



MEDIA RELEASE

1. On 9 April 2020, EDICT Malaysia posted an article on their website entitled "*The Attorney General must rein in prosecutors*". In that article, EDICT claimed that unlike other institutions involved in the administration of justice, the Attorney General's Chambers (AGC) has failed to issue any guidelines to prosecutors to ensure even-handed implementation and enforcement of the Movement Control Order (MCO).

2. Nothing could be further from the truth. Guidelines and directives are regularly issued by the Attorney General to Deputy Public Prosecutors (DPPs). The DPPs are also governed by a Code of Ethics. Monitoring of court cases involving breaches of MCO is done every day by the Head of the Prosecution Division and his deputies. DPPs are required to send a report on those cases daily to the Attorney General. As an example, DPPs were reminded most recently to be particularly sensitive to cases involving juveniles to ensure they are not remanded except in the most unavoidable of circumstances and they are treated in accordance with the Child Act in a Court for Children. That said, it must be remembered that some matters, like remands and sentencing, are not powers within the purview therefore control of the Attorney General.

3. The actions and decisions of the Attorney General as well as those of the DPPs are based on powers and responsibilities conferred by the Federal Constitution and the law.

4. EDICT appear to have made the erroneous assumption that just because they have not sighted any directives or guidelines by the Attorney General therefore there must be none. As stated earlier, this is completely not true. DPPs have been issued guidelines, especially in these difficult times, to ensure the proper administration of justice. To this end, the DPPs, as well as PDRM and the Courts, have been working hard under novel conditions while potentially exposing themselves to the risk of infection.

5. AGC, being a public institution, welcomes criticisms of its actions provided always they are constructive and based on facts duly established and not on conjecture and diatribe which are clearly not fact-checked.

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