

MANAGEMENT OF BABY DUMPING IN MALAYSIA: A QUALITATIVE STUDY

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Abstract

The cases of foetus and infant dumping have been robustly reported in the media and immediate attention should be taken due consideration to tackle the preventive issues of baby abandonment. An aspect of prevention of baby abandonment is through the establishment of baby shelter. This study is aimed to identify the best practice of managing baby shelters in Malaysia setting which takes into consideration the social, cultural, religious and legal aspects. This paper focuses on the discussion of the findings based on a qualitative research that was conducted based on semi-structured interviews. The interviews were conducted among officers in Jabatan Kebajikan Masyarakat, Polis DiRaja Malaysia and OrphanCare in 2013. It was suggested that at present, the management of baby dumping in Malaysia is focusing on the remedial issues in which efforts are exerted by establishing shelters for abandoned babies. The Jabatan Kebajikan Masyarakat, operating under the the Ministry of Women, Family and Community Development, police departments and hospital agencies are all responsible for handling the reported cases of abandoned babies. There are also other groups in the society, such as OrphanCare that support the establishment of baby shelters. The findings also

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suggested that the religious affiliation should also play an active role in curbing these issues particularly in decision making and consultation. There are areas of limitations found in this study which require further investigations. The issues and challenges faced in tackling this phenomenon need to be taken into account to exert proactive and preventive actions. The discussion and conclusion are elaborated in this paper.

Keywords: baby dumping, baby hatch, management.

Abstrak

Kes-kes pembuangan janin dan bayi telah banyak dilaporkan dalam media dan perhatian seqajarnya perlu diambil untuk menangani isu-isu pencegahan pembuangan bayi. Satu aspek pencegahan pembuangan bayi adalah melalui penubuhan tempat perlindungan bayi. Kajian ini bertujuan untuk mengenal pasti amalan terbaik dalam menguruskan pusat perlindungan bayi yang dibuang di Malaysia yang mengambilkira aspek-aspek sosial, budaya, agama dan undang-undang. Kajian ini menumpukan kepada perbincangan mengenai penemuan berdasarkan penyelidikan kualitatif yang dijalankan berdasarkan temu bual separa berstruktur. Temuramah dijalankan di kalangan pegawai di Jabatan Kebajikan Masyarakat, Polis DiRaja Malaysia dan OrphanCare pada tahun 2013. Menurut hasil kajian, pengurusan pembuangan bayi di Malaysia memberi tumpuan kepada isu-isu pemulihan dijalankan dengan mewujudkan pusat-pusat perlindungan untuk bayi. Jabatan Kebajikan Masyarakat, yang beroperasi di bawah Kementerian Pembangunan Wanita, Keluarga dan Masyarakat, Jabatan Polis dan agensi hospital bertanggungjawab untuk mengendalikan kes yang dilaporkan. Terdapat juga kumpulan-kumpulan lain dalam masyarakat, seperti OrphanCare yang menyokong penubuhan pusat perlindungan bayi. Dapatan kajian menunjukkan bahawa institusi agama juga perlu memainkan peranan yang aktif dalam menangani isu-isu ini terutamanya dalam membuat keputusan dan perundingan. Isu-isu dan cabaran yang dihadapi dalam menangani fenomena ini perlu diambil kira untuk mengadakan tindakan proaktif dan preventif. Perbincangan dan kesimpulan juga dihuraikan dalam kertas ini.

Katakunci: pembuangan bayi, baby hatch, pengurusan.

INTRODUCTION

The alarming rate of infant abandonment cases in Malaysia in recent years has caused shock and distress to the whole nation. In 2006, there were 83 cases of baby dumping reported in comparison with 63 cases in year 2000 (Bedu, Katip Mohd Sahid & Syed Mansor, 2008). In these cases, the babies who were delivered out of wedlock and were left unattended in mosques, temples and even dumped in rubbish bins, dirty drains, riverside, flushed in toilet bowls and were exposed to dangerous animal attacks (Kasim, 2010). In 2000 alone, 65 cases were reported in the country, 2001 (97 cases), 2002 (98 cases), 2003 (92 cases), 2004 (78 cases), 2005 (67 cases) and 2006 (83 cases) (Bedu et al., 2008). The increased number of statistical figures signalled an urgent need to provide a holistic solution as a reaction towards solving the issue. Recent studies also show an increasing concern towards cases of premarital sexual relationship which led to premarital pregnancies among young teenagers under the age of 18 (Lee, Chen, Lee & Kaur, 2006). The statistical figures obtained from the Polis DiRaja Malaysia (PDRM) has stated a drastic increase in the number of cases reported from 2004 until 2009 (Sarnon, Mohamad, Fauziah, Alavi, Nen, Hoesni, Zaizul & Azreena, 2012). According to Sabran (2003), as cited in Sarnon et al. (2012), there were more than 300 children and young adult within the age of 13 to 25 who were found to be engaged in sexual deviant and free sex activities.

The government has shown profound concern towards this trend because the phenomenon involves the young generation who is hoped to take the role in governing and shaping the country into a developed nation by the year 2020. As a result, the government has encouraged non-profit organizations (NGOs) to work together to curb this social illness. Consequently, concerted efforts to curb this issue have been taken up, and the efforts include proposing sex education which can be integrated in the school curriculum (Wong, 2012; Nordin, Zakaria, Mohamed Sawal, Hussin, Ngah & Nordin, 2012), establishing remedial institutions for women who have delivered baby out-of-wedlock (Sarnon et al, 2012) as well as provision of centres for the unwanted babies such as baby shelters or “baby hatch” (Gooch, 2010; Gosh, 2013; Kamaruddin, 2012; Magnusen, 2002; Pak, 2010; Ramesh, 2012).

As a matter of fact, an initiative from the Malaysian government through Kementerian Pembangunan Wanita, Keluarga dan Masyarakat (KPWKM) in collaboration with Pertubuhan Kebajikan dan Pengurusan Anak Yatim (OrphanCare) has developed a strategy to help the innocent babies from being thrown away in dangerous places by their biological mothers (Aruna, 2013; Gooch, 2010). There are non-profit and nongovernmental organizations that provide alternative solutions for mothers who have a child delivered out-of-wedlock. These organizations delivered their solutions through disseminating knowledge about sexual reproduction and how to prevent sexually transmitted diseases and unwanted pregnancies (Gooch, 2010). The government, thus far maintained up to 60 welfare centres which offer aid and assistance for the unwed mothers and their babies (Gooch, 2010). The rising number of centres that cater the requests of these cases has shown an important need to develop a well-organized, systematic and holistic model of management as a plausible solution to baby abandonment issues. Therefore, this research gap provide the impetus to analyse the current practices of baby dumping management and to propose best practice model that take into consideration the socio-cultural, religious and legal context of Malaysia.

This paper discusses the findings of qualitative interviews conducted to explore the baby dumping management system in terms of its process and procedures in Malaysia. The findings of this study suggest that the socio-cultural, religious and legal considerations are outlined as the holistic and comprehensive models that should be used in the managing baby dumping in Malaysia. The discussion, limitations of the study and conclusion are elaborated.

METHODOLOGY

A qualitative study was conducted to achieve the research objectives. Data were collected by semi-structured qualitative interviews. Examples of probing questions were: *What are the statistics of baby dumping cases? What kind of documentation and procedures outlined? What are the models used in managing the baby dumping centre? How was the collaboration with other agencies? To what extent the collaboration was successful? What are the challenges*

faced and how are they overcome? The interviews were conducted among officers from OrphanCare, Jabatan Kebajikan Masyarakat (JKM) Headquarter in Putrajaya and PDRM.

All the respondents were informed of the nature, purposes and procedure of the study. They were assured that their participation in this study was on voluntary basis and informed consents were obtained prior to the interview sessions. The data collection were conducted in year 2013. The interviews were conducted by several researchers in the team who have experienced conducting qualitative interviews. A research assistant facilitated the process of interviewing, recording and transcribing the qualitative interviews.

DATA ANALYSIS

After the interviews, the recorded sessions were immediately transcribed into verbatim by the research assistant. Data were analysed thematically based on the structure of the questions posed in the semi-structured interviews. Significant statements and phrases that directly obtained from the interviews were extracted and organized into structured theme. The results of the data analysis were integrated into a description of best practice model in baby dumping management. To maintain the credibility of the data analysis, the transcripts were examined by the research team members and leader.

FINDINGS

The findings showed that there are similarities and different perspectives of opinions and insights from the officers in OrphanCare, PDRM and JKM. The following section discusses the findings obtained from the interviews and is divided into several sub-headings. The findings discusses the framework of operation in the management of baby dumping in Malaysian context. The model suggested that the baby dumping centre in Malaysia currently operates based on social-cultural factors, religious values, legal requirements and integrative collaboration between the government and non-governmental agencies.

1. Social and cultural factors: The cases of baby dumping

According to the report from the PDRM and JKM, amongst the number of cases being reported, teenagers and young adult were those who involved in abandoning their babies and were having babies out of wedlock. The officer from PDRM indicated that the cases in 2009 is 79 cases, in 2010, there are 91 cases, 2011 indicates 98 cases and 2012 indicates 89 cases. So, the figures of the cases slightly increase and decrease throughout the year 2009 to 2012.

The officer from OrphanCare indicated that although the cases seemed to be at its marginal level, cases of baby dumping should be paid a serious attention. She added that the cases found in the care were among university and college students, whom are expected to be potential leaders of the country. The officer of OrphanCare showed her concern by indicating:

“...80 -90% [of the cases] are from Malaysian colleges... just name it...most of the colleges students are involved... [but] they [the college management] will not disclose this matter...” (OrphanCare officer).

In Malaysia, the majority of the populations embrace and strongly affiliate themselves as Muslim who follow the religion of Islam, the act of any open and explicit sexually-related activities are against the rulings and teaching of Islam. Based on the verses in the Quran, Islam prohibits any intimate interaction between an unmarried male and female such as holding hands, kissing, hugging and sitting in close proximity. Unlike the perception of non-marital sexual relationship among some of the western counterparts (Widmer, Treas & Newcomb, 1998), non-marital relationship in Malaysia setting is still considered non-permissive and prohibited. As such, the teenagers and college students were compelled to abandon their babies elsewhere and were afraid to be stigmatized by the larger community, thus avoiding counselling and any other remedial interventions (Link & Phelan, 2006; Wright, Gronfein & Owens, 2000).

In addition, the cases of baby dumping were reported very high at certain national and seasonal activities such as New Year celebration

and Independence Day. During these occasions, most of the teenagers and youngsters were likely to gather and organise celebrations, with limited parental supervision. The officer from JKM stated that:

“ The hospital authority has given names to these babies... For example, if the babies were found after Valentine’s day... They will call it Valentine’s Baby or New Year’s Baby”... that’s how these youngsters celebrated [these occasions].. So, if the baby was found during end of the year...they will say...Ohhh...this is New Year Baby...something like that..” (JKM officer).

Based on the statement, the officers reported that they gathered information from the staff in the hospital with regard to the status of the babies. The name labelling of the abandoned babies who were reported to the hospital for investigation may be due to the sexual activities which occurred during the celebrations.

2. Religious values on collective obligatory acts (*fard kifayah*)

The officer in the OrphanCare agreed that the child is a responsibility and should be protected. The society is responsible to care for the welfare of the babies. The babies who were located in the care home were believed to come from various nationalities and backgrounds. She claimed that the babies might be from African, Eurasian and other nationalities. She gathered this information based on her observation at the physical characteristics of the babies. She said:

“The babies...they include the foreigners...including the Nigerian, Sudanese...we have received these babies here in the centre. When we have these cases of international babies...we have to....you know...the babies are innocent. We have to accept them...no matter what colours or their origins...So, we are all held responsible to these babies... what is our contribution to the society?...We should not wait for other people to act first...” (OrphanCare officer).

Based on the above statement, children is an *amanah* or trust from Allah not only for the family but for the larger society (Chowdry, 2003). This responsibility is coined as *fardu kifayah* or obligatory

collective acts and is outlined in the teaching of Islam. The acts of caring for this unfortunate child should be carried out collectively to ensure the continuous sense of peace and love as ordained in the religion. In addition, the act of saving lives of these unwanted babies is categorized as *amar ma'ruf* or an act of kindness and to prevent the act of vices. This is in accordance with the Quranic verses of Ali-Imran, verse 104:

وَلْتَكُنْ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ وَيَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَأُولَئِكَ هُمُ الْمُفْلِحُونَ ﴿١٠٤﴾

Meaning: *And let there be [arising] from you a nation inviting to [all that is] good, enjoining what is right and forbidding what is wrong, and those will be the successful.*

3. Religious Sensitivity

In addition, the interviews with the officers in PDRM, JKM and OrphanCare point out that the religious background of the babies need to take into account the place where the babies were found. Although Malaysian Federal Constitution (Kusrin, Nasohah, Samuri & Mat Zain, 2013) indicates that Islam is the nations' official religion, the religious orientation of the babies should consider where the babies were found. The officer from the OrphanCare shared the illustration:

“But...there are several things that we have to look at...If we find the baby at the temple, we will presume that the baby is a non-Muslim baby...if we find the baby at a mosque... then, presumably the baby is a Muslim baby. So...if the baby is found in front of a non-Muslim house. The baby is considered a non-Muslim baby...we have to consider this factor. Where the baby is found...based on the report too...”
(OrphanCare officer).

Based on the above statement, in the context of Malaysia, the racial and religious sensitivities need to be tackled diligently and with respect. A concerted effort in determining the religious upbringing of the found babies is imperative in order to maintain racial and religious harmony.

4. Legal context

There is continuous support for the notion that children are innocent, should be protected and should not suffer because of their parents' failure to marry (Wolfgang, 2000, p. 236). According to the findings from the interviews with the officers in OrphanCare and JKM, the legal process of baby abandonment was aligned with the Children Act 2001 and a number of other provisions in the Penal Code (Children Act, 2001). The officer from OrphanCare indicated that the operational functions of baby dumping center were under the purview of the JKM and in the accordance of the Child Act. The standard operating procedures and guidelines are solely based on the Act in order to maintain the operational compliance. The officer said:

“We operate under the directions of the JKM. When there are cases where a baby is located in the hatch, we will immediately make a police report. The police officers work around the clock...I will prepare reports to the police as well as to JKM. I have to prepare the details... [such as] which hospital being referred..which ward...these are all the requirement from the police...” (OrphanCare officer)

From a legal perspective, the establishment of baby shelters or ‘baby hatches’ for abandoned babies is in accordance to Section 17 (1) (e) of the Child Act 2001 which states that a child is in need of care and protection if the child has no parents or guidance or been abandoned by his parent or guardian and after reasonable period the parent or guardian cannot be found, and no other suitable person willing and able to care for the child (Child Act, 2001).

Both organizations, JKM and OrphanCare concurred that they followed the steps and processes that have been explained in the Act. They indicated that the standard operating procedure was followed according to the established Act as they fear that their actions will be questioned by the legal authorities. One of the officers said:

“We followed the steps outlined in the Act..we just folloed them...the first step...then the second...It [the steps] are clearly written...The Act has outlined what are the actions

and what are the forms need to be used. The Act has the procedure being clearly written...from using Form 1 to Form 2 and Form 3. All are in the Act. We just follow that Act and the SOP [standard operating procedure]...” (JKM officer)

According to the officers, all the processes and procedures undertaken which are related to the baby dumping cases need to adhere to the contents of the Child Act. The PDRM on the other hand, mentioned that there are differences in understanding the use of Act. For example, the office in the PDRM said:

“We are not only work with Child Act... but also *Akta Kanun Keseksaan* (Penal Code). Both these Acts are different. We have to understand that if the actions are under the category of criminal acts, the police will charge the person under 302, 304, 317, and 318. For example, 318 is used if the baby found is dead [due to] hiding a death of a person. Then, 317 is used if the baby is still alive”. (PDRM officer)

Nevertheless, based on the statement, there are yet to initiate any organized documentation of procedure to provide to the general population, layman or related agencies that collaborate with this case for further reading and understanding.

5. Affiliation and collaboration

The findings also highlight that all the organizations involved in the interviews have worked together in terms of providing counselling services, establishing awareness program and provision of financial resources. The following sub-section discusses the results.

5.1 Counselling services

The officer in the OrphanCare provided counselling services for mothers who are willing to receive care and counselling. The process of counselling helped the mothers who once leave their babies to bring back their babies for care. The officer described this:

“This does mean we also counsel the mother...at times the mother felt shameful, worried and fearful of their actions.

So, we also counsel them...guide them in searching for solutions in their problems...we give opinion or ideas... there are also cases where the mothers decided to take their newborn child [before the child was given to an adopted family]...” (OrphanCare officer)

The statement indicates that counselling approach is helpful in making the mother to decide on whether to take on the responsibility to care for their own child. Counselling approach facilitates problem solving and guide the mother to be aware of the crisis that she was facing and make an informed decision making. Therefore, enhancing counselling service in the centre benefits all parties involved in handling the case which include the young parents, their family members and also adopted parents of the babies.

5.2 Awareness program

There are active collaborations between the government and NGOs to organize awareness program among the general public for prevention and remedial program with regard to sex education. The awareness programs consist of seminar, exhibition and talks on safe sex and sex education among the teenagers and youngsters in schools, colleges and even in the local universities. There are suggestions from the officer in the OrphanCare to continuously establish awareness programs not only through media mass but also in residential areas such as in low income earner residential apartments such as *Program Perumahan Rakyat Termiskin* (PPRT). She illustrated:

“...I would suggest more awareness talk to be held. We are currently focusing more on college and university students. We also organize talk at residential areas, apartments and larger communities. We also go on live in the television channel such as in Astro channel, Selamat Pagi Malaysia, Breakfast@ NTV7, Usrah, NONA, Wanita Hari Ini...But, I was thinking..who is watching this kind of program?”.. (OrphanCare officer)

Based on the above statement, the officer from OrphanCare believed that the awareness program should not just focus on the explanation in the television channel. Public talk and awareness program should

go down to the larger community so that the issue can be handled collectively.

6. Human resources

The government has allocated a sufficient budget for the relevant organizations. However, the officers from all the interviews indicated the challenges in terms of the human resources involved in the operational, administrative and supportive level. Capable and dedicated human resources are hard to come by and they usually demanded high salary. The officer from OrphanCare stated her concern:

“...The challenges...the main challenge is financial issue.... for example, if we want to recruit new staff...we actually do not have much fund or allocation. Another thing, if we offer position in the care home...like through the Jobstreet... we are fortunate enough if the candidate accept our offer as a volunteer...The sad thing is...when we offer a clerical position...some candidates demand a high salary...nearly RM3000. So, what else can we do? We are a non-profit organization...we have limited fund...” (OrphanCare officer)

The officer from JKM mentioned that the issues that they have with regard to human resources are in relation to the operational activities. There are a limited number of professional social workers and counsellors who specialized in certain areas. The current practice shows that the officer from social department shared different cases ranging from child abuse, negligence and baby dumping and had to perform multitask. The officer from JKM said:

“I think we need more staff...We actually do not have any issue to perform this task...but the problem is we have to do a lot of other cases...we need more staff at the operational level...at present...those work investigate also have to perform logistic, caretaking tasks... even the same person has to bring the case to the court...” (JKM officer)

Based on the above statement, it is apparent that the limited number of human resources due to financial limitation or budget allocated to the department of child in handling different issues had caused certain level of inefficiency and additional burden to the officer in charge.

DISCUSSION

The challenges await in the establishment of baby shelter

In reflecting to the findings of the study in terms of social-cultural, religious and legal context of Malaysian setting, there are a few challenges await in establishing and managing baby shelter in the Malaysian context. Several identified challenges are; multidisciplinary approach to managing the baby shelter, distribution of resources, legal aspects and collaborative support from the government. The following section discusses these possible challenges.

1. Multidisciplinary approach

The collaboration of multidisciplinary approaches could facilitate the effectiveness of having this centre which aimed to save the child's lives. The role of religious experts for example, is mainly important to help the public understand the importance of saving the child's lives as one of the collective effort (*fardhu kifayah*) as proposed by Islam (Mohamad Hashim Kamali, 2010). Wong (2012) proposes that sexual reproductive health teaching should not only be focused on women who had engaged in premarital sex activities but also integrated in the respective national or ethnic religious education. Given that the religious leaders are closer to the people in their communities, they could disseminate sexual reproductive health education and awareness through religious classes in the mosque or other religious institutions.

The findings in the interviews did not indicate any collaboration with the mosque or active affiliation with the religious department. However, the interviews mentioned about the role of religious understanding on the aspect of protecting the innocent babies from being harm. The findings also highlight that it was dependent on the effort of the organization to collaborate with the religious department.

The current practices yet to formalize or make a systematic effort to collaborate with the religious department.

The role of helping professionals such as social workers, counsellors or psychologist are also needed in the baby dumping centre to establish a continuous facilities of psycho-social care to potential mothers who were willing to share about their emotions and feelings. The helping professionals could offer help by providing voluntary consultation for the women to aid coping skills and problem solving strategies. There is yet an indication of systematic procedure which highlight the current practices of counselling service provided to the mothers who have abandoned their babies when they were found guilty of dumping their babies (Kohm & Liverman, 2002), . It was the initiative and kind service of the social workers or officer's in-charge of the case to counsel and provide advice or guidance.

2. Distribution of resources

The allocation of financial resources from the government authority in helping to curb baby dumping cases is limited. Most of the services are run in collaboration with non-governmental agencies or private companies that support corporate service responsibility (CSR). Many companies should be working together to engage in the giving monetary and social contribution to the bodies that provide help and services to the dumped babies.

Due to the limited amount of resources distributed for the purpose of establishing and enhancing baby shelter services, the number of such institutions or services is also limited to certain geographical areas. Distribution and allocation of human resources particularly social workers and counsellors should be widely available. With the current increase of cases of child abuse, child negligence and baby dumping, a well-developed employability research should be conducted to cater the demand of social ill and issues.

3. Awareness program

Instead of just focusing on providing solution for remedial program, awareness programs directed to increase general public's feeling of responsibility and shared obligation (*fardu kifayah*) with regard to the welfare of the dumped babies should be broadened. The attitude

of the general public should be channelled to perceive this issue as a social issue which need a collaborative effort from the government, non-governmental agencies, school, parents, mosques and other religious parties and communities as a whole.

Their change of attitude toward the mothers, usually teenagers who engage in out-of-wedlock relationship, could also help them to see this phenomenon as a humanity issue. Hence, outreach programs which focus on community empowerment could help change their attitude toward baby dumping problem. Therefore, preventive measure of baby dumping can be done and the teenagers could seek support and counselling in voluntarily basis.

LIMITATIONS OF THE FINDINGS

By its very nature, qualitative inquiry limits the generalizability of the findings. The opinions and insights shared by the officers being interviewed were not representative of the opinions or perspectives of other officers involved in the cases of baby dumping. The sample group of the study consisted of small and identified criterion by the researchers, therefore limiting the breath of analysis from various perspectives of officers from other organizations and agencies. Furthermore, the findings may be more insightful if the research could include the sharing of experience from mothers who have committed in the action of dumping their babies. Nonetheless, the findings in this research enhanced the understanding of the current practices of handling baby dumping cases and managerial issues faced by related organizations.

CONCLUSION

In conclusion, the issues and challenges faced by the organizations involved in managing abandoned babies should be taken into serious consideration. Establishing and managing baby centres require detailed planning and organizing and should take into account the social-cultural, religious and legal factors to ensure its feasibility and effectiveness that fits the local context. Enhancing the facilities and human resources in handling the case of baby dumping should be highlighted in order to protect the life, wellbeing and health of the

babies and their young mothers. Dissemination of knowledge and awareness to the society on keeping human lives, particularly the innocent babies should be enhanced so that their negative stigma and perceptions towards this case could be curbed.

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