

ASEAN Judicial Dialogue WEBINAR
Judicial Education and Training in the Time of Pandemic: Challenges and Lessons

Working Group on Judicial Education and Training (WG-JET)
Council of ASEAN Chief Justices (CACJ)

Country: MALAYSIA

- 1) Please provide explanation on bodies that formally responsible for judicial training and education to the court (Ministry of Justice, other ministry, Supreme Court, Judicial Council, and so forth). Please elaborate, if possible, the organizational structure and its function in implementing judicial education and training program.

JUDICIAL ACADEMY

The body responsible for judicial training for Superior Court judges (i.e., Federal Court, Court of Appeal and High Court Judges) in Malaysia is the Judicial Academy of Malaysia. The Judicial Academy was established on 16 December 2011 pursuant to subsection 21 (1) (e) and (f) to the Judicial Commission Act 2009. The Judicial Academy Committee consists of seven (7) judges, chaired by the Chief Justice.

To enable the Judicial Academy to carry out its functions effectively under the Judicial Academy, two (2) committees were formed, namely the Training Committee and the Publications Committee. The Training Committee is responsible for planning, executing, monitoring, and evaluating training programmes for Superior Court judges, whereas the Publications Committee is responsible for publishing journals and other publications.

STRATEGIC AND TRAINING DEVELOPMENT DIVISION OF THE CHIEF REGISTRAR'S OFFICE

The Strategic and Training Development Division of the Chief Registrar's Office is responsible for all matters pertaining to the judicial training and education for its 680 Judicial Officers and 4000 staff. The Division is under the direct supervision of the Chief Registrar and a senior judicial officer is placed at its helm to serve as the director.

The Strategic and Training Development Division comprises of three units, namely, (1) Management and Statistics Unit, (2) Strategic Planning and Innovation Unit and (3) Training and Judicial Capacity Development Unit. Although judicial training and education related matters are mainly the core business of the third unit, the whole Division, with its 21-strong workforce (9 officers and 12 staff), works collectively to ensure the Malaysian Judiciary's training programmes are properly executed.

The functions of the Training and Judicial Capacity Development Unit are:

1. To improve the knowledge, skills, and quality of service of judicial officers and staff by providing them with related judicial training;
2. To provide continuous learning by planning and conducting various training programs (courses/seminars/workshops) for officers and staff, hence improving the development of human capital in the Malaysian Judiciary;
3. To develop and update the curriculums for judicial training and ensure those curriculums remain dynamic and relevant to current legal developments;
4. To monitor the effectiveness of training programs and conduct relevant research on their impact on the officers, staff and the organization, therefore identifying future training needs, new training methods and mechanisms, rooms for improvements, as well as potential revisions to the curriculum;
5. To establish collaboration with other training institutes and agencies to offer a variety of training programmes;
6. To supervise and manage applications by officers and staff for training organized by the Judicial and Legal Training Institute (ILKAP) and other government agencies;
7. To coordinate and manage the budget allocated by the Malaysian Judiciary for training;
8. To manage applications by law students who seek placement for Industrial Training in the Office of the Chief Registrar of the Federal Court of Malaysia; and
9. To assist with applications, logistics, etc. for judges or any judicial officers who will be attending courses abroad.

- 2) Please provide information on judicial education training and program provided for judges and staff in your judiciary.

JUDICIAL ACADEMY

Courses organised by the Judicial Academy are based on legal developments in line with the current needs, focusing specifically on the ever-evolving interpretation of substantive laws, court rules and procedures as well as skills in case management. Training programmes implemented are short term courses and seminars. Most of the training programmes organized by the Judicial Academy are conducted by senior judges. On the whole, the programme has succeeded in increasing the knowledge and understanding of judges in the interpretation of laws and strengthening judging quality. Short courses conducted with a small number of participants between 16 - 25 participants per session in order to improve the effectiveness of the training programme, such as: -

- 1) Interpretation of Statutes;
- 2) On specific area of criminal law for dangerous drugs
- 3) Induction Programme for Judicial Commissioners;
- 4) Expert Evidence Course;
- 5) Writing Better Judgment Workshop; and
- 6) Election Petition Course

STRATEGIC AND TRAINING DEVELOPMENT DIVISION OF THE CHIEF REGISTRAR'S OFFICE

The Strategic and Training Development Division on the other hand provides various trainings, both generic and functional, to the Judges, Judicial Officers and staff. Since 2020, due to the effect of COVID-19 pandemic, the Malaysian Judiciary has placed more emphasize on conducting trainings through remote communication technology. For this purpose, the Malaysian Judiciary chose Zoom as the preferred medium and has conducted various trainings through it.

The trainings conducted via Zoom are as follows:

No.	Judicial Training	Generic/ Functional
1.	Training for e-Jamin users in collaboration with Dapat Vista (M) Sdn. Bhd.	Functional
2.	"Webinar - COVID-19 Online Fraud", in collaboration with the United States Department of Justice.	Generic
3.	"Webinar - Use of Technology in the Courtroom", in collaboration with the United States Department of Justice.	Generic

4.	“Webinar - Cryptocurrency and the Dark Web”, in collaboration with the United States Department of Justice.	Generic
5.	“Webinar - Overview of Artificial Intelligence”, in collaboration with the United States Department of Justice.	Generic
6.	“Webinar - Evidentiary and Courtroom Issues Concerning Digital Evidence and Artificial Intelligence”, in collaboration with the United States Department of Justice.	Generic
7.	“Webinar - Evidentiary and Trial Issues Concerning Digital Evidence”, in collaboration with the United States Department of Justice.	Generic
8.	“Webinar - Experiences of Applying Environmental Law in Sweden in the Context of International Environmental Law and EU Environmental Law”, in collaboration with the Embassy of Sweden in Malaysia.	Generic
9.	“Webinar - Forensic Medicine; Understanding Post-Mortem Report (Series I)”, in collaboration with the Department of Forensic Medicine, Ministry of Health Malaysia.	Generic
10.	“Webinar - Government Contract Management”, in collaboration with the Attorney General’s Chambers of Malaysia and the Public Works Department.	Functional
11.	“Webinar - Forensic Psychiatry and the Laws Relating to Mental Disorder (Series I)”, in collaboration with the Department of Forensic Psychiatry, Ministry of Health Malaysia.	Generic
12.	Sharing session by The Hon. Justice Muhammad Jamil bin Hussin, High Court Judge in Kuala Lumpur on “Impeachment Proceedings”.	Generic
13.	Sharing session by The Hon. Justice Vernon Ong Lam Kiat, Federal Court Judge of Malaysia on “Remand Applications Under Section 4 of the Prevention of Crime Act 1959 (POCA)”.	Generic
14.	“Webinar - Impeachment Proceedings (Series II)”, in collaboration with the Attorney General’s Chambers of Malaysia.	Generic

15.	“Webinar - Understanding Medical Report for Cases of Sexual Crimes Against Children”, in collaboration with the Department of Obstetrician and Gynaecology, Ministry of Health Malaysia.	Generic
16.	“Webinar - Forensic Medicine; Understanding Post-Mortem Report (Series II)”, in collaboration with the Department of Forensic Medicine, Ministry of Health Malaysia.	Generic
17.	Talk on “Public Sector Pension Scheme”, in collaboration with the Public Service Department (JPA).	Functional
18.	“Webinar - Preventive Measures on the Outbreak of COVID-19 at the Workplace”, in collaboration with the Medical Development Division, Ministry of Health Malaysia.	Functional
19.	Workshop on “Standard Operating Procedure (SOP) for Sheriff and Court’s Bailiff”.	Functional
20.	“Webinar - Social Etiquette for Judicial Officers”.	Functional
21.	Training on “Online Hearing through Remote Communication Technology”.	Functional
22.	Induction Program for new Judicial Officers, in collaboration with the Judicial and Legal Training Institute (ILKAP).	Generic
23.	Foundation Course for new Senior Assistant Registrars	Functional

3) Please provide explanation of themes and methods of training prioritized by your judiciary, especially during the pandemic.

JUDICIAL ACADEMY

In so far as the Judicial Academy is concerned most of the courses are designed for face-to-face workshop/hand-on based. However, due to the pandemic, the Judicial Academy has started to conduct programmes online.

STRATEGIC AND TRAINING DEVELOPMENT DIVISION OF THE CHIEF REGISTRAR’S OFFICE

The Strategic and Training Development Division of the Chief Registrar's Office on the other hand decided to focus on digital means for training to ensure continuous learning for its officers and staff. Zoom was selected as a preferred medium due to its stability and versatility. The structure of the training are as follows:

- (a) Two (2) hours of lecture;
- (b) Thirty (30) minutes of Question-and-Answer (Q&A) session;
- (c) A Google Form survey link will be distributed to all participant after the training for comments and feedbacks; and
- (d) Training materials and webinar recordings will be uploaded to the Judiciary Platform e-Learning (J-PEL) which is accessible to all Judicial Officers and staff.

4) Please provide explanation on the experiences of your judiciary in implementing judicial training and program in the time of pandemic. Please elaborate on the changes that you incorporated and the effects to the implementation of judicial education and training in your judiciary.

- Prior to the COVID-19 pandemic, all judicial educations and trainings were conducted physically. The course participants were required to physically present at venues in various states throughout Malaysia.
- Since April 2020, the Malaysian Judiciary has embarked on online judicial education and training via remote communication technology. The Malaysian Judiciary faced many obstacles during the initial stages of this initiatives such as:
 - (a) Familiarizing officers and staff on the use of Zoom as a medium training and overcoming computer literacy among staff;
 - (b) Understanding various features offered by Zoom;
 - (c) Meeting technical requirements to conduct online training;
 - (d) Lack of Standard Operating Procedures on online training;
 - (e) Problems in troubleshooting technical issues.
- The Malaysian Judiciary overcame the obstacles by taking the following steps:
 - (a) Conduct trainings to educate officers and staff on the use of computers as well as Zoom;
 - (b) Upgrading technical equipment and software as well as improving existing internet connection;
 - (c) Establishing Standard Operating Procedures on online training; and
 - (d) Forming a dedicated team of IT officers to solve technical issues.
- Pioneering this initiative was the online training to Judicial Officers and staff on e-Jamin (e-Jamin is an online platform for digital bail payment) which was conducted via Zoom.

- Through this, the Malaysian Judiciary has successfully provided trainings on e-Jamin to all Judicial Officers and staff in 120 courts throughout Malaysia in a record time of 4 months. It must be noted that the trainings were initially planned to be conducted physically in each of the 120 courts and were scheduled to be completed by end of 2020.
- By establishing Standard Operating Procedures on online training, the Malaysian Judiciary is able to standardize the use of Zoom for all trainings to ensure familiarity especially in regard to features, troubleshooting and technical issues.
- Since its implementation, planning and conducting judicial education and training have been a breeze process. Conducting courses and trainings virtually has enabled us to save substantial amount of time and costs especially those incurred in the preparation and arrangement of logistics and venues. The same time and money that were saved can now be used to improve the curriculum and will allow us to engage more qualified and expert trainers for the online training.

5) Please provide ideas or innovations that your judiciary is currently implemented or will be implemented in the future in conducting training during pandemic and beyond.

The Malaysian Judiciary is currently implementing the following initiative:

1. All trainings will be conducted exclusively online through Zoom.
2. To organize more judicial courses by subject matter expert from government agencies such as the Malaysian Health Ministry (MOH), Royal Malaysian Police (PDRM), Ministry of Environment and Water of Malaysia (KASA) and Malaysian Prison Department.
3. An online learning portal called the Judiciary Platform e-Learning (J-PEL), which is an archive of all webinar podcasts, notes, presentation slides and video recording of courses has been developed and is now accessible by all Judicial Officers and staff of the Malaysian Judiciary.
4. Collaboration with KPUM (The United Kingdom and Ireland Malaysian Law Students' Union) to establish a virtual internship program which allows students/ applicants to be attached with Superior Court Judges. Similar program is also offered to all law students from local universities.
5. A virtual industrial training with law students from Universiti Sultan Zainal Abidin (UNISZA) was conducted recently and similar program will also be expanded to other local universities.

Malaysian Judiciary is currently planning to pursue the following initiative:

1. To conduct in-house Masters Programs for Judicial Officers in collaboration with Universiti Kebangsaan Malaysia (UKM);
2. To conduct online exams for Court's Interpreters and Legal Administrative Assistants;
3. To increase the offerings of functional courses for Judicial Officers and staff; and
4. To collaborate with international agencies to provide further trainings for Judicial Officers and staff.
5. In the future, the Malaysian Judiciary may plan to establish an e-learning platform for all superior court judges. By establishing the e-learning platform, the judges from all over the country do not have to travel to attend the courses but just in their chambers or even at home. The e-learning may encourage collaborations between the Malaysian Judiciary and other countries by sharing and exchanging knowledge and experience.

6) Please provide explanation of what are the lessons learned of conducting judicial education in the time of pandemic and beyond.

- a) The Malaysian judiciary will continue to embrace new technologies in order to improve the quality of its administration during and after the pandemic. To sustain this, efforts and consistency in providing efficient judicial education and training must always be the priority.
- b) Standard Operating Procedures on online training that have been developed must be maintained and reviewed from time to time.
- c) Constant cooperation and collaboration with the IT Division is needed to make sure all online trainings can be carried out without any technical hindrance.
- d) Conducting judicial training and education online in the time of a pandemic has given the Malaysian Judiciary the opportunity to organise numerous engagements with other government departments and agencies. Hence, more inter-departmental and inter-agency courses are expected to be offered to judicial officers and staff in the near future.
- e) Online training enables the Malaysian Judiciary to reduce a substantial number of costs, hence enabling the savings to be diverted to other more important expenditure.
- f) Since the implementation of online training, the Malaysian Judiciary is

now able to archive all training materials and recordings in J-PEL which is the resource centre for all officers and staff.

- g) Online training dispensed with the need for physical presence in any venue, hence securing more participation from the judicial officers and staff.
- h) Notifications on trainings can now be disseminated faster via social media, websites and even Whatsapp.