

Counseling and Psychotherapy Aid on the Psychological Poverty of the Juvenile Sex Offenders in Malaysia

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Abstract: The purpose of this study is to enlighten the role of counseling and psychotherapy aid on the psychological poverty of the juvenile sex offenders Malaysian. It provides an overview for the need of counseling aid for juvenile sexual offending behavior. A number of recommendations are suggested for improving our collective response to concerns regarding juvenile sexual offending.

Key words: Juvenile sex offenders, counseling, psychotherapy, psychological poverty, recommendation, Malaysian

INTRODUCTION

Every day, we read or hear of crimes committed by juveniles. The sexual abuse on children has an enormous impact on the child, the family and the community (WHO, 2007). Juvenile sex offenders and youth with sexually abusive behavior are a growing national concern. Every day, we learn from the media and reports that victims are being molested, raped or even murdered. Tremendous efforts are taken to spread awareness among the people in Malaysia. As the saying goes: Precautions are better than cure. The subject of juvenile or child lawbreakers has gained greater recognition due to the national attention given to reforming the juvenile justice system in many countries and acknowledging the rights of children. Matters concerning the justice and welfare of these children are seen as a national problem that must be astutely dealt with.

It is understood that sexual offending against children is a crime of devastating impact, it is still not widely appreciated that much of that offending against children is actually perpetrated by other children. Adolescent sex offenders represent the full tragedy of child sex offending, the intergenerational transmission of abuse and the complex acting out of early childhood trauma through the victimization of other children close to them. The adolescent sex crimes are a largely unrecognized problem that defy simple stereotypes and often leads to a research where intervention and help is most needed. While the literature on adolescent sex offending has rapidly expanded in recent years, there is comparatively little focus on the said subject.

Children and crime has always been a sensitive subject. No one likes to think of a child as a perpetrator of

crime nor can we tolerate or fully understand the apparatus that contributes to the formation of delinquency among youth. It has not been an easy task for academics to uncover the core and causes concerning juvenile delinquency. Historically, children were treated faultily, depending on their place within the structure of society and the family.

Discipline and maltreatment for the sake of correcting astray children were imposed. Whippings, floggings, spankings and other forms of physical punishment have been the way of disciplining troubled children. It was recorded that crying babies were once given opium pacifiers to suck in order to quiet them. One children being the victims of crime can cause some children's disturbed behaviors. However over the years, we have become aware of some major changes in dealing with juvenile delinquency, especially in finding suitable ways to punish their delinquent behavior.

MALAYSIAN PRISON FOR OFFENDERS

Malaysia has been strongly influenced by the so-called treatment and rehabilitation concepts and strongly believes in the possibility of being able to treat and rehabilitate offenders. The treatment process within the prisons is clearly directed towards the preparation for an eventual return to the community as law abiding and socially productive citizens. Their treatment should spell out principles of legality and humanity and this conforms in almost every aspect to the United Nations Standard Minimum Rules (treatment of offenders) 1954 and the Prison Rules. A reasonably high economic growth sustained by the country for the last several years has furnished and coloured the prisons population.

Malaysia is relatively a nation with a sizeable population between the ages of 10 and 24. The gender distribution of young people between 15-24 years of age comprising about 20% or a 5th of the population as a whole while younger children 0-14 years of age make up approximately about 40%. The fact that they contribute to a sizeable proportion of the population is enough reason for attention to be accorded to adolescents (Awin *et al.*, 2005).

Prison as a main correctional body in the criminal justice system. Generally, the Prison Department is:

- To protect the public by segregating the offenders from the community as ordered by the courts
- To effectuate judicial decisions by holding prisoners in custody until their actual times of release
- To provide a secure, orderly and humane treatment environment for offenders in department custody
- To rehabilitate offenders so that they may regain their self-respect and self identity and thus, eventually return to their community as law-abiding and socially productive citizens

In order to ensure these objectives and functions being successfully achieved, various steps have been taken by the institution. In other word, this is where the Prison Department plays their role. The main principles in treatment of the prisoners are as follows:

- Discipline and order shall be maintained with fairness but firmness and with no more restriction than is required for safe custody and to ensure a well ordered community life
- In the control of prisoners, prison officers should seek to influence them, through their own example and leadership, so as to enlist their willing co-operation
- At all times, the treatment of convicted prisoners shall be such as to encourage their self-respect and a sense of personal responsibility, so as to rebuild their morale, to inculcate in them habits of good citizenship and hard work, to encourage them to lead good and useful life on discharge and to fit them to do so

Everywhere, delinquency shares some common conceptions regardless of the comprehensive explanation that are given by many such as:

- Delinquent behavior is caused by some disturbance or trauma in the youth's development

- It is regarded as a psychological disturbance beginning not later than childhood and continuing during the maturation process
- Delinquency is a problem within the individual that must be approached through the direct treatment of this person rather than modification of external environmental factors

Therefore in dealing with juvenile delinquents, one must treat a juvenile as a person and should try to penetrate into the juvenile's mind rather than keeping them behind the cold walls. For a juvenile who committed a crime at a very tender age, the time spent in a cell will eventually mold his or her behavior later in the future. Without receiving correct and proper social skills, the juvenile will not be able to reintegrate himself into society. It will cause nothing but problems.

JUVENILE SEXUAL OFFENDERS AT HENRY GURNEY SCHOOL MALAYSIA (YOUTH PRISON)

In Malaysia, there are two different laws that exist for these groups of young individuals, the Muslims' Shari'ah Law and the Civil Law governing the non-Muslims. The Malaysian Civil Law has clearly stated that a person must be at least of 18 years but younger than 21 years of age, get the approval of parents or guidance before getting married. The marriage then would be acceptable for one to have sex within the marriage. Sexual relationship before marriage would be socially and legally unacceptable.

The Child Act 2001 covers persons under the age of 18 years and is in line with the Convention of Child, actually provides protection for children against abuse, exploitation and violence. In brief, it is a proliferation of three major Acts; The 1947 Juvenile Court Act; The 1973 Protection of Women and Girls Act and The 1991 Protection of Children Act. Laws of Malaysia (2001) as cited by Awin *et al.* (2005) that addresses the protection of children and adolescents.

Sanctions ranges from admonishment and discharge to a fine or attendance at one of the Henry Gurney School, Telok Mas Malacca, administered by the Prisons Department. For more serious offenses, offenders may be sent to prisons or committed to the Henry Gurney School. Till of March, 2010 there were 343 convicted offenders admitted to prisons were below age 16-21. Programming includes vocational training, paid employment, health and medical services, recreation and access to legal advisers and grievance procedures.

Henry Gurney School at Malacca, serving youths of ages 16 through 21; train them for return to the community. The youths have maximum supervision and

participate in vocational training, agricultural work, religious instruction, academic and physical education, recreation, sports and counseling. Inmates progress through a series of ratings based on their conduct and work. A period of home leave precedes release.

There is also a school built, named; Sekolah Menengah Henry Gurney, Telok Mas is where the juveniles offenders are selected as to who would want to pursue their studies further. They as usual attend school like any other students. Teachers at the said school are well experienced who have been selected and screened by the government. The numbers of passes in this school are minimum compared to other schools. Yet, there are students who have achieved good results and continued to universities or other programs. Majority, returned to their old habits and some were seen at the various prisons in Malaysia.

Detention at Henry Gurney School for juveniles is like a home where they practice discipline and being observed every moment. At times, they do become rebellious due to misunderstandings among other inmates. As the saying goes; boys are boys. Moreover, they are only children.

PSYCHOLOGICAL POVERTY

The term psychological poverty refers to the weakness of an individual's psychological status with a wide variety of feelings, thoughts and behavior. Thinking deals with covert or implicit processes. It is a way in which the human is able to manipulate objects and events in mental processes, such as psychological perspectives on reasoning, judgment and decision making. Thinking is a result of interaction between the individual and the environment. In the nature of mankind, the mind, body and soul need to be synergetic. Any affect in any of these parts will create impairment on one's psychological, emotional and behavioral acts.

For overt behaviors, this involves direct observation and recording of the behavior by an independent observer or by the person exhibiting the target behavior (self-monitoring). Because cognitive behaviors are covert, they cannot be observed directly and recorded by an independent observer. Rather, the person engaging in the cognitive behavior must identify and record the occurrence of specific thoughts or self-statements because they are covert (Gay *et al.*, 2009).

Emotion is a particular broad and multifaceted psychological phenomenon. It has experiential (conscious), behavioral and physiological aspects. Emotions range from purely sensory experiences with minimal cognitive or situational content to complex social interaction. Because of all this great scope definitive generalization that applies to all emotions

are difficult to attain. Most often, emotion refers to a generalized disturbance or stirring up of the organism with conscious behavioral and psychological associated.

Sex offenders normally portray interesting emotional characteristics at times defying many psychological theories and models. According to Cleckley (1984), some of them of such as the psychopathic criminal offenders are able to reproduce pantomime of emotions deficiencies. At times links with neurobiological dysfunction and abnormal internal and intrapsychic processes and also severe socialization problems (Marten, 2004; Cleckley, 1984).

The understanding of the offenders' psychological poverty may assist legislators, correctional officers, psychologists, counselors, judiciary officials, social workers and non-governmental organizations in making the essential decision in working towards a better understanding of the factors that contribute to sexual offending. The outcome of this research could stimulate a widespread call for redesigning the correctional and rehabilitative schemes in Malaysian institutions in Malaysia.

COUNSELING AND PSYCHOTHERAPY FOR JUVENILE SEX OFFENDERS

Psychotherapy is a process by which you examine your thoughts, feelings, actions and relationships, evaluate where problems exist and learn how to make whatever changes are necessary to achieve better life adjustment and satisfaction. Counseling and psychotherapy are interchangeable because they describe the same process and have similar goals. No one program will be appropriate for all delinquent youth but some do show promise. Generally, such programs teach concrete skills, address psychological and learning deficiencies are built on sound instructional principles are of significant duration and are multi-faceted.

Research over the past decade offers renewed promise for counseling and psychotherapy interventions that prepare young offenders to be productive members of society. Programs typically stress the prevention of behaviors that lead to re-offending. Most behaviors and attitudes do not directly lead to successful employment, however, they can be thought of as preparatory. Research is demonstrating what works and also what leads to failure (Henggeler, 1989; Quay, 1987). Quick fix programs do not work. Programs must be offered over months, not weeks and of sufficient intensity to change entrenched behaviors and attitudes. Follow-up booster sessions contribute to program effectiveness. Programs that employ single aims or strategies do not work.

Youth offending has no single cause and the young offender population is far from homogeneous. Successful programs are multi-faceted. They use multiple strategies (e.g., skills, problem-solving, self-monitoring, aggression control) have multiple targets (e.g., individual, peers and home) and have multiple specific goals that typically generalize over time and across settings. Simplistic evaluation designs and unreliable criteria (e.g., recidivism) can not address the complexity of short-term and long-range outcomes. Programs do not work when those who offer them do not believe in their efficacy. Successful programs can fail because of cynicism among those who implement and administer them. Lack of program fidelity is a common cause of failure.

Successful programs are often complex, a reflection of the complex causes of youth offending. If they are not delivered as designed and those implementing them are not well trained, successful programs can fail.

Psychological treatment provided to juvenile sexual offenders could reduce the crime recidivism rate considerably. It can help convicted individuals learn how to interact appropriately within society. Obviously, not all juvenile sexual offenders are open to treatment, violent juvenile sexual offenders and some individuals who commit crimes because they do not have compassion with victims are potential recipients of this psychotherapy. For some juvenile sex offenders, the presence of personality disorders demands long term treatment to achieve results. For these offenders, psychotherapy is frequently indicated and can be especially helpful in the rehabilitation process. Juvenile sexual offenders were treated with multisystemic therapy (Borduin *et al.*, 1990). According to the risk principle (Andrews *et al.*, 1990), treatment for offending behavior is most effective when provided to juveniles who are at highest risk for reoffending. The opposite view is that serious juvenile delinquents are the most hardened and least likely to respond to treatment. Counseling is always made available to them. They are more susceptible to feelings of pressures, anxieties and worries very often about their parents who are in the outside world. For this reason, counseling occupies an important place in the prison rehabilitation program. Individual receive specialized counseling and support during their sentence. In this way, the delinquent has the chance to learn about his situation, ask questions and express emotion and learn to cope more effectively and responsibly with their condition.

CONCLUSION

Research during the past decade is beginning to show clearly that programs for young offenders and other

at risk youth can work if they are built on principles that lead to effective behavior and attitude change. The task is not easy. There are no short-term solutions, nor will any single program likely address all aspects of the problem. Counselors and educators must have available a repertoire of programs that meet individual and group needs.

REFERENCES

- Andrews, D.A., I. Zinger, R.D. Hoge, J. Bonta, P. Gendreau and F.T. Cullen, 1990. Does correctional treatment work? A clinically relevant and psychologically informed meta-analysis. *Criminology*, 28: 369-404.
- Awin, N.B., A.E. Suan, S.L. Wah Yun and H.S. Lee *et al.*, 2005. Sexual and Reproductive Health of Adolescents and Youths in Malaysia, World. WHO, Geneva, Switzerland.
- Borduin, C.M., S.W. Henggeler, D.M. Blaske and R.J. Stein, 1990. Multisystemic treatment of adolescent sexual offenders. *Int. J. Offender Therapy Comp. Criminol.*, 34: 105-113.
- Cleckley, H., 1984. *Mask of Sanity*. C.V. Mosby, St. Louis, USA.
- Gay, L.R., G.E. Mills and P.W. Airasian, 2009. *Educational Research: Competencies for Analysis and Applications*. 9th Edn., Merrill/Pearson Education International, New Jersey, USA., ISBN: 13-9780132338776, Pages: 618.
- Henggeler, S.W., 1989. *Delinquency in Adolescence*. Sage Publications, Newbury Park, CA., ISBN: 13-9780803932807, Pages: 151.
- Laws of Malaysia, 2001. Child ACT 2001. (Act 611) Percetakan Nasional Malaysia Sdn Bhd, Malaysia. http://www.commonlii.org/my/legis/consol_act/ca200152/.
- Marten, W.H.J., 2004. Emotional capacities and sensitivity in psychopath. W. Kahn Institute of Theoretical Psychiatry and Neuroscience, Utrecht, the Netherlands. <http://www.goertzel.org/dynapsyc/2003/psychopaths.htm>.
- Quay, H.C., 1987. *Handbook of Juvenile Delinquency*. Wiley & Sons, New York, USA., ISBN: 13-9780471817079, Pages: 480.
- WHO, 2007. *Sexual and Reproductive Health of Adolescents and Youth in Malaysia: A Review of Literature and Projects 2005*. WHO, Geneva, Switzerland, ISBN: 13-9789290612636, Pages: 84.