

Defence seeks to cast doubts over medical report
Malaysiakini.com
October 28, 2010

Top defence lawyer Karpal Singh today sought to raise doubts over the medical report of complainant Mohd Saiful Bukhari Azlan, which was prepared by three Hospital Kuala Lumpur (HKL) doctors.

During his cross-examination of HKL general surgeon Dr Mohd Razali Ibrahim, Karpal pointed out certain flaws in the final medical examination report prepared by the doctor and his two colleagues on July 13, 2008.

This follows the admission by Dr Razali of a mistake in the final report, where the reference number of one portion of the report was not properly entered.

There were three chemist reports which was given to the HKL doctors dated July 11, 2008 - PJ FOR 6334/08-0, PJ FOR 6334/08-1 and PJ FOR 6334/08-2.

The DNA report was done by one Dr Seah (Lay Hoong, name not mentioned fully) from the Chemist Department with the last reference number being 0 and 2 respectively, while 1 was the toxicology tests.

However, on page three of the final medical report signed by all three doctors, it was stated that the results were obtained from chemist reports which end in 0 and 1 respectively.

This prompted Karpal to question the anomaly, which resulted in Dr Razali conceding that it was a typographical error.

Toxicology test not submitted

Karpal also complained that the defence did not get a copy of the toxicology report, although this was attached to the chemist report.

Solicitor-general II Mohd Yusof Zainal Abiden then told the court that the toxicology test on Saiful will not be submitted as evidence.

This led to an exchange between Karpal and Mohd Yusof on whether the chemist reports and the toxicology test could be admissible in court following the discrepancy.

Earlier, Karpal also sought clarification on whether High Court judge Mohamad Zabidin Mohd Diah had fully understood the defence's request for the medical notes yesterday.

Justice Zabidin argued that he did, although initially in his ruling, he said he would allow the preliminary medical report to be given to the defence.

"What we wanted are the clinical notes. The preliminary medical report is not an issue," said Karpal.

Following this, the judge ordered both parties to submit on the matter tomorrow. Hearing will resume at 8.30am with Malaysiakini again carrying the court proceedings live.

Source : <http://www.malaysiakini.com/news/146690>