

Anwar gets stay in civil sexual assault suit filed by ex-aide

PUTRAJAYA: Prime Minister Datuk Seri Anwar Ibrahim has succeeded in obtaining a stay in the civil sexual assault suit filed against him in 2021 by former research officer Muhammed Yusoff Rawther.

A three-member Court of Appeal panel led by Datuk Che Mohd Ruzima Ghazali said this was due to special circumstances, pending Anwar's appeal at the Federal Court to refer eight constitutional questions.

"We find that a stay of proceedings should be granted due to special circumstances, mainly

because without a stay, the appeal would be rendered nugatory.

"We also find no prejudice to any party," he said.

The other members of the bench were Datuk Wong Kian Kheong and Datuk Lim Hock Leng.

The court then fixed Sept 2 for the next case management.

Earlier, Anwar's lawyer, Alan Wong, submitted that if a stay on trial proceedings was not allowed, the referral application to the Federal Court would be rendered nugatory.

He said if the trial proceeded, Anwar, as the sitting prime minister, would be required to divert attention and resources to the proceedings, which would disrupt the government's business for seven days.

Meanwhile, Yusoff's lawyer, Muhammad Rafique Rashid Ali, countered that the trial would not impair Anwar's ability to carry out his functions as prime minister.

He said the trial dates had been fixed a year ago and that the Tambun member of parliament was fully aware that he was due in

court since then.

Anwar's application to stay trial proceedings came after Kuala Lumpur High Court judge Roz Mawar Rozain rejected his bid to refer eight constitutional questions to the Federal Court on the immunity of a prime minister from a civil suit.

Roz Mawar, in her decision, ruled that Anwar's referral application on the eight constitutional questions was speculative and did not meet the requirements under Section 84 of the Courts of Judicature Act.

Anwar had sought the apex

court to rule whether Articles 5, 8, 39, 40 and 43 of the Federal Constitution grant him qualified immunity from Yusoff's suit.

He had asked the court to decide whether Yusoff's suit would impair the effective discharge of his executive duties and undermine the constitutional separation of powers.

Anwar had also requested the court to consider whether the lawsuit impacts his ability to carry out executive duties and undermines the principle of separation of powers guaranteed by the Constitution.