

DAP: Jail time for 'false news' meant to persecute opposition
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KUALA LUMPUR, April 18 — The DAP insisted today the print media would still be shackled under the Printing Presses and Publications Act (PPPA) as "false news" is still punishable with imprisonment.

Secretary-general Lim Guan Eng said Section 8A, where "malice shall be presumed" unless there is evidence showing otherwise, was left "untouched" by amendments tabled today and would be used to "persecute the opposition," citing his own conviction in 1998.

"Section 8A is used as a political weapon to frighten the opposition and the printing of 'correct news'. I was [imprisoned] under 8A for a pamphlet relating to a rape scandal in Malacca," the Penang chief minister told a press conference in the Parliament lobby.

Amendments to remove the minister's absolute discretion over licences and the need for annual renewals were tabled today, continuing Datuk Seri Najib Razak's reform push in the final days of the current parliamentary sitting.

If passed, as expected by the Barisan Nasional (BN) majority, the Bill will allow legal challenges against the home minister's decision to grant, refuse, revoke or suspend printing licences.

The PPPA is seen as a major obstacle for press freedom in Malaysia, where most print news are either owned or indirectly controlled by the ruling coalition.

While he was Kota Melaka MP in 1994, Lim had criticised the government's handling of allegations that one of his constituents was a victim of statutory rape by then Malacca chief minister Tan Sri Abdul Rahim Thamby Chik.

He was charged under the Sedition Act and the PPPA for "maliciously printing false information" in a pamphlet where he described the alleged victim as an "imprisoned victim" because she was detained by police without parental consent for 10 days.

Section 8A states there "in any publication there is maliciously published any false news, the printer, publisher, editor and the writer thereof shall be guilty of an offence and shall, on conviction, be liable to imprisonment for a term not exceeding three years or to a fine not exceeding RM20,000 or to both."

"For the purposes of this section, malice shall be presumed in default of evidence showing that, prior to publication, the accused took reasonable measures to verify the truth of the news. No prosecution for an offence under this section shall be initiated without the consent in writing of the Public Prosecutor," it continues.

Lim said today there were sufficient safeguards such as criminal defamation in the Penal Code and the right to bring civil suits to safeguard against irresponsible reporting.

The Bagan MP also pointed to a December court ruling awarding him RM200,000 in damages after Umno's Utusan Malaysia accused him of being anti-Malay and anti-Islam.

"So why was there no prosecution for false news here? Because it is up to the Attorney-General's discretion, so it is politically motivated," he said.

He added that the amendments still allowed the home minister to refuse or revoke permits "and he doesn't have to wait for a year, it can be a month, a week, or a day" and would be in effect pending the disposal of a judicial review.

He called for a clear checklist of criteria to be set out for permit applications and all applicants who meet these criteria to be assured of printing permits.

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