A special court to speed up trial for security offenders

SHAH ALAM: Suspects detained after the Security Offences (Special Measures) Bill 2012 comes into effect will be charged and tried in a special court, said Attorney-General Tan Sri Abdul Gani Patail.

He said that the proceedings would be handled by High Court judges, with one of the concerns being the need to speed up the trial process.

"We should have experienced people and judges specially assigned for this. The urgency is that I need judges who’re very familiar with these matters...to hear cases as quickly as possible in the interest of justice," he said in his lecture at the Universiti Teknologi Mara (UiTM) Law Faculty, here, Wednesday.

There should no longer be any delay in hearing cases and that people should not be kept under remand for too long, he explained. Abdul Gani drew the attention of his audience that people may view judges assigned to the court as being more experienced and independent.

The Dewan Rakyat on Tuesday passed the Bill aimed to replace the Internal Security Act (ISA) 1960, without any amendments.

Among others, instead of the ability to detain individuals without trial for up to two years on orders from the Home Minister under the ISA previously, the new law provides for maximum detention of 28 days for investigation purposes.

Abdul Gani said in drafting the new legislation, a fine balance had to be struck between addressing security needs as well as respecting fundamental human rights.

In this connection, he said a proposed administrative committee would see to it that there were no abuses and would make recommendations to further improve the new law.

Noting that membership of the committee was yet to be finalised, he said that he had identified Bar Council president Lim Chee Wee and Sahakam President Tan Sri Hasmy Agam and a former Chief Justice as potential members.

"I’m putting up all these names to Prime Minister Datuk Seri Najib Tun Razak who has asked me to look into this. The number of committee members doesn’t matter but they must be people who know and understand (their responsibility)," he said. Abdul Gani said that the new legislation would spell changes in the country’s legal landscape and that support from the people was needed to implement it well.

"We have to obtain support from the people on this law, if we don’t have the support in curbing espionage, terrorism, sabotage and so on, we cannot implement it well," he said.

The Attorney-General observed that laws could be made and changed arising from vibes from the people, and that the Government should be sensitive to such vibes. "At the end of the day, the law is there to serve you," said Abdul Gani, who is also adjunct professor of the faculty. – Bernama