

**REVISITING THE LAW REGARDING SENTENCES OF
KIDNAPPING IN MALAYSIA: AN ANALYSIS**

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ABSTRACT

In Malaysia, the crime of kidnapping is getting out of hand. Due to the rising number of kidnapping cases in this country, we are intrigued to further analyze whether the punishments meted out to the kidnappers are adequate to reduce the rate of kidnapping cases in Malaysia. This paper attempts to examine how Malaysia operates the law of kidnapping by observing the punishment given to the kidnappers upon conviction. The analysis of this paper will predominantly consist of two parts. The first part will identify the laws applied in Malaysia in order to punish the kidnappers and secondly, whether the increase amount of punishment for kidnapping crime, specifically under Section 363 of the Penal Code, will reduce the kidnapping rate in Malaysia.

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CHAPTER ONE: INTRODUCTION

1.0 Introduction

This research concerns a study review on the sentences of kidnapping in Malaysia. We would like to analyze on how Malaysia operates the law of kidnapping by scrutinizing the relevant statutes and case law. The issue of kidnapping was chosen as this matter is too obvious that it cannot be overlooked. Numerous occurrences of kidnapping had taken place throughout the country these days. One of the incidents that has put everyone's attentions and concerns on tip of their eyes on kidnapping crime is the case of Nurin Jazlin binti Jazimin in year 2007 who was found almost a month after she went missing in a terrible condition. She was found with broken and sexually-assaulted body that was discovered in a gym bag.⁴ This case sparked national outrage and led to the introduction of the alert system called Talian Nur in Malaysia. Due to the rising number of kidnapping cases in Malaysia, we are intrigued to further analyze whether the current sentences of kidnapping are capable in reducing the rate of kidnapping cases in Malaysia.

⁴ Hamid, Rashitha A. (18 September 2007). "Child found sexually assaulted and killed", available at <http://www.thestar.com.my/story.aspx/?file=%2f2007%2f9%2f18%2fnation%2f18914532> accessed on 29 October 2013.