

DNA : Anwar's lawyer reveals the deal
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Anwar Ibrahim will not provide a DNA sample unless his stringent conditions are met, said his lawyer R Sivarasa today.
MCPX

Among them is for all medical samples and examinations or tests conducted in relation to the sodomy allegation must be proven to have been carried out professionally and without interference.

bersih ec constitutional putrajaya 181207 sivarasa Until then, he said Anwar will not consent to giving a DNA sample even if the police obtain a court order.

"If an application is made to court, given the current circumstances, we will resist it for the concerns we have already expressed," he told a press conference at Anwar's house in Bukit Segambut, Kuala Lumpur.

Earlier, Sivarasa spoke of past events as well as current circumstances that he said pointed to attempts by certain quarters in the government to fabricate and manipulate evidence.

Citing Anwar's 1998-1999 trials, Sivarasa said the proceedings saw the illegal removal of DNA samples from forensic custody and the "planting" of blood samples.

The disclosure of these incidents in court led to the expunging of the entire DNA evidence, he added.

He also noted that a former associate of Anwar, KS Nallakaruppan, was also alleged to have been forced to give false evidence in the trials and threatened with the death penalty.

He said the then investigating officer (now inspector-general of police) Musa Hassan and prosecuting officer (now attorney-general) Abdul Gani Patail are currently top lawmen in the government in charge of the institutions presently investigating Anwar again.

'Pattern of fabrication'

Apart from this, he said since the authorities have Anwar's DNA from the previous trials and his current accuser is under their protection, there is concern that evidence will be fabricated.

anwar ibrahim freed from police ipk detention pc 170708 06 "It may well be that we have to wait for a full court process to see whether that (independent and professional tests) can be shown to our confidence or the confidence of the public.

"We have to be convinced... We're not talking of isolated incidents of fabrication. We're talking of a pattern of fabrication. Who are the key players in that pattern? The names are at work now," he added.

Sivarasa also reiterated PKR's request for a copy of the police report made by Saiful Bukhari

Azlan against Anwar.

The lawyer said until this is done, there is no "credible justification for resorting to a DNA analysis."

Referring to the statement Anwar gave the police on Wednesday, Sivarasa said he provided them with "all the details needed" and the witnesses to testify to his alibi the night of the alleged crime.

Sivarasa said Anwar's statement needs to be investigated "professionally and independently" by the police before proceeding to the issue of DNA.

"DNA is basically corroborative evidence. It is not the primary evidence that you jump to immediately. The question we would ask the police is, you have to reach the point where you have a credible complaint. Not just the mere word of a complainant, but a credible complaint. In other words, whatever he is saying is corroborated by other witnesses.

"From what we know, we're not even convinced that is happening. It's not pivotal, it's corroborative of the picture."

When pressed to reveal Anwar's location on the day the alleged crime was committed, Sivarasa declined to comment.

"All details have been given to the police. The full details of the alibi have all been given, but I'm not at liberty to discuss it. We shouldn't do it here, but we have given it in full to the police.

"We know that they know everything that has to be known. That's why we have questions as to why they are so focused on the issue of DNA evidence," he said.

'He was stripped and measured'

On another matter, Sivarasa refuted a media report that said Anwar was not stripped naked and his private parts measured.

"I'm not sure if it's entirely within journalistic ethics. You quote an unnamed source, hospital authorities, that this did not happen, and we're saying that's a false statement.

"He was stripped naked, he was measured, for the record," he said.

Sivarasa was referring to a New Straits Times report which quoted an unnamed hospital official as denying that Anwar was stripped naked.

Yesterday, Anwar had said that he was ordered to strip naked and measured when he was taken to the hospital.

Meanwhile, Sivarasa also disclosed that an application had been filed to set aside the Kuala Lumpur Magistrate's Court order that barred Anwar and his supporters from going within five kilometers of Parliament on Monday.

Source : <http://www.malaysiakini.com/news/86363>