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Karpal calls on Dr M to name judges who lobbied

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KUALA LUMPUR: Veteran lawyer Karpal Singh called on former prime minister Tun Dr Mahathir Mohamad to identify the judges who had lobbied him for promotions.

If not, the DAP chairman said innocent judges could be "tainted by the same brush".

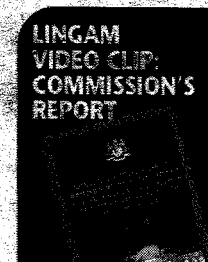
"It is in the public interest for Dr Mahathir to identify the judges without further delay. On the other hand, the accused judges should be given the opportunity to clear their names," Karpal said.

He said Dr Mahathir should not wait to be charged in court. "He must be prepared to name the judges now."

On Saturday, the former prime minister said he was prepared to face charges arising out of the findings of the royal commission into the Lingam video clip, in the course of which he would reveal that judges had lobbied for promotions.

"This is a very serious implication and the said judges should be investigated.

"If the lobbying is true, it is a very serious form of misconduct that can even merit the



removal of the judges from office," he said.

Karpal, the MP for Bukit Gelugor, said he was surprised that Dr Mahathir did not seem to know that lobbying by the judges was a serious matter.

"Under the federal constitution's doctrine of separation of powers, judges who lobby should be subjected to a tribunal set up by the king to determine if they are guilty of misconduct.

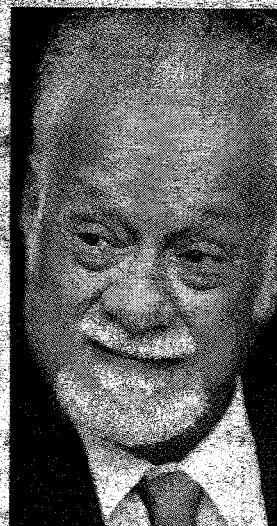
"It does not matter if the judges are still in service or retired," he said.

Dr Mahathir had said he would disclose in court what really went on behind the scenes at the time of the telephone conversation in the video clip.

However, he denied he had given in to lobbying.

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MP for Bukit Gelugor



The royal commission has recommended that Dr Mahathir, lawyer Datuk V.K. Lingam, former chief justices Tun Ahmad Fairuz Sheikh Abdul Halim and Tun Eusoff Chin, tycoon Tan Sri Vincent Tan and former tourism minister Datuk Seri Tengku Adnan Mansor be investigated for conspiring to rig judicial ap-

pointments and promotions.

On Friday, the cabinet directed the attorney-general to order the investigations.

Karpal also said parties who felt aggrieved by court decisions involving the personalities mentioned by the commission should apply for a review of their cases.

He said exceptional circum-

stances had to be established before the Federal Court could revise its earlier decisions.

"In the past, decisions of the Federal Court were deemed to be final.

"Only after 2000, following a civil case, did the Federal Court rule that it did have powers to review its own decisions under Rule 137, in the interest of justice," he said.

(Rule 137 of the Federal Court Act 1994 states that the court has the power to hear any application or to make any order as may be necessary to prevent an injustice or to prevent an abuse of the process of the court.)

Karpal said the commission's findings only amounted to recommendations.

"It is premature to embark on an open review of judgments given by the implicated judges, as only after prosecution and conviction can there be grounds for a review," he said.

Unlike other cases of appeals in lower courts, there is no time limit for an application for a review.

Several cases heard by the judges cited in the commission report could now become eligible for review.