

# Facts and remarks on Najib's conviction

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*Judge Mohd Nazlan says all roads lead to Rome and in this case, it leads to Riyadh*

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AS FORMER Prime Minister (PM) Datuk Seri Mohd Najib's SRC International Sdn Bhd trial and verdicts were passed yesterday, here are a few statements by Kuala Lumpur High Court Judge Mohd Nazlan Mohd Ghazali that made a strong impression or piqued curiosity throughout yesterday.

On the approval of Retirement Fund Inc (KWAP) loans of RM2 billion each to SRC: "The accused is the ultimate boss according to a former KWAP CEO, and that the accused had acted outside the limits of permissible conduct."

On the involvement of Low Taek Jho (Jho Low): "The defence's evidence did not diminish, but enhance the perception of the accused's overarching influence with Jho Low, (former SRC CEO) Nik Faisal (Ariff Kamil) and (1Malaysia Development Bhd ED or 1MDB) Terence Geh."

On the accounts: "The accused

## FACTS ON SRC TRIAL

**1** SRC was a former subsidiary of 1MDB before it was transferred to the Minister of Finance Inc (MoF Inc) in February 2012.

**2** At the time, Najib was the finance minister. Under that capacity, Najib approved RM4 billion worth of loans from KWAP to SRC.

**3** Najib is accused of money laundering by allegedly receiving a total of RM42 million from SRC in July 2014 in his private bank accounts.

**4** Najib denied that he has knowledge about the transferred amount. Najib lawyer Tan Sri Muhammad Shafee Abdullah said 99.9% of RM42 million of money was not used for Najib himself.

**5** Judge Mohd Nazlan threw an unexpected remark before convicting Najib in a two-hour judgement yesterday, stating that "all roads lead to Rome and in this case, it leads to Riyadh" —

referring to the defence's argument that Najib had genuinely thought the money in his bank accounts were "donations" from the Saudi royal family and not funds misappropriated from SRC.

**6** Mohd Nazlan sentenced Najib to 12 years of jail and RM210 million fine for the power abuse offence; 10 years of jail each for the three CBT offences; and 10 years of jail each for the three money-laundering offences. All jail sentences to run concurrently. An additional five years of jail applies if he fails to pay the RM210 million fine.

**7** The trial began April 3, 2019. A total of 57 prosecution witnesses and 19 defence witnesses, including Najib, took the witness stand before Mohd Nazlan over 100 days.

**8** Nik Faisal is still missing, but IGP Tan Sri Abdul Hamid Bador reportedly said that the former SRC CEO and his family have been spotted in Hong Kong recently.

On questions regarding Najib's signatures: "Who would have the audacity to forge the PM's signature? The investigating officer said Najib did not deny his signature on the documents shown to him before he was charged."

On the RM42 million that was channelled into Najib's account: "The argument of the accused is that he believed it was an Arab donation. However, King Abdullah (Abdulaziz Al Saud) did not articulate the form of support or donation to Malaysia. It is common for any leader to voice support for any leader."

On the sentencing: "For Section 23, the jail term is 12 years and the fine is five times the value of gratification. For the three CBT (criminal breach of trust) charges, I sentence Najib to a jail term of 10 years for each charge. For the AMLATFP-UAA (Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities Act), the jail term is 10 years for each charge with no fine. All the sentences are to be served concurrently. If Najib cannot pay the RM210 million fine, he will be subject to an additional five years' jail time."

did not take any immediate remedial action for the RM42 million.

When Najib knew the funds came from SRC and were not a donation,

he should have taken action to return it."