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There cannot be quick answers to social problems

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I SALUTE the Prime Minister Datuk Seri Dr Mahathir Mohamad for his usual forthrightness in acknowledging that we have a serious social problem affecting the youths of this country. He is convening a meeting this month of the leaders of the component parties of the Barisan Nasional to discuss the problem. He is also inviting others who can assist. From past experience, once the PM gets involved and shows the way, positive results seem to follow.

The Prime Minister's concern of the problem has been expressed in many of his speeches these last few years but he has obviously reached the point when exhortations alone are not enough. He has now declared war.

I have no doubt that solutions and remedies will be found. One thing, however, is clear. There cannot be any quick answers as the problems of indiscipline, lepak, bohsia, drug abuse and abandonment of babies are all interrelated.

In finding quick solutions, there is a danger that only the symptoms of the problems are addressed but the causes are ignored.

For the problems to be dealt with effectively much data has to be gathered and research done. We need facts and figures. Perhaps the police, the welfare department, the probation office and voluntary organisations can help with the statistics and other useful information. Basically who are causing these problems and why.

That young people will cause problems was foreseen by the Government more than 50 years ago when it enacted the Juvenile Courts Act of 1947. At that time, the problems caused by young people were rather limited. Mostly they were naughty children who got out of control. Some were just rebellious because their parents were divorced. Poverty somehow was not the cause of young criminal behaviour.

Initially and for several decades after the establishment of the Juvenile Court, it was presided over by the President of the Sessions Court assisted by two advisers who were voluntary social workers like Mrs Ramachandran of Kuala Lumpur. The white-haired lady was a familiar figure on Court Hill.

When I was President of the Sessions Court, I had very few juvenile cases, usually not more than one case at each sitting. We had plenty of time to deal with the case thoroughly. I always insisted that the parents or guardians be present during the hearing. I also made the parents pay the fine and any damage caused by their children. And after the case, to order the parents to sign a bond for the child's future good behaviour. Both parents and the young offender were really terrified at being hauled up in court and they never had to come back.

The present situation is much more complicated but the law has practically remained unchanged. Juvenile Court cases have increased tremendously. To compound the problem, Juvenile Courts are now presided by young magistrates who themselves are not even parents, certainly not a parent of the age group of offenders being prosecuted before them. The jurisdiction should be transferred back to the Sessions Court and the judges appointed should be a grade higher than existing Sessions Court judges. This will ensure that only experienced and mature judges preside in such courts.

The Juvenile Courts Act itself should be completely revamped and called the Family Protection Act. The reason for the name change is to provide a

global view to all concerned that the family is a sacred institution that has to be preserved and protected. This is consistent with Islam which regards the family as the basic unit of the ummah and the nation. It is also consistent with Asian cultures, as for example, filial piety amongst the Chinese. This is why people balik kampung during Hari Raya, Chinese New Year and Deepavali.

The Family Protection Act should be all-encompassing with provisions not only for the establishment of the Family Court and rules of procedure as contained in the present Juvenile Courts Act but also includes provisions relating to child abuse; exposure and abandonment of children; incest; statutory rape; prohibition against employment of children in certain occupations; drug abuse; cohabitation; custody, adoption and guardianship of infants; maintenance of married women and children; and domestic violence, now contained in no less than 18 different Acts of Parliament.

The focus of the law should be the protection of the family and not just juvenile delinquency.

In the old days it was said: Uneasy lies the head that wears the Crown. Today the Head of Government carries a far greater burden. We wish you well, Prime Minister.

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