

D197

R E174 ENG MES
MAHATHIR-DADAH
BM

KUALA LUMPUR, JAN 25⁹⁰ (BERNAMA) -- THE GOVERNMENT WILL STUDY THE DANGEROUS DRUGS (SPECIAL PREVENTIVE MEASURES) ACT TO CLEAR +ADMINISTRATIVE PROBLEMS+ RELATING TO ITS IMPLEMENTATION, DATUK SERI DR MAHATHIR MOHAMAD SAID TODAY.

THE GOVERNMENT WAS PREPARED TO RECTIFY ANY MATTER WHICH MIGHT BE AN ADMINISTRATIVE OVERSIGHT, THE PRIME MINISTER TOLD REPORTERS AFTER OPENING THE NATIONAL SMALLHOLDERS ASSOCIATION BIENNIAL GENERAL MEETING HERE.

DATUK SERI DR MAHATHIR, WHO IS ALSO HOME MINISTER, WAS COMMENTING ON THE SPATE OF HIGH COURT APPLICATIONS BY DETAINEES FOR A WRIT OF HABEAS CORPUS TO OBTAIN RELEASE FROM DETENTION.

IN A NUMBER OF SUCH CASES RECENTLY, THE HIGH COURTS ORDERED THE RELEASE OF DETAINEES AFTER RULING THAT THEIR DETENTION WAS ILLEGAL BECAUSE THE ORDER OF DETENTION SIGNED BY THE HOME MINISTER DIFFERED FROM THE DATE WHEN DETENTION WAS ENFORCED.

HE SAID SUCH MISTAKES WERE AN OVERSIGHT AND THE ACT WAS IMPLEMENTED IN GOOD FAITH.

+IF THERE ARE MISTAKES SUCH AS THE DATE OR OTHER MINOR MATTERS SUCH AS THE PLACE OF DETENTION, ALL THESE CAN BE USED AS THE BASIS FOR A WRIT OF HABEAS CORPUS,+ HE ADDED. -- MORE
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HE SAID: +SOMETIMES IT APPEARS THAT SMALL MISTAKES WHICH OCCUR IN THE COURSE OF ADMINISTRATION CAN BE USED TO FREE AN INDIVIDUAL FROM LEGAL ACTION.+

THE PRIME MINISTER SAID THAT IN LIGHT OF SUCH SITUATIONS IT WAS NECESSARY FOR THE GOVERNMENT TO IMPROVE ITS MACHINERY SO THAT SUCH MISTAKES DID NOT RECUR.

HE DECLINED TO SAY WHETHER THE GOVERNMENT WOULD ISSUE FRESH ORDERS TO RE-DETAIN SUCH PEOPLE.

ON CLAIMS THAT SENIOR PRISON OFFICERS HAD RECEIVED GRATIFICATION IN THE FORM OF WOMEN AND MONEY FROM PRISONERS WHO HAD ESCAPED, DATUK SERI DR MAHATHIR SAID THE MATTER WAS RAISED DURING HIS WEEKLY MEETING WITH THE SECRETARY-GENERAL OF THE HOME MINISTRY DATUK WAN SIDEK ABDUL RAHMAN.

HE SAID SO FAR HE HAD NOT HELD ANY MEETING WITH PRISON OFFICERS ON THE MATTER. -- MORE
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CLAIMS OF SUCH IRREGULARITIES WERE MADE BY FORMER ACTING DIRECTOR OF THE PULAU PINANG PRISON HAJI ZAINAL ABIDIN MOHAMED NOOR RECENTLY.

DATUK SERI DR MAHATHIR SAID THE GOVERNMENT WILL MAKE A COMPREHENSIVE STUDY OF THE CLAIMS AND, IF THEY WERE FOUND TO BE TRUE, AN INVESTIGATION WOULD BE CARRIED OUT.

IF NECESSARY HAJI ZAINAL ABIDIN WOULD BE ASKED TO GIVE EVIDENCE, THE PRIME MINISTER ADDED.

HE NEVERTHELESS DID NOT DISCOUNT THE POSSIBILITY OF SUCH HAPPENINGS.

IF CASES SUCH THE ONE RELATING TO ABDULLAH ANG (WHO RECEIVED SPECIAL TREATMENT WHILE IN PRISON) COULD OCCUR, OTHER THINGS WERE ALSO LIKELY, HE ADDED. -- BERNAMA
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