

CRIMINALISATION OF TRANSMISSION OF HIV:
A COMPARATIVE ANALYSIS BETWEEN THE LAWS
IN MALAYSIA AND UK.

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ABSTRACT

This research is done with a mindset for the benefit of future circumstances. Presently in Malaysia, there is no case reported on a crime of transmitting HIV to other person. As of now, the awareness of danger of HIV is increasing and with the up rise of newly reported case on HIV every day, it is a matter of time that a victim of HIV might report his case to police. This research will basically emphasize on Penal Code and UK Law on determining where both country stands in this matter. Penal Code will be analysed in great detail in which specific provision suitable to criminalise HIV. Penal code will be compared to United Kingdom's Law which has specific provision to handle this matter. In United Kingdom, the law is easily analysed as there are reported cases in transmission of HIV. By this way, it can easier to know how to handle a case like this. This project from the beginning has set out an aim, to propose a new provision be made in Penal Code in transmission of HIV if nothing in Penal Code suits the matter. Through this research it has been evaluate that UK law is more comprehensive in discussing this matter as this issue is not an issue to be taken lightly. Law makers should take an action to propose a new provision in Penal Code in criminalising transmission of HIV in light of future case.

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