



YBHG. DATO' ANITA HAJI HARUN
THE DIRECTOR GENERAL OF ILKAP

EDITORIAL HIGHLIGHT

INTERVIEW SESSION WITH
YBHG. DATO' ANITA HAJI HARUN,
THE DIRECTOR GENERAL OF ILKAP

INSIGHT: Could you tell us of your legal background?

DG: I started my career in the Judicial and Legal Service on the 1st of January 1990. I was first posted as a legal officer in Sarawak. I then served in various districts in Sabah from December 1990 to 2004 as a Magistrate and a Research Officer to the High Court Judge. I was then transferred to Kuantan, Pahang in 2004 serving as a research officer. In 2006, I served in Kuala Lumpur High Court holding the same post. I was then appointed as a Session Court Judge from 2007 till 2016 serving in various states. On the 1st of September 2016, I reported for duty as the Director General of ILKAP.

INSIGHT: Where were you born? Something about your professional qualification. Were you a scholarship holder?

DG: I was born in Kg. Sembulan, Kota Kinabalu. I graduated from International Islamic University Malaysia (IIUM) with a LL.B - Bachelor of Law (Honours) and yes I was awarded scholarship by Yayasan Sabah to pursue my dream in becoming a lawyer.

INSIGHT: What was your position prior to this promotion? How long were you in the previous position?

DG: I was a Session Court judge in Kuala Lumpur Sessions Court for 2 years.

INSIGHT: What was your legal journey like in Sabah?

DG: Serving as a judicial and legal officer puts you in the world of endless possibilities. My legal journey started as a legal officer in Sarawak. As a Judicial and Legal officer we are transferrable. I was transferred to Sabah in 1990 as a legal officer before being appointed as a Magistrate in Kota Kinabalu Magistrates Court in 1992 where I served for 7 years. I spent most of my career in the Judicial Service. In 1999 I continued my legal journey as a research officer to a judge and served both in the Tawau High Court as well as the Kota Kinabalu High Court until 2004.

In recognition of my service I was appointed Justice of Peace in 2005 by Tuan Yang Terutama of the State of Sabah. I also received an award for my charity work in Sabah namely *Anugerah Khas Tokoh Wanita Negeri Sabah*.

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INSIGHT: What's the most important achievement you hope to accomplish in your current role?

DG: As the new Director General of ILKAP, I hope to elevate ILKAP to a greater height. ILKAP should be a top notch judicial and legal training center to provide the best judicial and training service of the highest quality. My vision for ILKAP is to be a renowned regional judicial and legal training center. I also hope that ILKAP can widen its wings in providing legal training and provide accredited courses to its stakeholders especially in the legal, judicial and law enforcement field. I will be more than happy if we can tremendously increase the participation of the private sector as well as candidates from the Asian region in our courses. If we are able to do that, not only we will increase ILKAP's or Government's revenue, but we will also enhance the quality of the legal profession as a whole. Therefore, this will certainly benefit the public at large.

INSIGHT: What is your expertise and vision for ILKAP?

DG: I spent most of the time in my career being in the judicial service. I served as a judge for quite a number of years. I can use my expertise in making significant contributions to strengthen and enhance ILKAP's capability in giving the best training possible.

INSIGHT: What are you really into (most passionate) outside of work?

DG: I love reading all sorts of reading materials. Reading helps me grow as a person, expanding my views in life, affecting my every personal and professional decisions. Reading allows me to travel to places I have never been to. It makes me vicariously experience situations that I may only dream of.

I believe that great leaders are great readers. The more you read and apply what you read in your life, the better you lead. Through this helpful habit, I'm empowered to give better advice to people, especially when I don't have a personal experience about what they're seeking counsel for.

INSIGHT: How do you maintain your health and appearance? Please share with us of your beauty regime for inspiration.

DG: I lead a healthy lifestyle. A healthy lifestyle involves proper nutrition, exercising regularly and maintaining a healthy weight. Whether or not you have health issues, you should consider the benefits of living a healthy lifestyle.

Besides that, the keys are to be happy and positive at all times. A positive attitude awakens happiness. You don't have to be rich or achieve goals to be happy. It is a matter of attitude. When you adopt a positive frame of mind you become happy. Happiness does not depend on external causes. It comes from inside you.

ARTICLE : STAND UP FOR WHAT IS FAIR AND RIGHT

THE move by the Perlis state legislative assembly in allowing one parent to convert a child to Islam is totally at odds with what the Federal Government is finally doing.

It has disrupted the legal process of the Federal Government, and like it or not, this tiny state has set off a dangerous precedent.

Malaysians have argued, debated and decided on this contentious issue – and now Perlis has sent this controversy back to square one.

The issue of unilateral conversion became controversial in recent years after several cases like that of M. Indira Gandhi and S. Deepa, two women who faced lengthy court battles to gain custody and reverse the conversion of their children, carried out by their Muslim convert former husbands.

Understandably, Islam is a state matter but state legislation should be consistent with federal laws and the amended enactment by Perlis clearly contravenes the aims and spirit of the Law Reform (Marriage and Divorce) Bill 2016 which is intended to secure the constitutional rights of non-Muslims.



Minister in the Prime Minister's Department Datuk Seri Azalina Othman Said had noted that the Federal Constitution ruled supreme above all state laws, even in cases of unilateral conversion of a child.

"Once the amendment (to the Law Reform Act) is passed, it becomes federal law and it should be noted that Article 75 of the Federal Constitution provides that when any state law is inconsistent with a federal law, the federal law shall prevail over the state law," she said in a statement.

You don't have to be a lawyer or legal expert to understand that Section 88A of this Federal Bill specifically states that "conversion to Islam can only be done with the approval of both parents".

Azalina tabled the Law Reform (Marriage and Divorce) Bill 2016 for first reading at the Dewan Rakyat last month, the highlight being the inclusion of a new section (Section 88A) that



explicitly states that "both parties in a civil marriage" must agree to the conversion of a minor to Islam.

Specifically addressing the "Religion of a Child" in civil marriages where one spouse has converted to Islam, the amendment also said that the child will remain in the religion of the parents at the time of marriage until the child is 18 years old, when he may choose his own religion.

"Where a party to a marriage has converted to Islam, the religion of any child of the marriage shall remain as the religion of the parties to the marriage prior to the conversion, except where both parties to the marriage agree to a conversion of the child to Islam, subject always to the wishes of the child where he or she has attained the age of eighteen years," the section reads.

The proposed amendment also states that if the parties to the marriage professed different religions prior to one spouse converting to Islam, "a child of the marriage shall be at liberty to remain in the religion of either one of the prior religions of the parties before the conversion to Islam."

ARTICLE : STAND UP FOR WHAT IS FAIR AND RIGHT

I hope the state assemblymen in Perlis, regardless of their faith, have taken time to ponder on what they have decided on. It is easy to just say sokong (support) in unison. But have they considered the consequences?

Is it too difficult to allow children, where one parent has converted to Islam, to hold on to their original faith until they can decide for themselves at age 18?

Reverse the situation – if a Muslim parent residing in a non-Muslim country decides to embrace Christianity, Hinduism or Buddhism, and then converts the child to another faith – what will the reaction be? Frankly, I do not think this should be admissible either.



The same rule should be adopted and taken from a compassionate and humanitarian stand. Worse, we should never allow religion to be used in the fight over child custody when a marriage breaks down. It's simple, common sense. Let's do what is humane and right.

In a nutshell: unilateral conversion should not be allowed for whatever religion, be it Islam, Christianity, Hinduism or Buddhism.

Should a parent convert to a religion which is different from that at the time of marriage, especially during the dissolution of marriage, the children should remain in the original faith until they turn 18.

Forcing the children to embrace any religion when one party decides to convert may show a lack of confidence in oneself in practising one's faith or worse still, show a lack of faith in the attractiveness, beauty and truth in his or her religion.

It is more rational for parents to show their children the beauty of their faith, new or otherwise, and allow them to decide once they become adults.

There is nothing to stop a Hindu father or mother, who has become a Muslim, from bringing his or her child to study Islam or visit the mosque to share the beauty of Islam.

When the time comes, let the child decide for himself. The question is – what's the hurry?

This is a country which is predominantly Muslim. Certainly, the presence of Islam is increasingly dominant and the religious authorities should not worry about numbers. These wise men of Islam, in fact, should be aware that there are selfish men and women out there who use religion for their own motives when a marriage goes sour.

Why are we denying justice to the non-converting spouse?

The same principle applies to those of other faiths too, and we acknowledge that all religions believe in justice and compassion.

We should also remind ourselves that the Federal Constitution is a major piece of legislation aimed at balancing the needs of all races and religions that make up this multi-racial country.

If a single parent is to be allowed to convert a child it would only have the effect of ignoring constitutional provisions.

Take a breather, listen to our hearts of heart, do what is fair, just and right – not what is politically right or politically beneficial.

By: Wong Chun Wai

The Star Group's managing director/chief executive officer

Sunday, 11 December 2016

VISIT BY :

YB. DATO' SRI AZALINA BINTI DATO' OTHMAN SAID



On the 9th of August 2016, ILKAP received a working visit by YB Dato' Sri Azalina binti Dato' Othman Said, Minister in The Prime Minister's Department accompanied by YBhg. Dato' Umar Saifuddin bin Jaafar, the Director General of ILKAP. Also present were YBhg. Dato' Sri Latifah binti Mohd Tahar, the Chief Registrar of the Federal Court, YBhg. Datuk Ibrahim bin Saad, the Director General of Biro Tatanegara, Dr. Nor Mazny binti Abdul Majid, Deputy Director General of Legal Affairs Division (BHEUU) and Mr. Steven Thiru, President of Malaysian Bar. The Honourable guests were then given a short and precise briefing about ILKAP's roles and functions as well as the facilities available before making a site visit around ILKAP. Apart from that, YB Dato' Sri Azalina binti Dato' Othman Said suggested to initiate the course on the cyber court law.



SIMPOSIUM ON THE COMMUNITY SERVICE ORDER (CSO) 2016

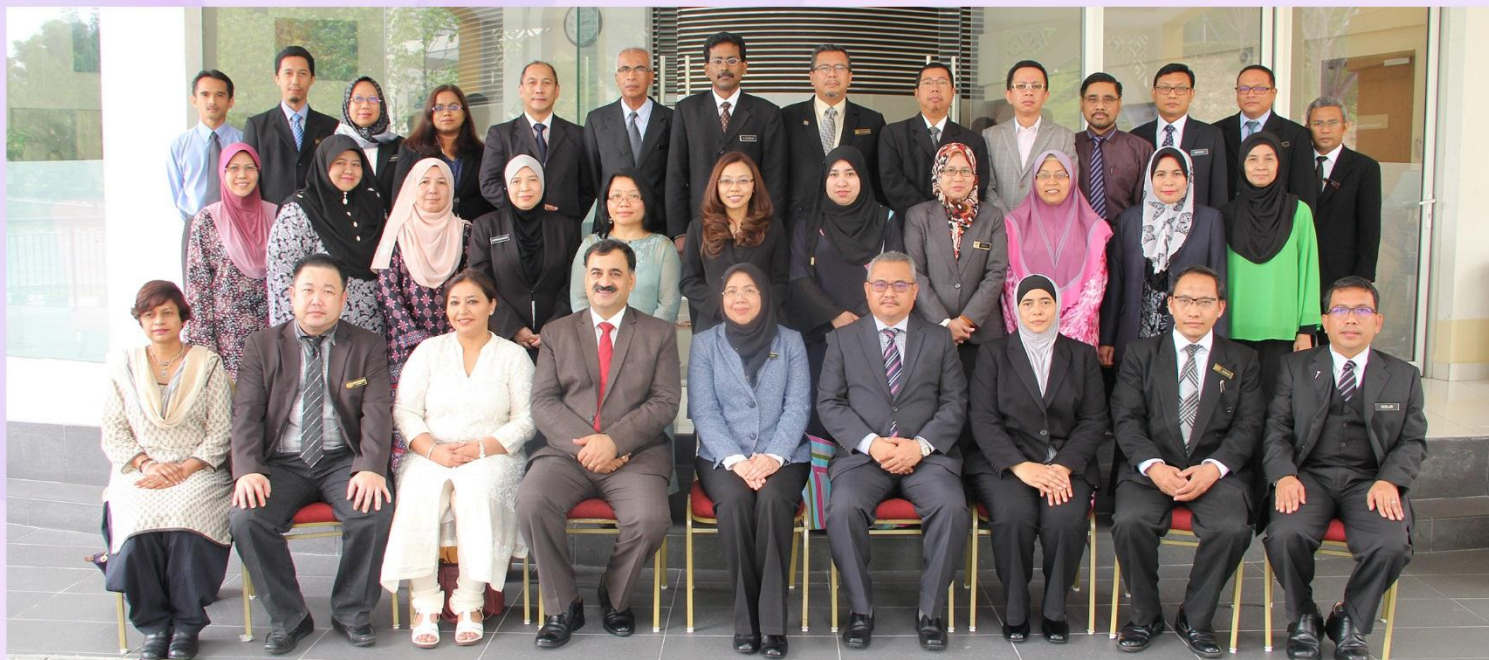
This Symposium was held on the 16th - 17th August 2016 at ILKAP Auditorium. The Symposium was organized by the Department of Social Welfare in collaboration with ILKAP. The objectives of this Symposium were to expose the participants to the community service order in Malaysia and also to enhance the knowledge and skills of the participants on that matter. The Symposium was officiated by YBhg. Dato' Wee Beng Ea, Deputy Secretary General (Operation) at Ministry of Women, Family and Community Development. The speakers were from Attorney General's Chambers of Malaysia, Department of Social Welfare and Court. The Speakers invited were experts in issues on Community Service Order in Malaysia.



SPECIAL COURSE ON CYBER LAWS IN MALAYSIA

This Special Course on Cyber Laws in Malaysia was held on the 27th – 28th August 2016 at the Lecture Room, Level 1, MTCP Building, ILKAP. The objectives of this course were to expose the participants to cyber law in Malaysia and also to enhance the knowledge and skills of the participants on the techniques of investigation and prosecution in cybercrime cases. This course was attended by 60 participants comprising session court judges, lawyers, deputy public prosecutors, enforcement officers and officers from statutory bodies. The speakers invited by ILKAP are as below:

- Mr. Pavan Duggal from India (Advocate, Supreme Court Of India Head, Pavan Duggal Associates)
- Mr. Mohd Sophian Zakaria and Mr. Amir Irsyad Mohamed Samsudin (Malaysian Communications and Multimedia Commission)
- ASP Hazizi A. Samad (Royal Malaysian Police)



ILKAP SPEAKER SERIES 2016

ILKAP Speaker Series 2016 was held on the 17th October 2016 at the ILKAP Auditorium. ISS was initiated to create a platform for intellectual discourse and knowledge sharing by having prominent and eminent speakers from the legal fraternity to share their thoughts and ideas on current legal issues. The main objective of this programme was to share knowledge among legal practitioners and enforcement bodies regarding current legal issues in Malaysia. The Attorney General of Malaysia, YBhg. Tan Sri Dato' Sri Haji Mohamed Apandi bin Haji Ali, had impressed the audience by his lecture on "AG's Perspectives on Article 5 of the Federal Constitution in This Challenging Borderless World". Also present were YBhg. Tan Sri Dato' Sri Khalid bin Abu Bakar, Inspector General of Royal Military Police, YAA Tan Sri Dato' Seri Zulkefli bin Ahmad Makinuddin, Chief Judge of Malaya and YBhg. Dato' Sri Latifah bt Haji Mohd Tahar, Chief Registrar of the Federal Court as well as 200 participants from government and private sectors.



OUTREACH PROGRAMME

ILKAP Outreach programme on “Rights and Issues Of Women and Children” was held at the Dewan Bandaran, Bandar Penawar, Johor on the 9th of December 2016 in collaboration with Amanah Raya Berhad (ARB), South East Johore Development Authority (KEJORA) and Tetuan Hazizah & Co. This programme was attended by 336 people comprising civil servants from various Government Departments, representatives from Non-Governmental Organizations and the general community. The seminar was officiated by YB Dato' Sri Azalina binti Dato' Othman Said, Minister in The Prime Minister's Department.





ACTIVITIES AT ILKAP

- **KURSUS PEMBANGUNAN KEROHANIAN, ORGANISASI DAN MODAL INSAN UNTUK PEGAWAI ILKAP**
(18 - 22 OCTOBER 2016)



- **KURSUS TEKNIK TERBAIK PENYELIAAN BERKESAN UNTUK PEGAWAI ILKAP**
(7 - 10 NOVEMBER 2016)





ACTIVITIES AT ILKAP

• KURSUS KERJA BERPASUKAN (TEAM BUILDING)

(17 - 19 NOVEMBER 2016)



• BENGKEL ANDRAGOGI UNTUK PEGAWAI ILKAP

(22 - 24 NOVEMBER 2016)

