

16 anti-ISA protesters guilty of illegal assembly

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Sixteen people who were arrested three years ago for protesting against the Internal Security Act were found guilty of illegal assembly by a sessions court in Kuala Lumpur today.

Eleven of the 16 who were present in court today were sentenced to a day's jail and fined RM2,000 each, or a week's jail in default, by sessions judge Ainul Shahrin Mohamad.

The 11 are now gathering funds to pay the fine as Ainul has granted a stay on the jail term, but not the fine.

The sentencing of two others who could not be present in court today and three others who were absent and had arrest warrants issued against them, will be delivered on March 21.

Judge Ainul ruled that the charge against the 16 had been proven beyond reasonable doubt and the accused failed to create doubts on the prosecution case.

All the 16 accused had testified from the dock during the course of the trial when their defence was called.

The 16 were on Aug 3, 2009, charged with illegal assembly under the Penal Code. Alternatively, they were charged with illegal assembly under the Police Act 1967.

They were arrested between 9am and 1.30pm on Aug 1, 2009, in the vicinity of Masjid Negara and Jalan Tunku Abdul Rahman, Kuala Lumpur.

The stipulated anti-ISA rally was supposed to have begun at 2pm on Aug 1.

Three of the accused were not present in court and judge Ainul issued warrants of arrest against them.

The 16 are Nordin Mohamad, Hayati Abdul Samad, Salmah Ismail, Norlaila Othman, Nashita Mohd Noor, Rashini, Hasbullah Pit, Wan Muhamad Jazlan Razali, Mohd Petri Mohd Yassin, Syaza Muaz Shaharudin, Mohd Sukri Mohd Sirat, Mohamd Sukeri Muhammad, Mohd Sallehuddin Yusop, Zulsifli Kama Kutty, Mohd Fazly Mohd Ismail and Norazam Sakib.

The two "absent with reason" are Hayati and Syaza, who had informed the court of their inability to attend. Hayati's mother died early this morning, while Syaza is attending to her mother who is seriously ill.

The three who had warrant of arrest issued against them are Zulsifli, Mohd Sukri and Norazam.

Poser over prime minister's reforms

The offence of illegal assembly is punishable with a jail term of six months and a fine.

DPP Yusaini Ameer Abdul Karim prosecuted. He asked the court to consider meting out an appropriate sentence in the interest of the public.

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Among the MPs present during the hearing were PKR vice-president Nurul Izzah Anwar (Lembah Pantai) and Tian Chua (Batu). Selangor PKR government information chief Badrul Amin, PSM secretary-general S Arutchelvam and the late Teoh Beng Hock's sister, Lee Lan.

Nurul said it is was sad day as the original crusaders of the anti-ISA movement were being victimised.

"It showcases how archaic our laws and system of government are. Additionally, Norlaila, one of the accused has faced a double whammy - once, when her husband was unjustly detained for seven years under the ISA, and now, despite being the sole breadwinner in her family, she is tarnished with a criminal record for her involvement in a demonstration.

"This, (the sentence is meted) despite the fact that demonstrations are permissible without needing a police permit. Today proves that Malaysia has a long way to go in protecting its citizens."

The verdict today comes amidst Prime Minister Najib Abdul Razak's pledge of reforms made in his Malaysia Day message, including replacing the draconian ISA which he has promised to repeal.

Najib had promised to table the motion to repeal the ISA in next month's parliamentary seating.

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