

**SUHAKAM PUBLIC INQUIRY OF
PASTOR JOSHUA HILMY
RUTH SITEPU**

DATE : 06.01.2021

TIME : 09:57AM

NOTES OF INQUIRY

Coram

Chairman Panel Member 1 Panel Member 2	Dato' Seri Hishamuddin Yunus Dr Madeline Berma Jerald Joseph	CHM PM1 PM2
PDRM Observer	SAC Ahmad Dzaffir Bin Mohd Youssof ASP Muhammad Sabri bin Mohd Raziff	ADY MSR
Family Observer	Philip Koh Cyrus Itui Foo Woei	PK TFW
Bar Council Observer	Andrew Khoo Lim Heng Sen	AK LHS
SUHAKAM Panel	Simon a/l Karunagaram Muhammad Faiz Bin Abd Rahman Puveethra Raja Segaran Aida Suraya Haron	SK MFR PRS ASH
Indonesian Embassy	Ituan Junjungan Sigalingging Ituan Henry Dian Dwiharto	SJ HDD

Witness

1	Peter Pormannan a/l Annamalai	PETER
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2	Grace Thangamalar a/p Peter Pormannan	GRACE
3	Josiahnandan Emmanuel a/l Peter	JOSIAH
4	Ramanathan a/l Manickavasagan	RAMA
5	Selvakumar Peace John Harris	SELVA
6	Ram Ram Elisabeth	RAM
7	Iman Setiawan Sitepu	IMAN
8		
9		
10	Susandi Bin Basari	SUSANDI
11	ASP Shafiee Bin Marsidi	SHAFIEE
12	Insp Nurul Huda Bin Bustami	NURUL
13	ASP Hairol Azhar	HAIROL
14	Insp Zulfadhly Bin Yaacob	ZUL
15	DSP Supari Bin Muhammad	SUPARI
16	Iqbal Mirza Bin Mohd Jalaludin	MIRZA
17	DCP (B) Dato' Awaluddin Bin Jadid	AWAL
18	Fadzlina Binti Amran	FADZLINA

1

START

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CW17
Name
Affirms and states in Malay
Time
CHM
AWAL
CHM
SK
AWAL

Good morning, we will resume with our inquiry today.

Good morning, dear panel members, observers and colleagues. So, we will call witness No. 17, Dato' Awaluddin Jadid.

Witness number?

17.

17, ok.

Morning, Dato'.

Morning.

Dato', sila berdiri dan bacakan sumpah.

Ok.

DCP (B) Dato' Awaluddin bin Jadid

09:58AM


Dato', could you just remove your mask. Kejap saja.

Ya.

Ok, terima kasih.

Selamat pagi, Dato'. Terima kasih kerana hadir untuk membantu siasatan awam ini. Saya Simon, pegawai assisting officer daripada SUHAKAM –

Ya.

1
2 **SK** Akan mengemukakan beberapa soalan, nanti Dato' boleh menjawab
3 pada pihak panel.
4
5 **AWAL** Ok.
6
7 **SK** Dato' boleh perkenalkan diri dengan memberitahu nama dan nombor
8 kad pengenalan?
9
10 **AWAL** Ya. Nama saya Awaluddin bin Jadid. Saya adalah pesara Komisioner
11 Polis, PDRM. Nombor kad pengenalan saya sebagai orang awam
12 
13
14 **[10:00AM]**
15
16 **SK** Berapa umur Dato' sekarang ini?
17
18 **AWAL** Sekarang umur saya 62, nak masuk 63.
19
20 **SK** Dato' menyatakan Dato' telah bersara ya?
21
22 **AWAL** Ya.
23
24 **SK** Tidak bekerja buat masa ini?
25
26 **AWAL** Ya?
27
28 **SK** Tidak bekerja sekarang?
29
30 **AWAL** Tak, jaga cucu dan buat apa yang patutnya preparation for the next
31 one.
32
33 **SK** Dato', bila Dato' bersara dari PDRM?
34
35 **AWAL** Bulan, 30.06.2018. Kalau saya tak silap.
36
37 **SK** Ok. Berapa lama Dato' berkhidmat dalam PDRM?

1
2 **AWAL** Saya berkhidmat lebih kurang 41 tahun. 41, 42 tahun.
3
4 **SK** Boleh Dato' nyatakan jawatan dan tempat tugas terakhir di PDRM?
5
6 **AWAL** Saya, tugas saya terakhir adalah selaku Ketua Penolong Pengarah
7 Bahagian Ekstremis Sosial di Bukit Aman, PDRM, Cawangan Khas
8 PDRM, Bukit Aman.
9
10 **CHM** Bahagian apa, Dato'? Bahagian?
11
12 **AWAL** Ekstremis sosial.
13
14 **CHM** Ekstremis?
15
16 **AWAL** Ekstremis sosial, dia ada satu bahagian. E2, dia panggil.
17
18 **CHM** Ekstremis sosial?
19
20 **AWAL** Sosial, ya.
21
22 **SK** Juga dikenali sebagai E2.
23
24 **AWAL** E2.
25
26 **SK** Boleh Dato' beritahu apakah tugas, skop tugas bahagian tersebut, E2?
27
28 **AWAL** Itugas di bahagian E2 ini ialah kita lebih kepada pemantauan terhadap
29 aktiviti-aktiviti kumpulan pelampau di kalangan pelajar, kalangan politik,
30 kalangan agama, student, the NGOs, the extremist, I mean, pelampau,
31 kumpulan yang mana those yang apa sikit, itu dia punya apa, dia tugas
32 dia. Pemantauan segi apalah, aktiviti mereka.
33
34 **SK** Bahagian ini berbeza dengan bahagian anti-terrorism?
35
36 **AWAL** Tak ada, tak.
37

1 **SK** Berbeza?
2
3 **AWAL** Berbeza? Tak?
4
5 **SK** Berbeza.
6
7 **AWAL** Nothing to do with terrorism.
8
9 **SK** Ok. Adakah Ituan, Dato', pernah terlibat dalam kes kehilangan dua
10 individu bernama Joshua Hilmy dan Ruth Sitepu?
11
12 **AWAL** Tak, saya tidak pernah terlibat dalam, tak pernah.
13
14 **SK** Tidak pernah? Ok. Sebagai seorang pegawai kanan yang senior, ya –
15
16 **AWAL** Ya.
17
18 **SK** Di Bukit Aman, adakah Ituan, Dato' diberi sebagai, sebarang maklumat
19 atau perkembangan mengenai kes ini, kehilangan dua individu
20 tersebut?
21
22 **AWAL** Saya ada melibatkan tapi because dia lebih kepada apa yang apa,
23 terdapat dalam Facebook dan media sosial, dia itu dia punya apa,
24 because itu yang saya apalah.
25
26 **SK** Itu sebagai inisiatif Dato' sendiri ke ataupun Dato' diberikan –
27
28 **AWAL** Kadang-kadang pegawai saya yang melaporkan.
29
30 **SK** Pegawai melaporkan?
31
32 **AWAL** Ya, melaporkan.
33
34 **SK** Jadi maksudnya ada dalam pengetahuan dan, dalam pengetahuan
35 Dato'?
36

- 1 **AWAL** Ya, sebagai pegawai polis kita patut tahu, especially Special Branch,
2 apa yang berlaku sekitar kita.
3
- 4 **SK** Tadi Ituan telah mengatakan skop divisyen E2 kan, bahagian E2. Kalau
5 Dato' sendiri, tugas, skop tugas Dato' sendiri apa ya?
6
- 7 **AWAL** Itugas saya adalah sebagai, itu, penyelarar dan juga sebagai ketua
8 penyelarar. Kalau ada apa, all the maklumat ini untuk kita bentangkan
9 during meetings, meeting dengan di antara dalam, apa ini, dalam antara
10 cawang-cawangan dalam PDRM, untuk apa, dan kalau ada pun
11 dengan agensi lain, khususnya agensi Jabatan Agama Islam, kalau dia
12 nya terlibat. Kita hanya membekalkan maklumat saja, whatever
13 information yang kita terima.
14
- 15 **CHM** Berapa lama Dato' dalam divisyen E2 ini, berapa lama?
16
- 17 **AWAL** Saya tak ingat, tarikh, saya ingat...
18
- 19 **CHM** Roughly? Agak?
20
- 21 **AWAL** Roughly? Sebagai apa, KPP ke sebagai apa?
22
- 23 **CHM** Daripada awal dalam divisyen sampai ke pesara.
24
- 25 **AWAL** Kalau daripada awal, lamalah tapi saya tak ingat berapa tapi...
26
- 27 **CHM** 15 tahun ke, 10 tahun?
28
- 29 **AWAL** Should be around that, 10, 15 tahun, around that. Kalau sebagai
30 apalah, sebagai pegawai apa kan, saya memang di develop dalam,
31 apalah, dalam apa, dalam bahagian itu, E2.
32
- 33 **CHM** Dalam bahagian ini berterusan ataupun –
34
- 35 **AWAL** Tak.
36
- 37 **CHM** Pergi divisyen lain –

1
2 **AWAL** Saya pergi divisyen lain –
3
4 **CHM** Patah balik?
5
6 **AWAL** Pasal saya dulu pergi belajar undang-undang, kemudian balik jadi IO,
7 SIO, jadi PO, patah balik, ada kes-kes yang apa, dia akan panggil saya
8 untuk handle kes yang apa –
9
10 **CHM** Jadi kalau campur-campur semua itu berapa tahun? Campur-campur –
11
12 **AWAL** Kalau campur-campur –
13
14 **CHM** Dia bahagian ini ke, not the other division –
15
16 **AWAL** Bahagian E2.
17
18 **CHM** Bahagian ini. E2.
19
20 **AWAL** Saya ingat dalam, about 15 years –
21
22 **CHM** 15 years?
23
24 **AWAL** Kalau roughly, saya tak berapa sangat, I don't remember tarikh saya
25 apa...
26
27 **CHM** Dan akhir sekali sebagai Ketua Penolong Pengarah ya?
28
29 **AWAL** Ketua Penolong Pengarah, ya.
30
31 **CHM** Ok, sebagai Ketua Penolong Pengarah sahaja berapa lama?
32
33 **AWAL** Itu, saya balik daripada Sarawak 2010, dalam dua tahun lebih.
34
35 **CHM** Dua tahun ya?
36
37 **AWAL** Dua tahun lebih.

1
2 **CHM** Sebelum itu?
3
4 **AWAL** Sebelum itu saya sebagai Ketua Cawangan Sarawak.
5
6 **CHM** It's Division ke?
7
8 **AWAL** Yes. Tak, Ketua Cawangan Sarawak is lain, di kontinjen di Sarawak.
9
10 **CHM** Lain ya?
11
12 **AWAL** Itu different, itu, it's a general division.
13
14 **CHM** Ok, right.
15
16 **AWAL** Ya.
17
18 **CHM** Baik, terima kasih.
19
20 **SK** Dato', jawatan Ketua Penolong Pengarah adakah itu jawatan tertinggi
21 bagi divisyen tersebut?
22
23 **AWAL** Bagi E2, yes. Itu yang paling tinggi.
24
25 **SK** Ituan merupakan ketua bagi...
26
27 **AWAL** Ya.
28
29 **SK** Dato', tadi Dato' menyebut tentang kumpulan pelampau kan?
30
31 **AWAL** Ya.
32
33 **SK** Biasanya siapa yang dikategorikan sebagai pelampau ini?
34
35 **AWAL** Dia macam ini, ok, yang dikategorikan pelampau dia ada, saya lupa dia
36 punya, apa itu, dia punya definition dia. Tapi yang kita kategorikan
37 adalah those yang mengambil tindakan di luar batasan undang-

- 1 undang, itu yang kita apa, kita, maknanya it's not within the law and dia
2 punya itu, pemikiran dia itu adalah pemikiran dia yang di luar norm,
3 normal. Masa yang benda yang tak boleh buat dia buat juga. Ini sebagai
4 andaianlah, yang saya punya apa.
5
- 6 **SK** Boleh Dato' berikan contoh?
7
- 8 **AWAL** Saya nak bagikan contoh, saya ambil sebagai, because kita lebih
9 macam student misalannya. Student terlibat, sepatutnya student dia
10 ada dia punya apa, tapi kalau dia start with demonstration lah, apa
11 semua hasut, communism punya ideologi lah apa semua, itu sebagai
12 contoh. Ok. Kita punya. Pemantauan kita adalah terhadap itu saja.
13 Lebih pada pemantauan.
14
- 15 **SK** Jadi Dato' semasa Dato' bertugas sebagai KPP di E2, adakah Joshua
16 Hilmy dengan Ruth Sitepu berada dalam pemantauan atau
17 pengawasan –
18
- 19 **AWAL** Tak.
20
- 21 **SK** Pihak PDRM?
22
- 23 **AWAL** Yang saya setahu saya tidak pernah.
24
- 25 **SK** Tidak pernah?
26
- 27 **AWAL** Tidak pernah. Cuma mungkin ada laporan-laporan yang diterima tapi
28 because kita tak melihat ini sebagai orang yang perlu kita beri
29 perhatian. Itu saja dia punya...
30
- 31 **SK** Jadi adakah PDRM pernah klasifikasikan mereka sebagai golongan
32 ekstremis?
33
- 34 **AWAL** Tak ada, saya percaya tidak ada... kalau, my personal apa, tak ada.
35
- 36 **SK** Tak ada?
37

- 1 **AWAL** Under my personal, tak ada, never.
2
- 3 **SK** Salah satu skop tugas Dato', adakah memberi ceramah, salah satu
4 skop?
5
- 6 **AWAL** Yes, itu salah satu daripada apa, kita panggil sebagai PSYOP,
7 PSYWAR. PSYOP, PSYWAR ini adalah untuk memberi keterangan
8 khususnya kepada masyarakat awan di luar tentang, apa ini, ancaman-
9 ancaman yang dihadapi oleh negara. Pada ketika itu kan banyak isu-
10 isu yang apa, itu memang salah satu daripada skop tugas saya adalah
11 untuk memberi ceramah di universiti-universiti dan juga di agensi-
12 agensi yang mana yang menjemput saya untuk beri ceramah.
13
- 14 **SK** Jadi boleh saya katakan sepanjang tugas Dato' di E2, Dato' telah
15 menyampaikan banyak ceramah?
16
- 17 **AWAL** Banyak.
18
- 19 **SK** Banyak? Ok. Dan biasanya siapa yang menentukan topik ceramah
20 tersebut?
21
- 22 **AWAL** Topik ceramah itu saya berdasarkan kepada, apa ini, saya punya
23 pegawai akan siapkan dia punya, apa kan, and then salah satu
24 daripadanya adalah kadang-kadang isu kita adalah, isu kita sudah fix,
25 macam mana isu yang berkaitan dengan ekstremisme, so saya akan
26 menyentuh tentang ekstremisme, khususnya di kalangan pelajar-
27 pelajar sebagai peringatan kepada dia orang, sebagai nasihat dan juga
28 peringatan. That is kita punya objektif kita.
29
- 30 **SK** Maksudnya ada satu program yang dirancang, terancang untuk –
31
- 32 **AWAL** Itu kadang-kadang bukan kita yang merancang. Orang luar merancang,
33 apa, yang menjemput saya especially banyak NGOs. Dia jemput saya
34 pergi dia punya... Kadang menteri pun ada juga attend sekali.
35
- 36 **SK** Ok. So bermaksud ada Dato' mendapat jemputan, dan ada yang
37 dianjurkan sendiri?

1
2 **AWAL** Tak ada. Kita bahagian E2 tidak pernah menganjurkan sendiri, semua
3 adalah atas jemputan organiser.
4
5 **SK** Ok, tapi tadi Dato' kata memberi ceramah adalah salah satu skop tugas
6 –
7
8 **AWAL** Salah satu skop, apa –
9
10 **SK** Tapi hanya bila –
11
12 **AWAL** Because kita diberi, diarahkan oleh apa, my director, saya pergilah.
13
14 **SK** Hanya apabila dijemput?
15
16 **AWAL** Yes, apabila dijemput.
17
18 **SK** Jadi bukan dianjurkan dengan –
19
20 **AWAL** Tak ada. Tak pernah lagi.
21
22 **SK** Dato' masih ingat tentang ceramah bertajuk 'Belia Menentang
23 Keganasan'?
24
25 **AWAL** Yes.
26
27 **SK** Masih ingat?
28
29 **AWAL** Masih.
30
31 **SK** Berlangsung pada 06.11.2016.
32
33 **AWAL** Ok.
34
35 **SK** Ok. Dato' masih ingat siapa penganjur dia?
36

1 **AWAL** Saya lupa dah, saya rasakan, because that one is di bawah KDN
2 rasanya, if I'm not apalah, dia apa, KDN, Kementerian Dalam Negeri
3 atau ada bahagian-bahagian tertentu yang menganjurkan.
4
5 **SK** Ok. Ceramah tersebut berlangsung di auditorium KDN?
6
7 **AWAL** Ya, di, dekat Jalan Duta, saya rasa kan? Kalau, please correct me if I'm
8 wrong. Di mana ke?
9
10 **SK** Boleh, think, tunjuk? Just mungkin boleh refresh memory. Exhibit 4.
11 Yang itu, sama, poster itu.
12
13 **AWAL** Benda ini dah berlaku lama dah, saya tak ingat. Ya Datuk, Khairy
14 Jamaluddin ada sekali ya?
15
16 **SK** Ya.
17
18 **AWAL** Ok, betul. Mufti pun ada. Ok.
19
20 **SK** So di dalam poster ini disebutkan Kompleks Kementerian Dalam
21 Negeri, Kuala Lumpur.
22
23 **AWAL** Dekat Jalan Duta, saya rasa. If I'm not mistaken.
24
25 **SK** Ituan masih, Dato' masih ingat apakah inti pati ceramah yang
26 disampaikan oleh Dato' masa itu?
27
28 **AWAL** Dah lama dah, saya tak ingat.
29
30 **SK** Dah tak ingat?
31
32 **AWAL** I don't think I remember, because it's quite some time saya rasa.
33
34 **SK** 2016.
35
36 **AWAL** 2016.
37

1 **SK** Lama sudah juga. Adakah Dato' semasa memberikan ceramah itu,
2 ceramah tersebut mempunyai sebarang hubung kait dengan Joshua
3 Hilmy dengan Ruth Sitepu?
4

5 **AWAL** I don't remember, ada mention. Saya tak ingat, minta maaf.
6

7 **SK** Dato' tak ingat, ok. Jika saya boleh just menarik perhatian Dato', dalam
8 ceramah tersebut Dato' ada menyebut tentang isu segelintir orang
9 Islam –
10

11 **AWAL** Ok.
12

13 **SK** Dimurtadkan oleh sekumpulan orang Kristian.
14

15 **AWAL** Ok.
16

17 **SK** Dato' setuju?
18

19 **AWAL** Ya, isu murtad, ya. Isu murtad saya ada sentuh but not the, apalah,
20 subject matter itu ok.
21

22 **SK** Dato' masih ingat mengapa Dato' membangkitkan isu ini semasa
23 ceramah?
24

25 **AWAL** Itu memang tugas saya. It's part of the, dia punya isu murtad ini, apa
26 ini, one of this apalah untuk kita nak, apa ini, bagi, satu bagi penerangan
27 kepada audiens. Bahagian kita ada audiens, supaya dia orang ini
28 berhati-hati, khususnya kalau involves student.
29

30 **SK** So Dato', adakah isu orang Islam dimurtadkan dilihat sebagai satu
31 ancaman kepada keselamatan negara oleh PDRM?
32

33 **AWAL** Saya nak bagi tahu sebagai ancaman because one of the reason why
34 kita... because kita tidak mahu pasal ketika itu banyak isu yang timbul,
35 isu terrorism lah apa timbul, kita tidak mahu orang-orang yang terlibat
36 ini jadi sasaran. Itu dia punya matlamat dia. And then now waktu yang
37 sama, kita bagi tahu student this is what happening supaya mereka ini

1 lebih, untuk memperkukuhkan keimanan dia orang, itu, that is dia punya
2 matlamat dia. Kalau saya ada sentuh pada ketika itu. Itu dia punya...
3
4 **SK** Jadi adakah orang-orang yang memurtadkan ini dilihat sebagai
5 ekstremis?
6
7 **AWAL** I don't think so, dia punya apa, kita melihat itu... I mean pada ketika itu
8 saya tidak melihat itu sebagai satu apalah, tapi just a forewarn for the
9 audience, itu saja. Nak katakan sebagai ancaman, saya rasa, saya tak
10 ingat apa yang saya sentuh pada ketika itu.
11
12 **SK** Dato', jika ada orang Islam yang murtad secara sukarela, adakah ia
13 juga dilihat sebagai satu isu?
14
15 **AWAL** No, kalau apa, kalau orang Islam, tetapi dia menjadi isu apabila ada
16 pihak yang akan retaliate. Itu yang sebenarnya dia punya... kalau
17 macam ada pihak yang, itu tugas kita, kita tak mahu orang yang akan
18 bangkit, akan membantah. Itu kita tak mahu.
19
20 **SK** Lebih kepada orang yang bertindak balas kepada –
21
22 **AWAL** Kepada audiens, maksudnya pada orang ramai, kita tak mahu, because
23 this will create, apa dia, unrest the whole thing (10:14:24AM), but that
24 is the intention.
25
26 **SK** Semasa Dato' bertugas di E2, adakah PDRM mengenal pasti mana-
27 mana individu atau organisasi yang disyaki memurtadkan orang Islam?
28
29 **AWAL** Itu memang ada kita apa, kita identify. Tapi sebagai apa, waktu kita nak
30 salurkan kepada jabatan-jabatan yang apa, yang berkenaan untuk dia
31 orang punya tindakan susulan.
32
33 **SK** Ok, jadi itu adalah salah satu skop tugas E2?
34
35 [10:15AM]
36
37 **AWAL** Yes.

1

2 **SK** E2, ya. Dan Dato' ada sebut tadi mungkin saya nak tanya dengan lebih

3 jelas. Setelah mengenal pasti sama ada individu atau organisasi

4 tersebut, apa tindakan yang diambil oleh PDRM?

5

6 **AWAL** Tindakan, because kita tidak boleh nak ambil tindak because we have

7 no, apa orang kata, selepas ketiadaan ISA, kita terpaksa bergantung

8 kepada undang-undang yang sedia ada. So what we did, we pass it to

9 the lain-lain jabatan, khususnya Jabatan Agama Islam untuk dia apa,

10 because dia punya sasaran dia adalah kepada orang yang dimurtadkan

11 itu. Itu terpulang kepada pihak Jabatan Agama Islam, itu memang itu

12 kita punya matlamat.

13

14 **SK** Ok. Jadi PDRM bekerjasama dengan jabatan agama –

15

16 **AWAL** Yes.

17

18 **SK** Ada organisasi atau institusi lain?

19

20 **AWAL** Tak ada. With government punya apa.

21

22 **SK** Ok, Jadi bermaksud kalau saya faham, Dato' boleh betulkan jika saya

23 salah.

24

25 **AWAL** Ok.

26

27 **SK** Bahagian E2 ini membuat pemantauan, pengawasan –

28

29 **AWAL** Ok.

30

31 **SK** Dan boleh, dan menyenaraikan organisasi-organisasi yang terlibat –

32

33 **AWAL** Ok.

34

35 **SK** Dan kemudiannya diserahkan kepada jabatan agama, dalam isu

36 memurtadkan orang Islam ini diserahkan kepada Jabatan Agama untuk

37 tindakan.

1
2 **AWAL** Kadang-kadang pihak Jabatan Agama dia orang ambil tindakan sendiri
3 juga, seperti mana yang berlaku di apa, dia tak perlukan advice
4 daripada kita, tapi part of dia punya, because sebagai agensi kerajaan
5 yang bertanggungjawab dalam pengumpulan maklumat segala-gala,
6 kita ada disburse kita punya responsibility dari segi situ. The intelligence
7 dan information dari kita.
8
9 **SK** Dato' ada mengatakan tentang ISA.
10
11 **AWAL** Ya.
12
13 **SK** Jadi kalau, apa maksud Dato' tadi?
14
15 **AWAL** Saya tak faham.
16
17 **SK** Dato' ada mengata kalau dulu ada ISA tindakan –
18
19 **AWAL** Dulu ada ISA kita boleh apa, kita boleh buat apa sendiri.
20
21 **SK** Ya?
22
23 **AWAL** Tapi sejak ISA tak ada we are not allowed to take any apalah, itu
24 sajalah.
25
26 **SK** Jadi adakah ia bermaksud semasa adanya Akta ISA tersebut –
27
28 **AWAL** Ok.
29
30 **SK** Pihak polis mengambil tindakan?
31
32 **AWAL** Kita mengambil tindakan daripada segi itulah, penguatkuasaan oleh
33 segi undang-undang.
34
35 **SK** Maksudnya?
36

1 **AWAL** Maksudnya penguatkuasaan di bawah undang-undang yang diberi
2 kuasa di bawah ISA dulu. Kira tahanan, apa dia panggil itu? Itu dia
3 punya...
4
5 **SK** Penguatkuasaan tangkapan dan tahanan.
6
7 **AWAL** Yes, tangkapan tahanan.
8
9 **SK** Jadi setelah ISA dimansuhkan –
10
11 **AWAL** Jadi kita –
12
13 **SK** So pihak polis hanya membuat pemantauan –
14
15 **AWAL** Pemantauan.
16
17 **SK** Sahaja.
18
19 **AWAL** Ya.
20
21 **SK** Tidak ada tindakan –
22
23 **AWAL** Tak ada.
24
25 **SK** Lain.
26
27 **AWAL** Tak ada.
28
29 **SK** Tiada tindakan lain?
30
31 **AWAL** Tiada tindakan yang lain kita buat.
32
33 **SK** Semasa Dato bertugas di E2 sepanjang beberapa belas tahun, adakah
34 isu, apakah isu utama yang Dato' anggap sebagai pelampau ataupun
35 ekstremis di Malaysia ini?
36

1 **AWAL** Ia lebih pada, fokus kami lebih kepada isu berkaitan dengan apa itu,
2 tarekat-tarekat ugama Islam yang apa ini, itu kita punya main, kita
3 punya apa, that is kita punya apa, especially among the Muslim punya
4 community. Especially tarekat-tarekat, ajaran salah, ajaran
5 menyeleweng, that kind of thing.
6
7 **SK** So isu berkaitan dengan agama Islam –
8
9 **AWAL** Ya.
10
11 **SK** Termasuk ancaman ataupun tarekat oleh –
12
13 **AWAL** Tarekat, ya.
14
15 **SK** Agama lain, orang daripada –
16
17 **AWAL** Orang agama lain kita tak berapa emphasise sangat.
18
19 **SK** Ok.
20
21 **AWAL** Ini lebih kepada Muslim –
22
23 **SK** Muslim?
24
25 **AWAL** Because our role is for the Muslim punya –
26
27 **SK** Termasuk isu murtad?
28
29 **AWAL** Kalau isu murtad adalah untuk kita apa, supaya diambil tindakan oleh
30 pihak Jabatan Agama Islam, itu saja.
31
32 **SK** Jadi, Ituan ada mengatakan, Dato' ada mengatakan tadi Dato' ada
33 mendapat sedikit laporan atau perkembangan kes Joshua Hilmy
34 daripada pegawai. Apa pengetahuan yang Dato' ada mengenai dua
35 orang individu ini?
36

- 1 **AWAL** Saya, Joshua ini, saya, because dia ini banyak melalui Facebook.
2 Facebook dia memang merata-merata dia punya because almost dia
3 punya apa, dan saya beranggapan dia ini sebagai bomoh saja. Dia
4 bomoh. Itu saja yang saya, so that's why we don't really emphasise on
5 dia punya apa. Because dia ini, correct me if I'm wrong, dia lebih pada
6 menyembuhkan orang sakit, semua itu lebih kurang. Yang itu yang
7 dilaporkan kepada saya oleh pegawai-pegawai saya. Tapi saya
8 personally, saya melihat dia sebagai, it's not an issue bagi saya.
9
- 10 **SK** Adakah pihak Dato' mengetahui yang dia adalah seorang pastor?
11
- 12 **AWAL** Tak, saya tak tahu. Tak tahulah kalau pegawai-pegawai saya yang apa
13 ini... saya tidak tahu yang dia, yang saya tahu dia Joshua, because
14 nama Joshua ini banyak, dia punya apa. Saya tak tahu yang dia pastor.
15
- 16 **SK** Jadi adakah pihak tahu, Dato' juga tahu dia adalah seorang Islam yang
17 telah memeluk agama Kristian?
18
- 19 **AWAL** Yes, kita memang kita tahu itu.
20
- 21 **SK** Tahu? Jadi dia sebagai seorang pastor itu tidak tahu?
22
- 23 **AWAL** Saya tidak apa, to that extent dia sebagai pastor itu saya tidak, I don't
24 think that I really, because kita tak fokus pun dekat dia –
25
- 26 **SK** Ok.
27
- 28 **AWAL** Dia punya apa, tak, we don't...
29
- 30 **SK** Jadi aktiviti-aktiviti yang dijalankan oleh...
31
- 32 **AWAL** Kita tak langsung, kita tidak –
33
- 34 **SK** Tiada dalam pemantauan?
35

1 **AWAL** Kalau, kecuali kalau ada daripada pihak Selangor, bawah, misalnya
2 pemantauan, repot-repot, tapi kita di peringkat Bukit Aman, we don't
3 really bagi apa, bagi kita orang itu, fokus sangat kepada dia ini.
4

5 **SK** Dato' ada menyebut tentang ada melihat Facebook Joshua ini kan,
6 posting-posting dia.
7

8 **AWAL** Saya tak mengikutinya sangat dia punya posting, tapi ini yang dilaporkan –
9

10 **SK** Dilaporkan –
11

12 **AWAL** Oleh pegawai saya, dia beritahu.
13

14 **SK** Apakah antara, kalau Dato' masih ingat, apakah perkara utama yang
15 dilaporkan pada Ituan? Apa aktiviti ataupun yang dilihat dalam
16 Facebook posting –
17

18 **AWAL** Itu macam saya cakap tadilah, dia itu lebih pada bomoh, mengubati
19 orang. Itu dia punya apa, itu yang saya apalah, saya difahamkanlah dia
20 punya...
21

22 **SK** Dato' ada apa-apa maklumat yang boleh membantu siasatan awam
23 mengenai kehilangan dua individu ini?
24

25 **AWAL** Saya tak, yang itu saya tak tahu. Itu JSJ punya apa, because we are
26 not involved with any siasatan, unless kalau kita ada maklumat, kita
27 bekalkan tapi because of the apa, kita tidak apa, kita tidak fokus kepada
28 dia punya.
29

30 **SK** No further question.
31

32 **PM2** Good morning, Dato'.
33

34 **AWAL** Ya, good morning.
35

36 **PM2** Welcome from your retirement back to remembering your past, I think
37 you know, you're struggling to remember but thank you for coming.

1
2 **AWAL** Yes.
3
4 **PM2** Dato', yang you mention the word pelampau earlier, and then you
5 mention a whole list of groups, politic, NGO, students and banyak lagi.
6 But then you say your main task was menjaga on the Islamic
7 community, tarikan Islam –
8
9 **AWAL** But that is kita punya apalah.
10
11 **PM2** And ajaran sesat. And then, but then earlier also you mention about
12 demonstration and about communist ideology –
13
14 **AWAL** Itu contoh.
15
16 **PM2** I know. But –
17
18 **AWAL** Contoh, ok. Jangan jadikan itu sebagai apa pula.
19
20 **PM2** No. I know –
21
22 **AWAL** Saya bagi contoh, example.
23
24 **PM2** I understand but you said because your main is tarikan Islam –
25
26 **AWAL** Correct your frame of mind dulu. Kadang-kadang saya cakap lain, you
27 tulis lain.
28
29 **PM2** No, I'm trying –
30
31 **AWAL** Saya tak nak macam itu.
32
33 **PM2** I am trying to clarify with you –
34
35 **AWAL** Ok, please.
36
37 **PM2** Because you said the main is tarikan agama Islam.

1
2 **AWAL** Ok.
3
4 **PM2** But the, your other job to follow the pelampau politik, NGO, student, like
5 demonstration, you consider that also pelampau.
6
7 **AWAL** Ya.
8
9 **PM2** Yes? So, E2's work in percentage wise is all this whole, all types of
10 issue or like 80% -
11
12 **AWAL** Dia macam rojak, all kind of issues,
13
14 **PM2** So it's not like 80% Islam, and -
15
16 **AWAL** No.
17
18 **PM2** I'm trying to get a sense, sebab tadi you cakap tarikan agama Islam is
19 the main thing. But, so it is not like mark 80% it's just for Islamic
20 community and then -
21
22 **AWAL** No, dia tidak boleh nak tahu percentage when it comes to this apa, itu
23 dia, I, saya tidak boleh nak bagi percentage when it come to that. Tetapi
24 because saya sebagai seorang Islam, so, kita punya itu adalah fokus
25 kecil adalah untuk kita nak bagi kepada agensi-agensi lain untuk ambil
26 tindakan. Itu dia punya, so the Muslim, especially kita nak jaga, actually
27 isu murtad ini, when we talk issue murtad, we talk about the Muslim
28 community. Because why, kita tidak mahu, because pada ketika
29 insiden, kalau kita masih ingat before the election, a lot of
30 demonstration, apa ini, terrorism, timbul pula terrorism punya isu apa
31 semua, that kind of thing, so kita tak mahu benda-benda ini dijadikan
32 sebagai isu yang boleh mencambahkan lagi. Jadi, yang boleh kita... itu
33 yang sebenar, it's for the community as a whole, masyarakat di
34 Malaysia keseluruhannya. Kita tak mahu macam itu. That is dia punya
35 apa. Ya.
36
37 **CHM** Dato' mention tadi -

1
2 **AWAL** Ya, Yang Arif.
3
4 **CHM** Fokus, tarekat, orang Islam. Tarekat?
5
6 **AWAL** Itu kita punya apa. Because it is –
7
8 **CHM** Untuk kita punya benefit –
9
10 **AWAL** Ok.
11
12 **CHM** Nak memahami tarekat ini, tolong bagi contoh tarekat-tarekat yang
13 Dato' kenal pasti yang beroperasi.
14
15 **AWAL** Dia, ok.
16
17 **CHM** Beri contoh tarekat-tarekat.
18
19 **AWAL** Kita macam ini, because why, because yang dia punya itu adalah pihak
20 Jabatan Agama Islam, ok. Kadang-kadang –
21
22 **CHM** Hold on. But tolong beri contoh, tentu dalam –
23
24 **AWAL** Tarekat?
25
26 **CHM** Pekerjaan Dato' tentu dalam kerajaan Dato' tentu dah ada –
27
28 **AWAL** Ok.
29
30 **CHM** Dapat identify kan tarekat ke, dulu macam Al-Arqam itu pun target juga
31 kan?
32
33 **AWAL** Yes, Al-Arqam, itu salah satu –
34
35 **CHM** Tolong bagi contoh.
36
37 **AWAL** Jamaat Tabligh misalnya.

1
2 **CHM** Tabligh.
3
4 **AWAL** Jamaat Tabligh, and then ajaran yang apa itu, yang –
5
6 **PK** Teapot.
7
8 **AWAL** Teapot itu, yang daripada langit.
9
10 **CHM** Ya.
11
12 **AWAL** Yang itu, yang di luar akidah.
13
14 **CHM** Ayah Pin.
15
16 **AWAL** Ayah Pin, Hassan Anak Harimau, itu sebagai contoh. Yang lain banyak
17 saya tak ingat.
18
19 **CHM** Hassan Anak Harimau ini saya baru dengar pagi ini. Untuk kita punya
20 benefit –
21
22 **AWAL** Itu sebagai contoh, Yang Arif, saya bagi contoh.
23
24 **CHM** Apakah ajaran Hassan Anak Harimau ini?
25
26 **AWAL** Macam mana?
27
28 **CHM** Apakah ajaran Hassan Anak Harimau ini?
29
30 **AWAL** Saya dah lupa, Yang Arif, dia punya apa, tapi ini semua yang kita, apa
31 ini, kita supply the intelligence to the pihak Jabatan Agama Islam. Saya
32 lupa dah itu, nanti saya confuse nanti saya tercampur aduk nanti,
33 bidaah pula jadi.
34
35 **CHM** Ok.
36
37 **AWAL** Minta maaf, Yang Arif.

1
2 **CHM** Carry on.
3
4 **PM2** Thank you, thank you for the clarification. Selain daripada, I see the
5 main focus is E2 to provide information to Jabatan Agama Islam –
6
7 **AWAL** Yes.
8
9 **PM2** Yang tadi Dato' cakap.
10
11 **AWAL** And also to the government.
12
13 **PM2** So maybe which are the other departments of government agencies
14 that your information on this pelampau is field to because Jabatan
15 Agama Islam is definitely there –
16
17 **AWAL** Yes, for the definitely, for dia punya apa –
18
19 **PM2** Yes, and the other departments that will benefit –
20
21 **AWAL** KDN is the apa –
22
23 **PM2** KDN, ok.
24
25 **AWAL** Kementerian Dalam Negeri.
26
27 **PM2** Any others?
28
29 **AWAL** That is the apa –
30
31 **PM2** This the two main ones.
32
33 **AWAL** Yes.
34
35 **PM2** And in terms of the issue maybe you can explain to us, Dato', because
36 although I know there is no ISA and the police feel disable to take action
37 directly tapi you let other departments do their work.

1
2 **AWAL** Yes.
3
4 **PM2** Tapi apakah the concept of conversion of religion, can you give a bit
5 more light how do you see that as a threat to Malaysian society or a
6 threat to security. I mean, you, I think you and Mr Simon have been
7 talking but I just want a bit more clarification.
8
9 **AWAL** Dia macam ini saja. Dia, the conversion itself is non of our business.
10 Minta maaf, I got to use that word. Tetapi –
11
12 **CHM** Repeat again, hold on, the conversion itself is not?
13
14 **AWAL** Kita ada kaitan, we don't bother about the conversion itself.
15
16 **CHM** Ok, alright.
17
18 **AWAL** Tetapi the reaction of the public towards the conversion, that is kita
19 punya apa. Itu yang sebenarnya.
20
21 **CHM** You mean especially the Muslim public?
22
23 **AWAL** Yes, among the Muslim, among the apa. Itu kita punya apa.
24
25 **PM2** So Dato', but by making that connection, it is understandable that
26 everybody will react whenever there is a conversion. There's a lot of
27 people who will react, dia tak happy lah kalau orang keluar agama. So
28 because the reaction is going to be there which means then you have
29 to handle the conversion itself because –
30
31 **AWAL** We're not focussing on the conversion itself –
32
33 **PM2** So how –
34
35 **AWAL** Because that is not our, kita punya –
36
37 **PM2** So how do you handle the reaction then?

1
2 **AWAL** That is up to the apa, itu Jabatan Agama Islam.
3
4 **PM2** Jabatan Agama lah. So but how would you handle the reaction then
5 yang orang yang tak puas hati –
6
7 **AWAL** Ada, through the explanation, through the apa lah, kira penjelasan yang
8 kita bagi supaya orang berhati-hati so that you don't apa, this is the
9 ceramah-ceramah yang saya buat.
10
11 **PM2** So the way, so you want to explain to society –
12
13 **AWAL** Yes.
14
15 **PM2** And redakan diri, jangan marah –
16
17 **AWAL** Yes.
18
19 **PM2** Or you explain to society to say that murtad should not happen?
20 Because there's two ways to go about it.
21
22 **AWAL** No.
23
24 **PM2** Untuk redakan situation –
25
26 **AWAL** Murtad is totally apa, dia punya apa kan, we don't really, kata orang itu,
27 kita tidak kata orang, we don't really focus on that. We focus on the,
28 yes.
29
30 **CHM** Reaction yes?
31
32 **AWAL** Yes.
33
34 **CHM** So the focus of police is on reaction?
35
36 **AWAL** Ya.
37

- 1 **CHM** From the police punya perspective, how serious are the reaction, the
2 reaction itu kan, orang Islam punya reaction to this activity, how serious
3 from the police punya standpoint, how do you see how serious it is?
4
- 5 **AWAL** You see –
6
- 7 **CHM** Is it really mengancam? Of course there's bound to be, but how serious
8 was it when you were there in the police, how serious?
9
- 10 **AWAL** Ok, Yang Arif. Dia macam ini, kita di Special Branch, we don't wait
11 things to explode, for things to happen. Itu kita punya apa, so we need
12 to advice to government, before it happen, kita will apa, kita akan, apa
13 kata orang, kita explain, kita apa. That is kita punya apa, whatever the
14 reaction, because kita tidak mahu macam apa yang berlaku dalam
15 terrorism di sana. Terrorism is as a result of this, dia punya apa, kita tak
16 mahu. Tapi di Malaysia ini kenapa kita boleh contain terrorism. Because
17 of the early action taken by us by explaining to the public. So kita tidak
18 mahu timbul hatred, then with the kind of things. Itu dia punya apa.
19 That's my answer to that. To me, what is how serious saya nak bagi
20 tahu, because I don't, because the situation then it was 19 apa, 2016
21 ya? That is the time apa semua, the time of political turmoil, banyak
22 berlaku begitu. So kita tidak mahu, because kalau boleh kita nak mellow
23 down things, dia punya apa.
24
- 25 **[10:30AM]**
26
- 27 **PM2** Based on that question, Dato', because we are discussing about
28 conversion and murtad and you keep referring to also terrorism, and for
29 me these are two very clear different lines.
30
- 31 **AWAL** Ok.
32
- 33 **PM2** And I think you know that very well, you are the expert. Terrorism is a
34 form of extremism that will demand a kind of action that is an anti-thesis
35 to what a society should be, and it's dangerous to these groups, right,
36 itu terrorism. And I think you are right to say Malaysia has done quite
37 well to get early information, to put it down and be a peaceful country

1 but we are talking about people's choice to choose a religion. So
2 although you say it's not your, so kalau, not your department's focus,
3 tapi kalau orang membuat keputusan untuk keluar dari agama, the word
4 is used 'murtad', that is a different train, it's got no link with terrorism,
5 apakah kaitan murtad ini dengan terrorism because these are two
6 different branches for me and it cannot be talked in the same light. So
7 what are your thoughts on this?
8

9 **AWAL** You see, kalau you, if you, kalau you melihat dalam konteks apa,
10 because what, how does terrorism exist? Because of extreme view, dia
11 start daripada extremist punya apa, extremism punya ideologi. Jadi kita
12 tidak mahu dengan isu yang ada ini, so those people yang, the public
13 at large, ya, dia akan, kata orang itu, dengan pemikiran sempit, this is
14 how the terrorism itu wujud. Dengan you kata nak link direct conversion
15 dengan apa, memang tak ada. Tetapi kita tidak mahu, kalau boleh kita
16 nak kekalkan, we want to eliminate at the very early stages. Itu yang
17 sebenarnya. That is kita punya, apalah, I have admitted clear to you,
18 ok. That is dia, memang kalau dari segi link itu memang tak ada,
19 conversion is conversion. Itu terpulang pada personal punya, tetapi
20 what is the public reaction towards that especially those yang berfikir
21 sempit ini.
22

23 **PM2** Ya.

24
25 **AWAL** Yang itu kita nak buat, so –

26
27 **PM2** So my understanding is you're saying that the public reaction because
28 of conversion they may take more extreme views. So –

29
30 **AWAL** Yes, tak, kita takut dia akan berlaku.

31
32 **PM2** Takut, ok, so I understand that you're saying that while it's not linked,
33 there are groups within society –

34
35 **AWAL** Yes.

36
37 **PM2** That because of the conversion may take more violent –

1
2 **AWAL** Yes.
3
4 **PM2** Or more extremist view –
5
6 **AWAL** Betul.
7
8 **PM2** And that's where the terrorism grows. Ok, I'm getting there, yes, thank
9 you. And final question before I allow the counsel to take the floor is, in
10 E2, it's a jabatan under the PDRM, Polis Diraja Malaysia. Why is there
11 concern only about, one of it is Islamic faith, what about other faith in
12 Malaysia, what about conversion out of, say, Christianity or Buddhism
13 and, tidakkah itu juga akan membuat orang marah, ada kekacauan
14 dalam society, the numbers are big for example Sabah, Sarawak
15 students who are coming to Semenanjung, there's a lot of unhappiness
16 about many of them are converting out of their faith into Islam. Does
17 this come under your purview in E2 or you don't look at this?
18
19 **AWAL** You see, it comes under kita punya apa, but then we don't really focus
20 on the apa, on the issue because where there is no problem, there is
21 no problem. Kita tidak apa dia punya...
22
23 **PM2** Problem meaning –
24
25 **AWAL** Problem when it comes to this apalah, because kita melihat, macam
26 saya cakap tadi, it is all because we brought down to terrorism punya
27 issue, itu saja kita punya apa –
28
29 **PM2** Ok, so the link –
30
31 **AWAL** So kita tidak mahu tumbuhnya terrorism punya group-group.
32
33 **PM2** So the link is to –
34
35 **AWAL** Link to...
36
37 **PM2** To stopping terrorism –

1
2 **AWAL** Yes.
3
4 **PM2** Whichever line start then.
5
6 **AWAL** Yes.
7
8 **PM2** So the conversion of –
9
10 **AWAL** Line apa –
11
12 **PM2** Other religions did not lead to that –
13
14 **AWAL** No, doesn't.
15
16 **PM2** So it doesn't come under your focus.
17
18 **AWAL** Yes.
19
20 **PM2** Ok, I understand, ok. Thank you.
21
22 **AWAL** Ok, thank you very much. Yes?
23
24 **PM1** Dato'?
25
26 **CHM** Yes, sure.
27
28 **PM1** Sorry. One question, Dato'.
29
30 **AWAL** Ya.
31
32 **PM1** Terima kasih, Dato'.
33
34 **AWAL** Ya, Doktor.
35
36 **PM1** Ada disebut tadi yang dulu ada ISA, ok, now tak ada ISA jadi tugas E2
37 ini lebih kepada pemantauan. Jadi saya difahamkan Tuan, Dato' dah

1 sangat berpengalaman dalam E2 ini. Dalam pengalaman Dato' itu
2 pernah tak, being in Special Branch, you, do you have maklumat
3 ataupun data berkaitan dengan orang Melayu Islam convert kepada
4 agama lain?
5
6 **AWAL** No, we don't have that.
7
8 **PM1** You don't have, but you are in Special Branch, I'm quite sure you, this
9 is one of your purview, tak?
10
11 **AWAL** Dia memang, isu dia, because why, kita melihat apabila berlaku macam
12 isu murtad misalnya –
13
14 **PM1** Ok.
15
16 **AWAL** Normally we pass it to the pihak-pihak jabatan agama. They're the one
17 who are supposed to –
18
19 **PM1** So you do have –
20
21 **AWAL** We are not dealing with the apa.
22
23 **PM1** But you do have. You will pass the information.
24
25 **AWAL** The information.
26
27 **PM1** Yes.
28
29 **AWAL** But we don't, kata orang itu, kita tidak maintain statistic ke, semua tak
30 ada. We don't –
31
32 **PM1** It's not your...
33
34 **AWAL** No.
35
36 **PM1** You're not worried about that ya?
37

1 **AWAL** No.
2
3 **PM1** Ok. No, because to me it's quite interesting that you are not, tidak
4 menyimpan statistik.
5
6 **AWAL** Tidak ada, kita tidak ada.
7
8 **PM1** Ok. Sebab bagi saya, saya ingat lagi tahun early 80s there was a
9 research that is being done by a professor from, mungkin USM kalau
10 tak silap saya –
11
12 **AWAL** Ok.
13
14 **PM1** Memang tentang jumlah orang Melayu murtad. So saya tak tahu
15 whether you all have access to that kind of information.
16
17 **AWAL** Yang itu –
18
19 **PM1** Coming from a very good PDRM itu kan very cekap kan.
20
21 **AWAL** Itu maybe because kita Special Branch ini dia ada peringkat –
22
23 **PM1** Mungkin lah.
24
25 **AWAL** Kontinjen, punya apa.
26
27 **PM1** Ya, mungkin.
28
29 **AWAL** Mungkin Penang punya ada maintain dia punya rekod –
30
31 **PM1** Ya, mungkin.
32
33 **AWAL** For example kalau ianya berlaku di Penang.
34
35 **PM1** Kalau ya?
36

1 **AWAL** Di Sabah misalnya berlaku, tapi in my apa, dalam saya punya
2 bahagian, we don't really –
3
4 **PM1** You don't? Ok.
5
6 **AWAL** Kita hanya, we have the information, we just pass it to –
7
8 **PM1** So chances is that the data will be with Jabatan Agama Islam?
9
10 **AWAL** With pihak Jabatan Agama Islam.
11
12 **PM1** Ok. Thank you very much, Dato'.
13
14 **AWAL** Because some of the raid is, I tahu, I rasa made by them. I don't know
15 about us, ok.
16
17 **PM1** Ok. Thank you.
18
19 **AWAL** Ok. I thought you are economist, you see, Doctor.
20
21 **CHM** Just to confirm –
22
23 **AWAL** Itu dia.
24
25 **CHM** Just to confirm, Dato' –
26
27 **AWAL** Yes, Yang Arif.
28
29 **CHM** So E2 is part of Special Branch?
30
31 **AWAL** Ya, Yang Arif? Say again?
32
33 **CHM** Your division E2?
34
35 **AWAL** Yes?
36
37 **CHM** You call it a division?

1
2 **AWAL** It's a Special Branch, yes, part of Special Branch.
3
4 **CHM** It's part of Special Branch?
5
6 **AWAL** Yes.
7
8 **CHM** Ok. Then complete then.
9
10 **AWAL** We are under Special Branch.
11
12 **PK** Selamat pagi, Dato'.
13
14 **AWAL** Ya.
15
16 **PK** Terima kasih kesudian datang ke untuk menolong panel ini. Saya
17 peguam Philip Koh yang mewakili keluarga Indonesian, wanita
18 Indonesian, iaitu isteri Pastor Joshua Hilmy. Dan for housekeeping, Mr
19 Chairman, I think I want to introduce Mr Lim Heng Sen also has joined
20 the observer with the Bar, I'm sure Mr Andrew Khoo will do the
21 necessary later. Andrew Khoo and Mr Heng, Lim Heng Sen, He's
22 assisting as observer.
23
24 **CHM** Welcome, yes.
25
26 **PK** Dato'?
27
28 **AWAL** Ya.
29
30 **PK** Di dalam kenyataan Dato' baru pagi ini menjawabkan soalan En Simon,
31 Dato' dengan yakinnya kata PDRM mesti mengikut undang-undang.
32
33 **AWAL** Yes.
34
35 **PK** Memang ya?
36
37 **AWAL** Ya.

1
2 **PK** Memang. So PDRM tidaklah membuat kegiatan atau mengesyorkan
3 apa-apa yang di luar dari undang-undang.
4
5 **AWAL** Yes, betul.
6
7 **PK** Memang ke?
8
9 **AWAL** Betul.
10
11 **PK** Dan PDRM juga, Special Branch terutama, adakah neutral di dalam
12 segi politik? Neutral? Adakah? Boleh jawab, ya atau tak?
13
14 **AWAL** Yang ini saya, because, saya macam ini sajalah. Kita berdasarkan
15 kepada government of the day. Who is the government of the day, we
16 follow dia punya arahan.
17
18 **PK** Memang?
19
20 **AWAL** Betul.
21
22 **PK** Memang menyokong pentadbiran dan kerajaan?
23
24 **AWAL** Ya, kerajaan, menyokong kerajaan.
25
26 **PK** Dan juga loyalty bagi Yang Dipertuan Agong, ya?
27
28 **AWAL** Ya, ok.
29
30 **PK** Yang di bawah perlembagaan Malaysia. So yang, undang-undang yang
31 mustahak ialah perlembagaan persekutuan.
32
33 **AWAL** Setuju.
34
35 **PK** Di dalam perlembagaan persekutuan, ada suatu perkara, ada suatu
36 fasal, saya nak baca.
37

1 **AWAL** Ok, please.

2

3 **PK** You dengar jelas. Fasal 11 'Kebebasan beragama.'

4

5 **AWAL** Ok.

6

7 **PK** 'Tiap-tiap orang', tanpa Muslim, tak Muslim, Hindu, Ayah Pin, alright,
8 'orang berhak menganuti dan mengamalkan agamanya.'

9

10 **AWAL** Ok, setuju.

11

12 **PK** Every person has a freedom to profess a religion ok, one's religion. So
13 inilah Artikel 11. 'Tertakluk', ya, memang ada tertakluk, 'kepada Fasal
14 (4)', kalau ada undang-undang di dalam sesebuah negeri yang limit,
15 alright, proselytization. Propagation of the religion among kalangan
16 orang-orang Islam.

17

18 **AWAL** Ya.

19

20 **PK** Memang, memang ada restriction. Tetapi kalau restriction itu tidak ada,
21 and juga kalau ada limitation atau constraint, right, memang mengikut
22 undang-undang yang dikemukakan di dalam sebuah negeri, memang,
23 ok, kalau tidak ada undang-undang, kalau ada undang-undang mesti
24 kalau propagation religion itu, alright, conversion, proselytization, I'm
25 sure you know the word 'proselytization' –

26

27 **AWAL** Ya.

28

29 **PK** Kalau dia melanggar undang-undang, undang-undang ialah yang
30 digunakan untuk mengharamkan atau menjatuhkan penalti, you benar,
31 itu benar?

32

33 **AWAL** Ya, betul. Tapi you forget, jangan lupa, 149 and 150, that is part of the
34 restriction as well. You have to read together when you read that one.

35

36 **PK** Ok, but it is the primary article memang juga Article 11, alright?

37

1 **AWAL** Ya.
2
3 **PK** 149, 150 is State List, Federal List, ya, memang kita tahu. Di dalam
4 State List, di agama Islam itu di bawah jabatan Sultan in council, dan
5 mereka boleh ada sesuatu undang-undang mengenai itu. Tetapi State
6 List itu di dalam satu kes persekutuan, alright, Salleh Abas, dia kata
7 tidak boleh jenayah, jenayah adalah federal, ok. Tetapi ini bukan untuk
8 we exchange view on law because saudara bukan peguam, ya, faham?
9 Ok, Dato' –
10
11 **AWAL** I understand because I'm a lawyer too, you see.
12
13 **PK** I apologise.
14
15 **AWAL** I'm a law graduate.
16
17 **PK** Apologise. You took up law?
18
19 **AWAL** Yes.
20
21 **PK** Very good, thank you so much for the clarification. I apologise, that you
22 actually took up LLB and, you are not going to practice law? No? Thank
23 you for, even though you're retired you come back to give testimony,
24 and how is your health?
25
26 **AWAL** Ok.
27
28 **PK** Really.
29
30 **AWAL** Kecuali gangguan oleh SUHAKAM punya inquiry ini.
31
32 **PK** Kita bersyukur you're healthy then juga ada second Dato'.
33
34 **AWAL** You pray that I won't die tomorrow.
35
36 **PK** You ada cucu yang lain? You are happy jadi datuk.
37

1 **AWAL** Thank you. Terima kasih.
2
3 **PK** Ok, terima kasih, Dato'. You say that the seminar, En Simon mention
4 the seminar –
5
6 **AWAL** Ya.
7
8 **PK** Alright, that was held in on 06.11.2016.
9
10 **AWAL** Ya, ok.
11
12 **PK** You say that you, well, it happened so long ago, but you gave testimony
13 at the Raymond Koh panel, alright. In the Raymond Koh panel of
14 inquiry, you gave testimony to that. Just to revive your memory on parts
15 of it, we are not going to play the whole thing.
16
17 **AWAL** Ok.
18
19 **PK** Because for the benefit of panel and for yourself untuk ulang satu kali
20 lagi minit segmen yang relevan, alright.
21
22 **AWAL** Ok. Page berapa?
23
24 **PK** Ok, segmen yang relevan di dalam Exhibit 4, alright. Exhibit 4. Di
25 Facebook link, kita nak bermula, only a few minutes, Mr Chairman, it
26 will help the panellist because you are not privy to the Raymond Koh
27 panel and this will make it... we have got the transcript in Exhibit 4,
28 transcript –
29
30 **AWAL** Why are you relating to this, apa, Raymond Koh punya isu to reach, apa
31 –
32
33 **PK** Well don't worry, we ask the question, you don't ask me the question.
34
35 **AWAL** Ok. I also need, I have the apa –
36
37 **PK** You can ask for clarification.

1
2 **AWAL** Ok.
3
4 **PK** You are not forced to answer immediately.
5
6 **AWAL** Ok.
7
8 **PK** You can say 'Mr Lawyer, why'. But let us put the case to you. Segment
9 6, 00:52 minute. No, can you play in the Facebook link?
10
11 **JRB** You want to play the video?
12
13 **PK** Yes, just to revive it. Do you have it?
14
15 **JRB** Kena guna...
16
17 **PK** Please do that, quick. Very quickly. It will be helpful because we will
18 hear it almost contemporaneous because Dato' uploaded it in the
19 Facebook and it was downloaded and –
20
21 **CHM** This video of a testimony?
22
23 **PK** No. This is video of his speech –
24
25 **CHM** Speech, I see.
26
27 **PK** At that Seminar Belia Menentang Keganasan on 6th November, Dewan
28 Auditorium Kompleks Kementerian Dalam Negeri di hadapan menteri
29 then, Khairy Jamaluddin. But if you look at the transcript, we have
30 transcribed the, it in writing, we just have a sample of what Dato' spoke
31 and the way he spoke, and we just want him to clarify, we are not
32 making any accusation, we want Dato' to clarify.
33
34 **[10:45AM]**
35
36 **ADY** Yang Arif Dato', just for clarification from our learned lawyer, has this
37 been tendered before this as Exhibit?

1
2 **PK** The Exhibit 4 –
3
4 **ADY** The video.
5
6 **PK** The video itself has not been tendered, alright. It can be uploaded,
7 downloaded and tendered, but the transcript exactly what is said has
8 been tendered as Exhibit 4,
9
10 **CHM** Ok, then that's an issue.
11
12 **ADY** Then that case, Yang Arif, I request that this video also be tendered
13 today for further clarification.
14
15 **CHM** Yes, transcript ini kita mark as what?
16
17 **SK** Exhibit 4,
18
19 **CHM** Exhibit 4? Ok, then the video will be 4A then. It's linked kan?
20
21 **PK** Yes.
22
23 **CHM** Transcript Exhibit 4, video Exhibit 4A.
24
25 **PK** Yes.
26
27 **CHM** Alright, ok.
28
29 **PK** The reason, Yang Arif, is that En Ramanathan of CAGED was one of
30 our first witness, the opening session. He handed this. So at that stage
31 it was marked Exhibit 4. So thank you, the video will be marked Exhibit
32 4A. Boleh menjalankan video?
33
34 **UNKNOWN** Yang video itu Exhibit A?
35
36 **CHM** 4A.
37

1 **PK** Ya, tetapi the transcript Facebook is Exhibit 4, already tendered.
2
3 **CHM** Yes.
4
5 **PM1** Yang ini 4, the video is 4A.
6
7 **CHM** 4A, ok.
8
9 **PK** So, can we go to the video at segment 06:52 minit. Ok, terima kasih.
10
11 **PK** Ini handsome, Dato'.
12
13 **AWAL** Itu muda, masa itu muda.
14
15 (10:47:09AM – 10:48:17AM video playing)
16
17 **PK** Ok, pause.
18
19 **AWAL** Ok.
20
21 **PK** So the transcript we have tried to translate it into English, but you can
22 see that it's fairly faithful to the Malay discussion.
23
24 **AWAL** Ok.
25
26 **PK** Shall we continue?
27
28 **AWAL** Ya.
29
30 **PK** Segment 07:58.
31
32 **AWAL** Nanti, boleh tak saya explain before you go further.
33
34 **PK** Ok.
35
36 **AWAL** When I mention 'Joshua' itu, that is not the Joshua yang apa –
37

1 **PK** I understand. The second segment –
2
3 **AWAL** That is different apa –
4
5 **PK** In fact I would like to have a question on Joshua Jamaluddin. We, you,
6 saya kenal dia –
7
8 **AWAL** The other one is Hilmy Mohamed Nor.
9
10 **PK** Hilmy Mohamed Nor juga.
11
12 **AWAL** Ok.
13
14 **PK** Dia juga client saya. Operation Lalang, alright? So kita ada bersejarah
15 yang jauh balik. 07:58 minit.
16
17 (10:49:07AM video starts).
18
19 **PK** Ini segment 07:58?
20
21 (10:49:58AM video stops)
22
23 **PK** Segment 07:58. Itu bukan.
24
25 **PM2** That was it. This is 07:58 earlier.
26
27 **PK** Ok, try again. The same is it?
28
29 **PM2** Yes, this was the one.
30
31 (10:50:10AM video starts)
32
33 **PK** Ok. How come, we got it wrong is it?
34
35 (10:50:22AM video stops)
36
37 **PM2** Probably different clips got different time frame. I don't know which.

1
2 **PK** Yes, ok, different clip.
3
4 **PM2** So you must find the video clip –
5
6 **PK** Then never mind –
7
8 **PM2** And time.
9
10 **PK** We rely on the Exhibit 4 transcript, there it is translated for us that you
11 refer, Dato', to the ISA, Internal Security Act. Then you say that 'Bila
12 you ada ISA, it was lebih berfaedah, lebih licin', luxury, sebab you boleh
13 buat action, bukan –
14
15 **AWAL** No, Jangan you cakap boleh buat action, I think this is where –
16
17 **CHM** Hold on.
18
19 **AWAL** I think better use the word.
20
21 **CHM** Dah habis dah, dah habis soalan dah?
22
23 **PK** Ok.
24
25 **AWAL** Habis dah? Sorry, Yang Arif.
26
27 **PK** Belum. Ok, satu lagi segmen, ok, then you can clarify, alright. One more
28 segment, 32:43 minutes. At 32:43.
29
30 (10:51:20AM – 10:51:26AM video playing)
31
32 **PK** Ok, stop, SAC he's needing some help. We should help him.
33
34 **ADY** I need the transcript.
35

1 **PK** Or maybe we help the SAC, to be fair to the PDRM. Help the PDRM.
2 Thank you. Ok, this segment is important because it refer to the Joshua
3 Hilmy Mohamed Nor, Hilmy Mohamed Nor now. Ok, jalan segmen ini.
4
5 (10:52:02AM – 10:52:11AM video playing)
6
7 **PK** No, under 32:43, sorry. Ok. 43, yes. Ok.
8
9 **CHM** I think somewhere here.
10
11 **PK** Just now there I say, sorry.
12
13 **CHM** Hold on.
14
15 **PK** Yes.
16
17 **PM1** Dato', a copy.
18
19 **CHM** Ada extra copy tak? I know, mine is it –
20
21 **PM1** You punya dah conteng.
22
23 **CHM** I know it's inside here, takes time, cari.
24
25 **PK** My apologies we're not helping you in.
26
27 **CHM** Yes, I got it.
28
29 **PM1** Ok, 32:43.
30
31 **CHM** Yes. Thank you.
32
33 **PK** Ok. That's a Malay version?
34
35 **CHM** Yes.
36
37 **PK** Thank you. Can you play the segment 32:43 minute?

1
2
3
4
5
6
7
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25
26
27
28
29
30
31
32
33
34
35
36
37

(10:53:09AM – 10:54:31AM video playing)

PK Ok, berhenti. Terima kasih. Dulu, Dato' Awaluddin –

AWAL Ya.

PK Di dalam Operation Lalang you ialah inspektor Investigating Officer atas satu orang Hilmy Mohamed Nor. Benar?

AWAL Ya, saya diberi case file also, dia panggil, bukan investigation, case file.

PK Bila you dengar kes Joshua Hilmy, adakah you hairan sedikit, ini ada orang Hilmy ke atau Joshua Jamaluddin, ada ke, di dalam ingatan Dato'? Tidak?

AWAL Macam mana?

PK You tahu Joshua Jamaluddin –

AWAL Ok.

PK Joshua Hilmy. Joshua Hilmy –

AWAL Tak. Saya tahu because Joshua Jamaluddin saya tahu.

PK Ok.

AWAL Ya, Joshua Jamaluddin.

PK Sebab saya keliru sedikit, saya menelefon Hilmy –

AWAL Banyak sangat 'Joshua'.

PK 'You ada disappear ke?' Bukan disappear, tetapi ok. Dan you juga belajar undang-undang. Joshua Jamaluddin ambil satu kes dan naikkan ke Federal Court.

1
2 **AWAL** Ok.
3
4 **PK** Di Federal Court, Hashim Yeop Sani, dia buat deklarasi bahawa di
5 bawah ISA tidak boleh menahan orang menjalankan agama yang tidak
6 menjejaskan public order, dan tidak ada apa-apa keterangan atau
7 kenyataan dia menjejaskan public order, alright. Itulah undang-undang.
8
9 **AWAL** Ok.
10
11 **PK** Dengan itu, bagaimana Dato', you mengesyorkan di dalam seminar ini,
12 alright, you gunakan bahasa yang sangat kuat. 'Dulu ada ISA, sekarang
13 tidak ada'.
14
15 **AWAL** Ok.
16
17 **PK** Dan 'Bolehkah kita buat lebih lagi', lebih apa? Lebih apa? Itulah kita –
18
19 **AWAL** Saya minta maaf, Mr Chairman.
20
21 **PK** Ya, kita –
22
23 **AWAL** I think you get the wrong, emphasising, ini ujian masa. Masa kita
24 berceramah –
25
26 **PK** Sila menjelas, ya.
27
28 **AWAL** Berceramah, then that is the apa. Dia kira, apa yang saya explain, in
29 fact saya dah explain dalam kes Joshua, Pastor Raymond, Pastor,
30 bahawa tujuan dia adalah supaya the public, the audience at large at
31 that time is aware about what is happening. So we have to take action,
32 maksudnya, action yang dimaksudkan itu adalah kita mesti strengthen
33 kan akidah di kalangan orang-orang Islam –
34
35 **PK** Memang.
36
37 **AWAL** A lot of things programme –

1
2 **PK** Memang.
3
4 **AWAL** Itu yang sebenarnya.
5
6 **PK** Ya.
7
8 **AWAL** You don't apa, jangan give up kan saya tekan ke, we raise up the voice.
9 Raise up the voice ini dalam ceramah biasalah dia punya apa. Ok?
10
11 **PK** Ok.
12
13 **AWAL** Correct me if I'm wrong.
14
15 **PK** Sebab seorang ahli CAGED yang buat –
16
17 **AWAL** Itu ahli CAGED, you can ask him, did the ahli CAGED itu attended the
18 apa. He just take it from the Facebook, itu saja.
19
20 **PK** Well, Facebook ialah live, itu livestream yang dia downloaded.
21
22 **AWAL** He can buat apa, dia punya Facebook –
23
24 **PK** Ok. Tetapi –
25
26 **AWAL** You cannot rely on this, what's the –
27
28 **PK** Tetapi –
29
30 **AWAL** The guy name?
31
32 **PK** Rama.
33
34 **AWAL** Yes, Rama. He is a CAGED member, so, for you, ask him.
35
36 **PK** Ok.
37

1 **AWAL** Why must you ask me?
2
3 **PK** Pada bulan –
4
5 **AWAL** Ok.
6
7 **CHM** Hold on.
8
9 **PK** Ya, Dato' Seri.
10
11 **AWAL** Ok, sorry, Mr Chairman.
12
13 **CHM** Can I interject here? Ya.
14
15 **AWAL** Ya.
16
17 **CHM** That, Dato'.
18
19 **AWAL** Ya.
20
21 **CHM** Kita dua-dua orang kerajaan, kan?
22
23 **AWAL** Ya.
24
25 **CHM** Saya bekas hakim.
26
27 **AWAL** Ya.
28
29 **CHM** Dato' bekas polis, kan?
30
31 **AWAL** Ya.
32
33 **CHM** Kita kena neutral kan, dalam kita punya menjalankan tugas. Ya?
34
35 **AWAL** Ok.
36
37 **CHM** Saya –

1
2 **AWAL** Ya, neutral, the neutral –
3
4 **CHM** Sebentar.
5
6 **AWAL** Ok.
7
8 **CHM** Saya sebagai hakim, saya bukanlah hakim untuk orang Islam.
9
10 **AWAL** Ya.
11
12 **CHM** Also hakim untuk orang bukan Islam, kan? Untuk hakim untuk semua
13 kaum, ya?
14
15 **AWAL** Ok.
16
17 **CHM** Tapi bila saya tengok Dato' punya speech ini, saya rasa Dato' tak
18 neutral sebagai seorang pegawai, sebab Dato' pergi sana bukan
19 sebagai seorang ustaz, sebagai seorang pegawai PDRM. Jadi, speech
20 ini, saya rasa Dato' tak neutral, ya, macam more on very Islamic, very...
21 you're not a neutral officer.
22
23 **AWAL** No. Can I explain on that one?
24
25 **CHM** Yes.
26
27 **AWAL** You see, neutral maksud dia macam mana? Saya because tugas saya
28 adalah enforcement officer. So, kita akan, kita nak kalau boleh some
29 kind of action must be taken not to allow issue murtad ini berjadi
30 bertambah apabila tambah apa, bertambah besar. Apabila bertambah
31 besar, dia akan jadi masalah dari segi keselamatan.
32
33 **CHM** Tak, macam –
34
35 **AWAL** Jadi, yang sebenarnya itu dia.
36
37 **CHM** Mula –

1
2 **AWAL** Ya.
3
4 **CHM** That, and saya bacalah, Dato'.
5
6 **AWAL** Ya.
7
8 **CHM** They put what, bermula. Jadi, ini kita melihat apabila kita orang Melayu
9 berbincang, ya, kita orang Melayu.
10
11 **AWAL** Ya. Ya, betul.
12
13 **CHM** Dato' pergi sana sebagai orang, memang kita orang Melayu tapi Dato'
14 sebagai, dijemput sebagai orang PDRM.
15
16 **AWAL** Because the audience –
17
18 **CHM** Pegawai PDRM, kan?
19
20 **AWAL** Ok.
21
22 **CHM** You should be more neutral in your speech.
23
24 **AWAL** Oh, itu pada ketika itu, saya tidak melihat ke arah itu.
25
26 **CHM** Ini macam ada emosi sikit, ya?
27
28 **AWAL** Tak. That is not the apa, it's just a speech punya apa, saya punya
29 apalah. Ia bukannya kata orang itu, 'Kamu mahu masuk, ya? Mari kita
30 ramai-ramai apa, mogok ataupun lakukan sesuatu, semua'. No, no. It
31 is siapa, apabila kita berpecah maksudnya di sini, so, some people are
32 taking advantage. So, you have to aware about this. Ini, itu yang
33 sebenarnya. Kalau saya masih apalah, that is the spirit pada ketika apa,
34 there is no, nak katakan saya neutral, neutral, saya –
35
36 **CHM** But as a police officer, you have to be neutral, kan?
37

1 **AWAL** Yes. As a police officer.
2
3 **CHM** Yes.
4
5 **AWAL** Saya neutral dalam kita ambil action tetapi when it comes to giving
6 advice to my fellow Muslim, I think this is what we apa, because tujuan
7 dia sebenarnya adalah to apa, awareness about that supaya you
8 perkukuhkan you punya akidah dan mana-mana juga pihak-pihak yang
9 ada kepentingan yang hadir, they have to take certain action untuk nak
10 apalah, I mean, program ke, nak untuk beritahu orang itu to minimise.
11
12 [11:00AM]
13
14 **CHM** But you accept that as a PDRM officer, you are an officer to preserve
15 peace and protect all races, all religions.
16
17 **AWAL** Oh, yes, itu memang saya setuju because we don't look at colours,
18 because police officer are colourless. Itu memang kita pegangan kita.
19
20 **CHM** Ok. Yes.
21
22 **AWAL** Ok.
23
24 **PK** Dato', terima kasih. Apakah definisi pemantauan di dalam segi itu,
25 definisi pemantauan. Pemantauan in English is surveillance monitoring.
26 Ya?
27
28 **AWAL** Pemantauan is monitoring, tak semestinya surveillance.
29
30 **PK** Huh?
31
32 **AWAL** You see, pemantauan adalah kita mengikuti isu.
33
34 **PK** Ya.
35
36 **AWAL** Ya.
37

1 **PK** Dengan –
2
3 **AWAL** Surveillance is more of a physical punya apa, no, dia punya dari, itu
4 saya –
5
6 **PK** So, pemantauan is mengikut apa? Ulang.
7
8 **AWAL** Dia mengikuti apa, isu, on issue.
9
10 **PK** Ok. Mengikuti isu.
11
12 **AWAL** Yes. That is pemantauan. So –
13
14 **PK** Dengan social media monitoring.
15
16 **AWAL** Yes. Learn information intelligence.
17
18 **PK** Dengan, you ada gunakan, adakah Special Branch guna, dengar
19 soalan ini, sangat mustahak, ya?
20
21 **AWAL** Ok.
22
23 **PK** Adakah Special Branch guna, you familiar with the phrase 'Agent
24 Provocateur'?
25
26 **AWAL** No. Kita tidak ada guna –
27
28 **PK** Ok. Agent, adakah –
29
30 **AWAL** Dengar itu dari segi –
31
32 **PK** Adakah Special Branch.
33
34 **AWAL** Yes.
35
36 **PK** Yang menyamakan seperti rakyat biasa dan penetrate badan-badan
37 NGO activists, human rights activists dan juga badan-badan agama

1 tabligh, mungkin tabligh juga, ya, madrasah untuk memantau, adakah?
2 Adakah Special Branch gunakan agent?
3
4 **AWAL** Tak, kita tak gunakan agent untuk –
5
6 **PK** Tak.
7
8 **AWAL** Pemantauan –
9
10 **PK** It, saya –
11
12 **AWAL** You mean agent? Because agent is too high, actually.
13
14 **PK** I, no, I remind you –
15
16 **AWAL** Yes, you –
17
18 **PK** I remind you you're under oath, ya?
19
20 **AWAL** Ok.
21
22 **PK** Does Special Branch use –
23
24 **AWAL** Yes, I remind, now I remember because –
25
26 **CHM** Hold on, hold on. Bagi peguam... yes, hold on.
27
28 **PK** Yes, let me finish and then, we –
29
30 **AWAL** Ok.
31
32 **PK** You, I will give you a chance to answer.
33
34 **AWAL** Ok.
35
36 **PK** Do Special Branch employ Special Branch personnel to penetrate to
37 become a member of organisasi mungkin kalangan Kristian, kalangan

1 tabligh, kalangan madrasah, jihadists, ya, mungkin yang lain-lain untuk
2 pemantauan, adakah atau tidak?
3
4 **AWAL** Tidak ada. Itu, my section tidak ada.
5
6 **PK** Your section tidak ada?
7
8 **AWAL** My section tidak ada. We don't deal with that kind of things.
9
10 **PK** Tetapi yang lain you tak tahulah?
11
12 **AWAL** Yang lain saya tak tahu. I don't know about yang lain.
13
14 **PK** Tidak menggunakan agent?
15
16 **AWAL** Tidak. Bahagian saya, saya tidak. Kita tidak pernah menggunakan. Ok.
17
18 **PK** Ok, bahagian, tidak, Dato',
19
20 **AWAL** Bahagian E2.
21
22 **PK** Terima kasih atas itu, ya?
23
24 **AWAL** Ok, alright.
25
26 **PK** Sebab pada En Rama, dia hairan sedikit, dia kata pada bulan yang
27 sama selepas speech ini, Amri dari Perlis Hope dan juga Joshua dan
28 Ruth Sitepu dihilangkan. Alright?
29
30 **AWAL** Then? You ask him. Saya tidak ada jawapan keadaan itu.
31
32 **PK** So, dia –
33
34 **AWAL** You ask him.
35
36 **PK** Dia cakap seperti seorang rakyat, ia menyinggung hati, risau sedikit.
37 Mengapa?

1
2 **AWAL** You are saying because as far as I'm saying tidak ada apa elemen –
3
4 **PK** So, pada –
5
6 **AWAL** No significance at all.
7
8 **PK** Dengan respect, pada pendapat yang rakyat mendengar speech ini.
9
10 **AWAL** Ok.
11
12 **PK** Alright? Dia khatir kalau orang berkuasa di PDRM kata sila, there's a
13 word you used even this morning, yes?
14
15 **AWAL** Yes.
16
17 **PK** We, E2 is there to eliminate. What do you mean by eliminate?
18
19 **AWAL** Eliminate?
20
21 **PK** Yes, you used the word 'eliminate'.
22
23 **AWAL** Did I use the word 'eliminate'?
24
25 **PK** You did.
26
27 **AWAL** Right.
28
29 **PK** You did use the word 'eliminate'.
30
31 **AWAL** Yes. Di mana saya sudah pakai 'eliminate'?
32
33 **PK** This morning when En Simon asked you what is the role of E2 is to –
34
35 **AWAL** Boleh rephrase balik tak, perkataan 'eliminate' yang dimaksudkan yang
36 you apa? Because you just cannot ambil apa.
37

1 **PK** Well, you say that, Pn Madeline know, also heard it.
2
3 **AWAL** Ok. You heard, ok. You repeat to me the words, come.
4
5 **PM1** I cannot repeat but we do have the tapes. I do, I –
6
7 **PK** We have the tapes, we can repeat it to you.
8
9 **PM1** Yes.
10
11 **AWAL** Yes, have the tape, I –
12
13 **PK** So, ok, we give you a chance to explain when you said the word
14 'eliminate'.
15
16 **AWAL** No. I, saya rasa saya tidak perlu nak explain perkataan –
17
18 **CHM** Can we replay the tape, boleh, does the transcriber, transcriber ada,
19 kan?
20
21 **PK** Transcriber, is it possible to check?
22
23 **PM1** It's the first line tadi.
24
25 **PK** When he first, when En Simon asked Dato' Awaluddin.
26
27 **TRC** I have to stop the recording.
28
29 **PK** Yes, you can stop it now. Because to be fair to Dato', he wants to know
30 the context, yes? Mungkin he had, he's –
31
32 **AWAL** I feel, saya tidak boleh nak menjawab perkataan itu.
33
34 **CHM** Tak. Is it possible or for, or not possible? Sometimes, I know it's a
35 technical matter, not possible lah.
36
37 **PK** If it's not to, if not possible, then I –

1
2 **TRC** It's possible but I have to stop the recording.
3
4 **PK** You have to stop the recording now.
5
6 **TRC** Yes, stop it completely.
7
8 **PM2** Will it take time?
9
10 **PK** Ok, I tell you what. I don't want to belabour the Court.
11
12 **CHM** Ok, ok.
13
14 **PK** Yes? We, in the transcript, it'll be there.
15
16 **CHM** Transcriber, carry on.
17
18 **PK** But you can explain that.
19
20 **AWAL** No, I don't know if I should because I don't really understand that apa,
21 that you, the phrase that you mentioned.
22
23 **PK** No, I didn't use it. You used the word 'eliminate'.
24
25 **AWAL** I don't remember because I need to, apa yang sebenarnya yang saya
26 phrase –
27
28 **PK** Ok. I'll just in lawyer's term. I put it to you that when you said eliminate,
29 you are willing to use extra legal method.
30
31 **AWAL** No.
32
33 **PK** You deny it?
34
35 **AWAL** I deny.
36

1 **PK** Thank you. No, that's good enough. Yes? You deny. Di dalam peranan
2 Dato' yang boleh Dato', you kata murtad ialah di dalam bahagian
3 Jabatan Islam.
4
5 **AWAL** Ya.
6
7 **PK** Tetapi PDRM dan juga E2, adakah hubungan rapat dengan jabatan-
8 Jabatan Agama Islam? Pernah –
9
10 **AWAL** Of course, memang kita ada hubungan because itu dia punya, because
11 they are the one we have to work hand in glove.
12
13 **PK** Ya, seperti kalau –
14
15 **AWAL** Dari segi perundangan.
16
17 **PK** Kalau jabatan syariah,
18
19 **AWAL** Ok.
20
21 **PK** Atau jabatan agama itu, MAIS ke, atau polis ke, dia nak ada Syiah
22 seperti yang contoh yang Amri case. Dia ada menahan orang, kanak-
23 kanak juga. Polis akan digunakan, Ya?
24
25 **AWAL** Ok. Polis, saya tak –
26
27 **PK** Memang. Operasi itu, polis involved.
28
29 **AWAL** Saya tidak ingat so far lah yang digunakan untuk operasi there. Kalau
30 Jabatan Agama Islam khususnya peringkat negeri, they, dia, they have
31 their own operation.
32
33 **PK** Well, let me revive your memory since you're sitting there.
34
35 **AWAL** Ok.
36

1 **PK** During the panel on Amri, Dato' Awaluddin is shown on the Facebook
2 of Dato' Azri, discussing with Dato' Azri,
3
4 **AWAL** Ok. Minta maaf.
5
6 **PK** Pointing at Amri's house.
7
8 **AWAL** Yes.
9
10 **PK** That this is a person of interest to PDRM and to jabatan agama. You
11 were sitting there and in the, and Dato' Azri said ini person of interest.
12
13 **AWAL** I think you better be specific about this because why? You said I'm
14 pointing towards the apa?
15
16 **PK** No, no.
17
18 **AWAL** Then?
19
20 **PK** Dato' Azri that –
21
22 **AWAL** It was a meeting, it was a courtesy call. They call it courtesy call.
23
24 **PK** Yes.
25
26 **AWAL** Itu biasalah untuk saya punya apa, bahagian.
27
28 **PK** Ya.
29
30 **AWAL** Apabila kita ada, kita nak ambil apa, tindakan-tindakan berhubung
31 dengan ada isu-isu keselamatan yang berkaitan. Kita, because kita nak
32 minta supaya pihak Jabatan Agama Islam, they must be aware about
33 this issue.
34
35 **PK** Memang.
36
37 **AWAL** They have their apa, itu biasa dia punya apa.

1
2 **PK** Saya faham.
3
4 **AWAL** So –
5
6 **PK** Yang ada hubungan, ada relationship.
7
8 **AWAL** Oh, yes, memang apa. Yes.
9
10 **PK** Itu bukan saya menegurkan.
11
12 **AWAL** Yes. Then?
13
14 **PK** Yang saya nak penjelasan ialah kalau ada sangat hubungan yang
15 rapat.
16
17 **AWAL** Yes.
18
19 **PK** Bukan sahaja murtad itu jabatan agama sahaja tetapi PDRM pun
20 involved.
21
22 **AWAL** Ok. Itu daripada segi, itu saya cakap daripada segi pembekalan
23 maklumat.
24
25 **PK** Ya, seperti –
26
27 **AWAL** We are involved.
28
29 **PK** Seperti di meeting itu.
30
31 **AWAL** Yes.
32
33 **PK** Ada satu gambar Amri.
34
35 **AWAL** Ok. Yes.
36

1 **PK** Rumah dia sebab alleged Shia teaching yang you juga menegur di
2 dalam seminar ini, Shia, alright?
3
4 **AWAL** Ok.
5
6 **PK** Sebab dia mungkin Dato' Azri kata mullah state atau apa, alright? Itulah
7 yang concern Special Branch.
8
9 **AWAL** Saya rasa you are adding a lot of things towards the above.
10
11 **PK** No, no. This is on record, on the panel.
12
13 **AWAL** The gambar itself, itu rumah orang asli.
14
15 **PK** Ok. That's not my point, now.
16
17 **AWAL** Yes.
18
19 **PK** I will stop there. And –
20
21 **AWAL** Why, Mr Chairman –
22
23 **PK** Let me shift to another question.
24
25 **AWAL** Why is he raising an issue Amri when it come to this apa, saya rasa I
26 have to –
27
28 **PK** No. The point I'm making is, sorry, Dato'.
29
30 **AWAL** Yes.
31
32 **PK** Let me clarify.
33
34 **AWAL** Ok.
35
36 **PK** The point I'm making is when you say that on religious conversion.
37

1 **AWAL** Ok.
2
3 **PK** And murtad or deviant teaching, you leave it to the Jabatan Agama
4 Islam.
5
6 **AWAL** Yes.
7
8 **PK** Tetapi itulah contoh bahawa PDRM juga ada hubungan rapat dengan
9 kegiatan untuk resist in deviant teaching.
10
11 **AWAL** No.
12
13 **PK** Yang mungkin menyinggung hati komuniti.
14
15 **AWAL** Kita sekarang ini adalah berdasarkan pada pembekalan maklumat
16 kepada pihak Jabatan Agama Islam. Jadi, in order for us to, can have
17 a good rapport, good rapport daripada segi, so, that's why we make a
18 visit, kita make a courtesy call to apa.
19
20 **PK** Yes.
21
22 **AWAL** Itu saja sebenarnya matlamat, kan, itu saja. That is my apa, that is my
23 answer to that.
24
25 **PK** Ok.
26
27 **AWAL** Kalau you nak kaitkan dengan video di Perlis itu, it's just a courtesy call.
28
29 **PK** Mr Chairman, you wanted to ask something? I apologise, I –
30
31 **CHM** Tak.
32
33 **PK** Ok. Tadi Simon, you juga beri evidence testimony En Simon menyoal,
34 di dalam Joshua Jamaluddin case, Ruth Sitepu, you ada dengar
35 bahawa ada orang yang membuat laporan polis, laporan. You boleh
36 ingat apa laporan dari manakah?
37

1 **AWAL** Joshua which one?
2
3 **PM2** Which Joshua you talking about?
4
5 **PK** Joshua Hilmy, sorry.
6
7 **PM2** Yes, ok.
8
9 **PK** Pastor Joshua Hilmy.
10
11 **AWAL** Ok.
12
13 **PK** Ada satu laporan.
14
15 **AWAL** Ok.
16
17 **PK** Di dalam testimony di dalam panel ini kepada PDRM dari pejabat
18 Rembau, dia kata ada satu division UMNO, pengetua itu membuat
19 laporan kepada PDRM mengenai kegiatan proselytization, Kristianisasi
20 Joshua Hilmy di dalam kalangan orang Muslim. Adakah you mengingat
21 dalam berapa?
22
23 **AWAL** Tak, saya, I, not within my knowledge about that one.
24
25 **PK** You didn't focus on that, yes?
26
27 **AWAL** No, no, because it's not within my knowledge, saya tidak tahu.
28
29 **PK** It's not within your knowledge.
30
31 **AWAL** Yes.
32
33 **PK** This is all I have to ask. Thank you for your...
34
35 **AWAL** Ok.
36
37 **PK** Terima kasih, Dato'.

1

2 **AWAL** Ok.

3

4 **ADY** Assalamualaikum, Dato'.

5

6 **AWAL** Minta maaf, ya, saya minum?

7

8 **ADY** Yang Arif and members of the panel. I have a few questions for Dato' Awaluddin.

9

10

11 **AWAL** Sorry.

12

13 **ADY** Tak apa, minum dulu, Dato'.

14

15 **AWAL** Sorry, Because...

16

17 **ADY** So, sesi saya, Dato', adalah untuk lebih untuk menjelaskan lah apa yang terkurang, apa yang tersilap yang apa, semasa pertanyaan awal tadi itu. So, dengan izin, Yang Arif. Dato', boleh Dato' sekali lagi dalam bahasa yang mudah dan apa yang mudah difahami, Dato' menerangkan semula fungsi bahagian E2, Dato'.

18

19

20

21

22

23 **AWAL** Ok. Bahagian E2, cawangan khas ini adalah, aktiviti kita adalah dari segi pemantauan, dari segi sudut keselamatan berhubung dengan aktiviti-aktiviti ekstremisme di kalangan apa ini, golongan-golongan pelampau sosial. Pelampau sosial ini, dia very apa, vast. It can be agama, it can be politics, it can be student, it can be apa, banyak dia punya apa, it is a rojak punya apa. Dan kita punya apa ini, tugas kita adalah berdasarkan pada pengumpulan maklumat, dan juga sebagai kata orang itu, penyumbang maklumat kepada agensi-agensi untuk mengambil tindakan sekiranya diperlukan.

24

25

26

27

28

29

30

31

32

33 **ADY** Ok. Dato' tadi mengatakan pengumpulan maklumat.

34

35 **AWAL** Ya.

36

37 **ADY** Adakah fungsi E2 ini ada melibatkan isu-isu pengoperasian, operasi?

1
2 **AWAL** Tak. Kita tidak ada terlibat dalam apa ini, dalam operasi-operasi
3 because kita tidak mempunyai kapasiti untuk melakukan operasi ini.
4
5 **ADY** Ok.
6
7 **AWAL** Berdasarkan pada jumlah pegawai yang ada dan juga kemudahan yang
8 kita ada. We don't have.
9
10 **ADY** Ok, Dato'. Soalan seterusnya, Dato'. Adakah salah satu fungsi ataupun
11 tugas bahagian E2 adalah melibatkan pemantauan ataupun kes-kes
12 murtad?
13
14 **AWAL** Ya. One of the apa, salah satu daripadanya adalah pemantauan
15 terhadap isu-isu murtad ini, khususnya dia... because ianya kita khawatir
16 akan mencetuskan isu keselamatan di kalangan apanya, orang ramai.
17
18 **ADY** So, sekira apa, sekiranya Dato' nyatakan bahawa salah satu tugas
19 ataupun fungsi E2 ini adalah memantau apa ini, isu-isu murtad.
20
21 **AWAL** Ya.
22
23 **ADY** So, adakah dalam kes Joshua Hilmy dan juga Ruth Sitepu ini berada
24 dalam kajian Dato'?
25
26 **AWAL** Kalau apa, it's a kajian, saya tidak apa.
27
28 **ADY** Tidak ada.
29
30 **AWAL** Dia tidak terlibat di dalam apa, di dalam kita punya pemantauan.
31
32 **ADY** That means tidak buat apa sebarang –
33
34 **AWAL** Tidak ada.
35
36 **ADY** Kertas risikan ataupun kertas siasatan dibuka.
37

1 **AWAL** Tidak ada.
2
3 **ADY** Tadi Dato' ada nyatakan bahawa segala maklumat-maklumat ini di apa
4 ini, berkenaan dengan kes-kes melibatkan orang yang murtad akan
5 disampaikan kepada pihak jabatan agama.
6
7 **AWAL** Ya.
8
9 **ADY** So, selama penugasan Dato' di cawangan ataupun di bahagian E2 ini,
10 sama ada Dato' boleh ingat ataupun tidak berapa banyak kes-kes
11 ataupun isu-isu kemurtadan ini telah dirujuk kepada Jabatan Agama
12 Islam?
13
14 **AWAL** Oh, banyak. Saya, ok, because kita tidak ada memantau dari segi
15 number of, jumlah statistic tak ada. Kita hanya take apa itu, cases at
16 random, kalau kita ada repot, ada operasi dilakukan oleh pihak Jabatan
17 Agama Islam yang perlukan kita punya, baru kita akan buat. We just
18 pick up from there.
19
20 **ADY** Kalau kata, Dato' tadi kata banyak, that means banyak apa –
21
22 [11:15AM]
23
24 **AWAL** Banyak.
25
26 **ADY** Dalam 30, 40, 50?
27
28 **AWAL** Saya tidak boleh nak bagi jumlah, it should be more than that.
29
30 **ADY** Sebabnya Dato' tak ingat ke, ataupun tak pasti?
31
32 **AWAL** Saya tak ingat.
33
34 **ADY** Tak ingat, Dato'. Setelah kes-kes ini dirujuk kepada pihak jabatan
35 agama.
36
37 **AWAL** Ya.

1

2 **ADY** Ada tak, respons daripada pihak jabatan agama berkenaan tindakan
3 yang telah diambil oleh jabatan agama berkenaan apa, yang maklumat-
4 maklumat yang disampaikan kepada, daripada pihak Dato' ini, ada di
5 maklum balik kepada pihak E2, tak?

6

7 **AWAL** Ada. Tapi selalunya dia akan maklumkan kepada pihak kontinjen.

8

9 **ADY** I see.

10

11 **AWAL** Ya, kontinjen. Dia secara direct maklumkan berita.

12

13 **ADY** So, kebiasaan tindakan apa yang akan diambil oleh pihak Jabatan
14 Agama Islam?

15

16 **AWAL** Jabatan Agama Islam, dia akan, sebagai contoh, ya? Kadang-kadang,
17 dia orang buat raid, buat tangkapan tapi itu contohnya lah.

18

19 **ADY** I see.

20

21 **AWAL** Tapi they are not obliged to report to us.

22

23 **ADY** I see. Tapi memang ada dimaklumkan, maklum balas itu memang
24 adalah itu, ya?

25

26 **AWAL** Ada.

27

28 **ADY** Ok, Dato', cuma soalan seterusnya adalah berkenaan dengan seminar
29 yang Dato' hadiri pada 2016, berkenaan dengan isu belia menentang
30 keganasan.

31

32 **AWAL** Ya. Ok.

33

34 **ADY** So, tajuknya adalah 'Belia menentang keganasan'.

35

36 **AWAL** Ok.

37

1 **ADY** Bukan belia menentang murtad itu, ya? Setuju itu,, ya? Belia
2 menentang keganasan.
3

4 **AWAL** Saya tak ingat lagi, dia...

5

6 **ADY** Boleh rujuk balik pada exhibit, Dato'.

7

8 **AWAL** 'Belia menentang keganasan', yes.
9

10 **ADY** Ok. Berkenaan dengan apa, berkenaan dengan apa ceramah yang
11 disampaikan oleh Dato', boleh Dato' tolong terangkan dengan lebih
12 jelas apakah maksud Dato' dalam segment minit ke-32 berkenaan
13 dengan, ataupun dalam minit 32.43 saat ini.
14

15 **AWAL** Ya.
16

17 **ADY** Dato' memberi contoh berkenaan dengan kes Joshua Jamaluddin dan
18 Hilmy, Hilmy apa?
19

20 **MSR** Mohd Nor.
21

22 **ADY** Hilmy Mohd Nor, sebagai contoh dalam ceramah Dato'. Boleh Dato'
23 apa, terangkan apa maksud Dato' ketika menyampaikan contoh-contoh
24 tersebut?
25

26 **AWAL** Ok. Saya contoh itu ketika saya bagi sampaikan itu, untuk memberitahu
27 kepada audience bahawa dulu kita mempunyai (11:17:22AM) ISA
28 untuk kita nak ambil tindakan dia punya, tapi sekarang ISA sudah
29 dimansuhkan, tidak lagi di apa. So, now, kita tidak boleh, bermakna
30 Special Branch tak boleh nak apa lagilah, tak boleh nak kata orang itu,
31 but our contribution now is, ok, sekarang ini adalah untuk kita kata
32 orang itu, you kata apa, you buat apa ini, program-program untuk
33 memperkukuhkan akidah, yang sebenar itu yang sebenarnya dia punya
34 apa, program-program untuk dia punya. Ataupun kalau boleh,
35 mendesak kerajaan supaya menggubah satu undang-undang misalnya
36 untuk supaya kita boleh ambil tindakan secara efektif berhubung

1 dengan isu apa, terrorism dan isu apa ini, ekstremisme dengan isu apa
2 ini. Itu dia punya maksudnya yang tersirat pada ketika itu.
3
4 **ADY** Dalam ceramah tersebut itu, anggaran audience berapa ramai yang
5 hadir itu?
6
7 **AWAL** Oh, saya lupa, tak ingat lagi, saya tak ingat berapa ini.
8
9 **ADY** Ada dalam 100?
10
11 **AWAL** Saya ingat lebih kurang macam itulah. Tak ramai sebenarnya, banyak
12 student.
13
14 **ADY** Banyak student, ya?
15
16 **AWAL** Student, ya.
17
18 **ADY** Student daripada mana itu?
19
20 **AWAL** Student daripada UIA dan inilah, ada a few ini, apa ini, yang loose
21 punya, mungkin yang student yang terlibat dalam NGO's ke, apa itu.
22 Because benda ini are organised by apa, by bukan kita.
23
24 **ADY** KDN?
25
26 **AWAL** Ya, kita tak tahu.
27
28 **ADY** Soalan terakhir daripada saya, Dato'. Ceramah Dato' ini adakah boleh
29 dikatakan sebagai hate speech? Adakah Dato' setuju ataupun tidak?
30
31 **AWAL** Sebagai?
32
33 **ADY** Hate speech.
34
35 **AWAL** No, bukan. We –
36
37 **ADY** Kenapa? Kenapa Dato' katakan bukan?

- 1
- 2 **AWAL** Saya tak speak sebagai hate speech because itu bukan matlamat dia
3 sebenarnya. Sebenarnya, dia sebagai nasihat, sebagai penerangan,
4 ya, penerangan. It's just an penerangan kepada audience yang terdiri
5 daripada student, daripada orang-orang awam untuk sebagai nasihat
6 supaya dia orang ini lebih berhati-hati supaya apa ini, this is what kata,
7 this is kata orang itu is satu penerangan, bagi tahu this is what
8 happening. So, kita tak mahu nanti besok, negara kita kucar-kacir kalau
9 mereka ini kata orang apa ini, salah kefahaman tentang isu ini, yang
10 resort dan to take into action. Because kita tidak mahu elemen terrorism
11 itu bercambah. Because elemen apa ini, elemen terrorism ini wujud
12 menerusi pemikiran ekstremisme. Itu kita punya apa. That's my apa –
13
- 14 **ADY** So, Dato' tak setuju, ya?
- 15
- 16 **AWAL** Ya, tak setuju.
- 17
- 18 **ADY** That's all, Yang Arif. Thank you very much.
- 19
- 20 **CHM** Yes.
- 21
- 22 **AK** Good morning honourable commissioners. Forgive me for not
23 introducing my learned friend, Mr Lim Heng Sen earlier. I was trying to
24 find a suitable opportunity to do that but he went quite fast into the
25 proceedings quite quickly and so, please accept my apologies. My other
26 learned friend, Mr Roger Chan is also here but he was asked to leave
27 because we had exceeded our quota of two, but he will be here in the
28 afternoon session because unfortunately, I will not be able to attend the
29 afternoon session. And also, selamat pagi to Dato', thank you for
30 coming.
31
- 32 **AWAL** Yes.
- 33
- 34 **AK** Soalan-soalan, nama saya Andrew Khoo dari, mewakili Badan Peguam
35 Malaysia.
36
- 37 **AWAL** Ok.

1

2 **AK** Sebagai peguam pemerhati dalam inquiry awam ini. Soalan-soalan
3 saya berdasarkan kepada Exhibit 4, the transcript of the ceramah that
4 was given by Dato' in 2016. Dato' telah memberitahu panel bahawa
5 fokus bahagian E2 tidaklah kepada conversion. I think you used the
6 words 'conversion bukan fokus kami'. Now, is that, adakah itu benar?

7

8 **AWAL** Ya, betul.

9

10 **AK** Betul. Jadi, dalam ceramah yang diberikan pada minit, 32 minit, 43 saat,
11 bila Dato' menerangkan tentang tangkapan dulu di bawah ISA, Joshua
12 Jamaluddin dan Hilmy Mohd Nor, apakah kesalahan yang telah dibuat
13 oleh mereka yang mengakibatkan mereka ditahan?

14

15 **AWAL** Saya tidak faham you punya apa ini, you punya soalan, sila, boleh you
16 ulang balik?

17

18 **AK** Ok.

19

20 **AWAL** Yes.

21

22 **AK** Kamu telah mengatakan bahawa conversion itu bukan fokus pihak
23 PDRM, pihak E2. Jadi, saya nak tahu bila Dato' menceritakan tentang
24 Joshua Jamaluddin dan Hilmy Mohd Nor. Ini adalah dua orang yang
25 telah menukar agama mereka daripada Islam kepada Kristian.

26

27 **AWAL** Ok.

28

29 **AK** Mereka ditahan di bawah ISA. Tapi kalau fokus E2 tidaklah kepada
30 conversion, kenapakah mereka ditahan di bawah ISA?

31

32 **AWAL** Ok.

33

34 **CHM** Sebelum jawab ini, nak, can we have –

35

36 **AWAL** Ok.

37

1 **CHM** Sekejap. Ada dua nama, ya? Joshua Jamaluddin.

2

3 **AWAL** Ok. Hilmy Mohd –

4

5 **CHM** Hilmy Mohd Nor, ya? Ok. Joshua, nama dia itu kita tahu, ya? It's in the
6 law reports, yes? Hilmy Mohd Nor, siapa dia? Is it our... no, yes?
7 Another?

8

9 **SK** It's a different person.

10

11 **CHM** Another Hilmy? Ok, thank you. Just a question. Ok. So, jadi, dua-dua
12 ini kena tangkap, Dato', ya?

13

14 **AWAL** Ya. Tangkap di bawah ISA.

15

16 **CHM** Ok. Now sekarang ini, boleh jawablah soalan-soalan peguam. Ya.

17

18 **AWAL** Ya. Ok. Ok, terima kasih, Yang Arif. Pada ketika itu, situasi pada ketika
19 itu ada, this what happened in 1987, saya rasa, '87 or '85? Saya lupa
20 dia punya apa ini. So, at that time, isu-isu keselamatan, kira isu murtad
21 ini adalah sebahagian daripada isu keselamatan because at that time,
22 negara kita menghadapi banyak isu-isu apa, itu turmoil punya,
23 termasuklah isu murtad ini yang telah diguna pakai oleh pihak-pihak
24 apa. So, in order to neutralise apa ini, the situasi pada ketika itu, kita
25 mesti ingat, ya, negara kita dah Prebet Adam pun is one part of the apa.
26 That was the situation. So, termasuklah some politician, all of them was
27 arrested di bawah ISA, termasuk Hilmy Mohd Nor dengan apa ini.
28 Correct me if I'm wrong lah. That is the whole situation. Tangkapan
29 mereka ini adalah basically it's not because of the conversion, it is
30 because of the isu keselamatan. You see, isu keselamatan pada ketika
31 itu.

32

33 **CHM** Bila ini?

34

35 **AWAL** I, saya kalau masih, kalau isu ini '87, '85, around there apa. Masa ketika
36 itu, negara –

37

1 **CHM** So, is this part of Operasi Lalang, ke?
2
3 **AWAL** Yes, Op Lalang, saya rasa.
4
5 **CHM** Part of Operasi Lalang?
6
7 **AWAL** Yes. Is that part of the Operasi Lalang yang saya rasa, kan? Some were
8 (11:24:32AM) arrested. Yes.
9
10 **CHM** Ok. Part of this, ok, Yes.
11
12 **AWAL** Ok. Yes.
13
14 **AK** So, I just want to be clear, you know, untuk penjelasan
15
16 **AWAL** Yes.
17
18 **AK** So, there have been cases, other situasi di mana orang yang telah
19 menukar agama mereka telah ditahan oleh pihak polis?
20
21 **AWAL** I'm not aware about that. These two cases ini because of isu sekuritilah,
22 itu yang saya faham because Operasi Lalang pada ketika itu.
23
24 **AK** Ok. So –
25
26 **AWAL** If you refer to these two cases, ianya berkaitan dengan isu
27 keselamatan. It's not conversion. Ok? I make it clear to you.
28
29 **AK** Tapi apakah connection mereka, apakah kaitan?
30
31 **AWAL** Kaitannya adalah bantahan orang ramai pada ketika itu, orang ramai
32 yang menimbulkan a lot of apa, bantahan isu apa, politik punya isu pun
33 terlibat dan isu apa pun terlibat. That's why pada ketika itu, mungkin the
34 government feel that something need to be done in order to neutralise
35 the situation. That's why they were arrested. I think –
36

1 **CHM** Adakah Dato' berpendapat bahawa perbuatan conversion itu salah?
2
3 **AWAL** No. Dia sekarang ini –
4
5 **CHM** Tak salah?
6
7 **AWAL** Dia, saya nak katakan conversion per se sebagai in isolation, tak boleh
8 because it's all a security punya isu.
9
10 **CHM** Conversion itu –
11
12 **AWAL** Conversion –
13
14 **CHM** Salah ke, tak salah? Dari segi –
15
16 **AWAL** Conversion itu sebab saya personal matter, conversion is all hak
17 individu.
18
19 **CHM** Hak individu?
20
21 **AWAL** Hak individu.
22
23 **CHM** So, you concede on that, you concede?
24
25 **AWAL** Yes, hak individu.
26
27 **CHM** Jadi, you're concerned with more on the –
28
29 **AWAL** Concern on the reaction.
30
31 **CHM** Kalau begitu, mengapa tak tangkap orang yang react itu? Mengapa tak
32 tangkap orang yang react itu?
33
34 **AWAL** Oh, yang ini saya –
35
36 **CHM** Itu yang jadi punca itu, kan?
37

1 **AWAL** I mean, pada ketika itu, that is the apa, that is the situation. That was
2 the –
3
4 **CHM** Because to be consistent with what you are saying to us this morning,
5 kan?
6
7 **AWAL** Ok.
8
9 **CHM** Yes. You're saying, yes, it's the right of the individual to convert.
10
11 **AWAL** Ok, right.
12
13 **CHM** Yes, convert, right? Yes, you are more concerned with the reaction. Ini
14 yang menjadi ancaman, the reaction. Yes.
15
16 **AWAL** Ok. Yes.
17
18 **CHM** Yes. But then, don't you think you are arresting the wrong person? You
19 should be arresting yang react itu.
20
21 **AWAL** That's the law. Pada ketika itu, itulah undang-undang yang memberi
22 kita kuasa you know, because actually, tangkapan itu bukan semata,
23 bukan, it's not a punishment. It's to neutralise the... and then, dalam
24 waktu yang sama, kita apakan dia. It is –
25
26 **CHM** You are saying that that is the law. Kan?
27
28 **AWAL** Ya, itu kuasa yang kita ada pada kita.
29
30 **CHM** But –
31
32 **AWAL** The law that give us the power pada ketika itu.
33
34 **CHM** The ISA law itu is to prevent orang membuat ancaman, kan?
35
36 **AWAL** Huru-hara, yes.
37

1 **CHM** So, siapa yang buat ancaman? Yang buat ancaman itu is the, those
2 who are reacting to the conversion, kan? Orang yang convert itu, dia
3 tak mengancam.
4
5 **AWAL** Ya, betul, ya.
6
7 **CHM** You concede?
8
9 **AWAL** Ya. Ya, memang betul. Tapi –
10
11 **CHM** So, yang ancaman itu yang orang react itu, kan?
12
13 **AWAL** But, so, we have to pick up.
14
15 **CHM** So, why don't you arrest them, then?
16
17 **AWAL** No, we arrest them because why, in order to
18
19 **CHM** No. Why don't you arrest yang mengancam itu?
20
21 **PM1** Yang diancam.
22
23 **CHM** Yes. You, instead, you arrest orang yang diancam.
24
25 **AWAL** Because you see, because why, you see, ini adalah undang-undang
26 pemulihan, ok? Kita di apa kata orang itu, pada ketika itu in order to
27 save because why, yang apa ini, kita sekarang ini tidak mahu bahawa
28 negara ini menjadi havoc because of the apa. Itu yang sebenarnya. Itu
29 yang saya punya explanation pada ketika ini. So, I did not apa, I punya
30 apa itu, ya?
31
32 **CHM** Ok, Yes.
33
34 **AK** Jadi, soalan selanjutnya.
35
36 **AWAL** Ya.
37

1 **AK** Kalau mereka ditahan bukan mereka membuat apa-apa kesalahan tapi
2 kerana reaction kepada conversion mereka.
3
4 **AWAL** Ok.
5
6 **AK** Kenapakah kamu menggunakan dalam ceramah kamu perkataan
7 'interrogation'? Saya baca.
8
9 **AWAL** Ok. Alright.
10
11 **AK** Dan kita ada Kamarul (11:28:37AM) dan –
12
13 **AWAL** Ya.
14
15 **AK** 'Lebih kurang ini yang dulu-dulu kita tangkap di bawah ISA dan semasa
16 dalam proses interrogation'.
17
18 **AWAL** Ok.
19
20 **AK** 'Di mana kita dapati mereka, kebanyakan mereka itu, ini adalah dulu
21 pergi ke Singapura dan'. Jadi, kalau mereka tidak bersalah, kenapakah
22 mereka terpaksa menjalani interrogation?
23
24 **AWAL** Saya, interrogation, dia adalah satu proses, it is a legal process given
25 to us when you arrest a person, you interrogate in order to kata orang
26 apa, to know the outcome, ok. Ya.
27
28 **AK** But they are not the threat. You have said that they are not the threat.
29
30 **AWAL** Ya, ada, they are not the threat but then, kita nak tahu sekarang ini bila
31 kita interrogate, we want to know punca dia daripada mana apa semua,
32 it is purely basically it's a rehabilitation, nothing to do with the apa. Itu
33 yang saya –
34
35 **AK** Rehabilitation. By why do they need to be rehabilitated?
36

1 **AWAL** Rehabilitated because that is supposed the law is such. The law given
2 us to deal –
3
4 **AK** What is the law?
5
6 **AWAL** The law is ISA.
7
8 **AK** No, but the –
9
10 **AWAL** Huh?
11
12 **AK** But what have they done untuk menjejaskan ketenteraman awam that
13 they have to be arrested under the ISA?
14
15 **AWAL** Oh, kalau dia tanya saya itu, I don't think that I can give you the answer,
16 pada ketika itu.
17
18 **AK** No, but you –
19
20 **AWAL** I have no answer for that. That is what the law that provide us at that
21 moment, that's why it's our action. Itu saja yang saya boleh explain.
22
23 **AK** The law is kalau –
24
25 **AWAL** Yes.
26
27 **AK** The law, undang-undang itu memberi kuasa kepada pihak polis untuk
28 menahan.
29
30 **AWAL** Ok.
31
32 **AK** Tapi apakah asas untuk penahanan itu?
33
34 [11:30AM]
35
36 **AWAL** Penahanan, instruction. Of course, we have their instruction, dia punya
37 apa adalah dia punya itu, dia orang case file apa semua. That was apa,

1 that was brought to the Court, Justice Goon apa semua pada ketika itu,
2 dia punyalah ahli lembaga penasihat ini semua. I think I don't have an
3 answer for that if you ask me right now. Ok?
4
5 **AK** Ok. Because earlier, terlebih dahulu bila peguam Philip Koh apa ini,
6 membaca Fasal 11 perlembagaan persekutuan.
7
8 **AWAL** Ok.
9
10 **AK** Kamu, respons kamu adalah jangan lupa Article 149 dan Article 150.
11
12 **AWAL** Yes. 150, 149, yes.
13
14 **AK** Tapi Article 149 dan 150 tidak apa ini, mengetepikan hak kebebasan
15 agama.
16
17 **AWAL** Ya. Tapi you must bear in mind, article, always, I don't know article apa,
18 149 ke, yang mewujudkan undang-undang ISA.
19
20 **CHM** Yes, 149.
21
22 **AWAL** That will be about 149.
23
24 **CHM** 149, yes.
25
26 **AWAL** Ya, undang-undang ISA. That's it.
27
28 **AK** True. But both 149 and 150 does not allow you to ignore a person's
29 right to freedom of religion.
30
31 **AWAL** Oh, yes, itu saya setuju, freedom of religion. Tetapi –
32
33 **AK** So, in other words, we go back to the issue yang –
34
35 **AWAL** Ya.
36

1 **AK** Kita balik kepada isu bahawa kebebasan menukar agama tidaklah
2 menjadi satu-satu kesalahan.
3
4 **AWAL** Ok.
5
6 **AK** Dan tidak boleh menjadi asas kepada mana-mana penahanan.
7
8 **AWAL** Ok.
9
10 **AK** Walaupun dalam mengikuti ISA. Itulah point yang saya nak buat di sini.
11
12 **AWAL** Ok. Saya setuju tetapi kalau ianya membabitkan isu-isu keselamatan,
13 then ISA will come in force.
14
15 **AK** No.
16
17 **AWAL** At that moment, isu keselamatan.
18
19 **AK** Ok. We'll have to disagree on that because –
20
21 **AWAL** It's up to you, you punya apa. You disagree but that is what dia punya
22 apa, dia punya intention at that moment. Ok?
23
24 **AK** Ok.
25
26 **AWAL** That is my answer to that.
27
28 **AK** Thank you. Ok. We move on to other parts of the ceramah.
29
30 **PM2** Andrew, can you pull your mic closer to you? We are struggling to hear
31 your voice.
32
33 **AK** Ok. Thank you. Is that better?
34
35 **PM2** Yes.
36

1 **AK** Ok. Awak tadi juga, Dato', bila ditanya oleh pihak panel dan juga En
2 Simon, kamu mengatakan bahawa ekstremisma itu berbeza daripada
3 terrorisma.
4

5 **AWAL** Ya.
6

7 **AK** Ok? Betul, kan? Itu yang kamu sebut tadi, kan? Saya sekarang merujuk
8 kepada minit, 7 minit, 58 saat, Exhibit 4.
9

10 **AWAL** Ok.
11

12 **AK** Ayat pertama dari petikan itu, saya baca. 'Saya samakan bahawa isu
13 terrorism ini sama juga dengan apa yang berlaku di dalam isu
14 memurtadkan apa ini, orang-orang Islam'. Jadi –
15

16 **AWAL** Ya, go ahead.
17

18 **AK** Manakah apa ini, pendapat Dato' sekarang? Adakah terrorisma dan
19 ekstremisma itu sama atau berbeza?
20

21 **AWAL** You see, when you give a speech kadang-kadang, you get their own
22 punya apa opinion, you see. Itu adalah pendapat saya pada ketika itu,
23 semasa saya bagi that speech. Tak semestinya pendapat pada ketika
24 itu, you resemble as a pendapat organisation as a whole.
25

26 **AK** No, sorry. Itu bukan soalan saya. Saya tidak mengatakan bahawa itu
27 menjadi pendapat organisasi. Saya nak tahu adakah itu, apakah
28 pendapat kamu sekarang. Adakah kamu masih berpegang kepada
29 perkataan bahawa, kenyataan bahawa terrorisma dan kemurtadan itu
30 adalah sama –
31

32 **AWAL** Ya.
33

34 **AK** Atau tidak? Kerana –
35

36 **AWAL** Tidak.
37

1 **AK** Pada awal tadi, kamu kata tidak, dia tidak sama.

2

3 **AWAL** Tidak. Tidak, tak. Tak sama.

4

5 **AK** Jadi, kamu telah menukar –

6

7 **AWAL** Tak ada, saya tidak menukar apa, dah memang saya feel because why, terrorism dengan ekstremisme, apa ini, dengan murtad tidak sama. You see? There's nothing to do with apa, tetapi –

8

9

10

11 **AK** Ok. Jadi, boleh kamu menjelaskan apakah maksud Dato' bila kamu mengatakan dalam petikan 7 minit, 58 saat itu, 'Saya samakan bahawa isu terrorism ini sama juga dengan apa yang berlaku di dalam isu memurtadkan'? Apa maksud Dato'?

12

13

14

15

16 **AWAL** Pada ketika itu, saya, kan I explained to you what is the intention but basically, speech, dalam ceramah-ceramah, normally kadang-kadang you doesn't follow the apa, dia punya text, dia punya apa semua itu, dia punya... so, I don't think that I can give you the apa, I don't want to kata orang itu, tidak mahu nak fokus kepada isu apa yang saya sampaikan dalam ceramah tersebut. Tapi pendirian saya adalah isu ekstremisme dengan murtad ini tidak di, kata orang itu, is ada satu isu yang berasingan.

17

18

19

20

21

22

23

24

25 **AK** Tapi kalau Dato' ada keraguan tentang text, kita boleh –

26

27 **AWAL** No, tiada keraguan. Saya tidak mahu mengatakan keraguan text because it's already been displayed. It's already been apa, been recorded, you see. Jadi, tak semestinya ianya resemble apa, because pada, that is pada ketika itu saya memberi ceramah. Itu saja yang saya punya, that is my answer.

28

29

30

31

32

33 **AK** Terima kasih. Saya pergi sekarang kepada petikan 8 minit, 46 saat. Dengan izin, members of the panel, I would like to read although it's a bit long, I think it's relevant. So, ini adalah perkataan Dato' pada masa itu. 'Jadi, bagi kita Polis Diraja Malaysia, of course kita telah diberikan kuasa untuk kita membuat siasatan, dan kuasa juga untuk kita

34

35

36

37

1 melakukan tangkapan. Baru-baru ini kita telah diberi undang-undang
2 baru. Dulunya, kita menggunakan ISA. Semasa kita menggunakan ISA
3 dulu adalah suatu kata orang itu, agak mewah kita, mudah kita
4 mengambil tindakan. Tapi of course, undang-undang ini yang telah di
5 apa kata orang itu, telah diserang dengan bertalu-talu dan akhirnya
6 undang-undang ini terpaksa diketepikan ataupun dimansuhkan oleh
7 kerajaan. Dan pada hari ini walaupun ada POCA, walaupun ada
8 undang-undang baru iaitu undang-undang POCA iaitu Preventive,
9 maksudnya Prevention of Crime Act dan juga Terrorism Act yang mana
10 lebih kurang sama tapi ianya tidak sama seperti mana kita ada ISA
11 dahulu'. Yang nak, penjelasan yang saya nak minta daripada Dato' dan
12 ini juga terbangkit tadi bila Pesuruhjaya Madeline Berma juga menyoal,
13 bertanya kepada Dato', apakah maksud bila Dato' mengatakan bahawa
14 pada masa ISA itu ada, itu adalah satu masa yang mewah? Maksudnya
15 ke, apakah maksud Dato'?

16
17 **AWAL** Maksud saya mewah bukan, that's why you don't... kalau you
18 bersandarkan pada speeches ini, ini akan jadi because mewah ini
19 maksudnya we have the law. So, we can take action pada ketika itu.
20 Undang-undang pencegahan. So, maknanya when this kind of
21 decision, we can take action. Itu saja dia punya apa. So, easy for us to
22 take action.

23
24 **AK** Jadi –

25
26 **AWAL** But after the ISA dimansuhkan, kita tidak apa lagi dah.

27
28 **AK** Jadi, adakah maksud Dato' sekarang bila kita tidak ada ISA.

29
30 **AWAL** Ok.

31
32 **AK** Kami telah masuk kepada satu masa yang kita miskin kerana tidak ada
33 ISA?

34
35 **AWAL** Ini perkataan 'miskin' ini apa? You pakaikah ataupun orang?

36
37 **AK** Tak, ini mewah, jadi, opposite mewah adalah miskin, kan?

1
2 **AWAL** You cannot do that. You know, it's very unfair. Mr Chairman, saya minta
3 maaf, ya?
4
5 **CHM** Ya.
6
7 **AWAL** I object to that kind of apa. I the kind of kata orang itu, that is lebih pada
8 analogi ataupun lebih pada presumption. Saya tidak mahu, I don't think
9 I will answer that question.
10
11 **AK** Jadi, kamu tidak bersetuju bahawa dengan tidak ada ISA, kita sekarang
12 tidak mewah?
13
14 **AWAL** Saya tidak mahu jawab soalan itu.
15
16 **AK** Adakah kamu mahukan pengembalian undang-undang seperti ISA?
17
18 **AWAL** Tidak. Saya pun tidak jawab.
19
20 **AK** Tidak?
21
22 **AWAL** Saya tidak perlukan undang-undang yang itu. I mean, masyarakat tidak
23 perlukan undang-undang itu.
24
25 **AK** Berkaitan dengan soalan yang dibangkitkan oleh commissioner
26 pengerusi tadi, ini adalah petikan daripada... minta maaf, ya? Pulang
27 kepada petikan 32 minit, 43 saat sekali lagi. Isu ayat pertama, 'Jadi, ini
28 kita melihat apabila kita orang Melayu berpecah, orang-orang Islam
29 berpecah, ada pihak yang akan mengambil kesempatan'. Untuk
30 penjelasan, ya, Dato', adakah kamu memikirkan atau berpendapat
31 bahawa fungsi kamu sebagai pegawai PDRM adalah untuk menjaga
32 hak orang Melayu dan hak orang Islam?
33
34 **AWAL** One of the apa, fungsi, yes.
35
36 **AK** Ok. Ya, itu saja. Terima kasih.
37

1 **AWAL** Ok, baik.
2
3 **LHS** Dengan izin, learned commissioners, boleh saya sambung dengan
4 soalan? Dato', saya sungguh tertarik, ya, kepada keterangan Dato'
5 bahawa PDRM dan bahagian E2 –
6
7 **AWAL** Boleh bagi tahu nama siapa, tak? Saya nak kenal, introduce.
8
9 **LHS** Sudah diperkenalkan dahulu
10
11 **CHM** Yes. Introduce yourself.
12
13 **AWAL** Address yourself, please.
14
15 **CHM** Yes.
16
17 **AWAL** Ya.
18
19 **CHM** Again, yes. Tak apa, yes.
20
21 **LHS** Saya Lim Heng Sen daripada –
22
23 **AWAL** Lee Beng Sen?
24
25 **LHS** Badan Peguam.
26
27 **CHM** Lim Heng Sen. Mr Lim Heng Sen.
28
29 **AWAL** Lee Heng Sen, ok.
30
31 **LHS** Lim, L-I-M.
32
33 **AWAL** Ok. Thank you.
34
35 **CHM** Speak closer to the microphone, yes, Mr Lim?
36
37 **LHS** Sorry. Alright, I will do that.

1

2 **CHM** Yes.

3

4 **LHS** Seperti yang saya katakan tadi, Dato', saya sungguh tertarik, ya,
5 kepada penyelenggaraan awal Dato' bahawa PDRM dan khususnya
6 bahagian Dato' mementingkan hak iaitu kita mengenal bahawa orang
7 bukan Islam ada hak untuk bertukar agama. Ini di bawah perlembagaan
8 Malaysia, ya? Dan juga seluruhnya seolah-olah polis dan bahagian E2
9 ini memegang teguh kepada dua prinsip Rukun Negara. Yang pertama,
10 keluhuran perlembagaan. Yang kedua, kedaulatan undang-undang.
11 Maaf saya tetapi kalau saya baca daripada petikan yang sudah kita
12 baca tadi itu, kata itu sebaliknya tidak seperti yang kita lakukan, just
13 now I've read.

14

15 **CHM** Yang mana satu, Mr Lim?

16

17 **LHS** I'll get to that.

18

19 **CHM** Yes.

20

21 **LHS** Yes. Ok. Yang pertama, soalan pelampau sosial.

22

23 **PM2** Mr Heng Sen, we can't really hear you from the front here. The mic
24 needs to be closer. It needs to be closer to you.

25

26 **LHS** Ok. Soalan pertama, ya? Mengenai dengan definisi pelampau sosial.
27 Saya nak mengatakan bahawa kalau kita lihat daripada dua prinsip
28 undang-undang dalam Rukun Negara itu, ya, iaitu kedaulatan undang-
29 undang dan keluhuran perlembagaan, orang yang memakai hak
30 mereka, those who use the rights like, Joshua Jamaluddin, like, Hilmy.

31

32 **AWAL** Ok.

33

34 **LHS** The right to believe in a religion of their own are the ones who should
35 be protected. Yang pelampau ialah orang yang menidakkan hak
36 mereka dengan cara bermacam-macam. Seperti Dato' kata, 'We fear
37 that they might react and as the learned chairman of, the commissioner

1 says, these are the ones who are the real pelampau. Do you agree with
2 that?
3
4 **AWAL** Go ahead, carry on.
5
6 **LHS** Thank you very much.
7
8 **AWAL** No, I have no answer for that.
9
10 **PM2** Sorry, Dato'.
11
12 **AWAL** Yes.
13
14 **PM2** When you're asked a question, please answer, Dato'. I think you –
15
16 **AWAL** No, saya sekarang ini because why –
17
18 **PM2** You understand. If you don't understand the question, seek clarification.
19
20 **AWAL** I understand the so-called question.
21
22 **PM2** Yes. Then, make an answer, yes.
23
24 **AWAL** But daripada segi perundangan, memanglah kita; we expect whatever
25 apa, tindakan kita adalah berdasarkan kepada undang-undang. So,
26 whatever dia punya apa. Saya dah tekankan daripada mula-mula lagi,
27 apa yang kita ambil tindakan, we were the within apa itu, adalah kita
28 tidak mahu bahawa isu-isu keselamatan ini tercetus. Timbul apa,
29 demonstrasi sana and then, bunuh sana, bom sana, bom sini. Yang ini
30 kita apa that, that is the focus. Our focus is on security. Itu saja dia
31 punya apa. That's my answer to your question that one.
32
33 **LHS** Alright, I'll put it very simply, alright?
34
35 **AWAL** Ok. Right.
36

1 **LHS** Is it the police duty to ensure that those who breach the law by denying
2 the rights of others by demonstration perhaps, and even extremist acts,
3 are not these the ones who are a real threat to our nation's legal order
4 as represented by the principle of the supremacy of the constitution and
5 the rule of law? Simple question.
6
7 **AWAL** You repeat balik. Saya tak faham. You repeat.
8
9 **LHS** Tak dapat jawab?
10
11 **AWAL** Can make it very simple because why, don't twist and turn the words,
12 ok? Make it very simple. Ok.
13
14 **CHM** Nak En Lim ulang, ke?
15
16 [11:45AM]
17
18 **AWAL** Repeat. Ya, ulang, ulang balik.
19
20 **CHM** Ya, ulang. A bit closer to the, because we all are wearing masks.
21
22 **PM2** Yes, we can't hear you back there.
23
24 **CHM** The voice become muffled. Get closer to the mic.
25
26 **LHS** Ok. My basic question is this, yes?
27
28 **CHM** And speak louder, Mr Lim.
29
30 **LHS** Yes. If we are to uphold the Rukun Negara, the two principles of Rukun
31 Negara.
32
33 **AWAL** Ok.
34
35 **LHS** The supremacy of the constitution and the rule of law.
36
37 **AWAL** Ok.

1
2 **LHS** Are those people who exercise the rights under the constitution.
3
4 **AWAL** Ok.
5
6 **LHS** And the rule of law, the ones who extremist or the ones who deny them
7 their rights by demonstrating, and maybe even taking parts in terrorism
8 which is what you mentioned, is your concern?
9
10 **AWAL** Our concern is, you see, security our concern. Saya punya jawapan itu
11 saja. It's security, keselamatan.
12
13 **LHS** Alright.
14
15 **AWAL** Because this whole issue, kalau kita tidak tangani, akan mencetuskan
16 kepada isu keselamatan yang lebih besar. That is my answer.
17
18 **LHS** Alright. Let's maybe talk, not talk about religion, yes?
19
20 **AWAL** Ok.
21
22 **LHS** I have a car.
23
24 **AWAL** Ok.
25
26 **LHS** I park my car in my garage, yes?
27
28 **AWAL** Ok.
29
30 **LHS** The porch. My neighbour doesn't like my car being parked there.
31
32 **AWAL** Ok.
33
34 **LHS** Because he says my son is very upset that you have a Ferrari whereas
35 I only have a Proton. Is it my fault that his son is angry?
36
37 **AWAL** No, I don't think I will answer to your analogy like that.

1
2 **LHS** Well, I think your fact that you can't answer that means you agree.
3
4 **AWAL** No, no. You say, doesn't mean that I got to, I don't want to answer. I
5 don't agree.
6
7 **LHS** Why can't you answer the question, Sir?
8
9 **AWAL** No, the question, I said my answer is very simple. We are concerned
10 about the security of the country. Itu saja saya punya jawapan.
11
12 **LHS** Alright. So, if the neighbour who complains –
13
14 **AWAL** No. I think so you need to, you don't need to repeat that one because
15 I'm not going to answer that one.
16
17 **LHS** I have to, you have to answer, Sir.
18
19 **AWAL** No. you cannot force me to answer it to something which is not relevant.
20
21 **LHS** Alright. If you don't answer, that means, I am saying to you that you
22 have no answer to the question which is a very fair question.
23
24 **AWAL** No.
25
26 **LHS** I asked you a simple question there.
27
28 **AWAL** I think the words, the, di apa.
29
30 **CHM** Dato'.
31
32 **AWAL** Yes.
33
34 **CHM** Please try to answer the question. Yes. You are, in this inquiry, you are
35 obligated –
36

1 **AWAL** No. Sekarang ini dia punya analogi, kereta punya got nothing to do with
2 the case. Itu saja, Yang Anif. Minta maaf, be fair to us, to me dalam
3 keadaan sekarang ini.
4
5 **PM2** Dato', he –
6
7 **AWAL** Analogi.
8
9 **PM2** He posed –
10
11 **AWAL** Saya punya jawapan tadi saya dah bagi.
12
13 **PM2** No, Dato', he posed –
14
15 **CHM** It's not that.
16
17 **AWAL** Yes.
18
19 **PM2** He posed the original question which is not clear.
20
21 **AWAL** Ok.
22
23 **PM2** So, he give you an analogy.
24
25 **LHS** Yes.
26
27 **AWAL** Yes.
28
29 **PM2** If you don't like the analogy, Mr Heng Sen can go back to the original
30 question.
31
32 **AWAL** Ok.
33
34 **PM2** It's ok, I understand. Analogy is just analogy.
35
36 **AWAL** Ok.
37

1 **PM2** But he was trying to help explain the first question.
2
3 **AWAL** No.
4
5 **PM2** Because, maybe you go back to your original question again and put it.
6 I think you can bypass the reference to Rukun Negara and all. Just ask
7 the direct question so it's short and clear.
8
9 **LHS** Yes. Alright. Under the constitution, a person has the right to profess
10 his own religion.
11
12 **AWAL** Agreed. Saya setuju.
13
14 **LHS** Joshua Jamaluddin professes his own religion.
15
16 **AWAL** Ya.
17
18 **LHS** Which is Christianity. You said there are some people who are not
19 happy with that.
20
21 **AWAL** Yes.
22
23 **LHS** And that is why we have to arrest him, not those people who are
24 unhappy with him and may pose a threat to public order, which is what
25 the ISA is for.
26
27 **AWAL** Yes. That is what the ISA for because why, to prevent, preventive law.
28
29 **LHS** To prevent those who exercise their rights?
30
31 **AWAL** Yes, betul, (11:48:04AM) to prevent that apa ini, security implication. Itu
32 dia punya apa.
33
34 **LHS** Yes. In other words, to protect those who threaten people who exercise
35 their rights and not those who exercise their rights. Simple as that.
36
37 **AWAL** I don't think it's –

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36

LHS But I leave it at that.

AWAL Ok.

LHS The non-answer is an answer itself, Sir.

AWAL Yes.

LHS Alright. I was also very impressed by the fact that you have all these ceramahs, that one on the 6th, alright, November 2016 where you addressed NGO's where you said the idea is to educate them, to teach them, to tell them, to advise them. And to avoid them taking action unnecessarily. I have gone through every line, every word, saya tidak nampak apa yang tersurat atau tersirat di mana Dato' menasihati mereka. Jangan ambil tindakan terhadap orang yang betul-betul menegakkan hak mereka ataupun exercise their rights. Do not take action against them. Do not demonstrate. Do not do. Instead, I hear words like, 'They are a threat'. 'We must take action against them'. 'We have taken action against them'. And you gave examples, Joshua Jamaluddin. Give the example Hilmy as well. Where, please point out to me anywhere in this ceramah where you did what you said you did, that we want to advise them, not to take action against these people who exercised their rights to convert. Please show me. I searched everywhere. Tidak ada yang tersurat, tidak ada yang tersirat. Tetapi yang tersurat, yang tersirat ancaman mereka.

AWAL No. I think that is, I think that is very apa, my answer is very simple just now. Tujuan kita adalah untuk kata orang itu, to advise the apa, the audience, the public that you have to apa, dia punya apa, dia punya intention, the, this kind of programme supaya benda ini you have to be aware about what is happening, so, you have to take apa ini, precautionary measures, kemungkinan ada program-program susulan yang akan diadakan bagi menguatkan akidah. Only that. Nothing to do with the apa. Ok? Itu my explanation.

1 **LHS** Exactly. If I were in your position, I would say this, 'Be strong in your
2 faith'. I'm not a Muslim scholar, I can't tell you to do that but please listen
3 to the ceramahs, please attend mosque, please do that. Where is that?
4 You are just saying we must act and I have acted against them.
5

6 **AWAL** Ok. That is you punya opinion. So, my answer is... I'm holding to my
7 answer about that.
8

9 **LHS** Well, I'm sorry, Sir. My opinion, it's very clear from your actual words
10

11 **AWAL** Yes, yes. But if you betul-betul if you are audience dalam itu, then you
12 will understand apa tujuan saya. Ok?
13

14 **LHS** In fact, as when we went through the time references, Sir, 6:22,
15 'Masalah yang lebih besar ialah masalah murtad'. Bukan masalah yang
16 besar ialah orang yang menidakkan hak orang lain. Bukan itu masalah
17 tetapi masalah paling besar ialah murtad. I don't see any implication
18 there that you must, the 'Please strengthen your faith. They have the
19 right to convert. Never mind, leave them alone. Don't take action against
20 them which posed a threat to public order'. I don't see that.
21

22 **AWAL** That is your opinion, ok?
23

24 **LHS** Yes, thank you.
25

26 **AWAL** Ok. Oh, I, minta maaf, Yang Arif, ya, boleh saya apa sikit, change sikit?
27

28 **CHM** Yes. Yes, sure.
29

30 **AWAL** Why are we referring to ceramah yang lama yang 2016 ini? The same
31 thing you are referring to this kind of thing? Saya tak faham. Kenapa?
32 Apa tujuan dia sebenarnya ceramah? Ini ceritanya lama, why are we, I
33 mean, pihak apa cuba nak bangkitkan balik isu-isu yang ini because
34 this is happening during that time. Got nothing to do with apa ini.
35

36 **LHS** Alright. Let me go on to another question.
37

1 **AWAL** Why are you, I mean, bagi saya because I've already given the same
2 answer dalam apa, dalam Joshua dengan apa, dengan isu, kan?
3
4 **LHS** Amri's case. Joshua, you didn't attend because he was on medical
5 leave, right?
6
7 **AWAL** Why don't you just refer to the apa, to the transcript ataupun to the apa,
8 notes of proceeding on that?
9
10 **LHS** Yes. Alright, never mind.
11
12 **AWAL** You keep on asking the same thing, bagi saya it's unfair. You call me
13 from my retirement, datang sini, bagi apa, you are circling into the same
14 apa, sama benda yang sama.
15
16 **LHS** Whatever we do –
17
18 **AWAL** It's already been given, the answer. Itu yang saya akan apa.
19
20 **CHM** Sebentar, sebentar.
21
22 **LHS** Dato'.
23
24 **CHM** Yes. We will explain, again explain.
25
26 **AWAL** I feel like walking out of this room sekarang ini just because I respected
27 the law, I respected the SUHAKAM punya apa.
28
29 **CHM** Bersabar, Dato', bersabar. Ya.
30
31 **AWAL** Yes, saya apa. Ok. Please. You can go through the notes of proceeding
32 apa yang saya telah jawab, bagi sayalah. He's already been giving a lot
33 of –
34
35 **LHS** That's what I'm doing. I'm going through the proceedings of your
36 ceramah.
37

1 **AWAL** Why is he circling itu soalan yang kadang-kadang saya tidak faham?
2
3 **LHS** Yes, because I'm asking you questions on what you have told us.
4
5 **CHM** Counsel is entitled to ask the question. Ya?
6
7 **AWAL** What is he? Is he from jabatan peguam?
8
9 **CHM** And Dato', bersabar. Be calm, Dato', be calm.
10
11 **AWAL** Ok.
12
13 **CHM** And because you know, you still represent the PDRM. So, be careful
14 yes? It's, yes.
15
16 **AWAL** Yes, of course, I'm representing dia punya.
17
18 **CHM** Yes. Just be calm and composed, yes.
19
20 **AWAL** Ok.
21
22 **CHM** Yes. As a police officer, you have to be calm and composed, yes? You
23 represent the PDRM today, you know? The image is very important,
24 Dato'. Yes.
25
26 **AWAL** Saya tahu, Yang Arif.
27
28 **CHM** Yes. So –
29
30 **AWAL** Saya, I respected the bench.
31
32 **CHM** Yes, tak apa. Be calm and we will hold –
33
34 **AWAL** Because why, benda ini saya dah jawab masa apa.
35
36 **CHM** Whatever answer you give, we will respect, yes? And we will make our
37 own assessment and our own evaluation later on lah.

1
2 **AWAL** Yes. Ok.
3
4 **CHM** Ok. But dengar the, Mr Lim, please proceed, yes.
5
6 **LHS** I'm sure you do have understanding of how the law works, right? So,
7 this is how the law works. Even though we may be different in our
8 answers, the full respect for your profession and like you, I'm also a
9 government pensioner. I'm a former AG's Chambers, SFC and head of
10 division of one department, and I still respect the law, I still will do what
11 is right for the law like you should do. We enjoy our government
12 pension, we still are obliged to the people's interest and the people's
13 trust. Now, you have mentioned the previous inquiry where you
14 appeared and I would like to refer to the findings during inquiry. The
15 findings during inquiry into Raymond Koh's disappearance at page 39.
16 We will make it available, I'm sure?
17
18 **CHM** Mr Lim.
19
20 **LHS** Yes.
21
22 **CHM** Next to Mr Philip is, seat is vacant. Could anybody come forward?
23
24 **LHS** Maybe I should, Yang Arif, that's a good idea. (11:54:50AM inaudible).
25 Dato', again thank you very much.
26
27 **CHM** Speak, because we're all wearing masks. So, the, our sound will be
28 muffled.
29
30 **LHS** Alright.
31
32 **CHM** So...
33
34 **SK** Tak, boleh cakap dekat dengan mic.
35
36 **LHS** Sorry, yes? Thank you so much, yes.
37

1 **CHM** Speak slowly, Mr Lim, speak slowly and loudly.
2
3 **LHS** Thank you, Sir. Yes, Dato', I'm sorry, you did mention that you have
4 given evidence before and why are we revisiting this. The reason is this.
5 The cause behind a lot of these issues is exactly what is the same
6 issues there. The disappearance of Ruth and Hilmy and sorry, Joshua
7 is about the same time. In fact, Raymond Koh disappeared one month
8 after you gave that ceramah. And that's why it is all linked, we have to
9 get to the bottom of this. Thank you, Sir. On the findings of SUHAKAM,
10 page 39, paragraph 94. I have no copies of this but I'm sure the
11 references are there.
12
13 **CHM** Page 39?
14
15 **LHS** Paragraph 94.
16
17 **CHM** Can it be shown on the screen, tak?
18
19 **LHS** Of the report into the inquiry.
20
21 **SK** We have to download the report if want to be sure. We have to, the
22 papers are available on the website.
23
24 **PM2** They don't have it.
25
26 **SK** So, we have to download it first.
27
28 **PK** Is it possible to do it?
29
30 **CHM** Sekarang bolehkah?
31
32 **SK** Yes, we can download this.
33
34 **CHM** Ok.
35
36 **LHS** Yes. We wait for this?
37

1 **CHM** Sekejap.
2
3 **PK** Yes. Or maybe take a five minutes' break, Mr Chairman? Maybe a quick
4 toilet break? Maybe a good time –
5
6 **CHM** Ok. We'll take a five minutes' toilet break, yes?
7
8 **AWAL** Ok. Yes.
9
10 **CHM** Toilet break, yes.
11
12 **PK** Yes. Thank you.
13
14 **CHM** Go to the gent's for awhile.
15
16 **JRB** Bangun.
17
18 **END**
19
20 **TIME :** **11:57AM**
21
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37

1 **DATE** : 06.01.2021

2 **TIME** : 12:05PM

3

4

START

5

6 **LHS** Dato' I'm sure you know that you are under oath.

7

8 **AWAL** Yes sure... don't have... ok, ok, thank you for reminding me.

9

10 **LHS** But I was going to take you to the report of SUHAKAM and I believe the
11 transcript or reports here. But before that... before that, as I said, we
12 were very encouraged by the fact that you do not consider conversion
13 an issue. Conversion is not the issue, but the bigger threat is how the
14 people will react. That's what you said. Reaction is what you're concern
15 about.

16

17 **AWAL** Yes.

18

19 **LHS** Everyone will react. They'll be angry. We are not focus on conversion.
20 Orang jadi marah. Right?

21

22 **AWAL** Alright.

23

24 **LHS** Now, instead of calming the situation, telling the people, 'don't get
25 angry. These people are exerting their rights. We must strengthen our
26 own faith.' This is what the report in SUHAKAM says about you, page
27 39 of the report by Raymond Koh, paragraph 94.

28

29 **JRB** Sorry page 29?

30

31 **LHS** Page 39, sorry. Have you got it?

32

33 **AWAL** Yes.

34

35 **LHS** Yes. It starts with on 10th of November yes? Alright. I read the whole
36 extract with permission, it's not that long. 'On 10.11.2015,' this is not the

1 2016 one, 'Pertubuhan Muafakat Sejahtera Masyarakat Malaysia,'
2 Muafakat organised the seminar named Seminar Pendedahan
3 Ancaman Bencana Kristianisasi SPARK at the Auditorium at Kuliah of
4 Architecture and Environmental Design in the International Islamic
5 University, Gombak. According to the flyers that were distributed by
6 Muafakat Dato' DCP Awaluddin Jadid, the Ketua Penolong Pengarah
7 Bahagian Ancaman Ekstremis Sosial, Cawangan Khas Bukit Aman was
8 invited as the guest speaker. Dato' DCP Awaluddin Jadid was called as
9 witness IW19 in the public inquiry into the disappearance of Amri Che
10 Mat. 'At the seminar, Dato' DCP Awaluddin Jadid spoke adversely
11 against the Christian faith. He urged audience and non-government
12 organisations to take action against any Christianisation movement in
13 the country. He further added that demonstrations and protests by
14 NGOs will not resolve the issue on Christianisation.' I'm sorry to say
15 this. These are not words to get people to calm down. These are words
16 to instigate. Do you agree?

17
18 **AWAL** No, no, that is SUHAKAM punya findings. I don't think I want to answer
19 that one.

20
21 **LHS** No, I quoted from the actual extracts.

22
23 **AWAL** No, because that is not... itu yang sebenarnya bukan tujuan... apa
24 setuju pada (12:08:46PM) saya. Dan to calm the situation, so we are
25 advising the public. Itu sahaja.

26
27 **LHS** Alright. I think I leave it at that.

28
29 **AWAL** Ok.

30
31 **LHS** We leave it for submission.

32
33 **AWAL** That is SUHAKAM punya findings.

34
35 **LHS** Alright. And just one... perhaps final point or two. You denied saying
36 that you used the word eliminate.

37

1 **AWAL** Apa dia?
2
3 **LHS** Alright. But can I ask you –
4
5 **AWAL** Say... say that ... the word apa?
6
7 **LHS** Eliminate. In Malay what was the word use?
8
9 **AK** He used English word eliminate.
10
11 **LHS** You used the word eliminate.
12
13 **AWAL** Ok you refer dimana perkataan itu? I meant the word... you cannot.
14
15 **LHS** That can be checked from the notes later.
16
17 **AWAL** Ok, ok.
18
19 **LHS** Yes, that can be checked.
20
21 **CHM** I have to be fair to the witness, we cannot just take a word, we need to
22 have the context.
23
24 **AWAL** Yes.
25
26 **CHM** In which... kena dapat konteks dulu, pastu boleh throw the question to
27 the witness.
28
29 **LHS** Alright. Now if we can show that you did use the word eliminate or even
30 we can't, would you agree that the word eliminate and the word
31 eradicate is about the same meaning?
32
33 **AWAL** I don't have an answer for that. I don't think I will answer.
34
35 **LHS** You are not an expert in English but let me –
36
37 **AWAL** No, no, no, don't say that I'm not an expert in English.

1
2 **CHM** I think don't pursue that line, Mr Lim.
3
4 **LHS** Correct. Thank you, Yang Arif.
5
6 **CHM** Unless when we got the context, then we ask.
7
8 **LHS** I take your guidance, Yang Arif. Well for the context then, can I refer to
9 the findings of SUHAKAM in the Che Amri's report, which is also
10 attached together, I think. At page 43, at paragraph 115.4.
11
12 **CHM** Take your time to answer, Dato', because this inquiry gives you an
13 opportunity for you to explain yourself.
14
15 **AWAL** Ok.
16
17 **CHM** This is an opportunity. Take it positive that way.
18
19 **AWAL** Thank you, Yang Arif.
20
21 **LHS** En Amri's report page 43, 115.4. Again, with respect, Dato', it's your
22 involvement in this matter that was being highlighted by SUHAKAM's
23 report, Dato' Awaluddin Jadid complained of the stripping of police
24 powers.
25
26 **PM1** Which paragraph you reading?
27
28 **CHM** No, no, no, I tak dapat lagi.
29
30 **LHS** Oh tak dapat lagi. En Amri's report?
31
32 **CHM** Para... para lagi senang... para.
33
34 **LHS** Yes. Which I think was issued at the same time really. Page 43 at
35 paragraph 1-1-5-4.
36
37 **CHM** Ok 115?

1
2 **LHS** Yes.
3
4 **CHM** Para 1.
5
6 **LHS** Point 4. At page 4-3.
7
8 **SK** Need to mention the paragraph.
9
10 **LHS** 1-1-5.4 yes.
11
12 **CHM** 1-1-5 point berapa, Mr Lim?
13
14 **LHS** The next one 1-1... yes just that... 115.4
15
16 **CHM** Point four?
17
18 **LHS** Yes.
19
20 **CHM** Point four.
21
22 **LHS** Lower down.
23
24 **CHM** Naik sikit. That's it... yes... yes... this one yes.
25
26 **LHS** The question was about mewah, tak mewah, kaya, whatever. Well, this
27 probably puts in context back the question was asked. I read verbatim,
28 'Dato' Awaluddin complained that the stripping of police powers at the
29 confusion within administration on the supervision of religious
30 organisations. In the face of this overwhelming threat and the lack of
31 police action to deal with it, he called on the participants and the larger
32 Muslims community to unite and to eradicate the problem posed by
33 Shias. Of course, this is a shared problem.
34
35 **CHM** No, no, no, we have to ask... understand di mana ini? Kena tengok di
36 atas dia.
37

1 LHS Starting this... Dato' Awaluddin.
2
3 AWAL Yes, yes, ok.
4
5 CHM In the same seminar?
6
7 LHS No, this is... I'm not sure where it was but it was a finding... yes, I think
8 it is –
9
10 CHM Yes, it is about 115.2.
11
12 LHS The main paragraph 115 talks about 06.11.2016.
13
14 CHM I think kita start dengan 115.1.
15
16 LHS Yes 115.
17
18 CHM Baca semua... ok, ok start from here.
19
20 LHS This was at 2016.
21
22 CHM Ok, ok, start from here ok.
23
24 LHS Yes. It almost like regularly in November.
25
26 CHM Ok, ok. Please read, Mr Lim. Please read from 115 then until 115.4.
27
28 LHS Read the whole thing?
29
30 CHM Yes, yes.
31
32 LHS Ok.
33
34 CHM No, no... 115, ok, right ok.
35
36 LHS In November 2016 Dato' Awaluddin was a speaker at the seminar
37 entitled 'Seminar Belia Menentang Keganasan' organised by an Islamic

1 non-government organisation Ahli Sunnah Wal Jamaah. This seminar
2 was attended by around 60 to 100 people consists of students from the
3 Malaysian National Defence University and members of Muslim NGOs
4 and was held at Ministry of Home Affairs complex at Kuala Lumpur. The
5 main focus was to warn against Shia activity in the country. It said there
6 was an urgent need to address Shi'ism and the Shi'ism has infiltrated
7 all level of society including the police, judiciary, religious authorities
8 and the administration. According to him this problem was not
9 sufficiently recognised. He gave an example of three Shia mosque in
10 Satun and Shia centred in Thankalam (12:14:01PM). In Southern
11 Thailand, he claimed these were being turned into training centres for
12 200 to 300 Malay Shia preachers and then the intern would be deployed
13 to infiltrate society to spread Shi'ism. It also stated that individuals who
14 supported Shi'ism must be identified.' The context is even sharper Yang
15 Arif. Identified, and that his intelligence shows that Shia activity starting
16 in police has spread to Kedah, Penang, Perak, Selangor, Wilayah
17 Persekutuan, Melaka, Johor, Terengganu, Pahang and Kelantan. And
18 this is where I have been inform. Dato' Awaluddin Jadid complained of
19 the stripping of police powers 'tak mewah sekarang, dulu mewah' and
20 confusion without the administration or the supervision of religious
21 organisation. In the face of its own threat and the lack of police action
22 dealing with it, he called onto (12:14:54PM) participants and the larger
23 Muslim community to unite and to eradicate the problem posed by
24 Shias.' Now, we know Amman Declaration recognised Shia as
25 legitimate sect of Islam and here in this country, however, the
26 mainstream is... of Jemaah... what is the word used... sorry.

27
28 [12:15PM]

29
30 **CHM** Hold on, hold on. Hold on, Mr Lim.

31
32 **LHS** Yes alright.

33
34 **CHM** You mentioned Amman Declaration.

35
36 **LHS** Yes.

37

1 **CHM** Dato', you know about Amman Declaration?
2
3 **AWAL** Not within my knowledge.
4
5 **CHM** Ok. Carry on.
6
7 **LHS** I think essentially the Amman Declaration recognises the Shia religion
8 as one of a legitimate expression of Islam. Yes?
9
10 **CHM** And Malaysian regulation it's also a signatory to... you know... yes. The
11 purpose of the question is you know, all the sects shouldn't be quarrel
12 on one another and we all recognised one another. So, Shia is also
13 recognised that the two sects Jaffariah and Zaidah, is it?
14
15 **LHS** I don't think they went that far... I think... I don't think so.
16
17 **CHM** Two sects of Shia are recognised in that Amman.
18
19 **LHS** Yes. But, for present purpose, it's sufficed for us to mention Shiite
20 division of Islam as one.
21
22 **CHM** Ok fine yes.
23
24 **LHS** Yes. Again Dato', I mean I do not see the context of what happen at this
25 seminar as being in the nature of advisory of encouraging the Christians
26 to stand in... Muslims to stand in the faith against a different sect of
27 Islam. Instead, they call for people to rise against them, to eliminate
28 them, to identify them.
29
30 **AWAL** I don't agree with you punya –
31
32 **LHS** Alright please explain why you don't agree.
33
34 **AWAL** I don't need to explain because you are not there actually. Saya dah
35 beritahu daripada awal tujuan kita, the intention of us giving this kind
36 of... I mean the ceramah is to forewarn the Muslim this is what
37 happening in the apa. So, you need to do something in order

1 termasuklah... saya dah sebut dah mention all the jabatan agama, the
2 legal, the judiciary apa semua. You have to read in between the above.
3 That's what the explanation.
4
5 **LHS** Yes.
6
7 **AWAL** Ok?
8
9 **LHS** Exactly back to the heart of the problem.
10
11 **AWAL** Ok. Itu yang sebenarnya saya punya apa.
12
13 **LHS** From the very beginning you said, 'We are not against for people to
14 express their own religion.'
15
16 **AWAL** Oh yes definitely.
17
18 **LHS** Yes. 'We are however against those who might be outraged, angry, and
19 take action against them.' But this doesn't address that.
20
21 **AWAL** I'm addressing the audience at that moment.
22
23 **LHS** At the same time to take action.
24
25 **AWAL** They have to take action. You have to organise... you need the law –
26
27 **LHS** Identified individual.
28
29 **AWAL** Nanti you dengar dulu. You need the law, so ask the government to
30 strengthen the law. Up kan balik dia punya undang-undang. I mean that
31 is the kind of thing... that's the intention.
32
33 **LHS** He also stated in reserve supported Shiism must be identified.
34
35 **AWAL** Of course that is... itu jabatan agama islam punya kerja... you see.
36
37 **LHS** And then action to be taken to eradicate the problem.

1
2 **AWAL** So you cannot pinpoint separately to say something that you apa... I
3 think it's quite unfair lah kalau you quote on –
4
5 **CHM** Speak slowly Dato' because whatever you said it need to be –
6
7 **AWAL** Yes, yes, saya rasa –
8
9 **CHM** Recorded by the transcribers. So, they got to catch what you're saying.
10 Slowly.
11
12 **AWAL** Yes, Yang Anif. Saya minta... saya express my apa... it's very unfair for
13 you to quote... this is a finding by SUHAKAM. Lepas itu you posed it to
14 me sebagai satu benda yang apa... tak bolehlah macam itu. I think that
15 is not... that is not my apa... finding SUHAKAM, is SUHAKAM punya
16 finding. But that is not my intention apa. Seolah-olah saya ini apa –
17
18 **CHM** Dato', if you disagree with... this is your opportunity.
19
20 **AWAL** I just disagree that he is using that one as the apa.
21
22 **CHM** Dato', let me speak. This is an opportunity for you.
23
24 **AWAL** Ok
25
26 **CHM** This's an opportunity for you, bukan?
27
28 **AWAL** Alright.
29
30 **CHM** You've seen that. This is a laporan.
31
32 **AWAL** Ya, ya.
33
34 **CHM** And you are mentioned. So, this is a golden opportunity to explain
35 yourself.
36
37 **AWAL** Yes, yes.

1

2 **CHM** So take the opportunity. Be calm and take the opportunity to explain
3 yourself that, 'Oh no, this is what I need,' or something like that or, 'I
4 disagree.' You are entitled.

5

6 **AWAL** Yes sure. He doesn't seem to understand, Yang Arif.

7

8 **CHM** You are entitled.

9

10 **LHS** Yes, I'm waiting to hear you to understand, Sir.

11

12 **AWAL** He keep on asking dia apa... seolah-olah saya menghasut orang
13 supaya apa... that is not intention. Saya beritahu tujuan kita –

14

15 **CHM** No, no, no. Mr Lim is only –

16

17 **LHS** Quoting from the –

18

19 **CHM** Is only mentioning what is in the report of the SUHAKAM's inquiry. Kan?

20

21 **AWAL** Yes. Ya, Yang Arif. Saya faham. Saya faham.

22

23 **CHM** So he wants to explain what's your position.

24

25 **AWAL** Yes. Saya dah explain by kali.

26

27 **CHM** Do you agree with the finding or you disagree?

28

29 **AWAL** Saya agree that is SUHAKAM punya finding. Dia cakap pada I disagree
30 with the finding by the SUHAKAM because a lot of thing is not being
31 reported... masa saya bagi dalam notes of proceeding you see. So, this
32 is their apa... but then Mr Lim is... keeps on harping on the apa... that
33 is not... saya dah explain the intention of the seminar masa saya hadir
34 itu adalah to advise the audience you have to... apa... now we have to
35 unite. Is it wrong for me to call my fellow Muslim to unite? Untuk kita
36 nak kata apa... because I'm a Muslim. You see? Yang itu yang dikira to
37 unite in order to find ways and means to kata apa... untuk kita

1 melakukan sesuatu supaya isu ini tidak merebak, itu dia punya
2 intention.
3
4 **CHM** Ok, ok, that's right. Ok.
5
6 **AWAL** Itu dia punya apa. Hopefully he understands. Don't keep on harping the
7 same question... dia apa balik.
8
9 **CHM** No, no, no. Don't get personal, Dato'.
10
11 **AWAL** Ok, ok. Thank you, Your Honour.
12
13 **CHM** Nothing personal here.
14
15 **AWAL** Ok.
16
17 **CHM** Ok. We are all professional here.
18
19 **AWAL** Yes, yes, thank you. Alright, that's my answer.
20
21 **LHS** I'm sorry again.
22
23 **AWAL** Yes.
24
25 **LHS** It is the same text which we are reading.
26
27 **AWAL** Yes.
28
29 **LHS** And we find nothing in the form of trying to achieve a peaceful view of
30 the whole situation and say that people have the rights, you have no
31 rights to interfere with the rights. I don't see anything in that, that's all.
32
33 **AWAL** That's your opinion ok right.
34
35 **LHS** Ok, and the final question earlier on, the word interrogate -
36

1 **CHM** I got one question here. Tolong turun sikit... being from... coming from
2 the judiciary. Naik atas sikit. Naik atas. Naik atas. Ok here. The main
3 focus on the speech was... I'm reading 115.1, Dato'.
4
5 **AWAL** Yes, yes.
6
7 **CHM** The main focus, Dato', of the speech, saya ternampak ini... I'm from the
8 judiciary kan, 'Was to warn against Shia activities in the country.
9
10 **AWAL** Ok.
11
12 **CHM** Is that there was an urgent need to address the Shi'ism?
13
14 **AWAL** Ok.
15
16 **CHM** And Shia had... yes... infiltrated all levels of society including the police,
17 judiciary.
18
19 **AWAL** Judiciary.
20
21 **CHM** Just hold on, I'm only concern on judiciary because I'm from the
22 judiciary. So, can you elaborate what do you mean by judiciary, Dato'?
23
24 **AWAL** Judiciary maksudnya di dalam judiciary I mean at that time –
25
26 **CHM** Because there are two judiciaries, the civil judiciary which I belong to...
27 and the jabatannya.
28
29 **AWAL** Ada dalam apa... yang berdasarkan pada kita.
30
31 **CHM** So which judiciary do you mean here?
32
33 **AWAL** Judiciary maksud saya di sini adalah... saya pun dah... at that time this
34 happened in Selangor, this area of Selangor punya apa. I mean the
35 Court punya.
36
37 **CHM** You mean Mahkamah Syariah?

1
2 **AWAL** No, no.
3
4 **CHM** Not is it?
5
6 **AWAL** Mahkamah... Mahkamah kita... Sivil punya, Puan. That is the -
7
8 **CHM** The civil as well?
9
10 **AWAL** Oh yes, yes.
11
12 **CHM** You mean –
13
14 **AWAL** Itu masa ketika itu. Saya dah explain the answer.
15
16 **CHM** I see.
17
18 **AWAL** So... so we... I don't think we will apa kah.
19
20 **CHM** Mahkamah Sivil sahaja atau Mahkamah Syariah atau combination what
21 do you mean by judiciary? Be more specific here.
22
23 **AWAL** No, at that time saya... saya... kata orang itu I've already forgotten about
24 this whole... apa sebenarnya itu.
25
26 **CHM** So, you can't explain? You've forgotten?
27
28 **AWAL** Dia sebenarnya ada... berdasarkan pada maklumat yang kita terima,
29 ada di kalangan ini apa...kita punya judges ke apa turut terlibat dalam
30 isu Syiah ini.
31
32 **CHM** Oh they are? Ex-judge?
33
34 **AWAL** Yes, it's not you lah. Ada dia punya apa kan. At that time, that is dia
35 punya... so I don't think it's... we can take that as kata orang itu satu
36 yang apalah... alarming punya apa... tahu tak?
37

1 **CHM** Ok, that's your explanation. Ok alright yes.
2
3 **LHS** Ok. Just one or two points on this.
4
5 **AWAL** Yes.
6
7 **LHS** I mean all the points raised by Dato' or Chairman here... I mean all this
8 seems to create a sense of anxiety, right?
9
10 **AWAL** Ok.
11
12 **LHS** That there's this Christianisation, Shi'ism penetrating every level of
13 society and we as a race is doom. I mean it is a sense that we get from
14 reading this... and the audience. What do you imagine the audience
15 would feel when hear you talk -
16
17 **AWAL** Very well, that is your... that is your opinion.
18
19 **LHS** Fine, alright.
20
21 **AWAL** That is not the... itu bukan matlamat saya.
22
23 **LHS** Yes, you had the wrong career in this particular division I suppose.
24
25 **AWAL** That's not for you to comment on that ok please.
26
27 **LHS** And you were even very proud of the fact -
28
29 **AWAL** You are not... you are not to comment on this... about my career.
30
31 **PM2** Dato'... Dato', can you calm down please. Hold on Mr Heng Sen.
32
33 **LHS** You are very proud of the fact that you were also involved in the arrest
34 of Joshua Jamaludin.
35
36 **PM2** Mr Heng Sen. Mr Heng Sen. Mr Heng Sen. Hold on, Dato'.
37

1 **AWAL** Yes.
2
3 **PM2** We'll go turn by turn.
4
5 **AWAL** Ok.
6
7 **PM2** When the counsel is speaking –
8
9 **AWAL** No, I mean –
10
11 **PM2** No, no, no. Now, it's not your turn to speak.
12
13 **LHS** I didn't ask you any question to answer, Sir.
14
15 **PM2** Now not your turn to speak. You have your moment to speak.
16
17 **AWAL** Ok.
18
19 **PM2** And we need some decorum here, Dato'.
20
21 **AWAL** Ok, ok.
22
23 **PM2** You may not be used to be asked questions, but I think we all here
24 assisting to find the truth and I think it's in your interest, PDRM's interest
25 to find the truth. So, you are here to assist us and please follow
26 decorum. I think it's enough of you interrupting. He speaks, we give you
27 a chance to explain yourself. You have all the time. We are not going to
28 interrupt you. So, when you have the time.
29
30 **AWAL** Ok.
31
32 **PM2** So, please listen to the counsel. Counsel, please go ahead.
33
34 **LHS** Alright. I didn't say your distinguished career, I just said you had a wrong
35 career as you have given almost claimed credit for arresting Joshua
36 Jamaludin. Alright? That was as early as 1986. That takes you back
37 almost 30 to 40 years involved in this crime of E2 activities alright. Now,

1 I don't know whether you were in the Court, but I was in the Court that
2 day when the case of Joshua Jamaludin was heard. Senior for the
3 counsel who appeared for the government was Raus Sharif who retired
4 as Chief Justice, Tun Raus. And I remember, I was in there addressing
5 the government (12:25:08PM) I was there to observe. And I read the
6 affidavit of Joshua Jamaludin. Interrogation here went as far as torture.
7 One of the things that I read in his affidavit was he was stripped naked
8 or almost half naked before a senior police officer and asked to stand
9 like he was the Christ with his arm outstretched. You were the file officer
10 (12:25:32PM) I understand on this. do you know that this happened?
11

12 **AWAL** I don't have an answer for that because I'm not involved with Joshua
13 Jamaludin's interrogation.
14

15 **LHS** Alright. That's all, Yang Arif.
16

17 **CHM** Ok.
18

19 **PK** Yang Arif, I maybe too, have a clarification question on him. Just a short
20 one.
21

22 **AWAL** Minta maaf, Chairman. Is he allowed to repeat question?
23

24 **CHM** Sure. Sure. Sure.
25

26 **PK** Very short. Dato' Awaluddin, you're referred because you're peguam.
27 You are trained as a lawyer too. Fasal 146, Federal Constitution.
28

29 **AWAL** No, no, no. Are you at 146?
30

31 **PK** 149.
32

33 **AWAL** 149.
34

35 **PK** Yes perlembagaan. So, I would like to just clarify. Because your
36 understanding seems to be that under Article 149 which ISA was
37 promulgated and passed which is against any law against subversion

1 and all that, you are permitted to detain under ISA then. ISA was in
2 force. Christians or Shia, etc, etc. Even though there is no evidence of
3 threat to public order. Now, we reminded you and because you are also
4 a lawyer, the highest court of the land, the Supreme Court then as it
5 was known, a very distinguished judge, the late Hashim Yeop Sani,
6 Dato' Seri would... all of us acknowledged he's one of the most
7 distinguished judges in our land. We always look back and respected
8 the gentleman. He ruled in Joshua Jamaludin's case that the ISA
9 although it's promulgated under 149 cannot be used to control freedom
10 of religion unless the activity has evidence of threat to public order and
11 because of that Joshua Jamaludin was released under the habeas
12 corpus, one of the most important writs to recognise human rights. Are
13 you aware of the decision?
14

15 **AWAL** Oh yes, yes. I'm aware.

16
17 **PK** Even with that decision, which is the rule of the land, even before ISA
18 was taken away, which you were unhappy with, actually –
19

20 **AWAL** I have to correct that. Don't use the word that I'm not... 'unhappy with'...
21 I think it's incorrect.
22

23 **PK** You are unhappy with... you say that in the testimony that you weren't
24 happy that ISA was not there for you. Yet, even if there was ISA, Hashim
25 Yeop Sani Federal Court Judge, Supreme Court then known as, said
26 that you cannot use this against Article 11, alright? It is so clear. That's
27 the law. So, I would like to place on record that the understanding of
28 PDRM then and maybe even later seem to have not taken into
29 consideration a respect to the declaration over the law is by the highest
30 court of the land. That's very important alright. The second point is to
31 place on record, Dato' Seri, SUHAKAM itself, under the distinguished
32 report made by the late KC Vohrah, one of the most distinguished and
33 respected judges in our land, we all respect him, and he has passed
34 away last year. He has given a report and it is in your... in your
35 archives... that the ISA should remove and it is in that context that even
36 a Barisan Nasional Government, even a Barisan, not a reformasi
37 government, agreed to remove it. So, we don't understand why is it that

1 you all are loyal servant of the government, the government of the day
2 has removed it, you are entering... just now you said, 'saya... we do not
3 comment on politics and all.' You are being very political when you say
4 that ISA should not be removed. That is not the duty or the role of PDRM
5 to comment on laws that are removed or added. Your duty is to be loyal
6 to the country and the King and the laws. If there're no law, you
7 shouldn't complain about it. With those remarks, if you want to respond,
8 Dato', you can. I'm not here to accuse.

9

10 **AWAL** I don't want to response that's your own opinion. No, no, saya tidak
11 respons kepada –

12

13 **PK** Ok terima kasih for your opportunity to clarify. The relationship between
14 fundamental liberties and Article 149 in relation to the Joshua
15 Jamaludin's case which Dato' Seri is fully aware.

16

17 **[12:30PM]**

18

19 **PM2** Thank you. Dato' Awaluddin.

20

21 **AWAL** Yes, Sir.

22

23 **PM2** You know in your presentation and even earlier presentation, you said
24 that 'very clear demarcation of job, dapat maklumat information you
25 passed it on to Jabatan Agama. Are you aware of what is the action
26 taken by Jabatan Agama in order for them to remedy yang situation
27 yang banyak murtad ini or Shia what... because you are right... because
28 yours is not the enforcement part, bukan? Yours is the info gathering
29 part, so can you explain a little bit about when your info goes that side,
30 what happens and whatever action you know they have taken or not
31 taken atau mereka pun tak boleh buat apa. Boleh terangkan sikit?

32

33 **AWAL** Ya. Shia ini kita tidak pun... kita tidak... kata orang itu, we don't really
34 emphasise about itu... because whatever information kita ada, kita pass
35 it to the above. Kalau dia nak report kepada kita, kita terima. Kalau dia
36 tak nak report, so we don't really apa... dia punya... so -

37

- 1 **PM2** Tapi dalam pengalaman Dato' selama ini... because kalau dia ambil
2 action baru akan kurang lah... then Dato' punya work pun saya fikir ada
3 kekurangan but... so surely, you must also monitor changes in that
4 information passed to them, ada apa-apa kah tak ada. So what are the
5 kind of action taken that has worked, do not work, at least
6 mengurangkan as you say the kegentingan isu murtad linked with apa
7 itu extremism?
8
- 9 **AWAL** Kita kalau tak ada apa... tak ada action, we don't... we don't proceed
10 with any... apa... tak ada... because –
11
- 12 **PM2** Police don't do anything because your hands as per law you tak buat,
13 but on jabatan agama you think they have done well? Have they taken
14 any action? Like to mengurangkan situasi because kalau dia tak buat
15 you punya kerja akan tambah juga... to collect more information. That's
16 why I'm trying to understand. Sebelah sana itu, what is the update on
17 all the info you've passed?
18
- 19 **AWAL** I see. Saya tidak mahu nak komen whether they are taking action, or
20 they are not taking action apa semua. But the situation is that, we
21 passed the information to them, it's now up to them to apa. Because the
22 power is within them. When it comes to isu murtad, isu apa, the power
23 is within them. So, we don't meddle into dia punya apa. Itu sahaja.
24
- 25 **PM2** Dato', thank you for coming here because this is us seeking answers to
26 a very difficult questions on the disappearance. I think nobody wants
27 any disappearance to happen in Malaysia. I think all of us in the country
28 wants a... but what happened dah sekarang on our book dah ada
29 disappearance. So Dato', is the case of disappearance kalau dia ada
30 kaitan dengan isu-isu agama, do you think that will fall under E2s
31 definition of menjaga... apa... pelampau?
32
- 33 **AWAL** No, no, it doesn't fall under us because when it comes to
34 disappearance, it's all JSJ.
35
- 36 **PM2** Itu criminal?
37

1 **AWAL** Yes J criminal...

2

3 **PM2** But I'm trying to say kalau orang mengambil... kalau lah... we haven't
4 ascertained yet because we don't have a case. Kalau lah sesiapa
5 mengambil tindakan sendiri because dia punya lunas sebab untuk
6 mengambil tindakan itu berasaskan keagamaan atau ekstremis
7 keagamaan and then they take action to disappear, nothing to do with
8 the police. But if that is an action taken by people based on their
9 religious motivation, would that be something considered extremist
10 action? Kalau... kalau dilakukan oleh sesiapalah.

11

12 **AWAL** That is not only extremist but that is a criminal bagi sayalah.

13

14 **PM2** Criminal very clear. Criminal very clear but I'm trying to say because
15 under your information gathering, you need to ascertain information
16 before such... such an action is taken by whoever. And if this does not...
17 not in the radar of (12:33:44PM) of E2, maksudnya adalah orang yang
18 ada pemikiran macam itu... tak tahu siapa kat luar... kalau ada, are you
19 all also watching that track of thinking, those who are extreme. Memang
20 lah ada ekstremis kat Malaysia.

21

22 **AWAL** Tak... tak... tak ada... tak ada.

23

24 **PM2** Selama ini tak buat linking ada bahaya sesetengah itu akan dihilangkan
25 oleh sesiapa yang ekstremis ini?

26

27 **AWAL** No, no, kita tidak apa... we are not involved with that kind of apa... untuk
28 penyiasatan apa semua... no.

29

30 **PM2** Tak ada. Info gathering? Sebab ini juga –

31

32 **AWAL** Info ini adalah berdasarkan pada activities, apa yang berlaku di bawah.
33 Itu sahaja yang ada . Activities macam tarekat apa semua that is the
34 apa.

35

1 **PM2** So sebelum kehilangan Pastor Joshua ke, Amri Che Mat, and all that,
2 sebelum itu tak ada... memang Malaysia pun tak ada berbincang pasal
3 disappearance?
4

5 **AWAL** Tak.
6

7 **PM2** So E2 also never had any surveillance on the issue of disappearance?
8

9 **AWAL** No, no, we don't.
10

11 **PM2** So it's never part of your branch?
12

13 **AWAL** Never, never.
14

15 **PM2** Ok. And then... maybe one more question. This... the role of... I asked
16 this earlier Dato', in E2... sebab I think berdasarkan soalan Chairman
17 tadi juga yang... 'as a professional police force, our role and function is
18 to stop all forms of extremism.'
19

20 **AWAL** Yes.
21

22 **PM2** Because you've spoken at detail about the threat against Islam, both
23 from within Shia extremism but what about other threats against other
24 religion? Is there some section in E2 that also memantau ada kes-kes
25 macam itu?
26

27 **AWAL** Ada... memang ada.
28

29 **PM2** Ya?
30

31 **AWAL** Christianity or extremism amongst Christianity and extremism amongst
32 Buddhism... ada.
33

34 **PM2** So that is part of your department?
35

36 **AWAL** Ada dia punya... ada, ada.
37

1 **PM2** Memang ada orang buat pemantauan?
2

3 **AWAL** Monitored by non-Malays officers.
4

5 **PM2** So you have a mixed team that looks at the whole country because I
6 want to know what is the department? Tak kan department itu
7 ditubuhkan untuk menjaga isu Islam, itu ada jabatan Islam kan?
8

9 **AWAL** No, no, no, memang ada... extremism.
10

11 **PM2** Ok thank you.
12

13 **AWAL** Ok terima kasih.
14

15 **CHM** Yes Andrew.
16

17 **AK** My apologies learned commissioners. Perhaps if I can prompt
18 Commissioner Jerald Joseph based on the question that he posed to
19 the witness just now. The witness did say at the start of his testimony
20 this morning when he was asked what the scope of E2 was. He also
21 mentioned things out of the norm, aktiviti di luar norma biasa. And he's
22 also actually said that elsewhere. So, I'm just wondering when you
23 posed the question to him about enforced disappearance and he says
24 that it is not part of E2, and the question that perhaps Commissioner
25 you might want to follow up with him, or if I can do it on your behalf, is
26 to say, 'Well, isn't enforced disappearance also something di luar norma
27 biasa? And if so, should E2 not be looking at that as well?'
28

29 **PM2** So Dato', I'll go along with the question, but I want Dato' can answer
30 that as now as a Malaysian. But I'm also wary that the incidence that
31 happened was prior and Dato' already retired. So, the incidence came
32 to light... when... when... when... 2017, right? When is the first
33 information come to light of the disappearance of Pastor Koh and public
34 domain or... twos... what was the date?
35

36 **AK** January 2017. Pastor Raymond Koh was abducted in February 2017.
37

1 **PM2** That was... no, the info came out first in February '17... 2017.

2

3 **AK** Around there yes.

4

5 **PM2** Yes, so then –

6

7 **AK** So he was still in service.

8

9 **PM2** Ok, so Dato', that will be a relevant question. Although, it came under
 10 criminal, but once there was a link whether religion, so the question is
 11 would you consider this as part of the job... walaupun sebelum ini tak
 12 pernah ada fokus, tapi setelah isu ini dah timbul 2017... Januari ke
 13 Februari, does E2 then now take a new view, 'Kita kena jaga juga,
 14 adakah kaitan disappearance dengan keagamaan.'

15

16 **AWAL** No, kita tidak ada terlibat samada during my time... we don't apa... we
 17 don't do that. Because this is purely... apa ... criminal punya... criminal
 18 in nature. We are not involved with –

19

20 **PM2** Walaupun mungkin ada kaitan dengan ekstremis keagamaan...
 21 mungkin lah sebab tidak ada... tidak lagi diputuskan what happened
 22 with the disappearance but if from the inquiry kita ada banyak
 23 lingkungan dengan isu-isu keagamaan, would E2 then now have a
 24 view, before you left at least, about this being one of the... apa itu... isu-
 25 isu pelampau or extremist action that may happen?

26

27 **AWAL** No, no, I don't think so. It can never... because this is not part of kita
 28 punya... apa dia... what do you call it... kita punya itu... impossible.

29

30 **PM2** Terms of reference of E2?

31

32 **AWAL** Terms of reference tak ada, doesn't involved that one.

33

34 **PK** Excuse me. May I just interject? Just shortly. The finding of the panel
 35 on the disappearance of Raymond Koh and Amri is that police is
 36 involved. So, in a way it's ironical the clarification. Can the police itself,
 37 police its own self if there are elements... at that time there were

1 ministers who used the word 'rogue elements'. Mungkin bukan di dalam
2 purview itu. Let's consider for a moment bukan kita kata E2 yang
3 memainkan peranan untuk disappearance... pada... just for a moment
4 we say it's not E2. But the finding of Dato' Mah and the two panellists
5 was that there is police involvement in the disappearance giving the
6 whole evidence. So, adakah pendapat Dato' atas findings seperti itu?
7

8 **AWAL** I don't... I don't want to make any comment. That is SUHAKAM punya
9 finding.

10

11 **PK** Sorry?

12

13 **AWAL** That is SUHAKAM punya finding. I mean -

14

15 **PK** No, no, SUHAKAM is a body set up by the government. It is not
16 extraneous body.

17

18 **AWAL** Yes, yes. It's the Chairman of the apa.

19

20 **PK** And the body -

21

22 **AWAL** It's not fair for you to ask me.

23

24 **CHM** No, hold on, hold on. Nak peringatkan Dato'. Bila peguam cakap,
25 jangan ya... biar dengar peguam.

26

27 **PK** So PDRM is set up under the Police Act.

28

29 **AWAL** Ok.

30

31 **PK** PDRM is not a gangster group doing what they want outside the law.

32

33 **AWAL** Ok.

34

35 **PK** Sebab dia mesti mengikut rule of law.

36

37 **AWAL** Yes.

- 1
- 2 **PK** Memang juga SUHAKAM ialah badan di bawah legislation, di bawah
3 undang-undang... inilah... it's a Human Rights Commission set up under
4 the parliament. So, it's not just any body giving an opinion. And after
5 hearing for almost a year or six to nine months, three learned jurists
6 made that finding, not simple accusation, not hearsay as Tan Sri Khalid
7 says, 'it's hearsay'. It's not hearsay. This is a finding of a panel after
8 hearing hundreds of hours. So, we would like your opinion as a senior
9 retired officer, are you not unhappy because you are loyal PDRM
10 person, you just said in public you respect the rule of law. Are you not
11 concern if there is such a finding that there could be elements in PDRM
12 yang luar... yang tidak mengikut undang-undang untuk buat penculikan
13 dan disappearance, menghilangkan orang? Are you not concern?
14
- 15 **AWAL** Of course we are.
16
- 17 **PK** Seperti seorang –
18
- 19 **AWAL** But not... but not my apa... bukan within saya punya purview. So, I don't
20 think that really apa –
21
- 22 **PK** So, as far as you are concern though you have served the government
23 loyally under the law, this finding does not disturb you?
24
- 25 **AWAL** No, because the finding is by SUHAKAM, not by me. Itu sahaja saya
26 punya apa... I mean you are asking me an opinion which I cannot give
27 you the answer. Because that is not my opinion. That is the apa,
28 Commission –
29
- 30 **PK** So, seperti seorang rakyat yang biasa. Ok, forget it you are PDRM.
31
- 32 **AWAL** No, no, no, sekarang ini bukannya rakyat. No, no, I minta maaf, Mr
33 Chairman.
34
- 35 **CHM** Dengar, dengar. Minta Dato'... faham? Faham soalan itu tak?
36
- 37 **AWAL** Saya faham soalan. Dia nak tanya saya, saya agree kan, tak agree.

1
2 **PK** No, pendapat. Adakah sikap atau pendapat?
3
4 **AWAL** Benda yang kadang-kadang bukan apa... pendapat. Saya macam
5 inilah. I don't want to give my comment. Saya tidak mahu bagi pendapat
6 saya. Itu sahaja.
7
8 **PK** So, you faham sebab itu?
9
10 **AWAL** Saya faham. Saya tak mahu bagi pendapat.
11
12 **PK** Sebab apa?
13
14 **AWAL** It can be wrongly interpreted kalau saya bagi.
15
16 **PK** Ok under the Evidence Act, since you are a lawyer.
17
18 **AWAL** Yes.
19
20 **PK** If you choose to remain silence –
21
22 **AWAL** Don't use that as a lawyer. I'm sitting here giving evidence, giving some
23 apa statement.
24
25 **PK** Yes, yes.
26
27 **AWAL** Don't force me into answering something yang saya rasa it's not my
28 apa.
29
30 **PK** No, no, an adverse inference can be drawn because you refuse to
31 answer.
32
33 **AWAL** Yes, it's ok. You can... you can apa. Because I think the learned apa
34 ini... all the members of committee knows what's the -
35
36 **PK** Ok, actually... actually you have actually said that's opinion of
37 SUHAKAM. Almost –

1
2 **AWAL** Can I... can I apa... boleh tak saya minta supaya soalan macam ini
3 jangan ditimbulkan lagi, Mr Chairman? Just to be fair to me.
4
5 **PK** No, no, I have the right to ask as a question.
6
7 **AWAL** Yes, yes, you have the right to answer... to question... but then be fair
8 to me.
9
10 **CHM** Learned counsel is entitled to ask the question, Dato'. He's entitled.
11
12 **AWAL** Ok my answer is that I don't want to comment. Itu sahaja.
13
14 **PK** Ok, there's a great maxim, Dato' Seri, we are all aware. Sisarul
15 (12:43:14PM) have said once, 'who watches the watchdog,' it's of
16 course said in Latin which we don't have to repeat. This is the concern,
17 I think. The Human Rights Commission had as in all responsible,
18 reasonable rakyat in the bar of public reason, there is also... and just...
19 and the recent decision of the first panel, that is the point I want to make,
20 we can respect that Dato' Awaluddin declines to respond to that. And
21 we invite the panel to say that declining and the way he dismissed
22 SUHAKAM as a mere opinion, we will draw our submission later.
23
24 **CHM** Yes.
25
26 **PK** Thank you so much.
27
28 **CHM** Yes, yes. Any question from? No question. Dato', saya nak tanya, Dato'.
29
30 **AWAL** Ya.
31
32 **CHM** Dato' familiar... you are not... when you get it as a lawyer? You do while
33 in service? Is it while in service?
34
35 **AWAL** While in service yes.
36
37 **CHM** Yes? Or you joined the force with a degree? With a degree?

1
2 **AWAL** I joined the force and then I study.
3
4 **CHM** With a law degree?
5
6 **AWAL** Universiti Malaya. Saya belajar di Universiti Malaya... because I was
7 given the study leave for that while.
8
9 **CHM** While in service you study.
10
11 **AWAL** Yes, yes, while in service.
12
13 **CHM** What year did you graduate?
14
15 **AWAL** Oh I see... 19... saya lupa... I think 2000 ataupun 1999. Should be
16 around there.
17
18 **CHM** And ok you are familiar with the motto of the police force? Police force
19 punya motto.
20
21 **AWAL** Ya.
22
23 **CHM** What is the motto? Motto police force. What is the motto?
24
25 **AWAL** Saya pun lupa. Saya lupa. Forgotten about it. Dah tiga tahun.
26
27 **CHM** Ok I remind you. Is it tegas, adil dan berhemah? Is it?
28
29 [12:45PM]
30
31 **AWAL** Tegas, adil dan berhemah.
32
33 **CHM** Yes?
34
35 **AWAL** Mungkin, mungkin.
36
37 **CHM** Tegas, adil... I really like to focus on the word adil.

1
2 **AWAL** Adil? Ya.
3
4 **CHM** This is interesting because tadi bila kita keep on tanya, Dato' keep on
5 saying that aktiviti tukar agama, aktiviti proselytizing itu is not an issue.
6 As far as PDRM is concern, You take issue with the reaction of the
7 public terhadap aktiviti-aktiviti ini bukan? You take issue?
8
9 **AWAL** Yes.
10
11 **CHM** Yes. And this reaction boleh menjejaskan ketenteraman awam, right?
12
13 **AWAL** Yes.
14
15 **CHM** So, that is... how you look... do you look at things... how you explain to
16 us, you look at things, how you look at things, then... just pointed to
17 you... or by myself ok and by other that instead of arresting this people
18 who react unreasonably, which to you boleh menjejaskan ketenteraman
19 awam, it is those people who converted to Christianity or mendakwah
20 agama itu, dia orang ini pula yang ditangkap, kan? Kan?
21
22 **AWAL** Ok.
23
24 **CHM** Ya. So, when the question being asked repetitively of you, you
25 questioned, 'Oh we have to,' you give a very general answer lah.
26
27 **AWAL** Yes ok.
28
29 **CHM** We have to act.
30
31 **AWAL** You mean nak saya explain?
32
33 **CHM** Yes ok.
34
35 **AWAL** Dia macam ini. Apabila berlaku isu macam... kita ambil isu murtad. So
36 that time, during that time, kan saya dah sebut berlaku semasa OP
37 Lalang... OP Lalang masa itu... the whole country is.... in terms of

1 politically, economics, apa semua ada turmoil. And then ter... diselitkan
2 juga dengan isu murtad ini... isu murtad ini. So apabila ianya berlaku,
3 pada ketika itu, in order to apa, the government ok... we have to apa...
4 to neutralise. Because what? ISA ini sebenarnya bukannya untuk
5 punishment, tak ada. Actually, ISA is for rehabilitation. Maksudnya di
6 sini, saya punya seksyen adalah involved isu murtad. Jadi isu
7 murtadlah kita... kita apa... kita tangkap. Kita tangkap yang those yang
8 apa ini... yang terbabit ini... in order to apa... untuk... untuk... kata orang
9 itu untuk neutralise, untuk keselamatan dia orang juga, you see. That is
10 the whole apa. So, bila dia orang ini... satu, kita nak cari punca di
11 mana... itu yang timbul tadi interrogation lah, apa semua lah kan? Soal
12 siasat apa semua, siapa yang bertanggungjawab, siapa yang ber apa
13 itu... the roots of the problem. Kita nak... nak... but easy for them. So,
14 apabila semua tangkapan dah dibuat, so everything is... kata orang itu
15 dia settled down.

16
17 **CHM** Ok. Ok, I understand. I understand.

18
19 **AWAL** Kita nampak itu. So, kita tak boleh tangkap the whole apa itu... orang-
20 orang yang apa... because why? We have to... itu dia punya... ISA itu...
21 that's why ISA itu diberikan kita kuasa yang macam itu. Tangkap, tahan,
22 lepas tiga bulan, enam bulan, tak ada apa, release. Itu sahaja.

23
24 **CHM** But whatever it is enforcement of the law, that's why I said the motto
25 tadi is adil. You have to be –

26
27 **AWAL** Yes, yes, yes.

28
29 **CHM** You have to be adil, bukan?

30
31 **AWAL** Ya, we adil ya.

32
33 **CHM** You have to be adil.

34
35 **AWAL** Ya.

36
37 **CHM** And you have to follow the rule of law.

1

2 **AWAL** Yes, yes, yes.

3

4 **CHM** But –

5

6 **AWAL** Setuju.

7

8 **CHM** When you resort to such a move, do you think you have... you have
 9 acted in accordance with justice, adil and in accordance to the rule of
 10 law?

11

12 **AWAL** Yes.

13

14 **CHM** Because ISA, not ISA, but even dalam melaksanakan kuasa ISA, you
 15 still have to be following the rule of law, bukan? You're supposed to
 16 be... be adil, bukan?

17

18 **AWAL** Yes... ok. Saya setuju.

19

20 **CHM** So, is the tangkapan secara borong macam itu is adil?

21

22 **AWAL** Then you got to ask the government kenapa buat tahanan
 23 (12:49:18PM).

24

25 **CHM** No, no, no. No, it's not the government. It's your... it's the police who's
 26 doing it, not the government.

27

28 **AWAL** No, no, it is the government. Pada ketika itu, pasal apa... dia macam
 29 ini. Kalau kita melihat... that's why kalau kita refer benda ini... sekarang
 30 ini tahun 2021, kita refer balik situasi tahun 1985, '87, we must go back
 31 to the '85, '87, dia punya tension dia, punya tense dia pada ketika itu.
 32 That's why apabila tindakan tersebut diambil, ia dianggap sebagai
 33 apa... sebagai apa nama... you talk about adil –

34

35 **CHM** You cannot be looking back.

36

37 **AWAL** Nanti –

1
2 **CHM** Now, you are retired.
3
4 **AWAL** Yes.
5
6 **CHM** You have done law, you look back.
7
8 **AWAL** Saya tak boleh nak bagi apa... pada ketika itu, dia keperluan.
9
10 **CHM** Was Operasi Lalang justified? You look back.
11
12 **AWAL** Justified.
13
14 **CHM** Was Operasi Lalang justified? Now you are retired.
15
16 **AWAL** Yes.
17
18 **CHM** You look at back.
19
20 **AWAL** At that moment, it's justified.
21
22 **CHM** Was Operasi Lalang justified?
23
24 **AWAL** Justified at that moment.
25
26 **CHM** Even now you say it's justified?
27
28 **AWAL** Yes at that moment.
29
30 **CHM** 105 people, kan?
31
32 **AWAL** Yes, yes, 105 yes.
33
34 **CHM** Innocent people ditangkap secara borong?
35

1 **AWAL** Tapi they were given the... dia punya... dia punya apa... dia punya rights
2 habeas corpus lah, apa semua. The rights are always there. Itu yang
3 dia punya itu.
4

5 **CHM** Out of those kena tangkap 105 itu, how many habeas corpus yang
6 menang di Mahkamah?
7

8 **AWAL** No, I don't remember... I don't remember. Saya tak ingat.
9

10 **CHM** Nah, satu sahaja.
11

12 **AWAL** Saya tak ingat.
13

14 **CHM** Case of Karpal Singh. Itu pun the moment he stepped out of the court
15 room, naik kereta, kena tangkap balik. OK never mind.
16

17 **AWAL** But... yes, yes... as I said it's unfair for you to pose that kind to me dia
18 punya apa kan.
19

20 **PM2** I think you must be wondering why we are... history, sejarah itu zaman
21 dahulu punya, kita nak bawa pasal kes sekarang ini. I think because
22 although ISA detention that the background to the motivation I think is
23 what Chairman was trying to say. There is few people because of
24 murtad or pengkristianan, it affects a big group. Our only question is the
25 principle. Yang salah itu orang ini ke? Alau orang yang marah-marah
26 sebab orang ini... they're using their freedom of religion rights to
27 convert, so ini kecil kan, tapi yang ramai itu, marah-marah itu yang
28 besar itu. So during OPS Lalang you said, 'Ok, we have to redakan
29 situation, so we take them ini, then everything reda.' But the principle
30 as we heard in your 2016 speech, it still continues... and this we are
31 talking E2, bukan Dato' ya, the E2. Is there still... the problem is those
32 yang murtad. Yang ramai itu, yang react itu, kita tak buat apa. Kita kena
33 pastikan mereka tak tersinggung. I think this is the context and the
34 context in this inquiry is if there is a feeling, that means people like
35 Pastor Joshua, Ruth who are doing Christianisation or Muslim convert,
36 they will be targets. And you say it's not the police, now because no
37 more ISA. But we don't know who else within the force or black sheep

1 or whatever or outside, we don't know. So that is... I'm just trying to
2 explain you the context kenapa kita tarik cerita dulu itu sampai sekarang
3 sebab nampaknya prinsip itu masih lagi diguna pakai. Yang dua tiga
4 orang ini yang akan ditangkap atau action was to be taken against this
5 few, yang ramai itu, yang tersinggung, yang react itu, mereka itu
6 dibiarkan. So that's the context of asking where's the keadilan? Why
7 are you not telling these people, 'Rilekslah. These people have the right
8 to freedom of religion, Article 11, mereka yang pilih sendiri, tak ada
9 paksaan. So, you hormat dia lah. Tak mengapalah. Kalau marah pun,
10 rileks, rileks.' Why no action taken against yang group ini? Cuma yang
11 dua, tiga orang ini yang selalu fokus. I think that's... just wanted to
12 explain to you the context yang kita tanya itu. Kalau nak tambah apa-
13 apa boleh Dato'.

14
15 **AWAL** Tak, tak. That's your apa... I don't think I will add. Thank you.

16
17 **CHM** Yes Andrew?

18
19 **AWAL** Are you allowed to ask again.

20
21 **CHM** Yes.

22
23 **AWAL** Because why? Saya kan... you're given the opportunity... tak kan nak
24 apa lagi.

25
26 **CHM** Ok, last question.

27
28 **AWAL** Yes.

29
30 **AK** It's not a question to the witness. It's again... just to respond to what...
31 Commissioner you have said.

32
33 **PM1** Yes.

34
35 **AK** And also Commissioner Jerald Joseph. Just to perhaps correct the
36 record. Under the law, under the ISA, it is the police that takes action. It
37 is not the government that orders the police to arrest. If the police allows

1 the government to tell them to arrest persons, then you're actually
2 breaching the rule of law because the police are not acting
3 independently. They are acting at the instruction and the orders of the
4 government. And that cannot be right. And if you looked back at the
5 record, I think Dr Mahathir is at pains to say he didn't order the arrest of
6 people under the ISA, it was done by the police. That's what he... he
7 keeps saying. So, I think it may not be a correct record to say that ISA,
8 the police... no... the government decided to arrest these people. I think
9 that would be transversely.

10

11 **CHM** Ok, points taken, Mr Andrew. Points taken, thank you. Thank you.

12

13 **AWAL** Boleh saya apa... just to apa? Because this is my apa.

14

15 **CHM** Yes, you have the right to... yes.

16

17 **AWAL** Ok, you must not... he's quoting the apa... now when we talk about ISA,
18 you have to read ISA together... Section 73(1) to be read together 8(1).

19

20 **CHM** Yes, yes.

21

22 **AWAL** That is why. There is where the minister punya apa... on instruction of
23 the minister. 73(1) plus apa... we cannot read 73(1) separately. It must
24 be together with 8(1).

25

26 **CHM** That's why... that's why I said in my judgment in Ghani Harun... you
27 read the judgment... my judgment in Ghani Harun?

28

29 **AWAL** I might have read it, but I've forgotten about it.

30

31 **CHM** Ok. Alright. Anymore question? Kalau tak ada, we can release Dato'.
32 Ok Dato', no more question.

33

34 **AWAL** Ok.

35

36 **CHM** That's the end of your testimony for us.

37

1 **AWAL** Ok.
2
3 **CHM** We'd like to thank you very much.
4
5 **AWAL** Ok, thank you very much, Mr Chairman.
6
7 **CHM** For coming. And for your cooperation.
8
9 **AWAL** Sure... sure.
10
11 **CHM** Thank you.
12
13 **AWAL** Thank you. Thank you very much.
14
15 **PM1** Ok. Alright Mr Simon?
16
17 **SK** Mr Chairman, we have one more witness for today.
18
19 **CHM** Lunch hour kan?
20
21 **SK** Yes, lunch hour. So maybe we shall break for lunch.
22
23 **CHM** What time nak sambung?
24
25 **SK** At 02:00PM. At 02:00PM. Now is 12:55PM.
26
27 **CHM** At 02:00PM?
28
29 **SK** At 02:00PM.
30
31 **CHM** Ok we'll come back, so lunch hour is just one hour, is it alright? Ok? Ok,
32 we'll come back at 02:00PM. We'll come back at 02:00PM. Alright ok.
33 Session is adjourned for lunch.
34
35 **END**
36
37 **TIME** : **12:56PM**

1 DATE : 06.01.2021

2 TIME : 02:04PM

3

4

START

5

6 **SK** Good afternoon panel members. I would like to call the, another
7 witness. Witness No.18, 1-8, Fadzlina Binti Amran.

8

9 **MFR** Terima kasih Pn Fadzlina, nama saya Faiz, selaku assisting officer di
10 siasatan SUHAKAM ini. Sebelum kita mulakan sesi ini, saya minta
11 Puan bacakan angkat sumpah tu sambil berdiri.

12

13 **FADZLINA** Bismillahirrahmanirrahim.

14

15 **MFR** Angkat tangan.

16

17 **W18**

18 **Name** : Fadzlina Binti Amran

19 **Affirms and states in Malay**

20 **Time** : 02:06PM

21

22 **MFR** Terima kasih Puan. Puan, minta buka mask dan menghadap ke panels.

23

24 **CHM** Ok, ok. Boleh boh balik, boleh pakai balik. Pakai balik, ya.

25


26 **Examination-in-Chief of Fadzlina Binti Amran by Muhammad Faiz Bin Abdul**
27 **Rahman**

28 **Time : 02:07PM**

29

30 **MFR** Terima kasih Puan ya. Ok, saya akan tanya beberapa soalan. Diminta
31 bila Puan menjawab, rapat ke depan, ke mic dan pandang ke pihak
32 panel lah. Ok Puan, untuk soalan pertama, boleh Puan terangkan nama
33 Puan, umur dan nombor kad pengenalan?

34

35 **FADZLINA** Nama saya Fadzlina Binti Amran. Umur 44 tahun. Ok, nombor kad
36 pengenalan saya 

1
2 **CHM** Eja Fadzlina, eja.
3
4 **FADZLINA** F-A-D-Z-L-I-N-A Binti Amran. A-M-R-A-N.
5
6 **MFR** Alamat terkini Puan?
7
8 **FADZLINA** B-3-13, Apartment Bayu, Damansara Damai PJU 10/4, Petaling Jaya,
9 Selangor.
10
11 **MFR** Adakah Puan sudak berkahwin?
12
13 **FADZLINA** Ya, sudah.
14
15 **MFR** Boleh berikan nama suami Puan?
16
17 **FADZLINA** Iqbal Mirza Bin Mohd Jamaludin
18
19 **MFR** Adakah Puan mempunyai anak?
20
21 **FADZLINA** Ada.
22
23 **MFR** Berapa?
24
25 **CHM** Sekali lagi, sekali lagi alamat Puan ya. D-3?
26
27 **FADZLINA** B-3-13.
28
29 **MFR** Ya.
30
31 **FADZLINA** Apartment Bayu.
32
33 **CHM** Apartment Bayu?
34
35 **FADZLINA** Ya.
36
37 **CHM** B-A-Y-U?

1
2 **FADZLINA** B-A-Y-U.
3
4 **CHM** Damansara Damai?
5
6 **FADZLINA** Ya.
7
8 **CHM** Ok.
9
10 **MFR** Anak Puan?
11
12 **FADZLINA** Saya ada dua orang anak.
13
14 **MFR** Nyatakan nama?
15
16 **FADZLINA** Luqman Hakim Bin Iqbal Mirza (02:09:07PM). Yang kedua Fatini
17 Masturina Binti Iqbal Mirza (02:09:10PM). Sorry, yang pertama tadi bin,
18 ya. Saya tersebut binti.
19
20 **MFR** Yang pertama berumur?
21
22 **FADZLINA** 20 tahun. Nak masuk 20 tahun lah tahun ni.
23
24 **MFR** Yang kedua?
25
26 **FADZLINA** Yang kedua, 15 tahun.
27
28 **MFR** Baik. Adakah Puan kini bekerja?
29
30 **FADZLINA** Saya kerja sebagai freelance, penterjemah bebas. Dan jual-jual kraf
31 begitulah.
32
33 **MFR** Sejak daripada bila?
34
35 **FADZLINA** Kalau yang penterjemahan atau pun editorial apa tu, saya buat sejak
36 daripada saya Form 6 tahun '94.
37

- 1 **CHM** Freelance penterjemah?
2
- 3 **FADZLINA** Ya.
4
- 5 **CHM** Penterjemah daripada bahasa apa ke bahasa apa?
6
- 7 **FADZLINA** Dari Bahasa Inggeris ke Bahasa Melayu. Bahasa Indonesia ke Bahasa
8 Melayu. Dan kadangkala saya buat transcription lah untuk kitab-kitab
9 Bahasa Jawi dan yang, kebanyakan manuskrip begitulah.
10
- 11 **MFR** Sebelum Puan bekerja sebagai penterjemah ni, adakah pekerjaan lain
12 yang Puan buat?
13
- 14 **FADZLINA** Ya, saya pernah mengajar di Universiti Malaya. Pernah bekerja sebagai
15 editor di Dewan Bahasa dan Pustaka. Maaf ya, saya tak berapa sihat.
16 Saya pernah juga mengajar di Universiti Tunku Abdul Rahman, PJ. Dan
17 juga last sekali dekat Universiti Pendidikan Sultan Idris, Tanjung Malim.
18
- 19 **CHM** Mengajar dan, subjek apa tu di Universiti Malaya subjek apa tu?
20
- 21 **FADZLINA** Di Universiti Malaya saya mengajar banyak lah, untuk Jabatan Bahasa
22 Melayu dan Linguistik Melayu.
23
- 24 **CHM** Language lah?
25
- 26 **FADZLINA** Applied Linguistik. Maksud saya macam ketrampilan menulis,
27 journalism sikit. Macam itulah. Tidak khusus kepada grammar dan
28 macam –
29
- 30 **CHM** In English or in Bahasa Malaysia?
31
- 32 **FADZLINA** Bahasa.
33
- 34 **CHM** Bahasa Malaysia?
35
- 36 **FADZLINA** Bahasa Malaysia.
37

1 CHM Ok.
2
3 MFR So adakah Puan sebagai seorang pensyarah?
4
5 FADZLINA Ya, saya.
6
7 MFR Pensyarah. Ok Puan, berkaitan dengan siasatan SUHAKAM ni, inquiry
8 SUHAKAM -
9
10 CHM Please, please ask about that educational background ya.
11
12 MFR Boleh Puan jelaskan latar belakang pendidikan Puan?
13
14 FADZLINA Bermula daripada Ijazah Sarjana Muda, saya di Universiti Malaya juga
15 iaitu di Akademi Pengajian Melayu. Tahun '96 sehingga '99. Yang
16 keduanya saya sambung Master Sarjana Pengajian Melayu juga di
17 tempat yang sama, iaitu Akademi Pengajian Melayu dalam bidang
18 Liguistik Melayu. Iaitu khusus kepada Social Linguistic. Tahun '99
19 sehingga 2001.
20
21 MFR Puan boleh jemput minum air kalau -
22
23 FADZLINA Ya.
24
25 MFR Perlukan air. Baik.
26
27 FADZLINA Tak, memang apa, batuk minggu ni kan.
28
29 MFR Ok. Untuk, ok soalan seterusnya saya akan merujuk kepada tujuan
30 kami memanggil Puan ke sini lah. Puan ke sini. Adakah Puan kenal
31 Joshua Hilmy?
32
33 FADZLINA Ya, saya kenal.
34
35 MFR Puan kenal Ruth Sitepu?
36
37 FADZLINA Ya?

1
2 **MFR** Ruth Sitepu.
3
4 **FADZLINA** Itu isterinya kan? Isteri En Hilmy rasanya.
5
6 **MFR** Joshua Hilmy.
7
8 **FADZLINA** Ya.
9
10 **MFR** So Puan mengenali isterinya sebagai?
11
12 **FADZLINA** Saya kenal sebagai, memang Kak Ruth, Ruth lah.
13
14 **MFR** Kak Ruth lah?
15
16 **FADZLINA** Ya.
17
18 **MFR** Itu je.
19
20 **FADZLINA** Ya, macam tu.
21
22 **MFR** Baik. So Puan kenal lah Joshua Hilmy dan Ruth Sitepu?
23
24 **FADZLINA** Ya.
25
26 **MFR** Baik. Boleh Puan jelaskan bagaimana Puan berkenalan dengan kedua-
27 dua individu?
28
29 **FADZLINA** Sebab sebelum ni saya, saya cakap pasar boleh? Sebab saya diserang
30 hantu, jadi saya sering diserang secara spiritual. Saya boleh tunjuklah
31 bukti dia, apa yang datang kat rumah saya. Sekejap ya. Sorry. Jadi
32 sebab tu saya cari ramai lah, spiritual ustaz dan sebagainya untuk
33 bantu saya kan. Saya pun tak print dengan yang ni sangat. Kalau Encik
34 nak tengok.
35
36 **MFR** Ok.
37

1 **FADZLINA** Ini saja kut saya ada. Saya tunjuk lah kut. Barang-barang macam inilah
2 yang tak sepatutnya muncul dekat, kepada saya. Sebelum saya jumpa
3 dengan Pastor lah kan. Ada barang-barang yang macam worship lah.
4 Dan nak, akibat dia saya pernah muntah lah paku. Saya pernah muntah
5 paku sepanjang kelingking ni. Dan juga saya muntah kaca macam
6 orang kena santau kan.
7
8 **MFR** Baik Puan.
9
10 **FADZLINA** Jadi saya cari lah –
11
12 **CHM** Tak, tak, tak. Let her finish.
13
14 **FADZLINA** Boleh, boleh.
15
16 **CHM** Tak habis lagi? Ok. Dah habis dah?
17
18 **FADZLINA** Dah, itu je.
19
20 **CHM** Dah habis dah, ok, ok.
21
22 **MFR** Ok. Ini adalah barang-barang yang Puan jumpa di mana?
23
24 **FADZLINA** Di rumah saya.
25
26 **MFR** Di rumah Puan.
27
28 **FADZLINA** Ya.
29
30 **MFR** Di mana rumah?
31
32 **FADZLINA** Tapi yang ini di Rawang.
33
34 **MFR** Di Rawang.
35
36 **FADZLINA** Dan selepas itu ada juga siri-siri yang saya diganggu lah, di rumah.
37

1 **CHM** Hold on, hold on, hold on ya. Don't ask question while I'm looking here.
2 Ni apa, jarum ke?
3
4 **FADZLINA** Ya, macam paku. Yang gambar yang kaca tu saya tak sempat dah,
5 saya dah hilang sebab saya bagi kaca tu kepada bapa saudara saya.
6 Jadi saya tak ada gambar dia.
7
8 **CHM** Ini apa? Belon ke?
9
10 **FADZLINA** Saya tak pasti barang apa tapi macam bentuk apa, kalau Melayu
11 panggil macam sihir lah.
12
13 **CHM** Ya?
14
15 **FADZLINA** Sihir lah kalau orang Melayu mungkin lah percaya macam tu.
16
17 [02:15PM]
18
19 **CHM** Tak, bahan ni apa ni?
20
21 **FADZLINA** Black magic.
22
23 **CHM** Apa? Belon ke?
24
25 **FADZLINA** Sebab –
26
27 **CHM** Dia diikat kiri kanan?
28
29 **FADZLINA** Barang itu ya, setelah dibelah, merupakan apa tu, macam telur lah.
30
31 **CHM** Kain tak sama –
32
33 **FADZLINA** Dan sesuatu yang –
34
35 **CHM** Dia kain ke belon?
36
37 **FADZLINA** Dia disalut oleh apa, kain.

1
2 **CHM** Kain?
3
4 **FADZLINA** Disalut oleh kain. Di dalamnya ada bahan yang kotor-kotor macam tu.
5
6 **CHM** Ni apa ni? Take this as exhibit.
7
8 **PM2** Yes, we should, chairman. Good idea.
9
10 **CHM** Ok. I think show it, show it to counsel lah. Simon ya.
11
12 **MFR** Ok Puan, boleh proceed lah.
13
14 **CHM** Ok. Kita fotostat lah ya. Exhibits ya.
15
16 **MFR** Tanda, tanda exhibit?
17
18
19 **CHM** Exhibit ya. So, three exhibit ya?
20
21 **MFR** Yes, three exhibit.
22
23 **CHM** So kita tanda sebagai apa?
24
25 **MFR** 106.
26
27 **CHM** 106A, B, C lah ya?
28
29 **MFR** A, B, C.
30
31 **CHM** Ok, ya.
32
33 **MFR** Can I continue? Alright. Pn Fadzlina, boleh Puan ceritakan bagaimana
34 Puan mengenali Joshua Hilmy dan Ruth?
35
36 **FADZLINA** Saya tak kenal secara direct. Sebab saya kenal –
37

1 **CHM** Hold on, hold on. Are we going to come back later ke macam mana?
2
3 **MFR** I think we come back later for this.
4
5 **CHM** Ya? I thought she, she was trying to tell what made her kenal. Kan? So
6 that's why she brought, she brought on, kan?
7
8 **MFR** Ya.
9
10 **CHM** Because –
11
12 **PM2** Tak apalah.
13
14 **CHM** Ya?
15
16 **PM2** Bagi latar belakang. Tadi Puan sedang menerangkan kan, apa latar
17 belakang dengan gambar tu. Perlukan gambar tu lagi ke untuk
18 menerangkan sesuatu?
19
20 **CHM** Ok. Give, pass, pass it back to her.
21
22 **PM2** Pass back. So let her finish her explanation.
23
24 **CHM** So, so... you kena flexible sikitlah. Jangan ikut skrip sangat, ya.
25
26 **MFR** Ok. Saya apologise.
27
28 **CHM** Ya.
29
30 **PM2** Ok.
31
32 **CHM** Ok. Ok.
33
34 **MFR** Pn Fadzlina.
35
36 **CHM** Kita tumpu kepada ni ya.
37

1 **MFR** Boleh ceritakan serba sedikit?
2

3 **FADZLINA** Selepas saya banyak kali kena ganggulah termasuk dengan terima
4 barang-barang yang ini, jadi sebelum-sebelum ni saya dah banyak
5 minta tolong dengan ustaz ke, macam-macam. Kebanyakan dia orang
6 memang, ya lah bagi ayat ke apa kan.
7

8 **CHM** Ok, ok, ok.
9

10 **FADZLINA** Ya.
11

12 **CHM** Bila berjumpa dengan benda ni? Bila berlaku?
13

14 **FADZLINA** Ini 2014. Akhir tahun.
15

16 **CHM** Dia datang sekaligus atau you know?
17

18 **FADZLINA** Saya rasa dia datang sekaligus sebab bila saya tiba kat rumah –
19

20 **CHM** Tiga-tiga? Tiga-tiga ni?
21

22 **FADZLINA** Saya tengok dia ada satu di pintu depan dan satu di pintu belakang.
23 Macam tu. Macam sepasang lah.
24

25 **CHM** Bahan-bahan ni?
26

27 **FADZLINA** Barang inilah yang kuning ni kan.
28

29 **CHM** Ya.
30

31 **FADZLINA** Tetapi yang paku ini saya muntah sebelum, satu kali saya muntah di
32 rumah saya sini dekat Damansara Damai. Lepas tu yang kaca tu saya
33 muntah, selepas saya muntah kaca, paku ni –
34

35 **CHM** After paku, kejam, kejam, kejam. Yang, yang paku tu muntah ya?
36

37 **FADZLINA** Ya muntah.

1
2 **CHM** Muntah di peristiwa yang lain lah?
3
4 **FADZLINA** Dalam peristiwa yang lain.
5
6 **CHM** Ok. Yang ini dulu. Yang ni dulu tahun bila tu?
7
8 **FADZLINA** Yang mana, yang kuning ke?
9
10 **CHM** Puan kata, yang, yang, jumpa satu hari ya?
11
12 **FADZLINA** Ini saya jumpa –
13
14 **CHM** Jumpa –
15
16 **FADZLINA** Satu hari. Saya tak tahulah bila dia datang kan.
17
18 **PM2** So Puan, mungkin, sekejap. I think –
19
20 **FADZLINA** Ya.
21
22 **PM2** En Zaidi boleh tunjuk exhibit? He's got it on the photo. So easier for her
23 to refer what she's pointing out, yes.
24
25 **CHM** Ok.
26
27 **PM2** Yes, ok.
28
29 **MFR** Ok, itu gambar yang pertama Puan, boleh Puan terangkan di mana
30 Puan berjumpa ni?
31
32 **FADZLINA** Saya jumpa barang ini ketika pergi ke rumah saya di Rawang.
33
34 **CHM** Kuat-kuat sikit ya, cakap kuat-kuat ya. Kuat -kuat ya.
35
36 **FADZLINA** Saya jumpa barang ini –
37

1 **CHM** Ya.
2
3 **FADZLINA** Ketika saya pergi ke, ke rumah saya di Rawang. Saya ada sebuah
4 rumah lagi di Rawang.
5
6 **CHM** Pukul berapa tu? Waktu bila you –
7
8 **FADZLINA** Yang tu saya tak ingat. Mungkin dalam petang, ya lah. Rumah tu sebab
9 tinggal, tinggal kan, jadi kami semua dah pindah ke Petaling Jaya.
10 Tetapi masih ada lagi barang-barang di sana. Jadi saya selalu pergi
11 melawat lah tengok rumah kan, ya. Jadi saya terjumpa barang-barang
12 ni lah. Dan tak ada kejadian pecah masuk ke, apa benda macam tu lah.
13 Tak ada.
14
15 **MFR** Pada tahun bila, Puan?
16
17 **FADZLINA** 2014.
18
19 **MFR** 2014.
20
21 **FADZLINA** Akhir tahun 2014.
22
23 **MFR** Adakah ini pertama kali Puan berjumpa barang-barang macam ini?
24
25 **FADZLINA** Seingat saya, memang inilah pertama kali.
26
27 **MFR** Pertama kali?
28
29 **FADZLINA** Ya.
30
31 **MFR** Bagaimana dengan gambar, ini gambar yang sama ke dengan yang
32 pertama?
33
34 **FADZLINA** Dia salah satu ni, satu dekat pintu depan. Satu dekat pintu dapur. Jadi
35 saya, saya tak ingatlah yang mana pintu depan dengan pintu dapur kan.
36 Tapi dia memang sepasang lah, barang ni.
37

- 1 **MFR** Rumah, berjumpa di rumah di Rawang?
2
- 3 **FADZLINA** Di dalam rumah tu.
4
- 5 **MFR** Bagaimana Puan berjumpa dia?
6
- 7 **FADZLINA** Macam mana?
8
- 9 **MFR** Bagaimana Puan berjumpa barang ni?
10
- 11 **FADZLINA** Bila saya masuk dalam rumah, buka pintu nampaklah barang kan.
12 Lepas tu kita kan akan pergi ke dapur ke, jumpa lagi, lagi satu barang.
13 Lepas tu saya bagi tahu lah dengan pakcik saya yang berada di Klang
14 pasal barang ni. Jadi barang ni saya serahkan kepada dia.
15
- 16 **MFR** Tapi tak ada kesan pecah masuk rumah?
17
- 18 **FADZLINA** Pada hari itu memang tak ada, tak nampak lah ada pecah masuk, tak
19 nampak. Tak ada.
20
- 21 **CHM** Tapi rumah tu bukan kamu tinggal lah? Tak tinggal di rumah tu?
22
- 23 **FADZLINA** Kami pindah ke sini. Jadi rumah tu rumah tinggal. Buat sementara
24 waktu lah tinggal.
25
- 26 **CHM** Dah berapa lama tak, tak balik ke rumah tu?
27
- 28 **FADZLINA** Banyak tahun juga. Saya pindah ke sini 2004 ke 2005 begitulah. Jadi
29 rumah tu tinggal sementara, anak-anak semua sekolah dekat sini kan.
30 Tapi saya selalu lah pergi apa, tengok rumah kan. Takut apa-apa hal.
31
- 32 **CHM** Biasa pergi, pergi ke rumah tu?
33
- 34 **FADZLINA** Ada juga lah pergi macam sebulan sekali ke. Kadang-kadang kalau tak
35 sempat sebulan sekali mungkin kita akan pergi lagi awal ke, dua
36 minggu sekali tengok. Kalau ada free lah.
37

1 **CHM** Rumah ni yang di Rawang?
2
3 **FADZLINA** Ya, saya.
4
5 **CHM** Siapa yang tinggal di rumah tu?
6
7 **FADZLINA** Tak ada. Sekarang ni ada orang sewa.
8
9 **CHM** Memang kosong?
10
11 **FADZLINA** Sekarang ni ada orang sewa.
12
13 **CHM** Tak, tak, waktu tu. Waktu tu?
14
15 **FADZLINA** Ya?
16
17 **CHM** Waktu lah.
18
19 **FADZLINA** Waktu tak ada.
20
21 **CHM** Ya.
22
23 **FADZLINA** Tak ada orang lah.
24
25 **CHM** Tak ada orang tinggal?
26
27 **FADZLINA** Ya, sebab kami kan dah pindah ke sini.
28
29 **CHM** Jadi kalau tak tinggal rumah tu, mengapa kena pergi sebulan sekali
30 tengok?
31
32 **FADZLINA** Sebab ada perabot di sana. Ada barang-barang, rumah saya ada
33 barang-barang lagi lah. Ada kerusi meja semua, katil. Kami tak pindah
34 tinggalkan rumah tu kosong kan, sebab macam buku-buku saya yang
35 daripada UPSI saya pindah dulu banyak lagi transit sana sini lah.
36 Banyak lagi barang-barang. Macam tu.
37

1 **CHM** Jadi pergi berulang kali, tujuan –
2
3 **FADZLINA** Memang banyak kali lah tujuannya –
4
5 **CHM** Tujuan nak tengok barang sahaja?
6
7 **FADZLINA** Tak lah. Tengok barang, nak merumput kan, bersihkan rumah semua.
8 Kita tak nak lah, rosak lah semua barang-barang kan. Atau pun bahaya
9 ke barang-barang ada orang –
10
11 **CHM** Tapi dah tak –
12
13 **FADZLINA** Tinggal pula dalam rumah saya.
14
15 **CHM** Dah tak duduk rumah tu since, semenjak?
16
17 **FADZLINA** Rumah itu kami beli sejak 2000, tahun 2000.
18
19 **CHM** Tak, tak, tak, tak duduk rumah tu sejak?
20
21 **FADZLINA** 2014.
22
23 **CHM** Ya?
24
25 **FADZLINA** 2014. Masa tahun ni lah, jumpa ni.
26
27 **CHM** Tak, maksud saya kan, duduk sekarang tak duduk di rumah tu kan?
28
29 **FADZLINA** Ya. Saya tak duduk sekarang.
30
31 **CHM** So bila nak tinggalkan rumah nak duduk di sini, di Kuala Lumpur ni bila?
32
33 **FADZLINA** Saya pindah di Petaling Jaya pada 2014.
34
35 **CHM** 2014. 2014? Jadi sehingga, sehingga 2014, Puan tinggal di rumah
36 itulah? Di rumah Rawang tu?
37

1 **FADZLINA** Saya tinggal di Petaling Jaya lah.
2
3 **CHM** Ya?
4
5 **FADZLINA** Saya tinggal di Petaling Jaya lah.
6
7 **CHM** Semenjak –
8
9 **FADZLINA** Sebab kami ni sebenarnya dah beberapa kali pergi balik, apa tu, pindah
10 sini dan pergi sana tu. Masa saya kerja di UPSI saya duduk di Rawang.
11 Bila saya dah tak kerja di UPSI saya pindah lah di Petaling Jaya. Sebab
12 –
13
14 **CHM** Ok.
15
16 **FADZLINA** Ya.
17
18 **CHM** Peristiwa tu nampak 2014.
19
20 **FADZLINA** Peristiwa ini saya jumpa pada 2014.
21
22 **CHM** Ok. Dah berapa lama dah tak duduk di rumah tu?
23
24 **FADZLINA** Dalam beberapa bulan begitulah, saya tak dapat pastikan lah berapa
25 bulan. Sebab saya pindah pun tengah-tengah tahun juga. Dalam, saya
26 rasa masa awal budak naik sekolah itu lah kan.
27
28 **CHM** Ok, ok, ok.
29
30 **FADZLINA** Begitu.
31
32 **MFR** Ok Puan, boleh terangkan kronologi Puan bermula duduk di rumah di
33 Rawang dan sebelum pindah ke Petaling Jaya? Adakah Petaling Jaya
34 ni refer kepada rumah di Bayu?
35
36 **FADZLINA** Ya, ya.
37

1 **MFR** Ok. Boleh Puan ceritakan 2000 Puan beli rumah yang –
2
3 **FADZLINA** 2000, kira 2001 lah ya.
4
5 **MFR** 2001.
6
7 **FADZLINA** Yang masuk 2001.
8
9 **MFR** Dan Puan tinggal di rumah Rawang?
10
11 **FADZLINA** Tinggal di Rawang. Kemudian sampai 2003 saya dah kerja di UTAR
12 saya, kami anak beramai-ramai pindah balik ke Petaling Jaya rumah
13 Damai ni juga. Sebab rumah ni dah ada dah dulu kan. Jadi lepas 2003
14 sampai 2006, saya masuk ke Universiti Pendidikan Sultan Idris (UPSI).
15 2006 sampai 2010, saya di UPSI lah. Sampai 2010 saya dah berhenti.
16 Saya buat kerja freelance secara fulltime lah, freelance sepenuhnya.
17 Penterjemah dan editorial macam itulah. Itulah. Sampai 2010.
18
19 **MFR** 2010.
20
21 **FADZLINA** Kerjaya saya lah.
22
23 **MFR** Ok. Perpindahan ke Bayu Damansara Damai ni dah bermula?
24
25 **FADZLINA** Itu dalam 2014.
26
27 **MFR** 2014.
28
29 **FADZLINA** Ya. Maknanya dalam, daripada yang saya berhenti 2010 tu saya masih
30 lagi duduk lah dekat Rawang ni kan sampai 2014. Ok.
31
32 **[02:30PM]**
33
34 **MFR** So 2014 pindah ke Damansara Damai sampai, sehingga kini lah?
35
36 **FADZLINA** Ya.
37

1 **MFR** Baik. Ok. Sebelum tu, boleh Puan bagi tahu kepada panel tarikh Puan
2 berkahwin?
3
4 **FADZLINA** 03.06.2000.
5
6 **MFR** Tahun 2000 Puan berkahwin. Ok baik. Merujuk kepada gambar ni
7 semula. Untuk dua gambar pertama tadi Puan berjumpa di rumah di
8 Rawang?
9
10 **FADZLINA** Ya.
11
12 **MFR** Di bahagian depan dan bahagian belakang.
13
14 **FADZLINA** Ya.
15
16 **MFR** Ok. Untuk spesifik gambar yang ini?
17
18 **FADZLINA** Yang ini saya tak ingat tarikh dia yang tepat. Tapi dalam tahun 2014
19 juga saya muntahkan ini. Ini pertama kali lah saya muntah sebatang
20 paku sepanjang kelingking, dia agak berkarat-karat macam tu lah, kan.
21 Macam dah lama duduk dalam badan saya lah, contoh macam tu lah.
22 Yang itu saya muntah di Damansara Damai ni. Lepas tu kami rasa
23 macam takut lah kan. Jadi saya balik kampung. Saya balik kampung di
24 Johor. Pun lepas tu esoknya ke macam tu, saya muntah kaca pula. Lagi
25 besar daripada ni. Walaupun sekeping.
26
27 **MFR** Kejadian ni berlaku pada tahun 2014 lah?
28
29 **FADZLINA** Ya.
30
31 **MFR** Adakah Puan, kejadian-kejadian pelik ni mula berlaku 2014?
32
33 **FADZLINA** Tidak juga. Sebab sebelum-sebelum ni, kadang-kadang dia macam
34 gangguan macam, dah macam cerita hantu pun ada kan. Dia main
35 pintu lah. Kadang-kadang bila kita tengah duduk ada yang rasa macam
36 kayu tarik you punya kaki kan, macam tu. Benda-benda macam tu lah.
37 Dulu saya ingat macam halusinasi je kan. Tengok cerita hantu ke.

1 Rupa-rupanya bila dia manifest ini, saya cakap memang ini ada sesuatu
2 lah.
3
4 **MFR** Sejak mula –
5
6 **FADZLINA** Pandangan saya lah.
7
8 **MFR** Sejak mula berlaku bila?
9
10 **FADZLINA** Tak ingat saya. Tapi saya, seingat saya, saya pernah histeria dulu
11 kena, start 2012.
12
13 **MFR** 2012 ya.
14
15 **FADZLINA** Ya.
16
17 **MFR** So adakah perkara-perkara yang pelik, gangguan ni semua berlaku
18 pada 2012?
19
20 **FADZLINA** Yang tu memang teruk jugalah dia orang nak tolong saya kan. Sebab
21 saya pengsan tak sedarkan diri, memang histeria.
22
23 **MFR** Baik.
24
25 **FADZLINA** Sampai ke pagi lah. Saya rasa tu...bulan, dalam pukul 11:00PM macam
26 tu sampai ke pagi esok. Famili saya lah yang tanggung semua. Saya
27 tak dapat nak ceritakan lah nak, macam mana nak, suasana macam tu
28 kan.
29
30 **MFR** Baik. Adakah gangguan ni berlaku kepada Puan sahaja?
31
32 **FADZLINA** Setakat ini memang kepada saya, ya.
33
34 **MFR** Sejak 2012?
35
36 **FADZLINA** Ya.
37

1 **MFR** So jadi –
2

3 **PM2** 2012 adalah kali pertama ada pengalaman gangguan? Itu kali pertama
4 atau sebelum tu juga ada?
5

6 **FADZLINA** Susah juga sebenarnya, ini sangat subjektif tau, susah juga saya nak
7 cakap. Sebab dulu-dulu pun dia orang kata masa saya kecil pun ada
8 juga gangguan kan. Selalu sawan tangis. You tahu sawan tangis kan?
9 Selalu asyik nangis saja kan. Lagi, adalah saksi-saksi macam bapa
10 saya nampak macam ada apa, lembaga kan. Lembaga besar macam
11 tu dia. Ada, saya pun tak tahu sangat lah nak ceritakan pengalaman tu
12 sebab saya kecil, baby lagi kan. Mungkin lah daripada sejarah-sejarah
13 itu agaknya membawa sampai sekarang ke, ada orang hantar ke, saya
14 pun tak boleh nak pasti sebab ini kan apa, macam paranormal punya.
15 Itulah.
16

17 **MFR** Puan –
18

19 **FADZLINA** Pengalaman.
20

21 **MFR** Maklumkan tadi Puan berkahwin dengan En Iqbal ya.
22

23 **FADZLINA** Ya.
24

25 **MFR** Pada tahun 2000.
26

27 **FADZLINA** Ya.
28

29 **MFR** Selepas tu, perkara-perkara yang pelik ni ada berlaku terhadap suami?
30

31 **FADZLINA** Suami saya macam nak terkena juga lah pada, sebelum yang jumpa
32 dengan Pastor Joshua inilah. Satu hari tu saya tengok dia memandu
33 kereta kan, saya duduk kat sebelah dia. Saya tengok muka dia macam
34 nak cekik saya tau. Saya tak tahu sebab apa tapi kelihatannya macam
35 orang nak kena apa, apa, kalau orang panggil possessed ya. Rasuk
36 kan. Itu sebabnya lah kami try lah mana-mana spiritual punya master
37 kan, untuk bantu.

1
2 **MFR** Ok. Sebelum kita pergi ke Joshua tu, Puan.
3
4 **FADZLINA** Ya.
5
6 **MFR** Tadi soalan saya, Puan berkahwin 2000 dan –
7
8 **FADZLINA** Ya.
9
10 **MFR** Soalan saya, adakah En Iqbal pun mengalami perkara yang sama sejak
11 lepas berkahwin?
12
13 **FADZLINA** Lepas kahwin tu, seingat saya ada juga. Dalam seminggu selepas
14 kahwin rasa dia nampak muka saya macam hantu begitu. Ya lah, saya
15 cakap yang benar lah kan.
16
17 **MFR** Baik.
18
19 **FADZLINA** Saya pun tak tahu kenapa.
20
21 **MFR** So maksudnya memang En Iqbal pun mengalami gangguan lah?
22
23 **FADZLINA** Waktu tu lah, tahun 2000 tu. Tapi kami banyak minta bantuan daripada
24 ustaz-ustaz dekat Johor sana lah. Area Batu Pahat, Kluang, macam tu.
25
26 **MFR** Baik. Soalan kepada minta tolong ustaz tu bermula bila?
27
28 **FADZLINA** Minta tolong ustaz, kalau ikutkan sejak daripada saya kecil lah kan.
29 Yang tadi sawan tangis dah satu hal punya penyakit. Lepas tu bila dah
30 kahwin pun dia jadi balik. Tapi saya cakap terang, saya memang clear
31 semenjak saya belajar dekat Universiti Malaya, semenjak saya kerja
32 dekat universiti, semua clear. Hantu tak ada. Itulah yang saya pelik.
33
34 **MFR** Baik. Boleh Puan perincikan tak perubahan yang mula-mula sekali Puan
35 bila mengalami masalah ni dengan suami, Puan approach siapa dulu?
36 Pada bila?
37

1 **FADZLINA** Seingat saya ada satu ustaz tu dekat area Batu Pahat lah. Nama dia
2 Ustaz Osman (02:35-47PM) ke apa, begitu kan. Saya tak tahu.
3
4 **MFR** Pada tahun berapa tu?
5
6 **FADZLINA** 2000, lepas kahwin tu 2000 itulah kot.
7
8 **MFR** Ok.
9
10 **FADZLINA** Tak dapat saya nak *defailkan* lagi kan sebab –
11
12 **MFR** Baik, ok. So mula mendapat –
13
14 **FADZLINA** Dah lama.
15
16 **MFR** Bantuan pada tahun 2000 lah?
17
18 **FADZLINA** Ya.
19
20 **MFR** Dengan ustaz. Masa tu pergi bersama?
21
22 **FADZLINA** Saya pergi bersama abah saya, emak saya.
23
24 **MFR** Suami?
25
26 **FADZLINA** Suami.
27
28 **MFR** Sekali lah?
29
30 **FADZLINA** Ya.
31
32 **MFR** Baik. So itu yang pertama kali lah approach perubahan Islam?
33
34 **FADZLINA** Ya. Perubahan tradisional lah maksud sebenar.
35
36 **MFR** So seterusnya?
37

1 **FADZLINA** Seterusnya 2014 itulah. Yang sebelum-sebelum pun saya tak ingattah.
2
3 **MFR** Baik.
4
5 **FADZLINA** Sebab ada ramai ustaz dah saya pergi. Bila ada gangguan aje,
6 katakanlah hari ini saya kena apa, tiba-tiba dia orang main pintu ke apa
7 dalam dua tiga hari, saya takut, saya pergi ajak suami saya pergi dekat
8 ustaz. Sebab kira rencam atau pun random lah kami pergi kan. Tak
9 dapat nak spesifik kan nama, ya.
10
11 **MFR** So selepas mendapat perubatan Islam tu, perubatan tradisional tu, tak
12 ada, apa, tak ada pengurangan lah dari segi gangguan tu?
13
14 **FADZLINA** Itulah, dia berbalik-balik macam tu kan.
15
16 **MFR** Ok. Seterusnya selepas perubatan –
17
18 **PM2** Sorry. Boleh tolong jelaskan sekali lagi, tadi En Faiz tanya kali pertama
19 jumpa Ustaz Osman tahun lebih kurang tahun 2000, lepas kahwin.
20 Lepas tu tak jumpa siapa-siapa sampai 2014.
21
22 **FADZLINA** Ada juga lah tapi saya tak, itulah bila ada gangguan baru kami pergi.
23
24 **PM2** So adakah –
25
26 **FADZLINA** Saya tak, tak ingat nama-nama ustaz tu.
27
28 **PM2** Tak ada. Tak ingat nama ustaz tapi –
29
30 **FADZLINA** Ya.
31
32 **PM2** Lebih kurang macam setahun sekali pergi berjumpa.
33
34 **FADZLINA** Ya, macam tu.
35
36 **PM2** Lebih kurang dari 2000 sampai 2014 ada lah selalu?
37

1 **FADZLINA** Ada.

2

3 **MFR** Ok. Tempat perubatan ada –

4

5 **CHM** Sebentar, sebentar ya. Tadi ada sebut (02:37:37PM), saya dengar
6 macam apa? Bunyi orang main-main pintu?
7

8 **FADZLINA** Kan kalau kita tengok drama hantu -

9

10 **CHM** Ada sebut pintu tadi kan? Ada sebut tadi kan?

11

12 **FADZLINA** Kadang dia main pintu lah.

13

14 **CHM** Ya?

15

16 **FADZLINA** Dia menakut-nakutkan kita lah maksudnya. menakut-nakutkan. Saya
17 tak tahu lah apa power ke.
18

19 **CHM** Tak, tak.

20

21 **FADZLINA** Spirit apa, takutkan orang.

22

23 **CHM** Macam mana ni? Macam mana, apa masalah dengan pintu tu? Apa
24 masalah dia?
25

26 **FADZLINA** Hantu lah main pintu. Nak cakap macam mana lagi?

27

28 **CHM** Ya lah, main pintu tu macam mana? Dia ketuk ke dia buka ke?

29

30 **FADZLINA** Dia macam ya, kalau dia ketuk tu kan, macam nak robohkan rumah tau,
31 Dia macam ni kan, (02:38:12PM inaudible). Dia ketuk macam nak, nak
32 bunuh orang di dalam kan. Tak tahu, bila kita buka tengok tak ada kan.
33 Baru-baru ni kan dia orang kena dekat Sabak bernam tu kan, ketuk tu
34 kan. Tapi saya dah kena dulu.
35

36 **CHM** Ok, ok, ya.

37

1 **FADZLINA** Macam itulah contoh dia.
2
3 **MFR** Ok baik Puan. Tadi merujuk daripada 2000 sampai 2014 Puan ada juga
4 jumpa perubatan tradisional. Selepas tu, apa berlaku?
5
6 **FADZLINA** Apa dia?
7
8 **MFR** Selepas 2014 tu –
9
10 **FADZLINA** Selepas 2014 –
11
12 **MFR** Ini kejadian ni berlaku.
13
14 **FADZLINA** Kejadian ni.
15
16 **MFR** Apa tindakan Puan?
17
18 **FADZLINA** Leaps tu saya dah tak pergi lagi lah jumpa dengan ustaz ni. Mungkin
19 tak tahulah, sibuk agaknya. Itulah yang saya terjumpa, saya kenal
20 Pastor Joshua ni melalui suami saya lah. Suami saya tanya dengan
21 konsultan, kawan tu dia kerja di MHRM Petaling Jaya. MHRM ni badan
22 untuk konsultan human resource kan. Kawan dia yang, saya pun tak,
23 sebenarnya tak kenal dengan kawan tu. Tapi saya rasa dia seorang
24 Chinese lah. Chinese nama, siapa ya? Mr, Mr Chan saya ingat lah.
25 Lebih kurang begitu. Saya tak tahu nama penuh dia lah.
26
27 **MFR** Baik. So jadi -
28
29 **FADZLINA** Jadi Tuan itulah yang tolong rekomenkan. Dia kata ada pastor Melayu
30 yang boleh bantu lah kalau spiritual, ada gangguan. Dia boleh macam
31 healing, healing ministry kan. Sebab kami ada tanya, kalau nak pergi,
32 saya tengok-tengok dekat Google tu, ada ramai lah orang macam-
33 macam bangsa, macam-macam faith ada pergi di apa satu tempat
34 dekat Kajang ke, dekat Nilai ke Sepang, mana sana ada buka healing
35 ministry besar-besaran lah. Ada ramai macam-macam faith pergi kan.
36 Dia orang kata, testimoni tengok yang bertulis di Google itulah. Saya
37 pun dah tak ingat kan. Nampak macam boleh healing kan. Dari segi

1 hantu ke, dari segi penyakit apa, fizikal ke, kan. Termasuk kanser
2 semua. Kalau ada yang kanser dah tahap kronik tahap empat pun dia
3 kata boleh apa, boleh healing. Macam apa, memberi gerenti. Dengar
4 macam tu. Ikhtiar lah, pada saya.

5

6 **MFR** So jadi Puan maklumkan tadi ada suami Puan telah mendapat
7 recommendation daripada seorang Chinese.

8

9 **FADZLINA** Ya.

10

11 **MFR** Yang kata ada pastor Melayu?

12

13 **FADZLINA** Ya, dia kata ada pastor Melayu, macam itulah.

14

15 **MFR** So seterusnya?

16

17 **FADZLINA** Saya pergi tahun itulah, awal tahun tu.

18

19 **MFR** Baik.

20

21 **FADZLINA** Tapi sebab dia orang cakap kena mandi semua, saya dah biasa dah.
22 Sebab kebanyakan kalau pergi ustaz ke, pergi mana ke kan, in case
23 kalau tok bomoh sekali pun dia akan mandikan you. Jadi saya fikir itu
24 dah biasalah saya kena kan. Mandi limau, mandi bunga lah apa, saya
25 tak tahu apa barang dia guna lah. Kita ikhtiar sahaja, usaha kan.
26 Macam tu. Itu sebab saya try lah pergi. Tapi so far lah, saya pergi
27 dengan Encik, dengan Pastor Joshua ni, dia tak ada pula guna barang-
28 barang macam limau ke, apa, gula ke, apa-apa barang-barang semua
29 tu, tak ada. Just guna shower kan. Jadi saya fikir, kalau ok, ok lah.

30

31 **MFR** Jadi perjumpaan berlangsung lah. Pada bila, kalau Puan ingat?

32

33 **FADZLINA** Awal tahun 2015.

34

35 **MFR** 2015.

36

37 **FADZLINA** Ya. Saya tak ingat tarikh dia.

1

2 **MFR** Di mana?

3

4 **FADZLINA** Di rumah, rasa rumah kawan dia lah saya ingat. Dekat apa, Bukit
5 Tunku. Kampung, Bukit Tunku.

6

7 **MFR** So pada hari tersebut Puan datang dengan siapa pergi ke rumah
8 Joshua?

9

10 **FADZLINA** Yang kali pertama tu saya memang dengan suami saya lah, Iqbal.

11

12 **MFR** Ok. Boleh Puan ceritakan apa yang berlaku masa pergi ke rumah tu?

13

14 **FADZLINA** Masa pergi situ, saya jumpa terus dengan Pastor dan isterinya. Lepas
15 tu dia orang mandikan saya dan suami saya lah. Lepas tu, tak ada apa
16 lah. Itu je.

17

18 **MFR** So tujuan utama pergi ke rumah Pastor ni adalah?

19

20 **FADZLINA** Untuk healing.

21

22 **MFR** Untuk berubat lah?

23

24 **FADZLINA** Ya.

25

26 **MFR** Puan ada ceritakan apa masalah yang berlaku pada –

27

28 **FADZLINA** Saya ceritalah dari segi saya kena gangguan. Tapi saya tak sampai lah
29 tunjuk gambar-gambar ni kat dia. Saya cuma cakap macam tu, lepas tu
30 dia kata boleh, boleh, boleh.

31

32 **MFR** Boleh Puan -

33

34 **FADZLINA** Jadi saya pun, bolehlah dia bantu kan, dia cakap dengan cara dia.
35 Lepas tu saya kata ok lah kalau macam tu.

36

37 **MFR** Itu sahaja komunikasi dengan Joshua masa datang ke rumah?

1
2 **FADZLINA** Yang lain-lain tu kebanyakan pastor ni memang peramah kan. Dia
3 cerita tentang testimoni dia dulu-dulu lah. Pengalaman dia dulu kerja,
4 macam tu je lah. Saya pun tak berapa nak ingat lah.
5
6 **MFR** Masa pertama kali Puan berjumpa dengan Pastor Joshua Hilmy ni
7 adakah Puan tahu dia seorang Melayu?
8
9 **FADZLINA** Saya boleh agak lah dia Melayu kan sebab dari segi dialek dia cakap
10 tu, berbahasa Melayu.
11
12 **MFR** Dia ada, ada, ada, dia ada jelaskan diri dia siapa?
13
14 **FADZLINA** Yang pertama kali tu saya ingat saya, saya tak tahu sangat lah latar
15 belakang dia.
16
17 **MFR** Tak ada.
18
19 **FADZLINA** Ya.
20
21 **CHM** Dalam perkara macam ini, masalah macam ini -
22
23 **FADZLINA** Ya.
24
25 **CHM** Di terutama sekali di kawasan Selangor dan Kuala Lumpur ni, dalam
26 masalah seperti ini ya, pernah dengar tak satu yang terkenal lah ya,
27 dengan orang Melayu, Allahyarham Ustaz Haron Din. Pernah dengar?
28
29 **FADZLINA** Ya, saya tahu Darussyifa' kan?
30
31 **CHM** Ya.
32
33 **FADZLINA** Darussyifa' punya pusat perubatan Islam.
34
35 **CHM** Ok. Ada pergi kat Darussyifa' tak?
36
37 **FADZLINA** Saya tak pernah pergi Darussyifa'.

1

2 **CHM** Mengapa?

3

4 **FADZLINA** Kerana pertama, pertamanya saya dah try banyak ustaz. Walaupun
5 ustaz yang saya jumpa sebelum-sebelum ni tidak terkenal seperti
6 Allahyarham Ustaz Haron Din, tapi mereka selalu bagi ayat yang sama
7 seperti mana Ustaz Haron Din tu apa, menggunakan. Ayat tu, ya lah
8 ayat –

9

10 **CHM** Tapi kalau –

11

12 **FADZLINA** Dia ada, serupa.

13

14 **CHM** Kalau kamu belum pergi kepada Ustaz Haron Din, macam mana kamu
15 tahu Ustaz Haron Din akan beri kamu ayat yang sama?

16

17 **FADZLINA** Bukan. Sebab ada di kalangan ustaz-ustaz yang saya pergi sebelum
18 ni, mereka mendakwa mereka anak, anak murid kepada, dia ada
19 banyak cawangan lah. Maksudnya dia anak murid. Tak semestinya kita
20 kena pergi jumpa dengan dia. Sebab kalau di Darussyifa' punya, dia
21 sangat ramai tau, ambil apa, giliran dia orang kata kan. Jadi nak tunggu
22 giliran kita kalau emergency, memang makan masa lah. Jadi dia
23 biasanya Allahyarham ni dia akan pass kepada murid dia, pembantu-
24 pembantu dia.

25

26 [02:45PM]

27

28 **CHM** Jadi kamu ada pergi ke anak murid dia atau pun pembantu-pembantu
29 dia? Ada pergi untuk berubat?

30

31 **FADZLINA** Ya lah, yang ustaz-ustaz yang sebelum itulah. Sebab dia orang guna
32 pun ayat yang sama macam ug ustaz guna, tinggal lagi saya tidak
33 berubat dengan ustaz, diri ustaz sendiri.

34

35 **CHM** Tak.

36

37 **FADZLINA** Macam tu.

1
2 **CHM** Adakah mereka ni yang kamu pergi ni, adakah mereka anak murid atau
3 pun cawanagn Darussyifa'?

4
5 **FADZLINA** Yang itu saya tak tahu lah latar belakang dia, mereka. Samada benar-
6 benar ke anak murid. Tapi pasal ayat pun sama. Dia guna ayat yang
7 daripada Haron Din juga. Jadi bagaimana saya nak pastikan latar
8 belakang mereka pula? Kan.

9
10 **CHM** Ok, ok.

11
12 **FADZLINA** Ya ok.

13
14 **MFR** Pn Fadzlina.

15
16 **FADZLINA** Ya.

17
18 **MFR** Jadi sebelum kita balik kepada perjumpaan dengan Joshua ini,
19 sepanjang perubatan Puan bersama dengan, dengan jumpa ustaz
20 semua, apa maklumat yang Puan dapat mengenai masalah yang Puan
21 hadapi?

22
23 **FADZLINA** Ada macam-macam pandangan, ya. Ada yang kata saka, ada yang
24 kata orang hantar santau, ada yang kata ada orang nak kat saya,
25 dengki, dengki kat suami saya. Ada yang kata oang, tak tahulah apa.
26 Macam-macam pandangana. Tapi saya tak pedulilah apa pandangan
27 mereka. Yang penting saya boleh heal.

28
29 **MFR** Baik. Untuk perubatan di hospital, ada Puan rujuk ke apa-apa?

30
31 **FADZLINA** Hospital saya tak pergi. Saya rasa ini bukannya penyakit hospital lah
32 sebab setakat ni alhamdulillah dari segi fizikal saya ok je kan.

33
34 **MFR** Puan memang tak pernah ada masalah kesihatan?

35
36 **FADZLINA** Setakat ini tak ada.

37

1 **MFR** Baik. Ok kita kembali kepada perjumpaan dengan Joshua Hilmy dan
2 Ruth.
3

4 **FADZLINA** Ya.
5

6 **MFR** Di rumah.
7

8 **CHM** Sebentar, sebentar. Kalau dah pergi kepada ustaz-ustaz ni kan,
9 mengapa perlu pergi kepada Joshua, Pastor Joshua? Mengapa perlu?
10

11 **FADZLINA** Itulah, saya tak mahu cakap benda-benda yang bersentimen, tapi
12 walaupun saya pergi kepada ustaz sekian lama, tetapi hantu masih lagi
13 menyerang saya. Masih mengganggu saya lagi. Jadi bila spiritual saya
14 asyik kena ganggu saya pun dah jadi stress kan. Jadi kita usaha lah
15 dengan cara yang lain.
16

17 **CHM** Ok.
18

19 **FADZLINA** Sebab orang kata pun, kebanyakan pastor-pastor pun boleh buat –
20

21 **CHM** Puan, Puan kata –
22

23 **FADZLINA** Mahir dalam buat deliverance macam tu.
24

25 **CHM** Hantu masih menyerang ya?
26

27 **FADZLINA** Ya.
28

29 **CHM** Masih menyerang saya walaupun dah pergi jumpa ustaz-ustaz kan.
30

31 **FADZLINA** Ya, sebelum-sebelum ni.
32

33 **CHM** Selepas dah berubat. Ok,so ceritakan dia menyerang secara mana?
34 Macam mana hantu tu menyerang?
35

36 **FADZLINA** Dia menyerang biasanya -
37

1 **CHM** Siang hari ke, malam hari ke, macam mana dia menyerang?
2

3 **FADZLINA** Yang saya kena last, beberapa tahun ni memang tengah-tengah hari
4 buta kena. Kalau saya di rumah, dia gendang ni macam tu. Kadang-
5 kadang bukan saya je, anak saya pun experience perkara yang sama
6 kan. Jadi kami pun rasa macam takut lah. Adakah orang ke, apa. Tapi
7 bila kita buka pintu, tak ada kan. Siapa pula yang gendang kan? Ya,
8 macam tu,
9

10 **CHM** Itu aje?
11

12 **FADZLINA** Gendang dan lain-lain maca tu lah termasuk barang-barang.
13

14 **CHM** Tak. Serang macam mana? Takkan pintu aje?
15

16 **FADZLINA** Ada sekali tu, ada banyak lah. Ada banyak saya nak cerita. Saya kena
17 cerita ke?
18

19 **CHM** Kita nak tahu. Kita nak tahu.
20

21 **FADZLINA** Macam saya kat dapur lah.
22

23 **CHM** Cuba bagi contoh ya.
24

25 **FADZLINA** Ok saya cerita lagi satu.
26

27 **CHM** Contoh ya.
28

29 **FADZLINA** Saya perg ke dapur, nak groeng telur, ok. Tiba-tiba telur, tiba-tiba telur
30 tu retak lepas tu ada macam kesan darah-darah begitu kan. Jadi saya
31 pun terperanjat lah. Memang sebiji macam drama hantu lah. Saya tak
32 nak cerita lebih-lebih, nanti you kata saya reka pula. Tapi memang
33 betul. Macam baru-baru ni kalau tak silap saya lah, ada baru-baru ni
34 ada. Cawan yang dekat dapur tu boleh loncat kan, sendiri. Siapa yang
35 loncatkan dia? Saya semua saya cakap lah dengan suami saya kan.
36 Sebab rumah saya yang kat sini pun kecilkan. Kalau nak tipu pun tak

1 sempat tipu, saya ingat. Dekat sangat kan. Rumah kecil. Jadi apa yang
2 berlaku, saya jerit situ, dia pun dah tahu dah. Tengok situ -
3
4 **PM1** Ya.
5
6 **FADZLINA** Ada cawan situ loncat, kan.
7
8 **CHM** Sebentar, sebentar, sebentar.
9
10 **PM1** Ok, ok, ok. Sekadar nak bertanya ya.
11
12 **FADZLINA** Ya.
13
14 **PM1** Tadi Puan mengatakan, terima kasih ya kerana berkongsi. Saya
15 macam tengok cerita hantu lah ni.
16
17 **FADZLINA** Ya.
18
19 **CHM** Ok. Sebab berkongsi. Sebab hantu orang Iban, apa dia lain sikit. Dia,
20 dia tak kacau.
21
22 **FADZLINA** Ok.
23
24 **PM1** Dia tak kacau, ok. Hantu orang Iban, dia macam apa, jin, bukan jin.
25 What do you call that? Bunian. Dia dunia yang the other side. So dia
26 tak kacau. So, it's ok. So saya, saya, saya nak faham ya. Saya nak
27 faham.
28
29 **FADZLINA** Ya.
30
31 **PM1** Tadi kata banyak perkara ini dan ditanya ada tak, siapa yang tanya tadi.
32 Ada tak Faiz tanya ada tak pergi ke hospital dan mendapat rawatan
33 apa, rawatan -
34
35 **CHM** Psikiatris.
36
37 **PM1** Psikiatris ke?

1

2 **FADZLINA** Tak ada.

3

4 **PM1** Kenapa tidak?

5

6 **FADZLINA** Saya tak tahu lah kenapa saya tak pergi. Sebab saya rasa ini bukannya
7 ada kaitan dengan psikiatris ke apa sebab bukan saya seorang. Bukan
8 saya sahaja, body saya dan mind saya yang rasakan perkara ini.
9 Macam kalau orang kata halusinasi kan, fantasi kan. Cerita hantu.

10

11 **PM1** Ya.

12

13 **FADZLINA** Pasal suami saya pun nampak juga barang ni.

14

15 **PM1** Ok, ok, ok.

16

17 **FADZLINA** Emak saya pun nampak. Bapa saudara saya pun nampak.

18

19 **PM1** Ok, ok.

20

21 **FADZLINA** Masa saya histeria.

22

23 **PM1** Ya.

24

25 **FADZLINA** Famili saya ramai.

26

27 **PM1** Ok, ok.

28

29 **FADZLINA** Nampak. Sepupu nampak.

30

31 **PM1** Tak.

32

33 **FADZLINA** Jadi macam mana saya nak pergi psikiatris? Saya bukannya –

34

35 **PM1** Bukan. Because kita mencari opsyen kan.

36

37 **FADZLINA** Ya.

1
2 **PM1** Bila kita sakit kan.
3
4 **FADZLINA** Setakat ni belum pergi lagi.
5
6 **PM1** Kalau kita, kalau kita tak sihat kan, buat pelbagai ya. Satu, kita jumpa
7 bomoh.
8
9 **FADZLINA** Ya.
10
11 **PM1** Lepas tu kita jumpa ustaz. Lepas tu kita jumpa, tadi dalam kes ini
12 mungkin berjumpa dengan opsyen satu lagi ialah jumpa, siapa tadi,
13 Pastor Hilmy tadi.
14
15 **FADZLINA** Ya.
16
17 **PM1** Saya hanya sekadar bertanya sebab, sebab saya pernah berhadapan
18 dengan di mana student pun ada mengalami perkara yang sama. Dan
19 antara perkara yang kami, kami lakukan lah, kami di universiti, Tapi
20 hantu tak pergi universiti, itulah beza.
21
22 **FADZLINA** Ya.
23
24 **PM1** Hantu yang tadi pergi universiti. So kacau student kami. So biasanya
25 kami akan bawa dia –
26
27 **FADZLINA** Ya.
28
29 **PM1** Memang lah, Ustaz Haron Din because dekat dengan UKM. Yang
30 kedua, memang kami bawa dia jumpa for psychiatrist ya.
31
32 **FADZLINA** Ya.
33
34 **PM1** Mula-mula jumpa kaunselor. Kaunselor, dia tak jalan.
35
36 **FADZLINA** Ya.
37

1 **PM1** Normally. Then there is some element. So they traced back sampai ke
2 latar belakang masa dia kecil.
3
4 **FADZLINA** Ya.
5
6 **PM1** So mungkin perkara-perkara begini yang, itu yang saya nak tahu. Ada
7 tak usaha dilakukan untuk juga berjumpa apa tadi, medical treatment
8 yang lain selain daripada spiritual? Sebab Puan terus fokus
9 mengatakan ini adalah isu spiritual ya.
10
11 **FADZLINA** Ya.
12
13 **PM1** Dan seolah menafikan bahawa it can also be mungkin, apa nama,
14 hormonal imbalance mungkin, ya. One of those things yang boleh
15 berlaku lah.
16
17 **FADZLINA** Setakat ni saya tak pergi.
18
19 **PM1** Saya, saya aje lah yang beranggapan.
20
21 **FADZLINA** Ya, ok, ok. Setakat ni saya tak pergi lagi.
22
23 **PM1** Tak pergi ya?
24
25 **FADZLINA** Ya.
26
27 **PM1** Ok.
28
29 **MFR** Ok Puan, barang-barang yang tadi ditunjukkan dijumpa di rumah
30 Rawang pada tahun 2014.
31
32 **FADZLINA** Ya.
33
34 **MFR** Puan jumpa Pastor Joshua pada tahun?
35
36 **FADZLINA** Yang seterusnya.
37

1 **MFR** 2015. Baik. So perjumpaan tu berlaku di rumah kampung –
2
3 **FADZLINA** Ya.
4
5 **MFR** Tunku
6
7 **FADZLINA** Kampung Tunku.
8
9 **MFR** Ok. Masa perjumpaan tersebut, yang dimaklumkan kepada Puan,
10 hanya ialah chit chat biasa ke apa?
11
12 **FADZLINA** Chit chat biasa.
13
14 **MFR** Puan banyak berkomunikasi dengan siapa?
15
16 **FADZLINA** Kedua-dua nya lah.
17
18 **MFR** Kedua-dua. Ok, berkaitan dengan Pn Ruth. Apa yang perkara yang
19 dibincangkan?
20
21 **FADZLINA** Tentang Pn Ruth memang tak banyak saya tahu lah. Saya memang
22 nampak dia ada di situ. Maka saya assume dia adalah isteri kepada
23 Pastor lah. Begitu lah.
24
25 **MFR** Baik. Sebelum kita pergi berjumpa dengan orang yang pakar
26 perubatan, mesti Puan kena tahu latar belakang dia, jenis -
27
28 **FADZLINA** Saya pun memang ikut suami saya lah. Mungkin suami saya yang tahu
29 daripada apa, Mr Chan yang rekomen tu. Mungkin, yang lain saya tak
30 berapa tahu.
31
32 **MFR** Apa yang dimaklumkan oleh suami Puan kepada Puan?
33
34 **FADZLINA** Sama macam yang kenapa saya pergi ke situ lah. Dia orang boleh buat
35 dalam healing ministry, begitu.
36
37 **MFR** Boleh -

1
2 **FADZLINA** Itu je saya tahu.
3
4 **MFR** Boleh mengubati sahaja?
5
6 **FADZLINA** Ya.
7
8 **MFR** Dan tujuan Puan pergi ke sana adalah untuk berubat lah. Baik. Selepas
9 tu apa yang berlaku? Apa aktiviti yang berlaku di rumah?
10
11 **FADZLINA** Selepas tu, minta maaf lah saya cakap. Sebab saya masih lagi
12 mengalami apa, mimpi ngeri lah, itu, macam-macam kan. Jadi saya
13 rasa, itu lah, setakat itu sahaja lah. Saya tak ada apa benda lagi nak
14 lanjutan dengan En Hilmy lah, begitu.
15
16 **MFR** Ok. Sekarang ni kami nak tahu apa yang berlaku aktiviti di rumah. Bila
17 Puan berjumpa tu, Puan kata berubat.
18
19 **FADZLINA** Ok.
20
21 **MFR** Ok.
22
23 **FADZLINA** Dia mandikan saya.
24
25 **MFR** Boleh Puan jelaskan lebih lanjut berkaitan dengan mandi tu?
26
27 **FADZLINA** Dia, dia mandikan. Itu je lah.
28
29 **CHM** Siapa yang mandikan? Isteri?
30
31 **FADZLINA** Isteri, isteri.
32
33 **CHM** Ok, ok.
34
35 **FADZLINA** Itu je. Itu sahaja. Lain tak ada.
36

1 **CHM** Ceritakan. Kita nak tahu. Ceritakan prosedur mandi tu. Secara
2 terperinci, apa yang berlaku?
3

4 **FADZLINA** Dia bawa saya ke bilik air. Dan mandi, berpakaian.
5

6 **CHM** Ada baca –
7

8 **FADZLINA** Berpakaian penuh.
9

10 **CHM** Baca apa-apa? Itu sahaja.
11

12 **FADZLINA** Dia baca -
13

14 **CHM** Ya.
15

16 **FADZLINA** Saya tak tahu lah. Dia, bukan. Maksud saya, saya tak kisah lah apa dia
17 baca. Janji adakah dia boleh healing, dia boleh bantu saya lah. Saya
18 mengharapkan bantuan. Itu sahaja lah, untuk healing saya.
19

20 **MFR** Puan, sebelum prosedur mandi tu, macam saya cakap, mesti akan ada
21 conversation Puan dengan orang berubat.
22

23 **FADZLINA** Lain-lain tak ada. Memang itu je. Memang dia dah tahu lah mungkin.
24 Saya, kami datang untuk apa, buat healing itu kan.
25

26 **MFR** Tak ada penjelasan bagaimana kaedah dibuat? Kenapa kaedah
27 dibuat?
28

29 **FADZLINA** Ada, ada. Dia ada tunjuk saya ni. Kalau tak silap. Video yang dia
30 *healkan* apa, satu wanita India, macam auntie begitulah. Dia kena
31 stroke. Dia ada tunjuk itulah. Kami tengok tu melalui dia punya device
32 lah, telefon ke tablet, saya tak ingat lah. Macam tu.
33

34 **MFR** Apa yang dia terangkan?
35

36 **FADZLINA** Dia tak ada terangkan apa-apa. Dia tunjuk, dia tunjuk miracle, bukan
37 miracle. Maksud saya, kejayaan yang dia pernah tolong seorang wanita

1 India. Saya tak ingat kat mana, saya tak kenal nama siapa wanita tu
2 tapi dia tunjuk dekat melalui device dia lah. Itu je lah.
3
4 **MFR** Dia tunjuk tu, Pastor Joshua menggunakan kaedah apa? Dia
5 menggunakan kaedah apa mengubati?
6
7 **FADZLINA** Dia baca ayat dia lah. Dia baca ayat dia. Itu je yang saya tahu. Lepas
8 tu, tiba-tiba je wanita tu dah boleh berjalan kan. Dia kena stroke teruk.
9 Lepas tu, kemudian mungkin masa yang sama juga, saya ingat video
10 tu memang tak edit lah. Memang the, the truth lah mungkin. Dia boleh
11 terus jalan.
12
13 **MFR** So adakah berdasarkan dengan video tu Puan percaya yang Pastor
14 Joshua dapat mengubati Puan?
15
16 **FADZLINA** Saya percaya dia sebagai seorang healer lah, boleh membantu.
17
18 **MFR** Ok, Puan kata proses, ada proses mandi.
19
20 **FADZLINA** Ya.
21
22 **MFR** Siapa yang terlibat?
23
24 **FADZLINA** Kalau saya dan isteri, isteri nya lah. Kak Ruth kan. Itu lah.
25
26 **MFR** So seterusnya, Joshua?
27
28 **FADZLINA** Suami saya sebab dia, kan saya kata dia tengah memandu dia macam
29 nak kena rasuk tu kan.
30
31 **MFR** Pada hari yang sama?
32
33 **FADZLINA** Ya, hari yang tu lah.
34
35 **MFR** Ya.
36

1 **FADZLINA** Disebabkan suami saya jadi macam tu lah saya duduk kat sebelah dia,
2 saya takut accident kan. Dia kata mari lah pergi dekat ni. Lepas tu kita
3 orang sekejap kan. Memang petang, petang lah, petang kami pergi.
4 Dia, dia mandikan juga suami saya.
5

6 **MFR** So maksudnya, perjumpaan dengan Joshua Hilmy tidak dirancang lah?
7

8 **FADZLINA** Saya tak tahu lah, suami saya. Mungkin dia dah berhubung dengan Mr
9 Chan ke macam mana, saya tak tahu. Saya ikut je.
10

11 **MFR** Baik, Ok. Panel members, I would like to refer to Exhibit 5. 5F. Baik. Ok
12 Puan, di sini kami dapat dokumen ini daripada salah seorang saksi. Dia
13 memberikan screenshot daripada laman Facebook Joshua Hilmy. Ok,
14 kalau ikut tarikh di sini, Januari, 01.01.2015.
15

16 **FADZLINA** Ya.
17

18 **MFR** Ok, ayat di sini mengatakan 'Today we baptised Mirza Mohamad and
19 Alin (02:58:06PM) at our house at PJ. May God bless them'.
20 Berdasarkan gambar ini boleh Puan sahkan siapa kah individu yang
21 berada dalam gambar ini?
22

23 **FADZLINA** Kalau kita tengok macam ni, memang gelap kan. Tapi disebabkan kat
24 atas tu tulis Mirza lah, jadi saya anggap saya lah kat sebelah tu.
25

26 **MFR** Ok. So Mirza refer kepada siapa?
27

28 **FADZLINA** Mirza, suami saya. Iqbal Mirza.
29

30 **MFR** Dan Alin?
31

32 **FADZLINA** Sebenarnya dia tak panggil saya Alin, tau. Saya perkenalkan diri saya
33 sebagai Fadzlin.
34

35 **MFR** Fadzlin?
36

37 **FADZLINA** Atau pun Lin.

1
2 **MFR** Ok.
3
4 **FADZLINA** Bukan Alin sebenarnya.
5
6 **MFR** So Puan ada ber, ber apa, berhubung dengan Joshua Hilmy ke dengan
7 Ruth?
8
9 **FADZLINA** Selepas, selepas ni memang tak ada. Saya memang jumpa dengan
10 Pastor ni -
11
12 **MFR** Tak, maksud saya, Facebook. Melalui Facebook.
13
14 **FADZLINA** Tak ada, tak ada. Saya tak ada.
15
16 **MFR** Ada pernah berkawan?
17
18 **FADZLINA** Tak ada, tak ada berhubung dengan melalui tu.
19
20 **MFR** Sebelum ni memang tak pernah?
21
22 **FADZLINA** Tak ada, tak ada. Sebelum dan selepas, tak ada.
23
24 **MFR** Baik, ok. Ok. Mengenai pernyataan di sini, 'Today we baptised Mirza
25 Mohamad and Alin at our house at PJ'. Adakah Puan tahu maksud
26 baptise?
27
28 **FADZLINA** Saya pernah, memang pernah dengar lah. Kalau orang kata baptise ni,
29 maksudnya apa, macam mana saya nak cakap ya? Dari segi istilah
30 Christianity kan. Itu lah yang saya tahu.
31
32 **MFR** Apa yang Puan faham berkaitan dengan –
33
34 **FADZLINA** Saya faham dari segi istilah Christianity, itu je.
35
36 **MFR** Istilah Christianity?
37

1 **FADZLINA** Ya.
2
3 **MFR** Sahaja.
4
5 **FADZLINA** Tapi kami pergi kerana nak healing.
6
7 **MFR** Tak, soalan saya -
8
9 **FADZLINA** Bermakna he baptised dan healing ialah different meaning kan? Lain-
10 lain istilah. Healing, healing ialah healing.
11
12 **MFR** Ok.
13
14 **FADZLINA** Rawatan. Perawatan.
15
16 **MFR** So jadi -
17
18 **FADZLINA** Baptise ialah baptise.
19
20 **MFR** Jadi Puan faham healing dengan baptise adalah dua perkara yang
21 berbeza?
22
23 **[03:00PM]**
24
25 **FADZLINA** Sepatutnya saya fikir -
26
27 **MFR** Berdasarkan pemahaman Puan.
28
29 **FADZLINA** Ya, ya, ya.
30
31 **MFR** Baik. Ok.
32
33 **PM1** Sekejap. Boleh saya tanya Puan? Tadi dinyatakan Puan adalah orang
34 yang, kira ada sarjana dalam bidang linguistic. Apatah lagi social
35 linguistic. Jadi kefahaman Puan terhadap bahasa ni lebih tinggi
36 daripada fahaman saya, ya.
37

1 **FADZLINA** Tak juga.
2
3 **PM1** Tak, tak. Sebab saya, latar belakang saya ekonomi. Jadi kefahaman
4 saya mungkin lebih rendah. Jadi kalau Puan perlu menterjemahkan
5 baptise ini, Puan akan guna, apa yang akan Puan guna? Sebab you
6 translate from English to Malay kan, bukan Malay to English kan?
7 Kalau, kalau, kaalau begini.
8
9 **FADZLINA** Dia biasa saya kalau terjemah memang ikut pada konteks ayat lah.
10
11 **PM1** Ok. Jadi baptisma ni?
12
13 **FADZLINA** Kalau macam ayat macam ni saya rasa ayat ni mempunyai apa,
14 ambiguity atau pun ketaksaan iaitu kekaburan.
15
16 **PM1** Ok.
17
18 **FADZLINA** Jadi kalau sebagai penterjemah kita tak boleh pastikan apakah maksud
19 baptise di situ melainkan sekiranya saya tahu tentang terminology
20 baptise tu apa.
21
22 **PM1** Ok.
23
24 **FADZLINA** Begitu.
25
26 **PM1** Ok.
27
28 **FADZLINA** Maksud saya.
29
30 **PM1** So -
31
32 **FADZLINA** Jadi kalau Dr tanya saya, kalau berdasarkan ayat ini, saya memang
33 tidak akan translate dahulu. Saya akan tanya dengan, katakan client
34 saya, apakah maksud baptise ni dalam konteks ayat ini.
35
36 **PM1** Ok.
37

1 **FADZLINA** Adakah tepat atau pun, ya begitu.
2
3 **PM1** Ok.
4
5 **FADZLINA** Saya tidak akan rujuk buta-buta kepada dictionary atau pun Google
6 translate ke, macam tu.
7
8 **PM1** Ok.
9
10 **FADZLINA** Tak nak macam tu.
11
12 **PM1** Adakah istilah baptise digunakan untuk agama-agama lain? Sebab tadi
13 anda menyebut baptise, Christianity. Adakah kalau dia Hindu, adakah
14 dia akan menggunakan, dia dimandikan oleh seorang Hindu dia akan
15 digelar sebagai baptised by a Hindu?
16
17 **FADZLINA** Yang itu saya tak pasti lah apakah –
18
19 **PM1** Jadi –
20
21 **FADZLINA** Dia bergantung pada istilah masing-masing punya apa, kepercayaan
22 kan.
23
24 **PM1** Ok, ok. So –
25
26 **FADZLINA** So sama macam ustaz lah. Kita pun tak tahu sebenarnya mandi dengan
27 ustaz ni, apakah dia, adakah disebut sebagai, ada orang sebut mandi
28 limau, ada yang sebut macam-macam nama mandi lah. Jadi kita tak,
29 tak boleh spesifik.
30
31 **PM1** Ok.
32
33 **FADZLINA** Ya.
34
35 **PM1** Masa hari yang berlaku tu, ada tak perkataan baptise ini digunakan atau
36 pun, ustaz pula. Siapa nama dia tadi? Pastor ini mengatakan saya just
37 nak mandikan, tuang kat you, you berdua.

1
2 **FADZLINA** Dia memang cakap mandi.
3
4 **PM1** Mandikan?
5
6 **FADZLINA** Mandi.
7
8 **PM1** Ok. Dia tidak menggunakan –
9
10 **FADZLINA** Lain-lain tu, mungkin saya tak perasan atau pun saya rasa tak dengar
11 lah dia cakap.
12
13 **PM1** You tak dengar.
14
15 **FADZLINA** Selain daripada itu, ya.
16
17 **PM1** You tak dengar lah ya?
18
19 **FADZLINA** Ya.
20
21 **PM1** Ok. Tak apa, itu je.
22
23 **FADZLINA** Ok.
24
25 **PM1** Alright, terima kasih.
26
27 **MFR** Ok berbalik kepada, jadinya macam Puan maklumkan tadi, healing
28 dengan baptise adalah dua perkara berbeza.
29
30 **FADZLINA** Ya.
31
32 **MFR** Adakah Puan tak, tidak bersetuju dengan pernyataan yang dinyatakan
33 oleh Joshua Hilmy?
34
35 **FADZLINA** Kalau saya tahu baptise tu bermaksud suatu yang boleh mendatangkan
36 sensitif atau apa, mungkin saya tak setuju lah. Kalau tengok macam ni,
37 kalau yang faham mungkin orang Kristian je lah yang faham kan.

1 Baptise tu ialah apa dari segi mereka punya pemahaman. Kalau orang
2 yang faith lain mungkin kalau mereka tak pernah ambil tahu tentang
3 baptise, mereka tak akan tahu. Sama macam merujuk kepada Dr cakap
4 tadi, kalau macam Hindu kan apa dipanggil, kalau Buddha ke, apa
5 dipanggil, macam tu kan. Jadi bergantung kepada pemahaman
6 masing-masing lah.
7

8 **MFR** Ok Puan, pada hari ini berlangsung di mana Puan telah dimandikan
9 oleh Pastor Joshua dan Pastor Ruth, ada sesiapa lain berada di rumah?
10

11 **FADZLINA** Saya ada jumpa dengan, itu menurut En Joshua lah. Dia kata ni tuan
12 rumah tu. Itu pasal saya anggap rumah tu ialah rumah kawan dia.
13

14 **MFR** Ada dia perkenalkan diri dia?
15

16 **FADZLINA** Mereka tu satu keluarga lah. Saya rasa itu first time je kut Pastor ni
17 pindah ke situ. Pindah ke situ ke datang ke situ kan. Macam tu lah cerita
18 dia. Lelaki India dan isterinya dan ada beberapa anak lah, saya tak, tak
19 ingat.
20

21 **MFR** Ok. Pastor Joshua memperkenalkan sebagai tuan rumah?
22

23 **FADZLINA** Tak. Tak ada siapa memperkenalkan sesiapa, sebenarnya orang tu ada
24 di situ. Masa kami datang orang tu ada di situ. Mungkin lah biasa kalau
25 jumpa memang greet kan. Jadi mungkin dia sebut nama dia ke, saya
26 sebut nama saya ke, macam tu lah. Saya tak boleh ingat lah scene.
27

28 **MFR** Selain daripada tu?
29

30 **FADZLINA** Ya?
31

32 **MFR** Selain daripada keluarga tadi?
33

34 **FADZLINA** Keluarga itu sahaja.
35

36 **MFR** So keluarga itu sahaja lah.
37

1 **FADZLINA** Ya.
2
3 **MFR** Ok. Proses ni berlangsung berapa lama Puan?
4
5 **FADZLINA** Saya rasa tak sampai sejam lah. Tak lama. Sebab mandi bukannya
6 mandi yang sampai, apa nak, scrubbing orang ke apa kan. Memang
7 mandi, curah air lepas itu, itu sahaja lah.
8
9 **MFR** Semasa –
10
11 **FADZLINA** Salin baju dan kemudian kami balik.
12
13 **MFR** Ok semasa sesi ini berlangsung apa, ada apa-apa bacaan yang dibaca
14 oleh Joshua?
15
16 **FADZLINA** Saya dengarlah tapi saya tak boleh ingallah.
17
18 **MFR** Apa yang Puan dengar?
19
20 **FADZLINA** Saya pun tak pasti. Saya dengar ada Jesus, Jesus macam itulah.
21
22 **MFR** Baik.
23
24 **FADZLINA** Ok.
25
26 **MFR** So apabila benda itu berlaku Puan tak rasa apa-apalah bila bacaan itu
27 dibaca.
28
29 **FADZLINA** Saya tak rasa apa-apa.
30
31 **MFR** Ok. Selepas itu adakah ini kali pertama –
32
33 **FADZLINA** Maksudnya?
34
35 **MFR** Berjumpa dengan Pastor Joshua.
36

- 1 **FADZLINA** Kami ada juga visit dialah. Minggu seterusnya rasa saya visit pun
2 setakat cuma mengucapkan terima kasih, sahajalah nak buat kawan
3 macam itukan. Dan seterusnya kali ketiga saya ingat pun ada juga, dia
4 Pastor ini dan isterinya kata, 'you ada anakkan. Ini cuti sekolah bolehlah
5 bawa datang dekat sini'. Jadi saya bawalah anak saya dua orang.
6 Kebetulan kami baru balik daripada Johor, balik daripada kampung
7 singgah pun tak pergi mana-mana. Sekejap sahajalah saya singgah
8 sekadar visit.
9
- 10 **MFR** So perjumpaan bersama dengan Joshua dan Ruth berlaku tiga kali.
11
- 12 **FADZLINA** Ya. Setakat yang saya jumpa kali pertama memang ada keluarga yang
13 tadi itu.
14
- 15 **MFR** Ok.
16
- 17 **FADZLINA** Encik yang tuan rumah itu.
18
- 19 **MFR** Ok.
20
- 21 **FADZLINA** Yang kali kedua tak ada sesiapa melainkan mereka berdua sahaja.
22 Yang ketiga pun tiada sesiapa melainkan mereka berdua sahaja.
23
- 24 **MFR** Pada bulan berapa?
25
- 26 **FADZLINA** Bulan Januari inilah. Januari, Januari, bulan Januari ini.
27
- 28 **MFR** Perjumpaan tiga kali itu berlangsung dalam tiga bulan, tiga kali dalam
29 bulan yang sama.
30
- 31 **FADZLINA** Dalam bulan saya tak ingattah. Mungkin Februari pun ada juga tapi tak,
32 tak lebih daripada bulan Mac ke atas dah tak ada dah. Kami dah tak
33 pergi.
34
- 35 **MFR** Selepas dari perjumpaan pertama ini communication dengan Joshua
36 itu berlaku dalam, melalui siapa?
37

- 1 **FADZLINA** Saya tak berkomunikasi dengan mereka berdua. Saya hanya pergi ikut
2 suami saya. Dia jumpa dia orang dekat rumah itu sahajalah tiga kali.
3 Lepas itu saya tak ada lagi berurusan dengan Pastor ataupun isterinya
4 tak ada.
5
- 6 **PM1** Just one short question. Saya mendengar dua kali Puan mengatakan
7 Kak Ruth. Ini satu ungkapan mesra.
8
- 9 **FADZLINA** Tak, tak, tak.
10
- 11 **PM1** Tak ya. Boleh panggil kak, abang, sesiapa sah.
12
- 13 **FADZLINA** Ya.
14
- 15 **MFR** So sepanjang perjumpaan Puan tiga kali –
16
- 17 **FADZLINA** Sebab macam ini tahu Dr.
18
- 19 **PM1** Ya.
20
- 21 **FADZLINA** Dia, isteri Pastor ini dia bahasakan diri dia sebagai kak. Jadi secara tak
22 langsung bila orangkan bahasakan diri nama saya abang Ali macam
23 itu. Nanti next time kalau you jumpa you akan anggap dia abang Ali.
24 Tak akan you nak panggil dia lain pulakan. Itulah.
25
- 26 **MFR** Puan, pemaklumkan –
27
- 28 **PM1** Sebab sorry, sebab Indonesian dia jarang perkenalkan diri dia sebagai
29 kakak. Bagi sayalah.
30
- 31 **FADZLINA** Tak tahulah sebab dia –
32
- 33 **PM1** Konteks sosial. Sebab Ruth adalah seorang –
34
- 35 **FADZLINA** Saya tak tahulah.
36
- 37 **PM1** Yalah. Mungkin dia memperkenalkan untuk kemesraan. Bagi saya –

1
2 **FADZLINA** Ya, mungkin, mungkin.
3
4 **PM1** Bagi saya.
5
6 **FADZLINA** Ya, ya.
7
8 **PM1** Sebab kita hanya menggunakan istilah kakak ataupun panggil abang
9 Faiz –
10
11 **FADZLINA** Bagi yang rapatkan.
12
13 **PM1** Bila kita sudah rapat. Jadi bagi saya, tanggapan saya tiga kali tidak
14 cukup untuk memanggil dia kakak kecuali orang itu –
15
16 **FADZLINA** Yang itu saya tak tahulah.
17
18 **PM1** You dah makan dengan dia, you dah minum sangat mesralah. Tapi
19 kalau fahaman saya katanya hanya tiga kali maka lepas itu dah tak
20 jumpa lagi. Maka itu sangat singkat untuk –
21
22 **FADZLINA** Ya, memang sangat singkat –
23
24 **PM1** Ya, ok tak apa.
25
26 **FADZLINA** Saya bersama dia.
27
28 **PM1** Tapi saya dengar you menyebutnya dua kali saya kira.
29
30 **FADZLINA** Ya, ya.
31
32 **PM1** Saya kira dua kali menyebut tadi kak Ruth, kak Ruth. Tapi tidak sebut
33 abang apa nama dia itu –
34
35 **MFR** Joshua.
36
37 **PM1** Abang Joshua taklahkan.

1
2 **FADZLINA** Tak.
3
4 **PM1** Tapi your suami, suami panggil dia Ruth. Do you call them –
5
6 **FADZLINA** Kakak –
7
8 **PM1** Pastor.
9
10 **FADZLINA** Kakak jugalah.
11
12 **PM1** Kakak, ya.
13
14 **FADZLINA** Ya, kakak juga.
15
16 **PM1** Adakah anda memanggil dia Pastor?
17
18 **FADZLINA** Tak jugalah.
19
20 **PM1** Tak ya.
21
22 **FADZLINA** Ya.
23
24 **PM1** Tahu tak dia –
25
26 **FADZLINA** Kadang-kadang panggil nama diakan Joshua ikut inilah.
27
28 **PM1** Ok tak apa. Semantics.
29
30 **MFR** Ok berkaitan dengan perjumpaan tiga kali ini apakah maklumat yang
31 Puan dapat berkaitan dengan Joshua latar belakang dia, keluarga dia,
32 pekerjaan dia ataupun Ruth?
33
34 **FADZLINA** Yang itu saya tak tahu.
35
36 **MFR** So masa perjumpaan itu memang tak ada bercakap, sembang.
37

1 **FADZLINA** Satu yang dia pernah cerita dekat saya pengalaman dia memang
2 kelakarlah. Dia pernah pergi, dia pernah try apa itu berjumpa dengan
3 orang-orang di, macam Buddha itulah. Dia hanya cerita dekat saya
4 tentang itu sahaja. Lepas itu saya pun tak tahu kenapa dia pergi dekat
5 tempat-tempat perkampungan Buddha ini, mungkin dia melawat ke
6 apa. Yang itu saya tak tahulah. Saya dah lupalah tapi memang saya
7 rasa macam tak tahulah saya nak cakap. Dia cerita tentang sesuatu
8 tentang Buddha.
9
10 **MFR** Dengan Buddha?
11
12 **FADZLINA** Buddha.
13
14 **MFR** Agama Buddha?
15
16 **FADZLINA** Ya. Macam itu.
17
18 **MFR** Selain daripada itu?
19
20 **FADZLINA** Yang lain itu saya tak tahu latar belakang.
21
22 **MFR** Adakah proses ini dikenakan bayaran?
23
24 **FADZLINA** Tak ada, free.
25
26 **MFR** Free. Seterusnya saya akan merujuk kepada Exhibit 14A
27
28 **CHM** You're not going into camera yet, belum lagi.
29
30 **MFR** Not yet.
31
32 **CHM** Ok.
33
34 **MFR** Because this one is tendered publicly yesterday.
35
36 **CHM** Yes.
37

1 **MFR** Ok. Puan, dokumen ini juga kami dapat daripada salah seorang saksi
2 yang dipanggil sebelumnya. Ok merujuk kepada dokumen terdapat dua
3 sijil bertarikh 05.02.2015. Terdapat dua nama individu di sini yang
4 menyatakan Fadzlina Binti Amran dan Iqbal Mirza Bin Jalaludin.
5
6 **FADZLINA** Ok.
7
8 **MFR** Adakah Puan pernah melihat dokumen ini?
9
10 **FADZLINA** Saya tak tahu tentang dokumen ini daripada mana dan bagaimana dia
11 berada di situ dengan nama saya yang full macam inilah. Itulah yang
12 saya boleh cakap.
13
14 **MFR** Adakah ini pertama kali Puan melihat dokumen ini?
15
16 **FADZLINA** Ya, sekarang inilah.
17
18 **MFR** Buat kali pertama?
19
20 **FADZLINA** Ya.
21
22 **MFR** Puan pasti?
23
24 **FADZLINA** Ya.
25
26 **MFR** Baik. Ok di sini menyatakan certificate of baptism. Macam Puan
27 maklumkan tadi perbezaan healer dengan baptis lah.
28
29 **FADZLINA** Ya.
30
31 **MFR** So kalau yang Puan tengok dokumen ini certificate of baptism apa
32 pandangan Puan merujuk kepada apa?
33
34 **FADZLINA** Saya pun tak tahu nak komen kenapa certificate ini ada nama saya.
35
36 **MFR** Adakah Puan kenal individu bernama Raymond Koh?
37

1 **FADZLINA** Saya kenal.
2

3 **MFR** Kenal. Boleh Puan terangkan bagaimana kenalan dengan Raymond
4 Koh?
5

6 **FADZLINA** Bermula daripada saya contact Harapan Komuniti sebab En Raymond
7 ini ialah founder Harapan kan NGO yang bantu-bantu orang kanser apa
8 itu. Bermula daripada bapa saya ini palliative pun apa itu Hospital
9 Selayang punya inilah. Bapa saya sakit kanser tahap empat. Waktu itu
10 kami tak sebab saya anak tunggal, saya tak ada adik-beradik yang
11 boleh tolong. Ayah saya sakit tenallah. Jadi saya ini carilah siapa yang
12 boleh tolong sayakan. Saya terbuka dekat internet bila saya Google ada
13 Harapan Komuniti boleh bantu apa macam bantu orang sakit macam
14 itukan. Dia termasuklah dia tolong gelandangan, orang AIDS lah, orang
15 apa, banyak bantu orang sakitkan. Jadi saya, saya try lah emel. Emel
16 itupun dah lama saya pun dah tak simpan dah. Jadi saya contact dekat
17 situ yang jawab reply cepatlah ada seseoranglah yang jawab daripada
18 situ saya tak kenal. Lepas itu orang itu pergi lawat, melawat bapa saya
19 di Hospital Selayang sebanyak dua kali tetapi walaupun saya contact
20 mereka Harapan Komuniti saya tak pernah berjumpa dengan En
21 Raymond ataupun dengan wakil-wakil daripada Harapan itu. Yang
22 jumpa ialah ibu saya di hospital. Itulah –
23

24 **MFR** Puan maklum –
25

26 **FADZLINA** Mula-mula saya contact Harapan Komuniti.
27

28 **MFR** Ok. Puan maklum tadi Puan –
29

30 **FADZLINA** Rupanya link kepada En Raymond inikan, itulah.
31

32 **MFR** Puan kenal Raymond Koh tapi tak pernah jumpa.
33

34 **FADZLINA** Saya tak kenal secara in person lah. Saya contact Harapan. Wakil dia
35 jawab emel saya, you fahamkan. Lepas itu mereka melawat bapa saya
36 di Hospital Selayang sebanyak dua kali, ok. Selepas itu saya bukan
37 kenal ada satu, dia datang dengan sepasang tahu emak saya cakap.

1 Lelaki Chinese dengan seorang lagi wanita Filipina. Jadi dua kali sahaja
2 mereka datang. Lepas itu dah tak datang lagi. Saya, saya pun tak
3 tahulah kenapa kan.
4
5 **MFR** Baik, sekejap Puan ya.
6
7 **FADZLINA** Ya.
8
9 **MFR** Soalan saya tadi Puan, Puan kenal Raymond Koh tapi Puan tak pernah
10 jumpa.
11
12 **FADZLINA** Inilah saya tengah cerita berkaitan (03:14:56PM) macam mana boleh
13 pergi ke Raymond ini.
14
15 **MFR** Macam mana tahunya ada nama –
16
17 **[03:15PM]**
18
19 **FADZLINA** Bermula daripada saya contact Harapan Komuniti.
20
21 **MFR** Macam mana Puan tahu nama Raymond Koh?
22
23 **FADZLINA** Sebelum itu saya memang tak tahu.
24
25 **MFR** Ok.
26
27 **FADZLINA** Kan saya kata saya Google. Saya nampak Harapan ini boleh tolong
28 apa orang kanser, orang apakan.
29
30 **MFR** Ok.
31
32 **FADZLINA** Kan dia ada banyak-banyak testimoni, gambar-gambar semua boleh
33 apa, ada yang hantar katillah, boleh tolong hantar beberapa orang
34 boleh bantu sebab saya seoranglah dengan ibu saya tak laratkan nak
35 jaga orang sakit. Suami saya kerja. Jadi bila, lepas lawatan dua kali itu
36 mereka tak datang lagi. Jadi saya ada SMS lah kepada yang wanita ini.
37 Wanita ini nama dia Mary seorang Philippine lah. Jadi saya cuma cakap

1 terima kasih lah kerana melawat bapa saya. Saya juga hantar kepada
2 emel lelaki yang lagi seorang itu. Saya pun ucapkan terima kasih.
3 Setakat itulah. Lepas itu dah lama-lama itu kami bertukar emel. Bukan
4 dalam WhatsApplah bukan emel ya, dalam WhatsApp. Dia selalulah
5 tanya saya macam mana semua. Yang wanita nama Mary lama-lama
6 saya pun kenallah dia. Saya berkawan dengan dialah secara apa maya
7 kan. Saya tak pernah jumpa dia lagi. Jadi saya pun, bila saya dah
8 selalulah borak-borak, chit chat dengan dia saya pun cakaplah saya
9 selalu diserang secara spiritual. Lepas itu dia pun cakap dekat saya
10 mereka ada selalu ada macam gathering. Saya tak, saya tak pastilah
11 gathering apa. Boleh juga healing ministry lagi. Jadi saya pun kata
12 siapa. Dia pun cakaplah inikan. Saya pun tak pasti Raymond yang
13 mana sebenarnya. Saya cuma tahu nama kan jadi saya kata bolehlah
14 saya try. Kalau dia boleh healing saya sebab saya pernah pergi jumpa
15 dengan orang lain. Saya masih lagi diganggu secara spiritual. Saya tak
16 ada apa-apa sebenarnya setakat nak minta tolong ialah untuk apa
17 bantu healing itu sahaja.

18

19 **MFR** Baik.

20

21 **FADZLINA** Itulah.

22

23 **MFR** Saya kembali kepada first sekali Puan contact dengan Harapan
24 Komuniti pada tahun bila, Puan?

25

26 **FADZLINA** 2012.

27

28 **MFR** 2012. Tujuan adalah untuk?

29

30 **FADZLINA** Bantu bapa saya yang sedang sakit.

31

32 **MFR** Siapa nama bapa Puan?

33

34 **FADZLINA** Amran Bin Csik.

35

36 **MFR** Amran Bin?

37

- 1 **FADZLINA** Csik, C-S-I-K.
2
- 3 **MFR** Yang mengalami sakit kanser?
4
- 5 **FADZLINA** Kanser usus.
6
- 7 **MFR** Usus, ok. Tadi Puan ada maklumkan ada dua wakil Harapan Komuniti
8 yang datang melawat ke hospital. Pada bila?
9
- 10 **FADZLINA** Tarikh pun saya tak ingat sebab saya tak jumpa mereka. Tapi dalam
11 minggu-minggu yang saya contact itu jugalah, dalam, saya rasa bapa
12 saya masuk dulu pun bulan, awal tahun jugalah. Dalam awal tahun
13 begitulah saya ingat.
14
- 15 **MFR** Awal tahun?
16
- 17 **FADZLINA** 2012 ini. 2012.
18
- 19 **MFR** 2012.
20
- 21 **FADZLINA** Ya.
22
- 23 **MFR** So siapa yang dua orang yang datang itu?
24
- 25 **FADZLINA** Menurut Mary dia kata kawan dia yang balas emel saya itulah, mula-
26 mula lelaki Chinese itukan. Mereka berdualah, mereka berdua sahaja.
27 Menurut emak saya pun cakap mereka berdua sahaja. Mereka datang
28 melawat.
29
- 30 **MFR** Ok. So jadinya pertama kali approach Harapan Komuniti pada 2012
31 untuk memohon bantuan bapa yang sakit. So Puan telah berhubung
32 dengan Mary dan dimaklumkan ada satu apa, seorang individu
33 bernama Raymond yang boleh menyembuhkan.
34
- 35 **FADZLINA** Ya.
36
- 37 **MFR** Boleh Puan sahkan benda itu?

1
2 **FADZLINA** Betul, betul.
3
4 **MFR** Ok. So selepas itu apa yang berlaku?
5
6 **FADZLINA** Selepas itu tahun bila ya, selepas saya jumpa dengan siapa, tak ingat
7 saya. 2016 awal tahun ya, awal tahun 2016 kalau tak silap saya ke 2015
8 macam itu saya lupa. Sama ada akhir tahun 2015 ataupun awal 2016
9 ya saya jumpa dengan En Raymond ini di rumah dia dekat area PJ
10 sana.
11
12 **MFR** So jadi Puan pernah berjumpa –
13
14 **FADZLINA** Sama macam saya jumpa dengan Joshua.
15
16 **MFR** So jadi Puan pernah berjumpa dengan Raymond lah.
17
18 **FADZLINA** Ya, saya pernah jumpa.
19
20 **MFR** Tapi tak kenal.
21
22 **FADZLINA** Yalah saya memang jumpa pertama kali mereka mandikan saya juga.
23 Lepas itu, itu sahaja.
24
25 **MFR** Ok. Ok Puan berjumpa pada Puan tak ingat tarikh bila.
26
27 **FADZLINA** Saya ingat awal tahun, itulah sama ada akhir tahun 2015 ataupun awal
28 tahun 2016 macam itu.
29
30 **MFR** Adakah Puan boleh sahkan sama ada pertemuan itu berlangsung pada
31 tarikh ini 05.02.2015?
32
33 **FADZLINA** Mungkin jugalah sebelum ini ke, saya tak ingatlah.
34
35 **MFR** Puan tak pasti.
36
37 **FADZLINA** Saya tak dapat pastikan.

1
2 **CHM** Siapa yang mandikan Puan –
3
4 **FADZLINA** Pastor Raymond.
5
6 **CHM** Di tempat rumah, tempat Raymond ini.
7
8 **FADZLINA** Raymond.
9
10 **CHM** Siapa yang mandikan?
11
12 **FADZLINA** Raymond.
13
14 **CHM** Raymond sendiri mandikan?
15
16 **FADZLINA** Raymond dan ada kawan dialah.
17
18 **MFR** Ok masa perjumpaan dengan Raymond ini Puan kata dimandikan Puan
19 bersama siapa?
20
21 **FADZLINA** Saya bersama suami saya.
22
23 **MFR** Ok. Tujuan untuk berjumpa adalah untuk?
24
25 **FADZLINA** Untuk healing juga.
26
27 **MFR** Ok. Sebelum prosedur mandi itu apa sembang, macam mana Puan ada
28 ceritakan ke?
29
30 **FADZLINA** Tak sempat nak sembang panjang-panjanglah sebah hari itu pun saya
31 rasa maca hari cuti. Saya pun tak ingat hari public holiday apa tapi itulah
32 memang pergi untuk mandi. Lepas itu, itu sahajalah.
33
34 **MFR** Puan tak ada ceritakan masalah Puan.
35

1 **FADZLINA** Saya memang dah ceritalah melalui Mary ini. Mary ini dah, dah bagi
2 tahulah mungkin dengan itukan. Saya tak contact dia secara direct pun,
3 Saya bercakap pun melalui Cik Mary inilah.
4

5 **MFR** Ok baik. So masa proses mandi itu adakah, kalau Puan, kalau ikut
6 kronologi tadi Puan berjumpa Joshua Hilmy awal Januari 2015. So
7 kemungkinan perjumpaan dengan Raymond Koh –
8

9 **FADZLINA** Selepas itu.
10

11 **MFR** Selepas?
12

13 **FADZLINA** Ya, selepas.
14

15 **MFR** Selepas, ok. So adakah proses yang sama berlangsung dengan –
16

17 **FADZLINA** Ya, ya, ya.
18

19 **MFR** Ada baca semua.
20

21 **FADZLINA** Ya.
22

23 **MFR** Boleh Puan ingat apa yang berlaku? Mandi di mana?
24

25 **FADZLINA** Dia memang mandi sahajalah.
26

27 **MFR** Di kawasan, di, di mana?
28

29 **FADZLINA** Dia mandi dalam kolam.
30

31 **MFR** Dekat, dekat mana?
32

33 **FADZLINA** Area rumah kawan dia sebenarnya. Dekat apa itu, depan the Curve itu
34 apa taman apa? Dekat area the Curve itu saya tak ingat laman apa.
35

36 **MFR** Kawasan the Curve.
37

1 **FADZLINA** Ya, situ.
2
3 **MFR** Bukan Damansara lah.
4
5 **FADZLINA** Kami pergi untuk mandi situ lepas itu kami balik.
6
7 **MFR** Siapa –
8
9 **FADZLINA** Orang lain tak ada.
10
11 **MFR** Orang lain itu maknanya siapa yang berada dekat situ?
12
13 **FADZLINA** Saya dan suami saya.
14
15 **MFR** Lagi?
16
17 **FADZLINA** Dan saya bawa anak saya.
18
19 **MFR** Dua-dua anak?
20
21 **FADZLINA** Ya.
22
23 **MFR** Ada individu lain selain daripada keluarga Puan?
24
25 **FADZLINA** Yang lain saya tak kenal.
26
27 **MFR** Berapa orang anggaran?
28
29 **FADZLINA** Ada beberapa orang. Mungkin wife dia, wife dia, yang lain saya tak, tak
30 kenal.
31
32 **MFR** Anggaran berapa orang dekat situ.
33
34 **FADZLINA** Empat orang, lima orang mungkin.
35
36 **MFR** Adakah mereka juga mandi?
37

1 **FADZLINA** Mereka pun mandi.
2
3 **MFR** Mandi juga.
4
5 **FADZLINA** Ada yang masuk dalam kolam juga saya tak... Serius ada juga jadi
6 saya...
7
8 **MFR** Aktiviti ini berlaku pada bila, Puan? Malam, petang, siang?
9
10 **FADZLINA** Petanglah saya ingat. Petang, petang.
11
12 **MFR** So temujanji dibuat dahululah.
13
14 **FADZLINA** Ya, ya.
15
16 **MFR** Siapa yang (03:22:59PM inaudible)?
17
18 **FADZLINA** Yang itu suami sayalah yang mungkin dia, dia call lah waktu itu saya
19 ingat.
20
21 **MFR** Ok. Puan hanya ikut sahaja.
22
23 **FADZLINA** Ya.
24
25 **MFR** So anak Puan macam mana?
26
27 **FADZLINA** Anak saya pun dimandi sekali. Biasalah budak mandi kolam.
28
29 **MFR** Mandi, ok mandi itu boleh Puan terangkan macam mana prosedur
30 mandi itu? Dia terus masuk terjun ke?
31
32 **FADZLINA** Yalah kami bersama-samakan. Maksudnya macam mana saya nak
33 cakup memang bersama-sama dalam kolam itu. Tak adalah macam
34 Joshua tadi dia pakai apa shower kan.
35
36 **MFR** Ok.
37

- 1 **FADZLINA** Yang ini macam orang mandi kolam tapi tak adalah berenang bagai itu.
2 Dia mandi mungkin macam mandi ritual lah saya ingat.
3
- 4 **MFR** Ok terangkan mandi ritual itu?
5
- 6 **FADZLINA** Sefaham saya mandi ritual lah.
7
- 8 **MFR** Terangkan mandi ritual.
9
- 10 **FADZLINA** Mandi sahajalah. Ambil air simbah-simbahkan. Tak ada gunakan
11 barang-barang lain bunga ke, limau semua tak ada. Tak ada barang-
12 barang lain.
13
- 14 **MFR** So minta maaf Puan ya saya cuba bayangkan Puan masuk dalam
15 kolam itu empat orang anak-beranak.
16
- 17 **FADZLINA** Ya.
18
- 19 **MFR** Ok lepas itu Pastor Raymond di mana?
20
- 21 **FADZLINA** Mereka simbah-simbah airlah mandikan.
22
- 23 **MFR** Ok. Itu sahajalah –
24
- 25 **FADZLINA** Sehingga –
26
- 27 **MFR** Proses.
28
- 29 **FADZLINA** Ya. Semua basahlahkan. Mereka sekali pun basah juga.
30
- 31 **MFR** So berdasarkan aktiviti ini Raymond Koh kata Puan akan pulih ke
32 macam mana?
33
- 34 **FADZLINA** Bukanlah mereka ini guarantee kata, mesti guarantee pulih tapi cubalah
35 usaha.
36

1 **MFR** Ok. Saya nak tahu daripada Raymond sendiri apa yang di bagi tahu
2 dekat Puan?

3

4 **FADZLINA** Tak ada selain daripada itu.

5

6 **MFR** Tak ada. Panel members I think after this we will have to conduct in a
7 close session.

8

9 **Time : 03:24PM**

10

11 **PK** Could, could we question this phase first?

12

13 **PM2** Yes, maybe on this point –

14

15 **PK** Maybe easier that way.

16

17 **PM2** Yes.

18

19 **MFR** Alright, ok.

20

21 **CHM** Ok.

22

23 **PK** Shall we do that?

24

25 **CHM** Ok.

26

27 **PK** Maybe it's easier –

28

29 **PM2** Puan –

30

31 **PK** So that she's fresh. Jerald.

32

33 **PM2** Thank you.

34

35 **PK** Please.

36

1 **PM2** Puan, yang tiga kali berjumpa dengan Pastor Joshua itu cuma dengan
2 suami sahaja, tadi tiga kalikan.
3
4 **FADZLINA** Saya kali pertama, kali kedua saya dengan suami. Yang kali ketiga
5 kami visit dengan anak saya.
6
7 **PM2** Dengan anaklah sekali. Tujuan visit dengan anak adalah untuk?
8
9 **FADZLINA** Sahaja-sahaja visit lah.
10
11 **PM2** So dia memang kenal macam kawanlah sebab kali pertama –
12
13 **FADZLINA** Saya anggap sebagai kawan lah kalau orang boleh tolong saya.
14
15 **PM2** Kali pertama pergi dimandikan. Kali kedua ucap terima kasih kan?
16
17 **FADZLINA** Ya.
18
19 **PM2** So kali ketiga kenal lah.
20
21 **FADZLINA** Kali ketiga kenal macam itulah. Tak adalah macam orang kenal
22 lamakan.
23
24 **PM2** Tapi waktu setiap kali pergi itu dia ada doa dengan kamu sama –
25
26 **FADZLINA** Tak ada, tak ada. Tak ada doa-doa. Dia banyak berceritalah. Dia
27 banyak bercerita, chit-chat biasalah.
28
29 **PM2** Dan –
30
31 **FADZLINA** Sebab selalunya kalau kami visit macam itu yang tiga kali itu pun
32 setakat tak sampai, tak lamalah saya datang visit begitu tengok-tengok.
33 Datang visit dia hidangkan air ke apa macam itu.
34
35 **PM2** Ya.
36

1 **FADZLINA** Biasalah apa itu adabkan kalau orang datang ke rumah orang
2 hidangkan air.
3
4 **PM2** Dan dalam tiga kali itu Puan tak ada, ada contact dengan kak Ruth ke,
5 nombor telefon ke, WhatsApp ke?
6
7 **FADZLINA** Tak ada, tak ada. Saya tak simpan nombor telefon dia orang.
8
9 **PM2** Langsung tak adalah.
10
11 **FADZLINA** Tak, tak.
12
13 **PM2** Tak ada contact lah. Cuma suami yang –
14
15 **FADZLINA** Ya, ya.
16
17 **PM2** Yang buat semua contact dengan Pastor, ya. Ok dan yang sekarang
18 beralih ke Pastor Raymond yang tadi 2012 kan Harapan Komuniti. Dari
19 2012 sampai 2015 bila kamu dimandikan oleh Pastor Raymond itu, itu
20 saya ingat lebih kurang tiga tahunkan. Dalam jangka waktu itu dah
21 sering berjumpa dengan Pastor Raymond.
22
23 **FADZLINA** Saya hanya jumpa dia dua kali. Yang pertama tadi saya mandi yang
24 dekat area the Curve kan.
25
26 **PM2** Ya, ya.
27
28 **FADZLINA** Yang kali kedua mereka datang visit ke rumah. Dia dan isteri dia visit
29 rumah saya dekat Damansara Damai malam yang itu saya ingat.
30
31 **PM2** Tahun bila?
32
33 **FADZLINA** Lepas itu dah tak ada jumpa lagi.
34
35 **PM2** Tahun bila itu, 2015?
36

1 **FADZLINA** Saya rasa minggu yang selepas yang kami pergi mandi. Mereka datang
2 visitlah macam itu.
3
4 **PM2** Ok. So lepas kamu dah kenal Mary dari Harapan Komunitikan adakah
5 kamu tolong-tolong Mary dalam Harapan Komuniti?
6
7 **FADZLINA** Saya tak terlibat dengan Harapan.
8
9 **PM2** Langsung tak ada.
10
11 **FADZLINA** Tapi saya pernah jumpa sekali, saya jumpa Mary di rumah saya dekat
12 Damansara Damai.
13
14 **PM2** Tahun bila itu?
15
16 **FADZLINA** Pun tahun yang sama juga 2012 saya tak ingat bulan dia.
17
18 **PM2** 2013, 2014 tak ada contact dengan –
19
20 **FADZLINA** Selepas itu tak ada. Saya tak pernah jumpa lagi mereka.
21
22 **PM2** Tak ada contact. Lepas itu tapi 2015 ada –
23
24 **FADZLINA** Contact –
25
26 **PM2** Pemandian.
27
28 **FADZLINA** Cuma WhatsApp macam itulah.
29
30 **PM2** Tapi 2015 ada pemandian.
31
32 **FADZLINA** Apa dia?
33
34 **PM2** 2012 dah kenal –
35
36 **FADZLINA** Ya.
37

1 **PM2** Komuniti Harapan yang Pastor Raymond punya itu. Lepas itu dah kenal
2 Maria, Mary –
3
4 **FADZLINA** Mary.
5
6 **PM2** Lepas itu ada jumpa, ada WhatsApp dengan Mary.
7
8 **FADZLINA** Saya jumpa Mary sekali sahaja.
9
10 **PM2** Sekali, betul. Lepas itu 2013, 2014 tak ada contact. Tapi 2015 ada
11 pemandian pula dengan Pastor Raymond.
12
13 **FADZLINA** Bukan. Saya dengan Mary sahaja. Saya tidak contact dengan Pastor
14 Raymond.
15
16 **PM2** Semasa –
17
18 **FADZLINA** Saya contact dengan Mary sahaja.
19
20 **PM2** Ya tapi 2013, 2014 tak ada –
21
22 **FADZLINA** Ya, tak ada.
23
24 **PM2** Tak ada contact dengan Mary.
25
26 **FADZLINA** Saya cuma borak-borak biasa sahajalah dengan Mary.
27
28 **PM2** Tapi WhatsApp masih lagi contact.
29
30 **FADZLINA** WhatsApp itulah.
31
32 **PM2** So maksud dia contact dengan Mary ini berlangsung sampai –
33
34 **FADZLINA** Ya, ya.
35
36 **PM2** 2015. Sekarang?
37

1 **FADZLINA** Sekarang dah tak ada.

2

3 **PM2** Bila you stop contact dengan Mary?

4

5 **FADZLINA** Saya ingat 2016 begitu. Saya rasa Mary dah balik ke Philippine.

6

7 **PM2** Kamu stop sebab dia balik ke sebelum dia balik?

8

9 **FADZLINA** Saya tak tahu sebab dia balik. Ya?

10

11 **PM2** Kenapa kamu stop contact dengan Mary kawankan dah kenal lah?

12

13 **FADZLINA** Sebab kadang-kadang bila saya hantar dekat dia, dia senyap
14 sahajakan. Bila dia hantar dekat saya, saya pula senyap sebab saya
15 bukannya sentiasalah nak check apakan.

16

17 **PM2** Ok. Thank you.

18

19 **Cross-examination of Fadzlina Binti Amran by Philip Koh**

20 **Time : 03:29PM**

21

22 **PK** Nama saya Philip Koh dan saya peguam bagi kak Ruth.

23

24 **FADZLINA** Ok.

25

26 **PK** Keluarga kak Ruth dari Indonesia. Oleh sebab itu saya sangat terima
27 kasih atas saudara datang untuk menjalankan hearing ini. Bila
28 menjawab sila tengok panel tak payah tengok saya.

29

30 **[03:30PM]**

31

32 **FADZLINA** Ok.

33

34 **PK** Mungkin saya ada teguran ataupun you... So Fadzlina you guna nama
35 di dalam kalangan yang, yang you comfortable Lin. Nama you Lin.

36

37 **FADZLINA** Ya, Lin.

1
2 **PK** Bagaimana ejaan itu? L-I-N atau L-Y-N-N?
3
4 **FADZLINA** Kebiasaan memang orang guna saya Lin, L-I-N.
5
6 **PK** L-I-N, Terima kasih.
7
8 **FADZLINA** Ada juga tetapi ada juga kawan-kawan yang kadang-kadang dia sendiri
9 yang tuliskan L-Y-N lah, L-Y-N-N lah, L-E-E-N lah.
10
11 **PK** Ya.
12
13 **FADZLINA** Depends.
14
15 **PK** Dan juga nama, nama abang, suami dia ada nama Kristian, bukan
16 Kristian Western. Nama apa dia?
17
18 **FADZLINA** Saya dengar mereka panggil dia Allen.
19
20 **PK** Allen.
21
22 **FADZLINA** Alan ke apa ke saya tak tahulah.
23
24 **PK** Dan dia guna emel juga allen.mirza.
25
26 **FADZLINA** Mungkin itu sebagai nickname sahajalah. Kan ada orang letak
27 superwoman lah, super wonder lah.
28
29 **PK** Ok, ok.
30
31 **FADZLINA** Nickname kan.
32
33 **PK** Bagaimana kenyataan saudari ialah sebab saudari mengalami
34 kesusahan –
35
36 **FADZLINA** Ya.
37

- 1 **PK** Spiritual. Dan you guna perkataan seperti merasukkan, hantu,
2 gangguan pintu, mungkin ada itu gangguan yang menyinggung hati. So
3 keluarga semua mengalami itu dan juga saudari sendiri. Saudari juga
4 gunakan perkataan hallucination, right. Tetapi hallucination itu
5 perkataan psychiatric mungkin ya. Tetapi Dr Madeline kata you tak
6 pernah ada dengar mungkin saya boleh cuba jumpakah hospital
7 psychiatric untuk tengok ada apa-apa ciri-ciri. You tak ada. Mengapa
8 sebab you, you, you ada pendidikan di University Malaya dan you ada
9 social linguistic. Mungkin, mungkin dengan itu background you mungkin
10 mengikut cara medical scientific untuk –
11
- 12 **FADZLINA** Sebab macam tadilah saya jawabkan Dr Madeline. Saya tak rasa itu
13 sakit psychiatric lah sebab ini kalau sakit psychiatric biasanya seorang-
14 orang itu yang gilakan.
15
- 16 **PK** Ok,
17
- 18 **FADZLINA** Kalau, kalaulah saya experience dan ahli-ahli keluarga saya yang lain
19 juga experience, boleh nampak ini semua barang-barang ini tak
20 akanlah –
21
- 22 **PK** Ok. Tak payah ulang lagi ya. So dengan itu you ada open, buka untuk
23 mencari healing ministry you, you kata itu perkataan healing ministry.
24 Yang pertama sekali sebab you orang Islam you pergi menjumpa ustaz-
25 ustaz dan juga ustaz-ustaz ini mungkin disciple atau murid yang diajar
26 oleh Haron Din, Dato' Seri kata. So lepas itu dia, dia bagi you mandi
27 dan juga ayat suci. Ada, ada baca ayat suci?
28
- 29 **FADZLINA** Kadang-kadang ada beberapa barang itulah.
30
- 31 **PK** Puan –
32
- 33 **FADZLINA** Ia bergantunglah ada macam-macam –
34
- 35 **PK** Ada, ada bagi you barang untuk –
36
- 37 **FADZLINA** Ya.

1
2 **PK** Dengan ambilkan, mandikan, ayat suci dan barang saudari tidak ada
3 sembuh, tak sembuh masih ada gangguan.
4
5 **FADZLINA** Ya, masih ada gangguan.
6
7 **PK** Ok. Walaupun bagaimana beberapa kali pergi ke ustaz-ustaz ya.
8
9 **FADZLINA** Ya.
10
11 **PK** Dengan itu you, you buka untuk menjumpa seorang Pastor Joshua. Bila
12 you dengar perkataan 'Pastor' you ada ingatkan ini bukan orang Islam.
13 Pastor ialah perkataan apa?
14
15 **FADZLINA** Macam ustaz jugakan dalam tapi ustaz mengikut apa itu istilah
16 Christianity.
17
18 **PK** Christian sebab you orang linguistic. Ok sebab you orang linguistic yang
19 Dr Madeline kata saya pun ada baca sedikitlah, saya bukan pakar
20 seperti saudari. Di dalam linguistic study dia ada satu perkataan
21 discourse analysis.
22
23 **FADZLINA** Ya.
24
25 **PK** Ya, ada? Ok. Di discourse analysis di dalam bagaimana ritual atau
26 seperti dua orang nak, nak khawin di dalam gereja, 'do you take this
27 wife, woman as your wife? I do. Do you take this man as your husband?
28 I do' di gereja. Dengan itu saya pronounce you man and wife pernah
29 you dengar di movie ke atau apa.
30
31 **FADZLINA** Ya, ya.
32
33 **PK** Dan juga di akidah Islam kalau saya seorang nak memasuk saya akan
34 akidah syahadah.
35
36 **FADZLINA** Syahadah.
37

- 1 **PK** There's no God and Allah and then I go on about the Nabi. When I make
2 that statement I memasukkan agama Islam, memang. Itulah di dalam
3 social linguistic saya main-main sedikit –
4
- 5 **FADZLINA** Ya.
6
- 7 **PK** ialah performative utterance. When you utter the thing the performance
8 takes place. You ada jumpa perkataan ini 'performative utterance'.
9 Taklah tetapi nyarilah konsep.
10
- 11 **FADZLINA** Konsep –
12
- 13 **PK** Sebab ada pronouncement ini itulah kejadian peranan atau role atau
14 watak yang, yang telah ditukar seperti Hakim Dato' Seri kalau dia duduk
15 di Mahkamah dia kata I pronounce the accused not guilty, right. Not guilty
16 dengan perkataan itu orang accuse itu dilepaskan. Sebab dia sudah di
17 pronounce. Faham. So dengan itu ini background saya. Sekarang
18 soalan dengar baik-baik. Dengan mandi ritual inilah mandi yang di
19 dalam istilah Christian ialah baptism, tahu. Memang you ada tetapi niat
20 saudara saya tahu you, you sudah menjelaskan. Niat ialah mandi untuk
21 tidak ada gangguan. Tetapi you faham ke seperti seorang linguist itulah
22 ritual baptism. Memang, memang tahu benar, sila beritahu. Jangan,
23 jangan, kalau memandikan di dalam oleh Pastor itu bukan mandi
24 sahaja. Itu baptism,
25
- 26 **FADZLINA** Sebab kaedah dia sama dengan yang saya alami dengan ustaz,
27 dengan siapa saya kira mandi itu, saya memang time itu tak berapa nak
28 particular sangatlah –
29
- 30 **PK** Ok, ok.
31
- 32 **FADZLINA** Nak fikir baptism apa.
33
- 34 **PK** Tetapi di dalam kenyataan saudara bila Pastor Joshua you pun dengar
35 dia ada gunakan nama Jesus, ya. Isa, Isa.
36
- 37 **FADZLINA** Ya.

1
2 **PK** Dia guna Bahasa English atau Bahasa Malaysia.
3
4 **FADZLINA** Bahasa Malaysia.
5
6 **PK** Bahasa Malaysia. So dia kata Isa atau Yesus Kristus.
7
8 **FADZLINA** Saya ingat Jesus lah.
9
10 **PK** Jesus.
11
12 **FADZLINA** Ya.
13
14 **PK** Yesus. Ok. Ok saya pun menyoal Iqbal seperti ini. Saya akan menyoal
15 Puan. Ada Iqbal berbincang apa yang buat?
16
17 **FADZLINA** Maksudnya?
18
19 **PK** Semalam kita menyoal Iqbal, ada Iqbal berbual dengan saudari,
20 berbincang, tidak? Tak apa, tak apa. Kalau bincang pun tak apa. Sebab
21 suami, suami isteri memang ada bincanglah tak apa. Ok di dalam ritual
22 mandi ini, tengok, dengar Pastor adakah menggunakan nama Yesus,
23 Yesus ok. Adakah dia gunakan perkataan Father, Son dan Holy Spirit?
24 Bapa, Yesus dan Roh ada?
25
26 **FADZLINA** Ada, ada.
27
28 **PK** Ada. Apabila menggunakan perkataan Bapa, Yesus dan Roh inilah
29 konsep di dalam Kristian, agama Kristian Trinity. You ada mencuba
30 perkataan ini 'Trinity', 'Trinity', Father, Son and the Holy Spirit. Oleh
31 sebab itu ada agama Islam yang kata orang Islam itu ada tiga tuhan.
32 Itu saya jangan masuk gereja (03:38:49PM). Tetapi konsep Kristian
33 ialah tuhan atau Allah ialah Trinity, Father, Son, Holy Spirit. You ada
34 dengar, you, you pastikan sila beritahu di dalam mandi itu dia kata
35 Bapa, Yesus dan Roh, ada?
36
37 **FADZLINA** Saya rasa saya ada dengar.

1
2 **PK** Ya, rasa –
3
4 **FADZLINA** Saya rasa saya ada dengar.
5
6 **PK** Dengar. Terima kasih. Ini, ini, mesti you, you beritahu hakikat.
7
8 **FADZLINA** Ya.
9
10 **PK** Bukan saya nak tegur. Jangan kluatir.
11
12 **FADZLINA** Ya, tahu.
13
14 **PK** So dia, dia ada ambil, dia gunakan formula Trinity. Apabila dia buat
15 seperti itu adakah dia tunggu sekejap dan kata saudari Lin adakah you
16 percaya, adakah you kata Amin, Amin, Amin? Tak?
17
18 **FADZLINA** Saya tak ingatlah. Saya rasa tak adalah.
19
20 **PK** Adakah dia, you menerima inilah sesuatu keimanan, ke imam, faith
21 arkedah Kristian. So in the name of the Father, the Son and the Holy
22 Spirit I baptize you alright. Then mungkin you ada setuju atau tak setuju.
23 Memang setuju sebab you, you bagi dia mandi you. Ya? You setuju ada
24 –
25
26 **FADZLINA** Mungkin boleh healing dengan cara itu agaknya.
27
28 **PK** Ya, ya ok. Untuk healing juga sebab you nak percaya mungkin Jesus
29 boleh heal you.
30
31 **FADZLINA** Ya.
32
33 **PK** Ya. Mungkin you kata background, latar belakang saya Isa pun ada
34 seorang Nabi mungkin dia ada –
35
36 **FADZLINA** Ya.
37

1 **PK** Ada kuasa yang kuat. Dia juga anak Maryam, you semua ada
2 background ini. Di dalam Quran ada. So mungkin Yesus boleh heal you.
3 So you kata you setuju, you setuju untuk dimandikan dan you pun
4 setuju apabila Pastor mendoa in the name of the Father, the Son and
5 the Holy Spirit I hereby baptize you. Then you setuju, right. Sebab you
6 nak, you nak healing ya. Ok seperti kalau saya nak masuk Islam –
7
8 **CHM** Hold on, hold on.
9
10 **PK** Yes.
11
12 **CHM** Witness just nodded, nod her head.
13
14 **PK** Ok can we ask you –
15
16 **CHM** I'm not sure whether –
17
18 **PK** Alright –
19
20 **CHM** He really –
21
22 **PK** Did you nod your head –
23
24 **CHM** Understood you, yes.
25
26 **PK** When the Pastor said those words did you nod your head or did you
27 say yes I agree. Do you remember? Slowly it's ok. I'm not trying to
28 embarrass you. Just, just, you can explain afterward what you mean.
29
30 **FADZLINA** Bukan. Bila dia kata dia nak mandikan saya –
31
32 **PK** Ya, beritahu di –
33
34 **FADZLINA** Saya tak berapa particular, saya tak, saya memang tak kisahlah apa
35 dia nak bacakan sebab saya pergi memang saya punya niat saya untuk
36 di healing. Tak akan saya nak cakap kenapa, kenapa Encik baca
37 macam ini, macam ini. Saya memang terimalah.

1
2 **PK** Ok.
3
4 **FADZLINA** Sebab nama pun macam kita pergi doktor tak akan saya nak pergi
5 tanya doktor universiti mana dulukan. Apa kelulusan betul-betul ke, ori
6 ke fake. Macam itu jadi sama macam kita pergi doktor. Kalau doktor itu
7 bagi you paracetamol boleh baikkkan you punya demam dua kali sehari
8 makan, kita makan-makankan.
9
10 **CHM** Kita tak perlu –
11
12 **FADZLINA** Begitulah.
13
14 **CHM** Kita takk perlulah nak beri penjelasan.
15
16 **FADZLINA** Sama dalam kes ini juga.
17
18 **CHM** Tak perlu, tak perlu. Kita nak tahu apa sebenarnya berlaku.
19
20 **FADZLINA** Ya, memang dia mandikan saya.
21
22 **CHM** Ya, kita –
23
24 **FADZLINA** Yang itu sahajalah.
25
26 **CHM** Kita sebut Amin ke atau kita angguk kepala itu sahaja.
27
28 **PK** Angguk, angguk kepala atau Amin?
29
30 **FADZLINA** Saya tak pastilah angguk ke Amin ke tapi saya memang tahu saya
31 dimandikan itu sahaja.
32
33 **PK** So kak Ruth yang mandikan saudari ya, kak Ruth, Ruth sebab di dalam
34 –
35
36 **FADZLINA** Yalah,
37

1 **PK** Kamera itu kak Ruth. Kak Ruth ada gunakan perkataan ini Father, Son
2 and Holy Spirit, ada. Ada?
3
4 **FADZLINA** Dia cakap Bahasa Melayu lah.
5
6 **PK** Ya. Bapa, Yesus Kristus, Yesus dan Roh ada?
7
8 **FADZLINA** Ya, itu.
9
10 **PK** Dan you ada angguk kepala atau apa?
11
12 **FADZLINA** Lepas itu saya tak ada angguk, tak ada apa. Dia mandikan saya lepas
13 dia baca, dia buka shower dan mandi.
14
15 **PK** Ok.
16
17 **FADZLINA** Ok macam itu.
18
19 **PK** Ok, ok. Saya bukan nak menindas. Jangan khuathir.
20
21 **FADZLINA** Ok, ok.
22
23 **PK** Itu yang, yang, yang happen, iaitu happened. Ok itulah Pastor Joshua
24 Hilmi dan juga kak Ruth. Yang kedua kali yang you mandi ialah dengan
25 Pastor Raymond Koh, Reverend Raymond Koh, Pastor, ya di dalam
26 kolam berenang (03:43:38PM inaudible). Itu ada kolam renang di dalam
27 bungalow, satu bungalow.
28
29 **CHM** Just to confirm.
30
31 **PK** Yes.
32
33 **CHM** Dimandikan oleh Pastor Raymond Koh adalah selepas dimandikan
34 oleh Joshua ya dengan Ruth.
35
36 **PK** Selepas.
37

1 **FADZLINA** Selepas.
2
3 **CHM** Ok confirm.
4
5 **PK** Di dalam, Joshua, it has been established panel that it's on the 1st
6 January that the baptizm because of the Facebook posting of Joshua.
7
8 **CHM** Yes, yes.
9
10 **PK** He was, he baptized the couple.
11
12 **CHM** Yes.
13
14 **PK** Then on sometime in February, alright.
15
16 **CHM** I see.
17
18 **PK** The certificate says 5th February. She said she hadn't seen the
19 certificate that Raymond Koh baptized again both the couple and the
20 two children, right. Kedua-dua anak pun ada mandi. Ya, memang?
21 Jangan angguk sahaja kata ya.
22
23 **FADZLINA** Ya.
24
25 **PK** Kata ya.
26
27 **FADZLINA** Ya.
28
29 **PK** Ya. So sekeluarga dimandikan oleh Raymond Koh. Tetapi di Joshua
30 Hilmi dan Ruth hanya Lin dan Iqbal sahaja, ya memang. Berapa kali
31 Fadzlina, saudari Fadzlina you buat ritual mandi ini berapa kali?
32
33 **FADZLINA** Dua kali.
34
35 **PK** Dua kali memang.
36
37 **FADZLINA** Dengan Joshua, dengan itulah.

1

2 **PK** Memang ada lagi?

3

4

[03:45PM]

5

6 **FADZLINA** Yang sebelum itu dengan ustaz ke dengan ini.

7

8 **PK** Ustaz situlah.

9

10 **FADZLINA** Ya.

11

12 **PK** Tetapi Christian punya.

13

14 **FADZLINA** Christian punya dua inilah.

15

16 **PK** Memang?

17

18 **FADZLINA** Ya.

19

20 **PK** Pasti? Ingat baik-baik sebab saya akan menunjuk yang, evidence yang
21 you ada satu kali lagi. Saya tak mahu, tak mahu surprise you. I invite
22 you to say are you sure you only baptize twice, I mean mandi twice? As
23 far as you remember. Memang you remember two only is it, twice is it?

24

25 **FADZLINA** Ya.

26

27 **PK** You sure? You want to change your mind. Because I really don't want
28 to trap her one, I know.

29

30 **CHM** Yes, yes.

31

32 **PK** I just want to be, I'm not here to be unkind. I now show you a
33 photograph. I approach, ok.

34

35 **FADZLINA** I see.

36

37 **PK** Ok. I see.

1
2 **CHM** Thank you.
3
4 **PM2** Thank you.
5
6 **PK** Jangan risau, saudari.
7
8 **FADZLINA** Apa maksudnya jadi kenapa kamu lagi dibaptize oleh kamu?
9
10 **PK** Ya, ya.
11
12 **FADZLINA** Siapa –
13
14 **PK** Ok. Dalam photograph ini dari Facebook Ruth dapatkah satu
15 photograph –
16
17 **FADZLINA** Ya.
18
19 **PK** Ini Pastor Victor.
20
21 **CHM** Mari kita mark dulu.
22
23 **PK** Ya.
24
25 **CHM** Kita mark dulu.
26
27 **FADZLINA** Ok yang ini saya tak pasti –
28
29 **CHM** Sebentar, sebentar, sebentar.
30
31 **FADZLINA** Dia pastor atau apa sebab saya –
32
33 **CHM** Sebentar.
34
35 **FADZLINA** Kenal melalui –
36
37 **PK** Ok sebentar, sebentar.

1
2 **FADZLINA** Ok.
3
4 **CHM** Kita nak tanda.
5
6 **PK** Dato' Seri sebenar, ok.
7
8 **CHM** Tanda dulu.
9
10 **PK** Perlahan-lahan, ya.
11
12 **CHM** Exhibit?
13
14 **MFR** 107.
15
16 **CHM** Ok.
17
18 **PK** 1 –
19
20 **MFR** 107.
21
22 **CHM** Yang tadi punya, print, print out. Printout.
23
24 **PK** Ok.
25
26 **FADZLINA** Ya.
27
28 **PK** What do you remember about this photograph?
29
30 **FADZLINA** Yang ini saya kenal dengan ada satu budak Sabah lah, saya tak ingat
31 nama dia.
32
33 **PK** Ok.
34
35 **FADZLINA** Ok, girl from Sabah itu.
36
37 **PK** Ok dan di dalam kolam berenang ini –

1
2 **FADZLINA** Saya pun ada juga cerita jugalah dulu. Ini dah lamalah saya dah tak
3 ingat.
4
5 **PK** Yalah lama dua –
6
7 **FADZLINA** Memang tahun inikan.
8
9 **PK** Tahun 20 –
10
11 **FADZLINA** Saya tak pasti apa yang saya cerita dekat dia tapi memang saya ada
12 jumpa dengan orang inilah.
13
14 **PK** Dan you juga mandi.
15
16 **FADZLINA** Ya, saya tahu nama dia Victor.
17
18 **PK** Dia juga mandi dia, mandi.
19
20 **FADZLINA** Ini dekat rumah saya Damansara Damai.
21
22 **PK** Ya, tak apa, tak apa. Mana –
23
24 **FADZLINA** Ini –
25
26 **PK** Dan ini ritual –
27
28 **FADZLINA** Dia datang ke area rumah saya lepas itu saya try juga. Saya memang,
29 saya try jugalah. Yang ini saya sahaja.
30
31 **PK** So juga –
32
33 **FADZLINA** Saya tak melibatkan famili saya lah.
34
35 **PK** So ini juga Pastor Victor kata –
36

1 **FADZLINA** Saya tak pasti dia pastor ke apa. Yang ini saya, saya tahu nama dia
2 Victor.
3
4 **PK** Ok. So inilah kejadian yang memang adalah.
5
6 **FADZLINA** Ya, ya.
7
8 **PK** Dan ini photograph Lin, Fadzlin.
9
10 **FADZLINA** Ya.
11
12 **PK** Ya. Ok it's established by the witness that she is the person in the
13 photograph and that individual is an Indian man called Victor.
14
15 **FADZLINA** Ya, Indian.
16
17 **PK** Victor, yes.
18
19 **CHM** Ya, around, itu bila ini, bulan?
20
21 **FADZLINA** Ini –
22
23 **PK** In this Facebook is 2014. 2014, yes a year before you met –
24
25 **FADZLINA** Ya.
26
27 **PK** Pastor Joshua.
28
29 **FADZLINA** 2014.
30
31 **PK** Not there far away, a year before. That's why I asked you whether you
32 have, ada mandi berapa kali. Bukan ustaz sahaja ini Victor. Victor orang
33 Christian.
34
35 **FADZLINA** Saya terlupa, terlupakan apa –
36
37 **PK** Oklah, ok. You terlupa, saya bukan nak trap you.

1
2 **FADZLINA** Ok, ok.
3
4 **PK** So ok. So di dalam mandi ini Victor pun juga menggunakan perkataan
5 Bapa, Yesus dan Roh, ya. Ada tak?
6
7 **FADZLINA** Saya tak ingat.
8
9 **PK** Tak ingatlah.
10
11 **FADZLINA** Yang ini saya tak ingat.
12
13 **PK** Tetapi dia –
14
15 **FADZLINA** Saya rasa, saya rasa tak ada.
16
17 **PK** Rasa tak ada. Dia tak ada berbual apa-apa.
18
19 **FADZLINA** Ya, tak ada.
20
21 **PK** Mandi sahaja. Tak ada ayat suci ke atau –
22
23 **FADZLINA** Dia memang simbah-simbah, simbah air macam itulah. Dia –
24
25 **PK** Symbol?
26
27 **FADZLINA** Tak, ya macam symbol.
28
29 **PK** Mengapa simbah apa? Baptism symbol.
30
31 **FADZLINA** Dia memang –
32
33 **PM2** Splash.
34
35 **FADZLINA** Apa?
36
37 **PK** Yes?

1
2 **PM2** Splash the water.
3
4 **FADZLINA** Ya.
5
6 **PK** Splash.
7
8 **PM2** Yes.
9
10 **PK** No, he said symbol, symbolic.
11
12 **PM2** No, no, no, no.
13
14 **FADZLINA** Ini bermaksud symbolic.
15
16 **PK** Symbolic, yes.
17
18 **FADZLINA** Ritual, mandi ritual ialah symbolic.
19
20 **PM2** Simbah air, simbah air.
21
22 **PK** Simbah air atau simbol, ini air simbol seperti apa? Simbol, S-I-M-B-O-
23 L.
24
25 **FADZLINA** Bukan simbah air, simbah air.
26
27 **PK** Simbah, ok.
28
29 **FADZLINA** Splash. Simbah air.
30
31 **PM2** Commissioner Jerald is correct. Dia splash water on you.
32
33 **CHM** Is this Facebook?
34
35 **PK** This is a Facebook posting from Ruth.
36
37 **CHM** Facebook posting from Ruth.

1
2 **PK** Yes. So setakat tahun, I apologize Mr Chairman my thing has broke so
3 -
4
5 **PM2** Yes, we are looking for one for you.
6
7 **PK** Thank you. I'm comfortable.
8
9 **CHM** Ya, dah dapat dah.
10
11 **PM2** They're, they're looking for one.
12
13 **PK** I'll, I'll do my best to lower and don't speak too, too aggressively.
14
15 **CHM** Ok. You should have requested much, much earlier kan. I can see you
16 must be very uncomfortable to push it back all the time.
17
18 **PK** I know. It broke because I -
19
20 **CHM** Yes.
21
22 **PK** I have, I have it in my car. Next time I should bring more.
23
24 **CHM** But I think we have. Here we have.
25
26 **PM2** Yes, we have here. They are bringing one for you.
27
28 **CHM** We have.
29
30 **PK** Thank you.
31
32 **CHM** Ok. I think we have to, we have to sort this out. This message is from
33 whom to whom. It's from, the top message is Ruth message, yes?
34
35 **PK** Yes, that's all I have. This is a, this is, do, do SUHAKAM have this
36 picture? This picture is not at all there. It's not part of Ms [REDACTED] and the
37 [REDACTED] thing, ok.

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37

CHM I see. How did you manage to get this?

PK This, this came from Ms [REDACTED] the closed session that she gave testimony, the lady.

CHM I see.

PK She, she is very close to the [REDACTED] and I think Ruth is conversing with, among the kalangan orang Kristian yang latar belakang mungkin Muslim, ya.

CHM Yes, yes.

PK So that is the context.

CHM I see.

PK It's similar as in the closed session we'll see how Ruth is commenting on things. So this is one of the posting of Ruth to –

CHM But how did she, she gets this photograph of witness?

PK Well same as the closed session where [REDACTED] –

CHM Yes.

PK [REDACTED] had those, [REDACTED] is part of the chat group with Ruth.

CHM Yes.

PK Not Ms [REDACTED]. Ms [REDACTED] lost contact you remember Dato' Seri with the old friend in seminary called Ruth or, or Ruth Tanga (03:52:20PM) and she only learned about and say she's the one who disappeared. Then she make contact with [REDACTED]. Then [REDACTED] sent photoshop of this Facebook to Ms [REDACTED]. Those photoshop became part of the document surrendered to SUHAKAM but this is not, not part of it. This was not part of it.

1
2 **CHM** Does witness know? I can ask the witness do you know about this
3 photograph and you have seen it before.
4
5 **PK** You have seen this photograph before?
6
7 **CHM** Who took this photograph? You took, you took it?
8
9 **FADZLINA** Saya.
10
11 **CHM** No, no, somebody must have taken it because you were –
12
13 **FADZLINA** Kawan yang saya cakap tadi girl daripada Sabah itu. Tapi saya dah lost
14 contact dengan dia.
15
16 **PK** [REDACTED] ?
17
18 **FADZLINA** Bukan, bukan.
19
20 **PK** Ada orang Sabah you, you bagi handphone bagi dia untuk photograph
21 inilah.
22
23 **FADZLINA** Apa nama dia?
24
25 **PK** You ingat ini photograph yang you ambil, kawan you ambil.
26
27 **FADZLINA** Saya ingatlah.
28
29 **PK** Ok.
30
31 **FADZLINA** Sebab tak ada orang lain.
32
33 **CHM** It is your friend.
34
35 **FADZLINA** Perempuan –
36
37 **CHM** Who took it?

1
2 **FADZLINA** Bukan, saya kenal pun coincidence jugalah bukannya kenal ini, sama
3 macam saya kenal Mary. Tapi saya tak ingat macam mana saya kenal
4 dengan budak perempuan itu. Tapi dia girl daripada Sabah. Saya dah
5 lama lost contact dengan dia.
6
7 **CHM** Not this Mary lah, no.
8
9 **FADZLINA** Bukan, bukan Mary.
10
11 **PK** Ok. So witness has confirmed that he, she recognize herself and this
12 photograph was taken with her camera and somehow found its way into
13 –
14
15 **FADZLINA** Bukan kamera saya. Orang lain punya kamera.
16
17 **PK** Ok tetapi you, you kenallah dia ada, orang mengambil photo ini.
18
19 **FADZLINA** Ya, saya nampaklah dia orang ambil photo itu.
20
21 **PK** Dan ini photo you pun pernah nampak.
22
23 **FADZLINA** Tak pastilah.
24
25 **PK** Tak pasti.
26
27 **FADZLINA** Saya mungkin, mungkin jugalah.
28
29 **PK** Ok.
30
31 **FADZLINA** Macam itu.
32
33 **PK** So anyway Dato' Seri –
34
35 **CHM** Yes.
36

1 **PK** And this is how the chain of evidence arrived at, alright. This is a
2 Facebook shot from Ruth.
3
4 **CHM** Yes.
5
6 **PK** I only have probably –
7
8 **CHM** So kamu kenal ini Pastor Victor?
9
10 **FADZLINA** Saya kenal pada hari dia datang untuk healing saya.
11
12 **PM2** Yalah tapi kenal lah.
13
14 **FADZLINA** Ya, itulah.
15
16 **CHM** Datang untuk healing –
17
18 **FADZLINA** Saya tak, sebenarnya tak pasti dia Pastor ke atau apa sebab –
19
20 **CHM** Tak, tak. Datang untuk healing kamu.
21
22 **FADZLINA** Ya.
23
24 **CHM** Bagaimana dia datang?
25
26 **FADZLINA** Yang mula-mula itulah.
27
28 **CHM** Kamu jemput ke, apa yang buat dia datang?
29
30 **FADZLINA** Kawan saya, kawan saya itu bawa. Kawan saya yang perempuan itu
31 daripada Sabah, saya lupa nama dia, saya tak dapat recall.
32
33 **CHM** Bila ini berlaku? Ambil gambar –
34
35 **FADZLINA** 2014.
36
37 **CHM** 2014.

1
2 **FADZLINA** Ya.
3
4 **CHM** Tempat ini dimana? Swimming pool ini?
5
6 **FADZLINA** Di area rumah saya Damansara Damai.
7
8 **CHM** Ya?
9
10 **FADZLINA** Area rumah saya Damansara Damai.
11
12 **PK** Di kondominium, kondominium.
13
14 **FADZLINA** Tak adalah cuma apartment biasa.
15
16 **PK** Ini kolam renang ini besar.
17
18 **FADZLINA** Ya, tapi kami ada kolam renang.
19
20 **PK** Kolam, kolam renang ini dalam rumah?
21
22 **FADZLINA** Bukan. Di –
23
24 **PM2** Apartment.
25
26 **FADZLINA** Garden itukan dekat –
27
28 **PK** Yalah.
29
30 **FADZLINA** Dekat park.
31
32 **PK** Ok. Di Damansara Damai.
33
34 **CHM** Ini gambar Pastor itulah.
35
36 **PK** Pastor Victor, Victor.
37

1 **CHM** Tapi background itu tempat lain ya. Kan macam beach.
2
3 **PK** Ya, itu.
4
5 **CHM** Ya?
6
7 **PK** Ya.
8
9 **FADZLINA** Gambar ini sahajakan. Yang mula-mula ini sahaja. Yang lain satu itu
10 saya tak tahu.
11
12 **PK** This one sound like a Bollywood, look like a Bollywood actor.
13
14 **CHM** I see.
15
16 **PK** But it was, regretfully Mr Chairman I don't mean to be light hearted
17 about it. The Pastor died of heart attack shortly after.
18
19 **CHM** I see.
20
21 **PK** The Pastor passed away.
22
23 **CHM** I see.
24
25 **PK** In circumstances that say that it was heart attack.
26
27 **CHM** I see, ok. Ok.
28
29 **PK** So we can't really connect anymore.
30
31 **CHM** Yes, ok.
32
33 **PK** Ok. Di dalam kenyataan yang saudara beri apabila disoal oleh Faiz dari
34 SUHAKAM, you kata you kadang kala ada di dalam gathering,
35 gathering, you guna perkataan 'gathering'. Di dalam gathering ini
36 apakah aktiviti?
37

1 **FADZLINA** Bukan. Itu according to Mary. Dia bagi tahu saya mereka selalu adakan
2 gathering. Saya tidak pernah pergi gathering itu.
3
4 **PK** Tidak pernah?
5
6 **FADZLINA** Saya tak pernah pergi.
7
8 **PK** Suami?
9
10 **FADZLINA** Yang itu saya tak pasti.
11
12 **PK** Kadang kala suami pergi ke –
13
14 **FADZLINA** Biasalah kalau dia keluar saya tak ikut. Saya selalu itu memang tak ikut.
15 Saya lebih suka di rumah.
16
17 **PK** You lebih suka dekat rumah.
18
19 **FADZLINA** Saya ada kerja saya sendiri.
20
21 **PK** Ok.
22
23 **FADZLINA** Saya jarang keluar.
24
25 **PK** Kanak?
26
27 **FADZLINA** Anak saya pun kadang tak ikut juga. Sebab suami saya dia dengan
28 aktiviti apa Harapan jugakan apa itu AIDS link (03:57:02PM) itu.
29
30 **PK** Harapan Komuniti –
31
32 **FADZLINA** Jadi buat apa saya ikut.
33
34 **PK** Celebration Christmas.
35
36 **FADZLINA** Tak ada, tak ada. Saya tak pergi.
37

- 1 **PK** Tak pergi. Tetapi adakah you ingat kanak dan suami pergi? Adakah,
2 adakah dia beri –
3
- 4 **FADZLINA** Saya pun tak pasti.
5
- 6 **PK** Tak pasti.
7
- 8 **FADZLINA** Adakah dia pergi atau tidak.
9
- 10 **PK** Ok kanak-kanak, kedua kanak pada –
11
- 12 **FADZLINA** Saya rasa adalah mereka pergi tapi saya tak pergi.
13
- 14 **PK** Ok. Dan juga kanak pun meraikan, menyanyi Christmas songs.
15
- 16 **FADZLINA** Yalah mungkin orang jemputkan. Mereka pergilah menghadiri sebagai
17 guest ke –
18
- 19 **PK** Dan juga perform, ada performance.
20
- 21 **FADZLINA** Yang itu saya tak pasti.
22
- 23 **PK** Can we pull out the two photograph of the two kids?
24
- 25 **FADZLINA** Bila? Saya tak tahu.
26
- 27 **PK** Tak apa, kita akan menunjuk.
28
- 29 **FADZLINA** Ok.
30
- 31 **PK** Sebab you are not aware. The photograph of the two children.
32 Practising, yes. Just practice, just show. Just show to her. Practising
33 the two that we show to them. Guitar and the, ok kenal photo ini?
34
- 35 **FADZLINA** Anak saya.
36
- 37 **PK** Anak.

1
2 **FADZLINA** Ya.
3
4 **PK** Dia kecil sedikit.
5
6 **FADZLINA** Ya, ya.
7
8 **PK** Itu?
9
10 **FADZLINA** Itu pun anak perempuan saya.
11
12 **PK** Ya. Mereka, satu main gitar dan satu main electro, electron, electric
13 piano. Instruction saya ialah kedua-dua dia, dia akan practise untuk di
14 dalam satu Christmas celebration. You, you ada dengar itu?
15
16 **FADZLINA** Saya tak tahu.
17
18 **PK** Tak tahulah. So kadang kala suami atau kanak-kanak buat kegiatan
19 yang you tak tahulah sebab you duduk di rumah.
20
21 **FADZLINA** Ya. Tak suami saya selalu keluar untuk AIDS link itu ataupun dia ada
22 mengajarkan dengan apa, apa yang di Klang itu. Setahu saya itulah.
23 Yang lain saya tak tahu.
24
25 **PK** No, di Klang itu dengan migrant, migrant workers. Dia ada ajar –
26
27 **FADZLINA** Mungkinilah saya ingat.
28
29 **PK** Dan juga dia ada hubungan dengan satu orang Jonanathan Koh. You
30 ada dengar nama itu? Jonanathan Koh. Tak? Tetapi di Klang ada
31 tempat migrant worker dia mengajar di situ sekejap.
32
33 **FADZLINA** Saya tahu dia mengajarlah.
34
35 **PK** Tak tahu, tak tahu nama kumpulan itu.
36
37 **FADZLINA** Tak tahu sebab saya tak ini, saya tak join pun.

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34
35
36
37

PK Ada dengar ke, dengar ke perkataan El Shadaai? Tak ada, tak apa, tak apa. Ok so itulah hal suami.

CHM She have to take a toilet break.

FADZLINA Ya, setahu saya itu macam NGO kan.

PK NGO, ya. We can Dato' Seri. Actually I'm closing up already.

CHM Five to 10 minutes.

PK We can have a break.

CHM Yes, sure.

PK Thank you so much for the space to question.

END

TIME : **04:00PM**

1 **DATE** : **06.01.2021**

2 **TIME** : **04:06PM**

3

4

START

5

6 **Continued cross-examination of Fadzlina Binti Amran by Philip Koh**

7 **Time : 04:06PM**

8

9 **FADZLINA** Kalau saya pergi, orang tak ada dekat rumah, macam mana, kan?

10

11 **PK** So suami berkata, oh, mungkin kita nak pergi Pastor untuk mandilah?

12 Ya lah.

13

14 **FADZLINA** Sudah, ya. Ok.

15

16 **PK** Memang ya, Saudari, you tidak pernah memohon certificate of baptism

17 yang sudah ditunjuk, memang?

18

19 **FADZLINA** Saya tak pernah mohon.

20

21 **PK** Ada tahu –

22

23 **FADZLINA** Dan saya tak ada keperluan untuk, saya tiada keperluan untuk

24 certificate itu.

25

26 **PK** You ada tahu orang-orang yang mungkin ada certificate baptism?

27

28 **FADZLINA** Saya tak pasti.

29

30 **PK** Tak pasti juga, ya. Ok. Itulah sahaja.

31

32 **CHM** Ya.

33

34 **PK** Ya.

35

36 **Time : 04:07PM**

1
2 **CHM** Ya, En Dzaffir? No? No, ok. At the back? From the Bar?
3
4 **PM2** No questions.
5
6 **PM2** She never introduced herself at all.
7
8 **CHM** Would you like to introduce yourself?
9
10 **PM2** I think I have not been introduced yet, Sir. My name is SP Chandra, I'm
11 appearing for the Bar Council.
12
13 **CHM** Ok.
14
15 **PM2** Yes.
16
17 **CHM** Welcome.
18
19 **PM2** Thank you, Sir.
20
21 **MFR** Panel members, we would like to move to close session.
22
23 **CHM** Wait, before that. Pastor Joshua. Lepas jumpa Pastor Raymond, kan,
24 dan dimandikan, baptised, ada rasa pulih, rasa baik?
25
26 **FADZLINA** Boleh saya cakap terang?
27
28 **CHM** Ya, memang cakap terus-terang.
29
30 **FADZLINA** Saya tak rasa apa-apa. Saya tak rasa apa-apa so far, sebab itu saya
31 masih lagi, mungkin sampai sekarang saya masih ada lagilah sedikit-
32 sedikit gangguan tapi saya rasa saya dah lali dah. Dan saya dah lali
33 dah, saya ingat.
34
35 **CHM** Apa, jangan, cakap very clearly lah, apa yang tak rasa apa-apa.
36
37 **FADZLINA** Saya tak rasa –

1
2 **CHM** Doesn't mean anything to us. Saya nak tahu sembuh ke tak sembuh.
3
4 **FADZLINA** Saya tak sembuhlah, maksudnya.
5
6 **CHM** Tak sembuh?
7
8 **FADZLINA** Ya.
9
10 **CHM** Tak sembuh?
11
12 **FADZLINA** Saya masih lagi diganggu, kan saya cakap baru-baru ini ada, apa itu,
13 cawan masih lagi loncat. Oh, yang terbaru ya, anak saya baru balik
14 daripada kolej, ini untuk PKP, cuti PKP ini kan. Budak-budak terpaksa
15 balik. Dia balik rumah, dia pun dah kena kejar dengan kucing hitam. Dia
16 jerit satu rumah, saya ingat satu bangunan boleh dengar suara dia. Itu
17 yang terkini, baru saya ingat. Bermakna, kami tak sembuh pun. Tapi
18 saya tak mahu cakap, saya tak mahulah blame sesiapa ke apa, kan,
19 sebab kami cuma usahalah, bukan untuk blame orang. Itulah sahaja,
20 kami tak sembuh.
21
22 **CHM** Tak sembuh?
23
24 **FADZLINA** Ya.
25
26 **CHM** Puan secara peibadi macam mana? Selain daripada insiden cawan itu,
27 apa lagi?
28
29 **FADZLINA** Nak saya cakap lagi?
30
31 **CHM** Ya, ya. Kita nak tahu, dah jumpa itu sembuh –
32
33 **FADZLINA** Banyak lagi –
34
35 **CHM** Sembuh ke tak sembuh?
36

- 1 **FADZLINA** Nanti orang kata saya cakap cerita hantu, kan. Kadang-kadang tangan
2 saya ini ada macam kena ini, kena gigit tahu, sebab saya tidur seorang-
3 seorang, kan. Saya tak tahulah. Saya boleh rasa tapi saya rasa macam
4 lemah-lemah macam itu, tahu. Macam, bukan angin tahu, tapi saya
5 rasalah. Ada sesuatu, kan. Sebab ia macam tak konsisten, tahu,
6 apabila saya baca ayat-ayat yang seperti Dr Haron Din pernah ajar,
7 ayat penggerak, Bismillahilladzi La Yadhurru Ma'asmihi Sya'un fil
8 Ardhi wa Laa fis Sama'i wa Huwas Sami'ul 'Alim (04:10:40PM Arabic),
9 Aamiin, kan. Saya baca ayat itu selalu, dia orang kata kalau dua kali,
10 ini saya tujukan kepada yang Islam, ya, kalau dua kali sehari baca kita
11 tak akan ditimpa musibah, tak akan di, macam-macam. Jadi saya
12 cubalah, saya usaha. Semoga Allah membantu. Begitu juga yang lain-
13 lain, saya pergi jumpa mereka dengan ikhlas untuk dibantu, itu sahaja.
14 Saya tak ada nak *blame-blame* ke, kenapa saya tak baik. Mungkin
15 belum masa agaknya.
- 16
- 17 **CHM** Semalam, malam tadi ada gangguan?
- 18
- 19 **FADZLINA** Malam tadi tak ada.
- 20
- 21 **CHM** Malam sebelum itu?
- 22
- 23 **FADZLINA** Dalam beberapa minggu inilah, hari itu adalah. Beberapa minggu yang
24 lepas, ada.
- 25
- 26 **CHM** Minggu yang lepas. Minggu ini, tak ada?
- 27
- 28 **FADZLINA** Minggu ini, tak ada. Kadang-kadang jari saya yang sebelah kiri ini, dia
29 boleh macam lebam macam pendarahan, kan. Takkan tikus pula, kan?
30 Ha, tikus tak ada.
- 31
- 32 **CHM** Tapi ini semua benda –
- 33
- 34 **FADZLINA** Macam itulah.
- 35
- 36 **CHM** Mengapa –
- 37

- 1 **FADZLINA** Ini pun macam, saya tak naklah cerita lebih-lebih pasal cerita hantu ini
2 sebab benda, asyik hantu –
3
- 4 **CHM** Benda remeh-temeh.
5
- 6 **FADZLINA** Kalau kita, kalau panggil, dia betul-betul manifest.
7
- 8 **CHM** Benda-benda ini benda-benda remeh-temeh.
9
- 10 **FADZLINA** Tak tahulah, mungkin ada orang anggap remeh-lemeh ke tapi saya
11 rasa saya tak sukalah diganggu secara macam ini, kan.
12
- 13 **CHM** Tadi dengar, saya dengar masa dekat universiti, ok, tak ada gangguan?
14
- 15 **FADZLINA** Ya, ya, tak ada.
16
- 17 **CHM** Bila masa –
18
- 19 **FADZLINA** Sepanjang masa saya kerja dekat universiti, saya tak ada diganggu.
20 Tak tahu sebab apa. Mungkinilah betullah, saya ingat Dr Medaline kata
21 hantu tak suka pergi universiti. Ha, saya ingatlah. Tapi memang
22 seriously dekat universiti tak ada.
23
- 24 **CHM** Bila mula kerja dekat universiti?
25
- 26 **FADZLINA** Tahun 1999.
27
- 28 **CHM** Sampai?
29
- 30 **FADZLINA** Saya jadi tutor di Jabatan Bahasa lah.
31
- 32 **CHM** Sampai?
33
- 34 **FADZLINA** Sampai 2002 begitu, sampai saya habis master. 2002.
35
- 36 **CHM** Ok? Tak ada gangguan?
37

1 **FADZLINA** Setakat itu, tak ada. Bila saya kahwin sahaja –
2
3 **CHM** Ini masa –
4
5 **FADZLINA** Dah berapa lama itu, dia ada.
6
7 **CHM** Masa mengajar di universiti?
8
9 **FADZLINA** Ha, ya.
10
11 **CHM** Masa penuntut di universiti, macam mana?
12
13 **FADZLINA** Masa menuntut pun tak ada.
14
15 **CHM** Tak ada ganggu?
16
17 **FADZLINA** Tahun 1996 ke tahun 1999. Masa saya sekolah pun tak ada. Ha, tak
18 ada. Masa kecil, adalah, yang saya kata saya sawan tangis itu.
19
20 **CHM** Ya lah, banyak bayi semua –
21
22 **FADZLINA** Ya lah, kebanyakannya, kan.
23
24 **CHM** Ya.
25
26 **FADZLINA** Itu sahajalah.
27
28 **CHM** Masa menuntut, ok. Masa mengajar universiti pun ok. So bila, ok, bila
29 mula?
30
31 **FADZLINA** Itulah, dia tak tentu, dia tak –
32
33 **CHM** Dia start ini?
34
35 **FADZLINA** Dia tak konsisten. 2012 saya kena teruklah, saya kena histeria.
36
37 **CHM** 2012?

1
2 **FADZLINA** Ya.
3
4 **CHM** Sudah kahwin ke sebelum kahwin?
5
6 **FADZLINA** Dah kahwin.
7
8 **CHM** Kahwin bila? Tahun?
9
10 **FADZLINA** 2000.
11
12 **CHM** 2012 baru kena? 12 tahun selepas kahwin?
13
14 **FADZLINA** Bukan, yang kena teruklah. Sebelum, lebih teruk daripada yang
15 sebelum-sebelumnya, maksud saya.
16
17 **CHM** Ok, ok. Thank you.
18
19 **MFR** Dato' Seri, I would like to request the next session conduct in –
20
21 **CHM** Ok, in camera. Ok.
22
23 **PM2** Maybe should explain to the witness.
24
25 **MFR** Ok. Pn Fadzlina, untuk sesi seterusnya ini, soalan yang saya ajukan
26 berdasarkan beberapa dokumen yang kami terima. Dokumen ini
27 dikategorikan sebagai dokumen yang sensitif dan ada sulitlah. I mean,
28 tidak didedahkan kepada pihak awam.
29
30 **FADZLINA** Kenapa?
31
32 **MFR** Kenapa?
33
34 **FADZLINA** Dokumen apa, ya?
35
36 **MFR** Baik. Ok. Maksudnya, tidak ada media dan pihak public tidak akan lihat
37 sesi inilah.

1
2 **FADZLINA** Ya lah, dokumen tentang apa?
3
4 **PM2** Sekarang dia akan –
5
6 **FADZLINA** Oh. Ok, ok. Sorry, ya.
7
8 **PM2** Tapi tadi itu inquiry awam.
9
10 **FADZLINA** Oh.
11
12 **PM2** So dia ada media, ada semua. Tapi sekarang dah, dari detik sekarang
13 dia dah stop lah.
14
15 [04:15PM]
16
17 Further examination-in-chief of Fadzlina Binti Amran by Muhammad Faiz Bin
18 Abd Rahman
19 Time : 04:15PM
20
21 **MFR** Ok. Remember, I would like to refer to Exhibit 14C.
22
23 **FADZLINA** Gambar ini lagi, kan?
24
25 **MFR** Baik, Puan.
26
27 **FADZLINA** Mengapa, saya boleh tanya soalan tak, mengapa orang suka sangat
28 gambar yang fake ini? Saya rasa tak relevanlah dengan kes –
29
30 **CHM** Tak apa, tak apa.
31
32 **FADZLINA** Tak boleh bagi –
33
34 **CHM** Tak apa, tunggu soalan, ya.
35

1 **MFR** Baik, Puan. Untuk makluman Puan, maklumat ini, dokumen ini kami
2 terima daripada salah seorang saksi. So untuk tujuan hari ini, kami
3 nak dapatkan pengesahan daripada Puan lah.
4
5 **FADZLINA** Pasal I ingat dia memang ambil gambar saya yang di Cameron
6 Highlands, ya.
7
8 **MFR** Adakah Puan menafikan gambar ini?
9
10 **FADZLINA** Saya menafikan.
11
12 **MFR** Ok.
13
14 **FADZLINA** Ini gambar saya. Saya pergi bersama Iqbal. Iqbal, suami saya.
15
16 **MFR** Ok. I would like to refer to Exhibit 103A. Baik. Adakah ini yang gambar
17 sebenar? Yang mana? Boleh Puan tunjukkan yang mana?
18
19 **FADZLINA** Kalau ikut yang tadi, macam yang itu, kan? Ha.
20
21 **MFR** Ok. Yang ini, ya? Baik. Ok. We move to the next exhibit, 14B.
22
23 **ADY** Yang Arif, saya pohon yang ini *dimarkkan* sebagai exhibit sebab
24 semalam ditender melalui husband dia. So hari ini the, apa, Pn Fadzlina
25 sendiri yang hadir. So since, apa, pihak SUHAKAM telah bawa isu ini
26 kepada isteri ataupun kepada the maker of the photo, saya pohon kalau
27 dapat ditenderkan pada sesi inilah.
28
29 **CHM** I'm sorry –
30
31 **ADY** Yesterday, apa –
32
33 **CHM** You have already marked kan, semalam?
34
35 **ADY** Kita mark tapi I think we left for dijadikan sebagai exhibit by, kena, apa,
36 dia punya maker ataupun she pass it to the husband through
37 WhatsApp. Cuma because she sent it to the husband.

1
2 **CHM** Yes.
3
4 **ADY** So where she got the photo, I think needs to be marked as exhibit lah,
5 sebab semalam –
6
7 **CHM** Oh, exhibit. Ya, sekarang dalam her handphone?
8
9 **ADY** Ya, ya.
10
11 **CHM** Ok, ok.
12
13 **ADY** Ya.
14
15 **CHM** Ok. Ok.
16
17 **ADY** Can –
18
19 **CHM** Although it's the same, it's the same, kan? Kita ambil satu gambar
20 sahaja. And kita enlarge. That's the one?
21
22 **MFR** Ini 103B.
23
24 **CHM** 1-0?
25
26 **MFR** 3-B.
27
28 **CHM** Ok.
29
30 **MFR** So Dato' Seri, can we mark again?
31
32 **CHM** Yes, yes.
33
34 **MFR** So we mark it as –
35
36 **CHM** As coming from the witness' handphone, yes.
37

1 MFR 108.
2
3 CHM From witness' handphone, yes. Thank you.
4
5 PM1 Yes.
6
7 ADY Puan, tadi bila lihat gambar ini, Puan beritahu 'gambar ini lagi'. So dah
8 berapa kali Puan lihat gambar ini? Sejak bila dapat –
9
10 FADZLINA Semalamlah. Suami saya cakap. Lepas itu, yang sebelum itu, masa
11 saya pergi ke, hari itu saya, Inspektor apa itu panggil, ketua balai di IPD
12 Sungai Way, kan, yang itu.
13
14 ADY Bila itu?
15
16 FADZLINA Sebulan lepas ke dua bulan lepas.
17
18 ADY Oh, hujung tahun lalulah.
19
20 FADZLINA Bukan.
21
22 ADY Bulan Disember ke bulan November lah.
23
24 FADZLINA Saya dipanggil hari itu oleh balai polis Sungai Way, ini, 6th Mac. Baru
25 punya ini. 28th September.
26
27 ADY 28th September.
28
29 MFR So Puan, saya ulang balik. Ini kali pertama Puan lihat gambar ini? Kali
30 pertama di sini?
31
32 FADZLINA Di, yang kali pertama dengan Inspektor Zulfadhly, untuk –
33
34 MFR Pada?
35
36 FADZLINA Pada 28th September.
37

1 **MFR** Ok.
2
3 **FADZLINA** Tahun 2020.
4
5 **MFR** So inspektor polis telah menunjukkan gambar inilah?
6
7 **FADZLINA** Melalui handphone.
8
9 **MFR** Ok. So ini kali kedua?
10
11 **FADZLINA** Sekarang ini kali kedualah.
12
13 **MFR** So apa pandangan Puan terhadap gambar ini bila ada, apakah tujuan
14 gambar ini dibuat macam ini?
15
16 **FADZLINA** Saya tak tahu, sebab apa, kenapa saya pula? Dia letak dekat situ.
17 Siapa di sebalik kepala saya itu?
18
19 **MFR** Ok. Baik, Puan, untuk soalan seterusnya, ok, terdapat tiga gambar
20 dalam screenshot ini. Boleh Puan sahkan siapa yang berada di dalam
21 gambar ini?
22
23 **FADZLINA** Suami saya, Iqbal Mirza, Pastor Joshua, kan, gambar yang mula-mula
24 itu, ya, saya, anak saya yang kecil, anak saya lelaki, dan isterinya Ruth.
25
26 **MFR** Ok. Puan tahu bila gambar ini diambil?
27
28 **FADZLINA** 2015 kut.
29
30 **MFR** Ok. So maksudnya di sini ada perjumpaan Puan dengan keluarga
31 Joshua dan Ruth? Puan maklumkan tadi, sepanjang tiga kali Puan telah
32 bertemu, kan?
33
34 **FADZLINA** Ya.
35
36 **MFR** Ini yang keberapa?
37

- 1 **FADZLINA** Ini kali pertama, rasanya. Eh, kali ketigalah, kalau saya bawa anak
2 saya. Siapa yang ambil, ya? Oh tak, dia orang letak ini, tablet, tablet
3 dekat depan. Ha, baru saya ingat.
4
- 5 **MFR** Ok. Tablet milik siapa?
6
- 7 **FADZLINA** Saya tak ingat, sebab saya tak simpan pun gambar ini. Saya rasa
8 pastor inilah kut, sebab dia yang simpan, kan, gambar ini.
9
- 10 **MFR** Ok. Apa tujuan perjumpaan ini?
11
- 12 **FADZLINA** Mungkin kenang-kenangan.
13
- 14 **MFR** I mean, tujuan perjumpaan ini berlangsung.
15
- 16 **FADZLINA** Ini saya visit bersama anak saya. Sebab dia pelawa kalau ada bawa
17 anak, bawalah, kan. Kebetulan kami balik daripada kampung rasanya
18 ini, cuti sekolah. Saya singgah sahaja.
19
- 20 **ADY** Di mana berlaku?
21
- 22 **MFR** Di mana gambar ini diambil?
23
- 24 **FADZLINA** Ini di, ini memang di, apa, rumah itulah, apa, Bukit Tunku, eh, Bukit
25 Tunku pula, apa, Kampung Tunku.
26
- 27 **MFR** Apa-apa yang Puan nak terangkan lagi gambar ini?
28
- 29 **FADZLINA** Lain tak ada.
30
- 31 **MFR** Ok. Gambar yang ketiga. Boleh Puan terangkan, gambar ini siapa?
32
- 33 **FADZLINA** Kalau tengok dari gambar ini, memang suami sayalah. Saya pun tak
34 tahu di mana dan bagaimana. Saya tak tahu –
35
- 36 **MFR** Boleh Puan cam dekat mana ini?
37

1 **FADZLINA** Saya tak tahu.
2
3 **MFR** Tak pasti.
4
5 **FADZLINA** Maaf, saya tak tahu.
6
7 **MFR** Adakah hari yang sama Puan –
8
9 **FADZLINA** Saya rasa tidak kut. Saya tak pastilah. Saya tak pasti, saya tak tahu.
10
11 **MFR** Puan pernah tengok simpanan gambar ini?
12
13 **FADZLINA** Tak pernah.
14
15 **MFR** Tak pernah. Ini pertama kali? Dato' Seri, panel, I would like to open to
16 other observers.
17
18 **Time : 04:24PM**
19
20 **CHM** Yes.
21
22 **Cross-examination of Fadzlina Binti Amran by Philip Koh**
23 **Time: 04:24PM**
24
25 **PK** So Saudari, (04:24:15PM inaudible) sedikit mengikuti itu fotograf
26 dengan bekas perdana menteri, ya. Perdana menteri. Adakah pernah
27 you jumpa perdana menteri? Tak pernah? Adakah pernah berjumpa
28 atau berhubung dengan Khairy?
29
30 **FADZLINA** Ya.
31
32 **PK** Khairy Jamaluddin, kementerian sukan –
33
34 **FADZLINA** Khairy.
35
36 **PK** Khairy. Khairy Jamaluddin. Adakah you –
37

1 **FADZLINA** Khairy menteri itu, maksud Tuan?
2
3 **PK** Sukan, ya.
4
5 **FADZLINA** Ya, betul, tak pernah.
6
7 **PK** Menteri Khairy. Tak pernah, ya? Menteri besar Negeri Sembilan?
8
9 **FADZLINA** Menteri besar Negeri Sembilan? Dato' Aminuddin? Baru ini sekarang,
10 Dato' Aminuddin?
11
12 **PK** No, bukan baru, yang –
13
14 **FADZLINA** Tak pernah.
15
16 **PK** Sebab, can you scroll down? At the photo. Sebab ini ada Facebook
17 posting yang kata –
18
19 **FADZLINA** Ini merepeklah, saya ingat. Mana ada saya pergi jumpa dengan ini
20 semua? Kali ini saya marah. Tulis macam ini.
21
22 **PK** Memang tidak –
23
24 **FADZLINA** Mengapa saya pula, dia orang nak tulis macam ini?
25
26 **PK** Tak, memang tidak berselingkuhlah? Ya? Ok.
27
28 **FADZLINA** Kalau dah tak kenal, macam mana, selingkuh ini maksud dia apa?
29
30 **PK** Ok, ok, saya faham.
31
32 **FADZLINA** Ini saya marah.
33
34 **PK** Saya bukan, saya bukan –
35
36 **FADZLINA** Ok, ok.
37

1 **PK** Kata you. Sebab saya nak menyoal yang you menafikan, ya. So they
2 put in record. Can you switch back to the Cameron photograph, the
3 picture the kebun-kebun bunga punya. 103A. Ya, ini ya, ini foto di dalam
4 mana?
5
6 **FADZLINA** Dekat Cameron Highlands.
7
8 **PK** Tempat? Tanah Rata, Brinchang, Ringlet? Boleh ingat tak?
9
10 **FADZLINA** Oh, saya tak ingatlah tempat dia.
11
12 **PK** Ok. Dan fotograf ini memang benar?
13
14 **FADZLINA** Benar.
15
16 **PK** Benar? Siapa ambil fotograf ini?
17
18 **FADZLINA** Saya yang ambil. Selfie sendiri.
19
20 **PK** Selfie?
21
22 **FADZLINA** Ya.
23
24 **PK** Oh, ini selfie punya? Ok, tapi you ingat selfie lah, ya?
25
26 **FADZLINA** Saya yang ambil.
27
28 **PK** Ok. Apabila, can we switch back to the photograph where the husband
29 is singing on the stage? Ok. Kenyataan Saudari baru-baru, ada saat
30 bahawa suami dan kanak, dia ada kegiatan yang Saudari tak pernah –
31
32 **FADZLINA** Join.
33
34 **PK** Join in lah.
35
36 **FADZLINA** Tak.
37

1 **PK** Sebab you value private time di dalam rumah sendiri, ya? Memang, ya?
2 Adakah terdapat bahawa –
3
4 **PM2** Mr Philip.
5
6 **PK** Yes?
7
8 **PM2** Maybe just to help witness.
9
10 **PK** Yes.
11
12 **PM2** Maybe we can ask the question in open-ended way?
13
14 **PK** Ok.
15
16 **PM2** Instead of suggesting what she may think or like, yes.
17
18 **PK** Alright.
19
20 **PM2** Thank you.
21
22 **PK** Well, trying to do a leading question. Adakah Iqbal dan kanak, right,
23 mengambil kegiatan Kristian?
24
25 **FADZLINA** Setahu saja, setahu saya, sorry, memang suami saya bekerja
26 membantu bersama-sama dengan Harapan Komuniti untuk macam
27 bantu gelandangan itu, buat kerja-kerja NGO ini.
28
29 **PK** Ok.
30
31 **FADZLINA** Yang lain, saya tak tahu.
32
33 **PK** Adakah suami –
34
35 **FADZLINA** Itupun, bukannya fulltime, dia part time sahaja.
36
37 **PK** Adakah suami memelukkan agama Kristian?

1
2 **FADZLINA** Saya rasa tidak, sebab dia pun sembahyang semua dekat rumah.
3
4 **PK** Ok. Dan –
5
6 **FADZLINA** Walaupun kita sebagai manusia, kadang-kadang tertinggal, itu betul,
7 kan?
8
9 **PK** Ya lah, ya.
10
11 **FADZLINA** Ya, begitulah.
12
13 **PK** Ramadan?
14
15 **FADZLINA** Sama juga, berpuasa 30 hari.
16
17 **PK** Ok lah, seperti manusia kadang-kala tidak? Tetapi adalah, ya?
18
19 **FADZLINA** Ya.
20
21 **PK** Itulah sahajalah. I don't have any questions to ask. Of this closed
22 session.
23
24 **Time : 04:28PM**
25
26 **ADY** Yang Arif, I don't have any questions to cross.
27
28 **SPC** Yang Arif, I have no questions.
29
30 **PM2** Pn Fadzlina, yang di Cameron Highlands ini tidak ingat di mana tapi
31 haribulan dia ingat, bila pergi, ini cuti berapa lama di sana, dan tinggal
32 di mana, boleh ingat?
33
34 **FADZLINA** Dalam dua tiga hari macam itulah, tak lama jugalah saya pergi. Berapa
35 haribulan, saya pun tak boleh pasti. Tempat saya tinggal itu dekat area,
36 saya rasa dekat Tanah Rata, dekat dengan, apa, Lakeview, apa,
37 Lakeview Hotel itu. Kalau tak silap.

1
2 **PM2** Oh,
3
4 **FADZLINA** Ha, area-area situlah, ada banyak, kan.
5
6 **PM2** Saya tak pandai Cameron Highlands, siapa yang tahu boleh tolong sikit.
7 Lakeview Hotel, ok.
8
9 **FADZLINA** Tak adalah selalu pergi, kan, sebab –
10
11 **PM2** Ok, ok, tak apa, tak apa. So booking hotel itu dibuat oleh siapa?
12
13 **FADZLINA** Biasa memang suami saya yang buat.
14
15 **PM2** So dah buat booking sebelum –
16
17 **FADZLINA** Tak ada, kita orang memang selalunya pun bukan macam orang kaya-
18 kaya, kan, nak booking dulu ke apa, tak ada. Kami pergi gamble lah,
19 kalau ada –
20
21 **PM2** Kalau ada bilik, cuba nasiblah.
22
23 **FADZLINA** Kalau ada, cubalah –
24
25 **PM2** Cuba nasib.
26
27 **FADZLINA** Tak adalah nak, ini.
28
29 **PM2** Ok. Dan adakah ini 2015, ya? Kalau –
30
31 **FADZLINA** Kalau ikut pada tarikh dalam telefon saya itu macam 2014 jugalah,
32 begitu. Awal-awal tahun saya ingatlah. Saya rasa masa cuti
33 persekolahanlah.
34
35 **PM2** Ok.
36
37

[04:30PM]

1
2 **FADZLINA** Cuti persekolahan, sebab saya pergi pun dengan husband saya.
3
4 **PM2** Terima kasih, thank you. Dan yang empat-empat foto yang kecil tadi itu,
5 itu selfie kan, tapi ada foto lain yang diambil oleh orang lain, ya? Kalau
6 berdiri itu?
7
8 **FADZLINA** Yang mana?
9
10 **PM2** Can you show the Exhibit 103A? Semua diambil cara selfie atau –
11
12 **FADZLINA** Tak semualah. Yang itu ada juga saya ambil husband saya, ataupun
13 dia ambil, dia snap saya ke. Kan?
14
15 **PM2** Tapi kamera semua –
16
17 **FADZLINA** Daripada sayalah.
18
19 **PM2** Kamera kamulah?
20
21 **FADZLINA** Ya.
22
23 **PM2** Ok. Alright. Thank you.
24
25 **PM2** Dato' Seri, are we going back to open session for more questions or we
26 do that open or we just –
27
28 **CHM** No, we have to go back.
29
30 **PM2** Ok.
31
32 **CHM** We have to go back. We have to go back, yes. Yes.
33
34 **CHM** Naik balik, naik balik yang tadi. Yang di, pasal itu, yang perkataan itu.
35 'Selingkuh' tadi. 'Selingkuh'. Baik, Puan. Tengok, ya. Itu selingkuh
36 dengan Najib, dengan menteri besar Negeri Sembilan –
37

- 1 **FADZLINA** Najib ini ialah mantan perdana menteri –
2
- 3 **CHM** Ya, sebentar. Sebentar.
4
- 5 **FADZLINA** Saya tak boleh terimalah, macam ini fakta pun ada.
6
- 7 **CHM** Puan –
8
- 9 **PM1** Sabar, sabar.
10
- 11 **FADZLINA** Sebab tak logik betul.
12
- 13 **PM2** Tak apa, tak apa.
14
- 15 **PM1** Sabar
16
- 17 **CHM** Dengar, ya.
18
- 19 **PM2** Tunggu dulu. Belum lagi, sabar.
20
- 21 **FADZLINA** Ok, ok.
22
- 23 **CHM** Jangan, bila saya bercakap, jangan ya.
24
- 25 **FADZLINA** Ok, sorry, sorry.
26
- 27 **CHM** Menteri besar Negeri Sembilan dengan Khairy Jamaluddin, menteri
28 sukan dan belia. Baik. Puan kata ini macam, mesej ini datang daripada
29 Ruth, ya? Ruth? Orang yang isteri Pastor ke? Joshua? Ini yang
30 membuat mesej ini?
31
- 32 **FADZLINA** Mengapa dia buat mesej macam ini? Saya tak pernah berurusan
33 dengan dia –
34
- 35 **CHM** Sebentar.
36
- 37 **FADZLINA** Bercakap dengan dia.

1
2 **CHM** Saya akan tanya soalan, ya. Saya akan tanya soalan, ya.
3
4 **FADZLINA** Tak, saya hairan, tahu.
5
6 **CHM** Ok.
7
8 **FADZLINA** Adakah dia create cerita ke –
9
10 **CHM** No, no.
11
12 **FADZLINA** Mengapa?
13
14 **PM1** Dengar dulu, dengar dulu.
15
16 **CHM** You dengar dulu, ya.
17
18 **PM1** Sabar dulu, sabar dulu.
19
20 **CHM** Ok.
21
22 **PM1** Sebab kak Ruth yang menulis ni.
23
24 **CHM** Mengapa –
25
26 **FADZLINA** Unbelievable.
27
28 **CHM** Ruth mengaibkan Puan –
29
30 **FADZLINA** Saya tak tahu, mengapa dia nak aibkan saya macam ini. Mengapa?
31 Setahu saya, dia ok, kan. Masa saya jumpa dia tiga kali itu, dia ok.
32 Kenapa dia nak aibkan saya macam ini?
33
34 **MFR** Puan, minta bertenang dulu. Bila pihak panel –
35
36 **FADZLINA** Ada tiga nama yang –
37

1 **MFR** Baik, Puan, saya faham.
2
3 **FADZLINA** Ada tiga nama yang I rasa tak logiklah.
4
5 **MFR** Ok. Bagi peluang kepada pihak Dato' Seri –
6
7 **FADZLINA** Dan macam mana you boleh terima fakta macam ini dalam kes macam
8 ini?
9
10 **CHM** Puan, dalam tempat sini bila saya bercakap, Puan kena diam, ya. Ya?
11 Bila saya suruh cakap baru cakap, ya. Ok? Ya. Ok. Naik atas sikit. Atas
12 sikit, perempuan itulah, ya. Perempuan, wait, atas. Ok. 'Perempuan itu
13 yang cerita ke Hj Nordin (04:33:31PM) itu hari, yang kami kena pergi ke
14 Kulim. Sebabnya, lepas itu sebab perempuan itu tahu rumah PJ sebab
15 kami baptis dia dan suaminya. Ruth mengatakan di sini –
16
17 **FADZLINA** Apa ini?
18
19 **CHM** Aktiviti pembaptisan itu ke atas Puan dan suami, Puan beritahu kepada
20 Khairy dan Khairy telah marahkan kepada ini, Joshua, dan sebab
21 menyebabkan mereka terpaksa lari ke Kulim. Tahu tak?
22
23 **FADZLINA** Saya tak tahulah ini, apa cerita, Kulim lah, suami saya menangis. Mana
24 ada suami saya nangis? Kenapa pula?
25
26 **CHM** Sini dia tuduh yang Puan yang menceritakan pasal baptis itu kepada
27 Khairy.
28
29 **FADZLINA** Tak ada.
30
31 **CHM** Tak ada, ya?
32
33 **FADZLINA** Saya tak kenal mereka tiga orang. Tetapi memanglah kita semua kenal,
34 kan. Mereka ahli politik yang terkenal di Malaysia, takkanlah saya nak
35 kata saya tak kenal. Kenal nama tak sama dengan kenal in person.
36 Saya tak kenal.
37

1 **CHM** Puan ada bergaduh dengan Ruth ke?
2
3 **FADZLINA** Saya tak ada bergaduh dengan sesiapa. Saya selalunya –
4
5 **CHM** Kalau tak ada bergaduh dengan –
6
7 **FADZLINA** Tak join pun dia orang punya aktiviti –
8
9 **CHM** Tak bergaduh dengan Ruth –
10
11 **FADZLINA** Saya tak ada bergaduh dengan siapa-siapa.
12
13 **CHM** Mengapa Ruth, ya –
14
15 **FADZLINA** Saya tak tahulah kenapa.
16
17 **CHM** Membuat cerita yang –
18
19 **FADZLINA** Saya ingat –
20
21 **CHM** Mengaibkan di sini?
22
23 **FADZLINA** Boleh jadi bukan dia, bukan Ruth ini yang tulis ke, orang lain yang saja
24 nak dajjal ke tulis ke, mana... Ada ramai orang yang suka ambil
25 kesempatan kan, di atas macam mana cerita, mana saya tahu. Saya
26 tak ada, tak tahu.
27
28 **CHM** Jadi Puan menafikanlah semua ini?
29
30 **FADZLINA** Menafikan.
31
32 **CHM** Ok. Fair, ya. Ok.
33
34 **FADZLINA** Saya terperanjat tahu, ada macam ini. Fakta yang tak tahu mana.
35
36 **CHM** Ok.
37

1 **ADY** Tak apa, bertenang.
2
3 **FADZLINA** Boleh sakit jantung saya macam ini.
4
5 **MFR** Ok, Puan. Ok. Untuk soalan saya yang seterusnya, kalau kita check
6 balik gambar yang tadi, bawah, yang tiga gambar. Ok. Sini, Puan, cam
7 baju suami Puan?
8
9 **FADZLINA** Apa dia, baju?
10
11 **MFR** Cam, baju. Baju hitam berkolar putih.
12
13 **FADZLINA** Ah, biasa dia pakai baju ini.
14
15 **MFR** Ok. Cuba check 103. Ok. Adakah baju yang sama dengan dalam
16 gambar ini?
17
18 **FADZLINA** Oh, sebab baju yang sama?
19
20 **MFR** Saya nak tanya, adakah baju yang sama?
21
22 **FADZLINA** Memang dia selalu pakai baju yang sama. Saya pun, mana yang
23 selesa, yang itu saja saya pakai.
24
25 **MFR** Tak apa, saya tanya, adakah baju yang sama dengan gambar tadi?
26
27 **FADZLINA** Saya rasa samalah.
28
29 **MFR** Sama.
30
31 **FADZLINA** Ya.
32
33 **MFR** Ada, Puan kata dia selalu pakai baju yang samalah. Adakah baju ini
34 milik, apa, mewakili mana-mana persatuan ke apa-apa?
35
36 **FADZLINA** Tak adalah, ini memang t-shirt beli dekat kedai.
37

1 MFR Tak ada?
2
3 FADZLINA Dia pakai, mana ada persatuan apa-apa macam itu.
4
5 MFR Tak adalah?
6
7 FADZLINA Tak ada.
8
9 MFR Baik. Ok. Kepada Exhibit 14. Nangis. Ok, Puan, kalau ikutkan
10 pernyataan di sini, ok, semasa Puan berjumpa dengan Ruth dan
11 Joshua pada Januari, masa proses mandi, ok, pada hari Puan datang
12 ke rumah itu, ada tak suami Puan menceritakan dan menangis?
13
14 FADZLINA Suami saya tak ada nangis.
15
16 MFR Puan pasti?
17
18 FADZLINA Pasti.
19
20 MFR Pasti. Ok.
21
22 **Time : 04:37PM**
23
24 FADZLINA Peliklah saya, macam mana dia ada. Fitnah, fitnah.
25
26 **Cross-examination of Fadzlina Binti Amran by Philip Koh**
27 **Time : 04:37PM**
28
29 PK Can I clarify one question? Saudari, di dalam pengalaman Saudari
30 dengan suami, suami pun ada gangguan. Ada kadang-kalanya tangis
31 juga. Tangis bukan satu yang salah. Lelaki pun tangis, saya pun tangis.
32
33 FADZLINA Ya, ya.
34
35 PK Ya.
36
37 FADZLINA Emosional itu biasalah tapi tak ada pun –

1
2 **PK** Mestilah. Tetapi –
3
4 **FADZLINA** Biasa-biasa sahaja.
5
6 **PK** Ok. Yang kenyataan yang selingkuh, kita dapat, you menafikan dengan
7 kuat-kuat. Tetapi ini suami dia, itu lqbal datang menangis minta
8 didoakan (04:38:00PM) dibaptis sebab kena jampi dua tahun. Memang
9 kenyataan ini bukan dengan seluruhnya you menafikan, isn't it?
10
11 **FADZLINA** Saya memang menafikan. Sebab suami saya tak nangis.
12
13 **PK** Di hadapan –
14
15 **FADZLINA** Dan tak ada minta, ayat ini tak ada datang dari mulut suami saya.
16
17 **PK** Tetapi dijampi dua tahun?
18
19 **FADZLINA** Jampi dua tahun ini pun saya tak tahu apa.
20
21 **PK** Ya, tak boleh tidur.
22
23 **FADZLINA** Tak boleh tidur, mungkin ya, sebab dia ada masalah, ya, biasalah orang
24 lelaki kadang-kadang tengok tv sampai malam-malam semua, macam
25 mana dia nak tidur, kan?
26
27 **PK** Yang dia kata ada –
28
29 **FADZLINA** Logiknya, ha.
30
31 **PK** Ada –
32
33 **FADZLINA** Lain-lain tak ada, saya ingat.
34
35 **PK** Yang dia kata ada makhluk halus itu.
36

- 1 **FADZLINA** Yang itu sebelum yang saya jumpa dengan En Joshua, dengan Pastor
2 Joshua itulah.
3
- 4 **PK** Ok.
5
- 6 **FADZLINA** Saya tengok dia macam nak kena rasuk, kan, mata dia semua macam
7 pelik itu. Itu sajalah.
8
- 9 **PK** Oh, dia sebelum masuk rumah Pastor Joshua?
10
- 11 **FADZLINA** Ha, itulah yang lead kami ke sana, kan, sebab kami nak minta tolonglah
12 kalau berlaku –
13
- 14 **PK** Oh, ok.
15
- 16 **FADZLINA** Sebab saya tengok dia driving tak stabil, kan. Macam, mungkinlah,
17 macam nak kena rasuk ke, baru permulaan macam itu ke.
18
- 19 **PK** Sebelum hampir ke rumahlah?
20
- 21 **FADZLINA** Ha, ya.
22
- 23 **PK** Selepas mandi? Dia tenang?
24
- 25 **FADZLINA** Selepas mandi, nampak dia –
26
- 27 **PK** Tenang?
28
- 29 **FADZLINA** Ok saja.
30
- 31 **PK** Tenang, ya?
32
- 33 **FADZLINA** Ya.
34
- 35 **PK** Ok. Itulah saja. Ok, last question.
36
- 37 **CHM** Yes, just –

1
2 **PK** One last question.
3
4 **CHM** Because of, on this.
5
6 **PK** Ok.
7
8 **CHM** Saya nak beritahu Puan lah, ya, semalam suami ada memberi
9 keterangan di sini, dia kata suami dia datang nangis itu, dia tanya suami
10 Puan, En Iqbal, betulkah dia menangis. Dia mengaku, ya. Saya nak
11 beritahu ini, sebab hari ini Puan menafikan, ya? Semalam dia, suami
12 sendiri mengaku yang ya, betul, dia memang menangis, ya.
13
14 **FADZLINA** Saya tak –
15
16 **CHM** Itu saya nak beritahu awak.
17
18 **FADZLINA** Saya tak nampak dia nangis lah.
19
20 **CHM** Benar, ya, ok.
21
22 **FADZLINA** Ok.
23
24 **PK** Ok, one last question. Just she said... Adakah you sekarang orang
25 Islam atau you memeluk agama Kristian?
26
27 **FADZLINA** Saya Islam.
28
29 **PK** Memang, ya? You tak pernah memeluk agama Kristian?
30
31 **FADZLINA** Saya tak peluk agama lain selain Islam.
32
33 **PK** Walaupun you jalankan mandi ritual dan ada berdoa –
34
35 **FADZLINA** Ya.
36
37 **PK** Apa, Yesus dan Roh –

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36

FADZLINA Itu –

PK Itulah you tak faham apa dia buat, you kata memandikan sahaja.

FADZLINA Ya.

PK Itulah position pada hari ini.

FADZLINA Ya.

PK Terima kasih.

Time : 04:40PM

Re-examination of Fadzlina Binti Amran by Puveethra Raja Segaran

Time : 04:40PM

PRS Puan, sila bertenang. Ok, saya akan bertanya beberapa soalan. Saya faham perasaan Puan tapi ini melibatkan untuk mendapatkan kebenaran dan juga melalui pertanyaan soalan, Puan boleh dapat satu kebenaran daripada gambar-gambar yang dilakukan, yang dipos macam ini. Ok, Puan, so sorry Puan, saya refer sekali lagi dekat gambar itu. Ok, Puan kata gambar ini first time Puan tengok dekat police station Sungai Way. Betul, Puan?

FADZLINA Betul.

PRS Ok. Apa perasaan Puan for the first time masa Puan tengok gambar ini?

FADZLINA Saya memang terperanjatlah, saya cakap dengan Inspektor itu, 'Apa benda ini?' Dia kata dia dapat daripada, apa itu, saksi yang hantar.

PRS Ok.

1 **FADZLINA** Itu saya tanya mana dia daoar gambar ini. Kenapa macam ini? Muka
2 saya dengan, apa itu, Dato' ini pula? Lepas itu dia pun terangkanlah,
3 macam yang tadi, kan, pihak-pihak terangkan. Itu saja yang saya tahu.
4

5 **PRS** Itu saja. Lepas itu, Puan tidak buat apa-apa extra research ke nak tahu
6 kenapa siapa yang hantar gambar ini, apa research –
7

8 **FADZLINA** Saya tak buat apa-apa pun.
9

10 **PRS** Tak ada? Tak ada Puan buat apa-apa research yang lain ke untuk cari
11 –
12

13 **FADZLINA** Saya hanya terfikir gambar ini macam saya, muka saya ini saya pernah
14 tengok di mana, ya, saya ingat balik saya pergi Cameron, jadi saya
15 buka telefon saya, saya nampak memang gambar saya.
16

17 **PRS** Tahun berapa –
18

19 **FADZLINA** Dalam –
20

21 **PRS** Tahun berapa Puan pergi Cameron?
22

23 **FADZLINA** Kalau ikut pada telefon saya, dalam 2014 macam itulah.
24

25 **PRS** 2014? So Puan ada share gambar itu dekat siapa-siapa tak?
26

27 **FADZLINA** Tak ada, tak ada.
28

29 **PRS** Upload dalam Facebook?
30

31 **FADZLINA** Tak ada.
32

33 **PRS** Puan ada Facebook?
34

35 **FADZLINA** Saya ada, tapi kawan-kawan friends saya, saya tak share sebarang
36 gambar. Saya memang macam itu, saya kumpullah kawan dalam itu,

1 kalau berborak chatting-chatting, biasa. Tapi saya memang tak suka
2 nak share gambar sayalah dengan orang.
3
4 **PRS** Tak post gambar lah, maksud Puan?
5
6 **FADZLINA** Tak post. Sebab saya pun tak aktiflah dengan media, social media ini.
7
8 **PRS** Jadi Puan tak pernah share gambar dekat siapa-siapa juga?
9
10 **FADZLINA** Tak, tak.
11
12 **PRS** Kawan ke?
13
14 **FADZLINA** Tak, tak.
15
16 **PRS** Tersilap ke, nak just tunjuk ke –
17
18 **FADZLINA** Tak ada, tak ada.
19
20 **PRS** 'Saya pergi dekat sini'?
21
22 **FADZLINA** Tak ada.
23
24 **PRS** Tak ada.
25
26 **FADZLINA** Tak.
27
28 **PRS** Ok. So Puan, saya ada satu lagi soalan. Adakah Puan sangsi any,
29 macam sangka sangsian terhadap sesiapa yang sama ada yang edit
30 gambar seperti ini? Just say lah, kalau gambar ini diedit, adakah Puan
31 ada kesangsian terhadap sesiapa? Syak, syak. Ha, syaki. Puan ada
32 syak?
33
34 **FADZLINA** Kalau macam inilah keadaan dia, mungkin juga ada kaitan dengan,
35 saya ada buat satu police report tahu, tahun 2013, iaitu device-device
36 saya telah hilang. Maksudnya, yang itu kejadian pecah rumah. Saya

1 ada dia punya ini, ya. Device saya itu baru, tahu, sebab saya buat
2 translation, kan, jadi saya sentiasa perlukan –
3
4 **CHM** Apa maksud, device handphone ke?
5
6 **FADZLINA** Ya, handphone, tablet dengan laptop hilang, tiga-tiga. Waktu itu
7 tengahari. Saya dan suami saya baru balik daripada somewhere lah,
8 saya tak ingat mana. Kami keluar daripada rumah tengahari itu untuk
9 pergi makan lunch tengahari, balik, itu satu beg itu barang semua dah
10 hilang. Sedangkan saya keluar dekat sahaja, dalam Damansara Damai
11 itu juga. Kedai mamak sebelah itu, kan. Pun tak ada tanda pecah
12 masuk ke apa, tak ada, pintu terkunci macam biasa, elok. Dan dalam
13 masa yang sama, saya caj saya punya telefon, tahu. Telefon yang
14 lainlah. Saya caj telefon yang lain, husband saya pun caj telefon yang
15 lain, dia tak curi saya, kami punya telefon yang sedang dicalj itu. Dia
16 macam pandai pula. Inipun macam hantu juga, dia tahu, Puan, cari
17 saya punya laptop, saya punya tablet dengan, apa itu, sebuah
18 handphone lagi. Itulah.
19
20 **PRS** Ok, tapi –
21
22 **FADZLINA** Tahun 2013.
23
24 **PRS** 13.
25
26 **FADZLINA** Saya ada police report sini.
27
28 **PRS** Ok. Gambar-gambar –
29
30 **FADZLINA** Damansara Damai.
31
32 **PRS** Puan –
33
34 **FADZLINA** Tapi sampai sekarang, saya tak dengarlah, Cik, apa benda cerita
35 device saya dekat mana, kan. Ha, itulah.
36
37 **PRS** Puan, boleh saya tengok police report itu?

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FADZLINA Ya, boleh, boleh. Sekejap, ya. Yang ini, 2013. Saya ada tunjuk ini kepada hari itu Inspektor, apa, Zul yang dekat Sungai Way itulah. Saya ada tunjuk dia ini, report ini.

[04:45PM]

PRS Puan, Puan telah pergi ke Cameron Highlands 2014, betul kan? Tapi report ini telah dibuat pada 2013. Ada apa-apa, tak ada kaitan, kan, Puan, dengan report polis dengan gambar ini?

FADZLINA Ya lah, mungkin orang yang curi itu ke yang buat ini? You tadi tanya, kan?

PRS Ok.

FADZLINA Saya sangsi ke tidak. Itu sajalah bukti saya ada.

PRS Tapi, Puan, saya faham, Puan. Tapi Puan telah pergi ke Cameron Highlands selepas satu tahun, so saya rasa tak ada apa-apa berkaitan atau apa-apa kaitan bersama dengan report polis –

FADZLINA Tak tahulah, mungkin dia –

PRS Dengan gambar yang Puan diambillah.

FADZLINA Itu sajalah yang saya ada.

PRS Ok. So Puan selalu save gambar-gambar yang, ok, just say Puan pergi ke Cameron Highlands, Puan selalu save gambar dalam handphone, sepertimana ya, dalam SIM card ke, ada kad kan, yang memory card.

FADZLINA Ya.

PRS Puan save dalam memory card ke atau save dalam Google device ke, ada save dengan application lain ke?

- 1 **FADZLINA** Mungkin begini, saya ingat. Saya ada dulu ada Facebook yang saya
2 tak ada share, saya tak ada kawan pun dalam itu. Saya hanya untuk
3 storage sahaja. Tapi dah lamalah saya tak boleh buka benda itu, kan.
4 Mungkinilah saya punya akaun berada, akaun yang lama itulah, berada
5 di dalam ini, waktu saya upload-upload itu, mungkin saya masih lagi
6 boleh upload time itu, saya tak ingat, melalui, kan, device lain, kan, ke
7 situ mungkin. Dia masih lagi sync ke macam mana, mungkin orang
8 boleh nampak melalui situ. Itu sajarah yang saya mungkin, macam
9 itulah agaknya.
- 10
- 11 **PRS** Ok Puan, yang gambar yang dalam Faceook itu untuk storage, adakah
12 yang itu dalam public atau untuk anda saja?
13
- 14 **FADZLINA** Tak, tak. Untuk private, private.
- 15
- 16 **PRS** Private. Untuk Puan saja?
17
- 18 **FADZLINA** Memang untuk simpanan saya simpan sahajalah.
- 19
- 20 **PRS** Ok. So orang lain tak boleh tengoklah?
21
- 22 **FADZLINA** Tak.
- 23
- 24 **PRS** Hanya Puan saja boleh tengok? Faham, Puan.
25
- 26 **FADZLINA** Kecualilah orang hacking. Dia lagi pandai daripada hantulah, mungkin.
27 Saya ingatlah.
28
- 29 **PRS** Bila, tahun bila Puan tidak boleh membuka Facebook? Tak boleh
30 akses?
31
- 32 **FADZLINA** Saya tak ingatlah, tapi memang kadang-kadang pun saya banyak kali
33 juga tukar-tukar nombor sebab kadang-kadang macam ada notification
34 entah apa-apa, saya tak naklah macam orang scam ke, banyak
35 sangatlah, kadang-kadang saya tak tahu.
36
- 37 **PRS** Ok.

1
2 **FADZLINA** Gangguan, kan. Macam itu.
3
4 **PRS** Adakah Puan merupakan seorang yang pandai berteknologi, macam
5 guna handphone, guna laptop –
6
7 **FADZLINA** Tak adalah.
8
9 **PRS** Pandai ke Puan?
10
11 **FADZLINA** Tak ada, tak adalah pandai sangat.
12
13 **PRS** Macam nak guna tengok, kalau just say nak tukar password ke lain,
14 boleh ke Puan buat macam itu?
15
16 **FADZLINA** Oh, kalau yang simple-simple setting itu, kebanyakan orang tahu,
17 kan?
18
19 **PRS** Ok.
20
21 **FADZLINA** Simple-simple, itu sajalah.
22
23 **PRS** Ok.
24
25 **PM2** Sorry, did you establish this is from where, again? From?
26
27 **PRS** These pictures were taken in Cameron Highlands.
28
29 **PM2** I know. From which source of her social media?
30
31 **PRS** No, couldn't get any information on that, Sir. Because she took in the
32 phone, and it is stored in her memory card, yes.
33
34 **PM2** Tapi –
35
36 **PRS** Betul, kan, Puan? Oh.
37

1 **PM2** Ini adalah foto dalam yang keluar galeri, ya?
2
3 **FADZLINA** Ya, galeri lah.
4
5 **PM2** Ini?
6
7 **FADZLINA** Galeri.
8
9 **CHM** Biasa galeri, kan ke?
10
11 **FADZLINA** Ya –
12
13 **PM2** Kan, galeri.
14
15 **FADZLINA** Biasanya.
16
17 **PM2** So you, lepas itu you screenshot ini?
18
19 **FADZLINA** Tak.
20
21 **PM2** Macam mana, you buat macam mana?
22
23 **FADZLINA** Saya screenshot itulah.
24
25 **PM2** Screenshot sajalah.
26
27 **FADZLINA** Ya.
28
29 **PM2** So ini tak pernah upload ke Facebook?
30
31 **FADZLINA** Yang tadi saya cakap itulah. Facebook saya yang lama itu, yang dah
32 hilang itulah, saya ingat dalam device ke dia sync ke macam mana,
33 saya pun tak tahu. Sebab yang itu saya tak, memang tak share dengan
34 sesiapaupun, hanya untuk saya sajalah, saya storkan, kan.
35
36 **PM2** Tapi ada upload lah ini? Semua ini dah upload?
37

1 **FADZLINA** Ha, dululah, dulu.

2

3 **PM2** 2014, upload? Waktu itu masih ada akses kepada Facebook?

4

5 **FADZLINA** Akses Facebook itu memang ada. Itu saya kata, daripada device saya yang barulah, kan, pasal sebab yang lama itu dah hilang.

6

7

8 **PM2** Tapi you dah tukar password banyak kali, kan?

9

10 **FADZLINA** Ya lah, mungkin orang yang hacking itu lagi pandai daripada saya, sebab saya bukan orang teknologi, kan, ha, mana saya nak tahu.

11

12

13 **PM2** Ha. Tapi you sering tukar password lah?

14

15 **FADZLINA** Sekarang saya memang buat sekuriti begitulah, saya tukar selalu. Kadang-kadang pun kita pun kadang-kadang pun ter, apa, alpa, kan, terlupa. Untuk benda-benda macam ini, ha. Sebab Facebook sekarang pun, saya rasa dah ada letakkan nombor telefon, kan, kalau apa-apa boleh, apa.

16

17

18

19

20

21 **PRS** Betul, Puan.

22

23 **FADZLINA** Macam itulah.

24

25 **PRS** Ok Puan, ada satu lagi question. Ok. Ini perkataan tentang gambar yang Puan screenshot. Ok Gambar ini telah diambil 2014. Sekarang 2021. Puan masih berguna handphone yang sama ke?

26

27

28

29 **FADZLINA** Lain.

30

31 **PRS** Lain? So macam mana Puan boleh dapatkan gambar yang 2014, masih dalam handphone?

32

33

34 **FADZLINA** Sebab saya simpan dekat dalam itu, saya dah dapat baliklah Facebook saya. Masa, macam ini, tahu. Bila Inspektor yang Sungai Way itu tunjuk saya, saya usahalah cari dalam saya punya, apa, mana Facebook lama saya, kan. Saya try cari, lepas itu saya jumpa.

35

36

37

1
2 **PRS** So maksudnya, saya tanya –
3
4 **FADZLINA** Rekod itu memang adalah selalunya, kan, kepada kita simpan tulis ke
5 dekat mana-mana.
6
7 **PRS** Ok Puan, saya faham. So based on that, tadi saya tanya satu question,
8 kan, sama ada Puan ada buat apa-apa research ke ataupun, 'research'
9 maksudnya kajian selepas pihak polis ataupun yang pihak polis dari
10 Sungai Way telah menunjukkan gambar ini, Puan telah membuat apa-
11 apa research ke saya tanya soalan itu, Puan kata tak ada buat apa-
12 apa. So sekarang Puan kata Puan telah –
13
14 **FADZLINA** Tak, saya ingat research pasal lain, selain daripada ini tadi.
15
16 **PRS** Oh, benar salah faham.
17
18 **FADZLINA** Memang gambar inilah.
19
20 **PRS** Maksud saya, memang tentang gambar ini sahaja.
21
22 **FADZLINA** Ok, ok.
23
24 **PRS** So Puan telah buat research daripada Facebook? Yang lama,
25 Facebook lama Puan?
26
27 **FADZLINA** Yang lama itu, ya.
28
29 **PRS** So masih boleh akses lah? Puan boleh akses?
30
31 **FADZLINA** Sekarang masih boleh.
32
33 **PRS** Masih boleh akses?
34
35 **FADZLINA** Saya dah start simpan balik semua gambar saya.
36
37 **PRS** Oh, ok.

1
2 **FADZLINA** Ya.
3
4 **PRS** Yang maksudnya, yang Facebook masa dulu-dulu sebelum, bila
5 Facebook itu dibuka, ya?
6
7 **FADZLINA** Tak ingat.
8
9 **PRS** Tak ingat? Tapi sebelum tahun 2014?
10
11 **FADZLINA** Ya.
12
13 **PRS** So maksudnya, sebelum tahun 2014, Facebook itu masih boleh diakses
14 sampai 2021?
15
16 **FADZLINA** Melalui device saya yang barulah.
17
18 **PRS** Ah, ok.
19
20 **FADZLINA** Aha, handphone saya yang baru, kan.
21
22 **PRS** So gambar-gambar ini telah diambil daripada Facebook itu sekarang?
23
24 **FADZLINA** Ya.
25
26 **PRS** Dan lepas itu Puan telah screenshot kan gambar itu dan hantar –
27
28 **FADZLINA** Dua hari lepas, saya screenshot.
29
30 **PRS** Dua hari lepas, Puan screenshot? Tetapi kami telah bertanya tentang
31 gambar ini kelmarin saja, ya, Puan.
32
33 **FADZLINA** Ya?
34
35 **PRS** Semalam.
36
37 **FADZLINA** Semalam saya pass dekat husband saya.

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PRS Ok. Tapi Puan kata dua hari lepas Puan dah screenshot.

FADZLINA Bukan, saya dah beberapa kali screenshot sebenarnya.

PRS Ok. So maksudnya, Puan pernah –

FADZLINA Bukan gambar ini, tahu, yang dengan Dato' ini, bukan gambar ini. Gambar saya yang di Cameron's itu.

PRS Ok. So Puan telah mendapatkan gambar, lepas itu dua hari lepas, 'dua hari' means sebelum datang ke pada, untuk inquiry pada hari ini, Puan telah screenshot dan hantar kepada suami Puan. Betul, Puan?

FADZLINA Ya, semalam.

PRS Ok. So, ok, Puan, last question. Pada pandangan Puan, kenapa gambar sebegitu perlu dieditkan?

CHM Perlu di?

PRS Diedit ataupun dikeluarkan atau dihantar kepada seseorang. Pada pandangan Puan.

FADZLINA Tak tahulah, no idea.

PRS No idea. Ok. Itu sahaja daripada saya. Terima kasih.

Time : 04:52PM

CHM Yes. Untuk berlaku adil kepada Puan, ya, semalam kita mark ini apa ini? Yang ini, yang dengan Mukhriz itu.

ADY That one Exhibit 104.

- 1 **CHM** Tolong paparkan 104. Perbesarkan itu, Najib dengan Mukhriz itu.
2 Mukhriz itu. Ok, Puan. Tengok gambar ini dengan gambar tadi, kan,
3 ada kemungkinan gambar inilah yang digunakan.
4
- 5 **FADZLINA** Oh, ini –
- 6
- 7 **CHM** Ambil gambar Mukhriz, dua-dua gambar –
- 8
- 9 **FADZLINA** Bekas menteri besar Kedah, kan?
- 10
- 11 **CHM** Mukhriz.
- 12
- 13 **FADZLINA** Gambar ini rupanya. Oh.
- 14
- 15 **CHM** To be fair to you lah. To be fair to you.
- 16
- 17 **FADZLINA** Oh.
- 18
- 19 **CHM** Gambar dia. This is the real photograph sebenarnya.
- 20
- 21 **FADZLINA** Oh.
- 22
- 23 **CHM** Of Najib. And it is with Mukhriz.
- 24
- 25 **FADZLINA** Macam mana boleh ada macam ini?
- 26
- 27 **CHM** The other one. Yang gambar yang dalam Facebook itu. Kan, compare.
28 Ini, and the Mukhriz one. Ok, Puan, bandingkan gambar ini, ya, Najib,
29 Mukhriz, dan gambar tadi. Ha, itu, that one. Bandingkan. Ada
30 persamaan tak?
- 31
- 32 **FADZLINA** Lainlah. Itu muka saya, yang itu muka orang lain.
- 33
- 34 **PM2** Ya lah.
- 35
- 36 **CHM** Bukan maksud saya itu. Ada persamaan tak?
- 37

1 **FADZLINA** Oh, maksudnya gambar mantan perdana menteri?

2

3 **CHM** Ya.

4

5 **FADZLINA** Gambar yang itu, dalam gambar saya, gambar itu –

6

7 **CHM** Ya.

8

9 **FADZLINA** Gambar bunga di belakang saya –

10

11 **CHM** Sebenarnya gambar Najib dengan Mukhriz itu, that is the original, the
12 real photograph. Apa yang telah berlaku is orang itu, siapa-siapa yang
13 buat ini, yes, dia ambil gambar Mukhriz, bubuh your face, gambar Puan
14 di situ. I'm trying to be fair to you, yes.

15

16 **FADZLINA** Terima kasihlah kerana bagi tahu.

17

18 **CHM** Do you agree?

19

20 **FADZLINA** Tapi saya memang tak sangka.

21

22 **CHM** Do you agree? Yes? Ok. Yes, ok.

23

24 **Further cross-examination of Fadzlina Binti Amran by Philip Koh**

25 **Time : 04:56PM**

26

27 **PK** Just two questions, Mr Chairman. The outcome from the questions of
28 SUHAKAM. Saudari, only two questions, ya. Di dalam posting
29 Facebook pada tahun 2013, dia di Cameron's itu, Cameron's, you
30 pastikan you paste di Facebook, ya? Itu galeri, yang Facebook galeri
31 itu, ada bunga-bunga di belakang, latar. Adakah orang awam boleh
32 masuk ke, tengok foto itu? Di Facebook awak public, atau closed bagi
33 –

34

35 **FADZLINA** Kebiasaannya so far yang saya ingatlah, seingat saya, memang saya
36 *privatekan*. 'Only me' itu, kan. Tapi itulah saya kata, kalau in case lah,
37 kalau orang hacking saya, maksudnya itu di luar kawalan saya.

1
2 **PK** So siapa boleh menengok, tengok –
3
4 **FADZLINA** Saya tak tahu.
5
6 **PK** Tengok-tengok gambar-gambar ini? You ada tag kawan ke tag –
7
8 **FADZLINA** Saya tak ada tag sesiapa. Dalam itu, no friends. Saya hanya buat
9 storage.
10
11 **PK** In the Facebook?
12
13 **FADZLINA** Ya.
14
15 **PK** You store the photographs?
16
17 **FADZLINA** Ya, saya stor sajarah sebab –
18
19 **PK** You tak share dengan keluarga?
20
21 **FADZLINA** Tak, tak.
22
23 **PK** Keluarga?
24
25 **FADZLINA** Tak ada, keluarga pun tidak. Sebab... Tapi suami saya pernahlah
26 tengok saya punya Facebook itu, kan, tapi dia pun bukannya aktif pun.
27
28 **PK** Dia tengok Facebook –
29
30 **FADZLINA** Tapi tak, saya tak share.
31
32 **PK** Sebab ada akses lah, dia ada akses.
33
34 **FADZLINA** Tak, tak. Dia tak tengok, dia tak buka guna ini, dia tengok melalui telefon
35 ke –
36
37 **PK** Ok. Tak apa, tak apa itu. So you, pada memori you.

1
2 **FADZLINA** Ya.
3
4 **PK** You tidak post di public lah, bukan awam?
5
6 **FADZLINA** Tidak, tidak.
7
8 **PK** So bagaimana orang boleh datang ambil?
9
10 **FADZLINA** Saya tak tahu.
11
12 **PK** Ok. Yang kedua, mengenai Inspektor Zulkifli, di dalam Sungai Way
13 police. Inspektor ini summon Iqbal dan Saudari pergi ke police station,
14 ya?
15
16 **FADZLINA** Ya.
17
18 **PK** Dan dia menunjuk gambar yang palsu itulah?
19
20 **FADZLINA** Ya.
21
22 **PK** Bagi you lah. Itulah saja. Adakah dia menyoal mengenai you ada
23 selingkuh ke dengan ini?
24
25 **FADZLINA** Ya lah.
26
27 **PK** Ya ke?
28
29 **FADZLINA** Dia tanya macam itulah, kan.
30
31 **PK** Dia tak tanya? Dia bagi you baca itu?
32
33 **FADZLINA** Tunjuk gambar dan, dia tak tunjuk saya, dia, apa di abaca, di abaca
34 saja. Dia baca depan saya dan suami saya.
35
36 **PK** So dia bacakan, 'Wanita ini selingkuh dengan Najib'.
37

1 **FADZLINA** Ya, begitu.
2
3 **PK** So apabila you dengar itu, apa you –
4
5 **FADZLINA** Saya kata tidaklah.
6
7 **PK** Itu sajalah?
8
9 **FADZLINA** Itu sajalah.
10
11 **PK** Dan tidak ada, berapa jam dia menyoal you? Atau minit?
12
13 **FADZLINA** Hari itu dalam dua tiga jam jugalah.
14
15 **PK** Dua tiga jam?
16
17 **FADZLINA** Ya.
18
19 **PK** Dia menyoal dua tiga jam?
20
21 **FADZLINA** Ya.
22
23 **PK** Apa di dalam dua tiga jam dia –
24
25 **FADZLINA** Tanya tentang ini, kehilangan pastor-pastor ini. Macam mana kenal
26 Joshua Hilmy, macam mana kenal Raymond, saya cerita yang
27 samalah.
28
29 **PK** Ok. Apabila you dengar kehilangan Pastor Raymond dan kehilangan
30 Pastor Joshua, adakah ada risau ke atau –
31
32 **FADZLINA** Ya, saya rasa simpati.
33
34 **PK** Simpati, ya. So you beritahu polis you ada sympathy lah? Tapi you tidak
35 boleh buat apa-apa kenyataan yang menolong polis untuk investigate
36 lah? Untuk dua tiga jam di dalam polis itu?
37

1 **FADZLINA** Lebih kuranglah.
2
3 **PK** Kedua-dua?
4
5 **FADZLINA** Sebab dia kan soal saya dulu. Saya, kami masuk berdua sekalilah,
6 saya dengan suami saya. Dia tanya sekalilah.
7
8 **PK** Kedua-dua duduk, dia tanya sekali?
9
10 **FADZLINA** Dia tanya sekali.
11
12 **PK** Inspektor Zul sendiri tanya?
13
14 **FADZLINA** Inspektor Zufadhly, ya.
15
16 **PK** Dan, ada penyokonglah?
17
18 **FADZLINA** Tak ada orang lain.
19
20 **PK** Oh, dia sendiri?
21
22 **FADZLINA** Tak ada orang lain.
23
24 **PK** Oh, dia sendiri?
25
26 **FADZLINA** Kami tiga orang.
27
28 **PK** Dan dia taip?
29
30 **FADZLINA** Dan dia taip di dia punya, apa, pc dia.
31
32 **PK** Dan selepas taip, dia baca, you –
33
34 **FADZLINA** Sign itu, kan?
35
36 **PK** Menandatangani.
37

1 **FADZLINA** Ya.
2
3 **PK** So di dalam jawapan itu –
4
5 **FADZLINA** Ya.
6
7 **PK** Kalau ada apa-apa kenyataan yang boleh menolong panel? Tak? Ada
8 ke? Ingat?
9
10 [05:00PM]
11
12 **FADZLINA** Kenyataan apa itu?
13
14 **PK** Kenyataan yang you beri jawapan kepada Inspektor Zul, ada tak?
15
16 **FADZLINA** Sama, soalan dia lebih, sama macam yang anda semua, Tuan-tuan
17 tanya saya.
18
19 **PK** Oh.
20
21 **FADZLINA** Jadi jawapan saya pun samalah, macam yang saya bagi kepada Tuan-
22 tuan hari ini.
23
24 **PK** Oh.
25
26 **FADZLINA** Tak ada lain-lain.
27
28 **PK** Dia juga menyoal adakah Kristianisasi, adakah you memeluk Kristian?
29 Adakah?
30
31 **FADZLINA** Tak ada, saya ingat, soalan itu.
32
33 **PK** Dan baptism?
34
35 **FADZLINA** Ya lah, dia tanya secara umum begitulah.
36
37 **PK** Baptism, Raymond Koh dan juga Pastor Joshua lah?

1
2 **FADZLINA** Ya.
3
4 **PK** Ada apa yang lain-lain dia ada –
5
6 **FADZLINA** Yang lain-lain, tiada.
7
8 **PK** Ada kereta kah, Joshua ada kereta kah?
9
10 **FADZLINA** Oh, tak ada, tak ada.
11
12 **PK** Ada orang yang lain di dalam rumah, dia cakap?
13
14 **FADZLINA** Orang lain, dia ada tunjuklah kepada saya gambar, apa, gambar IC, ini,
15 salinan IC itu tuan rumah itu, kan. Tuan rumah –
16
17 **PK** Kita, ini, kita orang rumah itu, orang India, is it?
18
19 **FADZLINA** Orang yang Penang itu, kan? Yang itu.
20
21 **PK** Ok.
22
23 **FADZLINA** Itu saja.
24
25 **PK** Saya faham, saya faham.
26
27 **FADZLINA** Ha, ya.
28
29 **PK** Itulah saja?
30
31 **FADZLINA** Itu saja.
32
33 **PK** You pernah jumpa orang itu?
34
35 **FADZLINA** Saya jumpa pada hari pertama saya pergi rumah Joshua.
36
37 **PK** Oh, ok.

1

2 **FADZLINA** Tadi saya cakapkan?

3

4 **PK** Ok lah, itulah saja.

5

6 **FADZLINA** Ya.

7

8 **PK** Saya nak Cik clarify. Terima kasih, Saudari.

9

10 **FADZLINA** Sama-sama.

11

12 **Time : 05:01PM**

13

14 **CHM** Ok, that's the end of the session in camera. End?

15

16 **MFR** Ok, yes.

17

18 **CHM** Session on camera, yes. So now we are back to the open session.

19

20 **MFR** Boleh.

21

22 **CHM** Anymore further question on, in open session?

23

24 **Further re-examination of Fadzlina Binti Amran by Muhammad Faiz Bin Abd**
25 **Rahman**

26 **Time : 05:02PM**

27

28 **MFR** Yes, from secretariat, we have. Ok, Puan. Ok, tadi kami telah
29 dimaklumkan rawatan yang berlaku ataupun perjumpaan yang berlaku
30 bersama Joshua ini pada 2015, kan, Januari 2015. Perjumpaan ini
31 adakah Puan ataupun suami Puan telah maklumkan kepada ahli
32 keluarga ataupun orang lain?

33

34 **FADZLINA** Kepada orang lain?

35

36 **MFR** Ya.

37

- 1 **FADZLINA** Tak ada.
- 2
- 3 **MFR** Ahli keluarganya, terutamanya.
- 4
- 5 **FADZLINA** Tak ada, tak ada.
- 6
- 7 **MFR** Adakah ahli keluarga Puan tahu yang Puan menerima rawatan?
- 8
- 9 **FADZLINA** Selalunya memang saya pergi dengan ibu saya, bapa saudara saya,
10 aunty saya. Cuma yang inilah, saya tak pergi dengan dia orang sebab
11 mereka semua berada di Johor, kan.
- 12
- 13 **MFR** Ada –
- 14
- 15 **FADZLINA** Saya tak inform kepada sesiapa lah.
- 16
- 17 **MFR** Kenapa Puan tidak memberi?
- 18
- 19 **FADZLINA** Saya baru inform baru-baru ini saja, sebab dipanggil SUHAKAM. Saya
20 cakap, kenapa saya kena panggil, kan, sebabnya ada masalah inilah,
21 kehilangan apa. Saya, just inform lah, bukan semualah mak saya nak
22 ikut saya ke sana ke mari, ke sana ke mari, macam itu, kan. Dia pun
23 ada...
- 24
- 25 **MFR** Mengenai kaedah rawatan yang Puan terima daripada Joshua ini,
26 adakah Puan maklumkan kepada keluarga?
- 27
- 28 **FADZLINA** Saya cakap.
- 29
- 30 **MFR** Apa reaksi keluarga?
- 31
- 32 **FADZLINA** Tak ada apa.
- 33
- 34 **MFR** Tak ada apa-apa. Bagaimana pula dengan ahli keluarga suami?
- 35

1 **FADZLINA** Saya tak tahu, saya tak pasti. Adakah suami saya cakap dengan famili
2 dia atau tidak. Sebab saya tak cakap dengan famili dia orang. Saya tak
3 inform apa-apa.
4
5 **MFR** Puan ada berhubung dengan famili sebelah suami?
6
7 **FADZLINA** Setakat ini tak ada.
8
9 **MFR** Tak ada. Sebelum-sebelum ini?
10
11 **FADZLINA** Sebelum-sebelum ini, ada.
12
13 **MFR** Adalah. Kepada, ok, since Puan menerima rawatan ini, I mean, dengan
14 Pastor Joshua, adakah Puan syorkan kepada rakan-rakan ke?
15
16 **FADZLINA** Tak juga.
17
18 **MFR** Tak pernah. Maklum –
19
20 **FADZLINA** Saya memang tak cakap dengan siapa-siapa.
21
22 **MFR** Rawatan yang sebelum-sebelum ini, Puan ada ceritalah?
23
24 **FADZLINA** Pun tak cakap juga.
25
26 **MFR** Dengan ustaz-ustaz semua?
27
28 **FADZLINA** Ya, tak.
29
30 **MFR** Ok, Puan, untuk komunikasi dengan Joshua dengan Ruth, siapa yang
31 lebih banyak berhubung dengan mereka?
32
33 **FADZLINA** Suami saya.
34
35 **MFR** Adakah Puan pernah berhubung?
36
37 **FADZLINA** Tidak.

1
2 **MFR** Ada nombor dia orang?
3
4 **FADZLINA** Tak ada.
5
6 **MFR** Tak ada. Walaupun Puan panggil 'Kak Ruth', Puan tak pernah
7 berhubung secara –
8
9 **FADZLINA** Saya panggil 'Kak' kerana saya respect dia, itu saja, mungkinlah, saya
10 ingat itu. Macam kalau orang dekat kedai selalu pun dia panggil saya
11 'Kak' juga. Saya bukan kakak dia. Itu dah biasa sekarang. Ada yang
12 panggil 'Brother' lah, ada panggil 'Bro' lah. Macam dia kenal sangat,
13 kan. Mungkin rakyat Malaysia peramah agaknya, saya ingat.
14
15 **MFR** Sepanjang Puan berjumpa tiga kali dengan keluarga Joshua dan Ruth,
16 adakah mereka pernah memaklumkan menerima ugutan, ancaman?
17
18 **FADZLINA** Setakat yang saya, tak ada.
19
20 **MFR** Tak ada, ya?
21
22 **FADZLINA** Tak ada.
23
24 **MFR** Baik, Puan, sekarang ini saya akan bawa Puan kepada mengenai
25 kehilangan Pastor Joshua dan Ruth. Bila Puan dapat tahu?
26
27 **FADZLINA** Saya tahu tahun 2017, rasanya. Itupun melalui, apa, suratkhobar lah.
28
29 **MFR** Surat –
30
31 **FADZLINA** Dalam suratkhobar ke mana, dalam internet ke. Somewhere dalam
32 internet.
33
34 **MFR** Pada tahun 2017?
35
36 **FADZLINA** Lebih kurangnya, 2017 he 2018, saya pun tak berapa nak ingat.
37

1 **MFR** Puan maklumkan kepada suami?
2

3 **FADZLINA** Saya cakaplah dekat dia, Pastor ini, apa, hilang pula, kan, cakap
4 dengan, itu saja. Yang lain-lain saya tak tahu.
5

6 **MFR** Ok. Sebelum itu, Puan last communicate dengan mereka pada bila?
7

8 **FADZLINA** Memang yang last sekali saya jumpa itulah, yang ketiga dengan anak-
9 anak saya itu.
10

11 **MFR** Kalau boleh saya tengok tadi, 2015 lah?
12

13 **FADZLINA** Yang itulah.
14

15 **MFR** Itu saja?
16

17 **FADZLINA** Itu saja.
18

19 **MFR** So pada 2017, Puan dapat tahu daripada media yang mereka telah
20 hilang?
21

22 **FADZLINA** Ya, dari media.
23

24 **MFR** So apa tindakan Puan seterusnya?
25

26 **FADZLINA** Tak ada apa-apa.
27

28 **MFR** Puan tak terkejutlah?
29

30 **FADZLINA** Saya simpatilah, macam saya cakap. Kalau ada orang kena culik ke,
31 orang hilang ke, orang kena bunuh, mestilah kita rasa simpati, kan?
32

33 **MFR** So ada Puan ambil tindakan buat laporan polis?
34

35 **FADZLINA** Saya tak buat apa-apa.
36

37 **MFR** Kenapa? Bukan –

1
2 **FADZLINA** Sebab saya pun jumpa dia orang dua tiga kali, saya pun tak tahu.
3 Mungkin, tak tahulah saya, saya tak buat.
4
5 **MFR** Tak ada –
6
7 **FADZLINA** Saya tak buat, itu sajalah. Sebab kebanyakan orang lain pun tak buat
8 juga, kan?
9
10 **MFR** Apa pandangan Puan berkaitan dengan kehilangan ini? Adakah ia
11 berkaitan dengan aktiviti yang dilakukan?
12
13 **FADZLINA** Mungkin jugalah.
14
15 **MFR** Mungkin juga?
16
17 **FADZLINA** Ya.
18
19 **MFR** Maksud Puan?
20
21 **FADZLINA** Tak tahu, saya tak tahu, no comment apa situ.
22
23 **MFR** Adakah aktiviti yang dijalankan, macam Puan kata tadi, healing,
24 menjadi satu kesalahan?
25
26 **FADZLINA** Kalau, saya pun tak tahu macam mana pendapat orang di luar sana,
27 kan, adakah healing ini satu kesalahan ke macam mana. Tak tahu,
28 saya pun no point.
29
30 **MFR** Selepas kehilangan tersebut, ada Puan cuba hubungi, pergi ke rumah?
31
32 **FADZLINA** Tak.
33
34 **MFR** Tidak. Puan ambil pendekatan tidak?
35
36 **FADZLINA** Berdiam diri.
37

- 1 **MFR** Memang tak ada masuk campur langsung lah.
- 2
- 3 **FADZLINA** Lagipun waktu itu rasanya macam, apa, tuan rumah dah buat repot kan.
- 4 Jadi ini semua kerja pihak polis lah dan kita kenapa nak campur kan.
- 5
- 6 **MFR** Macam mana Puan tahu yang tuan rumah dah –
- 7
- 8 **FADZLINA** Dah dalam surat khabar ada tulis tu. Dekat dalam news ada tulis.
- 9 Tengok situ lah, Nampak.
- 10
- 11 **MFR** Puan pasti memang maklumat yang Puan dapat berkaitan kehilangan
- 12 ini melalui surat khabar.
- 13
- 14 **FADZLINA** Ya, ya. Memang media masa lah.
- 15
- 16 **MFR** Ada Puan kenal selain daripada rakan-rakan keluarga Joshua dan
- 17 Ruth?
- 18
- 19 **FADZLINA** Tak kenal.
- 20
- 21 **MFR** Tak kenal. Tapi tuan rumah, Puan kenal?
- 22
- 23 **FADZLINA** Saya jumpa, kebetulan pada hari pertama, saya datang itu. Itu sahaja.
- 24 The first and the last.
- 25
- 26 **MFR** Boleh Puan describe tuan rumah itu macam mana?
- 27
- 28 **FADZLINA** Tuan rumah itu, dia, orang India lah. Itu je yang saya tahu. Lain saya
- 29 tak pasti lah. Dia ada bersama isteri dia dan juga beberapa anak lah.
- 30 Itu dia. Yang lain saya tak tahu.
- 31
- 32 **MFR** Baik. Saya rujuk pada, dengan perjumpaan dengan pihak polis pada
- 33 bila?
- 34
- 35 **FADZLINA** 20, kertas saya, 28hb baru ini, Tuan. 28hb September.
- 36
- 37 **MFR** September ini. Bersama suami lah?

1

2 **FADZLINA** September ke November... September. Bersama suami, ya.

3

4 **MFR** Puan, apa intipati perjumpaan tersebut?

5

6 **FADZLINA** Tak ada apa. Saya cuma bagi keterangan je.

7

8 **MFR** Bagi keterangan lah. Ada Puan submit dokumen? Any dokumen kepada pihak polis?

9

10 **FADZLINA** Saya tunjukkan dokumen report saya itu lah. Itu saja.

11

12 **MFR** Laporan polis 2-0 –

13

14 **FADZLINA** Yang kehilangan saya punya device.

15

16 **MFR** Selain pihak polis, ada mana-mana badan yang cuba hubungi Puan berkaitan dengan kehilangan?

17

18 **FADZLINA** Tak ada. Tak ada.

19

20 **MFR** Tak ada. Puan, bagi ya lah, untuk membantu siasatan SUHAKAM ya. An inquiry, ada apa-apa maklumat yang Puan boleh kongsi kepada SUHAKAM berkaitan dengan kehilangan Joshua itu, Joshua Hilmy dan Ruth Sitepu?

21

22 **FADZLINA** Selakat ini, saya tak ada rasanya.

23

24 **MFR** That's all for me. Thank you.

25

26 **Masa : 05:09PM**

27

28 **PM2** Puan, when was the last time kamu jumpa dengan Victor atau Pastor Victor?

29

30 **FADZLINA** Memang itu lah. Sekali itu je.

31

1 **PM2** Sekali kamu jumpa, sekali kamu berani masuk dalam kolam renang
2 untuk baptis?
3
4 **FADZLINA** Bukan, bukan. Sebab kawan saya, kawan say aitu yang recommend
5 kan. Saya cuba itu je lah.
6
7 **PM2** Yang –
8
9 **FADZLINA** Kawan saya perempuan tahu.
10
11 **PM2** Kawan Sabahan itu ya? Kawan Sabah itu ya?
12
13 **FADZLINA** Kawan Sabah, ya.
14
15 **PM2** Kawan Sabah itu, first time introduce you untuk orang nama dia Victor.
16
17 **FADZLINA** Ya.
18
19 **PM2** Lepas itu, terus kamu masuk untuk dimandikan.
20
21 **FADZLINA** Untuk, ya.
22
23 **PM2** Terus?
24
25 **FADZLINA** Ya.
26
27 **PM2** Berapa minit kamu setuju? Kalau macam itu, kalau kamu jumpa orang
28 baru, kamu akan cuba juga?
29
30 **FADZLINA** Tak, sebab saya percayakan kawan saya lah kata orang ini boleh tolong
31 kan. Sama macam ustaz juga, kita tak kenal ustaz itu kan. Sama
32 macam, contohnya macam, Almarhum Haron Din juga. Kalau sesiapa
33 pergi minta tolong pun kita pun tak kenal dia sebenar-benarnya. Hanya
34 kita kenal nama dia kan. Macam itu. Sama lah.
35
36 **PM2** Tapi itu ustaz kamu kenal nama. Ini, orang ini, Victor, kamu tak kenal
37 kan?

1
2 **FADZLINA** Saya memang tak kenal.
3
4 **PM2** Tak kenal, tapi kamu minta dia untuk mandikan kamu. Sekali kamu
5 jumpa dia dalam kolam renang itu, lepas itu langsung tak ada kontak?
6
7 **FADZLINA** Tak ada.
8
9 **PM2** Kamu stop kontak ke?
10
11 **FADZLINA** Sebab saya tak ada kontak dia.
12
13 **PM2** En Victor pun tak? Sebagai pastor –
14
15 **FADZLINA** Tak, tak. Dia tak kontak saya lagi.
16
17 **PM2** Sebagai pastor, dia tak kontak minta kamu dah sembuh ke.
18
19 **FADZLINA** Tak, tak.
20
21 **PM2** Kamu dah baik ke.
22
23 **FADZLINA** Dia tanya melalui, mungkin dia tanya melalui kawan saya itu lah. Lepas
24 itu, dah sekian lama kawan saya pun dah tak tahu ke mana. Kerana
25 kami pun dah lost contact. Mungkin dia balik Sabah, saya pun tak pasti.
26
27 **PM2** Ok. So tadi kamu dengar yang Pastor Victor pun dah meninggal dunia
28 ya?
29
30 **FADZLINA** Saya tak tahu.
31
32 **PM2** Baru tadi kamu dengar En Philip Koh bagi tahu inquiry yang Pastor
33 Victor ini pun dah meninggal. So kamu tak ada perasaan, tak ada
34 reaksi. Tak ada?
35
36 **FADZLINA** Rasa simpati lah.
37

1 **PM2** Rasa simpati.
2

3 **FADZLINA** Ya.
4

5 **PM2** So sebab mungkin ini tak ada, tak ada satu kait pun (05:11:33PM) tapi
6 tiga-tiga pastor yang telah memandikan kamu dan suami kamu, satu
7 telah mati, dua telah hilang, secara kebetulan lah pada waktu ini. So
8 saya pun rasa terkejut bila saya dengar yang tiga-tiga ini. So bila
9 ditanyakan kepada Puan tadi, apa perasaan kamu, Puan jawab simpati
10 saja. Tapi tidakkah Puan dan suami Puan terfikir lebih daripada itu?
11 Tiga orang ini yang kita mandi, diminta untuk mandikan kita, tiga-tiga
12 sekarang, dua dah hilang, satu dah mati. Tak ada kah terlantang apa-
13 apa dalam fikiran kamu? Kenapa boleh berlaku macam ini?
14

15 **FADZLINA** Sebab setahu saya, ustaz yang sebelum itu saya minta tolong pun, dia
16 pun meninggal juga. Meninggal secara natural lah. Tak ada dihilangkan
17 ke apa, macam itu kan.
18

19 **PM2** Dia orang, orang dah tua lah dia? Ustaz itu.
20

21 **FADZLINA** Tak juga.
22

23 **PM2** Muda?
24

25 **FADZLINA** 60 macam itu lah.
26

27 **PM2** Dah tua lah. 60 lebih lah. So bukan, saya cuma tanya itu sebab ini kalau
28 kita kaitkan, memang tak ada kaitan lah. Tapi dari apa yang kita dengar
29 cerita, nampaknya kamu dan suami kamu adalah kait antara tiga-tiga
30 ini lah, yang kita dapat nampak di sini. Selain daripada ini, adakah kamu
31 rasa kecewa dan marah yang, dengan Pastor Joshua sebab kamu pergi
32 sana dengan harapan untuk disembuhkan?
33

34 **FADZLINA** Saya tak. Tadi pun saya dah cakap. Jadi saya ulang lagi sekali, saya
35 tak ada sebab nak memarah orang ke apa. Saya pun minta tolong ustaz
36 ke, orang lain buat pun, saya pun tak marah orang.
37

1 **PM2** Bukan, bukan. Yang saya tidak mahu tahu yang cerita umum. Sekarang
2 persoalan saya, bila kamu dalam kedesakan kamu untuk
3 menghilangkan gangguan, kamu cuba lah, kali pertama kamu masuk
4 untuk cuba. Selama ini, semua ustaz.
5
6 **FADZLINA** Ya.
7
8 **PM2** Ok. So mungkin tak begitu berjaya. Kamu pergi ke bab yang lain pula.
9 Mencari pastor. So pastor pertama yang kamu memberi kebenaran
10 untuk memandikan kamu dan suami kamu juga adalah Pastor Joshua
11 dan kamu pergi itu dengan harapan untuk kamu pulih dan sembuh.
12 Betul?
13
14 **FADZLINA** Ya.
15
16 **PM2** Betul kan. So lepas itu kamu dah pergi, dua tiga kali jumpa tapi kamu
17 rasa tak ada perubahan ke, ada perbezaan?
18
19 **FADZLINA** Tak ada.
20
21 **PM2** Tak ada?
22
23 **FADZLINA** Itu lah dia tak consistent. Saya cakap sekejap dia ganggu saya, sekejap
24 dia tak ganggu macam itu.
25
26 **PM2** Adakah –
27
28 **FADZLINA** Tapi saya reda lah. Saya, kalau tak baik ke, baik ke. Saya dah lali saya
29 ingat.
30
31 **PM2** So maksud dia, apa yang kamu harapkan dapat ke, tak dapat daripada
32 perjumpaan dengan pastor ini?
33
34 **FADZLINA** Tak boleh nak cakap lah kan. Saya, saya pun tak tahu sebenarnya.
35 Macam sama, memang sama kes macam saya jumpa ustaz juga lah.
36 Saya pun tak nak blame sesiapa.
37

- 1 **PM2** Bukan blame.
- 2
- 3 **FADZLINA** Orang nak tolong saya itu pun dah syukur lah, saya ingat.
- 4
- 5 **PM2** So kamu tak rasa kecewa? Kamu happy saja?
- 6
- 7 **FADZLINA** Happy pun tidak, kecewa pun tidak. Tapi saya simpati lah mereka, ya
8 lah, berlaku kejadian macam ini, itu.
- 9
- 10 **PM2** Bukan itu, itu... yang simpati bila kamu dapat tahu lah tapi saya tanya
11 waktu itu. Bila kamu dah jumpa dia, pulang rumah, dua tiga kali tak
12 dapat apa yang kamu harapkan itu. Tak ada ke yang kamu dan –
- 13
- 14 **FADZLINA** Saya tak terfikir yang negatif.
- 15
- 16 **PM2** Suami kamu rasa marah ke.
- 17
- 18 **FADZLINA** Saya tak marah lah, saya ingat.
- 19
- 20 **PM2** Rugi bengang lah, Allah kita cuba Kristian pun tak dapat. Tak ada rasa
21 macam itu?
- 22
- 23 **FADZLINA** Tak ada lah.
- 24
- 25 **PM2** Lepas itu cuba dengan Pastor Raymond.
- 26
- 27 **[05:15PM]**
- 28
- 29 **FADZLINA** Saya tak, saya tak fikir lah macam itu.
- 30
- 31 **PM2** Tak ada perasaan marah ke, kecewa ke? Kamu dan suami tak, tak
32 berbincang pasal isu ini? Suami dan kamu? Sebab dua-dua pun pergi
33 untuk kemandian.
- 34
- 35 **FADZLINA** Ya lah. Habis itu, situ lah saja kan, saya pergi.
- 36
- 37 **PM2** Tak ada perbincangan lebih daripada itu?

1
2 **FADZLINA** Tak ada, tak ada.
3
4 **PM2** Lepas bulan Februari, bulan Mac, lepas itu stop. Langsung tak, tak
5 cakap?
6
7 **FADZLINA** Tak ada. Tak ada.
8
9 **PM2** Tak ada, ok. Dari kerja, apa itu, freelance kamu buat, adakah kamu juga
10 membuat apa-apa kerja lain sukarelawan freelance dengan –
11
12 **FADZLINA** Tak ada. Tak ada.
13
14 **PM2** Jabatan lain ke?
15
16 **FADZLINA** Tak ada, tak ada.
17
18 **PM2** Dengan kawan lain ke? Dengan ustaz lain ke? Dengan persatuan?
19
20 **FADZLINA** Tak ada, tak ada.
21
22 **PM2** Semua tak ada?
23
24 **FADZLINA** Tak ada.
25
26 **PM2** Memang? Kamu langsung tidak ada kaitan dengan siapa-siapa group
27 pun di Malaysia? Selain daripada –
28
29 **FADZLINA** Tak ada lah. Saya tak ada majikan. Saya memang freelance. Sekarang
30 pun saya sibuk dengan crochet, crochet mengait itu dengan knitting. Itu
31 je lah saya buat full-time.
32
33 **PM2** Ok. So kait dengan translation lah. Ini saja lah.
34
35 **FADZLINA** Translation pun tak berapa sangat lah. Sekarang kan.
36
37 **PM2** Sekarang crochet.

1
2 **FADZLINA** Ya.
3
4 **PM2** So selain daripada itu, kalau kita cari mana-mana di Malaysia, tak akan
5 cari nama kamu –
6
7 **FADZLINA** Tak ada lah, saya ingat.
8
9 **PM2** Berkait dengan apa-apa persatuan ke apa?
10
11 **FADZLINA** Saya tak ada persatuan lah.
12
13 **PM2** Tak ada. Kawan di persatuan yang aktif kamu pergi?
14
15 **FADZLINA** Tak ada, tak ada.
16
17 **PM2** Tak ada, kosong. Ok. Soalan yang terakhir, ya. Bukan sebab polis call
18 kamu untuk investigate, ini barulah tapi dalam 2015, 2016, waktu kamu
19 sedang... kamu dan suami kamu mencari penyembuhan. Masuk ke
20 ruang Kristian untuk disembuhkan, dimandikan, dibaptis, adakah
21 sesiapa memanggil kamu atau suami kamu untuk bertanyakan apa-apa
22 soalan? Eh hello, saya dengar kamu perlukan. Kenapa kamu pergi ke
23 gereja?
24
25 **FADZLINA** Tak ada, tak ada.
26
27 **PM2** Langsung tak ada? Tak ada telefon?
28
29 **FADZLINA** Tak ada, tak ada. Tak ada siapa tanya saya pasal itu.
30
31 **PM2** Tak ada WhatsApp? Tak ada jeling-jeling? Tak ada pegawai?
32
33 **FADZLINA** Tak ada, tak ada.
34
35 **PM2** Tak ada. Cuma yang kamu jumpa adalah foto, tadi gambar itu lah yang
36 telur-telur itu je?
37

1 **FADZLINA** Itu.
2
3 **PM2** Selain daripada itu, tak ada call, tak ada –
4
5 **FADZLINA** Tak ada, tak ada.
6
7 **PM2** Ok. Pasti? Tolong fikir baik-baik ya.
8
9 **FADZLINA** Ya, tak ada. Memang tak ada lah.
10
11 **PM2** Dalam WhatsApp ke, dalam social media ke?
12
13 **FADZLINA** Tak ada, tak ada.
14
15 **PM2** Ada siapa-siapa cuba menghubungi kamu?
16
17 **FADZLINA** Itu lah nombor-nombor yang asing-asing itu, selalu saya memang tak
18 jawab lah. Siapa yang nombor unknown ke, yang apa-apa, saya
19 memang tak mahu jawab. Itu je. Kalau ada mesej yang pelik ke, yang
20 saya rasa bukan, saya tak kenal, bukan ibu saya ke, bukan siapa,
21 memang saya tak layan. Itu je.
22
23 **PM2** Sewaktu itu, ada kah apa-apa mesej-mesej yang pelik itu –
24
25 **FADZLINA** Tak ada, tak ada.
26
27 **PM2** Ada ke tanya yang pasal, memang pelik lah, tapi adakah orang yang
28 tanya kamu yang pelik itu. En kenapa kamu –
29
30 **FADZLINA** Pasal, pasal yang pastor ini, tak ada.
31
32 **PM2** Bukan pastor.
33
34 **FADZLINA** Tak ada orang tanya.
35
36 **PM2** Pasal diri kamu, kamu perlukan persembuhan. Kamu perlu kan ini?
37

1 **FADZLINA** Tak ada, tak ada.
2
3 **PM2** Tak ada orang yang cuba menolong kamu, menghulurkan tangan.
4
5 **FADZLINA** Sejak itu dah tak ada, saya ingat.
6
7 **PM2** Sejak bila?
8
9 **FADZLINA** Dah tak ada, tak ada.
10
11 **PM2** Sejak bila?
12
13 **FADZLINA** Tak. Semenjak saya dah stop ini semua, saya dah tak pergi healing ke
14 apa kan. Dah tak ada lah.
15
16 **PM2** Semenjak stop pergi healing lah. Tapi waktu kamu pergi healing itu?
17
18 **FADZLINA** Pun tak ada orang tanya. Tak ada.
19
20 **PM2** Tak ada yang WhatsApp ke tanya perlukan apa-apa? Langsung tak
21 ada?
22
23 **FADZLINA** Tak ada. Langsung tak ada.
24
25 **PM2** Fikir baik-baik, ya.
26
27 **FADZLINA** Memang tak ada.
28
29 **PM2** Sebab ini, nanti kamu cakap satu lagi, kita dapat cerita yang lain, tak
30 bagus lah.
31
32 **FADZLINA** Tak ada, tak ada.
33
34 **PM2** Fikir ya. Pasti?
35
36 **FADZLINA** Memang pasti lah tak ada.
37

1 **PM2** Suami? Adakah suami dapat –
2
3 **FADZLINA** Itu saya tak tahu, itu saya tak tahu.
4
5 **PM2** Suami dengan kamu tak, tak berbincang kan dalam rumah?
6
7 **FADZLINA** Bukan lah, bukan semua perkara saya nak cakap dengan dia. Dia nak
8 cakap dengan saya.
9
10 **PM2** Bukan isu –
11
12 **FADZLINA** Saya rasa apa yang saya sebenarnya yang saya nak ni.
13
14 **PM2** Bukan, bukan semua perkara. Ini yang isu yang, sebab ada gangguan
15 punya isu. Bukan isu lain sebab dua-dua terkena gangguan. So mesti
16 kamu akan berbincang –
17
18 **FADZLINA** Sebab kalau masa kita ok, ok saja lah kan. Tak ada yang nak
19 complicated sangat semua setiap perkara kan. Tak ada lah.
20
21 **PM2** Ok, thank you. Thank you, Puan.
22
23 **PM1** Ok, Puan. Dah petang already. Can we refer to exhibit yang mereka
24 dibaptise itu? Yang Exhibit 5F, I think. 5F. Sekejap ya, Pn Fadzlina.
25
26 **FADZLINA** Ya.
27
28 **PM1** I think you dah tengok tadi gambar itu. Ok, ok, yang ini. Are you sure
29 this is your photo? You boleh sahkan? Tadi ditanya –
30
31 **FADZLINA** Sebab gambar ini memang tak, tak terang kan. Saya, berdasar... saya
32 cakap tadi macam saya.
33
34 **PM1** Ok.
35
36 **FADZLINA** Sebab berdasarkan pada, sorry, yang –
37

1 **PM1** Proper, buat proper. Today we baptised itu, saya nak tengok.
2
3 **FADZLINA** Dia tulis.
4
5 **PM1** Ok.
6
7 **FADZLINA** 'Today we baptise Mirza Mohd.' Saya anggap dia lah.
8
9 **PM1** Kenapa you menganggap –
10
11 **FADZLINA** Saya anggap suami saya lah.
12
13 **PM1** Miraz Mohd sebab –
14
15 **FADZLINA** Sebab Facebook dia Mirza... dia punya emel dia Mirza Mohd. Emel dia
16 Mirza Mohd. Saya anggap macam itu.
17
18 **PM1** Ok. Emel, emel Mohd Iqbal ini is Mirza Mohd?
19
20 **FADZLINA** Dia ada dua emel, saya ingat. Tapi saya pun tak pernah communicate
21 dengan dia pun. Saya nampak lah.
22
23 **PM1** Yang Mirza. So –
24
25 **FADZLINA** Mirza.
26
27 **PM1** So Puan mengandaikan yang Mirza Mohd ini memang Mohd Iqbal tadi
28 lah. Eh Mohd Iqbal.
29
30 **FADZLINA** Iqbal.
31
32 **PM1** Iqbalr –
33
34 **FADZLINA** Nama dia kan Iqbal Mirza kan.
35
36 **PM1** Nama dia Iqbal Mirza.
37

1 **FADZLINA** Jadi dia buat nickname Mirza lah. Mirza.
2
3 **PM1** Ok. So dan Ah Lin itu you, Puan andaikan.
4
5 **FADZLINA** Saya andaikan.
6
7 **PM1** Bukan andai sebab tak, tak clear.
8
9 **FADZLINA** Sebab tak clear.
10
11 **PM1** But do you remember this incident?
12
13 **FADZLINA** Ya.
14
15 **PM1** Sangat.
16
17 **FADZLINA** Kan saya cakap tadi saya memang tahu kan.
18
19 **PM1** Ok.
20
21 **FADZLINA** Memang mereka mandikan saya dengan cara macam itu.
22
23 **PM1** Ok, ok. Sebab saya nak bertanya ini, kalau saya ya, yang biasa, saya
24 pun Presiden Facebook juga ini. 'Today we baptise Mirza Mohd.' Jadi
25 Mirza Mohd ini warna gelap. Saya bayangkan dia akan link dengan
26 Mirza Mohd kan. Betul atau tidak?
27
28 **FADZLINA** Mungkin lah.
29
30 **PM1** Mungkin. Andaikan betul. Andaikan kemungkinan betul.
31
32 **FADZLINA** Ok.
33
34 **PM1** So saya membayangkan Mirza Mohd ada melihat this Facebook atau
35 pun dia tidak melihat?
36
37 **FADZLINA** Saya tak tahu.

1

2 **PM1** Ok. Sebab saya bertanya soalan ini, kalau, bila saya pertama kali
3 melihat banyak yang lain-lain itu, ini satu isu yang saya nak kaitkan
4 dengan Commissioner, siapa ini, Jerald nak bertanya adakah timbul
5 kekhawatiran di kalangan Mirza atau pun Ah Lin. Ah Lin ini Puan. Bukan?

6

7 **FADZLINA** Saya tak tahu situ nama Ah Lin sebab saya perkenalkan diri saya
8 Fadzlin.

9

10 **PM1** Ok, ok. So jadi maknanya di sini, saya tahu, apa yang saya nak tuju di
11 sini ialah kalau lah Mirza Mohd dan Ah Lin ini membuka ruang
12 Facebook Joshua Hilmy, dia akan melihat istilah 'Today we baptise' ini,
13 ini. Bagi saya, Mirza Mohd dan Ah Lin ini akan melompat. Kalau dia
14 orang Melayu, Islam biasa.

15

16 **FADZLINA** Saya rasa saya tak –

17

18 **PM1** Dia akan pergi jumpa Joshua dan dia kata please delete this, this
19 Facebook.

20

21 **FADZLINA** Saya rasa memang ada suami saya suruh delete tahu. Itu you kena, Dr
22 kena tanya dengan suami saya lah, dulu-dulu kan. Saya rasa lah.

23

24 **PM1** Ada.

25

26 **FADZLINA** Sebab saya tak ada, saya tak link pun dengan Mirza Mohd ini.

27

28 **PM1** Memang lah. Sebab kalau kita tengok di sini memang Mirza Mohd.
29 And the fact that benda ini masih kekal, maka bagi andaian saya, satu,
30 tindakan tidak dilakukan lah. Maknanya Joshua, kalau betul suami dah
31 beritahu, tidak dilakukan dan tidak ada timbul pun kekhawatiran di
32 kalangan Puan dan husband, 'It's ok people tengok kami dibaptise'
33 sebab istilah baptism ini satu istilah, tadi Puan menggunakan dua
34 perkataan yang saya rasa jarang sekali digunakan. Satu, healing
35 ministry. Orang Melayu Islam tidak akan menggunakan. Kedua ialah
36 deliverance. That is even a, a more, kata orang –

37

1 **FADZLINA** Daripada apa, pembacaan lah, pembacaan.
2
3 **PM1** Yet baptism, you do not know.
4
5 **FADZLINA** Maksudnya, saya cakap tadi itu adalah terminology, apa, istilah
6 Christianity kan.
7
8 **PM1** Sama juga healing ministry dengan deliverance ini.
9
10 **FADZLINA** Ya lah, mungkin dulu saya ada terjumpa agaknya. Saya pun tak boleh
11 nak recall lah, Dr.
12
13 **PM1** Ok, ok. Jadi saya, saya cuma nak kaitkan bahawa di sini walaupun
14 Joshua Hilmy telah mempamerkan ini untuk tatapan umum ini. This is
15 public kan. Public –
16
17 **FADZLINA** Sebab mungkin time, bukan mungkin, saya tak tengok gambar ini tahu,
18 *dipublish* oleh Pastor. Saya tak tahu. Mungkin yang tengok ialah Mirza
19 lah.
20
21 **PM1** Ok lah, tak apa lah. Mungkin betul lah.
22
23 **FADZLINA** Begitu kan.
24
25 **PM1** Sebab nama you tidak di –
26
27 **FADZLINA** Tak, sebab saya, memang saya tak, tak –
28
29 **PM1** Tak ada Facebook kan?
30
31 **FADZLINA** Tak ada, tak ada, dengan mereka.
32
33 **PM1** Sebab saya nak pastikan Mirza Mohd ini adalah saudara Iqbal Mirza.
34
35 **FADZLINA** Saya agak lah sebab, ya lah, saya anggap lah macam itu.
36
37 **PM1** Dan saya rasa semalam disahkan juga, dia mengesahkan ini foto dia.

1

2 **CHM** Memang ya.

3

4 **PM1** Semalam dia mengesahkan. Dan Puan pun mengesahkan. Cuma saya
5 kluatir, bukan saya kluatir. Saya agak terperanjat sebab bagi saya,
6 bila benda ini untuk public consumption, kalau orang Melayu Islam, ini
7 lah yang pertama kali dia list out.

8

9 **FADZLINA** Mungkin juga dia suruh padam, Pastor tak mahu padam ke. Itu saya
10 tak tahu lah kan.

11

12 **PM1** Ok, ok. Tak apa.

13

14 **FADZLINA** Mungkin lah saya cakap.

15

16 **PM1** Itu je lah, ya. Mungkin, mungkin. Kita tak tahu.

17

18 **FADZLINA** Mungkin kan, andai.

19

20 **PM1** Maknanya Pastor tidak memadamkan atau Pastor dah padamkan,
21 yang ini keluar dulu.

22

23 **FADZLINA** Mungkin lah agaknya.

24

25 **PM1** Mungkin. Mungkin. Tak apa, tak apa.

26

27 **FADZLINA** Macam mana.

28

29 **PM1** Ok, thank you very much. Pengerusi.

30

31 **PM2** So mungkin Puan, foto ini bagi saya macam Dr Madeleine beritahu
32 memang serious kan. Bila kamu lihat foto ini. Kali pertama kali kamu
33 nampak foto ini di mana? Foto yang tadi itu.

34

35 **FADZLINA** Tak ingat saya. Ini lah, sekarang saya tengok.

36

37 **PM2** Baru sini? Sebelum itu –

1
2 **FADZLINA** Kan tadi yang situ –
3
4 **PM2** Inspektor ada, Inspektor ada tunjuk gambar ini ke, cuma gambar Najib,
5 gambar Najib.
6
7 **FADZLINA** Inspektor... gambar Najib itu lah, Gambar Datuk.
8
9 **PM2** Gambar ini tak tunjuk lah?
10
11 **FADZLINA** Rasanya tak lah hari itu. Rasanya tak, tak ingat.
12
13 **PM2** Tapi sebelum itu, walaupun dengan keseriusan gambar sebegini yang
14 ada *dilink* dengan Facebook suami, so nampak suami dah memang
15 nampak 2015 lah. Dia akan show dalam Facebook suami. Dan waktu
16 itu, suami kamu tak anggap ini serious dan tak beritahu kamu, tak beri,
17 tak bercakap dengan kamu pasal isu ini. Dia buat diam saja.
18
19 **FADZLINA** Saya rasa dia buat diam saja lah sebab saya pun tak pasti kan. Saya
20 tak dapat pastikan lah apa-apa, saya tak ingat.
21
22 **PM2** Tak dapat pastikan apa? Soalan ini senang.
23
24 **FADZLINA** Saya tak tahu.
25
26 **PM2** Ini serious. 2015 telah link ke Facebook suami tapi waktu itu suami itu
27 tak beritahu kamu, waktu itu tak pernah beritahu, tak pernah bagi apa-
28 apa cetusan, apa ini, adalah gambar kita dah keluar. So serious kan
29 kalau orang ramai tahu. Mesti ada kena –
30
31 **FADZLINA** Itulah saya kata tadi. Mungkin dia ada bagi tahu saya, saya pun tak, tak
32 ingat lah bila kan. Saya tak boleh nak ingat semua.
33
34 **PM2** Sekarang beza tak tahu, tak ingat itu lain tapi cuba ingat baik-baik. Yang
35 gambar *seserious* maca mini, kamu tak boleh ingat, saya pun terkejut
36 lah. Bukan, bukan tiap-tiap hari kamu dimandikan.
37

1 **FADZLINA** Tak, memang betul. Memang saya tak ingat.
2
3 **PM2** So fikir baik-baik sebelum menjawab sebab banyak isu-isu ini isu
4 serious. Tapi yang gambar ini tak ingat, tapi tadi boleh ingat dengan
5 jelas pasal Cameron Highland. So tolong fikir baik-baik sebelum
6 menjawab. Adakah suami –
7
8 **FADZLINA** Itu lah saya kata tadi.
9
10 **PM2** Adakah suami kamu pernah mengatakan atau memberitahu kamu, 'eh
11 gambar kita telah dimuatnaik walaupun kita tak nak itu'. Sebab ini
12 serious. Yang itu cuma kita nak tahu sebab bukan gambar biasa.
13 Gambar biasa tak perlu heboh lah ini. Gambar lain dari yang lain.
14 Pertama kali kamu dimandikan oleh Pastor Kristian dan telah muat di
15 Facebook, Tak kan, adakah suami kamu ok dengan gambar ini, itu lain
16 cerita lah. Tapi kalau suami kamu pun rasa ini janggal, dia mesti dah
17 beritahu isteri lah.
18
19 **FADZLINA** Tak tahu lah saya. Mungkin ada yang tak bagi tahu agaknya.
20
21 **PM2** So kamu pasti dia tak bagi tahu ke kamu tak ingat?
22
23 **FADZLINA** Saya –
24
25 **PM2** Mungkin dia bagi tahu, kamu tak ingat?
26
27 **FADZLINA** Sejajarnya saya tak ingat.
28
29 **PM2** Ok, thank you.
30
31 **PM1** So this is the first time menengok, menengok foto itu tadi yang baptism
32 itu?
33
34 **CHM** Tolong upload ni, upload Exhibit 107. 107. 107. The swimming pool.
35
36 **PM1** Victor itu, Pastor Victor.
37

1 **CHM** Pastor Victor.
2
3 **PM1** Dia tak ada gambar itu.
4
5 **PM2** That was distributed to us earlier.
6
7 **CHM** I see.
8
9 **PM2** Ok.
10
11 **CHM** Ok, yang ini. Yang ini. Yang ini? Yes. Swimming pool itu, swimming
12 pool di mana itu?
13
14 **FADZLINA** Itu di rumah saya, Damansara Damai. Di rumah saya, Damansara
15 Damai.
16
17 **CHM** I see. Suami pun dia baptise sekali?
18
19 **FADZLINA** Tak ada. Suami saya tak ada.
20
21 **CHM** Suami tak ada. Dan, dan ini first time you jumpa the Pastor?
22
23 **FADZLINA** Ya.
24
25 **CHM** First time. And yang ada, yang, orang yang ambil gambar ini kawan dari
26 Sabah?
27
28 **FADZLINA** Ya lah, kawan saya. Kawan saya, perempuan.
29
30 **CHM** Ada kamu beritahu suami kamu yang kamu hari ini –
31
32 **FADZLINA** Saya tak bagi tahu time itu. Saya bagi tahu kemudian.
33
34 **CHM** Pasa! apa?
35
36 **FADZLINA** Sebab time itu dia tidak berada dengan saya. Saya beritahu dia
37 kemudian lah, mungkin hari lain ke. Waktu itu saya tak ingat suami saya

1 di mana. Mungkin saya di PJ, mungkin dia sedang bekerja ke. Macam
2 itu lah maksud saya. Saya tak ada lah nak kacau dia, telefon dan, dan
3 saya dijumpa siapa.
4

5 **CHM** Dalam macam ini bukan sebagai seorang isteri kamu kena beritahu
6 suami, dapat permission,
7

8 **FADZLINA** Tapi flexible juga kan, Tuan. Flexible juga lah. Tak semesti semua
9 benda nak kena ini.
10

11 **CHM** Ya, ok. Nak masuk, nak masuk dalam swimming pool –
12

13 **FADZLINA** Kadang-kadang ada banyak perkara saya tak bagi tahu suami saya.
14

15 **CHM** Ya?
16

17 **FADZLINA** Saya bagi tahu ibu saya. Macam itu. Bukan semesti saya kena 100%
18 lah kena bagi tahu dekat suami saya. Kadang-kadang saya banyak
19 share dengan ibu saya. Macam itu. Saya lebih rapat dengan ibu saya.
20

21 **CHM** Ok. Ya, ya, ok.
22

23 **PM2** So mungkin sebab soalan itu adalah kaitan dengan ini bukan perkara
24 yang biasa. Saya ingat bukan tujuan kamu kena tanya tiap kali untuk
25 meminta suami kamu. Tapi ini adalah kali pertama.
26

27 **FADZLINA** Ya.
28

29 **PM2** Kalau daripada urutan tarikh, ini 2014. First Pastor, then Joshua
30 second, then Raymond is the third. So ini kali pertama kamu buat
31 pembaptisan atau mandian dengan air. So it's a big thing. Bila kamu
32 beritahu suami kamu lepas itu, tak tahu bila kamu bagi tahu dalam
33 minggu itu ke, bulan itu ke, tahun itu, apa reaksi suami terhadap
34 pemandian ini?
35

[05:30PM]

37

1 **FADZLINA** Dia tak ada apa-apa pun.
2
3 **PM2** Selamba saja?
4
5 **FADZLINA** Dia selamba, relaks saja.
6
7 **PM2** Sebab dia pun dah biasa buat pemandian, suami kamu?
8
9 **FADZLINA** Saya tak tahu.
10
11 **PM2** Kamu tak tahu? Banyak perkara suami kamu, kamu tak tahu ya? Kamu
12 dah kahwin suami sebab –
13
14 **FADZLINA** Sebab saya bukan nak control dia.
15
16 **PM2** Bukan isu control. Kamu dah kahwin sejak –
17
18 **FADZLINA** Bukan... kan saya cakap tadi bukan 100% semua saya nak semua ini,
19
20 **PM2** No, understand, understand.
21
22 **FADZLINA** Saya banyak share dengan ibu saya.
23
24 **PM2** But you have been married... you dah kahwin dengan dia tahun 2000.
25
26 **FADZLINA** Dah lama kan.
27
28 **PM2** Ya, dah lama.
29
30 **FADZLINA** Dah jadi biasa lah, macam sahabat. Kadang-kadang ada –
31
32 **PM2** Itu bagus lah kalau sahabat tapi persoalannya isu pembaptisan ini. Luar
33 biasa.
34
35 **FADZLINA** Sebab suami saya memang tidak menunjukkan reaksi yang pelik-pelik
36 lah. Dia tak marah saya ke, dia tak complain. Dia tak apa. Jadi apa saya
37 nak buat, tak ada.

1

2 **PM2** Adakah sebab suami kamu dan kamu dah biasa dengan isu-isu
3 pengkristianan dan pembaptisan sebelum ini? Macam ini tak pelik lagi
4 lah.
5

6 **FADZLINA** Saya tak ada apa ini lah, saya tak ada alasan lain.
7

8 **PM2** Ok.
9

10 **CHM** Ok. Any questions for her?
11

12 **PK** No further questions here.
13

14 **CHM** Ok. No further question from the others. That will be the end of the open
15 session. That will be the end.
16

17 **MFR** Yes, Sir.
18

19 **CHM** Kita dah selesai dengan pemeriksaan, ambil keterangan daripada
20 Puan. Saya, bagi pihak SUHAKAM ingin mengucapkan terima kasih.
21

22 **FADZLINA** Saya juga mengucap terima kasih dan selamat tahun baru kepada
23 semua.
24

25 **CHM** Atas kerjasama Puan, ya. Ok. Ok, Puan dibebaskan.
26

27 **FADZLINA** Terima kasih, ya.
28

29 **SK** The inquiry will resume on Monday, 11th January. We have two
30 witnesses. We will be recalling Inspector Zulfadhly and we'll be calling
31 DSP Omar on 11th of January, this Monday.
32

33 **CHM** So tomorrow and Friday is vacated?
34

35 **SK** Yes.
36

37 **CHM** Vacated, yes.

1
2 **SK** Vacated.
3
4 **CHM** Continue on?
5
6 **SK** So we, we have also set aside 13th January in case –
7
8 **CHM** Continue on Friday?
9
10 **SK** Monday, Monday. Monday, 11th January.
11
12 **CHM** Monday, 11th January.
13
14 **SK** Another date for the inquiry is on 13th January.
15
16 **CHM** Ok. But that will be at normal time lah, at 10:00AM. Ok. Thank you.
17
18 **PK** And the witnesses on the 13th? Sorry.
19
20 **SK** We have one more witness, Sergeant Ahmad Sibeo but he's not well.
21 So if I can just share... the officer of SUHAKAM went to his house today
22 and confirmed that he is not well. So we are not sure whether he can
23 also testify on 13th. So we have to make assessment but we just set
24 aside the 13th for the, just in case we need another date for the inquiry.
25
26 **CHM** Yes. Thank you.
27
28 **PM2** But we are exploring also in, via camera for –
29
30 **SK** Yes. That's the purpose, another purpose why the officer went today to
31 test whether internet connection is good at that area but since he can't
32 even sit –
33
34 **PM2** Physically, yes. Physically it's difficult.
35
36 **SK** Yes, can't even sit.
37

1 **PM2** Ok, alright. Thank you.

2

3 **CHM** Ok. Session is adjourned. Thank you.

4

5

6 **END**

7

8 **TIME** : **05:34PM**

**SUHAKAM PUBLIC INQUIRY OF
PASTOR JOSHUA HILMY
RUTH SITEPU**

DATE : 11.01.2021

TIME : 10:35AM

NOTES OF INQUIRY

Coram

Chairman Panel Member 1 Panel Member 2	Dato' Seri Hishamuddin Yunus Dr Madeline Berma Jerald Joseph	CHM PM1 PM2
PDRM Observer	SAC Ahmad Dzaffir Bin Mohd Youssof ASP Muhammad Sabri bin Mohd Raziff	ADY MSR
Family Observer	Philip Koh Cyrus Tui Foo Woei Audrey Pillai	PK TFW AP
Bar Council Observer	Andrew Khoo Lim Heng Sen	AK LHS
SUHAKAM Panel	Simon a/l Karunagaram Muhammad Faiz Bin Abd Rahman Puveethra Raja Segaran Aida Suraya Haron	SK MFR PRS ASH
Indonesian Embassy	Tuan Junjungan Sigalingging Tuan Henry Dian Dwiharto	SJ HDD

1 **Witness**

1	Peter Pormannan a/l Annamalai	PETER
2	Grace Thangamalar a/p Peter Pormannan	GRACE
3	Josiahndan Emmanuel a/l Peter	JOSIAH
4	Ramanathan a/l Manickavasagan	RAMA
5	Selvakumar Peace John Harris	SELVA
6	Ram Ram Elisabeth	RAM
7	Iman Setiawan Sitepu	IMAN
8	[REDACTED]	
9	[REDACTED]	
10	Susandi Bin Basari	SUSANDI
11	ASP Shafiee Bin Marsidi	SHAFIEE
12	Insp Nurul Huda Bin Bustami	NURUL
13	ASP Hairol Azhar	HAIROL
14	Insp Zulfadhly Bin Yaacob	ZUL
15	DSP Supari Bin Muhammad	SUPARI
16	Iqbal Mirza Bin Mohd Jalaludin	MIRZA
17	DCP (B) Dato' Awaluddin Bin Jadid	AWAL

18	Fadzlina Binti Amran	FADZLINA
19	DSP (B) Omar bin Hassan	OMAR
20	Ahmad Sibee bin Nordin	SIBEE

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CHM
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PRS
CHM
PRS
ZUL
PRS

Yes, carry on.

Morning the panel members.

Yes, good morning everyone. To carry on, yes.

Observers and colleagues.

Philip's not here?

Yes. Maybe we can begin with the, with the party to introduce themselves.

Yes, please. Yes, please.

Honourable commissioners, Audrey Pillai appearing for the family for Ruth Sitepu and together with my learned colleague, Mr Cyrus Tui. He's just stepped out.

I believe the rest of the members are the same. Today we'll be calling witness No.14, Inspector Zulfadhly. He appeared in 17.09.2020. We were unable to complete with giving of testimony in that point of time. So now we are recalling Inspector Zulfadhly.

Witness nombor berapa ini?

14.

14 ya?

Yes, 14. Selamat pagi, Tuan.

Ya, selamat pagi.

Ok, Tuan sila baca ikrar dengan mengangkat tangan kanan ya.

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ZUL Bahawasanya saya, Inspektor Zulfadhly Bin Yaacob dengan sesungguhnya dan suci hati mengaku dan berikrar bahawa segala keterangan yang akan saya berikan dalam siasatan terbuka ini adalah benar, tiadalah apa-apa yang tidak benar melainkan benar belaka.

CW14

Name : **Zulfadhly Bin Yaacob**

Affirms and states in Malay

Time : **10:38AM**

CHM Inspektor, tolong remove your ini, sekejap sahaja. Ok, you can put back. Ok, terima kasih, terima kasih.

PM1 Betul, betul.

CHM Before you begin, I thought to ask Mr Philip, he's not, he's not here. Maybe you can answer, kan? Exhibit 107 about the swimming pool scene at, at Damansara Damai, the alleged baptism scene. Dah, dah, dah fotokopi dah? Dah, dah, dah print out dah?

AP Dah, dah. Memang dah ada, Dato'.

CHM Dah ada, kan?

AP Dah print. Cuma dekat slide ini saya, saya pancarkan.

PRS Dato' Seri, we will be showing in the slides also this one.

CHM Yes?

SK Ada dekat slide. Ada, ada.

PRS Yes, that's, that's right.

CHM Ok.

1 PRS 107?

2

3 SK Ya, dekat slide.

4

5 CHM Yes, this the one, kan? This the one. This was, this was tendered from
6 the board. Your record by Mr Philip Koh handed from the Bar. Am I
7 right? You were, you were present kan? It was from the Bar.

8

9 PM1 Only Philip Koh.

10

11 CHM Then tak apalah.

12

13 AP Perhaps we can just take the question and clarify.

14

15 CHM Ok, the question is how did Mr Philip obtained this screenshot? How?
16 Who gave him this screenshot? Itu sahajalah.

17

18 AP Very well. We will clarify that.

19

20 CHM Yes, ok. Ok, carry on with the current witness, yes.

21

22 PRS So Dato's Seri, entire members. Ok, I, I would like to just give a small
23 flashback regarding the session on 17.09.2020 where we called Saksi
24 No.14, Tuan Zulfadhly. Ok, on the day we actually requested few
25 documents, pictures and from the previous investigation from the
26 current IO who is Tuan Zulfadhly and also from previous officers in our
27 previous session. So in relation to that, SUHAKAM, so the secretariat
28 of SUHAKAM has already sent letter to Tuan Zulfadhly for requesting
29 those documents and today we will be having discussion and findings
30 on those investigations. So allow me to step in.

31

32 CHM Yes.

33

34 PRS Thank you, Dato' Seri. Selamat pagi, Tuan.

35

36 ZUL Selamat pagi.

37

- 1 **PRS** Ok, ini berkenaan yang Maybank, transaksi Maybank yang Tuan
2 pernah menyatakan dalam sesi pada 17.09.2020. Jadi Tuan, adakah
3 Tuan mempunyai apa-apa dokumen berkenaan transaksi Maybank
4 tersebut yang ingin diberikan ataupun ditender sekarang?
5
- 6 **ZUL** Selamat Dato' Seri dan ahli panel, tuan-tuan dan puan-puan. Ok,
7 selepas habis inquiry 17.09.2020, saya ada buat beberapa tindakan
8 termasuklah merujuk kertas, ok. Saya merujuk kertas inquiry polis ini
9 kepada pendakwa raya, ok. Ok, jadi berkaitan dengan surat yang
10 dihantar oleh pihak SUHAKAM itu, kita ada, saya ada bawa semua pagi
11 ini tetapi item di para 2 dan 3, saya tidak dapat serahkan ya. Item di
12 para 2 dan 3, ok, di atas arahan daripada Pendakwa raya Selangor,
13 Timbalan Pendakwa raya Selangor, saya tidak dapat serahkan.
14
- 15 **CHM** Apa itu Item 2 dan 3 itu apa dia?
16
- 17 **ZUL** Ok, 2 dan 3 ok, boleh refer kepada surat SUHAKAM itu.
18
- 19 **PRS** Tuan, sila sebut ya apakah perkara tersebut.
20
- 21 **ZUL** Saya tak bawa, Yang Arif.
22
- 23 **PRS** Ok, baik. Dato' Seri, I will, I will –
24
- 25 **CHM** What is it?
26
- 27 **PRS** Ok. No.2 is, para 2, 'Sesalinan surat maklum balas yang diterima oleh
28 pegawai penyiasat daripada pihak bank mengenai transaksi yang
29 melibatkan akaun Joshua Hilmy dan Ruth Sitepu.' Para 3, 'Sesalinan
30 surat maklum balas yang diterima oleh pegawai penyiasat, yang
31 diterima daripada kes, kes daripada jabatan atau agensi Kerajaan
32 seperti Jabatan Imigresen Malaysia, Jabatan Pendaftaran Negara,
33 Suruhanjaya Komunikasi Multimedia Malaysia, Jabatan Pengangkutan
34 Jalan, Kumpulan Simpanan Wang Pekerja dan daripada agensi-agensi
35 yang berkaitan.'
36
- 37 **CHM** Apakah alasan Jabatan Peguam Negara?

1

2 **ZUL**

Ok, antara perkara yang di minit oleh timbalan pendakwa raya, dia memberitahu kebocoran maklumat di dalam siasatan ataupun pemberian maklumat kepada pihak ketiga akan memusnahkan siasatan dan usaha untuk mengesan mangsa dan pesalah (jika ada). Ok. Seterusnya, pendakwa raya juga mengatakan, setakat ini tiada apa-apa bukti yang menunjukkan pihak PDRM melanggar hak asasi semasa siasatan. Ini dia punya, bukan sayalah. Sebab saya pun, kita rujuk kepada timbalan pendakwa raya. Ini alasan yang diberilah. Tetapi dokumen-dokumen lain memang saya dah sediakanlah seperti salinan borang kod keputusan polis, salinan risalah dan edaran hebahan Joshua Hilmy dan Ruth Sitepu, salinan laporan polis Chembong report, salinan rajah kasar gambar-gambar yang telah diambil oleh pegawai penyiasat semasa lawatan ke rumah Hilmy.

15

16

[10:45AM]

17

18 **PRS**

Jadi Tuan, boleh Tuan memberikan dokumen-dokumen yang Tuan membawa pada hari ini dan tender, tender kepada kita?

19

20 **ZUL**

Ok. Ok, yang No.1, ok, macam ini.

21

22 **CHM**

Ya, satu per satu ya, senang ya.

23

24 **ZUL**

Ya. Saya pun dah, dah sediakan yang ini.

25

26 **CHM**

You go through one by one.

27

28 **ZUL**

Jadi saya minta siapa yang terima, minta tolong tandatangan lah sebab saya nak masukkan dalam saya punya KAP, Dato' Seri ya.

29

30 **CHM**

Ya.

31

32 **ZUL**

Thank you. Ok, ini list yang, ok, yang ini yang pertama salinan borang kod utusan polis. Ok.

33

34 **CHM**

Ok. One, one by one.

35

1
2 **ZUL** Ok.
3
4 **CHM** Atau En Simon will sign. Nak sain ke?
5
6 **SK** Ya, sain.
7
8 **CHM** Someone make, make a part En Simon will sign, yes.
9
10 **SK** Ini untuk penerimaan ya?
11
12 **ZUL** Ok, untuk penerimaan.
13
14 **SK** Yang ini untuk saya lihat dululah?
15
16 **ZUL** Ya.
17
18 **SK** Ok.
19
20 **ZUL** Yang kedua yang ini.
21
22 **CHM** Satu per satu dulu.
23
24 **ZUL** Ok.
25
26 **CHM** Kita tengok then we'll go to the next one. Bila dah selesai, next one, ya.
27
28 **PM2** Ini surat apa ini?
29
30 **CHM** Tak, tak. I think En Simon pass. You pass to him.
31
32 **PM1** Satu per satu.
33
34 **CHM** Satu per satu.
35
36 **PM1** Satu dulu.
37

1 **PM2** Sain itu. Sain itu dulu. Bagi Simon sain dulu.
2
3 **CHM** And then kita mark, ya.
4
5 **PM2** Ok, but that one is after you terima lah?
6
7 **ZUL** Ya.
8
9 **PM2** Simon will sign after he receives all the documents.
10
11 **PRS** Yes.
12
13 **PM2** Tak apa, bagi sekarang. Belum lagi kan?
14
15 **ZUL** Belum lagi.
16
17 **PM2** So you bagi semua dokumen baru dia akan sain.
18
19 **CHM** So what, what is that, Simon?
20
21 **SK** Yang pertama adalah salinan borang kos utusan polis bersabit Sungai
22 Way, repot No.2249/17 bertarikh 14.06.2017.
23
24 **CHM** Ok, I think we tengok ya. Tengok ya?
25
26 **PM2** Ya.
27
28 **CHM** Pass, pass to the panel.
29
30 **PM2** You have copies? You have copies for all?
31
32 **SK** Ada?
33
34 **ZUL** Saya bawa satu salinan.
35
36 **CHM** So you kena bawa. Mungkin you boleh bagi satu set, dia buat copy
37 untuk semua orang.

1
2 **ZUL** Boleh, boleh.
3
4 **CHM** We can make. We can make.
5
6 **PM2** No, Zaidi can go and copy for us.
7
8 **SK** Yes, yes. Let's pass. Let's have a look and then dah settle, we come to
9 the second of document.
10
11 **PM2** Zaidi ambil yang itu, tunjuk kepada panel itu.
12
13 **CHM** Same document? Is it the same? Same document?
14
15 **SK** I have the list. You want the, the first document or the document?
16
17 **PM2** Just, just the list. Just the list.
18
19 **PM1** He only has –
20
21 **CHM** That one just the list?
22
23 **PM2** List, ya.
24
25 **CHM** Ok, not that important, kan?
26
27 **PM2** Ok, ok.
28
29 **CHM** But do we need to mark the list?
30
31 **PM2** Tak payahlah. Yes, this is the submission officially, right?
32
33 **SK** Ya.
34
35 **PM2** Ok, ok.
36
37 **CHM** Mark, we'll mark the list. What marking shall we give to the list?

1
2 **PM1** Exhibit?
3
4 **SK** 109.
5
6 **PM2** 109.
7
8 **SK** 109 is the list, senarai dokumen untuk SUHAKAM yang diserahkan
9 melalui Inspektor Zulfadhly.
10
11 **CHM** Ok, next? Next? Just 109 ya? Ok. Now No.2 pula. Ya?
12
13 **SK** So senarai dokumen yang pertama, salinan borang kod utusan polis
14 bersabit Sungai Way, Repot 2249/17 bertarikh 14.06.2017.
15
16 **CHM** Exhibit 110 lah ya?
17
18 **SK** 110.
19
20 **CHM** What is it?
21
22 **PM2** Ya, boleh tunjuk kepada?
23
24 **SK** Tunjuk, tunjuk.
25
26 **CHM** Borang kod utusan polis ya? Borang kod?
27
28 **PM2** Maybe Dato' Seri, we can have a copy of that and then that will guided
29 also and listing. You know copy of the listing. Full list dekat sana, kan?
30 Maybe you can make copies for...
31
32 **PM2** Dr Madeline.
33
34 **PM1** Zaidi, Zaidi. Zaidi, Zaidi.
35
36 **PM2** Zaidi, Dr Madeline.
37

1 **SK** Dato', should we mark each exhibit as 109 followed by A, B, C or we
2 follow the sequal exhibit?
3
4 **CHM** Yes, they all come under one family of 109. So 109 –
5
6 **PM1** A.
7
8 **CHM** A lah ya?
9
10 **SK** A, ya.
11
12 **CHM** A ya? Ok. 109A ya.
13
14 **SK** And the second document, salinan risalah dan edaran hebahan Joshua
15 Hilmy dan Ruth Sitepu, 109B.
16
17 **PM2** Yang ini nanti make copy. Buat copy.
18
19 **CHM** Alright.
20
21 **SK** Next is –
22
23 **CHM** Sekejap, sekejap, sekejap ya. Now we're just going through the, the list,
24 kan?
25
26 **SK** Ya.
27
28 **CHM** Later on witness will explain kan?
29
30 **SK** Yes.
31
32 **CHM** One by one ya? Alright.
33
34 **SK** So now we mark is as exhibit and witness will be asked.
35
36 **CHM** Next?
37

1 **SK** Next is senarai salinan laporan polis Chembong, 1416/14. And this will
2 be Exhibit 109C.
3
4 **CHM** This is against Reverend Dr Eu Hong Seng, not against, I can't see in
5 the name of Hilmy, Hilmy. Laporan oleh Md Salim Bin Sarip
6 (10:53:28AM), ketua Wira Perkasa Chembong.
7
8 **SK** Ya.
9
10 **CHM** Artikel yang dibuatkan kenyataan, kenyataan Presiden Persekutuan
11 Kristian Malaysia, Reverend, Dr Eu Hong Seng, first time, first time I
12 come cross this name in this inquiry. Akan teruskan mengguna kalimah
13 Allah. This is set, there's a set of report?
14
15 **ZUL** Ya, itu yang permintaan daripada SUHAKAM, Dato' Seri.
16
17 **CHM** Set ya? Set. Yang ini bertarikh 27 Jun. Satu lagi 27 Jun juga ya? Yang,
18 yang ini sebut, sebut Hilmy ya. Hilmy mempunyai, sekejap. Kita dah,
19 dah tengok dah dulu, ya? Bila when the other witness from where?
20 Inspector from Chembong kan? Dah tengok dah.
21
22 **ZUL** Ya.
23
24 **AK** If I may assist the panel.
25
26 **CHM** Yes.
27
28 **AK** Honourable commissioners. There were two reports made at
29 Chembong and for the sake of completion as you say our commissioner
30 has a set. I did make a request that we be provided with the earlier
31 report also on Chembong. Just to see whether there was any
32 connection or what was the, the nature of the report. So just, just to
33 explain why the report against Reverend Dr Yu Hong Seng is, is, is now
34 before the panel.
35
36 **CHM** Ok, thank you. Thank you, Mr Andrew.
37

1 **AK** Welcome.

2

3 **CHM** Now again, again the Reverend Dr Eu Hong Seng. But they all bear the
4 same date ya? All bear the same date, 27th of June. The complainant
5 differs, there was one by Md Salleh Bin Sarif. Then next by, no sorry.
6 Md Salam Bin Sarip. Md Salam Bin Sarif, Abdul Wahab Bin Mohd Razif
7 (10:57:12AM), Abdul Wahab Bin Mohd Razif. Then a lady, Siti Fatimah
8 Binti Ramlan (10:57:21AM). Siti Fatimah Ramlan. Then another
9 persona Hanafi Bin Mohd Taib (10:57:36AM). And the person against
10 whom the complaint is made some time is against the Reverend Yu.
11 Some report is against Hilmy. All in all, berapa person? There are eight
12 reports, yes? Eight reports.

13

14 **SK** Dato', if I may, if I may suggest, we mark all the exhibit. Then we stand
15 down about 10 to 15 minutes.

16

17 **PM2** Yes, better.

18

19 **SK** Allow us to make place and for the parties to study.

20

21 **CHM** Yes, yes.

22

23 **SK** That's better. So Dato' Seri, maybe we can mark Item 3 to 10 which are
24 the all police report 10, Item 3 is now 109C followed by Item No.4, 109D.

25

26 **CHM** Yes.

27

28 **SK** 109E, 109F, 109G, 109H, 109I, 109J. Item 3 to and the last item here
29 is salinan rajah kasar, gambar-gambar yang telah diambil oleh pegawai
30 penyiasat semasa lawatan ke rumah Joshua Hilmy dan Ruth Sitepu di
31 No.61, Jalan SS1/22, Kampung Tunku, 47000, Petaling Jaya,
32 Selangor. And this will be mark as Exhibit 109K.

33

34 **CHM** Dah, dah, dah? Baik-baik ya. Dah tercabut ya? Ini sekali ya? Dah
35 tercabut? Tak apa, tak apa, tak apa. Karang staple balik ya.

36

37

[11:00AM]

1
2 **SK** Baik.

3
4 **CHM** Staple balik, ya. Aiyoo, fotokopi, fotokopi yang colour tak ada?

5
6 **ZUL** Surat SUHAKAM pun minta salinan. Itulah salinan dia.

7
8 **CHM** I see. Sekarang salinan pun fotokopi juga?

9
10 **ZUL** Sebab kita akan, kadang-kadang begitu, Dato' Seri.

11
12 **CHM** Ya?

13
14 **ZUL** Ya, Dato' Seri.

15
16 **CHM** Tak apalah. The main colour must be colour printer, right? Tak apa,
17 masih nampak. Boleh baca. Yang depan itu jalan apa itu? Jalan SS
18 berapa itu?

19
20 **PM2** He doesn't have a copy. Maybe later we can ask him after we get a
21 copy.

22
23 **CHM** Kalau ini mesti jalan kan?

24
25 **ZUL** Ya.

26
27 **CHM** Jalan SS something ya?

28
29 **ZUL** Ya.

30
31 **CHM** Fotostat dulu. Ok, thank you.

32
33 **PM2** Dato' Seri, we, we can stand down for 10 minutes for them to make
34 copies for all. Then we can ask the –

35
36 **CHM** Ok.

37

1 **PM2** Yes.
2
3 **CHM** You, you need a break for you to make copies?
4
5 **SK** Yes.
6
7 **CHM** Ok. Ok, 10 minutes, yes. Just tell us whether everything is ready.
8
9 **SK** Ok.
10
11 **CHM** Sure. We'll take a short break. Ok.
12
13 **SK** Thank you, Dato' Seri.
14
15 **CHM** Court is adjourn briefly.
16

17 **END**

18
19 **TIME** : **11:02AM**
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1 **DATE** : **11.01.2021**

2 **TIME** : **11:34AM**

3

4

START

5

6 **CHM** Before we begin, I would like to say something about our request for the
7 documents that have been denied by the DPP. En Zulfadhly, tolong
8 refresh kita punya memori alasan yang diberi itu, reason. Reason yang
9 diberi.

10

11 **ZUL** Ok, terima kasih, Dato' Seri. Ok, antara alasan yang diberi oleh
12 Timbalan Pendakwa raya Selangor, Tuan Tan Gin Han (11:35:42AM).
13 Dia beritahu kebocoran maklumat dalam siasatan atau pemberian
14 maklumat kepada pihak ketiga akan menyusahkan siasatan dan usaha
15 untuk mengesan mangsa dan pesalah.

16

17 **CHM** Apa dia?

18

19 **ZUL** Kebocoran maklumat.

20

21 **CHM** Ok.

22

23 **ZUL** Dalam siasatan atau pemberian maklumat kepada pihak ketiga akan
24 menyusahkan siasatan dan usaha untuk mengesan mangsa dan
25 pesalah.

26

27 **CHM** Usaha untuk?

28

29 **ZUL** Mengesan mangsa.

30

31 **CHM** Mengesan mangsa, ya.

32

33 **ZUL** Dan pesalah jika ada. In bracket lah. Ok, yang seterusnya dia beritahu
34 setakat ini tiada ada apa-apa bukti yang menyuruh pihak PDRM
35 melanggar hak asasi semasa siasatan. Prioriti siasatan adalah kesan
36 mangsa dan pesalah. Ini antara dia punya yang di minit oleh –

1
2 **CHM** Ok, ya. Terima kasih, terima kasih.
3
4 **ZUL** Terima kasih, Dato' Seri.
5
6 **CHM** Bagi pihak, the panel, we are not happy with the reasoning and the deny
7 kan, because our inquiry is made under the SUHAKAM Act, yes. We
8 are an official body yes, exercising powers under the SUHAKAM Act.
9 We are not, you know, NGO ke apa kan. And so, so we are not pihak
10 ketiga alright, so the panel has deliberated on this and we propose
11 that... we will write to the DPP. Give us the name of the DPP. We will
12 write yes, for him to re-consider, yes. In as much as the police is making
13 its investigation under the Police Act, in as much as the DPP also acting
14 under the CPC, we are also acting equally under law. We are all acting
15 under law, yes. So there should be cooperation kan, in sharing of
16 information within government departments kan. Yes, yes. Yes. And if
17 need be, we can, you know, have the tendering of those document...
18 kalau dia not begitu sensitif, tendering those document in camera, kan.
19 Secara rahsia kan, in camera, yes. But we need this, those information
20 to complete our investigation kan. Yes, yes. Thank you for letting us
21 know and we will... but I think that letter too, bagi tahu kan. We need to
22 reply to this letter lah.
23
24 **ZUL** Ya, saya dah bagi dekat... nama penuh.
25
26 **CHM** We reply to this letter. You have a copy of that letter? Copy. Tak ada?
27 DPP punya letter itu, the police. Is it by way of minutes ke by way of
28 letter?
29
30 **ZUL** Minutes, minute.
31
32 **CHM** Minutes. But, but you have already tell us that the, that the –
33
34 **ZUL** Ya, saya ambil apa yang ditulis oleh pendakwa raya.
35
36 **CHM** Yes, ok. Ok, terima kasih.
37

1 **ZUL** Terima kasih, Dato' Seri.
2
3 **CHM** Yes, ok.
4
5 **PM2** Dato' Seri, I think for the purposes of this inquiry, I think it's good we re-
6 affirm what was just said by the Chairman under our Act, Section 14 of
7 the Act. So it's important because I think for too often, it seems that we
8 need to remind our officers of different agencies including the Attorney
9 General's chambers of the function of SUHAKAM. I find that strange.
10 So Section 14 of the Act, powers relating to the inquiries... colleagues,
11 if I may just read this part out. 'The Commission shall for the purposes
12 of an inquiry under this Act have the power, (a), To procure and receive
13 all such evidence, written or oral, and to examine all such person as
14 witnesses as the Commission thinks necessary or desirable to procure,
15 examine. (b), To require that the evidence whether written or oral or any
16 witness be given an oath or affirmation, such oath or affirmation being
17 that which could be required of the witness if he were giving evidence
18 in the court of law. And to administer or caused to be administered by
19 an officer authorised in their behalf by the Commission and oath or
20 affirmation at every such witness. (c), To summon any person residing
21 in Malaysia'... so thank you, Inspector, for joining us. 'To attend any
22 meeting of the Commission to give evidence or produce any document
23 or other thing in his possession and to examine him as a witness or
24 require him to produce any document or other thing in his possession.'
25 So this is the demand of the Act. So by not producing, you need to tell
26 DPP this is the demand of the Act. '(d), To admit notwithstanding any of
27 the provisions of the Evidence Act, 1950. Act 56, any evidence whether
28 written or oral, which may be inadmissible in civil or criminal
29 proceeding.' That means we can still ask for you even if you are not
30 going to take it up or you need to take it up. 'To admit or exclude the
31 public from such inquiry or any part thereof.' I think that's what the
32 Chairman said earlier. 'Failing the demand of... when we ask this
33 according to the Act and you have to also follow according to the
34 demands of this Act. Failure to do that would be also contravening the
35 demands of SUHAKAM Act. So please take that to, to the DPP and I
36 think, SAC Dzaffir, I think this needs to be re-affirmed because there
37 are many of your police colleagues who are struggling to get evidence

1 in doing their duty and sort of, being advised otherwise. So I think please
2 re-read this Act again. I don't think we need to repeat this every time.
3 Every time we make a request, you know, there's a reluctance or delay
4 or difficulty and I don't blame you, Inspector. I understand that you are
5 taking instruction and you are, you are curtailed but I think this must be
6 put on record that this is the powers of our SUHAKAM Act as
7 promulgated by Parliament and everyone should comply with it. Thank
8 you.

9

10 **CHM** Ok.

11

12 **PRS** Thank you, fellow members. So we are going to go through on the
13 documents tendered and marked as Exhibit 109 from A to K by
14 Inspector Zulfadhly. So currently we are going to go through each and
15 every documents. So I will be starting from Exhibit 109A for, which is
16 the Borang Kod Utusan Polis. So I, may I start with your permission?

17

18 **CHM** Sure.

19

20 **PRS** Thank you, Tuan Zulfadhly, ini merupakan, berdasarkan kepada Exhibit
21 109A. So ini merupakan Borang, Borang Kod Utusan Polis. Benar?

22

23 **ZUL** Benar.

24

25 **PRS** Ok. Boleh Tuan explain tentang Borang Kod Utusan Polis ini? Apakah
26 yang, information yang nyatakan?

27

28 **ZUL** Ok, Dato' Seri dan panel. Ok, ini satu borang kod daripada pegawai
29 penyiasat yang pertama iaitu Sarjan Ahmad Sibee. Masa dia buat
30 pemakluman Satu Malaysia, ok. Pemakluman kepada seluruh ketua
31 polis balai di Semenanjung, Sabah dan Sarawak, ok. Pemakluman
32 kepada semua ketua polis balai di seluruh Semenanjung, Sabah dan
33 Sarawak berkaitan dengan laporan yang dibuat oleh En Peter
34 Pormannan bersabit Sungai Way repot 2249/17.

35

36 **PRS** Jadi Tuan, dalam Borang Kod Utusan Polis ini, telah menyatakan
37 nombor yang perlu dihubungi adalah Sarjan Ahmad Sibee bin Nordin.

1 Berdasarkan kepada ID yang, yang... ID polis, adakah apa-apa yang
2 telah disantapkan bahawa terdapat panggilan daripada sesiapa?
3
4 **ZUL** Tak faham.
5
6 **PRS** Maksudnya, adakah Tuan telah memeriksa rekod yang mempunyai
7 apa-apa panggilan daripada orang luar berkenaan kehilangan kes ini,
8 kes Joshua Hilmy?
9
10 **ZUL** Periksa rekod siapa?
11
12 **PRS** ID polis.
13
14 **ZUL** ID siasatan polis?
15
16 **PRS** ID siasatan polis. Ya, betul, Tuan.
17
18 **ZUL** Ok, ini ID siasatan ini, Dato' Seri, dimasukkan ke dalam ID Sarjan Sibee
19 sebab ini tindakan dia. Ok.
20
21 [11:45AM]
22
23 **PRS** Ok. Maksudnya, ID siasatan Sarjan Ahmad Sibee, maksud Tuan tidak
24 boleh mempunyai apa-apa akses kepada... tidak mempunyai ke,
25 Tuan?
26
27 **ZUL** Betul. Ya.
28
29 **PRS** Ok. Adakah ID tersebut tidak mempunyai IP yang secara keseluruhan?
30
31 **ZUL** Saya tak faham. IP apa?
32
33 **SK** Tuan Inspektor, maksud soalan rakan saya tadi. Kes siasatan ini ada
34 satu IP. Adakah, ada ada satu IP atas siasatan keseluruhan?
35
36 **ZUL** Bukan IP, KEP.
37

1 **SK** KEP.

2

3 **ZUL** Kertas inquiry polis.

4

5 **SK** Ok, KEP. So dalam KEP ada tak ID yang dibuat oleh semua IO, IO yang
6 terlibat dalam kes ini?

7

8 **ZUL** Ada.

9

10 **SK** Ada. Termasuk yang ID yang dibuat oleh Sarjan Ahmad Sibeer?

11

12 **ZUL** Ya.

13

14 **SK** Ok. Jadi dalam ID, adakah Tuan mempunyai akses kepada ID
15 tersebut?

16

17 **ZUL** Tak faham, ID apa?

18

19 **SK** ID –

20

21 **ZUL** ID komputer ke ataupun?

22

23 **SK** Ok, mungkin kalau –

24

25 **ZUL** Jadi siasatan you kena –

26

27 **SK** Mungkin, mungkin Tuan boleh jelaskan apa, Tuan.

28

29 **ZUL** Ok. Dato' Seri, saya IO yang ketiga. Saya dah explain dah sebelum ini,
30 ok.

31

32 **CHM** Ya.

33

34 **ZUL** Yang borang keputusan polis ini, saya ambil daripada kertas inquiry
35 polis, ok. Yang mana SUHAKAM minta perkara-perkara yang kita dah
36 buat. Ok, ini antara yang ada dalam kertas siasatan, ok. Jadi maksud
37 jika dah ada dalam kertas siasatan bermaksud IO yang asal telah ambil

1 tindakan. Ini di antara perkara-perkara pertamalah jika terdapat
2 kehilangan, ada KEP orang hilang dibuka. Memang kita akan flash, ini
3 dipanggil semboyan, ok. Semboyan ataupun borang kod utusan polis
4 yang kita flash satu Malaysia untuk maklumkan kepada balai-balai di
5 seluruh Malaysia, Semenanjung, Sabah dan Sarawak bahawa orang ini
6 telah hilang dan kita perlukan bantuan daripada polis satu Malaysia
7 untuk mengesan.

8

9 **SK** Tuan, boleh tanyakan apa yang dimaksudkan dengan ID siasatan?

10

11 **ZUL** ID siasatan, segala apa yang kita syaki, perkara-perkara yang kita buat,
12 kita rekodkan. Itu dipanggil ID siasatan.

13

14 **SK** Ok. Dan setiap IO bagi kes itu akan ada ID dia sendiri?

15

16 **ZUL** Betul.

17

18 **SK** Ya. Adakah semua ID itu akan di masuk dalam KEP?

19

20 **ZUL** Betul.

21

22 **SK** Betul, ya. Jadi sesiapa yang mengambil alih siasatan itu ada akses
23 kepada ID-ID yang sebelum itu?

24

25 **ZUL** Ada.

26

27 **SK** Ok. Jadi soalan rakan saya tadi, ialah jika ada maklumat mengenai
28 sesiapa yang telah menemui pihak PDRM berkenaan kehilangan ini,
29 berdasarkan semua yang telah –

30

31 **ZUL** Tiada.

32

33 **SK** Tiada. Tuan telah check?

34

35 **ZUL** Ya.

36

37 **CHM** Adakah borang kod utusan polis ini kan, kan.

1
2 **ZUL** Ya, ya.
3
4 **CHM** Dokumen yang pertama di dalam mana-mana IP or –
5
6 **ZUL** Dokumen yang pertama –
7
8 **CHM** Is it the first document?
9
10 **ZUL** Adalah laporan polis, Dato' Seri.
11
12 **CHM** Laporan polis.
13
14 **ZUL** Ya.
15
16 **CHM** So yang ini, selepas laporan polislah?
17
18 **ZUL** Dia, ia adalah laporan polis ok, yang kita ada classified lah... untuk
19 laporan polis, kita akan tanda sebagai A. Laporan kedua, kita akan
20 tanda sebagai AA. Jadi step by step. Ini B ini bermaksud dokumen,
21 Tindakan yang telah diambil oleh pegawai penyiasat.
22
23 **CHM** Ok, ok. Ok, ok. So the first document is always the police report.
24
25 **ZUL** Betul, Dato' Seri.
26
27 **CHM** Yes. And borang ini will be part of the IP?
28
29 **ZUL** Betul.
30
31 **CHM** Ok. Terima kasih, Yes.
32
33 **PRS** Ok, fellow members, I don't have any other questions regarding the
34 109A. So I would like to move on to 109B. Fellow members, there are
35 a few pages of the, the pictures at the risalah, the copy of the risalah
36 given by Tuan Zulfadhly. So I'll be asking questions regarding this, this
37 exhibit, ok. Tuan Zulfadhly ok, tolong jelaskan satu per satu berkenaan

1 dengan risalah yang Tuan telah edarkan. So kita akan mula daripada
2 muka surat yang pertama berkenaan risalah ini. Soalan pertama saya
3 berkenaan risalah ini. Bagaimana Tuan telah mendapat gambar yang
4 gambar Joshua Hilmy?
5
6 **ZUL** Dato' Seri, gambar saya terima daripada ASP Hairol, memang dah ada
7 dalam kertas siasatan.
8
9 **CHM** Terima daripada?
10
11 **ZUL** ASP Hairol.
12
13 **CHM** ASP Hairol.
14
15 **ZUL** Ya.
16
17 **CHM** Adakah dia, dia ini... mungkin saya dah lupa. Mungkin IO sebelum En
18 Zulfadhly ke?
19
20 **ZUL** Ya, Hairol sebelum saya.
21
22 **CHM** Ok. Immediately sebelum?
23
24 **ZUL** Betul.
25
26 **CHM** Ok.
27
28 **PRS** Bilakah risalah ini telah dibuat?
29
30 **ZUL** Ok. Hebahan ini kita buat bermula daripada bulan April 2019.
31
32 **PRS** Ok. Berapa kuantiti telah dibuat semasa, sehingga... ok, tadi Tuan telah
33 menyatakan bahawa Tuan telah bermula –
34
35 **ZUL** Bulan, bulan April.
36
37 **PRS** Bulan April 2019.

- 1
- 2 **ZUL** Bulan... saya tak habis, bulan April 2019. Bulan Julai 2019. Bulan
3 Disember 2019. And then bulan Februari 2020. Jadi maksudnya ada
4 empat peringkat, setiap bulan itu kita buat hebahanlah. Ini kuantiti,
5 setiap kali kita buat hebahan ini, Dato' Seri, ada yang 20, 20 helai. Ada
6 yang 30 helai. Maksudnya saya pun, atas inisiatif saya sendiri, kita
7 fotostat kan benda ini untuk buat edaranlah. Ok, di mana bulan April ini,
8 kita buat di kawasan Sungai Way. Bulan Julai, saya buat di kawasan
9 kejranan, kejranan tempat tinggal Hilmy. Bulan Disember 2020...
10 2019, kita buat lagi... sorry, bulan Disember 2020, kita buat lagi di
11 kawasan Sungai Way, 7-11 dan stesen minyak.
- 12
- 13 **PRS** Tuan, sorry. Tadi Tuan telah menyatakan Disember 2019. Betul?
- 14
- 15 **ZUL** Ya.
- 16
- 17 **PRS** Ok. So pada 2019 –
- 18
- 19 **ZUL** Sorry, Disember 2020. Bulan April yang pertama itu pada tahun 2020
20 di kawasan Sungai Way. Bulan Julai di kawasan kejranan, maksudnya
21 di Jalan Baiduri SS2... Jalan SS1/22, Jalan Baiduri. Di kawasan
22 sanalah. Sebab dia rumah yang Hilmy tinggal ini di tepi jalan. Jadi
23 maksud dia straight di situ memang ada rumahlah. Ada lebih kurang 50
24 buah rumah.
- 25
- 26 **CHM** Lapan muka surat ini dihebahkan sekali? Serentaklah?
- 27
- 28 **ZUL** Tidak. Itu berperingkat daripada bulan April. Dua peringkat ok, start
29 daripada bulan April 2019, bulan Julai 2019, bulan Disember 2019 dan
30 bulan... sorry, semua 2020, Dato' Seri. Sorry. Bulan April, bulan Julai,
31 bulan Disember dan bulan Februari pada tahun ini.
- 32
- 33 **CHM** Tak. Maksud... ya saya faham.
- 34
- 35 **ZUL** 2020 itu.
- 36
- 37 **CHM** Dihebahkan beberapa kali kan?

1
2 **ZUL** Ya, empat kali step.
3
4 **CHM** Ok. Tapi sekali hebahan is sekali lapan muka –
5
6 **ZUL** Bukan hebahan, itu edaran. Edaran di sana.
7
8 **CHM** Edaran?
9
10 **ZUL** Edaran.
11
12 **PM1** Pamphlets, pamphlets.
13
14 **ZUL** Pamphlet. Dia... kita bagi by hand. Kita tanya pada orang-orang awam,
15 you kenal tak orang, pernah nampak tak orang ini.
16
17 **CHM** Ya, ya. Tapi kita bagi sekali lapan to everyone or?
18
19 **ZUL** Tak, setiap satu.
20
21 **CHM** Satu?
22
23 **PM1** Satu keping ini.
24
25 **CHM** Ok. Katalah kita ambil gambar yang ini, gambar Hilmy seorang.
26
27 **ZUL** Hilmy, betul.
28
29 **CHM** Dan, dengan isteri.
30
31 **ZUL** Wife dia, ya.
32
33 **CHM** Adakah kita bagi sekali dua-dua ini?
34
35 **ZUL** Normally kita akan tanya... yang saya buat, mula-mula saya cakap
36 pernah nampak orang ini. Jika saya tak pernah nampak, lepas itu kita
37 edar yang edaran yang kedua. Ini wife dia, you pernah nampak tak both

1 of them. Dia cakap tak pernah. Saya cakap ok, bawa balik pamphlet ini.
2 Jika ada apa-apa info, boleh contact saya.
3
4 **CHM** Ok,
5
6 **PRS** Tuan –
7
8 **CHM** Tapi yang, yang, yang lain-lain itu pun juga di edar ke? Yang ambil
9 gambar, gambar ini pun edar juga lah?
10
11 **ZUL** Ya. Itu yang di belakang No.3 itu, di dalam Facebook Balai Polis Sungai
12 Way.
13
14 **CHM** Itu pun di edar juga ya?
15
16 **ZUL** Tak. Ini di dalam, di dalam Facebook saja.
17
18 **CHM** Oh I see. Ya, ya. Yang lain-lain semua dalam Facebook ya.
19
20 **ZUL** Ya.
21
22 **CHM** Yang, yang ini? Juga diedarkan?
23
24 **ZUL** Di dalam Facebook Balai Polis Sungai Way, Dato' Seri.
25
26 **CHM** D71.
27
28 **PM1** Facebook.
29
30 **ZUL** Ya, di dalam Facebook.
31
32 **CHM** Facebook. Yang edar only yang dua gambar ini saja?
33
34 **ZUL** Ya.
35
36 **CHM** Ini?
37

1 **ZUL** Dua gambar itu, betul.
2
3 **CHM** Ok. Saya faham. Ok, terima kasih.
4
5 **PRS** Tuan, berkenaan dengan tarikh yang Tuan telah diberikan.
6
7 **ZUL** Ok.
8
9 **PRS** Just, untuk remind sekarang kita berada 2021. So Tuan telah
10 menyatakan tadi telah, pada 2019 dan 2020. Jadi saya nak just
11 clarification dan confirmation. So kita, Tuan telah menghantar hebahan
12 risalah-risalah telah di... bermula pada April 2019.
13
14 **ZUL** Betul, betul. Sorry, April 2019.
15
16 **PRS** Ok.
17
18 **ZUL** Julai 2019.
19
20 **PRS** Ok.
21
22 **ZUL** Disember 2019 dan pada bulan Februari 2020.
23
24 **PRS** Ok, betul. Jadi pada Disember 2019, di manakah Tuan telah
25 mengedarkan risalah?
26
27 **ZUL** Ok. Risalah itu ada dalam, yang gambar yang saya tender itu, Dato'
28 Seri, kita ada hantar pergi ke stesen minyak, ke kedai 7-11, di kawasan
29 sekitar Sungai Way, Dato' Seri. Lagi, lagi. Lagi. Scroll down lagi. Ok,
30 itu.
31
32 **PRS** Gambar ini, bila dihantar di... membuat hebahan?
33
34 **ZUL** Ini pada bulan Disember 2019.
35
36 **PRS** Ok. Tuan, pada Februari 2020?
37

1 **ZUL** Februari 2020. Ok, yang pada Februari 2020, saya buat hebahan di
2 dalam Facebook Balai Polis Sungai Way. Bukan, lagi atas. Scroll atas
3 lagi. Ya, ini.
4
5 **PRS** Tuan, saya rasa kita akan bermula dari muka surat pertama.
6
7 **ZUL** Ok.
8
9 **PRS** Ok. Tuan nyatakan bilakah gambar, gambar ini, yang risalah ini telah
10 diedarkan? Yang Tuan telah berikan empat bulan dan tahun kan?
11
12 **ZUL** Ya.
13
14 **PRS** So Encik nyatakan bila yang Tuan telah edarkan?
15
16 **ZUL** Bulan April, bulan Julai dan bulan Disember, saya pakai risalah yang
17 sama. Maksud dia, risalah Hilmy, then yang second punya dia dengan
18 wife dia.
19
20 **PRS** Ok. So gambar yang kedua?
21
22 **ZUL** Pun sama juga.
23
24 **PRS** Maksudnya, April, Julai dan Disember?
25
26 **ZUL** Betul.
27
28 **PRS** Februari 2020?
29
30 **ZUL** Itu paparkan di Facebook Balai Polis Sungai Way.
31
32 **PRS** So maksudnya yang D71 yang dinyatakan dalam page Facebook –
33
34 **ZUL** Facebook balai.
35
36 **PRS** Yang Facebook pada Februari 2020. Betul, Tuan?
37

1 **ZUL** Betul.

2

3 **PRS** Ok. Yang berkenaan, yang telah, gambar rajah yang seterusnya yang
4 mempunyai risalah berkenaan orang hilang daripada Facebook post
5 Balai Polis Sungai Way. Yang ini bila diberikan, Tuan, risalah tersebut?
6

7 **ZUL** Yang sama. Kita pos kan bulan, bulan Februari juga.

8

9 **PRS** Bulan Februari, tapi bila risalah tersebut telah diedarkan?
10

11 **ZUL** Itu kita tak diedarkan, kita just publish dalam ini.

12

13 **PRS** No. Maksudnya, dalam gambar ini.

14

15 **ZUL** Ok.

16

17 **PRS** Mempunyai gambar... kita rujuk pada gambar yang pertama.

18

19 **ZUL** Ok.

20

21 **PRS** Ok. Gambar tersebut ada... ok, gambar ini telah, sedang dilekat di
22 sesuatu papan.

23

24 **ZUL** Ya.

25

26 **PRS** So bilakah perkara tersebut telah dilakukan? And tambahan –

27

28 **ZUL** Yang lekat di papan ini, dia papan kenyataan balai-balai, Dato' Seri.
29 Balai-balai polis di sekitar Petaling Jaya, ok. Jadi saya rangkumkan
30 sekali apa tindakan polis dalam usaha mengesan Hilmy dengan wife
31 dia ini. Jadi kita paparkan dalam, dalam Facebook Balai Polis Sungai
32 Way. Dalam media sosial.

33

34 **PRS** So maksudnya, Tuan, yang telah dilekatkan di balai polis yang
35 berhampiran pada Februari 2020. Benar, Tuan?
36

37 **ZUL** Betul, betul.

[12:00PM]

1

2

3

4 **PRS** Jadi maksudnya pada April, Julai dan Disember 2019.

5

6 **ZUL** Ok.

7

8 **PRS** Tuan tidak diedarkan di balai polis yang berhampiran. Benar, Tuan?

9

10 **ZUL** Yang, yang di balai polis, saya dah lupa tarikh bila, Dato' Seri.

11

12 **CHM** Tengok gambar, gambar after this, there's another gambar. Tahu tak?
13 After. Another one. Atas sikit, atas sikit. Tak, tak, tak. Naik. Ada lagi,
14 ada lagi. Ada gambar. Lagi, lagi. Lagi. Ok. Yang itu macam kedai lah,
15 kedai.

16

17 **ZUL** Di 7-11, Dato' Seri.

18

19 **CHM** Di mana itu?

20

21 **ZUL** 7-11 Sungai Way, Dato' Seri.

22

23 **CHM** Sungai Way. But, but, tengok gambar penuh, gambar penuh. Ok. Ok.
24 Di sebelah itu, macam, macam gate rumah itu kan? Itu di mana itu?
25 Macam gate rumah.

26

27 **ZUL** Itu kawasan kehilangan... rumah Hilmy, Dato' Seri.

28

29 **CHM** Itu?

30

31 **ZUL** Ya, di kawasan kejiranan.

32

33 **CHM** Rumah jiran.

34

35 **ZUL** Ya, ya.

36

37 **CHM** Rumah jiran. Jiran, betul-betul jiran sebelah ke?

1
2 **ZUL** Tak, di Kawasan sekitar sana , Dato' Seri.
3
4 **CHM** Itu pegawai, dia orang itu pegawai polis?
5
6 **ZUL** Ya, Dato' Seri.
7
8 **CHM** Sekarang ini, pegawai polis tengah buat apa itu?
9
10 **ZUL** Macam mana?
11
12 **CHM** Di luar gate tengah buat apa? Di luar gate.
13
14 **ZUL** Dia tanya kepada ini, Dato' Seri, kepada tuan rumah. Kita buat edaran.
15 Ok, maksud gambar sini, saya rangkumkan sekali, ok. Saya tak letak
16 one by one, ok. Jadi maksud dia, saya nak terangkan di sini, ini adalah
17 Tindakan yang telah saya ambil dalam usaha untuk mengesan Hilmy
18 dengan wife dia.
19
20 **CHM** I see. I see. Ini tindakan, menunjuk, inilah, gambar-gambar ini.
21
22 **ZUL** Betul, Dato' Seri.
23
24 **CHM** Dari bertanya tuan rumah, nampak ke tak nampak.
25
26 **ZUL** Betul, Dato' Seri.
27
28 **CHM** Ok, ok, Terima kasih.
29
30 **ZUL** Terima kasih, Dato' Seri.
31
32 **PM1** Dato' Seri, if I may?
33
34 **CHM** Sure, sure.
35
36 **PM1** Sekejap. Ok. Terima kasih, Tuan.
37

1 **ZUL** Ya.
2
3 **PM1** Boleh saya rujuk Exhibit 109A tadi? 109A, yang, yang borang kod
4 utusan polis.
5
6 **ZUL** Ok.
7
8 **PM1** Kalau saya lihat di sini, tarikh ialah tahun 2-0 berapa, 2017 kan? Saya
9 lihat yang mana, yang cop terima itu ke, report 14.06.2017.
10
11 **ZUL** Ok.
12
13 **PM1** So jadi biasanya SOP polis bagaimana ya, bila ada laporan
14 kehilangan?
15
16 **ZUL** Orang hilang.
17
18 **PM1** Orang hilang. OH ya, you all guna di sini ya.
19
20 **ZUL** Betul. Kita panggil OH.
21
22 **PM1** Ada you guna orang keluar rumah.
23
24 **ZUL** Ok.
25
26 **PM1** Satu orang hilang.
27
28 **ZUL** Betul.
29
30 **PM1** Bila... adakah itu kategori... itu soalan pertama saya.
31
32 **ZUL** Ok, Puan.
33
34 **PM1** Ada dia dua kategori yang berbeza?
35
36 **ZUL** Selalunya kita akan sebut sebagai orang hilang, ok. Untuk orang keluar
37 rumah ini, maksud dia sebelum dia buat laporan, ok.

1
2 **PM1** Oh, siapa yang buat laporan dia orang hilang?
3
4 **ZUL** Pengadulah.
5
6 **PM1** Pengadu.
7
8 **ZUL** Pengadulah, Puan.
9
10 **PM1** Sebab kita lihat kenyataan ini, orang keluar rumah bersabit Sungai Way
11 repot, blah, blah, blah, then baru dirujuk sebagai orang –
12
13 **ZUL** Sebagai orang hilang.
14
15 **PM1** Ok. Bila antara OH menjadi orang hilang?
16
17 **ZUL** OH menjadi? OH?
18
19 **PM1** Tak. Sorry, sorry. Orang keluar rumah menjadi orang hilang.
20
21 **ZUL** Ok.
22
23 **PM1** Selalunya, selalunya.
24
25 **ZUL** Selalunya bila usaha mengesan, kita dah usaha daripada pelbagai
26 sudut.
27
28 **PM1** Ok.
29
30 **ZUL** Ok jadi, dalam masa 24 jam hingga 48 jam.
31
32 **PM1** Ok.
33
34 **ZUL** Kita telefon dia tak dapat. Kita buat hebahan pun tak ada apa semua.
35
36 **PM1** Ok.
37

1 **ZUL** Jadi dia akan di klasifikasi sebagai orang hilang.
2
3 **PM1** Ok. Jadi pada 20... tahun 2017, di sini laporan dah dibuat, dia orang
4 hilanglah kan?
5
6 **ZUL** Betul.
7
8 **PM1** Boleh jelaskan kenapa mengambil masa sehingga dua tahun?
9
10 **ZUL** Dua tahun untuk?
11
12 **PM1** Untuk... baru mengedarkan risalah ini. Adakah itu SOP ataupun –
13
14 **ZUL** Dia... sebenarnya satu inisiatif bila saya terima, saya ambil alih KEP
15 ini.
16
17 **PM1** Ok.
18
19 **ZUL** Ok, jadi itu memang tanggungjawab saya.
20
21 **PM1** Ok,
22
23 **ZUL** Oleh sebab saya dah cuba, saya dah dapatkan info daripada –
24
25 **PM1** Alright.
26
27 **ZUL** Pegawai penyiasat sebelum ini.
28
29 **PM1** Ok.
30
31 **ZUL** Ok, dan saya tak dapat apa-apa maklumat, so saya, kita buat satu
32 edaran untuk mengesan. Walaupun saya adalah pegawai penyiasat
33 yang ketiga, tapi tanggungjawab saya.
34
35 **PM1** Ok, ok.
36
37 **ZUL** Bila saya tengok benda itu belum ini lagi.

1
2 **PM1** Ok, ok. Sebab saya nak mendapat kepastian. Jadi sebelum 2-0...
3 bulan, bulan April kan, 2019, boleh saya katakan tidak ada usaha untuk
4 melakukan apa yang Tuan Fadzly lakukan? Maksudnya buat edaran,
5 buat dalam Facebook semua belum, belum adalah, sebab saya tak ada
6 maklum.
7
8 **ZUL** Belum ada, tetapi IO yang sebelum saya, dia ada ambil tindakan lain.
9 Di mana tindakan yang dia ambil itu memudahkan saya untuk
10 menyiasat.
11
12 **PM1** Ok.
13
14 **ZUL** Maksud dia, daripada segi jawatan luar yang lain, macam JPN.
15
16 **PM1** Ok.
17
18 **ZUL** Seperti telco, Tuan Hairol dah buat.
19
20 **PM1** Ok, ok. Ok. Cuma edaran begini yang tak dibuat.
21
22 **ZUL** Betul.
23
24 **PM1** Sebab bagi saya agak lamalah kalau kita nak mengesan orang hilang.
25
26 **ZUL** Ya, Puan.
27
28 **PM1** Betul tak?
29
30 **ZUL** Betul.
31
32 **PM1** Boleh saya katakan begitu?
33
34 **ZUL** Walaupun lama tetapi dia orang pun dah ambil, second IO dah jalankan
35 tempat masing-masing.
36
37 **PM1** Ok. Ok, terima kasih, Tuan.

1
2 **ZUL** Terima kasih.
3
4 **CHM** Tapi pernah buat apa ini... pengedaran ini buat bila ini? Bila?
5
6 **ZUL** Saya buat bulan April, bulan Julai, bulan Disember 2019. April.
7
8 **CHM** 2000, 2019. April?
9
10 **ZUL** July.
11
12 **CHM** July.
13
14 **ZUL** And December.
15
16 **CHM** December 2019. Lepas, ada lagi lepas itu?
17
18 **ZUL** Ada. Ada, Dato' Seri. Pada bulan Februari.
19
20 **CHM** February 2020?
21
22 **ZUL** Betul, Dato' Seri.
23
24 **CHM** Tapi proses pengedaran ini tak sepatutnya berlaku, walaupun faham
25 ada tindakan tapi, proses pengedaran pun tak bolehlah sampai dua
26 tahun ya, kan. Tak sepatut kan? Pengedaran.
27
28 **ZUL** Tak sama, Dato' Seri. Tak sepatut.
29
30 **CHM** Begitu lama. Walaupun tahu ada proses to contact telco, tapi
31 pengedaran should be also a tindakan as soon as possible. Betul tak?
32
33 **ZUL** Sebab yang sebelum saya –
34
35 **CHM** Secepat mungkin kan?
36

1 **ZUL** Tapi yang sebelum saya, ini kan Sarjan Sibee, dia pun ada buat
2 tindakan dia. Selepas itu, ASP Hairol take over, then saya. Jadi saya
3 dah beritahu tadi, IO-IO sebelum saya pun dah buat tempat masing-
4 masing, dan saya cuma menyambung ok, untuk melengkapkan
5 siasatan.
6

7 **CHM** Tapi edaran should be, should be earlier.
8

9 **ZUL** Di dalam SOP tak ada buat matter terus edarkan apa semua, tapi kena
10 buat.
11

12 **CHM** Orang itu dah hilang dua tahun, lepas itu baru nak tanya, eh nampak
13 tak.
14

15 **ZUL** Sebab saya pun ada baca artikel di internet yang kehilangan Hilmy dan
16 wife dia ini pun dah diuar-uarkan. Jadi saya percaya di internet, kalau
17 kita search dia, memang dah adalah tahun yang start dia dilaporkan
18 hilang sehingga sekarang.
19

20 **CHM** Ok. Balik kepada borang kod utusan polis itu.
21

22 **ZUL** Ya, Dato' Seri.
23

24 **CHM** Ada tersebut dalam, ada sebut pengadu memaklumkan rakannya, OH,
25 masih belum lagi... pengadu. Siapa yang di maksud dengan pengadu
26 di sini?
27

28 **ZUL** En Peter Pormannan.
29

30 **CHM** Encik?
31

32 **ZUL** Peter Pormannan.
33

34 **CHM** Peter Pormannan. Ok. Ya.
35

36 **PRS** Soalan terakhir, Tuan. Adakah sesiapa yang menelefon ataupun
37 memberi maklumat kepada IP di Petaling Jaya dan Sungai Way seperti

1 mana Tuan telah nyatakan dalam risalah, nombor-nombor yang
2 dinyatakan, adakah sesiapa yang memanggil, Tuan?
3
4 **ZUL** Saya dah buat semakan, memang tak ada, Dato' Seri.
5
6 **PRS** Maksudnya, Tuan tidak mendapat apa-apa informasi. Betul?
7
8 **ZUL** Betul.
9
10 **PRS** Ok. Terima kasih, Tuan.
11
12 **ZUL** Terima kasih.
13
14 **PRS** Ok, fellow members, that's all from Exhibit 109B. So we are moving
15 forward to 109C. So just for confirmation and previously, during saksi
16 13, we have already received the report based on 109D. 109D is
17 actually as same, the document is same as 101, Exhibit 101. During
18 Inspector Nurul Huda who came for testimony, to give her testimony
19 regarding one of the, this report, based on Exhibit 101. So the same
20 report has been attached in 109D, ok. And there are eight police reports
21 which have been marked as exhibit from 109C to 109J, ok. Tuan,
22 terdapat lapan laporan polis. Boleh Tuan mempunyai, adakah Tuan
23 mempunyai apa-apa knowledge tentang... informasi berkenaan report
24 polis, yang lapan polis report ini?
25
26 **ZUL** Saya tak tahu, Puan, sebab kes ini disiasat oleh Inspektor Nurul. Saya
27 percaya SUHAKAM pun dah panggil, dah pun nak tanya.
28
29 **PRS** Betul. Tapi Tuan, adakah Tuan telah menemu bual dengan IO kes
30 tersebut?
31
32 **ZUL** Saya tak. Sebenar siasat kes berkailan, yang saya tahu keputusan dia,
33 NFA.
34
35 **PRS** Ok.
36
37 **ZUL** Saya pun tak ada, saya tak kenal.

1
2 **PRS** Tuan tidak mengambil inisiatif untuk mengetahui kenapa suatu polis
3 repot yang telah dibuat dan –
4
5 **ZUL** Sebab kes dah NFA.
6
7 **PRS** NFA. So –
8
9 **ZUL** No further action, Dato' Seri.
10
11 **CHM** NFA.
12
13 **ZUL** Dah NFA.
14
15 **CHM** Ada, ada tindakan lah, tindakan itu NFA.
16
17 **ZUL** NFA.
18
19 **CHM** Ya.
20
21 **ZUL** Kes yang disiasat oleh Pn Nurul.
22
23 **PRS** Ok. So in that case, since –
24
25 **CHM** NFA ke atas semua repot iniliah?
26
27 **ZUL** Betul, Dato' Seri.
28
29 **CHM** Ya.
30
31 **PRS** Fellow members, I don't have any questions regarding the police
32 reports. So I move forward to 109K.
33
34 **PM2** Inspektor, saya ingat mungkin soalan ini telah ditanya waktu first round
35 Inspektor datang ke inquiry.
36
37 **ZUL** Betul.

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PM2 Lepas Inspektor pulang dan melihat semula report Chembong ini, sebab sekarang ini dah kes orang hilang kan.

ZUL Ya.

PM2 You have to find every possible angle. Apa menyebabkan dia hilanglah. Mungkin wang, mungkin lari... all the possibility. Doesn't Chembong report give you some, another angle ya? Adakah isu dari segi, isu ada group yang marah dengan dia, dari, walaupun... it's just two years before, yes. 2014, dia hilang hujung 2016. So kamu tidak yakin mungkin ada satu angle lagi saya kena buka untuk meneliti lebih mendalam?

ZUL Ya. Memang dalam saya punya planning, cuma untuk makluman Tuan, ahli panel. Bila kita menyiasat... sebab sekarang ini mungkin musim MCO dan my siasatan pun start on February 2020, then March of 2020, our government sudah buat MCO. Ok, bila buat MCO ini, saya punya, more focus kepada menjaga rakyat, ok. Tetapi –

CHM Menjaga?

ZUL Menjaga rakyat, Dato' Seri.

CHM Menjaga rakyat.

ZUL Yes, ok. Kita... memang saya pun ada planning untuk panggil kesemua yang penama-penama ini kan, tapi saya akan tunggu apa result government buat sebab kita pun tak tahu kes makin hari makin tinggi. So bila contoh, kerajaan lancarkan PKP, automatically saya akan terlibat dengan tugas luar. Ok, seperti menjaga sekatan jalan raya, automatic membuat rondaan. Ini memang saya dah masukkan dalam my planning lah. Apa-apa saja info yang kita dapat, kita akan siasat.

PM2 Yes. So maybe, Tuan, tadi when you answered, when you asked Inspector the question, jawabannya macam like it's not relevant but he said it's in his plan. So it's a very relevant document, this police report, on the investigation. Tapi belum buat lagilah.

1
2 **ZUL** Belum buat lagi.
3
4 **PM2** So in your planning, you are stuck because of PKP lah.
5
6 **ZUL** Betul.
7
8 **PM2** Bila nak jalan, tak boleh di, diarahkan untuk buat kerja lain. Is that the?
9
10 **ZUL** Betul, Tuan.
11
12 **PM2** So mungkin boleh ceritakan sedikit? How does an IO jalankan tugas IO
13 sambil juga terpaksa buat kerja-kerja lain? Sebab ada isu-isu macam
14 ini, dah lama.
15
16 **ZUL** Ok, saya explain.
17
18 **PM2** Ya.
19
20 **ZUL** Ok, selepas, contoh yang bulan September baru-baru ini, yang
21 SUHAKAM, pihak SUHAKAM panggil saya ok, pada 17th of September,
22 ok, saya datang beri keterangan. Walaupun semasa itu dia dah
23 dilancarkan PKPB apa semua, tapi saya sambung juga penyiasatan
24 saya. Saya berjaya rekod empat saksi ok, lepas itu kita dapat
25 lengkapkan kertas siasatan dan saya dapat rujuk juga kertas siasatan
26 ini kepada pendakwa raya. Jadi maksud dia, jika ada ruang selain
27 daripada tugas-tugas di luar, saya akan sambung juga siasatan.
28 Memang saya tidak akan biar dia ditutup ke atau sebagainya.
29
30 **[12:15PM]**
31
32 **PM2** Thank you. But this in your planning, when is this going to yang
33 Chembong punya kaitan?
34
35 **ZUL** Ok. Selepas, sebab baru-baru ini pun, saya pun ada buat, kita ada
36 rekod dan saya percaya yang before saya dipanggil sini, pihak Bukit
37 Aman pun ada tenderkan gambar berkaitan dengan Dato' Seri Najib,

1 apa semua kan, ok. Ok, kalau ikut memang planning saya, saya nak
2 panggil [REDACTED] apa semua untuk rakam, rakaman percakapan dan ambil
3 next step lah. Apa-apa info yang masuk, kita akan siasat. Kita akan
4 cuba lah yang terbaik sebab saya punya siasatan ini memang belum
5 selesai lagi, Dato' Seri. Thank you, Tuan.
6
7 **PRS** Ok. We are moving forward to Exhibit 109K. Exhibit 109K. So Tuan,
8 tolong sahkan apakah yang, gambarnya siapa yang diambil?
9
10 **ZUL** Ok, Dato' Seri. Ok ini, gambar di, gambar yang telah disediakan oleh
11 jurufoto Lance Corporal 113893, En Yassin (12:16:25PM), ok. This
12 thing, Dato' Seri pun boleh lihat nombor repot pun dah ada. Dia as a,
13 usual lah macam kes-kes siasatan polis yang lain ok, dia ada gambar-
14 gambar, ada seksyen, ada tarikh gambar diambil.
15
16 **CHM** Ini tak dipaparkan, ya?
17
18 **PRS** Yes.
19
20 **CHM** Tak nampak kat skrin ini, tak ada ya.
21
22 **PRS** Tuan, it is... ini yang sedang disahkan, Dato' Seri. I mean that Tuan
23 Zulfadhly sedang mengesahkan bahawa gambar rajah ini bila diambil
24 dan siapa yang diambil.
25
26 **CHM** I see, ok. Ok, ok.
27
28 **PM2** Sorry. What's on your screen? Gambar rajah?
29
30 **PRS** Gambar, the first page.
31
32 **PM2** First page, ok.
33
34 **PRS** Yes. Jadi, so jadi Tuan Zulfadhly, sekarang terdapat gambar sebanyak
35 17... 24 gambar dan mempunyai 17 muka surat yang Tuan telah
36 memberikan. Jadi Tuan ingin mengongsikan apa-apa maklumat
37 daripada gambar-gambar yang diberikan di sini?

1
2 **ZUL** Ok. Ini saya sertakan gambar, dokumen seperti mana permintaan pihak
3 SUHAKAM, ok. Kalau Dato' Seri cakap tadi, dia tak jelas. Mungkin saya
4 balik, saya akan cubalah copy yang, yang *bercolour* sebab fotostat balai
5 ini, Dato' Seri fahamalah, dia punya ini, kan.
6
7 **CHM** Yes, yes.
8
9 **ZUL** Saya akan buat yang, yang cantik inilah untuk –
10
11 **CHM** Ok, terima kasih. Terima kasih, yes, yes.
12
13 **ZUL** Untuk diberi –
14
15 **CHM** That would be very helpful, yes.
16
17 **ZUL** Kepada pihak SUHAKAM, jika Tuan, Tuan Dzaffir, boleh Tuan?
18
19 **PM1** Tuan.
20
21 **ZUL** Ya, Puan.
22
23 **PM1** You all dapat masuk dalam rumah dia?
24
25 **ZUL** Ya.
26
27 **PM1** Kalau saya lihat dalam ini.
28
29 **ZUL** Ini yang masuk Tuan Hairol.
30
31 **PM1** Tuan Hairol, yes.
32
33 **ZUL** Ya.
34
35 **PM1** Sebab gambar ini Tuan Hairol kan?
36
37 **ZUL** Betul.

1
2 **PM1** Ok.
3
4 **PRS** Dear panel members, since this pictures was taken by Tuan Hairol
5 Azhar, so I have no further questions regarding the pictures because
6 since he have no knowledge about the pictures exactly. So with that, I
7 have only one last question for the saksi.
8
9 **CHM** Will we be calling En Hairol ke? To explain the photo.
10
11 **PRS** Ok. If panel decided so, then we will call him.
12
13 **CHM** Yes, yes, ok.
14
15 **PRS** Ok, thank you.
16
17 **PM2** Were any of these photos shown previously?
18
19 **PRS** No. This is first time.
20
21 **PM2** First time. So but I thought we saw some photos also about the –
22
23 **PRS** Those pictures –
24
25 **PM2** What pictures were those?
26
27 **PRS** It was given by Ram Ram Elisabeth.
28
29 **PM2** So Ram Ram gave the photos.
30
31 **PRS** Yes, the previous pictures.
32
33 **PM2** Inside the house, no photos yet. First time?
34
35 **PRS** Yes, this is the first time. There were some pictures from inside the
36 house but I think they took it from –
37

1 **PM1** Window, Kat luar kan?
2
3 **PRS** Window, from outside. Based on Ram Ram Elisabeth's testimony.
4
5 **PM2** Yes, so it was the photos taken from outside.
6
7 **PRS** Yes, outside of the –
8
9 **PM2** Ram Ram's testimony.
10
11 **PRS** Yes.
12
13 **PM2** Not the police.
14
15 **PRS** No. Tuan Hairol Azhar, he informed that he took pictures and currently
16 we are receiving the pictures.
17
18 **PM1** Do you remember the, the time frame between Ram Ram, Ram Ram
19 Elisabeth and Hairol punya foto ini? Sebab the situation is the way the
20 layout of the house is a bit –
21
22 **PRS** Give me some time.
23
24 **PM1** Ram Ram came in January or February, something like that. I can't
25 remember. Sebab I try checking just now. En Hairol, yang Hairol ambil
26 ini.
27
28 **PM2** Tarikh ambil gambar is here, 13th of –
29
30 **PM1** Where? Where?
31
32 **PM2** On the first page of Exhibit 109J. Just now the one you showed...
33 13.10.2018 kan? Tarikh ambil gambar.
34
35 **PRS** Yes.
36
37 **PM2** Yes.

1
2 **PRS** These pictures were taken... the currently 109J is taken on 13.10.2018.
3
4 **PM1** 2018.
5
6 **PRS** Yes.
7
8 **PM1** Yang Ram Ram would be?
9
10 **PRS** The 20... Dato', may I have or request for a few minutes for verification,
11
12 **PM1** Ok, ok. No, I'm just, I'm just thinking out loud.
13
14 **PRS** Thank you.
15
16 **PM1** Because the way the house, the way the photos are taken, very
17 different. One is very, very... the houses, I mean the rooms are properly,
18 ini kan? But they did enter lah yang dulu, contoh yang ini. Ok, ok. The
19 sequence of photos, you tengok. Kalau tengok di dalam dia. I think they
20 entered the house lah, Ram Ram. Yang di dalam, di dalam dia. Ok,
21 makna dia enter kan? Ok. Very clear. The photo yang Inspektor, apa,
22 yang ambil ini agak berlainan. See. The bed, I mean the way.
23
24 **CHM** The period lah, I understand. The long, the long period.
25
26 **PM1** Itulah. I just need to know which one first.
27
28 **CHM** Because this is earlier lah.
29
30 **PM1** Yes, this one should be earlier kan?
31
32 **CHM** Yes, it's earlier.
33
34 **PM2** But earlier meaning he went after –
35
36 **PM1** Given by Ram Ram lah, ya.
37

1 **PM2** After Pastor –
2
3 **PRS** I'm finding for the dates,
4
5 **PM2** Ok,
6
7 **PM1** Ya, ya. Tak apa, tak apa. I'm just trying to conceptualise putting the
8 time. Because bila... when this one yang, siapa tu tadi yang –
9
10 **ZUL** ASP Hairol.
11
12 **PM1** Hairol. The place is already like, it has been –
13
14 **CHM** Teruk,
15
16 **PM1** Teruk keadaan dia. You know you look at the drawers. And then there
17 is a tangga there. Don't know what is the tangga for. And there's a huge
18 cross dekat... which had been missed out somewhere. That's why
19 interesting if you can get Hairol untuk, yang kisah ambil gambar ini.
20 Macam dah diselongkar kan. Sangat beza dengan gambar, ya.
21
22 **PRS** Panel members ok, Ram Ram Elisabeth took this picture on
23 27.02.2018.
24
25 **PM1** 27th. 2018 lah ya.
26
27 **CHM** '17.
28
29 **PM1** '18. Because they came with the brother kan? Take your time. Tak apa,
30 tak apa. Don't worry. Take your time.
31
32 **PRS** 27.02.2018.
33
34 **PM1** Sorry. February?
35
36 **PRS** 27.02.2018.
37

1 **PM1** 27th February, Ram Ram punya. Twenty?
2
3 **PRS** '18.
4
5 **PM1** '18, so they took this photo. Then Hairol bulan –
6
7 **CHM** 13th October. 13.10.2018, the Hairol, Hairol, by Hairol.
8
9 **PM1** 13.10.2018 juga kan?
10
11 **CHM** Yes, same year.
12
13 **PM1** So a difference of.
14
15 **CHM** Difference of eight months, lapan bulan.
16
17 **PRS** Ok, we have found the, from NOP No.4 which is dated on 04.03.2020
18 by Ram Ram Elisabeth. She mentioned that, from Ram Ram, 'Bisa
19 kedua-dua kecurian sama Joshua, terus waktu itu juga panggil abang
20 datang ke rumahnya. Lihat rumahnya udah terbiar begitu lama dan
21 kami lihat baju-bajunya dan makanan di peti sejuk dibuat banyak.' And
22 Dr Madeline asked questions, 'Bila itu papan-papan?' Then Ram Ram
23 Elisabeth replied, 'Tanggal 27.02.2018.' So just for confirmation that
24 she went to the house on 27.02.2018.
25
26 **PM1** So this photo was taken when they visited the house. Right?
27
28 **PRS** Yes.
29
30 **PM1** Yes.
31
32 **PRS** Ok.
33
34 **PM2** Inspector, from... dari gambar-gambar ini, anything of, yang dari
35 RPT22492017, ada apa-apa gambar yang menarik perhatian Inspektor
36 dalam menguruskan penyiasatan sekarang?
37

1 **ZUL** Saya rasa tak ada, Tuan, sebab Tuan Hairol pun dah maklum saya, ok,
2 Dia pun ke rumah, dapat kebenaran daripada owner rumah. Dan
3 sebelum itu pun saya difahamkan, kata pihak SUHAKAM ada turun ke
4 sana, ke rumah dan melihat tempat kejadian.
5
6 **PM2** Belum.
7
8 **ZUL** Belum lagi?
9
10 **PM2** Belum. So at this present moment, tak ada apa yang lebih daripada apa
11 yang gambar-gambar yang nampak?
12
13 **ZUL** Sebab siasatan yang saya buat, Tuan, Tuan Jerald, bila saya rekod
14 statement anak Peter Pormannan, Josiahnandan dengan, ada dengan
15 adik dia, ok. Dia pun beritahu kata semasa Hilmy dan wife dia keluar,
16 telah serahkan kunci seperti mana yang saya dah beritahu kepada
17 pihak SUHAKAM pada itu hari, diserahkan kunci kepada satu famili.
18 Dan famili itu serahkan kunci itu pula kepada anak-anak pengadu. Jadi,
19 thats mean, Hilmy dengan wife dia keluar daripada rumah dalam
20 keadaan selamat, ok.
21
22 **PM2** Serahkan kunci tapi barang-barang mereka masih lagi dalam rumah?
23
24 **ZUL** Masih lagi dalam rumah.
25
26 **PM1** Tuan.
27
28 **ZUL** Ya, Puan.
29
30 **PM1** Istilah serah, serah itu maksudnya... kalau macam saya sebab bila
31 saya pencen, saya diminta menyerahkan. Maknanya saya tak akan
32 balik lagilah pada bilik itu. Adakah itu maksud dia? Menyerahkan untuk
33 permanent ataupun... masa kita kat hotel, kita serah kunci dekat, dekat
34 kaunter tapi kita akan balik lagi. So fahaman itu, ya. Serah itu –
35
36 **ZUL** Sefahaman saya, kena tanya balik, Doktor, pada, pada anak-anak
37 pengadu ini.

- 1
- 2 **PM1** Ok. Sebab dia guna Bahasa Inggeris ke apa ni? Dia guna? Tak tahu?
- 3
- 4 **ZUL** Dia bagi statement pun in Malay.
- 5
- 6 **PM1** Serah? Dia kata serah?
- 7
- 8 **ZUL** Ya.
- 9
- 10 **PM1** Sebab dua maksud serah di sini. Satu serah, you serah bila habislah,
11 saya tak akan balik lagi. Macam saya serah kunci pejabat saya. Saya
12 diminta ada formal occasion dan saya kena sain semua bendalah. Itu
13 formallah. Jadi saya serah sebab saya dah habis dah. Satu lagi serah,
14 macam kita di, kita tak boleh bawa kunci itu, kita tinggalkan. Nanti saya
15 datang balik lagi ini, pinjam lagilah kunci. Macam itulah. Dua serah yang
16 berbeza.
- 17
- 18 **PM2** Tapi barang-barang dia tidak diambilkan. All the things still remain right,
19 in the house.
- 20
- 21 **PM1** Including the food in the fridge, yes.
- 22
- 23 **PM2** Food plus his clothes, barang-barang peribadi. So dia sudah keluar dari
24 rumahlah, untuk tak tahu berapa lama ke, whatever happen tapi dia tak
25 pindah dari rumahlah. Maksud dia, Madeline, they are not shifting out
26 of the house.
- 27
- 28 **PM1** Yes, so it's not the –
- 29
- 30 **PM2** Yes, they are still residents of the house tapi they moved out lah. Waktu
31 itu dia keluar, tak tahu pergi mana but, ok. Thank you.
- 32
- 33 **PRS** Panel members, that's all questions from me regarding the 190. So just
34 one last question. Tuan Zulfadhly, ada apa-apa yang Tuan ingin
35 kongsi berkenaan siasatan yang Tuan sedang melakukan?
- 36
- 37

[12:30PM]

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ZUL Kongsikan. Selepas habis itu hari, yang kita punya inquiry, Dato' Seri, saya dapat rekod ada empat statement, ok. Yang pertama bernama [REDACTED] ini pun telah beri keterangan kepada pihak SUHAKAM. Yang kedua bernama Iqbal Mirza. Dia pun dah beri baru ini, keterangan dekat SUHAKAM. Kemudian yang ketiga adalah wife dia, Pn Fadzlina Bt Amran. Dia pun telah memberi keterangan kepada pihak SUHAKAM. Dan terakhir adalah Yang Berhormat Khairy bin Jamaluddin, Menteri MOSTI pada masa ini, ok. Selepas saya dah rekod keempat-empat ini punya statement, so saya rujuk perkara itu ke pejabat pendakwa raya. Then SUHAKAM ada panggil saya, saya pun pergi kursus that day, memang ada miscommunication. Then hari ini saya datanglah, ok.

PRS Tuan, satu question, ok. Tuan telah menyatakan empat nama yang Tuan telah mengambil, merekod keterangan. Boleh saya dapatkan tarikh-tarikh yang Tuan telah merekodkan keterangan tersebut?

ZUL Ok, boleh. Penama [REDACTED] pada 28hb September.

PRS Tahunnya apa, Tuan?

ZUL 2020. Ok, penama [REDACTED] pada 28.09.2020, jam 11:00AM.

PRS Yang Iqbal Mirza.

ZUL Ok. Penama Iqbal Mirza, pada tarikh yang sama, 28hb September, pada jam 02:55PM.

PRS Ok, Fadzlina.

ZUL Fadzlina pada tarikh yang sama, 28.09.2020 pada jam 04:48PM.

PRS YB Khairy Jamaluddin?

ZUL Sekejap, ya. YB Khairy pada 02.10.2020 pada jam 12:50PM.

1 **PRS** Baik, Tuan. Berdasarkan kepada merekod keterangan keempat-empat
2 penama tersebut, adakah mempunyai apa-apa maklumat yang boleh
3 membantu siasatan kes kehilangan ini?
4

5 **ZUL** Tidak ada, Dato' Seri.
6

7 **PRS** Terima kasih.
8

9 **ZUL** Terima kasih.
10

11 **PRS** That's all for me, panel members. Thank you. I would like to move
12 forward for the observers to ask questions. Thank you.
13

14 **AP** Honourable Commissioners.
15

16 **CHM** Sorry. Could I have your name again?
17

18 **AP** Audrey Pillai appearing –
19

20 **CHM** Yes.
21

22 **AP** Audrey Pillai appearing for the family –
23

24 **CHM** Audrey?
25

26 **AP** Audrey. A-U-D-R-E-Y.
27

28 **CHM** Pillai.
29

30 **AP** Surname Pillai, P-I-L-L-A-I.
31

32 **CHM** Yes.
33

34 **AP** Appearing for the family of Ruth Sitepu. If I may be allowed to proceed.
35 Inspector Zul.
36

37 **ZUL** Saya.

1
2 **AP** Pada tarikh terakhir, Tuan telah bagi sedikit berkenaan dengan SOP
3 apabila menyiasat sebegini. Boleh tolong bagi tahu SOP yang dipakai
4 untuk kes ini, adakah sama seperti kes orang hilang ataupun berlainan?
5
6 **ZUL** Sama, Dato' Seri.
7
8 **AP** Sama. Adakah ini kali pertama Tuan handle kes orang hilang sebegini?
9
10 **ZUL** Yang ini kali pertama, Dato' Seri.
11
12 **AP** So ada rujuk kepada sesiapa pegawai atasan untuk dapatkan garis
13 panduan?
14
15 **ZUL** Ada, Dato' Seri.
16
17 **AP** Boleh bagi tahu siapa yang?
18
19 **ZUL** Di peringkat daerah, saya rasa saya pun dah cerita dah yang pada
20 sebelum sesi ini. Di peringkat daerah, pegawai yang menyiasat kes-kes
21 orang hilang ini, kita akan rujuk kepada ketua bahagian pengurusan
22 daerah, KBPD.
23
24 **AP** Jadi itu adalah DSP Omar ke?
25
26 **ZUL** Bukan. Masa yang IO yang pertama Sarjan Ahmad Sibee, lepas itu
27 KBPD adalah DSP Omar.
28
29 **CHM** Siapa dia?
30
31 **ZUL** Semasa Sarjan Ahmad Sibee mula-mula siasat kes, Dato' Seri dan
32 panel –
33
34 **CHM** Ya.
35
36 **ZUL** IO, KBPD dia adalah DSP Omar.
37

1 **CHM** DSP Omar?
2
3 **ZUL** Ya.
4
5 **AP** Dan selain daripada DSP Omar, ada sesiapa yang lain?
6
7 **ZUL** Maksud dia? Selepas dia pencen ke ataupun?
8
9 **AP** Tak, KBPD yang memberi garis panduan, selain daripada DSP Omar,
10 ada sesiapa lain?
11
12 **ZUL** Ya, ada.
13
14 **AP** Tolong bagi tahu.
15
16 **ZUL** DSP Nurul Suhaili Nirwani (12:35:57PM). Nama dia panjang sikit. DSP
17 Wani lah dia punya short form, senang.
18
19 **AP** Dua DSP ini sahaja?
20
21 **ZUL** Sebelum DSP Wani ada satu lagi, DSP William (12:36:16PM).
22
23 **AP** William?
24
25 **ZUL** Ya. Tapi both of them dah retire. Wani dan, sorry, William dan Tuan
26 Omar.
27
28 **AP** Inspektor juga ada bagi tahu dalam IP ada sembilan rakaman
29 percakapan. Sembilan yang telah diambil oleh investigating officer yang
30 lain, betul?
31
32 **ZUL** Tak faham.
33
34 **AP** Pada 17hb September –
35
36 **ZUL** Ok.
37

1 **AP** Inspektor Zul ada bagi tahu, 'Bila IP sampai ke tangan Tuan, ada
2 sembilan rakaman percakapan dalam IP.' Betul?
3
4 **ZUL** Ok.
5
6 **AP** Ok. Daripada sembilan rakaman ini, ada tak Tuan jumpa mana-mana
7 satu untuk second interview untuk temu bual lagi sekali?
8
9 **ZUL** Ada.
10
11 **AP** Tolong bagi tahu mana.
12
13 **ZUL** En Peter Pormannan, pengadu.
14
15 **AP** Selain daripada Peter?
16
17 **ZUL** En Selvakumar, Selvakumar Peace John Harris.
18
19 **AP** Ada sesiapa lain?
20
21 **ZUL** Pn Rozaina Binti Mat Ribı (12:37:53PM), dia jiran kepada Hilmy. Dan
22 En Syed Mohd Farhad (12:38:02PM). Dia pun jiran kepada Hilmy.
23
24 **AP** Jadi empat?
25
26 **ZUL** Betul, empat.
27
28 **AP** Adakah maklumat lain atau baru yang timbul lepas Tuan jumpa empat
29 orang ini?
30
31 **ZUL** Tak ada.
32
33 **AP** Jadi Inspektor tak jumpa dengan anak Peter Pormannan atau itu –
34
35 **ZUL** Dato' Seri, untuk anak dia kita, saya rekod percakapan baru. Tak, saya
36 tak sambung.
37

1 **AP** Itu yang baru ya?
2
3 **ZUL** Ya.
4
5 **AP** Bila jumpa dengan anak Peter Pormannan, Josiahnandan dan Grace –
6
7 **ZUL** Ada dua tarikh, Dato' Seri. 11.02.2020 dan 20.08.2020.
8
9 **AP** Kedua-dua orang ini pada dua tarikh tersebut ya?
10
11 **ZUL** Ada.
12
13 **AP** Pada masa Tuan jumpa Josiah dan Grace pada dua tarikh ini, adakah
14 apa-apa yang dimaklumkan oleh mereka yang menarik perhatian
15 Inspektor yang di rasa perlu buat siasatan yang lebih lanjut?
16
17 **ZUL** Ada, Dato' Seri. Yang pada pertemuan yang kedua itulah, 20hb Ogos,
18 dia ada nyatakan dia ada serahkan barang kepada pihak SUHAKAM.
19
20 **AP** Ada apa-apa yang lain yang?
21
22 **ZUL** Tiada, itu sahaja.
23
24 **AP** Hanya serahkan barang sahaja?
25
26 **ZUL** Yes dan saya nak barang-barang itu untuk kes lepas. Saya punya part
27 habis. Saya akan jumpa dengan pegawai SUHAKAM untuk dapatkan.
28 Saya nak buat siasatan lanjut.
29
30 **AP** Pada masa jumpa dengan Josiah dan Grace, mereka ada bagi tahu
31 berkenaan dengan satu panggilan yang diterima oleh Joshua Hilmy
32 sebelum keluar dari rumah di mana mereka bagi tahu suara yang
33 digunakan oleh Joshua adalah tinggi dan dalam tertekan? Ada bagi
34 tahu tentang itu?
35

1 **ZUL** Yang saya ingat dia kata Joshua ada terima, Hilmy ada terima satu
2 panggilan lah. Dan saya pun dah beri dah keterangan itu pada 17hb
3 September. Mungkin lawyer boleh refer kepada itu ya.
4
5 **AP** Saya dah tengok balik NOP –
6
7 **ZUL** Ok.
8
9 **AP** Pada 17 September dan soalan yang saya nak kemukakan pada hari
10 ini adalah bila maklumat ini diberi oleh Josiahnandan –
11
12 **ZUL** Ok.
13
14 **AP** Bahawa panggilan ini telah diterima, apakah siasatan selanjutnya yang
15 telah dibuat untuk mengetahui mana, siapa yang buat panggilan ini dan
16 dari mana?
17
18 **ZUL** Kalau tengok berkaitan dengan telco ini, Dato' Seri, saya pun dah
19 explain dah sebelum ini tapi kita pun dah buat semakan. Boleh tengok
20 balik kepada NOP yang, yang lepas apa yang saya bagi tahu berkaitan
21 dengan telco ini. Ok, yang nombor, nombor-nombor telefon yang
22 dipakai oleh Hilmy dan wife dia kita dah buat semakan, ok. Dah keluar
23 dah dia punya apa, dia punya bila tarikh tamat dia, bila tarikh daftar dia
24 dan dia punya nombor dia adalah nombor prepaid. Jadi dalam
25 statement yang diambil oleh pegawai telco yang diberi oleh En Mohd
26 Azhar Bin Baba (12:42:28PM) ini pun bagi tahu, kalau untuk nombor
27 prepaid ini memang tidak akan dapat dia punya billing ini, contact apa
28 semua. -
29
30 **AP** Ok. Untuk pengesahan panel ya, jadi bila Tuan jumpa dengan
31 Josiahnandan, dia memang bagi tahu panggilan itu telah diterima atas
32 telefon bimbit, bukan fixed line ya?
33
34 **ZUL** Dia tak ada bagi tahu pun kata fixed line ke ataupun apa.
35
36 **AP** Jadi, sebab pada tarikh terakhir, keterangan yang telah diberi oleh
37 Inspektor Zul adalah bahawa siasatan yang telah dilakukan adalah

1 dengan telco. Jadi macam mana Inspektor Zul buat keputusan untuk
2 berurusan dengan telco untuk dapat maklumat dan pasti bahawa
3 panggilan itu tidak diterima atas fixed line?
4

5 **ZUL** Dia bila melibatkan nombor telefon ini, PDRM memang tak ada
6 kepakaran, ok. Jadi bila laporan yang dibuat mengatakan Hilmy dan
7 wife dia telah hilang, telah keluar rumah dan tak balik, ok, salah satu
8 usaha mengesannya adalah menghantar nombor itu kepada pihak
9 yang berkaitan dan pihak itu adalah pihak telco, pihak Maxis. Ok, so
10 untuk tahu siapa yang telefon, incoming call, incoming out apa semua,
11 cuma Maxis, telco sahaja yang tahu dan bila kita hantar buat semakan,
12 memang tidak *diprovide* benda itu.
13

14 **AP** Jadi Inspektor Zul tahu tak dalam rumah itu ada fixed line ke tak ada?
15

16 **ZUL** Saya tak tahu.
17

18 **AP** Tak tahu?
19

20 **ZUL** Tak tahu.
21

22 **AP** Pada tarikh terakhir bila En Zul bagi keterangan bahawa telah
23 berurusan dengan telco dan nama yang telah diberi ialah En Azhar
24 Babu –
25

26 **ZUL** Baba. Mohd Azhar Bin Baba.
27

28 **AP** Apa pangkat dia, En Azhar Baba?
29

30 **ZUL** Dia pegawai Maxis.
31

32 **AP** Dan informasi yang telah diberi secara bertulis ke?
33

34 **ZUL** Ya, secara bertulis.
35

36 **AP** Tahu tak jawatan En Azhar?
37

1 **ZUL** Saya lupa.
2
3 **AP** Pada tarikh terakhir, Tuan juga telah bagi keterangan berkenaan
4 dengan perlu berurusan dengan Interpol kerana melibatkan
5 warganegara Indonesia.
6
7 [12:45PM]
8
9 **ZUL** Betul.
10
11 **AP** Bagaimana pula dengan perkembangan urusan?
12
13 **ZUL** Ok, kita, kita dah terima jawapan daripada pihak Interpol yang kedua-
14 dua nama ini telah dimasukkan ke dalam yellow notice, ok. Maksudnya
15 jika ada pihak yang terkesan Hilmy dan Ruth ini, jadi pihak Interpol akan
16 dapat alert.
17
18 **AP** Dan jawapannya adalah secara bertulis juga?
19
20 **ZUL** Betul, secara bertulis, Dato' Seri.
21
22 **AP** Tuan sendiri telah pergi ke website Interpol untuk check sama ada
23 yellow notice telah dikeluarkan?
24
25 **ZUL** Saya tak masuk tapi bila kita terima surat jawapan, maksud dia benda
26 itu memang dah official ada di dalam Interpol punya sistem.
27
28 **AP** Tadi Tuan telah bagi tahu panel bahawa jawapan yang telah diterima
29 oleh Maybank Ipoh, surat tidak boleh dikemukakan kepada SUHAKAM.
30 Tetapi boleh tak Tuan kongsi informasi apakah sebenarnya yang telah
31 dimaklumkan oleh pegawai Maybank berkenaan dengan akaun bank?
32
33 **ZUL** Saya rasa saya dah kongsi dah itu hari, Dato' Seri. Saya dah bagi tahu
34 dah.
35
36 **AP** Hanya berkenaan dengan akaun itu telah, telah ditutup dan Encik telah
37 bagi tahu tarikh.

1
2 **ZUL** Ya.
3
4 **AP** Selain daripada itu tak ada apa-apa yang lain yang diperolehi?
5
6 **ZUL** Dia yang seingat saya sebab saya tak bawa surat itu, yang seingat
7 saya, itu semua transaksi Hilmy, ok. Itu transaksi dia punya duit. Dia,
8 duit akaun dia.
9
10 **AP** Ada apa-apa perkembangan yang boleh dikongsi berkenaan dengan
11 siasatan yang berurusan dengan Multimedia Commission, Suruhanjaya
12 Multimedia, berkenaan dengan emel?
13
14 **ZUL** Emel apa?
15
16 **AP** Emel yang, email address wifigirl.
17
18 **ZUL** Ok, yang itu saya perlu dapatkan salinan asal, baru dia orang, bila, apa,
19 SKMM terima salinan asal baru dia akan buat, dia akan buat inilah,
20 analisa terhadap surat-surat yang ada logo jata negaralah, ada, ada
21 email wifigirl lah apa semua. Jadi saya kena dapatkan salinan asal.
22
23 **AP** So setakat ini tak ada perkembangan baru?
24
25 **ZUL** Tak ada.
26
27 **CHM** Bagaimana nak, nak dapatkan salinan asal itu?
28
29 **ZUL** Nanti saya akan ambil dengan En Simon. Nanti saya akan hantar ke
30 SKMM.
31
32 **CHM** Do we have the salinan asal?
33
34 **SK** Dato' Seri, Inspector is referring to the exhibit that was tendered in this
35 inquiry, all the documents passed by Josiah. So that is considered as
36 dokumen asal.
37

1 **CHM** So itu tidak memadai untuk mendapatkan maklumat lanjut daripada –
2
3 **ZUL** Tak nampak, Dato' Seri.
4
5 **CHM** Ya?
6
7 **ZUL** Memang tak nampak.
8
9 **CHM** Tak nampak?
10
11 **ZUL** Ya, sebab fotokopi dia –
12
13 **CHM** Kabur?
14
15 **ZUL** Macam yang gambar saya bagi.
16
17 **CHM** Ok. Ya.
18
19 **AP** Pada tarikh terakhir, satu soalan telah ditanya sama ada emel ini telah
20 dihantar kepada Jabatan Forensik, PDRM. Bagaimana pula dengan
21 jawapan itu?
22
23 **ZUL** Ok, kebiasaannya kita akan rujuk kepada SKMM terlebih dahulu, ok,
24 baru kita akan rujuk ke forensik. Tapi kalau dalam penyiasatan polis,
25 bila dah keluar SKMM punya laporan, itu dah memadai.
26
27 **AP** So itu adalah termasuk dalam SOP? Kena pergi ke Multimedia
28 Commission first and then only to Forensic's PDRM ke?
29
30 **ZUL** Ya, sebab berkaitan dengan emel ini memang kepakaran daripada
31 pihak SKMM sendirilah.
32
33 **AP** Berkenaan dengan empat statement yang telah baru-baru ini diambil –
34
35 **ZUL** Ok.
36

- 1 **AP** Boleh terangkan berkenaan dengan hasil daripada percakapan dengan
2 YB Khairy Jamaluddin?
3
- 4 **ZUL** Ok, boleh. Ok Dato' Seri, soalan telah saya tanya kepada YB Khairy
5 Jamaluddin directly lah berkaitan dengan emel wifigirl dan saya tanya
6 pada sekitar tahun 2015, pernah tak YB menggunakan satu emel yang
7 bernama wifigirl12365? Then dia jawab tidak pernah. Ok, lepas itu saya
8 tanya juga adakah emel tersebut milik YB? Dia cakap, 'Saya tak pernah
9 ada emel nama begitu.' Lepas itu saya tanya juga adakah beliau kenal
10 dengan penama Hilmy dan isteri dia sambil saya tunjukkan gambar. Dia
11 cakap dia tak kenal. Dan saya tanya juga salinan yang saya terima
12 daripada pihak SUHAKAM berkaitan dengan surat yang mempunyai
13 logo jata negara dan YB memberitahu, dia kata format surat itu adalah
14 bukan format surat Kerajaan.
15
- 16 **AP** Ada apa-apa lain yang telah dimaklumkan oleh YB Khairy?
17
- 18 **ZUL** Saya juga tunjukkan gambar di antara Dato' Seri Najib dengan penama
19 Fadzlina ini dan YB cakap dia pun tidak mengenali siapa itu Fadzlina
20 dan setelah ditunjukkan gambar, dia bagi tahu itu adalah gambar palsu,
21 then you boleh check internet. Rupanya gambar di antara Dato' Seri
22 Najib dan Dato' Seri Mukhriz.
23
- 24 **PM1** Sekejap, boleh saya tanya? Sekejap ya.
25
- 26 **ZUL** Ya, Dr.
27
- 28 **PM1** Siapa yang memberitahu gambar, gambar yang kita tahu itu gambar
29 Fadzlina dengan Dato' Seri Najib bahawa gambar itu palsu dan
30 sebenarnya gambar itu ialah gambar Mukhriz dan Dato' Seri Najib?
31 Siapa yang memberitahu?
32
- 33 **ZUL** YB Khairy Jamaluddin yang bagi tahu.
34
- 35 **PM1** Dia Google atau macam mana?
36

1 **ZUL** Bukan, dia kata dia ada perasan dulu semasa naik, ada aktiviti di antara
2 mereka. And then bila dia cakap, dia kata kalau you tak percaya you
3 boleh taip Google. Dr boleh try taip Google Dato' Seri Najib dan Dato'
4 Seri Mukhriz, memang gambar yang sama.
5
6 **PM1** Saya, saya terkejut YB Mukhriz, YB –
7
8 **ZUL** Khairy.
9
10 **PM1** Khairy instantly boleh tahu bahawa itu gambar –
11
12 **ZUL** Bila saya tunjuk kepada dia gambar, dia tengok –
13
14 **PM1** Makna dia pernah melihat gambar itu sebelum itu?
15
16 **ZUL** Bukan. Dia kata dia, aktiviti itu dia tahu.
17
18 **PM1** Ok, interesting, ok. Terima kasih, Tuan.
19
20 **AP** Jadi maksud Tuan, sebelum Tuan menunjukkan gambar YB Khairy
21 telahpun nampak gambar itu sebelum?
22
23 **ZUL** Kerana saya tunjukkan dulu.
24
25 **AP** Sepanjang pengetahuan Tuan, adakah YB Khairy membuat report polis
26 berkenaan dengan penggunaan logo Kerajaan ataupun gambar-
27 gambar yang muncul seperti ini?
28
29 **ZUL** Tidak ada.
30
31 **AP** Dan adakah Tuan sebagai anggota polis menasihatkan beliau untuk
32 buat laporan polis?
33
34 **ZUL** Saya tak ada nasihat apa-apa.
35

1 **AP** Sekarang saya pergi ke temu bual dengan Fadzlina Amran. Masa yang
2 telah diberikan adalah empat, 04:08PM, pada 28.09.2020. Mengambil
3 masa berapa lama untuk habis temu bual tersebut?
4

5 **ZUL** Macam mana? Tak faham.
6

7 **AP** Berapa lama untuk temu bual dengan Fadzlina Amran?
8

9 **ZUL** Fadzlina? Saya rasa dalam satu jam lebihlah.
10

11 **AP** Di mana?
12

13 **ZUL** Di pejabat saya di pejabat Balai Polis Sungai Way.
14

15 **AP** Dan apakah jawapan beliau bila Tuan tanya berkenaan dengan gambar
16 tersebut yang telah diambil dengan Najib?
17

18 **ZUL** Dia menafikan.
19

20 **AP** Pernah tak dia nampak gambar ini sebelum Tuan tunjukkan kepada
21 dia?
22

23 **ZUL** Tak pernah.
24

25 **AP** Dia, dia bagi tahu tak pernah, tak pernah tengok?
26

27 **ZUL** Dia bagi tahu tak pernah.
28

29 **AP** Jadi bila Fadzlina bagi tahu tak pernah nampak gambar ini, ada tak
30 soalan timbul bagi Tuan, siapa yang mungkin hantar gambar ini dan
31 mengapa? Adakah soalan itu timbul?
32

33 **ZUL** Saya tanya macam ini, saya tunjukkan gambar Dato' Seri, saya
34 tunjukkan gambar kepada Fadzlina, saya tanya, 'Boleh tak kamu
35 jelaskan mengenai gambar kamu bersama mantan Perdana Menteri
36 Malaysia?' Lepas itu saya tunjukkan gambar kepada dia dan dia jawab,
37 dia cakap, 'Saya tak tahu pasal gambar ini dan saya pun tak pernah

1 ambil gambar dengan Dato' Seri Najib.' Ok, jadi bila saya dah tanya
2 soalan itu, terus dia pun dah menafikan, so saya tanya soalan lain.
3
4 **AP** Terima kasih, Tuan. Jadi berkenaan dengan siasatan yang dilakukan
5 oleh Tuan, bagaimana pula dengan persepsi sendiri Tuan apabila
6 nampak kandungan emel dengan gambar tersebut, adakah timbul,
7 apakah motif seseorang untuk menghantar emel seperti ini dan juga
8 attached gambar seperti ini?
9
10 **ZUL** Saya nak buat conclusion pun tak boleh lagi, Dato' Seri, ok sebab saya
11 masih menyiasat kes ini. Ok, walaupun inquiry SUHAKAM pun jalan,
12 tetapi siasatan saya pun sama berjalan. Ok, dan saya berniat memang
13 untuk selesaikan kertas siasatan ini. Setiap apa-apa info baru yang kita
14 terima sama ada dia hantar gambar ke, dia hantar apa-apa any
15 evidence ke, kita akan siasat. Dan bila kata benda itu adalah fake, kita
16 akan kemukakan. Itu sahaja.
17
18 **AP** Jadi bagi En Zul –
19
20 **ZUL** Ya.
21
22 **AP** Bila nampak kandungan emel ini, ada tak terdapat unsur jenayah bila
23 emel seperti ini dikemukakan oleh seorang kepada orang lain? Ada tak
24 apa-apa –
25
26 **ZUL** Emel yang, yang mana?
27
28 **AP** Yang mengatakan macam ancaman dan dia bagi persepsi ada kaitan
29 dengan orang yang berpangkat tinggi. Ada tak apa-apa unsur jenayah?
30
31 **ZUL** Sebab itu saya nak minta salinan itu. Kita nak buat pengesahan. Tetapi
32 bila salinan yang contoh emel yang logo, logo jata negara itu kita tak
33 terima, saya tak boleh nak buat pengesahan sama ada itu fake email
34 ke ataupun dihantar oleh pegawai Kerajaan sendiri ke. Saya tak tahu.
35 Jadi saya tak boleh nak buat conclusion. Kalau saya dah dapat, hantar
36 pergi analisa, ada repot dia baru saya boleh buat satu conclusion.
37

1 **AP** Saya faham keterangan yang dibeli, diberi oleh Inspektor Zul. Saya nak
2 tanya berkenaan dengan perkataan-perkataan yang digunakan dalam
3 emel tersebut, adakah apa-apa unsur jenayah yang timbul?
4
5 **ZUL** Saya pun dah lupa apa kandungan dia.
6
7 **AP** Boleh nak, boleh baca, En Zul?
8
9 **ZUL** Saya tak nampak.
10
11 **AP** Tak nampak? Perkataan yang digunakan saya baca ya, saya tolong.
12
13 **ZUL** Boleh, boleh.
14
15 **AP** Di tengah-tengah menyatakan, 'Jangan salahkan diri saya jika anda
16 ditahan oleh mereka. Saya sudah jalankan kerja saya menghubungi
17 Pastor.' Di atas dia mengatakan, 'I'm trying to help you in this case.'
18 Perenggan terakhir, 'Kita kepada nama-nama yang berkenaan, saya
19 pun tak ada masa layan orang kerja macam Pastor tapi pada pemikiran
20 saya, saya lebih suka Pastor keluar dari Malaysia.' Merujuk kepada
21 perkataan-perkataan yang di dalam emel ini, ada tak apa-apa unsur
22 jenayah?
23
24 [01:00PM]
25
26 **ZUL** Saya tak pasti.
27
28 **AP** Boleh saya tanya Inspektor Zul?
29
30 **ZUL** Boleh.
31
32 **AP** Bagi mengikut pendapat Tuan, kalau kita gunakan Section 503,
33 Criminal Intimidation, boleh tak emel seperti ini jatuh di bawah seksyen
34 tersebut, kanun keseksaan?
35
36 **ZUL** Saya tak sure, saya tak pasti.
37

- 1 **AP** Jadi selalunya kalau IP dibuka dan SOP diikuti –
2
- 3 **ZUL** Ok.
4
- 5 **AP** Untuk bagi feedback dan relate with your higher up, DSP Omar ke
6 KBPD, adakah timbul perbincangan mengenai isu macam ini sama ada
7 terdapat unsur jenayah atau tidak?
8
- 9 **ZUL** Kita tak boleh buat keputusan lagi, Dato' Seri, sebab siasatan tak habis.
10 Jadi saya nak jatuhkan kata benda ini ada unsur jenayah pun tak boleh
11 juga.
12
- 13 **AP** Kalau kita rujuk balik kepada apa yang telah ditanya oleh panel member
14 tadi untuk dapatkan angle untuk sebuah kes, jadi untuk dapatkan angle,
15 pihak polis tidak merujuk kepada sama ada terdapat apa-apa seksyen
16 yang mungkin timbul dan continue the investigations based on that
17 possibility ke?
18
- 19 **ZUL** Dia angle yang macam panel bagi tahu tadi itu, ok, dia kira maklumat,
20 Dato' Seri ya. So maklumat itu kita, kita akan siasat dulu, kan. So kita
21 nak, kita nak kata benda itu ada unsur jenayah pun tak boleh, sebab itu
22 kita kena ambil. Kan, kena ambil semua evidence, kita siasat dulu, kan?
23 Bila terima laporan, baru kita boleh buat keputusan.
24
- 25 **AP** Jadi kalau kita hanya bergantung, hanya bergantung kepada
26 perkataan-perkataan yang digunakan, boleh tak seseorang pergi ke
27 balai polis untuk mengatakan, 'Saya terasaancam kerana terdapat
28 emel seperti ini.' Adakah pihak polis akan menyiasat selanjutnya?
29
- 30 **ZUL** Ya, kita akan siasat.
31
- 32 **AP** Jadi setakat ini, berkenaan dengan isu emel dan panggilan yang
33 diterima, hasil siasatan hanya ditumpukan kepada surat yang telah
34 dibuat kepada Multimedia Commission dan juga respons dari telco? Itu
35 sahaja ya?
36
- 37 **ZUL** Ya.

1
2 **AP** Ok, pada tarikh terakhir, Inspektor juga telah dirujuk sedikit kepada kes
3 Pastor Raymond Koh dan juga telah bagi tahu Pastor Raymond Koh
4 juga adalah, ada terima ugutan ancaman sebelum beliau ditangkap dan
5 hilang.
6
7 **CHM** Hold on, hold on, It's already 01:00PM. It's 01:00PM. Shall we take a
8 lunch break?
9
10 **AP** Very well.
11
12 **CHM** And resume at 02:00PM? Shall?
13
14 **AP** We are much oblige, honourable Commissioner.
15
16 **CHM** Ok. Ok, inquiry is adjourn for lunch.
17
18 **END**
19
20 **TIME** : 01:04PM
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37

1 **DATE** : 11.01.2021

2 **TIME** : 02:09PM

3

4

START

5

6 **CHM** Yes, counsel you may continue with your questioning.

7

8 **AP** Much obliged, Honourable Commissioner. Inspektor Zul, sebelum kita
9 berehat tadi, saya telah tanya En Zul berkenaan dengan tarikh terakhir
10 En Zul telah dirujuk sedikit kepada kes Pastor Raymond Koh, masih
11 ingat ke?

12

13 **ZUL** Ok.

14

15 **AP** Ok. Soalan saya, setakat mana terdapat ancaman, atau threat dalam
16 Bahasa Inggeris, kepada Pastor Raymond Koh dan juga sekarang
17 kepada Joshua Hilmy dan Ruth sebelum mereka hilang? Setuju tak
18 terdapat persamaan atau similarity antara dua kes ini?

19

20 **ZUL** Tak setuju.

21

22 **AP** So bila Tuan kata tak setuju, maksud Tuan, Tuan tidak setuju terdapat
23 ancaman dan threat dalam dua-dua kes ini? Adakah itu yang
24 dimaksudkan?

25

26 **ZUL** Dua-dua kes, sebab saya siasat kes Joshua, apa, Hilmy dengan Ruth.
27 Ini yang satu Pastor ni saya tak tahu.

28

29 **AP** Tak tahu, ok. Jadi setuju tak dalam kes yang ini, Joshua dan Ruth
30 Hilmy, memang terdapat unsur ancaman, threat. Setuju tak?

31

32 **ZUL** Tak setuju.

33

34 **AP** Jadi apa yang pihak kami telah baca tadi melalui emel, Exhibit 76A,
35 bagi Tuan itu tidak merupakan threat? Adakah benar?

36

1 **ZUL** Saya siasat dulu.
2
3 **AP** Buat masa ni bukan merupakan threat? Beri... Hanya bergantung
4 perkataan-perkataan yang telah digunakan dalam emel tersebut, dalam
5 pendapat Inspektor, adakah itu boleh mungkin menjadi threat? Mampu
6 menjadi threat atau tidak?
7
8 **ZUL** Saya tak pasti sangat, nak jawab macam mana.
9
10 **AP** Saya nak rujuk sedikit –
11
12 **ZUL** Ok, ulang balik. Tolong ulang balik.
13
14 **AP** Ulang soalan?
15
16 **ZUL** Ya.
17
18 **CHM** Tunjuk the email, tunjuk emel tu.
19
20 **AP** 76A?
21
22 **CHM** Emel tu balik, ya.
23
24 **AP** Ini adalah perkataan yang telah kami baca sebentar rehat, sebelum
25 rehat tadi. Jadi soalan saya kepada Inspektor adalah bergantung hanya
26 kepada perkataan-perkataan dalam emel ni, adakah unsur ancaman,
27 threat, atau tidak?
28
29 **ZUL** Saya ingat saya –
30
31 **CHM** Ya?
32
33 **ZUL** Saya siasat dulu, Dato' Seri.
34
35 **CHM** Tapi, ada basis untuk siasat satu thread, cuba tengok yang last line tu.
36 Dia kata pada 'Tapi pada pemikiran saya', Joshua adalah seorang
37 citizen kan, dia tak perlu keluar negara, he's a citizen, right to remain in

1 this country, tapi dia kata 'Pada pemikiran saya, saya lebih suka Pastor
2 keluar dari Malaysia.' Ada tak unsur-unsur threat di sini?
3
4 **ZUL** Waktu saya nak salinan emel ni, Dato' Seri, ok, untuk kita tentukan
5 kesahihan dia, then saya akan buat satu conclusion.
6
7 **CHM** Andainya, andainya kita, andainya sah, ada tak unsur-unsur threat?
8 Andainya, andai lah. Kita tak tahu.
9
10 **ZUL** Sebab kalau kata nak halau, nak suruh orang keluar Malaysia ni saya
11 rasa bukan satu ugutan atau pun threat yang dimaksudkan
12 (02:14:45PM inaudible).
13
14 **CHM** Sebelum tu pula 'Jangan salahkan saya jika anda ditahan oleh mereka.'
15 Dan lepas tu pula, 'Tapi pada... Lastly, ikutkan saya lebih suka Pastor
16 keluar.' Apa pendapat? Andainya it's sah, seseorang tu dia terima
17 message seperti ini.
18
19 [02:15PM]
20
21 **ZUL** Dia, kalau kita –
22
23 **CHM** Bukankah ini message membimbangkan?
24
25 **ZUL** Bukan, Yang Arif.
26
27 **CHM** Ya?
28
29 **ZUL** Tidak.
30
31 **CHM** Tidak?
32
33 **ZUL** Ya.
34
35 **CHM** Tidak apa, tidak membimbangkan?
36
37 **ZUL** Ya.

1
2 **CHM** Pada pendapat En Zulfadhly? Andainya message ini, andainya sah,
3 ya, tidak?
4
5 **ZUL** Tidak.
6
7 **CHM** Mengapa tidak? Mengapa?
8
9 **ZUL** Sebab dia, kita rakyat Malaysia, Dato' Seri, semua orang pun ada
10 kebebasan untuk bersuara ke atau pun untuk bercakap. As long tak
11 ada, orang kata apa, ugutan jenayah ke apa, ini diandaikan oleh Dato'
12 Seri jikalau benar kan?
13
14 **CHM** Bukan benar, jika sah.
15
16 **ZUL** Jika sah.
17
18 **CHM** Ya.
19
20 **ZUL** Tak apa, bagi saya siasat dulu, Dato' Seri, baru saya akan keluarkan
21 sebarang pendapat.
22
23 **AP** Saya nak tanya soalan sedikit berkenaan dengan SOP. Merujuk
24 kepada Exhibit 109A, iaitu borang kod utusan polis. Soalan saya,
25 mengikut SOP, ada tak masa yang ditetapkan untuk keluarkan borang
26 109A ini?
27
28 **ZUL** Dia tak ada masa, tetapi perlu dibuat.
29
30 **AP** Jadi tak ada SOP bila perlu asalkan dikeluarkan –
31
32 **ZUL** Ya.
33
34 **AP** Menepati SOP,
35
36 **ZUL** Betul,
37

1 **AP** Boleh saya tanya, kalau SOP ini dikeluarkan lebih awal, sekarang SOP
2 bertarikh, sekarang borang ni bertarikh 14.06.2017, report yang dibuat
3 oleh Peter adalah pada bulan Mac 2017, setuju?
4

5 **ZUL** Ok, betul.
6

7 **AP** Jadi soalan saya, kalau selepas report itu telah dibuat oleh Peter
8 Pormann dan borang ini dikeluarkan sejurus kemudian, setuju tak
9 kemungkinan untuk mendapatkan respons mungkin lebih tinggi.
10

11 **CHM** There's a less... How long report by Peter?
12

13 **AP** It was in March, Honourable Commissioner, and the borang –
14

15 **CHM** 6th March? It's there. Yes, 6th March.
16

17 **AP** 6th March.
18

19 **CHM** And this –
20

21 **AP** Borang is dated 14th of June.
22

23 **CHM** March...
24

25 **AP** Three months.
26

27 **CHM** Three months?
28

29 **AP** Yes.
30

31 **CHM** More than three months?
32

33 **AP** More than three months.
34

35 **CHM** More than three months. What's your question now?
36

- 1 **AP** So soalan saya, adakah impak yang lebih berkesan sekiranya borang
2 ini telah dikeluarkan lebih cepat, selepas sejurus kemudian report
3 dibuat?
4
- 5 **ZUL** Ok, Dato' Seri dan panel-panel, laporan dibuat pada Mac, then pengadu
6 datang pada April, ok, baru direkod keterangan. Ok. Dia so dalam masa
7 yang saya baca, yang tindakan Sarjan Sibeer yang saya dah explain
8 kan, dah beri keterangan sebelum ni, boleh semak balik apa semua,
9 bulan Mei Sarjan Sibeer memang ada ambil tindakan, ok, macam dia
10 semak dengan imigresen, benda tu semua memang tunggu masa.
11 Masa dia, mengambil masa. So kita hantar surat by today, hari ni takkan
12 dapat jawapan. Ok. Boleh semak balik apa yang saya dah terangkan,
13 apa yang Sarjan Sibeer ambil tindakan. So saya rasa tak ada isu
14 walaupun, laporan dibuat on March, ok, so pengadu datang pada April
15 untuk rekod keterangan, so bulan Jun Sarjan Sibeer dah flash kan,
16 sebab apa, sebab Sarjan Sibeer ada ambil tindakan untuk mengesan
17 penama yang hilang ni dan isterinya melalui tindakan-tindakan lain.
18
- 19 **AP** So mengikut SOP, adakah perlu mengambil langkah-langkah sebelum
20 mengeluarkan borang kod utusan polis?
21
- 22 **ZUL** Bila dah, sebelum keluarkan borang semboyan polis ni, kod utusan
23 polis, bila tindakan-tindakan lain dah diambil, jadi pegawai penyiasat
24 memang boleh keluarkan untuk buat hebahan satu Malaysia.
25
- 26 **AP** So apakah langkah-langkah yang perlu dibuat sebelum borang ini perlu,
27 boleh dikeluarkan?
28
- 29 **ZUL** Dia dah, jika dia dah, mula-mula bila dah terima laporan, ok, dah
30 interview pengadu, dah buat lawatan ke rumah pengadu dan saya
31 percaya benda tu mengambil masa, ok, dan cuba mengesan pengadu
32 melalui nombor telefon sebab saya ada terbaca ID-ID Sarjan Sibeer
33 yang beliau setiap minggu ada cuba berhubung dengan, apa nama,
34 Hilmy ni, ok, sebab nombor telefon tu diberi oleh Peter Pormannan
35 sendiri. Bila dia dah ambil semua tindakan tu, dia ambil pula tindakan
36 untuk buat hebahan, dan seterusnya.
37

- 1 **AP** So ini adalah termasuk dalam SOP, kena buat yang A, B, C, D dulu –
2
- 3 **ZUL** Dia tak ada –
4
- 5 **AP** Lepas tu –
6
- 7 **ZUL** Dia tak ada kata you kena buat hebahan dulu, tak ada. As long you
8 buat, you dah ikut SOP.
9
- 10 **AP** Jadi kalau saya tanya sebaliknya –
11
- 12 **ZUL** Ok.
13
- 14 **AP** Selepas Peter Pormann buat report pada Mac bulan 2017, tahun
15 2017, boleh tak satu minggu ke selepas report tu dibuat, borang kod
16 utusan polis ini dikeluarkan, boleh ke tidak?
17
- 18 **ZUL** Dia terpulang kepada pegawai penyiasat.
19
- 20 **AP** Tapi boleh lah?
21
- 22 **ZUL** Pendapat saya boleh.
23
- 24 **AP** Untuk pengetahuan am kami, mengikut SOP, bilakah Inspektor perlu
25 berurusan dengan Pejabat Perundangan atau pun Pejabat Pendakwa
26 Raya, bila mengendalikan kes orang hilang? Dalam situasi apa? Atau
27 pun itu perkara biasa?
28
- 29 **ZUL** Itu perkara biasa dalam penyiasatan, Dato' Seri, ok. Setiap
30 penyiasatan, kertas siasatan yang kita buka, untuk dapatkan arahan
31 lanjut, kita akan semak dengan Timbalan Pendakwa Raya. Itu memang
32 SOP dan saya yakin Dato' Seri pun tahu hal ni.
33
- 34 **AP** So selain daripada merujuk kepada KPPD, juga perlu merujuk kepada
35 Jabatan Perundangan dan Pejabat Pendakwa Raya.
36
- 37 **ZUL** Betul,

1
2 **AP** Ok. Sekarang saya nak tumpukan perhatian Inspektor Zul –
3
4 **PM2** Just a moment, counsel.
5
6 **AP** Yes?
7
8 **PM2** The document 109A ni yang tertera tu, keutamaan macam, sepatutnya
9 dia kena tick ke apa, biasa, mustahak, segera? Untuk borang ni ada di
10 tick ke, saya punya not clear.
11
12 **ZUL** Kalau nampak dekat sini tak ada, Tuan.
13
14 **PM2** Tak tick ya?
15
16 **ZUL** Dia tak tick.
17
18 **PM2** So mengikut pandanganlah, sebab ini bukan Inspektor yang buat kan?
19
20 **ZUL** Ya.
21
22 **PM2** Sebelum ni Sarjan yang buat. Kes orang hilang ni sebab biasanya
23 dalam keutamaan dia apa tick dia, biasa, mustahak ke segera?
24
25 **ZUL** Keutamaan, kalau untuk ini semboyan macam ni, selalunya kita akan
26 flash sajalah, sebab kes orang hilang di Malaysia, bukan kata di
27 Malaysia, di Petaling Jaya saja, sebenarnya pun banyak laporan yang
28 kami terima, dan ada laporan yang saya daripada 2018 sampai
29 sekarang pun kita masih mengesan dia lagi.
30
31 **PM2** So tak perlu membuat keputusan –
32
33 **ZUL** Tak ada –
34
35 **PM2** Untuk –
36
37 **ZUL** Tak ada, tak jadi masalah kalau tidak tick pun.

1

2 **PM2** Bukan sebab, pertanyaan saya adakah tick biasa, mustahak, segera tu
3 akan ada kesan kepada balai-balai polis yang menerima hebahan –
4

5 **ZUL** Tak ada.
6

7 **PM2** Untuk membuat lebih kerja ke, mencari dia lebih mendalam ke atau
8 tugas dia lekat dan bagi tahu dia punya pegawai, itu saja, atau, kalau
9 dia tick segera, contohnya, telah di tick segera, apakah kesan dia?
10

11 **ZUL** Ok, untuk yang kod utusan polis ni, jika dah di flash ke satu Malaysia,
12 dan selain daripada, benda ni akan sampai, ok, by fax, ke setiap balai
13 polis di satu Malaysia, even including Sabah, Sarawak, automatik
14 semua yang sampai, kod utusan sampai dan rekod pun dibuat. Jadi
15 maksud dia jika pemeriksaan road-block ke, polis buat pemeriksaan
16 terjumpanya Hilmy, dan dia akan terus menghubungi balai polis Sungai
17 Way.
18

19 **PM2** Tak ada kesan yang –
20

21 **ZUL** Tak ada kesan, Tuan.
22

23 **PM2** Tiga perkataan ni tak ada kesan langsung?
24

25 **ZUL** Tak ada kesan langsung.
26

27 **PM2** Tapi kenapa ada tiga perkataan ni kalau... Mesti ada sebabkan?
28

29 **ZUL** Ini just untuk pemakluman.
30

31 **PM2** I see.
32

33 **ZUL** Sebab dalam sistem bila dia dah buka KEP, Kertas Enkuii Polis,
34 automatik dalam sistem kita memang dah ada dah tiga.
35

36 **AP** Saya merujuk kepada keterangan yang telah diberi oleh Inspektor Zul
37 pada tarikh terakhir 17 September, di mana dinyatakan bahawa arahan

1 KPPD adalah untuk tindakan kemas untuk disimpan. Dan Tuan telah
2 bagi keterangan bahawa siasatan akan dibuka semula apabila terdapat
3 lead yang baru. Jadi soalan saya, berapa kali dapat arahan yang ini,
4 tindakan kemas untuk disimpan.
5
6 **ZUL** Yang setahu saya satu itu saja, Dato' Seri.
7
8 **AP** Dan hanya diberi oleh DSP Omar, betul?
9
10 **ZUL** Ya, ditandatangani oleh beliau.
11
12 **AP** So selepas menerima arahan tindakan kemas untuk disimpan, bilakah
13 fail dibuka semula, apakah lead yang didapati dan fail dibuka semula,
14 siasatan dibuka atau disambung?
15
16 **ZUL** Yang itu saya lupa, Dato' Seri.
17
18 **CHM** Ya?
19
20 **ZUL** Saya lupa, Dato' Seri. Yang saya ingat, dia dah tandatangan untuk
21 kemas tapi fail tu masih dalam simpanan Sarjan Sibee, dia masih
22 meneruskan lagi, sebab dalam ID siasatan dia ada tindakan yang dia
23 buat, ok, lepas tu ASP Hairol take over, lepas tu saya pula sambung
24 sehingga sekarang.
25
26 **AP** Berkenaan pula dengan penyata daripada Maybank atau pun
27 kenyataan yang dikeluarkan oleh pegawai Maybank. Ada tak pegawai
28 Maybank bagi tahu butir-butir berkenaan dengan transaksi yang di,
29 yang dapat dikesan pada bulan April 2017?
30
31 **ZUL** Tak ada, Dato' Seri.
32
33 **AP** Jadi Inspektor ada tanya tak sama ada melalui kaunter ke, ATM ke,
34 jenis transaksi tu?
35
36 **ZUL** Tak ada, Dato' Seri.
37

1 **AP** Boleh maklumkan nama pegawai dan pangkat dia?
2

3 **ZUL** Saya dah lupa, Dato' Seri.
4

5 **AP** Bagaimana pula dengan Multimedia Commission, SKMM? Apakah
6 nama dan pangkat pegawai yang memberi respons bahawa mereka
7 tidak boleh kesan emel tu dikeluarkan oleh siapa sehingga mendapat
8 original?
9

10 **ZUL** Kejap, saya semak balik. En Amir.
11

12 **AP** A-M-I-R?
13

14 **ZUL** Ya.
15

16 **AP** Nama penuh boleh kongsi?
17

18 **ZUL** Saya dapat nama dia itu saja, dia bagi tahu, Amir dari SKMM.
19

20 **AP** Dan pangkat dia?
21

22 **ZUL** Dia tak nyatakan.
23

24 **AP** Berkenaan dengan report-report yang dibuat di Chembong, iaitu 109C
25 hingga J. Boleh Tuan bagi tahu panel, bila bercakap dengan Inspektor
26 Nurul Huda, kali pertama berbincang dengan Inspektor Nurul Huda?
27

28 **ZUL** Saya dah lupa. Minta maaf, saya terlupa.
29

30 **AP** Bila Tuan minta untuk salinan report-report ni?
31

32 **ZUL** Saya semak melalui sistem polis, Dato' Seri.
33

34 **AP** Bila tu?
35

36 **ZUL** Memang yang... Semasa saya take over daripada ASP Hairol, memang
37 dah ada dah, dah dinyatakan dah yang Inspektor Nurul punya kertas

1
2 **CHM** Yes?
3
4 **AP** The origins and holder of an email address.
5
6 **CHM** Trace the origin?
7
8 **AP** Origins and the holder of an email address if a copy were to be given to
9 them. If a copy of that relevant email were given to them. We would
10 further request that a subpoena also be issued to the relevant telco for
11 both the numbers of Joshua and Ruth Hilmy for officers with relevant
12 authority to give evidence whether or not they are in a position to trace
13 details of phone calls made and received when a customer has a
14 prepaid number. And lastly, for a subpoena to be issued to the branch
15 manager of Maybank Ipoh Garden to give details of the type of
16 transaction that was transacted in April 2017 which is a date after
17 Joshua and Ruth Hilmy were last seen. I have no further questions,
18 Honourable Commissioners. Sorry, my colleague.
19
20 **TFW** Panel, just one or few question just to clarify. Just for the Ipoh branch
21 manager, Tuan sudah pergi interview?
22
23 **ZUL** Belum.
24
25 **TFW** Belum lagi? So Tuan ada planning untuk pergi interview?
26
27 **ZUL** Yes. Itu hari saya nak panggil dia datang tetapi MCO, dia tak boleh
28 datang sehingga sekarang.
29
30 **TFW** Tuan pun belum lawat tempat itu juga?
31
32 **ZUL** Tempat mana?
33
34 **TFW** Tempat Maybank.
35
36 **ZUL** Maybank? Belum.
37

1 **TFW** I think that's all, Dato'.
2
3 **CHM** Sebentar. What do you think, Simon, of the request? The request...
4 Subpoena, the issuance on these three persons. Multimedia, who else?
5 Telco, Maybank, yes.
6
7 **SK** Dato' Seri, on the MCMC, we actually have written to MCMC requesting
8 for the information, the name and the owner of the email. And we have
9 requested a meeting. They have actually revert to us that they will be
10 meeting us but they could not, it seems the boss wants to meet.
11
12 **CHM** Yes?
13
14 **SK** The CEO wanted to meet us and give the information, the briefing, but
15 at that point of time we could not get mutual date. So we then the CMCO
16 was announced, so we are still following up for the meeting with MCMC.
17
18 **CHM** I see. Ok, that's MCMC. Telco?
19
20 **SK** Ok, we have only written to Digi once, and Digi replied that the number
21 does not belong to them, but the only information we have, the
22 information we receive from Inspektor Zulfadhly that number is from
23 Maxis. So that's only information we have. And Maybank, yes. Maybank
24 I think it's an important issue for this inquiry. I think if we can call the,
25 anyone from Maybank to come and give the evidence.
26
27 **CHM** Maybank, ya?
28
29 **SK** Yes.
30
31 **CHM** But the... Ok, telco, you're going to meet the CEO. Ok. Right.
32
33 **PM2** No, that's SKMM.
34
35 **CHM** Sorry.
36
37 **SK** MCMC.

1
2 **CHM** MCMC. And then telco, I'm not clear just now. You said Digi says it's
3 not their number?
4
5 **SK** Their number. The only information we have Digi it's not their number,
6 then from the information given by Inspektor Zulfadhly, the number
7 belongs to Maxis.
8
9 **CHM** Maxis?
10
11 **SK** Maxis, yes.
12
13 **CHM** Ok. How does it begin, 011? 012? 017?
14
15 **SK** 011.
16
17 **CHM** 011?
18
19 **SK** 011.
20
21 **CHM** And Digi said it's not theirs?
22
23 **SK** Yes.
24
25 **CHM** So are you going to follow up now with Maxis?
26
27 **SK** Well... I think because the question put by the counsel is whether they
28 can trace details when phone call received from a customer which has
29 prepaid number. So that information we can also receive by writing to
30 them.
31
32 **PM2** Yes.
33
34 **SK** So not necessary to subpoena them here.
35
36 **CHM** Not necessary?
37

1 **SK** Yes, not necessary.
2
3 **CHM** Maxis.
4
5 **SK** Maxis, yes.
6
7 **CHM** Maxis. Ok. So that's the position. Yes, ok. Hold on. Yes. Ok, yes
8 counsel?
9
10 **AP** We appreciate SUHAKAM's taking the extra step to get this additional
11 information. Could we just request that when SUHAKAM writes in to
12 Maxis, that the letter also confirm that these two numbers are theirs,
13 and then the general information that prepaid numbers they are also
14 able to identify the callers. The only question that I would have is, once
15 they give that information in writing, how then would we be able to
16 process or to look through the information that they give if they are
17 willing to actually divulge the records then. So how would SUHAKAM
18 be handling that part of the evidence?
19
20 **CHM** Any answer to that?
21
22 **SK** Well, I think we have to first look at the response by the telco. If they
23 can, let's say they say they can give the call logs, prepaid number they
24 have the call logs, of course we ask for the details, and if there's
25 necessity we can call them to testify as well. We have to look at the
26 response first.
27
28 **CHM** Yes, ok. There's our response –
29
30 **AP** Yes.
31
32 **CHM** For the time being.
33
34 **AP** We appreciate that very much.
35
36 **CHM** Ok.
37

1 **MSR** Bismillahirrahmanirrahim. Assalamualaikum warahmatullahi
2 wabarakatuh dan selamat petang. YBhg Dato' Seri, saya mohon maaf
3 bagi pihak SAC Ahmad Dzaffir bin Mohd Youssof, tidak dapat hadir
4 pada sesi petang ni disebabkan terdapat penugasan lain. Dengan izin,
5 YBhg Dato' Seri. Inspektor Zul?
6
7 **ZUL** Saya.
8
9 **MSR** Boleh ingatkan kami kembali bila Inspektor Zul lapor diri sebagai Ketua
10 Polis Balai Sungai Way?
11
12 **ZUL** Saya lapor pada bulan November, on November 2018.
13
14 **MSR** Boleh Inspektor Zul ingatkan kami kembali, bila KEP itu diberikan
15 kepada Inspektor Zul?
16
17 **ZUL** Saya terima KEP ni, Dato' Seri dan panel, pada bulan yang sama juga.
18 Pada bulan November tarikh yang saya lapor, November 2018.
19
20 **CHM** Given by who? Diberi oleh siapa?
21
22 **ZUL** Diberi oleh anggota admin saya.
23
24 **MSR** Inspektor Zul, semasa Inspektor Zul menerima KEP Orang Hilang,
25 adakah Inspektor Zul ada melihat laporan polis di dalam kandungan
26 KEP itu?
27
28 **ZUL** Ada, Dato' Seri. Ada saya lihat dokumen laporan polis tu.
29
30 **MSR** Boleh Inspektor Zul ingatkan kepada kami semula, siapakah pengadu
31 dalam laporan polis tersebut?
32
33 **ZUL** Pengadu untuk bagi kes ini, Dato' Seri, penama Peter, En Peter
34 Pormannan a/l Annamalai.
35

- 1 **MSR** Inspektor Zul, semasa Inspektor Zul melihat KEP Orang Hilang dan
2 melihat laporan polis tersebut, apakah pandangan Inspektor Zul ketika
3 itu?
4
- 5 **ZUL** Pada pandangan saya, Dato' Seri, ini merupakan sebuah laporan polis
6 berkaitan dengan kehilangan, laporan yang dibuat oleh pengadu yang
7 bimbang akan keselamatan kawan dia, ok, yang keluar rumah dan
8 disyaki hilang. Itu pandangan saya.
9
- 10 **MSR** Inspektor Zul, dalam keterangan Inspektor Zul ada menceritakan
11 berkenaan KEP ini pernah di KUS kan. Boleh Inspektor Zul ingatkan
12 kami kembali apakah maksud KUS tersebut?
13
- 14 **ZUL** Dato' Seri dan panel, KUS ini adalah singkatan, ok, Kemas Untuk
15 Simpan, ok. Tetapi, memang untuk simpan, ok, tetapi bila saya semak
16 semua yang tindakan-tindakan IO sebelumnya, kira dia KUS ni tak
17 semestinya dapat arahan KUS kita simpan, kita peram fail tu, tidak. Ok,
18 tetapi jika ada maklumat berkaitan, ok, saya percaya yang arahan KUS
19 bila dia dah search, dia dah buat pencarian, tak jumpa apa-apa, any
20 clue, kebiasaannya IO akan KUS sementara. Dia panggil KUS
21 sementara, then dia akan buka kembali sebab memang ada SOP untuk
22 menyemak balik kertas-kertas siasatan KEP Orang Hilang ni.
23
- 24 **[02:45PM]**
- 25
- 26 **MSR** Inspektor Zul, setuju atau tidak sekiranya saya menyatakan bahawa
27 walaupun arahan KUS telah diberikan tetapi siasatan masih dijalankan.
28
- 29 **ZUL** Setuju, Dato' Seri.
30
- 31 **MSR** Inspektor Zul, sebentar tadi Inspektor Zul ada tender berkaitan laporan
32 polis Chembong. 109C sehingga J, betul?
33
- 34 **ZUL** Betul.
35
- 36 **MSR** Setakat ini berdasarkan laporan polis tersebut, adakah apa-apa lead ke
37 atas siasatan ni.

1
2 **ZUL** Tiada, Dato' Seri.
3
4 **MSR** Inspektor Zul, sebentar tadi Inspektor Zul ada menceritakan berkenaan
5 dengan sistem, yang mana apabila KEP Orang Hilang didaftarkan,
6 sistem tersebut telah memaklum kepada seluruh PDRM, betul atau
7 tidak?
8
9 **ZUL** Betul, Dato' Seri.
10
11 **MSR** Betul atau tidak, setuju atau tidak, bahawa borang kod utusan polis ni,
12 atau dikenali sebagai Semboyan merupakan salah satu medium untuk
13 memaklumkan kepada balai, Ketua Balai Polis seluruh Malaysia.
14
15 **ZUL** Setuju, Dato' Seri.
16
17 **MSR** Itu saja, Yang Berbahagia.
18
19 **CHM** Terima kasih. Mr Khoo.
20
21 **AK** Thank you, Honourable Commissioners. Inspektor Zul, nama saya
22 Andrew Khoo bagi pihak Majlis Peguam sebagai peguam pemerhati.
23 Ada beberapa soalan untuk Inspektor Zul pada petang ini.
24
25 **ZUL** Baik.
26
27 **AK** Mula-mula saya nak merujuk kepada kod utusan polis, Exhibit 109A.
28 Boleh Inspektor Zul terangkan sedikit tentang cara ianya diedarkan.
29 Saya lihat pada borang ini, penjuru atas kiri, kata 'Hantar dengan
30 teleprinter atau radio circuit.' Maksudnya apa?
31
32 **ZUL** Dia send by fax, by fax, Dato' Seri.
33
34 **AK** Ok, jadi dihantar kepada, seperti yang dikatakan ni, semua KPB, Ketua
35 Polis Balai?
36
37 **ZUL** Betul, Dato' Seri.

1
2 **AK** Seluruh Semenanjung, Sabah dan Sarawak.
3
4 **CHM** Sekarang masih pakai faks lagi ke?
5
6 **ZUL** Masih, Dato' Seri.
7
8 **CHM** Masih lagi?
9
10 **ZUL** Ya.
11
12 **CHM** Semua tempat dah tak pakai dah kan, faks? Old fashion ya? Masih
13 pakai lagi?
14
15 **ZUL** Masih.
16
17 **CHM** Ok.
18
19 **AK** Jadi bila KUP ini diterima oleh mana-mana balai polis, apakah yang
20 akan dilakukan?
21
22 **ZUL** Yang akan dilakukan oleh?
23
24 **AK** Oleh –
25
26 **ZUL** Penerima?
27
28 **AK** Balai polis yang menerima ini.
29
30 **ZUL** Ok, Dato' Seri, tadi saya dah beritahu dah. Selepas faks ni di flash ke
31 satu Malaysia, KPB Ketua Polis Balai, yang pertama dia akan, yang ini
32 dia akan simpan dalam fail utusan polis, dia panggil fail utusan polis,
33 dan dia akan rekod di dalam buku rekod setiap balai masing-masing.
34
35 **AK** Tu flash tu, flash kepada semua pegawai?
36

1 **ZUL** No, ke balai polis sebab kita tujukan kepada Ketua Polis Balai untuk
2 mereka buat hebahan di bawah.
3
4 **AK** Ok, jadi macam mana dia, Ketua Balai Polis itu membuat hebahan
5 kepada anggota-anggotanya?
6
7 **ZUL** Kalau di peringkat balai saya, jika saya terima semboyan begini, sebab
8 saya pun Ketua Polis Balai, kira saya akan letak di papan kenyataan
9 saya. Ok, setiap kali anggota yang keluar masuk tugas, sebab kita polis
10 24 hours, then setiap 24 hours tu ada tiga syif, so mereka akan tengok
11 papan kenyataan, mereka akan semak. Dan kebiasaannya anggota
12 akan bagi taklimat, Dato' Seri, ok, ini hari kita ada terima dua semboyan
13 berkaitan dengan orang hilang, bantu kesan, akan buat pemeriksaan
14 orang ada penama ni, ok, ambil bawa dia datang ke balai. Begitulah
15 cara kerja.
16
17 **AK** Jadi maksud Inspektor Zul, taklimat ini diberi sebelum syif bermula ke
18 macam mana?
19
20 **ZUL** Kebiasaannya begitu.
21
22 **AK** Ok. Dan juga ditampal di papan tanda? Jadi kalau tak ada taklimat dan
23 ianya ditampal di papan tanda dan pegawai tidak melihat, dia tidak akan
24 tahu?
25
26 **ZUL** Kebiasaannya kita akan bagi taklimat sebelum keluar tugas.
27
28 **AK** Ok.
29
30 **PM2** Inspektor Zulfadhy.
31
32 **ZUL** Yes.
33
34 **PM2** Pada hari ini di Balai Polis Sungai Way, bagi contoh lah, ada berapa
35 hebahan atau Semboyan yang sekarang atas papan tanda tu? Contoh?
36 At this point.
37

1 **ZUL** To be honest, my papan tanda baru ni dilanda ribut, pecah. Tapi kita
2 transfer kan ke dalam.
3
4 **PM2** Dia apa? Sorry, tak dengar.
5
6 **ZUL** Papan tanda balai saya pecah sebab hujan.
7
8 **PM2** Ok.
9
10 **ZUL** So dia punya ni, kita punya gelas semua tu pecah.
11
12 **PM2** Ok, tak apa, faham.
13
14 **ZUL** So kita transfer ke dalam now. So untuk yang selain daripada orang
15 hilang, ok, kita akan letak yang 'Wanted' tu, wanted person.
16
17 **PM2** Ok.
18
19 **ZUL** Ok, di papan saya di belakang yang setakat minggu ni, masih ada
20 empat orang lagi. Satu orang hilang, tiga wanted person.
21
22 **PM2** So empat yang...
23
24 **ZUL** Ya, kita –
25
26 **PM2** A4 paper lah yang dilekat tu?
27
28 **ZUL** Betul.
29
30 **PM2** Ok. Adakah itu kebiasaan, lebih kurang empat sampai lima, ke ada
31 kadang-kala lebih daripada –
32
33 **ZUL** Kadang-kadang lebih.
34
35 **PM2** Maximum what in your experience?
36
37 **ZUL** Dia based on besar satu-satu papan tu.

1
2 **PM2** Kalau papan tu besar tampal lebih lagi?
3
4 **ZUL** As long kalau ada yang kita perlu kesan.
5
6 **PM2** So that means the numbers could be big.
7
8 **ZUL** Ya.
9
10 **PM2** Tapi yang, apa yang boleh ditampal tu setakat yang ruang yang ada?
11
12 **ZUL** Correct.
13
14 **PM2** So in your file –
15
16 **ZUL** Ok.
17
18 **PM2** Bukan tampal, how many semboyan hebahan that is now in Balai Polis
19 Sungai Way?
20
21 **ZUL** Untuk orang –
22
23 **PM2** Semua, campur.
24
25 **ZUL** Keseluruhan?
26
27 **PM2** Ya, keseluruhan. Orang hilang, apa tu, wanted men, semua tu.
28
29 **ZUL** More than 100.
30
31 **PM2** More than 100? Ok. That gives an indication, I think that's your wanting
32 to understand the operations when they receive a hebahan also,
33 Andrew.
34
35 **AK** Thank you, Comm'r Jerald Joseph. Tadi seperti yang Inspektor Zul
36 telah terangkan, ini papan tanda ni di luar balai ke dalam balai?
37

1 **ZUL** Dia terpulang kepada balai masing-masing. Ada yang dekat luar, ada
2 yang dekat dalam.
3
4 **AK** Ok.
5
6 **ZUL** Macam saya punya di luar.
7
8 **AK** Ok. Ok, saya minta maaf mungkin saya telah terlalu banyak menuntun
9 program televisyen polis di Amerika. Bila ada satu-satu mungkin
10 suspect yang ditahan dekat luar, adakah bila kamu, pegawai polis itu
11 yang menangkap suspect itu memberi keterangan atas radio telefon,
12 ada boleh dicam siapakah orang ini, adakah ada sesuatu kod utusan
13 polis yang telah dikeluarkan terhadap mereka?
14
15 **ZUL** Maksudnya? Saya tak faham.
16
17 **AK** Ok, itulah saya terlalu banyak menuntun televisyen polis. Kalaupun ada
18 pegawai polis yang meronda, mungkin –
19
20 **ZUL** Ok.
21
22 **AK** Mungkin mereka telah menyiasat dan mereka telah, apa ni,
23 menangkap, menahan seseorang suspect. Adakah butir-butir suspect
24 itu di, apa ni, di inform atas radio polis kepada balai?
25
26 **ZUL** Ok. Dia, contoh, kita, saya tak ambil jauh, saya ambil Petaling Jaya. So
27 IPD Petaling Jaya, Petaling Jaya ada satu IPD, dia panggil Ibu Pejabat
28 Polis Daerah. So in IPD ada DCC, ok, District Control Centre. So di
29 bawa IPD ni ada pecahan balai-balai. So in PJ ada lapan balai. Ok, so
30 ada anggota yang kita bekalkan dengan kita punya sistem, so saya tak
31 perlu, dia orang dah tak perlu dah nak call ke IPD ke, sebab kita akan
32 pakai walkie talkie, untuk semak IC number orang ni, ada wanted ke
33 atau pun dia ada kes dia hilang ke apa kan. Ok. Ada yang dibekalkan
34 phone dia akan directly check, contoh I masukkan nama you, Mr
35 Andrew, kalau dia tengok ada Wanted, contoh la, I tak kata you Wanted,
36 kan, contoh ada Wanted. So dia akan tahu. So petugas di bawah

1 automatically akan 'Ok, this man ada Wanted. So kita tak boleh
2 lepaskan dia, kita mesti balik untuk buat siasatan dulu.'

3

4 **AK** Ok. Jadi maksudnya edaran itu agak, boleh dikatakan serta merta atau
5 tidak?

6

7 **ZUL** Kalau dah, dalam sistem tu dah ada memang kita tahu lah.

8

9 **AK** Ok.

10

11 **ZUL** Memang serta merta lah, Dato' Seri, panel.

12

13 **AK** Tadi bila peguam Audrey Pillai bertanya Inspektor Zul, dia bertanya
14 tentang tempoh masa dari tarikh satu FIR dibuat dulu, kemudian
15 dikeluarkan kod utusan polis, dalam kes ini mengambil masa mungkin
16 tiga bulan lebih, ya, dari bulan, 06.03.2018 sampai, 17, sampai di sini
17 14 Jun, dan En Zul, sorry, Inspektor Zul telah mengatakan 'Sarjan Sibe
18 mungkin telah membuat ini dan itu', kerana itu ada, apa ni, perlangahan
19 masa. Tetapi saya nak tahu, bolehkah sesuatu pegawai tu
20 mengeluarkan kod utusan polis serta merta, tidak menunggu jawapan
21 daripada panggilan dia atau penerangan yang dia mungkin cari, tapi
22 secepatnya dia terima, dan dia membaca FIR itu, dia keluarkan kod
23 utusan polis. Bolehkah?

24

25 **ZUL** Ok, Dato' Seri, untuk yang utusan polis ni, sebab dah banyak kali tanya
26 dah, saya rasa better nanti Sarjan Sibe boleh datang, boleh terus
27 tanya dia. Sebab –

28

29 **CHM** Sila ulangi, kurang jelas.

30

31 **ZUL** Ok, kod utusan polis ni, dah, soalan pun dah banyak kali dah, saya rasa
32 more than five times, ok. Jadi kalau nak tahu lebih lanjut nanti Sarjan
33 Sibe datang beri keterangan boleh tanya dia, Dato' Seri.

34

35 **CHM** Kemungkinan kita tak panggil Sibe sebab dia kurang sihat.

36

37 **ZUL** Betul, dia baru –

1
2 **CHM** Ya, kurang sihat.
3
4 **ZUL** Pesan (02:57:30PM).
5
6 **CHM** So jadi sila jawapan, jawablah soalan peguam.
7
8 **ZUL** Sebab saya, tadi peguam cakap mungkin sebab Sarjan Sibee dah buat
9 dah tindakan sebab benda tu berekod. Ok, sebelum dia flash
10 Semboyan ni ada tindakan lain yang dia buat. Contoh buat semakan
11 dengan telco apa semua, Dato' Seri, seperti yang saya dah bagi tahu
12 dah sebelum ni. Dia yang buat delay nya tu, berkaitan dengan lain-lain
13 agensi ni. Untuk surat-menyurat kerajaan, hari ini hantar, besok tak
14 akan dapat jawapan. Mesti ambil masa dua minggu.
15
16 **PM2** Mr Andrew I think he answered the counsel earlier saying that it can
17 done earlier, betulkan, Inspektor Zulfadhly?
18
19 **ZUL** Betul, Sir.
20
21 **PM2** He agrees that it may not be this time but can be done anytime, there's
22 no prohibition. Is that what you wanted him to...
23
24 **AK** Yes, thank you.
25
26 **PM2** Yes, he had answered earlier to counsel already, Audrey.
27
28 **AK** So it can be done quite quickly.
29
30 **PM2** Yes.
31
32 **AK** It doesn't have to wait for three months?
33
34 **PM2** No, he said there's no timeline, no SOP suggested.
35
36 **AK** Ok. Borang kod utusan polis ini –
37

1 **ZUL** Ok.
2
3 **AK** Adakah ianya diedarkan kepada mana-mana agensi kerajaan di luar
4 polis?
5
6 **ZUL** Nama pun borang kod utusan polis, jadi untuk polis saja.
7
8 **AK** Saya tahu.
9
10 **ZUL** Ya, untuk polis saja, Tuan.
11
12 **AK** Jadi kalau seseorang itu diculik, katakan diculik, dan dibawa keluar
13 negara menerusi airport ke, sempadan ke, jadi pihak Imigresen tidak
14 akan tahu bahawa ada apa-apa masalah dengan orang ini. Betul atau
15 tidak?
16
17 **ZUL** Tuan, itu yang culik punya ni, saya rasa, sebab saya siasat untuk orang
18 hilang, saya tak pernah siasat untuk orang yang diculik. Jadi saya tak
19 pasti prosedur dia macam mana.
20
21 **AK** Tapi kalau orang hilang, dan mungkin katanya dia ingin ke luar negara.
22 Bila dia sampai ke sempadan, pondok imigresen, pegawai imigresen tu
23 tidak akan tahu bahawa ada kod utusan polis yang telah dikeluarkan
24 atasnya. Betul?
25
26 **ZUL** Jika di sempadan, Dato' Seri, selain daripada imigresen ada juga polis
27 di sepadan, mereka akan semak juga. Kebiasaan dia begitu.
28
29 [03:00PM]
30
31 **AK** Ok. Terima kasih. Bila Inspektor Zul telah meminta anak kepada Peter
32 hadir untuk di, apa ni, diambil kenyataan dia. Peter dengan, sorry,
33 Josiah dengan kakaknya atau adiknya, Grace, adakah, bolehkah
34 Inspektor Zul ingat, adakah kamu bertanya kepada mereka, apakah
35 keadaan rumah Joshua Hilmy tu pada masa tu. Keadaannya. Adakah
36 ianya kemas atau berselerak?
37

1 **ZUL** Apa yang saya ingat, Dato' Seri, statement yang saya rekod penama
2 Grace Thangamalar dengan Josiahnandan anak kepada pengadu ni,
3 yang saya ingat, yang saya dah bagi baru ni, 17hb September, dia dah
4 nyatakan dah, dia terima kunci, then dia kata Hilmy dengan Ruth keluar,
5 dan rumah tu mereka masih stay lagi sehingga bulan, tak silap saya
6 bulan Mac pada tahun itu 2017. Dan mereka keluar rumah tu pun dalam
7 keadaan baik dan berkunci.
8

9 **AK** Jadi kalau begitu, bila kamu dengan anggota-anggota kamu pergi ke
10 rumah Joshua Hilmy dan mengambil gambar, dan kita lihat mungkin
11 Exhibit, gambarnya gambar 22 dengan 23, Exhibit 109. 109 dengan
12 gambar-gambar itu 9A, B... K, ke? Gambar ni adalah K? Bukan
13 gambar rajah rumah, gambar-gambar di dalam rumah.
14

15 **PM2** Betul tadi tu, yes. 109.
16

17 **AK** Gambar yang di, apa ni, diletak gambar 22 dengan 23. Agak hujung
18 sikit. Lagi. Ya, ok. Gambar 22, No.22. Ok. So gambar 22 dengan 23, ini
19 menunjukkan satu bilik di dalam rumah Joshua Hilmy dengan keadaan
20 berselerak ya. Jadi adakah terfikir, Inspektor Zul, kalaulah Josiah
21 dengan Grace mengatakan bahawa bila mereka keluar kali terakhir dari
22 rumah ni, rumah ni kemas. Tapi sekarang dilihat dalam gambar ini,
23 ianya agak berselerak. Apakah yang telah berlaku di antara tempoh bila
24 dilihat kali terakhir oleh Josiah, dan pada masa itu? Adakah orang
25 masuk, macam mana? Apakah fikiran Inspektor Zul?
26

27 **ZUL** Saya tak berapa pasti, Dato' Seri.
28

29 **AK** Tapi ada, ada ternyata bahawa memang ini, apa ni, tidak sama dengan
30 apa yang telah dikatakan oleh Josiah dengan Grace.
31

32 **ZUL** Sebab siasatan saya, Dato' Seri, bila saya panggil Grace dengan
33 Josiah datang, dia pun dah bagi keterangan dah, dia maklum, dia kata
34 Hilmy dengan wife dia keluar, so dia masih duduk dalam rumah tu
35 dalam period five months, tak silap saya dalam statement tu. So dia
36 duduk dalam keadaan baik dan penama, anak Peter Pormannan pun
37 belajar sampai habis dia punya study, ok, dan dia keluar daripada

1 rumah tu dalam keadaan baik, jadi saya rasa tak ada apa-apa ni, Dato'
2 Seri. Tak ada apa-apa show –
3
4 **CHM** Bila gambar ni diambil?
5
6 **ZUL** 18hb Oktober, diambil oleh jurufoto jenayah.
7
8 **CHM** 18 Oktober, tahun?
9
10 **ZUL** 2018, Dato' Seri.
11
12 **CHM** 2018. Grace dengan Josiah meninggal, tinggalkan rumah ni bila?
13
14 **ZUL** 2017.
15
16 **CHM** 2000?
17
18 **ZUL** 17.
19
20 **CHM** Bulan?
21
22 **ZUL** Tak silap saya bulan Mac before laporan dibuat oleh bapa dia.
23
24 **CHM** So bila ambil gambar ni dah berserabut dah?
25
26 **ZUL** Betul, Dato' Seri.
27
28 **CHM** Serabut ya? Tadi ada gambar tu it's ok, neat and tidy. Gambar colour
29 tadi.
30
31 **PM2** That's three months before, right? Three months before October. Or is
32 it six months before?
33
34 **AK** I think earlier there was a photo taken by Ram Ram Elisabeth.
35
36 **CHM** This the one.
37

1 **PM2** Yes, this the one. Very neat and clean.
2
3 **CHM** Ok.
4
5 **AK** It seems to be relatively tidy.
6
7 **CHM** Yes. When was this photograph taken?
8
9 **AK** This I think would be February, I think February 2018. Sorry?
10
11 **SK** 27.02.2018.
12
13 **AK** 27.02.2018?
14
15 **CHM** 27th February, tahun?
16
17 **AK** 2018.
18
19 **CHM** Ok, gambar ni, not too bad, yes?
20
21 **AK** Yes.
22
23 **CHM** Relatively neat.
24
25 **AK** As can be seen.
26
27 **CHM** But 18th October tadi, ni October in a horrible condition, right?
28
29 **AK** Yes.
30
31 **CHM** So it's a matter of October to February, 10 months? Wait.
32
33 **AK** Yes.
34
35 **CHM** Tak sampai.
36
37 **PM2** Eight months.

1
2 **AK** Eight months.
3
4 **CHM** Eight months dah jadi macam ni ya? Inspektor ada ziarah rumah ni tak?
5
6 **ZUL** Ada, Dato' Seri.
7
8 **CHM** Bila tu?
9
10 **ZUL** Bulan Disember dan bulan Februari.
11
12 **CHM** Disember tahun?
13
14 **ZUL** 2018.
15
16 **CHM** 18. Keadaan dia macam mana? Macam ni? Teruk?
17
18 **ZUL** Tak boleh masuk sebab –
19
20 **CHM** Tak boleh masuk?
21
22 **ZUL** Owner rumah dah kunci.
23
24 **CHM** So, how this happen?
25
26 **AK** I mean, so that's the question I'm putting to Inspektor Zul, whether he
27 thought about it and wondered, you know, what had happened during
28 the intervening period.
29
30 **CHM** I see. The first time a police ambil photograph was... This one, 18th of
31 March, 18th of October?
32
33 **AK** Yes.
34
35 **ZUL** Betul.
36
37 **CHM** Ini polis ambil?

1
2 **ZUL** Betul.
3
4 **CHM** Dan teruk macam ni?
5
6 **ZUL** Betul, Dato' Seri.
7
8 **CHM** And when Ram ambil gambar, it's in February, still ok? So something
9 happened along, in between, something happen.
10
11 **ZUL** Saya tak pasti, Dato' Seri.
12
13 **CHM** Ini kalau tengok. Yes, ok, yes.
14
15 **AK** That was just question that I was going to ask him. Terima kasih,
16 Inspektor Zul.
17
18 **ZUL** Thank you.
19
20 **MFR** Assalamualaikum. Selamat petang, Dato' Seri, panel members. Untuk
21 makluman sepatutnya kita akan ada satu saksi seterusnya untuk saksi
22 yang ke-20, iaitu Sarjan Ahmad Sibee. Untuk makluman semua
23 daripada pihak Sekretariat kami telah menghubungi saksi tersebut dan
24 kami telah dimaklumkan bahawa Sarjan Ahmad Sibee tidak begitu sihat
25 untuk hadir di hadapan panel. Tambah lagi pihak Sekretariat juga telah
26 berjumpa dengan Sarjan Ahmad Sibee pada 06.01.2021 untuk
27 mengetahui keadaan masalah yang dihadapi oleh beliau. Dan pihak
28 Sekretariat telah menyediakan satu laporan untuk dikemukakan
29 kepada pihak Panel dan observer.
30
31 **CHM** Ya.
32
33 **MFR** Ok, Dato' Seri, kalau kita boleh lihat report ini, dilampirkan beberapa
34 gambar untuk melihat keadaan Sarjan Ahmad Sibee lah. Untuk
35 seterusnya Dato' Seri, saya ingin mencadangkan supaya laporan ini
36 ditenderkan.
37

1 **CHM** Exhibit?
2
3 **MFR** 110.
4
5 **CHM** Report by two SUHAKAM's officers?
6
7 **PM2** One.
8
9 **CHM** One?
10
11 **PM2** Signed in the end by one.
12
13 **CHM** On condition of, medical condition of or rather health condition of Sarjan
14 Sibe. Observers, you would like to make any comments on this report
15 before the Panel make a decision whether to insist calling him or to
16 excuse this particular witness by reason of health?
17
18 **MSR** Dengan izin –
19
20 **CHM** Ya.
21
22 **MSR** Ybhg Dato' Seri, bagi kami sekiranya saksi itu unfit untuk memberi
23 keterangan di dalam sesi pendengaran ini, jadi tiada keperluan untuk
24 dia hadir.
25
26 **CHM** Speak a bit louder.
27
28 **PM2** Kuat sikit.
29
30 **CHM** A bit, kuat sikit.
31
32 **MSR** Dengan izin. Sekiranya saksi unfit –
33
34 **CHM** Ya.
35

1 **MSR** Untuk hadir ke sesi pendengaran ini, jadi tiada keperluanlah untuk hadir
2 memandangkan hanya keterangan sudah diambil oleh pihak
3 SUHAKAM.
4

5 **CHM** Ok, terima kasih.
6

7 **AP** The question that we would like to pose, Honourable Commissioners,
8 is that if there are specific questions that we would like to address
9 because Sarjan Ahmad Sibee was the main IO, before it was taken over
10 by others, would we be able to do it in writing and for him to give written
11 evidence, would that be a possibility to, he is able to consider? That
12 would be our request.
13

14 **CHM** Yes?
15

16 **MFR** Ok, Dato' Seri, untuk makluman semua. Kita telah mengambil
17 keterangan Sarjan Ahmad Sibee sebanyak dua kali, pada 2017
18 bertarikh 06.07.2017 dan pada 04.09.2018. So untuk seterusnya kami
19 akan minta, mencadangkan supaya report statement ini ditenderlah.
20

21 **CHM** Has learned counsel the benefit of seeing that before this? Belum lagi?
22

23 [03:15PM]
24

25 **MFR** Belum.
26

27 **CHM** I see. Have a look first.
28

29 **AP** Very well.
30

31 **CHM** The statements taken by our officers –
32

33 **AP** Very well.
34

35 **CHM** And then consider whether really necessary to pursue –
36

37 **AP** For further questions –

1
2 **CHM** What you have in mind, yes?
3
4 **AP** Very well. We stand guided.
5
6 **CHM** Yes.
7
8 **AP** We appreciate that.
9
10 **CHM** Jadi report ini exhibit apa, Exhibit?
11
12 **MFR** 110.
13
14 **CHM** 110, yes. So, in light of the health condition and based on report by
15 SUHAKAM's officer, the Panel decides that we'll not be calling Sarjan
16 Sibe, Sibe, yes. Yes. But of course, we would like to hear what
17 counsel got to say after seeing the report.
18
19 **AP** Much obliged.
20
21 **CHM** Ya.
22
23 **MFR** Ok, Dato' Seri, untuk seterusnya, seperti yang saya maklumkan
24 sebelum ini, kita ada dua keterangan daripada Sarjan Ahmad Sibe dan
25 saya mohon untuk pertanyaan diajukan kepada –
26
27 **CHM** Ya.
28
29 **MFR** Inspektor Zul.
30
31 **CHM** Sebelum soalan diajukan, kita tandalah siap-siap, ya?
32
33 **PM2** Ya.
34
35 **MFR** Boleh, Dato' Seri. Dato' Seri –
36
37 **CHM** Ya, sure.

1
2 **MFR** Boleh kita mark untuk paper pertama, 06.07.2017, kita mark sebagai
3 11A.
4
5 **CHM** 1?
6
7 **MFR** 11A.
8
9 **PM2** 111A.
10
11 **MFR** 111A, ok. 111A. Dan yang kedua, 111B, yang bertarikh 04.09.2018.
12
13 **CHM** Satu A, satu B ya?
14
15 **MFR** Betul.
16
17 **CHM** 111B, ya?
18
19 **MFR** Betul. Ok, Dato' Seri dengan Panel members, just for information, mula-
20 mula sekali apabila SUHAKAM terima memorandum mengenai
21 kehilangan tiga individu iaitu Pastor Raymond, Amri Che Mat dan
22 Joshua Hilmy, kita terima pada April 2017, jadi saya sebagai pegawai
23 penyiasat bagi Joshua Hilmy saya telah memula merekod keterangan
24 Sarjan Ahmad Sibee pada 06.07.2017. Ok. Tapi, walaubagaimanapun,
25 untuk Exhibit 111A, maklumat yang diberikan pada ketika itu tidak
26 lengkap, daripada Sarjan Ahmad Sibee. So, session yang kedua saya
27 telah buat pada 04.09.2018. Oleh itu, saya rasa, saya mencadangkan
28 supaya untuk soalan seferusnya, saya akan lebih tertumpu kepada
29 Exhibit 111B.
30
31 **CHM** Ya.
32
33 **MFR** Inspektor Zul, nama saya Muhammad Faiz, saya akan bertanyakan
34 soalan berkaitan dengan siasatan yang dilakukan oleh Sarjan Ahmad
35 Sibee –
36
37 **ZUL** Ya.

1
2 **MFR** Berdasarkan rekod keterangan pada tarikh 04.09.2018.
3
4 **CHM** Ya.
5
6 **MFR** Ok, Inspektor Zul, berdasarkan keterangan diberikan, pengadu iaitu En
7 Peter Pormannan telah memaklumkan beliau telah hadir bersama
8 peguam, Suaran Himat. Kalau boleh refer dekat –
9
10 **PM2** No.4.
11
12 **MFR** Betul. Soalan No.4, perenggan kelima, Suaran A/L Himat Singh. Tuan
13 ada pernah berhubung dengan peguam?
14
15 **ZUL** Tidak pernah.
16
17 **MFR** Tidak pernah?
18
19 **ZUL** Tidak pernah.
20
21 **MFR** Ok. Selain daripada itu, berdasarkan rekod keterangan ini juga, Sarjan
22 Ahmad Sibee telah memaklumkan bahawa dia telah sukar untuk
23 menghubungi pengadu, iaitu Peter Pormannan.
24
25 **ZUL** Ya?
26
27 **MFR** Adakah perkara ini telah direkodkan di dalam –
28
29 **ZUL** ID dia?
30
31 **MFR** ID?
32
33 **ZUL** Ada.
34
35 **MFR** Ada?
36
37 **ZUL** Ada.

1
2 **MFR** Kalau Tuan ingat, berapa kali cubaan yang dibuat oleh Sarjan Ahmad
3 Sibee untuk cuba menghubungi pengadu?
4
5 **ZUL** Di dalam tempoh sebulan itu, Dato' Seri. Maksud dia start yang En
6 Peter buat laporan polis itu sehinggalah April, 7 April, baru dia dapat
7 berhubung dengan pengadu inilah.
8
9 **MFR** Ada dimaklumkan apa sebab tak boleh hubungi?
10
11 **ZUL** Dia tak maklumkan.
12
13 **MFR** Baik. Ok, Tuan, untuk soalan seterusnya, kalau kita boleh refer kepada
14 soalan kelima.
15
16 **MSR** Dengan izin, Ybng Dato' Seri. Pihak kami ingin membantahkan –
17
18 **CHM** The mic.
19
20 **MSR** Dengan izin,
21
22 **CHM** Ya.
23
24 **MSR** Dengan izin, Ybng Dato' Seri, berkenaan dengan Exhibit 111B ini, pihak
25 PDRM ingin membantah disebabkan tiada tandatangan saksi dari awal
26 sehingga habis. Hanya ada tandatangan pegawai merekod sahaja.
27
28 **MFR** Ok, baik, Dato' Seri, untuk makluman juga, kalau kita, saya boleh
29 maklumkan, kalau ikut sebelum ini punya perancangan adalah apabila
30 saksi itu hadir dan semasa itu keterangan akan ditandatangani oleh
31 saksi tersebutlah.
32
33 **CHM** Maksud En Faiz, our practice is not to take the statement immediately
34 dia selesai. No. Our practice is leave blank dulu, the saksi come and
35 give evidence, dah bagi evidence itu, baru sain. That's the practice. So
36 now, plan dia begitulah. Tapi, saksi tak dapat hadir. So sekarang ini
37 yang sain cuma pegawai yang merakam begitu ya. And that's the

1 position lah, ya, because our amalan is come first, come before here,
2 come to this Inquiry, dah selesai bagi, then, witness will confirm by
3 signing his statement. That is the practice. Ya. That's why we don't have
4 Sarjan Sibeer punya signature here at the moment. Ya. Ok.
5
6 **MFR** Boleh saya teruskan? Boleh. Ok, Tn Zul, kalau boleh saya refer dengan
7 soalan yang kelima, di sini Sarjan Ahmad Sibeer telah memaklumkan
8 bahawa keterangan yang diambil terhadap En Peter hanya berlaku
9 pada 10.04.2017. Boleh Tuan sahkan perkara ini?
10
11 **ZUL** Ya, betul, Dato' Seri.
12
13 **MFR** Tn Zul, untuk soalan seterusnya, berdasarkan Soalan No.8, Sarjan
14 Ahmad Sibeer telah memaklumkan 'Pada 16.10.2017, saya telah
15 menerima arahan daripada OCS Sungai Wai untuk pergi ke alamat
16 yang diberikan oleh pengadu bersama task force.' Soalan pertama
17 saya, berdasarkan IP ataupun kertas enkuiri polis yang Tuan ada,
18 adakah first sekali, Sarjan Ahmad Sibeer pergi pada 16hb Oktober?
19
20 **ZUL** Dalam catitan, dia ada nyatakanlah dia pergi.
21
22 **MFR** Ada dinyatakan sebab kenapa begitu lama masa yang diambil?
23
24 **ZUL** Tidak dinyatakan.
25
26 **MFR** Tidak. Baik, untuk soalan seterusnya, soalan yang kesembilan, Sarjan
27 Ahmad Sibeer telah memaklumkan, telah mengambil keterangan
28 dengan salah seorang penama iaitu, Khuzair bin Hanim (03:26:38PM),
29 ok. 'Semasa merekodkan keterangan Khuzair, antara maklumat yang
30 diberikan kepada saya mengenai abangnya iaitu Hilmy bin Hanim ialah
31 beliau telah memilih jalannya.' Berdasarkan rekod yang terdapat dalam
32 KEP, Tuan, ada tak keterangan berkaitan dengan Khuzair bin Hanim?
33
34 **ZUL** Ya, ada, Dato' Seri.
35
36 **MFR** Boleh Tuan perincikan apa yang dimaklumkan oleh Khuzair?
37

1 **ZUL** Tuan nak yang statement itu punya dulu ke?
2

3 **MFR** Setakat yang Tuan tahulah, apa keterangan yang dimaklumkan Khuzair
4 kepada Sarjan Ahmad Sibeer itu hari.
5

6 **ZUL** Saya tak ingatlah. Saya dah lupa. Tapi 17hb September itu, saya ada
7 bagi tahu, dalam ini, SUHAKAM punya rekod, memang saya dah bagi
8 tahu.
9

10 **MFR** Adakah sehingga kini, adakah pihak Tuan ataupun pihak IO yang
11 sebelum ini telah dapat menghubungi seorang lagi ahli keluarga Joshua
12 Hilmy iaitu Hisham bin Hanim? (03:27:50PM)
13

14 **ZUL** Tak dapat.
15

16 **MFR** Masih tidak dapat?
17

18 **ZUL** Masih tak dapat.
19

20 **MFR** Dato' Seri, I think, that's all from me because most of the questions have
21 been answered in the first session with Tn Zul.
22

23 **CHM** Counsel? And in light of this additional evidence, would you like to ask
24 any question of the witness?
25

26 **AP** The parts of the statements that we find relevant would be in relation to
27 his liaising with SKMM on the telephone numbers.
28

29 **CHM** Which exhibit? Exhibit 111A or 111B?
30

31 **AP** Both. Let me just point out the relevant parts. For Exhibit 111A, it would
32 be on the fourth page and that's second paragraph on the fourth page,
33 where it says, it starts with 'Pada 18.04.2017'.
34

35 **CHM** Next time, please put the page numbers. Tak ada page number kan,
36 dekat atas itu, ada ruang itu, bubuh nombor page, kosong sahaja. Ya?
37 Page, page what?

1

2 **AP** It's the fourth page, Honourable Commissioner and it's the second
3 paragraph that starts with the words 'Pada 18.04.2017'.

4

5 **CHM** Yes, got it. Yes.

6

7 **AP** And towards the end of that paragraph, it says that, 'Pihak polis telah
8 menjalankan tindakan', this is in the middle, 'Kemudian saya
9 memaklumkan bahawa pihak polis telah menjalankan tindakan untuk
10 mendapatkan rekod pergerakan keluar masuk ke Jabatan Imigresen
11 dan rekod panggilan keluar masuk Joshua ke SKMM.'

12

13 **[03:30PM]**

14

15 So here, the questions that we would have is that he has directed this
16 query to SKMM, not the telcos, and this was done in 2017. So, the issue
17 arising for us would be what was the response because here he actually
18 says, 'belum mendapat sebarang jawapan.' But he does not state
19 whether these were written inquiries. So, it is stated here clearly that
20 the first effort was actually made in 2017 itself. So that would be a point
21 of interest for us. But I don't think Inspektor Zul is in a position to
22 respond to that because earlier he had already given evidence. And
23 then, in –

24

25 **PM2** I think counsel in the previous sessions with the witness, and other
26 witness, they have said that their method is to send letters. They
27 function via letters. So all this is via letters to –

28

29 **AP** Yes?

30

31 **PM2** The whole, like this, it's the whole long list. I think you read earlier,
32 Inspektor Zul kan, the long list of people, Ahmad Sibee sent. So, it was
33 via letters but the interest of counsel is also of interest to me sebab
34 jawapan secara lisan, both 111A and B, in B also he said, secara
35 lisan they said nombor itu tidak ada. Tapi on the official, dah dapat ya
36 jawapan rasmi, jawapan dia?

37

1 **ZUL** Actually, yang issue SKMM pada April yang ini, untuk makluman lawyer
2 sebab sayapun dah explainkan memang yang pada 18hb April itu
3 salah. Dia tersalah sent. Actually, mesti send to telco. But Sarjan
4 Ahmad Sibe, dia sent ke SKMM.
5

6 **PM2** Ya, ok.
7

8 **ZUL** Saya dah explainkan dah sebelum ini.
9

10 **PM2** Ya.
11

12 **ZUL** Even kena baca balik LOP itu.
13

14 **AP** Very well. So, what Inspektor Zul is clarifying for us today is that it was
15 a wrong number sent and then it was subsequently rectified. So –
16

17 **PM2** Not wrong number, wrong address. It is supposed to be directed to telco
18 –
19

20 **ZUL** Actually nombor –
21

22 **PM2** Supposed to be directed telco.
23

24 **ZUL** Nombor betul, Tuan.
25

26 **PM2** Ya.
27

28 **ZUL** Nombor itu nombor yang betul sebab kita dapat jawapanpun from
29 Maxis. So rumah yang dia sent itu salah. That means supposed kena
30 check dengan SKMM, dengan Maxis, tetapi dia terhantar ke SKMM.
31

32 **AP** The point of interest would be that how is it that SKMM is replying to
33 say that this number doesn't exist? If that information is only privy to the
34 telcos, how is it that they are replying? I would have thought that the
35 automatic response would be this information is not within our privy. So,
36 these are the things, because for us as the family of Ruth Sitepu, the
37 most important parts of the evidence is actually in relation to the phone

1 calls as well as the emails. And if Sarjan Ahmad Sibee is not able to be
2 present and sort of clarify these discrepancies, then, we are only just
3 depending on what Inspektor Zul has done, 2018 onwards. But the
4 points at which he is giving evidence is 2017, which is closer to the time
5 when the disappearances actually occurred. So, I would submit that we
6 do have questions for Sarjan Ahmad Sibee.
7
8 **PM2** I think yes, you can submit, because I think, as the Panel was, the Chair
9 was saying earlier through our assisting officers, letters are going to be
10 addressed to the three bodies that you mentioned earlier.
11
12 **AP** That's right.
13
14 **PM2** Another thing, these questions are questions that we will be seeking
15 information and answers on.
16
17 **AP** Right.
18
19 **PM2** So I think, it's still not lost yet in terms of us seeking information. But on
20 your point about Sarjan Ahmad Sibee –
21
22 **AP** Yes?
23
24 **PM2** If you think his answers here will, by him being present, you'll get any
25 more –
26
27 **AP** Information.
28
29 **PM2** On this part, I am not sure. But I probably think these are another
30 agency. I think we've tried to query the police officers before. For them,
31 we sent letter, letter come back, that's the answer. Am I right, Inspektor
32 Zul?
33
34 **ZUL** Betul, Tuan.
35
36 **PM2** So I think, if you want to go down that route, you may not get much
37 more.

1
2 **AP** I understand.
3
4 **PM2** But I think, via the assisting SUHAKAM team, let's pursue that route of
5 questioning.
6
7 **AP** Very well. So, if I could suggest this then, that we take that first approach
8 to be able to relate with the telcos as well as the Multimedia Commission
9 and only in the event of clarification being needed by Sarjan Ahmad,
10 then we explore that route.
11
12 **PM2** Yes.
13
14 **AP** I truly appreciate and much obliged for that.
15
16 **TFW** Just a few clarification. Inspektor, saya refer kepada Exhibit 111B, ya,
17 muka surat 3, ya, perenggan No.2 dan No.3. 'Pada 7hb April, pada
18 tarikh 7hb April,' ada? '7hb April, saya telah menerima maklumat
19 melalui aplikasi', so from, daripada perenggan 2, boleh nampak bahawa
20 7hb April, Sarjan Ahmad Sibee sudah tahu nama Joshua Hilmy
21 sebenarnya adalah Hilmy bin Hanim. Pada masa itu, berdasarkan apa
22 yang telah diberikanlah kepada SUHAKAM dalam report sini serta 111
23 itu, A dan B, berdasarkan ini, tak ada edaran dilakukan, betul? Edaran
24 –
25
26 **ZUL** Edaran apa?
27
28 **TFW** Edaran seperti yang tadi –
29
30 **ZUL** Yang –
31
32 **TFW** Awak bagi itu?
33
34 **ZUL** Saya buat itu?
35
36 **TFW** Ya. Tak ada?
37

1 **ZUL** Ok.
2
3 **TFW** Tak adakan?
4
5 **ZUL** Tak ada.
6
7 **TFW** Tak ada. So pada masa itu, merujuk kepada statement sinilah, tak
8 adapun buat semakan dengan Jabatan Pendaftaran Negara?
9
10 **ZUL** Saya tak pasti sebab yang rekod ini pegawai SUHAKAM.
11
12 **TFW** Bukan. I know, saya tahu. Tapi daripada sini, daripada report –
13
14 **ZUL** Itu from statement. Tapi from my side –
15
16 **TFW** Daripada statement –
17
18 **ZUL** Memang ada.
19
20 **TFW** So, tapi –
21
22 **ZUL** ID dia memang ada.
23
24 **TFW** Tuan, Tuan pun privy kepada diary investigation kan?
25
26 **ZUL** Ya.
27
28 **TFW** Tuan ada semak diary investigation kan?
29
30 **ZUL** Ada.
31
32 **TFW** So, daripada statement sini dengan diary investigation, memang tak
33 adalah? Boleh confirm?
34
35 **ZUL** Tak faham. Apa yang tak ada?
36
37 **TFW** Tak ada buat –

1
2 **ZUL** Tak faham, Encik.
3
4 **TFW** Ada hantar Jabatan Pendaftaran masa itu, 7hb April?
5
6 **ZUL** Yang itu saya tak pasti, kena semak dulu, ID.
7
8 **TFW** Tapi sini memang tak adalah, merujuk kepada rekod?
9
10 **ZUL** Sini mana, yang dalam –
11
12 **TFW** Ya, rekod.
13
14 **ZUL** Ini? Dalam ini memang tak tulis, tak adapun.
15
16 **TFW** So, masa itupun tak ada, seingat Tuanlah, masa Tuan ambil diary itu,
17 adake semakan dengan custom atau imigresen?
18
19 **ZUL** Pendaftaran, ada, JPN.
20
21 **TFW** Tapi bukan pada 7hb April lah, seingat Tuan?
22
23 **ZUL** Saya tak ingat tarikh. Tapi, memang ada, dia ada buat.
24
25 **TFW** Semakan bank pun bukan pada 7hb April?
26
27 **ZUL** Tak faham.
28
29 **TFW** Maklumat-maklumat yang lain –
30
31 **ZUL** Ya?
32
33 **TFW** Pada 7hb April?
34
35 **ZUL** Oh, you mean, dalam masa satu hari buat semua kerjalah?
36
37 **TFW** Bukan.

1
2 **ZUL** Oh?
3
4 **TFW** Saya tanya sahaja.
5
6 **ZUL** Oh, ok.
7
8 **TFW** Bukan dalam satu hari buat semua kerja.
9
10 **ZUL** Ok.
11
12 **TFW** Pada masa itu, Tuanpun melalui diary investigation, Tuanpun –
13
14 **ZUL** Ok.
15
16 **TFW** Tak pasti ada lakukan atau tidaklah?
17
18 **ZUL** Ya, saya tak pasti, Dato' Seri.
19
20 **TFW** Ya. So, merujuk kepada statement yang diberikan oleh Sarjan Ahmad
21 Sibee –
22
23 **ZUL** Ya?
24
25 **TFW** Ini yang dilakukan sahajalah? Boleh pasti?
26
27 **ZUL** Tak pasti.
28
29 **PM2** Your question on No.8, No.4(v), its stated that 'On 10th April, menerima
30 maklumbalas dari Jabatan Imigresen'. Its stated there. Is that your
31 question?
32
33 **TFW** Yes.
34
35 **PM2** Yes. There's immigration then Pendaftaran –
36

1 **TFW** But according to Inspektor who have a privy to the diary, but he says he
2 cannot –
3
4 **PM2** Yes, so you are asking him –
5
6 **TFW** He cannot confirm.
7
8 **PM2** Not –
9
10 **TFW** Yes.
11
12 **PM2** In relation to Sibee?
13
14 **TFW** Yes.
15
16 **PM2** Yes, ok, yes. So, then you'll address it directly. Nothing to do with the
17 statement lah.
18
19 **TFW** Yes.
20
21 **PM2** Then you ask him lah, because I thought you are referring to the
22 statement for him to –
23
24 **TFW** Yes, for –
25
26 **PM2** Answer because –
27
28 **TFW** Because –
29
30 **PM2** Yes?
31
32 **TFW** He has stated this, here. So, whether or not he knows when he refer to
33 the diary, whether have been done lah accordingly. According to the
34 diary has been stated.
35
36 **PM2** Ok.
37

1 TFW So menurut di perenggan yang kelima di sini, next page, so, Sarjan
2 Ahmad Sibee pun sudah tahu ada satu laporan cembunglah, betul?
3
4 ZUL Ok.
5
6 TFW Ya. So, pada masa itu, seingat Tuan, selepas mengambil alih diary
7 investigation –
8
9 ZUL Ok.
10
11 TFW Ada apa-apa tindakan yang telah diambil oleh Sarjan untuk interview
12 ke untuk call out IO kes itu ke? Ingat tak, ada tak?
13
14 ZUL Saya tak ingat, Dato' Seri.
15
16 TFW Tak ingat, ya?
17
18 ZUL Ya.
19
20 TFW Kerana ini laporan pun serius ya kerana adapun, you see, statement
21 actually quiet catching as in like ada menyatakan tentang agama. So,
22 Tuan memang tak ingat? Tak ada, ya?
23
24 ZUL Tak ingat, Dato' Seri.
25
26 TFW Ada apa-apa arahan yang telah diberikan untuk siasatan untuk kes
27 laporan Chembong ini, berkenaan dengan kehilangan Joshua?
28
29 ZUL Saya tak pasti, Dato' Seri. Tak sure.
30
31 TFW Tak pasti?
32
33 ZUL Tak pasti.
34
35 TFW Merujuk kepada laporan Chembong dan juga nama Hilmy bin Hanim –
36
37 ZUL Ya?

1
2 **TFW** Yang telah diketahui ya, so, laporan sebegini serta namanya adalah
3 nama orang Melayu –
4
5 **ZUL** Ya?
6
7 **TFW** Adakah Sarjan Ahmad Sibeer menyemak dengan Jabatan Agama
8 berkenaan dengan Joshua Hilmy?
9
10 **ZUL** Saya tak pasti. You kena tanya Sarjan Ahmad Sibeer nanti. Ya.
11
12 **TFW** Tapi dalam diary –
13
14 **ZUL** Tak ada, Dato' Seri.
15
16 **TFW** Seingat Tuan, memang tak adalah?
17
18 **ZUL** Seingat saya, tak adalah.
19
20 **PM2** Sorry, tak dengar, Inspektor, apa? Dalam diary, apa yang tak ada,
21 Inspektor?
22
23 **ZUL** Sebab saya tak pasti, Tuan, yang apa tindakan dia, apa semuanya, tapi
24 –
25
26 **PM2** Ya?
27
28 **ZUL** ID yang, ID-ID dia memang adalah, Tuan.
29
30 **PM2** Ada tertulis dalam ID itu menghubungi Jabatan Agama, ada?
31
32 **ZUL** Tak ada, Tuan.
33
34 **PM2** Tak ada. So, that's all he can verify tak ada dalam –
35
36 **ZUL** Ya.
37

1 **PM2** ID lah.
2
3 **TFW** So berdasarkan statement, my last question, berdasarkan statement
4 111A dan 111B –
5
6 **ZUL** Ya?
7
8 **TFW** Adalah dikemukakan ini sahajalah yang telah dilakukan oleh Sarjan
9 Ahmad Sibee lah, setahu Tuan Inspektor?
10
11 **ZUL** Saya tak pasti sangattah.
12
13 **TFW** Kerja-kkerja Ahmad Sibee?
14
15 **ZUL** Kena tanya dia, Tuan, ya. Saya tak sure, Dato'. Itu jawapan saya.
16
17 **TFW** Because, tadi Tuan Inspektor ada bagi tahu sejurus Tuan ambil alih kes
18 ini –
19
20 **ZUL** Ya?
21
22 **TFW** Ada banyak-banyak kerja yang telah dilakukan.
23
24 **ZUL** Ya?
25
26 **TFW** So, saya assume lah Tuan tahu ada kerja-kerja yang banyak telah
27 dilakukan untuk memudahkan kerja Tuan Inspektor. So, boleh confirm
28 ini kerja yang dilakukan oleh Sarjan Ahmad Sibee?
29
30 **ZUL** Dato' Seri, kalau kita flash back balik pada 17th of September, saya dah
31 explain dah semua, Dato' Seri. Saya dah bagi tahu dah apa yang Sarjan
32 Ahmad Sibee buat, apa yang ASP Hairol buat dan apa tindakan saya.
33 Itu sahaja, Dato' Seri.
34
35 **TFW** Ok, terima kasih.
36
37 **CHM** Yes?

1
2 **MSR** Dengan izin, Dato' Seri. Daripada PDRM, tiada apa-apa soalan.
3
4 **CHM** Andrew?
5
6 **AK** No question, Honourable Commissioner.
7
8 **CHM** Ok.
9
10 **PM2** Inspektor, actually this question nak tanya kepada you, tapi mungkin
11 kepada Tuan, I forget your name dari PDRM, counsel from PDRM, your
12 name again? Siapa?
13
14 **MSR** ASP Sabri.
15
16 **PM2** Ya, ASP, ya. ASP, nak tanya sikit pasal unit forensik IT, ya, forensic for
17 IT, sebab kita telah tanya Inspektor Zulfadhly, he says that normally first
18 is memang SKMM lah sebab dia macam agensi kerajaan, tapi dalam
19 PDRM dia ada keterampilan atau ada pengkhususan forensik IT and
20 what is that department punya tugas, kerja, adakah investigate macam
21 ini, nombor, emel, ke itu dia langsung tak masuk dalam itu punya site?
22 If you know from PDRM side lah.
23
24 **[03:45PM]**
25
26 **MSR** Berkenaan dengan IT forensik ini, saya tak berapa mahir berkenaan
27 dengan skop tugas dia –
28
29 **PM2** Ok.
30
31 **MSR** Disebabkan dia melibatkan kepakaran yang berbeza yang tak pernah
32 saya duduk di situ.
33
34 **PM2** Tapi ada, satu, memang ada jabatankan, IT forensik?
35
36 **MSR** Ada, bahagian forensiklah.
37

1 **PM2** Ada, ya. So dan bahagian itu digunakan untuk penyiasatan?
2
3 **MSR** Untuk membantu dari segi teknikal.
4
5 **PM2** Teknikalkan, untuk penyiasatanlah –
6
7 **MSR** Ya.
8
9 **PM2** Apa-apa kes dari mana-mana balai, macam itu?
10
11 **MSR** Ya, daripada lain-lain PDRM lah, siasatan.
12
13 **PM2** So, bukan secara khususlah, tapi biasanya in any investigation,
14 pegawai polis itu akan meminta pertolongan dari jabatan ini untuk isu-
15 isu yang apa, yang kes-kes yang apa atau, if you know lah? Or even
16 Inspektor Zulfadhly. I am just asking to find out kalau department ini
17 memang boleh menolong dalam kes ini.
18
19 **MSR** Saya tak berapa mahir berkenaan yang ini –
20
21 **PM2** Ok.
22
23 **MSR** Sebab memandangkan ada SOP-SOP yang berbeza dikeluarkan –
24
25 **PM2** Ok.
26
27 **MSR** Arahan-arahan –
28
29 **PM2** Ya.
30
31 **MSR** Yang mana kena ikut step by step.
32
33 **PM2** Ok. So, Inspektor, if we can request more information on this forensic
34 IT department dari PDRM, supaya kita sama-sama lahu –
35
36 **MSR** Boleh.
37

1 **PM2** I think, Inspektor, may not know but you may be able to help us to get
2 the information. Yes, thank you.
3
4 **CHM** SUHAKAM ada apa-apa, additional question? Andrew Khoo has got no
5 question to ask. Tak ada, ya?
6
7 **MFR** No, Dato' Seri.
8
9 **CHM** Tak ada.
10
11 **MFR** No further question.
12
13 **CHM** So, Inspektor Zulfadhly, berakhirlah ya, your evidence, before this
14 Inquiry. Saya ucapkan terima kasih. So, the one thing we request of you
15 is the coloured photographs kan –
16
17 **ZUL** Ya.
18
19 **CHM** Yes, ok.
20
21 **ZUL** Terima kasih.
22
23 **CHM** So, terima kasih.
24
25 **ZUL** Terima kasih, Dato' Seri dan panel-panel.
26
27 **CHM** Dan dilepaskan.
28
29 **ZUL** Terima kasih.
30
31 **CHM** Ok. We'll proceed ya –
32
33 **PM2** Yes.
34
35 **CHM** To the next witness. Yes.
36

1 **MFR** Dato' Seri, for the next witness, we would like to call DSP Omar, saksi
2 yang Ke-19.
3
4 **CHM** Retired already, retired?
5
6 **MFR** Retired. DSP –
7
8 **CHM** ASP or DSP?
9
10 **MFR** DSP.
11
12 **CHM** DSP Omar, ya? Witness number?
13
14 **MFR** 19.
15
16 **MFR** Assalamualaikum, Tuan.
17
18 **OMAR** Waalaikumussalam.
19
20 **MFR** Saya di sini. Sini, Tuan.
21
22 **OMAR** Oh, ya.
23
24 **MFR** Ok, Tuan. Assalamualaikum, selamat petang, Tuan. Nama saya
25 Muhammad Faiz. Saya mewakili pihak SUHAKAM akan bertanyakan
26 beberapa soalanlah. Ok, sebelum kita mulakan, minta Tuan bacakan
27 sumpah di hadapan sambil mengambil tangan kanan.
28
29 **OMAR** Berdin?
30
31 **MFR** Ya, berdiri.
32
33 **OMAR** Bahawa saya, Omar bin Hassan, dengan sesungguhnya dan suci hati
34 mengaku dan berikrar bahawa segala keterangan yang akan saya
35 berikan dalam siasatan terbuka ini adalah benar, tidaklah apa-apa yang
36 tidak benar, melainkan benar belaka.
37

1 **MFR** Terima kasih, Tuan. Terima kasih, Tuan, sebab hadir ke Inquiry
2 SUHAKAM. Saya akan bertanyakan beberapa soalan dan diminta
3 pihak Tuan untuk menjawab sambil memandang kepada pihak Panel
4 ya.
5
6 **OMAR** Baik.
7
8 **MFR** Tuan, boleh berikan nama penuh dan nombor anggota?
9
10 **OMAR** Omar bin Hassan, G10165.
11
12 **MFR** Nombor kad pengenalan awam?
13
14 **OMAR** 
15
16 **MFR** Jelas?
17
18 **PM2** Jelas.
19
20 **OMAR** Minta maafah, Dato' Seri.
21
22 **MFR** Boleh saya teruskan?
23
24 **OMAR** Boleh, ya.
25
26 **MFR** Berapakah umur Tuan ketika ini?
27
28 **OMAR** 62 tahun 5 bulan.
29
30 **MFR** Adakah Tuan masih berkhidmat dalam PDRM?
31
32 **OMAR** Saya sudah bersara.
33
34 **MFR** Bersara. Pada bila ya Tuan bersara, tarikh persaraan?
35
36 **OMAR** 01.08.2018.
37

1 **MFR** 2018. Boleh Tuan maklumkan mula berkhidmat di dalam PDRM?
2

3 **OMAR** Saya mula berkhidmat pada 27.12.1982.
4

5 **MFR** Boleh Tuan nyatakan tugas terakhir sebelum Tuan bersara?
6

7 **OMAR** Saya, tugas saya sebagai ketua bahagian pengurusan IPD Petaling
8 Jaya.
9

10 **MFR** Sebagai ketua bahagian pengurusan daerah –
11

12 **OMAR** Ya.
13

14 **MFR** Petaling Jaya, berapa lama Tuan memegang jawatan tersebut?
15

16 **OMAR** Sejak 14.08.2018 sehingga 31.07.2018.
17

18 **MFR** 2018?
19

20 **OMAR** Ya.
21

22 **MFR** So anggarannya berapa lama Tuan pegang jawatan itu?
23

24 **OMAR** Belum habis, belum setahunlah saya ingat.
25

26 **MFR** Tak sampai setahun?
27

28 **OMAR** Ya. 2000 –
29

30 **MFR** Boleh Tuan ulang daripada bila –
31

32 **OMAR** 14.08.2017.
33

34 **MFR** Sehingga?
35

36 **OMAR** Sehingga 31.07.2018.
37

1 **MFR** Nak dekat setahunlah?
2
3 **OMAR** Ya, terus.
4
5 **MFR** Lebih kurang setahunlah?
6
7 **OMAR** Ya.
8
9 **MFR** Baik, Tuan. Kalau Tuan boleh bagi tahu kepada Panel apa skop tugas
10 Tuan sebagai ketua bahagian pengurusan daerah Petaling Jaya?
11
12 **OMAR** Skop tugas saya banyak kepada pentadbiran di daerah dan salah satu
13 tugas saya ialah memantau KEP, kertas enkuiri polis yang dibuka
14 melalui, fire report, kematian mengejut dan orang hilang.
15
16 **MFR** Boleh saya sahkan adakah kertas enkuiri polis yang Tuan, di bawah
17 seliaan Tuan adalah berkaitan dengan kebakaran –
18
19 **OMAR** Kebakaran, orang hilang –
20
21 **MFR** Orang hilang.
22
23 **OMAR** Dan mati mengejut.
24
25 **MFR** Mati mengejut. Jadi apa peranan Tuan apabila menerima kertas enkuiri
26 polis ini?
27
28 **OMAR** Apabila ini, saya akan monitor dan melihat kandungan dalam KEP.
29
30 **MFR** Adakah Tuan berkuasa untuk memberi arahan tindakan susulan
31 kepada sesuatu –
32
33 **OMAR** Ya.
34
35 **MFR** Kes tersebut?
36
37 **OMAR** Ada.

1
2 **MFR** Ada. Selain, jawatan apa yang akan, pegawai polis yang mana yang
3 akan melapor kepada Tuan?
4
5 **OMAR** Ketua polis balai.
6
7 **MFR** Ketua polis balai?
8
9 **OMAR** Ya. Ataupun pegawai yang menyiasat sesuatu kes itulah.
10
11 **MFR** Baik. Yang melibatkan tiga kes yang Tuan –
12
13 **OMAR** Ya.
14
15 **MFR** Maklumkan tadi?
16
17 **OMAR** Benar.
18
19 **MFR** Baik. Tuan, untuk, macam Tuan maklum, kata, Tuan akan
20 dimaklumkan. Bagaimana pemakluman itu dibuat? Adakah melalui
21 mesyuarat? Ataupun –
22
23 **OMAR** Dia sendiri bawa KEP itu berjumpa dengan saya. Selain daripada
24 mesyuarat yang kita adakan.
25
26 **MFR** Boleh Tuan jelaskan mengenai mesyuarat tersebut? Bila ia dilakukan?
27
28 **OMAR** Saya memantau KEP dengan membuat mesyuarat dua minggu sekali,
29 saya tetapkan.
30
31 **MFR** Dua minggu sekali?
32
33 **OMAR** Dua minggu sekali.
34
35 **MFR** Baik. Baik, Tuan, Seperti yang Tuan maklum, tujuan Tuan dipanggil
36 untuk hadir ke Inquiry ini adalah berkaitan dengan kes kehilangan dua

1 individu yang bernama Joshua Hilmy dan Ruth Sitepu. Adakah Tuan
2 maklum berkaitan kes ini?
3
4 **OMAR** Ada, benar.
5
6 **MFR** Siapa yang maklumkan kepada Tuan?
7
8 **OMAR** Sarjan Ahmad Sibee.
9
10 **MFR** Sarjan Ahmad Sibee?
11
12 **OMAR** Ya, iaitu pegawai penyiasat kes inilah.
13
14 **MFR** Boleh Tuan maklumkan, kalau Tuan ingat, bila Tuan dimaklumkan
15 berkaitan kes ini?
16
17 **OMAR** Pada 28.08.2017.
18
19 **MFR** Adakah itu makluman pertama yang Tuan terima?
20
21 **OMAR** Ya.
22
23 **MFR** Boleh Tuan ulang tarikh?
24
25 **OMAR** 28.08.2017 –
26
27 **MFR** Ya.
28
29 **OMAR** Dua minggu selepas saya lapor diri.
30
31 **MFR** Dua minggu selepas Tuan lapor diri?
32
33 **OMAR** Ya.
34
35 **MFR** Baik. Baik, Tuan.
36
37 **CHM** Sebelum itu, di mana? Sebelum itu?

1
2 **OMAR** Saya di IPD Klang Selatan.
3
4 **CHM** IPD –
5
6 **OMAR** Klang Selatan.
7
8 **CHM** Klang Selatan. Sebagai?
9
10 **OMAR** Sebagai ketua bahagian siasatan jenayah daerah.
11
12 **MFR** Baik, Tuan. Tuan maklum tadi, Tuan pertama kali dimaklumkan pada
13 28.08.2017 berkaitan kes kehilangan Joshua Hilmy dan Ruth Sitepu.
14 Selakat yang Tuan ingat apa makluman yang Tuan terima?
15
16 **OMAR** Saya dimaklumkan kedua-dua ini telah hilang. Jadi bila saya buat
17 semakan, saya dapati tindakan asas telahpun diambil berkenaan
18 dengan kehilangan kedua-dua individu ini.
19
20 **MFR** Adakah tindakan asas yang Tuan maklumkan tadi, mendapat arahan
21 daripada Tuan ataupun tindakan oleh pegawai penyiasat tersebut?
22
23 **OMAR** Saya yang bagi arahan.
24
25 **MFR** Tuan bagi arahan?
26
27 **OMAR** Ya.
28
29 **MFR** Boleh Tuan ingat apa arahan Tuan kepada kes ini?
30
31 **OMAR** Saya minta IO meneruskan siasatan lanjutlah. Pertama, yang saya
32 ingat, ketika itu IO mengadu kepada saya, beliau tidak dapat merakam
33 percakapan saksi-saksi penuh dan saya bagi arahan supaya
34 mengesan saksi-saksi dan –
35
36 **CHM** Mengesan?
37

1 **OMAR** Mengesan –
2
3 **CHM** Mengesan siapa? Mengesan?
4
5 **OMAR** Saksi-saksi.
6
7 **CHM** Ya?
8
9 **OMAR** Saksi-saksi bebas dan meneruskan siasatan.
10
11 **MFR** Tuan Omar kata tidak dapat, Sarjan mengalami kesukaran untuk
12 merakam percakapan saksi?
13
14 **OMAR** Ya, dia bagi tahu, belum, masa itu, saksi belum cukup, kecuali pengadu
15 sahaja.
16
17 **MFR** Baik.
18
19 **OMAR** Jadi, saya minta dia teruskan usaha untuk mengesan saksi-saksi, ya.
20
21 **MFR** Baik. So itu adalah pemakluman pertama dan arahan pertama yang
22 dikeluarkan oleh Tuan?
23
24 **OMAR** Ya.
25
26 **MFR** Baik. Boleh Tuan terangkan ada tak perjumpaan susulan daripada itu?
27
28 **OMAR** Ya. Selepas itu, kes ini saya bawa masuk dalam mesyuarat mingguan
29 yang saya buat sebulan dua kali itu.
30 **[04:00PM]**
31
32 **MFR** Baik. So berdasarkan –
33
34 **CHM** Pada 28.08.2017, ini kali pertama ya?
35
36 **OMAR** Ya, betul, ini kali pertama.
37

1 CHM Ya.
2
3 OMAR Saya terima KEP itu.
4
5 CHM Ya. Kali pertama. En Omar panggil Sarjan Sibee untuk berjumpa
6 dengan En Omar ataupun Sarjan Sibee sendiri datang –
7
8 OMAR Dia datang –
9
10 CHM Nak berjumpa?
11
12 OMAR Sendiri, dia berjumpa dengan saya.
13
14 CHM I see. Mengapa perlu, mengapa perlu? Dia boleh atas sendirinya boleh
15 jalankan tugas. Mengapa perlunya, mengapa perlu? Laporan dibuat
16 6hb Mac, ya, 6hb Mac. Mengapa perlu?
17
18 OMAR Itu –
19
20 CHM Kod utusan polis dikeluarkan pada 14hb Jun –
21
22 OMAR Ya.
23
24 CHM Dan dia datang jumpa, 28hb Ogos. Mengapa perlu Sarjan Sibee datang
25 itu? Mengapa dia tak boleh, ada masalahke?
26
27 OMAR Saya tak –
28
29 CHM Mengapa?
30
31 OMAR Tak tahu pula, Dato' Seri.
32
33 CHM Mengapa dia datang jumpa?
34
35 OMAR Kebetulan dia, dia rasa dah lama kot dia simpan KEP itu, dia bawa
36 jumpa saya.
37

1 **CHM** Oh, I see. Bukan En Omar panggil dia?
2
3 **OMAR** Tak panggil.
4
5 **CHM** Tanya apa jadi, bukan ya?
6
7 **OMAR** Bukan.
8
9 **CHM** Dia sendiri datang?
10
11 **OMAR** Dia sendiri datang.
12
13 **CHM** Untuk mendapat nasihat ke macam mana?
14
15 **OMAR** Ya, untuk mendapat nasihat.
16
17 **CHM** Nasihat?
18
19 **OMAR** Ya.
20
21 **CHM** Apa, dia ada masalah?
22
23 **OMAR** Tak pasti. Tak ada. Dia tak ada apa masalah.
24
25 **CHM** Ada apa masalah dengan kes ini yang dia perlu mendapat nasihat
26 pegawai –
27
28 **OMAR** Itu –
29
30 **CHM** Atasan?
31
32 **OMAR** Itu hanya rutin, Dato' Seri. Rutin dalam siasatan.
33
34 **CHM** Ya?
35
36 **OMAR** Ya. Kalau dia nak dapat pendapat pegawai atasan, dia datang
37 jumpalah.

1
2 **CHM** So, inilah tujuan dia?
3
4 **OMAR** Ya. Saya rasalah, Dato' Seri.
5
6 **CHM** Ok. Ya.
7
8 **OMAR** Ya.
9
10 **MFR** Baik, Tuan. Untuk perjumpaan kedua di mana Tuan maklumkan kes ini
11 telah dibawa ke dalam mesyuarat yang dilakukan selama, secara
12 berkala, dua minggu sekali –
13
14 **OMAR** Ya.
15
16 **MFR** Ok, untuk perjumpaan kali kedua, apa status berkaitan kes ini?
17
18 **OMAR** Masih tidak dapat mengesan saksi-saksi –
19
20 **MFR** Baik.
21
22 **OMAR** Yang saya dah suruh cari.
23
24 **MFR** Adakah Sarjan Ahmad Sibeer hadir ke dalam mesyuarat tersebut?
25
26 **OMAR** Saya tak pasti, Tuan.
27
28 **MFR** Tak pasti. Berkaitan dengan mesyuarat ini, dipengerusikan oleh Tuan
29 sahaja?
30
31 **OMAR** Ya.
32
33 **MFR** Baik. Yang kedua dan seterusnya, Tuan, apa perkembangan berkaitan
34 kes ini sepanjang Tuan bertugas sebagai KBPD, pengurusan daerah,
35 apa yang Tuan tahu berkaitan status perkembangan kes kehilangan
36 dua individu ini?
37

- 1 **OMAR** Sehingga saya bersara, saya tak ada, saya tengok tiada apa yang,
2 perkembangan yang inilah, yang terkini. Tapi, saya tak tahulah sama
3 ada dia orang dah dapat maklumat, tak maklum dekat saya, tak tahu.
4 Tapi, yang saya tahu, sebelum saya bersara, tidak ada perkembangan
5 positiflah berkenaan kes ini.
6
- 7 **MFR** Adakah Sarjan Ahmad Sibeer merujuk dengan Tuan semula selepas
8 tiada hala tuju siasatan kes ini?
9
- 10 **OMAR** Saya tak pasti.
11
- 12 **MFR** Tak pasti. Tuan, adakah satu jawatankuasa ditubuhkan berkaitan kes
13 kehilangan ini?
14
- 15 **OMAR** Di peringkat daerah?
16
- 17 **MFR** Di peringkat –
18
- 19 **OMAR** Atau Tuan –
20
- 21 **MFR** Di peringkat daerah?
22
- 23 **OMAR** Semasa saya, tidak ada.
24
- 25 **MFR** Tidak ada?
26
- 27 **OMAR** Cuma saya buat mesyuarat sahaja.
28
- 29 **MFR** Itu sahajalah?
30
- 31 **OMAR** Ya, sebelum itu, saya tak tahulah.
32
- 33 **MFR** Baik.
34
- 35 **OMAR** Sama ada mereka dah buat jawatankuasa siasatan.
36
- 37 **MFR** Baik.

1
2 **CHM** Sebentar, ya. Tadi En Omar kata, memegang jawatan sekarang
3 daripada 14.08.2017, ya?
4
5 **OMAR** Ya.
6
7 **CHM** Hingga –
8
9 **OMAR** Pecen.
10
11 **CHM** 31 –
12
13 **OMAR** Julai.
14
15 **CHM** Ogos –
16
17 **OMAR** 31 Julai.
18
19 **CHM** 31.07.2018, kan?
20
21 **OMAR** Ya, 31.07.2018.
22
23 **CHM** Memegang jawatan ketua bahagian –
24
25 **OMAR** 2000 –
26
27 **CHM** 18.
28
29 **OMAR** Ya, 18.
30
31 **CHM** Ya. Memegang jawatan ketua bahagian pengurusan IPD ya?
32
33 **OMAR** IPD, Petaling Jaya.
34
35 **CHM** Ya. Hingga 31.07.2018. Alright. Tapi tadi kata, bersara 1hb Ogos, oh,
36 betullah.
37

1 **OMAR** Ya.

2

3 **CHM** Betullah. The following day, you bersaralah?

4

5 **OMAR** Ya.

6

7 **CHM** The following day you bersara ya?

8

9 **OMAR** Ya.

10

11 **CHM** Ok. Thank you. Yes?

12

13 **MFR** Tuan, untuk pengesahan semula, memang tiada satu jawatankuasa
 14 yang ditubuhkan di peringkat daerah berkaitan dengan kes kehilangan
 15 Joshua Hilmy dan Ruth Sitepu?

16

17 **OMAR** Masa saya, tak ada.

18

19 **MFR** Tuan, Tuan maklum tadi untuk skop tugas Tuan adalah berkaitan kes
 20 orang hilang, kes kebakaran dan sudden death. Setakat ingatan,
 21 pengetahuan Tuan, sepanjang Tuan bertugas di, sebagai KBPD,
 22 adakah Tuan tahu berkaitan kes kehilangan Raymond Koh dan Amri
 23 Che Mat?

24

25 **OMAR** Saya tak tahu.

26

27 **MFR** Tidak dalam pengetahuan, Tuan?

28

29 **OMAR** Ya.

30

31 **MFR** Baik. Untuk makluman Tuan, seorang individu dikenali sebagai Pastor
 32 Raymond Koh telah hilang di PJ lah.

33

34 **OMAR** Ya.

35

36 **MFR** Dia di dalam bidang, daerah PJ. Tuan tahu berkaitan kes ini?

37

1 **OMAR** Saya tak tahu.
2
3 **MFR** Tidak tahu?
4
5 **OMAR** Ya.
6
7 **MFR** Baik. Kalau Tuan boleh ingat, apa arahan terakhir kepada pegawai
8 penyiasat berkaitan kes ini?
9
10 **OMAR** Saya tak pasti.
11
12 **MFR** Tak pasti?
13
14 **OMAR** Ya.
15
16 **MFR** Sebelum Tuan bersara, adakah Tuan tahu status siasatan berkaitan
17 kes ini, kehilangan Joshua Hilmy –
18
19 **OMAR** Saya tahu.
20
21 **MFR** Dan Ruth Sitepu?
22
23 **OMAR** Sebagaimana saya cakap, bagi tahu tadi, sehingga saya bersara,
24 sebelum saya bersara, kes ini tidak ada perkembangan yang positiflah,
25 berkenaan dengan mangsa.
26
27 **MFR** Baik. Baik, Tuan, soalan terakhir saya, Tuan, ada apa-apa maklumat
28 yang boleh diberikan kepada SUHAKAM untuk membantu siasatan ini?
29
30 **OMAR** Tidak ada.
31
32 **MFR** Terima kasih.
33
34 **CHM** Ok. Terima kasih. Counsel? Ya?
35
36 **AP** Salam sejahtera, DSP Omar. Saya peguam bagi keluarga Ruth Sitepu.
37 Minta kebenaran untuk bertanyakan beberapa soalan. Boleh DSP

- 1 Omar bagi tahu Panel sama ada terdapat, berapa banyak pengalaman
2 mengendalikan kes orang hilang? Ataupun adakah ini kali pertama?
3 Memantau kes orang hilang, berapa kali, agak-agaknya?
4
- 5 **OMAR** Saya, orang hilang, untuk makluman Puan, orang hilang dikendalikan
6 oleh, kalau mangsa itu atas pada 18 tahun, dikendalikan oleh OCS,
7 ketua polis balai. Sebelum ini, saya tidak pernah bertugas dalam
8 jabatan pengurusan. Sepanjang career saya, saya banyak dalam
9 jenayah. Jadi, saya, ini adalah pertama kali saya mengendalikan orang
10 hilang –
11
- 12 **AP** Ya.
13
- 14 **OMAR** Lebih pada 18 tahun.
15
- 16 **AP** Kali pertama ya?
17
- 18 **OMAR** Ya.
19
- 20 **AP** Jadi memandangkan ini adalah kali pertama, Tuan ada minta macam
21 input daripada pegawai atasan ke orang lain yang lebih
22 berpengalaman, Tuan, berkenaan dengan kes ini?
23
- 24 **OMAR** Ini siasatan orang hilang, lebih kurang sahaja dengan siasatan jenayah
25 orang hilang dan bagi jenayah, saya pernah buat siasatanlah. Bukan
26 pernah buat, pernah memantau siasatan bagi mangsa yang umur
27 bawah pada 18 tahun.
28
- 29 **AP** Jadi mengikut SOP, adakah terdapat perbezaan sekiranya orang yang
30 hilang itu lebih daripada 18 tahun berbanding dengan orang yang di
31 bawah 18 tahun? Adakah perbezaan SOP yang dikendalikan? Ataupun
32 sama sahaja?
33
- 34 **OMAR** Sama sahaja.
35
- 36 **AP** Sama sahaja?
37

1 **CHM** En Omar, En Omar kata dalam perkhidmatan di Jabatan Polis ni,
2 kebanyakannya di Bahagian Jenayah, ya?
3

4 **OMAR** Ya, ya.
5

6 **CHM** Ya, itu saya nak tanya sebab jenayah, ya.
7

8 **OMAR** Ya.
9

10 **CHM** Bila, bagaimanakah kes seseorang orang hilang tu, boleh tak dia
11 develop menjadi satu kes jenayah? Dia asal bukan kes jenayah, dia
12 asal kes orang hilang tapi lama-kelamaan dia boleh menjadi kes
13 jenayah. Pernah, pernah mengalami sebab lama dia jenayah, kan? Ada
14 pengalaman, dia memulau bukan sebagai kes jenayah, sebagai kes
15 orang hilang tapi lama-lama dia meningkat jadi kes jenayah? Pernah –
16

17 **OMAR** Kemungkinan ada. Sekiranya mangsa yang umur bawah 18 tahun tu,
18 bila kita, siasatan dijalankan, kita dapati maklumat terbaharu,
19 kemungkinan, kemungkinan, contoh macam budak sekolah, kan, jadi
20 semasa dalam siasatan, timbul saksi mengatakan beliau satu orang
21 yang berhenti kereta tarik dia masuk dalam kereta. Itu kita tukarkan
22 kepada jenayah.
23

24 **CHM** Tetapi kes macam ni, boleh juga terpakai kepada orang yang atas umur
25 18, kan?
26

27 **OMAR** Ya, tapi –
28

29 **CHM** Tak semestinya –
30

31 **OMAR** Kes ni kita tak ada maklumat –
32

33 **CHM** Yalah,
34

35 **OMAR** Tak ada saksi bebas yang –
36

37 **CHM** Tapi dalam pengalaman, tak ada kes orang, atas 18 tahun –

1
2 **OMAR** Ya,
3
4 **CHM** Tapi dia, daripada kes orang hilang jadi kes jenayah sebab ada
5 maklumat terbaharu?
6
7 **OMAR** Ya, kalau ada –
8
9 **CHM** Pernah, pernah mengalami bagi orang-orang yang atas daripada 18
10 tahun?
11
12 **OMAR** Tidak ada.
13
14 **CHM** Dalam pengalaman –
15
16 **OMAR** Saya tidak, tidak ada pengalaman, ni pengalaman.
17
18 **CHM** Bagi orang atas 18 years, 18?
19
20 **OMAR** Ya, ya.
21
22 **CHM** Bawah ada?
23
24 **OMAR** Bawah pun contoh lah, yang bagi tadi contoh, sebagai contoh saja.
25
26 **CHM** Sebagai contoh saja?
27
28 **OMAR** Ya.
29
30 **CHM** Tapi pernah mengalami?
31
32 **OMAR** Tak ada.
33
34 **CHM** Satu kes hilang, tapi kemudian dia berkembang menjadi satu kes –
35
36 **OMAR** Ya.
37

1 **CHM** Jenayah.
2
3 **OMAR** Ya.
4
5 **CHM** Oleh kerana mendapat maklumat terbaharu.
6
7 **OMAR** Dalam karier saya, tak pernah terjadi.
8
9 **CHM** Tak pernah?
10
11 **OMAR** Tak pernah.
12
13 **CHM** Ok. Ya.
14
15 **AP** Tuan, boleh saya rujuk Tuan kepada statement yang telah diberi oleh
16 Sarjan Ahmad Sibee, Exhibit 111A, muka surat yang kedua tapi
17 sebelah pula, muka surat yang, ya, sebelah, ok, perenggan kedua.
18 Walaupun tarikh yang tertera di situ adalah 18.04.2017, soalan saya
19 adalah –
20
21 **CHM** Sebentar, sebentar, ya, sebentar. 111A, kan?
22
23 **AP** Yes, Honourable Commissioner.
24
25 **CHM** Second page?
26
27 **AP** It's actually the fourth, fourth side, the second page but it's on their
28 reverse side.
29
30 **CHM** If you take this as No.1.
31
32 **AP** Yes.
33
34 **CHM** And then No.2, page 2.
35
36 **AP** Correct.
37

1 **CHM** And then page 3.
2
3 **AP** 3.
4
5 **CHM** Page –
6
7 **AP** So it would be on the fourth page.
8
9 **PM2** Page 4.
10
11 **CHM** Ok, alright.
12
13 **AP** Perenggan kedua, jika Tuan teliti perenggan kedua, kandungan
14 perenggan tersebut menyatakan bahawa Sarjan Ahmad Sibeer telah
15 mengambil langkah-langkah untuk mendapatkan rekod panggilan
16 keluar masuk untuk Joshua ke SKMM dan juga dia cuba mendapatkan
17 rekod pergerakan keluar masuk daripada Jabatan Imigresen.
18 Sepanjang apa yang Tuan ingat, adakah Tuan memberi maklumat atau
19 pun garis panduan, apakah langkah yang sepatutnya dibuat selepas ini
20 memandangkan dia telah ambil langkah-langkah ni, masih belum lagi
21 menerima apa-apa jawapan dari Imigresen atau SKMM. Ada tak Tuan
22 bagi dia input atau pun jalan penyelesaian yang lain?
23
24 [04:15PM]
25
26 **OMAR** Ketika ini, saya mendapati Sarjan Ahmad telah membuat semakan
27 dengan, pertama, JPN, yang kedua, Imigresen untuk menentukan
28 keluar masuk mereka (04:15:32PM) dari negara ni. Yang ketiga, beliau
29 telah membuat semakan dengan SKMM. Jadi bila saya tengok dia dah
30 buat, saya tidak ada bagi apa-apa arahan lagi lah.
31
32 **AP** Sarjan Ahmad Sibeer ada bagi tahu kenapa dia nak dapatkan rekod
33 panggilan keluar masuk dari SKMM? Adakah dia bagi tahu latar
34 belakang kenapa dia nak minta maklumat yang ini daripada SKMM?
35
36 **OMAR** Ini kita, mungkin, kemungkinan, bagi saya kemungkinan dia nak tahu
37 ini bahagian teknikal, teknikal, location, location mangsa, bagi saya lah.

1 Bagi pendapat saya, dia minta bantuan SKMM untuk mendapat location
2 mangsa.
3

4 **AP** Ada tak sepanjang masa bila Sarjan Ahmad Sibee datang jumpa ASP
5 Omar, ada tak dia bagi tahu ada, Joshua Hilmy ni ada terima panggilan
6 yang dia dapat, dia dapati macam ancaman atau ada ugutan, ada tak
7 dia bagi tahu?
8

9 **OMAR** Tidak ada.
10

11 **AP** Boleh tak saya tanya secara am, tadi Tuan ada bagi tahu bahagian
12 teknikal. Sepanjang pengetahuan Tuan, Jabatan Forensik, bahagian IT
13 di PDRM, dapatkah dia ambil, apa, dapat informasi, kalau kita macam
14 bagi dia emel atau pun nombor panggilan, apa yang Jabatan Forensik
15 IT dapat melakukan di dalam PDRM.
16

17 **OMAR** Setahu saya, Jabatan Forensik PDRM baru sahaja memantau telefon,
18 telefon mangsa. Sebelum tu, kita masih bergantung kepada SKMM.
19

20 **AP** Jadi bila Tuan kata baru sahaja, dalam tahun 2020 ke bila tu?
21

22 **OMAR** Saya tak pasti.
23

24 **AP** Tapi yang pasti, lepas tarikh ni lah? Tarikh 18.04.2017 tu –
25

26 **OMAR** Kemungkinan.
27

28 **AP** Pada masa...
29

30 **PM2** Mungkin apa yang ditanya oleh peguam, seingat Tuan, ya, pada tarikh
31 2017 ni, adakah Tuan tahu yang PDRM tu ada Jabatan Forensik IT
32 yang boleh menolong?
33

34 **OMAR** Saya tak tahu.
35

36 **PM2** Sewaktu tu mungkin... tak tahu ke mungkin belum lagi wujudlah dari...
37

1 **OMAR** Saya tak pasti, saya tak pasti wujud atau tidak, saya tak pasti.
2
3 **PM2** Ok. Tapi tidak ada maklumat yang –
4
5 **OMAR** Ya.
6
7 **PM2** Yang IPD-IPD boleh menggunakan –
8
9 **OMAR** Tapi setahu saya, sebelum saya ke PJ pun, semasa saya dalam
10 Jenayah, kita pun bergantung kepada telco juga, bukan daripada
11 Forensik.
12
13 **PM2** Terima kasih.
14
15 **AP** Terima kasih. Pada bila-bila masa, bila kes ini datang ke tangan Tuan,
16 ada tak arahan diberikan untuk, kes ini untuk disimpan, abbreviation K-
17 U-S, KUS ada ke?
18
19 **OMAR** Ya.
20
21 **AP** Tuan yang bagi ke?
22
23 **OMAR** Ya, saya yang bagi. Setelah saya meneliti, semua tindakan telah
24 diambil. KUS bukan bermakna saya suruh dia ambil KEP itu, simpan
25 dalam stor. KUS bermakna teruskan siasatan, bukanlah kita tutup
26 siasatan. Jadi siasatan masih dijalan walaupun arahan saya KUS,
27 berpandukan kepada tindakan yang telah saya, Sarjan Ahmad ambil
28 lah. Jadi saya minta KUS sementara.
29
30 **AP** Sepanjang pengetahuan Tuan atau pun berapa yang ingat, dalam
31 situasi apakah KUS ini diarahkan? Apakah keadaan yang boleh dibagi
32 –
33
34 **OMAR** Jadi KUS boleh dibagi setelah siasatan kita, siasatan asas telah
35 diambil, jadi kita arah KUS sementara. Jadi walaupun KUS sementara,
36 siasatan masih terus, diteruskan.
37

- 1 **AP** Jadi untuk fahaman kami bila sesuatu kes itu mendapat designation
2 KUS ini, adakah ia bermaksud bahawa pegawai tidak perlu tumpukan
3 perhatian banyak kepada kes ini dan boleh fokus kepada kes lain,
4 adakah itu maksudnya?
5
- 6 **OMAR** Tidak, tidak betul.
7
- 8 **AP** Apakah, dalam PDRM, apakah reason untuk bagi KUS ni, apakah
9 sebab –
10
- 11 **OMAR** Itu yang saya bagi tahu tadi, bila saya telitikan KEP tu, saya dapati
12 siasatan telah dilaksanakan, jadi kemungkinan dalam 80%, cuma yang
13 tinggal 20%, saksi-saksi yang tak, tak dapat dikesan, kan. Jadi yang
14 saya tengok yang asas, dia semua dah buat. Semboyan, gambar dah
15 kita edar, semua, satu Malaysia. Itu maksudnya kita berani KUSkan
16 (04:22:18PM inaudible) tu.
17
- 18 **AP** Jadi dalam kata lain, bila KEP sampai ke tangan Tuan pada
19 28.08.2017, Tuan dapati langkah-langkah yang telah diambil adalah
20 mencukupi untuk dapatkan designation KUS ini, betul ke?
21
- 22 **OMAR** Betul. Hampir mencukupi, tak 100%.
23
- 24 **AP** Dan bila IO masih boleh sambung siasatan, walaupun kes ini dapat
25 KUS, dia mesti memerlukan arahan atasan atau pun dia boleh buat
26 keputusan dia sendiri?
27
- 28 **OMAR** Dia... selalunya Ketua Polis Balai, iaitu pegawai akan memberi arahan.
29
- 30 **AP** Saya nak tanya sikit, bila KEP sampai ke tangan Tuan, memandangkan
31 tarikh terakhir orang hilang ini dinampak oleh orang lain adalah akhir
32 bulan November tahun 2016 dan maklumat yang diberi oleh saksi-saksi
33 adalah bahawa itu tarikh akhir yang dia telah tinggalkan rumah dalam
34 sebuah kereta. Jadi bila KEP ni sampai ke tangan Tuan, ada tak minta
35 Sarjan Ahmad Sibee ni kenapa tak tanya dengan jiran-jiran sama ada
36 terdapat CCTV recording? Pergi tengok, pergi jumpa dengan jiran, ada
37 tak Tuan arahkan sebegitu?

1

2 **OMAR** Ya, saya ada arahkan dia pergi ke tempat, ke rumah mangsa buat
3 siasatan lanjut.
4

5 **AP** Jadi bila dia serahkan KEP untuk rujukan Tuan dan Tuan rujuk dan
6 dapati tiada rakaman percakapan dengan jiran-jiran atau pun tiada
7 dapatkan sebarang CCTV recording walaupun daripada jiran-jiran atau
8 pun dari Majlis Bandaraya, kenapa Tuan arahkan KUS untuk fail ini?
9

10 **OMAR** Ya, mengikut Sarjan Ahmad, dia gagal, dia masih gagal mendapat
11 maklumat terbaharu. Jadi saya minta dia KUS walaupun minta dia
12 teruskan siasatan mencari maklumat tersebut.
13

14 **AP** Tadi ada soalan –
15

16 **CHM** Sebentar, sebentar, ya. Saya keliru sedikit. Sarjan Ahmad Sibee datang
17 berjumpa dengan Encik, En Omar 28.08.2017, kan?
18

19 **OMAR** Ya.
20

21 **CHM** Ya? Dan ini adalah kali pertama En Omar dimaklumkan tentang kes ini,
22 kan? Kali pertama?
23

24 **OMAR** Ya, benar.
25

26 **CHM** Dan lepas berbincang, berbincang saja dengan, dengan Sarjan Sibee,
27 terus En Omar arahkan di K-U-S kan, diKUSkan fail ini, begitu ke?
28

29 **OMAR** Selepas membuat, saya rasa dua kali, dua kali, tiga kali, baru saya
30 suruh, saya KUSkan.
31

32 **CHM** Oh, KUS, bukan on, bukan on the 28th lah, bukan pada?
33

34 **OMAR** Bukan, bukan.
35

36 **CHM** Oh I see, dah dua tiga kali?
37

1 **OMAR** Ya.
2
3 **CHM** Dua, tiga kali, ya?
4
5 **OMAR** Ya.
6
7 **CHM** Agak-agak bila agaknya diarahkan supaya KUSkan fail ini.
8
9 **OMAR** Dalam minggu, dalam minggu tu jugalah saya, saya tak lupa.
10
11 **CHM** Minggu tu juga?
12
13 **OMAR** Ya. Saya tengok dia dah bagi tahu saya, mengadu kat saya, kata dia
14 dah usaha, tak ada, tak dapat lagi maklumat, jadi dia minta saya KUS
15 dulu lah, sementara.
16
17 **CHM** Jadi untuk KUS mesti datang daripada arahan, ya?
18
19 **OMAR** Ya.
20
21 **CHM** Arahan En Omar, lah?
22
23 **OMAR** Ya.
24
25 **CHM** Ya. Hanya En Omar yang ada authority untuk K-U-S, kan?
26
27 **OMAR** Ya.
28
29 **CHM** Ada authority.
30
31 **OMAR** Yes
32
33 **CHM** Jadi authority untuk K-U-S tu bukan diberi pada 28 Ogos, bukan?
34
35 **OMAR** 28 Ogos?
36
37 **CHM** Ya, 2017, bukan.

1
2 **OMAR** Saya tak pasti, Dato' Seri.
3
4 **CHM** Ya?
5
6 **OMAR** Tak pasti, tarikh tu saya tak pasti.
7
8 **CHM** Tak pasti?
9
10 **OMAR** Ya.
11
12 **CHM** Bila di K-U-S tu?
13
14 **OMAR** Ya.
15
16 **CHM** Tapi di sini, 28.08.2017, makluman pertama yang diterima?
17
18 **OMAR** Ya, ya.
19
20 **CHM** First time, ya?
21
22 **OMAR** Ya.
23
24 **CHM** Tapi hari tu memang tak di K-U-S?
25
26 **OMAR** Saya rasa tak, bukan.
27
28 **CHM** Ada perbincangan kemudian?
29
30 **OMAR** Ya.
31
32 **CHM** Tapi di K-U-S pada minggu yang sama –
33
34 **OMAR** Minggu yang sama.
35
36 **CHM** Begitu ke?
37

1 **OMAR** Ya.
2
3 **CHM** Ya ok. Lepas tu, kes ini dihidupkan semula? Lepas tu, kemudian? Tahu
4 tak yang kes ni, sama ada kes ini dihidupkan semula?
5
6 **OMAR** Saya, selepas saya pencen lah.
7
8 **CHM** Oh.
9
10 **OMAR** Ya.
11
12 **CHM** Di, 'selepas saya pencen'?
13
14 **OMAR** Ya.
15
16 **CHM** Kes ini dihidupkan semula? Bagaimana En Omar tahu selepas pencen
17 yang kes ini dihidupkan semula?
18
19 **OMAR** Baru, baru ni lah, bila ada inquiry, ada inquiry ini ke, baru saya tahu
20 lah. Baru-baru ni saja.
21
22 **CHM** Ok.
23
24 **OMAR** Sebelum ini saya tak tahu.
25
26 **AP** Ya.
27
28 **CHM** Yes.
29
30 **AP** Jadi soalan saya yang seterusnya, selepas arahan telah diberi oleh
31 Tuan untuk kes ini, di bawah K-U-S, lepas daripada tarikh tu sehingga
32 inquiry ni, kes ni tidak lagi datang kepada tangan Tuan, betul ke?
33
34 **OMAR** Betul.
35
36 **AP** Dan mesyuarat yang diadakan dua minggu sekali, siapa yang hadir di
37 mesyuarat tersebut?

- 1
- 2 **OMAR** Mesyuarat bukan tertumpu kepada kes ni, keseluruhan tiga kategori
- 3 yang saya sebutkan tadi, orang hilang, fire report dengan mati mengejut
- 4 dan dipengerusikan oleh saya.
- 5
- 6 **AP** Siapa yang akan hadir mesyuarat tu?
- 7
- 8 **OMAR** IO.
- 9
- 10 **AP** IO.
- 11
- 12 **OMAR** Ya. Semua IO kes atau wakil.
- 13
- 14 **AP** Adakah pada bila-bila masa Tuan perlu memberi report kepada
- 15 pegawai atasan daripada DSP Omar?
- 16
- 17 **[04:30PM]**
- 18
- 19 **OMAR** Kita, kita, saya bagi secara lisan saja.
- 20
- 21 **AP** Kepada siapa tu?
- 22
- 23 **OMAR** Saya lapor kepada Timbalan Ketua Polis.
- 24
- 25 **AP** Untuk kes Joshua dan Ruth Hilmy ni juga Tuan telah laporkan kepada
- 26 Timbalan Ketua Polis?
- 27
- 28 **OMAR** Ya.
- 29
- 30 **AP** Agak-agak bila laporan ini telah diberikan kepada Timbalan Ketua
- 31 Polis?
- 32
- 33 **OMAR** Saya tak ingat lah, Puan.
- 34
- 35 **AP** Apakah maklum balas yang telah diberikan oleh Timbalan Ketua Polis?
- 36
- 37 **OMAR** Teruskan siasatan lah.

1
2 **AP** Jadi apabila Timbalan Ketua Polis memberi arahan untuk teruskan
3 siasatan, adakah Tuan minta Sarjan Ahmad Sibeer untuk jumpa Tuan
4 secara berperingkat untuk memberi update berkenaan dengan kes ini?
5
6 **OMAR** Ya.
7
8 **AP** Agak-agak berapa kerap dia akan bagi update?
9
10 **OMAR** Saya tak boleh ingat lah.
11
12 **AP** I have no further questions. Terima kasih, Tuan.
13
14 **PM2** Tuan, tadi soalan Pn Peguam Audrey yang semua kes bawah PJ tu
15 datang ke, untuk meeting setiap dua minggu tu. Semua kes yang tiga-
16 tiga puluh, orang hilang, bakar dan mati mengejut tu, datang ke fail
17 tangan Tuan lah, betul? So tadi ada soalan dari pegawai SUHAKAM
18 pasal kes Pastor Khor. Kes Pastor Khor tu di bahagian, is it bahagian
19 Petaling Jaya also? So bawah IPD Petaling Jaya juga? So tak pernah
20 fail tu datang, IO datang bawa untuk berbincang dengan Tuan, report
21 dengan Tuan?
22
23 **OMAR** Tidak ada.
24
25 **PM2** Is it confirmed the police district in IPD Petaling Jaya?
26
27 **TFW** Yes.
28
29 **PM2** Yes?
30
31 **TFW** ASP Supari, ASP Supari IO kes.
32
33 **OMAR** Ya.
34
35 **TFW** Apa nama?
36
37 **OMAR** Itu bawah Jenayah.

1
2 **PM2** Oh itu terus masuk Jenayah?
3
4 **OMAR** Ya, Jenayah.
5
6 **PM2** So tak masuk dalam... ok, bukan orang hilang lah tu?
7
8 **OMAR** Bukan.
9
10 **PM2** Ok, ok alright.
11
12 **OMAR** Jenayah-jenayah buat.
13
14 **PM2** Ok thank you. Terima kasih.
15
16 **MSR** Dengan izin, Dato' Seri. Tuan Omar, sepanjang Tuan Omar menjadi
17 ketua bahagian pengurusan, di dalam kes Joshua Hilmy, ada tak
18 bantuan diterima daripada bahagian lain?
19
20 **OMAR** Ada.
21
22 **MSR** Boleh dinyatakan dalam sesi pendengaran ini, bahagian mana yang
23 membantu?
24
25 **OMAR** Cawangan Khas dan Jenayah.
26
27 **MSR** Jenayah?
28
29 **OMAR** Ya.
30
31 **MSR** Dari segi bahagian Jenayah, apakah bantuan diberikan?
32
33 **OMAR** Kita, bantuan melalui semakan di SKMM.
34
35 **MSR** Berkenaan dengan pertanyaan daripada peguam tadi, maklumat yang
36 Tuan berikan, Tuan memberitahu bahawa memberi maklum kepada
37 Timbalan Ketua Polis. Itu Ketua Polis Negeri ke Ketua Polis Daerah?

1
2 **OMAR** Ketua Polis Daerah.
3
4 **MSR** Itu sahaja.
5
6 **CHM** Terima kasih.
7
8 **PM2** Tuan Omar, yang tadi dapat pertolongan dari Bahagian Jenayah untuk
9 menolong cari maklumat dari SKMM, ya. Tapi apa yang kita difahamkan
10 surat-surat tu dihantar oleh Sarjan Sibee sendiri –
11
12 **OMAR** Ya.
13
14 **PM2** Langsung ke SKMM.
15
16 **OMAR** Ya.
17
18 **PM2** So apakah peranan Bahagian Jenayah dalam menolong SKMM lagi?
19
20 **OMAR** Jadi kita dah, sebab Jenayah dia selalu berurusan SKMM sendiri,
21 secara tak langsung kita minta bantuan –
22
23 **PM2** Oh untuk menolong dapat maklumat lebih awal.
24
25 **OMAR** Menolong.
26
27 **PM2** Ok.
28
29 **OMAR** Cepat.
30
31 **PM2** Ok, faham, faham. Tapi surat tu memang dari Sarjan Sibee lah yang
32 hantar.
33
34 **OMAR** Ya.
35
36 **PM2** Itu tugas dia lah? Itu untuk Bahagian Jenayah. Untuk SB, apa dia punya
37 bahagian untuk menolong kes-kes orang hilang ni?

1
2 **OMAR** SB ni kita maklum saja.
3
4 **PM2** Ya.
5
6 **OMAR** Dia ada satu kerja dia lah. Mungkin dia buat task force dia, kan. Tapi
7 bila orang hilang saja, kita, automatik kita maklum kat SB.
8
9 **PM2** Ya.
10
11 **OMAR** Tak kira dia umur berapa.
12
13 **PM2** Ya.
14
15 **OMAR** SB mesti tahu.
16
17 **PM2** SB tidak akan beri maklumat untuk menolong dalam penyiasatan
18 bahagian IO ke...
19
20 **OMAR** Tidak, tidak ada.
21
22 **PM2** Semua maklumat diberi dari sebelah sini ke SB tapi SB tak bagi
23 maklumat apa-apa?
24
25 **OMAR** Ya, mungkin dia maklumat kepada terus kepada pegawai atasan,
26 contohnya, OCPD.
27
28 **PM2** Ok, ok.
29
30 **CHM** This is something new, kan? SB is automatically informed.
31
32 **PM2** Ya, baru hari ni kita dapat maklumat lah yang SB diberitahu.
33
34 **CHM** I think this is the first time we get information that in case of
35 disappearance, automatically it's informed. I think, have we been
36 informed about this step earlier by any of the witnesses? I can't recall.
37

1 **SK** Ya, Dato', I think this is the first time we –
2
3 **CHM** Yes?
4
5 **SK** I think this is the first time we getting such information.
6
7 **CHM** I see. Setiap kes orang hilang mesti beritahu SB, ya?
8
9 **OMAR** Ya, automatik.
10
11 **CHM** Ini about SOP ke? SOP –
12
13 **OMAR** Ya. SB kena tahu.
14
15 **CHM** I see.
16
17 **OMAR** Kan.
18
19 **CHM** Siapa yang akan bagi tahu? IO akan bagi tahu ke? OC balai ke? Siapa
20 yang akan bagi tahu?
21
22 **OMAR** Ketua Polis Balai lah.
23
24 **CHM** Akan beritahu lah?
25
26 **OMAR** Mungkin masa mesyuarat pagi, dia akan maklum SB. Kadang-kadang
27 tak maklum pun, SB tahu, pasal dia monitor satu hari punya report, SB.
28 Yang saya tahu lah. Jadi kita maklum tu bermakna kita bertindih lah,
29 kita maklum. SB kena tahu orang hilang.
30
31 **CHM** Orang hilang, ya?
32
33 **OMAR** Yes.
34
35 **CHM** Ini, itu SOP, ya?
36
37 **OMAR** Ya.

1
2 **CHM** Ok, ok. Yes, Sir?
3
4 **AK** Selamat petang, DSP Omar. Selamat petang, DSP Omar.
5
6 **OMAR** Selamat petang.
7
8 **AK** Nama saya Andrew Khoo, saya peguam pemerhati bagi pihak Majlis
9 Peguam Malaysia. Mungkin saya boleh tanya DSP Omar, DSP Omar
10 sudah berkata bahagian kamu hanya memantau kes-kes kebakaran,
11 kehilangan orang dan...
12
13 **CHM** Mati mengejut.
14
15 **AK** Kematian mengejut, minta maaf. Jadi kalaunya ini kes culik, itu adalah
16 kes jenayah, tidak di bawah pemantauan DSP Omar, betul?
17
18 **OMAR** Ya.
19
20 **AK** Siapakah yang membuat ketetapan adakah ini kes culik atau kes
21 kehilangan orang?
22
23 **OMAR** OCPD,
24
25 **AK** OCPD?
26
27 **OMAR** Kita daripada maklumat yang kita terima, perkembangan ini menjurus
28 kepada kes culik, jadi kita maklumkan kes kepada OCPD. Dan OCPD
29 akan beri arahan.
30
31 **AK** Tapi DSP Omar telah berkata dalam, sepanjang karier DSP Omar
32 selama 18 tahun, kamu tidak tahu tentang apa-apa kes yang mula
33 sebagai kes orang hilang yang menjadi, ditukar menjadi kes culik.
34
35 **OMAR** Ya.
36
37 **AK** Betul?

1
2 **OMAR** Ya.
3
4 **AK** Dari segi pemantauan atau segi penyiasatan kes orang hilang, bila saya
5 dengar apa yang DSP Omar memberi keterangan tentang diskusi
6 dengan Sarjan Sibee, saya mendapat, apa ni, impression bahawa tidak
7 ada banyak kesegeraan tentang kes ini. Adakah itu betul?
8
9 **OMAR** Tidak ada.
10
11 **AK** Macam ini kes rutin sahaja. Kalau ada siasat, siasat lah. Kalau tak ada
12 bukti lagi, tak ada saksi lagi, Sarjan Sibee adu, 'Oh, saya tak dapat,
13 boleh tolong KUSkan kes ini, KUSkan', tiga kali dia datang jumpa DSP
14 Omar kata 'Tolong KUSkan ini'. Kemudian DSP Omar pun bersetuju
15 kita KUSkan kes ni sementara. Tapi kita ada dorongan untuk menyiasat
16 dengan lebih mendalam, lebih teliti, itu impression saya.
17
18 **OMAR** Bagi –
19
20 **AK** Setuju atau tidak?
21
22 **OMAR** Bagi saya, saya percaya kepada Sarjan Sibee dan segala siasatan
23 dipantau oleh OCS, iaitu Ketua Polis Balai. Jadi bukan dia, kita lepas
24 dia satu orang, dipantau oleh Ketua Polis Balai, iaitu bos dia.
25
26 **AK** Tapi adakah ini bermaksud ada dua orang yang memantau kes ini,
27 OCP Balai dengan DSP Omar.
28
29 **PM2** OCS.
30
31 **OMAR** Ya.
32
33 **AK** Jadi adakah betul bila saya katakan DSP Omar lebih, apa ni, apa ni,
34 rely on OCS Balai untuk menyegerakan kes ini kalau dia tak, dia tidak
35 berpendapat bahawa ini adalah kes yang perlu disegerakan, DSP Omar
36 pun tidak membuat cadangan sebegitu?
37

1 **OMAR** Tidak ada, tidak ada.
2
3 **AK** Jadi bagaimana dengan, dengan kes ini? Bila DSP Omar melihat kes
4 ini, apakah pemikiran Tuan terhadap kes ini? Adakah ini rutin atau
5 adalah ini berbeza sedikit, atau adakah ini satu kes yang penting, yang
6 harus ditelitikan?
7
8 **OMAR** Tidak ada.
9
10 **AK** Tidak ada yang mana?
11
12 **OMAR** Sebenarnya tidak benar lah.
13
14 **AK** Ok jadi kes ini di, apa ni, di, disiasat secara rutin?
15
16 **OMAR** Tidak, tidak ada.
17
18 **AK** Jadi kalau bukan rutin, apakah keistimewaannya? Adakah kes ini kes
19 istimewa atau kes biasa saja?
20
21 **OMAR** Semua kes kita anggap istimewa. Orang hilang, kita, semua kita
22 anggap istimewa.
23
24 **AK** Tapi selepas tiga kali Sarjan Sibee datang berjumpa dengan DSP Omar
25 katakan tidak ada perkembangan, DSP Omar setuju untuk
26 mengKUSkan kes ini buat sementara waktu?
27
28 **OMAR** Ya.
29
30 **AK** Ok. Jadi seperti yang DSP Omar kata, kamu, apa ni, kamu rely on
31 Sarjan Sibee apa yang dia katakan, kalau dia kata sudah cukup, kamu
32 pun bersetuju. Kamu tidak melihat fail, bertanya apa-apa lagi, kamu
33 terima saja apa yang dikatakan, disebut oleh Sarjan Sibee?
34
35 **OMAR** Setelah saya kaji, memang saya bersetuju dengan kesusahan Sarjan
36 Ahmad mengatakan dia tak dapat lagi nak cari saksi. Jadi saya anggap
37 betul cakapan dia, percakapan dia.

1
2
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37

AK Adakah DSP Omar ingat kalau diimbis kembali bahawa kes ini adalah kes di mana seorang Melayu telah menjadi, memeluk agama Kristian dan dikatakan ada membuat kerja-kerja pengkristianisasikan atau pembaptisan orang Melayu. Adakah kamu ingat tentang latar belakang kes ini?

[04:45PM]

OMAR Tidak ada.

AK Tidak ada? Jadi kamu tidak tahu selok-belok siapakah Joshua Hilmy yang hilang, Ruth Sitepu yang hilang. Apakah aktiviti-aktiviti mereka?

OMAR Ya.

AK Apakah yang dikatakan mereka melakukan?

OMAR Secara mendalam tidak ada.

AK Dan... jadi maksudnya kamu tidak meneliti secara mendalam apakah isu di belakang ini, kemungkinan mereka itu diculik oleh kerana aktiviti-aktiviti mereka?

OMAR Tidak ada.

AK Ok terima kasih, DSP Omar.

CHM Thank you, thank you. Yes, anything?

PM2 DSP Omar, kalau dalam yang mesyuarat sekali dua minggu tu bawah, diketuai oleh DSP Omar dulu, KPPD tu, berapa kes fail yang akan dipantau atau dirujuk waktu dalam satu meeting dalam, dalam dua minggu tu? 10? Lebih kurang lah... 50 ke, 30 ke? Lebih kurang.

OMAR Antara 15 hingga 20.

1 **PM2** 15, 20 lah, so –
2
3 **OMAR** Tiga kategori tu.
4
5 **PM2** Tiga kategori, so bukan banyak sangat lah?
6
7 **OMAR** Ya.
8
9 **PM2** Boleh dipantau lah? Ok. So mungkin sambungan daripada soalan
10 peguam Andrew tadi, walaupun kes orang hilang, waktu tu yang lebih
11 kurang 15 kes tu yang datang, bawah kuasa pemantauan DSP Omar,
12 yang berapa kes orang hilang, cuma satu atau ada dua tiga yang lain
13 juga pada waktu yang sama tu?
14
15 **OMAR** Ada.
16
17 **PM2** Ada, kan?
18
19 **OMAR** Ya.
20
21 **PM2** So mungkin persoalan yang kita minat nak tanya, ciri-ciri yang
22 membezakan kes ini dengan kes lain tu, itu diperincikan atau tidak?
23 Sebab, atau semua dilihat sebagai orang hilang, so SOP dia cara yang
24 sama, atau diperincikan kes ini mungkin ada pengkhususan yang lain
25 sebab apa yang peguam Andrew cakap tadi, ini adalah bukan biasa
26 sikit. 1, nama dia melayu tapi Kristian. 2, isteri dia orang Indonesia. So
27 tidakkah itu akan membuat kes ni lebih istimewa dari kes-kes istimewa
28 yang lain yang tadi Tuan cakap, semua orang hilang tu kes istimewa?
29
30 **OMAR** Siasatan kita sama, ya, Tuan. Orang, orang biasa ke, orang ber...
31 macam ni, kes macam ni ke, jadi siasatan sama. Yang penting, yang
32 penting, kita mahu tahu punca dia. Di mana orang itu? Bukan kita,
33 kerana dia di... orang masuk Kristian ke, itu bukan kita ni, tapi ni untuk
34 makluman kita saja. Jadi saya, saya layan kes ni sama saja. Tidak ada
35 –
36
37 **PM2** Betul.

1
2 **OMAR** Double stand.
3
4 **PM2** So mungkin dari segi polis tu memang harus layan semua kes sama
5 lah.
6
7 **OMAR** Ya.
8
9 **PM2** Itu saya faham dan bagus cara macam tu. Apa yang ditanya adalah
10 kalau kes ini lebih rumit, ada elemen-elemen lain yang mungkin masuk
11 campur sebab itu cara penyiasatan itu mungkin akan mengambil jalan
12 yang lain. Kalau elemen-elemen itu ditambah masuk –
13
14 **OMAR** Ya.
15
16 **PM2** Itu maksud dia. Contohnya, orang nama dia Hilmy, Kristian, ada isteri
17 Indonesia, dari segi itu yang ditanya soalan, sebab mungkin itulah akan
18 membuat pemantauan lebih mendalam. Adakah ini dah masuk ke area
19 jenayah ke tidak ke, culik ke tak. Tapi selagi tidak mengambil perincian
20 yang luar biasa sedikit, susah kan kalau pegawai itu tidak memberi apa-
21 apa maklumat kepada Tuan waktu, yang kes ini ada luar biasa sedikit?
22
23 **OMAR** Ya, kalau, kalau dalam, semasa siasatan, kita dapat sedikit maklumat
24 mengatakan dia ni diculik. Jadi kita buka, kita pergi ke Jenayah. Jadi
25 kita lebih detail lagi lah. Jenayah, kan.
26
27 **PM2** So –
28
29 **OMAR** Ini cuma orang hilang saja.
30
31 **PM2** Ya.
32
33 **OMAR** Jadi kalau pergi ke Jenayah, lebih detail lagi.
34
35 **PM2** Ok.
36

1 **OMAR** Ya. Kita akan buat siasatan lah. Kalau di, kalau KEP pun kita buat detail
2 juga tapi kalau Jenayah, pergi ke kes culik, itu satu kes yang menarik
3 perhatian, kan? Kalau diculik, dibunuh, jadi lagi menarik. Jadi sebelum
4 ni, tidak sedikit maklumat mengatakan dia ni dibunuh ke atau diculik,
5 atau dia ditarik masuk dalam kereta, kita tak ada maklumat. Itu saja,
6 Tuan.
7
8 **PM2** Ok. So maksud dia, dari segi pemantauan tu, tidak ada apa-apa yang
9 boleh Tuan Omar cuba kategorikan dia dalam kategori yang lain lah.
10 Sebab pada waktu tu, maklumat dia yang pasal culik tu langsung tidak
11 keluar?
12
13 **OMAR** Ya.
14
15 **PM2** Kemungkinan pun tidak boleh difikirkan, kemungkinan tau, bukan
16 kepastian?
17
18 **OMAR** Kita nak tukar ke ni, kita kena ada percakapan lah. Contoh macam saksi
19 nampak, kita rekod statement. Dan itu kita maklum kepada pegawai
20 atasan, arahan pegawai atasan, ok, kes ini siasat, kes culik ke. Jadi
21 bunuh, mungkin kita tak tahu, kan.
22
23 **PM2** Ya.
24
25 **OMAR** Ya. Itulah, Tuan.
26
27 **PM2** Ok terima kasih.
28
29 **SK** Dato' Seri, no further question.
30
31 **CHM** Tiada soalan lagi, En Omar. Saya ucapkan terima kasih, ya.
32
33 **OMAR** Ok.
34
35 **CHM** Atas kerjasama lah yang diberikan.
36
37 **OMAR** Sama-sama Tuan, Dato' Seri.

1
2 **CHM** Jadi sekarang ni En Omar dilepaskan lah.
3
4 **OMAR** Saya minta maaf, suara tak keluar.
5
6 **PM2** Ok tak apa, tak apa.
7
8 **OMAR** Hari ni pula suara tak keluar, hari ni.
9
10 **CHM** Simon.
11
12 **SK** Yes.
13
14 **CHM** About the, the request for subpoena, we will begin with, we sent out the
15 letters first, we begin with letters first, yes and see, how the three entities
16 respond the bank, then, apa tu, then apa?
17
18 **PM2** SKMM.
19
20 **CHM** SKMM, satu lagi siapa?
21
22 **PM2** Telco.
23
24 **CHM** Telco, how they respond?
25
26 **SK** And this includes, does this include the Maybank?
27
28 **PM2** Yes.
29
30 **CHM** Yes, yes. And as far as SKMM, you will be seeing the CO, kan?
31
32 **SK** Yes, it's a matter of now getting a date because we have been trying to
33 get in touch a few times, we couldn't get a date, yes, so eventually we
34 have to decide whether a letter insufficient, we have to call them.
35
36 **CHM** Ok. Yes?
37

1 **AP** Honourable Commissioners, now, just, if we could just find out would
2 SUHAKAM be sort of fixing a date for the reports to come in and the
3 correspondence communication info or would we just liaise with
4 SUHAKAM on this via emails?
5

6 **CHM** You can liaise with us via email and we'll let you know the
7 developments, the responses and the next course of action.
8

9 **AP** Very well. We are much obliged.
10

11 **CHM** Yes, yes. Mr Khoo? Are you serious about Professor Shamrahayu and
12 the other Professor Yazid, are you very serious?
13

14 **AK** My short answer is yes, Commissioners.
15

16 **CHM** I see. Yes, you are coming out with –
17

18 **AK** Yes, we also trying to –
19

20 **CHM** Yes, justification, ya?
21

22 **AK** As I said, trying to get the specific quotation of the specific part which
23 would be, to show you that there is some interest and there's, there is
24 a direct relevance between what they said and the, the purpose of this
25 inquiry.
26

27 **CHM** Ok.
28

29 **AK** At least from the enforced disappearance.
30

31 **CHM** Yes. When can we, we get the justification?
32

33 **AK** I'm, I'm hoping to be able to, to submit that letter by Wednesday at the
34 earliest.
35

36 **CHM** By Wednesday, ok.
37

1 **AK** But if, if we slipped by one or two days, then by the end of the week.
2
3 **CHM** Is... thank you, thank you, yes.
4
5 **AK** Thank you, I'm much obliged.
6
7 **CHM** So our inquiry hasn't come to an end yet.
8
9 **PM2** Not yet lah but the next step, we will inform them, tak ada date, kan?
10
11 **CHM** Itu lah, so we are not, we are not going to give any date lah.
12
13 **PM2** Date lah for now.
14
15 **CHM** No date lah.
16
17 **PM2** Yes, no date for now.
18
19 **CHM** No deadlines, no deadlines. So no deadlines, yes, Simon? No
20 deadlines yet.
21
22 **PM2** No next date, we don't have, right, Simon?
23
24 **CHM** It's a bit premature, yes?
25
26 **SK** Yes, it's premature at the moment. We have called all the witnesses in
27 the list. Now pending the Panel's decision on the, whether we are calling
28 Professor Sham Rahayu and also depending on the feeding by the, the
29 three agencies.
30
31 **CHM** So do you fix the next hearing date?
32
33 **SK** Because I, at the moment, the next is date is 13th, just two days from
34 now which is I think is impossible. So we don't have any dates at the
35 moment.
36
37 **CHM** So do we vacate the 13th?

1
2 **SK** Yes.
3
4 **CHM** Yes, 13th of January vacated, yes?
5
6 **SK** Yes.
7
8 **CHM** Vacated, yes?
9
10 **PM2** But, maybe Dato' Seri, we, the Panel would need to come back with
11 one or two fresh dates for, for this inquiry. Because we also need to
12 come to hear your, the information, right, on –
13
14 **SK** Yes.
15
16 **PM2** Yes. Alright ok. So we will do that later.
17
18 **CHM** We will do that later, we will do that later.
19
20 **SK** We will write to the agencies immediately after this. Then we'll keep
21 everyone updated.
22
23 **CHM** Yes, ok.
24
25 **SK** Thank you. That's all for today.
26
27 **CHM** Ok, thank you everyone, thank you. Session is adjourned.
28
29 **END**
30
31 **TIME :** **04:57PM**

**SUHAKAM PUBLIC INQUIRY OF
PASTOR JOSHUA HILMY
RUTH SITEPU**

DATE : 11.06.2021

VIDEO TITLE: Rakaman siasatan awam - Pendengaran-15.mp4

NOTES OF INQUIRY

Coram

Chairman Panel Member 1 Panel Member 2	Dato' Seri Hishamuddin Yunus Dr Madeline Berma Jerald Joseph	CHM PM1 PM2
PDRM Observer	SAC Ahmad Dzaffir Bin Mohd Youssof ASP Muhammad Sabri bin Mohd Raziff	ADY MSR
Family Observer	Philip Koh Cyrus Tiu Foo Woei Audrey Pillai	PK TFW AP
Bar Council Observer	Andrew Khoo Lim Heng Sen Roger Chan	AK LHS RC
SUHAKAM Panel	Simon a/l Karunagaram Muhammad Faiz Bin Abd Rahman Puveethra Raja Segaran Aida Suraya Haron	SK MFR PRS ASH
Indonesian Embassy	Tuan Junjungan Sigalingging Tuan Henry Dian Dwiharto	SJ HDD
KontraS	Syahr Banu	SB

11

1 **Witness**

1	Peter Pormannan a/l Annamalai	PETER
2	Grace Thangamalar a/p Peter Pormannan	GRACE
3	Josiahndan Emmanuel a/l Peter	JOSIAH
4	Ramanathan a/l Manickavasagan	RAMA
5	Selvakumar Peace John Harris	SELVA
6	Ram Ram Elisabeth	RAM
7	Iman Setiawan Sitepu	IMAN
8	[REDACTED]	
9	[REDACTED]	
10	Susandi Bin Basari	SUSANDI
11	ASP Shafiee Bin Marsidi	SHAFIEE
12	Insp Nurul Huda Bin Bustami	NURUL
13	ASP Hairol Azhar	HAIROL
14	Insp Zulfadhly Bin Yaacob	ZUL
15	DSP Supari Bin Muhammad	SUPARI
16	Iqbal Mirza Bin Mohd Jalaludin	MIRZA
17	DCP (B) Dato' Awaluddin Bin Jadid	AWAL

18	Fadzlina Binti Amran	FADZLINA
19	DSP (B) Omar bin Hassan	OMAR
20	Ahmad Sibee bin Nordin	SIBEE
21	Rev Dr Hermen Shastri	HERMEN

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START

- 1
- 2
- 3 **PK** Honourable Chairman and members of the panel from the Commission.
4 Good morning to all of you all. Thank you for affording us this
5 opportunity to introduce ourselves and subsequently we are, my name
6 is Philip TN Koh, I'm a lawyer representing the Sitepu family from
7 Indonesia who has instructed us to represent their missing sibling, Ms
8 Ruth Sitepu. Together with me is my honourable friends from the Bar,
9 Ms Audrey Pillai and Foo Woei Cyrus. We thank you for this opportunity
10 and we look forward to assisting the panel in their earnest duty to find
11 the truth to this matter.
12
- 13 **SK** Thank you, Mr Phillip, may I invite the representative from PDRM.
14 Please allow SAC Dzaffir to... please unmute SAC Dzaffir, Puvee.
15
- 16 **PRS** Done, Sir.
17
- 18 **SK** Ok.
19
- 20 **ADY** Good morning, Chairman –
21
- 22 **SK** SAC Dzaffir, I think you have more than one Zoom is on, more than
23 one... there should be only one unmuted so there will be no noise.
24
- 25 **ADY** Ok. Good morning, Dato' Seri Chairman, fellow Commissioners and my
26 fellow colleagues. Together with me is –
27
- 28 **MFR** SAC Dzaffir, sorry, masih lagi –
29
- 30 **ADY** From the –
31
- 32 **MFR** Bergema. Tak boleh dua Zoom dalam satu komputer, dia akan jadi...
33 dia orang have to iron out. Minta mungkin DSP Sabri mute dan SAC
34 Dzaffir unmute.
35
- 36 **SK** Hanya sorang saja boleh unmute dan bercakap... please unmute...
37

1 **ADY** Ok, can you hear me?
2
3 **SK** Still ada echo.
4
5 **MFR** Masih.
6
7 **SK** Maybe we'll wait PDRM to sort out the problem, maybe I'll invite
8 observer from Bar Council first.
9
10 **RC** Honourable Commissioners, my fellow observers, my name is Roger
11 Chan and together with me is SP Chandra. We represent the Bar
12 Council in this enquiry this morning. We are glad to be here and offer
13 our assistance in whatever way possible. I'm obliged, honourable
14 Commissioners.
15
16 **SK** Thank you, Mr Roger Chan. May invite the representative from KontraS
17 to introduce yourself.
18
19 **SB** Hello, I'm Syahar Banu from Indonesia. I'm Banu from KontraS
20 Indonesia. KontraS is a lawyer of the family of the disappeared member
21 of Ruth Sitepu in Indonesia. Thank you. And I'm along with Nanda
22 (00:03:49), my colleagues in KontraS as well.
23
24 **SK** Thank you, (00:03:57 inaudible). So has PDRM sorted out the problem?
25 Please unmute SAC Dzaffir.
26
27 **PRS** I already unmute.
28
29 **SK** Yes.
30
31 **ADY** Can you hear me?
32
33 **SK** Yes, loud and clear.
34
35 **ADY** Ok, thank you, Mr Simon. Good morning, Dato' Seri Chairman, panel...
36 Hello?
37

1 **SK** Yes, we can hear you.

2

3 **ADY** As well as panel colleagues. I am SAC Dzaffir from Royal Malaysian
4 Police. Together with me is DSP Muhammad Sabri. We are the
5 observers from The Royal Malaysian Police, thank you.

6

7 **SK** Thank you, SAC. Dear panel members, before we call the witness
8 today, I would like to share some basic information for the benefit of
9 everyone who have been attending the hearing today. Just for
10 information, this is the first public hearing conducted fully online by
11 SUHAKAM. So besides the observers, the panel members and also
12 SUHAKAM officers, the members of media and public are also present.
13 So to ensure smooth running of the hearing today, all members of
14 media and public is requested to remain silent, everyone will be muted
15 by default. In case you can turn on your mic, please put yourselves into
16 a mute mode. So the rest, the panel members and observers are able
17 to speak at any time. In case you are muted and you are unable to mute
18 yourself, please raise your hand either physically or you can also go to
19 the reaction button at the bottom, there's a icon for raise hand. So
20 there's an indication for the officer to unmute yourself. So that's some
21 ground rules for the hearing today. Of course members from public and
22 media are not allowed to speak up or ask any question during the
23 hearing today. Dear panel members, besides the ground rules, also I
24 would like to take this opportunity to provide some updates and also to
25 recall what has happened since the last hearing. The last hearing, dear
26 panel members and observers colleagues, was held on 11.01.2021. We
27 have called witness Insp Zulfadhly Yaacob, he was a witness No. 14, he
28 was recalled on 11th January. Insp Zulfadhly who is also the current
29 PDRM IO for the missing person case of Joshua Hilmy and Ruth Sitepu,
30 he was recalled by the panel members to provide evidence, further
31 evidence as requested from the IP. So some of the information or
32 documents requested and was, for example information from
33 government agencies like National Registration Department, MCMC,
34 KWSP, also for commercial and financing institution like Maybank.
35 However, at the hearing on 11th January, Insp Zulfadhly has referred,
36 he said he has referred the matter to DPP, namely DPP Tan Gin Han,
37 who has instructed the Inspector that he cannot share those information

1 at the SUHAKAM inquiry. And the reason given by DPP mentioned by
2 Insp Zulfadhly was 'Kebocoran maklumat dalam siasatan ataupun
3 pemberian maklumat kepada pihak ketiga akan memusnahkan
4 siasatan atau usaha mengesan mangsa dan pesalah, jika ada.
5 Seterusnya pendakwa raya juga mengatakan setakat ini tiada apa-apa
6 bukti yang menunjukkan pihak PDRM melanggar hak asasi semasa
7 siasatan.' So this was the reason given by Insp Zulfadhly. Since then,
8 the panel of inquiry at the last hearing has requested SUHAKAM,
9 SUHAKAM officers, the Secretariat, to write in to MCMC, to telco
10 companies in particular Maxis, and Maybank, to obtain the information
11 in relation to the enquiry. Subsequently, the panel members also
12 instructed the SUHAKAM officers to write in to AGC to reconsider
13 SUHAKAM's request to obtain information from the IP, the investigation
14 paper of PDRM Insp Zulfadhly. Hence the Secretariat of SUHAKAM has
15 been in communication with these agencies as instructed by the panel
16 members, namely the AGC, MCMC, Maxis and also Maybank. I must
17 inform that it took us quite some time to collate all this information
18 because we have to go through the process, especially with the bank,
19 we have to go through the Bank Negara all the requirements, then only
20 we can reach out to the commercial banks, so it's quite a tedious
21 process to obtain all, to go through this process, and finally we get, we
22 have to obtain some information which will be tendered today at the
23 hearing.

24
25 **CHM** Simon?

26
27 **SK** Yes, Dato' Seri?

28
29 **CHM** At this juncture for the benefit of us all, could you list the documents that
30 the PDRM is objecting to be provided with us and which we are
31 appealing to the AGC to reconsider, and briefly list the documents, like
32 immigration documents, yes.

33
34 **SK** Yes, Dato' Seri. Just give me a moment. Meanwhile, Faiz, if you know
35 the documents you can also help me.
36

1 **MFR** If I may, Dato' Seri, pada sesi 11 Januari tersebut beberapa keterangan
2 yang diberikan oleh Insp Zulfadhly adalah berkaitan dengan imigresen,
3 maklumat akaun bank, emel, lagi satu nombor telefon. So secara masa
4 itu, masa sesi pendengaran itu kita memohon supaya maklumat-
5 maklumat yang ada daripada PDRM secara general dipanjangkan
6 kepada SUHAKAM. So memang tak ada spesifik yang kita minta, so
7 apa yang arahan dikeluarkan oleh panel member masa itu untuk kita
8 fokus kepada tiga yang utama iaitu akaun bank, Maybank, di mana
9 keterangan Insp Zulfadhly mengatakan terdapat transaksi yang berlaku
10 pada Februari, itu yang pertama. Yang kedua, apa ini, emel di antara
11 Joshua Hilmy dan individu bernama Khairy Jamaluddin, kita minta
12 supaya SKMM, kita minta sesalinan ataupun maklumat daripada
13 siasatan yang dilakukan oleh Insp Zulfadhly. Yang ketiga adalah
14 nombor telefon di mana panggilan telefon yang dibuat di antara 2015
15 sehingga 2016. Jadi fokus masa itu adalah lebih kepada tiga dokumen
16 ini.

17
18 **CHM** What about immigration documents?

19
20 **MFR** Imigresen pun –

21
22 **CHM** In and out, you know.

23
24 **MFR** Betul. Kita pun minta mohon daripada Insp Zulfadhly masa itu untuk
25 diberikan kepada SUHAKAM. So...

26
27 **SK** Dato' Seri, if I may, I'm looking at the NOP, Notes of Proceedings of 11th
28 January. We have the panel members have mentioned specifically
29 'sesalinan surat maklum balas yang diterima oleh pegawai penyiasat
30 yang diterima daripada kes, daripada jabatan atau agensi kerajaan
31 seperti Jabatan Imigresen Malaysia, Jabatan Pendaftaran Malaysia,
32 Suruhanjaya Komunikasi Multimedia Malaysia, Jabatan Pengangkutan
33 Jalan, Kumpulan Simpanan Wang Pekerja dan daripada agensi-agensi
34 yang berkaitan.' So this was mentioned at the last hearing.

35
36 **CHM** Ok, thank you. You may proceed now, yes, Simon.

37

1 **SK** Thank you, Dato' Seri. Ok, then, after that, the Secretariat has been in
2 communication with the agencies as mentioned by Faiz, specifically to
3 AGC, MCMC, Maxis and also Maybank. And we have, to date we have
4 received some feedback from MCMC, from Maxis and Maybank. As for
5 AGC, our appeal to AGC to release the information for the benefit of
6 the, for the purpose of the inquiry, we have written to AGC on
7 19.01.2021, then AGC replied on 2nd February requesting for more time
8 because the officers, because due to COVID some officers have been
9 quarantined then. Then we did not hear, then SUHAKAM sent a second
10 letter 24th March to AGC, but the matter is still pending until today. Was
11 informed by AGC they're still planning to discuss and to decide on the
12 request made by SUHAKAM. As for the reply, the information we
13 received from MCMC, Maxis and Maybank, it will be tendered at the
14 hearing today.

15
16 [00:15:00]

17
18 It was also, have been shared with the observers before the hearing.
19 So the hearing today will be divided into two parts. First, to hear from
20 our witness which, the witness which is called today on the request
21 made by the legal counsel of the family, Rev Dr Hermen Shastri. Then,
22 second part it will be a session to tender the correspondence with
23 MCMC, Maxis and Maybank, and additionally we have also information
24 from Jabatan Agama Islam Selangor. The first session will be held in
25 an open session. But unfortunately the second session will be held in a
26 closed session due to the confidentiality of the information and data
27 protection, so the second session will be closed session. So we will
28 request the members of public and media to leave the meeting room
29 later. So this is the arrangements for the hearing today. Is there any
30 question or queries before we proceed to call our witness today? I can
31 see Mr Philip Koh is raising his hand. Panel members?

32
33 **PK** Dato' Seri Chairman, may I request permission to speak?

34
35 **CHM** Yes.

36

1 **PK** I will not touch on the substance as Mr Simon has so helpfully introduce
2 the matter that could be done in a closed session. But I think for public
3 transparency –
4

5 **CHM** Just a moment, Mr Koh, sorry to interrupt you.
6

7 **PK** Not at all.
8

9 **CHM** I would like to get clarification from Simon. Mr Simon, at this stage you
10 are going to tender the documents for purpose of formally sharing with
11 observers, when will it be, now or later?
12

13 **SK** Later, at the second part.
14

15 **CHM** Later, at second part?
16

17 **SK** Yes.
18

19 **CHM** And that will be in camera?
20

21 **SK** Yes. That's the suggestion.
22

23 **CHM** Ok. Thank you for the clarification. Yes, Mr Koh, please proceed, yes.
24

25 **PK** Thank you, Dato' Seri. As I say I am conscious that we have another
26 session on this but I think it is important to place on record on behalf of
27 the Sitepu family, 1), we truly appreciate SUHAKAM's facilitation to
28 seek the truth of what is going on in particular in the written
29 communications to various fellow governmental regulatory agencies. I
30 think there's we want to place on record that SUHAKAM as a human
31 rights commission is a body setup by legislature under the parliament
32 and federal constitution. And fellow organs of the government and their
33 executive, should give the requisite respect and cooperation. So we
34 want to place on record that we are concerned that it must be through
35 exertions and patience that agencies care to even respond and we want
36 to congratulate the officers for their perseverance. The first point I want
37 to make is the AGC's position in not disclosing in a blanket manner

1 smacks of an inability to appreciate that they are the public prosecutor
2 and the first legal officer advisor to the government, they ought to assist
3 in seeking the truth of this matter. A simplistic phrase to say that it may
4 jeopardise an investigation sounds more like a executive unwilling to go
5 to the bottom of matter in manners that may be helpful for the aggrieved
6 families. I would like to also place on record that the two critical
7 information as saudara Faiz put it well for us, the first one I think is
8 immigration, which is Dato' Seri's query, that is something very critical
9 because often there is a allegation from the authorities that the
10 gentleman, or in our case the missing Ruth, has exited the country
11 voluntarily. And if they have done so there's no reason why immigration
12 record should not be shown to us so that we may be aware whether the
13 exit was made or not by voluntary means through the passport of the
14 two individuals. The second critical one, I will say extremely critical as
15 Faizan (00:20:19) as said so, the alleged email communications which
16 allegedly carried the imprint of the then Minister of Youth and Sports,
17 Khairy Jamaluddin, alright. Now, I'm not for one moment would like to
18 assume that VVIPs are involved in these communications. That is the
19 truth that we are seeking. The email we are aware has carried a very
20 strange pseudonym called WifiGurl, G-U-R-L. And in, as I understand
21 the flow of the communications with MCMC after their initial reluctance,
22 they then now point out to us that they are unable to trace or they don't
23 have the facility to do so because WifiGurl is registered as a Yahoo
24 account. Now perhaps I will raise the substantive issues at the second
25 phase, but I just want to record here that it surprises us on behalf of her
26 family that regulatory agencies together with our highly efficient, and I
27 mean this in respect to my dear PDRM friends especially SAC Dzaffir
28 who is here and has so helpfully shown to us that there are anomalies
29 in so-called alleged WifiGurl postings, alright, which we are very grateful
30 for. We, I would like to place on record for public stakeholders that
31 there's no reason why MCMC and PDRM together could not go to the
32 bottom of who is behind this WifiGurl, pretending and impersonating, if
33 it is impersonation, alright, let me just put that as an equal comment,
34 Khairy Jamaluddin, alright. Are we to say that the Malaysian public has
35 no defence if there is a terrorist email account, alright, or serious
36 economics threat using money laundering of email coming to Malaysia,
37 that there is no way to uncover who these people are behind these

1 shadowy emails, or at least one layer of attempt together with Interpol
2 or PDRM, if MCMC has lack the authority or the link to fellow agencies
3 and platforms. It cannot be that Yahoo or Facebook or these platforms
4 can just be weaponised to disappear people, alright, this is our concern.
5 Whoever operated that email has something to do with the missing
6 couple. With those remarks I would like to say that we take the issue of
7 AGC's lack of cooperation and we would like a letter to be written to
8 Yang Berusaha, alright, and Berhormat Idrus Harun, appealing once
9 again to his good office, failing which we reserve our position that we
10 may seek for declaratory relief with the Attorney General as the
11 Respondent to clarify whether or not they can refuse to even volunteer
12 information that has no relationship with greatest respect to any threat
13 of jeopardising the investigation. Thank you very much, Mr Chairman.

14

15 **CHM** Thank you, Mr Philip Koh. Any other comments from members of the
16 observers?

17

18 **RC** Mr Chairman, may I be allowed to speak for a few moments?

19

20 **CHM** Yes, Mr Roger Chan.

21

22 **RC** While I'm not able to explicate the exact details of the evidence at this
23 moment and having listened to my learned friend, Mr Philip Koh, I am
24 totally agreeable and in support of a very fundamental principle that
25 ultimately the duty is to determine the truth. The truth cannot be
26 ascertained and a glimmer of it, even a glimmer of hope that the public,
27 let alone the victim, to this end is not something that is achievable, is
28 something we should be, as members of the public, ashamed of. The
29 institutions are there to collate the evidence, to collate information
30 systematically. And with that systematic collation of information, there
31 arise a duty to the public to have information that are relevant to the
32 truth of the matter. This is something that the Bar Council cannot
33 overemphasise and this is something that every decent human being
34 who is concerned with the matter of serious public interest should
35 support the fact that every leeway and every avenue should be given
36 for the discovery of the truth. And it is also my concern that Mr Philip
37 have to mention that if you do not move in this direction, then he has

1 indicated that he is going to take declaratory relief. And this is
2 something which would be the last resort. And if justice has to be arrived
3 at and if there is closure on this matter, we have to give a lot of support
4 and also understanding to the underlying fundamental principles of what
5 my learned friend Mr Philip was trying to say. I have no hesitation on
6 behalf of the Bar Council to adopt the position taken by Mr Philip Koh
7 just now.

8

9 **CHM** Thank you, Mr Roger Chan from the Bar Council. For the record, the
10 members of the panel, we have written a very strong letter to AGC to
11 reconsider its position on the issue of the documents. Any other view
12 from observers? PDRM, yes, please? Please unmute.

13

14 **MSR** Dengan izin, Dato Seri' Pengerusi. Sebagaimana telah sesi
15 pendengaran yang telah dibuat, keterangan telah diberikan oleh IO kes
16 tersebut telah menyatakan dengan jelas bahawa berkenaan dengan
17 emel tersebut dia memerlukan salinan asal yang dipohon untuk
18 tindakan susulan SKMM. Kemudian barulah proses seterusnya akan
19 dimohon pandangan dan nasihat daripada AGC untuk tindakan lanjut.
20 Sekiranya melibatkan siasatan, melibatkan bantuan antarabangsa, ada
21 cara proses yang perlu dilakukan yang mana kita akan menggunakan
22 bantuan kerjasama iaitu MLA. Dengan cara itu barulah bantuan
23 daripada luar negara boleh diperolehi. Oleh demikian PDRM seperti
24 mana yang minta oleh IO kes tersebut, telah meminta salinan asal
25 untuk buat siasatan lanjut. Itu saja.

26

27 **CHM** Terima kasih, PDRM. If there are no more views from the observer,
28 handover back to Mr Simon.

29

30 **SK** Thank you, Dato' Seri. Before we continue, I'd just like to, would like to
31 remind everyone especially members of media and public, as a
32 procedure of the public inquiry, no video recording is allowed and we
33 take it that everyone has been admitted here will comply with this rule.
34 Although this is online public inquiry, the rules remain the same, so no
35 recording, video recording is allowed. If you want to take a screenshot,
36 it's allowed, that is not a problem. And also humbly request all other
37 participants besides the members of the panel, the observers and

1 SUHAKAM secretariat assisting officers, the rest if you can also switch
2 off your video so it will allow a smooth running of this hearing today, so
3 thank you for that. So dear panel members, shall we proceed to call a
4 witness today?
5
6 [00:30:00]
7
8 **CHM** Mr Simon, you calling the witness dulu?
9
10 **SK** Yes.
11
12 **CHM** Then the tendering of the document for which we'll share with observers
13 masa bila itu?
14
15 **SK** Later after we finish with the –
16
17 **CHM** I see, ok.
18
19 **SK** Witness.
20
21 **CHM** Ok. Please proceed with the witness, alright, yes.
22
23 **SK** Thank you, Dato' Seri. Please allow the witness in.
24
25 **PRS** Done, Sir.
26
27 **SK** Can you spotlight the witness? Ok, alright. Good morning, Rev Dr
28 Hermen Shastri, I'm Simon from SUHAKAM. Can you hear me? Good
29 morning, Rev Dr Hermen Shastri, can you hear me? I'm Simon from
30 SUHAKAM. He's not responding. Aida, please contact him.
31
32 **ASH** Ok.
33
34 **PK** Shall I contact him, Simon?
35
36 **SK** No, our officers –
37

1 **PK** Thank you.
2
3 **SK** Calling him.
4
5 **PK** Thank you.
6
7 **SK** And please unmute Reverend.
8
9 **HERMEN** Done.
10
11 **SK** Good morning, Dr Hermen.
12
13 **HERMEN** Good morning everybody.
14
15 **SK** So, I'm Simon from, assisting officer from SUHAKAM. Thank you for
16 attending this public inquiry. So before I ask you some basic questions,
17 can read the oath that has been sent to you? Please raise your right
18 hand and read the oath.
19
20 **HERMEN** I think I repeat after you, I don't have it in front of me.
21
22 **SK** Ok, I will look for my version. Aida can also send to Reverend?
23
24 **HERMEN** Yes, I read it now?
25
26 **SK** You ready?
27
28 **HERMEN** Yes.
29
30 **SK** Ok, yes, share screen.
31
32 **HERMEN** I, Hermen Priraj Shastri, do solemnly and sincerely declare that all the
33 evidence given by me in this open inquiry is true, there is nothing untrue
34 but true.
35
36 **CW21**
37 **Name** : **Rev Dr Hermen Shastri**

1 **Affirms and states in English**

2 **Time** : **00:34:10**

3

4 **SK** Thank you, Dr Hermen. I will ask you some questions and there are
5 panel members here. Dato' Seri Hishamuddin is the Chairman of this
6 public inquiry. Then we have two other panel members, Mr Jerald
7 Joseph and also Dato' Madeline Berma from SUHAKAM. We also have
8 observers, as you're aware Mr Philip Koh and his colleagues
9 representing the family. We also have observers from the Bar Council
10 and also PDRM, they are all here. And this is also a public session
11 where members of media and public is also present. So may I, can I
12 request yourself to state you name and IC number?

13

14 **HERMEN** My name is Hermen Priraj Shastri. My IC number is 

15

16 **SK** Thank you. Could you also please state your home address?

17

18 **HERMEN** My home address is No. 3, Lorong 12/17B, for Bombay, 46200 Petaling
19 Jaya.

20

21 **SK** Thank you, Reverend. What's your age now?

22

23 **HERMEN** I am 68 years old.

24

25 **SK** Thank you. Can you tell us what is your occupation?

26

27 **HERMEN** I am a retired ordained minister of the Methodist Church but I am
28 currently the General Secretary of the National Council of Churches of
29 Malaysia.

30

31 **SK** Thank you. I will ask some question just for clarification purposes. As a
32 pastor, you are called as Reverend, is that your title, is that correct?

33

34 **HERMEN** Yes. The title...

35

36 **SK** Yes, can you explain what does the title mean?

37

- 1 **HERMEN** Yes. The title indicates the act of ordination upon a person. The title is
2 not given to anybody without a right of ordination, means to say a
3 person feels called to serve in the church, he goes through a period of
4 study, he goes through a period of examination among peers, and then
5 if he so feel that he still ready to commit his life to the work of the church,
6 then there's an internal process within the church structure which will
7 then confer that title to him through the lay of hands which we call
8 ordination.
9
- 10 **SK** Ok. Thank you for that explanation. If you, can you please inform us on
11 your religious education qualification?
12
- 13 **HERMEN** Yes. Those who seek ordination or want to become a priest or pastor,
14 be it Catholic, Protestant or Orthodox, we have to go through theological
15 studies. So I had my basic theological studies after my university days
16 in Singapore, and I got my Bachelor of Divinity and that is the basic
17 degree required for application for ordination. And then I pursued my
18 further postgraduate studies in Sacred Theology, I got a Doctorate of
19 Sacred Theology from the University of Heidelberg in Germany in 1989.
20
- 21 **SK** Thank you. Can you also inform us what is your role as a pastor in a
22 Christian church?
23
- 24 **HERMEN** My role is to take charge of the congregation to which I'm assigned to
25 as a pastor. So there was one phase in my life where I was assigned to
26 different parishes, we use the word or congregations in different towns
27 and cities in the country. And then there was a time when I was lecturing
28 in Ecumenical Studies at the National Seminary which was located in
29 Seremban. And from there I got called to serve as General Secretary of
30 the National Council of Churches. So it is over 25 years that I'm in the
31 position of the General Secretary of the National Council of Churches.
32
- 33 **SK** Thank you. So at present, what is your main area of work within the
34 church or church organisations?
35
- 36 **HERMEN** To represent the concerns of the churches firstly internally, intra, that
37 the churches work together, get the churches respond to issues

1 internal, external through reflection and discernment so there is a
2 commented, united voice when it's ready to speak. Externally I
3 represent the church when I'm attending conferences in the country or
4 overseas. So I speak on behalf of the National Council of Churches.
5 And again that is not just to issues of, that relate to spiritual matters but
6 as you know the churches on a global level are engaged in a host of
7 concerns which also includes human rights.
8

9 **SK** Thank you, Reverend. Would you be familiar within various Christian
10 practices in the church prayers and community activities? If yes, could
11 you please share some of your knowledge on the common practices?
12

13 **HERMEN** I understand that there are two aspects to your question that you have
14 just raised. So firstly, a familiarity, yes, I do not want to now go too
15 deeply into the question that you raise. We have a term we use in the
16 church which we call the Ecumenical Movement. And the Ecumenical
17 Movement brings together all the churches throughout the world to work
18 towards Christian unity in doctrine, in faith and in practice. And I have
19 been part of this organisation, the World Council of Churches, there's
20 special commission called Faith and Order Commission for a number
21 of years. So in this commission we look at some of the outstanding
22 points of differences in interpretation of doctrine. So that is your, the first
23 aspect to your question, my qualification regard to that. And the second
24 thing is that, yes, I am familiar with the church practices and the kind of
25 traditions they represent. I can go deeper into that but I leave it at that
26 for the time being.
27

28 **SK** Right, Thank you, Dr, yes, we can, with legal counsel who have more
29 question for you about that. Thank you for that explanation. Just moving
30 on, do you know Joshua Hilmy and Ruth Sitepu?
31

32 **HERMEN** No, I do not know. But I know that Ruth used to worship in a Methodist
33 congregation in Ipoh. So I have colleagues who know that person but
34 because I'm General Secretary of the National Council of Churches, the
35 moment the issue of disappearances of pastors surface, I have been
36 briefed about the developments since then and I've been following it
37 very closely.

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SK Alright. So that also would mean that you are aware about their disappearance?

HERMEN Yes, I am.

SK Ok. But you have never met them and you don't know them personally. Am I right?

HERMEN Yes.

SK Ok. Panel members, these are the questions from me. So I have no further question. Can I invite Mr Philip to continue?

[00:45:00]

PK May I, Mr Chairman, and then after that the panel or the others can clarify. With your permission, Dato' Seri Chairman and members of the panel, I shall now... I will not, I appreciate Mr Simon's introduction but I will not repeat, of course, any of those but I just want to add, to clarify from the witness. Rev Dr Hermen Shastri, you are aware that you received a letter dated 31.05.2021 from SUHAKAM?

HERMEN Yes.

PK That is in the form of a subpoena?

HERMEN Yes.

PK You have just taken an oath to speak the truth and under that oath together under the SUHAKAM Act whatever you say would be a privilege and there is spoken in good faith, protection towards yourself. So, we will invite you to speak openly and honestly and open heartedly. Thank you. Reverend, you have given your credentials not in any way to advertise but to lead the panel to know that you have the expertise. In particular I'd like to ask you that your 25 years in Council Churches of Malaysia, also relate to another umbrella body called the Christian

1 Federation of Malaysia. Could you explain a bit your role there for the
2 years that you serve also as the Honorary Secretary for that body?
3

4 **HERMEN** Yes. The Christian Federation of Malaysia is an umbrella body for the
5 purpose of consultation between three main components, the Roman
6 Catholic church, the Council of Churches of Malaysia and the National
7 Evangelical Christian Fellowship. Reason for coming together is that so
8 that churches will engage with each other and speak with a common
9 voice to each other and to the nation. So I had been involved in the
10 Christian Federation and I'm still involved as General Secretary to sit in
11 the Executive Committee of the Christian Federation of Malaysia.
12

13 **PK** It is true also that you serve for 11 years as the Executive Secretary for
14 CFM, is that correct?
15

16 **HERMEN** I have, yes.
17

18 **PK** So your relationship with the bodies of Christian communities straddle
19 throughout which include as you noted the body called National
20 Evangelical Christian Fellowship. The word Evangelical suggest to us,
21 and perhaps you can clarify for members of the panel NECF represents
22 what type of churches.
23

24 **HERMEN** The NECF represents, we would use the terminology the free churches,
25 or perhaps the independent churches. So by church structure and
26 government, that Catholic church would be centrally governed, the head
27 of which is a Bishop in different dioceses, the main light in Protestant
28 churches are also nationally governed, they may have a Bishop or a
29 President at the helm representing the whole country. In Sabah and
30 Sarawak because of our historical background, they have also their
31 Bishops and Presidents. Then we have churches that are independent,
32 either they have one congregation or two congregations, or they exist
33 only in one state, and so these churches are self-governing
34 congregational and they relate to each other through the National
35 Evangelical Christian Fellowship.
36

- 1 **PK** This is relevant because Mr Simon helpfully pointed out your
2 designation as Reverend has the rigour of institutional recognition, but
3 the NECS, and there's no discourtesy for me to lead in this, however
4 has a independent existence and some of them have less
5 institutionalised recognition but they seek a representative body and
6 whether or not a person is ordained formally, therefore designated
7 Reverend or calling themselves pastor, is much more loosely described.
8 Would you agree?
9
- 10 **HERMEN** Yes, without going into all the details, I think it is safe to say that all
11 churches recognise form of leadership. And that is, involves a process
12 and the person acts under the authority of the church however it is
13 organised in the world that person does. So all churches have that. Of
14 course we may have some newer forms of churches or sect or cults that
15 may operate differently but basically I think to be responsible to the
16 country in which they operate, most of the churches have a leader and
17 they might call the leader a Reverend, a pastor or Brother, that is left to
18 the tradition from which they come from but –
19
- 20 **PK** Thank you.
21
- 22 **HERMEN** Recognised.
23
- 24 **PK** Thank you, Dr Shastri. One more short point before we go to the
25 substance of today's hearing which you have been called, which is
26 relevant. We also know that you have served in two committees, or
27 rather I'm aware, and I would like you to clarify. You have served in a
28 body known as Malaysian Consultative Council of Buddhism,
29 Christianity, Hinduism, Sikhism and Taoism. Is that correct?
30
- 31 **HERMEN** Yes.
32
- 33 **PK** And that is the body representing, in the main, non-Islamic religions in
34 relationship to public issues and governmental issues. Is that correct?
35
- 36 **HERMEN** Yes. It's a platform of dialogue between the religious communities other
37 than Islam.

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PK So you are familiar that with non-Christian communities other than Islamic, of course, there has been relationship and concerns about Christian proselytization even. Would that be correct?

HERMEN Yes, Sir, you're right.

PK Especially among our Hindu brothers, yes? That is just to put on table. Even for non-Christian and that is relevant later when we go into the substance of what I want to question you on. The last relevant point about your background, which would be helpful for all of us, is that you have also served as a co-Chairman on Issues Among Religious Adherence under the AG's, the umbrella and support of the Ministry of Unity, then known as Ministry of Unity, set up by the government of Malaysia. Is that correct?

HERMEN Yes.

PK And that is, again, a relevant point that you are sensitive and able to assist the panel in today's issue.

HERMEN Yes. In that committee we were able to sit down with our Muslim counterparts to deal with emerging issues of religious nature in the country, and I've done that for over 10 years.

PK Thank you. Now, we will go to the substance of why you have been called. Perhaps loosely we can classify you as an expert witness in matters concerning church doctrine and practices contextualised in our Malaysian multicultural context with the official religion in our federal constitution articulated as Islam. So you are familiar with those issues. The singular practice we would like you to assist us in is the practice of the rite or sacrament, in a while perhaps you can explain what sacrament means, but the rite of baptism using water for adherence or inquirers who seek that rite. So could you now begin your explanation of what you understand by the word baptism.

- 1 **HERMEN** Baptism is universally recognised throughout the world as the rite of
2 initiation into the Christian faith.
3
- 4 **PK** The external rite which is normally conducted through use of the
5 medium of water, you are familiar with different practices. Could you
6 just state very briefly the different practices.
7
- 8 **HERMEN** Yes. There are two dimensions. Firstly, there is a dimension of personal
9 confession and profession. So, a person who wants to become a
10 Christian, must engage in a prayer of repentance and confess belief in
11 the main teaching of the church, in our case it will be to say that they
12 believe in God, the father, our mighty creator, believe in Jesus Christ as
13 lord and saviour, and in the holy spirit. So I don't go too deep into that.
14 So it's a personal act of professing by way of confession. Secondly, it is
15 the also become incorporated into the church and in this case it is the
16 spiritual dimension of the church which in biblical terms we call
17 incorporation into the body of Jesus Christ, which is the church and
18 Jesus is the head. So, basically that is the use of water as the eminent
19 symbol of baptism is because there's reference to it in holy scripture,
20 Jesus himself was baptised and the early church as they began to move
21 away from Judaism and gather the followers under the teachings of
22 Jesus Christ, they followed this mode the just as the Jesus was
23 baptised, we as people who profess to believe in Jesus are baptised
24 into him, we die to our sins to rise to a new faith in him. So I just leave
25 it at that for the time being.
26
- 27 **PK** Thank you, Dr Shastri. You have helpfully pointed out that there are two
28 modes, rather two steps involved prior to a person subjecting himself or
29 herself into the rite of baptism. Antedating or preceding the rite being
30 administered, the adherent who sought, who seeks baptism firstly
31 confess with his or her lips that she believes in the Lord Jesus Christ as
32 personal saviour and Lord. And then there could be, if time affords,
33 there will be a teaching being guided to that individual, and then that
34 individual will be led to that rite of baptism. You have helpfully pointed
35 out the founder of the Christian faith himself, Jesus of Nazareth, was
36 himself willing to subject himself to being baptised. And the teaching of
37 the early church as in the epistles in the New Testament, an example

1 which I would just read one, in relations Chapter 3, where the apostle
2 Paul wrote 'that as many of you were baptised into Christ, you have
3 clothed yourself with Christ there is no longer Jew or Greek, no longer
4 slaves or free, male or female for you are all one in Christ Jesus and if
5 you belong to Christ, then you are Abraham's children according to the
6 promise of God'. Now a verse like that would confirm what you say
7 about that rite of baptism, would you agree?
8

9 **HERMEN** I would concur completely with what you have said. There are no
10 distinctions in the incorporation, spiritual incorporation into the body,
11 holy body of Christ because then we are all children of God regardless
12 of race or country or nationality. And that is why there is reference in
13 early, in the scriptures precisely because of this point.
14

15 **PK** Thank you. I have indicated that in a normal circumstance, there would
16 a period of catechism or teaching prior to the adherent being administer
17 that rite but I would now make a qualification and I seek your response.
18 In some instance, even in scripture, I can think of the Ethiopian Eunuch
19 when Apostle Philip was explaining to the Ethiopian what the meaning
20 of Old Testament passage it was about, he asked 'Is there anything that
21 stopped me from being baptised?' The Apostle Philip did administer the
22 baptism, giving rights to the Ethiopian church that we are familiar with.
23 Closer home, we have Orang Asli and I crave indulgence of Dato' Dr
24 Madeline, alright (01.02:06) in the inner sanctums of Sarawak and
25 Borneo, maybe Limbawang or Bario where there could be missionaries
26 in the past or even present explaining the gospel to them and they then
27 said is there anything to stop us from being baptised, and in the
28 discernment that the missionary may have or the pastor involved, they
29 could administer that rite immediately to those individuals of that
30 community. Would, would you like to respond to my statement?
31

32 **HERMEN** Yes, I think it would be helpful to first state that there is a procedure in
33 place for equipping, preparing and guiding persons who want to come
34 to join the church. So in most organised congregations –
35

36 **PK** Yes.
37

1 **HERMEN** Nationally organised or congregational, they have that practice in place.
2 So persons are not just roped into the faith and just left without further
3 nurturing or teaching, there is. Then there are instances of the
4 missionary activity which moves beyond the boundaries of the normal
5 church where it exists into new areas. And you have just raised a
6 question about the Orang Asli church and churches among indigenous
7 people in Sabah and Sarawak. I wish to state to the Honourable Panel
8 here that I have worked with the Orang Asli or many years and I still
9 have links with them and I have worked with congregations in Sabah
10 and Sarawak and I still have links with them. So I have that experience
11 of dealing with people in that, in such places. So what do you do when
12 people are not so structured as we are in an urban setting. So in Orang
13 Asli situation, of course, the teaching and the guidance would be more
14 on a person to person basis. You cannot call them to come to a class
15 or whatever. Maybe now that after so many years of national
16 development, the villagers there are better equipped but at that time
17 when I was there, we used to sit in the house, go right deep into the
18 jungles or when I was in Sabah or Sarawak, sit in the long house around
19 the fire and then have conversations so that would be a completely
20 different type but the teaching would be then conducted in an informal
21 way so the response to your questions is there is a formal structure in
22 place to help people join the Christian faith and become members of
23 the church. And then you have situations outside of the churches in
24 many outreach places where it is conducted in a different way.

25
26 **PK** Dr Shastri, don't mean to interrupt you. Although the Christian faith do
27 not look at baptism and rite as it were like magic or Shamanistic
28 practice, we are aware that in the mission field there are encounters
29 with a spiritual dimension including demonic possession, disturbance
30 by evil spirits and often an individual will come and seek counsel and
31 solace and deliverance by embracing the Christian faith and subjecting
32 himself or herself to that rite of baptism not as a magical act but as a
33 confirmation of the experience of deliverance. Would you like to
34 respond to that statement?

35
36 **HERMEN** So as I have said to an earlier question, the universal acceptance of
37 baptism as entry formally into the Christian faith, that is universally

1 accepted and that is the standard. So you cannot have a Christian who
2 called himself Christian and no point in his life he has been baptised.
3 So I think that we make it clear, it doesn't matter which church tradition,
4 there are many different types of churches but they all agree on this
5 point. There must be a rite of initiation which is referred to as baptism.
6 Then you have raised a question of pastoral guidance teaching and
7 assistance. And this is what happens when we engaged, we are people
8 called to be of service to humanity in providing spiritual guidance to the
9 teaching of our churches. So in our line of work, there's a constant
10 process whereby people come and ask, either they ask for a prayer,
11 they ask for guidance, from the teaching of scripture, they ask for
12 special prayers, they ask for healing, and so on and so forth. So all
13 these things go out now. I think your question was what happens if you
14 had a person who is not baptised coming to you. I do it all the time. I
15 can imagine every other priest or pastor doing it all the time because
16 that is what we are called to. And so we offer that spiritual assistance
17 to anybody in need. If I go to a hospital, I'm praying for a person in a
18 sick bed who is a member of my church and my neighbour who sees
19 me then says, 'Pastor, could you please say a prayer for me?', I do that.
20 So I, by, by made, pointing to that example, I think there are many
21 examples like that in Malaysia where pastors, Christian pastors are
22 constantly making themselves available to those in spiritual need and
23 so we pray, of course, believing in the efficacy of our faith and it again
24 will evoke that Jesus Christ, our lord and saviour.

25
26 **PK** Thank you, Dr Shastri. Thank you. In one of the major elements of the
27 rite of baptism, the pastor would say words to this effect, 'Have you
28 received Jesus Christ as your saviour and lord?' And the adherent if he
29 wants to consent to baptism, he or she would say, 'Yes, I have', and
30 then in the words that may be uttered in different form but the substance
31 echoes the commandment in Mathews gospel that go forth to baptise
32 the nations in the name of God, the father, the son and the holy spirit,
33 the person administrating that rite would utter those words where upon
34 the individual who would be baptised by the external rite of water either
35 by sprinkling or by emersion in a body of water. Would you like to
36 comment on that?
37

1 **HERMEN** Honourable Sir, I concur with what I have said. It is correct.
2

3 **PK** Would you also say that upon such a declaration, witnesses to such an
4 event would as you well put accept and receive such a person as part
5 of the community of faith and help to nurture, support and pray
6 alongside the person in all the person's life, both personal and spiritual.
7 The word 'nurture' was used by you, Dr Shastri.
8

9 **HERMEN** I concur, except that I think to make a bit more clear is that we have a
10 normal circumstance and this would then be engaged in the midst of a
11 congregation.
12

13 **PK** Yes.
14

15 **HERMEN** So the baptism would take place in the presence of witnesses, maybe
16 the family, or other members of the church and some churches even
17 have special days in the year during a Christian festival where they
18 engage and encourage people to be baptised. Then you have the
19 exceptional cases, I think this is very important to state in country like
20 Malaysia or many other places. That is because they may not, what is,
21 what do you say, how do you define a church. A church may be a
22 building but a church may also be a little, a long house in interior of
23 Sabah or Sarawak. And so there, it may sit around and engage in that
24 worship because they don't have a special building and during that
25 occasion, they may also engage in that rite that you have just said so it
26 is, it is also happening like that that there are baptisms that come by
27 quite spontaneously because of the situation that is connected to it. But
28 if that is the case, even if that is the case, there is a record kept by
29 churches of those who come to the faith.
30

31 **PK** I would take up your point about the record. Of late, there has been a
32 practice in many instances where the baptismal candidate would upon
33 subjecting himself or herself to the rite of baptism be issued (01:13:58)
34 either upon the request of the candidate or the pastor administering the
35 rite, a certificate of baptism. Now I want to make a statement for you to
36 respond. This is so because one, in some instance where the desire of
37 this adherence to travel to the holy land in Palestine as a pilgrimage and

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perhaps a light heartedly a Christian-haj like, they would produce a certificate to the Ministry of Home Affairs for permission to travel to Israel. That is one of the issue why the certificate is there and also the registry of baptism in churches. The second one, which there's a hint of what you shared. In a situation where the adherent would like to register himself or herself in register showing that he or she has moved from one community of faith to another and we are aware that in our country there are states that have such specific state legislature to allow a register of those who have converted and a certificate of baptism together with relevant statutory declarations often may at one time perhaps lesser now be admissible and be registered individual. Would you like to respond to my observation?

[01:15:00]

HERMEN

Yes, I think in a diverse population where different religions exist and different ethnic community exist, it is only appropriate helpful responsible for religious community to keep proper records. So if there is a conversion, then they should keep a proper record because they are many implications for that in living peacefully with each other and you have mentioned one example where if you want to go to Israel, because we don't have a diplomatic ties with Israel so we have to produce a certificate to show that the person is baptised and is practicing Christian and therefore has the right join the group to go for a religious holy pilgrimage to Jerusalem. So you are right, but that is not just the only, there are other implications too. For example, when they are coming to be married, then we ask them to produce their baptism certificate then they can be married in a church context. They might bring their children, to have their children baptised. And then we will ask the parents to please produce the baptism certificate or they might move from one state to the other and then they come and they say 'We are joining this church', and then we'll ask them which church do you belong to and then we'll ask for a letter from the church they have left so that their membership can be transferred. So there are many implications like that. So that is the best practice and that is the responsible thing to do. And of course then there are other exceptions, and other exceptions is also dealt with responsibly. So if they may not

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be something written, then we would need to get a witness to confirm at such and such thing had happened and therefore, it was done in a way accepted by the church.

PK

I'm coming to my closing questions, Dr Shastri, and thank you for the patience of the panel and other observers. My closing questions are very important, and we need to deal with it with sobriety and care. Given the non... given the plurality and diversity of family backgrounds I want to pose it (01:18:53) two major examples for you to respond to as to why baptism has taken on a very important public rite of affirmation of faith. Although as you explained earlier, it is through the confession that a person becomes a Christian and the phrase used in evangelical circus (01:19:20) born again, the rite confirms it in a way. But now, we know that in Malaysia, let me take the example first of all, first of all, the first example, the second one is the most important in our context, but the first is also important. A strict neo-Confucian or Buddhist or Taoist family has a young man or young girl, under aged, under the age of majority wanting to become a Christian very often because of their own journey with God, they make that decision. They explained it to their parents with some amount of tolerance, the patriarch or maybe matriarch in some instance may say 'You may do so, but you are not allowed to take baptism'. In Chinese we say, 'You cannot xili (01:20:25 in chinese language)' Xili means wash, alright, because to the mind of a neo-Confucian family, that act becomes an irrevocable decision on your part to become a Christian. The second part example, which is a sensitive one but we need to put this on the table the reason why you are here to testify is there are instances of members from our majority community which is the Malay community and all citizens of our country are aware that under the Federal Constitution that a Malay is defined as someone who speaks the Malay language, practices Malay customs and professes the Islamic faith. In instances where a Malay seeks to become a member of the Christian community, this unleashes serious repercussions just as in the neo-Confucian Chinese member or perhaps even a strongly Hindu family, right? Now would you agree that this is my conclusionary statement for you to respond and then we will have some mopping up question, that from a perspective of Malaysia and the non-Christian community, one would understand that if a member take

1 the public rite of baptism, that one, it is through a definite choice and
2 two, it is the clearest indication that he or she has in fact entered the
3 Christian faith. Can you respond to those, to my scenarios?
4

5 **HERMEN** I take it your concluding statement just now I would agree to it and I
6 would then state it, restate it in this way.

7
8 **PK** Sure.

9
10 **HERMEN** I think accepting of anybody converting to the faith carries a
11 responsibility. A spiritual responsibility by that I mean that whoever is
12 engaged in receiving a convert does it sincerely, does it honestly, does
13 it with the love of God in his or her heart. So it's not just playing a fool,
14 not just go and in few seconds convert somebody and boast and say
15 'I've got a convert'. It's not like that. There may be instances like that
16 and if there are instances like that, the church speaks to him and says
17 this is not acceptable. Yes, we are not playing a numbers game. Human
18 beings are not numbers, human beings are created in God's image, so
19 a spiritual duty is that we must be responsible, hear the heart of the
20 person and journey with that person. I think Honourable Sir, you have
21 just said that, you know, we invite the person to pray, we invite the
22 person to confess and so there are signs and steps along the way. The
23 second thing is in this country we know of the sensitivities and we
24 constantly teach and guide our pastors and priests that they have to be
25 sensitive and responsible to the other cultures. So you have rightly
26 pointed out that if you have many young people come to our youth
27 fellowship, for example, and they enjoy the company and they are able
28 to unfold their youthfulness in the company of, the good company of
29 church people. And then they are drawn to the faith. I have experienced
30 that myself, I work in a congregation in Kampar where at that time three-
31 quarter of my congregation were below the age of 25. They were all
32 young people, they were all Chinese and many of them were drawn to
33 the faith. But as you have pointed out, Sir, that many of them are also
34 very conscious of their identity and family obligations. They are, they do
35 not show disrespect to their parents and so they come to the church,
36 they pray their prayers, they participate in the church but they are not
37 baptised yet. Until such time when a parents are able to accept it so

1 sometimes they are young, they are still in school, so we don't baptise
2 them or when they come off maturity and the parents agree, and the
3 parents are able to accept it and say 'Ok, you are adult, you can choose
4 for yourself'. So the point I want to make is that there's a pastoral
5 dimension (01:26:08) of trying to show that Christianity does not
6 coerce and does not force people into the faith. There is a responsible
7 dimension to it. Now we come to the most difficult one and that is with
8 regards to those who belong to the Islamic faith. Now the same principle
9 applies. As a person of the cloth, as a person who represents the
10 Christian faith, we do not draw any distinction whether he's Chinese,
11 whether he's Indian, whether he's Malay, whether he's Orang Asli,
12 whether he's Kadazan, whether he's Iban, these are all human beings,
13 children of God, created by God. And it is our duty to provide spiritual
14 assistance when it is asked of us responsibly and that we do. And so
15 when somebody, say from Islamic faith comes to us, we are ready to
16 talk to them if they want to know about the Christian faith. If they want
17 to exercise that right to convert which is a human right, which is a human
18 thing, then they have that right, I cannot go and tell them, 'Sorry, today
19 you are a Malay here, you are a Muslim here, I cannot accept you in
20 Christian faith'. That would be a betrayal of my own conviction and I'm
21 sure a Muslim who is converting another person to the Islamic faith will
22 say the same. Then we know that there would be consequences and
23 that is what we would then advise the person that he has to make a
24 statutory declaration that that person is doing it out of his free will, no
25 coercion, no something being done unreasonably.

26
27 **PK** You are (01:28:26 inaudible) now.

28
29 **HERMEN** And they require of those coming from the Muslim faith but I would point
30 out to you that we draw no distinction for all people of the world who
31 seek to come to the faith, it is, that is the vow we take and that is our
32 responsibility as spiritual leaders.

33
34 **PK** So even, Dr Shastri, if there is a threat to your personal liberty and life
35 if you do such an act you are compelled by your vocation in calling to
36 responsibly administer the rite of baptism to adults who consent to that
37 rite as a profession of faith, would you agree to that?

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HERMEN Yes, without putting a category first, universally it is rite, rite that is the calling we have made, we are ordained to that task and to that mission we are committed for life. And there are sensitivities and does not only apply to Muslim, it can apply to a Buddhist, it can be applied to a Sikh, it can be applied to a Hindu.

PK Yes.

[01:30:00]

HERMEN So you have pointed out, there had been occasions when somebody has said something to be the author (01:30:02) to be of another faith and then we would say that is not the responsible thing to do, our task is to speak of the goodness of our faith and if the person so feels moved and led by God and guided by the spirit then we accept that person but it is not our job to say 'Oh, leave out, leave that religion, that is a terrible religion, come and join my religion'. This is old cheap dog, which does not help anybody. So in the context that Malaysia, we seek from the goodness of our faith and we hope that will touch the lives of others but we can surely not state affirmatively just because that person belongs to a certain category or certain race or certain sector of society that we cannot touch that person that would not be part and parcel of the inner convictions of our Christian faith.

PK Ok the final question now, and I thank you for your time and the panel's patience and other observers which they should now be given the opportunity. The final question is an important one also. If a missionary operating in the margins of our society, that means it's a mainline church belonging to council church of Malaysia, he may not have, he or she may not have the ordination or the theological training which you have so helpfully explained to us in mainline churches you have to take a course of Bachelor of Divinity at the minimum before you are ordained. In the event of independent evangelist or proselytisers due to their journey, they then administer the rite of baptism on individuals and that particular individual subsequently seek a member in the mainline churches, alright. Would, would, example, your own community in your

1 own discernment and your leaders and your church governance admit
2 such a person regardless of the fact that the rite of baptism when
3 administered was not done an ordained minister as you have explained.
4 With that question, we will, I will close my questioning. I hope that will
5 be helpful. Can you explain that?
6

7 **HERMEN** I think the keyword here is to do the background work. So if there is
8 such information coming to us and somebody claiming to be baptised
9 by so and so, in such a such situation at a such a such a time, then we
10 do the background work. And if it is done responsibly, if the person is
11 connected, you see, there's no such thing as freelance Christian. There
12 may be some teaching have been going around in some circles that say
13 'You know, I'm directly related to Jesus Christ and I'm doing my own
14 business', there's no such thing although that person may claim it. So
15 that person whoever is acting to profess the faith, propagate the faith,
16 is doing it through some connection. So I give you an example say if
17 you have a Korean pastor who comes here and then he engages the
18 converts and that the converts come to us and say, 'We were converted
19 by the Korean pastor', then the responsible thing for the church to do is
20 to get the credentials of that person. That person has been sent by this
21 church in Korea and then we have to inform that pastor 'From now on,
22 you must keep us informed because you are operating in our
23 jurisdiction. Just because you are Korean pastor, it doesn't mean that
24 you have universal jurisdiction and wherever you come, you must relate
25 with the national churches and abide by the laws and practices of the
26 church, of the country. So that is the thing to do, so we, whatever we
27 do, we engage in some examination and make the proper connections
28 and then to follow-up with the property documentation.
29

30 **PK** Dr Shastri –

31
32 **HERMEN** There are exceptions to the rule –

33
34 **PK** Dr Shastri, yes. Could, could I just briefly interrupt you and this is just a
35 very brief and then we close. Your example of the Korean pastor
36 notwithstanding, let me just be very open about this. There is a pastor
37 which we are inquiring upon and his wife, the name is, we call him, Sir,

1 our Pastor Joshua Hilmy and his wife, Ruth Sitepu which you recognise,
2 was in fellowship in Methodist Diocese of which you belong to. These
3 two individuals have been alleged to have conducted evangelism or
4 proselytization amongst Malay Muslims. They have also alleged to have
5 effective the rite of baptism upon individuals belonging to that
6 community. Now in the event a family or a couple or an individual going
7 through a baptism that is administered by these two pastors and they
8 called themselves pastors, they do not call themselves reverend and
9 they seek a full membership in your community of faith, would you
10 receive that person in the event that person or persons exhibit in their
11 life a commitment to the teaching of scriptures, biblical Christians
12 scriptures, and in their own life worshiping in a church after a while,
13 would you admit, admit and accept such an individual without a
14 rebaptism, now I know I'm entering, I don't want you to explain in a long
15 way. I just want you to relate concretely, directly, not to a Korean pastor
16 but to a Malay pastor doing this. Could you and your witness in, on my
17 weight on this?

18
19 **HERMEN** Yes, of course. Yes, Honourable Sir, may I just, before answering that
20 question, just check with you if Joshua Hilmy is a Malaysian?

21
22 **PK** Yes, he is a Malaysian.

23
24 **HERMEN** So I think firstly, the issue doesn't arise because here in this case, it is
25 a Malaysian citizen. So a Malaysian citizen is no foreigner but I think
26 your question is connected to somebody who come in from outside. In
27 the history of the mission of our church, we have also had cooperation
28 between churches from different countries. So in, just take the example
29 of the Methodist mission among the Orang Asli, the initial pastors who
30 helped and worked alongside the American missionaries were pastors
31 from Batak church. So in the early at historical annals of the Methodist
32 Church mission, you have Pastor Simanjuntak and Napitupulu
33 (01:38:26), so these were early pastors and they may not have had the
34 qualifications of mission from America. So depending on where they
35 had their education and where their social standing was they would be,
36 they would be given different titles as an evangelist or (01:38:54
37 inaudible) and they will be recognised by the church to work alongside.

1 Why is that important? Because they are speaking a language that
2 helps to communicate with the Orang Asli. They, being Indonesian, they
3 will speak in Malay, of course. And some of them, of course, will very
4 quickly pick-up the Orang Asli language. So again, I'm making that point
5 that we recognise that, we make the connections and we are, we try to
6 be in consultation with the churches from which these persons come.
7 But when they operate in our country, then we tell them that they must
8 follow the laws and be sensitive to the social, political and economic
9 realities of our country. And therefore, they are accountable to the
10 national bodies. So if Catholic priest comes from Philippines, then he
11 comes under the Diocese the Catholic church, if a Methodist comes
12 from Philippines, then he must relate to the Methodist church which is
13 a member of the –

14
15 **PK** Dr Shastri, I'm sorry, I don't mean to interrupt you. But I need to, I don't
16 want, I don't think we are going down that path. I want to just reiterate
17 and you need to just answer in a simple way. If there is a, if God raises
18 a man or a woman from the Muslim community in Malaysia, now under
19 the laws and we, now I speak as a lawyer, although there is a freedom
20 of religion, to profess one's religion, state laws can be passed to prevent
21 the propagation of religion amongst the Muslim community and in many
22 state laws and this is an explanation for your background which you are
23 familiar but just to refresh our mind, the teachings may include non-
24 Sunni Al-Jamia teaching would be considered a propagation of non-
25 Islamic faith among the Islamic community in particular of course the
26 Malay community. Now if that, if the legal position and I appreciate that
27 as a responsible mainline church, general secretary, you are fully aware
28 of that, now it would not be possible at least formally for a church to
29 ordain such an individual and say, 'Go and preach the gospel to Malays
30 and the Muslim' because if you do that, let's say in Selangor, and I'm
31 very clear on Selangor, I have read it enactment, that is clearly against
32 the propagation of non-Islamic faith, Islamic enactment passed in
33 Selangor, alright. So in that instance and this is where I put it squarely
34 to you. Please don't talk about the international and Koreans and,
35 alright, which is all is very good church history and I appreciate it very
36 much. There would be no way where a Joshua Hilmy, a professing
37 Malay Christian could be ordained by a mainline churches or even the

1 evangelical churches would be slow to recognise the activity of this
2 servant of God that he claims himself to be. Now if he does baptise
3 candidates and the candidate come to seek, nurture subsequently a
4 genuine adherent, not an agent provocateur, not someone planted by,
5 I don't know, I want to name bodies, but, you know, and the discernment
6 is there is a genuine adherence of the faith. You are not involved in
7 ordaining Joshua Hilmy, would you receive such adherence and give
8 them nurture and reception? And would you recognise that although the
9 person administrating the rite of baptism is not a recognised ordained
10 reverend or bishop, alright, nonetheless, the teaching that, that new
11 adherent has received was adequate and there is genuine confession
12 and profession, with that you can end your testimony and I would not
13 say anymore. I want to ask you to respond to that and I want to thank
14 you for your time and presence in this hearing and then I will hand you
15 over to the rest of the hearing. Can you respond to what I said
16 specifically.

17
18 **HERMEN** Thank you, Honourable Sir. I think firstly, you have begun the series of
19 questions that you have posed to me by quoting a passage of scripture
20 related to the very importance, spiritual significance of baptism. And
21 there is neither Jew nor Greek, neither male or female so all these
22 categories disappear. When you take the human being in the spiritual
23 dimension. So Sir, it becomes very difficult when you asked me that
24 question to put a label to a human person and say because that person
25 belongs to this particular race or ethnicity or group or whatever, that I
26 cannot touch that person. My religion doesn't teach that. My religion
27 teaches me to love all human beings as children of God.

28
29 [01:45:00]

30
31 **PK** Thank you.

32
33 **HERMEN** And I don't see why and I see one typicality in Malaysia in that you, you
34 put certain emphasis on a certain ethnic identity and not on the others.
35 So when I go to Sabah and Sarawak, I can related in every ethnic
36 community in a responsible way and exercise service of love to all of
37 them and then to find when I come to the West Malaysia that suddenly

1 that there are certain sensitivities and barriers. So with regard to Joshua
2 Hilmy, we recognise his difficulties, we stand alongside his predicament
3 but we cannot at any way say that just because he is a Muslim convert,
4 that he is belligerent or he's doing something outside the whole of the
5 Christian faith. The Christian community would stand with anyone who
6 confesses the Christian faith and exercises a service and ministry of
7 love and care are for others. Some are easy and some are difficult and
8 those places where are difficult, we journey with them.

9
10 **PK** Thank you.

11
12 **HERMEN** Then concerning the laws of the country. I want to categorically state
13 here that the legal minds must help us, all the various religious
14 communities in the country. What do you mean when you say that you
15 cannot profess the faith? What do you mean by that? I think that need
16 to spelled out more tight (01:47:05), has to be given and perhaps there
17 needs to be a greater reflection. When you say that we cannot profess,
18 that that the state has a, the state is not religious, the state is an
19 institution and they make rule and say, 'Ok you cannot profess this faith
20 to this group', but this group can profess the faith to everybody, that's a
21 mockery of universal values because all over the world people are
22 professing the faith responsibly. I'm not saying irresponsible,
23 responsibly the people have the right to exercise their conscience, think
24 about their personal faith. So I think that needs to be clarified and that
25 has been a constant point of discussion with our Muslim counterparts
26 when I was in that special committee. Dr Madeline Berma was also a
27 member of that and she would remember some of the discussions. So
28 when you say, 'Oh you know, you cannot go into a church or you cannot
29 go into a mosque, what does it mean? Going into a church to visit
30 somebody or attend a funeral, is that profession? So all these grey
31 areas are there that make it so complicated and make religion, a
32 religious peaceful co-existence a complicated one. And I think unless
33 there's clarity with that, it makes it difficult. But as far as the, as the
34 Christians are concern, every person of every ethnic background have
35 a right to be treated equally, to be received with love and to be
36 respected. And if they are engaging in Christian act of compassion, then
37 they are our fellow brothers and sisters because they exercising the

1 commands that Christ have taught to love God and to love Jesus
2 (01:49:16) and we cannot judge them on that basis. But as I told you, it
3 has conversion baptism then we do the responsible thing and get their
4 background information and clear it (01:49:30).

5

6 **PK** Thank you, Dr Shastri. With those words, I remember the Right
7 (01:49:37) Reverend Julian Liew, chairperson of Christian Federation
8 Malaysia inquiring about the missing persons of Raymond Koh and
9 Joshua Hilmy and Ruth Sitepu, with deep compassion he says although
10 he is a institutionalise recognised ordain, right reverend, archbishop, he
11 says, 'These are my brothers', it was a very touching moment for me.
12 Thank you for your sharing. Thank you.

13

14 **CHM** Thank you. With that, there will be a question session by members of
15 the panel and by the observers, but before we proceed with that, could
16 we have a short break, say about five minutes? Can, yes Simon? Can,
17 yes? We take a short break, yes? Ok, yes. We are waiting for Dato' Dr
18 Madeline. Yes, there you are. Ok well, shall I proceed?

19

20 **SK** Yes.

21

22 **CHM** Welcome back everyone, welcome back. Now is question time. I have
23 a few questions to ask Dr Hermen Shastri. These are basic question
24 and in all likelihood, you have already explained them in your evidence.
25 So if my question seeks to ask you to repeat what you have said, then
26 I just seek your indulgence, your patience and indulgence but the very
27 nature of inquiry, I have to get this confirmation from you, nature of our
28 inquiry and the nature of the evidence that we, we have received from
29 some of the very pertinent witnesses, yes. So the first question is, is it
30 necessary for a person to be baptised in order to be admitted into the
31 Christian faith? Very basic question.

32

33 **HERMEN** Do you want me to respond to that question Dato' Seri?

34

35 **CHM** Yes, yes, briefly.

36

- 1 **HERMEN** Thank you, for that question, Dato' Seri. I will do my best to answer.
2 Yes, it is necessary to be baptised, to be part of the Christian faith. The
3 reason for answering in that way is a Christian also belongs to the
4 people of God, the church or in your Muslim equivalent 'the ummah'. So
5 you cannot have a Christian who is not associated to the community.
6 So baptism is that rite that signals the entry into the Christian faith. But
7 there are many cases of missionary work where there is a lapse of time
8 between the person confessing the faith and becoming a member of the
9 church. So in an urban setting, if somebody comes to me now and
10 wants to become a Christian, it's easier but if somebody is converted in
11 a remote area in Sarawak, it takes some time for the church to process
12 and to then, offer that certificate to recognise that baptism. So that is
13 the only exception but the answer to your question is yes, it is
14 universally recognised that baptism is the formal entry initiation rite into
15 the church.
16
- 17 **CHM** Right, now I come to my second question. We are, I'm getting closer to
18 our issue at hand, the purpose of our inquiry. My second question is
19 would a pastor, would a pastor baptise a person of other faith, of other
20 faith, Muslim, Buddhism?
21
- 22 **HERMEN** Dato' Seri, respectfully –
23
- 24 **CHM** I haven't finished my question yet.
25
- 26 **HERMEN** Sorry, I beg your pardon.
27
- 28 **CHM** It's alright. Would a pastor baptise a person, ok, who does not believe
29 in the Christian faith? I repeat, would a pastor baptised a person who
30 does not declare belief in the Christian faith?
31
- 32 **HERMEN** Thank you.
33
- 34 **CHM** I have to ask you this question because of the very nature of our inquiry,
35 yes.
36
- 37 **HERMEN** Respectfully, Dato' Seri, did you ask one or two questions?

1

2 **CHM** Just one question, I repeat. I have finished with the first question. The,
3 on the second question is this, just this, would pastor baptise a person
4 who does not declare belief in the Christian faith?
5

6 **HERMEN** Surely not we, there's no reason to baptise anybody who does not
7 believe in the faith. So the answer would be clear that whoever comes
8 to the Christian faith and seeks baptism must believe in his or her heart.
9

10 **CHM** Alright.

11

12 **HERMEN** The Christian teaching.

13

14 **CHM** Alright. Now I come to my third and last question. Would a pastor
15 baptise a person of other faith, of other faith, right, for the purpose fo
16 exorcism? For example, to get rid of perceived spiritual disturbance and
17 not for a conversion into the Christian faith but more for spiritual
18 healing? Would a pastor be willing to do that normally?
19

20 **HERMEN** I think we just draw distinction to help respond to your very important
21 pertinent question. Prayer for persons facing crisis, whether form of
22 crisis in life, is always available. And if requested of a pastor even if that
23 person does not belong to the Christian faith, we, I'll pray for that.
24 Because that is what we are called to do.
25

26 **CHM** Dr, I'm not focusing on prayer, yes, prayers, but –

27

28 **HERMEN** You said

29

30 **CHM** Would a pastor baptise a person of other faith for the purpose of healing,
31 spiritual healing? Baptise
32

33 **HERMEN** Alright, so I put it this way. So a person come into a pastor and ask him
34 'Pray for me, for my sickness, I've got cancer, can you pray for me?',
35 we do that. Whether he's a Christian or not Christian because we
36 believe that our God is loved and therefore, a prayer of mercy is entitled
37 to every human being, full stop. Secondly, if that person says 'I'm now

1 sick, I'm now troubled' and in my own ministry, it has happened. 'And I
2 want to be delivered from this thing that is oppressing me, and I believe
3 in Jesus Christ that he can save me. And I want to be baptised'. So
4 depending on the circumstance and the situation, I would respond
5 accordingly. I can give you the clearest example that if I'm at the hospital
6 bed and the person is dying and the person surrounded by the family
7 and say 'Pastor, can you please pray for my father and my father wants
8 to become a Christian', then the baptism is executed immediately along
9 with the prayer for the healing. So I'm, I'm giving you examples like this,
10 in normal circumstances, it doesn't happen but there are situations
11 where it is very dire, I have also experience exorcism where when I went
12 to the house, the person was shouting and screaming at me and then
13 they say, 'What do you want from me?' And I said, 'I want you to be, I
14 want God to cast out the demon from you.' And if at that moment that
15 person say 'Yes, I want to believe in Jesus, I want Jesus to get this
16 oppression from me', who am I to stop that? And if the person tells me
17 who is, deranged, that I'll, 'Please place your hands on me and pray for
18 me', I would do that. So, but your point is in normal circumstances there
19 is a ceremony. But in extreme situations, in life-threatening situations
20 and crisis situations, all these things are more spontaneously done in
21 order to minister to the human spirit that is crying out for help.

22
23 [02:00:00]
24

25 **CHM** What I gather from your explanation, Dr, that even in such a situation
26 as you have explained, before you proceed to baptise the person for
27 the purpose of healing, you need a declaration of belief in Jesus Christ?
28

29 **HERMEN** Yes.
30

31 **CHM** Ok. Alright, yes, that's I'd like to get the confirmation from you. Right.
32 Yes, members, other members of the panel and observers. Thank you.
33 And any question, Dr Madeline, yes?
34

35 **PM1** Hi. Thank you, thank you, Dato' Seri, fellow commissioners and
36 members of the observers here. Dr Hermen, hi.
37

1 **HERMEN** Hi.
2
3 **PM1** It's been quite a while. Ok. Just one question from you. As secretary-
4 general of the National Council of Churches, you mentioned there are
5 three, what do you call it, there's the Roman Catholic, right? You
6 mentioned earlier on. And the other one, I can't really catch. And the
7 third one was the Evangelical Christian group, yes, the free group. Can
8 you mention the second one? I forgot, I...
9
10 **HERMEN** Council of Churches of Malaysia.
11
12 **PM1** Council of Churches of Malaysia, that... And this will include the
13 Methodist Church, including my church, Anglican?
14
15 **HERMEN** Yes.
16
17 **PM1** Yes, ok, alright. My question is, during your tenure as secretary-general,
18 are you aware of pastors, either Catholic or the No.2 and the No.3, yes,
19 especially No.3, are you aware that there are pastors who convert
20 people of other faiths? Would you be aware?
21
22 **HERMEN** Ok.
23
24 **PM1** Do they report to you? I mean, as the secretary-general.
25
26 **HERMEN** Yes.
27
28 **PM1** Is there a reporting system whereby they say, 'Oh, we just converted
29 300 Penans in Ulu Bernam'? Or 'We just converted three Muslims in
30 Kampung, in Hulu Kelang'? Will that information be brought up to the
31 council or is it just left to the knowledge of the respective diocese –
32
33 **HERMEN** Yes.
34
35 **PM1** You know, or to the respective bishops only? Or, yes, can you explain?
36 Just that question, thank you.
37

1 **HERMEN** Thank you for the question. So I think the point is if such information is
2 kept to the respective member churches. So if the Anglican Churches
3 are engaged in missionary work in Sarawak and they convert, so they
4 have the records for it. It only comes to my attention when it becomes
5 a state or national issue. When there's an allegation or an accusation
6 made and the request is made to us, and since the church belongs to
7 the Council of Churches, then we do the necessary background work.
8 But the Council of Churches, national body, does not keep statistics of
9 the breakdown among the ethnic groups of the churches, of the different
10 churches in the country.
11
12 **CHM** Unmute. Dr Madeline needs to be unmute, Simon.
13
14 **PM1** Ok.
15
16 **CHM** Ok, right, yes.
17
18 **PM1** Just one short question, yes, Dr Hermen. Now I will just go straight to
19 this question. You mentioned that in your last statement, 'Unless there
20 is a big issue or there is an issue', then it will be brought to your
21 attention. I pose it to you, is the work done by Joshua Hilmy in
22 converting Muslims in this case, which, because he posted it on his
23 Facebook, are you aware of that? I mean, the church, not you as a
24 person, but you as a, I mean, the secretary-general, are you aware of
25 the fact that Joshua Hilmy has been posting the conversion of Muslims
26 on his Facebook?
27
28 **HERMEN** No, I'm not aware.
29
30 **PM1** Ok. So you're, there was no report to your, or rather it was not brought
31 to your attention?
32
33 **HERMEN** No.
34
35 **PM1** Ok, thank you. Thank you very much, Dato' Seri.
36

1 **PM2** Dato' Seri. Good morning, Reverend Hermen, thank you for coming to
2 the panel. Just to take on from where Dato' Seri's question earlier. The
3 issue of people being possessed or disturbed from their point of view
4 and seeking help to come out of that possession, does that person need
5 to be baptised in order to get the help to be delivered out of the
6 possession? The word 'delivered' means to be brought out of that, the
7 spiritual difficulty. Or that person can be helped as, you made the point
8 about being sick, I think that's a given, anyone who asks you would say
9 you would pray. But this is a very specific question on the issue of
10 deliverance, and the person believes or feels that there is some spirits
11 disturbing the person, does this person need to baptise in order to
12 qualify for that special help of deliverance?

13
14 **HERMEN** Thank you, Honourable Sir. I think, again, it depends on the context and
15 the situation. If it's life-threatening, and it's a very serious situation and
16 there's a request by that person or by the family or whatever, then you
17 respond accordingly to the situation. You follow what I mean? That's
18 why I gave you the example of a hospital. It has happened many times,
19 many a time when I'm called to rush to the hospital and it's not just a
20 prayer, it's almost like a last rite, and there's a request by the family or
21 by the person concerned that he wants to be Christian and he wants to
22 be baptised before he dies. Then I do it. So in that situation, yes. But
23 then, of course, there are other cases where the, it may be a different
24 context where perhaps in a rural setting in a longhouse, I've
25 experienced that this is much more prone amongst such sectors where
26 they believe in the spirits, they believe in the possession. I've had many
27 cases where they, even their sickness is attributed to a possession of
28 the spirit so they come to see me and say, 'Pastor, please pray for me,
29 and', you know, 'ini selalu saya, malam-malam dia kacau saya. Saya
30 tidak boleh tidur', begini begitu semua. And so you have to engage in
31 the prayer and try to provide some assistance and in many cases then
32 they don't ask for a baptism or whatever but they ask for some kind of
33 prayer of power so that they can really sleep peacefully or be set free.
34 So it all depends on the circumstances. But of course, as a teaching
35 when you relate it to baptism, that is not connected as it is normally
36 because basically conversion is to share the faith and then the person
37 by conviction to respond to that.

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PM2 Thank you. My second question is, in the context that you shared earlier about baptism having a form, a ritual and some basic structure on how a person sort of is recognised and baptised, would a person when answering a question 'Do you believe in Jesus Christ?', say 'Yes' and fervently believe, and yet have a possibility of not considering a baptism? Because baptism, as you said, has a specific ritual or, you know, the pastor, someone will ask you 'Do you believe? Then I baptise you in the name...' But in that prayer format or in a situation where it says, 'Ok, do you believe in Jesus?' And the person answers 'Yes', 'And do you...', and so after having gone through all that, a person who really believes but can the person then also have the understanding that 'I believe but I didn't know, maybe I did not get baptised'? If that a possibility?

HERMEN No. I think it would be helpful for us if we keep these two dimensions in our thinking. One, verbalisation. Verbalisation. So when we are saying that a person wants to accept a faith, there must be a verbalisation of it, and we call it in some theological traditions, the baptism of desire. So the person in the heart is already desiring this. And it's interesting that Philip had raised the example in the bible from Ex Chapter 10 of, no Ex-Chapter 8 of the Eunuch, and Ex Chapter 10 of Cornelius, where God shows no partiality, in other words, that response of the human heart to the call of God is available everywhere. So that is the desire part. So it all again depends on the circumstance. And when you say the baptism, the only symbol is the water, and the churches differ in that about how much water. So some churches just sprinkle, some churches just pour a bit of water on the head, and some churches go to the river or go to the swimming pool and immerse the whole body. So we have all these different modes. So I think the only responsible thing is that when that is enacted and another person says 'I have baptised that person', we have to look in the context and look at what was actually done.

PM2 Thank you.

HERMEN And the –

1 **PM2** So Reverend Hermen, the verbalisation means that those words 'I
2 baptise you in the name...', so that words will have to be said and the
3 person before that will be hearing those words and saying 'Yes' or 'No',
4 so that is confirmation of baptism?
5

6 **HERMEN** Two parts. The person who is to be baptised is confessing the faith. 'I
7 believe in Jesus Christ, my lord and saviour'. And so there's a prayer.
8 Some people read the prayer, most traditional churches have a written
9 prayer and they answer the questions. Some of the newer churches,
10 they just pray with the person, and say 'Kita percaya kepada tuhan,
11 kamu percaya Jesus akan membebaskan kamu. Kamu percayakan
12 Jesus juru selamat kamu.' And then so that person is praying with it. So
13 there is a verbalisation of that. Then the second part is that in the
14 highest words to say is, 'If you come into the Christian faith, I baptise
15 you in the name of the father, the son and the holy spirit.' The Trinitarian
16 formula.
17

18 **PM2** Thank you.
19

20 **HERMEN** So you are right –
21

22 **PM2** Yes.
23

24 **HERMEN** In that.
25

26 **PM2** Thank you. Moving on to the next question, Reverend. This question of
27 registry of people being baptised, if, I mean, in the networks of churches
28 that you have, you've mentioned CCM, CFM, and the organised
29 churches, but if this person or the pastor is not linked to any of these
30 organised churches, if I use the word correctly, is that also possible that
31 people baptised through a particular pastor of such nature or an
32 independent individual pastor may not have such a registry, or it's a
33 requirement that you must have a registry somewhere?
34

35 **HERMEN** I cannot speak for all the different ways churches are doing it. My advise
36 from the position where I sit and the work that I do, I would say that in a
37 context like Malaysia you must do the responsible thing and always

1 have documentation so it helps should any issue arise. But of course,
2 people are free to practise their faith, people are free to engage in
3 religious activities the way they choose, it's provided for in the
4 constitution. And so as much as I do not like some Christian sects, but
5 the Christian sects exist in this country and they are doing all kinds of
6 things, and they invoke that right from the constitution. So I, my answer
7 to you is that the responsible thing is to have documentation but if
8 people are doing it other ways and responding to whatever spiritual urge
9 within themselves and inspiration, that is their right and they can do it.
10 But they are not responsible to the council, now the council would speak
11 to that. A council will speak to the right that all Malaysians have religious
12 freedom because it is in the constitution.

13

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[02:15:00]

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16 **PM2**

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25 **HERMEN**

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Thanks. Related to that question, Reverend Hermen, is so there is every possibility that a pastor can operate in an individual manner with all the conviction and zeal of his own faith to bring the faith to others without having the umbrella of part of an organisation? Is that something that has happened in a common fashion, and if yes it does happen, it does not invalidate that person's function as a pastor, as an individual pastor as well as preaching the faith as well as baptising individuals into the Christian faith?

I think, when you use the word 'pastor exercising the faith', that means that that recognition is coming from somewhere. Alright. It may not follow the same quality or structure that I am coming from, from my church, but whoever says that I am a pastor, then he is related to a community supported by the community and recognised by the community to be a leader to provide the teaching of the church. So if you're referring to one person, then you have to ask that person, 'Ok, in what context is he the pastor there?' But your point that anybody can share the faith, of course, that is a right that every Christian has. The only thing, again, we would say is, in Malaysia we must exercise that responsibly so that we do not overstep our reach and be insensitive to others.

1 **PM2** Yes. Just the final part, Reverend, is that so if this individual, as you
2 said may or may not be, hopefully part of being ordained somewhere,
3 but if either way this person then baptises individuals that does not
4 invalidate the baptism or the person who decides to join the faith based
5 on this individual pastor or Christian leader's baptism?
6

7 **HERMEN** No, I think it's hypothetical what you're, the way you're putting the
8 Christian to me, I mean, there must be proper records. So if you give
9 me a case, say if you take the case of, we don't take Joshua Hilmy, just
10 take the Orang Asli, then I'll, if it's from the Methodist church, then I
11 would then follow-up and say, 'Ok, this person has done it this way. He
12 has the endorsement of the pastor in that area and it was done on this
13 day with the consent of the family.' And then we do the proper
14 documentation to ensure that everything is right. So, then that's,
15 hypothetically it's very difficult to answer like that, but there must be a
16 documentation. I don't think even a free church exists in a way that they
17 say 'Oh, we don't need any membership list or what', they also must
18 have a membership list. Every church that claims to be a worshipping
19 community must have a membership list. And a baptism record. They
20 might not keep the record the way we do, but they may, they will still
21 have to do that in type, so that is the proper thing to do.
22

23 **PM2** Thank you. Thank you. Reverend. Dato' Seri, I think we can open up to
24 other observers.
25

26 **CHM** Yes. Any question from the observers?
27

28 **SB** KontraS.
29

30 **CHM** Yes, Mr Andrew Khoo? Oh, can I call Mr Andrew Khoo first? Yes. Yes,
31 Mr Andrew?
32

33 **AK** Thank you very much, Dato' Seri. Members of the panel, good
34 afternoon, Dr Shastri. Thank you for coming to appear before the panel
35 today. My name is Andrew Khoo, I am here today as an observer on
36 behalf of the Bar Council. I have three lines of questioning. I just to, I
37 would like to ask some questions about the nature of CFM and CCM,

1 firstly. Secondly, I do want to talk a little bit about baptism from a
2 Christian perspective. And then, thirdly, I want to talk about a public
3 understanding of the meaning and significance of baptism, especially
4 from someone who is not coming from a Cristian background. So if I
5 may start, first of all, with my first line of questioning about CFM and
6 CCM. If I'm not mistaken, you spoke earlier to the panel about the work
7 of CCM and CFM in terms of working, being, working with and being
8 familiar with other religions. And you talked about a membership of a
9 particular special committee. Could you just clarify for the sake of the
10 inquiry, was this special committee a committee of official
11 representatives from the official religions of this country?
12

13 **HERMEN** Yes.

14

15 **AK** So it's, the Christian community would be represented by people
16 representing official 'Christianity' in inverted commas, there would be
17 others representing official Hinduism and Sikhism and Taoism, and then
18 also official Islam?
19

20 **HERMEN** Up to 2020.

21

22 **AK** Ok. What happens after 2020?

23

24 **HERMEN** We have new government, we have a new Ministry of Unity, and they
25 have moved on and on a different trajectory.
26

27 **AK** And what was the name of this committee again, if you just could remind
28 me?
29

30 **HERMEN** I'll give you first the Malay version, Jawatankuasa Mempromosi
31 Kefahaman dan Keharmonian Antara Penganut-penganut Agama-
32 agama Malaysia. Special Committee for the Promotion of Mutual
33 Understanding and Harmony Between Followers of Different Religion
34 in Malaysia.
35

36 **AK** Ok. So I just, just to labour the point a little bit, it talks about adherence
37 to a followers of religion. But again, can I ask you whether those

1 followers of religion who sat on that committee sat in an official capacity
2 representing the official religion? So you –
3
4 **HERMEN** They are recommended by the Minister of Unity and appointed by the
5 Prime Minister of Malaysia.
6
7 **AK** Ok. They may be appointed by the Ministry of Unity, but the Ministry of
8 Unity is not in charge of, say, Islamic religion. So how would that
9 minister say that this person officially represents –
10
11 **HERMEN** Because there are two advisers to that committee when it existed, the
12 minister of Islam, at that time, and the minister of unity. They were both
13 official advisors to that committee. So those appointing the Muslim
14 representatives had the endorsement of the Minister of Islam.
15
16 **AK** Thank you very much for that –
17
18 **HERMEN** So –
19
20 **AK** Yes, go ahead, please.
21
22 **HERMEN** It was just religious representatives in the year 2008 when Tan Seri
23 Joseph Kurup was the minister, he expanded it to include
24 representatives from Sabah and Sarawak, and even academicians.
25
26 **AK** Ok. Ok, thank you very much. Now in relation to CFM and CCM in its
27 organisational structure. Does it represent all Christian beliefs in this
28 country? All Christian organisations in this country?
29
30 **HERMEN** Yes, except those who we will consider outside of the fold of the
31 recognised churches, this would be sects or cults.
32
33 **AK** Ok And how would you make that distinction?
34
35 **HERMEN** Of the sects and cults or?
36
37 **AK** Yes, yes.

1
2 **HERMEN** Those who don't follow the traditional dogmas of the church. I don't want
3 to mention names, it would not be right to mention names of the sects,
4 but those, for example, those who don't believe in the trinity. That would
5 be one example.
6
7 **AK** Ok.
8
9 **HERMEN** To a particular cult figure, you know, and have an esoteric
10 understanding of their religion or whatever, or new age kind of thing, so
11 all these are outside of the ambit of the formal structures of the church.
12
13 **AK** Ok. So if such, if some of these, you know, sort of fringe beliefs, if I may
14 call it that, although in some countries they may be mainstream, you
15 know, they may not come within say the Catholic church, the CCM, but
16 could they, for example, come within an affiliation of the NECF?
17 Because they are independent.
18
19 **HERMEN** I cannot speak for NECF, so I think you have to speak to the NECF in
20 regard to that.
21
22 **AK** Ok. So I'm turning now to my second line of questioning which have to
23 do with baptism itself, but it's linked to what we have just discussed. So
24 if someone were to come from one of these –
25
26 **HERMEN** Sorry.
27
28 **AK** It's ok. So if someone were to come from one of these other, say,
29 traditions which is not mainstream or mainline, not recognised, and say,
30 you know, 'I have been baptised in this denomination, and but now I
31 want to join your denomination', what would happen? What would the
32 procedure be?
33
34 **HERMEN** What would the –
35
36 **AK** Process of –
37

1 **HERMEN** What would the –
2
3 **AK** Yes.
4
5 **HERMEN** A person comes to me and says that 'I', she's a Christian? Is that the
6 line of questioning, honourable –
7
8 **AK** Yes. So, yes. So this person is a Christian, but say, you know, he
9 belongs to a particular Christian denomination which is not recognised
10 as mainstream in Malaysia. What would the process be of accepting
11 that person into the church in Malaysia?
12
13 **HERMEN** To do the background work. So if the person comes to me, then I will
14 have to do the background work. So the person, for example, from the
15 information the person provides, and says he was baptised while he
16 was working in Bangladesh, for example. Then I would ask, 'Ok, which
17 church, which is the date, do you have a certificate?' And then I may
18 have to revert to my counterpart in Bangladesh to get the necessary
19 confirmation. So there is a process of doing some background work.
20
21 **AK** Ok. I think my learned friend, Mr Philip Koh, sort of hinted at this, but I
22 will come out and ask the question very clearly. Would there have to be
23 a rebaptism?
24
25 **HERMEN** We don't, that word is not found in our tradition.
26
27 **AK** But if, for example, that person's baptism was in a church that you did
28 not recognise, that did not subscribe to the accepted teachings of the
29 mainstream church community in Malaysia, would you therefore then
30 not recognise that baptism and say to that person that you would, 'We
31 would have to baptise you afresh'?
32
33 **HERMEN** Again, I answer that the word 'rebaptism' is not part of our religious
34 tradition, but I think your question is an important one because there
35 are pastoral circumstances. And I have had cases in my own
36 experience as a pastor where a person comes to me and says
37 'Reverend, I have this difficulty. One, I was baptised as an infant. And

1 then I was not a good Christian, I didn't follow my religion and all that.
2 And now as an adult I feel that, you know, I have come a long way and
3 I want to return to God.' Then my response, again, it depends on the
4 religious practitioner and his theological thinking. So my way would be,
5 'Ok, then I will engage in counselling with you and in an appropriate
6 time in one of the worship services, to bring you back into the fold. I
7 would not rebaptise you if you're already baptised as an infant.' But
8 what the person is asking is that 'I want to make that personal and make
9 a public confession.' So that would be the response I have. But I cannot
10 in good conscience say that my church practices rebaptism, we don't
11 have that tradition. And if I come across such a thing, it will raise some
12 questions for me because then the person can be, Christian can be
13 rebaptised many times in different churches, and then he is not into the
14 body of Christ but into the many bodies of Christ which don't, which
15 again is not theologically sound.

16

17 [02:30:00]

18

19 **AK** Thank you, Dr Hermen. And you bring me very nicely to my third
20 category of questions, about the –

21

22 **HERMEN** Does that answer? Hello?

23

24 **AK** Yes, yes. Yes, yes, thank you, Dr Hermen. It leads very nicely to my
25 third category of questioning. Can you hear me? Hello, Dr Hermen?

26

27 **HERMEN** Hello?

28

29 **AK** Hello? Dr Hermen, can you hear me? Dr Hermen, can you hear me?
30 Have we lost Dr Hermen?

31

32 **SK** Dr Hermen. Hello?

33

34 **AK** We may have lost Dr Hermen.

35

36 **SK** Yes, I think he can't hear us. I'll request SUHAKAM officer to check with
37 him. Aida.

1
2 **ASH** Ok.
3
4 **AK** Dr Hermen, can you hear me?
5
6 **SK** I, maybe it's his connection, his network.
7
8 **AK** Ok. How do we, how do you propose we proceed?
9
10 **SK** Just hold on a while, we are checking with him. He just confirmed that
11 he has network problems, so he's trying to sort it out. Meanwhile,
12 waiting for the witness, Dato' Seri and panel members, it's Friday today,
13 it's almost 12:30PM, what time Dato' Seri would like to stop for break?
14
15 **CHM** Can we stop at, say at 01:00PM?
16
17 **SK** Ok. Ok, thank you, Dato' Seri. We have requested Dr Hermen to log off
18 and log in. He has been trying to log in, but he's unable so he's trying
19 again.
20
21 **PM2** Simon, he's using a laptop, Simon?
22
23 **SK** I'm not so sure.
24
25 **PM2** Maybe restart laptop.
26
27 **SK** Yes, he's using laptop.
28
29 **PM2** Then ask him to restart the laptop.
30
31 **CHM** I find whenever I mute myself, I find difficulty to unmute. I've got to get
32 the secretariat to help me to unmute. Of course, I'm unmute now.
33
34 **AK** Honourable Commissioners, rather than lose valuable time, I'm just
35 wondering that while we are waiting for Dr Shastri to sign back in
36 whether we might want to proceed with the other issues first or have an
37 early adjournment?

1

2 **CHM** Is it possible to have Dr Shastri's continued evidence on a later date,
3 and we have about half an hour's, half an hour left, we'll use that half
4 an hour for the housekeeping matters? Simon?

5

6 **SK** Yes, Dato' Seri, just my question, are we stopping at 01:00PM? Are we
7 going to resume after lunch?

8

9 **CHM** No, we'll stop at 01:00PM today.

10

11 **SK** Ok.

12

13 **CHM** Yes.

14

15 **SK** Because the other part of the session is the, we have suggested for in-
16 camera session, closed session because –

17

18 **CHM** Hold on, hold on. I think Dr Hermen –

19

20 **SK** Ah, he's back.

21

22 **CHM** Is back with us.

23

24 **SK** Yes, he's back.

25

26 **CHM** Yes, please, yes, please join us.

27

28 **HERMEN** Alright. Beg your pardon, Tan Sri.

29

30 **CHM** It's ok, yes, yes.

31

32 **AK** Thank you for coming back, Dr Shastri. I hope my questions didn't put
33 you off, that you tried... no, ok. No, thank you for your answer, and I
34 was just saying that it leads me very nicely into the next part of my
35 questioning, which is given the fact that you've had all these years of
36 experience contextually working with people of other faiths, you know,

1 could you perhaps, you know, suggest to us what are, what is a non-
2 Christian's perspective or understanding of baptism?

3
4 **HERMEN** I think, generally it means that it became a Christian. So there is a rite,
5 and that rite is recognised that the person has become a Christian. But
6 there are some churches that claim that a prayer of confession which is
7 baptism of desire also constitutes one step into the Christian fold. But
8 you asked me the question about non-Christians, other faith
9 communities, if they ask me the question 'Is my son a Christian?', then
10 my answer would be if he is baptised, then he is a Christian.

11
12 **AK** Thank you. I'm going to move into perhaps slightly sensitive or
13 discussion. Baptism in the Christian context involves, at least one part
14 of it involves water. And if my understanding is correct, water has a
15 connection of cleansing to it. So for someone who is not brought up in
16 the Christian faith, and perhaps, I mean, in our context, perhaps
17 someone who is brought up a Muslim and, you know, is encountering
18 this idea of baptism by water, is there a possibility that that person can
19 misunderstand the significance of water by saying that, 'Oh well', you
20 know, 'even in Islam we have ritual ablutions which must be performed
21 regularly.' So is this water cleansing baptism, is it something that can
22 be repeated and that I can go from one place to another place still
23 seeking this baptism because all it is that it appears to me is a form of
24 ritual washing? Could that perception arise?

25
26 **HERMEN** Hypothetically, it could arise. But it is not central to Christian teaching.
27 Christian teaching, baptism is a one-time affair.

28
29 **AK** I mean, I totally understand that, but that's why I said I'm looking at it
30 from the perspective of someone who is not familiar with Christianity
31 who may have grown up not being familiar with Christian understanding.
32 And if they look at, you know, an act of what we, what you as a Christian
33 would consider baptism, they might say, well, it's just a form of ritual
34 washing to cleanse, and therefore it can be repeated. Would that be a
35 possible perspective?

36

1 **HERMEN** What goes on in the individual's mind is really difficult for me to
2 determine, but there are many factors that play upon the mind. If the
3 mind is troubled, then the person himself is searching, and so there is,
4 you cannot just say at that moment of baptism he knows the full
5 dimensions of the Christian faith. So there may be a period of
6 discovering and learning and journeying along the person who has
7 become an infant in the Christian faith. So if that's your, the way you're
8 raising this question, I would agree with you that it doesn't mean that
9 therefore the person who comes at the baptism says, 'I believe in God
10 and he will learn what the content of that would mean.'

11
12 [02:45:00]

13
14 **AK** Sorry Dr Hermen, we lost you for about 30 seconds. So if you could just
15 recall what you said in the last 30 seconds?

16
17 **HERMEN** Yes. So I think that there is always a time after conversion, after
18 baptism, for him to learn the faith, become familiar with the teachings of
19 the church. What we would call in some traditions, 'catechism',
20 instructions in the faith.

21
22 **AK** So if I may continue on this, as you say, hypothetical line of thinking,
23 would it also be possible for someone who on the face of it has
24 undergone a ritual washing which is baptism to most Christians looking
25 at it, then turn around and say that 'No, I was not baptised'?

26
27 **HERMEN** I cannot answer that question because you have to give me the context
28 and the actual situation and who did what. Because you're saying the
29 persons who looked upon it see it as baptism. So that means there are
30 some persons who are engaging in that act.

31
32 **AK** Yes. So again, as I said, I'm putting to you a hypothetical. So if, for
33 example, there is a video or there are photographs of what appears to
34 be someone being washed, being, for want of a better word, baptised,
35 in a kind of ceremony, and then later on when that video or that
36 photograph is placed before the person being baptised and that person
37 is being asked, 'So were you baptised?', and that person then turns

1 around and says, 'Oh no, I wasn't baptised'. Could it be because that
2 person doesn't necessarily understand the full implications of what had
3 happened?
4

5 **CHM** Mr Andrew Khoo, those are speculative questions. You're asking Dr
6 Hermen Shastri to read into the mind of that person. I'm not sure
7 whatever evidence, in view of evidential value.
8

9 **AK** Honourable Commissioners, thank you very much for that. Because we
10 are not putting to Dr Hermen some of the evidence that have been
11 placed before the inquiry and we are asking him about the concept of
12 baptism, it would be a little difficult to try to put something which is more
13 than just hypothetical to him. I'm just trying to see whether or not, you
14 know, he would be able from his experience and maybe from having
15 seen it or experienced it before or maybe working with his colleagues,
16 whether this kind of scenario has actually occurred in the past. But I see
17 my learned friend would like to say something.
18

19 **PK** May I, Mr Chairman?
20

21 **CHM** Yes.
22

23 **PK** Mr Chairman, I appreciate your very gentle intervention. With greatest
24 respect to Andrew Khoo, we are not asking Reverend Dr Hermen
25 Shastri to rehearse with the evidence of before, we are dealing with a
26 more generic situation which we have already set forth. And you well
27 put it, Mr Chairman, and I urge my learned friend, why ask Dr Shastri to
28 penetrate behind whether there are videos, whether there are the mind
29 behind the person saying something. Those issues are already fully
30 canvassed. I really cannot comprehend this line of questioning, and I
31 actually would like to place an objection to this line of questioning as
32 being irrelevant to the matter in the Tribunal.
33

34 **AK** Dato' Chairman, I leave it up to you whether you want to decide whether
35 or not this line of questioning can be pursued or not. I certainly would
36 like to continue, but if you feel that it is not appropriate, I will stop.
37

1 **CHM** Yes, I'm obliged, Mr Andrew Khoo, I'm obliged, yes. But if you have
2 anymore direct straightforward questions, please do proceed. Direct
3 and straightforward questions, yes. Not hypothetical, or not speculative
4 in nature.
5

6 **AK** In that case, Dato' Chairman, I don't have any further questions for Dr
7 Shastri. I would just like to thank him very much for appearing before us
8 today.
9

10 **CHM** Thank you, Mr Khoo, thank you. Right. PDRM, ada question tak? Any
11 questions from PDRM?
12

13 **MSR** Ada, Dato' Seri.
14

15 **CHM** Silakan.
16

17 **MSR** Dengan izin, Dato' Seri. Ok. Bagi PDRM, kami cuma nak tahu daripada
18 saksi, ada tak mempunyai apa-apa rekod ke atas bilangan jumlah
19 church di dalam Malaysia ini dari segi perbezaan aliran?
20

21 **HERMEN** Untuk Majlis Gereja-gereja Malaysia, iaitu saya setiausaha agung, kita
22 ada informasi itu dalam bilangan dan aliran. Tapi untuk gereja Katolik,
23 pihak berkuasa Katolik ialah archbishop punya ofis, mereka ada itu.
24 Dan untuk NECF, kamu mesti pergi ke sana untuk mendapat dari dia.
25

26 **MSR** Dr, boleh tanya tak, berapa banyak aliran gereja yang didaftarkan di
27 dalam Malaysia?
28

29 **HERMEN** Berapa gereja?
30

31 **MSR** Berapa banyak aliran? How many various types of denominations in
32 Malaysia?
33

34 **HERMEN** I cannot speak for all, but I give you this answer. Kalau we go to the
35 Roman Catholic, we can give you an exact number, Roman Catholic
36 church. Mereka ada national office dan diocese, iaitu kawasan daerah
37 begitu. Untuk Council of Churches, kita ada di Semenanjung Malaysia,

- 1 di Sabah dan Sarawak, kita ada lebih daripada 800 jemaah di merata-
2 rata tempat seluruh negara kita. Dan NECF, kamu mesti pergi dan
3 minta itu NECF. Dan statistiknya kita ada, tapi ada juga many other
4 churches that operate independently. Ada, banyak. And I don't have the
5 numbers.
- 6
- 7 **MSR** Dr, boleh terangkan tak maksud 'independently' itu?
- 8
- 9 **HERMEN** Ok. 'Independent' adalah terminologi yang kita bagi kepada gereja yang
10 tidak ikut kolektif kita. Gereja itu tidak panggil mereka 'independent'.
11 Gereja tersebut itu beliau panggil kita, kita exercise religious freedom.
12 We have this understanding that kita follow our own tradition. So we
13 have a category which we say these people may relate or may not relate
14 to the national bodies. If they don't relate to the national body, if they
15 get in trouble, then they have to answer and for themselves. If they
16 relate to a national body, then we can provide advisory credence to
17 them when it comes to national issues. So 'independent' adalah satu
18 terminologi yang menunjuk kebebasan keagamaan di dalam negara
19 kita. Sama juga dengan kaum Buddhist, sama juga dengan kaum Hindu
20 dan agama yang lain.
- 21
- 22 **MSR** Dr, nak tahu, adakah pihak HCCM ada menyimpan rekod priest,
23 reverend ataupun pastor yang telah dilantik di dalam Malaysia?
- 24
- 25 **HERMEN** Ya, ada.
- 26
- 27 **MSR** Adakah independent church ini dipantau oleh HCCM?
- 28
- 29 **HERMEN** Apa itu 'pantau'?
- 30
- 31 **MSR** Monitor. Monitor.
- 32
- 33 **HERMEN** Tidak. Kita tidak ada kuasa untuk monitor kumpulan yang tidak menjadi
34 wakil dalam Majlis Gereja-gereja. Kita ada opinion tapi itu bukan,
35 mereka kebebasan mereka kebebasan mereka.
- 36

1 **MSR** Dr, adakah semua orang yang telah dibaptiskan disimpan, rekodnya
2 disimpan?
3

4 **HERMEN** Siapa yang simpan itu?
5

6 **MSR** Pihak gereja ataupun pihak HCCM ada menyimpan rekod-rekod
7 keseluruhan baptism?
8

9 **HERMEN** Pasti, pasti. Kalau gereja Katolik, mereka ada documentation, kalau
10 gereja CCM, wakil-wakil gereja CCM, pasti ada. Tapi kalau NECF,
11 kamu mesti minta NECF lah, mereka, pasti mereka pun ada. Tapi ada
12 juga golongan yang bebas betul, dan mereka simpan dia punya
13 membership sendirilah.
14

15 **PM2** So, mungkin, DSP, I think Reverend Hermen, DSP wanted to know if
16 it's an independent church, gereja yang bebas, dia masih lagi gereja,
17 kan, masih lagi ada dia punya struktur dan organisasi, maksud dia kalau
18 orang yang, people who are baptised in the independent churches
19 should also have the record under their church ambit, right? Is that
20 correct?
21

22 **HERMEN** Yes.
23

24 **PM2** Yes, ok. Thank you.
25

26 **MSR** Dr, nak tanya, dalam prosedur baptism, ada tak ada garis-garis
27 panduan yang perlu diikuti oleh priest, pastor dengan reverend?
28

29 **HERMEN** Ada.
30

31 **MSR** Sekiranya mereka tidak mengikuti prosedur tersebut, adakah mereka
32 telah melakukan kesalahan?
33

34 **HERMEN** Apakah prosedurnya, yang kita perlu pastikan dulu. Saya telah
35 mengatakan dalam keterangan saya tentang baptis, ada dua stepnya,
36 yang satu, mengaku kepercayaan kepada Jesus sebagai juru selamat
37 dan tuhan. Yang kedua, ada satu symbolic action yang kita panggil

1 'baptis', di mana mereka letak tangan atau air di atas kepala atau
2 semua dalam air begitu ada caranya lain dari satu gereja kepada yang
3 lain, dan itu dua steps ini, pengakuan dan semua menunjukkan that
4 seorang telah memeluk agama Kristian. Itulah baptisnya. Habis, kalau
5 ada satu soal berapa banyak air dipakai, itu terpulang kepada tradisi
6 gereja itu.

7

8

[03:00:00]

9

10 **MSR** PDRM nak tahu adakah Joshua dan Ruth didaftarkan di dalam senarai
11 baptism and sebagai pastor di dalam Malaysia? Helo, Dr? Helo, Dr?

12

13 **CHM** Dr, tak dengar. Dr Hermen, can you hear us? Kejap. Ada masalah.

14

15 **SK** Dr Hermen, can you hear us? We will check with him again.

16

17 **CHM** I was hoping that I could, we could finish with Dr Hermen Shastri, but
18 we have this technical problem. It's seven more minutes to 01:00PM.
19 Looks like Dr, can you hear us now? Can? Ok. Very good. Ok. Yes.

20

21 **MSR** Ok. Dr, soalan saya tadi, adakah Joshua dan Ruth didaftarkan dalam
22 senarai baptism dan pastor di dalam Malaysia?

23

24 **HERMEN** Joshua itu bukan dari gereja saya. Habis, saya tidak boleh menjawab
25 soal itu. Kita pulang kepada gereja yang dia ikut, jemaah dia. Ya.

26

27 **MSR** Ok. Dr, kami ingin tahu, PDRM, adakah mana-mana pastor ataupun
28 reverend ataupun priest yang tidak boleh, I mean tidak mengikut ajaran
29 gereja merupakan satu kesalahan? Sebagai mana reverend, dia
30 membuat ajaran sendiri?

31

32 **HERMEN** Ada juga, ya. Kalau ada ajaran sendiri, kita akan kata dia tidak ikut
33 tradisi kita dan aturan kitalah. Tapi dia bebas boleh buat, sebab kita
34 percaya kepada kebebasan keagamaan. Tapi official stand kita ialah
35 they don't represent the Christian faith.

36

- 1 **MSR** Sebagai mana yang tadi Dr sebut tadi, kalau sebagai example yang Dr
2 cakap tadi, yang siapa ini, Korean church nak datang sini kena ikut
3 aliran Malaysia? Betul tidak?
4
- 5 **HERMEN** Betul.
- 6
- 7 **MSR** Bagaimana dengan aliran Indonesia dengan Malaysia?
8
- 9 **HERMEN** Sama juga. Sebagai wakil negara Malaysia, kita ikut aturan dan
10 undang-undang di Malaysia. Kalau saya pergi ke India dan buat sana,
11 kalau saya adalah satu pastor yang bertanggungjawab, saya mesti
12 memberitahu pihak berkuasa di gereja di India, saya ke sana, dan saya
13 nak buat pelayanan sana. Itulah apa yang kita panggil responsible
14 relationship between churches. So that we do. Dan dalam kalau semua
15 gereja besar itu macam Katolik dan Methodist dan Anglican dan juga
16 semua, kita sudah ada infrastruktur bagi itu. Kalau kita nak, saya pergi
17 ke sana, bishop saya menulis satu surat, kita hantar Dr Hermen sebagai
18 wakil untuk mengajar di dalam seminary di sana. Ada. Tapi yang
19 independent itu, itu lain. Sebab mereka ikut cara sendirilah. Tapi kalau
20 ada apa-apa masalah di dalam negara, nasihat kita selalu ialah kita
21 mesti ikut undang-undang dan aturan dalam negara kita. Itu yang
22 responsible thing. We do not want religion to disrupt disharmony or be
23 insensitive to other races and religion.
24
- 25 **MSR** Itu saja daripada PDRM. Terima kasih.
- 26
- 27 **CHM** Terima kasih, DSP Sabri. Terima kasih. Any other question?
28
- 29 **SB** Yes, from KontraS.
- 30
- 31 **CHM** KontraS, Yes.
32
- 33 **SB** Mr R. Hermen Shastri, in general, is there any system or mandatory
34 regulation that people should learn Christianity for a certain time before
35 the time of baptism or anybody can simply going to the pastor or asking
36 for baptism?
37

- 1 **HERMEN** Yes. That is the first priority that people have opportunity to know about
2 the faith before they come to the faith.
3
- 4 **SB** Is there any mandatory regulation in certain time like months or three
5 months or it's different between one church to another?
6
- 7 **HERMEN** In our practice in urban areas and in places where we have the building
8 and the facility, yes, we encourage that. But as I told you, there are also
9 other instances where the response to the faith comes from a different
10 route.
11
- 12 **SB** And from your perspective, the church in general, Malaysia, when the
13 person is for the pastor perspective, is ready to be being baptised?
14
- 15 **HERMEN** When?
16
- 17 **SB** Yes, when. How about the, their knowledge or the time of join the church
18 or the time meeting with you in personal? Is any like in certain time?
19
- 20 **HERMEN** Yes. Itu terpulung kepada pastor. I think that's the pastor's prerogative.
21 I just give you one example. If I am called to the hospital and the person
22 is dying, and there is a request for baptism, then I do it. So that is me.
23 Another pastor might not do it or whatever, but so it depends on the
24 pastor and the situation and the emergency. And usually it is a threat of
25 life, or a complete feeling of crisis within one's family, within one's life.
26
- 27 **SB** Ok. Another question, Mr R. Shastri. Is there any worse situation that
28 someone will just convert to the, from another religion to Christianity
29 and they feel threatened like the someone pressure him, or someone
30 would leave him, is this a law general to like pastor asking them, you
31 cannot lie to protect yourself? But in other probably the Christianity, not
32 allow people to lie even the for the sake of their security.
33
- 34 **HERMEN** Yes. I think this is the hardest aspect of religious life. Any human being
35 must have the freedom and the right to think and reflect and choose and
36 do whatever in the life without any threat. And religion is a very personal
37 thing. It's a very deep thing. And responding to religion in our case,

1 Christianity, we believe it is act of God, so people should not be
2 threatened for exercising the right to come to believe in God.
3 Unfortunately, these are things that happen and usually, these are
4 driven by motives other than the wellbeing of persons. It's more driven
5 by ethnic consideration or inter-religious rivalry and so on so forth. So
6 we have to call it out by name, that anywhere in the world, whether
7 Malaysia or anywhere in the world, people or even within one family,
8 one child is a Buddhist, one child is a Hindu, one child is a Christian, if
9 they can live harmony, nobody should threaten to destroy that family.
10 Because human beings have a right to respond to the deepest call in
11 their heart to the divine, in their own way, and they should have the
12 benefit of enjoying that. And that is religious freedom. So it's sad if I
13 hear we have situations where people say don't say, you are this and
14 all that. These are the realities of the ground. But don't blame the person
15 who is hiding. Blame the environment. Why is the environment so
16 against religious for people to exercise their religious freedom?

17
18 **SB** Yes. Mr Hermen Shastri, I understand about the concept of religious
19 harmony. But my question is, is it pastor when teaching the Christianity
20 to someone who convert, if that convert not feeling safe to declare
21 themselves as Christian, is it ok if they lie to protect themselves for a
22 while or until that someone is safe enough to declare themselves as
23 Christian to the society? And if you are a pastor, and having followers
24 in that difficult situation, is it ok to, you will say ok if you lie to protect
25 yourself or this is not ok to lie before because this is the truth in
26 Christianity? Please explain to us.

27
28 **HERMEN** I thank you very much for that question. I think it's a very important one.
29 But I think one is that there is a religious conviction, so whatever
30 situation we find ourselves in, if I am a pastor, I shouldn't be lying, right?
31 I do my best. I'm not therefore not say that I don't lie. I also lie. But as a
32 pastor, you have to learn to be responsible to that conviction and stand
33 up to it. The second thing is that, it is easy for us to hypothetically now
34 speak about this situation. On the ground, there are so many difficult
35 issue. Say a couple come to you and say they are quarrelling with each
36 other, they want to divorce. And so how do you deal with that? So there
37 is a plan or preparation. You don't, you say don't tell the in-laws, don't

1 do this. So all these things are human factors. So as you are saying, a
2 person convert, a person don't convert, or a person one time convince,
3 the second time not so convinced, all these are human factors of a
4 person who are struggling with the religious life or religious call. So it's
5 not for us now to say you cannot ask me and say is there one pattern,
6 pastor say that? No. I can give you one example, where there was one
7 case I was called to go and get one member who was tahan by the
8 along. Dia ditahan dari ah long dengan penjara itu gangsters. Ya. And
9 so the guy (03:14:34) was there, say, 'Pastor, please help me.' So what
10 you want me to do? Say sorry, I pastor. Saya tidak campur tangan bagi
11 ini. You cannot. It's hypothetical, bukan? So as a religious person, you
12 say you try to be the most helpful you can, and to save the life to
13 keselamatan, kemanusiaan dan protect them, family or protect the
14 children. Or so all this thing with the refugee or with migrant, the same
15 thing. You show compassion and love and do whatever we can to
16 protect the weak and that what. But we do not put the burden on the
17 person who is suffering and say, 'Why you don't think right? Why you
18 don't say right?' Why you? That's not. It's not human to do.

19

20

[03:15:00]

21

22 **SB** Ok. Get you. And probably I heard you helping them even in difficult
23 situation, and you are a known person in Christian community in
24 Malaysia –

25

26 **CHM** Ms Syahar, it's 01:07PM. Can we have this as your last question?

27

28 **SB** Ok.

29

30 **CHM** Yes.

31

32 **SB** Ok. Is there Christian community in Malaysia no shelter or foundation
33 to seeking for help, if they left threatened because of moving from
34 comforting from religion or they know how, who to contact to, if there
35 are situations is worse. Is it your job in the security national (03:16:23)
36 church or it's not outside your power? It's provide shelter for the security
37 of the comforting people feel threatened or really?

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HERMEN If God provides shelter for the human being, for the salvation of their soul, the church cannot do any less. Because that is (03:16:52 inaudible). God provide shelter for all human beings created in his image. So we as a church must show love and compassion to every body in all circumstances. If there are difficult situation which have legal implication, then we have Christian lawyers to help us. So we ask –

SB Ok.

HERMEN Yes.

SB Thank you.

CHM Thank you to the observer from KontraS. With that, who will regard Dr Hermen Shastri's evidence has come to an end? And we can release him.

SK Dato' Seri, I saw Philip Koh, raised his hand. Do you want to say something, Philip?

PK Mr Chairman, with permission, very short?

CHM Yes. Alright.

PK The PDRM saudara, my learned friend, asked a very pertinent question, and somehow, the priority wasn't there not because Hermen didn't want to answer it, Dr Shastri. I think the PDRM is driven by the fact that the, there must be license to preachers with Tauliah, as they were similar to their state religious organisation. Nobody can just go to a mosque to preach, or to administer Muslim rights. But Dr Shastri, although you are, you cannot speak for the national evangelical Christian fellowship. There, there were a whole range of independent churches, sometimes the community in house church. Alright. Not even church building. Sometimes, the community in a long house you alluded to, and they could register with the NECF, and some may not register on the NECF. But as you place it, the exigencies of their ministry, they do baptise.

1 They do teach. And again, that is not something that you would
2 immediately say cannot be counted and although and you always
3 emphasise their responsibility of an institution checking and balancing
4 the independent or independence. Could you say something about
5 that?

6
7 **HERMEN** Yes. I think I am only speaking from the religious structures. I think we
8 have to look at the larger picture. We take one example. One church
9 called XYX. Ok. They do not relate to anybody. They come to Petaling
10 Jaya, and they begin to operate. So when they begin to operate, they
11 have to decide how they want to operate. They want to apply for
12 registrar of society, they want to form a company, so once they begin
13 the process of organising themselves, they become a legal entity. So
14 any authority, MBPJ can be asking that for a Christian. So there is
15 nothing secret about it.

16
17 **PK** Yes. Ok.

18
19 **HERMEN** But their right to exist is covered by the constitution. So I am only saying
20 that those who relate to us, then they can adhere to our advice, and
21 say, 'Ok. You know, in our case, these are our documentation. This is
22 what you have to give. These are the, what we decide to follow and so
23 on so forth. But any religious entity is existing in the country, have a
24 right to exist and define for themselves how they want to exercise their
25 faith, profess their faith, and propagate their faith. Of course by saying
26 that –

27
28 **PK** Thank you.

29
30 **HERMEN** There is a certain sensitivity in our country and keharmonian is a very
31 important and respect for one another.

32
33 **PK** Ok. Dr Shastri, thank you. The last point I want to take up is KontraS'
34 very important question. And somehow with respect, you
35 misapprehended it. He did not ask whether a pastor can lie. He is saying
36 that if there is an apostate murtad from the Muslim faith confronted by
37 Syariah authorities who wants to possibly reconvert them back or bring

1 them to rehabilitation camps or which you are aware of, now, can that
2 individual in that exigency of the threat to hurt his or her liberty, either
3 seek solace or shelter and do churches allow such shelter? Or do they
4 provide? And secondly, would it be truly wrong for them at that moment
5 not so much to deny their faith, but to just not say 'Yes, I am a Christian.
6 I am a murtad.' And then later perhaps seeks as again, some even
7 exiting to seek asylum elsewhere. We are fully aware of these cases as
8 in Lina Joy alright, and others. And so, I think we must confront that
9 question. And I thank my sister from KontraS because in Indonesia
10 perhaps, they have a much more commitment to their Pancasila and
11 their sekularisme rather than our more dominant institutional
12 authorities. If I understood you correctly, sister? So Dr Shastri, may we
13 have your remarks on this? Not in deep theological discussion about
14 situation in ethics, but purely as a responsible public theologian in
15 Malaysia. Thank you so much.

16

17 **HERMEN** I do not think they should be encumbrances and burdens placed on any
18 human individual. To enjoy the privilege of choosing a faith, living the
19 faith and orientating one's life according to a belief system. So if there
20 are external pressures on that as you are alluding to, Honourable Philip,
21 then I will come to you for assistance and ask the legal fraternity to
22 protect the rights of those who are suffering. The only thing I cannot
23 give an answer, the only thing I can say is, these are the realities on the
24 ground. It doesn't have to only deal with conversion. There are so many
25 factors, poverty, drug addiction, breakup of family, suicide, abortion.
26 There are hundreds and hundreds of human realities outside there. And
27 it cuts across race and religion. One HIV person come to me and say
28 he is a Muslim. What you want me to do? Go away? How can I do that?
29 Because my conviction and I am sure it is the same conviction of the
30 Hindu, the same conviction of the Buddhist, the same conviction of
31 Muslim to respond with compassion and to help the person. Now there
32 may be legal, there are difficulties or this is an illegal migrant, you know.
33 Why you are harbouring a legal migrant? Give –

34

35 **PM2** Reverend Hermen, I think you have already said that in different ways
36 in the whole morning. I think we have heard your philosophy and
37 everything. Thank you very much.

1
2 **PK** Thank you.
3
4 **PM2** Dato' Seri, I think we have. I think Dato' Seri is having problem with his
5 –
6
7 **CHM** Just a moment. Yes.
8
9 **PM2** Yes.
10
11 **CHM** Yes. I presume there will be no further question. We have exceeded the
12 time. Yes. With that, Dr Hermen Shastri, your testimony comes to an
13 end. And on behalf of the panel, I would like to thank you for willing to
14 testify before us. And we find your evidence very important and helpful
15 for our purpose. Thank you.
16
17 **HERMEN** Thank you.
18
19 **CHM** You are released now. So with that, we have come to an end for today's
20 session. Do, would we fix the date now or other day, the secretariat will
21 issue the next date of hearing. That's the position? Secretariat will issue
22 the next date of hearing? So –
23
24 **SK** Sure, Sir.
25
26 **CHM** So yes. So thank you everyone, members of the panel, observers,
27 counsel for observers, observer from KontraS, and observers from
28 SUHAKAM, thank you. Thank you. With that, I declare the session
29 closed. Thank you.
30
31 **PK** Thank you so much. Thank you, Mr Chairman and panel members.
32
33 **SB** Thank you.
34
35 **AK** Thank you. Thank you, Chairman.
36
37 **PK** Please be well, everyone.

1

2 **PM2** Stay safe.

3

4

END

5

6 **TIME :** [03:27:53]

**SUHAKAM PUBLIC INQUIRY OF
PASTOR JOSHUA HILMY
RUTH SITEPU**

DATE : 06.07.2021
VIDEO TITLE: Sesi pagi.mp4

NOTES OF INQUIRY

Coram

Chairman Panel Member 1 Panel Member 2	Dato' Seri Hishamuddin Yunus Dr Madeline Berma Jerald Joseph	CHM PM1 PM2
PDRM Observer	SAC Ahmad Dzaffir Bin Mohd Yousof ASP Muhammad Sabri bin Mohd Raziff	ADY MSR
Family Observer	Philip Koh Cyrus Tiu Foo Woei Audrey Pillai	PK TFW AP
Bar Council Observer	Andrew Khoo Lim Heng Sen Roger Chan SP Chanra	AK LHS RC SPC
SUHAKAM Panel	Simon a/l Karunagaram Muhammad Faiz Bin Abd Rahman Puveethra Raja Segaran Aida Suraya Haron	SK MFR PRS ASH
Indonesian Embassy	Tuan Junjungan Sigalingging Tuan Henry Dian Dwiarto	SJ HDD
KontraS	Syahr Banu	SB

1 **Witness**

1	Peter Pormannan a/l Annamalai	PETER
2	Grace Thangamalar a/p Peter Pormannan	GRACE
3	Josiahndan Emmanuel a/l Peter	JOSIAH
4	Ramanathan a/l Manickavasagan	RAMA
5	Selvakumar Peace John Harris	SELVA
6	Ram Ram Elisabeth	RAM
7	Iman Setiawan Sitepu	IMAN
8		
9		
10	Susandi Bin Basari	SUSANDI
11	ASP Shafiee Bin Marsidi	SHAFIEE
12	Insp Nurul Huda Bin Bustami	NURUL
13	ASP Hairol Azhar	HAIROL
14	Insp Zulfadhly Bin Yaacob	ZUL
15	DSP Supari Bin Muhammad	SUPARI
16	Iqbal Mirza Bin Mohd Jalaludin	MIRZA
17	DCP (B) Dato' Awaluddin Bin Jadid	AWAL

18	Fadzlina Binti Amran	FADZLINA
19	DSP (B) Omar bin Hassan	OMAR
20	Ahmad Sibee bin Nordin	SIBEE
21	Junainh Binti Dalugamin	JUNAINH

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1 **START**

2

3 **SK** All the parties are present now. Shall we begin the session?

4

5 **CHM** Ya.

6

7 **SK** Thank you panel members, Dato' Seri, Mr Jerald, Dr Madeline and all
8 observers and colleagues. Today's hearing is the 16th session of the
9 public inquiry. Before we proceed with panel members, may I suggest
10 that we begin the session by requesting all parties present this morning
11 to introduce themselves? I will start first. I'm, I'm Simon the, acting as
12 assisting officer for SUHAKAM. And together with me this morning is Mr
13 Faiz Abdul Rahman and also Ms Puveethra. May I invite the counsel for
14 family to introduce themselves?

15

16 **PK** Very good morning to the honourable manner, members of the panel,
17 Dato' Seri and all the honourable members. Since I have the floor, I'm
18 Philip Koh. I'm representing the Sitepu family and in that sense
19 indirectly the Joshua Hilmy in sense. Together with me is my learned
20 colleague, Ms Audrey Pillai. Mr Cyrus Tiu is have a commitment in a
21 legal aide side things and some work. He may or may not join us later.
22 So, as the voices of the floor, I would like to say a few words of deepest
23 apology. Mr Chairman Dato' Seri, I personally have apologise to the
24 other members but officially now I do so. I am, I have no excuse for not
25 joining at 09:30AM. I only can plea in mitigation. My mitigation is that I
26 had tremendous problem with my laptop even though I paid a
27 handsome price for it. And because of that I was sadly dislocated and
28 not being able to focus as well. Due to that, there was some glitch. I
29 then did not pay attention that yes this morning is in fact a closed
30 hearing. I apologise not only to you, I mean to other panel members,
31 also to my all my learned colleagues, also from PDRM and SUHAKAM
32 colleagues which are gracious and KontraS coming all the way from
33 Indonesia and other members who are present as observers, my
34 learned friends from Bar Council. With those mitigating remarks, I told
35 Mr Jerald that I stand ready to be held in contempt of the Tribunal. But,
36 Dato' Seri, I know you are gracious and merciful. For the quality of
37 mercy do fall like the dew from heaven and I do now plead for that. And

1 with that remarks, I'm so happy that I could join with a short caveat that
2 my laptop still have some issues. If it does have some issues, I have to
3 switch on my handphone. So, if you see another Philip Koh panel
4 coming up, please don't be surprise. But, in the event everything failed,
5 my trusted colleague, Ms Audrey Pillai would be able to continue. I'm
6 so happy that she could join us this morning. So, once again I crave the
7 indulgence and graciousness of the learned members of the panel and
8 my fellow colleagues. Thank you so much.

9

10 **SK** Thank you, Philip. May I invite observer from PDRM?

11

12 **ADY** Assalamualaikum Warahmatullahi Wabarakatuh and a very good
13 morning, Yang Arif, Dato' Seri Chairman, panel commissioners and
14 members of this session. Myself, I am SAC Ahmad Dzaffir Mohd
15 Youssof. And together with me this morning is DSP Muhammad Sabri
16 from PDRM. Thank you, Yang Arif.

17

18 **SK** Thank you Tuan SAC Dzaffir. May I invite the representative from the
19 Bar Council?

20

21 **AK** Good morning honourable commissioners. My name is Andrew Khoo. I
22 appear on behalf of the Bar Council Malaysia as an observer. I am here
23 today together with my learned friend, Ms Chanra Ponnudurai. My other
24 colleague, Mr Roger Chan extends his apologies for not being able to
25 attend this morning. Sadly his sister passed away this morning and so
26 he has to attend to family arrangements. Thank you.

27

28 **SK** Thank you, Andrew. Last and not least, an observer from KontraS.

29

30 **SB** My name is Syahar Banu. I'm from advocacy division in KontraS. I'm on
31 behalf of family of Ruth Sitepu in Jakarta. Thank you.

32

33 **SK** Thank you. Dear panel members and observers, I would like to inform
34 you that the inquiry session today has been divided into two parts. The
35 first session in morning, this will be held in camera of two session where
36 SUHAKAM officer, assisting officer will tender documents from
37 SUHAKAM's correspondence with agencies namely MCMC, Maxis,

1 Maybank and also JAIS. And after we are done with the
2 correspondence on SUHAKAM site, there's also request from Mr Philip
3 Koh also to tender evidence in camera in, during this morning session.
4 So, we hope we can conclude everything during the morning session,
5 with camera session. While the afternoon session is a session open to
6 viewers of public and also media. We are expecting a witness from
7 Malaysian Immigration Department to testify before the panel members.
8 So, that is the arrangements of the inquiry of this, for today's session.
9 So, if there's any questions or any matters from anyone?
10
11 **CHM** Have the documents been given an advance, Simon?
12
13 **SK** Dato' Seri, yes. We have sent the documents to the observers. Yes, but
14 my apology send my apology to KontraS. We overlooked and we did
15 not send to KontraS. Minta maaf, Ibu. We will be sharing it with you. But
16 for legal counsel of family members, the PDRM and also Bar Council,
17 we already send in advance.
18
19 **CHM** So, the documents will be shown on screen as we go along, kan?
20
21 **SK** Yes, yes.
22
23 **CHM** Ok. Yes. Ok, we begin with the first document, yes.
24
25 **SK** Alright. So, may I invite Mr Faiz to proceed? Thank you.
26
27 **MFR** Thank you, Mr Simon. With permission Yang Berbahagia Dato' Seri,
28 panel member and observers, Assalamualaikum dan selamat pagi.
29 Seperti yang dimaklumkan oleh En Simon tadi, SUHAKAM telah
30 menerima maklum balas dan dokumen daripada agencies seperti
31 Maxis, SKMM, Maybank dan JAIS dan dokumen ini juga telah
32 diserahkan kepada pihak observers melalui surat SUHAKAM bertarikh
33 03.06.2021. Izinkan saya untuk tender surat SUHAKAM sebagai Exhibit
34 112. So panel members, Yang Berbahagia Dato' Seri, surat ini saya
35 tandakan, kita tandakan sebagai Exhibit 112. Baik, untuk seterusnya,
36 saya akan mulakan maklum balas daripada JAIS. SUHAKAM telah
37 mengemukakan permohonan surat kepada JAIS melalui surat bertarikh

1 21 September untuk mengetahui jika terdapat sebarang kertas siasatan
2 yang pernah dibuka oleh JAIS terhadap Joshua Hilmy. Berdasarkan
3 maklum balas surat bertarikh 2 Oktober, JAIS memaklumkan tiada
4 sebarang maklumat tangkapan mahupun siasatan terhadap Joshua
5 Hilmy dan Ruth Sitepu berhubung pelanggaran mana-mana seksyen
6 dan enakmen jenayah syariah Negeri Selangor. Dengan izin Yang
7 Berbahagia Dato' Seri, panel members, dokumen ini ditandakan
8 sebagai Exhibit 112A. Saya buka soalan kepada pihak observers jika
9 terdapat sebarang soalan berkaitan dengan dokumen ini.

10

11 **CHM** None, if none then we proceed to the next document.

12

13 **MFR** Terima kasih kepada Dato' Seri. Untuk seterusnya, SUHAKAM telah
14 membuat permohonan kepada pihak syarikat telekomunikasi Maxis
15 melalui surat bertarikh 31.03.2021 untuk mendapatkan maklumat
16 mengenai nombor telefon Joshua Hilmy dan Ruth Sitepu yang telah
17 diperolehi daripada Saksi ke14 iaitu Inspektor Zulfadhly. Antara
18 permohonan maklumat yang dipohon daripada pihak Maxis adalah
19 maklumat lengkap pemilik nombor, jenis pelan yang digunakan oleh
20 pemilik, maklumat kali terakhir nombor tersebut aktif, lokasi terakhir
21 nombor tersebut digunakan serta panggilan keluar masuk ataupun call
22 log bagi ketiga-tiga nombor Joshua Hilmy dan Ruth Sitepu. Hasil
23 daripada permohonan ini, SUHAKAM telah menerima maklum balas
24 bertarikh 07.04.2021. Dengan izin Yang Berbahagia Dato' Seri,
25 dokumen ini ditandakan sebagai Exhibit 112B. Jadi, berdasarkan
26 dokumen ini, dimaklumkan bahawa terdapat tiga nombor yang
27 didaftarkan. Antaranya adalah 012-██████ telah didaftarkan pada,
28 didaftarkan di atas nama Hilmy Bin Hanim. Nombor ini telah diaktifkan
29 pada 22.12.2013 dan tarikh tamat adalah 19.02.2017. Bagi kedua-dua
30 nombor 011, nombor ini telah didaftarkan di atas nama Ruth Sitepu dan
31 tarikh diaktifkan adalah 18.08.2012 dan tarikh ditamatkan adalah di
32 antara 7 April dan 06.04.2017. SUHAKAM juga telah, untuk makluman,
33 SUHAKAM juga telah mengadakan perbincangan lanjut dengan pihak
34 Maxis untuk mendapatkan maklumat ataupun penerangan berkaitan
35 dengan data yang disimpan oleh Maxis. Jadi, pada 29.03.2021, satu
36 perbincangan dengan pihak Maxis bersama SUHAKAM telah
37 dijalankan. Hasil daripada perbincangan ini, SUHAKAM telah

1 dimaklumkan bahawa jika pengguna menggunakan pelan prepaid,
2 penyimpanan data seperti rekod panggilan masuk hanya tersimpan
3 selama tiga bulan sahaja. Ini juga bergantung kepada kali terakhir
4 nombor tersebut aktif. Manakala bagi pelan postpaid, data yang akan
5 disimpan sehingga tujuh tahun selagi mana nombor tersebut aktif.
6 Berkenaan dengan maklumat lokasi pengguna, Maxis hanya boleh
7 mengesan lokasi dalam tempoh 24 jam sahaja apabila nombor tersebut
8 aktif. Jika nombor tidak aktif, maklumat tersebut tidak direkodkan. Maxis
9 hanya mempunyai rekod tarikh akhir, rekod tarikh sesuatu nombor
10 tersebut aktif dan tarikh tamat nombor tersebut diaktifkan. Jadi, bagi
11 ketiga-tiga nombor milik Joshua Hilmy dan Ruth Sitepu ini telah
12 didaftarkan di bawah prepaid. Saya buka soalan kepada pihak panel
13 members ataupun observers tentang dokumen ini. Baik, dengan izin
14 Yang Berbahagia Dato' Seri, saya teruskan dengan, sorry?
15

16 **PK** Hello? Hello?

17
18 **MFR** Yes.

19
20 **PK** Hi?

21
22 **MFR** Yes, Mr Philip, is it?

23
24 **SK** Mr Philip, you have to mute one of your device and just unmute the
25 other one.

26
27 **PK** My buddies is not good? Ok, I'll try this way. Apologies. I switch on my
28 hand phone. Can you hear me?

29
30 **MFR** Yes, can now, Sir.

31
32 **PK** Faiz, can you hear me? Hello?

33
34 **MFR** Yes, yes. Ok, carry on.

35
36 **CHM** Loud and clear now.

37

1 **PK** Can you all hear me?
2
3 **CHM** Yes, yes, yes, Mr, Mr Koh.
4
5 **PK** Can you all hear me?
6
7 **SB** Yes.
8
9 **PK** Sorry, apologies for holding back. If I understand Faiz, your clarification,
10 I really appreciate it. May I have permission to speak, Dato' Seri?
11
12 **CHM** Sure.
13
14 **PK** Thank you, thank you. The explanation of Maxis over this exhibit just for
15 clarification and I think that you have explained very well in Bahasa,
16 these are prepaid handphones and because it's prepaid, the, any usage
17 of it can only be monitored in their database for 24 hours. Is that correct,
18 Mr Faiz? Sorry, I'm not examination, just clarifying.
19
20 **MFR** Sorry, Mr Philip. The, the clarification is for, to locate the location of the
21 user can be locate only in 24 hours. And for the data, it can be spotted
22 until three months.
23
24 **[00:15:00]**
25
26 **PK** The data could be, the data about whether it's being used can be for
27 three months?
28
29 **MFR** In terms of call log. The call history.
30
31 **PK** Ok. With that, could I just ask was there a request from SUHAKAM
32 following that to say are there call logs from the period that we believe
33 that both Ruth or Joshua Hilmy or Hilmy Bin Hanim as his registered
34 username in Maxis during the period where the case for the family, he
35 has allegedly been disappeared with Ms Sitepu. Was there a request
36 for call logs during the period that we believe that they stepped out of
37 the Kelana Jaya house, they no longer was in communication?

1
2 **MFR** Yes, Sir. We have requested then the Maxis explained that they can
3 only, can be traced back if the numbers is available only three months
4 before. But when we requested, it's already two years.
5
6 **PK** Ok. Now, now I'm clearer now. Thank you for that because what you
7 did follow up and say yes, what about call logs during the period but
8 because it can only be held for three months is it, you say?
9
10 **MFR** Yes.
11
12 **PK** And because by the time the request is made, the data has been
13 erased. Since as reported in this letter, this connection was already
14 made because the prepaid was not active anymore, was not top up
15 anymore, right? Yes.
16
17 **MFR** Correct, Sir.
18
19 **PK** Yes, I understand now. I understand that clarification. That's very
20 helpful, Faiz. I appreciate it very much and I think that there's then
21 nothing more we can do because the critical period is of course during
22 the period of any call logs.
23
24 **MFR** Yes.
25
26 **PK** If then no longer available in any database, then obviously we have
27 done what we can to see whether or not that period of time. So, even
28 all the call logs during the period has, is no longer –
29
30 **MFR** Available. Yes.
31
32 **PK** Which is really sad because not just about the period of disappearance.
33 We, we would have been interested to know whether there were text
34 messages from various phones, alright, during the period which from
35 our observation that could well be and perhaps phones which may allow
36 us to make some circumstantial inferences or tracing of the same as to
37 whether parties who are alleged to have been involved in our case that

1 they have been disappeared. Thank you for the clarification, Faiz and I
2 have no further questions. Unless my co-counsel, Audrey has anything
3 to add? Audrey?
4

5 **AP** Yes, I do have some questions to add. And this is actually in relation to
6 the earlier letter which is Exhibit 112 and that is the MCMC letter. So, if
7 we look at that exhibit, paragraph 2 says that there are no records of
8 the details of calls that are made available and we would actually want
9 to find out why is that so? On what basis is MCMC saying that they are
10 not able to provide this?
11

12 **CHM** Hold on, hold on. En Faiz, we haven't come to, I think we haven't come
13 to MCMC, kan? Kita start dengan JAIS.
14

15 **MFR** Yes. Yes, Yang Berbahagia Dato' Seri.
16

17 **CHM** Lepas itu kita now on Maxis.
18

19 **AP** Ok, so we are just –
20

21 **CHM** Haven't come to MCMC yet, Audrey. We'll come to it.
22

23 **AP** My apologise panel members. So, I will just focus on Maxis first.
24

25 **MFR** Yes.
26

27 **AP** So, for Maxis, based on what Faiz has mentioned, they are not able to
28 give any further details because of the timeframe. And so, the only thing
29 that we would need to find out is that apart from the inspector who gave
30 evidence on the last occasion, there were no other request made by the
31 police. So, once we are confirmed on that, then we are able to submit
32 as far as Maxis is concern. So, just to confirm the fact that other than
33 the evidence given by the inspector on the last date on 11th January,
34 that there were no other request made to Maxis by the police at the
35 relevant time when the information was available. That is the only
36 question that I have in relation to the Maxis information.
37

1 **PK** May I add, Mr Chairman? Ms Pillai's question is very pertinent because
2 that period of investigation could possibly be well within the three
3 months. We need to know whether the PDRM did make an inquiry
4 during that period because if they did not do so, that is a point which we
5 may and I would be very transparent about it. Make a submission in
6 regard to the terms of reference to this inquiry.
7

8 **CHM** That would have been a question addressed at the PDRM witness when
9 the relevant witness was satisfying, wouldn't it?
10

11 **PK** Dato' Seri, perhaps this is more, I think there were questions put to the
12 police during that period as to what steps they took to investigate. And
13 if I recollected, Ms Audrey you must help me to refresh my memory,
14 they, there was no direct, when we were cross-examining, questioning
15 the PDRM inspector, there was no reference by the learned inspector
16 about the fact that they did inquire to the telcos in respect of any call
17 logs. So, in that sense, we did not put the question there. I do, if, let me
18 just concede that with, with some reservation. We need, I need to
19 refresh my memory. But it is still a relevant question to ask Maxis and I
20 am, this is not a fault we are finding in about SUHAKAM inquiry to
21 Maxis. Perhaps, although I do not wish to prolong any hearings, a
22 question could still be follow up of this letter to Maxis that we now
23 acknowledge that, you say that there are call logs for a prepaid
24 telephone can only be preserved for three months. During that relevant
25 three months, alright, were there any inquiry from any regulatory
26 authority in particular from PDRM as to the call logs? And if they just
27 have to reply, not on the records of there is no such inquiry, that's
28 satisfies us, yes. That's our request. If that is not something too
29 burdensome and we are requesting that formally.
30

31 **CHM** Mr Koh.
32

33 **PK** Yes, Dato' Seri.
34

35 **CHM** Are you suggesting that SUHAKAM put up a follow up question to
36 Maxis?
37

1 **PK** Yes, a very brief one paragraph or short paragraph request
2 acknowledging and thanking them for their explanation but merely to
3 request that during that period before the deactivation on 7th April and
4 6th April and 19th February for these three phones of 2017, during the
5 relevant period leading up to the deactivation, were there any request
6 or investigation done by in particular the PDRM? Because that period
7 there was already an issue of them being disappeared.
8

9 **CHM** I'm just speculating an answer from Maxis but we don't have such
10 record. We don't have this record unless speculating. You know, typical
11 kan?
12

13 **PK** I do not really wish to prolong this, this matter. If a short letter like that
14 be given and then the reply comes, there will be no follow and, and the
15 reply can be given to everyone then. Maybe prior to our completion of
16 our final submissions, alright.
17

18 **CHM** But can you check up on the notes on, of evidence? Probably when the
19 relevant inspector –
20

21 **PK** Yes.
22

23 **CHM** Maybe SAC Dzaffir could help us, kan?
24

25 **ADY** Ya, Dato' Seri. Ya.
26

27 **CHM** What was testifying?
28

29 **ADY** Can I just check?
30

31 **CHM** Maybe this, this question dah tanya pun, kan?
32

33 **ADY** Ya, Dato' Seri. Just allow me to chip in. On our records on statement of
34 IW14 in which is the Inspector Dzulfadhly, in his statement, he has
35 testify that Sarjan Ahmad Sibee on April 2017 had made the request
36 from the relevant telco, telco provider as well as SKMM and the reply
37 received by telco especially DiGi and Celcom which they have replied

1 negatively. However, for Maxis they have replied which stated as, as it
2 is in the paparan in our screen here. And also they come out with the
3 statement that Maxis juga menyatakan, 'Tiada rekod panggilan keluar
4 dan masuk disebabkan pengguna adalah prepaid.' So, I'm quoting back
5 what the IW14 witness statement the other day. Thank you, Dato' Seri.
6

7 **CHM** Bermakna PDRM did raise the issue lah, kan? Raise issue.
8

9 **ADY** Yes, I'm just quoting back IW14 statement which he has also quoted
10 the reply from Maxis that Maxis juga menyatakan tiada rekod panggilan
11 keluar what is because of the usage of prepaid phone, Dato' Seri.
12

13 **CHM** I see. Yes.
14

15 **ADY** Yes.
16

17 **CHM** So, it's just not a question of three months? It's not a question of three
18 months. Just the record problem that it is a prepaid, yes? That's the
19 other problem, kan?
20

21 **ADY** It's because of prepaid, Dato' Seri.
22

23 **CHM** With that explanation by, I'm obliged En Dzaffir. With that explanation
24 by En Dzaffir, En Philip Koh and, and Ms Audrey, would that suffice?
25 Well, shall we allow the matter to rest?
26

27 **PK** Much obliged, Mr Chairman. I really appreciate that SAC Dzaffir. I would
28 now withdraw the request and I much obliged with the refreshment of
29 the memory. Do appreciate it SAC. Thank you very much.
30

31 **ADY** (00:28:04 inaudible).
32

33 **PK** Thank you.
34

35 **MFR** Dengan izin, Yang Arif, Dato' Seri.
36

37 **CHM** Alright. Ya.

1
2 **MFR** Boleh saya teruskan?
3
4 **CHM** Next document? Ok.
5
6 **MFR** Baik. Untuk dokumen seterusnya adalah maklum balas daripada
7 MCMC. Berdasarkan Exhibit 76A sehingga 76I yang dikemukakan
8 sebelum ini mengenai emel perbualan di antara Joshua Hilmy –
9
10 **AK** Dato' Seri, can I, this is Andrew Khoo. Can I ask a question about the,
11 the Maxis statement?
12
13 **CHM** Sure.
14
15 **AK** Just, just, just to, to seek some clarification if, if it's possible. My, my,
16 my observation really is this, that if you look at the Maxis statement, it
17 says that the three phones were discontinued. Two were discontinued
18 in April 2017.
19
20 **CHM** Sebentar, sebentar, sebentar ya. En Faiz, kita, kita jangan papar yang
21 MCMC dulu on screen. Patah balik. Papar ke yang tadi. Maxis tadi ya.
22 Ya.
23
24 **AK** So, I'm, I'm just seeking clarification, Honourable Chairman. We see
25 here that the two phones registered under the name of Ruth Sitepu was
26 discontinued one on the 7th April, one on the 6th April. And then for
27 Joshua Hilmy, it was discontinued on the, is it the 19th? 19th February.
28 Do we know what is the policy of Maxis as to how or when or why they
29 discontinue a prepaid phone?
30
31 [00:30:00]
32
33 **CHM** That I'm afraid Mr Khoo, only Maxis could answer.
34
35 **AK** In light of that, maybe if I can take out my learned friend, Mr Koh's
36 request to actually put up a supplementary question.
37

- 1 **PM2** Just a moment Andrew and Dato' Seri. Faiz, I think there is information
2 provided for them on the, when it gets disconnected. I think this was
3 informed by them that the period when it is not used after how many
4 months it gets disconnected?
5
- 6 **MFR** Three months for prepaid.
7
- 8 **PM2** So Andrew, if the phone is not active for three months, then it
9 automatically gets disconnected.
10
- 11 **AK** Thank you for that clarification which brings me to my sort of follow up
12 question. If according to the testimony that has been raised before this
13 inquiry that Ruth and Joshua left the house in November of 2016, and
14 if we apply the three months rule that it seems, right, then November,
15 December, January, February, three months, you get into February
16 2017 and, and that could explain why Joshua Hilmy's prepaid phone is
17 disconnected in February 2017. But April is five months from November.
18 So, then the question that, that I would have is you know, if it is three
19 months, then was there some activity on the phone in what, January?
20
- 21 **MFR** I think, sorry, Mr Andrew. I think the answer that I given before is three
22 months valid for the data to be kept in the Maxis database. For the
23 activation number, I'm not sure how. I think only Maxis can answer that
24 question.
25
- 26 **AK** Ok. So, I mean so, could we get some clarification from Maxis then by
27 way perhaps as, as Mr Koh has originally suggested by way of
28 supplementary question, follow up question?
29
- 30 **PK** Mr Andrew,
31
- 32 **AK** On, on what basis –
33
- 34 **PK** Mr Andrew, can I intervene here? Thank you. If you are piggybacking
35 on my request, I have withdrawn my request. So, unless you are making
36 it independently. Because I'm satisfied with the explanation. And if I
37 understand you correctly, I'm sorry, I don't mean to disagree with you

1 but I just need to say that from the letter if we read it carefully, a prepaid
2 situation is when is no longer top up or being used, I think this is fairly
3 common knowledge and part of prepaid package, they were
4 automatically discontinue that. So, I do not quite understand why but
5 perhaps you have your reason and perhaps you could explain. I'm not
6 trying to say that you should not request but you cannot then say that
7 my request is still on the table. I have withdrawn my request because I
8 am satisfied with the SAC's explanation. My sole goal was to say, to
9 understand whether the PDRM had taken steps during the period and
10 I'm, I'm satisfied insofar that they did try as to what I would say in my
11 submission, I will reserve my answer. Thank you.
12

13 **AK**

14 Thank you for that. I'm just relying on the idea that you raised, not so
15 much on your request, Mr Koh. So, but so, I would make the request to
16 seek clarification. Again, I mean it's a just simple mathematics. So, I'm
17 just a little curious. If you don't pay, you don't top up, whatever the
18 reason and you disconnected. Then why is there a difference in date
19 between the disconnection of Joshua Hilmy's mobile telephone and the
20 two phones registered under Ruth Sitepu. If they both you know, left the
21 house you know, disappeared as alleged on the same date, why is you
22 know, there two months extension or two months further for the two
23 phones registered under Ruth Sitepu compared to the phone registered
24 under Hilmy Bin Hanim. It's just a curiosity perhaps but you know, it
25 seems to be a curiosity that perhaps could be explained. It's just my
26 request.

27 **PM2**

28 Mr Andrew, the curiosity is a valid curiosity. So, I think your timelines
29 are right. November, three months is Hilmy three months in February is
30 correct. But what you are trying to submit I think which you can do later
31 is that the phone was active in January according to Ruth, if we are
32 using the three months information, so from November to January, you
33 are trying to tell the panel that the phone was active. But the only
34 drawback is that we cannot get anymore date where the phone of active
35 because there's no more call logs. So, by mathematics, you can make
36 that case which means that one phone was not use since the November
37 point. But another phone seemingly from this formula was used until
January. That's what you are trying to make, But that data cannot be

1 derived now if I'm understanding right from the submission of the
2 SUHAKAM officers because they don't keep anymore of those call logs
3 on what is in and what is not. So, we can't even get any verification. So,
4 as best is that you cannot get the details that you need but mathematics
5 wise, if the mechanic is three months, then you are right, January...
6 November to January it remained active. That is what an understanding
7 that you are trying to say, Andrew?
8

9 **AK**

I mean, I think the honest position is that we don't know whether it was
10 active or not. It's just a question of there seems to be a difference in the
11 discontinuation, disconnected date of, of two months and I supposed
12 my question is why. And then if the police did make an investigation,
13 again, the question is, I mean, I think the first report of them being
14 missing was made sometime in February. So, of course if the PDRM
15 did make inquiries immediately in February, then they would have got
16 the answer that well, you know, Hilmy's phone is no longer active for
17 three months and we don't maintain any data. But then, if in February
18 or even in March PDRM made inquiries of the two phones belonging to
19 Ruth Sitepu, then it would appear that there could be a data because it
20 were, they were only disconnected in April.
21

22 **ADY**

Dato' Seri, from PDRM.

23
24 **CHM**

Yes.

25
26 **ADY**

Just for the record from IW14 statement that we requested to Maxis for
27 the data to be collected on the 20.03.2018. So, if you look at the
28 disconnection date is on February 2017. So, it should, if you taking the
29 analogy of three months data to be kept by Maxis, so I think you should
30 be surprised. So, that's why when we received back the, we received
31 the reply from Maxis, they have only stated that they have no records
32 of calls in and calls out as because of this user is on prepaid service.
33 But I think the date, the timeframe is still in accordance to the three
34 months limitation, I mean not limitation, the three months period. Thank
35 you, Dato' Seri.
36

1 **CHM** Mr Khoo, do you still want to pursue your line of questioning? What
2 value, evidential value would it, would it add to our inquiry?
3

4 **AK** Dato' Seri, I would want to pursue only to in the sense you know as
5 laminate just the, the factual of the point that why was there you know
6 a two months difference in the disconnection date between two phones
7 on the one hand and one phone on the other if you know, basically there
8 is no activity, there is no top up you know, within the particular time.
9 Would that difference rules or it is just an oversight on the part of Maxis,
10 whatever? Just to explain the different dates.
11

12 **CHM** Well, I may suggest could you write in to us? Could you write in to us to
13 this panel in writing your propose line of inquiry that we should pursue
14 with Maxis?
15

16 **AK** Very well, Dato' Seri. I will do that.
17

18 **CHM** Can you do it fast? Because we want to put a closure to this inquiry as
19 soon as possible.
20

21 **AK** Yes.
22

23 **CHM** Yes, yes. Any further inquiry should be balanced with value added,
24 What value will it help us to inquire into the disappearance of Joshua
25 and Ruth. We mustn't lose sight of the object of our inquiry. Yes, we
26 don't want to go into you know, trivialities for the sake. Yes, of course
27 we do respect to of course you might have your valid reason, yes, but
28 can you write in to us?
29

30 **AK** Most definitely, Dato' Seri.
31

32 **CHM** Yes? Will next, next few days for us to consider whether there are merits
33 to pursue the matter further, yes. And please phrase your question
34 clearly and with the necessary justification. Alright, Mr Khoo?
35

36 **AK** Yes, Dato' Seri. Thank you very much.
37

1 **CHM** Yes, we, we will reply to you accordingly whether we find that there is
2 merits to pursue further with Maxis or we just leave a matter there.
3 Alright? Yes. Ok. Ok.
4
5 **MFR** Ok, boleh saya teruskan Dato' Seri.
6
7 **CHM** We move, we move on to the next document. Yes.
8
9 **MFR** Baik. Ok, untuk dokumen seterusnya seperti yang saya maklum
10 sebelum ini, kita telah memohon maklum balas daripada pihak MCMC.
11 Maklumat yang dipohon adalah akses kepada akaun emel iaitu
12 loshruth2005@yahoo.com, ruthsitepu@yahoo.com dan
13 wifiguri12376@yahoo.com. Kita juga telah memohon sekali berkaitan
14 dengan rekod panggilan bagi tahun 2015, 2016 nombor telefon milik
15 Joshua Hilmy dan Ruth Sitepu. Dengan izin Yang Berbahagia Dato'
16 Seri, panel members, exhibit ini, dokumen ini ditandakan sebagai 112C.
17 Hasil daripada maklum balas daripada SKMM bertarikh 25.01.2021,
18 nombor yang didaftarkan adalah 011 [REDACTED] dan 011 [REDACTED]
19 didaftarkan di bawah nama Ruth Sitepu. Seperti yang dimaklumkan
20 sebelum ini juga, rekod panggilan bagi kedua-dua nombor tersebut
21 tidak lagi tersebut di dalam rekod bagi tahun 2015 dan 2016.
22 Berhubung dengan akses akaun emel, SUHAKAM telah dimaklumkan
23 bahawa MCMC tidak mempunyai akses secara langsung terhadap
24 maklumat yang akaun Yahoo Mail kerana ia adalah di bawah kawalan
25 pihak Yahoo yang berpangkalan di luar negara. Selain itu juga,
26 peruntukan di bawah Akta Komunikasi Malaysia 1998 juga tidak
27 memberikan punca kuasa khusus kepada MCMC untuk memperoleh
28 atau mendedahkan maklumat mengenai pengguna internet kepada
29 pihak ketiga. Berdasarkan dokumen ini juga, SUHAKAM telah
30 mengadakan perbincangan lanjut dengan pihak MCMC pada tarikh
31 23.03.2021. Hasil daripada perbincangan ini, SUHAKAM juga telah
32 dimaklumkan bahawa pihak berkuasa yang ingin memohon maklumat
33 dan bantuan daripada pihak MCMC perlu melalui proses perundangan
34 dengan Jabatan Peguam Negara. Oleh yang demikian, SUHAKAM
35 perlu mengadakan satu perjanjian persefahaman yang dikenali sebagai
36 virtual legal assistant di antara SUHAKAM dan agensi. Selain itu juga,
37 SUHAKAM telah mendapatkan maklum balas daripada Yahoo

1 Malaysia bagi membantu siasatan SUHAKAM. Walaubagaimanapun,
2 SUHAKAM telah dinasihatkan untuk berhubung dengan pihak
3 berkuasa Singapura di mana Yahoo hanya akan memberikan
4 maklumat mengenai pelanggan mereka jika terdapat valid dan binding
5 request di bawah undang-undang Singapura yang telah diluluskan. Itu
6 sahaja maklum balas daripada SKMM, Dato' Seri. Saya buka kepada
7 soalan, sebarang soalan.
8

9 [00:45:00]

10
11 **PK** I do not have any direct question. Ms Audrey, do you have any
12 questions? With permission, Dato' Seri.
13

14 **AP** Honourable panel members, my questions in relation to the MCMC
15 letter would be whether or not their ambit is wider than Maxis in relation
16 to the calls? Are they also bound by these three months period where
17 the call records are maintained or do they have a wider ambit? We don't
18 see that being addressed. With relation to the emails, we seem to hit
19 end of the road whereby they are saying that it's AG chambers that we
20 need to be relating with and I believe Mr Philip Koh has already
21 addressed that. So, those would be my questions in relation to MCMC's
22 letter. Thank you.
23

24 **PK** Thank you, Ms Pillai. Could I now just add to what Ms Pillai say? Thank
25 you, Saudara Faiz. Paragraph 3 of the exhibit that is in the share screen
26 is critical in my view, respectful view, Mr Chairman and members of
27 panel. In particular, the email that is described as
28 wifigurl12376@yahoo.com because that is the one has tendered in
29 exhibits earlier where there is a representation of a VVIP, our saudara
30 from PDRM would characterised the individual as a certain minister,
31 alright, and in the sense that created the, the situation where upon my
32 client's sister, Ms Ruth Sitepu and her spouse were very agitated
33 because they assume they were dealing with a VVIP. With that in mind,
34 this particular email and whoever manages this email, in a way is a
35 critical component of whether or not this individuals or parties behind
36 this email of which there is a cache of snapshots or screenshots of
37 emails that has already been tendered in a close session to SUHAKAM,

1 is deeply significant and we, this is a matter that definitely we would like
2 to pursue as to the inability of the Multimedia Commission to have
3 access because this is Yahoo platform. I am not an IT expert and let us
4 assume that Multimedia Commission is answering that in objective
5 good faith. The next question that we need to ask as I mentioned in an
6 earlier hearing when we were made aware of the constrains of
7 multimedia and further to that, as to the attorney generals chamber, I
8 would say reluctance or slowness in responding to giving us more
9 permission to ask as of the investigation on this matter has resulted in
10 a sense of this may on part of us as counsel for the family. So, it is
11 critical in this matter that the role of, I will, assuming in good faith
12 multimedia has given us an answer. Now, the role shift us to the police,
13 PDRM and also the attorney generals chamber and the question I will
14 repost, yes, ought to be put on record is why the Government agencies
15 cannot assist whether through their enforcement power or relationship
16 with some international body that manages the platforms? As I post the
17 issue, remember Mr Chairman I mention also is it possible therefore
18 and of course I am extrapolating that someone using a Yahoo platform
19 or Google or Gmail or Hotmail can then wedge war, I mean or, or
20 economic war fair or, or massive hacking attack on our systems and
21 multimedia Malaysia, PDRM, an AG chambers is helpless to know the
22 identity or at least reach out to international bodies. For example,
23 Interpol, alright, for assistance as to who has ownership of this email
24 because this is critical and so we would like to pursue this line of inquiry.
25 Thank you, Mr Chairman, for your patience.

26
27 **CHM** Any other comments? En Faiz.

28
29 **MFR** Ya, Dato' Seri?

30
31 **CHM** Para 3 itu yang di bawah AKM 1998 itu apa itu? Akta apa itu?

32
33 **MFR** Komunikasi Malaysia.

34
35 **CHM** The MCMC punya akta lah?

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37 **MFR** Bukan, Dato' Seri.

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Bukan?

Saya rasa SKMM dia ada akta dia sendiri tapi ini yang dirujuk adalah Akta Komunikasi Malaysia.

Akta Komunikasi Malaysia ya?

Betul, Dato' Seri.

Dia kata tidak memberi punca kuasa kepada pihak MCMC untuk, they don't they don't have the power ya? I see. MCMC wouldn't have the power under, under this particular act.

Mr Chairman, the interesting point doesn't, it seems to imply that MCMC has no power to disclosed information regards to the use of this internet for third party, alright. Mr Chairman, surely this is for jurisdiction notice, I would put in. Does it mean that even the police can't investigate wifigurl123, who is the registered of that? Surely then we can then now register a Yahoo account and commit sedation and high crime in Malaysia and Multimedia Commission is saying they can't disclose it to third parties. I understand you cannot disclosed to all and sundry, but we are talking about a serious alleged offence of disappearance of someone and it may well be individuals or parties. It may well be, no way of us proving in direct evidence, the wifigurl operator has this involved in this whole enterprise. Now, I accept it as a general statement that normally a request to MCMC by civil parties for disclosure of who is the email which could be in pseudonym as in this wifigurl although impersonating certain minister even photoshopping a letter crest which is quite badly done actually. That's why I never did pursue this in earnestness because as I said it's never our intention to try to draw a polemical argument or to seek to embarrass or bring into maturity issues that perhaps have no validity. But insofar the ownership of wifigurl, we are committed to find an answer and with greatest respect to MCMC, if they are saying that there is no way for them to disclose to third parties, surely that doesn't include disclosure to a law and enforcement authority and a body like SUHAKAM, alright, that is vested

1 with powers of investigation. Now, I would now make the second
2 submission. If MCMC is merely hiding behind a generate arguing from
3 sub silentio they call it in Latin, Dato' Seri you appreciate, that there is
4 silence in the act that do not mandate or unable them to disclose, I'm
5 afraid that is not adequate for us. I'm afraid that with respect, may I
6 respectfully request SUHAKAM to remind them that SUHAKAM can
7 subpoena and we can now subpoena, we can, I would like to
8 respectfully request if letters to do not do the thing, subpoena the CEO
9 of MCMC, alright or the relevant technical officer and say, 'Tell us now
10 about who owns wifigurl Yahoo?' Now, let me just posit a hypothetical.
11 The gentleman or lady would say, 'First, we do not know and we can't
12 because our jurisdiction is only domestic.' I'm just hypothetical trying to
13 lift their case, alright. 'And we don't have extra legal reach.' Now, I do,
14 let me respect that for a moment but being a body set up by Malaysia
15 parliament, they would have relationship with international bodies and
16 that is a fact. They have relationship with registration of emails and
17 there are an international body govern in this. We need to come down
18 to a specificity as to the limits of MCMC par. But the main issue would
19 be, with respect again, I do not for one moment imagine that if the
20 PDRM visits MCMC and say it's very, very important. Who owns this
21 email because there's a threat in this email committing high sedation
22 against perhaps Yang Dipertuan Agong or treason, alright, or about to
23 wage a war, or massive AMLA activities is taking through this email?
24 Are we saying, are we to be made to believe that MCMC is helpless?
25 That is, they can actually tell the police and say, 'Sorry, we can't help
26 you. Can you go away?'

27
28 **CHM** Mr Khoo, Mr Khoo, Mr Koh?

29
30 **PK** Yes.

31
32 **CHM** Can I interject here? I, I get you that you, that you were proposing that
33 to, to resolve a lot of questions pertaining to this letter by MCMC that
34 we should either subpoena the CEO or the relevant officer because kan,
35 I think a lot of matters that you raised I think, none of us can answer.
36 Only MCMC sahaja yang boleh answer, kan? Ya? So, so, we'll take

1 note on your request then my colleagues and I later we have during the
2 recess, we are lagging to deliberate on this request, kan?
3

4 **PK** Thank you. Yes.
5

6 **CHM** So, I think we'll see lah, we'll see whether we need to discuss among
7 ourselves and to decide on your request whether we should call the
8 relevant officer from MCMC so that the appropriate questions could be
9 ask and be answered. I think they are the best person, kan?
10

11 **PK** Much obliged, Dato' Seri Chairman.
12

13 **CHM** Ya.
14

15 **PK** Much obliged.
16

17 **CHM** Ya.
18

19 **PK** Much obliged. I will stand guided by the ruling and I again is never our
20 intention to prolong unnecessarily the inquiry by asking for extra dates,
21 yes. Thank you.
22

23 **CHM** Ok. With that, any other remarks or comments on the MCMC from other
24 observers?
25

26 **PM2** Dato' Seri, just an addition. Maybe I think the question to SAC Dzaffir, I
27 think it would be important for us also know the existing protocols within
28 the police force on investigation of emails link to any elements of
29 criminality and how does PDRM take it to the next level. In terms of one
30 is punca kuasa, in terms of the methods of obtaining, and so we will
31 know what are the limits at the Malaysian Government level, how far
32 can they go. You are right because there's terrorism, there's AMLA,
33 there's many things and I think PDRM has many divisions and there is
34 probably protocol. So, SAC Dzaffir, if you have the info here is great.
35 But I think that will really assist us to know what's the remit within PDRM
36 of pursuing investigation when it's linked to an email address.
37

1 **ADY**

Ok, thank you Honourable Commissioner. I just can comment generally because this is always with regards to case to case basis. So, generally with regards to internet search and to get who are the owner of the, what do you call email address, email account, PDRM has to rely on SKMM or MCMC.

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[01:00:00]

And anyway what AKM 1998 means is Akta Komunikasi dan Multimedia, it's not Akta Komunikasi Malaysia, it's Akta Komunikasi dan Multimedia 1998. So, on our part investigation we rely, I mean, we rely solely on SKMM to give us the feedback as well as the particulars of the email address. But sometime nevertheless, most, I mean, some of our request which is also hampered due to their limitation by the MCMC. But, well they are, the MCMC is the one that, the sole authority who has the ability to check on this, what do you call, this email addresses and we don't have the expertise or the technical expertise to other than to rely on MCMC in person. But what Mr Faiz has said just now that sometimes we also had, have to rely on MLA which for instances those accounts or those are not registered here but, apa, in order to get their information such as Hotmail addresses, Yahoo, which we need to rely our unit to get the feedback from other jurisdiction such as in US for Google, so MLA is also a part of our, what you call, legal framework to get all this information for our investigation. But nevertheless take a lot of time and sometime it hamper because sometimes the provider doesn't give us the details that you want. Thank you, Mr Honourable Commissioner.

PM2

Thank you, very helpful, yes. Maybe the... I'm not sure whether, well we need to refer to the notes of evidence SAC but did the PDRM or IO at that point thought it necessary to pursue the need for an MLA in the failure of MCMC unable to answer the Yahoo question because you're right, Yahoo owner is not in Malaysia, it's in another country. Did PDRM, to the best of your knowledge, pursue that MLA possibility at that time?

ADY

Ok. What I can relate back is the statement by Insp Zulfadhly, IW14, that in his statement that Sgt Ahmad Sibeer has made the request to

1 SKMM to get the email address wifigurl, manira@gmail (01:03:22),
2 joshruith2005 at Yahoo, but the reply from SKMM was that I read it in
3 Malay, 'Maklum balas yang diterima adalah pihak SKMM meminta
4 salinan asal emel tersebut disebabkan salinan yang dikemukakan
5 adalah tidak jelas.' So they requested for the salinan asal. So this is
6 what the IO, the original IO Sgt Sibebe in his investigation that he been
7 the replied from SKMM was that the copy of the email that given to the
8 SKMM was not, tak jelas, it's not clear. Thank you.
9

10 **PM2** Thank you.

11
12 **PK** Mr Chairman, can I ask a short supplement, just a short one?
13

14 **CHM** Yes.
15

16 **PK** Thank you, Mr Chairman. Let's accept in face value that, in good faith
17 that MCMC has no ability for a moment of what owner and party that
18 operates wifigurl. But not being a technical in IT, let's say there is a
19 Malaysians, this is a question none of us can answer, a group of
20 Malaysians set up an account called wifigurl, and they are not operating
21 it in Timbuktu or in Maldives or in Mali or whatever, or Russia, right, they
22 are actually sitting somewhere in Klang Valley or in Malaysia or in
23 Selangor, operating this. Now, my conjecture is pure conjecture. Surely
24 when someone access this through the internet, alright, going to Yahoo,
25 though Yahoo ownership cannot be found out per se by MCMC, is, we
26 need to ask MCMC, if a group of Malaysian set up a fraud, a
27 pseudonymous account, and start accessing this regularly from
28 Malaysia, is the police and the MCMC totally helpless that a group of
29 Malaysian, and I don't want to repeat the dire consequences of my
30 drawing up those criminality as Mr Jared Joseph well put it in a more
31 succinct phrase, engaging in criminal acts, that both MCMC and the
32 PDRM is totally helpless to stop this activity of a Malaysians using
33 pseudonymous Yahoo or Gmail account? Now, this is quite
34 extraordinary and something that disturbs all well-meaning, law-abiding
35 citizens of Malaysia. Thank you. So the question is quite simple. Is it
36 that Malaysians operating as pseudonymous account though not an
37 account that the platform is actually operated by Yahoo or Gmail, can

1 do so with impunity where regulatory agencies like Multimedia
2 Commission and PDRM is totally helpless? They're about to threaten
3 an act of enforced disappearance, let say, alright, and this is
4 immediately reported to both MCMC and PDRM, this is a hypothetical,
5 but it's real because it happened, alright, as far as we can see, alright.
6 And then we can say sorry, we can't help you because this account,
7 though threatening, and we have seen those evidence that we have
8 tendered, there were threats there issued to both Joshua Hilmy and his
9 wife, right? And let say if Joshua Hilmy and Ruth Sitepu made those
10 relevant reports then that these are threats, can you help me, and they
11 are not afraid to do so like my KontraS saudari ibu says they're afraid
12 because they are converts, they dare not, alright, because they're
13 worried. Let's say this is now, this is a threat that I am not afraid to make
14 the report, I immediately go to MCMC, I go to PDRM make a police
15 report, and all I'm told is that sorry, we can't help you Madam, Sir,
16 because this is from Yahoo, too bad, take your chances at whoever
17 operating this, is going to come and pick you up and disappear you.
18 Wow that is extraordinary, and maybe that's a gap that needs to be
19 addressed by parliament and SUHAKAM may need to recommend that
20 MCMC has wider powers to do so, and certainly I would like to know
21 whether the PDRM is totally helpless if somebody is waging war against
22 Yang di-Pertuan Agong and threatening in an email and all they can say
23 is that sorry, we ask MCMC, they have no power, we then can't do
24 anything. This is extraordinary.

25
26 **CHM** Mr Koh?

27
28 **PK** Yes?

29
30 **CHM** Mr Koh, are you expecting En Dzaffir to respond to your hypothetical
31 question?

32
33 **PK** No, to be fair –

34
35 **CHM** No?
36

1 **PK** But, I mean I'm not... I'm just expressing my deep concern and
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8 **CHM** Tak apalah, we are, you know, mulling over the question whether we
9 should call kan this MCMC officer, we should call? Yes. We'll decide on
10 that, yes, then.

11 **ADY** But Dato' Seri?

12 **CHM** Yes?

13 **ADY** Dato' Seri, I reckon that the suggestion made by our learned counsel
14 Mr Philip Koh to call the MCMC maybe to listen to what they have to
15 explain and what they have to say. Because sometimes, this issue also
16 sometimes is, a part of our investigation sometimes we also can't get
17 what we want. So maybe, apa, in this forum, on this, apa, platform, we
18 can know what is actually hampering, apa, the MCMC in giving us this
19 information as well. Thank you, Dato' Seri.

20 **CHM** Yes. So we can cut short on that kan, we can cut short. Yes, we'll think
21 about it and while we're thinking whether to call the MCMC we might
22 also reconsider, you now, consider juga lah whether we should call the,
23 Maxis kan? Then we can throw open whatever question we like to
24 cross, to Maxis. Yes, we'll consider that, yes, during the break. The
25 committee will consider. Ok, well, I think, is there anymore comments
26 or question to raise regarding this reply from MCMC? Before we move
27 on to the next document? Kalau tak ada, ok, En Faiz, next document,
28 please.

29
30 **MFR** Terima kasih, Dato' Seri. Untuk dokumen seterusnya adalah maklum
31 balas yang diterima daripada Maybank cawangan Ipoh Garden.
32 Sebelum ini SUHAKAM telah mengemukakan surat kepada Maybank
33 melalui surat bertarikh 12 Januari untuk mendapatkan sebarang
34 maklumat berkaitan akaun Maybank milik Joshua Hilmy dan walau
35 bagaimanapun pada 14.03.2021 Maybank menyatakan bahawa
36 sebarang maklumat yang diberikan oleh agensi yang, agensi luar
37 mengenai maklumat perbankan perlu berdaftar dengan pihak Bank

1 Negara. Oleh yang demikian satu surat kepada Bank Negara telah
2 dikemukakan pada 30 Mac dan SUHAKAM telah diberi kelulusan pada
3 12.04.20121 untuk mendapatkan maklumat berkaitan perbankan
4 daripada Maybank. Satu surat susulan kepada Maybank telah
5 dikeluarkan untuk mendapatkan maklumat milik, akaun bank milik
6 Joshua Hilmy iaitu nombor akaun [REDACTED] dan [REDACTED]
7 Maklumat yang diperlukan adalah maklumat transaksi pemilik akaun,
8 maklumat-maklumat berkaitan sama ada akaun ini masih aktif atau
9 tidak, di mana dan bila transaksi terakhir dijalankan dan maklumat yang
10 boleh membantu siasatan awam SUHAKAM. Oleh demikian satu
11 maklumat, satu emel yang diterima daripada Maybank cawangan Ipoh
12 Garden telah diterima pada 19 Mei mengenai nombor akaun Joshua
13 Hilmy yang pertama iaitu [REDACTED]. Emel tersebut menyatakan
14 bahawa akaun tersebut masih aktif dan transaksi yang terakhir adalah
15 berlaku pada 07.02.2017 pada jam 01:17PM petang. Transaksi ini telah
16 dilakukan oleh seorang individu bernama [REDACTED] dan
17 individu ini telah membuat transaksi berjumlah RM300 menggunakan
18 MEPS transfer ke dalam akaun Joshua Hilmy. Disebabkan maklum
19 balas ini daripada bentuk emel, SUHAKAM telah memohon supaya
20 satu maklumat maklum balas dalam bentuk surat. Yang Berbahagia
21 Dato' Seri, izinkan saya untuk tender dokumen ini sebagai exhibit 112D.
22 Jadi berdasarkan dokumen ini telah menerangkan bahawa terdapat
23 berlakunya transaksi pada 7 Februari oleh individu bernama [REDACTED]
24 [REDACTED] dan menggunakan akaun [REDACTED] yang
25 didaftarkan di bawah bank [REDACTED] SUHAKAM telah mendapatkan
26 penjelasan lanjut daripada wakil Maybank yang memaklumkan bahawa
27 Maybank tidak mempunyai maklumat lain mengenai [REDACTED]
28 Oleh demikian, SUHAKAM juga telah mendapatkan kelulusan pihak
29 Bank Negara untuk membuat rujukan dengan pihak [REDACTED] bank
30 [REDACTED]. So sekarang ini SUHAKAM masih dalam proses untuk
31 menerima maklum balas daripada [REDACTED] Dato' Seri. Ok, untuk akaun
32 yang kedua adalah daripada Maybank cawangan Greentown, Ipoh.
33 Berdasarkan maklum balas bertarikh 06.06.2021, pihak Maybank
34 cawangan Greentown, Ipoh menyatakan bahawa akaun ini telah ditutup
35 pada 05.07.2006. Yang Berbahagia Dato' Seri, izinkan saya untuk
36 tender exhibit ini sebagai 112E. Baik, itu saja maklum balas daripada
37 pihak Maybank.

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2 **CHM** So we are still waiting response from [REDACTED] ya?
3
4 **MFR** Benar, Dato' Seri.
5
6 **CHM** Regarding that person tadi, siapa nama dia, Mister?
7
8 **MFR** [REDACTED].
9
10 **CHM** Teng? More info about him, about his account, yes? Do we know
11 whether that transaction was done, was it a counter transaction or was
12 it the ATM transaction or was it an online transaction?
13
14 [01:15:00]
15
16 **MFR** Berdasarkan maklum balas dia hanya menyatakan MEPS transfer,
17 Dato Seri.
18
19 **CHM** MEPS, ATM lah kan?
20
21 **MFR** Saya tak pasti, Dato' Seri.
22
23 **CHM** But that is a clarification that we'll be asking [REDACTED] isn't it? In our letter.
24
25 **MFR** Betul, Dato' Seri.
26
27 **CHM** And we are waiting response ya, from [REDACTED] Yes, from observers, any
28 questions on these accounts?
29
30 **PK** Dato' Seri, may I just, make a brief observation. It is appreciated, we do
31 appreciate that banking secrecy constraints a ready disclosure of
32 banks. This is a important policy that even the Courts have recognised
33 and therefore in a sense unless the activity as disclosed is a highly
34 unusual one. Now, I do not want to second guess how we might submit
35 on this but for the family, my own position is I'm not unduly concerned,
36 it would be surprising to me and very important to the hearing if in fact
37 the transaction was effected by individuals going out of the account, you

1 know, if somebody's operating the account. This account, understand
2 and this is of course a comment I'm making from the floor, could well
3 be this Mr [REDACTED] is a well-wisher of the family of Joshua
4 and Ruth, and often they are itinerant Bible teachers. They could be in
5 recipient of occasional love gifts, we call them, love gifts. So, and given
6 that it is MEPS as Faiz has helpfully advised, it is not a large sum, you
7 know, through ATM MEPS is normally a few hundred Ringgit or a
8 couple of thousand maybe or RM2,000, there're limits to a MEPS
9 transaction. So I am myself in some way not preventing my submission
10 in how I may make it, I don't have very strong view over this set of
11 account and [REDACTED] even if they do not answer, if they do answer I don't
12 see why they should not answer, that one is something that SUHAKAM
13 will have to take up. If Maybank can answer, right, the largest bank in
14 Malaysia under Bank Negara rules are willing to answer because of
15 specific request of Human Rights Commission, I don't see why a
16 Singaporean bank, alright, although registered in Malaysia with the
17 banking license under Financial Services Act, fail to answer, alright. In
18 some way, I'm not going to second guess for SUHAKAM, they show
19 disrespect, alright. And I think they should answer. But I am not unduly
20 burdened about this. Certainly Mr [REDACTED] if they were, if he was involved
21 in some way in the disappearance of these people, wouldn't be making
22 a love gift or donation to an account which the person is gone, alright.
23 Probably Mr [REDACTED] himself is not aware that both of them have
24 disappeared from public life or among their family circles. Thank you for
25 the indulgence of the hearing.

26
27 **CHM** Mr Koh, yet another inference can be made that in February 2017,
28 Hilmy is still around.

29
30 **PK** Yes.

31
32 **CHM** That's another inference lah kan? That could be made.

33
34 **PK** Yes, that is an important one in that sense. Well the only way to find
35 that out would probably to locate Mr [REDACTED] through the
36 good officers of the NRIC, people bearing that name perhaps subpoena
37 him to ask him why did you make this donation, are you in touch with

1 Mr Hilmy during this period that they, he needed money and therefore
2 you made a MEPS transaction. I mean, in that sense, Dato' Seri, that is
3 important, yes. I do, I'm aware of that that is an important. I may be
4 second guessing too generously and we are seeking the truth of what's
5 happening, we should not rule out possibility and it's not for me to pre-
6 empt that enquiry. Thank you.
7
8 **CHM** About banking secrecy, En Faiz, about banking secrecy –
9
10 **MFR** Ya, Dato' Seri?
11
12 **CHM** I think, am I right is no longer an issue here because Bank Negara with
13 upon our request have lifted the secrecy?
14
15 **MFR** Betul, Dato' Seri, kita telah mengemukakan senarai nama pihak
16 observers semua kepada pihak Bank Negara –
17
18 **CHM** Bank Negara ya?
19
20 **MFR** Betul.
21
22 **CHM** So it's no longer an issue, secrecy? No longer?
23
24 **MFR** Betul.
25
26 **CHM** So kalau kita nak, kalau difikirkan perlu kita boleh mendapat maklumat,
27 En [REDACTED] lah kan?
28
29 **MFR** Betul, Dato' Seri. Masih dalam proses.
30
31 **CHM** Kalau... and if we were to call him as a witness, can ask, on, in February
32 kan whether he's in communication. I'm just thinking aloud, we still need
33 consider, were you in communication kan? Was it a request for you to
34 masukkan duit kan?
35
36 **MFR** Betul, Dato' Seri.
37

1 CHM How much was the amount?
2
3 MFR RM300.
4
5 CHM RM300? Ya. These are the things for the committee to consider kan?
6 Ya. [REDACTED] .. whether it adds value to our investigation kan?
7 Inquiry. To subpoena Mr [REDACTED]. Ok. We'll consider that. Ok. Any more
8 comments or remarks on this Maybank communication? Kalau tak ada,
9 if there is none, is there anymore documents or is this the last
10 document?
11
12 MFR The last document, Dato' Seri.
13
14 CHM Last document. Ok, then, we will sambung pukul 02:00PM kan? Pukul
15 02:00PM, now is 11:40AM, so we'll continue... yang pukul 02:00PM ini
16 is it closed door ke open? This still closed door?
17
18 SK Dato' Seri, if I may?
19
20 CHM Yes?
21
22 SK There's another request from Mr Philip Koh to tender a document in
23 camera sessions this morning. So –
24
25 CHM Ok.
26
27 SK May I invite Mr Philip.
28
29 PK Dato' Seri, maybe the panel may need a short break, toilet break?
30
31 CHM No, it's ok, I'll rather finish off.
32
33 PK Ok, I apologise for... thank you so much, Dato' Seri and Honourable
34 Chairman and panel. The documents that I wish to tender... and Faiz,
35 do you have it to share screen?
36
37 MFR Yes, Sir.

1
2 **PK** You have? Dato' Seri, in a covering letter that I enclosed again a set of
3 documents where if you read my letter recently dated, the reference is
4 made to the above matter and to our letter dated 10.03.2021. This goes
5 back to the March... and we enclosed the letter, alright, together with
6 the Australian decision, alright. Now, Mr Chairman, this is important
7 document. I would like to draw the attention of... Faiz, may I ask, did,
8 was this circulated to observers in particularly... Yes, all the observers?
9
10 **MFR** No, Sir.
11
12 **PK** Ok. If they have not been circulated, I would of course with respect that
13 they are entitled to request for time, and this is for the panel and for
14 them to request. But I would now like to tender this officially because it
15 was not tendered and though I wrote it in March, I, there was no follow
16 up by myself. So it is really my own and I realised that before we come
17 down to the last phase of our hearing, this have to be tendered because
18 it's a crucial dimension to our case.
19
20 **MFR** If I may, Mr Philip, can we mark first this document?
21
22 **PK** Please do that and please helpfully inform us as to how it's marked.
23
24 **MFR** Dato' Seri, this document can we mark as 113?
25
26 **CHM** Yes.
27
28 **PK** Now, is it possible to turn to the 10th March letter. It's not 2021 actually,
29 I apologise, I made a mistake when I type my covering letter, it is March
30 2020. Faiz, do you have the March 2020 together with the enclosure?
31
32 **MFR** (01:25:28 inaudible).
33
34 **PK** Sorry? Yes, that's correct. That's the one. Alright. For the purpose of
35 this enquiry, may I have permission to draw attention to the salient
36 features of this March 2020 letter, alright, and the enclosure. It's
37 entitled... Ok, you see, it's 'Public Enquiry'. We write to inform

1 SUHAKAM that our client, the family of Ruth Sitepu, was previously
2 represented by Dato' Jerald Gomez through whom we were informed
3 of the fact that a Malaysian family had exited Malaysia for Australia
4 whilst receiving threats and pressures for their conversions from the
5 Muslim faith to Christianity. We managed to connect with Mr George
6 Botros, a solicitor, lawyer, counsel, from Messrs Madison Marcus in
7 Australia, alright, who had acted for particular Malaysian family in
8 applying for refugee protection visas in Australia. In our connection with
9 Mr Botros, he had drawn our attention to a published decision of the
10 Administrative Appeals Tribunal of Australia in relation to the above-
11 mentioned Malaysian family. The decision is available in a public
12 domain. In fact I was thinking that maybe we could even have this not
13 in a closed session but I felt that perhaps it's best to have it in a closed
14 session because, again, it's never our intention to create any unease
15 among the community of faith in Malaysia, alright. Our concern is
16 merely for the truth of what happens. So this is a decision that we make
17 and therefore we thank you for this opportunity. Basically, the weblink
18 was supplied, and out of the weblink we downloaded and supplied the
19 printed copy. All observers can access this weblink and see the
20 document that I will draw now the salient features to the Commission.
21 Kindly note that all names referred to in the decision, this decision of
22 the Australian Tribunal, alright, have been redacted. We say the word
23 redacted is not unfamiliar to us, but for non-lawyers meaning that the
24 name is not disclosed and they're given a letter of the alphabet, alright,
25 to protect the parties involved and also not to cause undue unease
26 among other communities. To protect the identity of relevant personnel,
27 Mr Botros, and this is a very important statement which I make from the
28 Bar, alright, and if need to I can ask for further evidence on that, let's
29 take it from the Bar now be given that this is a tribunal hearing and not
30 a strict Court hearing, alright. With permission then, Mr George Botros
31 informing me and I record this in the official letter to 10th March that the
32 reference to Pastor C, the letter C, in the decision who had baptised the
33 Malaysian family were actually referring to Pastor Joshua Hilmy, alright.
34 So, I then recorded that the downloaded decision and the copy has
35 been enclosed and there I did say that it should be made in camera.
36 Now, if we turn to the document itself... Faiz, can you help me? If you
37 turn to the document itself, I won't read through the document, it is not

1 my purpose but perhaps given the floor that I have, just to point out its
2 salient features which would be a setting for our submissions and our
3 case, given the fact that in our case we do not have unlike Raymond
4 Koh and Amri's case, eyewitnesses, both by CCTV camera and by
5 physical eyewitness in terms of Amri. We have to rely on circumstantial.
6 In this administrative tribunal decision which has been given a file name
7 and it can be seen, alright, I don't need to read it out, there is a decision
8 recorded. It is now on their public domain website of the Australian
9 Immigration Administrative Tribunal website.

10
11 [01:30:00]

12
13 Here, the reference is in Malaysia. The place of decision was in
14 Melbourne on the 09.07.2018, alright, and the 'Catchwords' we don't
15 have to refer to it. Now basically, the case involve a family, a couple,
16 with his wife and children, alright, apply, and in this narrative which is
17 recorded by the administrative tribunal, there is references to the fact
18 that the Malay-Muslim family that exited Malaysia and applying for
19 protection, put the case that they felt they could not practice their
20 newfound faith freely in Malaysia, and more than that there is
21 references to the fact that religious authority in Malaysia, this is their
22 case, I am not making any statement from the Bar on this, I'm referring
23 to their case, that there is threat to the effect that if being a Muslim family
24 and guardian of their children, minors, that there is a threat that the
25 minors could be taken away from them, alright, since their conversion,
26 alright. Now, that threat agitated their mind and they –

27
28 **CHM** Mr Koh?

29
30 **PK** Yes?

31
32 **CHM** Mr Koh, perhaps lah kan, it is, would be good if you come and just begin
33 by saying that this is an application for a refugee status kan?

34
35 **PK** Yes.
36

- 1 **CHM** To the refugee tribunal, is it? There's a that kind of tribunal in Australia
2 kan? Right, the refugee tribunal?
3
- 4 **PK** Yes, I thought... this is an immigration authority and they are seeking a
5 protection visa, alright. There is such a protective mechanism. So if
6 there's a refugee either political or with due to religious persecution,
7 clearly this couple is applying under religious pressure –
8
- 9 **CHM** Because looking at the 'Catchwords' kan –
10
- 11 **PK** Yes.
12
- 13 **CHM** It begins with the word 'REFUGEE' in capital letters kan?
14
- 15 **PK** Yes.
16
- 17 **CHM** So is it, is this an application for a political asylum ke macam mana?
18
- 19 **PK** Yes –
20
- 21 **CHM** For a refugee status, is it an application for refugee status in Australia?
22
- 23 **PK** Much obliged about your query. I wasn't of course involved in their
24 application, Mr George Botros. My understanding given the backdrop of
25 my discussion with Mr Botros was that these individuals that entered
26 Australia through a visitor tourist visa, alright, applied then to stay on as
27 residents. But to do so, they need to come under either political asylum
28 or religious persecution asylum. So yes, in that sense, the word refugee
29 is used as a catchword, Mr Chairman, much obliged, but I believe the
30 process involved this family applying for a form of residential status. So
31 and prior to that they have to obtain a protection visa because otherwise
32 they will be obliged to go back to Malaysia, alright. So, they have arrived
33 in Melbourne and from that moment they contacted Mr George Botros
34 to apply for this. So, yes, it will be a form of protection visa and
35 residential status.
36
- 37 **CHM** Thank you.

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AK

Dato' Chairman, if I can just assist the panel. I think if you look at the definition of refugee under the 1951 Refugee Convention to which Australia is a party, it defines a refugee as someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion. So it would most likely fit into the understanding of what a refugee is so that may well explain the catchword refugee in that statement. Thank you.

CHM

Thank you. Yes, ok.

PK

Much obliged, Andrew, this is really up your street, the international protection refugee and we thank you for your kind assistance on this end, I'm really much obliged to rescue me from certain unclarity. Now may I just point put one or two salient paragraphs, which is relevant because it should be in the transcript because it will be part of our written submissions, alright. This is an administrative tribunal recording of the testimony of these two individuals. So, the fact that it is redacted does not change the validity or veracity of what was testified and has been now in public domain. In paragraph 10 if we look at it, alright, at page 3 of 21 of the redacted document, the administrative tribunal noted... can we look at paragraph 10? Alright. This is relevant. 'The documents provided by the applicants at the time they lodged their claim for protection on 01.03.2016 reflect that the primary applicants' right, 'were baptised by' Pastor Joshua Hilmy, we can put that there because George Botros have revealed the name and it is relevant to our case, otherwise there are so many pastors, alright. We're talking about Pastor Joshua Hilmy. There's another pastor referred but it's not relevant to us which means that the church was also involved. This is not done in a corner of someone that is completely not ordained or not recognised, those who were hovering around in some of our concerns, 'in Kuala Lumpur in June 2015. The children, on the other hand, were each baptised and dedicated to the Lord Jesus Christ in September' subsequently, alright. So the children too follow suit. Then the pastor, Joshua, provided, alright, a letter, alright, at the relevant time to them to take to Melbourne. 'I would like to ensure that...' an explanation of how

1 they converted and to urge the Australian authorities to give them help
2 and assistance. 'The applicant and the wife', in paragraph 12, 'provided
3 statutory declarations...' and I don't want to read them out because
4 these are formal declarations and so it is not something I want to revisit
5 in a hearing, it is recorded there and again there's no desire for anyone
6 of us to give offence to any one community, particularly the community
7 of faith of the Islamic community. The statutory declarations follows a
8 certain format of a disavowal and therefore records it. Then, there is
9 also a letter in paragraph 13 from the church supporting their
10 application. Insofar then the narrative continues, it was more a personal
11 narrative of the journey of the family, alright, and therefore it is not
12 necessary for me to read, repeat it in this hearing. However in
13 paragraph 14, the applicants states that in early 2016, one of the
14 applicants, wife, best friends spread the news that they have converted
15 into Christians. Then her brother rebuked her in the social media on
16 January 2016 and wrote strong words, terrible words to her, told his
17 mother and family member. The next day the applicant's wife brother
18 also scolded her. The next day he say he was going to take all the
19 children because of the conversion to save them. He again, this is the
20 brother-in-law of the applicant, threaten them using a family member's
21 email account name, account name his email, saying parents who
22 convert their children to another religion are not entitled to take care of
23 their children. On the same day, this family went to Pastor Joshua for
24 several weeks, that means they stayed, went means they actually
25 stayed with him, alright. They had to be saved so that they did not get
26 captured. During that time, their phones did not stop ringing. They also
27 fear the national religion department that is the English version of the
28 relevant Syariah department, alright, that they may be under, perhaps
29 JAIS, alright, because they are in Selangor, will take action by sending
30 them to detention and the children will be taken. And then there is this
31 very graphic statement which I don't care to repeat, alright. Then the
32 various narrative went on and I'm coming to the closure of what I want
33 to draw attention to, alright. In paragraph 16, 'The application for
34 protection was made on 1st March, supporting letters referred were
35 therefore made prior to then. The interview by the delegate was held on
36 19.08.2016. This is particular note in case of the events which have
37 transpired since the applicants left the country.' Now, paragraph 17,

1 there is redacted details deleted, alright, of 'Christian pastors having
2 been abducted...'. My inference, just an inference, we are talking about
3 Raymond Koh, right, in that matter. That was probably tendered but I'm
4 speculating so I do not want to persist on that. 'This is confirmed in the
5 country information', so we have the issue linking this... originally, Mr
6 Chairman and members of panel, we know that this case is to be heard
7 with Dato' Mah Weng Kwai's panel but due to the vicissitudes of the
8 duration, you all have kindly taken over. Now, throughout this testimony,
9 alright, that paragraph 22, 'Prior to the hearing, the applicants also
10 provided further photographs or copies of text... At the hearing, they
11 confirmed that those are additional examples of threats, threatening,
12 abusive messages they received during 2016. They provided a copy of
13 social media posts which are explained at the hearing made by person
14 continued to persecute the family online, described their schools in the
15 area attended by children of applicants and refer to them as hiding. The
16 applicant's wife testified saying that she was shaken by this and the
17 ongoing campaign of abuse and threats and harms directed to the
18 family who just wanted to be left alone. She sought medical help for
19 anxiety because of her fear of being found and harmed even in
20 Australia.' And so, the wife then gave testimony and I don't wish to
21 repeat, they are augmenting the testimony of the spouse, alright. So,
22 Mr Chairman, tendering this would position the case for the applicants,
23 alright, I mean, for family of Sitepu that, and also the fact that the events
24 surrounding their disappearance, alright, is tied to their proselytizing
25 activities to the Malay-Muslim community. And an example is now
26 objectively tendered for the consideration of this tribunal as part of the
27 evidence, for us to submit at, this is the constellation and dynamic of
28 forces that have led to what we believe the enforced disappearance of
29 our clients. The rest of the report, not need to draw the attention right
30 now, I reserve position that in our written submission, we may still draw
31 some salient points without overburdening the issue at hand. Sufficient
32 for us is once this is marked and tendered, we will be able to make the
33 relevant submissions for the kind consideration of the tribunal. Perhaps
34 in closing, paragraph 39 and 40, Faiz, thank you so much. 39 and 40,
35 please. Paragraph 39, page 14 of the... are the applicants refugees,
36 this resonate with my learned friend Andrew Khoo. 'Tribunal is satisfied
37 that the applicants are Malaysian nationality', so it is confirmed, this is

1 not a group that went there and just make up a story, 'and they have no
2 right to enter and reside in any other country' by virtue of their nationality
3 and passport, 'other than Malaysia'. 40, 'The parents applicants fear
4 that if they return their conversion to Christian faith will become a focus
5 a focus of official investigation and action, they may be arrested,
6 prosecuted, punished by fines, caning, forcibly detained, required to
7 attend re-education if they refuse to revert back to the Muslim faith,
8 religious police and including the Royal Malaysian Police. They also
9 fear that they will be physically harmed by the more radical Muslims
10 including from religious authorities or the state bodies because of the
11 conversion and this risk persist throughout the country.
12
13

14 [01:45:00]

15 The parent applicants fear that the child applicants will be taken from
16 them and raised by Muslims meaning they are unable to practice their
17 faith or to also conduct the adult life of marrying a fellow Christian. The
18 family fears of being targeted etc. Now, the tribunal', this is a Australian
19 tribunal, 'satisfied that the harms feared by the applicants include the
20 threat the applicants' life or liberty, significant physical harassment of
21 applicants, significant physical ill treatment. Tribunal finds that the
22 harms feared by all applicants is serious harm. The tribunal accepts that
23 conversions have been subject to official report' and carries on. The
24 tribunal found that this constitute serious harm, alright. 'The tribunal
25 accepts the applicants are persecuted. Tribunal takes into account,
26 tribunal considered the feared harm is due to the application of law
27 relating to apostasy, the tribunal finds', paragraph 45, 'the real chance
28 of being persecuted upon their return, the tribunal is satisfied they will
29 not be able to practice', and then carry-on finding, and then, 46, real
30 chance... 47, 'and they come within prescribed section of Section 5J of
31 the Australian Act. Paragraph 47. And therefor the decision. The
32 tribunal remits the decision matter for reconsideration, alright. So this
33 matter is at the moment still under their reconsideration. There are
34 provisional findings by the Australian tribunal. At this stage, it is
35 sufficient for me, my recent update with Mr George Botros, indirectly,
36 the application for citizenship I think, is still awaiting, they're
37 reconsideration. I understand that they have been granted permanent

1 residence status. Mr Chairman, they are redacted is because part of the
2 Australian... if I understand, part of the Australian immigration rules is
3 that there should be no pressure put on decision by immigration
4 authorities of Australia from the country of origin. Therefore, it is with
5 discretion and utmost care we tender this in a closed session because
6 there's no desire for us despite my commitment to find the truth of what
7 happened to Ruth Sitepu and Joshua, to disqualify and exiting family
8 that has come under the activities and conduct of this couple, to
9 disqualify them from seeking a more permanent abode in the country
10 now of their choice. We will make those relevant submissions in our
11 closing submissions. Thank you for your kind patience in listening to
12 this evidence.

13
14 **CHM** Just a moment, Mr Koh.

15
16 **PK** Yes?

17
18 **CHM** Just point out to us they, the paragraph where the tribunal make the
19 order, requested.

20
21 **MFR** Mr Philip, you are mute.

22
23 **CHM** The last, I think the last few paras, could be.

24
25 **PK** Ok, let's look at that. Last few paragraphs. Thank you, Mr Chairman.

26
27 **CHM** Naikkan 50, 50 itu naikkan. Ok.

28
29 **PK** Yes, maybe paragraph 49 for context, paragraph 49. 'The Tribunal
30 considered whether effective protection measures as described in
31 Section 5LA of the Act are available to the applicants', alright. The
32 tribunal is satisfied, alright, earlier than that 'the Tribunal consider the
33 state of Malaysia will be unwilling and unable to protect the applicants
34 from significant physical harassment or harm inflicted on such private
35 citizen. The Tribunal is satisfied that the real chance of persecution in
36 this case relates to all areas of Malaysia and that effective protection
37 measures are unavailable to applicants throughout Malaysia. There is

1 no party or organisation including international organisation within the
2 country that is able to offer them protection. The Tribunal concludes that
3 all the applicants satisfy the provisions of Section 36(2)(a) of the Act for
4 the reasons given. The Tribunal is satisfied that each of the applicants
5 is a person in respect of whom Australia has protection obligations.
6 Therefore the applicants satisfy the criterion set out...' So the decision
7 is actually made there, then the final comment is the reconsideration of
8 further directions under the Migration Act. So I guess it moves from the
9 refugee status protection which has been given by this record, alright,
10 to now a further discussion, further application which the applicants are
11 making through the relevant authorities under the Migration Act. They
12 are now seeking a migration status. To be fair, Mr Chairman, I'm glad
13 you pointed this out, I'm unable to chart out its full chronology whether
14 after this the protection visa, I suspect it is so, they through the Migration
15 Act was given, I'm aware through conversation with George Botros,
16 they were given residential status. They are now at the stage where
17 they are applying for citizenry, full citizenship so that they become full
18 members of the Australian jurisdiction paying their relevant taxes and
19 also enjoying the privileges of citizens for their children. So all the
20 applicants including the couple and their children were granted
21 protection visa under this redacted hearing record. Does that help you,
22 Dato' Seri and the members of the panel?
23

24 **CHM**

Yes, I'm just curious at this decision, 'The Tribunal remits the matter for
25 reconsideration with the direction...' What is meant by 'for
26 reconsideration' by whom? Higher authority?
27

28 **PK**

I think the Act that they satisfy under Section 5J(3) and I need to review
29 this, I'm not an Australian lawyer, if need I will seek clarification, is not
30 the Migration Act. What happens is that once they're granted a
31 protection visa, I'm inferring now from what I understand alright, under
32 Section 5LA of that Act that was referred to, then they are also applying
33 under the Migration Act Section 36(2)(a). Now, I'm not, I cannot say for
34 sure whether 5J(3), 5LA alright is the Migration Act, I have not done
35 research on this, I apologise, but I do know that the family now have
36 residential, permanent residential status, that is through conversation
37 with relevant parties. And they are applying for a citizenship, full

1 citizenship, alright. That much I know. So the word reconsideration
2 doesn't mean that they are now going to be booted out the country,
3 alright, they are not. Their decision stands that they are granted
4 protection visa and that has not been set aside, because if that has
5 been set aside, they will not be able to stay in Australia and they have
6 to return to Malaysia. And that is in fact not the case here. So that much
7 we can say that there's no reconsideration of their protection as
8 religious, refugees seeking religious protection, alright, from
9 persecution, only that the direction that application, applicants must now
10 satisfy under the Migration Act, and I need, we need to check on that
11 whether that means they are applying for permanent residency, I
12 suspect so. This application was merely for protection visa, they have
13 not procured permanent residency status at this juncture. I suspect, and
14 this is my pure conjecture, I apologise I didn't do research, but I need
15 to ask our Australian lawyers since I'm not informed Australian law that
16 under that act, Section 32, they are given now residential status. And
17 now they are faking it a further step which is not recorded in this report.
18 I hope that helps, members of panel. I'll be happy to take questions and
19 maybe seek clarification from Mr George Botros as the case may be if
20 that is relevant. Again, taking incognisance that only when that is helpful
21 and only if there is ruling by the tribunal. There's no desire for me to
22 prolong this unnecessarily unless it is a critical component. And if the
23 panel finds it a critical component, or any other observers, I will be
24 happy to oblige of course. Thank you.

25
26 **CHM** Thank you, Mr Koh. En Faiz, kita dah tanda dah judgment ini, this
27 Australian judgment, tribunal judgment ini as a exhibit, dah tanda dah?

28
29 **MFR** Dah, Dato' Seri, 113.

30
31 **CHM** As 113 ya?

32
33 **MFR** Ya.

34
35 **CHM** Ok. Any questions?
36

- 1 **AP** Yes. Honourable panel members, could I just seek administrative
2 clarification from En Faiz. Are the letters, the cover letters being marked
3 collectively with the decision as Exhibit 113?
4
- 5 **MFR** I suppose sebab kami dapat dokumen ini sekali.
6
- 7 **AP** Ok. So the whole thing is 113 ya?
8
- 9 **MFR** Yes.
10
- 11 **AP** Thank you.
12
- 13 **CHM** En Faiz? I think judgment ini, Australian judgment ini is very important.
14 Kita mark it separately boleh?
15
- 16 **MFR** Yes. Boleh.
17
- 18 **PK** Dato Seri, Mr Chairman, we mark it separately, yes.
19
- 20 **MFR** 113A?
21
- 22 **PK** Yes.
23
- 24 **CHM** Yes.
25
- 26 **MFR** Alright. Ok, Dato' Seri.
27
- 28 **CHM** Any clarification by other observers to be sought with Mr Koh? Kalau
29 tak ada then kita end lah kan? That will be the end with our exercise of
30 the tendering of documents this morning.
31
- 32 **SK** Yes, Dato' Seri. We have I think with this we have concluded the
33 morning session.
34
- 35 **CHM** Now the panel will have a break in session to make decision on certain
36 issues raised, more particularly whether certain officials or individuals
37 need to be subpoena as witnesses, we need to seriously deliberate on

1 that. And then we will return in the afternoon at 02:00PM and we will
2 disclose our decisions on those issues and then we'll start hearing the
3 immigration officer. Alright?
4
5 **AK** Dato' Seri, if I may –
6
7 **PK** Dato' Seri, may I have a short comment.
8
9 **CHM** Yes.
10
11 **PK** Thank you. Since the documents just tendered and marked 113, 113A
12 was not made available to the other members, in the interim can I ask
13 the SUHAKAM to send to the emails of all the observers the documents
14 so that when the matter reconvene or just before it reconvene maybe
15 for 15 minutes they are given the chance to ask whether they want to
16 do anything about these documents, rather than they having to ask for
17 another session, alright. Is that possible? I mean, that will be helpful as
18 a process issue, management issue. Is that alright? As a courtesy to
19 the other members, yes.
20
21 **CHM** Sure.
22
23 **PK** So we will reconvene –
24
25 **CHM** (01:58:33 inaudible).
26
27 **PK** So we will reconvene for open session at what time, Mr Simon, may I
28 ask? Or Faiz?
29
30 **SK** We have informed when we reconvene at 02:00PM.
31
32 **PK** At 02:00PM? So maybe, I don't know whether, because they will be
33 waiting in the lobby, they could be informed that they can come in at
34 02:20PM or 02:30PM, or maybe 02:50PM so that we can have this time
35 where the other members have a quick look at what's tendered. Is it
36 possible, Mr Dato' Seri? Must seek your guidance on this.
37

1 **CHM** Ok, kita start at 02:00PM, yes?
2
3 **PK** Yes.
4
5 **CHM** And Q&A on this Australian tribunal judgment... I don't think it will going
6 to take long kan.
7
8 **PK** No.
9
10 **CHM** I don't think there going to be a lot of questions kan? You have
11 eloquently explained what it is all about, so maybe we just reserve for
12 about 15 minutes and then the actual calling of the witness will start at
13 02:15PM.
14
15 **PK** Ok, I assure you, Mr Dato' Seri, I'll be in the session by 01:45PM alright,
16 to wait so that I do not delay.
17
18 **CHM** Ok.
19
20 **PK** Cause problems to everyone. Thank you once again.
21
22 **CHM** Ok, alright.
23
24 **AK** Dato' Seri, this is Andrew Khoo.
25
26 **CHM** Yes?
27
28 **AK** Just to inform the inquiry that regrettably I have another meeting that
29 was arranged a long time ago that I can't shift because I am moderating
30 the meeting. So I will not be in the afternoon session but my learned
31 colleague, Ms Chanra will be around. Thank you.
32
33
34 **[02:00:00]**
35 **CHM** Ok. Alright, ok. So session is adjourned, except members of the panel
36 and officers.
37

1 **PK** Much obliged, thank you.

2

3

END

4

5 **TIME :** [02:00:48]

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1 **DATE** : **06.07.2021**

2 **VIDEO TITLE:** **Sesi petang.mp4**

3

4

START

5

6 **CHM** Simon. Simon.

7

8 **SK** Yes, Dato' Seri.

9

10 **CHM** Shall I announce the decision of the Committee?

11

12 **SK** Yes Dato' Seri, you may (00:00:12).

13

14 **CHM** Alright. This is decision of the Committee on the issue raised in the
15 morning. No.1, the Committee makes a decision to subpoena either the
16 CEO or the relevant officer of MCMC to appear as witness before this
17 Committee. No.2, as regards Maxis, we await, we await the letter from
18 the Bar, from Mr Andrew Khoo for the question that he wished us to
19 forward to Maxis. And we also add a few of our queries to Maxis. I
20 understand Mr Andrew Khoo is not with us this afternoon. There's
21 someone from the Bar, isn't it? Someone from the Bar?

22

23 **SK** Yes, Ms Chanra.

24

25 **CHM** Ms Chanra, you're there?

26

27 **SPC** Yes, I'm here. Good afternoon fellow members.

28

29 **CHM** You're there, Ms Chanra?

30

31 **SPC** I am here. I'm starting, ... ok.

32

33 **CHM** Good afternoon. Did you catch what I've said earlier?

34

35 **SPC** No, Mr Chairman, no. I did not. I'm just hearing you now.

36

1 **CHM** Oh, You're here this morning, isn't it?
2

3 **SPC** Yes, I was, I was. You were supposed to make a decision or you're
4 supposed... panel members are supposed to let us know the decision
5 that was to be made.
6

7 **CHM** Yes. Our decision is to request Mr Andrew Khoo to forward us his
8 question meant for Maxis as soon as possible. Boleh tak by tomorrow?
9 Can... by tomorrow yes?
10

11 **SPC** I will –
12

13 **CHM** As soon as possible.
14

15 **SPC** Yes Mr Chairman I will pass the message to Mr Khoo.
16

17 **CHM** And then the panel officers will forward the question to Maxis. Maxis,
18 right? Whatever we get, we will share it with other observers... with
19 observers... yes... yes. But that... that's for MCMC and Maxis.
20 Maybank? Maybank, the panel will be asking for certain information
21 from Maybank on certain transaction on the accounts by Joshua Hilmy
22 held at the Ipoh Garden branch. For a certain relevant period,
23 transaction for certain relevant period. And we'll wait for their answer
24 and then we'll decide where to go from there. And then the said Mr
25 [REDACTED]... the said Mr [REDACTED] who deposited some RM300 into the
26 account of Joshua Hilmy on 07.02.2017. We will await further bank-in
27 particulars on the said Mr [REDACTED] from [REDACTED] Bank. And after that our
28 officers will be interview Mr [REDACTED] Where do we go from there?
29 Depends... will depend on what information we'll get from that interview.
30 I suppose that's about all. Did I miss anything? I don't think so... alright.
31 So, with that we can proceed to the next matter that is pertaining to the
32 Australian Tribunal decision shared by Mr Phillip Koh with us this
33 morning. And that Tribunal's decision, right, so whether there'll be any
34 question to be asked on that Tribunal's decision.
35

36 **PK** Dato' Seri, may I address you and the panels with a short query over
37 the Multimedia Commission's ruling?

1
2 **CHM** Yes.
3
4 **PK** Before we go to the Australian one. Thank you, Dato' Seri, and
5 members of panel for the ruling. I do not wish to introduce this issue
6 when the CEO comes because assuming from the evidence and I do
7 not want to beg the question or pre-empt that you will say something
8 more. If he says that they have no avenue of doing so, what we have
9 left is the PDRM in the scenario that I have described and the criminality
10 that is threatened or have been effected in our shores by a
11 pseudonymous email operator who may be based in Malaysia. That
12 question if posed to the CEO, he may well answer that he has no way
13 of dealing with it or he may say something like, 'Yes, we could try and
14 do more' which is going to be interesting,' then we would need to ask
15 someone in PDRM because we all know that hacking hackers, using
16 pseudonymous account is wreaking havoc in economies around the
17 world. Clearly this is not something that is completely new. So, I think
18 that we need to address these two, Dato' Seri, because lest we need to
19 again have another summoning or subpoenaing another person. So,
20 we need to deal with the fact that the AGC... if I remember the ruling...
21 it's says, 'Oh, we cannot disturb their investigation. But in this case, it's
22 a very specific issue. Does PDRM has the resources if a pseudonymous
23 email is used? I do not wish to repeat myself. That is something I think
24 we need to address, Dato' Seri, with respect to what is going on, on this
25 matter.
26
27 **CHM** Mr Koh, why don't we cross the bridge when we come to it?
28
29 **PK** Yes, of course I'm prepared to do that too. I just didn't want to have the
30 (00:08:03 inaudible) that if... if I don't want to pre-empt as I said, the
31 CEO says, 'Well, that's all we can do because the Interpol and all is
32 beyond us', then we are now back to another request which I am now
33 putting on the table. Anyway, I'm happy to wait for and cross the bridge
34 when it comes.
35
36 **CHM** Yes, right. Ok, thank you. Ok, any question then on that judgment? On
37 that immigration tribunal judgment? Any question? Anyone would like


1 to ask? Mr Philip Koh? Silence means no question, right? No question.
2 Jadi kita boleh teruskan lah. What we sought to do this afternoon, the
3 calling of a witness from the Immigration Department. Ok teruskan.
4 Dipersilakan our officers Faiz, Simon. Call the witness in.

5
6 **SK** Yes, Dato' Seri, so the action... sorry the session now onwards will be
7 open session. So, we'll be also allowing the members of public and
8 media to log in. So now we'll be calling the witness. Witness No.21.
9 Puvee, over to you Puvee.

10
11 **PRS** Members (00:10:16) and observers. Selamat petang, Tuan. Nama saya
12 Puveethra. Puan ikrar, tolong. Ok Puan, di sini ada ikrar. So, sila baca
13 angkat sumpah dan membaca seperti tertera pada skrin ya. Sila baca
14 ya, Puan.

15
16 **CHM** Angkat tangan kanan.

17
18 **PRS** Angkat tangan kanan dan membaca... mengangkat sumpah dengan
19 membaca ya, Puan.

20
21 **SP**
22 **Nama** : **Junainh bt Dalugamin @ Dulgamin**
23 **Umur** : **32**
24 **Alamat** : 
25
26 **Pekerjaan** : **Penolong Penguasa Imigresen**
27 **Bahagian Keselamatan dan Pasport Shah Alam**

28 **Bersumpah dan memberi keterangan dalam Bahasa Melayu**

29 **Masa** : **00:11:02**

30
31 **Pemeriksaan utama (Examination-in-chief) Junainh bt Dalugamin oleh**
32 **Puveethra Raja Segaran**

33 **Masa : 00:11:22**

34
35 **PRS** Terima kasih, Puan. Ok Puan, saya akan bertanya beberapa soalan
36 berkaitan dengan siasatan kehilangan dua individu ia Joshua Hilmy dan

1 Ruth Sitepu. Baik Puan, untuk maklumat Puan, pihak media dan awam
2 juga telah menghadiri sesi ini. Boleh kita teruskan, Puan?
3
4 **JUNAINH** Ya.
5
6 **PRS** Ok, Puan. Boleh Puan beritahu kepada panel nama penuh dan nombor
7 kad pengenalan Puan?
8
9 **JUNAINH** Nama saya Junainh Binti Dalugamin @ Dulgamin. Nombor IC [REDACTED]
10 [REDACTED]
11
12 **PRS** Terima kasih Puan. Boleh, berapakah umur Puan ketika ini?
13
14 **JUNAINH** Umur saya 32 tahun.
15
16 **PRS** Boleh Puan nyatakan alamat tempat tinggal Puan?
17
18 **JUNAINH** Alamat tempat tinggal [REDACTED]
19 [REDACTED]
20
21 **CHM** Puveethra.
22
23 **PRS** Yes, Dato' Seri?
24
25 **CHM** She's a government officer at Immigration, you don't have to ask for
26 house address. Well ask witness where she's attached to at the
27 moment.
28
29 **PRS** We'll go for the question later on, Dato' Seri.
30
31 **CHM** Yes.
32
33 **PRS** Ok.
34
35 **CHM** When it comes to officers, you don't ask for personal address.
36
37 **PRS** We used to ask, Dato' Seri, like in previous –

1
2 **SK** Puvee. Puvee, skip that question Puvee. Thank you.
3
4 **PRS** Skip question, ok. Thank you, alright. So, we move on to the next
5 question. Puan, boleh Puan nyatakan tarikh mula berkhidmat di dalam
6 Jabatan Imigresen Malaysia?
7
8 **JUNAINH** Saya mula berkhidmat di Jabatan Imigresen –
9
10 **CHM** You ask her what is her rank now. What is her rank? That is more
11 important.
12
13 **PRS** Ok, Dato' Seri, I'm going one by one actually. There is questions later
14 on. So, may I continue, Dato' Seri?
15
16 **CHM** She has to identify herself.
17
18 **PRS** Yes.
19
20 **CHM** 'I'm so and so. I'm from Immigration Department and I hold the rank of,'
21 whatever it is.
22
23 **PRS** Yes.
24
25 **CHM** That's how it should be done.
26
27 **PRS** Ok, Dato' Seri. I'll ask accordingly. Thank you. So, may I move forward,
28 Dato' Seri?
29
30 **CHM** Yes, yes. Ask her rank in the government. Jawatan, what's her jawatan?
31
32 **PRS** Ok baik, Dato'. Puan, sila nyatakan jawatan dan tempat bertugas
33 sekarang, terkini, Puan.
34
35 **JUNAINH** Jawatan terkini saya adalah Penolong Penguasa Imigresen di Jabatan
36 Imigresen Malaysia, Negeri Selangor.
37

1 **PRS** Tempat bertugas tadi dimana?
2

3 **JUNAINH** Saya sekarang bertugas di Bahagian Keselamatan dan Pasport Shah
4 Alam.
5

6 **PRS** Ok. Puan, nyatakan tarikh mula berkhidmat.
7

8 **JUNAINH** Saya mula berkhidmat di Jabatan Imigresen Malaysia bermula
9 23.02.2015.
10

11 **PRS** Ok. Sudah berapa lama Puan bertugas di tempat terkini?
12

13 **JUNAINH** Di tempat, saya bertugas di tempat terkini iaitu di Bahagian
14 Keselamatan dan Pasport Shah Alam sudah dua tahun.
15

16 **PRS** Dua tahun. Dari, maksudnya dari tahun berapa, Puan?
17

18 **[00:15:00]**

19

20 **JUNAINH** Saya bertugas di Bahagian Keselamatan dan Pasport bermula
21 19.01.2019.
22

23 **PRS** 2019 sehingga kini?
24

25 **JUNAINH** Ya, sehingga kini.
26

27 **PRS** Ok. Boleh Puan maklumkan jawatan sebelum ini dan tempat bertugas
28 sebelum ini dengan nyatakan tahun sekali?
29

30 **JUNAINH** Sebelum ini saya bertugas di Depot Imigresen Semenyih bermula 2018
31 sehingga Januari 2019.
32

33 **PRS** Ok. Pada 2015 macam mana, Puan?
34

35 **JUNAINH** Bermula 23, saya mula berkhidmat di Imigresen pada 23.02.2015. Dan
36 tempat pertama saya berkhidmat adalah Bahagian Penguatkuasa Shah
37 Alam, Jabatan Imigresen Malaysia, Negeri Selangor.

1

2 **PRS** Terima kasih, Puan. Puan, boleh terangkan peranan dan skop tugas
3 sebagai Penolong Penguasa Imigresen, Bahagian Keselamatan dan
4 Pasport di Jabatan Imigresen Malaysia?

5

6 **JUNAINH** Peranan saya di Bahagian Keselamatan dan Pasport sebagai
7 Penolong Penguasa Imigresen adalah untuk menerima permohonan
8 pasport Malaysia untuk pemohon-pemohon warganegara Malaysia dan
9 juga menerima permohonan surat pengesahan daripada mana-mana
10 agensi penguatkuasa dalam kawasan negeri Selangor.

11

12 **PRS** Surat pengesahan maksudnya apa, Puan?

13

14 **JUNAINH** Surat pengesahan adalah mana-mana surat daripada mana-mana
15 agensi penguatkuasa ataupun swasta untuk mendapatkan pengesahan
16 keluar masuk seseorang dari dalam ataupun luar negara... keluar atau
17 masuk ke Malaysia.

18

19 **PRS** Baik, Puan. Soalan seterusnya, adalah Puan tahu mengenai kes
20 kehilangan melibatkan Joshua Hilmy dan Ruth Sitepu?

21

22 **JUNAINH** Saya tahu melalui... kes kehilangan saya tak tahu. Saya hanya tahu
23 berkenaan surat pengesahan yang saya perlu buat sahaja.

24

25 **PRS** Ok. Bagaimana Puan dapat tahu yang berkenaan dengan surat
26 pengesahan itu?

27

28 **JUNAINH** Saya telah terima surat permohonan daripada pihak polis Sungai Way
29 untuk membuat pengesahan pergerakan keluar masuk bagi penama
30 Hilmy Hanim dan juga Ruth.

31

32 **PRS** Ok. Dari balai polis Sungai Way ya, Puan?

33

34 **JUNAINH** Ya betul.

35

36 **PRS** Boleh saya tahu siapa pegawai yang menghantar surat kepada Puan?

37

1 **JUNAINH** Yang itu saya tak dapat nak pastikan.
2
3 **PRS** Pegawai itu, pegawai tersebut hantar surat hanya untuk mendapatkan
4 pengesahan untuk keluar masuk?
5
6 **JUNAINH** Ya betul. Pengesahan keluar masuk Malaysia
7
8 **PRS** Betul. Ok terima kasih, Puan.
9
10 **CHM** Does witness has a copy of that letter, request letter from PDRM? Yes,
11 ok. Saksi nak jawab ok.
12
13 **PRS** Puan, saya ulang soalan Dato' Seri. Puan mempunyai surat yang
14 mendapat, yang pegawai polis dari Sungai Way yang memohon untuk
15 mendapatkan pengesahan keluar masuk, adakah Puan mempunyai
16 surat tersebut?
17
18 **JUNAINH** Surat tersebut, surat tersebut saya tak dapat nak jumpa sebab kami
19 telah berpindah pejabat, jadi surat yang lama itu kami tak dapat nak
20 jumpa.
21
22 **PRS** Surat tersebut, Puan telah mendapat melalui, sebagai hardcopy
23 ataupun melalui emel?
24
25 **JUNAINH** Melalui hardcopy.
26
27 **PRS** Hardcopy. Dato' Seri, she couldn't find the letter.
28
29 **CHM** PDRM has a copy bukan? Wakil PDRM ada copy bukan?
30
31 **MSR** Dengan izin, Dato' Seri, saya DSP Sabri daripada PDRM. Biasanya
32 memang hardcopy itu memang ada dalam kertas siasatan. Dan
33 sepertimana Dato' Seri sedia maklum kertas siasatan itu memang
34 berada dengan AGC lah berkaitan dengan permohonan daripada
35 SUHAKAM tersebut. Untuk makluman Dato' Seri.
36

1 **CHM** This is the one that AGC kata cannot be shown to SUHAKAM ya? Inilah
2 dia? Surat itu bukan? En Sabri? Itu dia surat itu bukan? Itu ya?
3
4 **MSR** Saya tak tahu. Tak tahu, Dato' Seri, sebab itu hanya IO sahaja yang
5 tahu apa permohonan daripada SUHAKAM.
6
7 **CHM** Ok, En Simon, apa jadi yang kita punya request, kita punya surat to
8 AGC apa jadi? What happen, En Simon?
9
10 **SK** Dato' Seri, my last conversation with AGC sepatutnya mereka
11 mengadakan satu, AGC needs to have a meeting with the IO on the
12 matter to decide. But I was informed that it was delayed because of the
13 lockdown, MCO, and all that. So, I don't think the meeting has taken
14 place yet.
15
16 **CHM** I see. They can still meet online, bukan? I think it's simple issue, is it?
17 Never mind. Keep on reminding the AGC.
18
19 **SK** Sure, Dato' Seri.
20
21 **CHM** Yes. We need to have a decision on that.
22
23 **SK** Yes, Dato' Seri.
24
25 **CHM** Alright. Yes, yes, ok carry on, Ms Puveethra.
26
27 **PRS** Ok, Dato' Seri. Puan, dalam rekod Jabatan Imigresen, apakah
28 maklumat mengenai Hilmy bin Hanim yang pernah didaftar dengan
29 Jabatan Imigresen? Puan, mohon nyatakan butiran maklumat tersebut
30 seperti nombor pasport, tarikh dan tempat dikeluarkan pasport dan
31 tarikh tamat tempoh.
32
33 **JUNAINH** Ok. Melalui rekod di Jabatan Imigresen Malaysia ataupun lebih spesifik
34 kepada Bahagian Keselamatan dan Pasport, melalui carian saya, kami
35 telah temui untuk penama Hilmy bin Hanim dengan nombor kad
36 pengenalan [REDACTED] beliau mempunyai beberapa nombor
37 pasport. Antaranya yang... pasport dia yang paling terakhir sekali

1 adalah... yang paling terkini adalah bernombor A36522166 yang telah
2 dikeluarkan pada 24.11.2015 dan tamat tempoh pada 24.11.2020.
3 Pasport tersebut telah dikeluarkan oleh Pejabat Pengeluar di Pulau
4 Pinang. Melalui semakan untuk pergerakan keluar masuk, didapati
5 tiada rekod pergerakan keluar masuk untuk penama Himy bin Hanim
6 melalui nombor pasport tersebut, melalui carian daripada sistem kami.
7
8 **PRS** Baik, Puan. Adakah Puan mempunyai apa-apa dokumen yang untuk
9 menunjukkan isu-isu seperti ini dan butiran-butiran?
10
11 **CHM** Sebentar, sebentar. Ini pasport antarabangsa ya?
12
13 **JUNAINH** Ya, Tuan.
14
15 **CHM** Ya. Bukan? Betul tak?
16
17 **JUNAINH** Betul. Ini pasport antarabangsa Malaysia.
18
19 **CHM** Ya. Because Malaysia kita ada dua jenis pasport, bukan?
20 Antarabangsa dan pasport terhad.
21
22 **JUNAINH** Oh. Dokumen terhad untuk dokumen perjalanan terhad, untuk
23 pergerakan keluar dan masuk, pergerakan ke Sabah dan Sarawak
24 sahaja.
25
26 **CHM** Ya, ya. Yes, yes, yes. Oh Singapore boleh pakai tak? Tak boleh dah?
27
28 **JUNAINH** Tak boleh (00:23:46).
29
30 **CHM** Ya?
31
32 **JUNAINH** Singapore? Kalau Singapore sebelum ini, kalau macam ada SP case
33 (00:23:50) pergerakan secara berkumpulan.
34
35 **CHM** I see. So sekarang ini terhad only setakat Sabah dan Sarawak?
36
37 **JUNAINH** Sabah dan Sarawak sahaja.

1
2 **CHM** Ok. Tapi yang pasport yang Puan sebutkan tadi adalah pasport
3 antarabangsa ya?
4
5 **JUNAINH** Ya, Tuan.
6
7 **CHM** Ok right, ok.
8
9 **JUNAINH** Ok. Seterusnya -
10
11 **PRS** Ok sekejap ya Puan. Saya akan tenderkan dokumen yang Puan
12 diberikan. Terdapat satu ekshibit. Sekarang saya ingin
13 mengekshibitkan satu dokumen. Ok Dato' Seri, ini merupakan dokumen
14 yang diberikan untuk pengesahan semakan pergerakan keluar masuk
15 Malaysia yang diberikan oleh Puan Junainh bt Dalugamin. Ok saya
16 ingin mohon untuk tender dan *exhibitkan* sebagai nombor Exhibit 114.
17
18 **CHM** Carry on, Puvee 2628
19
20 **PRS** Boleh turun. Ok dah ok., alright. Tunggu dekat sini ya. Baik Puan,
21 soalan saya, Puan boleh terangkan mengenai hasil yang dinyatakan
22 seperti dalam, seperti tertera pada skrin?
23
24 **JUNAINH** Ok, seperti yang saya maklumkan sebelum ini, untuk Bilangan No.1,
25 untuk penama Hilmy bin Hanim, nombor pasport A36522166. Pasport
26 dikeluarkan pada 24.11.2015 dan tamat tempoh pada 24.11.2020.
27 Melalui semakan sistem Jabatan Imigresen, tiada rekod keluar ataupun
28 masuk ke Malaysia menggunakan pasport ini oleh penama Hilmy bin
29 Hanim. Ok untuk perkara yang Bilangan No.2, bagi penama Hilmy bin
30 Hanim, nombor pasport A18868445, tarikh pasport dikeluarkan pada
31 06.05.2008 dan tamat tempoh pada 10.07.2013. Pergerakan terakhir
32 untuk pasport tersebut adalah masuk ke Malaysia pada 07.01.2012
33 pada jam 01.37PM di Lapangan Terbang Antarabangsa Bayan Lepas.
34
35 **PRS** Turun bawah. Boleh continue, Puan.
36
37 **JUNAINH** Apa dia?

1

2 **PRS** Boleh continue ya, Puan, mengenai butiran pasport.

3

4 **JUNAINH** Sebelum itu, beliau pernah keluar daripada Malaysia melalui Lapangan
5 Terbang Antarabangsa KL pada 28.12.2011. Selepas itu, penama
6 masuk ke Malaysia pada 07.01.2012 seperti yang dinyatakan dalam
7 jadual tersebut. Pada 23.07.2011, penama telah masuk ke Malaysia
8 melalui Bangunan Sultan Iskandar, pintu masuk bangunan Sultan
9 Iskandar Johor. Seterusnya pada 01.12.2000 –

10

11 **CHM** Sebentar, Puan. 23.07.2011 dia masuk?

12

13 **JUNAINH** Ya.

14

15 **CHM** Dia masuk. Kalau nak masuk ke Malaysia, guna pasport, orang itu dia
16 mesti keluar dahulu, bukan? Dia mesti keluar dari Malaysia. Dia mesti
17 keluar, bukan?

18

19 **JUNAINH** Ya.

20

21 **CHM** Lepas itu baru masuk on the 23rd. So, mana rekod dia keluar?

22

23 **JUNAINH** Ok. Mengikut apa yang saya faham, sebelum dia masuk di Bangunan
24 Sultan Iskandar, dia ada masuk melalui Lapangan Terbang
25 Antarabangsa Kuala Lumpur.

26

27 [00:30:00]

28

29 **CHM** Bila?

30

31 **JUNAINH** Sekejap. Sekejap. Rekod ini... saya hanya lukiskan... menulis
32 maklumat ini melalui apa yang kami temui dalam sistem jabatan.
33 Samada dia masuk... macam mana dia masuk keluar pun saya tak
34 boleh nak beri confirmation. Saya hanya ikut apa yang ada dalam
35 sistem jabatan sahaja.

36

1 **CHM** Bagaimana sistem di jabatan tidak ada rekod masuk sebelum 23 Julai?
2 Macamana?
3

4 **JUNAINH** Rekod masuk sebelum 23 Julai?
5

6 **CHM** Diantara 07.01.2012 dengan 23 Julai, dia ada keluar, bukan?
7

8 **JUNAINH** Ya betul.
9

10 **CHM** Dan sistem mesti track bukan orang keluar masuk? Itu tujuan sistem,
11 bukan?
12

13 **JUNAINH** Betul.
14

15 **CHM** Itu tujuan sistem, bukan?
16

17 **JUNAINH** Ya betul.
18

19 **CHM** So mana dia rekod yang dia keluar?
20

21 **JUNAINH** Saya tak boleh nak, saya tak boleh nak tanya (00:31:04) lanjut sebab
22 kena tahu dia punya pergerakan melalui pasport dia.
23

24 **CHM** Tapi pergerakan pasport tentu dah masuk dalam sistem, bukan?
25

26 **JUNAINH** Ya betul. Melainkan, melainkan dia ada masuk, dia pergi dari... dia
27 masuk ke lapangan terbang antarabangsa daripada Sabah atau
28 Sarawak. Bila masuk ke dalam Semenanjung, rekod itu tak di, dia tak
29 ada rekod dalam sistem jabatan. Tapi sekiranya seseorang Malaysia
30 pergi ke Sabah atau Sarawak, rekod dia ada dalam sistem.
31

32 **CHM** Kalau dia pergi Sabah, Sarawak, rekod ada dalam sistem?
33

34 **JUNAINH** Yes.
35

36 **CHM** Dalam sistem di sini?
37

1 **JUNAINH** Ya. Tapi sekiranya dia, sekiranya seorang warganegara Malaysia
2 daripada Sabah atau Sarawak masuk ke Semenanjung, yang itu
3 memang tak ada dalam rekod sebab kita tak, tak ada cop pasport pun
4 waktu yang masuk ke pintu Semenanjung.
5

6 **CHM** Ya?
7

8 **JUNAINH** (00:32:07 inaudible) Sabah atau Sarawak.
9

10 **CHM** Adakah maksud Puan diantara 07.01.2012 itu dan 23 Julai... yang
11 kolum ini kolum tarikh masuk, bukan?
12

13 **JUNAINH** Betul.
14

15 **CHM** So, diantara itu, adakah maksud Puan, dia ada pergi ke Sabah Sarawak
16 diantara 07.01.2012... macam mana ini? Oh atas the most recent?
17

18 **JUNAINH** Atas sekali, kami ikut yang paling, atas sekali itu adalah pergerakan
19 yang, pergerakan yang paling terkini, yg paling terakhir sekali.
20

21 **PRS** Puan, Puan nak refer dari bawah ke atas kah, atau nak atas dari
22 bawah?
23

24 **MFR** Sorry Puvvee, if I may mencelah? Pn Jun.
25

26 **JUNAINH** Ya.
27

28 **MFR** Ok sebelum itu saya nak sahkan dahulu dokumen ini. Boleh Puan
29 sahkan tak dokumen ini yang diserahkan kepada SUHAKAM?
30

31 **JUNAINH** Surat ini adalah surat... surat yang... surat pengesahan yang saya buat
32 kepada pihak SUHAKAM.
33

34 **MFR** Baik. Ok yang pertama soalan saya, boleh Puan terangkan serba
35 sedikit, slightly scroll ke bawah, sorry ke atas, ke atas. Ok Puan,
36 terangkan sikit apakah dimaksudkan dengan tarikh paksa
37 (02:33:54PM) pasport, pejabat pengeluar, tarikh keluar, tarikh masuk?

- 1 Puan boleh break down tak apa yang dimaksudkan dengan maklumat
2 yang Puan kemukakan kepada SUHAKAM ini?
3
- 4 **JUNAINH** Ok pertama, tarikh sah pasport adalah bila pasport itu bermula, tempoh
5 sah pasport tersebut bermula, bila pasport itu dikeluarkan dan sehingga
6 bila pasport itu tamat tempoh. Pejabat pengeluar adalah dimana
7 pasport itu dibuat oleh pemohon.
8
- 9 **MFR** Baik. Boleh Puan terangkan berkaitan dengan tarikh keluar dan tarikh
10 masuk?
11
- 12 **JUNAINH** Tarikh keluar adalah bila seseorang itu ada keluar daripada Malaysia.
13 Dia keluar daripada Malaysia. Dan tarikh masuk adalah apabila
14 seseorang itu masuk ke dalam Malaysia melalui mana-mana pintu
15 masuk Malaysia.
16
- 17 **MFR** Baik. Maklumat yang Puan kemukakan ini adalah berkisar dengan
18 Hilmy bin Hanim?
19
- 20 **JUNAINH** Betul.
21
- 22 **MFR** Baik. Ok Puan, berdasarkan maklumat yang Puan dapat ini apakah
23 sistem yang digunakan oleh Imigresen?
24
- 25 **JUNAINH** Sistem yang kami gunakan adalah sistem Jabatan Imigresen MyIMMs.
26
- 27 **MFR** MyIMMs? Boleh Puan jelaskan lebih lanjut berkaitan sistem ini?
28
- 29 **JUNAINH** Sistem Jabatan Imigresen MyIMMs adalah sistem yang digunakan oleh
30 Jabatan Imigresen. Antara salah satunya adalah... salah satu menu
31 yang ada adalah untuk membuat semakan pergerakan keluar masuk
32 mana-mana penama warganegara ataupun bukan warganegara. Dan
33 juga, ada juga menu untuk... seperti saya bekerja di Bahagian Pasport,
34 adalah menu untuk kami membuat pasport. Pasport Malaysia,
35 warganegara Malaysia.
36

- 1 **MFR** Boleh saya katakan ada bahagian lain juga menggunakan sistem ini
2 juga?
3
- 4 **JUNAINH** Ya, ada.
5
- 6 **MFR** Boleh Puan beritahu kepada panel bahagian mana lagi yang terlibat
7 menggunakan sistem MyIMMs ini?
8
- 9 **JUNAINH** Semua bahagian di Jabatan Imigresen menggunakan sistem Jabatan
10 Imigresen seperti contoh Bahagian Visa, Pas dan Permit, Bahagian
11 Pekerja Asing, Bahagian Penguatkuasa, di depot, di pintu masuk. Itulah
12 antara bahagian yang menggunakan sistem jabatan MyIMMs.
13
- 14 **MFR** Ok terima kasih, Puan. Saya ingin merujuk kepada pertanyaan
15 daripada Dato' Seri tadi. Kalau kita tengok dalam dokumen ini terdapat
16 pergerakan keluar masuk yang tidak direkodkan pada tahun 2007 dan
17 2011. Ok boleh Puan jelaskan mengapa keadaan ini berlaku?
18
- 19 **JUNAINH** Boleh ulang balik soalan tak? Yang tidak direkodkan maksudnya?
20
- 21 **MFR** Kalau dekat sini kita tengok terdapat rekod pergerakan masuk
22 daripada... Hilmy bin Hanim pada 23.07.2011. Namun tiada pergerakan
23 keluar daripada Malaysia. Sama juga pada tahun 2011, pada 1hb
24 Disember dan di Lapangan Terbang Kota Kinabalu dan Merapok. Boleh
25 Puan jelaskan mengapa keadaan ini berlaku? Tiada rekod pergerakan
26 keluar daripada Malaysia?
27
- 28 **JUNAINH** Saya tak boleh nak cakap situasi yang sebenarnya sama ada dia keluar
29 ataupun masuk sebab kita tak tahu daripada pintu mana sebenarnya
30 dia masuk ataupun keluar. Tapi mungkin salah satu sebab, tapi benda
31 ini, sebab yang saya nyatakan ini bukanlah sebab yang, yang tepat
32 untuk Hilmy bin Hanim. Ini hanyalah satu kemungkinan sahaja.
33 Kemungkinan pertama mungkin pada waktu Hilmy bin Hanim melalui
34 mana-mana pintu masuk terdapat masalah sistem Jabatan Imigresen,
35 ataupun salah satunya berkemungkinan Hilmy bin Hanim
36 menggunakan dokumen... dokumen perjalanan yang selain daripada
37 yang direkodkan oleh pihak Imigresen. Tapi kemungkinan tersebut

1 saya tak boleh nyatakan benda ini adalah betul, benda ini adalah saya
2 nyatakan, 'Ya, memang betul untuk dia.' Itu hanyalah kemungkinan
3 yang saya boleh nyatakan. Tapi sama ada benda ini benar atau tidak,
4 itu saya tak boleh nak bagi keputusan lah sama ada benar ataupun
5 tidak.
6

7 **MFR** So mengikut Puan terdapat dua kemungkinan lah? Samada dia
8 menggunakan dokumen yang lain dan satu lagi?
9

10 **JUNAINH** Satu lagi berkemungkinan sewaktu Hilmy bin Hanim melalui mana-
11 mana pintu masuk Imigresen, kemungkinan terdapat masalah sistem...
12 sistem Jabatan Imigresen sewaktu beliau melalui pintu masuk tersebut.
13

14 **MFR** Alright. Terima kasih, Puan. Untuk tambahan, Puan, boleh Puan
15 jelaskan kenapa macam Hilmy bin Hanim ini mempunyai banyak
16 dokumen?
17

18 **JUNAINH** Banyak dokumen? Ok pertama, tempoh passport Imigresen adalah lima
19 tahun. Apabila passport tersebut telah tamat tempoh, maka pemohon itu
20 boleh untuk membuat passport baru untuk pergerakan keluar... keluar
21 daripada Malaysia. Seperti kita lihat Hilmy bin Hanim ada beberapa
22 nombor passport, nombor passport, beberapa passport Malaysia yang
23 beliau pegang.
24

25 **MFR** Jadi Puan, boleh saya sahkan di sini kalau kita tengok dokumen yang
26 Puan kemukakan ini, perjalanan terakhir keluar adalah pada 2012?
27

28 **JUNAINH** Ya, betul. Perjalanan, pergerakan dia adalah pada 2012 iaitu masuk ke
29 dalam Malaysia.
30

31 **MFR** Ok. Puveethra boleh sambung.
32

33 **PM2** Just a moment. Pn Junain.
34

35 **JUNAINH** Ya.
36

- 1 **PM2** Selamat petang. Terima kasih atas maklumat. Daripada tiga maklumat
2 yang masuk ke Malaysia ini menggunakan pasport lama dia
3 A18868445, daripada tiga ini Bangunan Sultan Iskandar, LTA Kota
4 Kinabalu, Merapok. Bangunan Sultan Iskandar adalah apa itu, pintu
5 masuk antarabangsa ya? Bangunan.
6
- 7 **JUNAINH** Betul, di Johor.
8
- 9 **PM2** Ok. So, itu antarabangsa ya?
10
- 11 **JUNAINH** Ya betul.
12
- 13 **PM2** Ok. Dan LTA Kota Kinabalu ada dua kemungkinan. Antarabangsa,
14 antara Semenanjung Malaysia dan Sabah juga boleh masuk, bukan?
15
- 16 **JUNAINH** Ya, betul.
17
- 18 **PM2** Bila masuk rekod, tapi bila keluar tak ada rekod? Sebab masuk KL tak
19 ada rekod?
20
- 21 **JUNAINH** Ya.
22
- 23 **PM2** Betul. So, itu satu kemungkinan. Kedua, Merapok adalah satu stesen
24 imigresen antara Sabah dan Sarawak, betul?
25
- 26 **JUNAINH** Ya, betul.
27
- 28 **PM2** Dan stesen antara Sabah Sarawak kalau perjalanan rakyat Malaysia,
29 itu akan direkod dalam sistem yang, apa itu, imigresen tadi itu atau itu
30 cuma sistem untuk Sabah dan Sarawak sahaja? Kalau seseorang itu
31 melangkah dalam Merapok ini?
32
- 33 **JUNAINH** Direkod menggunakan sistem Jabatan Imigresen.
34
- 35 **PM2** Yang mana? Sistem kamu?
36
- 37 **JUNAINH** Semua, yang Merapok, LTA Kota Kinabalu.

1
2 **PM2** Oh. Tapi Merapok adalah imigresen antara Sabah dan Sarawak,
3 bukan?
4
5 **JUNAINH** Ya.
6
7 **PM2** So kalau dia jalan dari Sabah masuk ke Sarawak, itu akan direkod di
8 Kuala Lumpur, di Putrajaya?
9
10 **JUNAINH** Sabah ke Sarawak?
11
12 **PM2** Ya.
13
14 **JUNAINH** Ulang balik soalan boleh tak?
15
16 **PM2** Sebab imigresen Sabah Sarawak, dia ada imigresen sendiri, bukan?
17
18 **JUNAINH** Ya betul.
19
20 **PM2** (00:41:51 inaudible) dia –
21
22 **JUNAINH** Sekarang masih menggunakan sistem jabatan yang sama.
23
24 **PM2** Putrajaya?
25
26 **JUNAINH** Ya, maksudnya untuk rekod keluar masuk, walaupun di Sabah, di
27 Sarawak, satu Malaysia, kita menggunakan sistem jabatan yang sama
28 iaitu MyIMMs
29
30 **PM2** Ok, ok. So, tapi kemungkinan di Kota Kinabalu dan Merapok adalah...
31 dalam Malaysia lah, boleh jadi ada kemungkinan -
32
33 **JUNAINH** Dalam Malaysia.
34
35 **PM2** Boleh masuk, berjalan dalam negara, bukan?
36
37 **JUNAINH** Betul.

1
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36

PM2 Bukan antarabangsa. Tapi persoalan saya adalah yang Bangunan Sultan Iskandar, kalau seorang itu masuk daripada Sultan Iskandar maksudnya antarabangsa lah? Betul?

JUNAINH Ya (00:42:26).

PM2 So, adakah, persoalan yang kalau dia masuk melalui pintu masuk antarabangsa, dia mesti ada point yang dia akan keluar melalui pintu keluar antarabangsa. Adakah itu satu sangkaan yang betul?

JUNAINH Supposedly, sepatutnya dia ada keluar, ada keluar, keluar daripada Malaysia, ada rekod lah dia keluar dari Malaysia.

PM2 Ok. So soalan saya, adakah apa-apa dalam sistem kamu akan (00:43:00 inaudible) yang ada seorang yang tidak pernah keluar tapi dah masuk ke Malaysia?

JUNAINH Seorang tak pernah keluar, tapi dah masuk?

PM2 Warganegara kita (00:43:06).

JUNAINH Tak boleh. Sebabnya di setiap pintu masuk orang itu sendiri akan melaporkan diri pada pegawai imigresen melalui rekod. Dia kena ada, dia kena hadir sendiri di hadapan pegawai imigresen untuk direkodkan dalam sistem.

PM2 So, pada waktu itu, adakah pegawai imigresen akan tanya, 'Bila kamu keluar?'

JUNAINH Biasanya, biasanya tak lah.

PM2 Oh dia beri cop masuk sahaja? Asalkan pasport sah?

JUNAINH Yes.

1 **PM2** So, sistem itu, sistem komputer imigresen tak akan alert orang ini tak
2 pernah keluar dalam sistem tapi dah masuk ke Malaysia? Dia tak akan
3 alert ya?
4
5 **JUNAINH** Ya, tak ada.
6
7 **PM2** Ok alright. Thank you.
8
9 **JUNAINH** Kalau ikut pengalaman saya tak ada lah. Kita just rekod dia punya
10 pergerakan keluar ataupun masuk sahaja.
11
12 **PM2** Thank you.
13
14 **CHM** The last column ini I dah lost track. Kita dah scroll ke bawah. The last
15 column ini masuk kah keluar? The last column ini, Bangunan Sultan
16 Iskandar, Kota Balu (00:44:20), itu last masuk ke keluar?
17
18 **JUNAINH** Merapok itu kah?
19
20 **CHM** Last column. Belah kanan sekali, ini column masuk ke column keluar?
21
22 **JUNAINH** Column masuk.
23
24 **CHM** Column masuk. Kalau column yang ada tulis Miri itu column keluar lah
25 ya?
26
27 **JUNAINH** Ya, betul.
28
29 **CHM** Ok scroll balik, scroll balik. Merapok dimana? Di Sabah atau Sarawak?
30
31 **JUNAINH** Tak silap saya Sarawak.
32
33 **CHM** Merapok di Sarawak ya. Jadi, jadi, jadi yang Kota Kinabalu dengan
34 Merapok itu, tengok tarikh sama ya? 1 Disember ya?
35
36 **JUNAINH** Ya, betul.
37

1 **CHM** Sama?
2
3 [00:45:00]
4
5 **JUNAINH** Betul.
6
7 **CHM** Masa... masa berbeza-beza, ya?
8
9 **JUNAINH** Ya.
10
11 **CHM** Satu pukul 01:00PM, yang satu lagi itu 17:00 pukul 05:00PM lah bukan?
12
13 **JUNAINH** Ya.
14
15 **CHM** Satu pukul 01:00PM, satu pukul 05:00PM. Boleh Puan ceritakan apa
16 maksud ini? Hari sama, hari sama pukul 01:00PM, pukul 01:00PM dia
17 masuk di Kota Kinabalu lah pukul 01:00PM ya?
18
19 **JUNAINH** Betul.
20
21 **CHM** Dan pada 05:00PM, dia masuk di Sarawak?
22
23 **JUNAINH** Maksudnya mungkin –
24
25 **CHM** Di Merapok, dia masuk Merapok?
26
27 **JUNAINH** Pada pukul 01:00PM, pada 01.12.2011, jam 01:00PM, Joshua telah
28 masuk ke Lapangan Terbang Antarabangsa Kota Kinabalu.
29
30 **CHM** Ok right.
31
32 **JUNAINH** Selepas itu beliau mungkin keluar, keluar daripada Lapangan Terbang
33 Kota Kinabalu dan masuk pula ke, pada pukul 05:00PM... 5.44 petang
34 ke, dia masuk Merapok.
35
36 **CHM** Dia masuk Merapok. Merapok is already Sarawak?
37

1 **JUNAINH** Ya.
2
3 **PM2** Dato' Seri, I think Merapok is the border. Sabah Sarawak Immigration
4 Checkpoint.
5
6 **PM1** Dato' Seri.
7
8 **CHM** Ya.
9
10 **PM1** Madeline ya. Puan, di Merapok itu, it is a border, dia ada Sendumin
11 bukan dekat situ?
12
13 **CHM** Apa dia? Sendumin?
14
15 **PM1** There's a, they called, because he has to come out of Sabah to enter
16 Sarawak, bukan? Betul bukan, Puan?
17
18 **JUNAINH** Maaf. Saya tak berapa familiar dengan Merapok.
19
20 **PM1** Because Merapok is in Lawas. So, there is yang Sabah itu is called
21 Sendumin, kalau tak silap saya.
22
23 **PM2** Correct, yes. It's Sendumin Merapok. Yes correct.
24
25 **PM1** Yes. So jadi makna dia keluar dari Sabah.
26
27 **CHM** Mesti keluar, bukan?
28
29 **PM1** Tidak ada catitan (00:47:20).
30
31 **CHM** Mesti keluar dahulu, lepas itu baru masuk balik.
32
33 **PM1** Yes, somebody has to keluar first.
34
35 **CHM** Ya.
36

1 **PM1** Dia kena keluar daripada Sabah. Tak perlu? Dia kena keluar. Because
2 dia masuk dekat KK. I think your system, Dato' Seri, I think it's not...
3 macam mana nak sebut? Saya rasa tak lengkap ini.
4

5 **CHM** Puan, tolong bantu kami macam mana. (00:47:46 inaudible).
6

7 **PM1** Pukul 01:00PM dia masuk Kota Kinabalu. So let's assume dia drive, dia
8 drive straight to border rown, it's Sendumin for Sabah. So, it's
9 Sendumin/Merapok. So, dia ada tak catitan Puan, terima kasih, Puan.
10 Ada tak catitan yang dia keluar daripada Kota Kinabalu? Kenapa saya
11 bertanya begini? Sebab bagi saya, kalau, kalau tak ada catitan
12 maknanya pergerakan rakyat Malaysia atau siapa-siapa semudah-
13 mudahnya masuk keluar, and then we don't really know kalau just
14 berdasarkan maklumat ini lah. So because bagi saya, dia kena keluar
15 dahulu baru dia boleh masuk ke Merapok di Sarawak. Dan lepas itu,
16 dan bila dia di Sarawak, kita tahu dia kena keluar dari Sarawak pula
17 untuk keluar ke Semenanjung. And then we must have an entry point
18 pula dia di Semenanjung. I think itu yang maklumat yang lebih kita nak
19 to show pergerakan Joshua Hilmy. Ya, Puan? Terima kasih, Dato' Seri.
20 Thank you.
21

22 **JUNAINH** Setakat yang, setakat rekod yang saya ada melalui jabatan kami adalah
23 seperti yang tertera, seperti yang tertera dalam skrin itu sahaja.
24

25 **PM1** Puan... Puan... Dato' Seri, can I ask another question?
26

27 **PM2** Dr Madeline, just a moment.
28

29 **PM1** Yes.
30

31 **PM2** Pn Junainah, soalnya kalau Pn Junainah faham lah... kalau tak ada,
32 tak begitu fasih tak mengapa, tapi persoalan kita adalah dari Kuala
33 Lumpur orang yang ambil pesawat, masuk Kota Kinabalu, bila dia
34 keluar dari airport akan rekod di imigresen, keluar dalam sistem. Betul?
35 So, setelah saya habis... tempoh saya duduk di Sabah, saya keluar dari
36 Sabah untuk kemana-mana lah, ke Sarawak kah, ke Kuala Lumpur,

1 adakah rekod perjalanan saya keluar dari Sabah juga dimasukkan
2 dalam sistem komputer Imigresen Malaysia?
3
4 **JUNAINH** Saya tak berkenaan itu, saya kurang pasti.
5
6 **PM2** Ok, alright. Ok, so thanks. I think... yes maybe this is, I don't know who
7 manages the system at the HQ level on the management of the system,
8 whether all are recorded or not. But thank you, Pn Junainah.
9
10 **PRS** Dato' Seri, you are muted, Dato' Seri. May I continue? Ok Puan.
11
12 **CHM** The procedure, system is one thing, the procedure is another thing.
13 System is one thing; the system may have some defect, technical. But
14 the procedure and immigration officer should be familiar with procedure.
15 Pn Junainah... hello.
16
17 **JUNAINH** Yes, yes. I'm hearing you.
18
19 **CHM** Hello, Puan.
20
21 **JUNAINH** Yes, yes. I'm here.
22
23 **CHM** Yes. So, seseorang itu kalau nak pergi ke Kota Kinabalu, nak pergi ke
24 Merapok, dia kena keluar, bukan?
25
26 **JUNAINH** Supposedly, sepatutnya keluar daripada –
27
28 **CHM** Kena keluar, bukan?
29
30 **JUNAINH** (00:51:20 inaudible) lah, ya.
31
32 **CHM** So bila dia keluar itu, mesti ada rekod di pasport dia, dia dah keluar,
33 bukan? Betul tak?
34
35 **JUNAINH** Betul.
36
37 **CHM** Ya?

1
2 **JUNAINH** Betul. Cuma saya tak pasti berkenaan bagaimana untuk warganegara
3 Malaysia macam mana dia punya prosedur di Sabah dan Sarawak.
4
5 **CHM** Oh Puan tak pasti? Sebagai immigration officer, Puan tak pasti?
6
7 **JUNAINH** Yes.
8
9 **CHM** Sistemnya patut sama sahaja, bukan? Immigration system, immigration
10 system, malah all over the world sama sahaja, bukan?
11
12 **JUNAINH** Ya.
13
14 **CHM** There must be a record of in and out. In and out in the passport. Betul
15 tak, Puan?
16
17 **JUNAINH** Betul.
18
19 **CHM** Hello?
20
21 **JUNAINH** Yes, yes. Betul lah sepatutnya direkodkan.
22
23 **CHM** Ok, never mind.
24
25 **PM1** Dato' Seri. Just one question, Puan... Pn Junaidah.
26
27 **JUNAINH** Ya, saya.
28
29 **PM1** Saya ingin mendapat penjelasan perbezaan antara tiada rekod, di
30 No.1, dengan dash ini di No.2. Bukan ada banyak dash?
31
32 **JUNAINH** Ok.
33
34 **PM1** Bagi kami orang... bagi saya orang akademik, ia bermaksud dua
35 perkara yang berbeza. Tiada rekod dengan dash adalah dua perkara
36 yang berbeza. Kalau dia tak ada rekod, maknanya tak ada rekod lah,
37 bukan? Betul? Tolong perbetulkan saya, Puan.

1

2 **JUNAINH** Betul.

3

4 **PM1** Adakah ini bermaksud tiada rekod... yang dash itu? Dash itu No.2 kalau
5 you tengok itu.

6

7 **JUNAINH** Betul, betul.

8

9 **PM1** Ada tiga dash dekat situ, bukan? Boleh bantu saya tak? Apakah
10 maksud dash di situ? Adakah dalam surat ini bermaksud tiada rekod
11 atau apa dia dash itu?

12

13 **JUNAINH** Dash dalam surat ini bermaksud tiada rekod juga.

14

15 **PM1** Sure ya?

16

17 **JUNAINH** Yes.

18

19 **PM1** Ok, terima kasih.

20

21 **CHM** I'm not happy with the way this whole thing is being made because there
22 must be a way to have this record bukan? A way of how this is record.
23 For example, Merapok is 01.12.2011. Merapok. Lepas itu naik ke atas
24 01.12.2011, ok the difference is of time, difference is of time. One is at
25 05:00PM, one is at 01:00PM, and place. One is at Merapok, and one is
26 Kota Kinabalu. Alright, ok never mind. Turun sikit, turun sikit skrin.
27 Turunkan skrin sikit. No, no, sorry naikkan. Naikkan, ok. But the next
28 one, the next one, Bangunan Sultan Iskandar, it goes to Julai pula,
29 Julai. July is much earlier than December tadi. The year is the same,
30 2011. Tiga-tiga ini year the same. Tapi now, it goes to July. Lepas itu
31 bila naik atas it goes to 2012. Jadi yang Julai ini, when we write thing,
32 it must be in a chronolgical order as to time, bukan?

33

34 **JUNAINH** Yes, yes, yes. I'm sorry about that. Saya terlepas pandang berkenaan
35 perkata tersebut, yang pergerakan, yang pergerakan dekat bawah itu.

36

37 **CHM** Yes.

1
2 **JUNAINH** So maksudnya Bangunan Sultan Iskandar itu adalah di bawah, dia
3 pergerakan yang bawah. LTA Kota Kinabalu itu yang atas.
4
5 **CHM** Yes, yes.
6
7 **JUNAINH** Merapok, aka (00:55:36) Kota Kinabalu then Bangunan Suttan
8 Iskandar.
9
10 **CHM** Yes, I'm sorry but it should be more careful when you prepare this, kan?
11
12 **JUNAINH** I'm sorry about that.
13
14 **CHM** Ok, I leave it at that, ok. Yes, Puveethra ya.
15
16 **PRS** Ok, thank you, Dato' Seri.
17
18 **PM2** Dato' Seri and Dr Madeline. I want to see the relevance of this witness
19 request to be brought forward and I think while we have worries about
20 the competency of the system, I'm still waiting for, because this is a
21 request by PDRM on this witness to help us in this panel of inquiry, so
22 I think the dates of interest would not be 2011, 2012 (00:56:20) but
23 would be more current at least to things have been (00:56:24 inaudible).
24 So, if the officers can move in that direction, that will help us get some
25 answers. Thank you.
26
27 **PRS** Ok. Sure, Mr Jerald.
28
29 **PK** Mr Chairman, is it possible to ask a question?
30
31 **CHM** Who's this?
32
33 **PK** It's Mr Philip Koh. Sorry, it's a clash of my speaker.
34
35 **CHM** Ok.
36

1 **PK** I think maybe good for me to ask a question now rather than go back
2 after we have gone as Tn Jerald Joseph said our focus is in another
3 year. That one I will reserve it for later. Since we are on this document,
4 maybe I can just ask one or two clarification questions that is helpful,
5 then we would not come back to this anymore. Is it possible, Dato' Seri?
6
7 **CHM** Sure, please do. Right.
8
9 **PK** So that we don't have to pull it out again.
10
11 **CHM** Yes.
12
13 **PK** Thank you Dato' Seri with your permission. Puan, can I speak in
14 English? A simple English. Is it alright?
15
16 **JUNAINH** Yes, ok. But can I answer in Malay?
17
18 **PK** Pn Junaidah.
19
20 **JUNAINH** Yes. Yes, I am.
21
22 **PK** Puan, boleh you dengar saya? Saya Philip Koh.
23
24 **JUNAINH** Yes, saya dengar.
25
26 **PK** Peguam untuk Sitepu keluarga. Boleh you dengar?
27
28 **JUNAINH** Ruth Sitepu, ya?
29
30 **PK** Is the witness here with me?
31
32 **PM2** Philip. Mr Philip. Mr Philip.
33
34 **PK** She hears me, is it?
35
36 **PM2** Yes, she hears you and she –
37

1 **PK** Sorry.

2

3 **PM2** You can ask in English and she will answer in Malay.

4

5 **PK** Thank you. Puan, looking at the sequence as pointed out by the
6 Commissioner, of course it's something that you interpret. It is possible
7 that Hilmy bin Hanim went to Kota Kinabalu and arrived there at
8 01:00PM on 1st December and then travelled by land to Merapok the
9 border town to go to Sarawak at around 05:44PM. And then if you look
10 at the dates, it is again possible that at, because this is in December
11 already. Between the whole of December and seven days next year in
12 2012, the said individual, holding the passport Hilmy, then flies direct to
13 Johor Baru, oh no to Penang, sorry, LTA Bayan Lepas, arriving there
14 on the 07.01.2012. This solves the mystery on how he can arrive when
15 he has not exited. In a way he never exited Malaysia. He travelled to
16 Sabah and Sarawak, stayed a month and a week on the 7th January
17 (00:59:46), he flew back to Semenanjung that is Bayan Lepas, that is
18 possible, isn't it? Well of course you cannot say for sure. Is it possible,
19 Puan? Memang boleh itu senario?

20

21 **JUNAINH** Saya tak dapat tangkap sangat lah soalan dia. Can you simplify your
22 question?

23

24 [01:00:00]

25

26 **PK** Ok Puan, saya dalam Bahasa Malaysia, En Hilmy, bolehkah senario ini,
27 dia pergi melalui kapal terbang ke Kota Kinabalu pada 1 Disember dan
28 dengan menjalankan dengan pengangkutan di dalam tanah bukan
29 menerbang dia pergi ke Merapok dan di Merapok, dia pergi ke
30 Sarawak. Selepas itu di Sarawak dia mendiamkan di situ atau buat
31 aktiviti yang kita tak tahu dan selepas itu pada tarikh 7 Januari, dia
32 menerbang balik ke Semenanjung dan arrive ke Bayan Lepas on the
33 7th January, is that possible? Of course you cannot say for sure, so
34 inilah misteri mengenai bagaimana dia boleh masuk Bayan Lepas,
35 07.01.2012 walaupun Hilmy tidak keluar Malaysia, bolehkah itu senario
36 menjadi?

37

- 1 **JUNAINH** Hilmy ada keluar Malaysia pada 28.12.2011, sebelum masuk ke
2 lapangan terbang antarabangsa Bayan Lepas pada 07.01.2012.
3
- 4 **PK** Ya, dia masuk Januari 2012 tapi mungkin Hilmy di dalam Borneo, di
5 Sarawak yang lebih spesifik dan dia menduduk di Sarawak, satu bulan
6 dan tujuh hari dan dia balik semula ke Semenanjung, bolehkah itu
7 senario? Faham soalan saya?
8
- 9 **JUNAINH** Faham. Tapi apa yang saya nak katakan, beliau ada keluar daripada
10 Malaysia melalui lapangan terbang antarabangsa KL.
11
- 12 **PK** Ok. Dia keluar...
13
- 14 **JUNAINH** Dia keluar daripada Malaysia pada 08.12.2011 sebelum masuk ke
15 Malaysia melalui lapangan terbang antarabangsa Bayan Lepas pada –
16
- 17 **PK** So ok, so dia adalah keluar. Ok, memang itu yang boleh... dia keluar
18 28.12.2011, KL, KLIA dan balik 07.01.2012, ya. So ini tidak ada misteri
19 lagi. Dia adalah sistem dah capture.
20
- 21 **JUNAINH** Ya.
22
- 23 **PK** Terima kasih. Itulah sahaja saya nak menyoal mengenai ini. Terima
24 kasih.
25
- 26 **CHM** Ok. Let's move on. Move on, yes.
27
- 28 **PRS** Alright Puan, saya teruskan dengan soalan saya. Baik Puan,
29 berdasarkan sistem Imigresen, adakah Jabatan Imigresen mempunyai
30 maklumat destinasi yang dituju atau destinasi asal seseorang dengan
31 menggunakan checkpoint Jabatan Imigresen?
32
- 33 **JUNAINH** Sistem Jabatan Imigresen tiada rekod ke mana seseorang itu pergi.
34 Kami hanya merekodkan pintu masuk atau keluar seseorang itu lalui
35 sahaja, menggunakan pasport mereka.
36
- 37 **PRS** Kenapa maklumat tersebut tidak direkodkan ya Puan.

- 1
- 2 **JUNAINH** Sebab maklumat itu adalah bukan di bawah bidang kuasa Imigresen
3 sebab Imigresen hanya merekodkan sama ada orang itu keluar atau
4 masuk Malaysia sahaja. Ke mana destinasi seseorang itu pergi adalah
5 di bawah rekod pihak airlines.
6
- 7 **PRS** Pihak airlines, ok. Baik Puan, boleh Puan jelaskan apa fungsi dokumen
8 perjalanan terhad?
9
- 10 **JUNAINH** Dokumen perjalanan terhad adalah sesuatu dokumen yang dikeluarkan
11 kepada warganegara Malaysia untuk dokumen seseorang itu pergi
12 ataupun keluar ke Sabah ataupun Sarawak dengan tujuan untuk sama
13 ada belajar, bekerja, mengikut pasangan bekerja atau belajar ke sana.
14 Bagi pemohon yang asal daripada Semenanjung Malaysia.
15
- 16 **PRS** Puan, adakah seorang boleh... adakah dokumen perjalanan terhad dan
17 pasport yang biasa adakah perkara-perkara yang sama, almost similar,
18 atau lain-lain?
19
- 20 **JUNAINH** Dokumen yang berbeza.
21
- 22 **PRS** Berbeza. So dokumen perjalanan terhad tidak boleh dikatakan sebagai
23 pasport, betul Puan?
24
- 25 **JUNAINH** Betul.
26
- 27 **PRS** Betul. Adakah seorang boleh memiliki dokumen perjalanan terhad dan
28 pasport antarabangsa pada masa yang sama?
29
- 30 **JUNAINH** Ya, boleh. Kerana dokumen perjalanan terhad hanya untuk pergerakan
31 ke Sabah atau Sarawak sahaja. Kalau sekiranya seorang itu nak keluar
32 negara, dokumen tersebut tidak boleh dipakai.
33
- 34 **PRS** Ok. Baik. Baik Puan, kita akan rujuk kepada, soalan kepada Ruth
35 Sitepu, tolong naik atas En Zaidi.
36
- 37 **CHM** Can I ask a question here?

- 1
- 2 **PRS** Yes, sure.
- 3
- 4 **CHM** Tadi kita cakap pasal pasport terhad kan? Dokumen terhad itu kira
5 pasport terhadlah kan?
6
- 7 **JUNAINH** Dokumen perjalanan terhad.
- 8
- 9 **CHM** Cover dia, biru ke? Biru kan?
- 10
- 11 **JUNAINH** Betul, warna biru, electric blue, macam itu.
- 12
- 13 **CHM** Ok. Dia isu sama ada, dikeluarkan sama ada di Semenanjung ataupun
14 dikeluarkan di Sabah atau Sarawak, mana-mana boleh keluar kan?
15
- 16 **JUNAINH** Mana-mana pejabat Imigresen yang proses dokumen tersebut.
- 17
- 18 **CHM** Ok. Tujuan untuk pergerakan tertentu. Kalau sosial, nak melancong,
19 sosial tak boleh, ya?
20
- 21 **JUNAINH** Sosial, kalau seperti seseorang warganegara Malaysia, daripada
22 Semenanjung nak pergi Sabah atau Sarawak hanya untuk tujuan
23 melancong tak perlu dokumen tersebut. Dia untuk orang yang nak
24 duduk lama di Sabah atau Sarawak sahaja, dokumen perjalanan
25 terhad.
26
- 27 **CHM** Ok, ok. Tak perlu, memang tak perlu, tapi kalau dia apply pun, akan
28 dikeluarkan juga lah.
29
- 30 **JUNAINH** Ya, tak ada masalah.
- 31
- 32 **CHM** Ok. Kalau pasport terhad ini dikeluarkan sama ada di Sabah atau
33 Sarawak kan kepada seseorang itu dikeluarkan, pejabat Puan akan ada
34 rekod ke tidak, jika ianya dikeluarkan di Sabah atau Sarawak, pejabat
35 Puan, headquarters, sistem akan dicatatkan atau tidak?
36
- 37 **JUNAINH** Kita akan... ada rekod.

1

2 **CHM** Ada rekod ya?

3

4 **JUNAINH** Ada rekod,

5

6 **CHM** Ada rekod, I see. Bermakna kalau Joshua Hilmy mohon restricted
7 passport di Sabah atau Sarawak, pejabat Puan akan tahu ya? Dia
8 memang ada pasport itu ya?

9

10 **JUNAINH** Dia tengok sejarah rekod permohonannya.

11

12 **CHM** Ok. Puveethra, yes.

13

14 **PRS** Baik Puan. Ok, sekarang kita akan merujuk, En Zaidi, atas sedikit. Ok,
15 ini berkenaan maklumat pergerakan keluar masuk untuk nama
16 Rudangta BR. Sitepu, betul kan Puan?

17

18 **JUNAINH** Betul.

19

20 **PRS** Ok Puan, saya mempunyai beberapa soalan. Puan nyatakan butiran
21 maklumat yang dinyatakan untuk Ruth Sitepu yang pernah didaftarkan
22 dengan Jabatan Imigresen?

23

24 **JUNAINH** Kami membuat semakan melalui surat, permohonan surat yang
25 dihantar oleh pihak SUHAKAM, juga pihak polis melalui nombor pasport
26 AR681830 untuk penama seperti yang ditulis dalam surat permohonan
27 iaitu Rudangta BR. Sitepu, melalui rekod pergerakan keluar masuk,
28 tiada rekod keluar atau masuk Malaysia untuk penama tersebut.
29 Penama merupakan warganegara Indonesia.

30

31 **PRS** Boleh Puan sahkan bahawa maklumat ini adalah semakan rekod
32 Jabatan Imigresen mengenai Ruth Sitepu.

33

34 **JUNAINH** Ya, betul. Rekod semakan Jabatan Imigresen melalui nombor pasport.

35

- 1 **PRS** Puan, berdasarkan dokumen tertera di sini, mengapa butiran individu
2 untuk Ruth Sitepu tidak dinyatakan secara jelas seperti dinyatakan
3 untuk Joshua Hilmy ataupun Hilmy Bin Hanim?
4
- 5 **JUNAINH** Kami hanya, rekod untuk Rudangta BR. Sitepu ini, kami mencari carian
6 untuk warganegara Indonesia ataupun bukan warganegara, kami
7 hanya berdasarkan pada maklumat yang diberikan oleh pemohon.
8 Untuk bukan warganegara, kami mencari hanya melalui nombor
9 pasport sahaja. Jadi melalui semakan nombor pasport yang diberikan
10 iaitu AR681830 melalui semakan jabatan kami, tiada rekod pergerakan
11 yang direkodkan melalui sistem kami untuk nama tersebut.
12
- 13 **CHM** Bermakna pemegang pasport AR681830 itu, bermakna dari persepsi
14 Jabatan Imigresen, orang ini tak pernah masuklah, ataupun kalau dia
15 masuk pun bukan laluan official?
16
- 17 **JUNAINH** Itu salah satu. Itu mungkin salah satu. Ataupun penama tersebut masuk
18 ke Malaysia menggunakan pasport yang lain, nombor pasport yang
19 berlainan daripada yang diberikan oleh pihak polis ataupun SUHAKAM.
20
- 21 **CHM** Ok. Yes. Puveethra, where did we get this passport number? From
22 where?
23
- 24 **PRS** If not mistaken from the box Dato' Seri. From the box that we retrieve
25 from, the one Josiah and Grace retrieve from the house.
26
- 27 **MFR** Sorry Puvée bukan, Dato' Seri, makluman yang kita dapat ini
28 berdasarkan surat pengesahan yang diberikan daripada pihak adik-
29 beradik Ruth Sitepu. Satu declaration.
30
- 31 **CHM** I see.
32
- 33 **PRS** My apologies Dato' Seri.
34
- 35 **CHM** Ok, ok. Tak apa.
36
- 37 **PRS** May I move on to next question Dato' Seri?

1

2 **CHM** Yes, please do.

3

4 **PRS** Alright. Puan, berdasarkan dokumen ini, pihak Jabatan Imigresen tidak
5 rekod sebarang pergerakan keluar masuk. Apakah kemungkinan
6 perkara ini? Perkara ini berlaku.

7

8 **JUNAINH** Kemungkinannya penama tersebut, beliau tidak menggunakan pasport
9 ini ataupun penama tersebut mempunyai pasport lain ataupun penama
10 tersebut masuk ke Malaysia menggunakan pasport yang berlainan
11 yang telah tamat tempoh, mungkin. Dan ataupun kemungkinan juga
12 masuk ke Malaysia melalui pintu masuk yang tidak diwartakan.

13

14 **PRS** Puan, berdasarkan dokumen ini juga, Ruth merupakan warganegara
15 Indonesia. Adakah sebarang maklumat mengenai pas pekerjaan
16 ataupun maklumat pekerjaan, maklumat majikan yang terdapat dalam
17 rekod Jabatan Imigresen?

18

19 **JUNAINH** Ada. Rekod tersebut boleh disemak tapi oleh bahagian lain, iaitu
20 bahagian, sama ada Bahagian Pekerja Asing ataupun Bahagian Visa
21 Pas Permit sekiranya penama tersebut ada memegang apa-apa permit
22 ataupun visa. Dan rekod tersebut tidak boleh di akses oleh saya. Itu di
23 luar bidang kuasa saya.

24

25 **PRS** Puan adakah Hilmy Bin Hanim dan Rudangta BR. Sitepu mempunyai
26 apa-apa sekatan perjalanan?

27

28 **JUNAINH** Untuk Rudangta BR. Sitepu, melalui semakan nombor pasport, tiada
29 sebarang sekatan Manakala untuk Hilmy Bin Hanim, melalui semakan
30 kami, beliau mempunyai sekatan keluar Malaysia oleh Lembaga Hasil
31 Dalam Negeri yang tarikh sekatannya bermula 09.10.2020 dan status
32 sekatan masih lagi aktif.

33

34 **PRS** En Zaidi, tolong turun ke bawah lagi. Puan, boleh sahkan adakah
35 maklumat yang tertera disini adalah maklumat yang Puan nyatakan
36 sebentar tadi?

37

1 **JUNAINH** Ya, betul. Ini maklumat berkenaan sekatan perjalanan warganegara
2 Malaysia bernama Hilmy Bin Hanim.

3

4

[01:15:00]

5

6 **PRS** Puan, ok Puan. Berdasarkan keterangan Puan sebelum ini, selain
7 daripada maklumat seperti nama, nombor kad pengenalan, nombor
8 pasport atau tarikh sah dokumen pejabat pengeluar, apakah maklumat
9 lain yang boleh di akses melalui Sistem MyIMMs?

10

11 **JUNAINH** Maklumat yang boleh di akses melalui Sistem MyIMMs untuk peranan
12 saya di Bahagian Keselamatan & Pasport sahaja ataupun semua?

13

14 **PRS** Semua pun boleh juga Puan ataupun untuk... kedua-dua Puan, explain
15 kedua-dua juga.

16

17 **JUNAINH** Ok Sebab untuk saya, maklumat yang saya boleh akses melalui Sistem
18 Jabatan MyIMMs, untuk saya yang bertugas di Bahagian Keselamatan
19 & Pasport adalah maklumat berkaitan pasport warganegara Malaysia.
20 Saya juga boleh semak berkenaan perjalanan, sekatan perjalanan oleh
21 warganegara Malaysia yang dilarang untuk keluar ataupun masuk ke
22 Malaysia. Seterusnya rekod pergerakan keluar ataupun masuk bagi
23 warganegara Malaysia ataupun bukan warganegara Malaysia.
24 Seterusnya dalam Sistem MyIMMs juga kami terdapat rekod berkenaan
25 Bahagian Pekerja Asing, maklumat-maklumat untuk pekerja asing
26 ataupun pembantu rumah, seperti pembantu rumah, pekerja asing,
27 mana-mana Bahagian Pekerja Asing, berkenaan visa, pas dan permit
28 iaitu berkenaan sekiranya isteri kepada warganegara, suami kepada
29 warganegara ataupun pas pelajar dan juga Bahagian Penguatkuasa
30 berkenaan pas khas untuk Depot juga boleh akses berkenaan tugas-
31 tugas di Depot seperti tugas untuk maklumat-maklumat orang kena
32 tahan yang ditahan di dalam Depot Semenyih, dan juga untuk
33 maklumat berkenaan pintu masuk, untuk merekodkan orang yang
34 keluar ataupun masuk melalui mana-mana pintu masuk Malaysia.

35

36 **PRS** Ok Puan. Berapa lama tempoh maklumat-maklumat yang dinyatakan
37 dalam MyIMMs ini berada dalam sistem Jabatan Imigresen?

- 1
- 2 **JUNAINH** Supposedly, sekiranya maklumat berkaitan, just akan sentiasa ada tapi
- 3 untuk berkenaan rekod keluar masuk, saya kurang pasti. Dalam 10
- 4 tahun ke atas... ke bawah.
- 5
- 6 **PRS** So maksudnya kalau dah 10 tahun ke atas, automatically akan delete?
- 7
- 8 **JUNAINH** Ada yang ada, ada yang tak ada. Dia tengok, bergantung kepada case
- 9 by case. sebab saya, sebab kami pun tak boleh nak bagi confirmation,
- 10 kadang, sebab Sistem MyIMMs, dia daripada sistem yang lain. Dia baru
- 11 bertukar kepada Sistem MyIMMs, so ada maklumat yang tak ditarik
- 12 daripada data lama itu saya kurang pasti. Tapi setakat hasil semakan
- 13 saya, setakat yang mana-mana rekod itu ada dalam sistem jabatan
- 14 inilah, sepanjang mana rekod yang kami perlukan. Dalam 10 tahun ke
- 15 bawah atau mungkin lebih.
- 16
- 17 **PRS** Ok. Berkenaan Imigresen checkpoint, selain lapangan terbang, lokasi
- 18 mana yang boleh dikatakan sebagai Imigresen checkpoint ya Puan?
- 19
- 20 **JUNAINH** Pintu masuk melalui kapal laut, seperti di Pelabuhan Klang ataupun di
- 21 pintu masuk antara Singapore-Johor, itu pun boleh dikatakan pintu
- 22 masuk. Mana-mana pintu masuk yang ada pegawai Imigresen yang
- 23 bertugas untuk menjaga checkpoint, itu dikira pintu masuk Malaysia
- 24 yang diwartakan.
- 25
- 26 **PRS** So adakah data yang disimpan oleh Jabatan Imigresen boleh akses
- 27 dari mana-mana Imigresen checkpoint semasa rekod perjalanan keluar
- 28 dan masuk untuk seseorang?
- 29
- 30 **JUNAINH** Ya, data boleh di akses di mana-mana checkpoint Imigresen, sekiranya
- 31 seseorang pegawai Imigresen tersebut mempunyai akses iaitu tugas
- 32 untuk membuat tugas Imigresen.
- 33
- 34 **PRS** So maksudnya yang data dimaksudkan disini adalah di bawah Sistem
- 35 MyIMMs, betul ya Puan?
- 36
- 37 **JUNAINH** Betul.

- 1
- 2 **PRS** Jadi seorang pegawai Imigresen boleh menahan mana-mana individu
- 3 yang melalui Imigresen checkpoint, jika mendapati terdapat rekod yang
- 4 meragui seperti tiada rekod keluar atau rekod masuk yang konsisten
- 5 macam dalam exhibit tadi yang di... dalam dokumen yang Puan
- 6 diberikan tadi, bolehkah Puan seorang pegawai Imigresen berbuat
- 7 demikian?
- 8
- 9 **JUNAINH** Untuk menahan orang yang tiada rekod keluar atau masuk itu, saya...
- 10 itu tidak termasuk melainkan kita mencurigai seseorang itu masuk, ada
- 11 niat, kita rasa seseorang itu dicurigai untuk kita buat siasatan lebih
- 12 lanjut.
- 13
- 14 **PRS** Tak, maksudnya kalau ada untuk siasatan, baru akan ditahan, kalau
- 15 rekod keluar masuk yang tidak dinyatakan, tidak akan ada dikatakan
- 16 sebagai mencurigai, betul ya Puan?
- 17
- 18 **JUNAINH** Betul. Contohnya seperti, mungkin sewaktu dalam pintu masuk itu, kita
- 19 dapati passport dia dicurigai seperti mungkin passport palsu, itu mungkin
- 20 akan ditahan untuk siasatan lebih lanjut.
- 21
- 22 **PRS** Bagi memahami proses Jabatan Imigresen ya Puan, boleh Puan
- 23 jelaskan apakah prosedur dan dokumen yang diperlukan untuk individu
- 24 warganegara untuk keluar dan masuk ke Malaysia?
- 25
- 26 **JUNAINH** Individu yang diperlukan untuk seseorang warganegara masuk atau
- 27 keluar ke Malaysia adalah passport Malaysia yang sah tempohnya.
- 28
- 29 **PRS** Itu sahaja ke Puan?
- 30
- 31 **JUNAINH** Itu sahaja.
- 32
- 33 **PRS** Itu sahaja.
- 34
- 35 **JUNAINH** Means yang masih sah tempoh laku.
- 36

- 1 **PRS** Bagaimana untuk bukan individu, bukan warganegara untuk keluar
2 masuk Malaysia?
3
- 4 **JUNAINH** Untuk bukan warganegara Malaysia, kita akan semak pasport individu
5 tersebut yang masih lagi sah tempoh lakunya, selepas itu kita akan
6 tengok, bergantung kepada negara-negara tertentu, apabila masuk
7 Malaysia, memerlukan visa seperti China, Bangladesh, masuk
8 Malaysia perlukan visa, jadi kita tengok pada seseorang individu ada
9 pas jangka panjang di Malaysia dalam rekod pasport dia.
10
- 11 **PRS** Baik Puan. Adakah Jabatan Imigresen mempunyai sebarang senarai
12 orang-orang yang diragui atau disyaki untuk disemak sebelum
13 membenarkan seseorang keluar masuk Malaysia?
14
- 15 **JUNAINH** Ya. Pihak Imigresen ada, kami boleh membuat semakan seseorang
16 yang telah disenaraihitam untuk keluar ataupun masuk Malaysia.
17
- 18 **PRS** Disenaraihitam. Apakah kriteria untuk disenaraihitam ini Puan?
19
- 20 **JUNAINH** Antara salah satunya adalah Lembaga Hasil... bankruptcy, cukai,
21 LHDN, ada kes-kes jenayah yang tidak dibenarkan untuk keluar
22 daripada Malaysia ataupun masuk Malaysia. Perkara tersebut juga
23 bekerjasama dengan PDRM, LHDN dan mana-mana agensi yang
24 terbabit.
25
- 26 **PRS** Adakah Puan mempunyai apa-apa maklumat tambahan yang boleh
27 membantu siasatan ini?
28
- 29 **JUNAINH** Contohnya?
30
- 31 **PRS** Ada apa-apa maklumat tambahan yang boleh membantu untuk
32 siasatan kami pada, siasatan kehilangan Joshua Hilmy dan Ruth
33 Sitepu?
34
- 35 **JUNAINH** Rasa itu sahaja seperti yang saya lampirkan dalam surat maklum balas
36 jawapan yang saya berikan kepada pihak SUHAKAM.
37

1 **PRS** Baik Puan, terima kasih. Dato' Seri, that's all from me.
2

3 **CHM** Ok. Thank you. Any questions from members of the panel or from
4 observers? Members of the panel begin first, any question? Yes, no
5 question from members of the panel –
6

7 **MFR** Sorry Dato' Seri, we have question from PDRM.
8

9 **CHM** Yes. PDRM, right.
10

11 **PK** I also have a question Mr Chairman but PDRM go ahead first, thank
12 you.
13

14 **MSR** Dengan izin Dato' Seri, saya DSP Muhammad Sabri daripada pihak
15 pemerhati PDRM. Puan, saya ingin bertanya pasal rekod keluar masuk
16 tadi. Sekiranya warga Malaysia buat penerbangan di dalam negara
17 Malaysia menggunakan IC sahaja tanpa pasport, adakah pihak
18 Imigresen akan detect rekod tersebut?
19

20 **JUNAINH** Ya ada detect, contohnya untuk pergerakan ke Sabah, bagi pergerakan
21 untuk ke Sabah atau Sarawak.
22

23 **MSR** Makna, sekiranya menggunakan auto gate itu, dia lak dapat detect lah?
24

25 **JUNAINH** Menggunakan apa?
26

27 **MSR** Ya Puan?
28

29 **JUNAINH** Ulang balik, menggunakan apa tadi?
30

31 **MSR** Yang auto gate.
32

33 **JUNAINH** Sila... sebabnya –
34

35 **MSR** Menggunakan IC.
36

1 **JUNAINH** Menggunakan IC pun akan detect juga untuk masuk ke Sabah atau
2 Sarawak.
3
4 **MSR** Untuk masuk ke Sabah dan Sarawak, tapi untuk keluar gate –
5
6 **JUNAINH** Bila masuk ke KLIA, tak ada.
7
8 **MSR** Jadi adakah itu rekod yang dikeluarkan tadi, yang paparkan tunjuk dash
9 itu disebabkan itu ke?
10
11 **JUNAINH** Yang dipaparkan, maksudnya, tak faham?
12
13 **MSR** Yang dash, boleh kembali kepada dash tadi, rekod tersebut.
14
15 **JUNAINH** Yang dash itu.
16
17 **CHM** En Sabri ini –
18
19 **MSR** Adakah sebab itu bila –
20
21 **CHM** En Sabri, ini sebagai contohlah ya, contoh ya?
22
23 **MSR** Ya betul, yes.
24
25 **CHM** Sebagai contoh, ya.
26
27 **MSR** Adakah... itu yang mahu tanya, adakah sebab itu dash tersebut?
28
29 **JUNAINH** Ya betul, mungkin sebab tiada, tak ada rekod untuk dia keluar ataupun
30 masuk ke Malaysia untuk... keluar daripada Malaysia selepas dia
31 masuk.
32
33 **MSR** Ok. Puan, sebenarnya pihak PDRM memanggil Puan berkenaan –
34
35 **CHM** Ok, En Sabri –
36
37 **MSR** Ya Dato' Seri?

- 1
- 2 **CHM** On this, be very careful. Kalau saya masuk katalah dekat Kuching pakai
- 3 pasport ya Puan. Pasport akan kena cop kan. Cop, lepas itu boleh tak
- 4 bila kita saya nak keluar daripada Kuching, nak balik ke Kuala Lumpur,
- 5 tak pakai pasport, pakai IC pula, boleh tak dari segi prosedur Imigresen,
- 6 boleh tak? Masuk Kuching pakai pasport tapi bila nak keluar tak pakai
- 7 pasport pula, dia pakai IC, sebab saya warganegara Malaysia kan, itu
- 8 dibenarkan atau tak dibenarkan? Mengikut prosedurlah.
- 9
- 10 **JUNAINH** Tujuan Dato' masuk ke Kuching itu untuk apa?
- 11
- 12 **CHM** Katalah, ok lah untuk melanconglah kan, saya warga Malaysia tapi
- 13 sekarang saya pasport kan, saya guna pasport. Sebab kalau pakai IC
- 14 leceh, dia bagi ada borang kecil itu kena isilah, leceh kan. Bagi pasport,
- 15 bagi pasport lagi cepat. Pasport dia cop sahaja, cepat. Cop pasport, ok,
- 16 dah masuk. Hari esok itu nak balik saya tak tunjuk pasport, saya keluar
- 17 kaunter itu dengan IC, pegawai Imigresen akan kata tak boleh ke
- 18 ataupun akan dia let go ke macam mana, akan ikut proses, ikut
- 19 prosedur betul-betul.
- 20
- 21 **JUNAINH** Sebab –
- 22
- 23 **CHM** Faham tak soalan saya?
- 24
- 25 **JUNAINH** Faham Dato' Seri. Sebab kalau saya tak silap, apabila di Sabah atau
- 26 Sarawak, sebelum keluar dia akan tengok untuk kita punya permit
- 27 masuk ke Sabah dan Sarawak. So Tuan kena tunjuk, sekiranya benda
- 28 itu berada di dalam pasport, kena tunjuk dalam pasportlah.
- 29
- 30 **CHM** Bermakna kalau masuk pasport, kena keluar dengan pasport kan. Dan
- 31 sebaliknya kalau masuk dengan IC, kena keluar dengan IC, betul tak?
- 32
- 33 **JUNAINH** Mungkin, saya kurang pasti.
- 34
- 35 **CHM** Macam mana kamu kurang pasti pula, kamu orang Imigresen.
- 36

1 **JUNAINH** Ya saya faham, untuk pintu masuk di Sabah dan Sarawak, saya kurang
2 pasti dia punya prosedur dia, sebab prosedur dia berlainan daripada
3 yang di Semenanjung.
4
5 [01:30:00]
6
7 **CHM** Ok. Jadi kalau saya orang Malaysia, saya masuk pakai IC dan ada
8 borang slip itu saya isi, itu akan direkodkan disini, akan direkodkan,
9 sistem.
10
11 **JUNAINH** Ya, sekiranya masuk ke Sabah atau Sarawak, normally memang akan
12 direkodkan dalam sistem.
13
14 **CHM** Dan bila saya keluar juga menggunakan IC itu kan, akan juga dia akan
15 direkodkan dalam sistem kan sepatutnya. Dan Puan akan tulis dekat
16 table lah kan, tarikh keluar, sepatutnya lah kan?
17
18 **JUNAINH** Akan direkodkan dalam sistemlah sepatutnya.
19
20 **CHM** Sepatutnya, ok. Ok, En Sabri, silakan En Sabri, I ask because I think
21 you are asking about the same thing. Ok.
22
23 **MSR** Terima kasih Dato' Seri. Puan, tujuan dipanggil ini daripada PDRM
24 adalah sebab kami nak tanya berkaitan statement yang diberikan oleh
25 Inspektor Zul sebelum ini. Ada menyatakan bahawa Hilmy Bin Hanim
26 ini pernah keluar Malaysia pada 19.07.2007 tapi tiada rekod masuk.
27
28 **JUNAINH** Itu surat awal yang saya berikan. Sebab itu di statement, saya ada
29 berikan rekod pergerakan yang terbaru, yang 2012 punya.
30
31 **MSR** Dalam statement itu diberitahu, Puan kata kemungkinan dia, Hilmy Bin
32 Hanim ini, melalui jalan yang tidak diwartakan, betul atau tidak?
33
34 **JUNAINH** Ya, betul.
35
36 **MSR** Puan saya ingin bertanya, sekiranya warganegara Malaysia yang
37 mempunyai pasport yang telah tamat ataupun ditangkap kerana

1 melebihi masa di luar negara, semasa dia dihantar ke Malaysia, adakah
2 Imigresen akan detect pergerakan tersebut?
3
4 **JUNAINH** Sekiranya pasport telah tamat –
5
6 **CHM** Sebentar, sebentar. En Sabri, tolong ulangi soalan En Sabri.
7
8 **MSR** Ok. Sekiranya warganegara Malaysia yang berada di luar negara,
9 pasport ataupun pas perjalanannya telah tamat ditangkap oleh
10 penguatkuasa dan dihantar ke Malaysia, adakah pihak Imigresen akan
11 detect?
12
13 **CHM** Dia ditangkap masa dia nak masuklah ya?
14
15 **MSR** Dia berada di luar negara melebihi masa.
16
17 **CHM** Ya?
18
19 **MSR** Berada di luar negara melebihi masa. Adakah pihak penguatkuasa –
20
21 **CHM** Dia melebihi masa dan tak ada rekod dia masuk ya, dia tak masuk ya?
22
23 **MSR** Dia ditangkap di luar negara.
24
25 **CHM** Ditangkap di luar negara?
26
27 **MSR** Semasa dihantar, adakah Imigresen akan detect pergerakan balik
28 tersebut?
29
30 **JUNAINH** Imigresen akan detect kerana –
31
32 **MSR** Akan detect.
33
34 **JUNAINH** Akan keluarkan satu dokumen khas –
35
36 **CHM** Sebentar, sebentar. En Sabri, I still don't get your question. Sorry lah.
37 Apa maksud En Sabri ini.

1
2 **MSR** Ok. Saya merujuk kepada Exhibit 6, muka surat 19, para 9.
3
4 **CHM** Sebentar, kita akan pameran dekat skrin.
5
6 **MSR** Para 7, silap.
7
8 **ZAIDI** Minta maaf Encik, Encik nak rujuk exhibit ke?
9
10 **MSR** Exhibit 6, yes.
11
12 **ZAIDI** Sekejap ya. Exhibit 6 Encik ya.
13
14 **MSR** Ya. Buku yang dikeluarkan oleh Joshua Hilmy, 'Sermon on the mount.'
15
16 **ZAIDI** Ok. Page berapa Encik?
17
18 **MSR** Page terakhir 19, para 7.
19
20 **ZAIDI** Ok, yang mana Encik?
21
22 **MSR** Ok. Para 7. 'I was arrested by Indonesian authority.'
23
24 **CHM** 'Because my passport' ini Malaysian passport lah ya, expired.
25
26 **MSR** Ya.
27
28 **CHM** Ok, alright. Apa soalan En Sabri disini?
29
30 **MSR** Ok. Sekiranya seseorang ditangkap di luar negara disebabkan pasport
31 dia expired, semasa dia dihantar ke Malaysia, adakah pihak Imigresen
32 akan detect pergerakan tersebut? Mempunyai rekod.
33
34 **CHM** Pergerakan, dia akan hantar di Malaysia kan. Apabila dia masuk di
35 Malaysia, dan Imigresen kita akan tahulah kan, pasport dia dah mati
36 kan, En Sabri?
37

- 1 **MSR** Betul, betul.
2
- 3 **JUNAINH** Kebiasaannya pihak kedutaan akan mengeluarkan emergency certificate
4 untuk individu yang ditahan kerana pasport telah expired untuk mereka
5 pulang ke Malaysia.
6
- 7 **MSR** Dengan, maksudnya pihak Imigresen ada rekodlah sekiranya dia
8 dihantar pulang ke Malaysia, betul atau tidak?
9
- 10 **JUNAINH** Yes.
11
- 12 **MSR** Untuk Joshua Hilmy ini ada tak rekod dia dihantar pulang oleh pihak
13 Indonesia ke Malaysia?
14
- 15 **JUNAINH** Maklumat tersebut saya kena cari lebih lanjut, saya kena buat semakan
16 lebih lanjut dalam sistem kami.
17
- 18 **MSR** Kalau dibaca daripada perkataan ini, 'I should be charged and jailed for
19 five years or fined RP25 million. A Muslim policeman helped to come
20 back to Malaysia.' Adakah ini ayat dia menggunakan jalan yang tidak
21 diwartakan?
22
- 23 **JUNAINH** Saya tak pasti.
24
- 25 **MSR** Dengan izin Puan, Puan ada sebut pasal jalan tidak diwartakan.
26
- 27 **JUNAINH** Betul.
28
- 29 **MSR** Adakah jalan yang tidak diwartakan ini hanya untuk masuk ke dalam
30 Malaysia atau boleh keluar dari Malaysia?
31
- 32 **JUNAINH** Boleh keluar juga daripada Malaysia. Dia keluar ataupun masuk ke
33 Malaysia.
34
- 35 **MSR** Adakah jalan yang diwartakan ini adalah jalan selamat, dengan erti kata
36 lain boleh melibatkan kehilangan nyawa?
37

1 **JUNAINH** Boleh. Jalan yang tidak selamatlah. Sebab apabila kehilangan nyawa
2 mungkin kita tak dapat tahu.
3
4 **MSR** Itu sahaja daripada PDRM, Dato' Seri.
5
6 **CHM** Terima kasih En Sabri. Yes Mr Philip Koh, you were about to ask just
7 now didn't you.
8
9 **PK** Thank you Dato' Seri, thank you. Zaidi, can I have that reference to the
10 passport, the valid passport of Joshua Hilmy Hanim. In that there is a
11 passport number issued by Pulau Pinang Immigration office,
12 A36522166 where tarikh sah pasport ialah 24.11.2015 ke 24.11.2020.
13 Puan, inilah pasport yang sah, Hilmy Hanim, ya.
14
15 **JUNAINH** Pasport kepunyaan Hilmy Hanim tapi telah tamat tempoh.
16
17 **PK** Tamat tempoh saya akan menyoal, jangan add jawapan. So pada
18 tempoh ini dia adalah pasport yang sah?
19
20 **JUNAINH** Betul.
21
22 **PK** Tarikh yang mustahak pada SUHAKAM hearing ini ialah pada awal
23 November 2016 dan mungkin 2012 Januari atau Februari, itulah yang,
24 pada masa yang kita syak bahawa Hilmy Hanim telah tidak boleh
25 dihubungi oleh sesiapa. Now pada saat itu di dalam sistem Imigresen
26 tidak adalah apa-apa rekod bahawa Hilmy Hanim pemegang pasport
27 ini, yang keluar di Pulau Pinang, keluar Malaysia, adakah benar
28 kenyataan itu?
29
30 **JUNAINH** Ya.
31
32 **PK** Tidak ada apa-apa evidence Hanim keluar di dalam sistem Imigresen,
33 ya?
34
35 **JUNAINH** Ya, betul.
36

- 1 **PK** Ya. Inilah mustahak dan kenyataan yang lain SUHAKAM officers sudah
2 menunjuk di dalam share screen ialah stop order, persekatan dari IRD,
3 revenue tax authority. Tetapi kalau lihat tarikh itu, dia sangat nyaris
4 dengan tak sah pasport lagi. Pasport tamat 24.11.2020 dan yang tak
5 sah sekatan untuk menjalan ialah September 2022, memang ya.
6 Benar?
7
- 8 **JUNAINH** Benar.
9
- 10 **PK** Ok, benar. So kalau tidak ada sekatan dari IRD juga pada tarikh
11 24.11.2022, pasport pun tidak tersahlah untuk jalan, ya?
12
- 13 **JUNAINH** Memang.
14
- 15 **PK** Saya nak menyoal, so tidak adalah pasport yang baru yang memohon
16 oleh Hanim, Hilmy Hanim lagi pada saat 22, tempoh tak sah lagi pasport
17 yang kita menarik hati. Adakah Hanim memohon pasport yang baru?
18
- 19 **JUNAINH** Selepas dari 24, selepas pasport yang last punya expired ke?
20
- 21 **PK** Ya. Adakah sesiapa ataupun pemohon Hilmi memohonkan pasport
22 yang baru?
23
- 24 **JUNAINH** Tiada.
25
- 26 **PK** Now kalau ada sekatan seperti itu, adakah Jabatan mengeluarkan
27 pasport yang baru kalau ada permohonan?
28
- 29 **JUNAINH** Pihak Imigresen tidak akan keluarkan pasport yang baru melainkan
30 mendapat kebenaran daripada agensi yang membuat sekatan.
31
- 32 **PK** Terima kasih. So dengan kenyataan Puan yang menolong SUHAKAM
33 ini, kita sangat menghargai keterangan Puan dan ribuan terima kasih
34 atas kesudian Puan datang untuk menolong kita, kami.
35
- 36 **CHM** Any other question from other observers?
37

1 **TFW** Hello Dato'.

2

3 **CHM** Yes, from where ini?

4

5 **TFW** This observer for the family, if I may ask a few question.

6

7 **CHM** Sure, sure.

8

9 **TFW** Puan, tadi ada nyatakan ada menerima surat daripada pihak polis untuk
10 semakan –

11

12 **CHM** Can you show yourself, your picture is not on.

13

14 **TFW** Yes, I already on my video, yes.

15

16 **PK** Cyrus –

17

18 **CHM** Cyrus, it's you.

19

20 **TFW** Yes.

21

22 **CHM** Ok.

23

24 **TFW** I on my video.

25

26 **CHM** Yes.

27

28 **TFW** Puan, tadi ada nyatakan ada surat daripada Balai Polis Sungei Way
29 meminta status keluar masuk Ruth Hilmy dengan Joshua Hilmy.
30 Adakah Puan masih ingat tarikh menerima surat tersebut? Lebih
31 kurang, no need to be, tidak perlu tarikh exact, kalau tak ingat, tapi lebih
32 kurang tahun berapa, bulan berapa.

33

34 **JUNAINH** If I'm not mistaken after I check from my record –

35

36 **TFW** Puan, tak dengarlah Puan.

37

1 **JUNAINH** If I'm not mistaken –
2
3 **TFW** Puan is still muted,
4
5 **JUNAINH** If I'm not mistaken when I am check from my record –
6
7 **TFW** Puan, it's still muted,
8
9 **JUNAINH** No.
10
11 **MFR** She's not Mr Cyrus.
12
13 **PK** She's not.
14
15 **CHM** I can hear her. Hello.
16
17 **JUNAINH** Hello.
18
19 **TFW** I can't hear you..
20
21
22
23 **JUNAINH** Hello.
24
25 **PM2** Yes go ahead, we can hear you.
26
27 **JUNAINH** Melalui rekod dalam rekod kami, surat –
28
29 **TFW** Hello?
30
31 **JUNAINH** Yang kami terima adalah pada 08.09.2020.
32
33 **PK** Cyrus, the witness has given an answer, September 22.
34
35 **TFW** September 22?
36
37 **PK** Yes, thank you.

[01:45:00]

1
2 **JUNAINH** 2020.
3
4 **TFW** 2020?
5
6 **JUNAINH** Yes.
7
8 **TFW** Ok. Selain itu sebelum September 2020 adakah Puan tahu sama ada
9 pihak polis ada buat permintaan untuk semakan, sebelum itu. Lebih
10 awal daripada itu, adakah pihak polis membuat permintaan untuk
11 semakan?
12
13 **JUNAINH** Tiada.
14
15 **TFW** Sebelum September 2020, adakah pihak polis pernah datang ke
16 pejabat Imigresen untuk menyiasat berkenaan dengan kes Joshua
17 Hilmy dan Ruth Hilmy?
18
19 **JUNAINH** Tiada.
20
21 **TFW** Tiada. Sebelum September 2020 adakah pihak polis datang meminta
22 maklumat berkenaan dengan Joshua Hilmy dan juga Ruth Hilmy untuk
23 tujuan intelligence untuk siasatan polis? Bukan berkenaan dengan kes
24 imigresen tapi untuk siasatan, tujuan siasatan polis?
25
26 **JUNAINH** Tujuan siasatan kes ini ke?
27
28 **TFW** Kes, just berkenaan dengan kedua-dua oranglah.
29
30 **JUNAINH** Sepanjang, untuk rekod sepanjang saya bertugas, tiada. Saya bertugas
31 di Bahagian Keselamatan & Pasport bermula 2019.
32
33 **TFW** Ok. Tadi pihak PDRM ada bertanya tentang itu tangkapan berkenaan
34 dengan Imigresen di Indonesia. Tadi ada tunjuk itu dokumen kata
35 adakah ia trigger dengan Pejabat Imigresen Malaysia. Jawapan Puan
36 adalah dia tidak trigger ya betul?
37

- 1 **JUNAINH** Boleh ulang balik, saya kurang jelas berkenaan soalan yang mana.
2
- 3 **TFW** Ya, tadi pihak PDRM setahu saya pihak PDRM ada tanya berkenaan
4 dengan satu dokumen di mana Joshua Hilmy pernah passport expired
5 ditangkap di luar negeri then pihak PDRM tanya sama ada ia ada trigger
6 sistem Imigresen Malaysia kerana passport dia expired dan dia telah
7 ditangkap di, telah ditahan di Indonesia. Adakah ia trigger, jawapan
8 Puan kalau tak silap saya adalah ia tidak trigger dalam sistem
9 Imigresen Malaysia.
10
- 11 **JUNAINH** Perkara tersebut saya kena siasat, buat semakan lebih lanjut dalam
12 sistem kami.
13
- 14 **TFW** Ok. Untuk sebelum ini adakah secara general ya, adakah, sekiranya
15 ada siasatan polis, adakah pernah pihak PDRM bergabung operasi
16 dengan pihak Imigresen untuk membuat satu siasatan di mana mereka
17 berkongsi maklumat, secara am?
18
- 19 **JUNAINH** Pernah.
20
- 21 **TFW** Pernah. Di dalam kes ini, adakah operasi tersebut dijalankan di dalam
22 kes ini, setahu Puan? Adakah satu operasi, bukan sahaja berkenaan
23 dengan semakan tapi operasi berdasarkan jabatan dengan jabatan
24 dijalankan bersama untuk kes ini, selepas ataupun sebelum Puan
25 menerima surat daripada pihak PDRM?
26
- 27 **JUNAINH** Itu di luar makluman saya.
28
- 29 **TFW** So di luar makluman, tapi setahu Puan memang tak adalah?
30
- 31 **JUNAINH** Saya tidak tahu sebab saya hanya bertugas untuk mengeluarkan surat
32 pengesahan keluar masuk sahaja.
33
- 34 **TFW** Ok. Tapi untuk Puan keluarkan surat keluar masuk adakah Puan
35 berbincang dengan pihak atasan Puan that means Puan punya bos,
36 adakah pihak Puan berbincang dengan pihak bos bahawa sama ada

1 untuk kedua-dua orang ini ada satu operasi yang dijalankan oleh pihak
2 polis dengan pihak Imigresen.
3
4 **JUNAINH** Saya tidak berbincang sebab kerana saya telah diberi kuasa dan surat
5 permohonan polis hanyalah melalui surat, jadi saya tidak tahu
6 berkenaan kes apa yang terlibat dan itu di luar bidang, itu di luar
7 makluman, bidang kuasa saya.
8
9 **TFW** Ok. Terima kasih Puan. Selain itu Puan, selepas September 2020
10 menerima permohonan daripada pihak polis adakah pihak polis datang
11 berjumpa dengan Puan untuk mengambil statement daripada Puan?
12 Selepas itu.
13
14 **JUNAINH** Selepas surat yang saya keluarkan ke?
15
16 **TFW** Ya.
17
18 **JUNAINH** Ya, ada.
19
20 **TFW** Dia ada datang membuat ambil statement lah Puan.
21
22 **JUNAINH** Ambil statement.
23
24 **TFW** Ok. Mr Philip and Dato' Seri panel, I think at the moment, that's the
25 question that I want to ask. Thank you so much.
26
27 **PK** Dato' Seri can I add one supplementary question with your permission.
28
29 **CHM** Yes.
30
31 **PK** Thank you Dato' Seri. Thank you Mr Cyrus too. Puan mengenai, saya
32 bagi satu misalan, mengenai Tuan DSP, soalan atas, kalau ada
33 seorang pergi ke Indonesia tetapi pasport Malaysia itu sudah tamat,
34 mungkin bukan Hilmy Hanim, sesiapa sah dan seorang itu telah
35 ditahankan tetapi dengan negotiation ada orang yang baik hari di dalam
36 Indonesia, dia kata ok lah, saya tak mahu kata you illegal, overstay, you
37 boleh balik, balik ke negara yang you datang. Baliklah. Ok, ok, maaf,

1 maaf, itu orang kata, dia balikkah. Kalau dia balik tetapi dia hampir dekat
2 KLIA dan dalam pasport itu dia sudah tamat, apakah kesannya kalau
3 Imigresen officer tengok pasport itu ditamatkan, tidak ada siapa laporan
4 mengenai dia surah ditahan atau *diremankan* di dalam prison, dia kata
5 yalah, saya terlupalah Puan, saya datang dari Indonesia, oh, saya pun
6 tamat ini, so saya balik semula, dan dia juga menunjukkan IC, adakah
7 Pn Junainh, bagaimana kesan dan proses imigresen atas keadaan
8 seperti itu.

9

10 **JUNAINH** Ok. Sekiranya seseorang itu mempunyai pasport yang telah expired di
11 luar negara dan dia akan masuk ke Malaysia melalui pintu yang
12 diwartakan, pihak Jabatan Imigresen, pihak kedutaan di luar negara
13 akan mengeluarkan satu dokumen yang kita panggil emergency
14 certificate. Dan bila ada emergency certificate, ini untuk kes yang
15 pasport yang telah expired. Dan melalui emergency certificate itu akan
16 ada kriteria-kriteria yang berbeza, maksudnya seperti kes tersebut,
17 seseorang, orang tersebut telah expired pasport dia. So apabila dia
18 masuk melalui pintu Imigresen yang diwartakan seperti contoh KLIA,
19 pegawai di KLIA akan melihat dokumen emergency certificate tersebut,
20 apa yang telah ditulis. Then selepas pegawai imigresen di pintu masuk
21 tersebut menulis, melihat emergency certificate tersebut, dan orang
22 tersebut, pemohon akan dibenarkan masuk dengan diberi satu surat.
23 Surat tersebut untuk merujuk ke mana-mana pejabat Imigresen, kerana
24 seseorang tersebut perlu membuat satu pasport baru dan kes tersebut
25 perlu direkodkan ke mana-mana Jabatan Imigresen. Tetapi sekiranya
26 tak ada, sekiranya perkara tersebut tidak berlaku, bermaksud
27 seseorang tersebut tidak melalui pintu... mana-mana pintu imigresen,
28 pintu masuk yang diwartakan.

29

30 **PK** Ok. Terima kasih. Atas kita nak apply dengan fakta DSP menunjuk itu
31 emel Hilmy Hanim, kita assume kenyataan itu yang benar sebab itu
32 ialah emel Hilmy Hanim, dia sudah terlupa pada satu saat, tahun pun
33 tahun itu. Kalau dia balik ke balaik KLIA, kita assume, anggap dia
34 datang ke KLIA dan dengan penjelasan Puan, dia mungkin ada satu
35 surat kata oklah, ini you terlupa, you boleh masuk. Adakah di dalam
36 sistem Malaysia ada rekod seperti itu?

37

1 **JUNAINH** Ada.
2

3 **PK** Di dalam rekod-rekod yang telah dijelaskan ke panel ini, tidak ada apa
4 rekod-rekod mengenai dia datang dengan satu pasport yang sudah
5 ditamatkan, tidak ada, adakah?
6

7 **JUNAINH** Sekiranya kami perlu semak perkara tersebut, kami perlu semak lebih
8 lanjut dalam sistem kami. Dia tidak akan pop-up begitu sahaja. Saya
9 kena semak setiap pergerakan yang –
10

11 **PK** Yes. Mr Chairman, I apologise, I do not recollect when that alleged
12 incident that the PDRM DSP, maybe the DSP can help us, are you
13 aware of the year and is it important enough or relevant for the panel to
14 rule, I am not pursuing this in a very major way. I only need to clarify
15 that –
16

17 **CHM** I don't think you should pursue because if you were to look at that
18 paragraph, I think it is, everything is not that clear lah the story. It's like,
19 it's a storytelling, I did this, I did that, a kind Muslim policeman, blah,
20 blah, blah, but the whole thing is not very clear.
21

22 **PK** Yes, ok.
23

24 **CHM** How he got in, how he got into this country, it's not very clear. It's not
25 very clear what happened here. The whole thing, the whole description
26 is not that clear. I don't think –
27

28 **PK** I appreciate what you are saying Dato' Seri.
29

30 **CHM** Yes.
31

32 **PK** The reason why I'm not, is not because I'm afraid to know the truth but
33 it was adequate for me at the moment to ask for clarification from Pn
34 Junainh that merely an expired passport does not necessarily attract a
35 major offence and that the holder of the passport and already proved
36 that he is that holder, is allowed to re-enter Malaysia and they won't be

1 arrested you know at that port of entry because you have an expired
2 passport, so that's my concern.

3

4 **CHM** I think in some countries, they are very particular about you entering the
5 country. On leaving the country, your passport expired, I don't think the
6 immigration authorities will make a fuss out of it, you are leaving the
7 country anyway. Yes.

8

9 **PK** Yes.

10

11 **CHM** They won't make a fuss out of it, yes.

12

13 **PK** That's the time I just want to make.

14

15 **CHM** But –

16

17 **PK** But I much appreciate the DSP's entitlement to query that, I just want
18 to eliminate or lessen any inferences if this was a major offence, people
19 do forget about the expiry date.

20

21 **CHM** Yes Mr Koh, just now when you asked the question, the officer gave
22 you a scenario when everything goes by the book. The person went to
23 the embassy, embassy gave an emergency pass right. But if that
24 doesn't happen kan, Puan, orang itu dia dah, passport Malaysia dia dah
25 mati dah. Dia balik, dia balik begitu saja, dia sampai dekat Imigresen
26 punya checkpoint dekat KLIA itu, apa jadi. Tentu dia akan dibenarkan
27 masukkan, memanglah dia akan dibenarkan masuk. Dekat passport itu
28 akan di cop tak? Cop tarikh masuk, passport dah mati. Tolong ceritakan
29 apa akan berlaku, dekat kaunter itu, dia kira passport dah mati.

30

31 **JUNAINH** Dia akan gunakan passport yang dah mati. Apabila passport yang dah
32 expired, dia tak akan gunakan passport itu, dia akan dikeluarkan
33 dokumen lain.

34

35 **CHM** Di mana?

36

- 1 **JUNAINH** Kalau, bila seseorang itu nak balik ke Malaysia, seperti kes tadi dia
2 akan –
3
- 4 **CHM** Tak, tak. Kes tadi itu ikut cara yang betul kan. Tapi ini cara dia tak
5 nak buat itu, dia nak ikut senang, pasport dia dah mati, dia tahu, dia
6 sampai dekat KLIA, kat Imigresen, tunjuk, sorry lah pasport saya dah
7 mati. So... pun boleh juga kan?
8
- 9 [02:00:00]
- 10
- 11 **JUNAINH** Tak boleh.
12
- 13 **CHM** Ok kesalahan. Tolong ceritalah apa akan berlaku. Dia kena tangkap ke
14 macam mana ke? Cerita.
15
- 16 **JUNAINH** Pihak –
17
- 18 **CHM** Puan akan buat dekat dia. Tak kan kata dia tak boleh masuk kan, dia
19 orang Malaysia kan.
20
- 21 **JUNAINH** Nanti akan –
22
- 23 **CHM** Ceritakan.
24
- 25 **JUNAINH** Di pihak pintu masuk akan diserahkan ke Bahagian Penguatkuasa
26 untuk siasatan lanjut.
27
- 28 **CHM** Lagi? Apa akan jadi dengan pasport dia? Pasport itu dirampas ke
29 ataupun pasport itu di cop juga, di cop tarikh masuk dengan nasihat
30 pergi renew kan. Macam mana, ceritakan, apa akan berlaku.
31
- 32 **JUNAINH** Tak pernah berlaku seseorang yang telah expired pasport Malaysia dia
33 masuk ke dalam negara dengan pasport expired tersebut.
34
- 35 **CHM** Tak pernah berlaku?
36
- 37 **JUNAINH** Ya.

1
2 **CHM** Ok.
3
4 **PK** Dato' Seri, could I gently try help here.
5
6 **CHM** Yes.
7
8 **PK** Dato' Seri, from the report DSP did point out that statement. Of course
9 Hanim, Hilmy Hanim did not continue to say what he did after that. It's
10 not necessary, my example is just as if a man or a woman can just go
11 back, come back to the country. What happens in a situation of a lost
12 passport or expired, as the case may be, I have some personal
13 experience, I was... deputy consulate officer next to the late Dato' Peter
14 Mooney in Ireland, of Ireland, and lost passport or expired passport,
15 they come to us and we give a letter as Puan mentioned from a
16 consulate or embassy for one way return, alright. A one way return to
17 your country of origin. So what happens here again, I am just speaking
18 from the Bar, I suspect, because at the immigration, you cannot actually
19 board a plane if you don't actually have a proper passport, there will be
20 issues on that too. So what will happen normally and this is my
21 reasonable inference, En Hilmy Hanim went to the Malaysian Embassy
22 and got a letter as Puan mentioned, a one way return that he can show
23 when he arrive back in KLIA to enter the country of his nationality. I
24 suspect that is what happened. Otherwise the consequences will flow,
25 I think as Puan mentioned, he has never come across such an incident
26 where someone with expired passport or lost passport can return back
27 to Malaysia and prove at the counter of entry. I don't know whether what
28 I describe is reasonable. I submit it is a reasonable surmise that Hanim,
29 Hilmy Hanim, did not illegally try to enter the country. He did sort out the
30 procedure, obtain requisite letter one way to return back to Malaysia.
31 Even during that reference of his expired passport.
32
33 **CHM** Ok. Shall we leave it at that. Yes. Any other questions?
34
35 **SPC** Dato' Seri, I just have one question, Bar Council observer, kepada
36 Puan. Puan, boleh sahkan sama ada Hilmy, Joshua Hilmy ataupun

1 Ruth Sitepu keluar selepas ada apa-apa rekod keluar negeri selepas
2 tarikh November 2016?
3
4 **JUNAINH** Melalui rekod semakan saya, hasil semakan saya melalui rekod sistem
5 jabatan kami, tiada rekod pergerakan dia selepas daripada tarikh
6 terakhir 2012 tersebut. Yang –
7
8 **SPC** Ok.
9
10 **JUNAINH** Tiada.
11
12 **SPC** 2012 sahaja tarikh akhir dia keluar negeri?
13
14 **JUNAINH** Iaitu dia masuk ke Malaysia. Selepas itu tiada pergerakan.
15
16 **SPC** Ok. Terima kasih. That's all my question Yang Arif. Dato' Seri.
17
18 **CHM** Any other question from observers? From members of the panel? No
19 question?
20
21 **MFR** Dato' Seri, saya ada satu soalan tambahan.
22
23 **CHM** Ya.
24
25 **MFR** Pn Junainh tadi ada maklumkan bahawa LHDN telah membuat sekatan
26 terhadap penama Hilmy Bin Hanim, betul?
27
28 **JUNAINH** Betul.
29
30 **MFR** Bagaimana proses ini dilakukan Puan?
31
32 **JUNAINH** Bagaimana apa dia?
33
34 **MFR** Bagaimana proses ini dilakukan?
35
36 **JUNAINH** Proses ini dilakukan, senarai hitam ini dibuat oleh Lembaga Hasil
37 Dalam Negeri. Sekejap ya. Proses ini dibuat oleh Lembaga Hasil Dalam

1 Negeri. Kebiasaannya yang membuat senarai hitam ini adalah agensi
2 tersebut kerana agensi tersebut ada akses untuk buat senarai hitam
3 sahaja, akses yang digunakan adalah untuk membuat senarai hitam,
4 direct terus, mereka yang buat terus untuk buat blacklist untuk
5 seseorang tersebut sekiranya saya tak silaplah.
6
7 **MFR** Adakah sistem khas yang digunakan oleh –
8
9 **JUNAINH** Ya.
10
11 **MFR** Boleh Puan nyatakan sistem tersebut?
12
13 **JUNAINH** Itu saya tidak pasti.
14
15 **MFR** Soalan kedua, berdasarkan sistem yang Puan maklumkan tadi,
16 MyIMMs, adakah sistem ini boleh di akses oleh mana-mana agensi
17 selain daripada Jabatan Imigresen?
18
19 **JUNAINH** Tak boleh.
20
21 **MFR** Tak boleh. Ok.
22
23 **JUNAINH** Jabatan Imigresen sahaja.
24
25 **MFR** Baik. Terima kasih Puan. Itu sahaja Dato' Seri.
26
27 **CHM** Ok, if there are no further questions, I will release the witness. Puan
28 terima kasih kerana sudi datang untuk memberikan keterangan dan
29 untuk membantu panel ini ya, dalam siasatan ini. Saya ucapkan banyak
30 terima kasih.
31
32 **JUNAINH** Alright, thank you.
33
34 **CHM** Puan dibebaskan.
35
36 **JUNAINH** Ya, terima kasih.
37

1 **CHM** Alright. Simon, is that all for the day?
2
3 **SK** Yes Dato' Seri, only one witness for today. Our next hearing will be on
4 the 16th of July.
5
6 **CHM** Is it going on?
7
8 **SK** Yes Dato' Seri, most likely.
9
10 **CHM** What will be doing on 16th of July?
11
12 **SK** We will be calling the additional witness.
13
14 **CHM** Ok. Still got plenty of time, yes.
15
16 **SK** 10 days more.
17
18 **CHM** 10 days, ok. And I hope that will be our last hearing, please. Last
19 hearing, yes
20
21 **PK** Dato' Seri on that hearing date may we clarify, I don't think it need to be
22 in a close session.
23
24 **CHM** Sekarang ini close session ke? This open isn't it.
25
26 **SK** Yes.
27
28 **PK** So because I think the important stakeholders are involved in
29 understanding why this, the line of questions that we will pursue is heard
30 clearly.
31
32 **CHM** MCMC kan, MCMC officer, yes.
33
34 **SK** Yes Dato' Seri.
35
36 **CHM** Ok then. It will be an open session then. Ok then thank you to everyone,
37 to officers and observers, thank you. We will meet again on the 16th ok.

1
2 **TFW** Thank you Dato' Seri.
3
4 **CHM** Thank you.
5
6 **END**
7
8 **TIME :** [02:09:20]