

14/01/2003

Making it compulsory to clear case backlog

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KUALA LUMPUR, Mon. - The Government may consider making it mandatory for all court cases to be heard within a stipulated time frame if the fast-track system recently implemented does not produce the desired results.

Minister in the Prime Minister's Department Datuk Seri Dr Rais Yatim said the Law Co-ordinating Committee under the Prime Minister's Department would meet next month to analyse the effectiveness of the fast-track system implemented last year.

Rais will chair the meeting.

"If the backlog is still bad, we will propose to Parliament to make it mandatory for the cases to be heard within a time frame," he said.

He said the fast-track system to clear the backlog was administrative.

"Currently, under the fast-track system a pre-trial and mediatory solution is offered where a judge decides if a case needs to go for hearing or could be disposed of administratively or procedurally in his chambers.

"Nevertheless, there must be a well-demarcated system so that delay does not occur," Rais said.

"The lawyers and judges are advised to finish the cases as soon as possible, but if the cases cannot be completed within the stipulated time or if the lawyer asks for a postponement, we cannot do anything but grant it."

"Although courts are independent and cannot be questioned, it does not mean they can delay the hearing of cases," he said.

He was speaking after being briefed on the work being carried out on the new Kuala Lumpur Courts Complex in Jalan Duta today.

Nevertheless, he said, he was proud of the judges who were trying their best to expedite the cases.

He added the Code of Ethics for Judges has to be reviewed since it has not been updated since 1994.

"Several grievances have been voiced by some quarters on the attitude and the public functions of judges. This would also be discussed at the meeting."

Rais said during the previous LCC meeting last year, several changes were proposed to the judges' Code of Ethics which were not agreed to.

The new Kuala Lumpur Courts Complex will house 77 court rooms (30 High Courts, 21 Sessions Courts and 26 magistrate's courts).

The nine-storey U-shaped building will also house the Attorney-General's office, the registrar's office for all the courts, conference rooms, surau, library, a filing room, cafeteria and judges' chambers.

The complex, to be built on a 12-hectare site costing RM147 million, will be the biggest court complex in the country.

Work on the complex started in 2001 and is expected to be completed by 2005.

All the courts, currently located at Sultan Abdul Samad Building, Pejabat Pos Lama, the Old City Hall building, the Old Information Office at Jalan Raja and Wisma Denmark, will then be relocated to the new site.

Rais said the new complex would also be family-sensitive, especially towards child witnesses.

"A conducive environment would be created for children to testify."

Asked if the number of judges too would be increased to accommodate the increase in the number of court rooms, he said 12 new positions were

awaiting approval to be filled. He expects them to be filled by April.

On the standardised Islamic law, Rais said Prime Minister Datuk Seri Dr Mahathir Mohamad had called for an inter-ministerial meeting this month to discuss the issue.