

Najib, Rosmah to snub Anwar trial if no subpoenas
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By Shazwan Mustafa Kamal



Najib and Rosman wave during a teleconference at Seri Perdana, September 10, 2010.
— file pic

KUALA LUMPUR, Aug 3 — Prime Minister Datuk Seri Najib Razak and wife Datin Seri Rosmah Mansor will skip interviews for Datuk Datuk Seri Anwar Ibrahim's sodomy trial unless they are subpoenaed, the High Court here was told today.

Najib and Rosmah are among four key witnesses, including former Inspector-General of Police (IGP) Tan Sri Musa Hassan and former Malacca police chief Datuk Mohd Rodhwan Mohd Yusof, who are expected to snub the trial unless compelled to appear.

"They have refused to come to court, to be interviewed by the defence unless they were served with a subpoena," Solicitor-General II Datuk Mohd Yusof Zainal Abiden said today.

Interviews are usually conducted to determine whether a witness will be called to testify in a trial.

It is also understood that another witness, Hasanuddin Abdul Hamid said he will only agree to be interviewed if his lawyer was present.

"We received a letter notifying [the trial of] their refusal to be interviewed, and that they will only appear in court if they were subpoenaed," Anwar's lawyer Sankara Nair said.

Earlier in court today, lead defence counsel Karpal Singh argued that the onus was on the prosecution team to supply the witnesses to be interviewed as they had provided the witness list to the defence.



Anwar (centre) is accompanied by family and supporters as he arrives for his hearing today. — Picture by Choo Choy May

Karpal cautioned trial Judge Datuk Mohd Zabidin Mohd Diah that the refusal of witnesses to appear in court could amount to contempt of court proceedings.

“The court is an independent place; it is our right to interview them.

“Anwar is entitled to a fair trial; it is a constitutional right... why is the prime minister being stubborn? A very dangerous precedent would be set if your lordship does not allow this application,” said Karpal.

Today’s hearing is to decide on whether the court will compel the prosecution to provide 15 key witnesses to the defence to be interviewed as potential trial witnesses.

Besides Najib and Rosmah, other witnesses also include former Malaysian Institute of Economic Research executive director Mohamad Ariff Abdul Kareem and Bursa Saham Malaysia chief operating officer Omar Malek Ali Merican.

But Yusof argued that the four witnesses — Najib, Rosmah, Musa, and Rodhwan — should not be called to appear in court since, he claimed, they were not “relevant” alibi witnesses’ to the defence’s case.

“Your right is subject to the other person’s right to agree to be interviewed,” he said.

This irked Karpal, who retorted by saying: “It is not for the prosecution to say who the defence should consider as alibi witnesses; it is up to the defence.

“The prosecution cannot impose terms as to (the forms of) evidence we (the defence) want to extract from the witnesses,” the veteran lawyer argued.

Mohd Zabidin said that he will deliver his decision on the application on August 8, the same day Anwar is scheduled to take the stand as the defence’s first witness.

The High Court ruled on May 16 that Anwar would have to defend himself on a charge of sodomising former aide Mohd Saiful Bukhari Azlan three years ago.

Mohd Zabidin had concluded that there was a prima facie case against the 63-year old Pakatan Rakyat (PR) de facto leader, facing a second sodomy case charge in 13 years.

Source: <http://www.themalaysianinsider.com/malaysia/article/najib-rosmah-to-snob-anwar-trial-if-no-subpoenas/>