CHAPTER V

PRISON PROGRAMME

A. Employment of Prisoners

It is mandatory for all prisoners to be engaged in useful work. Section 180 of the Sabah Prisons Regulation, 1958 provides that 'every prisoner shall be required to engage in useful work, all of which so far as practicable shall be spent in associated or other work outside the cells'. Since the word 'shall' is used in s. 180 it therefore means to say that all prisoners have to work. The element of force is therefore present. The Malaysian Constitution forbids any sort of forced labour. But Article 6(3) provides that work incidental to the serving of a sentence of imprisonment imposed by a Court of law shall not be taken to be forced labour. It can safely be submitted that the kind of forced labour as found in the Central Prisons does not contravene the Constitution.

In fact, prison employment is one of the major factors in contributing for building of morale, maintenance of security and high level of discipline. It is also one of the many ways of reducing or preventing tension, unrest and even rioting. In the absence of any sort of work at the Prisons, the prisoners will be left idle. This is bad since taxpayers money will be wasted in maintaining them. Not only that,

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1 Malaysian Constitution, page 22.
the prisoners do not learn anything in Prison and this will have an adverse consequence on release.

The writer forms the opinion that prison employment is highly indispensable. It not only prevents idleness but it also trains the prisoners in industrial work. This is undoubtedly in line with the rehabilitation policy of the Central Prisons.

B. Prison Earning Scheme

Part XVI of the Sabah Prisons Regulations provides for prison earning scheme. This is a scheme whereby a prisoner earns as he works while serving his sentence. The scheme aims not only to provide incentive for greater production and better quality of work but also to alleviate any feeling of helplessness, inadequacy, unwantedness and moral depression that tend to beset the prisoners. Besides keeping the occupied the scheme aims to encourage those who are keen enough to learn a trade and better equip themselves to earn a living when they rejoin the community upon their release from prison.

Some of the benefits a prisoner receive from this scheme is that he is allowed to utilise his own earnings for the purchase of canteen items not normally available in his daily diet. The scheme also provides him the opportunity to save up money which will be given to him upon his release, thus providing some ready cash to meet part, if not all, of his expenses while seeking employment. All these tend to inculcate the feeling that he is not a helpless person.

Prisoners who come under the scheme are promoted from grade to grade. They begin as labourers\(^2\) and gradually works their ways up-

\(^2\)The lowest grades in the scheme.
The various stages are, Labourer, Trainee\textsuperscript{3}, Artisan\textsuperscript{4} and Leader\textsuperscript{5}. Promotions are approved by the superintendent on the recommendations of the officer-in-charge, on the basis of good conduct, industry and skill\textsuperscript{6}. The Superintendent may also demote inmate in grade for offences or unsatisfactory conduct.

Prisoners are paid 6 days a week. Table 4 shows the amount received by the various grades of prisoners per week. Prisoners on the Earning Scheme will be permitted to spend on tobacco and such other small luxuries as may be allowed by the officer-in-charge a proportion of their weekly earnings as provided in Table 4. For purposes of equipping a prisoner with something to rely on when he leaves the prison he is allowed to spend only certain fraction of his earning. Prisoners on the Earning Scheme will be permitted to spend their weekly earning up to a proportion as may be allowed by the officer-in-charge as follows\textsuperscript{7}:

- Leader Grade - up to a maximum of $2/3$
- Artisan Grade - up to a maximum of $1/2$
- Trainee Grade - up to a maximum of $1/2$
- Labourer Grade - up to a maximum of $1/3$

\textsuperscript{3}Prisoners who are in process of learning their work - 3rd grade.

\textsuperscript{4}Prisoners who are skilled at their work but who have not reached the degrees of proficiency required of Leader. - Second grade.

\textsuperscript{5}Prisoners who are highly skilled at their work and whose conduct is excellent - highest grade.

\textsuperscript{6}S. 138(2) Sabah Prisons Regulations, 1953.

\textsuperscript{7}S. 191, Ibid.
Prisoners who are undergoing punishment as ordered by the Superintendent or Officer-in-charge are barred from earning for the duration of the suspended period.

C. **Prison Industry**

The bulk of activities at the Central Prisons revolves around Prison Industry. It has, in many ways, benefited the prisoners. They are made to learn the trade which on release, will be of great help to them. The various kinds of jobs they perform are carpentry, tailoring, rattan work etc. For a clearer picture refer to Table 5 at page 61.

Vocational training and the industries within the prison should be geared, firstly, to the needs of the nation, and secondly the employment prospects of the prisoner upon his release. It is no use teaching a trade or giving any kind of education to the offender, when he is not going to secure a job upon his release. Vocational training should be kept up to date with the industries in the private sector, or else, by the time he is released, the demand for that kind of skilled labour may no longer be there, as the trade may have becomes obsolete. So it is necessary that the vocational training within the prisons be kept most up to date. In this way the prisoners would have spent their time in the most useful manner, i.e. in learning the trade, and working and earning some money at the same time. This will also bring some income for the prison industries, and thus the prisons may not become such a burden on the nation. 

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The prisons can contribute a great deal towards nation building, by way of giving vocational training to the offenders for which there is a great demand. The eventual outcome of this will be a continuous supply of skilled labour for the industries of the private sector.

A question arises whether work is part of the scheme to keep prisoners occupied and prevent misery caused by endless hours of idleness or whether it is an additional punishment. The writer is of the opinion that imprisonment and the consequent removal from society is the total necessary punishment; work done in prison is not a continuing part of punishment. Work is in fact part of the vital process of rehabilitation in the course of which the prisoner could contribute to the national output, occupy his mind and time, develop skills or learn a vocation.

Regarding prison industries, it should be cautioned against the emphasis placed on production rather than the prisoners needs. Ideally, prison industries ought to be established for the purpose of training the prisoners and not for monetary gains. In the long run intangible benefits achieved by the successful rehabilitation of an offender will far outweigh the monetary gain.

In so far as the Central Prisons are concerned facilities provided for industrial purposes are out-dated. The tailoring workshop,

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for example, provides only with very old fashioned sewing machine. Perhaps it should be recommended that modern facilities be supplied if the policy is to keep the vocational training up to date.

D. The Remission System

When a judge imposes a 10 year prison sentence on to a person for a particular crime it does not necessarily mean that the person concerned has to serve the full ten year duration. Every prisoner under sentence of imprisonment for more than one month may by satisfactory industry and good conduct earn a remission of 1/4 of the period of his sentence. But no remission may be earned by a prisoner serving a sentence in default of fine. Each prisoner on admission shall be credited with the full amount of remission he could earn and shall forfeit such portion of such remission as punishment for any prison offence as the Director of Prisons or Officer-in-charge may determine. The Director may restore any forfeited remission in whole or in part in consideration of subsequent industry or good conduct or for any meritorious conduct.

The remission system is, beyond doubt, a very good system. Generally, no one prefers to stay in prison. The sooner one gets out,

\[10 S.81(1) Sabah Prison Ordinance, 1956\]

\[11 S.81(2) Ibid.\]

\[12 S.81(3) Ibid.\]
of it, all the better it would be. Therefore, the remission system automatically provides some incentive for the prisoners to behave themselves while serving their sentence. Obviously, it is in line with the rehabilitation policy of the Central Prison that prisoners should have very good prison record.

E. Health and Food

The general health of the prisoners is under the supervision of the Medical Officer. It can be said that, generally, the health of the prisoners are good. The number of prisoners at the sick bay does not normally exceed five. The health of the prisoners is of utmost importance to the Prisons Authorities. If the situation necessitate a sick prisoner will be sent to the general hospital for further medical treatment if the medical service at the prison is insufficient.

The nutritional value of the food is adequate and the nations, which are laid down centrally, provide a varied diet\(^{13}\). But the writer feels that adequate nutritional value of food is not enough if it does not cater for the taste of the prisoners. Maybe lousy food is contradictory to the rehabilitation programmes of the Central Prisons. It is difficult for the prisoners or anyone for that matter, to follow such rehabilitation policy with an unsatisfied stomach. Probably it can be submitted that food is a very important factor to assist a prisoner in the rehabilitation programme.

It has been widely admitted that prison food at the Central
Prisons is below the standard of a reasonable man notwithstanding the
fact that its nutritional value is satisfied. Cooking is done by the
prisoners themselves. The writer was given the opportunity to taste
food cooked by the prisoners. The sincere opinion is that unless
sufficient ingredients are given the food is far from good. Therefore
one can imagine as to what an ordinary prisoner will expect for his
daily diet.

Table 1 shows the scale and schedules of Prisoners Rations.
From the Table itself one cannot expect very much. Three tajils of
fish or beef or pork daily is very negligible. Even tea is not served.
The tea mentioned in the Prisoners Rations is ordinary plain tea without
sugar. Talking about quality of food e.g. fish, it is at its lowest.
Only cheapskate fish is supplied. Maybe it should be suggested that
section 103(1)(vi) of the Sabah Prisons Ordinance, 1954 be invoked. It
states that the Yang Di Pertua Negara may make regulations for a suit-
able diet and dietary scale for prisoners.

The punishment diet is terrible. Only rice and salt is served. Maybe the prisoners concerned deserved what they receive.

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14. The writer spent 3 days at the Divisional Prison, Tawau. He had 6 meals cooked by prisoners.

15. Tea time.
Punishment Diet has, to a large extent, served as a deterrent towards the violation by prisoners of the Prisons Regulations. At the moment no prisoner is under the punishment diet ration.

Convicted prisoners have to eat prison food. But debtors, prisoners awaiting trial, prisoners on remand and all other committed for safe custody can if they so chooses eat their own food.

F. Extra - Mural Activities

In keeping abreast with modern trends in the treatment of offenders in prison institutions there is a very important need and place for extra - mural activities.

It is an established fact that physical education not only reduces tension but also positively contributes towards physical and mental well being. Furthermore, prisoners not only enjoy games but look forward to friendly competitions within the institution. More often than not, they will do their utmost not 'flirt with trouble' during the period before a game is due, for fear that they may be deprived from participating. After a game, most of the participants will be too exhausted to even contemplate of committing mischief or any act of indiscipline. In fact, they will be fully occupied for days after-

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17. S. 177(3). Ibid.

18. S. 179, Ibid.
wards discussing the merits or demerits of the game. Most important is
the impact of having abided by the rules of the game.

A game organised within the institution would also have a
therapeutic effect in that the non-participants or spectators would
benefit from the friendly rivalry generated by the game. To the staff
games provide a wider opportunity to commingle with the prisoners
enabling them to develop better relationship and instil a climate of
faith and confidence. From the aforesaid, the writer is of the opinion
that sporting activities could play an extremely important role in the
rehabilitation programmes of the institution.

Organised games such as football, volleyball and other games
form a very important aspect of diversional therapy at the Central
Prisons. The annual athletic meet with all its splendour is the grand
finale to the whole sporting programme.

Other recreational activities including library service, tele-
vision are also available. The musically inclined prisoners are encour-
raged to join the prison band. But unfortunately the band confines its
activities within the prison walls only. This is probably due to its
low standard. The band only entertain fellow prisoners during yearly
festivals.

It can therefore be said that extra mural activities has an
important role to play in the programmes of the Central Prison. It
keeps them alive and divert their mind into thinking that Prison life
is horrible.

Reference:- The Penal System of Singapore by
A. Matuchumarasamy Resource Material
**TABLE 4**

'PRISONERS EARNING SCHEME'

Increased from 1st August, 1967.

4 Sundays Earnings.

<table>
<thead>
<tr>
<th></th>
<th>Per-week</th>
<th>4 Weeks</th>
<th>Authorised Expenditure</th>
<th>Balance to be paid on release</th>
</tr>
</thead>
<tbody>
<tr>
<td>Labourer</td>
<td>$0.60</td>
<td>$2.40</td>
<td>$0.80(1/4)</td>
<td>$1.60</td>
</tr>
<tr>
<td>Trainee</td>
<td>$1.00</td>
<td>$4.00</td>
<td>$2.00(1/2)</td>
<td>$2.00</td>
</tr>
<tr>
<td>Artisan</td>
<td>$2.00</td>
<td>$8.00</td>
<td>$4.00(1/2)</td>
<td>$4.00</td>
</tr>
<tr>
<td>Leader</td>
<td>$3.00</td>
<td>$12.00</td>
<td>$6.00(2/3)</td>
<td>$4.00</td>
</tr>
<tr>
<td>Special Leader</td>
<td>$4.00</td>
<td>$16.00</td>
<td>$8.00(1/2)</td>
<td>$8.00</td>
</tr>
</tbody>
</table>

Five Sundays Earning

<table>
<thead>
<tr>
<th></th>
<th>Per-week</th>
</tr>
</thead>
<tbody>
<tr>
<td>Labourer</td>
<td>$1.00</td>
</tr>
<tr>
<td>Trainee</td>
<td>$2.00</td>
</tr>
<tr>
<td>Artisan</td>
<td>$5.00</td>
</tr>
<tr>
<td>Leader</td>
<td>$10.00</td>
</tr>
<tr>
<td>Special Leader</td>
<td>$10.00</td>
</tr>
</tbody>
</table>

Source: Prisons Dept.
### Table 5

**PRISON INDUSTRIAL WORK**

<table>
<thead>
<tr>
<th>Carpenter</th>
<th>Rattan Furniture</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Cupboard</td>
<td>1. Lazy chair</td>
</tr>
<tr>
<td>2. Bed</td>
<td>2. Garden chair</td>
</tr>
<tr>
<td>3. Show cases</td>
<td>3. Settee chair</td>
</tr>
<tr>
<td>4. Packing case</td>
<td>4. Arm chair</td>
</tr>
<tr>
<td>5. Pupil desk</td>
<td>5. Round chair</td>
</tr>
<tr>
<td>7. Pupil bench</td>
<td>7. Hanging chair</td>
</tr>
<tr>
<td>8. Wooden stool</td>
<td>8. Rattan mat</td>
</tr>
<tr>
<td>10. Settee chair</td>
<td>10. Broom</td>
</tr>
<tr>
<td>11. Crutches</td>
<td>11. Indonesian Style Chair</td>
</tr>
<tr>
<td>12. Office table</td>
<td>12. Indonesian Style Settee</td>
</tr>
<tr>
<td>14. Collapsible baby cot</td>
<td><strong>Cobbler Workshop</strong></td>
</tr>
<tr>
<td>15. Orchid basket</td>
<td>Mostly repair work.</td>
</tr>
<tr>
<td>16. Shoe rag</td>
<td><strong>Dobi</strong></td>
</tr>
</tbody>
</table>

**Tinsmith Shop**

1. Dust-bin
2. Letter box

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<table>
<thead>
<tr>
<th>Tailoring</th>
<th>Coconut Musk Materials</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Long Pants</td>
<td></td>
</tr>
<tr>
<td>3. Short Pants</td>
<td></td>
</tr>
<tr>
<td>4. Long Sleeved Shirt</td>
<td></td>
</tr>
<tr>
<td>5. Short Sleeved Shirt</td>
<td></td>
</tr>
<tr>
<td>6. Bush Jacket</td>
<td></td>
</tr>
</tbody>
</table>

Source: Industrial Manager's File.