



Friday 13 December 1974

1974/10

COURT ---ING

DAY TWO: TRIAL OF TAN WAH PIOW,
NG WAH LENG &
YAP KIM HONG

The 3 defence witnesses

The court held that Juliet Chin, Choo Foo Yoong and Chuah Chong Lai would not be prevented from coming as defence witnesses, if subpoenaed.

Cross examination of Mr. Lee Bak Hong, Industrial Relations Officer of PIEU.

Raman asked whether Mr. Lee took photos of ordinary visits of workers to PIEU office. Lee said 'No'.

Raman: On 23rd Oct, you took photo for the first time on ordinary visits?
Lee : On other occasions we also took photos of large groups.

Lee described the mood of the crowd as 'roudy, noisy and shouting'.
Raman indicated that the photos showed people laughing.

Raman : Did you see me laughing?

Lee : One or two. It could have been but I can remember only shouting or jeering.

Here, the judge interrupted to say, 'You can laugh or jeer or just laugh.'

Lee said that he learnt from his colleagues that the workers were waiting for Phey, and that they were from AM, but he did not enquire at all why AM workers wanted to see Phey. When Phey arrived, he was outside the door with one or two colleagues.

Raman asked if there was anything unusual about the crowd before or at the time of Phey's arrival. DPP objected and the judge said, 'No allegation by Prosecution that the crowd was unruly. On 23rd. October, nothing extraordinary happened except that there was a big crowd, they occupied the premises and waited for Phey!'

Raman wanted to ask about the rowdiness of the crowd but DPP said that he could ask Mr. Phey, when he was here. This was confirmed by the judge, who said:

THE DVC ANSWERS.

ARRIVAL

The DVC arrived to address the mass rally of students at 7.05pm, some 2 hrs or so after the commencement of the rally. By the time of his arrival, dusk had fallen and candles had to be lit to provide some light.

COMMENTS ON ORDERLINESS

The DVC was requested by Wah Piow to comment on the orderliness of the crowd and on the fact that the students had assembled in such great numbers (4000 strong) to voice their protest over the deportation issue on their own free will and that they had not been instigated to skip lectures by a few student leaders.

ADDRESS

The DVC then addressed the assembled students. He conceded that they were indeed calm and orderly and that they had assembled there on their own initiative. The DVC stated,

1. that he was there only to fulfil

Cross examination of Lee (contd from page 1)

Lee said that Phey addressed the crowd, who was noisy. He could not remember what they said because he was concentrating on taking photographs, but he had already ascertained that the workers came to find out about the two weeks lay-off without pay.

Raman: Did any member of the crowd speak to Phey about the 2 weeks lay-off?

Lee: It could have been but I was paying attention to photographing.

Raman: Did you hear workers asking what their fate was going to be?

Lee: I was moving all over the place.

Raman: Man's ears are open all the time.

(Laughter in court).

DPP: But there were so many people shouting. He can't hear.

(Lee assented)

At this juncture, Wah Piow stood up and asked whether there could be any kind of communication between the solicitor and witness on the stand. He observed that the solicitor shook his head three times during the last questions. The Judge replied: 'No, sit down'.

Raman: Did anyone telephone the police?

Judge: Police are there, aren't they?

Lee: I do not know how police came to be there.

Raman: After speech by Phey was over, did crowd disperse?

Lee: I didn't know, I went into the office.

Judge: When he came out, the crowd must have gone.

The court was adjourned for a short break at 11.50a.m.

Court resumed at 12 noon, Francis Khoo raised the point that as the film was given to Phey on the 23rd Oct, and he only collected the photos on the 28th Oct., there was a lapse of 5 days. As it normally takes one or two days to develop the film, Khoo asked whether it was possible that Phey had time to look at the photos for more than a day. Lee said he did not know.

On the damage done in the premises, Lee said that he was in the Conference Room just before 10a.m. and was there till 11.15a.m., when he heard the sound of overturning of tables and chairs followed by the breaking of glass. He came out and saw his two colleagues, Lim Chin Siew and Robert going towards the passageway. In the hall, nearer the outside door, were others. Of these, he can remember Huah Teng Lin, Victor Foo and Robert Leow.

(contd on page 4)

(cont)

b) to make a stand as to whether the 6 students would be reinstated or be allowed to sit for their examinations.

2) that as to the 10-point Demands he would not be able to give a positive answer to every demand there and then, as he had not been given ample time. He had drawn up a time-table as to how to deal with all the demands in descending order of priority. He listed Item 10 as being of first priority and that he would be able to get clarification by 5p.m. on 13th Dec.; that Item 3 (on the safety of the 6 students) would be dealt with by 1 p.m. on 14th Dec.

REINSTATEMENT

DVC: The question of reinstatement does not arise as the students have not been expelled from our university. The students were to comply with the conditions in the students' passes - they have breached those conditions and therefore have been deported. It is not within the ambit of the university to interfere with the actions of the immigration authorities.

IWP: We want a more positive and definite statement - why can't you tell us more precisely what is going to happen to them? What condition have they breached actually? After all, they were participating in USSU activities - the USSU constitution was enacted to cover all USSU members and makes no discriminations on grounds of nationality. I shall take it that your answer to the question of reinstatement is

IN PRAISE OF STUDENT SOLIDARITY

All that has been happening in the last two days on campus is a spectacle to behold. The sight defies criticism of apathy and social unconsciousness in our students. For once we came together as a body.

There is a prevailing interest in every student to understand why their USSU leaders were treated with such injustice. We came in the name of student solidarity seeking Justice and Truth.

But it is all very well to be awake and to sympathise. We've got to do more than that. Our spirit must perpetuate. We must each take the initiative to wake others - fellow students and members of the public. Deeper involvement would expose us to a wider spectrum of facts. Each of us has a duty to disseminate these facts to our friends and others. For when we stand together, we must stand with understanding. Student solidarity is not confined only to togetherness in physical numbers. It requires unity in spirit in faith and in courage. Students Unite! Struggle for the Truth! Uphold Justice!

YOU'VE GOT TO DO MORE THAN THAT

You've got to do more than that (2)
For sympathising is very well
But you've got to do more than that

I think when I see all those pictures about
Of children without any food.
How hard it must be for the mothers at home
Who just don't know what to do
With children so thin and their ribs sticking out
A terrible plea in their eyes
I tremble to think what starvation is like
And I do try to sympathise.

JUSTICE NOW ! JUSTICE NOW !!!

ATTEND WAM PIOW'S TRIAL !#!

3.

REPLY TO THE NEW NATION:-

NOT BOYCOTT BUT SACRIFICE

Yesterday afternoon, the New Nation carried the dramatic headlines "BOYCOTT AT THE VARSITY". This was a misrepresentation of facts. No official boycott has been called by the Student Union. What actually happened was this: at around 9.30 a.m. about 50 students were already gathered on the lower quad. By 10.30 a.m. the crowd was 600 strong. They were not on an official boycott of lectures. The students had in fact voluntarily sacrificed their lectures to attend this mass rally to express their indignation and outrage over the arrest and deportation of the 6 students. They were there to give their staunch support to the Union. The most heartening news announced at the rally was that 90% of the Engineering faculty students had made this sacrifice, and had turned out in full force to attend the rally. The students felt that it was more important to be there to express their outrage over the injustice that had been perpetrated and to show their support and solidarity, rather than to sit in lecture halls, even though lectures are important too.

ATTENDANCE MARKED!!!!

Direct suppression against students is very clearly illustrated by the pre-dawn raid of student leaders. Indirect suppression takes more subtle forms. One example is the marking of attendance at lectures and tutorials, esp. the last few days. It has been a long time since we were living under the miserable condition of attendance-marking in class. At such a crucial moment students basic rights are violated, students are awakening and for once skipping classes to inquire into the matter. Then came the reins. In some lectures attendance is marked for the first time in history. Does it imply segregation of the student body and intimidation of student unity? It is a form of trampling the awakening population. Nevertheless, facts prove this highly ineffective. Students in some classes in the engineering faculty refuse to submit their names and left for the mass rallies.

4.
He saw most of the followed him and Ng into the passage way and met Kwek there. He had asked what had happened but all were too shocked to say anything, then Kwek said he could identify some workers and Lee showed the photos to him and his colleagues.

Khoo established that Lee since the 30th Oct. did not take any photos of the crowd of the nature, either under instruction or on his own initiative. Khoo then produced photos before the incident. He was only instructed by Lawrence Kwek (Assistant Hon. Gen. Sec.) to take photos on the damage in the premises after the incident.

Khoo then produced photos B1, B2, B3 to contradict his earlier statements. When asked to identify himself in the photo Lee said he appeared in B2 and B3.

K : Are you not also in B1? Will your Honour have a look at it?

At this point, the judge scrutinized the photos.

J : It is a taller person than he is. (looking at Lee) This is not you?

L : No.

K : I put it to you that it was you.

L : No, definitely the person in B1 is my colleague, Victor Foo.

Next, Lee identified the person beside him in B3 and B2 as Mr. Lim Chin Siew. Lim was holding a camera, and on this, Lee said that he was not the only photographer. The judge put it to him that all IRO's take photos and he agreed.

Khoo asked whether Lee heard anything else beside the sound of overturning tables and chairs and glass breaking when he was in the Conference Room. Lee said he can remember only very faint shouting of something like 'Stop them'.

Lee admitted seeing Tan only on the 11th of Dec. and never before.

TWP then referred to the photos. He asked if the camera in one of the photos was the same one that Lee had used on the 23rd, the judge disallowed the question. TWP asked why, the judge refused to explain and said the court disallowed.

~~DISCOVER~~
WHAT
JUSTICE
MEANS!
ATTEND
TRIALS!

ISE:-

DVC:- You have stressed the urgency of an answer to Item 10 in your 10-point demands and I shall go on to deal with that (Internal Security Exercise)

The DVC then read out his written statement: "As far as I'm aware the University did not receive any requests for the ISE to be held at the campus which commences tomorrow. Having regard to the present circumstances, the University would not allow the permission to be granted." When, as an oral addition: if any student were to find any policeman other than Cisco personnel or military personnel, they should report their presence to him immediately.

TWP: DVC has not assured us that Dr. Toh has no knowledge of any arrangements for the ISE. I request that the DVC amends his statement to read "so far as the University is aware" or "so far as Dr. Toh himself is aware" - only then can the statement be meaningful.

DVC: I have given an assurance and a statement that for the purpose of the ISE, I would take the responsibility. The undertaking is only so far as the ISE is concerned.

TWP: Mr. Quahe says that if anything happens at one a.m., students are to inform him, but on Dec. 11, the police came at 4 a.m. and the students were not allowed to use the telephones. Will there be anybody left to contact Mr. Quahe if they come at 1 a.m.? If Mr. Quahe is the representative of Dr. Toh, there is nothing to prevent him from using

DVC: The Dec. 11 incident was not an ISE - I would express concern if the ISE was carried out on the campus. The undertaking I have given is binding on the university. Tomorrow I shall inform them that they cannot use the campus. I've now fulfilled what I have undertaken, so I'll leave you now.
(loud protests from the crowds over his declared intention to leave)
I am not able to give proper answers given such a short span of time. I want to give proper answers - give me ample time.

What would the DVC do to protect us ?

Q : What if even after you've given us your personal undertaking, they still come for the ISE - what will you do to protect us?
The DVC did not really answer the question but merely repeating the same point he had made earlier.

The DVC then walked off (7.45p.m.)

There were appeals from the 4,000 crowds for DVC to come back to answer 1 question.

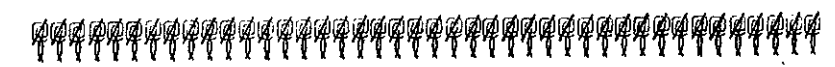
TWP: The effect of what DVC had said is (1) as far as ISE is concerned, he in his personal capacity is not aware, but he cannot tell us whether Dr. Toh is aware, and Dr. Toh can always overrule any decision of the DVC, (2) the DVC says he will not give permission for the police and the SAF to come in for the ISE, but if they strip away the title 'ISE' and make it a life exercise, his statement would be useless. What would the DVC do to protect us?

THE COMEBACK

The DVC returned on the personal guarantee that he would only answer one question i.e. what he would do to protect us.

DVC: The University premises will not be used for the ISE due to commence tomorrow.

(DVC then left)



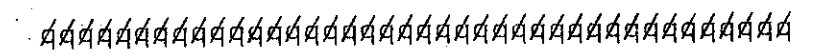
MASS RALLY

At 3.00 p.m. about 150 students marched round the campus encouraging students to attend the mass rally scheduled to be held in the Lower Quad. at 5.00 p.m. By 5.00 p.m. the numbers has swelled to 4000.

This was history in the making. Never before in the last 10 years had so many students gathered together to voice their protest and to express their solidarity at this crucial period.

Despite the overwhelming numbers, the crowd was peaceful and orderly, although there was an air of tension and expectancy. Spirits were high - we felt we were one: all rallying for one common cause --- to stand together on an issue vital to all students.

The crowd was very responsive --- ovation greeted Tan Wah Piow when he made his entrance. We wanted to show that we were rational adults, capable of deciding and analysing for ourselves --- and this we certainly achieved. Attempts at genuine dialogue, not only for one person to talk to 4000, but to enable members of the assembly to contribute their suggestions and thoughts, were very successful: many stood up to address the attentive crowd. The DVC spoke to a hushed crowd as night came on, enveloping 4000 hungry, tired but determined souls.



2.45 p.m. ? PHEY YEW KOK ON THE WITNESS STAND

HEAR FOR YOURSELF !

To understand justice/injustice, we must each take the initiative to sit at a hearing, for then, the concept of justice becomes lucid as never before. It is never more stressed that your immediate presence at a trial is a very rich experience. After all, reports can only convey very limited details.

The trial of our USSU President, Ng Wah Ling and Yap Kim Hong yesterday afternoon was an extremely enlightening two and a half hours. It is urged that all students should strive to attend at least one of the hearings.

The report below is intentionally inadequate, so as to encourage you, the student, to attend the trial yourself. It is regretted also that due to lack of space and limited resources, the report shall only render excerpts of interesting points:

Prosecution Witness' Testimony

PW Mr. Phey Yew Kok testified, inter alia, that on arrival at PIEU he saw 60-80 people inside and outside the premises. He instructed his officers to get the people outside the Premises, and one of them take photographs of the meeting. The workers were there to ask PIEU for assurance that wages would be paid for the 2 weeks' lay-off.

Mr. Phey testified that Wah Piow had enquired whether the Union would guaranteed the payment of these 2 weeks' laid-off. Phey told him that he was not the leader of the Union and could not speak on behalf of 1000 workers. He also said that neither could 60-80 workers present represent the 1000 workers. He also identified the 2nd and 3rd accused (Yap Kim Hong and Ng Wah Ling) among the crowd that day. Phey decided to break up the crowd after about 1/2 hour meeting because they were repeating the same questions (he earlier said that the crowd was 'rowdy' and quite hostile)

TWP : How much time do you spend as an employee of SIA?

Judge : Shortly tell me the relevance of the question.

TWP : If he is working 8 hours a day at SIA, then there is reason to believe that he could not spend more time in dealing with or solving certain industrial problems. However, if he does not in actual fact spend any time working in SIA itself --- then there is no reason why the lay-off problem of the American Marine could not be solved at an earlier date.

Judge : I don't understand you!

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.....

TWP : I believe this case involves Trade Union.

Judge : This case involves rioting!

TWP : This case starts off with problems of industrial workers.

Judge : How is it relevant? Speak to the crux of the matter!

TWP : Since it involves Trade Union and quite a number of complications, the crux of problem, whether it is a frame-up charge or it's truly an event which happened.

Judge : In doing so, how is it relevant?

Wah Piow asked Phey when did he first came to know about the A.M. problem. Phey answered that it was on the 18th of Oct. that he was notified by the Union in writing. Wah Piow was not allowed to ask whether the letter was handed or posted as, the judge ruled it as irrelevant. Wah Piow considered that it was important to know since it would reflect the urgency of the matter. The judge still insisted that it was irrelevant.

The last topic of cross-examination of yesterday centered around the conversation then took place between the workers and Phey on 23rd Oct. Phey commented that the crowd was shouting while he was making his speeches. Wah Piow wanted to know whether Phey meant that shouting had its negative connotations, the judge affirmed that evidence could be