



Sodomy II: 'Another medical report exists'
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Anwar Ibrahim's defence team has demanded a copy of a medical report written on June 28, 2008, when three Hospital Kuala Lumpur (HKL) doctors had examined sodomy complainant Mohd Saiful Bukhari Azlan.

The document, which is being kept at the HKL, was prepared by the three doctors - Dr Mohd Razali Ibrahim, Dr Siew Sheue Feng and Dr Khairul Nizam Hassan - after they examined Saiful for three hours that night.

This report has not been tendered as evidence nor has a copy been handed to the defence. Instead, a full medical report dated July 13, 2008 was tendered.

The existence of the June 28 report came to light when Razali, under cross-examination today, mentioned that it has a more detailed medical history of Saiful than written in the July 13 report.

The July 13 report has only a two-line statement - that a 23-year-old Malay man had alleged being sodomised by a well-known public figure for the two previous months, and that the most recent incident had taken place in the afternoon of June 26.

Karpal complained that, if all documents had been provided to the defence as requested earlier, it would have helped the team, while the proceedings would not have been disrupted.

"I have to ask for this earlier report as my entire line of questioning will depend on what is produced," he said.

Solicitor-general II Mohd Yusof Zainal Abiden said the prosecution was not aware of any earlier report.

The court declared a short recess to enable Razali to produce the June 28 report.

Mohd Yusof then told the court that Siew has an unsigned copy of the earlier report.

"The defence will have to make a proper formal application if it wants to get the report. But the prosecution is making available the unsigned copy of the report."

Karpal said an unsigned copy is of no consequence as Razali had said the doctors had signed a copy.

"There is a copy signed by all three witnesses and we want it," he said.

Justice Mohamad Zabidin Mohd Diah ordered Razali and investigating officer Jude Pereira to get the document.

'Police officer was present'

Earlier, Karpal had reminded Razali several times the a witness under oath is required to tell the whole truth.



Razali, who is a general surgeon, testified that he had attended to sodomy cases twice previously, but that this is the first time he is testifying in court.

He said the doctor in attendance, along with Dr Khairul Nizam, had briefed the team about Saiful's medical history.

At one point, Razali said investigating officer DSP Jude Pereira (*left*) had also briefed them and that he had been present all the time that Saiful was being examined.

Yusof interjected several times to object to the manner in which Karpal questioned the witness, prompting a noisy response from the public gallery.

Justice Mohamad Zabidin reminded the public to keep quiet during the proceedings.

Razali agreed that a full medical report was prepared and signed by all three doctors.

Karpal: Did you discuss the full medical report before all of you signed it?

Witness: It was discussed.

Karpal: Are you aware that a police report was included?

Witness: I was aware but I did not go through it, I think it is in the file.

Karpal: Did you read it?

Witness: All the documents were in the file.

Karpal: Was the police report before all of you?

Witness: I cannot remember exactly.

Karpal: Is there an initial report other than this P22 (the full medical report) which has been tendered in court?

Witness: Yes, it was jointly prepared by us and typewritten.

Karpal: Is this available also?

Witness: Yes, the report was made after examining the witness on June 28, 2008 but before the July 13 medical report.

Karpal: The initial report contains the medical history and the examination notes?

Witness: Yes.

Siew, when recalled by Mohd Yusof, said all specimens retrieved from Saiful were placed in

The charge against Anwar Ibrahim

That you, on June 26, 2008 between 3.01pm and 4.30pm at Unit 11-5-1, Desa Damansara Condominium, No 99 Jalan Setiakasih, Bukit Damansara in the Federal Territory of Kuala Lumpur, intentionally had carnal intercourse against the order of nature with Mohd Saiful Bukhari Azlan where you inserted your penis into his anus, and therefore you had committed a crime which can be punishable under section 377B of the Penal Code.

Penal Code, section 377B
Committing carnal intercourse against the order of nature

Whoever voluntarily commits carnal intercourse against the order of nature shall be punished with imprisonment for a term which may extend to 20 years, and shall also be liable to whipping.

Azlan Zamhari / Malaysiakini

sealed sterilised plastic containers.

The witness said he had placed the items including the cotton buds, blood samples in a special forensic sealed plastic bag.

"I made a list of all the samples retrieved from Saiful and jotted it down on the plastic. I acknowledge I did not sign on the plastic bag. But the handwriting is on the plastic bag," he said.

The plastic bag was tendered as evidence.

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