

## **Bar Council: Police brutality worsens in Bersih 3.0**

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**By Nigel Aw**

The Malaysian Bar Council in its interim report today said police brutality against protesters during Bersih 3.0 last Saturday had worsened despite several police shortcomings that were highlighted during the last Bersih rally.

“Of all the problems that were highlighted last year, as far as the use of force is concerned, this year it has magnified.

NONE“So far as police brutality goes, we have observed more police brutality (this time), so far as indiscriminate and arbitrary use of water cannon and tear gas, our observers saw far more (instances),” said Bar Council president Lim Chee Wee (right).

The interim report is a preliminary compilation of reports from 78 of the council’s volunteer observers positioned at six locations on the ground during Bersih 3.0 on April 28.

Among the observations made by the Bar Council were:

- \* Rally was peaceful until around 3pm when police fired teargas and water cannon.
- \* Use of force by police without any obvious provocation or cause, was far worse, indiscriminate, disproportionate and excessive.
- \* Police brutality was more widespread.
- \* There was concerted effort by police to prevent and stop any recording of their conduct.
- \* Police fired tear gas directly at the crowd in a way to box in participants rather than to disperse.
- \* There was retaliatory behaviour exhibited by rally participants against police wrongful use of force.
- \* Police were observed taunting and mocking the crowd.
- \* Police responded, stooped when participants threw items at them.
- \* Police personnel failed to display identification numbers on uniform.

Lessons not learnt

The police, Lim said, had failed to learn from the past lessons despite having acknowledged that during the last Bersih, on which Suhakam’s inquiry is still in progress.

“It is incomprehensible, if not a reflection of sheer incompetence or arrogance of the police force that it has not learnt from its past mistakes in the management of assemblies of people exercising their constitutional rights,” he said.

dataran breach barricade cordon 290412Even though protesters had breached the barricade at Dataran Merdeka, Lim said police had responded with disproportionate force that went against international standards.

This includes the five stages in the use of force as recommended by Suhakam: it begins with verbal

persuasion, followed by unarmed physical force, force using non-lethal weapons, force using impact weapons and deadly force.

Observers from the Bar Council too were harassed on top of journalists and members of the public being roughed up.

“It was unfortunate that the police refused to give us recognition as official monitors (during the rally this time),” said Lim.

The interim report was released in response to what Lim said was the absence of debate on the police use of force in terms of acceptable international standards.

Adding on, Bar Council deputy president Christopher Leong said the police action of confiscating recordings from the media was inconsistent with police assertion that it had done no wrong and had nothing to hide.

Leong, who stood some 200 metres away from the barricade and was tear-gassed twice, said the police had failed to strike a balance between national security and human rights.

“What will be the worst consequence if the crowd breaks through the police barrier? The consequence will be about 100,000 people gathering on Dataran Merdeka and sitting there for another hour.

“It is not like they were trying to storm a sensitive government facility or a military installation, so where is the balance?” he asked.

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