

PM raps judge over Likas issue

SUN 26 JUN 2001

He should have disqualified himself, says Dr M

By **Ferida Abdul Kudhus**

KUALA LUMPUR, Mon: Prime Minister Datuk Seri Dr Mahathir Mohamad criticised Justice Datuk Muhammad Kamil Awang today for dragging the judiciary into public controversy over the two Likas election petitions.

He said it was unprecedented for a judge to include his personal frustration in his judgment.

"I must say that I am disappointed with the judge after reading what had actually happened," he said.

He said it was obvious the judge harboured ill-feelings when he commented that his son did not get good treatment from the government.

"The same kind of case (the petitions) has been dismissed by other courts but this judge was not happy with the way he was treated in Sabah," he told reporters after opening a symposium for Islamic economies.

In his judgment, Muhammad Kamil had also

remarked that many government departments did not respond to letters and cited two examples, one involving his son's application for a temporary work permit in Sarawak, and another an application by his daughter for a scholarship.

Mahathir said Muham-

ed it to me and said that his boss had told him to make a judgment that he didn't agree with," Mahathir said. The judge could also have revealed the incident to the press.

However, Mahathir pointed out, a telephone conversation is not easy to verify.

'Whether he was actually told to dismiss this case or not, I don't know. But apparently, he is not able to prove it either.'

- Mahathir

mad Kamil should have disqualified himself immediately upon receiving the alleged telephone call from a superior and reported the matter.

"If he was afraid of his boss, he could have report-

ing that another judge had asked him to make a decision, which is not quite right.

"So now we have a problem with trusting the courts because he has now tarnished their image."

On June 8, Muhammad Kamil said in his written judgment on two petitions challenging the 1999 Likas election result that he was directed by his superior to strike the petitions off without a hearing.

However, he declined to reveal the identity of the superior, saying that he had done his duty and that the Chief Justice of the Federal Court, Tan Sri Mohd Dzaidin Abdullah, knew who it was.

The next day, former chief justice Tun Eusoff Chin admitted that he called Muhammad Kamil, but only to tell him to expedite the case.

Former Chief Judge of Sabah and Sarawak Tan Sri Chong Siew Fai declined to respond to a "vague allegation", and former Court of Appeal president Tan Sri Lamin Yunus denied making any such call to the judge.