

Anwar denies malice in defence statement

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Opposition leader Anwar Ibrahim, in his defence statement over a suit filed by Mohd Saiful Bukhari Azlan, has denied there was any intention of malice when he went around the country to deny the Sodomy II incident.

Maintaining the Sodomy II incident as complained by Saiful did not occur, Anwar said the incident was a lie and he had to relate it due to public interest.

"The commentaries made were done with good intentions. I reiterate that the comments were made appropriately by someone who is just, and based on what is already in the public domain.

"There was no intention of malice in the commentaries and facts raised," he said, in pleading fair comment.

When Saiful had lodged a police report on June 28, 2008 over the alleged sodomy incident, Anwar had gone around the country to deny the charge.

He also claimed this was a political conspiracy against him as he was about to contest for the Permatang Pauh parliamentary seat which was vacated by his wife and PKR president, Dr Wan Azizah Wan Ismail (left).

Anwar said this in his defence statement following Saiful's RM50 million suit against him over the sodomy incident.

The PKR de-facto leader in his 10 page defence filed by the law firm Daim Gamany, maintains that Saiful had no reasonable cause of action against him and his suit is frivolous and abuse of the court process.

Anwar said Saiful was merely a temporary volunteer and a general office worker who was asked to do errands. He only received allowances as a volunteer.

He denied giving the plaintiff privileges and added that Saiful's tasks were decided by then PKR chief of staff, Ibrahim Yaacob.

Saiful, during the trial and in his statement of claim, had alleged Anwar had accorded special treatment to him.

'Hidden intention'

Anwar said Saiful's police report over the alleged sodomy incident was done with malice

and with the hidden intention to smear his reputation politically.

“I maintain that at the time of the incident on June 26, 2008, I was attending a meeting at Damansara. I left an envelope at the PKR office and called Ibrahim to say I needed it for the meeting. Ibrahim was busy at that time and directed Saiful to send it, as he was in office,” said the politician.

Anwar claimed absolute privilege to file his application for qazaf (bearing false witness) at the Kuala Lumpur Syariah Court and claimed qualified privilege in claiming Saiful himself knew there was no sodomy incident and there was a Hospital Kuala Lumpur report dated July 13 stating the same.

The case came up for case management today at the Kuala Lumpur High Court, where Anwar’s lawyers submitted his defence.

The matter is fixed for further case management on Nov 18 before Judicial Commissioner Azizul Azmi Adam.

Anwar was represented by Shahid Adli Kamarudin, while Saiful was represented by his counsel Zamri Idrus.

Anwar was initially acquitted in Jan 2012 of sodomising Saiful by the Kuala Lumpur High Court.

However, on appeal at the Court of Appeal in March this year, the appellate court overturned the decision, convicted the Permatang Pauh MP and sentenced him to five years' jail.

His final appeal is coming up for two days on Oct 28 and 29 at the Federal Court. However Oct 14 has been set to hear Anwar's appeal to remove Muhammad Shafee Abdullah (right) from leading the prosecution team.

Following Anwar's conviction, Saiful filed his suit on June 23, for defamation and scorn resulting from the sodomy incident, which had resulted in public ridicule.

He is seeking RM50 million in damages, and further general, aggravated and exemplary damages as a result of the action.