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Dzaiddin-Identity

CHIEF JUSTICE SAYS IT IS UP TO JUDGE TO REVEAL CALLER'S NAME

KUALA LUMPUR, June 11 (Bernama) -- Chief Justice Tan Sri Mohamed Dzaiddin Abdullah said today that it is up to Kota Kinabalu High Court judge Datuk Muhammad Kamil Awang to disclose the identity of the person who is alleged to have directed him to strike off the Likas election petition.

"It is up to him whether or not to disclose the identity of the caller," he said in a statement here.

Describing Muhammad Kamil's comment as "a very serious allegation", Mohamed Dzaiddin said it was not for him to direct Muhammad Kamil what to do "because the allegation formed part of his judgment".

"It is not the practice nor a judicial policy for the Chief Justice to interfere by directing the judges how to decide their cases or write their judgments," Mohamed Dzaiddin said in a one-page statement distributed to reporters in his chambers at the Federal Court building in Jalan Raja here.

Muhammad Kamil made the comment when he ruled for two petitions last Friday challenging the election of former Sabah Chief Minister Datuk Yong Teck Lee in the Likas state constituency in the state election on March 13, 1999.

The judge declared the election of Yong, president of the Sabah Progressive Party (SAPP), null and void because phantom voters had voted in the constituency.

In his judgment, Muhammad Kamil, among others, was quoted as saying that "in my view it is an insult to one's intelligence to be given a directive over the phone that this petition should be struck off without a hearing".

Mohamed Dzaiddin said he has read Muhammad Kamil's judgment.

"His remark which formed part of his judgment that he had been directed over the phone by someone to dismiss the petition is a very serious allegation," he said.

Yesterday, Minister in the Prime Minister's Department Datuk Dr Rais Yatim called on Muhammad Kamil to name the person who directed him to strike off the Likas election petition.

"He cannot just say that he received a directive over the phone. He alone knows, or does know, who the caller was," Rais was quoted as telling reporters in Kangar.

Prime Minister Datuk Seri Dr Mahathir Mohamad who was also asked by reporters yesterday about Muhammad Kamil's comment, was quoted as saying that it was difficult for the government to interfere in the judiciary because it was an independent body in the country's system of administration.

Dr Mahathir has said that if the government disturbed the judges, they would regard it as interfering with the judiciary.

-- BERNAMA

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