

PKR points to evidence of detention without trial in Home Minister's own PCA bill
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Amendments to the Prevention of Crime Act (PCA) specifically state that detention without trial is allowed, PKR said today, refuting the Home Minister's interpretation of the changes Putrajaya wants in the law.

Vice-president N. Surendran (pic) said despite Datuk Seri Ahmad Zahid Hamidi claim otherwise, the amendments clearly state that it excluded judicial review on procedural requirements.

"This means no detainee can challenge the basis of his detention, as was the case under the Emergency Ordinance and the Internal Security Act," he said in a statement today.

Ahmad Zahid, he said, had claimed that "there was no such thing as detention without trial" under the new PCA amendments which were tabled last week. The Home Minister pressed home the point again at a forum on crime in Putrajaya yesterday.

"Zahid's statement is a blatant lie which contradicts the clear words and explanations in the amending bill itself. Explanatory statement of the amending bill states 'In order to allow the introduction of detention without a criminal charge or trial as previously provided in the repealed EO 1969 and the ISA 1960...'

"Therefore, the bill itself admits to introducing detention without trial. It further admits that the provisions are similar in nature to both the EO and the ISA," Surendran said.

"Has the Home Minister not read the explanatory note to his own bill? Or is he deliberately lying to the public? Whichever it is, the contents of the explanatory note leave no doubt that the bill allows detention without trial, and that is similar to the ISA and the EO."

The Padang Serai MP also said Zahid claimed the power of detention is removed from the minister and vested in the board. This, he said, made no difference.

"The members of the Board are appointed by the Agong upon the advice of the minister. This means that the members of the Board owe their position to the minister and that they are not independent and do not act as a safeguard against arbitrary arrest.

"This undemocratic and unconstitutional bill must be withdrawn in its entirety. The freedom of every Malaysian will be jeopardised if this bill is allowed to become law," he added.

The amendments to the PCA were tabled last week in Parliament, one of which provided for up to two years detention without trial. Currently, the PCA allows the detention of suspects up to 72 days, during which period they should be produced in court at certain stages. – September 29, 2013.

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