

AI Index: PRE01/368/2013  
25 July 2013

## **Malaysia: End alarming rise of deaths in police custody**

The Malaysian authorities must take immediate steps to end the alarming rate of reported deaths in custody, some as a result of torture or other ill-treatment, Amnesty International and Malaysian rights group Suara Rakyat Malaysia (SUARAM) said in an [open letter](#) today.

Twelve people are known to have died in police custody since January 2013 compared to nine in the whole of 2012.

“The rising number of reported deaths in custody is shocking, and sends a chilling message to all those at risk of arrests by police. They point to the lack of adequate systems in place to monitor and prevent such deaths,” said Hazel Galang, Amnesty International’s Campaigner on Malaysia.

“The Malaysian authorities must commit time and resources to tackle this problem at once. They must ensure that there are appropriate safeguards so that the police cannot simply go on committing abuses, including torture and other ill-treatment, with impunity.”

More than 230 deaths in custody have been recorded since 2000, according to the Malaysian Parliament.

Most recently on 16 July this year, 26-year-old Chew Siang Giap died shortly after police took him to the Batu Gajah rehabilitation centre in Perak State, west Malaysia. The victim’s father said his son’s body was covered in bruises, but his request for an investigation has been ignored by the authorities.

In another case, P Karuna Nithi died in police custody in Negeri Sembilan state on 1 June 2013. Local police denied any “foul play”, but an autopsy report showed 49 injury marks on his body. Family members said his corpse showed signs of beating with blood coming out of the back of his head.

The police enjoy almost complete impunity in these cases. Of the 12 deaths in custody recorded this year, only three policemen have been charged, all related to a single case, and only after significant public outcry and pressure from human rights groups.

The Malaysian authorities have taken some limited steps to address the rise of reported cases of custodial deaths. The government announced plans in June 2013 to establish centralized police lockups in state capitals and permanent coroner’s courts. Amnesty International and SUARAM believe these initiatives are positive, but do not go far enough.

Likewise, the Enforcement Agency Integrity Commission, a body established in 2009 to handle public complaints against government bodies including the police, has been under-resourced and almost wholly ineffective in cases of death in custody.

“Police officials are in a situation where they can commit human rights violations and walk free. There is still no effective independent accountability mechanism for the police despite repeated calls by human rights groups and others over the years, and the Malaysian authorities should establish one immediately,”

said Galang.

Police abuses allegedly take place outside custody as well. Amnesty International has received a steady flow of reliable reports of police using unnecessary, excessive and sometimes lethal force during arrests.

On 14 January 2013, Sugumar Chelladuray died shortly after arrest while still in handcuffs, reportedly after being beaten by police. His family has refused to accept the official explanation that he died of heart failure, but their attempts to obtain a second independent autopsy have been stalled by the authorities. No inquest has taken place into his case despite the Attorney-General calling for one shortly after his death.

“These latest cases of police abuse should be a wake-up call for the authorities. Now is time to step up the police reform process, and ensure that all cases of police abuse are thoroughly and impartially investigated, and victims receive justice and reparations,” said Galang.