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Minister `need not be told of every stage of probe'

KUALA LUMPUR, Thurs. - Under section 73 of the Internal Security Act, the police need not inform the Home Minister of every stage of investigations and actions taken against the detainees.

In fact, under the same section of the Act, the police also need not inform the Home Minister of any arrests made.

That particular section of the law only provides that the Home Minister be informed of the arrest if he (the person arrested) is to be detained for a period of more than 30 days.

Umno veteran and lawyer Datuk Dr Rais Yatim said on the question of informing the Home Minister about the development of the investigations on a person arrested under the Act, the police need only inform the Minister before the end of the 60-day detention period without trial.

This, he said, was to enable the Home Minister to decide whether that person should be further detained at any of the detention centres for two years or less or be released.

Article 73(3)(c) of the Act says: "He (the person arrested) shall not be detained for more than 30 days unless a police officer of or above the rank of deputy superintendent has reported the circumstances of the arrest and detention to the IGP or to a police officer designated by the IGP, who shall forthwith report the same to the Minister."

Rais was asked to comment on today's report in the International Herald Tribune which said that "high aides" to the Prime Minister had asserted that Datuk Seri Dr Mahathir Mohamad, who is also Home Minister, did not know about Datuk Seri Anwar Ibrahim's injuries until the former Deputy Prime Minister appeared in court on Tuesday, 10 days after he was arrested under the ISA.

Rais said when a person was arrested under section 73 of the ISA, like Anwar, it was the duty of the police to carry out a thorough and full investigation on him within 60 days, although the Home Minister could have requested for an update at any time before the end of that period.

In this case, he said, if it was true that Dr Mahathir did not know about Anwar's injuries, then it obviously meant that he had left the matter in the hands of the police.

The provisions of the Act would mean that the Home Minister did not interfere or conspire with the police on the matter. Anwar had, in speeches made during his roadshow or at his house prior to the arrest, claimed that he was the victim of "conspiracy at the highest level."

It must be recalled that at his Press conference yesterday, Dr Mahathir said that the police had nothing to gain by hurting Anwar as they were not seeking a confession from him since he was going to be charged in court.

Rais said: "The police need not necessarily have to inform the Home Minister of everything at any one time, although admittedly this is a special case and logically he should be informed of the bruises on Anwar's face."

He refused to speculate on the issue but said that when he was the Deputy Home Minister in 1978, he had come across cases where detainees had injured themselves deliberately or otherwise.

He said some detainees who could not withstand the tension and stress of being detained and interrogated, had been known to knock their faces on their knees.

There were also others who deliberately caused injuries to themselves

with the intention of gaining public sympathy.

"I am not saying this is the case with Anwar, that his injuries were self-inflicted, but records had shown that it is not impossible for such things to happen," he added.

Referring to the same report, DAP secretary-general Lim Kit Siang said if it was true that Dr Mahathir was not privy to the information that Anwar had sustained injuries while under detention, then it raised the question on the state of governance in Malaysia.

He also urged the Government to carry out an independent investigation into Anwar's allegation of police brutality without involving the police.

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