



BAR COUNCIL LEGAL AID SCHEME

ROLE AND FUNCTION OF THE BAR COUNCIL LEGAL AID CENTRES

The Bar Council Legal Aid Centre (“LAC”) is established and administered by the Bar Council with one or more branches in each State. The primary purpose of the LAC is to run the Bar Council Legal Aid Scheme which is established by the Bar Council under section 42(1)(g) and (h) of the Legal Profession Act 1976.

There are **15 Bar Council Legal Aid Centres** throughout Peninsular Malaysia.



HISTORY



The booming industrialisation of Malaysia — in particular, in Penang — led to rife exploitations of the everyday worker, and worse still, the seemingly lack of solutions to help those parties. The desperate situation led to the establishment of the Penang Legal Advisory Centre (“PLAC”) in 1980 by individuals who felt called to provide assistance to the affected persons.

FACTS & FIGURES

Year	2016	2017	2018	2019	2020	2021	2022
No. of clients handled:	19,644	16,282	14,776	13,307	6,285	1,685	6,642

**Legal Aid efforts were hampered from 2020-2021 by the Covid-19 Pandemic*

15 BCLACs in Peninsular Malaysia

+/- RM2.1 million annual budget

+/- 1,000 volunteer lawyers



OUR PROGRAMMES AND ACTIVITIES



**OFFICIAL LAUNCH OF THE THAI CITIZENS
LEGAL AID SCHEME ("T-CLAS") (1 MAR 2019)**



**OFFICIAL LAUNCH OF THE REFUGEES AND
ASYLUM-SEEKERS' LEGAL AID SCHEME
("RALAS") BY BAR COUNCIL AND UNHCR
MALAYSIA (4 JULY 2019)**



**DISASTER LEGAL ASSISTANCE
PROGRAMME
(27 DEC 2021 TO 31 JAN 2022)**



**LEGAL AID PROGRAMME WITH CHILD INMATES
AT ASRAMA AKHLAK PAYA TERUBONG,
PENANG (19 AUG 2022)**

OUR PROGRAMMES AND ACTIVITIES



FREE LEGAL AID CLINIC AT PERKAMPUNGAN SUNNAH, PERLIS (19 TO 21 APR 2019)



LEGAL AID PROGRAMME WITH THE PUBLIC: "LAWYER KLA TE CAKNO KO RAKYAT" (24 SEPT 2022)



LEGAL AID & LAW AWARENESS CAMPAIGN 2022 AT MAHKOTA PARADE SHOPPING CENTRE, MELAKA (1 & 2 OCT 2022)



YBGK TRAINING IN KELANTAN (29 JAN 2023)

CHALLENGES



FACTS & FIGURES

No. of persons assisted at arrest	No. of persons assisted at remand	No. of persons assisted at mitigation/bail	No. of persons assisted at hearing	Total
32,002	1,205,096	644,248	32,515	1,913,861

As at April 2012 to December 2022

**As of 23 Mar 2023, there are 2,323 active YBGK lawyers
(roughly 10.4% of the whole membership)**





MOVING FORWARD

To establish a comprehensive National Legal Aid Scheme covering both the civil and criminal justice system.

The comprehensive National Legal Aid Scheme should cover all Malaysian citizens, and migrants, refugees and asylum-seekers, and stateless persons.

PROPOSED NEW ACT TO PROVIDE WHOLISTIC COVERAGE FOR LEGAL AID SERVICES

- Setting up of a Legal Aid Commission (similar to Human Rights Commission)
 - It is also proposed that the new Act be called the Access To Justice Act.
-

PROPOSED MEMBERS OF THE COMMISSION

- (a) a judge of the High Court nominated by the Chief Justice;
- (b) the Principal Secretary in the Ministry for the time being responsible for matters relating to law or his/her representative;
- (c) the Principal Secretary in the Ministry for the time being responsible for matters relating to finance or his/her permanent representative;
- (d) the Principal Secretary in the Ministry for the time being responsible for the Ministry of Women, family and community development or his/her representative;
- (e) the Director of Public Prosecutions or his representative;
- (f) one person nominated by Bar Council Malaysia;
- (g) one person nominated by Advocates Association of Sarawak;
- (h) one person nominated by the Sabah Law Society;
- (i) one person nominated from the differently abled community; and
- (j) one person nominated by the Malaysian Trade Union Congress.

OBJECTS OF THE COMMISSION

The objects of the Commission shall be to provide legally aided persons:

- (a) legal advice
- (b) legal assistance may be provided by the commission by engaging the private legal practitioners who shall be paid by the commission based on the scheme of payment as approved by the Commission
- (c) such other assistance as may be necessary for the conduct of the legal proceedings

GENERAL PRINCIPLES OF LEGAL AID

(1) The Commission shall provide legal aid services at the expense of the State to persons who qualify for legal aid services under this Act.

(2) The Commission shall provide legal aid services in—

- (a) civil matters;
- (b) criminal matters;
- (c) children matters;
- (d) constitutional matters;
- (e) matters of public interest; or
- (f) any other type of case or type of law that the Commission may approve.

LEGAL AID FUND

(1) The Act shall also provide for the establishment of a Legal Aid Fund for this purpose which shall vest in and be managed by the Commission.

(2) The Fund shall consist of —

(a) moneys allocated by Parliament for the purposes of the Commission;

(b) any grants, gifts, donations, loans or other endowments given to the Commission;

such funds as may vest in or accrue to the Commission in the course of the exercise of its powers or the performance of its functions under this Act; and moneys from any other lawful source accruing to the Fund.



THANK YOU