

1MDB : Pua only Depended on Hearsay Evidence – Najib’s Lawyer
Bernama
April 13, 2016

KUALA LUMPUR, April 13 (Bernama) -- The High Court was on Wednesday told that Petaling Jaya Utara Member of Parliament Tony Pua Kiam Wee only depended on hearsay evidence in his affidavit in regard to the 1Malaysia Development Berhad (1MDB) issue.

Lawyer Datuk Mohd Hafarizam Harun, representing Prime Minister Datuk Seri Najib Tun Razak, submitted that the evidence contained in two paragraphs of the MP's supporting affidavit involved searches at the Companies Commission of Malaysian (SSM), on the official website of 1MDB and articles related to 1MDB published in blogs, newspapers and online portals.

Mohd Hafarizam contended that the evidence provided by Pua was hearsay evidence unless the officer responsible from SSM was called to furnish a supporting affidavit to confirm the matter.

"If there is a supporting affidavit from the SSM officer, only then can the defendant (Pua) prove the information he obtained (is correct)," the lawyer submitted in regard to Najib's application to delete several paragraphs in Pua's supporting affidavit filed by the latter on May 7, 2015 in connection with the suit filed by the Prime Minister.

Mohd Hafarizam said the portal journalists and bloggers who wrote articles on 1MDB must also furnish supporting affidavits to back up the veracity of the information obtained.

Lawyer Gobind Singh Deo, representing Pua, submitted that the suit was related to the strategic investment company and that the search at SSM on the issue was relevant and could not be disputed.

Judge Datuk Roslan Abu Bakar set May 5 for decision on Najib's application and the same date to hear Pua's application to strike out the suit.

In the suit filed on March 5 last year in his personal capacity, Najib had named Pua, 42, and Chan Chee Kong, 51, owner of online portal Mediarakyat.net, as the first and second defendants.

In his statement of claim, Najib said last Nov 13, Pua, as the main speaker at a DAP fund-raising dinner, had made what he alleged was a defamatory remarks about 1MDB.

He said a recording of the speech was uploaded by Chan himself and/or his agents on the Mediarakyat YouTube and Mediarakyat website under what he claimed was a libellous heading.

Najib said the recording was subsequently shared by Pua and/or his agents on his Facebook account and by Chan and/or his agents on the Mediarakyat Facebook account.

He said the recording of the speech contained words that referred to and related to him and defamed him and the individual known as the 'prime minister' and must have referred specifically to him (Najib).

He added that the publication of the defamatory words had damaged his reputation, which would continue for years because the recording of the speech could be accessed widely and easily throughout the world via the Internet, blogs, forums and websites without any restriction and could be reshared.

Najib is seeking general damages, exemplary damages, costs and an injunction to prevent the first and second defendants or their agents from publishing further the defamatory words against him.

-- BERNAMA

Copyright © 2015 BERNAMA

<http://www.bernama.com/bernama/v8/newsindex.php?id=1235002>