

Sri Ram: Najib's objective was to conceal the truth

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KUALA LUMPUR: The prosecution in the third criminal trial of Datuk Seri Najib Razak is set to prove the extent the former premier had gone to remove material from an official record, which it claimed was done to "conceal the truth" surrounding the 1Malaysia Development Bhd (1MDB) scandal.

Lead prosecutor Datuk Seri Gopal Sri Ram said Najib knew that if the truth had emerged, he would be exposed to civil or criminal liability.

He was delivering the opening statement in the joint trial of Najib and ex-1MDB chief executive officer Arul Kanda Kandasamy here yesterday.

Sri Ram said the hearing, dubbed the PAC trial, was an offshoot of the 1MDB scandal.

He narrated the chronology of how Najib had vested interest in

1MDB by holding shares in it, and how he received large amounts of money belonging to 1MDB and lied to the world at large that they were a donation from Saudi Arabia.

"The adage is that the truth will be out. That happened here. Some time in early July 2015, the 1MDB scandal broke. It received wide publicity. Najib then began to cover his tracks," he said.

According to Sri Ram, much of what Najib did in the PAC trial allegations formed part of the ongoing trial in the 1MDB case before Justice Collin Lawrence Sequerah.

"One of the steps that Najib took to cover his tracks on the extent of his role and that of fugitive financier Low Taek Jho in the business and affairs of 1MDB gives rise to the charge in this case. His objective was to conceal the truth.

"In due course, the Auditor-General prepared his report on 1MDB. There were passages in that report that caused concern to Najib, though they were true in fact. He became nonplussed, if not agitated," he added.

Sri Ram said Najib used his position as the then prime minister and finance minister to direct the removal of material information.

"He did so with a corrupt intention as required by Section 23 of the Malaysian Anti-Corruption Commission (MACC) Act 2009," he added.

Sri Ram said Arul Kanda, by his conduct, had abetted Najib in the transaction.

"I am duty bound to inform the court that at the appropriate stage, the public prosecutor will apply in writing to call Arul Kanda to give evidence on the prosecution's behalf," he added.

Sri Ram said the totality of the evidence would lead to the irresistible conclusion that not only was the crime in question committed, but it was the accused who committed it.

"It is also our duty to inform the court that you may hear evidence from witnesses who may display an obvious bias in favour of the accused.

"Their evidence is necessary for the unfolding of our case. We will, at the appropriate stage, address the court on the way in which the evidence of such witnesses is to be evaluated," he added.

Earlier, Justice Mohamed Zaini Mazlan dismissed Najib's application to postpone the trial.

Last week, Najib had applied for a postponement on grounds that his defence team needed time to prepare for the defence in his SRC

International Sdn Bhd case, but he received objections from both Arul Kanda and the prosecution.

In yesterday's proceedings, the court interpreter read amended charges for both Najib and Arul Kanda.

Both replied that they understood the charges and claimed trial.

The amendment on the charges was on Appendix A, which involved details of the audit report that was allegedly tampered with.

Three prosecution witnesses took the stand yesterday. They were the Prime Minister's Department (Parliamentary Affairs) secretary Daman Huri Nor, the department's accountant Natasha Rahimah Haryati Mohamad, and Companies Commission of Malaysia assistant registrar Muhamad Akmaludin Abdullah.

The hearing before Justice Zaini continues today.