

**PRESS STATEMENT**

1. There has been allegations by many quarters regarding the RM9.5 Million in two tranches of RM4.3 Million and RM5.2 Million in 2013 and 2014 respectively from Dato' Sri Najib Tun Razak's personal account in Amlslamic Bank Berhad when he was the Prime Minister.
2. One of these allegations is that these two payments were made as a reward for me to prosecute Dato' Seri Anwar Ibrahim in the Sodomy II appeals at the Court of Appeal and the Federal Court. I have denied this allegation on record in an affidavit that I have affirmed on 3rd August 2017 in the proceeding brought about by Dato' Seri Anwar Ibrahim in his Originating Summon in the High Court of Kuala Lumpur vide WA-24-36-06/2017. I still maintain that the averment was and is the truth.
3. For purposes of prosecuting the appeals I had suggested to the then Attorney General Tan Sri Gani Patail that I would undertake the assignment pro bono. However, when Tan Sri Gani Patail suggested that an agreement be entered into between the Government of Malaysia and me for purposes of that assignment, I had suggested RM1 to be the formal consideration amount. It was counter suggested by Tan Sri Gani that an amount of RM1000 be placed as consideration. This culminated in a written agreement dated 19th July 2013 reflecting the terms of my appointment as the ad hoc DPP pursuant to a FIAT. This document remains confidential as provided for therein.
4. Tan Sri Gani Patail and Dato' Hanafiah Zakaria of the Attorney General Chambers are fully aware of this. The then Prime Minister Dato' Sri Najib was also fully aware of this agreement for me to undertake the assignment, virtually pro bono.
5. For purposes of record I have never taken a single cent from the Government of Malaysia or anybody else in relation to my undertaking of the prosecution of the appeals. I must stress that even the RM1000 was never claimed by me to date. This can be confirmed from Dato' Hanafiah Zakaria himself.

**PRESS STATEMENT OF TAN SRI DR. MUHAMMAD SHAFEE ABDULLAH**

*Pertaining to the RM9.5 Million*

6. As a background to this ad hoc appointment of mine, Dato' Sri Najib was not keen with the idea of appointing me as the prosecutor by way of FIAT for these appeals because he did not want to offend the then AG, Tan Sri Gani Patail. In fact, he was most reluctant. However, it was Tun Dr. Mahathir Mohammad who insisted that I be appointed as the special prosecutor in the Anwar's appeals as Tun Mahathir did not have the confidence that the Attorney General's Chambers would be able to competently manage the appeals. This is probably due to the fact that the Attorney General's Chambers had lost the Sodomy II case in the High Court. Further, they had lost earlier in the Federal Court the Sodomy I case. I remember being summoned on or about June or July 2013 (or thereabout) by Tun Dr. Mahathir through Mr Matthias Chang to attend a meeting with Tun Mahathir at the Perdana Foundation in Putrajaya. Soon I learned that Dato' Sri Najib, the Prime Minister was also invited to meet Tun Dr. Mahathir slightly earlier than the meeting between me and Tun Dr. Mahathir. I learned subsequently that Tun Dr. Mahathir has managed to persuade Dato' Sri Najib to convince the Attorney General to appoint me by way of FIAT as a special prosecutor in these appeals. I was told of this after Dato' Sri Najib had left the Perdana Foundation, by Tun Dr. Mahathir himself. I learnt from Matthias Chang that my appointment as the special prosecutor was the first of the 6 demands Tun Dr. Mahathir made to Dato' Sri Najib at that meeting for otherwise he would go against Dato' Sri Najib. Within a matter of days or so, I was communicated by the office of Tun Dr. Mahathir and the Prime Minister's office that I should meet Tan Sri Gani Patail for the purposes of the appointment as everything has been agreed to for my appointment. I met Tan Sri Gani Patail in the presence of Dato' Hanafiah Zakaria. A written agreement has been drafted reflecting the terms of my appointment as mentioned earlier herein. This written agreement is within the knowledge of every concerned individuals who participated in this decision-making process and therefore there could not have been any misunderstanding that I should be paid any fees over and above the RM1000.
  
7. I have acted for UMNO, Barisan Nasional without any specific retainers during the terms of the previous prime ministers from Dato' Sri Dr Mahathir (as he then was),

**PRESS STATEMENT OF TAN SRI DR. MUHAMMAD SHAFEE ABDULLAH**

*Pertaining to the RM9.5 Million*

Dato' Sri Abdullah Badawi (as he then was) and Dato' Sri Najib. During those terms I acted very often for UMNO, Barisan Nasional and sometimes, other component parties within Barisan Nasional such as MIC and MCA or Gerakan. Cases that were assigned to me and my firm ranged from election petitions to other serious litigations involving UMNO and Barisan Nasional. I remember undertaking litigation works on behalf of UMNO and some other clients in relation to the mega damages in defamation matters. I have personally rendered on countless occasions legal opinions as and when required by UMNO, Barisan Nasional or any of its component parties. I have been rendering this assistance to UMNO sometime from the early part of the 90's until now but I have never been a member of UMNO or any other political parties. My association with UMNO and Barisan Nasional and the government under Barisan Nasional was purely as a solicitor and counsel, nothing more. I have accrued many uncollected bills for my legal work from the days of Dato' Sri Dr. Mahathir as the prime minister, especially during the period when Datuk Mohamed Rahmat was the Secretary General of UMNO and Barisan Nasional. To complete the picture, I have also rendered legal services to the Barisan Nasional government and the respective Prime Ministers by providing urgent legal opinions and documentations. The numerous files that have been opened with respect to all these works have not received any fees for a long time as UMNO had always promised me and my firm that the payment was forthcoming. In some of these cases, some small disbursements were paid by UMNO and Barisan Nasional and in some others, no disbursements were paid at all and my firm had to be saddled with the initial disbursements.

8. Sometime on or about September 2013 I chanced a meeting with Dato' Sri Najib in the Prime Minister's Office over various matters and in that meeting, I have the occasion to raise with him the question of my needing to be paid for my services thus far for UMNO and Barisan Nasional as at that time I was in need of money to purchase a property from a friend who desperately needed to dispose of that property in order to purchase a new one for his family. Dato' Sri Najib learned for the first time that I have not been paid by UMNO for all these years since the time of Tun Mahathir and he inquired from me what would be the fees that had been accumulated over the years since early 1990's. I told him the total fees would be in the region of not less

**PRESS STATEMENT OF TAN SRI DR. MUHAMMAD SHAFEE ABDULLAH**

*Pertaining to the RM9.5 Million*

than RM20 Million but I was not asking for all that. I told him that I would be happy if he could settle about RM11 Million worth of legal work in 46 election petition files, the subject matter of the years in 2004 and 2006. Dato' Sri Najib however, agreed to pay RM9.5 Million as complete settlement of the legal fees of the 46 election petition matters but he had asked me to rationalise the paper work later. I agreed to this arrangement. Here I must stress that I was made to understand that Dato' Sri Najib was made responsible for handing the party's funds as this was a normal party practise. I had at that time absolutely no knowledge of the source of the payments to me by Dato' Sri Najib.

9. As pointed out by the Prime Minister Tun Mahathir recently who when asked by journalists whether Tommy Thomas was a crony of PH leaders he retorted "lawyers take cases that bring in their income". Am I any different to the AG Tommy when he was engaged to represent Anwar and Lim Guan Eng, or for that matter Dato' Haji Sulaiman Abdullah who was Anwar's lawyer in Sodomy I and defamation cases (now a DPP on fiat against Dato' Sri Najib), or Dato' Sri Gopal Sri Ram who used to represent Anwar in the Sodomy II appeal (and now a DPP in the Attorney General's chambers)?
10. I am a regular advocate and solicitor who works for fees. Why am I being scrutinized when I collect fees for my UMNO/BN work? If you allow lawyers to be harassed like this under purported money laundering investigations etc, the future of the legal profession is impeded. This is a phenomena the world bodies of the legal profession are watching.
11. Sometime about a year ago, I have explained these matters to the MACC in the course of their routine investigations pertaining to the payment of RM9.5 Million that became an issue because of the 1MDB matter. I had brought with me documents showing the files that I have billed and my banking documents to reflect the receipt of the RM9.5 Million and their disbursements. Recently, about three weeks ago, I have also given a further statement to the MACC (to a different investigation officer) pertaining to this RM9.5 Million issue. I have a further appointment at my request to see the same officer this coming Tuesday or Wednesday to show again the documents

**PRESS STATEMENT OF TAN SRI DR. MUHAMMAD SHAFEE ABDULLAH**

*Pertaining to the RM9.5 Million*

pertaining to the files that I have billed and other documents. The recent statement that I had given to MACC was made after the MACC had frozen the relevant account of mine in the CIMB Bank which received the RM9.5 Million and the disbursements therefrom. That particular account was frozen by MACC without any notification to me until I found out on my own when some of my cheques bounced and I had to replace them to the relevant payees with other cheques.

12. Dato' Sri Najib would be able to confirm the reason for the RM9.5 Million being paid to me.

13. I am surprised and appalled that Siti Rahayu binti Mohd Mumazaini, a lawyer formally with the firm of Tommy Thomas who now acts as a special officer to the Attorney General Tommy Thomas deems it fit to affirm an affidavit disclosing the matters pertaining to the RM9.5 Million payment to my account when they are purportedly the subject matter of active investigation by MACC. Further, she has selectively mentioned some facts in a slanted fashion so as to invite adverse inferences to be drawn on me in relation to the RM9.5 Million payment as if that payment was relevant to the unfounded claims and allegations made by Dato' Seri Anwar in his Originating Summons. I personally refrained to explain all this because the subject matter is under investigation but now I am forced to bring forth the full details of this payments as Dato' Seri Anwar himself and others similarly minded have been making unfounded allegations that attempts to link the RM9.5 Million to my undertaking of the appeals against Dato' Seri Anwar. But I am now particularly forced to do this explanation in public as Siti Rahayu's affidavit has been allowed to be in the public domain by Dato' Seri Anwar and others although it has just been affirmed on the 5th of September 2018 and has not been read in court to make it a public document. I would like to comment that Siti Rahayu obviously failed to understand the affidavit that I affirmed on the 3rd of August 2017 (in two languages) when she alleged in her ultimate paragraph of her affidavit (Paragraph 15) that the denial in Paragraph 28 of my said affidavit was untruthful, according to her. I am shocked and appalled that a clear averment on my part can be misconstrued. For clarity, that paragraph reads: *"the rumours of the alleged RM9.5 Million received by me for the prosecution of the Anwar*

**PRESS STATEMENT OF TAN SRI DR. MUHAMMAD SHAFEE ABDULLAH**

*Pertaining to the RM9.5 Million*

*appeals and the fact that the Plaintiff (Anwar) avers that the Prime Minister Dato' Sri Najib made the payment to the 2nd Respondent (me) for that stated purpose is unsubstantiated, baseless and remain hearsay. The 2nd Respondent (me) denies this allegation."*

14. It is so discouraging that a special officer to the august office of the Attorney General could lend herself to making conscious, deliberate and dishonest averments in her affidavit. I am reserving my rights to take the necessary steps against this unprecedented breach of confidentiality by a serving DPP.
  
15. I fear this sudden development initiated by Siti Rahayu within the Attorney General's office as erroneously expressed in her affidavit is deliberate, to allow others like Dato' Seri Anwar to take advantage of the misleading and motivated averments to be abused against me. These recent developments, I fear is a setting to victimise and demonise me and to put unfair pressure on the Attorney General's Office to take actions against me. I fear that the Attorney General's office is being exploited to victimise me perhaps to discourage me in the defence of Dato' Sri Najib in his case.

TAN SRI DR. MUHAMMAD SHAFEE ABDULLAH

*8<sup>th</sup> September 2018*