

MILITARY COURTS FOR THE TRIAL OF WAR CRIMINALS

D.J.A.G's Case No. JAG/65157

Name of Accused (including Rank, if any)	Arm or Former Arm of the Service	Age	Date and Place of Trial
HIROTA Tadao	Civilian attached to I.J.A.		29th November, 2,3,4, & 6 December 1946. KUALA LUMPUR Convened by GOC-in-C Malaya Command.

CHARGES

Charge

COMMITTING A WAR CRIME in that he at KUALA LUMPUR, Malaya, between 13th April 1943 and the 28th February 1945, whilst in the service of the Occupying Power, was in violation of the laws and usages of war, concerned in the ill-treatment of SEH TIAM FATT, WOO PENG KONG, YAP LIEU KEN, LOKE CHON, CHIN WEE TAH, CHAN TACK, CHAN CHEONG, ONG BOON PIN, YAPPAH KEE, and LAI KOI, causing the death of the said SEH TIAM FATT and physical sufferings to the other aforementioned civilian residents of Malaya.

President and Members of the Court (except Legal Member)	Judge Advocate/Legal Member
Lt-col. W.J. DAVIES R.A. Maj. A. FLEMING R.I.E. Maj. N.G. WAIT Gen List.	- N.A.-

Pleaded	Finding
Not Guilty	Guilty of the charge with the exception of the words "and LAI KOI" and the words "the eath of the said SEH TIAM FATT and" and the word "other".

Sentence and Minute of Confirmation

Sentenced to 8 years imprisonment. Confirmed by G.O.C-in-C. Malaya Command on 18 December 1946.

When and where Promulgated :—

23 December 1946.

Date of Receipt	To whom sent	Date sent	Purport

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MILITARY COURT FOR THE TRIAL OF WAR CRIMINALS

DR. 31F
308

ACCUSED

Civilian HIROTA Tadao, attached to
the Imperial Japanese Army, att.
Malaya Command Signals.

PLACE AND
DATE OF TRIAL

Kuala Lumpur. 29th Nov, 2,3,4 and 6th
Dec, 1946.

COURT CONVENED BY

G.O.C-in-C. Malaya Command.

PRESIDENT

Lt-Col. W.J. DAVIES. R.A.

MEMBERS

Major. A. FLEMING. R.I.E.
T/Major. N.G. WAIT. Gen List.

CHARGE

COMMITTING A WAR CRIME, in that he, at Kuala Lumpur, Malaya, between 13th April 1943 and the 28th February 1945, whilst in the Service of the Occupying Power was, in violation of the laws and usages of war concerned in the ill-treatment of SEH TIAM FATT, WOO PENG KONG, YAP LIEW KEN, LOKE CHON, CHIN WEE TAH, CHAN TACK, CHAN CHEONG, ONG BOON PIN, YAPPAH KEE, and LAI KOI, causing the death of the said SEH TIAM FATT and physical sufferings to the other aforementioned civilian residents of Malaya.

PLEA

Not Guilty.

FINDING

Guilty of the charge with the exception of the words "and LAI KOI" and the words "the death of the said SEH TIAM FATT and" and the word "other".

SENTENCE

6 Dec, '46. 8 years' Imprisonment.

CONFIRMATION

18 Dec '46. G.O.C-in-C. Malaya Command.

PROMULGATED

23 Dec '46.

REMARKS

DISPOSAL OF
PROCEEDINGS

To AG3 GHQ SEALF

JAG of the Forces

DJAG SEALF
Case No.65157 JAG.

4 Feb 47

ABSTRACT OF EVIDENCE
in the case of
Civilian HIROTA, Tadao

WOO PENG KONG will say :-

I was arrested on the 28th. October 1943 by a Japanese Kempeitai and a Taiwanese known to me as HIROTA TADAO. I was taken to the Kempeitai Headquarters, High Street, Kuala Lumpur and locked up. The following morning I was taken by HIROTA to another room where he accused me of assisting the Chinese guerillas and, when I denied the accusations, beat me about my head and body with a stick about 5 feet long and 3" thick. The beating lasted for half an hour after which I fainted. When I recovered consciousness, I was taken back to my cell by HIROTA. The following morning I was again taken by HIROTA to an interrogation room, made to kneel on the floor. Then HIROTA placed a square stick between my knees and he and another Taiwanese jumped on the protruding ends of the stick. I was then made to stand up and HIROTA beat me again for half an hour. I again became unconscious. The following morning about the same time, I was again taken out of my cell by HIROTA and when I once more denied his accusations, HIROTA hung me upside down from the ceiling. He made me lie on the floor then tied my foot to a rope suspended from a hook in the ceiling. I was then hoisted up until my head was just touching the floor. Whilst I was in this position, HIROTA beat me about the body with a stick for about 15 minutes and then I became unconscious. When I recovered, HIROTA cut me down and told me to admit the accusations.

Whilst I was in the cell, I had as a companion one SEH TIAM FATT. On one occasion we were taken together for interrogation by HIROTA and a Taiwanese. Whilst we were there, HIROTA forced SEH TIAM FATT to stand on a table and tied his hands to a rope suspended from a ceiling. HIROTA then removed the table and left FATT hanging with his hands tied behind his back and his feet 3 feet from the floor. HIROTA beat me about the head and body with a stick about 5 feet long and 2 inches thick. The beating was very severe and lasted for about half an hour. In this, HIROTA was assisted by the other Taiwanese, and they took it in turns to do the beating. After half an hour, HIROTA stopped beating FATT as he seemed to be unconscious. HIROTA made me assist him in cutting FATT down. I saw that FATT was dead. HIROTA poured water over FATT to try to revive him but it was no use. HIROTA then took me back to my cell leaving the body of FATT in the interrogating room. Some time later I saw 2 Indian soldiers carrying the body of FATT along the corridor near my cell. FATT's head was hanging down and his face was black.

YAP LIEW KEN will say :-

I was arrested on the 23rd. October 1943 and taken to the Kempeitai Headquarters, Kuala Lumpur. I was interrogated there by a Japanese Kempeitai named NISHI and a Taiwanese HIROTA TADAO. When I denied the accusations, they both beat me about the body. At the end of half an hour, I became unconscious and when I recovered I was in my cell. Three or four days later, I saw WOO PENG KONG put in the cell opposite mine. Two days later I saw him and a male Chinese whose name I learned was SEH TIAM FATT, taken from the cell by HIROTA. After about

an hour he brought WOO PENG KONG back. About half an hour later, I saw 2 Indian soldiers carrying a body. They drew near and I stood up and had a closer look. The body was that of SEH TIAM FATT. His head was falling back and his face was black. He was dead.

Two or three days later I was again interrogated and beaten by NISHI and HIROTA. I again lost consciousness and recovered in my cell.

The Prosecution will call the following witnesses as to the facts :

LOKE CHON
CHIN WEE TAH
CHAN TACK
CHAN CHEONG
ONG BOON PIN
YAP PAH KEE

and with the exception of ONG BOON PIN will say that they were arrested by the accused HIROTA, during the period covered in the charge, taken to the Kempeitai Headquarters in High Street, Kuala Lumpur. ONG BOON PIN will say that he was arrested by 6 Chinese Detectives. They were all detained in the cells at the Kempeitai Headquarters and interrogated by the accused.

They will say that during interrogation they were invariably tortured by the accused by beating with stick, hanging upside down, and that on numerous occasions they lost consciousness. ONG BOON PIN will also say that one LAI KOI was in the same cell as himself at the Kempeitai Headquarters, that one day he was taken from the cell by the accused HIROTA and returned by him 4 hours later in an unconscious state. HIROTA carried a thick hollow metal bar which was badly bent; that he (ONG BOON PIN) saw LAI KOI's body was badly swollen with bruises; that during a period of consciousness, LAI KOI told him that HIROTA had beaten and tortured him.

The Prosecution will call _____ who will say that he was in charge of an identification parade held at Kuala Lumpur on 30 Sept. 1946.

Thirty Japanese and Taiwanese all of height, build, dress and appearance as nearly similar as could be achieved, were paraded and shown to all the Witnesses named above with the exception of YAP PAH KEE. The Accused was amongst those paraded and all the Witnesses present unhesitatingly identified him without any prompting or assistance whatsoever.