

**THE LEGAL FRAMEWORK AND IMPLEMENTATION OF BABY  
HATCH IN MALAYSIA**

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## **Abstract**

This research would focus on the legal framework and implementation of Baby Hatch in Malaysia. The reason for us to take on a journey upon such research is due to the fact that there are no single law or regulation governing the administration of Baby Hatch in Malaysia. Our research is an attempt to explain why Malaysia need such system to manifest itself, in comparisons with Baby Hatch's laws around the globe such as those implemented in the United States of America, Japan and Germany.

In Malaysia, the only law governing abandoned babies are the Penal Code, Child Act 2001 and the Adoption Act. It is provided under the Penal Code that the act of a mother or birthparents abandoning a child under the age of twelve years old is a criminal offence. It further states that abandonment must occur at unsafe places in order for the mother or the birthparents to be prosecuted upon successful charges. However, it does not specifically provide as to what construe 'unsafe places', does Baby Hatch considered as unsafe place? Hence, the main aim of this research is to clarify any vague areas in the nation's legal context.

Apart from that, the laws governing adoption in Malaysia is immensely procedural and swarming with bureaucracy, making an application to apply for citizenships for these unfortunate babies a tedious job. Hence, by suggesting how Malaysia can improve its adoption processes, we hope to expedite the departure of these babies to a loving and caring family.

## TABLE OF CONTENTS

Acknowledgement	ii
Abstract	iii
Contents	iv

### CHAPTER ONE: INTRODUCTION TO THE RESEARCH

1.0	Introduction	1
1.1	Background	2
1.2	Problem Statement	3
1.3	Objectives	4
1.4	Significance of the Research	4
1.5	Scope and Limitation of Research	5
1.6	Research Methodology	5
1.7	Provisional Plan of Research	6
1.8	Conclusion	6

### CHAPTER TWO: THE LEGAL FRAMEWORK AND IMPLEMENTATION OF BABY HATCH IN MALAYSIA

2.0	Introduction	7
2.1	Comparison between the Legal Perspectives of a Right of a Child under the Islamic Law and the Common Law/Western Law	7
2.1.1	The Rights of the Child	7
2.1.2	Matters of Adoption and Welfare	11

2.2	Addressing Child Abandonment	14
2.2.1	Psychological and Biological Turmoil to Birthparents	14
2.2.2	Mental and Social Development of the Child	16
2.2.3	Adults' Perception on Related Issues	17
2.3	Practical Application of Methods in Diminution of Baby Dumping	17
2.3.1	Situation in Germany with regards to Baby Hatch	17
2.3.2	Situation in the United States with regards to Baby Hatch	19
2.3.3	Situation in Japan with regards to Baby Hatch	22
2.4	Baby Hatch from Malaysian Perspective	22
2.5	Conclusion	25

### **CHAPTER THREE: RESEARCH FINDINGS**

3.0	Introduction	27
3.1	Current Position of Baby Hatch in Malaysia	27
3.2	Social Perspective of Baby Hatch in Malaysia	28
3.2.1	The Need for Baby Hatch	28
3.3	Theoretical Manifestation of a Legal Framework in Malaysia	29
3.3.1	Decriminalisation of 'Abandonment'	29
3.3.2	Moderation of Bureaucracy	29
3.3.3	Procedures involving Babies in OrphanCARE	30
3.4	Interviews Done in the Research	32
3.4.1	Interview with the Legal Department of the Ministry for Women, Family and Community Development	32
3.4.2	Interview with the OrphanCARE	35
3.5	Conclusion	40

