

**Najib's affidavit should also be rejected because of his name, says former top cop**  
**Malaysian Insider**  
**Feb 12, 2014**

Datuk Mat Zain Ibrahim has questioned the discrepancies in affidavits involving the prime minister and his wife after the Federal Court deemed his statutory declaration (SD) inadmissible yesterday for similar disparities.

The court said Mat Zain Ibrahim's SD was an out-of-court statement and could not be accepted in Datuk Seri Anwar Ibrahim's bid to remove Tan Sri Muhammad Shafee Abdullah from leading the prosecution in his sodomy appeal.

"The rest of the allegation in the SD is hotly disputed," said Tan Sri Zulkefli Ahmad Makinuddin, who led the five-man bench.

Mat Zain, a former Kuala Lumpur CID chief, said that according to the judgment, his SD was thrown out because his name and address were blotted out on the document

"But the particulars that were blotted are the identity card number and address only, not my name," he said.

"The other point stated by the court is that there are discrepancies in my NRIC numbers compared with my other documents, including the cause papers in the defamation action against Anwar at the Shah Alam High Court."

He said this ruling meant that affidavits submitted by Prime Minister Datuk Seri Najib Razak and his wife, Datin Seri Rosmah Mansor, filed in 2011 during Anwar's second sodomy trial, could also be deemed inadmissible.

"There are latent defects in the affidavits, where the PM's name affirmed in the affidavits differed from his name he gave to the Election Commission as appeared in the electoral roll and the name he used during the swearing-in ceremonies as PM in 2009 and 2013," he added.

"The PM affirmed his name as Najib bin Tun Hj Abdul Razak in his affidavits. However, in the electoral roll it is stated as Mohd Najib bin Abdul Razak. Whereas, during the swearing-in ceremonies he swore

his name as Mohammed (Mohd) Najib bin Tun Hj. Abdul Razak on both occasions. Rosmah also affirmed her husband's name as Najib bin Tun Hj Abdul Razak in her affidavit."

In line with the ruling about his SD, Mat Zain called on Attorney General Tan Sri Abdul Gani Patail to act on the discrepancies, particularly in the affidavits by Najib and Rosmah.

"The same rules must be applied even if the matter involved the prime minister and his wife.

"It is, therefore, incumbent upon the AG to bring to the notice of the court the discrepancies in Najib's particulars in his affidavits and that of his wife's as well as compared with his other documents," the former top cop said.

He claimed that he has since 2011 raised the issue of the discrepancies with former inspector general of police Tan Sri Ismail Omar and to then home minister Datuk Seri Hishammuddin Hussein and recently to the PM as well as the attorney general.

"Either the PM's and his wife's affidavits are to be declared inadmissible by the court because of the discrepancies and they have to be recalled as witnesses, or they are made to reaffirm their respective affidavits to correct the PM's name."

Najib would also have to retake his oath before the Agong should his name on his identity card be Najib instead of Mohd Najib, he added.

"Otherwise it would be illegal for him to exercise the functions of the prime minister if his oaths are not in accordance with the Federal Constitution," he said.

In his 31-page SD, Mat Zain claimed that Gani was responsible for the loss of Pulau Batu Puteh to Singapore.

He said that Shafee knew that Gani had allegedly suppressed important evidence in the hearing at the International Court of Justice (ICJ) in 2007 that caused Malaysia to lose the island to Singapore.

In his second attempt to disqualify Shafee, Anwar said Shafee was not a fit and proper person to be a deputy public prosecutor because of Mat Zain's revelation.

Shafee then argued that Anwar's application to disqualify him must be thrown out as it heavily relied on Mat Zain's statutory declaration (SD), which he described as hearsay and of no value.

Mat Zain said he stood by his SD, adding that so far, no one, including Najib, the AG, IGP Tan Sri Khalid Abu Bakar, has declared any part of the document as false. – February 12, 2014.

Hakcipta © 2013 The Malaysian Insider

Source:

<http://www.themalaysianinsider.com/malaysia/article/mat-zain-calls-for-probe-into-discrepancies-in-najibs-affidavits-regarding>