

## **Unlikely Rewcastle-Brown will be extradited to M'sia, say lawyers**

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**Geraldine Tong**

Lawyers have said that it is improbable that *Sarawak Report* editor Clare Rewcastle-Brown will be extradited from the UK to Malaysia over the leak of classified 1MDB-related documents.

"It is highly unlikely that the Malaysian government would succeed in any attempt to have Rewcastle-Brown extradited from the UK to Malaysia to face charges of breach of official secrets," lawyer Andrew Khoo told *Malaysiakini*.

On Thursday, whistleblower website *Sarawak Report* released documents it claimed were part of the auditor-general's report on 1MDB, which is sealed under the Official Secrets Act (OSA).

Khoo, who is also a Malaysian Bar Council member, said the UK has a more "mature" approach towards the press.

"The fact of the matter is that there is, in the UK and other developed democracies, a much more mature respect for and understanding of the role of the press and investigative journalism to expose allegations of corruption and misuse of power on the part of government.

"This is seen as a fundamental pillar of an open and democratic society," he said.

He said that no British court would entertain such an extradition request by Malaysia, adding that he did not think any Malaysian attorney-general "in his right mind" would ever make such a request to an English court anyway.

"It (the request) would simply be laughed out of court, but in a very polite way," he said.

Meanwhile, lawyer Eric Paulsen said that the only realistic option for the Malaysian government was for it to take civil action against *Sarawak Report* in the British courts.

Khoo said that the government could also prosecute *Sarawak Report* or Rewcastle-Brown in Malaysia in absentia, though the proceedings would likely have "all the hallmarks of a kangaroo court".

With a guilty verdict, he said that they could then try to get Interpol's assistance in detaining Rewcastle-Brown by asking her to be placed on a red notice internationally.

"But Interpol is unlikely to allow itself to be used to detain a person on what would be a conviction obtained on highly questionable grounds, and for something which is not a crime in many mature jurisdictions," he said.

### **Earlier Interpol request rejected**

The Malaysian police had previously requested Interpol to issue a red notice against Rewcastle-Brown in August last year on grounds of "activities detrimental to democracy" and "publishing false information".

Interpol had reviewed the request and subsequently rejected it.

Rewcastle-Brown has challenged Prime Minister Najib Abdul Razak to initiate extradition proceedings against her, so that she can face trial in Malaysia.

"He should get on with it in the most public possible way, so that all can judge his motives and justifications in an objective court of law – away from judges whom he appointed and controls.

"It is time the world started to learn what has happened to the once largely respectable and law-abiding government of Malaysia," she said.

Rewcastle Brown, an investigative journalist based in the UK, had doggedly covered alleged misappropriation of Malaysian state-owned 1MDB and multi-billion ringgit deposits into Najib's bank accounts.