

Video links CJ to 'appointment fixing' scandal

Wednesday, 19 September 2007 12:52PM

©Malaysiakini
(Used by permission)

by Fauwaz Abdul Aziz & Beh Lih Yi

An explosive video clip released today shows senior lawyer VK Lingam in a phone conversation, purportedly with current Chief Justice Ahmad Fairuz Sheikh Abdul Halim, allegedly fixing the appointment of 'friendly' senior judges.

The eight-minute clip, said to be originally 14 minutes when recorded sometime in 2002, was made public this morning at the office of PKR de facto leader Anwar Ibrahim in Petaling Jaya.

Among the matters discussed during the telephone conversation were the potential appointment of Ahmad Fairuz as the Chief Judge of Malaya (CJM) and his promotion as the Chief Justice (CJ), which eventually took place in 2003.

In 2002, Ahmad Fairuz was the CJM, in charge of all High Court judges in Peninsular Malaysia, as well as acting President of the Court of Appeal (PCA).

Reading from a prepared statement, Anwar said the revelations proved that his appeals against his sodomy and abuse of power convictions were tainted and that he was denied a proper and fair trial.

"Such a scandalous expose... only serves to corroborate our allegations of a political conspiracy of the highest level and corruption of the highest judicial office, seriously bringing into question the impartiality of judicial proceedings involving the affected parties," said Anwar.

PKR will seek to submit a special appeal to the Conference of Rulers to take appropriate steps. The party will also lodge a report with the Anti-Corruption Agency and a complaint with the Bar Council.

Ahmad Fairuz was on the three-member bench which had dismissed Anwar's appeal against the corruption charge in the Court of Appeal in 2000.

On judicial appointments

Anwar did not disclose the identity of the person who recorded the video or who had given the clip to the party, but said it had been edited to conceal the identity of a 'third party'.

The recording shows Lingam walking up and down in a room, talking into a handphone.

The inference from the discussion was that “key players” should be nominated for judicial appointments in order to hear cases and deliver judgments accordingly.

A main point of the conversation - believed to be with Ahmad Fairuz in the context of the conversation - was that there appeared to be two camps in the judiciary belonging respectively to former CJ Eusoff Chin and his successor Mohamad Dzaidin Abdullah.

“You see, he (Dzaidin) has now up for [sic] six court of appeal judges, so that he can put his men before he retires,” Lingam said.

Later in the conversation, he alluded to this matter again, saying: “No, don’t worry, Datuk. I know how much you suffered for Tun Eusoff Chin... and Tun said ‘Datuk Ahmad Fairuz, 110 percent loyalty!’”

“We want to make sure our friends are there for the sake of the (then-) PM (Dr Mahathir Mohamad) and the sake of the country. Not for our own interest [repeated], we want to make sure the country comes first.”

Lingam himself had been embroiled in controversy after photographs emerged of him and Chin on holiday together in New Zealand in 1994. However, Eusoff denied any wrongdoing.

At one point, the lawyer also indicated that earlier efforts to appoint judges aligned to Chin had been thwarted by former finance minister Daim Zainuddin.

“You know that’s the same problem that Tun Eusoff Chin has. He tried to do all this and yet, he has run out of soldiers. He couldn’t do it because many are from the other camp. Last time was unfortunate because Tun Daim was doing everything, sabotaging...”

Lingam then revealed that “they are going to organise a campaign to run you down; but you just keep quiet. Don’t say anything. Even (when) the press asks you, say ‘I leave it to God’. That’s all.”

Also implicated in the conversation were business tycoon Vincent Tan and then-Minister in the PM's Department and current Tourism Minister Tengku Adnan Tengku Mansor.

Based on what Lingam let drop, both Tan and Adnan had apparently played an

instrumental role in the appointment of judges as well to secure the honorific title of 'Tan Sri' for Ahmad Fairuz.

"I will also get Tan Sri (Vincent) to remind PM to put a Tan Sri-ship this year, lah. This will elevate you, you know," said Lingam.

Towards the end of the conversation, Lingam acknowledged that "you have suffered...so much you have done, for the election, Wee Choo Keong, everything. How much nobody would have done all this".

Following the 1995 general election, Ahmad Fairuz had upheld a petition contesting DAP candidate Wee's victory as Bukit Bintang member of Parliament. The ruling saw the Barisan Nasional candidate Dr Lee Chong Meng being declared the winner.

Lingam could not be contacted for comment. His office said that he was abroad and is only due back later this month.

When contacted this afternoon, the personal assistant to the CJ relayed a message that he wanted to have a look at the video before saying anything. However, subsequent calls to the office were not answered up to 5pm.