



**MEDIA STATEMENT  
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)**

**EDITOR, NEWS DESK**

**FOR IMMEDIATE RELEASE**

**PRESS STATEMENT**

**KUALA LUMPUR (10 FEBRUARY 2017)** - The Human Rights Commission of Malaysia (SUHAKAM) set up an investigating team comprising 4 Commissioners and Officers, led by Commissioner Dato' Mah Weng Kwai to visit the North Klang Police IPD and conduct a preliminary investigation following reports of the death of a detainee, Mr. S. Bala Murugan.

In 2015, there were 12 deaths in police custody and SUHAKAM is of the view that every death in custody is a death too many, regardless of the circumstances of the deceased, who are usually suspects detained for investigations. SUHAKAM reiterates that when the State takes away a person's liberty through detention, it assumes full responsibility for protecting their human rights; the most fundamental being the right to life.

SUHAKAM notes that the deceased was detained in a place which is not a gazetted place of lock up, and an application for extension of remand to the Magistrate by the police was rejected. After 24 hours of detention, the deceased was not released and died in custody at approximately 11pm, after the expiry of the 24-hour remand period. SUHAKAM's preliminary observations indicate due process violations, and disregard for lock up rules. The police have denied any wrongdoing on their part and the post-mortem report is not yet available.

Deaths in police custody remain a longstanding problem and SUHAKAM's Report on Deaths in Police Custody in 2016 identified failures on the part of the police to strictly comply with existing lock up and standard operating procedures to minimise incidences of custodial deaths. These were sometimes bypassed, facilitating abuses in custody, and SUHAKAM has proposed a full review of the Lock-up Rules 1953 and Standard Operating Procedures, among others.

SUHAKAM is of the view that policies to prevent and hold accountable police use of torture and ill-treatment are inadequate and the authorities have delayed lock up reforms. As a result, impunity has prevailed for those responsible. SUHAKAM renews its call for accession to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and for necessary legislative, policy and administrative measures to ensure the effective prevention of any practice that could lead to torture or other cruel, inhuman or degrading treatment or punishment.

SUHAKAM reaffirms its call for the implementation of accountability mechanisms as the State has a duty to provide a thorough and independent investigation into each death in

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03-2612 5646 (Ms Jesrina Kaur Grewal)**

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custody. These investigations must lead to the successful prosecution of policemen involved in torture, ill-treatment or death of an arrested person.

SUHAKAM is determined to continue its investigations into the matter to verify all allegations so that the truth will be made public.

SUHAKAM will work with the police with the aim to improve public confidence and to build a more rights-respecting force committed to the protection of the right to life, liberty and physical integrity.

**-END-**

**Tan Sri Razali Ismail  
Chairman  
Human Rights Commission of Malaysia (SUHAKAM)  
10 February 2017**

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