

## ASSESSING MALAYSIAN PUBLIC OPINION ON THE ESTABLISHMENT OF PRIVATE PRISONS

Muhammad Syafiq M.S<sup>1</sup> and Lukman Z.M<sup>2</sup>

<sup>1,2</sup>Faculty of Applied Social Sciences, Universiti Sultan Zainal Abidin, MALAYSIA

<sup>1</sup>mssyafiq2025@gmail.com

<sup>2</sup>lukmanzm@unisza.edu.my

**Abstract:** This study examines public perceptions of the proposed introduction of private prisons in Malaysia, where correctional institutions are currently managed exclusively by the government. The idea of privatization has emerged as a response to pressing challenges such as overcrowded prisons, escalating operational costs, and the rising financial demands of maintaining outdated facilities. Advocates argue that private prisons could reduce expenses, enhance management efficiency, and strengthen rehabilitation initiatives. Nonetheless, the success of such reforms depends heavily on societal acceptance and institutional trust. A quantitative survey involving 2,014 respondents was conducted using a structured questionnaire consisting of seven sections and 56 items. The instrument demonstrated good internal consistency, with Cronbach's Alpha values ranging from 0.78 to 0.87. Results indicate moderate support for private prisons: 54.97% of respondents view them as a potential solution to overcrowding (Mean = 3.42,  $p < 0.05$ ); 52.64% believe they could help lower operational costs (Mean = 3.45,  $p > 0.05$ ); and 55.37% agree that they may reduce maintenance expenditures (Mean = 3.35,  $p < 0.001$ ). Despite recognizing potential benefits, many respondents expressed reservations regarding effectiveness and sustainability. Limited public knowledge of private prison systems may contribute to these concerns. The findings highlight the importance of expanding future studies with larger sample sizes and longer timelines to capture evolving attitudes. Such evidence would provide policymakers with a stronger foundation for evaluating the feasibility, risks, and implications of private prisons within Malaysia's criminal justice framework.

**Keywords:** private prisons, public perception, prison privatization, criminal justice policy, Malaysia

### INTRODUCTION

Malaysia's prison system is currently administered entirely by the government through the Malaysian Prison Department, with no involvement of private entities in correctional management. All existing facilities operate as public prisons, yet the system is increasingly strained by three critical issues: chronic overcrowding, rising operational expenditures, and the heavy financial demands of maintaining aging infrastructure. These challenges have prompted discussions on whether private prisons could serve as a viable reform option. Experiences from other countries suggest that privatization may offer benefits such as enhanced cost efficiency, reduced fiscal burdens on the state, managerial innovation, and stronger rehabilitation programs for inmates (Patel & Sharma, 2017; Crétenot & Liaras, 2013).

In light of these considerations, it is important to examine Malaysia's preparedness for such a shift. This requires not only evaluating the legal, ethical, and operational dimensions but also understanding public sentiment, which plays a crucial role in legitimizing penal policy reforms. Accordingly, this study investigates public perceptions of private prisons in Malaysia, focusing on whether such institutions are viewed as a feasible strategy to address overcrowding, lower operational costs, and ease the financial strain of constructing and maintaining facilities. By capturing the perspectives of citizens, the findings aim to provide policymakers with evidence-based insights into the potential opportunities and challenges of introducing private prisons, as well as the broader question of Malaysia's readiness for this reform.

### LITERATURE REVIEW

Private prisons are correctional institutions managed by private entities under government contracts, with the aim of achieving mutual benefits for both parties (Liu et al., 2024;

Burkhardt, 2019). The modern private prison industry began in 1984 with the establishment of the Corrections Corporation of America (now CoreCivic) in the United States (Gotsch & Basti, 2018; Frost et al., 2019). The rise of this model was largely a response to overcrowded prisons, escalating operational expenditures, and the increasing fiscal strain on governments. By outsourcing correctional services to private companies, policymakers hoped to lower public spending while preserving efficiency, security, and rehabilitation programs (Bryant, 2022; Johnson, 2006).

According to the U.S. Department of Justice (2016), private prisons are correctional facilities operated by private firms under government contracts. Scholars such as Blakely & Bumphus (2004) and Cheung (2004) similarly describe them as contractual arrangements where governments pay private operators, often on a per-inmate basis, to manage correctional services within designated facilities. Because these institutions function through service contracts, they are frequently referred to as contract prisons, whereby private providers compete through tendering and bidding processes for either partial or full correctional service management (Kim, 2022; Alonso & Andrews, 2015).

The expansion of private prisons is closely tied to broader economic shifts from Keynesian state-led policies to neoliberal approaches in the late 20th century. The economic crises of the 1970s eroded confidence in Keynesian models of heavy government intervention, opening the way for neoliberal reforms that emphasized privatization, deregulation, and reduced state expenditure (Wacquant, 2010; Sampson & Matthews, 2021). In this context, governments sought to transfer the financial and operational responsibilities of public services, including corrections, to private actors (LeBaron, 2008; Gunderson, 2022).

During the 1980s, privatization expanded across multiple sectors—healthcare, education, security, and even fire services—as part of a global trend toward outsourcing (Welch & Turner, 2008; Ahwireng, 2015). The rationale was that market competition could improve efficiency, raise service quality, and lower costs (Harvey, 2005; Duwe & Clark, 2013). Within corrections, prison privatization was promoted by political elites, business leaders, and criminal justice experts, who argued that private involvement could provide more flexible and cost-effective alternatives to government-run institutions (Chang & Thompkins, 2002; Phillips, 2022).

The U.S. context is especially significant in this trajectory. During the Reagan administration, policies framed under slogans such as “Get tough on crime” and “Get government off our backs” accelerated the growth of private prisons (Taylor & Cooper, 2008; O’Neill et al., 2020). Neoliberal thinkers presented privatization as a market-based solution to prison overcrowding and fiscal constraints, contrasting it with the rigidity and inefficiency often attributed to public prisons (Wacquant, 2011; Cullen & Jonson, 2016).

The guiding principle of prison privatization under neoliberalism is minimal state intervention coupled with the belief that competition fosters efficiency and innovation (Gunderson, 2022; Duus-Otterström & Poama, 2024). Advocates argue that private firms, driven by profit incentives, are more likely to adopt cost-saving technologies, implement innovative management practices, and expand rehabilitation programs—potentially reducing recidivism and enhancing inmate welfare (Montes et al., 2022; Genter et al., 2013). In theory, this creates benefits for governments, taxpayers, and inmates alike (Savas, 2007; Kish & Lipton, 2013).

Ultimately, private prisons are shaped by the logic of market competition, a central tenet of neoliberal economics. Supporters maintain that this competition forces operators to develop efficient, cost-effective solutions for prison management, thereby easing the government’s financial burden while upholding correctional standards (Lundahl et al., 2009; Vilher, 2017; Gaes, 2010; O’Neill et al., 2020). In contrast, public prisons are often portrayed as bureaucratic, rigid, and resistant to change. The literature thus frames private prisons not merely as

correctional facilities, but as products of neoliberal governance, where efficiency and market rationality are positioned as solutions to the crises of modern incarceration.

### **METHODOLOGY**

This study adopts a quantitative exploratory research design to examine public attitudes and opinions toward the proposed establishment of private prisons in Malaysia. A quantitative approach was deemed appropriate because it allows for measurable and objective analysis of perceptions, even in the context of a topic that remains relatively underexplored within the country (Pandey & Pandey, 2015). Such an approach provides a structured and reliable framework for assessing complex social views, ensuring that findings can be systematically analysed and generalized (Walliman, 2006).

Data collection was carried out using a structured questionnaire, chosen for its effectiveness in gathering representative, consistent, and meaningful responses (Singh, 2006). The instrument was designed to capture multiple dimensions of public perception, including concerns about prison overcrowding, trust in institutions, financial implications, and levels of acceptance toward privatization. In total, the questionnaire contained 56 items across seven sections and utilized a 6-point Likert scale, which enabled respondents to indicate varying degrees of agreement or disagreement. The absence of a neutral option encouraged more deliberate and reflective responses, thereby improving data quality (Creswell & Clark, 2017).

To ensure instrument reliability, a pilot study was conducted. The results produced Cronbach's Alpha coefficients ranging from 0.78 to 0.87, indicating good internal consistency and confirming that the items were suitable for measuring the underlying constructs.

The survey was administered over a three-month period, from October 1 to December 31, 2024, using a digital format via Google Forms. A total of 2,014 respondents, all aged 18 years and above, voluntarily participated in the study. The sample size was considered adequate to provide a broad representation of public opinion, ensuring that the findings reflect a comprehensive picture of Malaysian perceptions regarding the feasibility, challenges, and potential impacts of private prison implementation.

### **FINDING AND DISCUSSION**

As shown in Table 1, 54.97% of respondents expressed support for the introduction of private prisons as a strategy to address overcrowding. The mean score of 3.42 (SD = 1.58) suggests a moderate level of support. A high t-test value ( $t = 11.93$ ,  $p < 0.05$ ) indicates that respondents are aware of the seriousness of inmate overcrowding and consider private prisons as a potentially viable solution. The low standard error (SE = 0.035) further confirms the accuracy of these findings. Moreover, the positive B coefficient ( $B = 0.420$ ) demonstrates a clear positive relationship between respondents' support and their perception of the effectiveness of this measure.

With regard to prison operational costs, 52.64% of respondents supported the idea of private prisons as a cost-reduction strategy. The mean value of 3.45 (SD = 1.59) again reflects moderate support. However, the relatively low t-test value ( $t = -1.41$ ) and the non-significant result ( $p > 0.05$ ) suggest that respondents' views on this issue are less decisive. While the SE value (0.035) indicates reasonable accuracy, the negative B coefficient ( $B = -0.050$ ) points to a weak negative association, implying that respondents are not entirely convinced that private prisons can substantially reduce operational expenditures.

The findings also reveal that 55.37% of respondents supported the use of private prisons as a solution to the high maintenance costs of aging prison facilities. The mean score of 3.35 (SD = 1.54) suggests moderate support, representing the highest among the three issues investigated. The significant t-test result ( $t = -4.29$ ,  $p < 0.001$ ) indicates a clear difference in respondents'

views. The SE value (0.034) confirms a high degree of data accuracy. However, the negative B coefficient (B = -0.147) highlights underlying scepticism. Although many respondents acknowledge the financial strain caused by old facilities, they appear doubtful that privatization would effectively resolve long-term maintenance challenges.

Taken together, the results demonstrate that while the Malaysian public shows moderate support for private prisons across all three dimensions—overcrowding, operational costs, and maintenance expenses—there is a clear tension between perceived potential and underlying scepticism. Respondents recognize the severity of the current prison challenges and see privatization as a possible solution, particularly to overcrowding. Yet doubts remain about the ability of private operators to sustainably reduce costs, either operational or infrastructural. These findings suggest that public acceptance of private prisons is conditional and closely tied to questions of trust, effectiveness, and long-term sustainability.

**Table 1:** Establishment of Private Prisons to Address Prison Issues (N = 2014)

<b>Support for Establishment</b>	<b>%</b>	<b>Mean</b>	<b>SD</b>	<b>t-Test</b>	<b>Sig.</b>	<b>SE</b>	<b>B Coefficient</b>
Solving prison overcrowding	54.97	3.42	1.58	11.93	p<0.05	0.035	0.420
Reducing high prison operational costs	52.64	3.45	1.59	-1.41	p>0.05	0.035	-0.050
Reducing high maintenance costs	55.37	3.35	1.54	-4.29	p<0.001	0.034	-0.147

The findings of this study reveal that public support for the establishment of private prisons in Malaysia is moderate, with slightly stronger support directed toward addressing the financial burden of maintaining aging prison facilities. This pattern of responses highlights a cautious public stance: while many recognize the potential benefits of private prisons, such as cost reduction and improved efficiency, scepticism persists regarding their effectiveness and long-term sustainability. The moderate support observed reflects not only limited public awareness of private prison models but also broader concerns about accountability, ethical practices, and institutional trust.

In light of these results, it is important for policymakers to approach the possibility of introducing private prisons with careful consideration. Public support, although moderate, can be strengthened through targeted strategies designed to address concerns and build confidence in the feasibility of such reforms. Based on the analysis, six key strategies are proposed to guide the Malaysian government in evaluating and potentially implementing private prisons.

**1. Increasing Public Awareness and Trust:** One of the most significant barriers to public support is the general lack of understanding regarding how private prisons function, what safeguards are in place, and how they differ from government-run institutions. Previous research suggests that perceptions of privatization are often shaped by incomplete information, media narratives, and public mistrust of profit-driven motives in the justice system (Kim, 2023; Mamun et al., 2020). In Malaysia, where the concept of private prisons is new, it is unsurprising that uncertainty translates into only moderate levels of acceptance. To address this, the government must invest in public education and awareness campaigns. These campaigns should explain the potential role of private prisons in reducing overcrowding and operational costs, while also highlighting the safeguards that will ensure ethical management. Awareness initiatives may include public forums, media outreach, stakeholder dialogues, and expert-led seminars, where transparent discussions can dispel misconceptions and provide factual information (Gibbon & Rutter, 2021). In addition, the

government should commit to publishing detailed reports comparing the cost-effectiveness of private versus public prisons, supported by data and international case studies (Deckert & Wood, 2011). Transparency fosters credibility, and without it, public scepticism is likely to persist. An accountability framework should also be implemented, requiring private operators to meet high service standards while complying with human rights obligations. By embedding transparency, accountability, and open communication, the government can foster trust and strengthen informed public acceptance.

- 2. Providing Clear and Transparent Information:** A recurring theme in the survey responses is uncertainty about whether private prisons can truly lower costs without sacrificing quality. Respondents expressed concerns that privatization might ultimately impose additional costs on taxpayers or lead to the erosion of inmate welfare standards (Cheung, 2004; Sampson & Matthews, 2021). These fears reflect the global debate surrounding prison privatization, where financial savings are sometimes prioritized over service quality (Budd, 2024). The government must therefore provide clear, accessible, and transparent information outlining how private prisons would operate in Malaysia. This includes demonstrating how operational costs will be managed, what efficiency gains are expected, and how maintenance expenses will be reduced (Burkhardt, 2024; Freemon, 2024). Importantly, transparency should also extend to safeguards protecting inmate rights, such as minimum living standards, access to healthcare, and rehabilitation opportunities (Montes et al., 2022). Publicly available white papers, independent cost-benefit analyses, and feasibility studies should be shared before any implementation. These efforts would reduce uncertainty and help the public evaluate whether private prisons offer a genuine solution rather than simply shifting costs or responsibilities.
- 3. Developing a Robust Regulatory Framework:** A central condition for the success of private prisons is the establishment of a strong regulatory and legal framework. Without such a framework, risks such as corruption, cost inflation, poor living conditions, and abuse of authority could undermine both the legitimacy and effectiveness of privatization (Friedmann, 2016). The government should therefore draft comprehensive guidelines specifying the roles and responsibilities of private prison operators, while also defining clear limitations on their authority (McDonald & Patten, 2004). Oversight mechanisms are critical: an independent supervisory body should be created to monitor private prison operations, conduct routine inspections, and publish annual performance audits accessible to the public. Contracts with private companies must include strict obligations related to inmate welfare, rehabilitation standards, and safety measures. These should be coupled with performance benchmarks, ensuring that operators are held accountable for achieving measurable outcomes (Headley & Garcia-Zamor, 2014). Such a framework would ensure that private prisons operate not solely for profit but as partners in delivering secure, ethical, and rehabilitative correctional services.
- 4. Implementing Pilot Projects for Feasibility Assessment:** Rather than a full-scale transition, Malaysia should adopt a phased approach through carefully designed pilot projects. Privatizing one or two facilities on a trial basis would provide valuable empirical evidence regarding operational efficiency, financial savings, and security management (Letschert & Hagoort, 2001; Pozen, 2004). Pilot projects offer an opportunity for independent evaluation, enabling the government to identify weaknesses, refine contracts, and strengthen regulatory oversight before expanding nationwide (McDonald & Patten, 2004). A phased strategy reduces the risk of systemic failure while also providing concrete case studies to inform public debates. Moreover, showcasing success stories from pilot projects could help reshape public perceptions, turning scepticism into cautious optimism.

For this reason, transparency in evaluation and public dissemination of pilot results is essential.

- 5. Ensuring Cost Efficiency without Compromising Quality:** Public scepticism about cost efficiency is well-founded, as critics often argue that the pursuit of profit may encourage operators to cut corners, leading to reduced service quality or inadequate rehabilitation programs. To mitigate these risks, the government must adopt innovative contracting strategies. Contracts should be performance-based, rewarding operators for achieving positive outcomes such as reduced recidivism, effective rehabilitation, and improved security standards (Pratt & Maahs, 1999). Fixed-cost contracts could also prevent financial exploitation and ensure that any savings benefit the public rather than private corporations. In addition, an independent financial accountability system should be implemented. Regular audits, performance reviews, and public reporting will help prevent cost overruns and enhance transparency (Sampson & Matthews, 2021). By ensuring that efficiency gains do not come at the expense of inmate welfare, the government can demonstrate that privatization is both financially viable and socially responsible (Sanchez & Sallmann, 2019).
- 6. Addressing Ethical and Social Concerns:** Beyond economics and efficiency, the ethical dimension of private prisons is a decisive factor in public acceptance. Critics argue that allowing profit motives into corrections risks transforming incarceration into a business, where increasing the inmate population becomes financially beneficial for operators (Schwartz & Nurge, 2004). This “profit-driven incarceration” raises serious moral questions and could distort sentencing policies if not carefully managed (Sparks & Gacek, 2019). To address these concerns, Malaysia must implement strict legal safeguards ensuring that sentencing policies remain entirely independent of private prison interests. Ethical obligations should be embedded in all contracts, mandating adherence to international human rights standards. Operators must also be prohibited from adopting exploitative cost-cutting measures, such as forced labour or substandard living conditions. Equally important is a strong focus on rehabilitation and reintegration. Private prison operators should be contractually required to provide vocational training, educational opportunities, mental health services, and reintegration programs (Montes, 2020). By prioritizing rehabilitation, private prisons can contribute to reducing recidivism and supporting long-term social reintegration, thereby aligning their role with the broader goals of justice and public safety. The findings of this study reveal that while there is moderate support for private prisons in Malaysia, significant concerns remain regarding their effectiveness, costs, and ethical implications. To move forward responsibly, the government must adopt a strategic, transparent, and phased approach that prioritizes public trust, accountability, and social justice. The six strategies outlined—raising public awareness, providing transparent information, establishing a regulatory framework, implementing pilot projects, ensuring cost efficiency, and addressing ethical concerns—form the foundation of a comprehensive policy roadmap. Together, they underscore the need for balance: while private prisons may offer innovative solutions to Malaysia’s correctional challenges, their success ultimately depends on the public’s trust, careful regulation, and unwavering commitment to justice and human rights.

## CONCLUSION

The findings of this study indicate that Malaysia is not yet fully prepared to embrace private prisons, but several strategic measures could pave the way for their responsible introduction. Building public confidence, strengthening regulatory oversight, ensuring financial transparency, and safeguarding ethical standards must be the cornerstones of any future

initiative. Efforts such as enhancing public awareness, implementing a clear regulatory framework, piloting small-scale projects, and establishing accountability mechanisms are crucial to laying the groundwork for an effective and socially acceptable private prison system. By adopting these strategies, the government would not only address immediate challenges—such as overcrowding, escalating operational costs, and aging infrastructure—but also ensure that any private correctional model operates transparently, ethically, and in the public interest. This study also highlights that public support for private prisons in Malaysia remains moderate. Several factors may contribute to this outcome, including the relatively small sample size and the limited familiarity of citizens with the privatization model. To strengthen the generalizability of future research, expanding the sample size beyond the current 2,014 respondents is recommended. A larger dataset would not only enhance the accuracy and reliability of the findings but also reduce sampling bias. Moreover, with a broader base of respondents, more complex statistical analyses could be employed to identify deeper patterns and relationships that may not be evident in smaller studies.

The three-month duration of the survey also posed constraints. Extending the research timeline in future studies would allow for more systematic data collection, greater participation, and the opportunity to capture evolving public perceptions. A longer timeframe would enable researchers to include diverse social groups, explore regional variations, and assess both short-term and long-term attitudes toward prison privatization. Such an approach would also facilitate more comprehensive evaluations of the broader implications of private prisons on Malaysia's justice system, social stability, and rehabilitation outcomes. Ultimately, while private prisons may offer potential solutions to pressing correctional challenges, their feasibility in Malaysia depends on careful planning, transparent governance, and sustained engagement with the public.

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