

Khair Toyo offers free dental care to poor in lieu of jail

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Former Selangor menteri besar Dr Mohd Khir Toyo is prepared to offer community service in the form of providing free dental care to the poor for two years, said his lawyer Muhammad Shafee Abdullah.

The offer was made by Khir to replace being sentenced to jail after he was found guilty of graft under Section 165 of the Penal Code.

“My client is prepared to give a written undertaking offering free dental service to the poor, three days a week for two years,” said Shafee, adding that Khir is a first time offender.

Shafee also said that his client is 50, and has six children aged six to 24.

The lawyer said he had seen Khir tutoring his children and also taught them to read the Holy Quran until khatam (finish).

He also suffers from a heart problem and had an attack when he was at the National Heart Institute last month.

Shafee also said the property should not be forfeited as it is jointly owned by Khir’s wife and there is still a balance of more than RM2.3 million owed to the bank.

This is the first time that community service has been offered over a jail sentence for a corruption offence.

“I still have a practicing licence and I still treat friends and family members,” Khir said, adding that prior to being an MB he had given free dental service while in Sabah.

Khir, who also addressed the court, said Selangor had progressed under his eight-year stewardship as MB.

The former MB said he had developed the state to international standards which had been recognised by the International Monetary Fund, where in his eight years as MB he had pulled in annual investments of RM13.8 billion in 2008 alone, compared to RM6 billion in 2000.

“The investments had created between 30,000 to 40,000 new jobs annually,” he said, adding that he resolved the squatter problem issue and helped improve zakat (tithe) collection to RM250 million from RM40 million previously for it to be distributed to the poor.

Khir also said he formed a special fund for the Indian community to address social

problems.

Had no intention to do it

Khair pleaded ignorance for the alleged crime, saying he had no intention to do it.

“I declared (the purchase) to the Tuanku (Sultan of Selangor) and to the prime minister. They never prohibited it,” he said, adding that during his time as MB he had never troubled any developer and whatever decision made was for the betterment of Selangor.

Since he was charged in 2010, Khair said he had suffered a lot of embarrassment and can only confess in Allah who knows the truth.

“I want the court to consider that I am still young and that to give me another chance for me to get a new job to rebuild my family,” he said, adding that when he looked at his ageing mother he would cry thinking of the humiliation that this episode had caused the family.

He stressed that no public funds were used for the purchase of the said two plots of land and the state government did not suffer any losses.

Jail and forfeiture can be accorded

DPP Masri Mohd Daud said forfeiture of the property can be imposed regardless of whether it is under joint ownership or still owed to the bank.

“This is clear under Section 36 of the Anti Corruption Act 1997, which states the court shall make an order on the subject matter of the offence of whatever property including land,” he added.

“The courts below had applied the established principles of the law to give custodial sentence for 12 months as it is the correct principle in public interest. Giving a community service sentence would give a wrong signal,” said fellow DPP Mohd Dusuki Mokhtar.

Dusuki said that it was clear from the court's decision in convicting Khair that he had abused his position and hence a deterrent sentence should be imposed to send the right message against corrupt practices.

Chief judge of Malaya Zulkefli Ahmad Makinuddin said the court would deliberate on the submissions and reserve in giving the sentence to next Tuesday at 2.30pm.