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# Standing ovation for PM's speech at Bar dinner

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**KUALA LUMPUR:** A new chapter for the Malaysian judiciary has begun.

One: A Judicial Appointments Commission will be appointed to nominate, appoint and promote judges in a transparent and representative manner.

Two: The 1988 upheaval of the judicial system is laid to rest with acknowledgement of "the pain and loss" suffered by the late Tan Sri Eusoffe Abdoolcader and Tan Sri Wan Suleiman Pawanteh and their families; Tun Salleh Abas, Tan Sri Azmi Kamaruddin, Tan Sri Wan Hamzah Mohamed Salleh and Datuk George Seah.

Before a glittering audience of who's who of the Malaysian Bar, Salleh, Azmi and Seah, Prime Minister Datuk Seri Abdullah Ahmad Badawi was roundly applauded as he announced the two gigantic steps to redeem the judiciary.

"The process to bring about this change will begin now and I assure all of you here today that consultation on the workings and the structure of the commission will involve primary stakeholders. All will have a chance to provide their input to the government."

The commission, he said, would identify and recommend candidates for the judiciary to the prime minister.

While the constitutional prerogative of the prime minister to put forward names to the Yang di-Pertuan Agong will remain, the commission will help to evaluate and vet candidates in a systematic and credible manner for the prime minister, based on clearly-defined criteria.

In addition, he said, the government would initiate a review of the judiciary's terms of service and remuneration.

"There is a pressing need to set salaries and compensation to the right levels to ensure that the bench can attract and retain the very best of the nation's talent."

Abdullah said details of the comprehensive package of reforms to strengthen the capacity and credibility of the judiciary would be announced in due course.

The loudest cheers for the prime minister at the Bar Council dinner came when he went back to the events of 1988 and paid the highest compliments to the six judges by describing them as towering judicial personalities who represented a very different era for the nation's judiciary.

"Many felt that the judiciary then was a venerable institution which could be trusted to deliver



Datuk Seri Abdullah Ahmad Badawi shaking hands with Tun Salleh Abas at the Bar Council dinner last night.

justice. Some even hailed Malaysia's judiciary as a model for other countries — independent and credible.

"Therefore, the government would like to recognise the contributions of these six judges to the nation, their commitment towards upholding justice and to acknowledge the pain and loss they have endured.

"For Tan Sri Eusoffe and Tan Sri Wan Suleiman and their families, I know this sentiment is made too late.

"For Tun Salleh Abas, Tan Sri Azmi Kamaruddin, Tan Sri Wan Hamzah and Datuk George Seah, although this acknowledgement is 20 years too late, it is made with much hope that a measure of the pain and loss may yet be healed."

In recognition of the contributions of the six outstanding judges, Abdullah said the government had decided to make goodwill *ex gratia* payments to them.

"Gentlemen, I do not presume to equate your contributions, pain and loss with mere currency, but I hope that you could accept this as a heartfelt and sincere gesture to mend what has been."

In urging for a closure to the painful 1988 crisis, the prime minister said: "I do not think it wise or helpful to revisit past decisions as it would only serve to prolong the sense of crisis — something our nation can do without.

"The rakyat wants movement and progress, not continuing strife."

Abdullah said these were merely the first steps to renew the public's trust in the judiciary and to ensure that justice was consistently delivered.

"I humbly seek your support for these measures.

"Now it is for all parties concerned — the judiciary, the Bar, civil society and the public — to also play their roles in facilitating these reforms.

"Whatever our differences, we share the same idealism for our nation's judiciary. Let us work through our differences.

"It is my hope that this becomes part of a bigger process to further strengthen our democratic institutions step by step, resolving intractable problems that have stood in the way of genuine nation-building. Let us write this proud and new chapter together."

Wan Suleiman and Eusoffe's families were among the guests. So was Seah's youngest son, Basil.

Other notable guests at the Bar Council dinner were opposition leaders, including Parti Keadilan Rakyat president Datin Seri Dr Wan Azizah Wan Ismail, DAP adviser Lim Kit Siang, Pas deputy president Nasharuddin Mat Isa and its secretary-general Datuk Kamaruddin Jaffar.

Also present were Abdullah's wife Datin Seri Jeanne Abdullah, Chief Justice Datuk Abdul Hamid Mohamad, Court of Appeal President Tan Sri Zaki Azmi, Minister in the Prime Minister's Department Datuk Za'id Ibrahim, former chief justice Tun Mohamed Dzaiddin Abdullah, Health Minister Datuk Liow Tiong Lai, Attorney-General Tan Sri Abdul Gani Patail, and Advocate and Solicitors disciplinary board chairman Tan Sri Khalid Ahmad Sulaiman.

Among the foreign dignitaries were United States ambassador to

Malaysia James R. Keith and US judge James Baker.

Retired judges present included former Court of Appeal judges Datuk K.C. Vohrah and Datuk N.H. Chan.

Abdullah acknowledged that the level of trust and respect for the judiciary was no longer as strong as it was before.

"The business community, in particular, has voiced concerns about the fairness and capacity of Malaysia's judiciary in settling disputes. This has directly affected perceptions of our country's economic competitiveness."

He said the debates and arguments on the state of the judiciary have been heated and protracted.

"Some of the Malay rulers have openly voiced their disquiet on what they see as a decline, requiring nothing short of a judicial renaissance.

"Some retired judges have related troubling tales of impropriety. Politicians on both sides of the aisle have called for reform of this most august institution.

"Even the Bar Council, true to form, has marched en masse outside my office."

Abdullah acknowledged that the 1988 events fuelled much of the disagreement on how to move on, but he urged for closure.

"I can say with a clear conscience that I abided and will continue to abide by the principle of separation of powers, leaving the matter of justice to the judiciary."

When the prime minister finished his speech, the applause was long. And the standing ovation was deserved.

A new dawn for the judiciary and for the country has begun.