

Don't mock inter-faith custody fights, opposition MP tells Najib
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Putrajaya should provide a long-term solution to interfaith custody battles by amending laws concerning unilateral conversions, a DAP lawmaker said today, adding that the prime minister's solution to take the matter to the federal court makes a "mockery" of the important issue.

Ipoh Barat MP M. Kula Segaran questioned why have the relevant laws not been amended despite a 2009 Cabinet decision banning unilateral conversion of minors.

He said even former de facto law minister Datuk Seri Nazri Aziz had called for the laws to be amended to address the "thorny issue" of unilateral conversion of children.

"In 2009 itself, I had questioned the effectiveness of the Cabinet directive, as it was only of an advisory nature. It has not legal effect. Nobody has bothered to adhere to it.

"If they had, the women concerned in two cases would not have gone through so much agony, emotional pain and stress.

"But why have the relevant laws not been amended till today? It is obvious that the government has no political will to resolve the issue," he said in a statement today.

Prime Minister Datuk Seri Najib Razak had earlier urged parents to use the legal process when civil court verdicts differed from those of the shariah court.

Referring to the custody battles involving S. Deepa in Seremban and M. Indira Gandhi in Ipoh, Najib said both sides could appeal to the Federal Court should there be a dispute.

"They can appeal to the Federal Court. Since this matter has attracted the attention of the public, the government believes the court will give priority to these cases," the PM was quoted as saying.

However, Kula said Najib's advice was disappointing and was making a mockery of the matter as he was just looking for an "easy way out" by

asking affected parties to go to court to seek remedy, when that course of action had already been taken but to no avail.

"Does he seriously think he is being fair? Has he really understood the whole issue? Since the parties' custody cases are already in the courts, there is no need for the PM to state the obvious," the DAP national vice-chairman said.

"The whole issue can be resolved if the government amends the laws as promised so that there will be a long-term settlement on the issue. Going to court to get remedies is expensive and time consuming," Kula said.

He pointed out that in Indira's case, the custody battle against her convert former husband Muhammad Ridzuan Abdullah for her three children began in 2009 at the Ipoh High Court.

It then went up to the Court of Appeal and finally the Federal Court. The case is now back at the High Court on committal as the father has refused to return the youngest child, Prisana Diksa, to the mother.

"After getting the committal orders after a lengthy court battle, the police are not assisting to enforce the committal orders to retrieve the child," Kula added.

Kula also took Inspector-General of Police Tan Sri Khalid Abu Bakar to task for suggesting that children involved in custody battles be placed in welfare homes until the courts sorted out the issues.

"It is so clear that the IGP has over-stepped his duties and now taken the role of social activist."

"The PM should call up the IGP and tell him to give effect to the law by enforcing the committal orders. He should direct the IGP to carry out for what he has been appointed and paid for by the taxpayers," he added.

Khalid was quoted saying that the custody cases involved two legal systems - the shariah and the civil - and as such, the police do not want to be "caught in the middle".

He then reiterated that the police would not enforce orders from both Shariah and civil courts, noting that as both laws were equal, it would be unfair to choose one over the other. - June 13, 2014.

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