

## An Insight into Sexual Abuse in Malaysia

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### Abstract

Sexual violence are escalating not only in Malaysia but all over the world. Most often the perpetrator have close contact with the victim. Sexual violence against children and women brings with it long-term complications. The victims suffer in silence. Effective and organised preventive measures are necessary to safe guard the vulnerable innocent people.

**Keywords:** Sexual abuse, Sexual harassment, Sexual violence.

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### INTRODUCTION

Malaysia is a country of unity in diversity .Because of this ethnic diversity there are cultural differences in attitudes to sexuality and sexual activities which can hamper public understanding of the issues surrounding sexual abuse. Perceptions of sexual abuse vary among the different ethnic groups in Malaysia and are influenced by religion.

### MATERIALS AND METHODS

This is a review study of literature on sexual abuse in Malaysia and rest of the world.

### DISCUSSION

#### Prevalence

The Malaysian figures are alarming. The Dewan Rakyat has revealed that a total of 22,234 sexual abuse cases were reported from 2010 to May 2017, with 13,272 being rape cases. Other sexual abuse cases included incest (1,796 cases), unnatural sex (1,152 cases) and molestation (6,014 cases) for physical abuse, she said, 2,244 cases were reported during the same period, involving male perpetrators and female victims [1].

It is reported that a total of 50,658 cases of rape, incest, molestation, unnatural sex acts, sexual harassment and domestic violence were recorded from 2013 to May 2018.

The Ministry of social welfare had also recorded a total of 3,439 reported sex crimes and domestic violence cases from January to May 2018 [2].

The study conducted by the Department of Social Welfare, Malaysia show that child abuse, molestation, and rape cases are continually increasing.

From January to July 2009 there were, 2193 cases reported to Royal Malaysian Police (PDRM) while in 2007 and 2008 a total of 4278 child abuse cases were recorded. Analyzing the steady rise in the statistics, it is predicted that there would be more than 10,000 cases in Malaysia over the next ten years [3].

#### Sexual harassment

Sexual harassment is defined by the U.S. Equal Employment Opportunity Commission., It is an “offensive remarks about a person’s sex, unwelcome sexual advances, requests for sexual favors’.

Sexual harassment is uninvited and unwelcome verbal or physical behavior of a sexual nature especially by a person in authority toward a subordinate (such as an employee or student).

Sexual harassment is a precursor to other more serious crimes such as rape. A clear definition of sexual harassment and appropriate to the Malaysian culture from various angles such as legal, economic, psychological and social is indispensable [4].

Sexual harassment can occur in three main environments namely in the

- workplace
- Public places and
- academic centers

The Ministry of Human Resources has issued a Code of Practice for the Prevention and Eradication of Sexual Harassment in the Workplace

### Sexual assault or abuse (SA)

SA is defined by the Department of Justice of the United States as “any type of sexual contact or behavior that occurs without the explicit consent of the recipient.” Examples include forced sexual intercourse, attempted rape, child molestation, incest, fondling and forcible sodomy. The term SA means any non consensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent. The term SA refers to sexual contact or behavior that occurs without explicit consent of the victim

SA is divided into contact and non-contact abuse. Examples of contact sexual abuse are inappropriate touching, fondling, kissing, masturbation, vagina oral or anal penetration. Non-contact sexual abuse includes inappropriate observation of private activities, producing or viewing pornography and exhibitionism. Sexual assault can be verbal, visual or forcing a person to join unwanted sexual attention like voyeurism [5].

Rape is an extreme form of sexual assault. The term rape is often used as a legal definition to specifically include sexual penetration without consent. For its Uniform Crime Reports, the FBI defines rape as “penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

A woman is raped when she is in no condition to give consent to sex, whether this is because she is unconscious or drunk.

**The age of consent for sex in Malaysia is 16. So, having consensual sex with a person under the age of 16 is considered statutory rape under the Malaysian laws.**

The Force doesn't always refer to physical pressure. Perpetrators may use emotional coercion, psychological force, or manipulation to coerce a victim into non-consensual sex. Some perpetrators will use threats to force a victim to comply, such as threatening to hurt the victim or their family or other intimidation tactics.

A cross-sectional survey of 1,870 students was conducted in 20 randomly selected secondary schools in Selangor state Malaysia (mean age: 16 years; 58.8% female). The questionnaire included items on individual, family, and social background and different types of victimization experiences in childhood.

Emotional and physical types of victimization were most common. A significant proportion of adolescents (22.1%) were exposed to more than one type, with 3% reporting all four types. Compared with females, males reported more physical, emotional, and sexual victimization. The excess of sexual victimization among boys was due to higher exposure to non contact events, whereas prevalence of forced intercourse was equal for both genders (3.0%). Although adult male perpetrators predominate, female adults and peers of both genders also contribute substantially. Low quality of parent-child relationships and poor school and neighborhood environments had the strongest associations with victimization. Family structure (parental divorce, presence of step-parent or single parent, or household size), parental drug use, and rural/urban location were not influential in this sample. Although some personal, familial, and social factors correlate with those found in western nations, there are cross-cultural differences, especially with regard to the nature of sexual violence based on gender and the influence of family structure [6].

Substantial number of people are sexually exploited in the institutions. The lifetime prevalence of SA in institutional settings in Germany was examined in a sample representative of the general adult population ( $N = 2,437$ ). The participants completed a survey on whether they had ever experienced such abuse its nature (contact, non contact, forced sexual intercourse), the type of institution (e.g. school, club), and the relationship of perpetrator to victim (peer, caregiver, staff member). Overall, 3.1% of adult respondents (women: 4.8%, men: 0.8%) reported having experienced some type of SA in institutions. Adult women reported higher rates of all types than did men, with rates of 3.9% versus 0.8% for contact SA, 1.2% versus 0.3% for non contact SA, and 1.7% versus 0.2% for forced sexual intercourse. We conclude that a remarkable proportion of the general population experiences SA in institutions, underscoring the need for development of protective strategies. Especially, schools seem to represent good starting points for primary prevention strategies [7].

SA is more likely to occur in certain environments. There are several reasons why quiet, private and dark places are favoured settings for sexual abuse. These places are less prominent and perpetrators are less likely to be interrupted while preying on their victim [8].

Apart from these types of environments, being part of a broken family can also be a form of unpleasant environment especially for youths and adolescents. Adolescents who experience changes in the family structure, such as parental separation, divorce, remarriage or the presence of the

parent's lover have been shown to be at greater risk of sexual abuse [9].

SA can have a negative impact on an individuals' physical, emotional and mental development and health [10].

#### The common types of SA are

- Intimate partner sexual violence,
- Stranger type of assault,
- Child sexual abuse and
- Abuse of disable victims.

#### (a) Intimate partner sexual violence (IPSV)-acquaintance rape.

The perpetrator has connected to the victim. He may be an intimate partner. This is known as intimate partner sexual violence, domestic violence or spousal rape. The sexual activity without the consent of the woman is violence.

IPSV mostly occur in male dominant societies. Social and cultural environments make to believe that male is superior to female. Poverty and alcohol and drug addiction are contributory factor [11].

When a study made about the ages of perpetrators in the IPSV, about 50% of the perpetrators were more than 30 years. 25% were within 21-29 years. 9% were 18-20 years and 15% were less than 17 years [12].

There were 733 cases of sexual abuse reported to the social welfare department, in the year 2008. Out of that 523 cases (72%) were committed by incest [13].

The majority of perpetrators are someone known to the victim. Approximately seven out of 10 of sexual assaults are committed by someone known to the victim, such as in the case of intimate partner sexual violence or acquaintance rape. The term "date rape" is sometimes used to refer to acquaintance rape. Perpetrators of acquaintance rape might be a date, but they could also be a classmate, a neighbor, a friend's significant other, or any number of different roles.

Interpersonal violence whether it is sexual or nonsexual, remains a major problem in large parts of the world. Sexual violence against children and women brings with it long-term complications. The victims suffer in silence [14].

**(b) Stranger rape:** When the victim does not know the perpetrator this is referred as stranger rape. Stranger rape can occur in several different ways:

- Blitz sexual assault: when a perpetrator quickly and brutally assaults the victim with no prior contact, usually at night in a public place

- Contact sexual assault: when a perpetrator contacts the victim and tries to gain their trust by flirting, luring the victim to their car, or otherwise trying to coerce the victim into a situation where the sexual assault will occur
- Home invasion sexual assault: when a stranger breaks into the victim's home to commit the assault

Survivors of both stranger rape and acquaintance rape often blame themselves for behaving in a way that encouraged the perpetrator. It's important to remember that the victim is a never to blame for the actions of a perpetrator.

#### (c) Child sexual abuse (CSA)

CSA is a form of child abuse in which an adult or older adolescent abuses a child for sexual stimulation [15].

With regard to, the sexual abuse victims, few studies have found that the victims seem to be younger than the perpetrators. Younger individuals are vulnerable to sexual abuse since they are innocent. They are powerless. Children, can easily be forced with threats into performing sexual acts [16].

The children living in isolated areas are more vulnerable to opportunistic perpetrators. They notice the movement of adults in and out of a household and take the advantages. The men living with the single mother also sexually abuse her children.. This implies that not only maintaining an intact family helps prevent individuals from being exposed to sexual abuse, but younger individuals have to be made aware on the consequences of sexual abuse [17].

In majority of CSA cases the victims know the perpetrator. In one study of sexual abuse cases reported to law enforcement, 93% of juvenile victims knew the perpetrator. 59% were acquaintances, 34% were family members and only 7% were strangers to the victim [18].

It was found that most sexual abuse offenders are acquainted with their victims; approximately 30% are relatives of the child, such as brothers, fathers, mothers, uncles or cousins; around 60% are other acquaintances such as friends of the family, baby sitters, or neighbors; strangers are the offenders in approximately 10% of CSA cases. Based on National Child Abuse Statistic (2009), over 90% of CSA victims knew their perpetrator in some way and 68% of them are abused by family members. In Malaysia, from the cases reported to Social Welfare Department in 2008, 72% from 733 cases were incest cases [19].

There is overwhelming evidence that report children delay or never disclose their sexual abuse experiences [20]

The children often believe that the parents will not believe them since the perpetrators are very close relations. In addition to the fear of not being believed, these children are reluctant to face shame and self-blame after reporting their experience of sexual abuse [21].

A Randomized cluster sampling was used to study the awareness in CSA. A total of 2186 students in their final school year of secondary school with mean age of 18.6 years ( $SD = .7$  years) had participated. The study employed the Child Sexual Abuse Questionnaire consisting of multiple behavior-specific questions. The prevalence of CSA was analyzed separately for three clusters of CSA and gender. The prevalence of non-contact forms of CSA was 40.6% among girls and 17.7% among boys. CSA with physical contact without penetration was reported by 30.2% girls and 11.6% boys. The prevalence of CSA with penetration was 5.6% among girls and 1.3% among boys. More than half of CSA occurred between 16 and 18 years of age. The severity of abuse was positively associated with acquaintance to the perpetrator. Roughly 43–56% disclosed the abuse to another person. The majority of disclosed CSA was revealed to peers and partners. A negligible proportion of CSA instances were reported to the police [22].

The CSA impacts negatively to the children during their childhood and future adulthood in physical, emotional, and psychological context [23].

The CSA is a very serious and prevalent problem affecting countries all over the world. Despite widespread efforts to spread awareness and campaign for better laws, there still aren't enough policies that effectively protect these vulnerable young children.

#### (d) Disable victims

In a study of 415 women with physical disabilities, it was found that participants who were less mobile and more socially isolated had a higher likelihood of having experienced abuse. The isolation could intensify the abuse and further restricts the victim's ability to respond to the abuse. Individuals may be isolated through multiple forms including restrictions to communication devices such as phone, and the Internet, rendering a person incapacitated and unable to reach out for help. Role of Perpetrators Women with disabilities are exposed to multiple potential abusers, including intimate partners, family members, health care providers, and personal assistance service workers [24].

Most of the commonly identified perpetrators of abuse against this population are husbands, live-in partners, and men. Individuals with disabilities are in a unique and potentially dangerous position of being in physical contact with many different professionals, of

various responsibilities and experience, on a daily or weekly basis. These individuals will likely be at higher risk of abuse, compared to the general population [25].

The implementation of Persuasive Multimedia Learning Awareness in preventing child sexual abuse in Malaysia. A qualitative method using unstructured interview has been selected as a technique of gathering information in order to identify the current children awareness toward sexual abuse and current child sexual abuse prevention programs implemented in Malaysia. Four respondents have been selected to participate in this interview: a representative from the Department of Social Welfare, government agency involved in making Child Protection Policy; a representative from Women's Centre for Change (WCC), Penang, an NGO involved in prevention program, a representative from Family Law Division, Department of Islamic Affairs, State of Kedah (JAIK) and a primary school teacher. The findings from this preliminary investigation confirm that in Malaysia, there is a need to educate children about child sexual abuse and there is still lacking of educational materials that utilize multimedia and computer technology that teach children about personal safety. In conclusion, the implementation of Persuasive Multimedia Learning need to be designed and developed to educate children and to increase their awareness level of any situations that might negatively affect their personal safety and to provide guidelines for the children on how to act appropriately when these situations arise [26].

Aggregated data from 125 substantiated Adult Protective Services cases of sexually abused women were collected during a 5-year period. Women older than 59 years represented 63% of the cases. Regardless of age, the most common types of assault involved sexual intended kissing and fondling and unwelcome sexual interest in the body of the woman. Most identified perpetrators were older males. Family members were most likely to abuse women living in the community, whereas women living in facilities usually experienced abuse by another resident. About 12% of the women continued to be at risk of further SA [27].

#### Smart Phones Place a Significant Role at Present

666 participants were recruited in four universities in Hong Kong in 2015. Overall, the 1-year prevalence of SA was 12.4% (95% confidence interval [CI]: [9.8, 14.9]) and the lifetime prevalence was 14.2% (95% CI: [11.5, 16.9]). Multiple logistic regressions found that users of dating apps (adjusted odds ratio [aOR]: 2.13,  $p < .05$ ) were more likely to be sexually abused in the past year than non-users. Using dating apps was also a risk factor of lifetime SA (OR: 1.83,  $p < .05$ ). Our findings suggest that app users should deserve more attention in risk assessment, risk stratification, and SA prevention programs [28].

## Way Forward

Primary- prevention of SA at community level: The vulnerable people should be identified and care is necessary to protect them.

Secondary prevention: We have to identify the potential perpetrator. The legal frame should enforced.

Tertiary: Treatment of victim. This in the hospital to prevent the sexually transmitted infections psychological counselling and sympathetic approach.

In Malaysia, there are numerous prevention programs planned and implemented by government, NGOs and other societies to create public awareness toward the prevention of CSA. The media advertisement, awareness week campaigns, forums, and talk by responsible agencies are taking place at regular intervals.

Even though countless work has been done by researchers around the world to prevent child sexual abuse through creating public awareness, in Malaysia this effort remains inadequate. Even though there are attempts by government agencies and NGOs in creating public awareness through mass media such as forum and campaigns, there is still insufficient amount of education programs that utilize the computer technology to create awareness among children in school. In current practice, program in schools that educate children in a child-friendly way about bad touches and preventing themselves from perpetrator is far lacking.

Adequate sexual abuse prevention curriculum has to be implemented to reinforce personal safety among school students [29].

The main challenges for SGBV response in Malaysia (SGBV - Sexual and gender based violence) are limited implementation of legal instruments relevant to protection of survivors of SGBV, limited access to state services and systems, low SGBV awareness among refugees, especially on prevention, identification and response and limited relevant stakeholders and available resources.

In 2015, the United Nations General Assembly adopted a resolution on the 2030 agenda for sustainable development. Sustainable Development Goal (SDG) Goal 16; 16.2 states, "End abuse, exploitation, trafficking and all forms of violence against and torture of children", and Goal 5 "eliminate all forms of violence against women and girls in public and private spheres, including trafficking and sexual and other types of exploitation". UNHCR's Action against Sexual and Gender-Based Violence (Global Strategy) seeks to enhance the quality of protection delivery by promoting the following often overlooked areas and including them, as appropriate, in a comprehensive strategy [30].

## CONCLUSION

Sexual abuse is unwanted sexual activity, with perpetrators using force, making threats or taking advantage of victims not able to give consent. Most victims and perpetrators know each other. Immediate reactions to sexual abuse include shock, fear or disbelief. Long-term symptoms include anxiety, fear or post-traumatic stress disorder. While efforts to treat sex offenders remain unpromising, psychological interventions for survivors. Adequate preventive measures are necessary to safeguard the innocent victims

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