



EDITOR, NEWS DESK

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**HOLD PARENTS OR GUARDIANS ACCOUNTABLE FOR NEGLIGENT
EXPOSURE OF CHILDREN TO FATAL OR INJURIOUS ROAD ACCIDENTS**

KUALA LUMPUR (17 AUGUST 2024) - The Children's Commissioner (CC) of the Human Rights Commission of Malaysia, Dr. Farah Nini Dusuki, has expressed sadness over the recent tragic road accidents involving underage motorcyclists. In an incident, a 12-year-old boy riding a three-wheeled motorcycle caused the death of a 13-month-old toddler in Kubang Kerian. In another, two 13-year-old boys lost their lives after colliding with each other while performing stunts in Elmina.

It was reported that in the first case, the road tax and insurance for the three-wheeled motorcycle had expired. In the second case, the accident occurred at 11:20 p.m. as the two teenagers were performing wheelies. These incidents starkly highlight the failure of parents or guardians to properly monitor their children's activities, particularly at night.

Under Section 31(1)(a) of the Child Act 2001, parents or guardians who neglect their child or act negligently in a manner likely to cause the child physical injury, or who permit the child to be neglected, can, upon conviction, be liable to a fine not exceeding fifty thousand ringgits, imprisonment for a term not exceeding twenty years, or both.

Additionally, under Section 39(5) of the Road Transport Act 1987, parents or guardians who cause or permit their child under 16 years old to drive a motor vehicle are guilty of an offence and, upon conviction, are liable to a fine not exceeding two thousand ringgits, imprisonment for a term not exceeding six months, or both.

According to statistics from the Bukit Aman Traffic Investigation and Enforcement Department, the number of road deaths and injuries among child motorcycle victims increased in 2023 compared to 2022, especially in the 6 to 10 age range, with cases rising from 97 to 111. The Ministry of Transport (MOT) and Road Transport Department (RTD) are reportedly drafting a new law related to the purchase of motorcycles by unlicensed riders. The CC urges that this draft law be expedited for tabling in the Dewan Rakyat.

In 2019, the police proposed to the MOT and RTD the implementation of a new motorcycle license category, referred to as 'B3,' which would restrict individuals aged 16 to 20 years to operating only electric bikes and low-powered mopeds not exceeding 70cc. This proposal was considered, and in 2021, the Malaysian Institute of Road Safety Research (MIROS) endorsed a recommendation to study the idea. However, the status of this study remains unclear to date. The CC therefore calls on MIROS to provide a clear update on this matter.



**MEDIA STATEMENT
THE OFFICE OF THE CHILDREN'S COMMISSIONER OF THE
HUMAN RIGHTS COMMISSION OF MALAYSIA (SUHAKAM)**

The CC firmly reiterates that negligent parents and guardians must be held accountable for their failure to fulfill their duty of care. The deaths of these children were not merely accidents or matters of fate; they could have been prevented if their parents and guardians had exercised proper vigilance.

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**Dr Farah Nini Dusuki
Children's Commissioner
The Human Rights Commission of Malaysia (SUHAKAM)
17 August 2024**