

WCC QUERIES THE ISSUANCE OF INTERIM PROTECTION ORDER TO VICTIM, 4 JUL 2013

On 28 June, Women's Centre for Change (WCC) staff and members, and concerned citizens gathered at the Penang police headquarters urging for effective enforcement of the Domestic Violence Act (DVA), 1994. A short memorandum was presented to Penang CPO, who was represented by the State Criminal Investigation Department Deputy Chief, Assistant Commissioner Mohd Nasir Salleh. According to several newspaper reports, Assistant Commissioner Mohd Nasir Salleh subsequently said that an Interim Protection Order (IPO) had been issued against the suspect on 14 June but remained unserved as the suspect was not at his address.

WCC is perplexed and concerned over his statement.

The victim made a police report on 14 June at 10.30pm. In WCC's experience, getting an IPO issued on the same day a report is made is rare, getting one after office hours and at that late hour is impossible. Therefore it is inconceivable for an IPO to have been issued by the court on the same date.

When a complaint of domestic violence is made, either a welfare officer or a police officer must help the victim apply for an IPO, usually by bringing the victim to the court. The police officer is tasked to serve the IPO to the suspect to inform him that he cannot inflict further violence upon the victim.

As an applicant, the victim should be the first person to know about the IPO application. Here, neither the victim, nor her family members nor those helping the victim were made aware that any IPO had been applied for or issued in her absence. To date the family has not been given a copy.

On 20 June, the victim came to WCC to seek help as she seriously feared for her life. According to her, no IPO had been issued till then despite her report on 14 June and she was advised to urgently apply for one. She returned to the police station but the investigating officer was not around. Several attempts were made to get an IPO after that date but to no avail.

On 24 June, the victim was set alight allegedly her husband. She remains in critical condition in the hospital with 60% burns on her body.

Domestic violence has been recognised as a criminal offence since 1994. Yet nearly 20 years later, family members suffering from violence are still battling for the proper enforcement of the DVA. Domestic violence is a serious crime which cannot be taken lightly.

WCC calls upon the Inspector-General of Police to make a clear stand on the importance of the issuance of protection orders for victims of domestic violence. It is the duty of police officers to inform domestic violence victims and their family members of their right to ask for an IPO, and assist them to get the order as well as serve it promptly.

The safety and protection of victims of domestic violence must be given top priority.

We cannot wait for another tragedy to happen.

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