

**Param: Shame on those 'leapfrog' judges**  
**Malaysiakini.com**  
**Jun 11, 2008**

Senior lawyer Param Cumaraswamy said that judges who had "played ball" with Dr Mahathir Mohamad and received "leapfrog promotions" should be ashamed of themselves for remaining in the judiciary.  
MCPX

ian chin ian hn chin judgeHe was commenting on shocking disclosures by Sabah and Sarawak High Court judge Ian Chin (right), about judicial intimidation by the former premier and being sent to 'boot camp' for indoctrination over five days.

The judge claimed that he had been targeted after refusing to award "astronomical" payouts in two libel cases in 1997, while a judge who agreed with Mahathir's views was promoted to the Federal Court.

Chin, who is hearing an election petition in Sarawak, had alleged that Mahathir had issued a veiled threat at a judges' conference to remove those who issued rulings against his administration.[See full text of Chin's speech in court - PDF file].

He volunteered the information in court yesterday as part of remarks to pre-empt complaints by lawyers involved in the case.

Param, the former United Nations special rapporteur on the independence of judges and lawyers said Chin's revelations were serious but "not surprising".

mahathir and param cumaraswamy"Since 1988, judges have been under a state of intimidation by Mahathir (left in photo). In any other democracy, (someone like) Mahathir would have been impeached and removed for what he did to the judiciary," said Param (right in photo) claimed in a statement.

"The culture of such accountability was non-existent and is still non-existent in Malaysia."

He also lamented that it was unfortunate that no proper independent agency exists to investigate into Mahathir's conduct.

"The office of the attorney-general and the Anti-Corruption Agency are inadequate for the purpose as they do not possess the requisite independence and courage," he stated.

Mahathir, in a blog-post today, reserved comment, while de facto law minister Zaid Ibrahim has rejected a probe into Chin's claims.

**'Example for all'**

Gerakan vice-president S Vijayaratnam said Chin serves as an example for other judges to follow.

s vijayaratnam"The revelation by Chin for grounds to open himself for possible recusal in an election petition hearing in Sibu deserves praise ... and demonstrates the integrity of the member of the bench," he said in a statement.

“(T)he fact that Chin had chosen to reveal as to what, in his words, transpired at that time, speaks for itself, and should be left to posterity.”

Vijayarajam expressed hope that these events would ignite more transparency, independence and impartiality in the judiciary.

vk lingam tape judge fixing fiasco 210907The judiciary has come under close scrutiny since a video recording was made public last year, showing lawyer VK Lingam (left) brokering the appointment of ‘friendly’ judges with then chief justice Ahmad Fairuz Sheikh Abdul Halim.

A royal commission of inquiry confirmed the authenticity of the clip and recommended action against six key individuals including Mahathir, and the creation of a judicial appointments commission.

In 1988, Mahathir had convened a special tribunal to try Lord President Salleh Abas on charges of misconduct and for questioning constitutional amendments that seriously eroded the powers of the judiciary. Salleh was subsequently sacked.

Supreme Court judges George Seah and Wan Sulaiman - who had ruled that the tribunal was convened unconstitutionally - were also sacked after being found guilty of misconduct by another tribunal.

Three other judges - Azmi Kamaruddin, Eusoffe Abdoolcader and Wan Hamzah Mohamed Salleh were suspended.

Copyright © 1999-2007 Mkini Dotcom Sdn. Bhd.  
Source : <http://www.malaysiakini.com/news/84323>