

Six sue cops and gov't over human rights march
Malaysiakini.com
Disember 8, 2010

Six human rights lawyers and activists today filed a suit against the police and government for unlawful detention and arrests during the Human Rights Day walk on Dec 9, 2007, where attorney-general Abdul Gani Patail had appeared personally to prosecute them.

NONEThe six include lawyers R Sivarasa (MP for Subang), N Surendran (right), Latheefa Koya (PKR supreme council member), and Amer Hamzah Arshad, and activists Eric Paulsen and Johny Andu.

They named the Che Hamzah Che Ismail, who was the OCPD of IPD Dang Wangi and the ground commander that day, the inspector-general of police, the Home Ministry and the government as defendants.

The suit was filed through the firm of Messrs Daim & Gamany at the Kuala Lumpur High Court.

Besides the arrest and detention, they were also kept overnight in the police lock-up and charged the next day at the Kuala Lumpur Sessions Court on counts of unlawful assembly with intention to cause public nuisance, and an alternative charge for unlawful assembly.

The lawyers and activists had proceeded to walk from Sogo department store to the Central Market, Kuala Lumpur that morning, where police arrested some of them before they could finish the march.

human rights day marchAbdul Gani, who was present in charging them, was alleged by the plaintiffs to have acted in bad faith in trying to object to their bail application on the grounds they had not adhered to a police warning.

After almost two years, the seven people who were charged were acquitted last year by Sessions judge SM Komathy Suppiah.

The lawyers and activists are claiming that they were victims of malicious prosecution as the facts and circumstances of the case do not support the charge, and that the police had falsely and maliciously implicated them.

They want a declaration that their constitutional rights had been violated, and that the police had acted wrongfully and unlawfully.

The lawyers and activists are seeking exemplary and aggravated damages from the court, as they claimed the police had acted in an oppressive, bothersome, intimidating and frivolous manner and in breach of the constitution, the law and procedures.

Copyright © 1999-2007 Mkini Dotcom Sdn. Bhd.
Source : <http://www.malaysiakini.com/news/150287>