

Move to abolish mandatory death penalty

Posted on 17 November 2015 - 09:27pm

Last updated on 17 November 2015 - 11:54pm

Karen Arukesamy

newsdesk@thesundaily.com



KUALA LUMPUR: An amendment to abolish the mandatory death penalty for drug offences to give judges the discretion on sentencing will be tabled in March next year.

Minister in the Prime Minister's Department Nancy Shukri (*pix*), who is in charge of legal affairs, said although the review on mandatory death penalty is ongoing, the government wants to table it by the next Dewan Rakyat sitting.

"It will be a big challenge to amend the mandatory death sentence. There are limitations as crime is still a crime.

"It is not easy but we are trying to push for it," she told a press conference after a roundtable discussion on the Abolition of the Death Penalty in Malaysia today.

Nancy said the idea that the death penalty would be a deterrent has not been effective to reduce crime.

"Thus it is better to leave it to the judges' discretion on sentencing the convicts. The Attorney-General has been supportive over this as well," she said.

However she did not reveal the scope of the amendment and did not elaborate whether the abolition would be for all offences that carry the mandatory punishment.

Currently capital offences that carry the mandatory death penalty under Section 302 of the Penal Code include murder, terrorist acts, treason, and drug trafficking.

Tourism Minister Datuk Seri Nazri Abdul Aziz, who is also national chairman of the Parliamentarians for Global Action (PGA) Roundtable Discussion on the Abolition of the Death Penalty in Malaysia, said the AGC was in agreement that for a start the abolition of a mandatory death sentence should be applied for non-criminal offences such as drug related offences.

It was reported earlier this month, that there are some 1,022 prisoners on death row, with many waiting for the outcome of their appeal to the Federal Court or Pardons Board.

The Prison Department reportedly said that 46% of those awaiting their execution were convicted for drug offences or drug mules assigned to carry drugs for syndicates.

AG Tan Sri Mohamed Apandi Ali had reportedly said the AGC will prepare a memorandum to the Cabinet to scrap mandatory death penalties before proposing to amend relevant laws.