

What constitutes child negligence cases? A lawyer explains

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SHAH ALAM – As cases of children being neglected keep popping out on daily news, a lawyer explains what constitutes child negligence cases which would cause parents to get in trouble.

Lawyer Datuk Geethan Ram Vincent said child negligence cases would be decided based on a case-to-case basis, depending on the facts surrounding each case.

“There must be clear evidence of negligence. If the child walked out of the house and fell into the drain or river by himself, that cannot amount to “abandon, neglect or exposing him to danger.

“If there is clear evidence of neglect and them being abandoned, such actions cannot be justified and the law will take its course where the offender will be punished accordingly,” he said when contacted by Sinar Daily.

Geethan said Malaysia took such cases seriously and enforcement and laws were in place to address such cases.

He pointed out that in the past, numerous individuals had been charged but such cases had been rampant over the years and the law took its course on such offenders.

On Jan 23, a tragic fire claimed the lives of two brothers who were left alone as their parents went out to eat at about 3am without leaving keys accessible.

On Tuesday, a six-year-old autistic boy named Zayn Rayyan Abdul Matiin went missing as he walked with his mother on their way home.

He was later found dead at a creek nearby their apartment building a day after he was reported missing.

This further emphasised the urgency of addressing and preventing instances of parental negligence.

Geethan stressed the crucial need for detailed enforcement, proper investigation, and well-defined laws to identify and address negligence cases.

“Before an individual can be charged with any offense related to negligence, these elements must be in place to ensure that the offender is punished accordingly,” he said.

When asked about specific measures to prevent cases of missing children and ensure their safety, he highlighted the existence of an alert system in the country.

Geethan advocated for a proactive approach, urging the aggressive deployment of the alert system the moment a case involving a missing child emerges to enhance the chances of a swift and effective response.

“When a child goes missing, a message is sent to everyone via social media so that everyone is on the lookout.

“That aside, parents should not delay reporting in the hope that the child will come home or be found.

“Any delay can be detrimental,” he added.