

Pejabat Pendaftaran,

Mahkamah Tinggi,

Kuala Lumpur.

18th March, 1980.

CONFIDENTIAL

All Presidents, Sessions Courts,

All Magistrates, Magistrate's Courts,

Peninsular Malaysia.

Tuan/Puan,

Registrars Circular No. (U)2 of 1980

Comments on Police

I am directed by the Lord President to reissue a confidential circular letter No. 42 in RSC 126/52 dated 14th April, 1959, which reads as follows:

"The Chief Justice is seriously perturbed by the number of reports which have recently appeared in the press of observations being made by Presidents and Magistrates which are not strictly relevant to the cases they are trying and in particular of observations reflecting on the Police.

2. His Lordship fully appreciates that the conduct of prosecutions by the Police and the conduct of individual Police Officers may at times leave something to be desired.

Nevertheless it must be remembered that the Police have their own difficulties to contend with and that repeated public strictures on individual Police Officers, which always seem to attract a great deal of press publicity, may do a great deal of harm in shaking public confidence in the Police.

3. In the circumstances I am to ask you to exercise the greatest possible restraint when you are on the Bench and make every effort to avoid saying anything which is not strictly relevant to the issue before you which, in a criminal prosecution, is whether or not the accused person is guilty. There is, of course, no reason why the errors of a Police prosecutor should not be pointed out to him privately after the conclusion of a case but if on reflection you are of the opinion that a Police Officer has behaved badly the proper course is to bring the matter to the notice of his superior officer. If you do not receive a satisfactory reply the matter should be reported to me.

(Signature)

S.S.Gill

REGISTRAR

2. From time to time splendid investigation by the Police comes to our notice in cases before us; and where appropriate the Bench should encourage the police officer concerned by singling him out for special commendation in open court, with a request that the prosecution officer bring the commendation to the notice of the relevant authority in the Force. This practice was frequently followed before Merdeka, and

greatly encouraged the Police in their difficult task of bringing offenders to book. Since Merdeka, very little use has been made of this practice.

Sd.

(ABDUL HAMID BIN HJ. MOHAMED)

Deputy Registrar,
for Chief Registrar.

c.c.

Secretaries to:

The Hon. the Lord President.

The Hon. the Chief Justice, Malaya.

The Hon. the Chief Justice, Borneo.

The Hon Judges, Federal Court.

The Hon. Judges, High Court, Malaya.

All Senior Assistant Registrars/

Assistant Registrars, High Court,

Malaya.