

WHO ARE WE?

The Committee is currently made up of:

- (1) Members of the Malaysian Bar;
- (2) Persons with disabilities (“PWDs”) (Orang Kurang Upaya, “OKU”); and
- (3) Disability rights advocates.

OUR OBJECTIVES

- (1) Advocate for the inclusion of PWDs in this Committee to ensure the ideation and planning of meaningful reforms that reflect the realities and lived experiences of the disability community;
- (2) Collaborate with all stakeholders to advance legislation and policies that guarantee the inclusion and full participation of PWDs in society;
- (3) Pursue amendments to the Federal Constitution and the relevant laws to remove barriers to equal rights and legal protection for PWDs; and
- (4) Promote the effective implementation of existing legislation, government policies, and treaty commitments that safeguard disability rights.

OUR VISION

- (1) To align local laws with the Convention on the Rights of Persons with Disabilities (“CRPD”) to address unmet needs and discrimination against PWDs.
- (2) To reform Articles 8(2) and 12(1) of the Federal Constitution to include “disability” as a protected ground against discrimination.

EXISTING LAWS AND TREATIES ON DISABILITY RIGHTS IN MALAYSIA

(1) Persons with Disabilities Act 2008

This act aims “to provide for the registration, protection, rehabilitation, development, and wellbeing of persons with disabilities, the establishment of the National Council for Persons with Disabilities, and for matters connected therewith”.

The act defines persons with disabilities as, among others, “those who have long term physical, mental, intellectual, or sensory impairments which in interaction with various barriers, may hinder their full and effective participation in society”.

(2) United Nations Convention on the Rights of Persons with Disabilities (“CRPD”)

The CRPD guarantees equal rights of access to education, justice, habilitation and rehabilitation and participation in cultural and public life. It further stipulates that reasonable accommodations must be provided to ensure the effective enjoyment of these rights. Malaysia signed the CRPD on 8 Apr 2008 and ratified it on 19 July 2010.

WHAT DO WE STAND FOR AND HOW WE WILL MAKE IDEAS HAPPEN

- (1)  **Listen to PWD Voices**
PWDs must be included in discussions about laws, policies, and decisions that affect them.
- (2)  **Use Real-Life Experiences as Tool for Improvement**
Lived experiences help us understand what barriers exist and where the system is failing.

- (3)  **Work Together**
PWD individuals and organisations should partner with lawyers, the Malaysian Bar, and decision-makers to shape better solutions.
- (4)  **Support PWD Leadership**
PWD people must be empowered with the tools and space to lead, speak up, and influence change.
- (5)  **Turn Stories into Action**
Do not just share PWD stories to inspire; use them to push for better accessibility, stronger rights, and fairer treatment.

“OKU” STATUS IN POLICE REPORT

The Royal Malaysia Police (“PDRM”) has recently included “OKU” status in police reports. This is a progressive step towards a more inclusive policing system, consistent with the principles of equality and non-discrimination enshrined in the Persons with Disabilities Act 2008 and the CRPD. We are also looking at engaging with PDRM for further reasonable accommodations for the PWD community throughout the process, such as access to Braille materials and sign language interpretation.

PWD EMPLOYMENT

There has been meaningful progress in the inclusion of PWDs within the civil service, which has increased to 0.64% as at the second quarter of 2025, compared to 0.3% reported on 30 June 2022. This demonstrates the Government’s commitment to inclusion, corrective action, and the policy of non-discrimination against PWDs, particularly in the light of the case of *Ch’ng B’ao Zhong v. Public Service Commission*.



NEED FOR CONSTITUTIONAL AMENDMENTS

The reform of Articles 8(2) and 12(1) of the Federal Constitution is urgently required to include “disability” as a protected ground, directly after “place of birth”, so that PWDs may have equal rights to protection against discrimination:

Under Article 8(2)

- in the appointment to any office or employment under a public authority or in the administration of any law relating to:
 - ♦ any profession, trade, vocation or business;
 - ♦ holding, buying, or selling property;
 - ♦ access to justice; and
 - ♦ access to government services;

Under Article 12(1)

- in the administration of any educational institution maintained by a public authority, in particular the admission of students or the payment of fees; or
- in the provisions of financial aid for the maintenance or education of students.

INVOLVEMENT OF THE PWD COMMUNITY IN ADVOCACY BY THE MALAYSIAN BAR

The Malaysian Bar welcomes and encourages the active participation of the PWD community in its advocacy and legal reform initiatives, offering avenues such as consultations, working groups, focus group discussions, and public interest campaigns on disability rights, inclusion, and accessibility. Individuals with disabilities who are interested to participate in the Committee on Persons with Disabilities may do so by contacting the Malaysian Bar, attending public forums organised by the Malaysian Bar, or sharing lived experiences, while PWD organisations may submit memoranda, provide proposals, or partner in joint events and awareness initiatives. Although there are currently no dedicated internship or placement programmes for PWD individuals, the Malaysian Bar remains committed to inclusive practices and equal

opportunities, recognising the perspectives of the PWD community as vital to building a more just, equitable, and accessible legal system.

WHAT IS “KAD OKU”?

Kad OKU is issued by the Registrar of the Department for the Development of Persons with Disabilities (Jabatan Pembangunan Orang Kurang Upaya) under the Department of Social Welfare (Jabatan Kebajikan Masyarakat, “JKM”) to a person with permanent disabilities. Application is optional and not mandatory.



Kad OKU provides disabled persons with access to welfare benefits by JKM, and is an identification of disability that can be used internationally. There are nine disability categories under which the Kad OKU can be applied for. Please contact your closest JKM office to make the application, or you can make an application online.

The registration portal for Kad OKU can be accessed at <https://oku.jkm.gov.my/>.

DISCRIMINATION ON GROUNDS OF DISABILITY

Have you faced any kind of discrimination as a PWD? If you have, please reach out to us, regardless of whether you have a Kad OKU, by email at najwa@malaysianbar.org.my.

For more information on the Committee, contact our Executive Officer, **Najwa Syazwani Aqilah bt Abd Hamid** at najwa@malaysianbar.org.my.



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(As at September 2025)

The Bar Council Committee on Persons with Disabilities – Inclusive Today, Equal Tomorrow



My access needs



My lived experience



Self-advocating



Needing rest



Masking or unmasking



Communicating differently



Taking up space



Challenging ableism



Setting boundaries



Asking for adjustments



Saying no



Existing unapologetically

Disabled
by Society by @millionsmissingvoice