

THE JUDICIAL DEPARTMENT, FEDERATION OF MALAYA.

REGISTRAR'S CIRCULAR NO. 10 OF 1956.

*This circular
is cancelled
by Registrar's
Circular No. 10
1956*

Apparently it is the general practice in the Malay States when a Magistrate holds an enquiry under Cap. XXXII of the F.M.S. C.P.C. to allow the Police to lead the evidence in the same manner as they would do in an ordinary criminal prosecution. This practice also seems to be followed in the Straits Settlements by a Coroner holding an enquiry under Cap. XXX of the Straits Settlements C.P.C.

It has been suggested by the Hon'ble the Attorney-General and the Hon'ble the Chief Justice agrees with him that this practice is incorrect.

The proper manner is for the Magistrate/Coroner first to question each witness himself; and then only to permit at his discretion questions from any police officer appearing in the case on behalf of the police, or from any other interested party or his legal representative.

The above practice is to be observed in all future enquiries.

B. V. Rhodes

(B. V. RHODES)
REGISTRAR.

The Federal Registry,
Supreme Court, F of M.,
Kuala Lumpur: 8th October, 1956.

RSC.39/54/28 & REG.176/53/32.
BVR/CHK

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