

## PREVENTION OF CRIME ORDINANCE, 1959

In the Prevention of Crime Ordinance, 1959, the Federation of Malaya has its own “Gangster Bill.”

The Ordinance provides for the registration of people reasonably suspected of being members of secret societies, of being members of gangs of robbers, of trafficking in drugs, of trafficking in women, or of organising unlawful gaming. Persons registered may be subjected to police supervision for terms of up to five years, which supervision may be renewed for further periods of up to five years. A registered person subject to police supervision may also be subject to severe restrictions upon his liberty of movement; and non-compliance with such restrictions is punishable with

a maximum of five years and a minimum of two years imprisonment. A registered person is prohibited from consorting with other registered persons and is liable to double penalties if he commits crimes of violence.

A person may be placed on the register when the Minister for Internal Affairs has confirmed a recommendation to that effect by an inquiry officer. An inquiry officer may be anyone appointed by the Minister, *but may not be a police officer*. In conducting his inquiry the inquiry officer is not bound by the rules of evidence, and may receive evidence in the absence of the person who is the subject of the inquiry; if he does so, however, he should communicate the substance of such evidence to the person who is the subject of the inquiry, unless it is contrary to the public interest to do so.

The Ordinance allows the police to arrest anyone without warrant if they have reason to believe that there are grounds which justify holding an inquiry into his case. Under the provisions of the Ordinance a suspect may be held in custody for six weeks, and in some cases ten weeks, until a decision is made about him.

The Ordinance is considerably less drastic than the Singapore "Gangster Bill," the Criminal Law (Temporary Provisions) (Amendment) Ordinance, 1958. The Prevention of Crimes Ordinance refers only to a certain restricted class of criminals, gangsters of various types and certain types of racketeers, set out in the First Schedule of the Ordinance; whereas the Criminal Law (Temporary Provisions) (Amendment) Ordinance applies to anyone who, in the opinion of the Chief Secretary, has been associated with activities of a criminal nature. Secondly, while the Federation Ordinance imposes very considerable restrictions upon the freedom of a suspected person, it does not provide for his imprisonment; under the Singapore Ordinance, however, a suspect may be detained for periods of six months at a time.

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