

**LAW AGAINST ATTEMPTED SUICIDE IN MALAYSIA:  
COMPARATIVE STUDIES WITH UNITED KINGDOM AND INDIA**

By

Farah Adibah Binti Azmi (2011227454)

Isma Afira Binti Ismail (2011699166)

Najihah Binti Baharon (2011218268)

Nur Fatin Izzaty Binti Redzuan (2011214452)

Submitted in Partial Fulfilment of the Requirements  
For the Bachelor in Legal Studies (Hons)

Universiti Teknologi MARA  
Faculty of Law

December 2013

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**

We wish to express our deepest gratitude and sincerely acknowledge our Research Supervisor, Mr Ashran Hj. Idris, Lecturer of Faculty of Law UiTM Shah Alam whose help, stimulating suggestions and encouragement helped us in all the time of research for and writing of this thesis. The guidance and supervision that he gave truly helps the progression and smoothness of the research paper.

This research project has been carried out by joining effort of our team comprising of Farah Adibah Binti Azmi, Isma Afira Binti Ismail, Najihah Binti Baharon, and Nur Fatin Izzaty Binti Redzuan.

Special thank also goes to the interviewees for giving us the sufficient information and expertise in their own field in particular to High Court Judge Shah Alam, Dato' MohdSofian B. Tan Sri Abd Razak, and Dr.Noraiza Binti Abdul Rahman of Faculty of Law UiTM Shah Alam. A great deal of contribution and cooperation during the interview session is much appreciated.

Then, we would also like to convey our gratefulness to the staffs at Tun Abdul Razak Library and our lecturer at Faculty of Law for their assistance in facilitating us to find the materials regarding the law against attempted suicide.

Finally, and most remarkably, we would like to thank our parents. Their never-ending inspiration and encouragement, patience and love were irrefutably helping us to be more strong-minded in doing our research. Without their support, we would not have finished this research paper.

## **ABSTRACT**

The research is carried out to analyse the comprehensiveness of Malaysia's Penal Code in relation to its provision regarding the offence of an attempted suicide which is section 309 of the Act.

The research will focus on the relevancy of the criminalisation of attempted suicide by evaluating the punishment imposed under such provision and its implications. In order to have better assessment on its comprehensiveness, comparative studies with the law in other countries namely United Kingdom, and Canada which are no longer enforcing the law against attempted suicide, and together with India and Singapore which are still criminalising attempted suicide were also conducted.

The research is based on qualitative type of research by focusing on data gathered from various written sources as well as interviews conducted with legal experts.

Taking all the given parameters into consideration, and on the basis of the legal analyses, the research concludes that the act of attempted suicide should no longer be criminalised.

## **TABLE OF CONTENTS**

Acknowledgement	ii
Abstract	iii
Contents	iv
List of Cases	vii
List of Statutes	vii

### **CHAPTER ONE : INTRODUCTION**

1.0	Research Background	10-12
1.1	Research Question	12
1.2	Research Objective	13
1.3	Research Methodology	13-14
1.4	Scope and Limitation	14-15
1.5	Significance of Study	15-16
1.6	Conclusion	17

### **CHAPTER TWO: ANALYSIS ON THE PUNISHMENT AGAINST ATTEMPTED SUICIDE IN MALAYSIA**

2.0	Introduction	18
2.1	Malaysian Penal Code	19
2.2	The theory of attempted suicide	20
2.3	Recorded Cases on Attempted Suicides in Malaysia	21
2.4	Analysis on the criminalisation of attempted suicide.	22-23
2.5	Weaknesses	24-26
2.6	Conclusion	26

### **CHAPTER THREE : THE ANALYSIS OF LAW IN COUNTRIES WHICH ATTEMPTED SUICIDE IS STILL AN OFFENCE**

3.0	Introduction	27
3.1	India	
3.1.1	Indian Penal Code 1860	28
3.1.2	Evaluations on the Enforcement of the Punishment on Suicide Attempt in India	28-31
3.2	Singapore	
3.2.1	Singapore's Penal Code	32
3.2.2	Analysis on the Provision under Singapore Penal Code Which Criminalised Attempted Suicide	32
3.3	The Strength of the Criminalisation of Attempted Suicide with Reference to India and Singapore	33-34
3.4	The Criticisms of the Criminalisation of Attempted Suicide with Reference to India and Singapore	34-38
3.5	Conclusion	34

### **CHAPTER FOUR : THE ANALYSIS OF LAW IN COUNTRIES WHICH ATTEMPTED SUICIDE IS NO LONGER AN OFFENCE**

4.0	Introduction	39
4.1	United Kingdom	40
4.1.1	Suicide Act 1961	
4.1.2	The Significance of the Amendments Made to Suicide Act 1961	41-43