

Ma pursues lawsuit against prosecutor

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President Ma Ying-jeou has filed an appeal at the Taipei District Court after prosecutors decided not to indict Hou Kuan-jen, a prosecutor on the Special Investigation Panel (SIP) of the Supreme Prosecutors Office, for forgery. Taipei District Court spokesperson Huang Chun-ming said yesterday the court received a letter of committal for trial in March from Ma's attorney, but the court has yet to announce its ruling.

Hou was one of the prosecutors investigating Ma's handling of his special allowance funds when he was Taipei mayor, minister of justice, vice chairman of the Mainland Affairs Council and other posts.

Ma sued Hou for forgery in January last year, alleging that Hou had inaccurately documented his questioning of Wu Li-ju, a Taipei City Government treasurer, about Ma's use of his mayoral special allowance.

Last year Ma asked the court to remove three prosecutors from his cases for "bias."

State Public Prosecutor-General Chen Tsung-ming rejected the request.

At a meeting last year with the Arbitration Association of the Republic of China, Ma made a reference to his own legal woes by saying that more attention should be paid to accurately documenting questioning sessions.

Although Ma has dropped several of the lawsuits he filed during the presidential campaign last year, he did not drop the charges against the prosecutors who investigated him for graft.

Attorney Billy Chen said Ma's appeal was a way of "killing a chicken to scare the monkeys," a Chinese idiom meaning to make a big show of punishing one person to elicit fear in others.

If Ma had anything against the prosecutor, he did not have to use judicial means because he was the president and has the power to demote prosecutors, who are civil service employees, Chen said.

"If [Ma] is dissatisfied with a prosecutor, he only has to tell the premier, who can order the minister of justice to demote [or punish by other means] the prosecutor," Chen said, but such a low-key action would not serve as a warning to other prosecutors and investigators.

Presidential Office Public Affairs Department director Tsai Chung-li said that Ma decided to appeal not out of personal interest but to serve as an example to others because every citizen could encounter such a situation.

"It is not a small matter," Tsai said. "It is a matter of principle and judicial justice and an important part of the judicial reform. He will set an example."

Special Investigative Panel spokesperson Chen Yun-nan visited the Presidential Office

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yesterday afternoon, but Tsai said he did not meet Ma.

While Minister of Justice Wang Ching-feng said she respected the president's right to appeal, but Democratic Progressive Party (DPP) Legislator Gao Jyh-peng was critical of Ma.

"Big president bullies small prosecutor," Gao said, adding that Ma was narrow-minded and he could not forgive being indicted.

Gao called on Ma to respect the results of the investigation.

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