

Roles of Governmental and Non-governmental Bodies on Chain Remand Complaints in Malaysia

Authors : Ifa Sirrhu Samsudin, Ramalingam Rajamanickam, Rohaida Nordin

Abstract : The practice of chain remand would cause human rights violations if the application was granted without reasonable cause and reason. This chain remand problem was tried to be addressed in 2007, which was amongst the factors that led to the amendment of the Criminal Procedure Code (CPC) at that time due to the defilement of human liberty. In Malaysia, there are governmental and non-governmental bodies that are active in ensuring that the human rights of the entire community are protected from being violated. The issue of wrongful detention involving chain remand during an investigation is not a new issue. This issue is constantly highlighted and efforts to address it are often raised by the responsible parties. This study aims to analyse the roles of these bodies in dealing with chain remand complaints in Malaysia using a qualitative research approach by way of in-depth interviews, roundtable discussions and documents analysis. The study discovered that these bodies were able to investigate the complaints but did not have a role in taking any actions. Their role is only to provide recommendations to the complainants to take action. Therefore, this study suggested the function should be given to certain bodies to curb the problem based on solid evidence.

Keywords : liberty, complaints, chain remand, government

Conference Title : ICPCLJ 2022 : International Conference on Principles of Criminal Law and Justice

Conference Location : London, United Kingdom

Conference Dates : August 16-17, 2022