

**HUMAN SECURITY**

# More Policy Development Needed for Children's Welfare in Malaysia

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## Introduction

The recent [child exploitation scandal](#) involving local conglomerate Global Ikhwan Services and Business Holdings (GISBH) has brought to the forefront the issue of children's rights and protection in Malaysia.

Children are frequently thought to be passive “social actors”, but this does not mean that they do not have rights.

Malaysia, children's rights are safeguarded and secured under the framework outlined in the UN Convention on the Rights of Child (CRC), which encompasses four key aspects: child protection, child development, child participation and child survival.

This means that children's access to food, housing, education and health are among the primary indicators for measuring children's rights. A child is considered to be deprived of their rights if these basic needs are unmet.

In Malaysia, the ratification of CRC in 1989 led to many positive policy developments for the realization of children's rights. Within this framework, children's rights to grow, develop and pursue the opportunities granted by life are secured and protected through many significantly impactful legal measures.

These include the Child Act of 2001, the Sexual Offences against Children Act of 2017 and the Anti-Trafficking in Persons and Anti-Smuggling of Migrants Act of 2007.

However, this recent scandal has stirred a public outrage and questioned the viability of these legal measures in promoting children's constitutional rights.

It must serve as a "wake-up" call to several parties and stakeholders about how readily children can become targets of exploitation.

### **Child Labor and Poverty in Malaysia**

The GISBH scandal shows the harsh reality of child abuse through sexual exploitation and forced labor. Such experience of maltreatment brings potential harm to their health and survival.

Marginalized children are especially more vulnerable to these tragic situations. In this regard, there must be heightened attention paid to the underlying societal conditions that contribute to violations of children's rights in Malaysia.

Malaysia has a specific provision in the Children and Young Person Act (Employment) of 1966 that establishes 15 years as the minimum age of employment. This is consistent with the framework outlined by the International Labour Organization (ILO) on child labor.

These restrictions protect more than nine million children in Malaysia. However, current regulations still fail to protect children from exploitation. The 2018 Employment Survey estimated that 33,600 children were involved in child labor across the country, with Sabah and Sarawak having the highest proportions.

Tackling child labor is a challenge due to the complexity of policy issue and this has been compounded by the lack of up-to-date data that delays the progress of policymaking. As a result, not only have the children paid a heavy price for our shortsighted policies, but the country also itself would lose a potential source of future growth.

The connection between poverty and child exploitation is strong, but recent cases show that it can in part be caused by an interplay of various factors, including religion, which nonetheless has left children in disadvantaged situations.

Most of the time, children are forced to work, abused or neglected because of poor parental behavior. Their conditions are further exacerbated by ongoing family financial hardship, including unemployment, job loss and persistent poverty. These causative factors would hamper the normal development of children.

Recent child exploitation cases unveiled such a factor as parents' deviant religious beliefs as the chief contributor. Whichever the reason, their inability to provide adequate care and support has further hampered children's well-being and development. As a result, children are forced to work at a young age and have limited access to basic needs.

Furthermore, a complex web of circumstances, including the Covid-19 pandemic, a weak institutional framework for children, weak regulations and enforcement by authorities, poor parental characteristics, and poverty have exacerbated ongoing risks for children.

Many argue that poverty is the primary cause, as children living in low-income households are exposed to various forms of deprivation and are at heightened risk of experiencing violence, abuse, neglect and exploitation. Indeed, the impacts of poverty are more pronounced for children than adults.

Widening socio-economic inequalities have eventually led to their involvement in a variety of risky situations that would further restrict their rights.

Children living in low-income households are faced with many "disadvantaged conditions" that would profoundly affect their long-term development and well-being.

They were forced to carry out adult responsibilities even though they were not prepared to do so. As a result, their intellectual achievements, development and well-being would be hampered, and they would be disadvantaged for generations.

Many studies have also shown that children who live in poverty are more likely to be involved in forced labor and juvenile delinquency. They also experience physical and emotional ill-treatment, suffer from malnutrition and illiteracy, drop out of school, and have poor learning outcomes.

The stark reality of child poverty is deeply concerning and given its severe consequences, more effective policies are urgently needed to combat this problem.

In Malaysia, the Ministry of Women, Family and Community Development (MWFCD) and its agencies play an important role in advocating for the rights of children.

The MWFCD, through the Welfare Service Department, is the body responsible for monitoring and providing services related to the protection of children. The MWFCD has always been active and vocal in their role as children's representatives within the social care framework.

Accordingly, the number of children in need under their protection is increasing from 8,041 persons in 2023 compared to 6,770 in 2022. With this figure in mind, it is concerning how many children have had their rights violated and denied.

It could be argued that poverty has compounded pre-existing inequalities that would deny children's rights to an adequate standard of living.

In consolidating its efforts, the Ministry has established the Department of Child Development in September 2023 to specifically tackle issues related to children. Such a policy response by MWFCD indicates the importance of children as potential sources of future growth since children are seen as future national assets.

### **Problems in the Policy Realm**

The GISBH case highlights deficiency in policy implementation due to poor enforcement. The absence of a proper oversight function – facilitated by poor policy coordination – has largely been attributed to the increasing number of unregistered welfare homes.

Accordingly, there are 538 unregistered childcare centers in 2024. In Malaysia, the registration of home care falls under the purview of different agencies. Predictably, various rules would be implemented throughout the process.

Lack of uniformity in this regard has led to poor monitoring and enforcement among agencies involved. Such impediment could be properly addressed through uniform policy, with MWFCD serving as the coordinating body to ensure fundamental conditions for children's development, care and protection are fully complied.

Addressing children's rights is a tough challenge due to the interdependency between public policies. The policy complexity warrants strategic inter-sectoral collaboration, particularly in policy implementation.

Policy interdependence would necessitate collaboration between the MWFCD and other ministries and agencies, as it would be impractical for one ministry to handle matters related to child education, child health, and child protection all together.

The relative, subjective and material dimensions of children's wellbeing could be effectively addressed through strategic collaboration and uniform-child focused policy.

It is strongly advised to improve policy networking among government agencies through the implementation of standard policy strategies, in order to prevent them from working in silos. This would ensure that the various needs of affected children

were met. Through such collaboration, more preventive and effective policy measures could be developed.

How does child poverty relate to the broader context? Addressing children's rights through the framework of child poverty would lead to a comprehensive policy plan. Malaysia has a remarkable record of poverty alleviation strategies, but little attention has been paid to addressing child poverty.

Many successful policy measures in addressing child protection have emerged over the years, but a standard policy in combating child poverty is slow and piecemeal. As the chief contributor to many child-related problems, child poverty is not receiving much attention.

Household poverty seems to be the main objective in poverty eradication programs using an income-targeted approach. Given the impact of poverty on children, it is necessary to develop a specific policy targeting children living in poverty.

The complexities in addressing child poverty are recognized due to the interdependency of policies, yet a number of issues related to child poverty could be handled more effectively by adopting a whole-of-government approach.

## Conclusion

There have been significantly differing views on the need to develop a specific nation action plan to fight child poverty. The GISBH scandal only reinforces the need for one such instrument to protect children in Malaysia.

The increased focus on inter-sectoral collaboration and coordination between bodies and institutions working on children's rights at all levels must be strengthened to ensure uniform implementation in minimizing the impact of child poverty.

The lack of policy development in the context of child poverty and other issues related to children needs to be addressed. Centralized policy commitment is particularly important for giving every child the best start in life. These early provisions would bring significant potential returns to the country in the long term.

TAGS: MALAYSIA

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