

PRISONS ORDINANCE (1952) : A SHORT SURVEY

BY

ABD. RAHMAN B ABDULLAH

A PROJECT PAPER SUBMITTED IN PARTIAL
FULFILLMENT OF THE REQUIREMENT FOR THE
DIPLOMA IN LAW

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ABSTRACT

This paper was written in consequence of a series of incidents involving questions on security of prisons in Malaysia. The first incident was the hostage drama in Pudu Prison on October 17th 22nd, 1987; which was followed by Puan Mariana hostage drama 78 days at the Kuantan prison.

Subsequently its aim to discuss few things, interalia:

- i. To discuss the historical background of prison in order to get to know the aims and principles of the institution of prison.
- ii. To discuss the administration of Malaysian Prisons in relation to its powers in handling and achieving the above aims and principles.
- iii. To evaluate the provisions of the Prisons Ordinance (1952) so as to find out any loopholes and weariness in the ordinance in relation to security.
- iv. To identify the problems face by the prison and to sort out any solutions to the problems arose.

PREFACE

In writing this paper I had in mind the problem of getting sufficient material about prisons. References can only be made in the newspapers cutting and Insaf. Apart from that it is very difficult to find any articles written by any prominent members of the legal society in any journals or book.

I was fortunate because at the time this paper is written, the Ministry of Home Affairs was in the process to find ways to overcome the problems of security in prison. As a result many statements were made in the newspapers which also provoked the public comments. For example, the decision of the Ministry of Home Affairs to built more new prisons and extentions to existing ones and the statement by Chief Justice of Malaya, Tan Sri Abdul Hamid Omar that cases should be cleared faster with the coming into force of the Subordinate Courts (Amendment) Act 1986, helps me alot in writing of this paper.

Lack of security which arise along with the problems of prison has become the main concern to the public. The need to change the law of prison is vital in order to provide a better and safe place for prisoners and to prepare them to be a good citizen once they come out to rejoin society. This paper is only the product of the outcry concerns of the public.

ACKNOWLEDGEMENT.

I would like to take this opportunity to express my gratitude to my supervisor Mr. Hardial Singh who is so understanding and reliable to sort out all the problems faced by me in completing this paper. Without his help and understanding, the paper would be a disaster to me.

I also like to thanks all my friends who had lent their minds in helping me particularly Mr. Tawfeek Badjenid of ADIL who was kind enough to prepare the outline of the paper under considerable pressure of time in an attempt to avoid any delay in completing this work.

My greatest debt, however, continues to be to my wife , Mariani Mohd Tahir, who has cheerfully and willingly helping me to type down this work despite her time to prepare for her dissertation. I thank you very much and I love you.

Mara Institute of Technology,
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April 9th 1987

Abd. Rahman bin Abdullah.