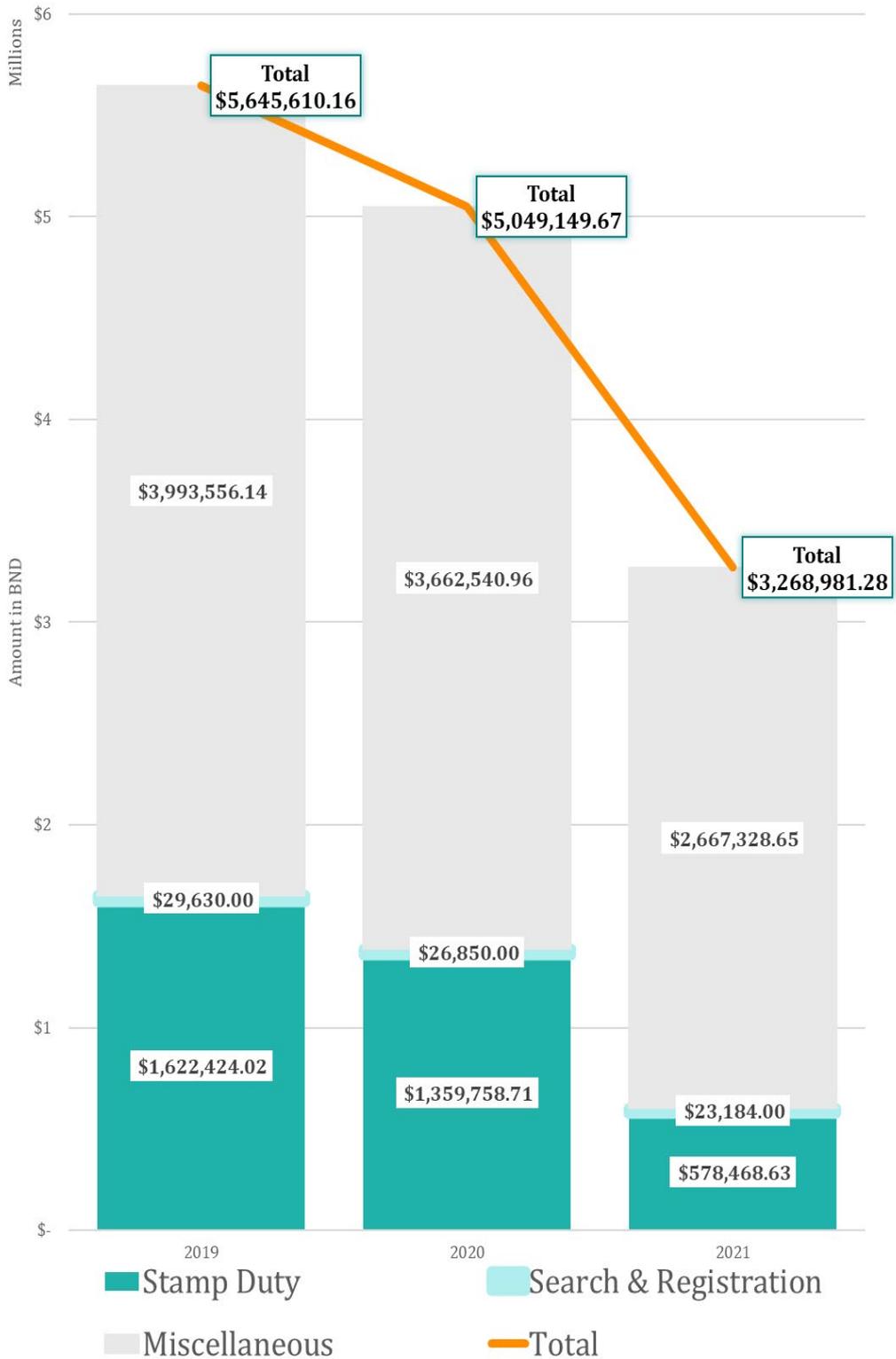


Magistrate Court Remote Hearing (645 hearings)



COURT REVENUE

Brunei Darussalam Judiciary Revenue



COMMITTEE MEMBERS OF THE OPENING OF THE LEGAL YEAR 2022

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

Hajah Hazarena binti POKSJ DP Haji Huraiah

4. FINANCE

Hajah Suzunah @ Hajah Suzanah Binti Haji Sulaiman

Shahrezawati Binti Ahmad

Haji Badaruddin bin Haji Abdul Karim

5. REFRESHMENTS

Pengiran Masni binti Pengiran Haji Bahar

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

Harnita Zelda Skinner

Noorhayati binti Haji Ismail

Norhayati binti Haji Idris

Mastika binti Mohd Kamal

Hashimah binti Haji Abu Bakar

Hajah Nurul Hazimah binti Haji Tengah

Setiawati binti Haji Tamit

Siti Khadijah binti Haji Abd Kadir
Nurul 'Ain binti Muhammad Hussini
Pengiran Siti Saerah binti Pengiran Haji Abd Rahman
Siti Nurafiqah binti Haji Sufri
Puasa bin Haji Tuah

7. INVITATION

Haji Abdullah Soefri bin POKSM DSP Haji Abidin
Hajah Hazarena Binti POKSJ DP Haji Hurairah
Harnita Zelda Skinner
Suzana binti Basman
Pengiran Hajah Rahaiyah binti Pengiran Haji Mohd Yassin
Norhayati binti Haji Masri
Hajah Nurul Hazimah binti Haji Tengah
Abdul 'Azim bin Othman
Nurrul Syazwani binti Ariffin
Hazwani binti Masli

8. LOGISTICS

Pengiran Haji Mohd Khairuddin bin Pengiran Haji Hashim
Hajah Suzunah @ Hajah Suzanah Binti Hj Sulaiman
Shahrezawati Binti Ahmad
Muhd Hardy Iman Bin Haji Muhd Ukit
Awangku Md Saifuddin Bin Pengiran Baharudin
Siti Nurkamaliah Binti Abdul Razak

9. PUBLICATION/MEDIA

Harnita Zelda Skinner
Hajah Noor Amalina binti DP Haji Alaihuddin
Hajah Suzunah @ Suzanah Binti Haji Sulaiman
Haji Badaruddin bin Haji Abdul Karim
Mohamad Jazmi bin Haji Mohamad Kamel

10. PRESS RELEASE AND WEBSITE

Hajah Noor Amalina Binti Dato Paduka Haji Alaihuddin
Hajah Suzunah @ Suzanah Binti Hj Sulaiman

Haji Badaruddin Bin Haji Abdul Karim
Mohamad Jazmi bin Haji Mohamad Kamel
Dewi Susianty binti Haji Md Daud

11. PHOTOGRAPHY

Muhammad Hardy Iman bin Haji Muhammad Ukit
Shaliza Hani binti Ahmad

12. BOOK

Harnita Zelda Skinner
Haji Badaruddin bin Haji Abdul Karim
Mohamad Jazmi bin Haji Mohamad Kamel
Norhamizah binti Mohamad
Nurfazidah binti Taib

13. FLOOR MANAGERS

Hajah Noor Amalina binti DP Haji Alaihuddin
Kamaliah Fadhillah binti Haji Ibrahim
Mohamad Jazmi bin Haji Mohamad Kamel
Md Fadzillah bin Hj Abu Bakar
Mahmud Zuhdi bin Karim
Ak Md Saifudin bin Pg Baharudin
'Arief Zulfadhly bin Awang Haji Mohd. Talip

14. HEALTH & SAFETY

Muhd Muzakkir bin Haji Zakaria
Mohammad Marzuqi bin Sabtu
Hajah Fatimah binti Haji Tahir
Sarinah binti Sahak
Hjh Rakiah @ Hjh Ruqaiyah binti Hj Roslan
Muhd Tajuddeen bin Hj Awg Asli

15. EMCEE

Pengiran Norfarzat Irwani binti Pengiran Haji Jaafar
Hajah Noorinah binti Haji Noorkaseh
Hadizah binti Haji Yahya

Ahmad Faizin bin Awang Md Jinan
Mohammad Qhaire Hafez bin Haj Abdullah

16. BUILDING MAINTENANCE

Pengiran Haji Mohd Khairuddin Bin Pengiran Haji Hashim
Dayang Mastika Binti Mohd. Kamal

17. CAR PARK

Muhammad Kamaluddin Bin Hj Abu Bakar
Mohammad Fikri Fathuddin Bin Assokan

18. IT

Shahrezawati Binti Ahmad
Hjh Norzalinawati Binti Hj Razali
Siti Norafiqah Binti Hj Mohd Salihen
Muhammad Zulfikri Bin Tom
Izma 'Iffah Afiqah Binti Abdul Zani

ACKNOWLEDGEMENTS

PRIME MINISTER'S OFFICE

MINISTRY OF FINANCE AND ECONOMY

MINISTRY OF FOREIGN AFFAIRS

MINISTRY OF HEALTH

MINISTRY OF RELIGIOUS AFFAIRS

ATTORNEY GENERAL'S CHAMBERS

JABATAN ADAT ISTIADAT NEGARA

ROYAL BRUNEI POLICE FORCE

RADIO TELEVISION BRUNEI

INFORMATION DEPARTMENT

PUBLIC WORKS DEPARTMENT

DEPARTMENT OF ENVIRONMENT, PARKS AND RECREATION

FIRE AND RESCUE DEPARTMENT

ELECTRICAL SERVICES DEPARTMENT

STATE JUDICIARY DEPARTMENT

OFFICERS AND STAFF OF THE CIVIL COURT