

**Independent Panel on Bersih 3.0 rally sets terms of reference**  
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PUTRAJAYA: The Independent Panel on Bersih 3.0 rally has set a 10-point terms of reference that will guide their probe into the alleged excessive use of force by police on April 28.

Panel chairman Tun Mohammed Haniff Omar said in a statement Monday the terms were finalised at a meeting last Friday that was attended by himself and three other panel members.

The terms of reference will cover a wide range of angles, including "all available means" to gather evidence on the "actual disorders" that happened from 3pm onwards on Apr 28.

"It also seeks to establish whether there was an unlawful denial of access by lawyers to their arrested clients," he said in a statement here Monday.

**The Terms of Reference**

1. To establish whether there was random, widespread and wanton physical assault and brutality by the police on the public and media professionals.
2. To establish whether there was an unlawful denial of access by lawyers to their arrested clients.
3. To use all available means and by consulting all individuals and parties concerned who would cooperate, establish the causation of the disorders at and around Dataran Merdeka, and in areas leading to it, as well as the nature of the actual disorders that were reported to have occurred from 3pm, on that day.
4. Using all available evidence presented or revealed by enquiry or examination, establish whether any unlawful or negligent act or acts, or omissions, were caused or urged to be caused by any part or parties involved.
5. To determine whether the enforcement agency or agencies had adhered to proper and lawful procedures and action at all times, particularly in the use of force, including tear gas and water cannons.
6. To ascertain whether there was unlawful confiscation and, or destruction of photographs and video recordings made by the public or media professionals, and willful damage caused to their recording equipment.
7. To establish whether any person or persons were physically assaulted and beaten and suffered serious injuries whilst in the care and custody of the police.
8. To establish the steps taken by the organisers to ensure that their planned massive rally would remain peaceful throughout the rally and disperse peacefully thereafter; to determine whether the steps taken were reasonably adequate and to draw lessons from this in order to make appropriate recommendations for the future conduct of peaceful assemblies and rallies.

9. To review police standard operating procedures in respect of crowd and assembly control, and of addressing disorderly conduct and riots, against the best practices recommended by the United Nations and, or obtaining in the best of mature democratic societies but also in the light of differing socio-political backgrounds and environment with a view to making appropriate recommendations, if necessary.

10. To examine any other matter to establish the truth.

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