

Special Lecture
On the Enforcement of the
SYARIAH PENAL CODE ORDER, 2013

for Phase One

by

**THE HONOURABLE DATIN SERI PADUKA HAJAH HAYATI BINTI PEHIN ORANG
KAYA SHAHBANDAR DATO SERI PADUKA HAJI MOHD SALLEH**

ATTORNEY GENERAL

In conjunction with the Declaration Ceremony of the Enforcement of the
Syariah Penal Code Order, 2013

On

Wednesday

30 Jamadilakhir 1435

corresponding to

30 April 2014

Venue

International Convention Centre

Berakas

Brunei Darussalam

السلام عليكم ورحمة الله وبركاته

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Praise be to Allah Subhanahu Wata'ala, peace and blessings be upon our beloved Prophet Muhammad, his relatives, companions and his honest and faithful followers to the end of time.

Ladies and gentlemen. The topic that was given to me is "The Enforcement of the Syariah Penal Code Order, 2013 – Phase One"

When I was requested to deliver a Special Lecture on this historical ceremony, I was initially quite reluctant as the Lecture focused on the syariah criminal law. Masya Allah, who am I and what is my expertise to deliver such a Lecture. As a servant of Allah who has many flaws and weaknesses, and who has qualifications and experience in civil law, I am also trying to continuously improve my understanding by reading books and writings of our learned experts particularly the book entitled "Syariah Criminal Code: An Introduction" written by the Honourable Pehin Datu Seri Maharaja Dato Paduka Seri Setia Dr. Ustaz Haji Awang Abdul Aziz bin Juned, State Mufti of Brunei Darussalam, an effective platform to understand the greatness and wisdom behind the laws of Allah. I also gained useful knowledge by the involvement of the Attorney General's Chambers in drafting the Syariah Penal Code Order, 2013.

However, having been convinced by the organizers that the purpose of the Special Lecture is specifically to give an understanding on the enforcement of the Syariah Penal Code Order, 2013 - Phase One and its relevancy to the power conferred upon the Attorney General, as Public Prosecutor under Article 81 of the Constitution of Brunei Darussalam, and its implementation to work hand-in-hand with the existing civil law, I place my faith in Allah Subhanahu Wata'ala and agreed to fulfil the organiser's wish. It is hoped that the little knowledge that I will share will achieve the objective of the organizers and benefit this distinguished audience.

Introduction

Ladies and gentlemen,

My Lecture will be in the following format:

Firstly, I will bring this audience to recall and comprehend some excerpts from His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam's *Titah* that relates to the implementation of syariah criminal law which reflects the long journey, His Majesty's vision and determination towards the enforcement of the Syariah Penal Code, 2013 which will come into force (Phase One) on 1st May 2014 as just declared by His Majesty.

Secondly, I will briefly describe the current criminal justice system of Brunei Darussalam.

Thirdly, I will talk about the criminal justice system and its process after the commencement date of 1st May 2014. Specifically for Phase One of the Syariah Penal Code Order, 2013, in particular the overlapping jurisdiction (offences whereby both civil courts and Syariah Courts having the same jurisdiction such as theft, robbery etc).

Fourthly, I will share some differences in respect of the standard of proof and punishment in the civil courts and the Syariah Courts.

Effective date

For the avoidance of doubt, the Syariah Penal Code Order, 2013 has been gazetted on 22nd October 2013 and as stated in the implementation schedule, enforcement will come into effect six months thereafter by phases.

Section 1(1) of the Syariah Penal Code Order, 2013 provides:

"This Order may be cited as the Syariah Penal Code Order, 2013 and shall commence on such date or dates to be appointed by the Minister of Religious Affairs, with the approval of His Majesty the Sultan and Yang Di-Pertuan, by notification published in the *Gazette*."

In this regard the commencement date for Phase One is 1st May 2014 as just declared by His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam. Alhamdulillah.

Brunei Darussalam Journey Towards Implementation:

(Excerpts of *Titah* of His Majesty)

Titah at the official opening of South East Asia and Pacific Muslim Youth Conference at Maktab Perguruan Ugama Seri Begawan on **18th March 1984**:

"Adalah menjadi hasrat Beta dan Kerajaan Beta untuk terus memelihara ajaran-ajaran Islam menurut Ahli Sunnah Wal-Jamaah sebagai suatu cara hidup dan landasan kepada pentadbiran Kerajaan Negara Brunei Darussalam – sesuai dengan kedudukan agama Islam sebagai agama rasmi Negara. Salah satu usaha yang sedang dilaksanakan oleh Kerajaan Beta pada masa ini ialah untuk mempersaingan undang-undang Negara dengan kehendak-kehendak hukum Islam dan hukum syarak. Usaha ini tidaklah dapat dilaksanakan dengan secepatnya kerana Negara Brunei Darussalam masih kekurangan dari segi tenaga manusia berkemahiran dibidang ini. Insya Allah Kerajaan Beta akan berusaha pada mendapatkan kemungkinan bantuan kepakaran termasuk latihan-latihan dibidang ini dari Negara Negara Islam yang telah berpengalaman."

Titah in conjunction with His Majesty 50th birthday at Balai Singgahsana Istana Nurul Iman, on **15th July 1996**:

*"Oleh itu, dengan rasa keimanan yang bulat terhadap peraturan dan undang-undang Allah, maka Beta telah memperkenankan penubuhan mahkamah-mahkamah syara'iah sehingga ketahap yang setinggi-tingginya, bagi menangani bukan sahaja pentadbiran undang-undang keluarga, malahan juga diketika yang sesuai dan munasabah akan juga mengendalikan **Qanun Jina'-I Islam** yakni **Islamic Criminal Act** selengkapnya, sebagaimana yang dituntut oleh Allah Subhanahu Wataala."*

Titah in conjunction with new 1422 Hijriah celebration on **25th March 2001**:

"Oleh itu, selaku Daulah Islamiah kita adalah sentiasa mengemaskan diri, dan ke arah ini, Kerajaan Beta pada masa ini sedang rancak bergerak menyesuaikan undang-undang Negara dengan kehendak-kehendak hukum syara'. Melalui Majlis Ugama Islam dengan kerjasama berbagai pihak termasuk Pejabat Peguam Negara, kita telahpun menyelesaikan beberapa buah undang-undang yang baru."

Titah at the Meeting of the Religious Council on **15th March 2011**:

"Pada hemat Beta, dengan kita mempunyai dua sistem perundangan dan dua sistem kehakiman, syarak dan sivil, adalah tiada masalah jika ia dikekalkan berjalan seiring. Yang sivil sahaja kita sudah banyak menyesuaikan dengan kehendak ugama, lagipun bukan semua sivil itu bertentangan dengan syarak. Mana-mana yang tidak bertentangan dengan syarak, kita kekalkan ia, sementara yang bertentangan sahaja kita sesuaikan dengan kehendak syarak."

"Dalam masa jika Brunei memiliki Undang-undang Jenayah syariahnya, ia juga boleh terus mengekalkan undang-undang yang sedia ada malah ia adalah mustahak, mengapa? Kerana ke arah pelaksanaan Undang-undang Jenayah Syarak itu bukanlah satu perkara yang mudah tetapi amat sukar, mengapa ianya sukar, kerana syarat-syaratnya terlampau ketat."

Titah at the Meeting of the Religious Council on **10th October 2011**:

"Beta tetap percaya, sebagaimana pernah Beta titahkan di persidangan Malis Ugama Islam Brunei Mac yang lalu, bahawa dua-dua sistem perundangan syarak dan sivil ini tidak ada masalah, kalau ianya berjalan seiring. Tambahan lagi kita ada cara yang cantik, iaitu mana-mana sivil yang bertentangan dengan syarak, akan disesuaikan dengan kehendak syarak. Disamping kita juga

memahami bahawa bukan semua sivil itu bertentangan dengan syarak.

Barangkali cara ini jarang ada dimana-mana. Jika ia benar, maka kitalah yang terulung."

*Titah at the Opening Ceremony of the International Seminar on Islamic Law 1432 Hijriah/2011 Masehi, on **12th October 2011** at BRIDEX International Conference Centre:*

"Kerana itu, Beta amatlah terpanggil tanpa sebarang keraguan, untuk melihat satu akta Undang-Undang Jenayah Syarak wujud dan dilaksanakan, disamping tidak menolak undang-undang biasa juga akan masih digunapakai.

Dalam makna, Akta Jenayah Syarak adalah diperlukan, sementara Akta sivil biasa, masih saja tidak diketepikan.

Dalam Persidangan Majlis Ugama Islam pada dua hari lepas, Beta ada menyebut tentang kerjasama di antara pihak Perundangan Islam dan Perundangan Sivil. Kedua-dua pihak ini telahpun menjalani kerjasama yang baik, dan kerjasama itu perlu diteruskan."

*Titah in conjunction with His Majesty 66th birthday on **15th July 2012:***

"Bersukut dengan 66 tahun keputeraan Beta ini, dengan segala kesyukuran, yang akan melepaskan kita semua terutama Raja, dari dituntut oleh Allah Ta'ala pada Hari Kandila kelak, maka Beta dengan nama Allah Yang Maha Pengasih lagi Maha Pemurah, setelah meneliti dan mendapat nasihat daripada Badan yang berkenaan, sukacita memaklumkan bahawa Beta telah memperkenankan Perintah Kanun Hukuman Jenayah Syariah untuk dilaksanakan di Negara ini, namun dalam pada itu, peruntukan sivil atau ta'zir atau seakan-akan ta'zir akan terus juga digunapakai mengikut keperluan."

Titah at the Opening Ceremony of Knowledge Convention 2013 in conjunction with His Majesty 67th birthday on **22nd October 2013**:

"Dengan izin Allah jua, Akta Perintah ini, pada hari ini 22 Oktober 2013 mula digazetkan dan akan mula berkuatkuasa enam bulan selepasnya secara berfasa."

Ladies and gentlemen,

If we closely examine the various excerpts of His Majesty's *Titah*, it is clear that the journey towards the implementation of the Syariah criminal law took a long time and His Majesty's vision made with such wisdom is for the country to have a unique penal code system which cannot be found in any other country, including the country who has already enforced syariah law, whereby both the Penal Code (Chapter 22) and the Syariah Penal Code Order, 2013 will be in force. The provisions for the Syariah Penal Code Order, 2013 shall be applied if conditions required by *syarak* are fulfilled. Otherwise the current Penal Code (Chapter 22) will continue to apply.

ENFORCEMENT: Phase One – 1st May 2014

Provisions under the Syariah Penal Code Order, 2013 to be enforced in Phase One:-

I was made to understand that the list of provisions that will be enforced were given to the audience by the Organising Committee and in order to save time, I will not read them one by one. Phase One covers the implementation of the provisions involving only fine and imprisonment.

To ensure that the provisions as listed are implemented efficiently after its enforcement, amendments to the existing laws have been approved as follows:

- 1) **Syariah Courts Act (Amendment) Order, 2014** – the amendment enhances the criminal jurisdiction of the Syariah Subordinate Courts and appeal jurisdiction to the Syariah High Court.

- 2) **Religious Council and Kadis Courts Act (Amendment) Order, 2014** – the amendment provides for the application of the Criminal Procedure Code (Chapter 7) and *Hukum Syara'* for criminal proceedings in the Syariah Courts before the criminal procedure code for Syariah Courts is completed.
- 3) **Syariah Courts Evidence (Amendment) Order, 2014** – the amendment is to update the current laws.

The enforcement of the Syariah Penal Code Order, 2013 opens a new chapter in the legal system of Brunei Darussalam which brings a unique challenge. The Penal Code (Chapter 22) is maintained and will continue to be enforced. This means that Brunei Darussalam have two criminal justice systems. Can it be implemented? I hope this explanation will make it clear on how an issue which appears to be difficult to implement can actually be solved.

Civil and Syariah Criminal Justice Systems of Brunei Darussalam

The objective of a justice system is for justice to be done. Laws need to be administered and implemented. Justice will not be achieved if it is not administered in a good, efficient, effective and fair manner. Therefore, legal and judicial institutions and appointment of officers who serve to administer and operate justice is crucial.

Brunei Darussalam civil and syariah criminal justice system consist of the following elements:

(a) Court

Civil Courts comprising of the Magistrate Court, Intermediate Court and High Court will hear and determine criminal cases such as murder, theft, robbery, rape, corruption, misuse of drugs etc. The Head of Judiciary is the Chief Justice, which is currently held by the Honourable Dato Seri Paduka Haji Kifrawi bin Dato Paduka Haji Kifli, who also hears cases in the High Court. Brunei Darussalam does not have a jury system. Criminal cases are heard before a judge or a magistrate except for cases carrying capital punishments which shall be heard by two High Court judges.

Criminal cases involving minors under 18 years of age will be heard by the Juvenile Court.

Syariah Court consists of Syariah Subordinate Court, Syariah High Court and Syariah Court of Appeal led by the Chief Syar'ie Judge, which is currently held by the Honourable Pehin Siraja Khatib Dato Paduka Seri Setia Dr. Ustaz Haji Awang Yahya bin Haji Ibrahim. Chief Syar'ie Judge is also the presiding Judge of Syariah Court of Appeal.

All criminal proceedings either in civil courts or Syariah Courts will be heard in an open court. However, members of the public will be excluded and proceedings will be heard in camera if it appears to the court that it is in the interest of justice to do so, for example when a rape victim is giving evidence.

(b) Prosecution

All prosecutions in civil courts are conducted in the name of the Public Prosecutor. The Attorney General is also the Public Prosecutor as provided in section 374 of the Criminal Procedure Code (Chapter 7). Under this section, the Public Prosecutor shall have the general direction and control of criminal prosecutions and proceedings. In accordance with the Constitution of Brunei Darussalam, the Attorney General being the Public Prosecutor shall have power to institute, conduct or discontinue any criminal proceedings except for cases heard before a Court Martial and the Syariah Court. In exercising the power, the Public Prosecutor shall not be subject to the direction or control of any person or authority. This freedom is crucial because the Public Prosecutor must protect public interest.

The Criminal Justice Division of the Attorney General's Chambers is responsible in carrying out the functions of the Public Prosecutor to conduct prosecutions in court. This Division works closely with other law enforcement agencies such as the Royal Brunei Police Force, Narcotics Control Bureau, Anti-Corruption Bureau, Immigration and National Registration Department and Royal Customs and Excise Department. Officers from the relevant enforcement agencies also conduct prosecutions on behalf of the Public Prosecutor in cases relating to their respective jurisdictions.

Prosecutions of criminal cases in the Syariah Courts are conducted by the Chief Syarie Prosecutor assisted by Syarie Prosecutors. Section 25(2) of the Syariah Courts Act (Chapter 183) authorises the Chief Syarie Prosecutor to exercise at his discretion the power to commence and carry out any proceedings for an offence before a Syariah Court. In the exercise of this power, the Chief Syarie Prosecutor shall not be subject to the direction or control of any person or authority.

(c) Investigations

Investigations of offences under the jurisdiction of civil courts are conducted by the law enforcement agencies such as Royal Brunei Police Force, Narcotics Control Bureau, Anti-Corruption Bureau, Immigration and National Registration Department and Royal Customs and Excise Department. Investigation Papers will be referred to the Public Prosecutor for evaluation and prosecution.

Investigations of offences under the jurisdiction of the Syariah Courts are conducted by Religious Enforcement Officers led by the Chief Religious Enforcement Officer. Investigation Papers will be referred to the Chief Syarie Prosecutor for evaluation and prosecution.

(d) Representation

Every accused person has the right to be defended by an advocate or solicitor who are admitted under the Legal Profession Act for civil courts, and as a syarie lawyer for Syariah Courts.

For cases that carry death penalty in the civil courts, legal aid will be given to the accused person who needs that assistance.

Questions of jurisdiction of Phase One.

The Syariah Penal Code Order, 2013 gives jurisdiction to the Syariah Courts to hear and determine the offences of criminal cases under that Order.

Currently, these are questions that are often asked: Where will the offences under this Order be reported? – the Police Station or the Religious Enforcement Office? Who will investigate these offences? – the

Police or the Religious Enforcement Officer? Who will prosecute the case? – the Public Prosecutor or Syar'ie Prosecutor? Which court will hear the case? – Civil Court or Syariah Court?

Criminal Justice System after 1st May 2014, Phase One.

In order to implement His Majesty's noble intentions and guided by His Majesty's *Titah* and current practices for criminal cases including those with overlapping jurisdiction, these can specifically be dealt with as follows:

A. If the offences do not overlap (Offences under the jurisdiction of Syariah Courts only)

(i) Complaints

Complaints of cases involving offences only within the jurisdiction of the Syariah Courts such as failure to perform Friday prayer, disrespecting month of Ramadhan, close proximity, indecent behaviour, worship and propagation of religion other than Islam will be made to the Religious Enforcement Office.

(ii) Investigation

Investigation of cases mentioned above will be made by the Religious Enforcement Office with the assistance of the Police and other law enforcement agencies if required.

(iii) Evaluation of evidence

After conducting the investigation, the Investigation Paper will be forwarded for evaluation by the Chief Syar'ie Prosecutor with the assistance of the Public Prosecutor, if required.

(iv) Prosecution

Where there is sufficient evidence for prosecution after evaluation, the prosecution will be made by the Syar'ie Prosecutor with the assistance of the Deputy Public Prosecutor, if required.

(v) Trial Court

The case will be heard before Syariah Subordinate Courts or the Syariah High Court, subject to their respective jurisdictions.

B. For overlapping offences (Offences under the jurisdiction of both Syariah Courts and civil courts)

(i) Investigation

Investigation of cases involving offences within the jurisdiction of Syariah Courts and civil courts such as theft, robbery, murder, causing hurt and rape, as it is now, will be reported to and investigated by the Royal Brunei Police Force with the assistance of other law enforcement agencies, if relevant.

(ii) Evaluation of evidence

After conducting the investigation, the Investigation Paper will be submitted for evaluation by the Public Prosecutor with the assistance of the Chief Syar'ie Prosecutor if required. Assessment will be made whether there is sufficient evidence to prove the offences under the Syariah Penal Code Order, 2013 or if the suspect wishes to make a confession by *iqrar* in accordance with the Syariah Courts Evidence Order, 2001 and the criminal procedure code for Syariah Courts. In such case, the case will be transferred to the Syariah Courts for prosecution by Syar'ie Prosecutors with the assistance of Deputy Public Prosecutors, if required. Otherwise, the prosecution will continue under the Penal Code (Chapter 22) in civil courts.

Explanation

Ladies and gentlemen,

Based on the intentions and *Titah* of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam, the perception of others that the Penal Code (Chapter 22) has been repealed is inaccurate.

The Syariah Penal Court Order, 2013 will apply if the conditions required by syarak are fulfilled, which, we are given to understand have a very high standard of proof which is beyond any doubt.

Therefore, the initial process of investigation and prosecution for overlapping crimes available in both the Penal Code (Chapter 22) and the Syariah Penal Court Order, 2013 will continue as it is. Initial assessment

will be made to determine the appropriate court so that a person will not be tried twice for the same offence (double jeopardy).

Concurrent jurisdiction between the civil courts and the Syariah Courts has long existed in Brunei Darussalam. It is now important to enhance that system of justice with the coming into force of the Syariah Penal Code, 2013.

Challenges

Ladies and gentlemen,

In order for the implementation of the Syariah Penal Code, 2013 to succeed, the agencies involved such as the Courts, Attorney General's Chambers, Syari'e Prosecution Section, Royal Brunei Police Force, Religious Enforcement Section, Prisons Department and legal practitioners should have the knowledge, understanding, discipline, integrity and adequate preparation in various training including the practical training in implementing the punishment and the appropriate infrastructure. I was made to understand that the management of Syariah Courts have prepared a five years (2013 – 2017) plan to strengthen the Syariah Courts. An extensive dissemination regarding the Syariah Penal Code, 2013 was also organised and I am informed, it will continue. It is very challenging to provide answers to general and hypothetical questions since we have yet to have cases brought to court under the Syariah Penal Code, 2013 and hence there are no court judgement that can be used as our guideline. It is the judge who will decide on the case in accordance with the evidence submitted by the prosecutor and in accordance with *Hukum Syara'*.

Besides that, every case is subjected to the judicial process and due process of law will continue. The principle that someone is innocent until proven guilty will continue. Even in instances when a person is adjudged guilty or not guilty by the members of the public in the coffee shops or social media, the process of justice will continue until a person is proven guilty or not guilty by the court.

The Differences Between Syariah Criminal Law and Civil Criminal Law.

Allow me to relate briefly the differences between the civil criminal law and the syariah criminal law. This matter was discussed in detail in the book "Syariah Criminal Code: An Introduction" by the Honourable State Mufti. For me personally as a legal practitioner, with the experience as a prosecutor and a judge in the civil courts, there are three clear distinctions that impressed me and my fellow civil law practitioners, that are absent in the civil courts.

First, the witnesses who give the statements in *hudud* and *qisas* cases must be righteous (ADIL) and their statements must not contradict each other. RIGHTEOUS (ADIL) means he has not committed major sins and does not continue committing minor sins. For a rape case there must be four RIGHTEOUS (ADIL) witnesses.

Another notable difference is that the Syariah Penal Code Order, 2013 emphasised the victim's rights or the victim's heir. For example in a murder case. The penalty for murder in both the civil and syariah Penal Code is the same, that is death. However in the Syariah Courts before this punishment is carried out, the victim's heir or *wali-ad-dam* can forgive *qisas* or retaliation to the convicted person either by compensation (*diyat*) or not. The Court or the Government cannot interfere.

Third, the manner in which whipping or caning is carried out. We are aware and I myself, during a working visit to the Prisons Department witnessed the demonstration as to how whipping and caning was carried out. The cane was swung with extreme force. Very scary indeed! It is not surprising, when I was a judge at the civil courts, offenders pleaded for the whipping sentence to be replaced by a long prison sentence. However, the Honourable State Mufti explained that for whipping or caning in Syariah, it suffices that the hand is raised slowly and does not pass the head and the caning on the back must be done evenly, not just on one area. The purpose is to educate and teach.

It would be much better, if we, as well as the outside community can understand these differences. Instead of focusing on the punishment, we should focus on the evidential process which is extremely difficult and stringent under the syariah criminal law.

The punishment acts as a tool and is not the aim of the Syariah criminal law.

Conclusion

Ladies and gentlemen,

In conclusion, it is my opinion, no one disputes the Syariah criminal law and the noble wishes and duties of His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam who loves his people and is loved by his people, to carry out the responsibilities as an *Ulil Amri* (Head of Religion). Who are we to oppose Allah's command.

However, in terms of its implementation, citizens and residents of Brunei Darussalam as well as those abroad will have their eyes on us particularly on those who are entrusted to execute it. We pray, with *tawakal* and conviction, for the implementation to be executed with great wisdom, fairness and just by the parties involved taking into account the security and interest of the Nation and its people. As also explained by the Honorable State Mufti in the "Syariah Criminal Code: An Introduction", the Syariah criminal law emphasises deterrence rather than punishment and applies the concept of enjoining good and forbidding evil (*amr ma'ruf and nahy mungkar*), a concept leading towards the softening of the heart rather than carrying out punishment.

The close cooperation among the investigation officers which consist of the law enforcement agencies has always existed and will continue to exist. Similarly, cooperation between prosecutors of the Attorney General's Chambers and Syarie prosecutors is not something new. The Attorney General's Chambers has been providing trainings to the Syarie prosecutors on prosecution procedures over the past years. This cooperation will be intensified to strengthen the competency of the parties involved in the implementation of the Syariah Penal Code Order, 2013. I encourage all my fellow civil law practitioners to understand the Syariah criminal law, as truly our common objective is similar, which is to preserve the peace of our country.

The Chief Syarie Judge of Brunei Darussalam, the Honourable Pehin SiRaja Khatib Dato Paduka Seri Setia Dr Ustaz Awang Haji Yahya bin Haji Ibrahim stated during the Conference on Syarie Judges and Syariah Law officers on 4th April 2014:

“The existence of Syariah Penal Code Order, 2013 would definitely pose a big challenge to the Syariah Courts especially to the Syarie Judges. These are great duties and responsibilities which need to be undertaken with complete faith as well as comprehensive and intensive preparations.”.

As has been foreseen, several negative perceptions and examples attributed to incidents of injustice or victims of cruelty which *wallahu’alam* we do not even know its authenticity, has been linked to us, at the time when we are just about to commence the implementation of the Syariah Penal Code Order, 2013 in phases. Nevertheless, we should all take this as a lesson and reminder to us.

Insya-Allah His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam who is always caring and attentive to the welfare of his people will not allow such incidents of cruelty and injustice, which is claimed to have occurred in other places, from happening in Brunei Darussalam and the process of justice, which has always been maintained in Brunei Darussalam, will continue in accordance with the laws, be it in the civil courts or the Syariah Courts.

His Majesty the Sultan and Yang Di-Pertuan of Brunei Darussalam on **15th Mac 1984**, delivered his *Titah* during the official opening of Brunei Darussalam High Court:

* “We shall *strive* tirelessly as far as we can to ensure that the Rule of Law is always preserved and the fair and free administration of justice is always protected. InsyaAllah, in such way, Brunei Darussalam will continue to prosper in harmony for the everlasting welfare of its citizens and the people.”

Your Majesty,

With great respect I conclude my Special Lecture.

وبالله التوفيق والهداية ، السلام عليكم ورحمة الله وبركاته

* Excerpt from the Honourable Attorney General's Speech delivered at the Opening of Legal Year 2014.