

THE SELESA CONCLUSIONS

National Young Lawyers' Committee's
Workshop Planning Meeting
Selesa Hill Homes
Bukit Tinggi
Bentung
9-11 June 2006

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I. INTRODUCTION

At the 1st National Young Lawyers' Committee 2006/07 (NYLC) meeting on 5.5.06, it was resolved that a "ground-zero" workshop planning meeting be held to chart the future of this Committee, and its plans of action. On 9-10.6.06, the said meeting was held with the assistance of a professional facilitator, Mr Tan Jo Hann.

A broad section of young lawyers (YL) from around Malaysia including nominated and elected State Bar representatives to the NYLC converged to participate in a series of awareness-building exercises, brainstorming discussions and workshops. After several sessions of analysis and strategic mapping, a Plan of Action and a Vision were formulated and adopted by consensus.

The Selesa Conclusions is a record of this meeting - a first of its kind in the history of the NYLC.

II. WORKSHOP TAKEAWAY

The workshop planning meeting culminated in 5 key aspirations and goals in the following areas which are reproduced as they were presented by the participants.

- (A) Leadership & Structure of Young Lawyers' Committee (YLC)
1. Constitution of the NYLC is to be as follows:
 - a. 2 representatives from each State; and,
 - b. other Bar members who volunteer themselves to serve.
 2. Without the participation of State Bars' YLCs, the NYLC is ineffective. State Bars are to form YLCs by election from the floor of State Bars' AGMs consisting of 1 Chairperson, 1 Secretary and 5 Committee members. The Chairperson and Secretary are to sit on the State Bar Committees as invited observers with no voting rights.
 3. For those states without a formalized YLC as above, they are to inform the State Bars that they will be holding a gathering of YL to set up their YLCs. Among the activities in this gathering is to give the history of Bar and how NYLC was formed. These YLCs must be formed by December.
 4. Important "players" in this process are:
 - a. the initiators to encourage and create enthusiasm;
 - b. representatives who must be at every NYLC meeting - Chairperson and representatives' presence are important to ensure continuity, to report and react with state YLCs, and not to let things fizzle out - they are also to relate all messages and events to all YLs at the State level;
 - c. State YLCs are to make sure dissemination of information is both ways (horizontal and vertical), and create ways to implement our "GAGASAN" (aspirations);
 - d. the NYLC is meant to discuss and make policy decisions, conduct monitoring and to provide support.

- (B) Rallying-mobilizing-working with-lobbying other Bar Council committees and other organizations and agencies
1. Liaison Officers – write to/contact the various agencies, eg: banks, police, courts, land office, stamp office, approving authorities, etc when requested for a liaison officer to handle our problems.
 2. Communication – distribute our publications or press releases to media agencies, make use of our website (by identifying/commissioning web contributors/reporters of Bar events), seminars, dialogues, videos, documentaries, etc.
 3. Public Relations – maintain healthy working relationships with various governmental agencies, NGOs and others:
 - good attitude, mutual respect, appreciation
 - ethical behavior, raise our image and dignity, professionalism
 - eradicate arrogance, antagonistic traits, rebelling without cause, being confrontational
 4. Networking – be tech-savvy, active participation in voicing views and exchange of information, ideas, opinions, States to have joint meetings for networking
 5. Interaction – among Committees in Bar Council and State Bar committees:
 - Welfare, Sports, Social
 - Court Liaison
 - Human Rights
 - Criminal Law
 - Conveyancing
 - BM
 - Continuing Professional Development (CPD)
 - Legal Aid Centers

(C) Continuing Development - "start from young" policy

1. Pupils' rights and welfare:

- review ethics syllabus (standardize its)
- pupillage filing procedure
- common pupillage programme (legal aid, etc)
- module/guidelines for Masters
- public speaking
- drafting skills (opinion writing, pleadings and agreements)
- etiquette/manners in court and outside court
- promote/create awareness amongst pupils on the existence of the NYLC at the ethics lecture
- history of the Bar

2. YL issues and welfare:

- time management
- public speaking
- people management
- how to run a firm
- create awareness among YL about the importance of CPD in preparation for globalization
- to close the gap between senior and YL

- (D) Identity-rights, profiling-branding-advertising and NYLC as a platform to voice interests and concerns of YL
1. Pamphlet/flyer on the work of the NYLC and State Bars' YLCs to be distributed to the pupils at start of chambering when papers first filed/short call order served.
 2. Interviews with YL from all States to raise their profiles and concerns to be published in PRAXIS and Bar website.
 3. To recognize contributions of YLs through the granting of the Outstanding/Most Promising YL Awards.
 4. Review/discussion of Bar Council resolutions/decisions, AGM resolutions, to receive official reply on the Pangkor Convention Statement, and to discuss policy decisions and law reform (ad hoc basis).
 5. Council elections process - lobbying of candidates (State and national level), identification of causes and review of election process.

(E) Working Conditions of YL

1. It was suggested that the NYLC conducts a nationwide survey in order to obtain data on practice demographics of YL. State Bars' representatives/YLCs can collect information from YL. An online survey can also be done through the Bar website. We can then compare the data collected with available data of working conditions of other professionals/lawyers from other countries.
2. It was also suggested that we interview YL on their working conditions. This can be done by State Bars' representatives/YLCs.
3. Once the results of the survey are collated, we can come up with a report on the data collected and raise awareness of YL issues in publications such as PRAXIS or INSAF.
4. There was a suggestion that we obtain feedback from consumers of legal services on their perception of YL.
5. Also, we should get feedback from employers on their expectations and response to YL issues. For example, we can encourage employers to introduce internal policies in their firms such as giving an annual performance review for their YL.
6. It was suggested that we encourage employers to establish a curriculum or syllabus for chambering students. This is to ensure that chambering students have a meaningful pupillage experience and have a broad based exposure to all facets of legal practice. A holistic chambering experience will enable them to make a more informed decision on career choices. If the Masters do not practice in a particular area of law, it was proposed that a secondment to other firms be considered.
7. NYLC is to encourage employers to have a contract of employment for YL. Some YL practice in firms where there is no contract of employment and they do not know the parameters of their employment benefits. NYLC should also look into the minimum standards of contract terms to be incorporated into the YL contract of employment, eg: medical coverage.
8. NYLC is to publish guidelines on choosing areas of practice as a lawyer. This can assist YL to choose firms or areas of practice which are consistent with their aspirations and needs.
9. NYLC is to look into publishing articles/reports on encouraging employers to have working policies which facilitates a healthy working environment where YL can achieve a healthy equilibrium between professional and personal responsibilities.
10. It is important that NYLC adopts a right strategy on dialogue with employers. The emphasis must be on a win-win situation. Quality and satisfied lawyers will

produce quality work. In the final analysis, when the working conditions of YL are improved, YL can contribute more meaningfully to the success of the firms in which they are part of.

11. NYLC should strive to get support from employers to allow YL and chambering students to participate in Bar activities and pro bono work. For example, the CPD points system. Participation in Bar activities will garner points for YL for the purpose of obtaining practicing certificates.
12. NYLC is to work together with the Professional Development Committee to implement mandatory CPD.
13. NYLC is to examine the reasons for the high turnover rate of YL in firms and the reasons YL leave the profession. Some of the reasons we identified were:
 - salary and benefits
 - firm environment, eg: boss's arrogance
 - managing employer's expectations
 - workload
 - no life/long hours
 - dignity of the Bar
 - stiff competition/ unfair practices in the legal market

III. ACTION PLAN

<u>Theme/Activity</u>	<u>When</u>
<i>A. Leadership & Structure</i>	
1. Re-activate State YLC and NYLC	Jun-Dec 06
2. Review NYLC structure	11.06.06
<u>Action : Azwan, Yang Yang, Bushairy, Rezal</u>	
<i>B. Rally/lobby... (Public Relations and Liaison Unit)</i>	
1. Identify officers - liaison, PR, communication - media tools	Now-Sep 06
<u>Action: Ranjeeta, Richard, Elin, Dara, Roslina</u>	
<i>C. Continuing Development</i>	
1. Review and standardize pupilage programme (module and guidelines)	Now-Dec 06
2. Skills training for YL (public speaking/drafting)	On-going
3. Promote NLYC in ethics lecture	(?)
<u>Action: Kenny, Tai Yong, Latheefa, Rashpal, Zuriana, Chooi Peng, How Fen</u>	
<i>D. Identity/Profile</i>	
1. Pamphlet/flyer NYLC	Aug-Sep 06
2. Publish interviews in PRAXIS/website	On-going
3. Outstanding/Most Promising YL Award	Mar 08
4. Review/Discuss policy decisions of Council in NYLC	On-going
5. Review elections process & identify potential candidates	Oct 06
<u>Action: Mogan, Peck Yen, Aminuddin, Tracy, Hong Lynn, Edmund, Wee Loon</u>	

E. Working conditions

- | | | |
|----|---|-------------|
| 1. | Survey (nationwide) on working conditions /report | July-Dec 06 |
| 2. | Feedback from employers | Dec-Mar 07 |
| 3. | Publish guidelines on choosing areas of practice | Dec 06 |
| 4. | Working with Professional Development Committee (mandatory Continuing Professional Development) | On-going |

Action: Fook Meng, Agnes, Masrurah, Fadil, Desmond, Chung Yee, Ernie, Pamela, Damian

F. Repeal of s46A

(plans to be discussed and worked out, to be reported to the NYLC) (?)

Action: Yang Yang, Mogan, Chung Yee, Peck Yen

G. YL Convention

Action: [to be discussed and decided] 4th Quarter 07

IV. VISION ADOPTED BY THE NYLC

2006 Workshop Planning Meeting Outcome

The National Young Lawyers' Committee adopts the following 2006 Workshop Planning Meeting Outcome:

1. We reaffirm that the Committee aims to represent, protect and promote the interest of young lawyers within the Bar and to empower them to contribute to social good.
2. We recognize that the following are the core aspirations of the Committee:
 - 2.1 To profile the NYLC as a platform for young lawyers to voice their views and concerns on issues affecting the Bar such as the administration of the Bar and professional practice, and on issues of public interest such as the administration of and access to justice, and law reform.
 - 2.2 To maintain and nurture good working relationships with other Bar Council committees, various governmental agencies, NGOs, other organizations and the media, and to work together with these committees, agencies and organizations in rallying issues of concern to the young lawyers and society in general.
 - 2.3 To establish and/or re-activate Young Lawyers' Committees at State levels and to provide opportunities for the effective networking and exchange of information, ideas and opinions among young lawyers of different states.
 - 2.4 To collate and study data pertaining to the practice demographics and working conditions of young lawyers, and to engage employers, the Bar Council and other stakeholders in constructive dialogue with the intention of creating a better and wholesome working environment for young lawyers.
 - 2.5 To assist the education and enhance the continuing professional development of young lawyers in maximizing their potential in terms of producing quality legal work, achieving a balanced and fulfilling career, and contributing to the Bar and social good.
3. The NYLC will form working committees to execute the above.

V. LIST OF PARTICIPANTS

Agnes Chow Wai Hing

Aminuddin Bin Abdullah

Chen Hong Lynn

Damian Yeo Shen Li

Dara Waheda Binti Mohd Rufin

Desmond Ho Chee Cheong

Edmund Bon

Ernie Suffiani Bt Salim

Kenny Lai Choe Ken

Latheefa Beebi Koya

Lee Chooi Peng

Lee How Fen

Lim Yang Yang

M. Moganambal

Mohd Busyairy Bin Che Muda

Mohd Fadil B. Mohd Yusof

Mohd Shazarulazwan Bin Sarip

Ng Chung Yee

Nik Elin Nik Abdul Rashid

Noor Masrurah Bt Hassan

Pamela Geh Cheng Yen

Ranjeeta Kaur

Rashpal Singh

Rezalman B. Bahran

Richard Wee Thiam Seng

Roslina Bte Sabiyah

Soo Wee Loon

Tan Peck Yen

Teh Tai Yong

Tracy Hah Yan Shan

Wong Fook Meng

Zuriana Bt Zakariah