

19 JUN 1999

Court-Anwar (Counsel)

KARPAL NOW PART OF ANWAR'S DEFENCE TEAM

KUALA LUMPUR, June 19 (Bernama) -- Datuk Seri Anwar Ibrahim has increased the number of defence counsel in his sodomy trial from six to seven -- the latest inclusion being lawyer Karpal Singh.

The addition was made during a break at today's trial after Karpal, counsel for Anwar's co-accused Sukma Darmawan Sasmitaat Madja, made an application to cite Prime Minister Datuk Seri Dr Mahathir Mohamad for contempt in relation to a statement he had made about Anwar.

Judge Datuk Arifin Jaka rejected Karpal's application on the grounds that he could not make an application on behalf of an accused person he was not representing.

Anwar, 51, and his adopted brother Sukma, 38, were each charged with sodomising Azizan Abu Bakar at unit 10-7-2 of Tivoli Villa, Jalan Medang Tanduk, Bangsar at about 7.45pm between January and March 1993.

Sukma, a boutique owner, faces an additional charge of abetting Anwar in committing the offence at the same place, time and date.

When court commenced proceedings at 9am today, Karpal informed the court that he was making an application to cite Dr Mahathir for contempt over the Prime Minister's speech relating to Anwar which was made at the opening of the Umno general assembly yesterday.

"I have received instructions from Datuk Seri Anwar to make this application. He has just engaged me just for this," Karpal said.

Attorney-General Tan Sri Mohtar Abdullah immediately stood up and asked whether that could be done from the ethic point of view.

"This is not Parliament," Mohtar said.

"I'm not going to allow this. Any application by accused persons must be made by his respective counsel," Arifin said.

Looking at Anwar's counsel Christopher Fernando, the Judge said: "Please advise your client to make whatever application through you."

The court then called former Inspector-General of Police Tun Haniff Omar, who began his testimony yesterday, to come to the witness stand after Fernando said that he would make the application later.

Before the court took a break at 10.15am, Mohtar requested that the matter to be raised by Fernando be discussed in chambers.

About 15 minutes later, Mohtar, Fernando and Karpal emerged from the chambers. Both counsel were then seen talking to Anwar and Sukma.

When court resumed, Karpal told Arifin that he had been engaged as co-counsel for Anwar and that he would then be making the application.

"I need some clarification. Your Honour, are they merging as a team or are they acting as co-counsel for each accused?" the A-G asked.

Karpal explained that he was now Anwar's co-counsel but would still be acting for Sukma.

"Then, there'll be conflict," said the judge. "What is good for one may not be good for another, you must bear that in mind."

When Karpal assured the court that they would not conflict each other, and that they would ensure their questions would not overlap, the judge relented and said he now needed to change his record.

"May I ask who's the leading counsel?," said Mohtar, to which Karpal replied that the defence team would still be led by Fernando.

"Any objection?" said Arifin, looking at Mohtar.

"No, as long as they can guarantee that only the leading counsel cross-examine witnesses," said Mohtar.

"But if one counsel gets tired, another one can take over," Karpal said.

-- BERNAMA

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