

## **With top court victory, Teresa Kok keeps RM350k award over ISA arrest**

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PUTRAJAYA, July 11 — DAP MP Teresa Kok won again in her long eight-year legal battle when the Federal Court today ruled in her favour and maintained a RM350,000 compensation over her wrongful arrest in 2008.

The Federal Court dismissed the government's bid to appeal an earlier court ruling to award RM350,000 to Kok to compensate for her arrest and detention under the now-abolished Internal Security Act (ISA).

"The application is dismissed. The law is settled," said Chief Judge of Sabah and Sarawak Tan Sri Richard Malanjum in delivering the three-man panel's unanimous decision, awarding costs of RM10,000.

Today was the hearing of the federal government's application for leave to appeal the Court of Appeal's decision last July.

On July 26, the Court of Appeal reversed the High Court's previous decision to dismiss Kok's lawsuit, after finding that the authorities did not have sufficient grounds to arrest her.

The Court of Appeal had awarded RM350,000 to Kok after ruling that the government was liable for her wrongful arrest and seven-day detention in 2008 under the now-abolished Internal Security Act (ISA).

On March 13, 2009, Kok filed the civil suit against the Malaysian government, the then Home Minister Datuk Seri Syed Hamid Syed Jaafar Albar, then Inspector-General of Police Tan Sri Musa Hassan and police officer DSP E Kim Tien for damages over her alleged wrongful arrest and detention.

In her statement of claim, Kok said she was arrested by the defendants at 11.15pm on September 12, 2008, and was not allowed to contact her lawyer or relatives during a two-hour detention that followed.

She said she was informed at 2am the next day at the Wangsa Maju police station that she was being detained under the ISA's Section 73 (1) for allegedly taking part in activities that could cause racial tension.

Kok said she was then detained without trial at a secret location until her release on September 19, 2008.

She said that her arrest had been conducted negligently and arbitrarily, causing her severe mental stress, pain and suffering.

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Sources: <http://www.themalaymailonline.com/malaysia/article/with-top-court-victory-teresa-kok-keeps-rm350k-award-over-isa-arrest>