

DEC 5 PRESS CONFERENCE

Court reviews videos of Dr M on 'kutty' issue

KUALA LUMPUR: The High Court yesterday viewed two videos involving former prime minister Tun Dr Mahathir Mohamad.

The videos showed him giving a press conference about the "kutty" issue at the Jalan Duta court complex on Dec 5 last year.

Judicial commissioner Gan Te-chiong watched the videos, which were published by two news portals.

They showed the 99-year-old Pejuang chairman displaying several copies of documents, including his identity card, after giving testimony in his suit against Deputy Prime Minister Datuk Seri Dr Ahmad Zahid Hamidi.

The videos were played during contempt proceedings initiated by Zahid against the former two-time prime minister over the press conference, which Zahid described as an interference with the course of justice and an impediment to the ongoing trial.

Gan allowed Dr Mahathir to sit at the Bar table to watch the videos.

Zahid's lawyer, Mohamed Shahrul Fazli Kamarulzaman, said the press conference was

pre-planned and not spontaneous, which is why they played the videos in court.

However, Dr Mahathir's lawyer, Nizam Bashir, objected, stating that no physical copy of the CD had been served and that the videos lacked a Section 90A Evidence Act certificate to verify their authenticity.

"I want to state to the court that the press conference was not pre-planned," he said.

Despite the objection, Gan allowed the videos to be played, saying any procedural irregularities could be addressed and that it was important to establish what had actually transpired.

"What troubled me when I watched the video during the ex-parte application was that the plaintiff, Dr Mahathir, appeared prepared to hold a press conference.

"This was not a case of him casually walking down the corridor and being stopped by the press to answer a few questions.

"If there are any discrepancies — which is possible these days with advancements in technology, including AI — words might have been altered or added, mak-



Tun Dr Mahathir Mohamad

ing it appear as though the plaintiff said something he did not.

"But we cannot know for sure yet. It's best to play the video here. I will give you time to take instructions from the plaintiff.

"If Dr Mahathir denies the words are his — and claims AI may have generated them — we may need to take further steps, such as sending the recording to an IT expert.

"But if he said "Yes, those are my words," we will interpret it accordingly based on the law."

After viewing the videos, Gan instructed Nizam to discuss the matter with Dr Mahathir despite Shahrul asserting they were ready to proceed.

Gan adjourned the matter to May 14, the day before Zahid will take to the stand in Dr Mahathir's suit.

In January, Zahid was granted leave to initiate contempt proceedings against Dr Mahathir over the "kutty" reference.

In 2022, Dr Mahathir had filed a suit against Zahid, who is also Umno president and the sole defendant.