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PM's opinion based on hearsay, argues DPP

By ARFA'EZA A. AZIZ

KUALA LUMPUR, Wed: Prime Minister **Datuk Seri** Dr Mahathir Mohamad has no personal knowledge on the sodomy allegations against **Datuk Seri Anwar Ibrahim**. **the High Court** was told today.

Mahathir's opinion will be based on hearsay evidence and as such, he need not take the stand as a defence witness, said senior DPP **Datuk Abdul Gani Patail**.

"Why should the views of the Prime Minister be important? As officers of the court,

we should not take the Prime Minister's views but to only consider hard evidence," he submitted.

He said even if Mahathir testifies he does not believe **Anwar** committed sodomy, the prosecution **will still** continue to **prosecute** the former deputy **prime** minister.

"Our case is based on cold, hard facts and not hearsay evidence," he said, adding there is nothing to link **Mahathir** directly to the defence's allegation that the evidence **against Anwar** was **fabricated**.

Gani said the defence has

to only prove the conspiracy of fabricating the evidence and nothing else.

"A political conspiracy to topple Datuk Seri Anwar Ibrahim is not relevant here. There are other quorum to resolve that, but not in this court," he added.

Earlier, lawyer Karpal Singh submitted that **Mahathir's affidavit** in reply (to **Anwar's affidavit**) showed he is a material witness and ought to be called.

He said Mahathir needs to be questioned on the new alleged sodomy evidence (of **Anwar** and Azizan Abu

Bakar) stated in his affidavit as it was never adduced in court.

He said this would relate to the **credibility** of **Azizan**, who is the main-prosecution witness, as he had never mentioned such evidence.

"Relevancy does not only mean to support the evidence of the defence but also to contradict the evidence of the prosecution," he argued.

• He said Mahathir also has to be questioned on the Special Branch reports be referred to when making a press conference in **1997**, saying that the allegations

against **Anwar** were **baseless**.

Mahathir has 'to be asked on why he strongly concluded the **allegations were** a mere bid by certain quarters who were unhappy with **Anwar** as his successor, he said.

"We have the right to ask him what was in the report and who are the people unhappy with Anwar."

Further hearing of the **submissions** was postponed to Friday as Karpal has another case to attend in **Muar**.

However, the trial **will** continue tomorrow with evidence from other witnesses.