

ISA replacement will not impede PDRM, says Hisham
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KUALA LUMPUR, April 15 — The new law replacing the Internal Security Act (ISA) will not hamper the abilities of the Royal Malaysia Police (PDRM) to protect the safety of the public, the home minister said today.

Bernama Online reported Datuk Seri Hishammuddin Hussein as saying the PDRM was satisfied with the new law and was confident they would be able to carry out their responsibility well.

"The [law] cannot be tabled if the police, as the end users who are in charge of national security, are not satisfied with it.

"Thus, I assure you PDRM has declared it is confident that what Prime Minister (Datuk Seri) Najib Razak will present tomorrow is able to guarantee the safety and security of the public," he was quoted as saying in the report.

He added that the discussions on the replacement for the ISA had begun in 2009 and involved the Human Rights Commission of Malaysia, the Bar Council and several NGOs.

"The discussions took into account many issues, including the detention period," he said.

He also said the Cabinet had agreed to strengthen PDRM in terms of its co-operation, investigation skills, laws, surveillance and two-way relationship with neighbouring countries.

Putrajaya's Security Offences (Special Measures) Bill 2012 was met with growing criticism over claims that it persists in denying basic liberties, just hours after being tabled in Parliament last week.

The ISA replacement law was tabled in the Dewan Rakyat last Tuesday, removing the government's option to detain individuals without trial and providing a maximum detention of 28 days for investigation purposes.

Under the ISA, an individual believed to have committed a security offence can be detained for up to two years without trial, on orders from the home minister.

The Bill seeks to provide for "special measures" relating to security offences for the purpose of maintaining public order and security and for connected matters.

The new law also notably states that no individual can be arrested solely for his political belief or any political activity, as promised by Najib last year when announcing a raft of reforms aimed at increasing civil liberties.

But the Bill still allows any police officer to arrest and detain "any person whom he has reason to believe to be involved in security offences" without warrant for 24 hours for

investigation.

This led the Malaysian Bar to call for a review of the law which allows a summary of evidence to build a case, as opposed to the evidence itself and gives police power to detain for 28 days and intercept communications without judicial oversight.

“The radical departure from the ordinary rules of evidence may negatively impact on the accused’s right to a fair trial,” Bar Council president Lim Chee Wee said in a statement.

He also noted the Bill’s definition of security offences under Section 3 was “too wide” and urged the government to use a more precise one, as can be found in the UN Convention for the Suppression of the Financing of Terrorism.

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