

## **Najib fails to strike out Harakahdaily's defence, defamation suit to go to trial**

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**By V. Anbalagan**

The High Court today dismissed an application by Datuk Seri Najib Razak to strike out Harakahdaily's defence against the prime minister's defamation suit over an article linking his stepson to the controversial 1Malaysia Development Berhad (1MDB).

Lawyer Faiz Fadzil Noor said judge Datuk Hue Siew Kheng ruled that the relevance of the defence of qualified privilege to news portals could only be decided after a trial.

"The judge said the case must go for trial as there were issues to be determined," he told The Malaysian Insider after Hue delivered her ruling in chambers.

Hue has fixed the trial to be heard for seven days from October 7.

Meanwhile, lawyer Datuk Mohd Hafarizam Harun, who represented Najib, said he would advise his client to appeal.

Najib filed the suit against Harakahdaily portal chief editor Taufek Yahya and managing director Dr Rosli Yaakob over an article by Rosli on February 19 with the heading "Dana 1MDB biayai syarikat filem Riza Aziz? (Bhg 2)".

Lawyer Mohamed Hanipa Mydin represented Taufek, while Faiz appeared for Rosli.

Najib in his striking out application said the defence in response to the suit was not relevant.

In his statement of claim filed on March 18, Najib said the article contained words which implied that he had misused 1MDB funds.

Najib said that the publication of the article had damaged his reputation and caused him to be condemned in social media and the mass media.

Najib also said that Taufek had failed to practise responsible journalism by not verifying the authenticity of the article before publishing it.

Criticism has been mounting against Najib over the Finance Ministry's wholly owned investment vehicle, 1MDB, established in 2009, which has racked up debts of up to RM42 billion.

Najib has been under pressure from opposition politicians, current and former Umno leaders, including former prime minister Tun Dr Mahathir Mohamad and anti-graft bodies, who demanded a thorough investigation into the fund.

Dr Mahathir had also demanded that Najib resign over the 1MDB scandal. Najib, however, has said that he will not step down. – August 6, 2015.

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