

**Timber kickbacks scandal: Gag order 'absurd'**  
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**Tony Thien**

The Sarawak State Assembly speaker's ruling that any discussion on the timber kickbacks scandal allegedly involving the chief minister and his family is subjudice has been lambasted by the opposition as an "absurdity".

"The order made by the speaker is unprecedented in any parliamentary proceedings and this has brought the assembly into disrepute and ridicule," said state PKR legal adviser See Chee How.

He also described Chief Minister Abdul Taib Mahmud's personal statement in the state assembly on Monday to refute the allegations of corruption levelled against him in media reports as "politically improper and deplorable".

Immediately after Taib's finished reading his 10-page statement in the state assembly, speaker Awang Asfia Awang Nassar ruled that no question or debate on the matter would be allowed as this would be deemed subjudice since the chief minister had expressed his intention to sue his detractors.

Chee, one of the two state PKR leaders being sued by Taib allegedly for distributing leaflets containing the report published in Japan Times and subsequently in independent news portal malaysiakini, said it is "most disappointing that Taib would choose to invoke Standing Order 22 to refute a controversial political contention by way of a 'personal statement' which could not be debated upon."

Despite that, opposition members in the assembly repeatedly reminded the speaker that the intended defamation action, which is a civil matter, was yet to be filed. Yet, Awang Asfia ruled that "if the subject of the question is 'found to be' or 'to become' subjudice, no question or debate is to be allowed".

The day after, Taib filed the writs of summons in the High Court, but it is understood none of the parties have yet to be served with the suit.

### **Speaker defies legal training**

Chee said Awang Asfia had defied his legal training and his unprecedented order was an embarrassment to Sarawak and a "dishonourable record in the history of parliamentary proceedings".

"In parliamentary proceedings all over the world, the matter of subjudice will not arise for a civil case until the case is ready for trial. Merely commencing an action by filing it in court is clearly insufficient," said Chee, who is a trained lawyer.

Taib, who has been Sarawak chief minister for 26 years, filed libel suits against See and PKR state chief Wan Zainal Abidin Wan Senusi on Tuesday.

He has also filed similar suits against independent news portal malaysiakini and its editor-in-chief Steven Gan and Umno-owned Utusan Malaysia and its group editor-in-chief

Mohd Khalid Mohd.

Meanwhile, state PKR leaders called off its plan to stage a rally to express their outrage over the gag order outside the State Assembly building in Petrajaya, Kuching on Monday following police advice.

About 100 police personnel were present.

See (photo) told malaysiakini he and his party colleagues were advised by a senior police officer against holding such a rally as the police had received instructions to act if it proceeded.

### **Unusual move**

On Monday, Taib told the state assembly that he would also sue Japan Times. It is not clear whether he has filed a suit against the Tokyo-based newspaper.

The Japan Times report, which was picked up by both malaysiakini and Utusan, said RM32 million in 'kickbacks' were allegedly paid by nine Japanese shipping companies transporting logs to Japan to a Hong Kong-based company said to be linked to the chief minister and his family.

In an unusual move, Taib made a personal statement at the state assembly to deny any involvement in the scandal and claimed he was not aware of such payments to the said company, Regent Star.

In the 10-page statement, Taib "categorically and completely refute" all the allegations. "They are absolutely false," he said.

Last Thursday, the Anti-Corruption Agency confirmed that it has launched a probe on the scandal.

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