

Coroner finds force used on Teoh
Malaysiakini.com
January 5, 2011

The Malaysian Anti-Corruption Commission (MACC) should not breathe a sigh of relief over the open verdict delivered today in the inquest into the death of political aide Teoh Beng Hock, even though homicide was ruled out.

This is because, despite MACC's insistence that no force was used on Teoh, coroner Azmil Muntapha Abas (right) found that the deceased had sustained bruises to his neck prior to the fall that ultimately killed him.

The 30-year-old aide to Selangor DAP exco member Ean Yong Hian Wah was concluded to have died between 11.15am and 1.15pm on July 16, 2009.

He was found dead on the fifth floor landing of Plaza Masalam, Shah Alam, between 1 to 1.30pm, after an interrogation the night before at the MACC's office on the 14th floor of the same building.

"Evidence showed that Teoh did not have these injuries when he went into the MACC office, and you and I know he never left the MACC office.

"So how did he come by these injuries and who is responsible? These questions are of grave significance... do we just sit by and let it be?" asked the Teoh family's lawyer Gobind Singh Deo.

Reduced oxygen to the brain

In his verdict today, Azmil said that pathologists Dr Pornthip Rojanasunand and Dr Shahidan Md Noor both found evidence of bruising to the deceased's neck.

Both found that the neck injury could have caused a reduction of oxygen to the brain, leading to "cerebral edema, mild or moderate hypoxia, confusion, fainting and decreased motor control".

The edema could not be confirmed in the second post-mortem because the neck tissue area had been dissected.

"(Dr Shahidan) submitted that the consequences of such an injury raise serious doubts as to the capability of the deceased exiting the window unassisted, both physically and mentally," said the coroner.

However, he ruled out homicide as there was no conclusive evidence that the neck injuries had led to the fall which ultimately killed Teoh.

Injury found in second post-mortem

Interestingly, the evidence of the neck injury only came forth after the second post-mortem that was conducted after Pornthip (right) requested for an exhumation of the body.

"It is only because of the exhumation do we know of the bruises and injury, which MACC has maintained were not inflicted by its officers.

"(Pathologist Dr Prashant Naresh Samberkar) testified that he ruled out an accident (and said) it was likely to be suicide as there was no evidence of a struggle. But what is an injury to the neck if not evidence of struggle or force?

"You rule out accident and suicide then what else is left? The family cannot have closure," he told reporters after the verdict was read out.

Can't say it's a suicide note

The coroner in his verdict said that he ruled out suicide because there were "some unsettled issues which are still questionable and to fulfill this verdict of suicide would entail some form of guesswork."

He said that MACC had relied heavily on the note found in Teoh's bag two months after his death as evidence of suicide and tried to adduce that he was feeling guilty over the alleged abuse of funds for which he was called in by the commission.

"It was assumed that Teoh felt so guilty and was afraid to leave the MACC office because he was ashamed to face society, especially his boss.

"I regret to observe that no forensic psychiatrist did a report on Teoh's state of mind or the impugned note... I don't think as a coroner I am qualified to make my own assessment purely from assumption," Azmil said.

"At best I can only assume that the note was authored by Teoh but I am not qualified to say it is a suicide note," he added.

The family is seeking a review of the verdict in the High Court, and is pushing Prime Minister Najib Abdul Razak to open a Royal Commission of Inquiry.