

Najib's 1MDB charge 'defective'

Shafee: No proof he was at bank for alleged crime

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KUALA LUMPUR: There has never been evidence that showed former prime minister Datuk Seri Najib Razak was at AmIslamic Bank Bhd to commit the crime he is accused of, the High Court here was told.

Najib's lead counsel Tan Sri Muhammad Shafee Abdullah submitted that the prosecution never showed evidence that the former Pekan MP was present at the bank in Jalan Raja Chulan anywhere between Feb 24 and June 14, 2011, to abuse his official position.

The first charge against Najib

states that he allegedly used his position as prime minister, finance minister and chairman of the 1MDB advisory board at AmIslamic Bank.

Muhammad Shafee, who was making his submissions at the RM2.28bil 1Malaysia Development Bhd (1MDB) trial here yesterday, said the charge against his client was "defective" and "fundamentally flawed".

The lawyer said Najib had never seen the AmBank building nor had he set foot in it.

"How could they say that my client, at AmIslamic Bank, used his position for gratification?"

"He (Najib) never saw the build-

ing. He had never been to the bank. How could he be accused of abuse of power there?" he asked.

Najib's lack of presence at the place where the offence was allegedly committed "confused the defence", Muhammad Shafee said, and the prejudice against Najib caused the 1MDB trial to last six years.

Najib, 70, is on trial for 25 charges in total: four for abuse of power that allegedly brought him a financial benefit to the tune of RM2.28bil; and 21 for money laundering involving the same amount of money.

The four counts of power abuse are framed under Section 23(1) of



Facing the law: Najib (centre) being escorted to court in Kuala Lumpur. — Bernama

the Malaysian Anti-Corruption Commission (MACC) Act 2009, which provides for imprisonment of up to 20 years and a fine of up to five times the amount of gratification, or RM10,000, whichever is higher, upon conviction.

For the 21 charges of money laundering, Najib is charged under Section 4(1)(a) of the Anti-

Money Laundering, Anti-Terrorism Financing, and Proceeds of Unlawful Activities Act 2001, which carries a maximum fine of RM5mil and imprisonment for up to five years, or both, upon conviction.

The hearing before Justice Collin Lawrence Sequerah continues today.