

Alleged Sexual Harassment of PSM women by police

While we note the Attorney General's decision to not proceed with the charges against the PSM 30, the Joint Action Group for Gender Equality (JAG) would like to highlight the appalling treatment accorded to the PSM women who were arrested and detained in relation to the same case. The allegations of abuse made by these women, who had been arrested at the Sungai Dua toll and subsequently detained at the Kepala Batas police station in Penang on 25th of June 2011, have still not been addressed.

Three of these women have alleged police misconduct and maltreatment to SUHAKAM and Bukit Aman. JAG is appalled to learn that in addition to the physical and verbal abuse as well as intimidation that these women underwent, two of them were also subjected to sexual harassment.

The women have alleged physical forms of sexual harassment which include having their clothes pulled open to expose parts of their body, being made to remove undergarments and change into lock up clothes in the presence of male police officers and being inappropriately fondled by a woman police officer.

In addition to the above, the women have also alleged that they were subjected to sexual innuendos and inappropriate comments during their questioning, including; *Awak tidak ada nafsu terhadap mana-mana lelaki? Awak telah adakan seks dengan siapa-siapa kah? Buat seks boleh dapat anak mengapa nak kahwin? You boleh tahan ke tak ada seks dengan suami? Sudah seminggu tiada seks, nanti balik ada seks dengan lelaki nanti beritahu saya apa perasaan kamu semasa buat seks? Pasal kamu lah saya tak boleh kokek dengan suami saya, hari-hari saya berada di sini.*

These alleged actions are a clear violation of the basic rights and dignity of the women. Furthermore they show direct police misconduct against the applicable laws on treatment of detainees as stated in the Criminal Procedure Code in Sections 19, 20A and Schedule Four as well as in Rule 44 of the Lock Up Rules 1953.

We appreciate that under police detention and investigation, certain lawful actions in handling and interrogating these women may be necessary. However, this does not negate a person's right to fair and decent treatment, irrespective of their social economic background, marital status, ethnicity, religion or the alleged crime.

The allegations made by the PSM women raise, once again, serious questions not just about the lack of professionalism but also about the abuse of police powers. The sexual harassment of detainees in any police lock-up is unacceptable. It is not merely conduct unbecoming of police officers, these alleged actions are in themselves criminal acts punishable under the Penal Code.

JAG calls for an immediate investigation into these allegations and if proven, action must be taken against the perpetrators. Furthermore JAG calls for regular education and training of police officers on the rights of those being detained.

The Joint Action Group for Gender Equality (JAG) comprises:

Women's Centre for Change, (WCC) Penang
Women's Aid Organisation (WAO)
Perak Women for Women Society (PWW)
Persatuan Kesedaran Komuniti Selangor (EMPOWER)
Sabah Women's Action Resource Group (SAWO)
Sisters in Islam (SIS)
All Women's Action Society (AWAM)