

State rep to be charged over 'tree assembly' video
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Tebing Tinggi state assemblyperson Ong Boon Piow expects to be charged tomorrow over his video recording of the 'tree assembly' on March 3 last year.

Ong said he was informed by the commercial crimes investigation department of the Ipoh district police to appear at the magistrate court tomorrow morning.

perak tree of democracy - the raintreeHe was informed that he would be charged under the Section 6 of the Film Censorship Act 2002 for failing to obtain the approval from the film censorship board, apparently for producing copies of the video.

The video was screened during a function at the Chin Woo Hall on March 29 in Ipoh, which was coincidentally held on the at the same day as the nomination process for the Bukit Gantang by-election.

ong boon piow tree assembly dvd 070910Ong recorded the infamous 'tree assembly' proceedings and later produced DVD copies of the footage for public distribution.

"I'm innocent. It is unfortunate that I have become their target. I believe this is politically motivated," said Ong when contacted.

If convicted, Ong will face a fine of not less than RM5,000 and not more than RM30,000, a jail term of not more than three years or both.

Once convicted, Ong faces automatic disqualification as a state assemblyperson.

Home videos and Youtube also in danger?

His lawyer Yee Seu Kai believes that Ong is a victim of selective prosecution.

"With video cameras available in Malaysia, videos are being made and distributed every day. Why the selective prosecution?" he asked when contacted.

Meanwhile, DAP chairperson Ngeh Khoo Ham while decrying the misuse of the law on Ong, said the same should be applied of Perak MCA for distributing DVDs containing footage of the May 7, 2009 Perak state assembly sitting.

"If not, charging Ong smacks of selective prosecution," said Ngeh when contacted.

Perak MCA had reportedly produced 50,000 copies of the DVD to counter similar footages distributed by Pakatan. At the time, Pakatan's copies were confiscated during several screenings.

Ngeh, a practising lawyer, believes that the law that will be used to charge Ong was not designed for such purposes.

"If it is strictly followed as such, then family videos and videos uploaded to Youtube would similarly be considered an offence," said Ngeh.

'BN acting irrationally'

Ngeh said that the decision to prosecute Ong can only conclude that BN was now "acting irrationally", in the same vein as governments in other countries before their eventual ouster.

"Whenever they are not in control, they try to be in control," he said.

On March 3 last year, V Sivakumar, then the undisputed speaker of the Perak state legislative assembly had called for an emergency sitting but the authorities barred assemblypersons from convening at the assembly hall at the state secretariat building.

Following this, Sivakumar and Pakatan Rakyat assemblypersons convened the sitting under a tree where a motion of confidence was passed to affirm Pasir Panjang state assemblyperson Nizar Jamaluddin as the lawful menteri besar.

Pakatan was ousted as the state government after three of its elected representatives quit their respective parties and became BN-friendly independents Feb 4 last year.

What followed was a full blown constitutional crisis lasting a year that was tested until the federal court level, in which it was concluded that BN's Zambry Abdul Kadir was the rightful menteri besar.

The 'tree assembly', as it was popularly known later, was one of the several assemblies which saw skirmishes between the authorities and Pakatan assemblypersons.

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