

DAP blasts minister for backing cops in Seri Pristana child-interrogation debacle
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The Women, Family and Community Development Minister's statement that police can interrogate children without the permission or presence of their parents, has drawn fire from DAP.

Vice-chairman Teresa Kok said Datuk Rohani Abdul Karim "should be in the forefront protecting child rights".

Rohani was reported yesterday as saying that police have the power to interrogate children without the permission or presence of their parents or guardian in cases involving the Criminal Procedure Code.

She, however, noted that in cases investigated under the Child Act 2001 through the Sexual, Abuse and Child Investigation Department (D11), the child should be interrogated in the presence of the welfare officer, parents or guardian.

"The public should not be unduly worried as whatever case investigated, whether involving the Criminal Procedure Code or Child Act, we at the ministry will ensure that the children's welfare is safeguarded," she assured.

Kok took Rohani to task for not supporting the calls to respect the underlying spirit of the Child Act 2001, which relates to the care, protection and rehabilitation of children.

"Instead of that, she has chosen to only talk from the perspective of laws and police powers."

"Malaysia is a party to the Convention on the Rights of Child and as the minister in charge of child welfare, it is only right that her foremost duty and concern is to ensure the best interests of the child shall be a primary consideration," she pointed out.

Rohani's statement yesterday supported the Inspector-General of Police Tan Sri Khalid Abu Bakar contention that police did not need to obtain the consent of parents when they questioned pupils of the controversy-ridden SK Seri Pristana in Sungai Buloh.

Police had quizzed several pupils over the eating in the shower room controversy. This sparked outrage by parents who claimed that their children were traumatised by the interrogation.

Khalid pointed out that there was nothing in the law that states that the consent of parents must be obtained.

Last week, the Human Rights Commission of Malaysia (Suhakam), in expressing their concern over Khalid's statement, urged the government to study procedures used by other countries when it came to the questioning of minors by the police.

"We recommend the government study good practices from elsewhere and to consider developing appropriate legislation to that effect."

Some quarters had even argued that police had violated Section 113 of the Child Act by questioning the minors.

Rohani, however, said the section in the Act had nothing to do with the case investigated by the police as it did not fall under the Child Act.

"Section 113 of the Child Act only applies to offences under this Act, not other Acts. So far, we don't have clear facts under what law the investigation was conducted but definitely not under the Child Act," she was reported as saying.

Kok said Rohani's argument about the Child Act was "baffling", noting that the incident had happened almost two months ago.

"Given the fact that the incident happened almost two months ago, how could she say that she still does not know under what law the investigation was conducted? Why did she not send her officials to meet the parents and children to hear them out and to provide the necessary counseling and support?" she questioned. - September 14, 2013.

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