

Karpal: Listen to Branson, stop Sodomy II trial
Malaysiakini.com
September 30, 2010

Senior lawyer Karpal Singh has urged the attorney-general to enter a *nolle prosequi* (stop the pursuit) of Anwar Ibrahim's sodomy case, in view of the international ramifications mentioned by British entrepreneur Richard Branson.

The veteran lawyer, who is also lead counsel for Anwar's defence team, said withdrawing the charge is the only way to remove the 'thorn' mentioned by Branson (*right*).

"Persecuting Anwar will only be counter-productive to the government's standing, especially following the March 8, 2008 general election which showed that BN does not enjoy a solid or acceptable mandate of the people."

"In the international scene, the government stands condemned on this issue. I call upon the government to be pragmatic and realistic. Persecuting Anwar is against the national interest as the international spotlight will be on the trial," Karpal said in a statement today.

Branson had said during an investment conference in Kuala Lumpur on Monday that Anwar's ongoing sodomy trial is damaging the country's reputation and putting off potential investors.

The British tycoon, the founder of Virgin Group which operates the budget Virgin Atlantic Airways, said what is happening to Anwar, damages Malaysia.

"I think it is not a major issue but it is definitely a thorn. I think this has gone on for a long, long time. It looks bad overseas," the well known British entrepreneur had said.

Karpal also gave Prime Minister Najib Abdul Razak some food for thought in that it is something which the government cannot ignore, and the senior lawyer also warned that the defence team's logical stand was to put Najib and his wife Rosmah Mansor on the stand as witnesses.

"If the prime minister and his wife are prepared to pick up the cudgel, then so be it. The defence team can assure them they will not be spared to elicit the truth," he said.



Star witness and complainant Mohd Saiful Bukhari Azlan had said he met Najib at his official residence, where he described the then deputy premier as being shocked over the claim.

Anwar had always alleged a high-level conspiracy, and Saiful's testimony on the meeting was proof.



Karpal had also said at the start of the sodomy trial that he had received instructions to call Najib and Rosmah (*left*) as defence witnesses.

Heed Branson's advice

Deputy Prime Minister Muhyiddin Yassin had also commented on Branson's statement yesterday where he agreed the trial is a blot on foreign investment.

Karpal also wants the government to heed Branson's advice as this was coming from a respected entrepreneur with high international standing.

Several weaknesses were exposed during the course of the trial, and the senior lawyer wants the attorney-general to take steps to withdraw the charge when the case comes up on Oct 14.

"Branson's advice ought not to be ignored. The country cannot afford to drive away foreign investors," the senior lawyer said.

Karpal kept up the pressure on the judiciary when he said that during the course of the trial that a member of the prosecution had had an affair with the complainant, which none of them had denied.



He said this had created a real risk where the trial could have been contaminated, and this would lend credence to doubts over whether this constitutes a fair trial.

Karpal (*left*) said the evidence led in court does not support the charge which involves alleged consensual sexual intercourse against the order of nature between Anwar and the complainant.

"There is no doubt the entire integrity of the prosecution has been compromised. In any other country having a legal system with acceptable international requirements for a fair trial, the trial judge would have taken it upon himself to direct a discharge without proceeding with the trial."

"Unfortunately, a High Court judge in Malaysia does not have the power to do so, unlike the subordinate courts where the presiding judicial officer is empowered by Section 173 (g) of the Criminal Procedure Code to direct a discharge where the charge is groundless at any stage of the proceedings," he said.posts.