

What are you waiting for, MCA asks IGP
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MCA Wanita chief Heng Seai Kie has demanded the police answer for its inaction in two child custody tussles involving a converted parent.

In particular, she referred to S Deepa (right) and M Indira Gandhi whose Muslim convert ex-husbands are refusing to return their children despite two separate High Court decisions granting custody to the mothers.

"The question is, after so much time has passed, why have the police not taken action?"

"To the inspector-general of police and his men, what are you waiting for?" she said in a statement today.

She echoed Minister in the Prime Minister's Department Nancy Shukri's call for police to step in and have the children returned to their mothers.

Heng urged the police to execute the court orders and take action against the fathers for contempt of court, as well as acting against Deepa's husband Izwan Abdullah @ N Viran for forcibly grabbing their six-year-old son after losing custody of the boy.

She added the Royal Malaysian Police Force was founded on civil law therefore it should be answerable and accountable to civil law.

"If the police still refuse to act on the court orders, then it is hard to avoid the perception of wilful misconduct and serious abdication of duty (by the police)," she said.

'Bad precedent'

She added that inaction will also set a bad precedent for similar cases in future.

Inspector-general of police Khalid Abu Bakar (left) had said police did not want to get involved in the tussle, claiming that there were conflicting rulings between the Syariah Court and Seremban High Court on rightful custody.

In the case of Deepa, despite the Syariah Court earlier granting custody to Izwan Abdullah, the Seremban High Court subsequently ruled that their six-year-old son and nine-year-old daughter were products of a civil marriage and granted custody to the mother.

Izwan defied the court decision and forcibly took their son from the mother after losing the case at the Seremban High Court in April.

In a similar case involving Indira and her Muslim convert ex-husband K Pathmanathan @ Mohd Ridzuan Abdullah, the Ipoh High Court specifically instructed police to issue an arrest warrant against the father for contempt.

It also ruled the Civil Court's decision superseded the Syariah Court in the May 30 decision.

This is after police refused to act despite a 2010 Ipoh High Court decision which ruled that their six-year-old girl should go with Indira but her ex-husband refused to comply.

Yesterday, Home Minister Ahmad Zahid Hamidi said he will discuss the matter with the Attorney-General's Chambers, which is a softening of his stance. In April, he backed the refusal of the police to act.

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