

**AG's views not gospel truth says MP of judicial notice on Najib**  
**MalaysiaKini.com**  
**24 Februari 2018**

An opposition MP said the attorney-general's (AG) conclusion that Prime Minister Najib Abdul Razak had done no wrong with regards to 1MDB should not be taken as "gospel truth".

This, said Bukit Gelugor MP Ramkarpal Singh, is because such a matter is not for the AG to decide, but for the court of law.

"With respect, I am of the view that it is erroneous to conclude with certainty that the PM did not commit any wrongdoing in relation to 1MDB just because the AG and the MACC seem to think so.

"The AG and the MACC are not recognised arbitrators in law.

"As such, their statements on the PM's culpability in the 1MDB saga are, at best, merely their views on the matter.

"Such views cannot be taken as gospel as only a recognised court of law has the power to make a judicial pronouncement on the matter," said the lawyer in a statement today.

"As such, whether or not the PM committed any wrongdoing in relation to 1MDB can only be conclusively decided by a recognised court of law after considering evidence on the matter."

He was commenting on the Court of Appeal taking [judicial notice](#) that Najib had not committed any wrongdoing with regard to 1MDB, which was based on AG Mohamed Apandi Ali's statement on Jan 26, 2016 and the MACC's statement to the effect.

Ramkarpal said he found it "difficult to comprehend the logic behind the Court of Appeal's said reasoning".

"If the Court of Appeal is right, all prosecutions sanctioned by the AG need not be prosecuted in court since his decision to prosecute must mean that there is sufficient evidence in his mind against an accused person.

"If a court can take judicial notice of this, why is there a need to prove such evidence in court?" he asked.

## **'Can be disputed'**

The DAP lawmaker added that regardless of the decision, there is precedence for the matter to be disputed, citing the judgement of former Supreme Court judge Syed Agil Barakbah in *Pembangunan Maha Murni Sdn Bhd v Jururus Ladang Sdn Bhd* of 1986.

In that case, he said, the judge had stated, “The test is that the facts involved must be so sufficiently notorious that it becomes proper to assume its existence without proof. The opponent, however, is not prevented from disputing the matter by adducing evidence if he disputes it.”

Ramkarpal said while it is certain the sun rises in the east, as justice Yaacob Md Sam, who wrote the unanimous decision on the present case, said, the clearing of Najib is another matter altogether.

“The fact that the sun rises in the east and sets in the west is something which cannot be disputed.

“Whether or not the PM has committed any wrongdoing in relation to the 1MDB scandal, however, certainly can be.”

**Copyright © 1999-2016 Mkini Dotcom Sdn. Bhd**

Source: <https://www.malaysiakini.com/news/413334>