

Supreme Court rejects Chen appeal against detention

Written by Taipei Times

Friday, 06 November 2009 07:23 - Last Updated Friday, 06 November 2009 08:05

The Supreme Court yesterday ruled against former president Chen Shui-bian (陳水扁) when it rejected his appeal against the Taiwan High Court's ruling to keep him behind bars.

On Sept. 24, Presiding Judge Teng Chen-chiu (滕盛九) and two other judges of the Taiwan High Court ruled in Chen's appeal to keep him detained for another three months because they said the crimes he has been found guilty of were serious and, as a former president, he has more channels to flee the country than an ordinary citizen. The judges also expressed concern about the large amount of money and other assets the former first family has overseas.

Chen then filed an appeal of the detention ruling, which was approved by the Supreme Court on Oct. 8.

The Supreme Court judges ruled that the High Court judges should reconsider whether their reasons for detention were sufficient and to hold a second detention hearing.

The High Court then ruled for a second time that Chen should be kept behind bars. Chen again filed an appeal against the High Court's second ruling.

However, the Supreme Court said in its ruling yesterday that the reasons listed by the High Court were adequate, including flight risk and allegations of serious crimes.

After learning of the Supreme Court's ruling, Chen's attorney Shih Yi-ling (施宜玲) said he respected the court's decision, but would soon request that the Council of Grand Justices rule on the constitutionality of a clause in the Code of Criminal Procedure (刑事訴訟法) that does not limit the number of times a defendant of serious crimes can have his or her detention extended.

Because the Supreme Court's ruling is final, the former president would most likely have to stay at the Taipei Detention Center until next month, when the High Court will hold another hearing to decide whether to extend Chen's detention.

Source: [Taipei Times 2009/11/06](#)