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Jabatan Kehakiman,  
Mahkamah Tinggi,  
Kuala Lumpur 01-02.

23hb November, 1978.

All Presidents, Sessions Court.

All Senior Assistant Registrars/Assistant Registrars High Court.

All Magistrates, Magistrate's Court.

REGISTRAR'S CIRCULAR NO: 9 OF 1978

Criminal Cases involving Government Servants

I am directed by the Hon'ble the Chief Justice, Malaya, to say that he is very concerned over the delay in the disposal of criminal arrest cases involving Government servants and employees of public authorities, especially those charged with corruption. The accused have usually been interdicted and, if finally they are convicted, they are dismissed, but in the meantime they have been paid their half pay, which is irrecoverable. The longer the delay, the more money Government or the public authority concerned loses.

2. Delay is also unfair in this way - first, the employing department or authority is unable to fill the temporary vacancy created by the arrest of the accused and, secondly, a key prosecution witness may die or his memory may deteriorate, naturally or artificially, during the period before the trial.
3. Delay also causes the accused extra worry.
4. His Lordship directs that all such cases be disposed of without any delay. Such cases should be given priority when fixing dates of hearing. Hearing dates of cases now pending in Courts should be advanced.
5. In case of appeal, it shall be the duty of Presidents and Magistrates to write their grounds of judgment immediately and see that the records are prepared without delay.
6. It shall also be the duty of Senior Assistant Registrars and Assistant Registrars to draw the attention of the local Judge in case of any delay in the hearing of such cases, the writing of the grounds of judgment and the preparation of the records.
7. Senior Assistant Registrars and Assistant Registrars shall be responsible for giving an early date for the hearing of such appeals.

Despatched on 24 NOV 1978  
By lw

(abdul Hamid bin Haji Mohamed)  
AG. CHIEF REGISTRAR

c.c.

1. Hon'ble Lord President, Federal Court, Malaysia, Kuala Lumpur.

2. Hon'ble Chief Justice, Malaya

3. Hon'ble Chief Justice, High Court, Borneo.
4. Hon'ble Judges, Federal Court, Malaysia, Kuala Lumpur.
5. Hon'ble Judges, High Court, Malaya.
6. Y.B. Peguamcara Negara, Jabatan Peguam Negara, Kuala Lumpur.
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