

Ma defends lawsuit against prosecutor Hou

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President Ma Ying-jeou yesterday defended his decision to file an appeal in court, insisting that he did the right thing and it was his duty to go forward and not to turn back.

"I did something I am supposed to do and I will proceed without hesitation," Ma was quoted as saying by Presidential Office Public Affairs Department Director Tsai Chung-li, who said Ma made the remarks after learning about public criticism of his decision to appeal.

Ma was referring to the letter of committal for trial his lawyer submitted to the Taipei District Court with regard to a forgery lawsuit Ma filed against Prosecutor Hou Kuan-jen in January last year.

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

Ma accused Hou of inaccurately documenting Hou's questioning of Wu Li-ju, a Taipei City Government treasurer, about how Ma used his special mayoral fund.

Last year Ma asked the court to remove three prosecutors from his cases for "bias," but State Public Prosecutor-General Chen Tsung-ming rejected the request.

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.

On Monday, the Democratic Progressive Party criticized Ma's move as "big president bullies small prosecutor."

Ma yesterday said he was acquitted of embezzlement charges and that his decision to appeal was for public justice and not out of personal interest.

It was the first time a president of the country exercised his litigation rights and Ma said he believed it had drawn much attention to the issue and would eventually lead to the further protection of human rights of ordinary people.

Incorrect interview records might seem insignificant to some, but they can change a defendant's life forever, Ma was quoted by Tsai as saying, adding that he hoped his appeal would serve as an example to others.

Ma said he would take a two-pronged approach to dealing with the problem. On the one hand, he would proceed with the legal procedure. On the other hand, he would continue to push for judicial reform.

The Chinese Nationalist Party (KMT) caucus yesterday threw its support behind Ma's decision to pursue a lawsuit against Hou.

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“Such an appeal has two positive meanings. First, it can safeguard the human rights of the plaintiff when prosecutors decide not to indict the accused and it highlights the importance of procedural justice,” said KMT caucus deputy secretary-general Lin Hung-chih. “Second, we can also remind prosecutors of the importance of dealing with a legal case with caution. [Prosecutors must know] that they can never distort witnesses’ testimony.”

At a separate setting yesterday, former vice president Annette Lu said Ma has the power to conduct a comprehensive overhaul of the judiciary and reform the Ministry of Justice. Although Hou deserved scrutiny, the examination must not be targeted at him alone, she said.

Lu is also under investigation for her use of the special allowance fund during her stint as Taoyuan commissioner. Lu urged Ma to help all those embroiled in cases involving the discretionary fund, which she described as a “historic glitch.”

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