

**Bar Council, Suhakam say A-G glossed over street protest ban**  
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**By Debra Chong**

KUALA LUMPUR, Dec 5 — Putrajaya's speed in passing a new law that bans street demonstrations has stunned the Bar Council and the Human Rights Commission of Malaysia (Suhakam) who revealed they were given a far different account of its contents at the draft stage.

The two statutory bodies disclosed too that Attorney-General Tan Sri Abdul Gani Patail had sought their views over the controversial Peaceful Assembly Bill but failed to provide them with written copies of the draft before its tabling in Parliament last November 22.

File photo of Lim (centre) leading lawyers in Kuala Lumpur to protest the Bill on November 29, 2011. — Picture by Jack Ooi

"The Bar Council was not given a copy of the Peaceful Assembly Bill during the consultation stage," its president Lim Chee Wee told The Malaysian Insider when contacted over the weekend.

He said there were good reasons why the copy was not provided, but could not disclose these because they had sworn to keep it confidential.

"It was read out to us, and even then there were differences between the two versions, during consultation and what was tabled in Parliament. Notably, during consultation we were told assemblies in motion were allowed," he said.

Assemblies in motion, better known as street demonstrations, are barred under the new law to replace section 27 of the Police Act.

It is one of the most controversial aspects of the new law, which was hastened after Datuk Seri Najib Razak's government was globally panned for its harsh treatment of thousands of demonstrators in the Bersih 2.0 street rally seeking to pressure the prime minister for cleaner and more honest elections.

Lawyer Syahredzan Johan, who also attended the consultation meeting, clarified that the A-G had "glossed over" some aspects in explaining the new law.

The A-G, who prohibited street protests but told the Bar Council he was referring to "riots", created a more positive impression of the new law, said Syahredzan.

"A riot is not a peaceful assembly, so we could understand why it was prohibited," said Syahredzan, who helms the Bar's constitutional law committee.

He added his Bar Council colleagues did not push the government for a black-and-white because they were given the impression there would be further meetings held to "fine tune" the draft.

"We didn't think it would be tabled so soon. The meeting was two to three weeks; definitely less than one month before the tabling," he said.

The Bar Council, which represents some 12,000 practising lawyers in the private sector, was taken aback at the government's haste in pushing the Bill through in the Dewan Rakyat on November 29, just a week after it was tabled.

Lim, who led a lawyers' march to protest the Bill on the day it was tabled, has urged the government against bulldozing through the plan and urged the Najib administration to set up a parliamentary panel to seek further public consultation.

Hasmy said Suhakam commissioners had two brief meetings with the A-G at the latter's insistence.

His proposal has also been picked up by other groups, including Suhakam, whose chief Tan Sri Hasmy Agam has been very critical of the new law.

"Having perused the provisions of the Bill, the Commission is of the considered opinion that amendments to some of the provisions of the Bill must be made to ensure that the right of the people to express themselves through peaceful public assemblies is protected and can be expressed in a manner that meaningfully reflects the essence of that right," he said to The Malaysian Insider in an email.

Hasmy said Suhakam commissioners had two brief meetings with the A-G at the latter's insistence.

He said it was during the second meeting there were exchanges of views on "elements" of the draft Bill (with the A-G reading portions of but without giving us the text of the draft Bill) during which Suhakam, in its responses, had made it very clear that the provisions of the Bill must be in conformity with universally accepted standards and principles on the concept of "freedom of assembly".

"Clearly, much of what the Commission had stressed during those two meetings were not taken on board in the final drafting of the Bill," he said.

The assembly law proposal passed from the Dewan Rakyat to the Dewan Negara on November 29 by the BN votes after the entire Pakatan Rakyat pact staged a walkout.

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