

**BN Transforming Malaysia Into A 'Terror' State**  
**MalaysianMirror.com**  
**17 April 2012**  
**By Ngeh Koo Ham**

The Security Offences (Special Measures) Bill 2012 that was introduced by the Prime Minister Najib Tun Razak is no better than the draconian Internal Security Act (ISA) that is intended to be repealed.

This new law shifts the absolute power from the Minister to the Police and the Public Prosecutor. We are now in a worse position than before with the Internal Security Act (ISA), as the police and the Public Prosecutor are not answerable to Parliament unlike a cabinet minister who is.

A person suspected of a security offence can be jailed for years not unlike the provisions under the ISA. A suspect may be detained for up to 28 days at the order of a police officer of, or above the rank of Superintendent of Police (Section 4).

Within these 28 days, the suspected person may be charged in a High Court. Once charged, no bail can be granted (Section 13) to the suspect. If that is the case, the suspected person will be detained during the trial. After the trial, if he is convicted, he will be imprisoned under the Penal Code. If the suspect is acquitted, at the request of the Public Prosecutor, he will still be remanded in prison pending appeal (Section 30). At the Court of Appeal, if the suspect is convicted, he will be imprisoned under the Penal Code and if he is acquitted, also at the request of the Public Prosecutor, will still be remanded in prison pending appeal to the Federal Court. Only after the Federal Court has acquitted him, will he be finally released. In practice, the entire process will take many gruelling years.

With the intention of incriminating the suspect, false evidence and false witnesses may be used against the accused as the identities of witnesses cannot be known to the accused under this new law. Appallingly, oral and written statements by a person who is dead or missing can be admitted as evidence too against the suspect!

Barisan Nasional is willing to imprison a person even after the courts have found a person innocent! Barisan Nasional has admitted abuses under its rule using the Internal Security Act (ISA). With this new security law, more abuses against freedom and human rights are expected to happen.

Barisan Nasional government has also present amendments to the Criminal Procedure Code to empower the police to intercept postal articles, communications and to enter premises to install devices to intercept and to record the communication secretly. The Barisan Nasional government is bringing Malaysia back to the 'terror' era of the communist Soviet Union and the Communist China of the 60s and the 70s.

NGEH KOO HAM is Member of Parliament of Beruas

(The views expressed above belongs to the author in its entirety and does not represent the opinion of Malaysian Mirror in any way

Copyright © 2012 [www.malaysianmirror.com](http://www.malaysianmirror.com)  
<http://www.malaysianmirror.com/media-buzz-detail/6-nation/57384>