

25 JUN 2001

Mahathir-Judge

JUDGE HAS TARNISHED COURT IMAGE, SAYS DR MAHATHIR

KUALA LUMPUR, June 25 (Bernama) -- High Court Judge Datuk Muhammad Kamil Awang has tarnished the image of the courts by revealing he was directed by a superior judge to strike off two election petitions without a hearing, Prime Minister Datuk Seri Dr Mahathir Mohamad said.

"So now we have problems in trusting the courts because he (Muhammad Kamil) has now tarnished the image of the courts," he told reporters after opening a conference on Islamic economy here.

Dr Mahathir said the judge should also have disqualified himself from hearing the petitions.

" Well the judge knows if he should disqualify himself. When you have that problem, he should immediately say that I have been called (by another judge).

" Because if he is afraid of his boss, he can report to me," said Dr Mahathir who made his first comments on the controversy triggered by the judge's disclosure in his judgment on the petitions at the Kota Kinabalu High Court on June 8.

Muhammad Kamil made the revelation when declaring null and void the election of former Sabah chief minister Datuk Yong Teck Lee in the 1999 state election for the Likas state seat because the electoral roll used was illegal and Yong had committed offences under the Election Act.

Dr Mahathir said the judge had succeeded in dragging the courts into public controversy.

"I must say that I am dissapointed with the judge after reading what had actually happened.

"And for the first time the judge includes his personal frustrations, in fact in his judgment, which is unprecedented in the history of the court," he said.

Muhammad Kamil in his judgment 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 his daughter did not receive any acknowledgement for her application for a scholarship.

" For a judge to say that my child did not get good treatment from this government, so obviously he is referring to this government," he said.

On the directive that the judge said he received over the telephone, the prime minister said: " I'm not so sure as a telephone conversation is not so easy to verify.

" Whether he was actually told to dismiss the case or not, I don't know but apparently he was not able to prove it either. But he has succeeded in dragging the courts into public controversy by saying that another judge has asked to make a decision that is not quite right."

Asked if the judge's action had tarnished the image of the courts, the prime minister said: " Yes, I think so."

-- BERNAMA

HS AU RYN