



Hyde Park Corner

Hyde Park Corner

A Miscellany-At-Law
and A Potpourri –
compiled by S. Balarajah



Lawyers get a dressing down

Judge hits out at lack of seriousness and dedication in handling civil cases

KUALA LUMPUR: A High Court judge has hit out at certain lawyers for not being serious and dedicated in handling civil cases.

High Court judge Justice V.T. Singham said he was disappointed with the development in the legal practice, adding that the lawyers did not have such attitudes in the past.

"Why is it seriousness ... dedication is lacking?" he questioned lawyer Natisha Zainol Rashid who was handling a defamation suit in his court.

(The Star, 23-11-2011)

Judge: Lawyers can represent themselves

KUALA LUMPUR: There is nothing in the Legal Profession (Practice And Etiquette) Rules 1978 that prevents a lawyer from acting for himself, the High Court ruled.

Justice V.T. Singham made this ruling yesterday, allowing three lawyers who have been sued by Bank Pertanian (M) Bhd in a 19.7 mil negligence suit to represent themselves in court.

He dismissed the preliminary objection made by Bank Pertanian against Zulpadli Mohammad, Ahmad Edham Abdulwani Mohamad and Yusfarizal Yusoff.

"When a lawyer elects to conduct his own defence in the High Court where he is a party, he does not appear as counsel and should disrobe himself.

(The Star, 23-11-2011)

My Lord! Is that John 'Two Jags' Prescott?

JOHN Prescott on Thursday crowned decades of class war by taking his place in the House of Lords.

Watched from the public gallery by his wife Pauline, the former deputy prime minister – nicknamed "Two Jags" because he owned one and was ferried about in a ministerial one – glowered his way through the occasion.

But observers thought he struggled to contain a smirk as he was named Baron Prescott of Kingston-upon-Hull – the constituency he represented as MP.

The politician famous for tangling his words stumbled over his oath when swearing allegiance to the Queen.

(International Express, 13-10-2010)

"Justice for juveniles" - Sri Lanka

Address delivered by Chief Justice Dr. Shirani A. Bandaranayake

It is indeed great pleasure to be amongst you in this enchanting city of Jaffna. I have very pleasant memories of my visits to this city as a child with my family members and it was with a great sense of contentment that I accepted this invitation.

For the Judiciary, as a whole, today marks a very important day as this is the very first Juvenile Court we are opening in the northern peninsula. It is also to be noted that is the only such court in the country, in the addition to the Juvenile Court at Battaramulla in Colombo. Today's event therefore could be regarded as a historic moment for our Judiciary.

No one would disagree with the view expressed by Sophocles that the children are the anchors that hold a mother to life. Mothers would no doubt agree with me on how true this expression is even in today's context.

We cannot also forget what Sigmund Freud had stated about children, that they are completely egoistic, that they feel their needs intensely and strive ruthlessly to satisfy them. These statements clearly show the value of a child as well as the need to deal with them in a special manner.

This should be the situation with regard to the criminal justice system. Due to some unfortunate and/or unforeseen situation if a child gets involved in a crime, if the country does not have a specialised juvenile justice system, children in conflict with the law would be dealt with in the same manner as the courts would be dealing with the adults.

However, countries where the juvenile justice system has been adopted act differently, as that would develop a unique system of criminal justice. Such a system would also incorporate institution and systems designed to achieve this objective.

Two other matters also would be important in this regard.

Firstly, a well-established juvenile justice scheme would include, in addition to the Courts, the Police, the prosecutors, the lawyers, the social workers, probation officers and juvenile officers as well as the jails and prisons.

Each of these institutions, whilst holding them as independent units, would have to join as a team, having the juveniles' welfare as their paramount interest and importance. For the success of this exercise, it is quite understandable that all these independent units would have to actively participate and assist each other independently as well as collectively, having the welfare of the juvenile as the main objective in mind.

Secondly, it would be necessary to consider carefully the kind of punishment that should be meted out to a young offender. Although the criminal justice systems in many countries are retributive, it would be necessary to consider applying restorative justice for young offenders. This would give opportunity for the young offender to rehabilitate himself as it diverts the offender away from the formal criminal justice system.



Chief Justice Dr. Shirani A. Bandaranayake