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Committee on the Human Rights of Parliamentarians

MAL/15 - Mr. Anwar Ibrahim

Trial observation report to Malaysia

Report by Mr. Mark Trowell, QC (Australia) on the judicial review of the conviction and sentence after appeal of Datuk Seri Anwar bin Ibrahim observed on behalf of the Inter-Parliamentary Union (IPU) at the Federal Court of Malaysia, Putrajaya, Malaysia

1. Decision of Federal Court (10 February 2015)

1. On 10 February 2015, the Federal Court of Malaysia upheld the judgment of the Court of Appeal to reverse the acquittal of opposition leader Datuk Seri Mr. Anwar Ibrahim on a charge of sodomy. The sentence of imprisonment for a term of five years was also affirmed. Mr. Anwar Ibrahim is currently serving his jail term in the Sungai Buloh prison and is due for release in 2020.

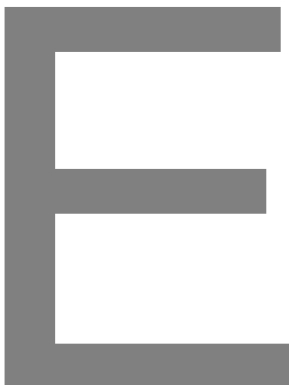
2. Soon after the judgment, Mr. Anwar Ibrahim lodged an application for a judicial review pursuant to Rule 137 of the Federal Court Rules, which is effectively to prevent injustice.

3. In his application, Mr. Anwar Ibrahim submitted that the Federal Court judgment ought to be reviewed and his sentence and conviction be set aside. Alternatively, he submitted that his criminal appeal be re-heard on its merits by the apex court with a new panel of judges to set aside the previous order.

4. In his nine-page affidavit, Mr. Anwar Ibrahim alleged that the extraordinary swiftness and timing of a statement and its contents issued by the Prime Minister's Office (PMO) no more than 15 minutes after the judgment, but before he was sentenced, gave the impression to the public that it knew of the result in the case even before its pronouncement.

5. "This is because any judgment or decision of this court whether rendered in civil or criminal causes or matters or appeals are always subject to secrecy," said Mr. Anwar Ibrahim.

6. He also said that: "It is not the practice of PMO to issue such a statement in any other criminal appeal and it has not happened in the past in any case. I state that it is the abnormality in the conduct of the PMO has caused me grave prejudice".



#IPU136

2. Failed application to admit testimony of Mr. Ramli Yusuff's relating to conspiracy to fabricate evidence against Mr. Anwar Ibrahim

7. On the 24 May 2016, the Federal Court dismissed an application by Mr. Anwar Ibrahim to admit the testimony of former Commercial Crime Investigation Department director Datuk Ramli Yusuff as evidence in his judicial review. The Court ruled that the evidence was irrelevant and insignificant.

8. Mr. Ramli Yusuff had testified in another hearing, which took place after Mr. Anwar Ibrahim's conviction, that Mr. Anwar Ibrahim was beaten while in police custody and there had been a conspiracy by the police and the prosecution to fabricate evidence against him in what became known as the 'black eye incident'.

9. Mr. Anwar Ibrahim's submission was that this evidence of an earlier criminal conspiracy to fabricate evidence against him supported or reinforced his claim that the same had happened in this case.

10. Chief Judge of Malaya Tan Sri Zulkefli Ahmad Makinudin, chairing a five-panel bench, held that there was no nexus between Mr. Ramli Yusuff's testimony and Mr. Anwar Ibrahim's defence of political conspiracy for his review application.

11. "We find nothing in the testimony of Mr. Ramli Yusuff that would disclose any evidence in relation to the applicant's (Mr. Anwar Ibrahim) defence of political conspiracy. The evidence of Mr. Ramli Yusuff would be futile in the circumstances of the case," said Justice Zulkefli Ahmad Makinudin.

12. The panel also held that there was an overwhelming amount of evidence available for the court to decide on the guilt, or otherwise, of the applicant and there was no necessity to resort to outside information.

13. Justice Zulkefli Ahmad Makinudin said based on records of proceedings at the High Court, Court of Appeal and Federal Court, Mr. Anwar Ibrahim was given a fair trial and hearing and therefore he had failed to satisfy the requirement of Section 93 of the Courts of Judicature Act 1964 for admitting additional evidence.

14. He said given that the case of the black eye incident and the conspiracy to fabricate the evidence on the incident had already been concluded, it would be remote to admit the evidence on the present case to support Mr. Anwar Ibrahim's allegation of political conspiracy, which was altogether different in cause of action and relevancy.

15. The judge said that if the evidence was relevant to the appellant's case, it was only relevant to his previous sodomy case in 1998.

16. "It is our finding that the present case, there was no involvement of parties alleged to have conspired to fabricate the evidence as to what had allegedly taken place in the black eye incident," he added.

17. Justice Zulkefli Ahmad Makinudin, who sat with Chief Judge of Sabah and Sarawak Tan Sri Richard Malanjum and Federal Court judges Tan Sri Hasan Lah, Tan Sri Abu Samah Nordin and Datuk Zaharah Ibrahim, said Mr. Anwar Ibrahim's application was unsustainable and with no merit, and therefore dismissed it.

18. The effect of the decision was that Mr. Ramli Yusuff's sworn testimony was excluded from evidence the court would hear at the forthcoming judicial review.

3. Nature of a judicial review under Rule 137.

19. Rule 137 of the Rules of the Federal Court 1995 ("Rule 137") provides that:

"For the removal of doubts, it is hereby declared that nothing in these Rules shall be deemed to limit or affect the inherent powers of the Court to hear any application or to make any order as may be necessary to prevent injustice or to prevent an abuse of the process of the Court."

20. The Federal Court has dealt with a number of cases concerning the scope and ambit of Rule 137. It is worth reviewing a few of them.

21. A recent decision is **Harcharan Singh a/l Piara Singh v Public Prosecutor [2011] 6 MLJ 145**. In that case, a five-member panel re-affirmed the view that the Federal Court had inherent jurisdiction to review its own decision, but only in certain limited circumstances.

22. In the case of **Asean Security Paper Mills Sdn Bhd v Mitsui Sumitomo Insurance (Malaysia) Bhd [2008] 6 CLJ 1**, the limit of Rule 137 was explained by Abdul Hamid CJ (as he then was) at page 6 as follows:

"[4] In an application for a review by this court of its own decision the court must be satisfied that it is a case that falls within the limited grounds and very exceptional circumstances in which a review may be made. Only if it does, that the court reviews its own earlier judgment. Under no circumstances should the court position itself as if it were hearing an appeal and decide the case as such. In other words, it is not for the court to consider this court had or had not made a correct decision on the facts. That is a matter of opinion. Even on the issue of law, it is not for this court to determine whether this court had earlier, in the same case, interpreted or applied the law correctly or not. That too is a matter of opinion."

23. Though Chief Justice Abdul Hamid Mohamad in that case initially reiterated that r. 137 of the Rules of the Federal Court does not confer jurisdiction, he conceded:

"However, I accept that, in very limited and exceptional cases, this court does have the inherent jurisdiction to review its own decision. I must stress again that this jurisdiction is very limited in its scope and must not be abused. I have no difficulty in accepting that inherent jurisdiction may be exercised in the following instances".

24. In the same case, Zaki Tun Azmi PCA (as he then was) laid out the limited or exceptional circumstances where the Court may exercise its discretion to invoke Rule 137, including such matters as the lack of a quorum; an appellant being denied the right to have his or her appeal heard on the merits; where the decision has been obtained by fraud or suppression of material evidence; a clear infringement of the law; and where bias has been established and so forth.

25. The list was not expressed to be exhaustive, but the Court did say that Rule 137 did not apply where the findings of the Court are questioned whether in law or on the facts.

26. Despite the long list of circumstances listed above, the Federal Court has always been strict in invoking its inherent powers to review its own decision. In fact, over the years there are not many instances where the Court had exercised its inherent powers to review its own decision.

27. In the Federal Court case of **Dato' Seri Anwar bin Ibrahim v Public Prosecutor [2010] 5 MLJ 145**, it was held that:

"...[6] The law is now settled that the inherent powers of this court under r 137 could not be invoked to review its own decision on its merits. Such inherent power is strictly confined to procedural matters only".

4. Grounds of judicial review

28. The grounds of Mr. Anwar Ibrahim's application for a judicial review were as follows:

- (i) That the order for conviction made by the Federal Court on 10 February 2015 be set aside under Rule 137 of the Rules of the Federal Court 1995 and or pursuant to the inherent jurisdiction of the court.
- (ii) That the orders of conviction and sentence passed by the Court of Appeal on 7 March 2014 be set aside.
- (iii) Alternatively, that the said criminal appeal be reheard on its merits.

29. The grounds in support of the application were to be found in Mr. Anwar Ibrahim's affidavit filed on 29 April 2016, which in brief were:

- (i) The judgment ought to be reviewed because the release of the Prime Minister Office's statement on the date of the Court's judgment and the conduct of counsel leading the prosecution after the date of the court's judgment render the judgment objectively unsafe.
- (ii) The order for conviction and sentence to a term of 5 years should be set aside to prevent injustice.

• **Mr. Anwar Ibrahim's Affidavit**

30. Apart from the issue of the press release issued by the PMO, Mr. Anwar Ibrahim also focused on the conduct of the prosecutor Tan Sri Muhammad Shafee Abdullah (Shafee) in the months following his conviction and imprisonment.

31. Mr. Shafee Abdullah, he said, "embarked upon a speaking roadshow ostensibly to explain the case, but used to give vent to vicious, vulgar and personal attacks upon me".

32. The roadshow was "endorsed, facilitated and organized by the political party UMNO", which he maintained was involved, with PM Najib Razak, in a political conspiracy against him.

33. Mr. Anwar Ibrahim maintained that Mr. Shafee Abdullah's conduct as prosecutor tainted the fairness of his trial, showing that he was biased and conducted the prosecution "not in the interests of justice, but solely to 'fix me up'."

34. Mr. Anwar Ibrahim was certainly justified in complaining about Mr. Shafee Abdullah's conduct after the conviction – and it was obviously politically motivated and inappropriate - but his conduct as prosecutor during the trial was the real issue.

35. In submissions made to the Court, the defence identified exaggerations and misrepresentations by Mr. Shafee Abdullah of the some aspects of the evidence, but they were unable to identify anything of consequence about his conduct during the trial that would warrant overturning the conviction.

36. Finally Mr. Anwar Ibrahim gave other reasons why his conviction and sentence should be set aside.

37. He relied upon aspects of the evidence he submitted were flawed or non-existent. These included such things as:

- (a) The failure by the prosecution to explain how the carpet (Exhibit P49A) was moved from the apartment where the sexual assault was alleged to have occurred to another apartment;
- (b) The failure of the Court to accept the independent testimony of the medical doctor who first examined the complainant at Pusrawri Hospital who claimed that Mr. Mohammed Saiful had told him that a plastic object had been inserted into his rectum;
- (c) The failure by the Court to even consider the complainant's university friend (PW6) who testified that Mr. Mohammed Saiful "hated Mr. Anwar Ibrahim";
- (d) The failure by the Court to consider that the underwear allegedly worn by Mr. Mohammed Saiful at the time of the assault (Exhibit P15) had been washed by the mother of his fiancée;
- (e) The failure by the Court to take into account the effect upon Mr. Mohammed Saiful's credibility that the underwear provided by him for forensic examination (Exhibit P14) was found by the chemist (PW5) to have semen stains when it was not the underwear worn by him at the time;
- (f) The failure of the Court to consider evidence of a political conspiracy based on the meetings between Mr. Mohammed Saiful, then DPM Najib Razak and senior police officers days before the incident took place. 'This was a serious, unsustainable omission which caused grievous injustice to me', said Mr. Anwar Ibrahim;

- (g) The failure of the Court to find there had been “blatant tampering” with the forensic samples by DSP Pereria (PW25) and a break in the chain of custody of the forensic evidence; and
- (h) The failure by the Court to prefer the expert testimony of Dr Thomas Hoogland (DW7) about Mr. Anwar Ibrahim’s back complaint to that of the prison doctor (PRW4), who testified that he never complained of back pain.

5. The judicial review hearing

38. A full bench of the Federal Court assembled to hear the application for judicial review on Wednesday, 12 October 2016. Chief Judge of Malaya Tan Sri Zulkefli Ahmad led the five-judge bench, which included Chief Judge of Sabah and Sarawak Tan Sri Richard Malanjum and Federal Court judges Tan Sri Hasan Lah, Tan Sri Abu Samah Nordin and Tan Sri Zaharah Ibrahim.

39. Datuk Ahmad Kamal Md Shahid, from the Attorney-General Chambers’ trial and appellate division, appeared for the prosecution with Datuk Seri Gopal Sri Ram again leading the defence team.

6. Application for judges to recuse themselves from hearing judicial review

40. Only days before the judicial review was to take place Mr. Anwar Ibrahim’s lawyers wrote to the Court Registrar requesting that 13 Federal Court judges, who had heard merits of his sodomy cases, not be included in the panel hearing his judicial review application. No reply was forthcoming.

41. At the commencement of the hearing on 12 October 2016, Mr. Anwar Ibrahim’s lead counsel Mr. Gopal Sri Ram, applied for the panel to recuse itself because it was exactly the same panel that had heard and delivered the decision to refuse to admit Mr. Ramli Yusuff’s testimony.

42. In that decision, said Mr. Gopal Sri Ram, the Court said that having examined the records it found that Mr. Anwar Ibrahim was “given a fair trial and hearing “ and that the Court’s earlier decision was “delivered in accordance with well-established legal principles”.

43. He submitted that Mr. Anwar Ibrahim’s application for judicial review asserted the contrary proposition, so the judgment had to be considered in that context. It meant, he said, that the Court had in fact already determined the issue.

44. He submitted that in fairness the Court should appoint another panel to hear the review. That application was unanimously refused, but Justice Zulkefli Ahmad said there was “no indication of bias against Mr. Anwar Ibrahim” and gave him the assurance that he would receive a “fair hearing based on the facts and the evidence”.

45. That was a surprising decision. Giving assurances of “fairness” and “lack of bias” couldn’t overcome a reasonable apprehension of bias on the part of the panel of judges.

46. The rule against bias is an essential pillar of natural justice. It governs the attitude or state of mind of the decision maker. It requires that a decision-maker must approach a matter with an open mind that is free of prejudgment and prejudice. Courts have generally adopted a single test to determine applications for bias -- that of the fair-minded observer.

47. The Court refused to allow Mr. Anwar Ibrahim to lead the Mr. Ramli Yusuff’s evidence at the judicial review because it found that the allegation of political conspiracy was altogether different in cause of action and relevancy to that application.

48. That finding was not controversial and it would not be a basis to assert judicial bias. But the Court went further saying that Mr. Anwar Ibrahim was “given a fair trial and hearing” at his appeals. That’s exactly what Mr. Anwar Ibrahim said had not happened, and why he had applied for a judicial review. So there was considerable merit in Mr. Gopal Sri Ram’s submission that a fresh panel of judges should hear the judicial review.

49. Given the earlier finding made by these judges, one would think there is every chance a fair minded lay observer might reasonably apprehend that they might not bring an impartial mind to their task in deciding the judicial review.

50. The statements made by the Court in the earlier judgment suggested they had already made up their mind about Mr. Anwar Ibrahim's appeal before considering the judicial review. It was a clear case of apprehended bias where the judges should have recused themselves and a new panel appointed to hear and decide the case.

- **Submissions made by applicant and respondent**

51. Mr. Gopal Sri Ram then outlined the basis for the application for judicial review submitting that the prosecution was the "beneficiary of an abuse of process resulting from a pre-arranged plan involving government members at the highest level".

52. Mr. Gopal Sri Ram opened his remarks submitting that Rule 137 was designed to "prevent injustice". He went on to say that although the cases in which it had been successfully invoked were rare, the list of circumstances were not exclusive and it would depend on the facts of the case.

53. He submitted criminal cases were different from civil cases because of the different consequences involving life and liberty, which were rights guaranteed under the Constitution.

54. In this case, he said there was "injustice by reason of the Federal Court dismissing Mr. Anwar Ibrahim's appeal". He outlined several points in argument in support of that submission.

55. First, he argued that the trial judge at the High Court hearing accepted Mr. Karpal Singh's application that allegations of previous acts of sodomy should be excluded. As such, submitted Mr. Gopal Sri Ram, Mr. Anwar Ibrahim had a legitimate expectation that these allegations would not be relied upon at his trial, but the trial judge went on to ignore his own ruling.

56. Mr. Gopal Sri Ram argued that despite this issue being raised in argument at the appeal, the Federal Court ignored it and went on to rely to the same material to bolster Mr. Mohammed Saiful's credibility.

57. Secondly, Mr. Gopal Sri Ram in his submission relied on several facts he maintained demonstrated error by the Federal Court in its judgment, which included:

- (a) Accepting Mr. Shafee Abdullah's submission that Mr. Mohammed Saiful brought lubricant with him to the apartment to "avoid pain", when in fact he testified that Mr. Anwar Ibrahim asked him to bring it;
- (b) Ignoring the trial judge's finding that DSP Pereria by cutting open the sealed exhibit envelopes has broken the chain of custody of the forensic samples and by doing that compromised their integrity. Notwithstanding that fact the DNA analysis was relied upon by the Court;
- (c) Misstating the accused's case by saying that he argued that the degradation of the samples prevented DNA identification when the case put by the defence was to the contrary. It argued that because there was no evidence of degradation, when in the circumstances there should have been, it was doubtful these were the samples taken by the medical examiners from Mr. Mohammed Saiful;
- (d) Ignoring evidence of a political conspiracy against Mr. Anwar Ibrahim, which included Mr. Najib Razak meeting with Mr. Mohammed Saiful at his house before the alleged incident; the fact that Mr. Shafee Abdullah was at the house when that happened; Mr. Shafee Abdullah's links to UMNO and his role as the PM's lawyer; and his conduct after the appeal by participating in a political 'roadshow' to criticise Mr. Anwar Ibrahim and his lawyers; and
- (e) The PMO issuing a press release 15 minutes after the Court delivered its decision, but before Mr. Anwar Ibrahim's sentencing, which "corroborated and bolstered the defence of a political conspiracy".

7. Prosecution Submissions

58. The prosecution reply was relatively brief relying on the strict interpretation of Rule 137 submitting that it had limited scope and had only been invoked in exceptional circumstances. Mr. Ahmad Kamal submitted that: "it was not for this court to take a different view than earlier court decisions".

59. Referring to the conduct of Mr. Shafee Abdullah he also said that: "what may have happened after the appeal was irrelevant". Mr. Ahmad Kamal said that the evidence involving DNA and the crime scene were not relevant in the review application.

8. Judgment reserved

60. Following submissions from the parties, the court adjourned to consider the application and reserved its decision to be delivered on another date. No date was set, but the parties were told they would be advised when the court was ready to deliver its decision.

9. Judgment of the Court

61. The Federal Court convened on Wednesday, 14 December 2016 to deliver its final decision in this case. Chief Judge of Malaya Tan Sri Zulkefli Ahmad read from a 62-page judgment on behalf of the Court.

62. As expected the Court unanimously dismissed the application. It did so on the basis that there had been no miscarriage of justice. Justice Zulkefli Ahmad said that Rule 137 did not confer any power on the court to review its own decision and the case did not fall within one of the exceptions recognized by the Court.

63. Justice Zulkefli Ahmad then dealt with some, but not all, of the defence submissions.

64. He said there was no merit in the submission that the prosecutor was biased. "It (the submission) is devoid of merits. There was no misconduct by the prosecutor. Mr. Shafee Abdullah was duly appointed. He was a fit and proper person and there was no conflict of interest", he said.

65. Furthermore, he said that:

"[62] We are of the view the alleged misconduct, if any, of the lead prosecutor has no bearing on the outcome of the decision of the Federal Court in this case. We noted that there is no evidence furnished or averment of any sort made by the applicant to suggest that this alleged misconduct of the lead prosecutor had influenced the decision of the Federal Court on 10.2.2015."

66. Justice Zulkefli Ahmad said there was also no merit to the submission that the press statement released by the Prime Minister's Office was evidence of a political conspiracy, as the judgment was written beforehand. On whether it was right to issue it, he said it was not within the control of the Court to stop the issuance of such statement. He said that:

"[58] We find there is no merit in this allegation by the applicant that falls within the ambit of Rule 137 of the RFC. There is no evidence to show that there was any communication whatsoever between PMO and the Federal Court either prior or subsequent to the decision of this case".

67. He said also there was also no merit to the submission that the reliance upon previous acts of sodomy by Chief Justice Arifin Zakaria's in the appeal judgment was improper. He characterized it as simply a "misevaluation" and "not within the jurisdiction of the court". Justice Zulkefli Ahmad said that in any event Mr. Saiful Bukhari Azlan had spoken of previous encounters.

68. The Court also dismissed the matter of the KY Jelly as a non-issue in the defence's attack on the crime scene saying that:

“[72] (These issues) were not critical piece (sic) of evidence to the prosecution’s case in light of other compelling evidence... and has not caused injustice to the applicant”.

69. He said the integrity of the crime scene regarding the carpet being moved to a different condominium unit was also not an issue as there was evidence of the carpet being moved.

70. There was no miscarriage of justice regarding the chain of custody of the samples. Justice Zulkefli Ahmad said the Court found that:

“[78] We are of the view there is no merit on the applicant’s contention that there was a serious injustice occasioned by the conduct of the trial relating to the chain of custody of the exhibits and the alleged tampering of the exhibits. The issues raised by the applicant relate to question of facts and findings made by the respective Courts. There were reasons given by the Courts for such findings. We therefore again find that the issues raised are not within the permitted circumstances that this Court could exercise its inherent review powers as mentioned in Rule 137 of the RFC.”

71. The Court concluded by finding there was no merit in the application and that it was not a fit and proper case for the Court to exercise its inherent jurisdiction to make an order for the case to be reviewed. It dismissed the application

72. As he was being escorted out of court by prison guards Mr. Anwar Ibrahim told the media that he somewhat expected the decision but maintained the court has failed to address all issues raised by the defence.

73. He said the decision is “not the end of the road. I will discuss with my lawyers on next possible course of action through the legal process”. He reaffirmed his innocence.

10. Conclusion

74. The problem for Mr. Anwar Ibrahim was always the limited jurisdiction of Rule 137. The ability of the Federal Court to cure an injustice is limited and it doesn’t include a review of the case on the merits.

75. Although the case authorities accept that the circumstances in which Rule 137 will apply are not closed, it has only been used in cases where there had been procedural failure or the judgment was tainted with illegality, bias or prejudice.

76. It is not open to an applicant to reargue the merits of the case based on facts and the law that has already been determined in the earlier judgment. In Mr. Anwar Ibrahim’s case the Court was not prepared to accept that its jurisdiction had been triggered by a miscarriage of justice.

77. The fact remains that the first appeal hearing at the Court of Appeal was in every respect a travesty of justice. That included not only the undue haste in which the proceedings were listed and determined, but also the flawed and parochial reasoning of the judges who heard the case. Mr. Anwar Ibrahim had every reason to feel aggrieved by the decision.

78. There was some expectation that the Federal Court would redress matters when it assembled to hear the appeal 28 October 2014. It delivered its judgment four months later on 10 February 2015 upholding the court of appeal’s decision and sentence of 5 years imprisonment.

79. The worst aspect of that judgment was the Court’s reliance on the inherently unreliable DNA evidence. The foreign experts were simply brushed aside as if they were completely irrelevant to the case. It was clear from their testimony that the handling, storage and analysis of the forensic samples fell way below international standards. Their testimony questioned the authenticity of the forensic samples.

80. It is to be recalled that the Court of Appeal simply brushed aside Dr. Brian McDonald and Professor David Wells as “armchair experts” and the Federal Court effectively ignored their expert

testimony. The reasoning of both courts was at its weakest when dealing with this evidence. It was not overcome by making derogatory comments about the foreign experts.

81. The integrity of the forensic samples was also doubtful given the break in the chain of custody of these items by the police officer entrusted with their care. Yet the Federal Court, for the most unconvincing of reasons, saw no difficulty in accepting the reliability of that evidence. There were other errors, but these were the most serious.

82. So the judicial review was the final avenue of appeal through the court system in Malaysia. There is but one final option remaining open to Mr. Anwar Ibrahim to secure his release from prison and to expunge his conviction.

83. Soon after the Federal Court's decision, it was reported in the media that Mr. Anwar Ibrahim's family were considering seeking a royal pardon from the new King (Yang di-Pertuan Agong) Sultan Muhammad V, who was installed as the country's 15th monarch only a week ago. His Majesty is an unknown quantity at this early stage, but he is also Sultan of conservative Kelantan. An earlier request to the previous King was refused in February 2015.

84. Under Article 42(1) of the Federal Constitution, the King has the power to grant full pardons to convicts for any and all offences committed in the Federal Territories (Kuala Lumpur, Labuan and Putrajaya).

85. The King may take advice from the Pardon's Board, which includes amongst its members the Attorney-General and Chief Minister, but he is not bound by any recommendations it might make. The Pardon's Board refused Mr. Anwar Ibrahim's petition in 2015, so the likelihood of it reversing its earlier decision is highly unlikely.

86. Correspondent Stephen Ng was quoted, in an article in the Malaysia Chronicle (15 December 2016), as saying: "If Mr. Anwar Ibrahim is a political prisoner, chances are that he will remain in prison for as long as his enemies can hold him there".

87. If that is true, then it is inevitable that Mr. Anwar Ibrahim will serve out his prison sentence.

18 December 2016