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**Circular No 157/2018
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To Members of the Malaysian Bar

Meeting Between the Bar Council and the Attorney General on 11 June 2018

The Bar Council met with the newly appointed Attorney General (“AG”), Mr Tommy Thomas, at the Attorney General’s Chambers (“AGC”) on 11 June 2018.

We thank the AG for meeting us on short notice, and for engaging with the Bar Council so soon into his term of office. We had a productive discussion with the AG and his team on matters of mutual interest and concern.

The following issues were discussed:

(1) Legal Profession Act 1976

The Bar Council spoke about various amendments to the Legal Profession Act 1976 (“LPA”) that are necessary, including the importance of moving forward with amendments to permit law firms to operate as Limited Liability Partnerships. It was agreed that, in light of the numerous amendments required, it would be more effective to overhaul the LPA in a holistic and comprehensive manner, with the ultimate objective of strengthening the independence and autonomy of the Malaysian Bar.

The AG was supportive of this approach, and requested the Bar Council to submit a proposed revamped LPA to him as soon as possible.

(2) Institutional and Law Reform

The AG emphasised his commitment to the reform agenda of the new Government as set out in “Buku Harapan: Rebuilding Our Nation, Fulfilling Our Hopes” (more commonly known as the “Pakatan Rakyat Manifesto”), and the need to consult the relevant stakeholders. He spoke of the Government’s pledge to repeal, in whole or in part, regressive and oppressive laws that remain on the statute book.

The AG expressed his hope that the Malaysian Bar would be proactive in driving the reform, particularly in light of the Bar’s long-standing experience in advocating institutional and law reform. Most recently, the Bar Council had submitted 55 proposals for such reform, to the Committee for Institutional Reforms headed by Dato’ Karam Chand Vohrah. A copy of the 55 proposals was provided to the AG during the meeting.



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(3) Working Relationship with the AGC

The AG stated that the Bar Council and the AGC should develop closer ties and enhance their working relationship. He said that, as officers of the Court, there is much that members of the AGC and of the Malaysian Bar share in common.

The AG also said that he looked forward to a greater sharing of legal knowledge and skills in relation to professional development, for the betterment of the administration of justice. We informed the AG that the Malaysian Bar's Continuing Professional Development scheme is also open to members of the AGC.

In addition, the AG said that there should be a common set of practice and etiquette rules that apply equally to Members of the Malaysian Bar as well as lawyers from the AGC.

(4) Comprehensive Legal Aid Framework

The Bar Council renewed its call for the establishment of a comprehensive legal aid scheme, by merging the two primary providers of legal aid in the country — the Jabatan Bantuan Guaman (“JBG”) and the Yayasan Bantuan Guaman Kebangsaan (“YBGK”), both of which are government-funded — into a single provider.

The AG indicated that he would look into this proposal.

We look forward to a new era of increased and constructive engagement with the AG and AGC.

We invite Members of the Bar to provide feedback in respect of institutional and law reform, by email to reform@malaysianbar.org.my.

Thank you.

George Varughese
President
Malaysian Bar