

# Doctors urge court to review teen's murder charge after newborn stabbed, say girl victim of rape and now injustice

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Dr Koh explained many survivors of sexual violence may experience mental, behavioural and social consequences, and that women bear the extra brunt of reproductive consequences apart, from experiencing the trauma of the sexual assault and risk of contracting sexually transmitted infections. — AFP pic

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KUALA LUMPUR, Feb 16 — The Malaysian Medical Association (MMA) today expressed its shock over the murder charge against a 15-year-old rape victim who allegedly stabbed her newborn.

Its president Dr Koh Kar Chai said that there is a definite need to revisit the case because charging her with murder under Section 302 of the Penal Code would be a massive injustice to the girl as she herself was a victim of a horrible crime mere nine months ago.

“MMA is horrified over the court’s decision of the case of the 15-year-old girl who stabbed her just-born son who is himself a product of the rape of this young juvenile mother.

The magistrate, in this case, charged the girl for murder, an offence under Section 302 of the penal code. This young girl, herself the victim of a crime nine months ago, is now again a victim of injustice,” said the umbrella body for doctors in the country.

Dr Koh explained many survivors of sexual violence may experience mental, behavioural and social consequences, and that women — who comprise a vast majority of the victims — bear the extra brunt of reproductive consequences apart, from experiencing the trauma of the sexual assault and risk of contracting sexually transmitted infections.

“The health consequences of sexual violence or rape in girls and women are numerous ranging from reproductive health where they may suffer gynaecological trauma or unsafe abortions for example as well as mental health issues like depression, anxiety and post-traumatic stress disorder to name a few.

“As a result of rape, these survivors may start exhibiting high-risk behaviours. Fatal outcomes of rape can include suicide, AIDS, murder during rape, killed for honour or even infanticide of a child born of rape,” he said.

He then questioned why the girl — who got pregnant from the rape — was not offered the proper psychological support during her pregnancy.

“Apart from the trauma of the rape, she has to bear the brunt of being pregnant and also face the backlash from society adding to her misery increasing her risk of not just developing mental illness but also further pushing her towards unwarranted behaviours like infanticide.

“If she is already depressed during her unwanted pregnancy, the risk of developing postpartum depression is definitely higher.

“What horrors and stress must have accompanied this young girl throughout her pregnancy to make her commit infanticide on the day the child was born?” he said.

On February 9, police in Terengganu detained a 15-year-old girl, an alleged rape victim, after her newborn baby boy was found dead with stab wounds.

Kemaman police chief Supt Hanyan Ramlan said the girl’s family members were not at home during the incident and an initial investigation revealed that the baby was allegedly stabbed by the 15-year-old mother.

“The baby was delivered by a 15-year-old girl at her house, assisted by a friend. The latter then rushed to inform a nearby clinic about the delivery while the teen mother and her baby stayed at home,” he said.

According to Hanyan, clinic personnel found the baby bleeding when they arrived at the scene. The baby was confirmed dead despite being rushed to the clinic and given emergency aid.

The newborn was laid to rest on February 14 at the Seri Nandi Muslim cemetery near Kemaman.

Yesterday, the 15-year-old was charged with murder at the Magistrates Court in Kemaman, with Magistrate Tengku Eliana Kamaruzaman rejected the girl’s plea for bail, her lawyer Nurainie Haziqah told *Malay Mail*.

Murder, an offence under Section 302 of the Penal Code, is non-bailable. But Nurainie said Section 388 of the Criminal Procedure Code allows for exceptions to be made if the person charged is either sick, a minor or a female.