



## **JOINT PRESS STATEMENT**

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### **A Parliamentary Select Committee must review all aspects of the Constitution Amendment Bill separating the role of Attorney General and Public Prosecutor**

We, the undersigned civil society organisations, are grateful to note that a majority of Dewan Rakyat MPs share many of the concerns raised by civil society regarding the Constitution (Amendment) Bill 2026 (D.R. 5/2026).

MPs from PKR, Opposition MPs, and numerous MPs from across different political parties whom we consulted in the last week have expressed reservations over, (among others) the proposed discretionary appointment process for the new Public Prosecutor, the lack of a definite limit to his term of office and retirement age, the lack of restrictions or oversight over his prosecutorial powers, the composition of the Judicial and Legal Service Commission (JLSC) and the lack of clear, permanent parliamentary and judicial oversight mechanisms over the office of the Public Prosecutor and the office of the Attorney General.

If the Bill is passed in its current form, not only will concerns regarding potential undue influence and misuse of power over the prosecutorial service continue, there could also be less transparency and accountability over prosecutorial actions and less safeguards against the concentration of power in the office of Public Prosecutor than what we have currently.

In view of these widespread concerns, we agree with the majority of MPs that the Second Reading of the Bill must be adjourned so that a Dewan Rakyat Select Committee may review the Bill and make recommendations for improvement.

We therefore call on the Government to agree to refer or commit the Bill to a Select Committee under Standing Order 54(1) of the Dewan Rakyat Standing Orders before the Second Reading is concluded, so that the committee can review the details, merits and principles of the Bill under Standing Order 55(1).

We also call on the Government and MPs to ensure that the Terms of Reference of the Select Committee will allow a thorough review of the Bill including the following:

1. to review the proposed Public Prosecutor's appointment, removal, term of office, requirement for mandatory retirement, powers, duties and obligations of accountability, and mechanisms to ensure parliamentary and judicial oversight;
2. to review matters relating to the Attorney-General's appointment, removal, term of office, requirement for mandatory retirement, powers, duties and obligations of accountability, and mechanisms for ensuring parliamentary and judicial oversight;
3. to review the structure and proposed changes to the Judicial and Legal Service Commission (JLSC), including the composition and appointment of members of the

- JLSC, the powers and functions of the JLSC, and the ability of the Judicial Service and the Legal Service to operate independently and free from Executive influence;
4. to invite submissions and opinions from experts, stakeholders and the general public before making recommendations; and
  5. to propose changes or amendments to the Bill and to report those amendments to the Dewan Rakyat for consideration and approval under Standing Orders 58 and 60.

In that regard, we welcome the recent statement by the Chairman of the Dewan Rakyat Select Committee on Human Rights, Elections and Institutional Reforms (HREIR Committee), stating that the Bill should be referred to a select committee of the House for further refinement. However, we are surprised that the statement labels the HREIR Committee's discussion as a "comprehensive review" after it merely met for several hours on one day and only consulted a handful of stakeholders.

We are also perplexed by the HREIR Committee's alleged view that the proposed appointment process of the Public Prosecutor "places the process within a professional and constitutional structure" as this does not reflect the feedback that we have received from MPs, including several on the HREIR Committee. We hope the HREIR Committee will clarify its statement.

**Jointly issued by:**

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