

Ex-Lord President Salleh gladly accepts any apology

The Star – 24 March 2008

PETALING JAYA: Former Lord President Tun Salleh Abas welcomes the proposal for the Government to apologise to him and the judges who are deemed to have been victimised in 1988.

“If it is forthcoming, I welcome it. In fact, I welcome it the most. I wouldn’t want to comment any further before that,” said the 79-year-old who was dismissed from the top judge’s post following a judicial crisis. Salleh was commenting on the proposal by Minister in the Prime Minister Department Datuk Zaid Ibrahim on Saturday that the Government apologise to him and the other judges who were sacked in the crisis. Salleh, who had presided over several high-profile cases, was dismissed in 1988 for alleged misconduct. Tan Sri Wan Suleiman Pawan Teh and Datuk George Seah, two of the five Supreme Court judges who allowed an order to delay a tribunal set up to try Salleh, were also dismissed.

Salleh had earlier in March that year, written to the King on behalf of the judges expressing disappointment with accusations made by then prime minister Datuk Seri Dr Mahathir Mohamad (now Tun) against the judiciary.

Two months later, Salleh was suspended and High Court of Malaya Chief Justice Tan Sri Abdul Hamid Omar was appointed acting Lord President. Salleh was brought before a tribunal for misconduct. In response, he filed a suit in the High Court challenging the constitutionality of the tribunal. He also applied for an interim stay against the tribunal but it was denied. Five judges of the Supreme Court convened and granted Salleh an interlocutory (interim) order against the tribunal. This order was later set aside and in August 1988, Salleh was officially removed from the post of Lord President.

The five Supreme Court judges who granted Salleh the interlocutory order – Tan Sri Azmi Kamaruddin, Tan Sri Eusoffe Abdoolcader, Tan Sri Wan Hamzah Mohamed Salleh, Wan Suleiman and Seah – were suspended. In October, Wan Sulaiman and Seah were sacked while the three other judges were reinstated. In September 2006, the Bar Council called for an impartial review of the 1988 judicial crisis. That same year, Salleh, who was then 77, broke his 18-year silence to echo the Bar’s proposal.

In a statement issued in response to the Bar’s call, Salleh said that on May 27, 1988, he was summoned to the Prime Minister’s Office and told by Dr Mahathir to step down because he had been biased in the discharge of his judicial duties. Salleh said that he refused to resign and was then threatened with dismissal. The former judge believed that this had something to do with an impending case involving Umno. However, Dr Mahathir responded to the statement the same day, stating that he had asked Salleh to step down to avoid a scandal.