

# Malaysia: Prison life amid the pandemic - 'we are treated like animals'

Tuesday 6 July 2021, by [CHYUAN Low Choon](#) (Date first published: 24 June 2021).

**When it was midnight, "T" sat back against the wall of his temporary cell at the Pengkalan Chepa Prison, listening to his roommates snore while waiting for his turn to sleep.**

"I can't sleep yet, I have to wait...", he told himself and stared at the others who slept closely next to one another.

He was waiting for one of them to move or shift their bodies and if they awoke, he would quickly approach and ask: "Can you let me lie down for a while? I don't feel well."

He would then squeeze in and lie down until he is woken by other inmates desperate for their chance to lie down.

The ex-inmate recalled that everyone in the temporary cells had trouble finding enough space on the floor to sleep. In order to maximise the limited space, they had to sleep facing the legs of the person next to them.

Talking to *Malaysiakini* on the condition of anonymity, T shared his experience serving his jail sentence in the prison from 2019. He said some inmates in the temporary cells had no choice but to sit and wait for their turn to sleep.

T said if someone refused to do so, a fight could break out in the cell, sometimes in the middle of the night. He said all the jail cells were packed to the brim and the inmates could hardly move, what more maintain social distancing as required under Covid-19 standard operating procedures (SOPs).

He also recalled a notice board stating that the prison's capacity was 1,500 inmates but he claimed there were close to 3,000.

Similarly, "John" began serving his sentence at a Selangor prison last August and was moved to another prison some months later.

After he was moved to the second prison, the third wave of the Covid-19 pandemic broke out. John said new inmates kept coming in until the cell was packed "like a sardine tin". Inmates had to squeeze their bodies to make sure everyone got some space.

John said he suffered from insomnia as there was no room for him to move his body but he eventually got used to it.

These weren't the only prisons that were overcrowded. According to a written [parliamentary reply](#) from the Home Ministry in July 2019, 26 out of 38 prisons in Malaysia were overcrowded, with four prisons having almost doubled their maximum capacities.

## Personal hygiene suffers

When the first movement control order (MCO) was implemented in March 2020, the situation worsened. On Dec 17, 2020, based on data given by the Prisons Department dated Nov 9, 2020, the Home Ministry stated that the 39 prisons throughout Malaysia with a maximum capacity of 44,620 inmates now had a population of 64,732 - an overcapacity of almost 40 percent.

It was reported last Oct 6 that the Prisons Department planned [to release](#) 11,018 minor offenders - those sentenced to less than a year of imprisonment and with less than three months left to serve - in order to reduce prison congestion.

However, this measure was rejected, with Home Minister Hamzah Zainuddin saying the existing law [prohibited](#) the government from releasing inmates prior to them completing their sentences.

Although the Prisons Department, parliamentarians and NGOs had [warned](#) the government about prison overcrowding, the issue was not resolved, resulting in the inmates being the source of Covid-19 outbreaks.

Besides limited space, prisons also do not provide personal hygiene items such as towels, soap, toothpaste and toothbrushes, let alone hand sanitisers and face masks, which are essential to prevent Covid-19 infections.

When T and John first entered prison, they were given a pair of prison uniforms, two bars of soap, a tube of toothpaste and a toothbrush. Although there is a shop in the prison, it requires visitors to pay for the items requested by inmates (items can only be replenished if a family member pays for them).

The lack of personal care items has led to poor sanitary conditions in prisons. Malaysian Care community development manager (Prison and Addiction) Sam Lim visits prisoners in Malaysia frequently and he says the inmates stink due to the lack of personal hygiene.

"When you get close to the inmates, you will ask yourself whether this guy bathes or not. They do, but they bathe with just plain water.

"The Prisons Department is low on budget. When you come in, they give you two bars of soap, if you use them up and you don't have people visiting you and buying the necessary items, you have to rely on a friend (who is willing to share)," Lim said.

## A friend in need

If no one is willing to share their soap or toothpaste, the prisoners will find it difficult to maintain adequate personal hygiene. Lim said that some women's prisons even lacked sanitary pads.

John said he realised the importance of relying on others when he first entered prison. Every inmate was given a blanket and this was a necessary item due to the cold temperatures in the early morning as the prison was located in a hilly area.

But to avoid being beaten up, John and the other new inmates had to give up their blankets to the seniors who wanted more than one blanket. As a result, John would have to ask the inmate next to him to share his blanket.

John said he managed to get a blanket and a pair of shorts through a new 'friend'. "He took them away from the other inmates. We need to have friends inside - if can, then it is okay, if no, then it is really hard..."

T agreed on the importance of making friends in prison and recalled that when some prisoners had extra food or snacks, fights would break out. "The food inside (the prison) is very bad, everyone knows that they don't wash the vegetables - there is sand in it," he said.

John agreed and he complained that he always felt hungry because of the insufficient amount of rice provided to inmates during mealtimes. T revealed that he managed to get better food and tasty snacks and even gained weight before his release after he befriended a "big brother" in prison.

As for toilets, T said there were two kinds of cells - one installed with an open toilet and a water hose. When there was insufficient drinking water, inmates were forced to suck water out from the hose.

The other cells were temporary cells for new inmates, which did not have any toilet. Instead, inmates were given a black bucket to urinate and defecate in.

"There was a black plastic bucket which we sat on top to urinate and defecate. After that, we cleaned ourselves using another bucket filled with water."

### **Health at risk**

According to T, prison guards would distribute drinking water but this was often insufficient, particularly if the cell was full. "When we didn't have enough water, what could we do? We drank water from that (water bucket)," he sighed.

Besides unclean drinking water, T revealed skin ailments were common among inmates due to the filthy environment. He contracted psoriasis in prison while John got infected with staphylococcus aureus, resulting in pus-filled sores and a high fever.

When he was moved to the second prison, he contracted scabies and was in such pain that he was unable to move and even needed help taking a bath.

John also alleged that the second prison where he served his sentence had a food poisoning incident. "There was a mass food poisoning incident in January... 70 percent of my cellmates were ill from the food poisoning.

"We told the guards but we were ignored. What if we were infected with Covid-19? They just monitored whether we violated any prison rules, that's all. They didn't take responsibility for our health," he added.

Long before Covid-19 broke out in prisons, infectious disease experts had warned that they were breeding grounds for diseases such as HIV, tuberculosis (TB) and hepatitis, and prisoners could become carriers after their release.

According to a 2010 study by Universiti Malaya's Centre of Excellence in Research on Aids (CERiA) together with Yale University, the levels of HIV infection among prisoners was 15 times higher than the general population.

In 2014, a study by local infectious disease expert Dr Adeeba Kamarulzaman at the Kajang Prison found that around [90 percent](#) of the prisoners were infected with latent TB.

### **Overcrowding a concern**

DAP's Senator Liew Chin Tong, member of the All-Party Parliamentary Group Malaysia for the

Reform of Prisons and All Places of Detention (APPGM), told *Malaysiakini* that he had visited several prisons when Pakatan Harapan was the federal government.

“When I visited several prisons in 2019, the guards told me that the TB problem was quite serious, their colleagues (got infected and) passed away suddenly.”

Liew pointed out that if the prison overcrowding issue was not addressed, the Covid-19 pandemic would continue to recur and escalate to community spread.

Health news portal *CodeBlue* reported that detention centres contributed about 5.62 percent, or 523 cases out of the 9,316 Covid-19 cases that were reported from Feb 22 to April 2 this year.

This is the fourth-largest contributor, lower than factories (48.06 percent), community spreads (12.55 percent) and construction sites (11.56 percent) but more than educational sites (5.53 percent) and shopping/shop areas (4.78 percent).

As for the early release of minor offences prisoners to curb prison overcrowding, the Home Ministry revealed in a parliamentary written reply dated July 18, 2019, that around 61 percent of prisoners were serving [drug-related](#) sentences.

Sam Lim shared that most were minor offences such as violations of Section 15 (1) (self-administration or consumption of drugs) and Section 12 (2) (possession of drugs) of the Dangerous Drugs Act 1952.

He said the law tended to treat drug addicts as criminals instead of as patients who needed care. “Instead of criminalising them, why don’t we address the issue from a health perspective? Drug addiction is a disease - if you don’t address this, they are going to relapse when they come out.”

Lim believed that if illegal drug use was decriminalised, prison congestion could be alleviated in tandem with improved living and sanitary conditions.

## **Recycling the issue**

Human rights lawyer Sangeet Kaur Deo agreed that the current legal system was too focused on being punitive, instead of rehabilitative, and this didn’t help the addicts but instead pushed them deeper into crime networks facilitated by hardened criminals in prisons.

“When they come out, they have lost the connection and support of their families and they don’t have access to employment (because) of the stigma, so what do they do? They turn back to crime.

“Then they come back into prison. We are not addressing the problem, we are just recycling the issue over and over again,” she said.

Sangeet is also a member of the APPGM. She added that drug addiction treatment was not a priority in prisons and if a drug user got a two or three-month sentence, this was not sufficient time for an effective treatment programme.

Both John and T said that inmates who had drug addiction issues did not receive any treatment when in jail.

After Covid-19 broke out in several prisons, prisons prohibited family visits while recreational and religious activities were called off. Prisoners were unable to go to the courts, and even breaks for prisoners to leave their cells were cancelled.

John said the first prison he was placed in allowed prisoners to leave their cells from 7am to 2pm for exercise. However, when he was moved to the second prison, prisons started to tighten their Covid-19 prevention measures and he was not allowed to leave his cell at all.

His family members were also unable to visit him and his telephone call sessions were shortened, which stressed him out.

When the courts stopped sitting last October, he had to wait until February to have his case heard. Although he was freed when the courts resumed sitting, he lamented that he had served a longer term than what he was sentenced to. He is now struggling to find a job amid the pandemic.

T said the Pengkalan Chepa Prison did not allow prisoners to leave their cells even before the pandemic, except to bathe in the morning, to collect their food or for religious activities (which were for one hour per week) or when they received visitors.

He said that apart from those exceptions, prisoners had to stay in their cells. "We were imprisoned in our cells 24 hours a day. There were no activities or television, nothing."

*Malaysiakini* is seeking a response from the Prisons Department and the Home Ministry on the matters raised by these ex-inmates.

T has since regained his freedom and is now working for a construction company. Saying that he didn't get much of an education, he lamented that prison life was "harsh" and "unbearable".

He said inmates often described the prison as akin to Zoo Negara, with them being treated like animals.

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## **Low Choon Chyuan**

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