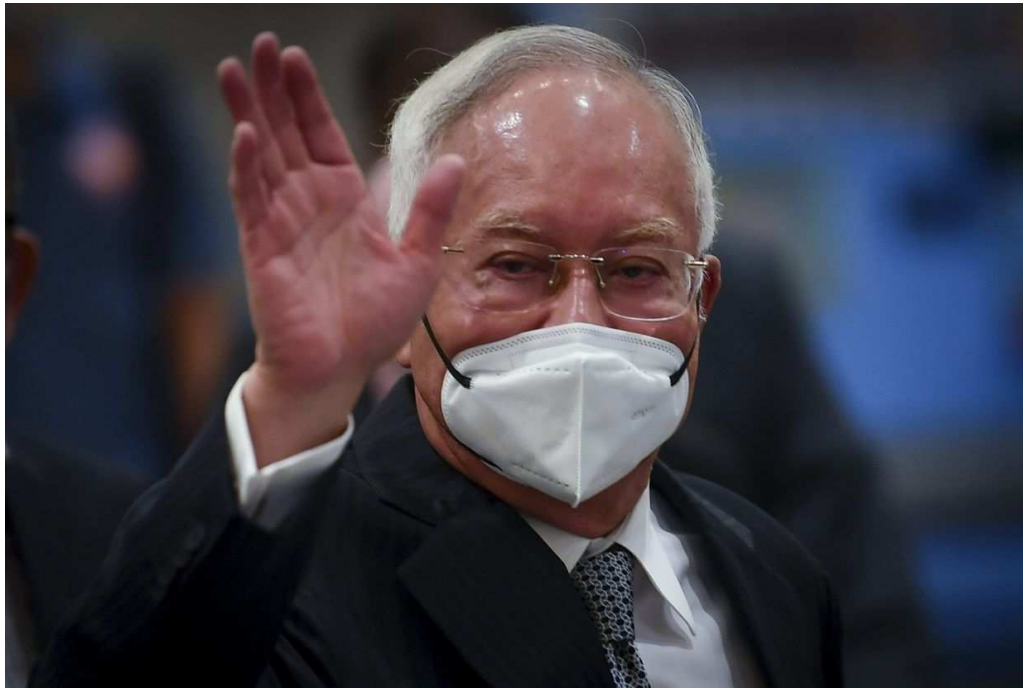


Najib may end up serving only eight years, say lawyers

- Thursday, 25 Aug 2022



PETALING JAYA: Despite being sentenced to jail for 12 years, former prime minister Datuk Seri Najib Razak may be in prison for a much shorter period, even if he does not get a pardon soon.

He will get an automatic one-third remission, which means he needs to serve only eight years, said legal experts.

The provision for the remission of a sentence is stated in Prison Regulation 2000, said senior criminal lawyer Datuk Geethan Ram Vincent said.

But Najib could face an additional five years' jail if he fails to pay the RM210mil fine imposed on him.

"At the end of eight years, if he still has not paid the fine of RM210mil, his sentence of five years in default will begin.

"Once again, he will be entitled to a one-third remission, so he needs to serve 40 months.

"So all in all, if he doesn't pay the fine, he will be serving eight years plus 40 months," he added.

Another lawyer, Ramesh NP Chandran, said prisoners can also apply for parole, although it is not common in Malaysia.

“Paroles will allow prisoners to get more than a one-third remission.

“The Prisons Department will submit your application to the Parole Board Secretariat (under the Home Ministry), but you will have to show exceptional good behaviour, prove that you are not a threat to society or danger to anyone, or (that there are) medical reasons. Then, you will have a better chance for early release,” he said.

According to the Home Ministry’s website, the parole system in Malaysia was introduced based on the Australian system to reduce overcrowding in prisons and the high maintenance cost.

The system, which came into effect on June 30, 2008, is being implemented under the Prison Act (Amendment) 2008.

For a prisoner to be eligible for parole, his sentence must be at least for one year and he must have served half of his sentence, not including the one-third remission period he is entitled to.