

NAJIB CLAIMS TO HAVE INTEL ON MACC PROBE

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Ex-PM challenges investigators to deny that Nazlan had admitted knowing about 1MDB default

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DATUK Seri Najib Razak claimed that he had inside knowledge of the Malaysian Anti-Corruption Commission's (MACC) probe into judge Datuk Mohd Nazlan Mohd Ghazali.

Najib said this in his latest affidavit to the Federal Court to adduce further evidence in his SRC International case and persuade the apex court to nullify the earlier trial, which saw him being convicted, jailed 12 years and fined RM210 million.

According to the document, Najib reaffirmed that Nazlan had a conflict of interest due to his alleged failure to disclose his past positions and previous roles in Maybank before he became a judge.

"I am aware that Nazlan had

been called in by MACC recently for his statement to be recorded.

"When asked by the MACC officer of his knowledge/involvement when there was a potential event of default by 1MDB of the said Maybank loan in 2015, Justice Nazlan initially denied having any knowledge.

"However, His Lordship admitted that he was indeed involved in that episode only after being confronted with email threads and documents by the MACC officers.

"I am confident and know this averment to be true and I challenge either MACC or the prosecutors to deny this on record and through any affidavit in response," he said in the court filing.

Najib, later, further named the three MACC officers involved in Nazlan's investigation and he had instructed his lawyers to amend his application to include these three names to ask the Federal Court to allow them to become witnesses.

"I was reliably informed that the relevant investigators from MACC who are undertaking the investigation against the sus-

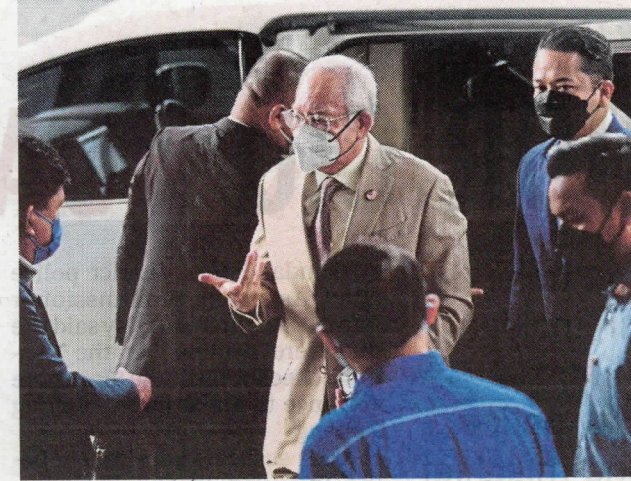
pected misconduct of Justice Nazlan are Asrul Ridzuan Ahmad Rustami and Noor Syazana Kamin, under the supervision of Mohammad Zamri Zainul Abidin (head of investigations, MACC).

"The viva voce evidence from these witnesses would assist this Honourable Court in determining whether Nazlan played a role and has knowledge (actual or constructive) in the loan issued by Maybank to 1MDB, and whether Nazlan's failure to disclose such matters to parties before the trial commenced or in the course of the trial," he said.

Najib reiterated that the fresh evidence that he was seeking was not made available to him during trial.

"I believe the same was suppressed by the prosecution and the relevant investigating authorities to prejudice my trial for reasons best known to them, but it can be fairly gainsaid the reasons cannot be anything but mischievous.

"I state that this application is made with the utmost good faith to preserve my constitutional right to a fair trial and as explained in the applicant's affi-



Former prime minister Datuk Seri Najib Razak arriving at the Kuala Lumpur Court Complex on Thursday.

PIC BY MOHAMAD SHAHRIL BADRI SAALI

davit in support, there was no delay, what more undue delay, in making this application.

"My averments herein based on documents that I have recently discovered and my further discoveries of the matters in Maybank Group have been carefully analysed by me and my solicitors," he said.

Najib also challenged the prosecution and MACC to file another affidavit to rebuke his allegations.

"The allegations I make are serious and the Federal Court deserves to know the truth from the horses' mouth and nothing short of this can be tolerated.

"I challenge the prosecution/MACC to produce affidavits from the MACC relevant officers to deny the very specific allegations I have made herein.

"The two senior MACC officers involved in the investigation against Justice Nazlan ought to confirm or deny the specific allegations I have made," he said.

Earlier, the prosecution had described Najib's application to nullify his SRC trial verdict as nothing more than a mischievous, fishing expedition.

Deputy public prosecutor Mo-

hd Ashrof Adrin Kamarul said Najib had failed to show any real or imagined conflict of interest on the part of justice Nazlan, which could be translated as posing a real danger of biasness at the SRC trial.

Ashrof said Nazlan's previous position as legal counsel at Maybank was known to Najib at the start of his trial.

He said all the so-called fresh evidence which Najib was seeking to adduce was available from the start of the trial, citing the annual reports of Maybank from 2006 to 2014, which were in public domain.

He added that the media had also widely reported that Nazlan was previously the group general counsel and company secretary of Maybank and also its group head of corporate & legal services when the SRC trial began.

Najib had filed an application to adduce further evidence related to Nazlan, in a bid to nullify the SRC trial on the misappropriation of RM42 million of the company funds.

The Federal Court has fixed 10 days from Aug 15 to hear Najib's final bid against his conviction and jail sentence.