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Lim: A-G has misused powers of prosecution

ATTORNEY-General Tan Sri Mohtar Abdullah has lost public confidence as a fair and impartial custodian of the law because he has misused his discretionary powers against the Opposition and non-governmental organisations, Opposition Leader Lim Kit Siang said.

He said Mohtar was guilty of practising selective prosecution and said this was clear in the case of Lim Guan Eng (DAP-Kota Melaka) who was fined a total of RM15,000 on two charges of printing false news and sedition by the Malacca High Court on Monday.

Lim said it was no exaggeration to say that Mohtar had lost public confidence because of a series of "highly controversial decisions" he had made in pursuance of discretionary powers under Article 145(3) of the Federal Constitution to institute, conduct or discontinue any proceedings for an offence.

"This is because these decisions show a pattern of bias and even malice.

"The case of the DAP MP for Kota Melaka who faces disqualification after being fined RM10,000 for an offence under the Printing Presses and Publications Act and RM5,000 for a sedition offence is the latest example," he said when debating the Computer Crimes Bill 1997.

Lim also said the fines were harsh.

"What I am questioning is the Attorney-General's bias and malice in the pattern of selective prosecution and victimisation of critics of the Government, whether from the DAP like Lim Guan Eng or Irene Fernandez of Tenaganita."

Lim said during the 1995 general election Prime Minister Datuk Seri Dr Mahathir Mohamad had through the electronic and print media published "the false news" that he (Lim) had challenged the police to arrest him during the start of campaigning.

He said three Penang DAP leaders lodged police reports against Dr Mahathir for publishing "false news" and added that the Attorney-General had not deemed it important to demonstrate that his office did not practise double standards by prosecuting the Prime Minister.

Lim also said that Sabah Chief Minister Yong Teck Lee, who was charged under the Police Act for unlawful assembly during the 1990 general election, had faced mandatory disqualification as an Assemblyman.

However, he said the Attorney-General substituted the charge with that of one under the Penal Code, which did not have the same consequence.

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