

A STUDY ON THE NEEDS OF PARENT LIABILITY LAWS IN MALAYSIA

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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.

ABSTRACT

The purpose of the study is to analyze whether criminal liability can be placed to parents in Malaysia when their child is found guilty for act of juvenile delinquency. Articles, books and reports were scrutinized to find the most influential reason for acts of juvenile delinquencies. The outcome shows that there is a strong causal link between the parent and the delinquent acts of minor which means that parents are the major party to blame for naughty acts of their child. This justifies the act of placing liability on the parents. Our model law is Parent Liability Law used by the United States of America and its success is studied. Study of the model system shows there is a noted decrease in number of cases of juvenile delinquency since the law was introduced. An interview was also done with judges, lawyers, and academicians to understand the legal realities of implementation of this criminal liability. In result, most respondents agreed to the model system but each of them stressed that it should suit the sociological landscape of Malaysia. This proposal also studies the balance of the good and bad side of its implementation in Malaysia. Although there are some disadvantages, but our findings show that the advantages exceeds the bad side of this law. The implications of the proposal were also discussed and some recommendations were brought forward in order for a successful implementation.

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