

Sperm Can Still Be Obtained After Wash Or Shower, Pathologist Tells Court
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KUALA LUMPUR, Aug 24 (Bernama) -- A forensic pathologist appearing for the defence in Datuk Seri Anwar Ibrahim sodomy trial, today agreed with medical findings that samples of spermatozoa could still be obtained, even after an individual had washed or showered.

Associate Professor Dr David Lawrence Noel Wells, the third defence witness, told the High Court however, that good samples from the anal or rectal area should be collected from between 24 and 36 hours.

Cross-examined by Solicitor-General II Datuk Mohamed Yusof Zainal Abiden who referred to an article in medical journal 'Forensic Science International' that rectal swab could confirm the presence of spermatozoa to up to 65 hours after intercourse, the pathologist said it was the only known case reported in the United Kingdom in 1982.

Dr Wells said chances of finding samples with good condition beyond 36 hours were very rare, adding that he had never heard of such cases other than that case in the United Kingdom.

"(Based on) My working experiences, especially in dealing with sexual assault cases back in Australia, and this case (involving Anwar's accuser, Mohd Saiful Bukhari Azlan), I have my reservations in agreeing with the findings of chemists on samples taken from the complainant's anus," he added.

(In Mohd Saiful's case, the sample was retrieved at the Kuala Lumpur Hospital on June 28, 2008, and a chemist, Dr Seah Lay Hong, received it, about 56 hours later.)

Earlier, Dr Seah testified that she had confirmed spermatozoa from semen samples retrieved from Mohd Saiful's rectum, was in good condition, and indicated the presence of Male Y's spermatozoa.

On Aug 7, 2008, Anwar, 64, pleaded not guilty in the Sessions Court to committing carnal intercourse against the order of nature on Mohd Saiful, 26, at Kondominium Desa Damansara in Bukit Damansara, between 3.10pm and 4.30pm on June 26, the same year.

Pressed further by Mohamed Yusof, on why he disagreed with the reported case in 1982, Dr Wells said it was due to a failure of the complainant in that case to state the exact time of the alleged incident.

"Degradation of spermatozoa is very rapid, especially (involving) samples not stored according to the standard methodology," said the pathologist, although Mohamed Yusof contended it was "still possible based on the reported case of 1982".

On another issue raised by Mohamed Yusof, Dr Wells said the majority of sexual assault victims would not show signs of injury to their genitalia.

He agreed that "less than half" of all complaints of sexual assault had injuries to the genital or anal areas.

"So, it is not odd if there is no injury on Saiful?," asked Mohamed Yusof, to which Dr Wells

agreed.

The expert also agreed with a medical journal read out by Mohamed Yusof that the vast majority of injuries to the genitalia or anus were caused by penetration of a blunt instrument, penis, finger or inanimate object, and a number of reasons could cause an absence of signs.

According to Dr Wells, other factors included whether lubricant was used, whether the act was consensual, amount of force and whether delay in reporting also allowed injuries to fade.

Re-examined by Anwar's co-counsel S. N. Nair, Dr Wells agreed to the counsel's contention that there would have been an increased likelihood of injuries if the attacker had increased the force.

The hearing before Justice Datuk Mohamad Zabidin Mohd Diah continues tomorrow.

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