Chapter 9

E-Government Initiative: Key Functions of Electronic Records Management Requirements in the Malaysian Judiciary

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ABSTRACT
Vision 2020 was launched by the Malaysian Government in 1992 with the aim to turn Malaysia into a developed country by 2020 while retaining its social strengths. A number of E-Government initiatives were introduced and implemented in phases. Most of the public services are now delivered electronically via e-Government applications. In the legal environment, two main initiatives were brought into existence with the name of E-Court and E-Shariah. They change the way judicial administration operates where most of the transactions were performed using technologies. This chapter presents the current status of technology use in the court environment. It also highlights various international and national requirements and best practices of Electronic Records Management and Court Management. These requirements and best practices are important to protect the reliability, accuracy, authenticity and the trustworthiness of electronic records as evidence. Finally, it provides a comprehensive description of the key functions of electronic records management requirements as one of the ways to improve the operations of managing electronic records in the Malaysian Judiciary.

INTRODUCTION
Vision 2020 articulates an economy taking full advantage of knowledge and high technology industries. It aims to build a fully developed, mature, balanced society and knowledge-rich Malaysia by 2020. The scope of e-Government includes 28 federal ministries, 219 federal departments and federal statutory bodies, 346 state departments and state statutory bodies, and 142 local government authorities, with about 900,00 employees. E-Government governs the relationship between government, businesses and citizens. The vision of e-Government is to transform the administrative
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process and service delivery through the use of Information Communication Technology (ICT) and multimedia. For this purpose, the Malaysian Administrative and Modernization Planning Unit (MAMPU) was established as the catalyst and change agent in the public service. Its role is to introduce, promote and evaluate new initiatives in the administration and delivery system of the country; plan, devise, coordinate and assess the implementation of ICT development in the public sector; consult to ensure the structure, system, work procedures and implementation of ICT development are in line with efforts to improve the Government’s delivery system; and facilitate the modernisation program to synergise knowledge, expertise and resources from public, private and non-government organisations (NGOs) so that the public sector is modernised and transformed. Figure 1 illustrates the concept of e-Government in Malaysia.

Current e-Government projects are e-services, e-procurement, Generic Office Environment (GOE), Project Monitoring System (PMS), Human Resource Management Information System (HRMIS), Electronic Labour Exchange (ELX), e-Shariah, e-Courts and e-Land. Eventhough conversion to electronic system would increase intangible costs that include compliance with new regulations and legislations, they are intangible savings as well such as improved workflows and enhanced security that offset these costs.

According to Aliza (2002) the trustworthiness and integrity of records in the electronic form are always questioned due to the lost or missing documentation in recordkeeping procedures. The controls of managing records in paper form fail to be regulated in the electronic environment, as information systems created by non-records professionals fail to capture the necessary information needed in providing the evidence in the organization.

Various models and framework such as Business-Driven Recordkeeping Model (INTERPARES, 2002), Model of High Level Functional Requirements for ERM (ICA, 2008), Trust Model of Record’s Life Cycle (LongRec, 2010), and Trusted Electronic Records Management Framework (Aliza, 2010) suggests that the systematic recordkeeping functional requirements is necessary to be complied by all organizations in order to manage the electronic records effectively. This view is supported by several studies which revealed