



Tel : 04-2615669
Fax/Tel : 04-2628664
E-mail : secretariat@penangbar.org
Website : www.penangbar.org

No. 4. Green Hall,
1st Floor,
10200 Penang,
Malaysia.

JAWATANKUASA PEGUAM PULAU PINANG PENANG BAR COMMITTEE

Criminal Law 3/20

25 Apr 2020

To Members of the Penang Bar,

Clarification on Covid-19 Donation Drive for Penang Prisons

Reference is made to our previous Circular Criminal Law 2/20 on the Donation Drive for inmates of the Penang Prisons in view of Covid-19 whereby we have received feedback and enquiries from some members as to why the Penang Bar Committee is carrying out such a donation drive.

Our response to the queries and feedback are as follows:

1. Although we agree that the primary responsibility for maintenance and cleanliness of prisons lie with the Government, we also view with concern the lack of adequate safeguards available and we are cognisant that our own members who practice Criminal Law come into contact with prison inmates while carrying out their duties during Court proceedings that are going on even during the Movement Control Order (MCO) period.
2. Prison authorities are supposed to keep the inmates separate and ensure they do not mingle but given that the prisons are already overcrowded, merely hoping that it will be done but having no control over it will not be effective in protecting our members. The intended donated items for the inmates will ensure that basic hygiene equipment is at least in place and will hopefully help alleviate some of the problems and shortcomings.
3. Any infections among prison inmates will possibly spread to prison wardens, Court officials and our own members. The chances of infection are higher among those who live in close proximity or in enclosed environments and they are more vulnerable to Covid-19 as seen from the Singaporean experience at their foreign worker dormitories.
4. In the same way as Personal Protective Equipment (PPEs) for frontline workers are being donated by concerned citizens, even when it is the duty of the respective medical establishments and authorities to provide such equipment, this initiative is also being carried out in the same vein.
5. This donation drive is therefore an initiative of the Penang Bar Criminal Law Subcommittee with the support of the main Committee to request for donations from members of the Bar who share the same concerns listed above and on a purely voluntary basis. The main Penang Bar funds will not be utilised for this donation drive at any time.

We therefore hope that the above explanation serves to allay members' concerns and worries, as well as provide a satisfactory reply to the queries we have received to date.

V Parthipan
Chairperson
Criminal Law Subcommittee