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Research Management Unit
Universiti Teknologi MARA Cawangan Kedah

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Embracing New Horizons: A Fresh Start for 2025



As we stand at the threshold of a new year, I welcome you to RMU4U Third Edition (January 2025). The start of a new year symbolizes renewal, an opportunity to recalibrate our aspirations and refresh our collective commitment to academic excellence, research endeavours, and impactful scholarly contributions.

The year 2024 saw significant progress within our academic and research community. It was a testament to the passion, perseverance, and creativity of all members of the UiTM Kedah family. As we reflect on those accomplishments, let us also look ahead with determination to elevate our efforts in research, publication, and innovation. Let 2025 be the year we chart new pathways for discovery and collaboration, bringing our work to greater heights.

This year, I encourage all of us to reaffirm our scholarly goals by setting clear, measurable targets for research outputs, impactful writings, and knowledge sharing, aiming to contribute meaningfully to society both locally and globally. Let us strengthen research collaborations by building networks across disciplines, faculties, and institutions to foster cross-disciplinary solutions to real-world challenges. At the same time, we must focus on innovation by exploring new ideas, embracing digital tools, and pioneering creative solutions that align with global trends and local needs. Above all, let us support each other by sharing expertise, mentoring the next generation, and collaborating to overcome challenges, creating a thriving research ecosystem where everyone uplifts one another.

Let this be a year where we balance ambition with reflection, passion with purpose, and innovation with impact. The Research Management Unit (RMU) remains steadfast in supporting your research journey through resources, platforms, and opportunities for growth.

As we embark on this new chapter, I wish each of you the strength to pursue your aspirations and the resilience to overcome any obstacles. Together, let us make 2025 a year of breakthroughs, achievements, and shared successes.

Here's to a productive and inspiring year ahead.

Sincerely,

Prof. Dr. Roshima Said

Acting Rector, UiTM Kedah



A Message from the Chief Editor

Dear Readers,

I am pleased to announce the return of the RMU4U Bulletin with Volume 3, showcasing a diverse array of academic inquiries and professional perspectives across multiple themes. This edition continues our commitment to facilitating intellectual exchange and presenting research that engages with contemporary issues.

In this volume, the Law & Policy theme stands out with the highest number of contributions, featuring 14 papers that explore significant aspects of governance, justice, and societal well-being. These papers highlight the role of legal frameworks and policies in addressing current challenges and contributing to societal development.

Highlighted works include topics such as "Enhancing Access to Justice: The Role, Challenges, and Future of Small Claims Courts in Malaysia" and "Environmental Public Interest Litigation: Broadening Locus Standi to Safeguard Collective Interests," which examine the evolving landscape of legal rights and public interest. Additional discussions, such as "Alternative Dispute Resolution (ADR) in Islamic Banking and Finance in Malaysia" and "Balancing Nature and Faith: Protection and Conservation of Water Resources from the Perspective of Islamic Law," shed light on the interplay between ethics, faith, and law in addressing societal challenges.

In addition to the focus on Law & Policy, this issue covers a range of topics that contribute to understanding innovation and societal change. Articles such as "AI-Driven Recommendations in Mobile Shopping Apps, Podcasts, Animations & Gen Z: Revamping Organizational Behavior Learning, and The Role of Social Media in Shaping Islamic Entrepreneurship" explore the intersections of technology, education, and culture in today's world.

This edition represents the collaborative work of our contributors, whose insights and expertise have shaped the content of this bulletin. We encourage readers to engage with these ideas and consider their implications for further research and practical applications.

I would like to thank the authors, reviewers, and editorial team members who made RMU4U Bulletin Volume 3 possible. We hope this publication serves as a resource for understanding key issues and inspires further exploration.

Thank you for being part of this endeavor. Let us continue to learn and exchange ideas

Warm regards,

Dr Azyyati Anuar
Chief Editor, RMU4U E-Bulletin



ENHANCING ACCESS TO JUSTICE:

THE ROLE, CHALLENGES, AND FUTURE OF SMALL CLAIMS COURTS IN MALAYSIA

Salmah Roslim & Nur Irinah Mohamad Sirat

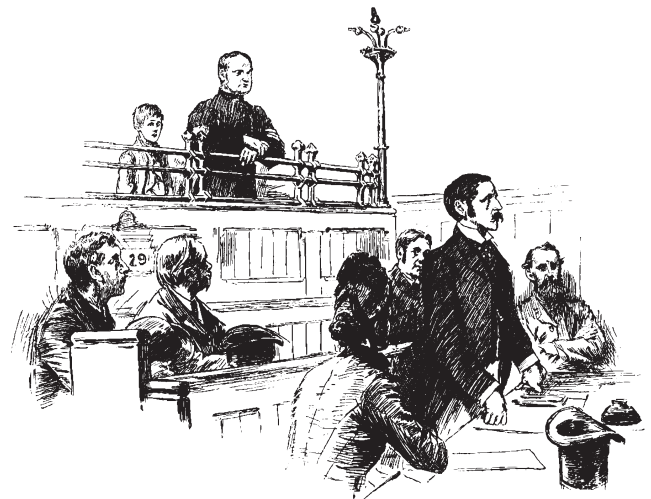
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Small Claims Courts are designed to offer a straightforward and budget-friendly way for people to resolve minor disputes, especially those involving small amounts of money, without navigating the complexities of traditional legal procedures or incurring high costs. These courts focus on everyday issues such as disagreements over contracts, unpaid bills, or disputes between consumers and businesses. They provide a simple, efficient process that allows individuals to present their cases without needing a lawyer. The primary aim of Small Claims Courts is to ensure that justice is accessible and affordable, removing financial and procedural hurdles that might otherwise prevent people from pursuing legal solutions.

Establishing the Small Claims Court in Malaysia reflects a broader trend observed in various jurisdictions to enhance access to justice. The court's design allows individuals to pursue claims without the need for legal representation, which is particularly beneficial for those who may not have the financial means to engage in lengthy and costly litigation processes (Niblett & Yoon, 2017). This accessibility ensures that justice is not solely reserved for those with substantial resources, thus promoting a more equitable legal environment (Niblett & Yoon, 2017).



The Small Claims Court is purposefully designed to address minor disputes, providing a straightforward and cost-effective avenue for individuals and small businesses to resolve conflicts without the need for expensive legal processes. In Malaysia, the jurisdiction is limited to monetary claims of up to RM5,000, as stipulated under the Subordinate Courts Act 1948. This cap ensures the court focuses on manageable cases such as unpaid debts, consumer complaints, and contract breaches while excluding more complex matters like criminal law, family disputes, or claims exceeding the monetary threshold.

What sets the Small Claims Court apart is its emphasis on accessibility. Its simplified procedures and informal structure make it easier for ordinary citizens to navigate, and the general prohibition of legal representation further reduces costs and complexity for claimants and defendants. This carefully defined jurisdiction highlights the court's vital role in enhancing access to justice, particularly for underserved communities and small enterprises seeking an affordable solution to their grievances.

The procedures in the Small Claims Court are specifically designed to be simple and accessible, ensuring that even individuals without legal expertise can navigate the process with ease. The process begins with the claimant filing a statement of claim and the necessary supporting documents at the appropriate court, which manages these cases under relevant legislation. Following the filing, the defendant is notified and must respond within a specified timeframe. If the defendant fails to respond, the court may issue a default judgment in favour of the claimant (Pujiyono et al., 2021).

Moreover, the emphasis on mediation and negotiation aligns with broader trends in alternative dispute resolution (ADR), which aim to reduce the burden on courts while providing parties with more control over the decision of their disputes. Studies have shown that mediation can lead to higher satisfaction rates among parties since it allows for more flexible and tailored solutions than traditional litigation (Chen & Lin, 2010). By streamlining these steps, the Small Claims Court offers an effective and affordable alternative for resolving disputes quickly, making it particularly beneficial for individuals and small businesses.

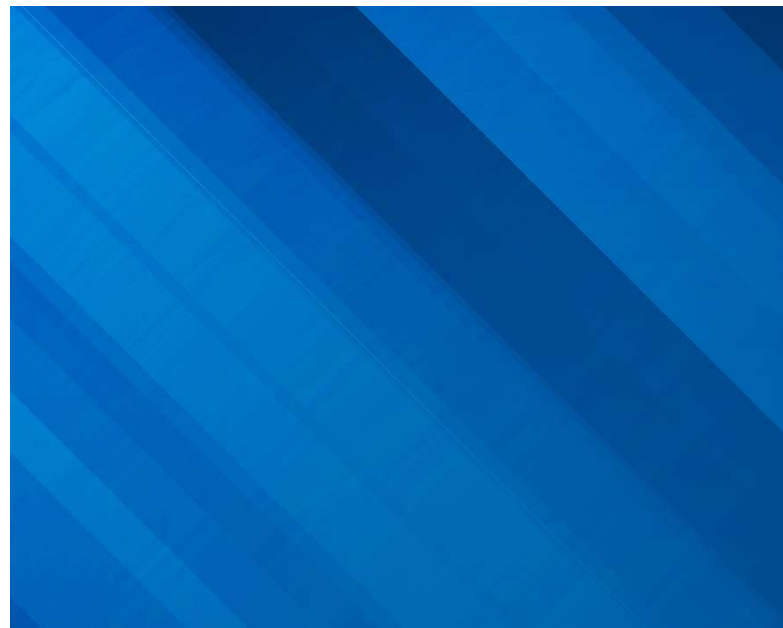
The structure of the Small Claims Court is designed to facilitate access to justice by streamlining the litigation process. By allowing individuals to represent themselves, the court reduces the costs of hiring legal counsel, which can be prohibitively expensive for many (Ismail & Osman, 2019). This affordability ensures that justice remains within reach for individuals and small businesses, removing the financial barriers that often deter people from pursuing traditional litigation.

Moreover, the court's simplified procedures and informal hearings allow for quicker resolutions, making it an ideal choice for those seeking timely redress. Additionally, by handling minor cases, the Small Claims Court significantly reduces the caseload of higher courts. This alleviation enables the judiciary to allocate resources more efficiently and concentrate on complex matters that require more in-depth legal analysis. The streamlined processes of the Small Claims Court ensure that minor disputes are resolved quickly, which is essential for maintaining the effectiveness of the legal system as a whole. This efficiency is crucial in preventing the backlog of cases in higher courts, allowing them to focus on more significant legal issues that demand greater judicial scrutiny.



The Small Claims Court, though undeniably beneficial, faces several challenges that can hinder its overall effectiveness. A notable limitation is its monetary jurisdiction, which is capped at RM5,000 in Malaysia. This cap often excludes cases that, while not excessively large, surpass the threshold but are still too minor to justify the costs associated with full-scale litigation. Another significant issue lies in the enforcement of judgments, as claimants frequently encounter difficulties in collecting payments from defendants who fail to comply with court orders. Urban courts also grapple with overcrowding, causing delays and compromising the court's goal of offering swift resolutions. Furthermore, while the absence of legal representation helps to minimise costs, it can unintentionally put some individuals at a disadvantage, particularly those who may need more confidence or ability to effectively present their case, especially when faced with a more prepared or articulate opponent.

Addressing these challenges requires key steps to ensure the Small Claims Court can operate at its full potential. Raising the monetary limit to better align with current economic realities is essential, as it would allow the court to handle a broader range of cases without excluding disputes that exceed outdated thresholds. Strengthening mechanisms to enforce judgments is equally essential, ensuring claimants can recover payments from non-compliant defendants effectively. In addition, well-designed public awareness campaigns can play a crucial role in helping individuals and small businesses better understand the court's processes and benefits. By providing clear and accessible information, these efforts can encourage more people to use the court effectively and take full advantage of its services. Together, these measures can enhance the court's accessibility and efficiency, solidifying its role as a practical solution for resolving disputes.



In conclusion, the Small Claims Court in Malaysia is a vital resource for resolving minor disputes practically and affordably. By prioritising accessibility and simplicity, the court enables individuals and small businesses to address straightforward issues, such as consumer disputes and minor contractual disagreements, without the burden of lengthy litigation or costly legal representation. Its streamlined processes, informal hearings, and emphasis on mediation make it an essential avenue for those seeking timely and cost-effective justice.

However, certain challenges, including the limited monetary threshold, difficulties in enforcing judgments, and delays in high-demand urban courts, highlight areas for improvement. To enhance the court's efficiency, reforms such as increasing the monetary cap, improving enforcement mechanisms, and promoting public awareness are critical. These measures would ensure that the court continues to fulfil its role as a cornerstone of Malaysia's legal system. By addressing these challenges, the Small Claims Court can unlock its full potential as a fair, accessible, and effective platform for resolving disputes.

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