

# PM: LEGAL PROCESS WILL CONTINUE

## High Court rejects Anwar's immunity referral

DAWN CHAN  
KUALA LUMPUR  
news@nst.com.my

**P**RIME Minister Datuk Seri Anwar Ibrahim has reaffirmed his commitment to the rule of law following the High Court's decision to dismiss his application to refer eight constitutional questions to the Federal Court.

Anwar said the application was made under Article 128(2) of the Constitution and was never intended to seek personal immunity or evade legal scrutiny.

"It concerns the integrity of our constitutional system and the need to ensure that high public office is protected from litigation that may be strategically timed,

politically motivated or institutionally disruptive."

Anwar said he remains committed to upholding the rule of law, the independence of the judiciary and the dignity of democratic governance.

"The legal process will continue, and I will continue to discharge my responsibilities without distraction or compromise."

Anwar's statement followed his failure to refer eight constitutional questions to the Federal Court regarding the legal provisions on the immunity of a sitting prime minister.

High Court judge Roz Mawar Rozain dismissed the application, ruling that it did not meet the requirements under Section 84 of the Courts of Judicature Act (CJA).

The decision, however, is set to be appealed.

In her judgment, Roz said, having considered the affidavits, the eight proposed questions, and submissions of all parties, the

court was not satisfied that the statutory threshold under Section 84 of the CJA was met.

Roz Mawar said: "The questions posed are speculative, not necessary to the disposal of this case, and do not concern the interpretation or validity of any constitutional provision," she said in her decision.

Anwar's application is linked to a sexual assault suit filed against him four years ago by his former research officer, Muhammad Yusoff Rawther. The trial is scheduled to begin on June 16.

Roz said the proposed constitutional questions failed to meet the statutory threshold under the section, and that not every question referencing the constitution warrants referral.

"The Federal Court is not a forum for speculative advisory opinions.

"Furthermore, the defendant (Anwar) has affirmed readiness to proceed with trial and there is no evidence that the suit impairs

his ability to perform constitutional duties."

"This court finds no special circumstances warranting a stay of proceedings," she said.

Roz awarded RM20,000 in costs to Yusoff. She also ruled that the June 16 trial will proceed.

After the proceedings, Anwar's lawyer, Datuk Seri Rajasegaran Krishnan, said they plan to file a notice of appeal at the Court of Appeal.

He said the questions raised were not abstract or academic in nature.

"They concern serious and unresolved constitutional issues. This matter involves far-reaching constitutional implications that warrant authoritative clarification by the apex court.

"The constitutional questions raised go beyond the facts of this case.

"They touch on the limits of the legal process, the dignity of high public office, and the structural

safeguards embedded in our Constitution."

On May 23, Anwar applied to the High Court to refer eight legal questions to the Federal Court, which included whether he possesses immunity from a civil suit filed by Yusoff.

Anwar had sought the apex court to rule whether Articles 5, 8, 39, 40 and 43 of the constitution grant him qualified immunity from Yusoff's suit.

Yusoff had filed the suit before Anwar became prime minister on Nov 24, 2022.

Anwar 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.

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