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Malaysia: Cellphone video captures police excess

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by Sameer Padania

Countries:

Malaysia

Topics:

Freedom of Speech, Cyber-Activism, Governance, Human Rights, Technology, Politics

When the Malaysian police started accepting crime reports sent in by members of the public from their cellphones, little did they expect that their own misdemeanours would one day be caught in the frame.

Malaysians have had to put up with police corruption and misconduct as a part of everyday life. But now blogs and video cellphones have given Malaysians who are exasperated by the lack of action against the police a new and very public outlet. A new Malaysian blog - Polis Raja Di Malaysia (or “Royal Malaysian Police”) - aims to pull together footage documenting police misconduct from video-sharing sites like YouTube and GoogleVideo. The blog promotes itself with the strapline “*Police should fight crime, not fight the people*”. Cellphone videos on YouTube range, for example, from footage and photomontages of the police breaking up protests to a police officer firing into the air unprovoked while breaking up a fight - as seen below.



One recent video that hasn't made it onto Polis Raja Di Malaysia yet, but has been on other blogs, appears to show police officers beating and humiliating two youths in a police cell. It has caused controversy in Malaysia and human rights organisation Suaram calls it “the tip of the iceberg”. The video, which shows a youth being forced to lick his saliva off the floor, was apparently filmed by one of the police officers on his cellphone, and only came to light when he sent the phone in for repairs. A technician uploaded the clip onto the internet, and one viewer sent it in to Malaysia TV3's *Utama Bulletin* news programme, which aired it last week.

It's just one of many alleged cases of police brutality that remain either uninvestigated or unpunished, and this one has only stoked up a controversy because video evidence surfaced - in this case, unwittingly released by the police officer himself. As a result, it seems that Malaysian police officers are now banned from carrying cameraphones.

In November 2005, a debate flared up around the so-called Squatgate video, in which a young woman was forced to strip naked and perform squats in a police cell. The 70-second clip - also filmed by a police officer - was circulated via MMS

(Multimedia Messaging Service, or photos and videos sent like text messages via a phone) under the title “Gadis Lokap”, until it was eventually sent to opposition MP Teresa Kok on VCD (Video CD). Kok showed the video on her laptop to fellow MPs, and soon after a body was set up to investigate the incident. She later blogged extensively about the flak she received for exposing the scandal, including being accused of encouraging voyeurism.

We were originally planning to link to an edited version of the clip, which cuts out the frontal nudity from the original clip, but decided not to link to it at all, because Hemy Hamisa Abu Hassan Saari, the victim in the

SquatGate case, issued a statement asking that people stop circulating the video.

Cellphone footage can obviously be problematic - it's often poor quality, grainy, shaky, and the sound is sometimes difficult to hear. Using it as evidence is even more sensitive. In the Squatgate case, the clip originally caused confusion because - as the blog Politics 101 Malaysia highlighted - some media put 2 and 2 together and came up with 8, confusing the woman in the clip with another case in which three Chinese nationals had been forced to strip in a Kuala Lumpur police station in November 2005. The Squatgate clip surfaced at the same time as the Malaysian Prime Minister dispatched the Home Minister to Beijing to deliver an official apology to China. When it was later established that the victim in the Squatgate video had in fact been a Malay woman, *malaysiakini*, a citizen media site, even suggested that, as a result of the media error, there would be a backlash against media freedom.

Now, in the same week as the new police brutality video, Hemy Hamisa Abu Hassan Saari has launched a compensation claim, demanding 250,000 RM from the Malaysian government in damages.

Human rights organisations have repeatedly criticised the Royal Malaysian Police for mistreating detainees and heavy-handedness, and in 2003 Amnesty International called for a move to human rights-based policing. On the Malaysian Bar Council website, by far the most popular download is a document called "Know Your Rights", giving ordinary Malaysians a checklist of what to expect as acceptable police conduct and what their rights are under arrest.

In response to pressure, three years ago, the Malaysian Prime Minister promised to set up a body called the IPCMC - the Independent Police Complaints and Misconduct Commission - and three years later, it's still not up-and-running. *malaysiakini* leaked a police memo in June 2006 showing police opposition to the body, and Aliran, a Malaysian human rights organisation claimed earlier this year that the mainstream media had been ignoring its demands for the IPCMC to be set up, and Suaram and Amnesty International Malaysia responded to the latest incident by calling for the IPCMC to be implemented immediately. Despite this, it seems that the foot-dragging continues.

Today it was announced

that Tan Sri Mohd Bakri Omar, the Inspector-General of Police, would be replaced by UK law graduate Tan Sri Musa Hassan on Monday. With the clamour growing for the Commission to be set up without further delay, how Musa Hassan responds to the latest video scandal, and how the government handles Hemy Hamisa Abu Hassan Saari's compensation claim is going to be crucial. MP Teresa Kok publicised an online petition internet users can sign to pressure the government into establishing the IPCMC. Until that happens, however, the role of ordinary citizens and police whistleblowers in recording and exposing police misconduct using cellphones and blogs looks like the only course for justice.

10 Responses to

"Malaysia: Cellphone video captures police excess"

1. *ndesanjo*:
Sameer,
great, detailed post. Asante. September 8th, 2006 at 5:06 am
2. *faridpouya*:
I really enjoyed that. A real added value for GV.Thx September 8th, 2006 at 7:15 am
3. *Blog de Pablo Mancini — Periodismo ciudadano*:
September 9th, 2006 at 15:53 pm
[...] ¿Te interesa el periodismo ciudadano? Míralo en: Periodismo ciudadano, Asides — Septiembre 9, 2006 [...]
4. *Adobe Forum » Malaysia: Cellphone video captures police excess*:
[...] Read More... [...] September 13th, 2006 at 10:53 am
5. *The Click Heard Round the World*:
Human Rights Video Hub launches - fighting impunity with technology... September 18th, 2006 at 11:49 am
As I mentioned in an earlier post, the human rights group WITNESS is piloting a new Human Rights Video Hub in association with international blog aggregator Global Voices Online. Their first efforts focus on a

police shooting in Malaysia and...

6. *Sameer Padania:*

November 15th, 2006 at 9:23 am

Today's Washington Post has a good, lengthy article expanding on this story, and, while it doesn't directly reference this story, does quote Gillian Caldwell, Exec Director of WITNESS...:

<http://www.washingtonpost.com/wp-dyn/content/article/2006/11/14/AR2006111401312.html>

7. *Howsy:*

November 20th, 2006 at 18:39 pm

It's a bit surprising why The States only picked up this news after a year of brouhaha. BBC reported it and even the Wikipedia has an entry on it but I guess they did not gain that much of attention.

The first indication of similar 'Squatgate' scandals (a moniker named after Watergate) tracked back to last November where a few female Chinese nationals were forced to do nude squats at a police lockup. As the case was brought by the Opposition, it did not create much of a stir, not until a very similar Squatgate case, this time with a video evidence. The video spread like wild fire through video CDs and mobile phones and it was brought to attention in the Malaysian Parliament where the Opposition MP, Teresa Kok showed her fellow MP colleagues a copy of the video. The ruling Barisan Nasional MPs were at shock at that time, but were later in denial with the police force, saying that 'they were just following the procedure'. An MP even proclaimed "If the orang asing (foreigners) think we are zalim (cruel), ask them to go back to their own country." Most media outlets, many of which are owned by political parties in the governing Barisan Nasional coalition, did not report these comments after being reportedly told not to by the Prime Minister's office, but the comments received coverage in the evening edition of some local newspapers and many foreign ones. The Prime Minister even ordered Home Minister Azmi Khalid to travel to China to 'apologise to the Chinese government' but was later denied that the trip was intended for that.

Malaysians are very 'ethnic-conscious' by nature and this is a fact. Initially it was thought that the Squatgate detainee was a Chinese national. However, it was later revealed that she was in fact a Malay citizen of Malaysia, who later was suing the government for RM 10 million. The ethnicity of the detainee was thought to be hidden by the BN government to avoid giving a bad image to them due to a local by-elections at that time. Due to the confusion of the race, two editors of a local Chinese press were even 'asked to resign'.

Despite an independent commission being set up to investigate the Squatgate, to makes things worse, several police abuse cases emerged after that, which includes the Baldgate, involving the shaving bald of 11 senior citizens under the same excuse 'we are just following procedure'.

Police abuse and corruption is nothing new in Malaysia. After the takeover from Dr. Mahathir after 22 years in power by the current PM Abdullah in 2003, he pledged in his election manifesto that a Royal Commissions would be set up to investigate and revamp the police force. The Royal Commissions came up with 128 recommendations, which includes the formation of the Independent Police Commission on Misconduct and Complaints (IPCMC). However, the IPCMC did not even see a light till today, a just a few days ago, the Bar Council and several NGOs had to send a memorandum to the PM for the implementation of it. The IPCMC was also faced with strong objection from the police force themselves, which includes the open rejection by the police head himself and posting of several 'threatening actions' (which includes 'letting crime rise') on their police website. Not surprising, some BN (UMNO) MPs also openly rejected the IPCMC as this would portray a bad image for them.

8. *Jadxia:*

November 21st, 2006 at 0:32 am

As requested, I'm reviewing your piece. In some ways, the information is much better presented than the Post Article. You have incorporated the latest in technology by adding the corresponding video clip. You also address a single issue, where the Post gets two separate issues (police brutality vs. wrongful arrest) muddled together. Licking the floor is CERTAINLY brutality, and as a 'victim' of forced squats, I still support them. I never felt victimized, of course, the context of what when on around them is also important. Forced squats in the US are always done with a clinical thoroughness, at least two attendees must be present and they keep a respectful distance. Also, all the prisoners/inpatients do them together in a line, no one is singled out.

The only criticism I would put forth is that you present the information in almost encyclopedic format, where my personal preference is to have more of a 'story' unfold. This engages the reader more. A good piece of work.

9. *全球之聲* » *Blog Archive* » *中國：政府的影片審查遭受挫敗*:

December 16th, 2006 at 6:32 am

[...] 全球之聲的這區是WITNESS和Global Voices Online所共同合作，且再接下來一週我們將要聚焦在一個大範圍由市民或者人權傷害的加害者他們自己所拍攝的影片片段。如同這些影片和我上星期所寫道的。我們將徵求從行動電話和攝影機所拍攝的影片，就如今天的報導所描寫的抗議和對人權侵犯的反應，而且也可以是很多其他權利議題包括，同性戀權利、難民權利、監禁、警察暴虐行為、和軍隊的侵害也可以是經濟、社會、文化權利等例如水源、住居、和健康，和眾多其他的人權相關的影片。我們一樣將尋找受到侵害的倖存者 來說出關於他所受到的侵害。 [...]

10. *Malaysia: Cellphone video captures police excess [via GV/WITNESS]* « *Participatory TV*:

January 3rd, 2007 at 7:33 am

[...] Sep 7, 2006 in Technology, Mobile, Politics, Online Video, Malaysia, Human Rights, Police, WITNESS, Cellphone, South-East Asia, Cyber-Activism, GV [Originally published here as part of WITNESS's collaboration with Global Voices Online] [...]

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A newspapers editor and blogger Chow Chau Li was attacked by some netizens in her blog's comment section because of her criticism in the newspapers about a B.T user “Nike” who uploaded pornographic films in the internet. Some bloggers defined the case as cyber bullying. Florence who was very sympathetic with Chow, however, worried that the case might turn into an invitation for further control of internet space (zh).

Yang Hang-jun from Horizon 360 comments on the reaction of the party and government officials on the fake baozi news:

the propaganda about the news had affected beijing and party image, etc. The writer felt that the issue would turn into an excuse for stricter media control (zh).

Joel Martinsen from DANWEI translated William long's blog post which explains the steps and conditions for legally setting up a blog on a standalone domain in China, as the current policy requires standalone websites / blogs have to be registered.

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