

Mkini rebuts claim it refused PM's legal notice
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Malaysiakini has refuted reports by the Umno-owned media that the news portal had refused to accept a legal notice relating to alleged defamation against Prime Minister Najib Abdul Razak and Umno.

The news portal was on Thursday served with a letter of demand by Najib and Umno through law firm Hafarizam Wan & Aisha Mubarak concerning comments made by six Malaysiakini readers that appeared in two 'Yoursay' articles published by the website.

The law firm's representative Raihanah Ariffin was later quoted by Umno Online as accusing Malaysiakini of compiling defamatory and seditious comments and had initially vehemently refused to accept (berkeras tidak mahu menerima) the legal notice when served at its office in Bangsar Utama.

Malaysiakini editor-in-chief Steven Gan (left) said Raihanah's claims were completely untrue and that the website has raised this matter in its official response to the letter of demand, which was delivered to Najib's law firm yesterday.

"Our legal affairs manager, on meeting Raihanah, asked her wait for a while so that the letter of demand could be shown to the relevant people it was addressed to," said Gan.

"There were three letters - one to Malaysiakini and the other two were to me as editor-in-chief and Fathi Aris Omar, the chief editor.

"After requesting Raihanah to take a seat at the office reception, our legal affairs manager went upstairs where the newsroom is located to inform both Fathi and I.

"After that, she immediately went down to acknowledge receipt of the letters. All this took no more than five minutes."

Gan said it is ironic that such an allegation came from the law firm which is representing clients who are accusing Malaysiakini of publishing defamatory statements.

Raihanah's defamatory remarks were today reproduced in Umno-owned Utusan Malaysia, while Umno-linked Berita Harian used the same quotes, but attributed them to Hafarizam Wan & Aisha Mubarak.

'Right of reply'

Najib and Umno have taken issue with two articles that are compilations of Malaysiakini

readers' views on his handling of the recent Terengganu political crisis, entitled 'A case of the PM reaping what he sows' and 'How much will Najib spend to keep Terengganu?'.

Najib, who is Umno president, and his party are demanding a retraction of the articles and an unconditional apology which is to be published according to their terms, on top of payment of unspecified damages.

They also want Malaysiakini to sign undertakings that it will not publish similar statements which they claim are defamatory and to be careful in publishing readers' comments which they say are "generally empty accusations and ill-intentioned allegations".

They have threatened to take court action if Malaysiakini did not comply with the demands within 48 hours of the letter of demand.

In response, Gan said both Najib (right) and Umno will always have a right of reply and urged them to use that right to engage with Malaysiakini readers instead of threatening the media with legal action.

According to Gan, the legal action by Najib did not come as a surprise after Utusan launched a series of attacks on Malaysiakini's readers last month.

Utusan, in an editorial piece today under the Awang Selamat pseudonym, said Malaysiakini should be more responsible in its reportage.

"Awang believes that freedom of the press and speech must come with responsibility and take into account the rights of others.

"It must also consider national interest, racial unity and morals," said the newspaper that has lost almost half a dozen defamation suits over the last three years.

Multiple lawsuits

Between 2011 and 2014, Utusan lost a string of defamation suits brought by, among others, Penang Chief Minister Lim Guan Eng twice, former Perak Menteri Besar Nizar Jamaluddin, PAS vice-president Husam Musa and Opposition Leader Anwar Ibrahim.

Utusan also highlighted Malaysiakini's out-of-court settlement with former Sarawak Chief Minister Abdul Taib Mahmud in a defamation suit in 2012 and its apology to Umno Youth chief Khairy Jamaluddin in 2008, stating that it was not surprised given the latest action.

Malaysiakini had described its apology to Abdul Taib as a "difficult decision" after Japanese tax authorities reversed its investigation into alleged kickbacks on the then chief minister and the death of the news portal's Sarawak correspondent Tony Thien, who was a key witness.

The 15-year-old news portal had in 2008 reported on Khairy's rival's claim that there was a

recount in his parliamentary seat of Rembau on the night of the 12th general election.

This later turned out to be untrue and the news portal subsequently apologised for the error. There was no court action.

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