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JAWATANKUASA PEGUAM PULAU PINANG PENANG BAR COMMITTEE

Criminal Law 3/21

26 Apr 2021

To Members of the Penang Bar,

Visits by Defence Counsel to Clients at the Penang Prisons

Members are referred to a Directive appended below dated 16 Apr 2021 from the Office of the Director of Penang Prisons with regard to Visits by Defence Counsel to meet with their clients who are Prison inmates.

As stated in the said Directive, Members acting as defence counsel are now permitted to visit their clients in person at both the prisons in Penang provided they have undergone Covid-19 screening with a negative result at least 3 days prior to the said visit. It is also imperative that a printed copy of the screening result is presented to the Prison authorities on the day of the visit for Members to be allowed to meet their clients. Failure to produce the screening result on the day of the visit will result in Members not being allowed to visit their clients in person but they will be able to speak to their clients through the intercom facilities provided at the visiting area.

Alternatively, Members have the option of conducting virtual meetings with their clients in prison via Video Conferencing facilities as per our previous Circular Criminal Law 11/20 dated 17 Dec 2020. Members are to strictly comply with the relevant Standard Operating Procedures (SOPs), requirements and guidelines for use of the said Video Conferencing facilities as stated in the said Circular.

We continue to invite feedback or comments from Members who have participated in any Video Conferencing meetings, visits in person or use of the prison intercom facilities with their clients at the Penang Prisons to enable us to address any issues of concern with the Prison authorities.

V Parthipan
Chairperson
Criminal Law Subcommittee



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No. Ruj. Kami : JP/PPG/AM/124/1 (104)

Tarikh : 16 April 2021

Jawatankuasa Peguam Pulau Pinang
No. 4, Green Hall,
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YBhg. Dato'/Tuan/Puan,

LAWATAN PEGUAM KE PENJARA REMAN PULAU PINANG DAN PENJARA SEBERANG PERAI

Saya dengan hormatnya merujuk perkara di atas.

2. Untuk makluman YBhg. Dato'/tuan/puan, Ibu Pejabat Penjara Malaysia telah mengadakan Mesyuarat Jawatankuasa COVID-19 pada 31 Mac 2021 dan telah memutuskan supaya perjumpaan secara bersemuka bersama pihak polis, peguam, kedutaan atau pihak berkuasa lain yang berkompeten bagi tujuan siasatan atau urusan rasmi dibenarkan. Walau bagaimanapun, pihak YBhg. Dato'/tuan/puan hendaklah memastikan perkara-perkara seperti berikut dipatuhi;

- 2.1 Setiap wakil agensi yang akan mengadakan perjumpaan secara bersemuka dengan banduan hendaklah mengemukakan keputusan ujian saringan COVID-19 yang berkeputusan negatif; dan
- 2.2 Ujian saringan COVID-19 hendaklah dibuat sekurang-kurangnya dalam tempoh 3 hari sebelum tarikh perjumpaan diadakan.

3. Sekiranya keputusan ujian saringan tidak dapat dikemukakan oleh wakil agensi yang berkenaan, perjumpaan tersebut hendaklah diadakan di tempat lawatan banduan dan perbincangan dibuat melalui *intercom*. Kelulusan berhubung dokumen yang perlu diserahkan atau ditandatangani oleh banduan semasa perjumpaan tersebut hendaklah dibuat melalui Pegawai Yang Menjaga atau pegawai yang terkanan selepasnya.

JP/PPG/AM/124/1 (104)

4. Kerjasama pihak YBhg. Dato'/tuan/puan berhubung perkara ini amatlah dihargai.

Sekian, terima kasih,

“PRIHATIN RAKYAT: DARURAT MEMERANGI COVID-19”

“BERKHIDMAT UNTUK NEGARA”

Saya yang menjalankan amanah,


(TKP ROSLAN BIN HJ. MOHAMED)
Pengarah Penjara Negeri Pulau Pinang