

**Lawyer argues against transfer of sodomy case**  
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**Beh Lih Yi**

Opposition leader Anwar Ibrahim's legal team has objected to the prosecution's move to transfer his sodomy case from the Sessions Court to the High Court.

Anwar's case, which was fixed for mention today, was adjourned to Sept 24 following a dispute over a certificate to transfer the case signed by Attorney-General Abdul Gani Patail.

The court will hear arguments from both parties on the validity of the certificate.

Before the 30-minute proceedings ended this morning, Anwar's lead counsel Sulaiman Abdullah (right) told the court that his team would oppose to the transfer of the case.

He said the current Sessions Court has everything that it requires to continue hearing the case, and stressed that Judge SM Komathy Suppiah has competence to hear the matter.

"We see absolutely no need for the transfer," said the senior lawyer.

Hearing this, Komathy smiled and replied: "I have been serving for 26 years."

Anwar claimed trial on Aug 7 to a charge of allegedly sodomising his former aide, 23-year-old Mohd Saiful Bukhari Azlan. He could face a 20-year jail term if found guilty. He is out on a RM20,000 personal bond.

At the onset of the proceedings, Anwar - who wore a black suit and was seated in the dock - denied the charge again when it was read out to him.

"I am not guilty. This is an act of treachery and slander in which a lot of people are involved," he told the court.

Sulaiman voiced displeasure over the prosecution's delay in informing his nine-member defence team of their intentions. He said it is a norm among counsel to provide such information, as a professional courtesy.

He said the prosecution had been indecisive up till yesterday afternoon as to whether it would apply for the transfer of the case to the High Court. This, he said, left the defence team with no time to prepare its arguments.

Sulaiman added that he had only obtained the prosecution's confirmation about transferring the case 10 minutes before the proceedings started today.

**'Political persecution'**

Responding, the prosecution led by AG's Chambers prosecution head Mohd Yusof Zainal Abiden said the certificate was only signed yesterday evening, after the prosecution had "mulled over this for some time".

"It is not our intention to deprive the defence of anything, we will try our best to ensure a smooth trial," he said, also pointing out that the prosecution had indicated on Aug 7 - when Anwar was charged - that they might ask for a transfer.

Sulaiman rebutted: "This is just like a young lady who says 'I may marry you'. The prosecution is saying 'we may transfer the case' [...] We will hold them (the prosecution) to the highest prosecutorial standard and courtesy among counsel."

anwar sodomy 2 trial session court 100908 transfer paperThe one-page certificate did not state why the prosecution was asking for a transfer, but Yusof explained later that it is because the case is high-profile in nature.

"It because of the person (Anwar), the local and international interest," he told reporters.

Sulaiman rebutted the reason.

"Is he (Yusof) saying that this judge is not qualified to decide a high-profile case of international interest? She (Komathy) can speak English," he told reporters.

"It is not the case that only High Court judges can speak English so that the international press can understand. This judge is more than capable."

Sulaiman also stressed that the hearing of sodomy cases usually starts at the Sessions Court.

anwar sodomy 2 trial session court 100908 08"How can the identity of the accused be sufficient to justify a transfer to the High Court? This is selective justice," he added.

Anwar also criticised the prosecution's eleventh-hour decision to transfer the case.

"Apparently it's a trial by ambush. The prosecution team has no interest to proceed except for waiting for instructions from their political masters," he told reporters outside the courtroom.

He appealed to the prosecution to handle the case with a clear conscience, especially in the holy month of Ramadan for Muslims, and not to resort to "political persecution".