

Towards Solving Baby Dumping In Malaysia By Using An Alternative: Baby Hatch

Mazbah binti Termizi¹,
International Islamic University Malaysia

Azizah binti Abdul Majid, Mariam Saidona Tagaranao & Yasmin Hanani
Mohd Safian
Universiti Sains Islam Malaysia

Abstract

Baby dumping has become a serious phenomenon in Malaysia. The fact that newborn babies are dumped at the most inappropriate places such as toilets and junkyards is such a heinous crime. Despite various steps taken by the government and the society at large, the statistics of baby dumping is escalating. This should not happen in a country which upholds an image of a Muslim nation. This research will not only discuss the literature review with regards to the issue of baby dumping in Malaysia, but shall also provide an overview of an alternative solution to curb this problem which is known as the baby hatch. Opinions from the NGO (such as OrphanCARE Foundation) and the judiciary are referred to in order to find the best possible method to overcome baby dumping issue in Malaysia. This is an alternative to the legal procedure which falls under the Penal Code and other related Acts. Comparisons are needed to seek the best possible way for a solution of baby dumping and to understand the perceptions of the particularly well-informed segment of society on this alternative solution to baby dumping - baby hatch.

Keywords: baby dumping, legislation, baby hatch, Malaysia

INTRODUCTION

Malaysia as a predominantly Muslim country and society has more obligations and duties than most other non-Muslim nations. Because of this, the issue of baby dumping which is the repercussion of other social ills such as premarital sex that has led to unwanted pregnancy, needs to be addressed with utmost urgency. Pre-marital sex or adultery is forbidden because of its severe consequences on individuals and society as a whole. *Allah* says in Surah *Al-Israa* 'verse 32 which says: "Do not approach adultery; fornication is indeed an abomination and an evil way."

¹ Corresponding author : Mazbah Termizi, International Islamic University Malaysia, e-mail : mazbah@iium.edu.my.

According to the Oxford Dictionary, the term baby dumping or infanticide can be defined as: “The crime of killing a child within a year of birth” or “The practice in some societies of killing unwanted children soon after birth” (Oxford Dictionaries, 2014). Such a practice is most often evident in countries such as China and India where female babies are killed for various culturally-related reasons (BBC, 2014). While many might agree that this practice is a thing of the past, sadly, some rural communities still enforce this belief to this day. This is partly due to societal pressures and beliefs that raising the female gender is costly, especially since they will be married off and can no longer contribute to the family’s financial needs as well as the expensive dowry imposed on families to marry their daughter’s off. Since most families cannot afford the dowry, their daughters become spinsters and the target of lustful men who might later rape and abuse these women. CNN online recently reported a story about a father who confessed to killing his three-month old baby girl, Afreen. She suffered bite marks, cigarette burns and a dislocated neck. Banu, the wife and mother of the deceased baby recalled melancholically that her husband gave her an ultimatum when she gave birth to Afreen, “For her wedding we will require a hundred thousand rupees (about US\$1,800 dollars) for all the expenses. If you can get that amount from your mother, then keep her, but if you can’t, then kill her” (Sidner, 2012).

Baby dumping, according to Modie-Moroka (2011), involves leaving a child where they may or may not be found by others. The increasing cases of dumping newborn babies in Malaysia are alarming. Serious attention needs to be taken in managing this matter before it gets worse and later impossible to handle. Women involved in baby dumping are generally seen as lacking emotional maturity, problem-solving abilities, and adequate coping skills. Bradley (2003) identifies reasons for killing and/or discarding infants to include extramarital paternity, rape, illegitimacy, incestuous relationships, and perceiving the child as an obstacle to personal achievements. Mohamed (2010) attributes the causes of rampant incidents of baby dumping in Malaysia to unwanted pregnancies, rapid urbanization, poor parenting control, and peer influence. From these sources, it can be concluded that the factors contributing towards baby dumping are generally similar if not the same.

According to Sandra Cesario (2003), the practice of abandoning a baby shortly after birth has always existed. She added that the motives vary and depend upon the social norms of a specific geographic region at a given point in time. Although this social problem appears almost every day in the media, more practical measures still have to be taken to curb this crime against humanity. One of the significant demographic changes in many

societies throughout the world has been in the rising number of families headed by single mothers. This is mainly due to an increased rate of divorce, marital separation, mothers without partners and even sometimes rejection from the society they live in (Avison, 1997). Avison believes that the family institution plays a vital role in shaping the minds and emotional stability of children. Moral values, social etiquettes and religious knowledge should be a vital part of parenting future generations both at home and in school. While it is obvious that parents are responsible in shaping the morale of their children, schools, learning centres and the government in some way should play a part in these areas as well. The old adage applies in this context, “it takes a village to raise a child.”

The phenomenon of unwed mothers in a country like Malaysia is a challenge that comes with the impending outcome of globalization and modernization which recognizes no race, ethnicity and religion (Nordin, Wahab, and Yunus, 2012). Perhaps, this is not merely a shallow excuse to put forth blame on urbanization and globalization, rather, to demonstrate the lack of public awareness and people skills together with the continuing decay in the morality of each ethnicity specifically in a developing country like Malaysia. The term “culture shock” doesn’t even come close to the degrading behavioral attributes amongst teenagers but also includes the lack of knowledge which creates barbaric outcomes such as baby dumping. An impending result of their wantonness and lack of self control.

The implications and risk factors are likely to be diverse. Abandoning or discarding is a complex issue where the profile of a parent who abandons their baby to be found (either legally or illegally) is very different to one who leaves a child in a secluded location (Sherr, Mueller, & Fox, 2009). Denial of pregnancy has been proposed as a key risk factor for dumping or killing pre-born babies (Marks, 1996). According to Noordin (2012), the implications of baby dumping are more serious than abortion. This is because it affects an individual mentally and emotionally. Babies abandoned at birth will most often face the problem of lifetime uncertainty about their identity and genetic heritage. This then becomes a vicious cycle of abandonment which results in similar acts done by children who are abandoned. This is because the act (baby dumping) is a demonstration of the reality of domestic violence and poverty which women experience (Philpot, 2006). Sadly, Philpot’s views are not too far off. Many women who are victims of any kind of abuse and struggle to make a decent living are usually stigmatized in some way, usually a result of what they have regretfully done such as baby dumping or a result of a baby dumped as a little girl, with no family support and guidance, at a loss of their identity.

The killing of newborn infants is not a new phenomenon, yet modern society is still struggling with understanding the causes and the ideal way to address it. Several studies have revealed that there are remarkable similarities among the women who commit infanticide. They are socially isolated, have little or no financial independence, are emotionally immatured, came from all ethnicities and varying social backgrounds. A mother who abandons a baby is almost certainly traumatized but is unlikely to have long-term mental illness (Van, 1994). Long-term psychological outcomes for mothers who abandon their children are difficult to ascertain given mothers are rarely found (Sherr et al., 2009). Even despite involvement by chance, many people that find the abandoned baby feel a great affinity with the baby and continue to think about the child for years with reported experiences that resemble post-traumatic syndromes (Wilson, 2004).

In Malaysia, the severity of baby dumping can be seen through the statistics from the Royal Malaysian Police. There were 67 cases of baby dumping reported in 2005, 83 cases in 2006, 65 cases in 2007, 102 cases in 2008, 79 cases in 2009, 91 cases in 2010, 98 cases in 2011 and 89 cases in 2012. According to the statistics, 517 babies were dumped between 2005 and 2011 and of these, 287 were dead when discovered. These cases are categorized as reported cases which does not include the unreported cases whereby the numbers might be higher. Evidently, more attention and consideration is needed to understand the actual issue of baby dumping. This of course does not only involve dumping new-born babies but also includes leaving a child for an extended period of time. Thus, it includes children younger than 12 months of age, leaving them abandoned and unattended in a public or private setting with an intent to dispose of the child (Noordin et al., 2012).

Baby dumping or infanticide are amongst the most shocking and brutal crimes in any jurisdiction in this world. It is difficult to estimate the true extent of infanticide and baby dumping in Malaysia. This is due to the fact that such cases may occur in the society but may be unreported due to varying reasons (Rahim, Zainudin & Shariff, 2012).

LEGAL PERSPECTIVES

There are few legal provisions and sections which are relevant to the crimes such as baby dumping or infanticide. Section 317 of the Malaysia Penal Code provides that the punishment of an offence of parents or person responsible for taking care of a child under the age of 12 years. Those who exposes and abandons the child under twelve years of age either done by parent or person who is supposed to take care of him or her can be penalized.

Whoever being the father or mother of a child under the age of twelve years , or having the care of such child, shall expose or leave such child in any place with the intention of wholly abandoning such child, shall be punished with imprisonment for a term which may extend to seven years, or with a fine, or with both.

According to the Penal Code, the word ‘abandoning’ refers to an act of leaving a child with an intention of totally abandoning the child. In other words, the abandonment must be done with the intention of entirely leaving or exposing the child -Penal Code (Act 574) (Revised – 1997), The Annotated Statutes of Malaysia, with Relevant Subsidiary Legislation, 2001). Another relevant provision for the offence of baby dumping is Section 318, reads: Concealment of birth by secret disposal of dead body. Whoever by secretly burying or otherwise disposing of the dead body of a child, whether such child die before or after or during its birth, intentionally conceals or endeavors to conceal the birth of such child shall be punished with imprisonment for a term which may extend to two years, or with fine or with both.

The offence of infanticide is not similar to the offence of baby dumping that causes the death of a newly-born baby. However, in certain circumstances both offences may be overlapped. The Malaysian criminal law provides infanticide as a separate offence under Section 309A as below: When any woman by any wilful act or omission causes the death of her newly-born child, but at the time of the act or omission she had not fully recovered from the effect of giving birth to such child, and by reason thereof the balance of her mind was then disturbed, she shall, notwithstanding that the circumstances were such that but for this section the offence would have amounted to murder, be guilty of the offence of infanticide. Also, Section 309B provides its punishment: Whoever commits the offence of infanticide shall be punished at the discretion of the Court, with imprisonment for a term which may extend to twenty years, and shall also be liable to fine.

In an interview session on 1st September 2013 with a magistrate, regarding the issue of baby dumping, she opined that there should be a particular section pertaining to the baby dumping issue under the Penal Code. By having its own section, it will reduce a lot of time and money compared to legislate a new ‘Act’. What is important is the enforcement of the laws. When asked whether the laws that exist now in Malaysia fail to curb the problem of baby dumping, the magistrate further stated that the laws are adequate, but it must be supported with education, the mass-media, as well as the family institution and others for the purpose of awareness of the crime. She also added that Section 302 which is only used if the *actus reus* (guilty act) and *mala fide* (bad intention) can be proven first before they can be

convicted of murdering the baby. Therefore, Section 302 does not necessary relevant in case of baby dumping, especially if it does not involved death. A person is always presumed innocent until proven guilty. Therefore, failure to prove the *actus reus* and *mens rea* of the offender would cause a person to not be liable for his act. The exception to this rule is only available in the case of strict liability, where the *mala fide* is immaterial and the offender still can be punishable under the law based on his *actus reus* per se (Elliot & Quinn, 2006). This can be further elaborated in the case where a baby was dumped but survived, Section 302 could not be used as it did not amount to murder. In another situation, if the baby is left in a public place, but with the intention that someone else could save the baby, the *mala fide* or bad intention of murdering the baby does not exist, therefore again, Section 302, cannot be used.

BABY HATCH

Based on the circumstances and the situation of infanticide, baby dumping or abandonment, there is a dire need for this issue to be resolved. Hence, the introduction of a baby hatch as an alternative to the legal punishment may help to reduce the occurrence of this problem. Baby hatch is a platform for unwanted babies to be placed momentarily, before they are given for adoption. This centre acts as a transit for newborn babies whose mothers are unable to provide or has no means to care for her own child. In this case, the mother could be a young, under-aged girl, unmarried and who had borne a child out of wedlock. Furthermore, these vulnerable mothers could be the subject of rape or, who has been abandoned by her partner the moment she conceived a child. Due to the mother's condition; lack of support from family, being left by a partner, confused and disoriented by her condition, overshadowed by guilt, it is therefore the role of the baby hatch to accept these unwanted babies so that they will be given a chance to live or perhaps ensure that the wellbeing of their babies are well taken care off.

Baby hatch is a centre or a foundation initiated to give abandoned babies and orphans a place called home. In Malaysia, one of the reknowned baby hatch operated by an NGO is OrphanCARE foundation besides readily available baby hatches in KPJ Hospitals. At a baby hatch, new mothers can just leave their babies secretly or anonomously in the hatches. The hatches are covered and discreetly located so that the identity of the mother and/or father/mother's partner can be kept confidential.

OrphanCARE Foundation is one such hatch which was launched on 29th May 2010 in Petaling Jaya, Selangor. The grounds in which OrphanCARE was

set up was because they believe that many children who are orphans are languishing in orphanages nationwide when they are supposed to be placed in the care of loving families. Furthermore, babies that are being abandoned or dumped in unimaginable places such as waste dumps, bushes, drains, public toilets, etc. showcases an atrocious mindset and attributes of these perpetrators. OrphanCARE has succeeded in significantly reducing baby dumping in recent years. It has been reported by the foundation that a) 12 older children from various orphanages were adopted via OrphanCARE, b) 90 “abandoned” babies were adopted between 2010- 2014, c) 10 of the 88 abandoned babies were placed in the baby hatch, d) 52 babies were placed with their biological mothers after counseling, e) 3538 parents have registered as prospective adoptive parents, f) 2883 couples have been screened and g) 614 couples are in the waiting list for babies.

Baby hatches are not only available in Malaysia. There are some institutions where abandoned babies are cared for in other countries– such as the Namibian Children’s Home and the privately-run Baby Haven in Windhoek. In Namibia, Hon Schimming –Chase endorsed the call for more research into infanticide, as well as more support for pregnant women. She stressed the role of post-partem depression, also known as post-natal depression, which is a psychological condition that affects some women shortly after they have given birth. (Hubbard, 2008).

A baby hatch was opened in Hamburg in 2000 and since then, more than 200 have opened across Germany, providing a place for babies to be abandoned. According to an article (Fernandes, 2012), 40-60 babies in Germany are killed every year. In China, Chinese authorities have built a ‘baby abandonment’ building where parents can anonymously leave their unwanted children. The building located in Nanjing, eastern China, will provide a safe place for parents to leave their children and they will be cared for at a nearby welfare home. The ‘baby box’ is electronically monitored so that when a baby is left an alarm will go off. The building is air-conditioned and has humidity monitors. It includes an incubator, a bed and a thermometer (Edmonds, 2013).

In US, the Safe-haven legislation was drafted as a legislation to decriminalize baby abandonment and to provide a safe place where mothers can leave their newborns. In 1999, Texas became the first state in the United States to enact the safe-haven law. In Italy, ‘Baby boxes’ are used. In Germany, Babyklappen (baby flaps) have been used since 2000 (Mueller & Sherr, 2009). In Japan, a baby hatch which is known as “Stork’s Cradle” has been in place at Jeiki Hospital in Kumamoto City, Japan since May 10, 2007. Since 2012, Jeiki hospital has taken measures to protect the lives of fetuses

and children, for example, by conducting telephone counseling for women worried about pregnancy (Asai and Ishimoto, 2013). These are the examples of baby hatches which have existed earlier around the world. It may be named differently, but their functions are almost the same.

In light of these issues, this paper aims to 1) analyse the society's sensitivity on baby dumping, 2) identify possible measures to overcome baby dumping and 3) evaluate the effectiveness of baby hatches to curb baby dumping.

METHODOLOGY

The research will be based on the mixed method approach. Qualitatively, a less-structured interview technique was adopted. This was done to allow for a higher level of understanding and appreciation of the subject matter with the interviewees. Subjects interviewed were (i) An expert from OrphanCARE Foundation, Baby Hatch, Malaysia and (ii) the Judiciary. OrphanCARE Foundation was chosen based on their function as the initiator of the first baby hatch in Malaysia. As for the judiciary, a magistrate, agreed to be interviewed based on her experience on the issue of baby dumping. The information from both interviews were gathered to support the findings of the research.

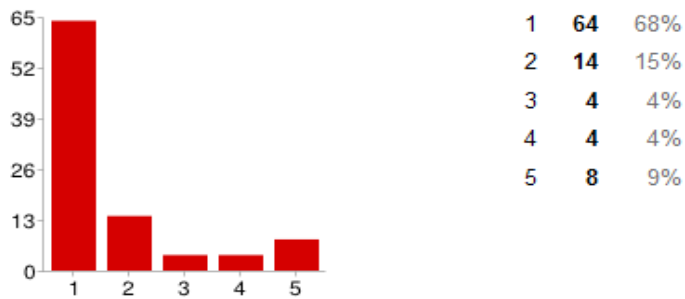
On the quantitative part of this study, an online survey was distributed in order to gather the perception of a segment of society on the issue of baby dumping in Malaysia. The questionnaire was posted on Facebook and used the mobile phone applications, WhatsApp, using a link via Google Drive. The result was tabulated by Google Drive. The target respondent in the survey was 100 in order to find the general understanding of baby dumping and baby hatch in Malaysia. From the despondence list, there were only 93 respondents who answered the survey within 2 days. Among the Facebook groups involved were the Doctorate Support Group, PhD Discussion Forum, Qualitative Research Group and Education in Malaysia. These groups were chosen as the target sample because they are presumed to be mature and educated adults, hence, the sampling reflected the segment of population targeted. Members of the mentioned groups consist of Professors, Doctors, Masters holders and those who are in the midst of pursuing their studies in their respective fields as well as professionals from the industry who are also continuing their tertiary education.

This study also incorporated library-based research. Documentary research for the view of current legislation was carried out. Other than that, the statistics of the cases on baby dumping were obtained by the Royal Malaysian Commissioner of Police and the Department of Social Welfare. Comparisons were done accordingly by comparing the issues with other countries, i.e. the baby hatches in the United Kingdom, the United States, Japan, Namibia, etc.

FINDINGS AND DISCUSSION

Sensitivity of The Society Towards The Baby Dumping Issue

In order to gauge the sensitivity of the society, the respondents were asked whether they were sensitive towards the baby dumping issue.



strongly agree - strongly disagree

Figure 1: Respondents Understanding on Baby Dumping

Figure 1 reports that more than half of the respondents admitted that they strongly understand the issue. This indicates that the level of sensitivity amongst the public was relatively high which consists of 68% who strongly understand and 20% who understand the meaning of baby dumping. However, there was 9% of the population who did not know the existence of baby hatch. It can be assumed that the society in general was relatively aware that baby dumping or infanticide is a serious national issue that requires attention from each and every individual at large. This is based on the statistics that 83% of the respondents admitted that they understand the issue well.

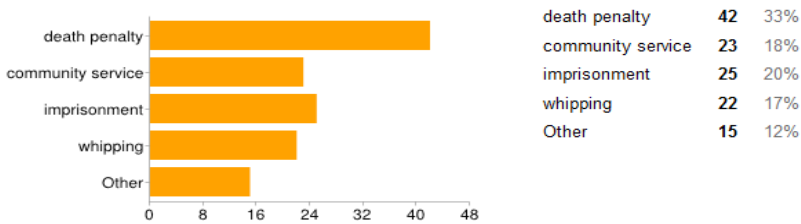


Figure 2: Suggested Punishment for Those Who Committed Baby Dumping That Led to Death Responses

Figure 2 reports the suggested punishment for those who committed baby dumping that led to death. It can be said that based on the survey, many of the respondents feel strongly about the issue of baby dumping. 33% of the population suggested the death penalty while 20% suggested imprisonment. However, the number who suggested community service and whipping was almost parallel.

This finding can be related to the view of a magistrate, who suggested that there should be a particular law/legal section pertaining to the issue of baby dumping under the Penal Code so that there will be better enforcement of law to manage the crimes. When 33% of the respondents suggested the death penalty for baby dumping, the magistrate stated that the existing laws are not adequate to curb the problem. This is because it is difficult to find the culprit who abandon the babies especially if they are left at isolated areas. She also added that Section 302 will only be used if the crime can be proven first before they can be convicted of murdering the baby. This is based on the law that a person is presumed innocent until proven guilty. Therefore failure to prove the crime by the offender would cause a person as not liable in his act. The offender cannot be punished even if the baby was dumped but survived. Therefore, despite the public's suggestions on the appropriate punishment for those who dump or abandon babies, the complexities of the existing law makes it almost impossible for the offenders to be punished accordingly especially if the babies were abandoned at public places.

Proactive Measures To Prevent Baby Dumping

Generally most respondents strongly feel that good religious education should start from young to help adolescents and teenagers understand their sexuality and limitations in social life. There is a great need for sexual education to be addressed at home, not just in school. Parents should also know their children's whereabouts and social circle as well as be more attentive to their children's emotional and mental needs. Supporting these

measures, an experienced magistrate who has dealt with baby dumping cases suggested that education, the mass-media, a the familial institution as well as other parties have to work hand in hand for the purpose of awareness of the abandonment of unwanted babies or baby dumping. There is nothing more serious than the need for the parents and society at large to ensure that adolescents, teenagers as well as children know their rights and understand their on sexual development. By having this knowledge and by being educated about these issues, stigmatization and cynicism surrounding this issue can be controlled and gradually decrease such cases of baby dumping.

The Effectiveness of Baby Hatch To Curb Baby Dumping

The objective of the baby hatch is to reduce the number of baby dumping cases. However, as results below show, the perception mentality of the society still indicates a certain level of stigmatization and ignorance that the public has towards the existence of baby hatches. Despite the good objective of the baby hatch to reduce the number of baby deaths, the public seem skeptical about it.

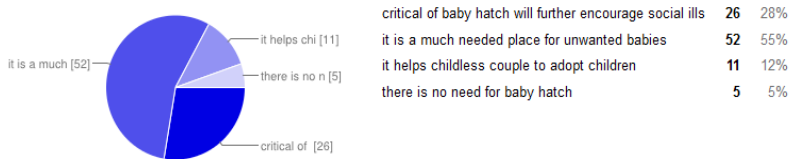
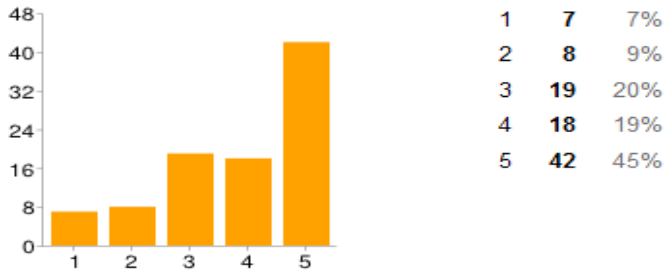


Figure 3: Society’s Perception on Baby Hatch

Figure 3 represents the perception of the society on baby hatch. More than half of the population which is 55%, believe that it is a much needed place to cope with unwanted babies. However, because baby dumping and baby hatches are such taboo issues in this country, the survey indicated that 28% of the population were critical of baby hatches as it might further encourage social ills. A small minority of the society felt that baby hatch will provide childless couples with hope to adopt babies from this centre. However, 5% of the people surveyed believe that there is no need for baby hatches.

The perceptions towards the case varies because of its taboo-ness. According to one of the baby hatches operated by OrphanCARE, there are a group of people who are under the opinion that baby hatches will lead to more unwanted pregnancies hence, unwanted babies. However, there are also childless couples who have been married for many years that turn to baby hatches to adopt unwanted babies. This is because one of the primary objectives of a baby hatch like OrphanCARE is to find homes for unwanted

babies. There have also been families with children who want to offer homes for unwanted babies. OrphanCARE reported that there is a long waiting list of couples who have been screened waiting for babies to be adopted (The Sunday Daily, 2014)

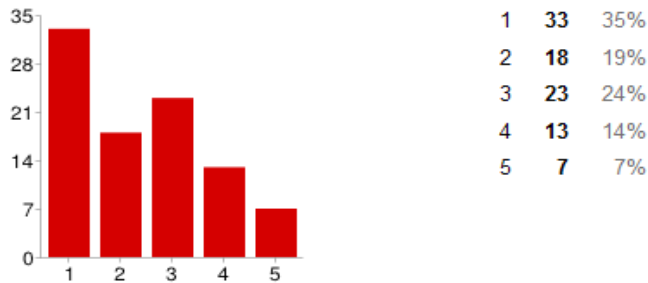


strongly agree - strongly disagree

Figure 4: Opinion on Whether Baby Hatches Can Replace Legal Punishment for Baby Dumping

Figure 4 represents the opinions of the society on whether baby hatches can replace the legal penalty for baby dumping. Almost half of the population surveyed strongly believed that it will not substitute the baby dumping crime. While 20% were unsure of the possibility and merely 7% believed that it can replace legal punishment.

It cannot be denied that the offenders of baby dumping or infanticide should be punished although there has yet to be a specific law pertaining to baby dumping. However, the existence of baby hatches can possibly reduce the cases as there is an option for pregnant mothers who may not have the capability nor the ability to raise her baby by herself to leave the baby for adoption. According to Chase, there are also cases where baby hatches can assist pregnant mothers who do not have the means to care for their baby because their condition caused by psychological stress such as post natal depression (Hubbard, 2008). This is more likely to occur amongst young girls who are pregnant without support their partners and families.

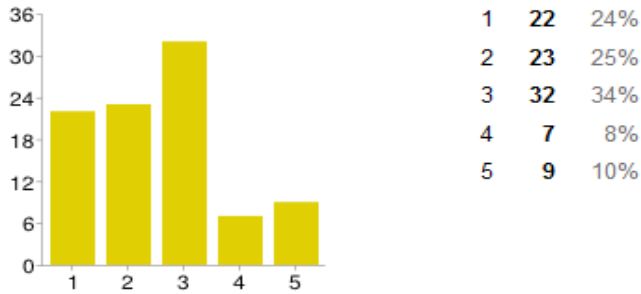


strongly agree - strongly disagree

Figure 5: Opinions on Whether Baby Hatches Can Reduce Baby Dumping

Figure 5 indicates the opinions on whether baby hatches can reduce baby dumping. The highest opinion reported that 35% of the people surveyed were under the impression that baby hatches will reduce baby dumping. However, 24% of the population was unsure on whether it can reduce the abandonment of babies. Although it can be seen that the public is generally skeptical on the role of baby hatches in reducing baby dumping, it cannot be denied that there is still a great need for this centre to exist.

On whether baby hatches can be an alternative step in solving the baby dumping issue, an interview session was set up with the Project Administrator of OrphanCARE Foundation on 16th August 2013. She stated that baby dumping is still happening all around the world in developed as well as undeveloped countries. The function of the foundation is to reduce the death of innocent babies by providing a transit before they are adopted to suitable families. This can be seen as an optional measure to curb the growing number of baby dumping, despite the society's scepticism and prejudice on its role. Apart from this function, OrphanCARE also provides counselling sessions which are handled by trusted counsellors and guaranteed confidentiality. The Project Administrator of OrphanCARE added that the foundation's task is also to ensure the adoption process follows the procedure in accordance to the law.

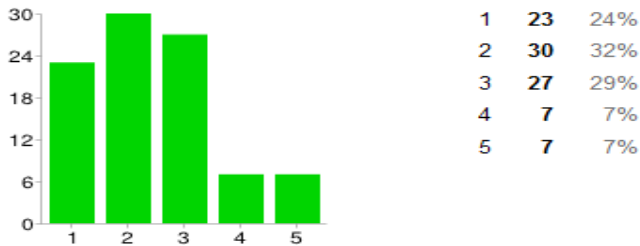


strongly agree - strongly disagree

Figure 6: Opinions on the Stigmatization of Unmarried Pregnant Mothers Who Want Their Babies to Be Adopted From Baby Hatch

Figure 6 exemplifies the opinions of the people on the stigmatization of unwed mothers who want their babies to be adopted from the baby hatch. 34% of the respondents were unsure on whether the stigmatization exists for unmarried pregnant mothers. Almost the same number of respondents agree and strongly agree that the mothers were stigmatized. This accounted for 49% of the respondents.

Hence, it can be concluded that almost half of the respondents surveyed were under the opinion that stigmatization does exist within our society towards the pregnant mothers who leave their babies at the baby hatch. This results indicated that there is a greater need for the society to be educated on the issue of baby dumping. Parallel to the suggestion of the magistrate we suggested that, among others, education is one of the most important aspects besides law to gradually curb this baby dumping issue. With education, mentality, perception and discrimination towards babies and women as far as this baby dumping issue is concerned can be changed.



strongly agree - strongly disagree

Figure 7: Opinions on Whether Baby Hatches Can Ensure the Wellbeing and the Safety of Unwanted Babies

Figure 7 depicts the opinions on whether baby hatches can ensure the wellbeing and the safety of unwanted babies. 32% of the respondents agree that the centre can ensure the welfare and safety of the babies. However 29% were unsure of the effectiveness of baby hatches. Meanwhile, it was indicated that equal number of respondents agree and strongly disagree that a baby hatch is a place for unwanted babies.

Looking at the results of the survey, there is a clear portrayal that the public agrees that baby hatches secure some hope in the life of unwanted babies as well as the mothers. As baby hatches do not only exist to avoid or to reduce baby dumping and infanticide but it also provides an avenue for adoption for families or couples who are childless. According to the president of OrphanCARE, 1689 couples who registered under her foundation are waiting to adopt a baby. This foundation does not only deal with adoption processes but it also liases with the Welfare Department to get a court order for adoption. Screening the couples who have the intention to adopt in the perspective of finance, psychology and personality (Murthy Michael, 2012) is important. Hence to a certain extent, babies who are placed under the care of baby hatch are well taken care of by the foundation.

CONCLUSION

The issue of baby dumping may never decrease, but this paper clearly highlights that baby hatch centers aid tremendously in the welfare of many innocent and unwanted newborns. They are cared for in terms of nutrition and basic daily needs such as clothing, diapers and medical attention. Baby hatch centers also provide these newborns a hope that they can have a family through the adoption process. These babies are given the opportunity to

experience love and warmth from their soon-to-be parents and new family, a bleak chance if they were just dumped in rubbish bins, near the woods or left lying on the ground to die.

RECOMMENDATIONS

Since baby hatches are supposed to reduce the number of baby deaths, it is important to create awareness among the public that the function of the hatch is not to encourage the crime to become worse in the future but to provide a safe avenue for innocent lives. The stigmatization from the public towards baby hatches do not help to reduce the cases of baby dumping but instead could lead to the death of innocent newborns because unable parents would end up throwing babies in unimaginable and demeaning places. With or without the existence of baby hatch centers, the heinous crime of baby dumping may continue to exist, causing many likely future deaths of newborns in Malaysia. As a recommendation to this study, it is hoped that there should be a specific law written for the co-offender of baby dumping or infanticide such as the mother's partner/the baby's father. In this case, the co-offender should be liable or be held responsible for the crime. This can be done through initiating a new enactment of law for baby dumping which currently does not exist in our legal system. The stigmatization of pregnant mothers who give birth to illegitimate children should be reduced through education, religious awareness as well as the understanding of sexuality and reproduction. The society must be aware that this kind of crime can happen to anyone. Furthermore, the society should be less critical of baby hatches as it functions as a transit for unwanted babies to be given shelter, love and protection. Because as much as there are children who are orphans, there are also many childless couples who are willing to adopt. Parallel to its objective, no babies should live under the institutionalization of orphanages. In fact, the basic need of a child is for him or her to live and be cared by those who love and want them. May this research benefit and shed some lights to the issue of baby dumping in Malaysia as well as the world.

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