

14 APR 1999

Court-Anwar (Mahathir)

PM IN NO POSITION TO ASSIST TRIAL, SAYS JUDGE

KUALA LUMPUR, April 14 (Bernama) -- The High Court here today ruled that Prime Minister Datuk Seri Dr Mahathir Mohamad and former Inspector-General of Police Tan Sri Abdul Rahim Noor would be in no position to assist the court in answering questions in the Datuk Seri Anwar Ibrahim corruption trial.

Justice Datuk S. Augustine Paul said they were would not be able to answer questions pertaining to the report sent by then special branch director Datuk Mohd Said Awang to the Prime Minister in August 1997.

They would have no personal knowledge of the contents of the report which informed the PM that the sexual allegations against Anwar were unfounded and baseless, said Paul in his 394-page written judgment.

On the so-called second report which the defence alleged contained the names of the personalities involved in a political conspiracy to topple Anwar, he said there was no evidence that such report existed.

Referring to Cabinet ministers Tun Daim Zainuddin and Datuk Seri Megat Junid Megat Ayob who were allegedly involved in the conspiracy, Paul said the defence did not submit on the materiality of them as witnesses who ought to have been called, apart from merely mentioning their names in respect of whom an adverse inference ought to be drawn for failure by the prosecution to call them as witness.

He said that the prime minister's political secretary Datuk Aziz Shamsuddin was also not a material witness as the handing over of a letter alleging Anwar's sexual misconduct was not an issue in the case.

Paul said Anwar's then private secretary Azmin Mohd Ali was also not an important witness with regard to the police report he made on behalf of Anwar and the making of the report was also not disputed.

"I was therefore of the view that Azmin was not a material witness who ought to have been called by the prosecution," he said.

On Shamsidar Taharin, Azmin's wife who was alleged to have an affair with Anwar, Paul said it was not necessary for the prosecution to have called her as witness as the court had ruled that the truth or falsity of the allegation was not a fact in issue as her evidence was not only immaterial but also irrelevant.

--BERNAMA

NHD AO