

# Nik Faisal was Najib's 'trusted lieutenant' court hears

By **NURBAITI HAMDAN**  
nurbaiti@thestar.com.my

**PUTRAJAYA:** Fugitive CEO Nik Faisal Ariff Kamil was not a rogue subordinate but instead he was the “trusted lieutenant” of his former boss Datuk Seri Najib Razak in the misappropriation of RM42mil from SRC International Sdn Bhd funds, the Court of Appeal heard.

Ad hoc prosecutor Datuk V. Sithambaram told a three-man panel of the appellate court that Najib’s attempt to disassociate himself from Nik Faisal’s actions was not credible as his (Najib) directions were given to the SRC board of directors (BOD) via Nik Faisal.

This, he said, clearly showed that Nik Faisal was the conduit for Najib to the SRC board.

“Similarly, to suggest Nik Faisal went rogue in relation to the letter of instructions to the AmBank (regarding Najib’s personal accounts) is simply outrageous,” he said here yesterday.

Sithambaram was arguing in the hearing of an appeal filed by Najib against his conviction and sentence.

The prosecutor said any claim by Najib that Nik Faisal did not have his mandate and was untrustworthy was without any factual basis.

“It should be kept in mind that the appellant continued his personal banking mandate to Nik Faisal for many years until the closure of his AmBank accounts.

“It defies credibility for the appellant to suggest that Nik Faisal was acting without his knowledge in the bank accounts while retaining Nik Faisal as his trusted mandate holder for his personal banking even after Nik Faisal was sacked as the CEO of SRC for financial irregularities.

“Why would Nik Faisal be removed as the

CEO but kept as SRC’s authorised bank signatory?” Sithambaram added.

The scandalous retention of Nik Faisal, Sithambaram said, was to carry out Najib’s bidding, which included the transfer of the RM42mil from SRC into Najib’s personal bank account.

“This RM42mil was never diverted anywhere else and it was utilised by the appellant,” he added.

Various company documents also showed that Najib had “directed the mind of SRC” with Nik Faisal carrying out the Pekan MP’s instructions, Sithambaram said.

The prosecution further submitted that Nik Faisal being the mandate holder of Najib’s personal bank accounts at AmBank only proved that there was a trusting relationship between Najib and Nik Faisal.

“This showed that Nik Faisal was the trusted lieutenant of the appellant.

“The actions taken by Nik Faisal were clearly within the knowledge of the appellant and done with his express blessings.

“The benefactor of the ill-gotten funds is the appellant and the appellant alone and not anybody else including Nik Faisal and (former late principal private secretary) Datuk Azlin Alias,” Sithambaram added.

On July 28 last year, the Kuala Lumpur High Court sentenced Najib to 10 years’ jail on each of the three counts of criminal breach of trust as well as each of the three counts of money laundering.

Najib, 68, is currently out on bail of RM2mil in two sureties pending appeal.

The appeal hearing continues today before the panel chaired by Justice Abdul Karim Abdul Jalil.

Other judges on the panel were Justices Has Zanah Mehat and Vazeer Alam Mydin Meera.