

**IGP's defamation suit against Anwar - full trial**  
**Malaysiakini.com**  
**July 30, 2010**

The Kuala Lumpur High Court today dismissed Anwar Ibrahim's application to interpret a question of law posed by his lawyers in pre-trial procedures on Inspector-General of Police Musa Hassan's defamation suit.

Judicial commissioner Dr Prasad Sandosham Abraham ruled that the press conference held two years ago by Anwar (right) after he lodged a police report against Musa - where the allegedly defamatory remark was made - was not immune to legal action.

However, the judicial commissioner noted that the counsel can make an argument on whether it was necessary for the press conference to be held.

"There are some triable issues to be decided and it is best for the matter to go for a full trial," Prasad ruled.

The ruling raises the question of whether press conferences after lodging a police report are immune to defamation suits or slander. This is unless the affected person, can prove there are justifiable reasons for having it.

By law, contents of a police report receive immunity and cannot be a basis for libel suits.

Previously, Anwar's counsel sought the court's interpretation on whether he was protected, by virtue of the principle of absolute privilege, when divulging the contents of the police report in the press conference.

No absolute privilege

Musa's counsel Kamarul Hisham Kamaruddin submitted that while police reports were absolute privileged documents, the issue did not extend to Anwar's press conference.

The judicial commissioner fixed Oct 13 for case management.

Anwar will be required to amend his statement of defence to justify the reasons in holding the press conference, and in the light of that, Musa (left) is also given the opportunity to amend his statement of claim.

The IGP had filed a defamation suit against Anwar on July 21, 2008.

In it he claimed the opposition leader had acted mala fide (with bad intentions) in lodging a police report and making public details of the report lodged against him and attorney-general Abdul Gani Patail, regarding allegations the two had fabricated evidence in the 'black eye' incident of 1998.

He claimed that the allegations were baseless and not true. The IGP also claimed that it had tarnished his reputation, image, honour and good name.

The IGP denied of being involved in such a conspiracy to fabricate evidence or impede investigations into the incident.

Musa has also applied for an injunction to stop the PKR de facto leader or his agents from

further repeating such defamatory remarks contained in the police report.

Copyright © 1999-2007 Mkini Dotcom Sdn. Bhd.

Source : <http://www.malaysiakini.com/news/138770>