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

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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 (NCPP). 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 rapture 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 sates 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.

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.

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