

## **What True Keluarga Malaysia Means and Looks Like for Our Children**

World Children's Day, celebrated on 20th November each year, is aimed at a better future for every child. Our Prime Minister Dato' Sri Ismail Sabri Yaakob recently gave a public address on the issue.

We, as child advocates, would like to offer a response and highlight the key areas where we need to support our children. Our Prime Minister spoke eloquently about how "*in all actions concerning children ... the best interest of the child shall be a primary consideration*" (quoting the Article 12, UN Convention on the Rights of the Child 1989). However, the reality on the ground denies these nice words and has often worsened over time.

Kindly allow us to outline the key areas that require urgent attention for our children. If even 10% of these areas are addressed in the next 2 years it would be a miracle as they have been languishing for decades.

### **1. Supporting Children Who Live in Poverty**

The new poverty line income (PLI), revised from RM980 to RM2,280, revealed that approximately 400,000 households (~1.2 million children) were living in poverty prior to Covid-19. The worsening conditions due to Covid-19 has pushed another 8-10% of the population into poverty. Currently conservative estimates suggest that 3-4 million children live in poverty in Malaysia. Every child that continues to live in poverty is our nation's shame. There is an urgent need to have a mapping of all these families at risk, the development of a comprehensive safety net that does not miss any, and sustained economic support to ensure food and economic security. Effective measures to get resources to them require government agencies to work in partnership with civil society organisations (CSOs).

### **2. Reducing Childhood Malnutrition**

The Ministry of Health (MOH) National Health and Morbidity Survey in 2017 showed that 8% of all children are stunted and that 10% of children come to school without breakfast and another 60% have irregular breakfast. Covid-19 has worsened childhood malnutrition with long term consequences for height growth. The school-based Supplementary Food Programme (Rancangan Makanan Tambahan) is critical for these children with poor food security. The cancelling of the supplementary food programme is a black mark in our nation's progress to protect the well-being of children. Many children who live in poverty are from rural areas. During the Covid-19 restrictions, many were not able to attend school and could not access online teaching like their peers in urban settings. The education gap between rural and urban children has grown.

We need to institute a universal school breakfast programme for all children as a means to ensure adequate nutrition. Worsening children obesity, another malnutritional issue and often related to poverty, also requires urgent attention. Children need to be allowed to return to school with support and adequate mitigation measures in place.

### **3. Dramatically Improve Child Protection Services**

Our Prime Minister spoke extensively about child protection and abused children but may not be aware of the situation locally. Prior to Covid-19 at least 1:10 children were sexually abused and 1:4 physically abused in Malaysia. Only the minority were detected and offered protection. Even those identified received suboptimal care and support. Child abuse has worsened during the pandemic but current data suggests a gross reduction in reports of abuse due to incomplete coverage. It is important to recognise that sexual and physical abuse of children occurs primary in their own home. Our experience has shown that the Welfare Department has had limited ability to support children despite a good Child Act. We urgently need to strengthen our Welfare Department with adequate numbers of trained social workers as the primary staff. The Welfare Department should utilise (deputise) CSO staff to help.

#### **4. Supporting our Migrant and Refugee Children**

Our Prime Minister expressed his support for refugee children and children in detention in Malaysia. He spoke of establishing an 'alternative to detention programme' and improving our human rights profile. We wonder if he is aware that the United Nations High Commissioner for Refugees (UNHCR) has been denied access to all detainees since August 2019? CSOs are also not able to visit. Refugee children are being held in detention without their parents or guardians present – a travesty. Most children in detention have no access to education and we are uncertain about their health, nutrition and protection status. The only 'crime' refugee children have committed is being undocumented.

We urgently need to move children out of detention centres into safe shelters where they can have access to meaningful education, healthcare and protection.

#### **5. Giving Our Stateless Children a Home**

We have a huge stateless population of children in the country, especially Sabah. Most have been born in our country but are denied citizenship. In addition, there are many children born to Malaysia women overseas (married to foreigners) that are not able to give their child the basic right to Malaysian citizenship.

We must give citizenship to children born to Malaysian mothers and those stateless in our country. This is their basic right as enshrined in the UN Convention on the Rights of the Child (UNCRC) of which our nation is a signatory.

#### **6. Full Inclusion of the Disabled in Society**

Children with disabilities are marginalised in society and continually struggle with inclusion, especially in education. There has been some improvement in education services for children with disabilities in Malaysia, but we lag far behind our neighbours in the region. Implementation of inclusive education is poor, universal design for learning non-existent, support for teachers limited, involvement of families inadequate and evidence-based best-practices lacking. Covid-19 has made this struggle even harder with the loss of many non-commercial Early Intervention Centres (EIPs) run by NGOs.

The government needs to be serious in its commitment to full inclusion of all children with disabilities in mainstream education. The support of EIPs by the government is critical, as these pre-school services are vital for the disabled.

#### **7. Enable high quality childcare for all children**

An important result of the impact of Covid 19 is the closure of 51% of about 5,000 registered childcare centres for those under 4 years. When parents go back to work with inadequate registered centres available, it means many children are now left with babysitters or unregistered homebased custodial care with little or no stimulation for their holistic development. The quality of the 1st 1,000 Days is critical to lay the foundations of nutrition, health, brain stimulation and holistic development for lifelong success.

We urge the PM to reinstate the Taskforce to Ramp Up Quality Childcare and follow through on the policies and plans already set so that we can get back on track to enable rights to quality child care for our youngest and most vulnerable children.

#### **8. Stop Child Marriages**

The continued marriage of children as young as 12 years of age is not just an embarrassment to our nation's human rights image internationally but an abuse of children and a loss of their future. It is distressing to see that part of this practise is due to the severe poverty of families who are taken advantage of and preyed on by lustful older men.

Our Prime Minister said "*Every child has the fundamental right to an education and to grow up in a conducive environment so that they are able to become individuals who can reach their full potential and pursue their dreams.*" If we want to truly support children in this way, then child marriages must end today. Child marriage is a failure of child protection.

## **9. Recognise all those Under 18 years of Age as Children – especially in our Health Services**

Our Prime Minister reiterated that “*an individual under the age of 18 is defined as a child*”. This is in line with the Child Act in Malaysia and the UNCRC. However, many government agencies and legislation deny this reality. The Ministry of Health (MOH) is long overdue in recognising that those aged 12-17 years are children. These children are usually admitted to adult wards; frighteningly and traumatically placed next to ill 50-70 year old adults.

It is time to revise all legislation (including the Penal Code) and government policies to reflect this truth. MOH needs to come in line with the reality that children and adolescents need to be placed in appropriate child-friendly facilities and under the care of those trained for their needs.

## **10. Establish a Therapeutic Family Justice System for Children**

The traditional court adversarial process is an extremely hostile arena for a family. High emotions like blame and rage reign and parties are in flight or fight mode. This is damaging and destructive to the children particularly in long contentious litigation when the parents are embroiled in legal battle, entrenched in their positions and oftentimes, children’s best interests and voices are lost.

There is an urgent need to establish a single unified family court system, focusing on reducing intra-parental conflict. Therapeutic family justice uses a multi-disciplinary team approach and decisions taken are centred around children’s welfare. Therapeutic justice seeks to preserve existing family ties, is child-focused, protects children and moves the family towards an emotional healing path. There is also a need to set-up an Office of the Children’s Lawyer (OCL), within the Family Justice System, to provide legal services to children in various civil matters, including conflict and difficult child custody proceedings.

## **11. Stop Polluting our Children’s Future**

It is well recognised that the climate emergency will have far reaching consequences for the children of today. The World Health Organization recognises that 25% of deaths and disease burden in children under the age of 5 years is due to environmental pollution. Malaysia has made scant efforts to deal with reducing the drivers of climate change locally. Our environment has been significantly affected by the worsening of deforestation, increased pollution of our rivers, deteriorating air quality due to vehicular emissions and an explosion of plastic pollution due to Covid-19 masks use.

Many nations have used the Covid-19 pandemic as a catalyst to spur the economy using environmental change – dramatic changes in city environments to put in place electrical-based-bus rapid transit (not LRTs), restricting cars severely, increased walking and cycling, and growing city green lungs using car parks. If we are serious about our children’s future, we need to take action yesterday.

## **12. Form a Children's Ministry**

If we want to be serious about meeting the needs of children, ensuring their rights and having a true ‘Keluarga Malaysia’, then we need a ministry dedicated to children that can coordinate and implement all their needs.

Our Prime Minister said that “*the government is responsible for protecting all children in the country, regardless of nationality, race, religion, birth or other statuses*”. “*This is in line with the principles of the Convention on the Rights of the Child*”. These words need to become reality. We need to give children of all ethnic and social backgrounds the same opportunity in life and nation building. We often talk about children as our future but we pay scarce regard to their present situation. We often use catch phrases like ‘leave no one behind’ and ‘close the gap’ but in reality, it is ‘business as usual’.

Our Prime Minister pledged “*to protect our children from all harm and discrimination*”. To make this happen we need to work systematically to remove the structural barriers that limit

the inclusion of all children into 'Keluarga Malaysia'. This requires narrowing the gaps in income, employment and health outcomes. To do this we require a transformative approach that focuses on inclusive growth to achieve equality. Inclusion and social justice are intimately linked. To advocate for inclusion is to advocate for social justice.

For true change to occur we require disaggregated data, broken down by detailed sub-categories (indigenous, marginalised groups, level of income, gender, etc). We then need to map communities that have been excluded and ensure adequate resources to 'close the gap'. Such changes must be sustainable in the long run and end inequalities permanently. All laws, policies and institutions must be examined to see if they are discriminatory in any way and active steps taken to rectify this. All national and private institutions and policies must promote inclusion – the true meaning of 'Keluarga Malaysia'.

As always, we ask that the government of the day listen to the voices of our children and meet their real needs.

### **Signatories**

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