

**IMPRISONMENT FOR JUVENILE OFFENDERS IN SERIOUS OFFENCES: A  
LEGAL ANALYSIS**

By

NOOR AZREEN BINTI ANA (2011435302)

ZARIFAH BINTI ADIB AZHARI (2011802988)

FARAH FARHANAH BINTI ABDUL RAZAK (2011889614)

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The students/authors confirm that the work submitted is their own and that appropriate credit has been given where reference has been made to the work of others.

## **Acknowledgement**

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## **Abstract**

The rise in juvenile rates in recent history has become national concern. The constant change in the economic conditions forcing parent to leave their children unattended and without supervision thus, making more room for error. The issue concern as to whether by dealing with he juvenile offender with the alternative punishment available for them would bring different result with regard to the process of bringing back the offenders to the society as compared to the way of imprisonment. This research focuses on the comparison between the alternative punishments available for the juvenile offender with the law available under other developed country. The final outcome from this research is that the laws in Malaysia in terms of juvenile punishment are sufficient. However, support from the Federal Government in terms of support, financially and through provision of adequate facilities and infrastructures, is necessitated to ensure the efficiency of the incorporation of alternative juvenile punishment in the juvenile justice system in Malaysia.

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## **CHAPTER ONE: INTRODUCTION**

### **1.0 Introduction**

Malaysian's community consists of children, old-folks, women and men from multiracial ethnics such as Chinese, Malay and Indian. Foreigners are also part of our community.

Every child is a different kind of a flower and all together makes this world a beautiful garden. This quote perfectly reflects that children are one of the important assets for each country because the development of the country in the future depends on the growth of the children. We need a great leader if we want the country to be well developed in the eyes of the world. It can also be justified on how important these children are by looking at the recognition of Children's day which was established unanimously in 1954.

However the problem of dealing with the juveniles arises when these children begin to involve in some of these unhealthy activities such as robbing, murder, rape, house-breaking and others. Although it seems impossible for these children to get involved in such unhealthy activities but that is really a fact nowadays. These unhealthy activities are actually part of criminal offences under Penal Code. Since juvenile delinquents are still considered as minor, then their acts will solely be governed by the Child Act 2001.

The problem is at worrying stage because these juvenile offenders in Malaysia that involve in crimes are at the early age of 14 years old. When they are being caught by the police and the verdict of guilt is proven in court, the court will then impose punishments against those juvenile offenders. In Malaysia, there are several punishments available for them such as probation order, community services order, or admission to Henry Gurney or Integrity School or even in Prison for the rehabilitation purpose. The punishments imposed against them will depend on the nature of the offence that they have committed. Vigorous attention needs to be figured out in ensuring that those punishments are being carried out efficiently so that the problem among our youth in Malaysia can be controlled.