

AD HOC COMMITTEE ON THE COMMON BAR COURSE

The Common Bar Course — The next step in professional training for all new entrants to the Malaysian Bar



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The Committee has met seven times during the year under review to discuss amendments to Bar Council's proposal for, and the mechanics of the implementation of, the CBC. The Committee continues to monitor the development and changes in other jurisdictions, and identify what needs to be incorporated into the existing proposal. In addition, the Committee has also conducted briefings and delivered talks on the proposed CBC.

The highlight of the term, the Conference on Legal Education in Malaysia entitled "Qualifying for the Bar: Standards Across the Jurisdictions", jointly organised by Bar Council and Taylor's University, was held on 29 and 30 July 2011.

The Conference was attended by law lecturers from public and private universities as well as law students and legal practitioners. Bar Council invited the following distinguished speakers from various Commonwealth jurisdictions to share their experiences on their local professional training programmes and common bar courses:

- (1) Prof Bradford Morse, Dean of Law, University of Waikato, New Zealand;
- (2) Dieter Yih, Vice-President, Law Society of Hong Kong;
- (3) Christopher Roper, Director/Consultant, Centre for Legal Education, Australia;
- (4) Prof Nigel Savage, Chief Executive, College of Law of England & Wales;
- (5) David Quark, Executive Director, Singapore Institute of Legal Education; and
- (6) Prof NR Madhava Menon, Dr S Radhakrishnan, Chair on Parliamentary Studies (Rajya Sabha), India.

At the Conference, the Malaysian public universities took the stand that there is no decline in the quality and standards of their law students, and their students are well equipped to join the legal profession. However, this was not the view of the other participants, particularly Members of the Bar that are employers. Consequently, the Malaysian public universities also objected to the idea of a CBC.

A report on the Conference is featured in the Oct–Dec 2011 issue of *Praxis*.

In moving forward, Bar Council has initiated steps to push for the CBC as a single entry vocational course to improve the quality and standards of new entrants into the legal profession. A survey entitled “Survey on Employability of New Entrants into the Malaysian Bar: The Employer’s Perception”, which seeks to explore the concerns on the quality and standards faced by employer-law firms, has been commissioned to an independent research firm to ensure the credibility and integrity of the survey.

The results of the survey, due in April 2012, will be collated and published, and any concerns identified will be addressed in the CBC proposal.

Further, the Ministry of Higher Education has noted the Bar’s concerns over the deteriorating standards. In a meeting with the Office Bearers, the Deputy Minister of the Ministry of Higher Education offered to facilitate a dialogue with all stakeholders. To this end, Bar Council intends to meet with the deans of law faculties of all public universities and persuade them to accept the CBC proposal.

The Committee will also be working with the Professional Standards and Development Committee on expanding the Ethics and Professional Standards Programme to include certain aspects of the proposed CBC. This will allow for the gradual implementation of the policies on standards and quality while awaiting the implementation of the CBC.

The quality and standards of new entrants and graduates is a matter that should concern all Members of the Bar, particularly with the advent of the liberalisation of the legal profession. In the efforts to future proof the next generation in the face of an increasingly borderless world, Bar Council aspires to have, in place, a first class legal profession that is able to meet the challenges of the times.

Acknowledgment

I extend my sincere thanks to all committee members who have generously contributed their time and energy towards the work of the Committee.

Steven Thiru
Chairperson

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