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Court-Anwar (Source)

WITNESS IN ANWAR'S TRIAL REFUSES TO DISCLOSE SOURCE

KUALA LUMPUR, Nov 13 (Bernama) -- A witness said today that he could not disclose the source of letters containing allegations of sexual misconduct against Datuk Seri Anwar Ibrahim.

ACP Mazlan Mohamed Din of the Special Branch told the High Court here that he could not disclose the source because it could be narrowed down by the defence.

He said this at the trial of Anwar, the former deputy prime minister, charged with four counts of committing corrupt practice by using his position to interfere in police investigations into allegations of sexual misconduct against him.

Mazlan, the seventh witness in the trial which entered the 10th day today, said this when asked by one of Anwar's counsel, Gurbachan Singh, whether the source was a member of the public.

Senior deputy public prosecutor Azahar Mohamed objected, saying that as a Special Branch officer, Mazlan was subjected to the Inspector-General Standing Order and the SB Manual which disallowed the disclosure of the source of information.

He said that if the source of information was disclosed, it would discourage the public from giving information to the police.

Gurbachan Singh, referring to section 124 of the Evidence Act 1950, said the defence was not asking Mazlan to reveal the communication or other details of the source and that it only wanted to know whether the source was a member of the public.

The section only said that no public officer shall be compelled to disclose communications made to him in official confidence when he considers that the public interest would suffer by the disclosure, he said.

He said the section did not apply to this case and Mazlan could answer the question.

Senior public prosecutor Datuk Abdul Gani Patail said, however, that all matters relating to the security of the nation were governed by the Official Secrets Act (OSA).

At this stage, Justice Datuk S. Augustine Paul asked the prosecution to confirm the matter.

"My preliminary view is that it may come under (section) 125 (of the same act)," the judge said.

Section 135, among others, states that "no president of a sessions court, magistrate or police officer shall be compelled to say whence he got any information as to the commission of any offence..."

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Gurbachan Singh then deferred his line of questioning until the prosecution confirmed whether the matter was governed by the OSA.

Mazlan also said that his source told him that the letters alleging Anwar's sexual misconduct were in the process of being handed to Prime Minister Datuk Seri Dr Mahathir Mohamad.

Gurbachan Singh again asked about the source, to which Mazlan said: "I cannot disclose, my Lord."

To another question, Mazlan said he did not know whether the Special Branch took the original letters from the prime minister nor whether there were other letters sent to the prime minister.

He agreed with Gurbachan Singh's suggestion that no one could change the orders of the Inspector-General of Police.

Earlier, Mazlan told the court that besides the source, he also received the same letters from the Special Branch Deputy Director, Datuk Amir Junus.

He said he received specific instructions from Amir to monitor the circulation of the letters on misconduct and his investigation showed that they had not been widely circulated.

-- BERNAMA

SBB JK