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Anwar to make defence (HL)

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KUALA LUMPUR, Sat. - The High Court today ordered Datuk Seri Anwar Ibrahim to enter his defence on four corrupt practice charges, ruling that the prosecution had established a prima facie case against him.

Judge Datuk S. Augustine Paul said he did not propose to give reasons for his decision at this stage and fixed Feb 8 for the defence stage to begin.

Anwar, who chose to give sworn evidence from the witness box, is expected to be the first witness.

The defence indicated that it would call more than 20 witnesses, including government ministers whom it would interview next week.

They are Prime Minister Datuk Seri Dr Mahathir Mohamad, Finance Minister Tun Daim Zainuddin, Domestic Trade and Consumer Affairs Minister Datuk Seri Megat Junid Megat Ayob, and International Trade and Industry Minister Datuk Seri Rafidah Aziz.

The defence had also said it would call former Inspector-General of Police Tan Sri Rahim Noor.

The judge told the prosecution to arrange the interviews, despite leading prosecutor Datuk Abdul Gani Patail's argument that the defence should first explain how the evidence would be relevant.

Paul said the defence would only be able to explain after talking to the witnesses, and told Gani to make an application for the explanation when hearing resumed on Feb 8.

The judge also ruled that the court had the power to exclude witnesses if it was not satisfied that their evidence was relevant.

He made clear that evidence on the truth or falsity of the sex allegations against Anwar would be irrelevant and inadmissible.

"The evidence proposed to be elicited (at the defence stage) ... must be confined to the issues raised in the amended charges," he said.

The prosecution amended the charges two weeks ago to focus its case on the misuse of power. Paul had then ordered the trial to focus on the corrupt practice and expunged all evidence on the sex allegations.

Anwar is charged with using his government position to direct the Special Branch to get Ummi Hafilda Ali and Azizan Abu Bakar to retract their allegations against him.

Ummi had accused Anwar of having an affair with her sister-in-law while Azizan alleged that Anwar had sodomised him.

Before giving his decision, Paul also amended the charges. Two charges saw a minor change in the wording, while a sentence was added to the other two to bring them in line with the evidence adduced. The latter two charges were read out to Anwar who claimed trial on them.

Anwar told reporters before hearing began that he was "realistic" about his expectations, and after the decision was given, said: "We will put up a good defence."

He put up a cheerful front, raising his arm jokingly during the proceedings when the judge asked him to decide how he wanted to make his defence. His wife, Datin Seri Dr Wan Azizah Ismail, told reporters outside the court later that she felt "very sad" about the defence being given a week to prepare when it had requested two weeks.

The judge rejected the request for a two-week adjournment, saying justice did not only mean justice for the accused. Paul said his other cases, some involving remanded persons, had been stuck since this trial

began.

This was the 50th day of the trial. Public interest has remained intense as reflected in the packed courtroom every day, especially today. Every section - the reporters and observers, family and public - was filled to its limit.

Outside the court, a large group of Anwar's supporters gathered, waving banners. Their chants of Reformasi! filled the air as they shouted with great energy especially when various vehicles left the courthouse.

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