

CHAPTER IV

PENAL FACILITIES

Even before conviction and while awaiting trial or sentence, most offenders have already spent countless hours of idleness doing nothing substantive. Continued idleness after conviction may have an undesirable effect on the offenders themselves. The first time offender may utilise his time with thoughts of anger towards society's rejection of his existence, his initial anti-social attitude may take a sharp upward turn which could turn him into a recidivist at a later stage. The recidivist used to prison life may utilise his time in futile thinking or may be planning his next criminal act. The prisoner waiting to be banished finds it unbearable to have to wait so long to be sent to his country of origin and in the meanwhile is doing practically nothing in prison.

The Prison Authority realising the evils of idleness has therefore provided a number of penal facilities in the prison. The aim of providing such facilities is to assist in the reformation of the inmates of the prison. In the Special Prison, these facilities take the form of vocational training, education, recreation and spiritual welfare facilities.

A. Vocational Training

The Special Prison endeavours to train its inmates in industrial skills as well as pay them for their efforts. Such a scheme is undertaken because of the realization that unemployment gives birth to criminal activities.

Table 4.1 illustrates the state of employment of offenders before their arrest.

TABLE 4.1

ILLUSTRATION OF STATE OF EMPLOYMENT BEFORE ARREST

YEAR	MONTH	GOVERNMENT	COMPANY	CONTRACT	SELF-EMPLOYED	UNEMPLOYED
1972	DECEMBER	A.O.	2 M 1 C 1 I		A.O. 1 M	A.O. 2 I
		Y.O.	1 M 1 C			
1973	DECEMBER	A.O.	1 M	A.G. 1 C		A.O. 1 C
				Y.O. 1 M	Y.O. 1 C	Y.O. 1 M
1974	DECEMBER		A.O. 1 M	A.O. 2 M	A.O. 5 M	A.O. 1 M
			1 C	1 C	1 C	Y.O. 1 M
			1 I		2 I	
				Y.O. 2 M		
1975	DECEMBER	A.O.	1 M	A.O. 1 I	A.O. 1 M	
				A.O. 1 I	1 C	

Source: Statistics taken from Prison Data Charts of the Special Prison.

Key: A.O. - Adult Offender
Y.O. - Young Offender

From Table 4.1 it can be evaluated that the ratio of inmates working under some form of employment is more than that of the unemployed category. But this ratio does not mean that the employed category of offenders are better off financially than the unemployed ones.

Even though offenders at the time of their arrest may be employed, this employment may be temporary in nature only acquired after many months of unemployment. Moreover the nature of the job may be unskilled and the worker may be dismissed at any time. It is true that some offenders are employed in permanent jobs earning moderate salaries but it is also a fact that once they are arrested or even suspected of having committed any criminal activities, they are dismissed. This category of offenders will also be unemployed on discharge from prison. If the offenders are self-employed, there is a strong likelihood that their business may be closed down while they are in prison. Thus it is vital that inmates should be trained in skills which will provide them with regular employment and regular source of income.

As discussed in Chapter II, one of the main aims of punishment is to rehabilitate the offenders. This aim may be partially achieved by training inmates in vocational skills. Prisoners are trained and employed at the same time. The work they do in prison may represent to some prisoners the most regular employment experience in their lives. They are allowed to work at their own pace, no pressure being exerted upon by any foreman or supervisor. Moreover the instructor-inmates' relationship is non-criminal in nature based on understanding and trust. Through such a programme, the inmates learn how to become

useful not destructive units of society. Further, prisoners represent a considerable work force which ought not to be wasted but should be taught to produce something constructive and useful to society.

In the Special Prison, the age, length of sentence, physical condition and skill of each inmate are taken into account in the employment training programme. As it is not economical to train short-term prisoners¹ they are assigned to gardening and cleaning up jobs. Elderly or medically unfit prisoners are given light work.

On admission, a convicted offender can select to learn a particular skill. It is noted that first offenders rarely select but are contented with the assignment given to them by the Reception Board. On the other hand, recidivists already equipped with a number of skills will readily select for himself. The final choice, however, is up to the Officer-in-Charge who will allot to each prisoner the labour in which he is best suited.

Though such a programme is available, the inmates may or may not benefit from it. The success of such a programme partly depends on the attitudes and aptitudes of the inmates towards the programme.

The inmates are thankful for the vocational training given them. Many inmates who were unemployed and unskilled before conviction would become skilful and therefore stand a better chance for employment after discharge. Some are even contemplating in setting up their own carpentry or cobbling business after discharge.² More encouragement should be

¹ Short-term prisoners are those prisoners who are sentenced to imprisonment for a period of less than six months or for consecutive periods the total of which is less than six months.

² Interview with inmates.

given to prisoners in joining the 'hobby class' during recreational hours where the inmates can practise and improve their skills whilst earning half the cost of workmanship of the articles made by them.

From the viewpoint of the Prison Officers, the success of the programme depends also on the aptitudes of the inmates. There is the intelligent, quick-to-learn group who can easily grasp the principle and technique of vocational skills. There are some, however, who are slow-movers but are willing to learn and have the initiative to question the instructor on whatever they do not understand. This hardworking group will eventually acquire the skills taught them. On the other hand, there are the lazy and indifferent groups of inmates who would rather spend the time talking to each other, loiter around and pretend to work when the instructor is looking. Lastly, there is the slow-learner who require extra-time and patience both on the part of the instructor and on his own part.³

Such attitudes and aptitudes, it is submitted, should not be taken lightly. Lazy inmates should be told the necessity and importance of their acquiring such skills, slow-learners should be given more instruction and time and hardworking prisoners be given the occasional deserving praise.

In addition, the Prison Authority faces many obstacles in its implementation of the vocational training programme. It has no control

³Questionnaire to Prison Officers.

over its work force, prisoners are admitted and discharged daily. There is no control over the quality of the work force. The Special Prison has to take whoever is sent to it, it cannot employ whoever the Prison Authority thinks is capable of becoming skilful, neither can it discharge any indifferent worker. Thus the Prison Authority has to face the difficult task of employing workers who are often suffering from complex temperaments and mentalities.

As an added incentive and reward for work done, the inmates are involved in an Earning Scheme. Prisoners are divided into Grades A, B and C. Prisoners in Grade C earn fifteen cents a day, Grade B twenty cents and Grade A thirty cents. They are however allowed to spend two-thirds of their earnings and the remainder is given back to them on discharge.

The following two Tables illustrate the earning scheme and the balance finally received by the inmate on discharge.

TABLE 4.2

EARNINGS OF INMATE XY WHO EARNS
FIFTEEN CENTS A DAY

YEAR	MONTH	NUMBER OF WORKING DAYS	SICK LEAVE ABSENT	DAYS WORKED	INCOME
1975	MARCH	15		15	\$2.25¢
1975	APRIL	30		30	\$4.50¢
1975	MAY	31		31	\$4.65¢
1975	JUNE	30		30	\$4.50¢
1975	JULY	31		31	\$4.65¢
1975	AUGUST	31		31	\$4.65¢
1975	SEPTEMBER	30		30	\$4.50¢
1975	OCTOBER	31		31	\$4.65¢
1975	NOVEMBER	31		31	\$4.65¢
1975	DECEMBER	30		30	\$4.50¢
1976	JANUARY	31		31	\$4.65¢
1976	FEBRUARY	29		29	\$4.35¢
1976	MARCH	31		31	\$4.65¢
1976	APRIL	30		30	\$4.50¢
On discharge:		Own money	nil		
		Salary	\$21.30¢		
		Bus fare	.80¢		
		Total	<u>\$22.10¢</u>		

Source: Prisoner's Record, Special Prison, Seremban

TABLE 4.3

EARNINGS OF INMATE YZ WHO EARNS

FIFTEEN CENTS A DAY

YEAR	MONTH	NUMBER OF WORKING DAYS	SICK LEAVE	ABSENT	DAYS WORKED	INCOME
1976	FEBRUARY	29		4	25	\$3.75¢
1976	MARCH	31		1	30	\$4.50¢
1976	APRIL	30		24	6	.90¢
On discharge:		Own money	\$0.95¢			
		Salary	\$6.65¢			
		Bus fare	\$2.00¢			
		Total	<u>\$9.40¢</u>			

Source: Taken from Prisoner's Record, Special Prison, Seremban.

Though prisoners are not penniless on discharge, the sum is so small that it may last for only a couple of days in some instances. The major complaint of the inmates is that the earnings rate is insufficient. The inmates have to provide their own toilet requisites⁴ and the provisions sold at the once tax-free

⁴Toilet requisites are provided by the Prison Authority on admission, but subsequent ones have to be supplied by the inmates themselves.

canteen are sold at relatively high prices now. Such a complaint, it is submitted, should be considered. The attempt to teach inmates to be economical must not be carried out to such an extent that they do not find it worthwhile to work so hard as they can hardly purchase anything with their earnings.

The vocational training programme in the Special Prison has reaped quite a quantitative sum of money for that institution. But the effectiveness of such a programme has yet to be discussed. Customers range from private persons to government bodies. The very fact that 'free people' buy goods made by prisoners show to some extent the public's faith in the employment programme.

TABLE 4.4

ILLUSTRATION OF MONTHLY INCOME FROM PRISON INDUSTRIES

YEAR	MONTH	WORKSHOP	MONTHLY INCOME
1975	DECEMBER	Tailoring	not available
1975	DECEMBER	Carpentry	\$253.50¢
1975	DECEMBER	Cobbling	\$604.06¢
1975	NOVEMBER	Laundry	\$2,563.40¢
1975	NOVEMBER	Vegetable Gardening	\$61.25¢
1976	JANUARY	Hobby Class	\$1,631.25¢

Source: Prison Workshop Statistics Books, Special Prison.⁵

⁵The list of items produced by each workshop for the respective months is supplied in Appendix B.

Though Table 4.4 illustrates the output of the Prison Industries in money form, it does not necessarily reflect the effectiveness or success of the employment programme. Recidivists are reputed to be hard-working, skilful workers in prison, but once released they turn to crime again.⁶ The aim of punishment, namely, rehabilitation may not therefore be achieved through the training programme.

However, the fact that some inmates are willing to utilise these skills after discharge can be said to reflect the effectiveness of this programme. It is true that not all prisoners will appreciate the value of such a programme but some will and it can be hoped that these few may influence the others to realise the importance of being trained in some vocational skills.

The main problem lies in after discharge. No reasonable employer will employ ex-convicts. Faced with unemployment and rising cost of living, ex-convicts may be compelled by such circumstances to turn to crime again. A change in public attitude is therefore needed. Companies and other employment agencies should give the ex-convicts a second chance. Some Prison Officers in the Special Prison would advocate the employment of such ex-convicts by Government Departments. They are of the opinion that the Government should set an example to the public, that it is

⁶This is further discussed in the chapter on Recidivism.

necessary to employ rehabilitated prisoners as this may be a major step in the reduction of crime rate in the country.⁷

At this point, the writer deems it fit to highlight the special problem of Restricted Residents. On discharge a Restricted Resident is assigned to a particular district. Such a Resident was forced by circumstances to commit crime again. He had no place to stay, was unemployed and the other 'ordinary' residents would not even sell him food.⁸ Another inmate about to be discharged as a Restricted Resident is not looking forward to his future as such. He said that if he cannot get a job or earn a living in that district, it is highly likely that he may turn to crime again.⁹ This is a very serious situation and the writer strongly urge the Authority concerned to take immediate measures to relieve the plight of these offenders.

Further, for the programme to be effective, it is vital that ex-prisoners and society have confidence and trust in each other. To enhance this, a work release programme is suggested whereby prisoners due for discharge are sent out to work together with the public. The advantages of such a programme are many.

⁷Questionnaires to Prison Officers.- Do you think that most of the inmates will be able to get employment after their discharge? Why?

⁸Visiting Justices Report Book, May 1973.

⁹Interview with Inmates.

Without it, both society and the offender feel the brunt of the latter's imprisonment. The former has to bear the economic costs for the latter's stay in prison, the latter is deprived of his freedom. With the implementation of such a programme, the prisoner earning the current wage rate can support his family as well as pay for his keep in prison. Further, he will be slowly re-integrated into society and will be better prepared to face and accept the stigma and problems awaiting him.

The effectiveness of such a programme, however, would depend upon the degree of rehabilitation achieved by the inmates concerned. Insufficiently reformed inmates would not be ready for such re-integration as yet. In the 1950s, such a work release programme was implemented in the Kendong Open Prison, Negri Sembilan. Inmates due for discharge were sent to work in the rubber estates and in contract work. But this programme failed unfortunately due to insufficiently reformed inmates who involved themselves in tyrannical acts and escapes were frequent.

Thus bearing in mind the existing problems, the various suggestions and the provisos forwarded, the Prison Authority in the Special Prison should consider a more effective employment training programme so that the inmates would be sufficiently rehabilitated in order that they may be "happy (for their sakes), law-abiding (for our sakes) and productive (for both our sakes)".¹⁰

¹⁰ Serapio R. Zalba, "Work Release" edited by Tappan, Contemporary Correction, McGraw-Hill Book Co. Inc., 1951, p.693.

B. Education

In the Special Prison, inmates have the opportunity to acquire and better their Bahasa Malaysia and Jawi through classes conducted by a qualified teacher. Library books are also available whereby the inmates can further their general knowledge as well as cultivate a good reading habit.

TABLE 4.5

SAMPLING OF EDUCATIONAL STATUS OF INMATES

YEAR	MONTH	EDUCATED	UNEDUCATED
1967	DECEMBER	20 A.O. 4 Y.O.	1 A.O.
1968	DECEMBER	4 A.O.	3 A.O.
1969	DECEMBER	16 A.O.	2 A.O.
1970	DECEMBER	9 A.O.	1 Y.O.
1971	DECEMBER	1 A.O. 1 Y.O.	4 A.O. 1 Y.O.
1972	DECEMBER	6 A.O.	1 A.O.
1973	DECEMBER	3 A.O. 2 Y.O.	
1974	DECEMBER	15 A.O.	2 A.O. 1 Y.O.
1975	DECEMBER	4 A.O. 1 Y.O.	

KEY: A.O. - Adult Offenders
Y.O. - Young Offenders

Source: Prison Data Charts of Special Prison.

Judging from Table 4.5 it can be seen that the ratio of 'educated' offenders is higher to that of uneducated offenders. But 'educated' offenders are not really in possession of a good many years of education. Most of the inmates have acquired some sort of primary education, only a handful have reached the secondary level. The reasons for this state of affairs are many. Children from large low income families have to stop schooling at an early age to pave the way of education for younger brothers. Transportation problems from the hamlets to schools in towns constitute another reason. Lack of parental supervision coupled with inherent laziness too is another cause. Thus with an incomplete education, these men drift from job to job, mixed with bad company and ended up in prison.

It is necessary, therefore, for the implementation of an educational programme in the Special Prison. The programme aims to guide and assist each inmate to earn a living. With education many jobs which hitherto were closed to the offenders due to lack of knowledge of language and technique would be opened to them after their discharge. The illiterate inmate would be able to attain at least a minimum level of education.

Further, education can help the inmate improve his personality, he will be able to think rationally and be more able to communicate with others in a pleasant manner. He will be better equipped to mix with society and learn and accept

society's norms.

The general attitude of inmates towards the government and the country is that of opposition and criticism. To their minds, the government and the country as a whole have rejected them. So too will they reject the country. One important aim of education therefore should be to develop better feelings towards the rights and responsibilities of citizens in democratic Malaysia. The functions of the Government and its attempts to improve a better standard of living and to bridge the gap between the rich and poor should be taught in a realistic manner to the inmates. Inmates must be made to feel that, they, as part of the population of this country, have a role to play in upholding the rights and peace and security of the nation.

Further, education can open areas of interests to the inmates which hitherto were unknown to him, for example, elementary knowledge of economics, elementary sociology, governments of other countries and the sufferings of other peoples. Such knowledge would enable the inmates to bear their sufferings better without using crime as an outlet to their sorrows.

The educational programme in the Special Prison has achieved success to some extent. The "students" are responsive and show an interest in their work. Table 4.6 illustrates the requests of some inmates for a better educational programme.

TABLE 4.6

INEFFECTIVENESS OF THE EDUCATIONAL PROGRAMME IN THE SPECIAL PRISON

REQUESTS BY INMATES	REPLY BY PRISON AUTHORITY	REMARKS OF WRITER
(i) to be allowed to take pencils and exercise books back to the cells at night to practise.	(i) request not granted as pencils can be used as weapons	(i) request should be granted to encourage inmates' progress. Pencils especially short ones can be given to those who are not likely to abuse their use. For the others, slates though old-fashioned may be used.
(ii) that an English teacher be employed and that English books be provided.	(ii) not granted (no reason given)	(ii) English is still an important language. English teachers can be sent from the Ministry of Education to serve either part-time or full-time in the prison.
(iii) to join a correspondence course for Lower Certificate of Education	(iii) not granted due to lack of facilities.	(iii) A correspondence course merely entails supply of textbooks, correspondence through mail and concentration of the inmate. It will not affect the security of the prison in any way.
(iv) more newspapers in the various language.	(iv) more copies were supplied.	(iv) requests reflect inmates' thirst for current news and mark the beginning of a good reading habit.

REQUESTS BY INMATES	REPLY BY PRISON AUTHORITY	REMARKS OF WRITER
<p>(v) requests for better library books and magazines which are more useful to life today.</p>	<p>(v) problem of donors and funds.</p>	<p>(v) urge for the donation of books from the public. Books should be suitable for this age rather than on legends and past glory.</p>

Though formal education is provided in the Special Prison, social education has yet to be introduced. Imprisonment should bring about changes in the inmates which will induce them to live, work and play within the confines of social norms.

Group counselling is one method by which such could be achieved. The inmates are divided into groups, each with its own counsellor whose duty is to listen, guide and advise them. Discussions in the group should be frank revelations of personal and social problems. As the group become more advanced, its members may help each other solve their problems. In this way, a sense of responsibility is instilled in the inmates which would be of invaluable service to him in the future.

Further, prisoners who are proud to be so and who only follow the rehabilitation programme to live comfortably, may change their opinions regarding their attitude towards life after such discussions. Convinced of the importance of not being anti-social they may in turn influence others to be so, thus speeding up the rehabilitation process as a whole.

In addition to the above, prisoners due for discharge should plan their future with the group counsellors. Foreseen difficulties should be pointed out, unforeseen ones anticipated so that prisoners are better prepared to face their future problems and frustrations.

It is also vital that after each discussion, the group counsellors meet and discuss the existing problems so that more realistic solutions can be reached. Such a programme also provides the staff with an insight into the lives and minds of the prisoners. Such an involvement into the past, present and future of prisoners is vital in any rehabilitative effort.

It is recommended, therefore, that social education in the nature of group counselling be introduced into the Special Prison as this may be the only way to reform hard-core recidivists of the prison.

C. Recreation

One of the pre-requisites of any successful rehabilitation programme is the physical and mental health of the inmates and this is procured by the setting up of recreational facilities in the prison. Recreational hours in the Special Prison stretch from 4 p.m. to 6 p.m. and are longer on week ends and public holidays. Indoor and outdoor games, film shows are part of the programme. Even a radio and television are provided. However only 'A' blockers, that is, blue-collar inmates¹¹ are privileged to watch television. It is recommended that every inmate be

¹¹Blue-collar inmates are in the Fourth Stage of the Progressive Stage system who have served more than twenty-six months already.

allowed to watch selected programmes such as the News, Peristiwa which feature the various aspects of Malaysian life, documentary films, and even comedy series. Such programmes besides facilitating the mental development of the inmates would relieve them from boredom in the evenings as well as channel their thoughts to non-criminal activities.

Friendly matches should be arranged between inmates and outside organisations, firstly to promote public confidence in the rehabilitation programme, and, secondly, to lessen the inmates' fear of rejection of society.

Thus a recreational programme which is planned carefully can be utilized as a tool in the rehabilitation of prisoners.

D. Spiritual Training

Religion is important in the reformation of criminals.

Rule 150, Prison Rules 1953 states that

150. Provision shall be made for religious services, for the visits of Ministers of Religious and for moral and religious instructions to prisoners.

Inmates are also allowed to keep the Holy Book of their Faith.

The fact that some prisoners do turn to religion for help is reflected in the following examples:

- (i) In October 1969, an inmate requested permission to allow a Buddhist priest to give instructions on the faith.
- (ii) Requests for the books of the Koran which are translated in Malay.¹²

It is suggested that such requests should not only be granted but followed up as well. Religious group discussions can be held in the prison during the evenings once a week where the inmates not only deepen their faith but learn how to relate religion to their everyday life. It is only through religion that a man gains hope in despair, courage to face temptation and endurance to undergo imprisonment.

Thus a careful planning of each penal facility is essential in aiming towards a more realistic rehabilitation programme. But for the efforts to be successful, it requires the support of all parties concerned: the inmates, the Prison Officers and the public. A weakening of one of these "tripod stand" will result in the failure of the programme.

¹²Visiting Justices Report Book.