

**SPECIAL ADDRESS BY THE**  
**RIGHT HON. TUN RAUS SHARIF**  
**THE CHIEF JUSTICE OF MALAYSIA**

**IN CONJUNCTION WITH**

**THE OFFICIAL RELEASE OF THE MALAYSIAN JUDGMENTS PORTAL**  
**AND THE ASEAN LEGAL INFORMATION PORTAL**

**16 APRIL 2018 (MONDAY) / 4.00 P.M.**  
**FACULTY OF LAW, UNIVERSITY OF MALAYA**

Bismillahirrahmanirahim,

Assalammualaikum Warrahmatullahi Wabarakatuh and a very  
Good Afternoon,

**YAA Tan Sri Dato' Seri Zulkefli Ahmad Makinudin**  
**President of the Court of Appeal**

**YAA Tan Sri Dato Sri Ahmad bin Hj Maarop**  
**Chief Judge of Malaya**

**My Brother and Sister Judges of the Federal Court and the**  
**Court of Appeal**

**YBhg. Datuk Dr. Abdul Rahim Hashim**  
**Vice Chancellor of the University of Malaya**

**YBhg. Tan Sri Sharizat Abdul Jalil**  
**President of the UM Law Faculty Alumni Association**

**YBrs. Assoc. Prof. Dr. Johan Shamsudin Sabarudin**  
**Dean of the Law Faculty of University of Malaya**

**YBhg. Dato' Sri Latifah Haji Mohd Tahar  
Chief Registrar of the Federal Court of Malaysia**

**Representatives from the Malaysian Bar and Members of the  
Media**

**Distinguished guests, ladies and gentlemen,**

1. It is both an honour and privilege to be able to address all of you in this momentous event. Allow me first to thank our gracious host, the University of Malaya, specifically, the Faculty of Law of University Malaya, for successfully organising today's event.
2. Earlier we have witnessed the national release of the ASEAN Legal Information Portal, I am proud to note that Malaysia is setting the new benchmark in ASEAN as far as aggregation and dissemination of legal materials are concerned, and that the University of Malaya is in the forefront of this ground breaking initiative. Since the speakers before me have amply demonstrated the philosophy, features and benefits of the Asean Legal Information portal, I will not further elaborate on it, but let me offer our continued and unstinting support in their noble mission.
3. Today, we have also witnessed the historic signing of a Memorandum of Understanding (MoU) between the Malaysian Judiciary and the Asean Legal Information Centre represented by the University of Malaya on the publication and release of the Malaysian Judgments Portal. The **Malaysian Judgments Portal**, will be available at **[www.judgments.my](http://www.judgments.my)**, and will be designated as the official repository of Malaysian Court Judgments.

4. The release of the Malaysian Judgments Portal is in tandem with the commitment made by the Malaysian Judiciary at this year's Opening of the Judicial Year Ceremony, wherein I pledged to ensure transparency by ensuring court judgments are easily accessible to the public. Today it is with great pleasure that I reaffirm our pledge and state that we have not forgotten that promise. The Malaysian Judgments Portal is the initiative of the Malaysian Judiciary together with Asean Legal Information Centre and the Malaysian Law Deans Council to provide easy access to reported Malaysian Judgments, online, free of charge, accessible to all, from anywhere around the world.
5. Access to legal information is an indication of the level of maturity of a particular democratic society, especially in the areas of rule of law and human rights. In this regard, international practice as contained in human rights treaties and declarations, has established that as a general rule, judgments and court proceedings must be made public. I am happy to report that this rule is being practiced in Malaysia.
6. All court proceedings in Malaysia, except for sensitive cases involving minors or sexual offences, are open to the general public. Judgments and orders are for all accounts and purposes, public information. In fact, judgments are often read in open court before the litigating parties and to the members of the public.
7. However, like many common law jurisdictions, case reporting is undertaken by private law reporters. Today law reports have been largely digitalised and accessible only to subscribers of these law reports. Despite being accessible to most lawyers and law academics, the non-

legal professionals and the general public remain hindered in accessing reported judgments online.

8. To this end, the Malaysian Judiciary will be among the first in the ASEAN region to overcome this problem. We have collaborated with the Asean Legal Information Centre and the Malaysian Law Dean's Council, to come up with this innovative solution to ensure that judgments are readily accessible to anyone with an internet access, who are interested to read and refer to Malaysian judgments, either locally or abroad.

**Distinguished Ladies and Gentleman,**

9. The release of the Malaysian Judgments Portal is timely as it is necessary in this rapidly globalizing world. Innovations such as this portal, is consistent with the judicial transformation program, particularly in the areas of enhancing public access to justice via legal information. I believe that the creation of this portal will indeed be advantages in many different aspects both to the public and the Judiciary.
10. For instance, the Malaysian Judgments Portal will allow us to pit the quality of our judgments against other common law jurisdictions in and outside the region and *vice-versa*. Further, the publication of our judgments on a free online portal such as this, will also ensure that our judges are more conscious and careful of what is written in their judgments, since it will not only be readily available to Malaysians, but to the rest of the global community.

11. It is therefore hoped, that the release of the Malaysian Judgments Portal will not only enhance public accessibility of our Judgments, but it will also improve and raise the quality and standards of our written Judgments, which now may be read and referred to by our common law brothers and sisters from other parts of the world.

**Distinguished guests, ladies and gentlemen,**

12. For your information, the Malaysian Judgments Portal will employ neutral citation for all its reported cases. This neutral citation shall be the official citation of that reported case. The reported case will indicate the year the judgment was delivered and the Court in which it was decided, as well as the numbered sequence of which the case is to be identified. Once we designate the Malaysian Judgments Portal as our official report at the end of the trial period sometime later this year, the neutral citation, if available, will take precedence over other citations. We expect to see these neutral citations appearing in submissions before us as well as in legal publications.

13. The use of neutral citations, is not uncommon in common law countries; the United Kingdom for instance, introduced an independent neutral citation in 2001, while the Supreme Court of Canada had introduced its neutral citation as early as 1999.

14. This international shift towards the use of neutral citations has many practical advantages. Now academics, students and lawyers will be able to freely cite and identify the cases on which they rely on, in their

publications or submissions, without the need to subscribe to paid conventional law reports.

15. It is expected that the Malaysian Judgments Portal will in the future create, a healthy competition with established law reporters. This should not be taken negatively by law reporters, but rather should be accepted as a challenge to them, to come up with newer, more innovative legal solutions.
16. The Malaysian Judgments Portal, in the long term, plans to provide an opportunity to local law students to get involved in editorially processing our judgments. They will of course be monitored by our law academics and professional editors from the Asean Legal Information Centre. On this, the Judiciary will work closely with the Law Deans Council.
17. The Malaysian Judgments Portal will thus, simultaneously provide quality reported judgments to the general public while at same time giving law students and academics invaluable experience in the art of law reporting. This will indeed serve to strengthen the symbiotic relationship between the judiciary and the legal academia.
18. We are also planning to expand the contents of the portal to include selected High Court Judgments as well as judgments from quasi-judicial tribunals like the Industrial Court.
19. I am without a doubt that in a few years, the Malaysian Judgments Portal will host a formidable collection of a vast number of Malaysian judgments which will be readily available and accessible to all.

**Esteemed Guests, Ladies and Gentleman,**

20. In closing, I wish to state that in the past, the judiciary has often been unfairly criticized by certain quarters of the society who understand not the intricate operations of the law. Most of these people normally have never even read the judgment of a particular case before rushing to their computers or phones to churn up an analysis of the case, as they understand it, from news reports or worse tabloids.

21. With the creation of the Malaysian Judgments Portal it is hoped that baseless criticisms against Court decisions will cease and the public will be able to increase their knowledge and understanding of the law and appreciate the reasoning employed in reported judgments before coming to their own conclusions.

22. I end my address this afternoon by once again thanking our host and organising committee from the Faculty of Law of University of Malaya and the Office of the Chief Registrar of the Federal Court for their efforts in organising today's events. To our distinguished guests and everyone present, thank you for listening.

**Wabillahi taufik walhidayah wassalamualaikum warahmatullahi wabarakatuh**