



MOTION TO ADDRESS TOUTING, SOLICITATION AND UNETHICAL PRACTICES IN CRIMINAL PRACTICE AT KLANG COURT

Proposed by Komathi A/P Arunasalam (BC/K/892)

Seconded by Fatin Syaza Irdina Binti Muhamad Eddin Syazri (BC/F/988)

Dated: 13th February 2026

WHEREAS:

1. There are ongoing concerns regarding monopolisation practices within criminal proceedings at the Klang Court, which undermine fair access to work and create significant difficulties for other practitioners.
2. It has been observed that certain law firm personnel and individuals loiter within the vicinity of the Court under the pretext of assisting counsel but are frequently seen engaging members of the public in discussions suggestive of solicitation.
3. During remand proceedings, disputes have arisen among lawyers regarding representation of arrested persons, causing disruption to court proceedings and embarrassment to the profession.
4. There are allegations that certain lawyers personally engage in toutting activities, including obtaining remand lists from court staff prior to proceedings, approaching arrested persons upon obtaining such lists, whether through court staff or the e-filing system, and taking statements or securing appointments before family-appointed counsel can act. Such conduct results in monopolisation of remand matters and places other duly appointed lawyers at a disadvantage, often leading to conflict in open court.
5. Despite complaints lodged by members, there appears to be insufficient supervision and enforcement by the Selangor Bar Committee in addressing these issues.
6. It is further observed that the same law firms or lawyers frequently appear in remand matters on a daily basis, raising concerns regarding fairness, transparency, and equitable distribution of work.



7. Lawyers appointed under Yayasan Bantuan Guaman Kebangsaan (YBGK) are reportedly deprived of opportunities to represent unrepresented accused persons due to the prevalence of touting and monopolisation practices.

PROPOSED RESOLUTIONS:

1. An Independent Task Force, comprising members who are not criminal practitioners, be established to investigate the allegations and to produce a formal report with recommendations.
2. The Selangor Bar Committee should not directly head the investigation, in order to ensure transparency, independence, and to avoid any perception of bias or favouritism.
3. Appropriate security measures, including the placement of police personnel in the vicinity of the Klang Court (similar to arrangements at the Kuala Lumpur Court Complex), be implemented to curb touting and solicitation.
4. A systematic reform of procedures at Klang Court be undertaken, and engagement be initiated with the Sepang Court to adopt best practices and regulatory safeguards.
5. Access to the remand room prior to proceedings be restricted strictly to lawyers who hold a valid Warrant to Act or produce a Remand Appointment Form duly executed by the arrested person or a family member. Such Warrant to Act or Remand Appointment Form must be submitted to the Magistrate or the relevant court officer prior to the commencement of proceedings, and must be executed at least one (1) hour before 9:00 a.m. to evidence proper appointment.
6. Any arrested person without representation supported by a Warrant to Act or duly executed Remand Appointment Form shall be deemed unrepresented, and YBGK counsel shall immediately be assigned to represent such person.
7. A formal Practice Direction be implemented at Klang Court and, where appropriate, extended to all Courts within Selangor, in consultation with the Judiciary, to ensure uniform enforcement of these regulatory measures.