

## Lingam: Looks like me, sounds like me

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KUALA LUMPUR (Jan 21, 2008): Despite being identified by earlier witnesses, lawyer Datuk V.K. Lingam today insisted before the Royal Commission of Inquiry probing a controversial video-clip that the person featured in the clip "looks like me and sounds like me".

"Irrespective of what others said, it looks like me and sounds like me," he told the commission.

He then added: "I have conducted my own checks and the only way to verify its authenticity is to have the original equipment used to record it and the original recording is produced."

On another crucial point, the 57-year-old who has been practising law for 20 years, said he had never telephoned the former Chief Justice Tun Ahmad Fairuz Sheikh Abdul Halim and neither had the judge contacted him on the phone.

Lingam was the 13th witness to be called, and was summoned after Loh Gwo Burne had testified this morning that he was the person who recorded the video clip, and had passed a copy of it to lawyer Manjit Singh.

When questioned by Deputy Public Prosecutor (DPP) Datuk Nordin Hassan if he had watched the video clip, Lingam said the Anti-Corruption Agency (ACA) had showed it to him in the course of their investigation and he also watched it on the Internet while he was overseas.

The video-clip was then replayed for the sixth time for Lingam to view it.

Asked by Nordin if he had watched the video clip which was shown to him, he retorted by asking if it was the original clip.

Commission chairman Tan Sri Haidar Mohamed Noor told Lingam to just answer the question.

Lingam: Yes, I have seen it.

Nordin: Are you the man talking on the telephone in this video clip?

Lingam: It looks like me.

Nordin: I have to tell you about the facts established by the Commission following the testimonies of the previous witnesses.

Lim Mui Fah (businessman) has confirmed it is you, so has Lim's son, Lim Gwo Burne, and Datuk Seri Tengku Adnan. Cyber Security's digital forensics expert Mohd Zabri Adil Talib said the voice in the video clip matched your voice sample. Tun Mohamed Eusoff Chin (former chief justice) also confirmed it sounds like you. The 17 photographs taken also have similar background to that found in your house.

I ask you again, whether the man in the video clip is you?

Lingam: Irrespective of what others said, it looks like me and sounds like me.

I have conducted my own checks and the only way to verify its authenticity is to have the original equipment used to record it and the original recording is produced.

Haidar Are you making a submission here?

Lingam: No, I am only answering the question.

Nordin then showed Lingam the photographs of Lim Mui Fah seated with him on the sofa and asked the lawyer if he knew the person.

Lingam said the picture is not very clear, but it looked like Lim.

Nordin: Who were you speaking to on the handphone in the video clip?

Lingam: I don't know.

Haidar You don't know? (twice).

Lingam: But certainly I was not speaking to Ahmad Fairuz because I never had his

phone number and neither did he have my number. Until today, I have never spoken to him and neither has he talked to me.

Nordin: Do you know the man who is seated next to you in the photograph?

Lingam: It looks like Loh Mui Fah.

Nordin: Certainly you can identify him?

Lingam: You can ask me the same question a 100 times, my answer will be the same, with respect.

He also told the inquiry he could not recollect the occasion when Lim visited him on two to three occasions previously.

Lingam said Lim was a social friend and he had come to his house in Kelana Jaya with his son and mistress, Tong Meai Nah.

Asked if he knew who recorded the phone conversation on the clip, Lingam also replied in the negative.

Nordin then requested for an adjournment as he would be going through the transcript.

Commission member Datuk Mahadev Shankar then asked if the answer given by the witness is going to be in the negative, what effect the questions would have.

Earlier, when Nordin said he wanted to call Lingam as the next witness, Malaysian Bar representative Robert Lazar said the Commission should wait for two previous witnesses to complete their testimonies before proceeding with Lingam.

Lazar said the ACA's investigating officer senior Supt Chuah Lay Choo and former Chief Justice Tun Eusoff Chin are half-way in giving evidence and the Commission should refrain from calling Lingam now.

Haidar took note of this viewpoint and proceeded to call Lingam as the next witness.

When he took the stand, Lingam said he was acquainted with businessman Tan Sri Vincent Tan in the course of him acting as a lawyer for Tan's Berjaya Group of companies and also personal legal cases around the 90s.

As for Tengku Adnan Mansor, Lingam said he knew the present Tourism Minister when he was an executive director with the Berjaya Group.

Lingam also said Loh Mui Fah was never his client, but that his (Mui Fah's) father was.

Lingam was not drunk at that time, say video clip maker

KUALA LUMPUR (Jan 21, 2008): Loh Gwo Burne, who produced the video clip which allegedly showed a lawyer brokering the appointment of judges, today identified lawyer Datuk V.K. Lingam as the one featured in the clip, and the person he was talking to on the handphone was a man.

He said as Lingam walked up and down during his conversation, he could hear a male voice at the other end of the line.

Loh, a 33-year-old consultant now based in China, said he made the video recording and snapped photos at Lingam's house because, he was "bored with the lawyer's habit of being hooked to the phone all the time".

He also said Lingam was not play acting or drunk during the phone conversation, as they had not had much to drink.

He said he made the recording with a Sony 707 digital camera he had bought about two weeks before the visit to Lingam's house.

However, he said he did not know how the clip went public, but said he had given a copy of the clip to another lawyer, Manjit Singh, now deceased, before he left for China in 2004.

Gwo Burne is the son of businessman Loh Mui Fah who had testified earlier that the person depicted in the clip was Lingam.

Questioned by Deputy Public Prosecutor Datuk Nordin Hassan, Gwo Burne, the 12 witness to appear before the inquiry, said he went to Lingam's house in late December 2001 after he and his father were invited for dinner and to discuss legal matters.

He said he got Lingam's permission to take photos in the latter's house during

the visit.

When the photos showing Lingam, his sister, lawyer Manjit Singh and Mui Fah was shown to him, Gwo Burne positively identified them.

The video clip was then replayed for the fifth time.

Nordin: Is the content the same as the one you recorded in Lingam's house?

Gwo Burne: Yes, I believe so.

Nordin: Can you tell where in the house was the recording done?

Gwo Burne: In the lounge area in Lingam's house.

Nordin: Was there anybody else besides you and Lingam?

Gwo Burne: Yes, my father Loh Mui Fah.

Nordin: We are all very curious, why did you record the video clip?

Gwo Burne: I was trying to take a picture of the vase, (but) half-way through, the camera went into video mode. Frankly, I was fed-up with Lingam as he was always on the phone.

Nordin: Can you elaborate?

Gwo Burne: He was supposed to attend to our case, but he was constantly on the phone.

Gwo Burne said he (Lingam) was not aware of the recording and he too did not pay attention to Lingam's conversation on the phone as he was too engrossed fiddling with the camera.

He said he downloaded the pictures and the video recording from the camera's memory stick into his personal computer and stored it into the hard disk before burning it into a CD.

Gwo Burne said he left for China in 2004 but before that, remembered handing over a copy of the CD to Manjit during a discussion where he had complained about Lingam not giving due attention to their case and after Manjit had complained that Lingam had not paid him for work done.

He said his father was not aware of the recording and he did not tell him about it.

Nordin: Can you tell us where the original CD is now?

Gwo Burne: I do not know where it is now, because it was a long time ago.

He said he had been to Shanghai, Xianjin and Dalian in China and had taken along and stored the photographs and video-clip recording in his computer.

Nordin: In transferring the data from the memory card to the personal computer, was the 14-minute video clip, at any time, tampered with or edited?

Gwo Burne: No.

Nordin: In your view was Lingam drunk or intoxicated?

Gwo Burne: Not much drink was had by them (including my father).

Lingam's lawyer R.Thayalan then questioned Gwo Burne on whether he had recorded other images when he arrived at Lingam's house.

He said he had recorded the interior of Lingam's house and also a dog, but the images captured were in a separate file.

Thayalan also asked Gwo Burne if he would be able to prove the person in the clip was Lingam by producing the original copy of the recording.

He said he did not know where the original copy was as it had been a long time since the recording.

Salehuddin Saidin, one of the lawyers acting for former Chief Justice Tun Ahmad Fairuz Sheikh Abdul Halim, also asked Gwo Burne whether he could verify if the person speaking on the other side of the phone was a male or female.

He replied that it was a male as he could hear the voice on the other line.

Earlier, Haidar reprimanded lawyer Wee Choo Keong, who represents Lingam's younger brother V.Thirunama Karasu, for speaking to the media and making insinuations.

Referring to a report in The Star, Haidar said Wee was quoted as saying the Commission was reluctant to hear his application to include Thirunama Karasu as a witness.

"I would like to advise you to be careful of what you are saying. Give some respect to us. Don't simply make insinuations."