



“ The Clemency Process in Malaysia

A Guidebook to understanding the Clemency
Process

**GUIDEBOOK ON THE DEATH
PENALTY, PARDON PETITION
AND CLEMENCY PROCESS IN
MALAYSIA**

Guidebook on The Death Penalty, Pardon Petition and Clemency Process in Malaysia

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Supported by the German Embassy in Malaysia



The content, resources and materials contained within this resource guidebook are derived from training materials, references, and other contents from ADPAN training for family members of death row inmates and communities in collaboration with Abdul Rashid Ismail, Uthman Abd Ghani, Nadiah Humairah Sudirman, Hussaini Rozi, Loo Cien Xi and Nalini Elumalai in October 2021.

Revision 1.0
Published by ADPAN
December 2021

Printed in Malaysia

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Preface

This guidebook was published with the intention to provide supporting resources for anti-death penalty new activists and family members of death row inmates. The contents are summarised for easy reading and quick references instead of an in-depth exploration of the death penalty in Malaysia.

The guidebook is structured in a manner that would provide readers quick insight into the death penalty, the core issues of concerns surrounding it, the pardon process and guidance on drafting and preparing a pardon petition for someone on death row.

While the contents are accurate and up to date based on available professional experiences and knowledge, the guidebook is not intended to be the primary and sole advice or guidance for any persons facing the death penalty in Malaysia. We strongly encourage individuals facing the death penalty or their family members, or whoever is reading this to reach out to lawyers and other experts for assistance and support.

An Overview of the Death Penalty in Malaysia

1. Introduction

The death penalty was inherited from the British colonial government and was retained, expanded upon by Parliament over the years. While the right to life is guaranteed under Article 5(1) of the Federal Constitution, this does not preclude the use and application of the death penalty in Malaysia.

Thirty-three offences carry the death penalty. Of that, eleven carry the mandatory death penalty, one limited discretion and 21 discretionary sentences. Execution in Malaysia is through hanging as required by Section 277 of the Criminal Procedure Code.

A person is exempted from the death penalty if they are pregnant, a child below the age of 18 during the commission of an offence, a person of unsound mind, or persons with mental disabilities.

An official moratorium was imposed in 2018 when the government announced its intention to abolish the death penalty in totality. A special committee was later formed to study the abolition of the mandatory death penalty in 2019, and a report was compiled and handed over to the cabinet for further consideration.

The government also supported the global moratorium on the death penalty during the 73rd session of the United Nations General Assembly.

While there are no executions, people are still convicted and sentenced to death.

2. Issues Behind the Death Penalty

The existence of the mandatory death penalty is problematic in several ways. One of the key objections to the continued existence of the mandatory death penalty is that it violates the concept of Separation of Powers. Separation of Powers is a fundamental structure of the constitution, and all three arms of government should be independent of one another. The interpretation of law and imposition of any sentence ought to be within the confines of judicial power and should not be restricted or influenced by the executive or Parliament. When a law imposes the mandatory death penalty, the court is merely a rubber stamp of the legislature or Parliament.

The right to a fair trial and the ability for the accused to present any meaningful mitigation is also denied by the nature of the mandatory death penalty. The circumstances and background of the offenders that may indicate vulnerabilities or other issues that may contribute to the commission of the offence are not taken into account and denied when the mandatory death sentence is applied.

The constitutionality of the mandatory death sentence is still upheld as constitutional based on the privy council case of *Ong Ah Chuan v Public Prosecutor* [1981] AC 648. Subsequent privy council decision has departed and rejected this interpretation in *Reyes v R* [2002] 2 AC 235. While the privy council has changed its position on the mandatory

death sentence, Malaysia recognises it as good law and reaffirmed it in *Letitia Bosman v PP & Other Appeals* [2020] 5 MLJ 277.

3. Death Penalty for Drug Offences

Section 39B of the Dangerous Drugs Act 1952 (DDA) was amended in 2017 to allow limited discretion to impose life imprisonment as an alternative punishment to the mandatory death sentence. While providing additional avenues of consideration for drug mules, the amendment was inadequate due to its ambiguous provisions resulting in a myriad of interpretations.

Those penalised for Section 39B of DDA are often individuals on the bottom of the drug trafficking network with elements of coercion, poverty and other vulnerabilities.

It should also be noted that the International Covenant on Civil and Political Rights (ICCPR) prohibits the imposition of the death penalty for any but the 'most serious' crimes. Interpretation of this restriction has made clear that drug offences do not meet this threshold, and only crimes involving intentional killing can be considered the 'most serious' crime¹.

Malaysia has also seen greater public debate and discourse on decriminalising drug offences and medical marijuana. While both are not necessarily related to the issue of drug trafficking, the ambiguity of boundaries between possession and trafficking and the absence of any form of distinction of using marijuana for medicinal purposes under the existing legal framework has unnecessarily criminalised many.

4. Mental Disabilities

The pronounced mental health deterioration and mental disorder is particularly common among death row inmates due to prolonged solitary confinement and the uncertainty of life and death. The pattern of deterioration and mental health symptoms has been classified and described as the Death Row Phenomenon and the Death Row Syndrome. These are now accepted as a likely development for any individual serving prolonged duration on death row.

The death row phenomenon is often described as the harmful effects of death row conditions due to their detention circumstances, including exposure to extended periods of solitary confinement and the mental anxiety that prisoners experience whilst waiting for their death. Death row syndrome is used to describe the consequential psychological illness that can occur due to the death row phenomenon. Conditions often associated with prolonged solitary confinement include paranoia, visual and auditory hallucinations,

¹ In 2018, the Human Rights Committee defined the meaning of 'most serious crimes' to crimes of extreme gravity involving 'intentional killing' with a list of crimes that do not come under this category including sexual offences, drug-related offences, and economic and political crimes.

self-mutilation, suicidal thoughts, debilitating depression, anger, bitterness, boredom, stress, loss of a sense of reality and impaired concentration.

Other mental health and capacity are also key issues surrounding the death penalty. The UN Economic and Social Council 1989 ('Implementation of the Safeguards Guaranteeing Protection of the Rights of those facing the Death Penalty' 1989/64) tabled a recommendation that the death penalty for persons suffering from mental retardation or extremely limited mental competence, whether at the stage of sentence or execution should be eliminated - this was reiterated in 1996, partly due to the concern of lack of protection provided to those who have an intellectual disability from the death penalty.

The recommendation was also echoed by the Office of the High Commissioner for Human Rights in Resolution 2004/67 'the Question of the Death Penalty' where states are urged to exclude and not impose the death penalty on persons suffering from any form of mental disorder and not to execute any of such persons.

In the landmark US case of *Atkins v Virginia*, the US Supreme Court had ruled that capital punishment imposed on the intellectually disabled was 'cruel and unusual'. Paraphrasing one of the presiding judge, Justice Steven, it is common knowledge that these individuals have diminished capacities in understanding and processing information, engaging in local reasoning and controlling their impulses, which altogether would affect their culpability.

Furthermore, the common argument that the death penalty is a necessary measure for retributive justice and deterrence is significantly weaker in this case: it is the same cognitive and behavioural impairments that affect not only the moral culpability of the individual but also the inability of the intellectually disabled to process the possibility of execution as a penalty (as per *Atkins*).

5. Statistics and Information on the Death Penalty and Death Row Inmates²

Breakdown of Death Row Inmates based on Nationality - 2021

Nationality	Total
Malaysian	837
Foreign Nationals	529
Total	1,366

Breakdown of Malaysians on Death Row based on Ethnicity between 2018 - 2021

Year	Malay	Chinese	Indian	Others
2018	340	168	170	28
2019	348	193	150	34
2020	405	173	210	_ ³
2021⁴	406	181	209	43

² Information collected and tabulated by ADPAN

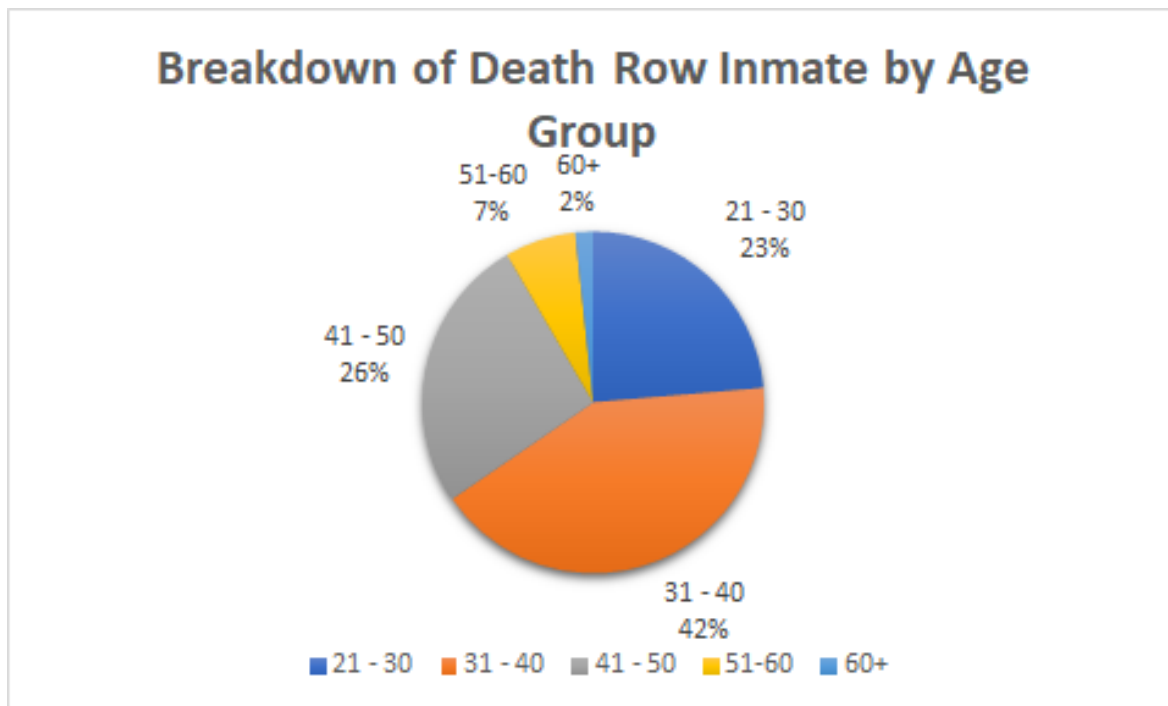
³ No data available

⁴ As of 1 September 2021

Type of Offences

Comparison of Offences Between 2019 and 2020

Type of Offence	October 2020	September 2021	Changes
S39B DDA	912	927	+15
S302 Penal Code (Murder)	381	405	+24
Others	31	23	-8
Total	1324	1355⁵	31



⁵ Inconsistency is due to errors in reporting in the available data in Parliament answers - Question 143, Written Replies, 1st Meeting, 4th Session, 14th Parliament

Legal Framework of Clemency and Pardon in Malaysia

Clemency and Pardons are often used interchangeably but strictly speaking, 'clemency' is the general term, whereas 'pardon' is a subset of clemency.

Article 42 of the Federal Constitution provides for two forms of clemency. Under Article 42(1), the head of states have the power to grant pardons, reprieves, and respites in respect of all offences, whereas Article 42(2) provides for power to remit, suspend or commute sentences for any offence.

This power is usually exercised by the Yang Di-Pertuan Agong (YDPA) when it is an offence tried by court-martial, offences committed in the Federal Territories and Syariah offences in Malacca, Penang, Sabah, Sarawak, and the Federal Territories; or the respective Sultan or Yang Di-Pertua Negeri for offences committed in the respective states.

Article 42(4) of the Federal Constitution outlines that the power for clemency shall be on the advice of a pardon board. The Pardon Board of each state shall meet in the presence of and presided by the respective ruler or Yang Di-Pertua Negeri.

The Pardon Boards comprises the Attorney General, Chief Minister (or the Minister in charge of Federal Territories) and three individuals appointed by the ruler. The Attorney General may also, in writing, assign his place at the Pardon Board to a representative.

In states such as Selangor, there are specific provisions where it is required for the Pardon Board to consider a written opinion by the Attorney General before arriving at any advice for the ruler. As for states such as Penang, the state constitution makes no direct reference to the Pardon Board or its composition or function.

Successive case laws ruled that the advice provided by the Pardon Board is not binding, and it is not mandatory for the ruler to act on the advice given. Traditionally, the court also does not judicially review decisions relating to clemency for varying reasons, including the notion that clemency is a 'prerogative of mercy'. More recently, there have been interpretations that the power to pardon is a power vested in the Yang Di-Pertuan Agong and judicially reviewing it constitutes a breach of the Federal Constitution.

It should be noted that there are no restrictions in the filing and application for clemency, and the process for clemency application is largely automated due to existing policies contained within Prison Rule (Peraturan-Peraturan Penjara 2000), Rule 54. Under the rule, for prisoners serving a sentence of more than seven years, the Prison Department will file a petition for the prisoner every four years (4th, 8th, 12th and 16th) and annually starting from the 16th year of detention.

The pardon petition can be filed by the prisoners themselves, family members, lawyers or the Prison Department in accordance with existing provisions. Pardon petitions and appeals can be sent to the respective Pardon Board in all 14 states and territories, with most of them located or based in state government offices.

Templates for pardon petitions are also provided online for free at the Judiciary's website: <https://www.kehakiman.gov.my/en/node/2245>.

Practical Aspect in Writing Pardon Petition

As part of drafting or writing a pardon petition, it is important to obtain the necessary information. Relevant information includes information that can be obtained from the prisoner such as current situation, activities, progress and developments while in prison; Family members and friends may also provide useful information on the prisoner's background, upbringing, contribution at home, and other relevant information to their personal life before arrest.

The drafting process can start with some or most of the information at hand.

There are no hard and fast rules in the style or formatting expected in writing a pardon petition. Laws relating to clemency in Malaysia are ambiguous, with no restrictions on when and how these letters can be submitted. Multiple petitions can be written for a single prisoner, with one petition serving as the primary and the others functioning as supporting petitions.

With that said, recommendations would be for the primary petition to be drafted by the prisoner and reviewed by a lawyer. Having a lawyer has the added benefit of support and oversight in the submission of the petition and also clear records of the processes that follow, making future campaigns and appeals easier.

1. Introductions

At the start of the petition, the following information should be listed:

1. Prisoner name
2. Identification card number or Passport number
3. Current prison where the sentence is served
4. Prisoner's body number
5. Offence convicted of
6. Court where the prisoner was charged or convicted
7. Case number (if available)
8. Date of imprisonment
9. Release date (if available)
10. Prisoner's photo (if available)

If the petition is submitted by family or relative or any person other than the prisoner, information such as:

1. Petitioner or organisation name
2. Identification Card Number or Passport Number
3. Communication address and contact
4. Relation to prisoner

2. Formalities

When addressing the ruler or head of state, their full name and titles should be used whenever possible. For introductions and salutations, reference can be made to the following example:

For concluding salutation, reference can be made to the following example:

Addressing the rulers or head of state in the pardon petition requires the use of 'Bahasa Istana', a more traditional and formal language with its variant of words and phrases. Synonym of some of the common words used includes:

Perbendaharaan Kata → Vocabulary

No.	Word	Meaning
1	Mengadap	To Meet (<i>Berjumpa</i>)
2	Ampun	Apologies (<i>Maaf</i>)
3	Berangkat	Come, Go (<i>Datang, Pergi</i>)
4	Anugerah	Gift (<i>Hadiah</i>)
5	Derma Kurnia	Grant, Granting, Gift (<i>Pemberian</i>)
6	Junjung/Menjunjung	Approve (<i>Terima</i>)
7	Beradu	Sleep (<i>Tidur</i>)
8	Limpah	Permission (<i>Izin</i>)
9	Merafak	To lift (<i>Mengangkat</i>)
10	Sembah maklum	To tell (<i>Memberitahu</i>)
11	Bersiram	Bathe (<i>Mandi</i>)

12	Bersemayam	Stay/stayed (<i>Duduk, tinggal</i>)
13	Santap	Eat (<i>Makan</i>)
14	Gering	Pain (<i>Sakit</i>)

Below are a few common phrases that are often used:

No.	Phrase	Meaning
1	Mencemar duli	Visit (<i>Mengunjungi</i>)
2	Duduk dalam percintaan	Mourn, grieve (<i>Berduka</i>)
3	Junjung kasih	Thank you (<i>Terima Kasih</i>)
4	Menjunjung duli	Loyal (<i>Taat setia</i>)
5	Memohon pulang	To ask for permission (<i>Meminta Izin</i>)
6	Dewan santapan	To apply/beg to return home (<i>Memohon diri untuk pulang</i>)
7	Tempat bersemayam	Residence (<i>Tempat tinggal</i>)
8	Derma kurnia	Grant (<i>Pemberian</i>)
9	Patik-patik sekalian	We (<i>Kami</i>)
10	Barang perintah	What was ordered/instructed (<i>Apa yang diperintahkan</i>)

11	Patik-patik itu/tersebut	They (<i>Mereka</i>)
12	Barang titah	What was ordered/commanded by the King (<i>Apa yang dititahkan</i>)

Alternatives to phrases above and their equivalent

a) Digantikan dengan / Replacement for “menurut Perintah”

Menjunjung perintah

Menjunjung Duli

Berjunjung Dibawah Duli Tuanku

Menjunjung Kurnia dan Menjunjung kasih

b) Digantikan dengan / Replacement for “Mohon Perkenan”

Memohon limpah

Memohon ampuni limpah perkenan

Sembah patik mohon diampun

c) Digantikan dengan / Replacement for “Mohon Izin Tuanku”

Pohon Perkenan Tuanku

Ampun Tuanku

3. Introductions in the Pardon Petition

After the official salutation to the ruler, the petition should address the substantive request for the appeal and provide a brief detail of the prisoner and his background.

4. Contents

As for the petition's content, some common issues are usually used to support the petition. Commonly cited reasons or issues includes:

1. Experience of reformation by the prisoner

Content around this can highlight the activities participated by the prisoner in prison, including classes, lessons or spiritual activities; programmes, rehabilitation and further education undertaken while serving a sentence; and the prisoner's progress in Progressive Stage System under Prison Rules 2000.

The Progressive Stage System is a system where prisoners are promoted through stages based on their disciplinary records and may entitle them to promotion in The Prison Earning Schemes, additional privileges and access to more amenities.

2. Potential contribution to society

The main purpose of this content is to highlight the path forward for the prisoner after their release. This can focus on the economic value of the prisoner through the classes or skills training obtained while serving their sentence; social values that they learnt while in prison that leads to their betterment; or for foreign nationals, it may also be useful to raise and show how they are ready to return home after their repenting for the crime committed.

3. Compassionate grounds such as ailing parents or being the sole breadwinner

This content is primarily focused on mitigating circumstances that affect the prisoner. This would potentially include issues such as trauma or other social, psychological or financial circumstances leading to the commission of the offence, the role of a prisoner in their family, the period of incarceration and the exposure as a death row inmate, the effect of detention for their mental and emotional wellbeing including those affecting their families, and developing conditions with their family at home (i.e. ailing parents with no caretakers, etc.).

4. Legal development that notable changes the circumstances of prisoner's conviction

This section should be reserved for changing circumstances with the law or policy in Malaysia. This would include development such as amendment to the Dangerous Drugs Act in 2017 if the prisoner was a drug mule that may have been entitled to a life sentence; decriminalisation of offences; the abolition of the related law which they are convicted under (i.e. former detainees who were sentenced under Internal Security Act 1960).

This should be treated as a supporting consideration and not a legal submission. Any announcement, official news, study, or survey indicating public preference in a policy change, especially those related to the death penalty, will be useful additions.

The petition should avoid addressing conviction or defence during the prisoner's trial. The purpose of the petition is not to argue the facts of the prisoner's case or the merits of their conviction but to appeal to the mercy of the rulers.

5. Submitting the Petition

Once the pardon petition is ready, supporting documents (i.e. medical documents indicating ailing health) and other evidence should be compiled together for submission. The petition can be submitted to the relevant Pardon Board, and all submissions should be tracked via registered post or personal hand delivery with additional copies to be stamped to acknowledge submission.

Any communications from the Pardon Board or any other body relating to the petition should be well documented for future references.

Appendix

1. Contact Information for Pardons Board:

Federal Territories

Urus Setia Lembaga Pengampunan Wilayah Persekutuan - Seksyen Dasar
Bahagian Hal Ehwal Undang-Undang
Jabatan Perdana Menteri
Aras 6, Bangunan Hal Ehwal Undang-Undang
Presint 3, Pusat Pentadbiran Kerajaan Persekutuan
62692 Putrajaya

Pahang

Urus Setia Lembaga Pengampunan Negeri Pahang
Pejabat Setiausaha Kerajaan Negeri Pahang
Sekretariat MMK & DUN
Aras 1, Blok A Wisma Sri Pahang
25503 Kuantan

Terengganu

Urus Setia Lembaga Pengampunan Negeri Terengganu
Pejabat Setiausaha Kerajaan Negeri Terengganu
Tingkat 15, Wisma Darul Iman
20503 Kuala Terengganu

Perlis

Urus Setia Lembaga Pengampunan Negeri Perlis
Bahagian DUN & MMK Negeri
Aras 4 Kompleks Dewan Undangan Negeri
Persiaran Wawasan
01000 Kangar, Perlis

Selangor

Urus Setia Lembaga Pengampunan Negeri Selangor
Pejabat Setiausaha Kerajaan Negeri Selangor
Bahagian Khidmat Pengurusan
Tingkat 18, Bangunan Sultan Salahuddin Abdul Aziz Shah
40503 Shah Alam

Negeri Sembilan

Urus Setia Lembaga Pengampunan Negeri Sembilan
Unit Dewan Undangan Negeri
Pejabat Setiausaha Kerajaan Negeri Sembilan
Tingkat 5, Blok C Wisma Negeri
Jalan Dato' Abdul Malek
70503 Seremban

Johor

Urus Setia Lembaga Pengampunan Negeri Johor
Unit Undang-Undang

Pejabat Setiausaha Kerajaan Negeri Johor
Aras 3, Bagunan Dato' Jaafar Muhammad
79503 Kota Iskandar, Nusajaya

Kelantan

Urus Setia Lembaga Pengampunan Negeri Kelantan
Pejabat Setiausaha Kerajaan Negeri Kelantan
Bahagian Majlis Mesyuarat Kerajaan
Tingkat 1, Block 1, Kompleks Kota Darul Naim
15503 Kota Bharu

Perak

Urus Setia Lembaga Pengampunan Negeri Perak
Pejabat Setiausaha Kerajaan
Bahagian DN & MMK
Blok 2, Bangunan Perak Darul Ridzuan
30000 Ipoh, Perak

Kedah

Urus Setia Lembaga Pengampunan Negeri Kedah
Pejabat Setiausaha Kerajaan Negeri Kedah
Aras 2, Blok B, Wisma Darul Aman
05503 Alor Setar

Pulau Pinang

Urus Setia Lembaga Pengampunan Negeri Pulau Pinang
Pejabat Setiausaha Kerajaan Negeri Pulau Pinang
Bahagian Dewan Undangan Negeri Pulau Pinang
Tingkat 49, Komtar
10503 Pulau Pinang

Melaka

Urus Setia Lembaga Pengampunan Negeri Melaka
Pejabat Ketua Menteri
Bahagian Dewan & MMKN
Aras 2, Block Laksamana, Kompleks Seri Negeri
Hang Tuan Jaya
75450 Melaka

Sabah

Urus Setia Lembaga Pengampunan Negeri Sabah
Jabatan Peguam Besar Negeri Sabah
Tingkat 8 & 9 Menara Tun Mustapha
Teluk Likas, Beg Berkunci 2054
88990 Kota Kinabalu, Sabah

Sarawak

Urus Setia Lembaga Pengampunan Negeri Sarawak
Jabatan Ketua Menteri Sarawak
Tingkat 8, Wisma Bapa Malaysia, Petrajaya
93050 Kuching, Sarawak

Templates for pardon petitions are also provided online for free at the Judiciary's website at:
<https://www.kehakiman.gov.my/en/node/2245>.

2. Sample Pardon Petition and Explanation for Content:

Begin with the information and the details such as prisoner name, prisoner body number, Identification Card (IC) number, offence convicted, the court where the prisoner was charged or convicted, case number, date of imprisonment.

Rayuan kepada Ke bawah Duli Yang Maha Mulia Sultan Johor

Nama : Nama Banduan
No Banduan :
No Kad Pengenalan :
Kesalahan : Seksyen 39B(1)(a) ADB
Mahkamah : Mahkamah Tinggi Johor Bahru
Kes Nombor :
Hukuman : Gantung sampai mati
Tarikh Masuk : 22 March 1987

Addressing the ruler or head of state with their full title.

Mengadap Kebawah Duli Yang Maha Mulia Sultan Johor Darul Ta'zim Sultan Ibrahim Ibni Almarhum Sultan Iskandar D.K (Johor), D.K (Perak), D.K (Kelantan), D.K. (Perlis), D.K (Selangor), D.K (Negeri Sembilan), D.K (Terengganu), D.K.M.B. (Brunei), S.P.M.J, S.S.I.J, S.P.M.T, S.M.N, S.P.M.K, S.P.M.P, P.I.S

Common salutations to address the head of state in between sentences or paragraphs.

Ampun Tuanku Beribu-Ribu Ampun, Sembah Patik Pacal Yang Hina Mohon Diampun.
Terlebih dahulu patik menyusun sepuluh jari merafak sembah menjunjung kasih Ke Bawah Duli Yang Maha Mulia Tuanku.

The intended request and appeal for this petition (i.e. requesting for commutation from a death sentence to life imprisonment)

Memohon perkenan untuk mempersembahkan sepucuk surat rayuan pengampunan bagi meringankan hukuman mati di tali gantung kepada hukuman penjara.

A shorter salutation of '*Ampun Tuanku*' can be used for shorter paragraphs.

Ampun Tuanku,

Patik dengan segala kerendahan patik memohon Kebawah Duli Yang Mulia Tuanku untuk meluangkan sedetik waktu yang amat berharga buat Duli Tuanku untuk meneliti surat patik pacal yang hina ini.

A summary of the prisoner's case, especially those relating to his conviction, can be provided here.

Ampun Tuanku,

Pada 23 Julai 1987, anak lelaki patik telah ditangkap oleh polis kerana melakukan kesalahan di bawah Seksyen 39(B)(1)(a) Akta Dadah Berbahaya. Anak Patik disabitkan oleh Mahkamah Tinggi Johor Bharu pada 22 March 1992. Rayuan anak patik daripada Mahkamah Tinggi telah ditolak oleh Mahkamah Persekutuan pada 28 March 1994.

Ampun Tuanku Beribu-ribu Ampun, sembah patik pacal yang hina mohon diampun.

The next paragraph can be a brief background of the prisoner, his family, parents, siblings, friends and his role or place in the family.

Ampun Tuanku,

Dengan sepenuh kerendahan patik menceritakan latar belakang anak patik. Anak patik dilahirkan pada 13 Disember 1961 di Hospital Besar Johor Bharu dan dibesarkan di Kampung Baru Senai, Johor Darul Takzim. Ah Boon adalah anak ketiga daripada enam orang adik beradik. Suami patik telah meninggalkan patik dan keluarga semasa anak patik berumur 13 tahun dan tidak pernah mengambil tahu setelah berpisah. Anak Sulong patik mengalami penyakit jantung berlubang sejak lahir. Akibat tidak berkemampuan membiayai kos perubatan yang tinggi, anak sulong patik telah meninggal dunia ketika berusia 16 tahun. Disebabkan kedaifan kehidupan, Patik terpaksa memberi adik bongsu patik kepada orang lain. Patik dan anak sendiri menorah getah untuk menampung pembelanjaan sekeluarga. Anak Patik tidak mempunyai keluarga yang sempurna, kekurangan kasih sayang dan perhatian daripada seorang ayah sejak kecil. Pada tahun 1980, anak patik telah berkahwin

dengan Ah Ching dan dikurniakan dua orang cahaya mata. Namun, perkahwinan tersebut hanya kekal 3 tahun sahaja. Pada tahun 1984, anak patik telah berkahwin semula dengan Ah Ying dan dikurniakan seorang anak perempuan. Kini, anak patik mempunyai tiga orang cucu yang masing-masing berumur 3, 5 dan 8 tahun yang patik tidak pernah jumpa.

After a family background, a short description of the prisoner's education, employment and other similar backgrounds before his arrest can be included.

Ampun Tuanku Beribu-ribu Ampun, sembah patik pacal yang hina mohon diampun.

Ampun Tuanku

Anak patik mendapat pendidikan setakat darjah lima di Sekolah Rendah Jenis Kebangsaan Cina Senai, Johor. Untuk meringankan keluarga, anak patik membantu patik menorah getah pada sebelah pagi manakala petang pula anak patik bekerja sebagai pembantu kedai kopi. Pada pertengahan tahun 1973, anak patik telah bekerja di Singapura di pusat ternakan ayam telur selama 3 tahun. Anak patik kemudian bekerja sebagai buruh binaan. Semua pendapatan selepas menolak kos hidup telah menyalurkan kepada patik untuk persekolahan kepada dua anak kecil patik. Pada tahun 1978, anak patik telah pulang dan bekerja di sekitar Johor.

After the personal and professional background, the pardon petition can provide the context or the reason for the commission of the offence, or a background to the offence, if the information is available.

Ampun Tuanku Beribu-ribu Ampun, sembah patik pacal yang hina mohon diampun.

Ampun Tuanku

Izinkan patik menceritakan dengan sepenuh kerendahan dan keikhlasan hati punca patik sengsara selama hampir 28 tahun di belakang tirai besi. Semuanya bermula pada tahun 1986, semasa ekonomi negara dalam kemelesatan. Anak patik yang bekerja sebagai buruh binaan memasang mozek hampir tidak mendapat sebarang kerja. Sekeluarga patik dalam kesempitan. Seorang kawan kepada anak patik yang pernah bekerja bersama-sama dengan anak patik di Singapura bernama Ah Soon telah malawat keluarga patik. Ah Soon sering menghulurkan wang kepada patik untuk kegunaan keluarga patik yang pada masa itu dalam kesusahan. Namun, di belakang kebaikan Ah Soon tersiratnya kejahatan. Bila masa sudah tiba, dia telah meminta anak patik bekerja untuknya. Patik berasa ada perkara yang tidak mengena dengan

permintaan tersebut tetapi tidak pernah terfikir kerja yang diberikan kerja keldai dadah. Namun, Ah Soon memujuk anak patik dengan kata-kata manisnya dan sering mengingatkan patik tentang bantuan kewangan yang dihulurkan sebelum ini. Pada ketika itu, anak bongsu kepada anak patik baru berumur tiga tahun. Anak patik teringat kesengsaraan patik yang terpaksa memberikan adik bongsu patik kepada orang lain kerana kesusahan hidup. Anak Patik juga terfikir bagaimana anak patik dan adik beradik dibesarkan tanpa kasih sayang seorang ayah. Oleh itu, akibat rasa terhutang budi, desakan hidupm serta pujukan manis, anak patik pacal yang berfikiran cetak telah berjanji untuk menolong Ah Soon menghantar barangannya apabila diperlukan dan telah dijanjikan upah RM400.00 sebulan.

Ampun Tuanku Beribu-ribu Ampun, sembah patik pacal yang hina mohon diampun.

Ampun Tuanku,

Pada 22 Julai 1987, buat pertama kali Ah Soon telah menghantar satu bungkusan untuk dihantar. Pada waktu pagi 23 Julai 1987, Ah Ling telah menelefon dan meminta anak patik menghantar bungkusan kepadanya di Taman Seri Pelangi. Setiba di tempat yang dijanjikan, anak patik telah ditangkap oleh anggota polis apabila anak patik sedang menuju ke arah Ah Soon. Ah Soon berjaya melepaskan diri. Anak patik dibawa ke balai polis bersama dengan bungkusan yang dirampas untuk soal siasat. Patik kemudian ditahan reman di Penjara Air Molek.

After the introduction, the content should start reflecting the key issues suggested in the practical guide (i.e. issues relating to compassionate grounds or prisoner's reform)

Ampun Tuanku Beribu-ribu Ampun, sembah patik pacal yang hina mohon diampun.

Ampun Tuanku,

Anak patik akur dengan keputusan mahkamah. Selepas 29 tahun di belakang tabir penjara, anak patik benar-benar kesal akan tindakan dan pelbagai kesilapan lampau yang menyusahkan diri sendiri, keluarga mahupun pihak lain. Anak patik kini bersyukur atas hikmah di sebalik musibah ini yang telah membuka mata anak patik untuk menyesali tindak-tanduk anak patik sebelum ini. Anak kecil patik terpaksa menanggung segala pembelanjaan keluarga patik. Anak-anak kepada anak patik telah kehilangan kasih sayang seorang ibu semasa anak patik bercerai dengan isteri pertama dan kini bapa pula. Patik terpaksa meminjam wang dengan saudara mara untuk khidmat guamam patik. Patik yang telah berusia juga terpaksa bekerja sebagai buruh untuk membayar balik hutang tersebut. Kesusahan ini menjadi sejarah hitam dan perit bagi ahli keluarga patik dan semuanya disebabkan kejahilan anak patik yang hina ini.

Ampun Tuanku Beribu-ribu Ampun, sembah patik pacal yang hina mohon diampun.

Ampun Tuanku,

Anak patik menyusun sepuluh jari merafak sembah memohon Kebawah Duli Yang Mulia Tuanku untuk kasihanlah anak patik pacal yang hina ini. Anak patik berasal dari keluarga yang berpecah belah. Anak patik akui kebodohan sendiri. Anak patik yang berpendidikan rendah dan berfikiran cetek tidak dapat menilai kawan yang dapat memimpin ke jalan yang benar.

Ampun Tuanku,

Patik kini berumur 77 tahun dan setiap tahun, patik berasa lebih lesu dan tidak bermaya, patik tidak lagi berupaya untuk menjaga diri tanpa bantuan ahli keluarga lain. Langkahnya yang begitu gempita semasa menoreh getah dengan patik, kini telah tidak mampu lagi berjalan untuk melawat anak patik di penjara.

Anak patik sudah berada di sebalik jeruji besi selama 28 tahun dengan 23 jam sehari bersendirian memikirkan kesalahan. Anak patik susah lelap mata pada waktu malam kerana sering mengingati derita patik yang uzur, isteri anak patik dan anak-anak. Anak Patik rindu tertawa bersama anak-anak dan keluarga. Patik memohon belas kasihan Tuanku, sesungguhnya anak patik telah insaf dan serik. Anak patik berjanji tidak akan mensia-siakan hidup patik atau kembali ke lubuk lama sekiranya diberi peluang kedua. Simpatilah patik dan anak-anak dan isteri anak patik yang sentiasa menunggu kepulangan anak patik. Sebelum patik menjumpa pencipta patik, izinkan anak patik kembali sekali lagi ke rumah patik yang tempat yang patik dan isteri anak patik bina dari keringat dan air mata mereka.

Closing remarks with an appreciation for any act of mercy bestowed and salutation for ending the letter

Ampun Tuanku,

Sebelum patik mengakhiri kalam ini, sekali lagi patik pacal yang hina ini menyusun sepuluh jari merafak sembah Kebawah Duli Yang Maha Mulia Tuanku memohon jutaan ampun dan maaf di sepanjang tutur bicara patik yang mungkin terkasar dan kurang sopan. Patik akui patik kurang mahir dan arif tentang istiadat istana. Harapan patik dengan cara ini moga-moga Tuanku memperkenankan permohonan patik. Patik sentiasa berdoa kepada Tuhan semoga Duli Yang Maha Mulia Tuanku, anakanda serta kaum kerabat Tuanku sentiasa di bawah lindungan Tuhan, dilanjutkan usia serta diberkati. Patik juga berdoa negara Malaysia yang tercinta sentiasa aman, damai dan maju serta rakyatnya bersatu di bawah panji pemerintahan Tuanku sebagai payung negara.

Ampun Tuanku beribu-ribu ampun, sembah patik pacal yang hina mohon diampun.

Menjunjung kasih Tuanku.

This part should contain the name and contact information of the person signing off on the pardon petition and submitting the letter. If the person sending in the letter is doing so on behalf, this should be signed by the applicant (i.e. mother, daughter, etc.)

Patik yang merayu,

Nama

Alamat Berhubung