

Sufficient laws to protect witnesses, says Bar Council

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By **Vinod Divakaran**
vinodiva@thesundaily.com

PETALING JAYA, Tues: The Bar Council feels that existing laws are sufficient to provide protection for witnesses to crimes and that there is no need to draft new ones.

Its president, Mah Weng Kwai, said today the Abduction and Criminal Intimidation of Witnesses Act 1947 (revised 1977) is sufficient to protect witnesses.

"Section 5 of the act states that whoever commits criminal intimidation may be imprisoned for up to 10 years and liable to a fine," he said.

He was commenting on Prime Minister Datuk Seri Dr Mahathir Mohamad's statement yesterday that the government will consider introducing a law to protect witnesses so that they would not fear to assist in police investigations.

Mah said legal protection is also provided under Section 504 of the Penal Code, where criminal intimidation is punishable with up to two years imprisonment and a fine.

"The remedy to this problem lies not with further legislation but with the police carrying out their investigations to ensure that those responsible are prosecuted," he said.

The council also feels that it was unfair of the prime minister to say that Malay-

sians preferred not to appear in court as witnesses because they would be grilled and heckled by lawyers.

Mah said the legal system allows lawyers to cross-examine witnesses to determine their credibility.

He said that lawyers who heckle witnesses will run foul of the Legal Profession (Practice & Etiquette) Rules 1978.

Mahathir's suggestion received support from the Crime Prevention Foundation and the DAP.

The foundation's vice-chairman, Datuk Lee Lam Thye, said: "It's always been a bone of contention among the public and I feel that a new legislation on witness protection should be implemented instead of constantly having to amend laws to cater to the situation."

He said such laws would help bring many criminals to justice without the public having to fear for their lives.

DAP deputy chairman Karpal Singh said the prime minister's suggestion is "a move in the right direction" and long overdue.

With the proposed witness protection act, the Essential Security Cases Regulations should be repealed, he said.

The same also goes for the ISA, the Emergency Ordinance 1969, the Dangerous Drugs (Special Preventive Measures) Act 1985 and the Restricted Residence Act 1933, all of which provide for detention without trial, he said.