

Najib Emphasises He Never Interfered In Legal Processes
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KUALA LUMPUR, June 14 (Bernama) -- Datuk Seri Najib Tun Razak pointed out that he had neither interfered in the legal process nor used his position to ensure the various ministries and departments did not carry out investigations on any wrongdoing allegedly committed by him.

He subsequently emphasised that he did not abuse his positions as Prime Minister, Finance Minister, Barisan Nasional (BN) Chairman and UMNO President to indulge in corrupt practices as alleged.

"As BN Chairman and UMNO President, I did not discharge my duties as a civil servant nor acted as fiduciary as alleged by all the plaintiffs," he said in his statement of defence.

The defence was to refute allegations by former Prime Minister Tun Dr Mahathir Mohamad, former vice-head of the Batu Kawan UMNO division, Datuk Seri Khairuddin Abu Hassan and former member of the Langkawi Wanita UMNO, Anina Saadudin concerning misconduct involving 1Malaysia Development Berhad (1MDB).

The statement of defence was filed via the legal firm, Tetuan Hafarizam Wan Aisha Mubarak at the Civil High Court registrar's office here yesterday (June 13, 2016), and handed over to the media today.

On March 23, Dr Mahathir, 90, Khairuddin, 54, and Anina, 41, filed a suit against Najib as the defendant concerning malpractices involving 1MDB.

In his statement of defence, Najib also pointed out that he did not prevent former deputy prime minister Tan Sri Muhyiddin Yassin from carrying out his duties as UMNO deputy president during the UMNO general assembly nor his duties as deputy chairman of BN.

Najib also pointed out that the removal of Muhyiddin was an implementation of the Royal prerogative under Article 43(5) of the Federal Constitution acting on the advice of the prime minister, and the move was not his action in carrying out his duties said to be as a civil servant.

Najib too did not have any control on the power and tasks carried out by Attorney-General Tan Sri Mohamed Apandi Ali and Inspector-General of Police Tan Sri Khalid Abu Bakar as

well as his officers because their duties had been outlined in the Federal Constitution.

In addition, the prime minister did not have any control on the Chief Commissioner of the Malaysian Anti-Corruption Commission and the Malaysian Communications and Multimedia Commission as all as their officers as the two entities were subjected to the acts specified.

Based on these grounds, the prime minister pointed out that in order for all the plaintiffs to initiate proceedings based on tort misfeasance in public office/or fiduciary duty, they must prove that he was a civil servant.

The three plaintiffs, Dr Mahathir, Khairuddin and Anina must prove that they had incurred losses due to the duties carried out by the defendant, namely Najib, and that the task he was discharging had malicious intent.

Furthermore, they (plaintiffs) had no right to all the claims referred to as tort misfeasance in public service and fiduciary potentials because the plaintiffs did not suffer any personal loss.

Najib also refuted every statement contained in the statement of claim as though they were traversed seriatim; as such he appealed for the claims by the plaintiffs to be rejected with costs.

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