

Ex-CEO to read full witness statement

Court rules Hazem's evidence must be admitted in its entirety

By NURBAITI HAMDAN
nurbaiti@thestar.com.my

KUALA LUMPUR: Former 1Malaysia Development Bhd (1MDB) chief executive officer Mohd Hazem Abdul Rahman will be able to read his witness statement in full as he takes the stand next Monday after the High Court ruled that his evidence must be admitted in its entirety.

Justice Collin Lawrence Sequerah made the ruling after hearing further submissions by both parties here yesterday.

The judge said it was premature to decide on the admissibility issue of Hazem's evidence at this juncture and he suspended the decision to determine whether the evidence was indeed hearsay until the end of the prosecution's case.

On Monday, the defence of former prime minister Datuk Seri Najib Razak, who is accused of misappropriating RM2.28bil from 1MDB's funds and 21 counts of money laundering involving the same money, raised the issue on Hazem's witness statement despite it not being read in court yet as it claimed some paragraphs were hearsay and therefore inadmissible.

The disputed paragraphs were on the involvement of fugitive businessman Low Taek Jho and how the witness was purportedly told by Low that 1MDB was

formed to channel funds to Umno when Najib was its president.

The defence applied to remove the disputed paragraphs from the witness statement but this was objected to by the prosecution who insisted the evidence must be read in its totality as it formed "part of the transaction".

Justice Sequerah said that if the passages were excluded, the prosecution could be deprived of the opportunity to include their evidence in court.

"The prosecution may be prejudiced against if they are not able to unfold their narrative," he said.

In the case that the evidence did fall under hearsay rules, Justice Sequerah opined that the evidence would be excluded from his findings altogether.

Justice Sequerah also said the defence had the ability to tailor its arguments in advance during cross-examination of the witness.

During the height of the 1MDB scandal, not much is known about Hazem, who joined 1MDB as a chief operating officer in August 2012.

He took over as CEO from Datuk Shahrol Azral Ibrahim Halmi on March 25, 2013, before stepping down in January 2015.

Hazem's position was replaced by Arul Kanda Kandasamy.

The hearing continues on Monday with Hazem to appear before the court.