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Court-Anwar (Internet)

COURT TOLD OF EMBARGOED EVIDENCE BEING POSTED ON INTERNET

KUALA LUMPUR, March 1 (Bernama) -- Attorney-General Tan Sri Mohtar Abdullah told the court today that certain evidence on the Datuk Seri Anwar Ibrahim trial that has been barred from publication has appeared on the Internet and some media although the local mainstream media have obeyed the court ruling.

Citing an example, Mohtar said that on Feb 24 this year an article appeared on the Internet relating things on which Judge Datuk S. Augustine Paul had imposed a news blackout.

Mohtar then handed a copy of the article to the court.

When Mohtar said "it must have come from within these four walls", Paul said "definitely not from me", drawing laughter from the public gallery.

Paul then advised Mohtar to investigate how the evidence found its way to the Internet, to which the AG said the prosecution was already looking into it seriously.

At this point, Anwar's counsel Gurbachan Singh assured the court that the defence team had nothing to do with the circulation of evidence that had been barred by the court from publication.

Mohtar informed the court about the Internet article on day 62 of the corruption trial of the former deputy prime minister and former finance minister.

Anwar, 51, faces four charges of corrupt practice for allegedly abusing his position as deputy prime minister and minister of finance to interfere in police investigations into allegations of sexual misconduct against him.

He is charged under Section 2 (1) of the Emergency Ordinance No. 22 (Essential Powers) 1970 which carries a maximum sentence of 14 years' imprisonment or RM20,000 fine or both upon conviction.

In his testimony today, Bernama journalist E. Sivabalan said that based on a press conference given by the Prime Minister on Aug 24, 1997, he had written an article that exonerated Anwar from the allegations.

When Gurbachan wanted to tender Sivabalan's article, Mohtar said the prosecution had no objection but he would like to draw the court's attention that three-quarters of it (the article) was subjected to the court's earlier ruling relating to "hearsay".

Mohtar then took the opportunity to inform the court about the article which appeared on the Internet.

Earlier, Sivabalan, who joined Bernama in 1991, told the court that he attended the PM's press conference when Dr Mahathir launched Petronas' involvement in the 300km race at the Shah Alam racing circuit in Batu Tiga.

He said part of the press conference was with regard to the allegations against Anwar and he recorded it in his notebook and also with his tape recorder.

Asked whether he still has the notebook and tape recording on the press conference, Sivabalan said he had disposed of the notebook and re-used the tape for other press conferences, as it was a normal practice for him to do so.

Sivalan, who is the fourth defence witness, said the article was done on the day of the press conference and that what he reported was the correct content of what the PM had said.

He said the article or the story was then transmitted to subscribers, but admitted that the NST used its own story as its representative, Ashraf Abdullah, was also at the press conference.

During cross-examination by Senior Deputy Public Prosecutor Datuk Abdul

Gani Patail, Sivabalan agreed that the quotations in his article were not similar to Ashraf's.

Later, in re-examination by Gurbachan, Sivabalan maintained that his was correct since the quotations in his article were based on his notebook and tape recording and he had also checked them twice.

Sivabalan, who denied adding anything to or subtracting from the quotes by the PM in his story, said apart from the quotations, on the whole there were no major contradictions between his story and Ashraf's.

In his testimony, Ashraf, the fifth defence witness, said his story and Sivabalan's were similar although the quotations were different.

"Sometimes, certain words are omitted due to space constraint but it does not change the meaning," he said.

When asked about this particular report, he said: "I think my quotations in my report are accurate," to which the judge replied, "Sivabalan said his report is accurate," and the public laughed.

During cross-examination by Abdul Gani, Ashraf said PM made the spontaneous statement in response to questions by reporters, and his article was based on questions and answers relating to the allegations during the press conference.

NST staff correspondent in Klang, Sa'odah Elias, testified that she did an article titled "Sex Allegations: Anwar Won't Pursue the Matter" after attending a press conference which was given by Anwar in Shah Alam and the report was an accurate reflection of what Anwar said.

When questioned by Abdul Gani, Sa'odah said the story was hers but the headline was decided by the sub-editor.

Before Sivabalan testified, the court heard evidence from Anwar's former private secretary in the Ministry of Finance, Mohamed Ahmad, who told the court that he was introduced to Azizan Abu Bakar by Anwar's former ADC, ASP Zull Aznam Haron in June 1998.

Azizan, the former driver of Anwar's wife Datin Seri Dr Wan Azizah Ismail, had alleged that Anwar sodomised him in a sworn statement attached together with Umami Hafilda Ali's letter "Perihal Salah Laku Timbalan Perdana Menteri" which was sent to the PM.

Asked about the circumstances in which the introduction took place, Mohamed said Zull Aznam had telephoned his office and informed him that Azizan wanted to see him about a business proposal.

He said when they met at his office in the Ministry of Finance, Azizan told him that he was there on behalf of his company's director, Datuk Taufik Yap Abdullah, to apply for a contract with TNB.

Mohamed said Azizan also told him that he wanted to see Anwar regarding the matter but since Anwar was reluctant to do so, Azizan was referred to him.

Mohamed said Azizan told him that Anwar did not give any reason for being reluctant to meet Azizan apart from the phrase "dengan keadaan semasa itu dan bagi mengelakkan tohmahan" (in view of the current situation and to avoid accusations) which Anwar did not elaborate.

He said that at the meeting Azizan handed over a paper containing information regarding the application for the contract and asked him (Mohamed) to bring this matter to Anwar to enable him to secure the contract.

"After that, Your Lordship, I informed (Azizan) that where the contract issue was concerned, it was difficult to help because it had to follow existing processes and there was no shortcut to procedures on the award of contract," he said.

Mohamed said he noticed that Azizan was a little disappointed with this information but Azizan still wanted him to inform Anwar about it.

To another question, Mohamed said he was arrested twice since Anwar's

dismissal from his posts in September 1998, and at this juncture, Abdul Gani objected on the ground that the arrests had no bearing in this case.

Mohtar then explained to the court that Mohamed had been arrested in relation to a corruption case and a kidnapping case, and Gurbachan apologised to the court for bringing up the matter which was not relevant to the hearing.

The last witness in the morning session was Anwar's driver, Abdullah Sani, who worked with the former DPM since 1983 and is still serving as the family's driver.

He told the court that he knew Azizan after the latter started working as the driver for Azizah and her children, but said he never saw Azizan drive Anwar alone.

Abdullah said when Azizan contacted him in June 1998 and told him that he had a problem and wanted to meet Anwar, he advised Azizan to contact Zull Aznam.

He said he later told Zull Aznam about Azizan's request to see Anwar and after that he did not know whether Azizan met Anwar at his official residence.

During cross-examination by Senior Deputy Public Prosecutor Azahar Mohamed, Abdullah agreed that whenever he took his leave he was replaced by someone from the Ministry of Finance.

-- BERNAMA  
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