



**SPECIAL MINISTERIAL TALK**  
**BY**  
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**AT THE**  
**UIM INTERNATIONAL CONVENTION ON WISDOM ICW 2.0**

**ON**  
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**AT**  
**LEVEL 7, AUDITORIUM, UNIVERSITI ISLAM MALAYSIA,**  
**CYBERJAYA**

## [SALUTATIONS]

### INTRODUCTION

1. Terlebih dahulu saya ingin mengucapkan syukur kerana kita dapat bersama-sama menghadiri *UIM International Convention on Wisdom ICW 2,0* pada petang ini. Setinggi-tinggi penghargaan kepada Universiti Islam Malaysia (UIM) khususnya kepada presidennya Y.Bhg. Tan Sri Prof Dr.Mohd Yusof Noor bukan sahaja menjemput saya untuk menyampaikan perbahasan malah terima kasih juga kerana sudi ‘menemani’ di sebelah saya di forum global ini. Izinkan saya untuk meneruskan ucapan saya dalam Bahasa Inggeris.

Distinguished guests, ladies and gentlemen,

1. I am indeed delighted to be here today at the UIM International Convention on Wisdom ICW 2.0 to share my views to this conference which to me has a very intriguing focus – wisdom. I would like to congratulate Universiti Islam Malaysia for organizing this conference for the second year in a row and in particular inviting me and give me this opportunity to speak.

2. Earlier, the president (Tan Sri Yusof) in his welcoming speech had highlighted that the objective of this convention is all about children’s rights and protection from different perspective.

3. Therefore, being mindful that I am only given 30 minutes, I will now share on children's protection and rights from the government's (ministry) perspective.

4. Children is one the 8 important target group under the Ministry of Women, Family and Community Development and it is not much to say that the Ministry is the protector for children in Malaysia . The ministry major initiative is the amendment to the Child Act 2001. I will highlight the new concepts introduced as well as the greater role and participation of children itself. The amendments has been tabled for first reading in Parliament in the December 2015 session and I am personally looking forward for the debate session is 2<sup>nd</sup> and 3<sup>rd</sup> reading in Parliament this coming March 2016.

## **International Commitments, National Policy on Children and relevant Plan of Actions**

### **Malaysian Setting and National Policy**

5. To start with, there are a total of 9.9 million children in Malaysia, which is 33% of the 29.71 million populations in Malaysia. This demographic figure of ages 18 and below is an important figure to always take into consideration when drawing up policies, legislation and programs. The National Policy on Children was developed with focus on the rights to survival, protection, development and participation of a child. This policy

became the main reference in drawing up relevant and specific action plans focusing on child protection, reproductive health and education as well as the current policy on child online protection.

### **11<sup>th</sup> Malaysia Plan (2016-2020)**

6. As the Minister of Women, Family and Community Development, I would like to stress here that the Government of Malaysia is not only committed but also consistent in ensuring every children in Malaysia shall be given all opportunity to grow with all the rights and protection. The chapter on children has been a main chapter in the recently announced 11<sup>th</sup> Malaysia Plan (2016-2020), Under the Chapter 3 of the National Plan, focus will be on upholding the needs and interest of children with specific focus on improving protection against abuse, abandonment and neglect.

### **CRC and Sweden Case**

7. Developing and endorsing National level policies is not enough. On a wider context, as a signatory to the Convention on the Rights of the Child, the government is obligated to ensure a child to be protected, represented, and given the opportunity to participate and most importantly, to be heard. Commitment that Malaysia has accede at the international level is never just a 'paper signed, people happy' approach, but **legally utilized** in so many ways including in the case for Malaysian couple in Sweden. The governments had made arrangements by invoking the Convention to enable the children be brought back home to Kelantan, Malaysia.

## **Child (Amendment) Bill 2015**

8. Like the air we breathe or the water that flows, development and protection of a child is a never ending story can always be improved from time to time due to the findings of research done in this area.

## **Consultation**

9. As a living document, the call to amend the Child Act 2001 was 'loud and clear' long before the 1<sup>st</sup> reading in Parliament last year. Debates and arguments on whether to develop a totally new act, to including the spirit and commitment under the Convention on the Rights of the Child went back and forth in the Ministry. Series of consultations, were not only made amongst government agencies, but also with NGOs as well as views from child expert all over the world, resulted in what I personally believe is a 'wise approach towards global harmony', just as the objective of this conference is all about.

## **Family based care**

10. I am happy to hear that Professor Kevin Browne in his session this morning on rights of children to grow up this morning had actually elaborated the findings of the **benefits of family based care** as compared to children being institutionalized. Therefore the first new concept that I would like to highlight from our amendment bill is on "**family base care**". Family based care is also similarly known internationally as

*'deinstitutionalisation'*. A concept that we at the Ministry strongly believe in that will benefit the children in need of protection.

11. The amendment law makes it compulsory for the Courts to give priority placement of children in need of protection with family or at least in a family setting whilst considering placing them in a welfare institution as the last option. This concept is applicable to the child in need of protection, care and rehabilitation, including children out of control.

12. The change is crucial particularly in ensuring healthy and wholesome development of every child. This is also to support studies and findings that emphasise the importance of every child in getting the attention, protection, care and, of course love from a family setting, particularly a father and mother's nurturing and upbringing approach.

13. I must say it is a bit hard to ensure that sort of family setting is available in our welfare institution. I must also mention here that it's not that our institutions are in bad conditions to live in, but more of ensuring they get all the protection and care they need in a family.

### **Abolishment of Whipping and CSO for child offenders**

14. Another highlight from the amendment exercise is the **abolishment of whipping by court for children**. As all of you may be aware, under section 91 (a) of the current Child Act 2001, whipping punishment is allowed as a punishment by the Court for Children on a male child offender. Now, the ministry is proposing to abolish whipping. Even though, as

highlighted by Attorney General Chambers representatives ( Datuk Engku ) this morning, the reservation for corporal whipping under Article 7 of CRC had not been lifted by Malaysia but the Ministry is making a move.

15. With this new amendment, the ministry is also introducing that the child offender may receive a Community Service Order that will also serve as a form of rehabilitation for these children.

### **Community Service Order (CSO) for parents**

16. **Community Service Order (CSO) is also introduced as an additional punishment** for those who committed offences under section 31 (ill-treatment, neglect, abandonment or exposure of children), section 32 (children not to be used for beggars) and section 33 (offence to leave child without reasonable supervision) of the Child Act 2001. Allow me to repeat that CSO for parents or guardian is an additional punishment with a rehabilitative approach with more focusing on the betterment of their role as a parent/guardian of the child. One simple example I can share, is let say one of the factors a parent is found abusing a child because of lack of controlling anger, the CSO programed will be catered to address the problem or anger management program. This is with hope the parent will not repeat the crime besides allowing the parent a second chance towards being a good parent. I believe it is timely, when it comes to focusing on the development of a child, and helping parents and family who are the closest to the children.

## **Participation of Children**

17. I would also like to highlight on the element of participation included in the amendment which is the establishment of the **National Council for Children**. I was told that this had also been highlighted by AG this morning. This is truly a big progress for children as it acts in advising and proposing recommendations to the Government in all issues related to protection, care, rehabilitation, development and participation of children at national, regional and international level, Interestingly enough, not only this council will be a combination of the current Advisory and Consultative Council for Children and Coordinating Council for Child Protection existed by the law as well as administratively, the element of children participation is obvious, as the council will consist of 2 children representatives. I would like to believe this is a 'one of its kinds' council, since there will be under 18 attending this council and I look forward to chairing the council. The detail of the amendments is available on the website of the Ministry and we have schedule for road shows up till it is debated in March.

## **TALIAN KASIH 15999**

18. In order to ensure a holistic approach to sustainability of a child protection system, it is imperative that governments invest in policies and programs that foster the social protection and the empowerment of children and young people. In the absence of adequate services and support, it is likely that many young people may never be able to achieve their full potential and contribute to the societies and nations to which they belong. Fortunately, the importance of evidenced based data is being increasingly

recognized with global commitments by governments, civil society and the private sector in responding to the elimination of violence faced by young people especially in the online community.

19. For Malaysia, child helpline service Talian Nur 15999 was established in 2007 and upgraded to Talian Kasih recently is a dedicated call centre based in the Ministry of Women, Family and Community Development, Malaysia. From December 2007 until April 2015, a total of 41, 3449 calls were received where from that figure, 6,005 calls was with regards to domestic violence and child abuse. This child line service has a specific line of action when a call on abuse is received where they immediately transmit the complaint of abuse to the nearest social welfare office at the district level. The district office is given 72 hours to report back to the talian Kasih team following which a full report is submitted within 7 days from the day of the received call. I was made to understand that there will be a visit to the call centre, and I am sure you will receive a full presentation on the Talian Kasih's system.

### **Way Forward**

20. The questions I always ask myself as the Minister of Women, Family and Community Development as well to my ministry is, 'what is next?' This is a question not for the fainted heart but a 'push' to make sure I stand ready to roar in my heels. I recently was appointed the president of the management of Social Transformation (MOST) Programme under UNESCO and as much as this is a 'heavyweight' role, my intention is to use my presidency as a platform to introduce to the world what Malaysia is

doing in the area of social innovation. This is also including the new approach on children in particular with the new amendment to the Child Act. Every time I travel to oversee attending meetings, I get disappointed on how much Malaysia has progress but the world doesn't seem to know much. I believe we are rich in culture with our politeness, but not all situations do we have to be 'silent'. As the saying goes 'work in silent and let the success make the noise'

## **Closing**

21. Before I end my talk, I would like to again support the objective of this conference particularly discussing the wisdom of today contributing to the global harmony of tomorrow. As we embark on a new year, I look forward to hearing recommendations and outcomes from this conference that can be used towards our Vision 2020. I take this opportunity again to congratulate Universiti Islam Malaysia in organizing this conference and hope in the future, greater collaborations can be done with Ministry of Women, Family and Community Development

Thank you for your attention.