

**Anwar's Sodomy Case: Highlights Of Summary Of Judgment  
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PUTRAJAYA, Feb 10 (Bernama) -- Following are some of the highlights of the Federal Court's judgment in upholding the conviction and five-year jail sentence imposed on Datuk Seri Anwar Ibrahim by the Court of Appeal on the charge of sodomising his former aide Mohd Saiful Bukhari Azlan.

Leading the five-member bench was Chief Justice Datuk Arifin Zakaria. The other justices on the panel were Court of Appeal president Tan Sri Raus Sharif and Federal Court judges Tan Sri Abdull Hamid Embong, Tan Sri Suriyadi Halim Omar and Datuk Ramly Ali.

\* Federal Court convinced beyond reasonable doubt that Mohd Saiful had been sodomised by Anwar as charged.

\* The Federal Court panel of judges agreed with the Court of Appeal that Anwar had not created any reasonable doubt on the prosecution's case and that the prosecution has established its case beyond reasonable doubt.

\* The scientific evidence (medical and DNA) adduced by the prosecution clearly established that sperm cells belonging to Anwar were found in the lower and upper rectum of Mohd Saiful.

\* The Federal Court said the only logical explanation from the above is Mohd Saiful must have been sodomised by Anwar.

\* Federal Court held that the defence of political conspiracy remained a mere allegation unsubstantiated by any credible evidence.

\* Federal Court found Mohd Saiful to be a credible witness

\* The panel found Mohd Saiful not a willing participant in the offence but in fact a victim

\* The Federal Court judges were of the view that the trial (high court) judge erred in imposing the "100 per cent certainty" standard of proof on the part of the prosecution to refute the possibility of the DNA samples taken from Mohd Saiful being compromised.

\* The correct standard of proof to constitute proof beyond reasonable doubt need not reach certainty but carry a high degree of probability, said the panel.

\* Federal Court found the possibility of the integrity of the samples taken from Mohd Saiful having been compromised as remote.

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