

## CHILD SEXUAL ABUSE: DEATH IS NOT THE ANSWER, 4 NOV 2010

***In dire need — a better justice system, greater awareness and stronger safety net to stop predators***

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[Malay Mail](#)

THE news of an alleged rape of a 10-year-old in a school van (pic) has enraged the public who responded vociferously with calls for stiffer punishments for child rapists, including the death penalty.

The Women's Centre for Change (WCC), Penang, however, strongly cautions against it being imposed for child rape despite the heinous nature of the crime.

Such a punishment would only serve to further silence the victim, especially if the perpetrator was a family member.

Currently, the maximum sentence for child rape is 30 years with whipping and should serve as a stern punitive sentence.

The WCC urges the government to look into several important areas that need immediate attention.

One of them involves improving the criminal justice system as the conviction rate for sexual crimes is abysmally low.

WCC's research into 439 sexual crime cases in subordinate courts in Penang between 2000 and 2004 showed that 45 per cent of the cases resulted in verdicts of a discharge not amounting to acquittal.

Of the cases that went to full trial, the conviction rate was only four per cent! What this means is that a majority of alleged perpetrators are set free.

Poor investigation and evidence collection, and need for stringent corroboration; a high burden of proof, more so when the victim is a child of tender age; and prosecution weaknesses, among others, make it very difficult to achieve a conviction unless the alleged perpetrator pleads guilty.

While recognising the rights of the accused to be presumed innocent until proven guilty, the current system makes obtaining justice an excruciatingly painful experience for both the victims and their families.

For example, in a case involving a four-year-old allegedly raped by a kindergarten assistant, it took two years for the suspect just to be charged in court.

Another issue is raising awareness that the safety of children is the responsibility of the adults. The public must be made aware of the seriousness of child sexual abuse. It can happen anywhere, at anytime and by anyone.

Sexual predators will gain access to children whenever opportunities arise. People need to be made aware of the importance of looking out for and listening to children, be it a direct or indirect message, that something is not right.

While a child's safety is the responsibility of the adult, the former still needs to be taught personal safety skills.

The WCC has long been promoting the need to incorporate personal safety lessons into the school curriculum.

Empowering the child would include not just saying 'no' to sexual abuse but telling someone when it happens and not keeping it a secret. Often, children are too scared to tell or are afraid that they might be disbelieved or blamed.

The need to create a professional and effective network for child protection in the community is also vital.

There must be sufficient resource allocation not only for an adequate number of service providers from the hospitals, welfare services and police, to name a few, in the community but for their training to ensure a sensitive and effective approach to handling child sexual abuse cases.

A lot needs to be done and can be done in implementation and enforcement. Let us channel this outrage into concrete actions for the protection of our children.

Rather than call for a harsher penalty, the WCC calls for an improvement in the criminal justice system, the implementation of a public awareness campaign and the existence of an effective child protection network in the community.

Prema Devaraj  
Programme Director  
Women's Centre for Change, Penang