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Inquiry-Report (Mahathir)

PM NOT INVOLVED IN ANWAR ASSAULT, SAYS COMMISSION

By: Roslina Atan

KUALA LUMPUR, April 14 (Bernama) -- The Royal Commission of Inquiry which investigated the assault on Datuk Seri Anwar Ibrahim has rejected the former deputy prime minister's insinuation that the assault was influenced and abetted by Prime Minister Datuk Seri Dr Mahathir Mohamad.

In its report released through Bernama today, the commission said that although Anwar had wished to persuade them of the honesty of his belief that the alleged animosity of former Inspector-General of Police Tan Sri Rahim Noor was influenced by Dr Mahathir, the insinuation was not substantiated and must therefore be rejected.

"Datuk Seri Anwar candidly admitted to us and on oath that he was not going so far as to assert that his assault was ordered by the Prime Minister who was at that time the Home Minister.

"To quote his very words he said this "I mean...I am not sure about the assault but they had instructions...but I think he had instructions to act and humiliate me politically'," the commission said.

The commission was set up after Anwar, 51, was beaten up while in police custody at the Bukit Aman police headquarters on Sept 20 last year after leading an anti-government demonstration in the federal capital.

The demonstration was held after Anwar was sacked as deputy prime minister and finance minister on Sept 2 amid allegations of sexual misconduct.

The members of the commission were former Chief Justice of Malaya Tan Sri Anuar Zainal Abidin, former Appeal Court judge Datuk Mahadev Shankar and orthopaedic surgeon Datuk Dr Yeoh Poh Hong while former Attorney-General Tan Sri Abu Talib Othman assisted in the open inquiry held between Feb 22 and March 4.

The commission said that at the other end of the scale, it had Rahim's direct evidence that he was not directed to carry out this assault by anyone, not even the Prime Minister.

"This evidence was not challenged in cross-examination by Karpal Singh (Anwar's lawyer). A belief however honestly held cannot amount to proof in judicial proceeding without cogent material to support it.

"Pitting such a belief against the direct and unchallenged evidence to the contrary can only result in one finding. We hold that the insinuation that this assault was abetted by the Prime Minister has not been substantiated and accordingly, we must reject it altogether," the commission said.

It also said that in public inquiries of this kind where criminal misconduct was being alleged, the burden of proof required was proof beyond reasonable doubt before an adverse finding could be made.

"Since we have negated the reasons Rahim gave us for the assault, and there is no positive evidence before us as to why he did it, Rahim's real motive for this assault must remain an unanswered question," it added.

-- BERNAMA

RA JK