

Opinion February 25, 2013

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TRAFFICKING: Safeguard child's interests

LAST month, the police took action against a child-trafficking syndicate in Penang, where babies were sold to couples. While the Women's Centre for Change (WCC) fully supports the police action in stopping human trafficking, we are concerned with the way the nine children "rescued" by the police have been handled.



According to reports, the children, aged between 2 months and 8 years, were removed abruptly from the care of their adoptive parents by the police in the middle of the night.

Some of these children were traumatised at the sudden separation. They were crying non-stop and some fell sick.

They were subsequently sent to an undisclosed shelter home outside Penang.

It has been more than a month since the children had been separated from their adoptive parents. Till today, attempts to contact the welfare officers and police for information about these children, including their whereabouts, have been met with silence, as this case is deemed a "police case" and investigations are ongoing.

While the WCC respects the criminal justice process, it is equally important to recognise that Malaysia is a signatory to the United Nations Convention on the Rights of the Child 1989 and its principles as incorporated in the Child Act 2001. Therefore, the best interests of the child must be paramount in all cases that involve children.

The emotional and physical wellbeing of these children cannot be made secondary to police investigations.

While the buying and selling of babies or children cannot be condoned, these innocent children are facing the brunt of the implementation of the law.

The sudden and ongoing separation from their adoptive parents has caused trauma and distress, which will lead to permanent emotional damage.

Government agencies must be more caring and sensitive in the handling of children. Children need

proper care and protection and cannot be treated like objects.

It is, therefore, imperative that the Welfare Department and child protection team implement the Fit and Proper Persons Regulations 2009, under the Child Act 2001.

It is necessary to urgently assess whether the adoptive parents can be fit caregivers for these children. If so, these children should be returned to the adoptive parents as soon as possible to provide a caring environment while the criminal investigations and trial are ongoing.

The best interests of the child and proper support for trafficked victims must be the core aspects in law enforcement.

This case also raises the larger societal issues in child trafficking, including poor parents who have to give up their babies, unwanted pregnancies, the desperation of childless couples and the difficulties in registering adopted babies.

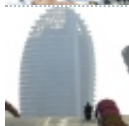
These issues must be addressed to prevent similar crimes from recurring.

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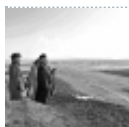
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