

OPENING REMARKS
AT UNISSA ANNUAL LAW DINNER 2018

BY
YANG BERTHORMAT
DATIN SERI PADUKA HAJAH HAYATI
BINTI POKSDSP HAJI MOHD SALLEH
ATTORNEY GENERAL

ON
24TH MARCH 2018
AT
SONGKET HALL 1 & 2
RIZQUN INTERNATIONAL HOTEL



Alhamdulillah Rabbil 'Alamin Wassalatu Wassalamu 'Ala-
Asyarafil Anbiya'e Wal Mursalin Saidina Muhammadin
Wa'ala Alihi Wasahbihi Ajma'in



And Good Evening

Yang Mulia Dr Hj Norarfan bin Hj Zainal, UNISSA Rector

Yang Mulia Dr Hj Muhammad Hussain Bin Pehin Penyurat Hj
Ahmad, UNISSA Deputy Rector

Yang Mulia Dr Hjh Mas Nooraini binti Hj Mohiddin, Dean of
the Syariah and Law Faculty

Distinguished guests, law students (potential lawyers and
hopefully future AGC officers), Ladies and Gentlemen.

Let me begin by thanking the Rector of UNISSA for inviting me to attend and to speak at This UNISSA Annual Law Dinner 2018 which I am informed is part and parcel of the dual degree programme of Bachelor of Laws (LLB) and Bachelor of Syariah Law in the 3rd and 5th year of studies.)

Most of you may already know that I have been a member of the UNISSA Council since 1 August 2010. Allow me therefore to seize this opportunity to revisit His Majesty's Vision for UNISSA together.

His Majesty's vision for UNISSA

His Majesty the Sultan and Yang Di-Pertuan in his titah at the 3rd Majlis Haflut Takharuj UNISSA, 2013 stated "This center should aim to produce scholarly ulama. They will then be the cornerstone of our strength, in which their

strength is very much needed by the country. With this, UNISSA can no doubt be relied on to play a proactive role in the effort towards implementing the Syariah Penal Code Order, especially in providing the necessary human resources. (*"Pusat ini hendaklah berazam untuk melahirkan cendekiawan bertaraf ulama. Mereka inilah kelak akan menjadi tonggak kekuatan kita, di mana kekuatan itu amat diperlukan oleh negara. Dengan ini, UNISSA tidak syak lagi dapat kita harapkan untuk turut memainkan peranan proaktif dalam usaha ke arah melaksanakan Perintah Kanun Hukuman Jenayah Syari'ah, khasnya dalam menyediakan tenaga manusia yang diperlukan."*)

Syariah Penal Code & CPC

In His Majesty's titah at the 6th Majlis Haflut Takharuj UNISSA, His Majesty hoped "graduates should not only be satisfied by obtaining academic certificates and titles, but also, should be able to become the driving force for the machinery of His Majesty the Sultan and Yang Di-Pertuan's Government, in particular, in the effectual implementation of the Syariah Penal Code Order 2013" ("*para graduan tidak hanya berpuas hati setakat memperolehi sijil dan gelaran akademik semata-mata, tetapi juga, perlu mampu untuk menjadi penggerak kepada jentera Kerajaan KDYMM, khasnya, dalam pemantapan pelaksanaan Perintah Kanun Hukuman Jenayah Syar'iah 2013.*")

As we are well aware, the first phase of the Syariah Penal Code Order has been implemented since 1st May 2014 and continuous efforts have been made towards the remaining phases. Recently, the Syariah Criminal Procedure Code Order has been approved by the Brunei Islamic Religious Council and consented to by His Majesty Sultan and Yang Di-Pertuan for gazetting. With this new development, the next phase of the implementation of Syariah Penal Code will be carried out according to the planned timeframe.

During the recent 14th Legislative Council Meeting, YB Pehin Udana Khatib Dato Seri Paduka Seri Setia Ustaz Haji Awang

Badaruddin bin Pengarah Dato Paduka Haji Awang Othman, the Minister of Religious Affairs shared that apart from the Syariah CPC, a number of Standard Operating Procedures (SOPs) have already been prepared by all relevant parties which include coordination between the Religious Enforcement Division with the Royal Brunei Police Force that relates to investigation and enforcement; and collaborative coordination between the Syar'ie Prosecution Unit and prosecutors from Criminal Justice Division of AGC for prosecution.

With the introduction of Syariah CPC, I hope that the law faculty will carry out the necessary and relevant changes to the syllabus in order to ensure that what is being

taught in classes mirrors the recent developments.

As can be seen, implementation of the Syariah Penal Code involves various agencies and this means that the future graduates here have a bigger number of career options in order to realise His Majesty's hopes. One option is of course, AGC.

Why join AGC?

I would reply that with a bit of nostalgia and personal experience and by looking back to my career progression way back on 8 January 1981 as a Legal Counsel. At that time, the AGC building was located at the Secretariat building in BSB. The numbers of officers and

staff was just a handful then. Both the Honorable CJ and myself started our career in the cramped corridor of AGC as Legal Counsel and DPP. Is that a good enough reason for you to start your career with AGC?

Maybe not. But let me share with you a bit of my personal journey in the hope that some of you will be further inspired. Three years after joining Chambers, I was seconded to Magistrate Court at KB as a Magistrate. On 1 July 1986, I returned back to AGC and was promoted as Deputy Senior Counsel. In 1989, once again I was transferred to the Court but this time as the Chief Magistrate before being promoted as the IC Judge/Deputy CR of the High Court on 1 July 1991 and later as Acting CR of High Court/IC Judge in 1998.

In 1999, I was appointed as the CR of High Court and in 2001 as HC Judge before being appointed as HC (Civil) Judge in 2006. After almost 20 years in the Court, I returned back to AGC and this time as the AG in August 2009. Phew! What a journey it has been.

A lot has changed since I first left Chambers in 1984. From a handful of officers at that time, the total number of officers and staff has now reached 212. For legal posts, there were 37 posts for Legal Counsel in 2005 and now it has reached to 49 posts. Another post, Deputy Senior Counsel posts were only 14 posts in 2005 and now it has increased to 23 posts. Senior Counsel posts were only 2 in 2005 but now there are 5. I am proud to say that since the

appointment of the first legal counsel who graduated from UNISSA in 2012, we now have 10 counsels who are UNISSA graduates. Some of your predecessors are now working in the judiciary as Magistrate and Registrars. AGC and the country is indeed fortunate to have them as part of the dedicated and capable team which will continue the instrumental role of AGC to Brunei Darussalam's legal system and upholding the Rule of Law.

UNISSA students and AGC

Chambers continue to receive a number of requests from students who are doing their Degree and also Diploma under the Faculty of Syariah and Law in UNISSA to be attached with us. Just last year, we had 5 UNISSA students

doing their attachment in Chambers as part of their module.

When the time comes for you to undergo your attachment module, I hope you will consider Chambers and that the exposure to the variety of work in Chambers will inspire you to join this noble profession. The feedbacks we received from previous attachment students are most encouraging.

I am informed that In 2017, the UNISSA has produced 18 graduates in the Double Degree programme of a Bachelor's Degree in Law and a Bachelor's Degree in Syariah Law (LLB and BSL), requiring five years of studies. I am proud to share with you that three of them have recently joined Chambers as Legal

Counsel. One of them, Mohammad Marzuqi bin Sabtu, chose to work in AGC because he wanted to serve under the Government of His Majesty the Sultan and Yang Di-Pertuan, especially after being granted a scholarship to complete his double degree in UNISSA.

Sabrina binti Hj Mahmud, also our latest UNISSA addition to AGC, (and latest addition to' the 'women population' in AGC) has shared about the opportunities offered by UNISSA in encouraging students to explore the practical side of studying law. For instance, students can maximize their capabilities through active participation in the ASEAN Law Student Association (ALSA) which offers study trips, legal workshops, internships abroad and mooted sessions. These are unique learning

experiences which will no doubt enhance a student's marketability when the time comes to look for a job.

Today's event bring together students with members of the legal profession – I believe from the AGC, Judiciary Department, Syariah Court and law firms, as well as UNISSA's Executive Committees and law lecturers. I urge students to interact and network with them and do not hesitate to ask questions about a career in Law.

His Majesty's titah during the get-together with students in Sydney, (17 March 2018) "to the students we remind them of the importance of knowledge, especially in our government efforts to make our National vision 2035 a

success. Young generation with higher education is actually the country's invaluable natural source. Only the people with knowledge and expertise will be able to accelerate the country's economy and prosperity"

("kepada para pelajar sayugia Beta ingatkan akan kepentingan ilmu pengetahuan, terutama dalam usaha kerajaan Beta menjayakan Wawasan Negara 2035. Generasi muda yang berpendidikan tinggi adalah sebenar-benarnya sumber asli negara yang tiada ternilai. Dengan rakyat berilmu dan berkemahiran akan mampu untuk memacu ekonomi dan kemakmuran negara.")

"It is our hope for the young generation to be more courageous in accepting the challenge.

The youth should come forward to contribute their views and in the effort to develop the nation. As our future asset, the youth must be rich in spirit and ambition.”

(“Harapan Beta ialah, supaya generasi muda lebih berani menyahut cabaran. Para belia perlu tampil menyumbangkan buah fikiran dan usaha membangunkan negara. Sebagai aset masa depan, para belia mestilah kaya dengan semangat dan cita-cita”)

‘you’ will be part of our future. We count on you, the younger generation to take the legal profession in Brunei Darussalam to greater heights into the future, wherever your career may take you, be it in Chambers, Syar’ie Prosecution Unit, the Judiciary, the private practice, other Ministries and Private Sectors.

I wish each of you every success in your academic and professional careers and urge you to make the most of the opportunities in the years ahead. Law is not just a job but an honorable profession and a calling. Whatever you may be, do every task with grit, passion, perseverance and most of all, with integrity and humility.

I Know you will! Insya Allah

وبالله التوفيق والهداية والسلام عليكم ورحمة الله وبركاته

Thank You.