

Legislative Yuan tapped by SID: Ker

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A woman makes a phone call in this picture taken yesterday. It has been reported that the Special Investigation Division has been wiretapping the legislature's switchboard.

Photo: Liao Chen-huei, Taipei Times

Democratic Progressive Party (DPP) caucus whip Ker Chien-ming (柯建銘) yesterday accused the Supreme Prosecutors' Office Special Investigation Division (SID) of wiretapping the Legislative Yuan.

The legislature's central exchange number, along with Ker's cellphone number, were found on lists of tapped telephone lines.

All inbound and outbound telephone calls to the Legislative Yuan have been wiretapped, Ker said.

"The SID has abused its authority and wiretapped so many people... [the SID] knew what I said to [DPP Chairman] Su Tseng-chang (蘇貞昌), [former DPP chairperson] Tsai Ing-wen (蔡英文) and [People First Party Chairman] James Soong (宋楚瑜). No wonder we lost the presidential election in 2012," Ker said.

He accused the SID of wiretapping his telephone conversations for more than five years, and said that President Ma Ying-jeou (馬英九) had resorted to using secret agents to help govern the country.

Serious flaws have already been found in wiretap approvals used for Ker that were all listed

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under a case involving former Tainan County Council speaker Wu Chien-pao (吳金鑾), who, according to Ker, was not connected to him or the legislature.

The approvals showed that Ker's telephone was tapped between May 16 and Sept. 9 this year during an investigation of his possible role in improper lobbying, which also involved Legislative Speaker Wang Jin-pyng (王金平).

The SID and Prosecutor-General Huang Shih-ming (黃世明) have attracted condemnation across party lines for the wiretapping.

DPP lawmaker Wu Ping-jui (吳平九) said Ker's telephones had been tapped for four extra days because the SID wrapped up investigation of the case on Sept. 5.

The SID has not only placed telephone numbers of unrelated cases under a single wiretapping ticket, but has also unilaterally extended wiretapping periods, DPP legislator Kuan Bi-ling (關碧玲) said.

The approval showed that the legislature's central exchange number was wiretapped for around a month, but a letter notifying Ker of the end of the wiretap, as required by law, showed the exchange was tapped for nearly four months.

At a press conference last night, Huang apologized for "causing social disturbance" with wiretapping, but denied it had been intentional.

The SID was neither aware that the telephone number was the Legislative Yuan's central exchange number nor did it understand that it was wiretapping the legislature at the time, Huang said.

Huang added that the agency authorized by the SID to carry out the wiretaps was unable to monitor a central exchange number, which transferred inbound calls to designated offices or

individuals.

“All those wiretap records were blank as we failed to get any conversation from the tape,” Huang said.

The SID did not mention the details in a press conference called yesterday morning because the officials did not have the correct information, he said.

Huang said when the SID was investigating a case involving former Taiwan High Court judges Chen Jun-ho (陳俊宏), the division came across a person suspected of asking Ker to help a prisoner be released on parole, and at the same time found funds entering Ker's bank accounts. The SID suspected he was taking bribes and applied to the Taipei District Court to wiretap four telephones including that said to be of the legislature's central exchange.

However, Yang insisted that the number was personal, not the legislature's central exchange number. He declined to reveal the identity of the number's user.

Wang confirmed yesterday that the telephone number is one of seven landlines at the Legislative Yuan and has been in use since August 2006.

According to the legislature's secretariat, due to the large number of calls the legislature has to process, it had sought to cut down on expenses by cooperating with Chunghwa Telecom Co Ltd to bind calls to the number 0972-630-235 as well as the landline number (02)2358-5858.

The Legislative Yuan's Dean of General Affairs Tsai Wei-min (蔡偉民) said the number is a low-cost Legislative Yuan landline, which cannot be used as personal number.

The legislature signed a contract with Chunghwa Telecom in 2006 to apply for seven low-cost telephone numbers that allowed unlimited calls among 60 numbers across the legislature, Tsai said.

He said that 0972-630-235 is used in the Chunghsin Building, where lawmakers' offices are located.

When using low-cost lines to make calls, the standard number 2358-5858 is shown as the caller ID, he said, adding that the seven numbers would not be mistaken as personal phone numbers.

According to telecommunication experts, if a wiretap was set on the main switchboard, it would be easy to listen to any extensions connected to that switch board.

There are a great number of extensions to any switchboard in a large company, and in the event that one company has 300 extensions it could apply for five landlines to avoid calls clogging up its systems, although the landlines would all be linked to one number, they added.

This would make it seem like the same number to callers, but the call is just a matter of rerouting to the switchboard and jumping between the five available lines to find the first unoccupied call slot, experts said, adding that if the switchboard itself was wiretapped, calls on all five lines could be listened to.

Conversations could be recorded and used later, the experts said.

It would not be a technical problem to have any extension within the Legislative Yuan wiretapped, they said.

Technological developments also enabled wiretaps to bypass the action of sending in an operative to the site so taps could be set up remotely from a computer.

Those familiar with wiretapping procedures said that while wiretapping a switchboard was

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technically feasible, the number of call records agents would have to go through would be like searching for a needle in a haystack. It would also be difficult to determine who was speaking to who when bugging a switchboard.

Bugging a switchboard might be overkill and violate the principle of proportionality, one expert said, adding that the courts would not authorize a wiretap of an entire switchboard unless it was a large case or if there was already sufficient evidence gathered.

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