

Underreporting of Child Abuse Cases in Malaysia: Society's Role in Prevention of Child Abuse

¹Jamhirah Abdullah, ²Mizan Hitam, ³Wahabuddin Raées, ³Garoot Suleiman Eissa and ²Nabila Huda Ibrahim

¹Universiti Teknologi MARA (UiTM), Seremban, Malaysia

²Universiti Teknologi MARA (UiTM) Shah Alam, Malaysia

³International Islamic University Malaysia (IIUM), Gombak, Malaysia

Abstract: Child abuse has been a long-standing social problem in Malaysia. The increase in child abuse cases has become worrisome and causes undesirable cost and social burden. Social awareness, educated society towards child abuse, legislative and policy remedies and financial help are the measures that should be considered to prevent child abuse. Evidences suggest that child abuse cases in Malaysia are underreported. Only a fraction of the total number of child abuse cases is reported. Academics argue that society can play an important role in prevention and reporting of child abuse. Involvement of social groups, community leaders and every member of society in prevention and reporting of child abuse will reduce child abuse cases in the country.

Key words: Child abuse • Social responsibility • 2001 Child Act • Underreporting • Malaysia

INTRODUCTION

Children are a nation's asset and can help it prosper in future. It is important to protect children from harm that can threaten their development. In Malaysia, child abuse has become a critical social problem. The 2001 Child Act in Malaysia has the purpose of protecting children from any forms of abuse. It is crucial to ensure that children deserve their rights to live. The number of child abuse cases in Malaysia has increased significantly despite the enforcement of the 2001 Child Act (Act 611) and its corollary policies: the 2009 National Policy for Children (NPC) and the 2009 National Child Protection Policy (NCP). Child abuse is a serious ongoing problem in Malaysia without effective solutions. The actual number of child abuse cases in the country has been unknown as reporting is uncommon. As a result, the Malaysia authorities are faced with the challenge of tracking child abuse cases [1]. It is everyone's responsibility to wipe out child abuse. This paper considers the role of the society in preventing child abuse through appropriate legislative measures. Therefore, this paper first discusses theoretical approaches to child abuse. Second, it discusses factors of underreporting of child abuse cases in Malaysia. Finally, before concluding, the paper discusses the role society

can play in prevention and reporting of child abuse in Malaysia.

Child Abuse in Malaysia: Theoretical Consideration:

The word child abuse is often used interchangeably with child maltreatment or child neglect. However, there has been no solid definition of child abuse as a social construct. This concept has evolved over time without universal meanings or acceptable values [2, 3, 4, 5]. In the past, a child is once perceived as a personal property of the family. The father has absolute power to exploit his child as he wishes such as treating his child as child labor, punishing the child violently and killing the child [6, 7, 8]. Moreover, the child abuse can also be influenced by culture, religion and children attitudes [9, 10, 11, 12, 13]. For example, the values of the Confucianism and the Chinese belief of filial piety allow parents to inflict punishment as a mean to discipline their children. These cultures do not consider such practice as physical abuse [14, 12]. In this regard, there has been no universal definition of child abuse despite being globalized. Apart from that, World Health Organization has defined child maltreatment as child abuse and neglect because of its potential harm to a child's health development or dignity. Child's physical and emotional ill treatment, sexual abuse,

neglect and exploitation negatively affect his health [15]. This definition is reiterated in the Malaysia's National Child Protection Policy as it considers all forms of abuse or neglect can violate the child's rights [16]. It can be concluded that child abuse refers to an act of cruelty that is intentionally inflicted upon a child under the age of 18 in the forms of physical, emotional, sexual or neglect. This definition highlights that physical, sexual, emotional and neglect are the four main types of child abuse [16]. The legal processes and instruments in Malaysia are based on this understanding of child abuse.

The first type of child abuse is physical. According to Section 2 (3) of Malaysia's Child Act 2001, physical abuse refers to "if there is substantial and observable injury to any part of the child's body as a result of the non-accidental application of force or an agent to the child's body that is evidenced by, amongst other things, a laceration, a contusion, an abrasion, a scar, a fracture or other bone injury, a dislocation, a sprain, hemorrhaging, the rupture of a viscus, a burn, a scald, the loss or alteration of consciousness or psychological functioning or the loss of hair or teeth" [17]. Also, Giovannoni and Beccera [18] considered brain damage, blinding or damage to the eyes, broken nose or jaw, burn, scalding, dismemberment, freezing, frostbite, internal bleeding, internal injuries, ruptured eardrum or damage to the ears, suffocation, drowning and captivity as physical abuse. Other examples of physical abuse are kicking, punching, beating until a child passes out, strangling and shaking [19].

The second type is sexual abuse. Sexual abuse, according to the 2001 Child Act, refers to a state of affairs where a child has "taken part, whether as participant or an observer, in any activity which is sexual in nature for the purposes of any pornographic, obscene or indecent material, photograph, recording, film, videotape or performance or for the purpose of sexual exploitation by any person for that person's or another person's sexual gratification" [17]. Specifically, Hirayama [20] classified child sexual abuse into pornography, sexual trafficking and prostitution. Other forms of child sexual abuse are incest, rape, sexual sadist, exposing genitals and molesting acts (i.e: holding, kissing and rubbing private parts of children) [19].

The third type of child abuse is emotional abuse. Emotional abuse is known as psychological abuse. Malaysia's 2001 Child Act states that a child is emotionally injured if "there is substantial and observable impairment of the child's mental or emotional functioning that is evidenced by, amongst other things, a mental or

behavioral disorder, including anxiety, depression, withdrawal, aggression or delayed development" [17]. Some scholars have contended that psychological abuse happens when children experience domestic violence involving their parents [20, 18].

The fourth type of child abuse is neglect. It can be defined as the unrelenting and serious failure to provide basic physical, emotional and developmental needs in terms of health, education, emotional development, nutrition, shelter and safe life for children [16, 21]. This definition is consistent with the Malaysia's National Policy [22]. Several scholars have agreed that lack of parental care and nurturance are the hallmarks of child neglect [23, 24, 25]. Neglect has severe negative effect on the child well-being. Spratt *et al.* [26] pointed out that a neglected child demonstrates lower cognition, poor language score and behavioral problem.

Underreporting of Child Abuse in Malaysia: Child abuse cases are underreported in Malaysia. According to the Director of the Social Welfare Department, only two per cent of the child abuse cases were reported [27]. This indicates that the children are fragile to abuses as their lives are not protected well. According to Hamdzah and Yasin [28], the statistics of different types of child abuse cases such as abandonment (798), neglect (8119), physical abuse (6180), sexual abuse (5568), emotional disturbance (343) and others (711) between 2014 and 2016 are disturbing. Of all forms of child abuse cases, sexual abuse of children happens commonly in Malaysia. Reuters report from sources of Royal Malaysian Police (RMP) shows that a total of 12987 child sexual abuse cases were reported from January 2012 until July 2016 [29]. However, this figure represented a mere tip of the iceberg.

The gross violation of child rights does not only hamper children from experiencing a healthy and dignified growth, but it also poses a threat to future economic and social development of a country. Early reporting can prevent child abuse and crime from happening in future since the victims are more likely to become abusers and criminals when they grow up [20]. Moreover, it helps to end the vicious cycle of child abuse. Basically, underreporting may aggravate the issue of child abuse. Essentially, those reported cases can save the victims from being abused. Underreporting, on the other hand, inhibits further actions to be taken to prevent child abuse. Although children rights are protected under the Federal Constitution, those unfortunate cannot enjoy life because they always live in fear of those whose help they need dearly.

From the social perspective, abuse of children in Malaysia will impair their social development. According to Noremy *et al.* [1], child abuse may cause the erosion of family institution. Therefore, the idea of “happy family” no longer exists if the child abuse is not addressed. Besides that, child abuse can affect the children’s psychological and social development when they experience violent maltreatment, abuse and neglect. Subsequently, children’s self-regulatory and mental health development will be negatively affected [30]. Numerous studies have confirmed that child abuse has a detrimental impact on a child’s well-being [31, 23, 32]. For instance, Nilsson *et al.* [33] indicated that students who experience physical abuse are more likely to have negative perceptions of their parents and self-reporting symptoms. The following statistics illustrate severity of social problems caused by abused children. 25% of the victims had teen pregnancy, 25% of them were arrested as juveniles, 30% of them committed a violent crime and 25% of them experienced delinquency and drug abuse [20, 34]. Therefore, children should receive proper education and enjoy quality life instead of suffering from abuse.

From the economic perspective, child abuse can actually accelerate the government expenditure and will cost the Malaysia government more in the long run. This is because the government has to allocate a large amount of money for child abuse victims, including medical care for injuries or malnourishment, long-term medical and mental health care, mental health treatment, counselling, follow-up, foster care, police intervention, legal matters and special education. Other hidden costs include lost potential of the child victims as they cannot contribute to the society, damage to the country’s economy due to low productivity and torturing life for the child and family [2]. These issues will over burden the Malaysian state and society. When suspected child abuse cases are reported, their effect can be reduced.

Underreporting of child abuse cases in Malaysia are due to the following reasons. (1) Fear of Harsh Punishment for Sole Bread Winner: If the perpetrator is the sole breadwinner to the victim’s family, the victim is likely to face a predicament to report the perpetrator. For example, on 30 December 2016, a man was sentenced to 80 years of imprisonment and 110 whips by the Kuala Lumpur Sessions Court for raping his 16-year-old daughter for eleven times and forcing her to perform oral sex on him for once. In another case, a government servant from Kuching, Sarawak, was sentenced to 60 years of imprisonment and 30 whips for raping his 17-year-old step daughter for thrice [35]. (2) Divorce: a child

is likely to become a victim of abuse when his or her parents are separated through divorce. According to a published report of Utusan Malaysia in 2011, a total of 15 children deaths were recorded, which was caused by their parent’s partner. Furthermore, Malaysia’s Sexual, Women and Child Investigation Division of Bukit Aman Criminal Investigation Department reported a total of 48 child abuse cases were committed by the mother’s lover while six cases were committed by the father’s lover [36]. (3) A third reason for underreporting is the failure or inability to recognize child maltreatment. According to Barlow [37], child abuse is not a common clinical presentation. This is because some doctors do not treat child abuse and they are not trained well to detect child abuse cases. He emphasized that denial of injury in child maltreatment has inhibited the intention to report.

Society’s Role in Prevention of Child Abuse: Child abuse is an unresolved social problem in Malaysia. Its prevention, in addition to law enforcement agencies, policies, legislations and other relevant governmental institutions, also requires assistance from the society. Legal practitioners in Malaysia have also urged people to take their social responsibility by reporting child abuse cases to authorities although it is not compulsory for them to do so [38]. Being a civilized citizen, it is crucial for every one of us to become involved in taking preventive action against child abuse. In fact, there are many approaches the Malaysians can adopt to minimize this challenging issue.

Firstly, Malaysians of all walks of life should become aware of child abuse and feel the need for its prevention. Malaysians should change their mindset towards child abuse. Most child abuse cases go unreported due to the stigma and attitude of most Malaysians [39]. According to Sim and Choo [40], attitude towards child maltreatment should be improved. He argues that the society must have knowledge about issues of childhood development, childhood trauma, consequences of child maltreatment and children rights to prevent child abuse. Then, the society will become more responsible for eradicating child abuse by reporting suspected child abuse cases.

Secondly, the members of Malaysian society should understand the significance of child abuse prevention. The government can mount effective campaign for parenting through media that can give children a healthy environment to grow up. Documentaries on child maltreatment and information about the consequences of child maltreatment and risk awareness of disabled children can inculcate adequate parenting skills in society [40].

According to Krug *et al.* [41], such media activities can inform families of their pivotal role in preventing child abuse. Krug also note that the characteristic of caregiver in terms of demographic, psychological and behavioural characteristics and family environmental variables are significantly related to child abuse. Thus, parents are urged to learn useful parenting skills helpful for children's growth, development and character building and which is likely to reduce child abuse cases.

Thirdly, the society should build a supportive environment. Basically, a child victim does not tell other people about his or her abuse experience. The victim usually does not report or takes too long to report and then the victim will be blamed by the community for not reporting the incident immediately. As a consequence, the victim will be sexually assaulted again [42]. To prevent child maltreatment, 'Strengthening Families Initiative' can be implemented as parents may build emotionally supportive network with their children's friends, their families and neighbours. This is likely to establish a healthier relationship between parents and children [43]. McDonnell *et al.* [44] argues that community engagement supports those families with young children to protect them from harm. As a member of the society, we can provide support by encouraging the victims to report child abuse cases to the authorities. In fact, building relationship with neighbours is an effective way to eradicate child abuse.

Fourthly, legislative and policy remedies as societal approaches can also help prevent child abuse. Stronger social-oriented legislations and policies can stop child abuse. These remedies include mandatory-reporting law, disagreement of or discouraging physical punishment of children at home or school, improvement in law against sexual violence and improvement in procedures for handling family and sexual violence [45]. According to Sim and Choo [40], besides the prosecution of perpetrators and the 2001 Child Act, the state and law enforcement mechanisms should also emphasis on social activities such as responsible parenting, satisfactory standard of child safety in schools, child centres, child recreation centres and public transport. These social policy oriented measure or programs should reach out to more vulnerable groups such as disabled children, urban poor and minority groups. Furthermore, professionals should be trained to identify observable child abuse symptoms or signs. These professionals need to be educated on children development and signs of child abuse [46]. Thus, it is expected that the society can contribute to successful legislative and policy implementation.

Finally, society through organized community services programmes and economic assistance can reduce the likelihood of child abuse. The World Health Organization [45] has suggested policy changes in poverty reduction and inequality to support families through social assistance, economic development schemes, employment, quality education and child care arrangements are essential for healthy child-parent relations. While poverty may initiate family violence [46], financial support can reverse it. According to Bakar *et al.* [47], remedies such as cash, food, temporary shelter and medical treatment are the preventive mechanism to fulfil perpetrators and victims' needs as most of the child abuse victims come from lower income group.

CONCLUSION

Child abuse affects the social and economic fabric of Malaysian society in a more subtle way. Despite the law allowing Malaysians to report child abuses cases to the law enforcement agencies, child abuse cases for reasons discussed above are hugely underreported. Therefore, the legal mechanisms and legislations instead of focusing on punitive measures should adopt a social-oriented policy approach to prevention of incidents of child abuse. The role of society in prevention of child abuse is essential. Legislative and policy implementation and financial assistance initiatives of the government will likely reduce incidents of child abuse when people have sense of social responsibility, positive attitudes and perceive law enforcement mechanisms as means of building a civic culture. Therefore, legislations should also emphasis on educating the public about the issue of child abuse and its affects on society.

ACKNOWLEDGEMENTS

The research project is funded through the Fundamental Research Grant Scheme (FRGS/1/2015/SS06/UITM/03), Ministry of Higher Education, Malaysia. Due acknowledgment is also directed to Universiti Teknologi MARA (UiTM).

REFERENCES

1. Noremy, M.A., A.H. Zulkarnain, F. Kelvin, M.J. Adanan and W.M.H. Sarah, 2012. Physical Child Abuse: What Are the External Factors?. *Asian Social Science*, 8(9): 83-93.
2. UNICEF, 2010. 'Fact Sheet'. Retrieved 28 June, 2013, from: <http://www.uniteagainstabuse.my>, 2010.

3. Bala, N. and K.L. Clarke, 2002. The child and the law. Toronto: McGraw-Hill Ryerson, 1981, In J.P. Anglin, Risk, Well-Being and paramountcy in child protection: the need for transformation. *Child and Youth Care Forum*, 31(4): 230-240.
4. Gibbons, J., 1997 Relating outcomes to objectives in child protection policy, p. 17, In N. Parton, *Child protection and family support: tensions contradictions and possibilities*. London: Routledge, 1997, In Anglin, J.P., 2002. Risk, Well-Being and paramountcy in child protection: the need for transformation. *Child and Youth Care Forum*, 31(4): 230-240.
5. Murugesu, N., 2010. The role of the law and the courts in preventing the abuse of Children- the malaysian perspective. *Malayan Law Journal Articles*, 2: 1-25.
6. Paul, S.A., 1991. Child Abuse: The New Law. *Civil Law Journal*, 3: 1-44.
7. Crosson-Tower, C., 2010. *Understanding child abuse and neglect*. 8th edition. Boston: Pearson Publication.
8. Mohd Salleh, L., 2003. *Penderaan Kanak-kanak di Malaysia*. Kuala Terengganu: Kolej Universiti Sains dan Teknologi Malaysia (KUSTEM).
9. Tengku Fatimah Muliana, T.M. and E.A. Engku Ahmad, Zaki, 2012. Care and Protection Against Child Abuse: With Special Reference to Malaysia Child Act 2001. *Asian Social Science*, 8(1): 202-209.
10. Korbin, J.E., 1991. Cross- Cultural perspectives and research directions for the 21st century. *Child Abuse and Neglect*, 15: 67-77.
11. Lau, J.T.F. and J.L.Y. Liu, 1999. Conceptualization, Reporting and Underreporting of Child Abuse in Hong Kong. *Child Abuse and Neglect*, 23: 1159-1174.
12. Kassim, M.S., H.M. Shafie and I. Cheah, 1994. Social Factors in Relation to Physical abuse in Kuala Lumpur, Malaysia. *Child Abuse and Neglect*, 18: 401-407.
13. Feng, J.Y. and Y.W.B. Wu, 2005. Nurses' Intention to Report Child Abuse in Taiwan: A Test of the Theory of Planned Behavior. *Child Abuse and Neglect*, 28: 337-347.
14. Tang, C.S. and C. Davis, 1996. Child Abuse in Hong Kong revisited after 15 years: Characteristics of victims and abusers. *Child Abuse and Neglect*, 20: 1213-1218.
15. Child maltreatment. 2017. Retrieved November 09, 2017, from http://www.who.int/topics/child_abuse/en/
16. James, M., 1994. Child abuse and neglect: incidence and prevention. Issues in child abuse, prevention No 1, National Child Protection Clearinghouse. In N. Murugesu, 2010. The role of the law and the courts in preventing the abuse of children- the malaysian perspective. *Malayan Law Journal*, 2: 1-25.
17. Malaysia. 2006. *Laws of Malaysia, Act 611, Child Act 2001*. Kuala Lumpur: The Commissioner of Law Revision with collaboration with Percetakan Nasional Berhad.
18. Giovannoni and Beccera, in Paul S.A., 1991. Child Abuse: The New Law. *Civil Law Journal*, 3: 1-44.
19. Afridah, A., 2012. Child Abuse in Malaysia: Legal Measures for the Prevention of the Crime and Protection of the Victim. *International Journal of Social Sciences and Humanity Studies*, 4(2): 1-10.
20. Hirayama, M., 2013. Child Protection in Asia. *Handbook of Asian Criminology*, 23: 359-366.
21. Ministry of Women, Family and Community Development (MWFCD). (2010) 'Child Protection and Child Welfare Services in Malaysia'. Beijing High Level Meeting, November 4-6, 2010. Retrieved 31 July 2013, from [unicef.org/eapro/Malaysia_Beijing_paper_26Oct_2010_FINAL.pdf](http://www.unicef.org/eapro/Malaysia_Beijing_paper_26Oct_2010_FINAL.pdf).
22. Abas, A.B., 2012. Child Abuse in Malaysia: Legal Measures for the Prevention of the Crime and Protection of the Victim. *International Journal of Social Science and Humanity Studies*, 4: 1-10.
23. Hildyard, K.L. and D.A. Wolfe, 2002. Child Neglect: developmental issues and outcomes. *Child Abuse and Neglect*, 26: 679-695.
24. Rutter, M. and L.A. Soufr, 2000. Developmental Psychopathology: concepts and challenges. *Development and Psychopathology*, 12: 265-296.
25. Sameroff, A.J., 2002. Developmental Systems and Psychopathology. *Development and Psychopathology*, 12: 297-312.
26. Spratt, E.G., S.L. Friedenber, C.C. Swenson, A. LaRosa, M.D. De Bellis, M.M. Macias and K.T. Brady, 2012. The effects of early neglect on cognitive, language and behavioral functioning in childhood. *Psychology (Irvine, Calif.)*, 3(2): 175.
27. Melati, M.A., 2013. Masyarakat Semakin Sedar Kes Dera Kanak-Kanak. *Bernama* 24 Julai 2013. Retrieved 25 July, 2013 from <http://www.bernama.com>.
28. Hamdzah., H. and R.F. Fatah Yasin, 2016. Child abuse in malaysia: an overview from islamic perspective. *Journal of Global Business and Social Entrepreneurship (GBSE)*, 2(3): 36-47.

29. Free Malaysia Today. 2016. NGO: Penjenayah seksual kanak-kanak di Malaysia mudah terlepas hukuman. FMT News and Independent. Retrieved October 14, 2017, from <http://www.freemalaysiatoday.com/category/bahasa/2016/11/14/ngo-penjenayah-seksual-kanak-kanak-di-malaysia-mudah-terlepas-hukuman/>.
30. Altafim, E.R.P. and M.B.M. Linhares, 2016. Universal violence and child maltreatment prevention programs for parents: A systematic review. *Psychosocial Intervention*, 25(1): 27-38.
31. Nolin, P.N. and L. Ethier, 2007. Using Neuropsychological Profiles to Classify neglected children with or without physical abuse. *Child Abuse and Neglect*, 31: 631-643.
32. Singh, H.S., W.W. Yiing and H.H. Nurani, 1996. Prevalence of Childhood Sexual Abuse Among Malaysian Paramedical Students. *Child Abuse and Neglect*, 20(6): 487-492.
33. Nilsson, H.C., G. Priebe and D. Svedin, 2017. Child physical abuse—High school students' mental health and parental relations depending on who perpetrated the abuse. *Child Abuse and Neglect*, 70: 28-38.
34. Childhelp. 2013. Retrieved 16th September, 2013 from: <http://www.Childhelp.org/page/-/Get-The-Facts-On-Child-Abuse-Infographic.pdf>, 2013.
35. Lee, L.T., 2017. Bersama tangani penderaan seksual kanak-kanak. Utusan Online. Retrieved October 14, 2017, from <http://www.utusan.com.my/rencana/utama/bersama-tangani-penderaan-seksual-kanak-kanak-1.44234>.
36. Utusan Malaysia. 2016. Penderaan kanak-kanak serius? Utusan Online. Retrieved October 14, 2017, from <http://www.utusan.com.my/berita/jenayah/penderaan-kanak-kanak-serius-1.260222>.
37. Barlow, S.L., 2011. Nurse Practitioner Barriers to Reporting Child Maltreatment. All Theses and Dissertations. Brigham Young University.
38. Mstar. 2010. Orang Ramai Perlu Laporkan Kes Penderaan Kanak-kanak Kepada Pihak Berkuasa. In Mstar. Retrieved October 14, 2017, from <http://www.mstar.com.my/berita/berita-semasa/2010/03/02/orang-ramai-perlu-lapor-kes-penderaan-kanak-kanak-kepada-pihak-berkuasa/>.
39. Nikku, B.R. and A. Azman, 2017. Breaking the cycle of child abuse in Malaysia: linking mandatory reporting, service delivery monitoring and review capacity mechanisms. *The Malaysian Journal of Social Administration*, 10(1): 64-85.
40. Sim, I.C.G. and W.Y. Choo, 2013. Child maltreatment prevention readiness assessment in Malaysia Country Report, University of Malaya.
41. Krug, E.G., L. Linda, A.M. James, B.Z. Anthony and L. Rafael, 2002. World report on violence and health. Geneva, World Health Organization.
42. Utusan Malaysia. 2015. Masyarakat ?perlu prihatin Banyak halangan yang dihadapi oleh mangsa untuk melaporkan kejadian. Utusan Online. Retrieved October 14, 2017, from <http://www.utusan.com.my/gaya-hidup/keluarga/masyarakat-8232-perlu-prihatin-1.133194>
43. Van Dijken, M.W., G.J.J.M. Stams and M. de Winter, 2016. Can community-based interventions prevent child maltreatment?. *Children and Youth Services Review*, 61: 149-158.
44. McDonnell, J.R., A. Ben-Arieh and G.B. Melton, 2015. Strong Communities for Children: Results of a multi-year community-based initiative to protect children from harm. *Child abuse and neglect*, 41: 79-96.
45. World report on violence and health: summary. 2002. World Health Organization, Geneva.
46. Nair, R., 2017. Responding to Child Abuse: Exploring Society's Role in Prevention, *Journal of Social Work Education and Practice*, 2(4): 09-16.
47. Bakar, S.H.A., N. Omar, A.H. Zakaria and H.A. Wahab, 2012. Intervensi sosial untuk komuniti tersisih: ke arah pembangunan ummah (social intervention for marginalized community: towards the development of ummah). *Jurnal Hadhari: An International Journal*, 4(2): 29-44.