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After three-month cover-up, investigation into police assault of “yellow vest” Geneviève Legay transferred to Lyon

On July 10, the investigation into the brutal March 23 police assault of 73-year-old “yellow vest” protester Geneviève Legay in Nice was transferred to Lyon investigators. The decision follows three months in which the state, from the local police forces to the interior and justice ministry and the presidential palace, have systematically covered up the facts and sought to prevent a credible investigation.

Legay was grievously wounded by police as they charged a peaceful protest by a few dozen “yellow vests” at Garibaldi Place in Nice. The demonstration was held in opposition to the ban on protests by Nice’s Republican mayor Christian Estrosi and the maritime police prefect of the Alps, on the pretext of the visit the following day of Chinese president Xi Jinping. As acknowledged even by the police, the protest posed no public danger.

During the police charge, the septuagenarian was violently pushed and struck by an officer with a riot shield. The blows caused multiple fractures to her skull, internal hemorrhaging, and a fracturing of her coccyx. She was hospitalized and her survival was uncertain, after police physically stopped “yellow vest” street medics from helping her on the scene. According to a contemporary report, her condition “became worse over the course of hours.” Two weeks later, she had sustained hemorrhaging and a hematoma in the skull, and had not regained her balance or sense of smell. Her vision was impaired and she no longer heard from one ear.

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The account of the events on March 23 by police present a disturbing picture. “I can confirm that my men stepped over those who fell on the ground,” said one officer. Another said they had “noticed the presence of a person on the ground who I had to step over to not hit... I continued on with two of my colleagues and it was only once the march stopped that we realized that a woman was on the ground.”

A chain of lies and cover-up was almost immediately put in place. On July 11, the media confirmed that the prosecutor Jean-Michel Prêtre, who was initially responsible for the investigation—and had from the beginning denied any police role in Legay’s injury—had followed the entire police operation from the Urban Supervision Center. He was therefore evidently informed to the contrary. The same day as the assault, the police went to see Legay on her bed in hospital, preventing others from entering, to attempt to have her state that a journalist had pushed her, and not a policeman.

The prosecutor confined the investigation to the service led by the police commissioner most responsible for the charge, Rabah Souchi, who, as the prosecutor was aware, had also participated in the operations of the police that day in the area where Legay was hit. Replying to questions from journalists indicating a “conflict of interest,” he flatly stated: “I don’t see how this poses any problem.”

These actions were denounced by Legay’s lawyers and representatives of the judiciary, but the justice ministry refused to take any action.

The charges filed by Legay’s lawyers, for “intentional violence with arms by individuals representing the public authority against a vulnerable person” and “tampering with witnesses,” including against the police prefecture, have been buried. Her lawyer stated several days after the event that “the suspects in the investigation are the same who have been knowingly put in charge of the investigation by the prosecutor. It’s beyond a conflict of interest...”

He added that “today, the same prosecutor is in charge of a part of the investigation although he is also a potential suspect.” He called on the justice minister, stating: “The question is: why does Madame Belloubet still protect him?”

The Nice prosecutor had already come into the spotlight for his role in the case of a murdered CGT unionist in Guadeloupe, during a strike against the high cost of living in February 2009. The first accused was freed with an alibi, and the second, falsely accused by Prêtre, spent four years in prison before being released. Prêtre also came to attention for his particular vehemence in seeking to charge individuals providing aid to immigrants.

President Emmanuel Macron gave the blessing of the Élysée to the assault on Legay. While it had already been accepted that she was hit by a police officer, Macron declared that “his woman was not in contact with the police,” placing the blame upon her for the attack: “To be in peace, one must act responsibly... When one is fragile and can be rushed, one doesn’t go into places declared out of bounds and put oneself in such a situation like this one.”

At the end of June, Macron attacked her again in an interview with the *New Yorker*: “To go into a place where protesting had been banned is completely crazy. Having good sense is important, above all in this difficult period. I wish her the best. But this old woman was not going shopping. She was protesting with activists faced against police, in the worst moment of the crisis.”

Three months after the events and for its own reasons, the gendarmerie decided at the end of June to reveal a report stating that it had opposed carrying out the order by Sochi to charge, on the basis that the “orders received” were “disproportionate compared to the threat (calm crowd).”

Macron has created a pseudo-legal basis for the attacks against social and democratic rights in France, introducing the “anti-rioters” law at the beginning of February. The government has made use of it to justify the police provocations against the “yellow vests.” The law was confirmed by the Senate less than two weeks before the police aggression against Legay. This law gives to the police powers which hitherto had belonged only to the courts, and which the police had not possessed since the Nazi collaborationist Vichy regime, abolishing the separation of powers.

The police aggression against an elderly woman who posed no danger underscores that the promotion of the judicial norms of fascism is tied to the efforts to create an authoritarian police state to suppress any expression of mass social opposition to Macron. The transfer of the investigation to Lyon will be aimed solely at preventing any shedding of light on the authoritarian procedures of the police, demanded by ever broader layers of workers.

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