

Bloggers can hide or delete offending remarks, Election Court told

KUCHING: An ICT expert told an Election Court here yesterday that blog-site owners can hide or delete offending remarks on their blog sites.

Dean of Faculty of Computer Science and IT of Universiti Malaysia Sarawak (Unimas) Johari Abdullah (who is also an ICT consultant) said blog-site owners 'have the ability' to enable or disable their e-mail notification option accessible in the 'Setting' page.

"Once enabled, the owner of the blog site will be notified of any new comment submitted by the user via the specified e-mail address," he said during the hearing of an election petition against Bandar Kuching MP Chong Cheing Jen yesterday.

Appearing before Judge Datuk Clement Allan Skinner, Johari was re-examined by one of the petitioner's counsels, Henry Ling Kuong Meng.

The petitioner is Kho Whai Phiaw.

Johari said blog-site owners have the authority to enable or disable the e-mail notification and there are three ways for them to find out whether comments have been submitted to their sites.

"Firstly, through the e-mail notification option, secondly through the comment moderation option and lastly, by manually visiting the blog site and viewing the comments," he explained.

Johari - the ninth witness in the case - was called to testify following petitioner Kho Whai Phiaw's allegation that Chong posted on his blog site, comments aimed at promoting feelings of ill-will, discontent, hostility, enmity and hatred on grounds of no religious freedom for non-Muslim voters in order to induce them to vote for Chong during the March 8, 2008 parliamentary polls.

Kho, 64, alleges that Chong or with his knowledge or consent published on his blog site http://chieng.jen.blogspot.com/2008/03/blog-post_05.html, a letter of one 'Mr. Smith' or fictitious person on sensitive religious allegations



HOW ARE YOU?: Kho (left) shows his injured arm to Ling.

involving Umno.

The letter was allegedly published on the blog site since March 6, 2008 and therefore Chong was guilty of an offence of corrupt practice of undue influence under Section 9 (1) of the Election Offences Act 1954.

Several DAP election campaign materials were also allegedly posted on Chong's blog site.

Kho was seeking a court declaration under Section 32 (c) of the same Act that the parliamentary election in Bandar Kuching was void so that a by-election may be held.

Chong, also DAP Sarawak secretary, cum Kota Sentosa assemblyman garnered 22,901 votes to defeat Barisan Nasional-SUPP Alan Sim Yaw Yen by 9,952-majority votes in a straight contest in the constituency.

Yesterday during cross-examination by MP Chong's counsel Alvin Yong, Johari said comments could be written by the owner of the blog site or its users.

Yong asked: Comments (on Chong's blog site) would mean that they are written by someone other

than Mr Chong, do you agree?

Johari: No. Comments can be written by the owner of the blog site or other users who visit it.

Replying to an almost similar question, the witness said the comments appearing in the Chong Chieng Jen's blog site "might or might not be written by Chong Chieng Jen".

He reasoned that the blog site had other users with name IDs like Pazuzu; Anonymous; rambochai; jimmychin, and Responsible Christian Voters.

He said the name ID Anonymous can be the same person or different persons and that a comment always starts with a name ID and always ends with the date and time (of posting).

Following a live demonstration of posting on a blog site, he agreed with Yong that the time taken between the submission of a comment from his (Johari's) laptop computer and viewability at Chong Chieng Jen's blog site would be almost instantaneous.

"I believe it (speed of posting) was almost 30 seconds," Johari pointed



EXPERT WITNESS: Johari, the ninth witness, leaves the courtroom.

out.

Yong: Would you now agree that the comment submitted on Chong Chieng Jen's blog can be viewable without his knowledge in view of the demonstration just conducted?

Johari: No, because there is another option in the comment setting whereby any comment submitted by any users can be notified to the owner of the blog site through e-mail notification, if that option is enabled.

"My justification is that, even though the comment posted is viewable, there is a possibility that an e-mail notification has been sent to the owner of the blog site (Chong Chieng Jen's blog site) to notify him about the presence of the new comment," he added.

He said there was no means to determine whether Chong's blog site e-mail notification option had been enabled or disabled during that live demonstration.

Johari however disagreed with Yong's suggestion that Chong had no knowledge of the comments which were submitted or posted on

his blog site.

To another query, he said it would be "close to impossible" for a blog site to be hacked.

"Based on the combination of the e-mail ID and the minimum eight alphanumeric characters, it is close to impossible for someone to hack into the blog site. The best estimate of breaking an eight alphanumeric password using the fastest super computer would take approximately 60 years," he explained.

The witness said he had never visited Chong's blog site prior to July 10 2008, the day he was approached by a legal staff of the petitioner's leading counsel Datuk Mohamad Shafee Md Abdullah.

The witness said he did not know Kho personally.

Towards the end of the proceeding yesterday, Shafee told the court that several of the petitioner's witnesses suddenly become unavailable.

He, too, would not be calling witnesses today (Friday) as they are from outside Sarawak and also because it would be difficult to estimate the length of cross-examination of these witnesses.

He then added: "Over and above that, one witness from Sarawak is engaged and we have not been able to interview him even though he has agreed to be a witness. That too will also be taken next week. The minor witnesses are from Sarawak and will not take long (to be examined)."

Hearing continues on Monday.

After the proceeding yesterday, Chong told reporters that he was considering asking his lawyers to call to court, SUPP Youth vice chairman Sih Hua Tong as well as the petitioner Kho.

Kho may be called for further cross-examination if he settled with the court, a sum of RM70,000, being the additional deposit for security of costs. Kho was first witness in the case.