

Public Forum on MACC, the Ex-PM and the Independence of the Judiciary

This is a hybrid event. This event is open to Members of the Bar and the public.

19 Apr 2023 (Wednesday)

3:00 to 5:00 pm

Raja Aziz Addruse Auditorium

2nd Floor, Wisma Badan Peguam Malaysia

2 Leboh Pasar Besar, 50050 Kuala Lumpur

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"Judicial independence is critical to the rule of law and to the protection of individual rights and liberties. Judges must be able to decide cases based solely on the law and the facts, without fear of retribution or pressure from any outside source." — Justice Anthony Kennedy

On 31 Mar 2023, Malaysia's apex court dismissed the judicial review application by former Prime Minister, Dato' Sri Najib Razak ("Najib Razak"), for a review of the decisions of the Federal Court on 16 and 28 Aug 2022, which unanimously upheld the decision of the Court of Appeal on the conviction and sentencing of Najib Razak on seven charges relating to SRC International Sdn Bhd ("SRC trial").

In the short span of a matter of days since the dismissal of the judicial review application, there have been concerted attempts to dredge up and sensationalise the Malaysian Anti-Corruption Commission ("MACC")'s purported investigation and "findings" in relation to the High Court Judge (as he then was), who presided over the case at the material time, on matters pertaining to judicial ethics. This has sparked outrage from the legal community and members of the public alike, challenging the legitimacy of the actions of MACC, considering its functions and powers under the law. The actors and timing of the entire affair became suspect and worrying.

The Bar Council will be hosting a hybrid forum to discuss these nuances and all related matters with respect to the SRC trial, MACC, the Pardons Board, and the importance of judicial independence. Together with our panellists, we will delve into legal and constitutional aspects and principles, and the judiciary system, with special focus on the protocols and safeguards that ought to be adhered to in order to uphold judicial independence.

In distinguishing fact from fiction (and misinformation), expect a robust discussion on the role of criminal investigative bodies, and the performance of their functions in order to be consistent with the doctrine of separation of powers.

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Panellists



Emeritus Professor Datuk Dr Hj Shad Saleem Faruqi, Emeritus Professor of Law and Legal Adviser, Universiti Malaya



Karen Cheah Yee Lynn, President of the Malaysian Bar



Andrew Khoo Chin Hock, Co-Chairperson, Bar Council Constitutional Law Committee; Member of the Bar



Mohamed Haniff Khatri Abdulla, Member of the Bar



Kee Hui Yee, Member, Bar Council (Moderator)



This hybrid forum is **free of charge**, but **advance registration is required**. Members of the public are welcome to participate.

Upon successful registration, a confirmation email will be emailed to registered participants together with the Zoom link. Registration will close on **17 Apr 2023 (Monday), 5:30 pm**.

If you have any enquiries, please contact Florence Laway, Senior Administrative Assistant (03-2050 2104; florence@malaysianbar.org.my) or Vilashini Vijayan, Director (vila@malaysianbar.org.my).

A Step-By-Step Guide to Join a Webinar via Zoom

Webinar via Zoom is an initiative by the Bar Council during the Movement Control Order.

Continue learning even while at home. We're here to inspire you, connect with you and learn with you. This guide will show you how to join a webinar smoothly.

01

For seamless streaming, download the Zoom app.



You will be given a webinar ID and a password to join CPD Live once your registration has been confirmed.

02

Log in to Zoom, and provide your username.

For Members of the Bar or Pupils-in-Chambers, use the format below for identification purposes when prompted: **Full name (as per NRIC) | Bar Council membership number or petition number**.

For non-Members, provide your full name only.

03

Set up your space.



Find a spot which is comfortable and free from background noises. You may use an earpiece with microphone for clarity. Having a strong internet connection is equally important.

04

You may raise a question during the Question-and-Answer session only.

Please take note that no speaking is allowed when CPD Live is taking place.

If you wish to raise a question, please type in the chat box and the speaker will respond accordingly.

05

Please, do not do these.



Screen recording, sharing the webinar ID and password links, reproducing the content of the CPD Live session on any platform are strictly not allowed.

Any unregistered person may be removed without prior notice and no CPD point will be awarded. Failure to adhere to this may result in disciplinary action by the Bar Council.



Should you have any enquiries, please contact:
Florence Laway (florence@malaysianbar.org.my)
Vilashini Vijayan (vila@malaysianbar.org.my)