

Experts: Saiful's first medical report relevant
Malaysiakini.com
Jul 31, 2008

While the physical examination of Mohd Saiful Bukhari Azlan appeared to be brief and not sodomy-related, it is nevertheless still relevant to the controversial case involving embattled opposition leader Anwar Ibrahim.
MCPX

saiful bukhari azlan images 300608 03Saiful (left), who had accused Anwar of sodomising him, had gone to Pusrawi Hospital on June 28 complaining of pain in passing motion four hours before the 23-year-old lodged a police report against the PKR leader.

He said he had been experiencing pain for a week and had alleged that he was assaulted by a piece of plastic being forcibly inserted into his anus.

Pusrawi medical officer Dr Mohamed Osman Abdul Hamid, who had examined Saiful, said he found no signs of sodomy. His report was leaked to Malaysiakini and a number of Internet websites on Sunday.

Yesterday, Hospital Pusrawi authorities, while conceding that the leaked report looked "genuine", argued that Mohamed Osman's examination was not sodomy-related.

According to a medical expert, the police cannot ignore Dr Mohamed Osman's report especially if it conflicts with another medical examination done at the Hospital Kuala Lumpur (HKL) several hours later.

"Dr Mohamed Osman's observation showed no obvious physical evidence to support such a claim which could raise a reasonable doubt if the doctor in HKL observed the opposite..." said the doctor who has years of experience in handling rape and sodomy cases.

Hospital Pusrawi 280708.jpg"Dr Mohamed Osman is experienced enough and couldn't be wrong not to notice the obvious signs like bruises, tenderness, swellings, scratch marks, fissure and bleeding per rectal and so on," said the doctor who requested anonymity.

"To associate tenesmus with sodomy, the complaint has to come after the event, and there would be evidence of injury to the anal mucosa like fissure or scar should be seen (to cause the pain) and there may be also some traces of blood seen."

From the leaked document, the expert said Mohamed Osman did not do a complete medical examination of alleged victim, which was why he was not in the position to conclude with certainty that there was no sodomy.

"What Dr Mohammad Osman did is just a simple examination of a person who complaint of tenesmus and alleged assault, and from his examination he found no physical evidence to support the claim. That is why he wrote in his diagnosis 'TRO (to rule out) assault (sodomise)'," she explained.

'Almost impossible' to find traces of DNA

The expert said that Mohamed Osman had carried out a per rectal examination to look for obvious physical injury to the anus or rectum and he found no physical evidence to support

Saiful's claim.

The Pusrawi doctor did not find any tearing or scarring of tissue in the anus, nor was there any blood seen.

"His observation on the mental state of Saiful at that point of time is also relevant - that he appeared not in distress and 'comfortable'," she said.

According to the expert, Mohamed Osman had done the right thing in advising Saiful to go to a government hospital.

saiful bukhari azlan sodomy allegation anwar ibrahim medical report 300708 "The court only accepts the medical examination from a government hospital which has more credibility especially if it is done by a specialist rather than the private practitioner. Other than physical examination, corroborative evidence like blood, seminal fluid, foreign materials, has to be taken as well."

But she said that since Saiful had alleged that he was sodomised two days before he was physically examined, it would be "almost impossible" to have any trace of material for DNA identification be available unless he used the same underwear that was not washed since the alleged event.

"There would be impossible also to find any recognisable material for DNA identification as well. Thus, asking for a fresh DNA sample is highly questionable because it is not a fresh sodomy/rape case where the evidence is still available."

Another medical expert told Malaysiakini that based on Mohamed Osman's medical report, Saiful had complained about being assaulted by a piece of plastic.

"There cannot be a charge of sodomy unless there is actual contact between the penis and anus. If an object was used, then the charge has to be assault," said the retired medical doctor who had carried out medical examination involving rape cases in a government hospital.

Copyright © 1999-2007 Mkini Dotcom Sdn. Bhd.
Source : <http://www.malaysiakini.com/news/87034>