‘Bend the bamboo shoot while it’s young’: Rhetoric, ideals and children in Brunei Darussalam

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Abstract

The protection and rights of children is a worldwide concern. Globally most countries have agreed to minimum standards for child participation, protection, and provision of basic needs. Yet, it is recognised that children in low through to high income countries often are left unprotected from a violation of rights. Many factors influence the care and protection of children such as political, economic and social stability, along with prevailing values. The United Nations Convention on the Rights of the Child (UNCRC) is the most widely used document. A comparable document from the Organisation of Islamic Cooperation, the Covenant on the Rights of the Child in Islam (OICCRCI), provides a faith based perspective on the care and protection of children. The government of Negara Brunei Darussalam is a signatory to both these documents and has various policies and aspirations to support children.

Brunei has a strong Islamic ethos and unique culture. These factors shape childhood in Brunei, yet examinations of its impact have received little attention in the academic literature. A review of literature located studies on Bruneian history, culture, legal systems, education systems, and special needs policies. However, children had low visibility in the studies, suggesting the need for research that captured their experiences. This thesis examines children’s lived experiences in Brunei, providing an avenue for Bruneian children’s voices to enter academic narratives. Specifically, it explores how the Brunei Government’s child protection policies and principles are reflected in the everyday experiences of children.

Diverse groups of Bruneian children participated in the research. Children have distinct vulnerabilities, which differ from the realities experienced by adults. Including their voices in research is necessary to develop understandings of the lived experiences of
Interviews were undertaken with children living in Brunei, including both citizens and non-citizens. Children were recruited from a variety of contexts including, schools, religious programs, juvenile justice and child protection systems. Parents of children with special needs, and parents who adopted a child were also interviewed, as were practitioners and teachers. The adults in the study were interviewed for their specialist knowledge of working within, or experiencing, governmental systems relating to child wellbeing. 112 children, 16 practitioners and 11 parents participated in the research. Their accounts were thematically analysed. Results are discussed within the context of literature, child participation and prevailing child rights documents.

Children described their lives at home, in institutions and at school. While differing in intensity, common themes were identified across the distinct case groups. Examples include, adult-child relationships, lived religion, feelings of safety, gender, issues of statelessness, feelings of inclusion, violence, truancy and the influence of friends. Three groups of children were recognised as having their rights infringed; children with special needs, non-citizens and females. There are disparities between the experiences of children in Brunei, with Muslim-Malay citizen children more likely to benefit from government policies. Bruneian children are protected by both formal and informal child protection measures identified throughout the data. In some instances, informal practices ensured positive outcomes for children, however a lack of monitoring may place children at risk.

This thesis adds to the body of literature on child protection and participation in Muslim-majority contexts. To deepen understandings of child protection in Brunei, literature was reviewed on the influence of Islamic teachings in caring for children. Literature was reviewed focussing on Islamic teachings and their lived application. This
guided the study in explorations of adoption, discipline techniques, child marriage, and duties between parents and children in Brunei. The approach used can be adapted for research on the rights of citizen and non-citizen children in other Muslim-majority contexts. Improving understandings of the realities of children in Islamic contexts, will improve responses to enhance child wellbeing. This thesis sits within a growing body of literature which challenges Islamophobic discourses which, have been harmful in Muslim-majority and Muslim-minority contexts. Throughout, there is a focus on where Islamic and Western concepts of child wellbeing converge. Areas of convergence represent areas where effective work with children can occur, supported by child rights practice, and congruent with religious norms. Divergences between Western and Islamic thought represent areas where dialogue can occur to further understand both positions, and work towards acting within in the best interests of the Muslim child.
Statement of originality

This work has not previously been submitted for a degree or diploma in any university. To the best of my knowledge and belief, the thesis contains no material previously published or written by another person except where due reference is made in the thesis itself. I acknowledge that the main text of this thesis does not exceed 100 000 words.

(Signed)
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Thank-you to Di, Toby, Janene, and Courtnie for your encouragement, support and patience. Thank-you also to my friends and family for showing an interest in my work, and listening to me talk about this project.
## Glossary

<table>
<thead>
<tr>
<th>Term</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adat</td>
<td>Customs and accepted practices. The term is used in Malaysia and Brunei. Adat is codified into a legal system in Brunei, alongside common law and Syariah law (Sidhu, 2010).</td>
</tr>
<tr>
<td>Animism</td>
<td>A belief system that attributes a living soul to plants, animals and natural phenomena.</td>
</tr>
<tr>
<td>Bandar Seri Begawan</td>
<td>Capital of Brunei Darussalam since 1970 (Sidhu, 2010).</td>
</tr>
<tr>
<td>Belait District</td>
<td>One of the four districts of Brunei, situated in the southwest of the nation. The district capital is Kuala Belait (Sidhu, 2010).</td>
</tr>
<tr>
<td>Beyond Parental Control Order (anak sukarno dikawal)</td>
<td>A class of status offence used under Bruneian common law. Being placed on this type of order can see children enter the juvenile justice system and face incarceration.</td>
</tr>
<tr>
<td>Bisayas</td>
<td>An Indigenous group, with a small population in Brunei. Recognised as one of the seven original Indigenous groups of Brunei by the Nationality Enactment of 1961 (Sidhu, 2010).</td>
</tr>
<tr>
<td>Bomoh</td>
<td>Traditional Malay healer.</td>
</tr>
<tr>
<td>Brunei Malays</td>
<td>One of the original ethnic groups of Brunei, who traditionally lived in Kampong Ayer but now live throughout Brunei. Referred to as Barunay in some ethnographic works (Sidhu, 2010).</td>
</tr>
<tr>
<td>Brunei-Muara District</td>
<td>One of the four districts of Brunei. The Brunei-Muara district is the most heavily populated and contains the nation’s capital. This district also contains Kampong Ayer and Muara (Sidhu, 2010).</td>
</tr>
<tr>
<td>Borneo Bulletin</td>
<td>An English language paper reporting on Brunei and the region.</td>
</tr>
<tr>
<td>Chinese Population</td>
<td>Largest minority ethnic group resident in Brunei. Population are predominantly non-citizens. The main dialects spoken amongst this population are Hakka, Hokkien and Teochew (Sidhu, 2010).</td>
</tr>
<tr>
<td>Dusan</td>
<td>An Indigenous group with a population in Brunei and elsewhere in Borneo. Recognised as one of the seven original Indigenous groups of Brunei by the Nationality Enactment of 1961 (Sidhu, 2010).</td>
</tr>
<tr>
<td>Ezycard Scheme</td>
<td>A form of child economic sexual exploitation described by research participants.</td>
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<td>----------------</td>
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<tr>
<td>Fiqh</td>
<td>The human attempt to understand and interpret the Shariah. Fallible and changeable, unlike the Shariah which is understood to be infallible. The application of usual al-fiqh (methods of legal interpretation) (Esposito, 1995).</td>
</tr>
<tr>
<td>Forum Sinar</td>
<td>An educational program run in Bruneian schools that contains an element of sexual education, as described by participants.</td>
</tr>
<tr>
<td>Hadd</td>
<td>Limit or prohibition. A punishment fixed in the Qur’an and Hadith for crimes considered to be against the rights of God (Esposito, 1995).</td>
</tr>
<tr>
<td>Hadith</td>
<td>Reports of the words and deeds of the Prophet Muhammad, and other significant early Muslims. After the Qur’an, the most important sources of guidance for Muslims (Esposito, 1995).</td>
</tr>
<tr>
<td>Helpline 141</td>
<td>A 24-hour phone line operated by the Bruneian government to ensure children and adults can report child protection concerns.</td>
</tr>
<tr>
<td>House of Detention</td>
<td>One section of the welfare home for children. House of detention houses juvenile offenders in Brunei. This facility is run by the Bruneian government.</td>
</tr>
<tr>
<td>House of Safety</td>
<td>One section of the welfare home for children. House of safety houses women and children judged to be in need of protection in Brunei. This facility is run by the Bruneian government.</td>
</tr>
<tr>
<td>Hudud</td>
<td>Plural of Hadd (Esposito, 1995).</td>
</tr>
<tr>
<td>Hukm</td>
<td>A particular ruling on a given case (Esposito, 1995).</td>
</tr>
<tr>
<td>Iban</td>
<td>Iban are an ethnic group Indigenous to Borneo, but considered migrants to Brunei (Sercombe, 2010).</td>
</tr>
<tr>
<td>Imam</td>
<td>A role model for the Muslim community in all spiritual and secular undertakings. In legal understandings, applied to the leader of congregational prayers in the Mosque (Esposito, 1995).</td>
</tr>
<tr>
<td>Jawi</td>
<td>An Arabic alphabet adapted for writing the Malay language (Sidhu, 2010).</td>
</tr>
<tr>
<td>Kafalah</td>
<td>Islamic tradition of child guardianship, consistent with the</td>
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<tr>
<td>Term</td>
<td>Definition</td>
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<td>----------------------</td>
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<tr>
<td>Syariah</td>
<td>Law of Islam, based on the Qur'an and Sunnah. Syariah is the ultimate authority in Islamic matters.</td>
</tr>
<tr>
<td>Kampong</td>
<td>Village</td>
</tr>
<tr>
<td>Kampong Ayer</td>
<td>Water Village, located in the capital Bandar Seri Begawan. Traditionally, Kampong Ayer was the political, economic and social centre of Brunei.</td>
</tr>
<tr>
<td>Kedayan</td>
<td>One of the original ethnic groups of Brunei, Kedayan’s are classed as Malay and are largely Muslim.</td>
</tr>
<tr>
<td>Maslahah</td>
<td>According to necessity and particular circumstances, it consists of prohibiting or permitting something on the basis of whether or not it serves the public’s benefit. It can be useful in cases not regulated by the Qur’an, or Sunnah. Considerations can override analogy taking into account public welfare. Those who follow the Shafii school of Islam, like in Brunei, do not allow juridical opinions based on Maslahah.</td>
</tr>
<tr>
<td>Mosque Youth Program</td>
<td>A program run by the Ministry of Religious Affairs in Brunei. Aims to engage young Muslim Bruneians in Mosque life.</td>
</tr>
<tr>
<td>Murut</td>
<td>One of the original groups of Brunei. The Murut are classified as Malay, and includes both Muslim and non-Muslim populations.</td>
</tr>
<tr>
<td>Orang Pandai</td>
<td>Translates to wise person. A trusted member of the Malay community.</td>
</tr>
<tr>
<td>Penan</td>
<td>An Indigenous group to Borneo, considered migrants to Brunei.</td>
</tr>
<tr>
<td>Puak Jati</td>
<td>Term used to describe the original tribes, or ethnic groups, of Brunei.</td>
</tr>
<tr>
<td>Qisas</td>
<td>Retribution. Islamic law prescribes retribution for murder, voluntary manslaughter, involuntary killing, intentional physical injury and unintentional physical injury.</td>
</tr>
<tr>
<td>Qur'an</td>
<td>The book of Islamic scripture. Believed to be the word of God transmitted through the Prophet Muhammad. The primary source of religious knowledge for Muslims and for the Syariah. Ultimate authority in all matters relating to Islam. Includes the basic tenets of the faith, principles of ethical behaviour and guidance on social activities.</td>
</tr>
<tr>
<td>Term</td>
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<tr>
<td>Syabu</td>
<td>Bruneian local term for methyl amphetamine.</td>
</tr>
<tr>
<td>Special needs</td>
<td>Common used Bruneian English term for person with a disability. Given its common usage in Brunei, especially by awareness groups, it is used throughout this thesis.</td>
</tr>
<tr>
<td>State Mufti</td>
<td>An institution considered highly important in Brunei, as it decides on Islamic practices and laws (Sidhu, 2010).</td>
</tr>
<tr>
<td>Sunnah</td>
<td>Custom, precedent or tradition, typically based on the Prophet Muhammad’s example. Sunnah encompasses knowledge passed down from previous generations and represents a continued body of beliefs or customs (Esposito, 1995).</td>
</tr>
<tr>
<td>Syariah</td>
<td>Malay spelling of Shariah. God’s will for humanity. Expressed in the Quran and Prophet Muhammad’s example. The ideal Islamic law (Esposito, 1995).</td>
</tr>
<tr>
<td>The Brunei Times</td>
<td>A Bruneian English language newspaper, closed in 2016.</td>
</tr>
<tr>
<td>Temburong District</td>
<td>One of the four districts of Brunei and is separated from the rest of Brunei by the district of Limbang, Sarawak (Sidhu, 2010).</td>
</tr>
<tr>
<td>Titah</td>
<td>A local term for a speech. Term commonly used for an announcement made by the Sultan, in which he outlines his vision for Brunei.</td>
</tr>
<tr>
<td>Tudung</td>
<td>Malay term for a headscarf worn by Muslim girls and women.</td>
</tr>
<tr>
<td>Tutong District</td>
<td>Brunei’s third largest district, positioned between the Brunei-Muara and Belait districts (Sidhu, 2010).</td>
</tr>
<tr>
<td>Ugama schools</td>
<td>Islamic religious schools in Brunei.</td>
</tr>
<tr>
<td>Ustaz</td>
<td>A religious teacher.</td>
</tr>
<tr>
<td>Wawasan Brunei 2035</td>
<td>Brunei National Vision 2035, is Brunei’s long-term development strategy.</td>
</tr>
<tr>
<td>Whatsapp</td>
<td>Social networking application, commonly used throughout Brunei.</td>
</tr>
<tr>
<td>Zakat</td>
<td>Tithe, religious contribution for charitable purposes. One of the five pillars of Islam (Esposito, 1995).</td>
</tr>
</tbody>
</table>
# Acronyms and abbreviations

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
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<tbody>
<tr>
<td>AG</td>
<td>Attorney General</td>
</tr>
<tr>
<td>ASEAN</td>
<td>Association of Southeast Asian Nations</td>
</tr>
<tr>
<td>AY</td>
<td>Code for the author in transcripts and reflections</td>
</tr>
<tr>
<td>BEDB</td>
<td>Brunei Economic Development Board</td>
</tr>
<tr>
<td>BW</td>
<td>Code for a translator in transcripts and reflections</td>
</tr>
<tr>
<td>CDC</td>
<td>Child Development Centre</td>
</tr>
<tr>
<td>CID</td>
<td>Criminal Investigation Department, part of the Royal Brunei Police Force</td>
</tr>
<tr>
<td>CPC</td>
<td>Criminal Procedure Code</td>
</tr>
<tr>
<td>CSEC</td>
<td>Commercial Sexual Exploitation of Children</td>
</tr>
<tr>
<td>HoD</td>
<td>House of Detention</td>
</tr>
<tr>
<td>HoS</td>
<td>House of Safety</td>
</tr>
<tr>
<td>HRW</td>
<td>Human Rights Watch</td>
</tr>
<tr>
<td>IC</td>
<td>Identity Card</td>
</tr>
<tr>
<td>JAPEM</td>
<td>Community Development Department, under the Ministry of Culture, Youth and Sport, Brunei</td>
</tr>
<tr>
<td>JLHW</td>
<td>Japan’s Ministry of Health, Labour and Welfare</td>
</tr>
<tr>
<td>KRK</td>
<td>Kompleks Rumah Kebajikan. Welfare home</td>
</tr>
<tr>
<td>La Vida</td>
<td>La Vida Bhd, a non-government organisation that works with children diagnosed with speech delay and Autism in Brunei</td>
</tr>
<tr>
<td>MIB</td>
<td>Melayu Islam Beraja/ Malay Islamic Monarchy. The national philosophy of Brunei Darussalam</td>
</tr>
<tr>
<td>MCYS</td>
<td>Ministry of Culture, Youth and Sport, Brunei Darussalam</td>
</tr>
<tr>
<td>MoE</td>
<td>Ministry of Education, Brunei Darussalam</td>
</tr>
<tr>
<td>MoH</td>
<td>Ministry of Health, Brunei Darussalam</td>
</tr>
<tr>
<td>MoRA</td>
<td>Ministry of Religious Affairs, Brunei Darussalam</td>
</tr>
<tr>
<td>MoSFD</td>
<td>Ministry of Social and Family Development, Singapore</td>
</tr>
<tr>
<td>NGO</td>
<td>Non-Governmental Organisation</td>
</tr>
<tr>
<td>OECD</td>
<td>Organisation for Economic Cooperation and Development</td>
</tr>
<tr>
<td>OIC</td>
<td>Organisation of the Islamic Cooperation</td>
</tr>
<tr>
<td>OHCHR</td>
<td>United Nations Human Rights Office of the High Commissioner</td>
</tr>
<tr>
<td>OICCRCI</td>
<td>Organisation of the Islamic Cooperation’s Convention of the Rights of the Child in Islam</td>
</tr>
<tr>
<td>Abbreviation</td>
<td>Description</td>
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<tr>
<td>PSR</td>
<td>An examination taken at the end of Primary School</td>
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<tr>
<td>SMARTER</td>
<td>Society for Management of Autism Related issues in Training, Education and Resources (Research)</td>
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<tr>
<td>SOASCIS</td>
<td>Sultan Omar ‘Ali Saifuddien Centre for Islamic Studies</td>
</tr>
<tr>
<td>SPCO</td>
<td>Syariah Penal Code Order</td>
</tr>
<tr>
<td>STI</td>
<td>Sexually Transmitted Infections</td>
</tr>
<tr>
<td>UBD</td>
<td>Universiti Brunei Darussalam</td>
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<tr>
<td>UN</td>
<td>United Nations</td>
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<td>UNCRC</td>
<td>United Nations Convention on the Rights of the Child</td>
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<td>UNICEF</td>
<td>United Nations International Children’s Fund</td>
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<tr>
<td>UPK</td>
<td>Unit for children with special needs under Ministry of Education</td>
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<td>USDoS</td>
<td>United States Department of State</td>
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<tr>
<td>WW</td>
<td>Code for a translator in transcripts and reflections</td>
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<tr>
<td>YSHHB</td>
<td>Yayasan Sultan Haji Hassanal Bolkiah Foundation</td>
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1. Introduction

Globally, children are present in every stratum of every society. While united by age, the everyday realities faced by children differ dramatically within and across cultural boundaries. Culture and religion shape the experiences of children, reinforcing that childhood is a cultural construction rather than a natural state. For children in Negara Brunei Darussalam, their experiences are shaped by the Sultanate’s policies and practices, as well as history, culture and governance systems. This thesis examines the lived experiences of Bruneian children, situating them within wider Bruneian cultural narratives, of which Islam is one component. Other components include family structures, ethnicity, citizenship and a sense of belonging. These sometimes competing, often contested elements interact to impact upon children’s experiences. For example, understandings of Islam in Brunei impact upon children’s lived experiences of religion, relationship with parents, education and participation in society.

To develop a nuanced understanding of these simultaneous identities, children’s voices need to be present in research. Incorporating children’s voices into research reflects an awareness that children are not just passive recipients of adult culture in need of protection but also human beings in their own right who interact with the world around them (Alderson, 2012a, 2012b, 2010; Mason, 2005). Thus, children should be researched as active participants in the present rather than just beings on track to becoming adults (Axford, 2008). Plotnick (2007. p. 357) states “Childhood means more than just the time between birth and the attainment of adulthood. It refers to the state and condition of a child’s life – to the quality of those years.” The participation rights of children are contained in international child rights documents, which further shape national responses to child protection and wellbeing.
1.1 International child rights

The United Nations Convention on the Rights of the Child (UNCRC) created a framework that details the minimum standards of care that should be afforded to children worldwide (Lababidy, 1996; Khadka, 2013; United Nations Children’s Fund [UNICEF], 2013). The extent of protection offered to children internationally by the UNCRC is significant as it is the most ratified international treaty (Hashemi, 2007; Forrester & Harwin, 2000). The document contains guidance on child protection, participation and provision of basic needs. However, there is disconnection between the aims of the UNCRC and the reality for children. The values that inform the UNCRC do not always match the values and practices of local communities (Forrester & Harwin, 2000; Khadka, 2013). The UNCRC positions itself as a neutral, culture-less, universal document. However, it is fundamentally underpinned by Western assumptions, such as the definition of a child as an individual under 18 years of age (Bluebond-Langner & Korbin, 2007). This arbitrary age may not be appropriate in Islamic communities, or elsewhere, where maturity is judged by subjective knowledge rather than age (Bluebond-Langer & Korbin, 2007; Sait, 2000). The UNCRC is bound by its own constructions of childhood informed by Western culture, which may place the application of the rights contained in the document in conflict with local contexts (James, 2007; Rajabi-Ardeshiri, 2009). This has especially been the case in Islamic communities. Islamic societies have a rich history of child protection practices that have existed for centuries (Rajabi-Ardeshiri, 2009; Holtzhausen, 2011), yet these are downplayed by the UNCRC.

In contrast to the UNCRC, the Organisation of the Islamic Cooperation (OIC) has summarised the teachings of Islam surrounding children into one document comparable with the UNCRC: The Covenant on the Rights of the Child in Islam (OICCRCI) (Organisation of Islamic Cooperation [OIC], 2004). There are convergences and
divergences between the two documents. For example, the OICCRCRI focuses less on the rights of individual children than the UNCRC but places more importance on the community. This reflects epistemological differences between Islamic and Western culture. Convergences occur around the educational rights of the child, rights of children in juvenile justice systems and the rights of special needs children. By identifying convergent points between the two documents, spaces are identified where Islamic leaders and child protection professionals can unite to address child protection issues within Islamic contexts. Examples of this include joint handbooks on child protection developed by Al-Azhar University and UNICEF to address child protection concerns in Egypt (UNICEF & Al-Azhar, 2016). Divergences provide opportunities for dialogue (Hutchinson, O’Leary, Squire, & Hope, 2015). Finding convergent and divergent points in child protection practices between the UNCRC and OICCRCRI and how they are enacted in national legislation is complicated not only by underlying epistemologies but also by practices incorrectly labelled as Islamic. While there is a need for research illuminating how Islamic child protection practices can be coupled with the UNCRC to create appropriate child protection practices in Islamic contexts, there is also a need to analyse what constitutes an Islamic practice.

1.2 Child protection in Brunei

Child protection is one component of the UNCRC and OICCRCRI, situated within wider understandings of child wellbeing. In this thesis, child protection refers to the formal and informal mechanisms used to ensure that children’s needs and rights are met. Axford (2008) argues that the terms quality of life, needs, rights, poverty and social exclusion are all different ways of considering wellbeing. The advantages of using wellbeing as a foundation for legislation is that it describes a wide range of factors influencing
children’s lives. Fundamentally, nations incorporate child wellbeing and protection into their policies, in ways that reflect society’s conceptualisation of children.

Child protection in Brunei has received little attention in academic literature. Brunei is a signatory to both the OICCRCI and UNCRC. Child protection practices are shaped by Brunei’s legislative framework and three concurrent legal systems: adat law (customary law), common law and Syariah law (Black, 2011). These systems guide responses to offences involving children including violence committed against children and crimes committed by children (Intan, 2015). Child protection mechanisms are supported by Brunei’s education and health systems, as well as social-living protections. Significant literature is available on Brunei’s education system (Abdullah & Osman, 2010; Attwood & Bray, 1989; den Brok, Fisher & Scott, 2005; Ghani, Siraj, Radzi & Elham, 2011), however little of this literature focuses specifically on child protection. Further, little related to children’s participation within education.

UNICEF (2015) reviewed Brunei’s child protection legislation, identifying key gaps in Brunei’s legislative framework. These include disparities across genders in relation to the age of consent, which influences practices such as child marriage (UNICEF, 2015). Brunei has strong protective legislation regarding child trafficking, abduction and sex tourism (UNICEF, 2015) and has made progress in establishing legislation to address child abuse, child labour, minimum working age and physical violence in the community (UNICEF, 2015; Young, Muhammad, Bakar, O’Leary & Abdalla, 2017). However, emotional violence and neglect are absent from the legislative frameworks (UNICEF, 2015). Further, physical violence is not comprehensively defined, with corporal punishment still utilised in the Sultanate (UNICEF, 2015). Juvenile justice was also identified by UNICEF (2015) as an area where legislation can be strengthened. This
thesis aims to explore these gaps through providing qualitative data inclusive of children’s voices.

1.3 Contextual information: Negara Brunei Darussalam

Brunei recognises itself as a stable country, with low levels of poverty, conflict, and natural disasters. The nation officially became independent from Britain in 1984 (Sidhu, 2010). In the same year Brunei became a member of the UN and OIC. Brunei aims to be in the top ten countries in the world for quality of life, and per capita income by 2035 (Roberts & Onn, 2009). Brunei’s global relationships are a balance between Islam and the West and spirituality and modernisation (Kershaw, 2011). These contested identities make Brunei a dynamic case site.

While Brunei’s geography insulates it from natural disasters, it is the country’s oil wealth that has ensured political and economic stability (Kershaw, 2003; Gunn, 1997). The government of Brunei is the largest employer in the country and, provides its citizens with free healthcare and education (Kershaw, 2003). The population of Brunei is just over 400 000 (Case, 2012). This small population means that the country’s oil industry is largely dependent on foreign workers, mainly from Bangladesh, Indonesia, and the Philippines (Case, 2012, Kershaw, 2001). These workers and their families do not receive the same benefits as Bruneian citizens (Kershaw, 2001; Mani, 2008). There is also a sizeable population of ethnic Chinese residents who are considered permanent residents of Brunei, rather than citizens (Kershaw, 2001).

From independence, Brunei has been guided by the state’s official philosophy, Malay Islamic Monarchy or Melayu Islam Beraja (MIB) (Awang, 2013). This reflects the country’s dominant ethnicity, religion and governmental system. In his proclamation of
independence, Brunei’s head of state His Majesty Sultan Haji Hassanal Bolkiah Mu'izzaddin Waddaulah ibni Al-Marhum Sultan Haji Omar ‘Ali Saifuddien Sa'adul Khairi Waddien (henceforth Sultan Bolkiah) articulated his hope that Brunei will always remain guided by MIB (Awang, 2013). Further details of MIB are contained in the literature review.

MIB is taught to children at every level of education and frames their understanding of society from a young age. It is therefore an important place to begin in gaining an understanding of the Bruneian context. Sultan Bolkiah is the Prime Minister, foreign minister, and head of the country’s military and finance (Young et al., 2017). The Sultan is a role model and fulfils the role of Caliph, Sultan and Imam for his people (Awang, 2013). Brunei is an absolute monarchy with elections suspended since 1962 when a State of Emergency was declared and full executive powers were handed to the monarchy (Kershaw, 2001). While the State of Emergency is still in place, moves towards democracy have taken place since 2011, when elections were held for a head of each village (Case, 2012). Sultan Bolkiah gives weekly titahs where he articulates his vision for the country. These values and visions are then shaped into policy by the Bruneian government. Brunei’s unique political system, stable and unified Islamic outlook, and ethnicity all make it a useful and interesting fieldsite.

“Malayness” is a key factor in Bruneian citizenship. Malay is defined not only by language and ethnicity but also by religion. Being Muslim is almost synonymous with being Malay. There are seven original Malay groups that are still present in Brunei. Referred to as puak jati (original tribes) they are Brunei, Belait, Bisaya, Dusan, Kedayan, Murat and Tutong (Wahsalfelah, 2005). These groups are arranged into a hierarchy in Bruneian society. There are also intergroup hierarchies. The Sultan is the head of the
hierarchy. Islam is integral to Brunei’s identity. Brunei is a Sunni Muslim state, following the *Ahle Sunnah Waljama’ah* of Shafi’i school of thought (Awang, 2013). Islam is at the heart of the MIB philosophy, with all laws and practices needing to comply with Islamic law and ethics. Under Syariah laws there are provisions and roles for child protection, some of which are explored in this thesis.

### 1.4 Research objectives

This thesis seeks to explore the following research question: How are the Brunei Government’s child protection policies, principles and international commitments reflected in the everyday experiences of children in Brunei? To construct a response to this question further research objectives were identified.

Firstly, it was a research objective to address the gap identified in the academic literature on child protection and child experiences in Brunei. Reviewing the literature also assisted in identifying the policies and principles of the Bruneian government in relation to child protection. This thesis further aimed to add to the growing body of literature on Islam and childhood (UNICEF & Al-Azhar, 2016; Hutchinson et al., 2015; Scourfield, Warden, Gilliat-Ray Khan & Otri, 2013).

Secondly, it was a research objective to construct a methodology to guide the research and assist in gathering data from Bruneian children. This thesis relied on qualitative techniques including semi-structured interviews with children, parents and practitioners. The framework used to guide the research consisted of three components: child rights, collaboration and case studies. It was a further objective of this research to develop a methodology that can be of use in collecting data in other Muslim-majority contexts.
Thirdly, post-data analysis, it was an objective to identify positive child protection mechanisms and programs in Brunei. Of particular interest was identifying practices present that enhance child wellbeing and may be of use in other Muslim-majority contexts. A final research objective was to provide recommendations where child protection practices can be improved upon in Brunei.

1.5 Language and structure

There is a need to define and reflect upon the way terms are used throughout this thesis. The first contested term is Bruneian. In this thesis, Bruneian will be used to describe citizens of Brunei and permanent residents of Brunei. This usage may not reflect how the term is used in other arenas. As King (2001) notes “the word Brunei has multiple meanings; among others it refers to a people, a society, an empire, and a state” (King, 2001, p. 17). The same can be said for the term Bruneian which refers to the citizens of Brunei and to a specific ethnic group in Brunei. This thesis uses the term in the broadest sense to include the perspectives of as many children as possible. The nuanced understandings of ethnicity and its relationship to citizenship and residency in Brunei are explored throughout this thesis. The author has attempted to align the usage of terms within the thesis, with their usage within Brunei. Thus, the period of European colonisation in Brunei is referred to as the British Residency rather than colonisation. This reflects the usage by Bruneian scholars (Awang, 2013).

Syariah is the spelling used for Islamic law throughout the thesis. While Sharia and Shariah are commonly used in English language literature, this thesis uses the local spelling to reflect the context. Similarly, “adoption” is used throughout to reflect its usage in the local context. Adoption, in the Western sense of the term, is not congruent with Islamic jurisprudence. Islamic jurisprudence allows for guardianship of an orphaned
child, yet requires the child to retain their identity through naming practices, among other rights guaranteed by Islamic law. In Brunei, the term “adoption” is used when communicating in English to reflect the Islamic understandings and thus, is used in a similar manner in this thesis.

Brunei has collected little data on child protection (Office of the United Nations High Commissioner for Human Rights [OHCHR], 2016). The lack of data systems also reflects a lack of definitional categories used by Bruneian policy makers when developing child protection responses. For example, no Bruneian definitions were found for the term “poverty” or “vulnerable children”. The application of these terms in the thesis is reliant on definitions from Western literature, as no local definitions are available. Poverty can be defined directly or indirectly, absolutely or relatively (Axford, 2008). Given Brunei’s relative wealth, children were judged to be experiencing poverty if they were experiencing an inability to participate in society due to deficient resources (Axford, 2008). Similarly, vulnerability is relatively applied. The World Bank (2016) definition of a vulnerable child states that they are children most at risk of facing increased negative outcomes compared to the “average” child in their society. This definition has been applied throughout the thesis using the “average” Bruneian child as a measure. The average Bruneian child was judged to be a citizen, of Malay ethnicity and Muslim faith. Further, they are able bodied and are not experiencing social disadvantage or exclusions, either formally or informally.

This thesis is structured in a conventional way. Following this chapter, chapter two will explore the history and culture of Brunei in relation to children. Chapter three provides a review of the literature available on child protection in Brunei. The majority of sources reviewed were English language sources. A small amount of literature was also reviewed
in Malay by a translator. Chapter four describes the methodology of the study. This includes the methods used throughout fieldwork and descriptions of participant groups. Chapters five through nine contain the analysis of the interviews undertaken. Some chapters present participants as case studies and organise their accounts into life stories. Other chapters present cohorts with too many participants to make this approach feasible. However, all analysis chapters focus on the themes identified in the participants’ accounts. Chapter ten takes the themes described in the analysis and compares them against the Bruneian government policies and practices identified in the literature review along with Brunei’s international commitments. Conclusions are then drawn, which are presented in chapter eleven. This thesis ends with suggestions for future research directions that could be undertaken focusing on child protection in Brunei. A publication has been written from the work contained in this thesis entitled *Children in Brunei Darussalam: their educational, legal and social protections*. It is referred to throughout as Young et al. (2017) and can be seen in full in Appendix 1.

**1.6 Importance of study**

This thesis addresses a gap in the academic literature and makes an original contribution to the field especially relating to the experiences of children in Brunei. Academic literature focusing on Brunei is largely centred on the linguistic heritage and the education system in the country. There is an absence of literature in English about children in Brunei. The literature that does exist is largely from an educational perspective. When compared with Bruneian legislation, this project was able to ascertain areas where the principles and values of the Bruneian government are positively influencing the children of Brunei. Conversely, areas were identified where government policies are not fulfilling Brunei’s international child rights commitments. This research
also gave Bruneian children an opportunity to participate in research; communicating their voices to a wider audience.

Analysing where Islamic knowledge on child protection intersects with those codified in the UNCRC is the focus of a wider research project with partners from Terre Des Hommes, Islamic Relief Worldwide, University of Qatar, Universiti Brunei Darussalam (UBD) and Griffith University. This thesis is part of this broad research project. It is hoped that the knowledge generated by this research can be of use in ascertaining how Islamic jurisprudence can influence child protection practices. A wider aim is in the examination of Islamic child protection practices and their possible integration and application. The importance of this study to the broader project is in ascertaining what lived Islamic practices are working to guarantee children a high quality of life in Brunei and in identifying whether these can be utilised in other Islamic contexts. Brunei’s stability allows it to act as a comparison site, where Islamic mechanisms of child protection can be viewed, without the mitigating factors of poverty and conflict. The importance of the wider project is twofold. Firstly, to challenge Western centric notions of child protection that may fail to make an impact in Islamic contexts and secondly to develop practices that NGOs can utilise in child protection in Islamic contexts. Developing and implementing culturally sensitive programs to better engage with children in Muslim-majority regions is an urgent need.

The methodology used in this study centred on child participation. It was adapted to be respectful to the needs of participants and the wider Bruneian community. The inbuilt flexibility ensured that adequate data was collected to support the conclusions drawn. Little qualitative research has been undertaken in Brunei, especially with children. This study gives guidance to researchers who wish to undertake similar work in Brunei.
This thesis addresses a significant gap in knowledge, not only specific to Brunei but also within the broader context of the UNCRC and OIC. Furthermore, calls for Brunei to address these gaps in knowledge in child protection have come from the UN (OHCHR, 2016). The UN has called on Brunei to improve its data collection processes to assist in ensuring that child protection responses are evidence based.

The data should cover all areas of the Convention and should be disaggregated by age, sex, disability, geographic location, ethnic origin and socioeconomic background in order to facilitate analysis of the situation of all children, particularly those in situations of vulnerability (OHCHR, 2016, p. 3).

At the outset of this thesis it is important to apply a critical lens to understand historical and contextual influences. The next chapter addresses this issue by examining historical and socio-cultural context before examining literature specific to child protection in Brunei.
2.0 Brunei Darussalam: Background and Literature Review

Brunei sits at the centre of Southeast Asia, on the northwest coast of Borneo. Brunei has a unique culture and governance structure that influences the lives of those residing in the sultanate. To illuminate this context, this chapter provides background information on Brunei’s history and culture. Understanding the cultural and historical context is necessary to understand influences on current practices in child protection in Brunei. Many factors shape childhood. In Brunei, family structures’ along with schools and religious institutions are central. This chapter combines background information on Brunei with a review of the literature available on children in Brunei.

A review of academic literature identified there are limited studies with a specific focus on children in Brunei. However, studies were located that focused on Bruneian culture generally. These works were read with a view to locate the child in the literature. An extended general conceptual approach was taken to the literature review. Thomas and Hodges (2013) state the purpose of this type of review is to provide a “conceptual or narrative overview and summary of findings related to the research topic.” The aim of the literature review was to identify key information relevant to children in Brunei and to ascertain the quality of existing research on the topic. A further aim was to identify gaps in the academic literature. The scope was extensive, taking in studies that focused on varying aspects of childhood in Brunei including education, special needs, ethnicity and culture. The scope of the study was a deciding factor in using a general conceptual approach to the literature review rather than a systematic review.

Literature searches were completed on multiple occasions from 2012 to 2017. Sources were also identified through back searching. The following databases were used: Arts and Humanities Citation Index, Asian Resources (via Informit), BMJ Journals online, Brill
online books and journals, Cambridge journals online, EBSCOhost, Emerald Fulltext, Expanded Academic ASAP, Factiva, Gale virtual reference library, Google Scholar, HeinOnline, Informit Search, Jstor, MEDLINE (via EBSCOhost), Oxford Islamic Studies Online, PLoS: Public library of science, Project Muse, ProQuest, PsycINFO (via Ovid), Sage Journals Online, Taylor and Francis Journals, ISI web of science and Wiley Online Library. The use of Google Scholar was to ensure the inclusion of grey literature. Sources were also gathered from the libraries at UBD, Griffith University and University of Queensland as well as Bruneian government websites. A range of search terms were used within each database relating to different domains of child wellbeing. Table 1 gives an overview of some of the search terms used, but is not exhaustive.
Table 1: Search term examples

<table>
<thead>
<tr>
<th>Synonyms</th>
<th>Social Domain</th>
<th>Population</th>
<th>Location</th>
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<tr>
<td>Islam*</td>
<td>Child*</td>
<td>Brunei*</td>
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<tr>
<td>Ethnic*</td>
<td>Teen*</td>
<td>Borneo*</td>
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<td>Gender</td>
<td>Youth*</td>
<td>Tutong*</td>
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<td>Crime*</td>
<td>Boy</td>
<td>Malay*</td>
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<tr>
<td>Pregnan*</td>
<td>Girl</td>
<td>Temburong</td>
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<tr>
<td>Culture</td>
<td>Juvenile*</td>
<td>Belait</td>
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<tr>
<td>MIB</td>
<td>Famil*</td>
<td>Sarawak</td>
<td></td>
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<tr>
<td>Governance</td>
<td>Student*</td>
<td>ASEAN</td>
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<tr>
<td>Educat*</td>
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<td>South East Asia</td>
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<td>Health</td>
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<td>Histor*</td>
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<td>Disabilit*</td>
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<td>School*</td>
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<td>Language*</td>
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<td>Legal</td>
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These search terms produced a body of literature that was then examined. Articles were closely examined to locate the often-invisible Bruneian child. The titles of papers were reviewed for relevancy, before a review of abstract and then an examination of the article. Sources were included if found to explicitly focus on children in Brunei or social structures (such as ethnicity) that would impact the lives of children. Sources later excluded were read to allow the researcher a greater understanding of the context. Studies were excluded that focused upon the economics of Brunei, specific medical conditions.
and the environment. The majority of sources included are review papers, or utilise quantitative surveys. Few use qualitative methods. Unpublished doctoral theses were included, given the small amount of available literature.

The majority of the sources reviewed were published in English. Female circumcision and ‘beyond parental control’ cases were given little or no attention in English literature. Due to their specific relevance to the Bruneian context a search in Malay was conducted on these topics.

English language newspaper articles are used throughout this chapter. Though not academic literature, these articles featured in The Brunei Times and Borneo Bulletin provide important contextual information. These newspaper articles provide statistics and local information that were unable to be located through other sources. This included information on child sexual abuse, reviews of court proceedings and child protection cases. The use of these articles in academic literature is common amongst authors who focus on Brunei (for example Chin & Daud, 2015; Kershaw, 2013; Starrs, 2016). Articles were originally located in hardcopy, through the websites of each organisation. However, The Brunei Times was terminated in November 2016 (Starrs, 2016). Digital archives of this publication have been removed (Starrs, 2016). Thus, while references were current at the time of access, they are no longer available from the same locations. The Brunei Times was a state-controlled paper. Its sudden closure, gives an insight into the unpredictability of conducting fieldwork in Brunei. Local activists have created an archive of The Brunei Times, providing academics access to this important resource (The Brunei Times Archive, 2017).
2.1 A history of Brunei

Over centuries, Brunei has been shaped ideologically by contact with other cultures. The history of Brunei can be divided into four waves: Animism, the arrival of Hinduism, the arrival of Islam and the British Residency (Gunn, 2000). These four waves were not wholly chronological. All four influence how Bruneian society conducts itself today. By examining the history of a society, the roots of cultural traditions can be illuminated. Traditions can be mistakenly attributed to Islam when they are really cultural phenomena. Abdullah (2016) states that the legacies of past traditions are still apparent throughout the Malay world.

This does not mean that elements of Animism, Hinduism, Buddhism, Christianity, and other beliefs and practices that contravene Islamic teachings have been totally discarded by Malay Muslims. A large number of those designated as ethnic Malays, especially those in Brunei, have remained pagan or adherents of other beliefs besides Islam (Abdullah, 2016, p. 83).

The historical sources included are secondary sources, based on previous historians’ interpretations of pre-modern records. Kurtz (2013) calls for these sources to be critically re-evaluated, due to concerns over interpretations of Chinese documents and the influence that MIB has had over the writing of Bruneian history. MIB preferences the narratives of those who are Malay and Muslim in the historical record and thus Indigenous, Chinese and Indian voices are lessened. Recently however, authors such as Menon (2016) and Zaidi and David (2015) have focused on the histories of minority groups, recognising their contributions to Bruneian life.

2.1.1 Chinese, Animist and Hindu Brunei

Brunei was a trading hub for Chinese merchants seeking goods from Borneo. Early trading with the Chinese from the 6th century until 1424 secured protection for Brunei, while also ensuring economic prosperity. The Chinese traded with the coastal Brunei Malays who would obtain the goods by trading with inland Indigenous groups such as the
Penan (Sercombe, 2010). Brunei began as an Animist society. Practicing Animists can still be seen in the country among the Penan and Dusan groups (Sercombe, 2010). Even among Bruneians who ascribe to other religious identities, the roots of Animism can still be seen in cultural practices. One example is in the consultation of Bomohs as a source of traditional healing. It is estimated that 80% of people with mental illness in Brunei will elect to visit a Bomoh before seeking other treatment (Kumaraswamy, 2007), despite the stigma attached to Muslims associating with the practice (Kitson, 2004).

Research at UBD found that fear of supernatural beings such as ghosts (hantu) and spirit people (orang halus) influence the way that infants are raised (Walker, 2010). Walker (2010) suggests that the Indigenous ‘superstitions’ of Brunei are so ingrained that many Bruneians may not recognise the tension between these practices and the teachings of Islam. Walker (2010) continues that traditional practices are present as part of the day-to-day routines of many Bruneians, despite the proclamations of the Bruneian religious authorities.

While identifying as Muslim, many Bruneians address rituals and prayers to spirits, especially in relation to sickness. Orang Pandai, or wise people, may also be consulted. Orang Pandai are officially recognised by MoRA as teachers and are given the title Ustaz (a title also given to religious teachers within Brunei’s religious education system). However, there are other Orang Pandai working in Brunei who are not officially recognised. Thus, while Orang Pandai utilise Animistic and Indic healing rituals, they are now more orientated towards Islamic methods. This can be seen in their healing techniques, which include Qur’anic incantations as well as exorcisms, massages, and the use of amulets (Walker, 2010). The consultation of Bomohs and Orang Pandai affects the lives of children, as children will be taken to them for advice, especially in relation to
starting school. Muller (2015) examines the continued existence of Bomohs and worship at pre-Islamic shrines in Brunei, with Brunei’s Islamic governance. Muller (2015) concludes that many aspects of pre-Islamic Malay life have now been creatively adapted into formal Islamic practices in Brunei and continue to be subversively practiced. This includes exorcism and healing rituals (Muller, 2015).

Brunei was next influenced by the Indic or Hindu school of thought. The legacy of the Indic element can be seen in the construction of a centralised state order, which was mentioned in historical sources pre the arrival of Islam (Gunn, 1997). Indic influences still present in Brunei today include: the style of kerajaan (kingdom), social stratification, ceremonial elements (including the use of the royal drum), regalia (the use of yellow umbrellas) and in protocols surrounding the appointment of officials (cheteria) and ministers (menteri) (Gunn, 1997). Awang (2013) states that the most prominent continuing example of Hindu influence is the use of Sanskrit in the ciri ceremony. The ciri ceremony occurs when a Royal conveys a title (Awang, 2013).

After Animism and Hinduism came the arrival of Islam (around the fourteenth century), which is the current state religion. The late nineteenth century saw colonisation by the British. The influences of Islam and the British Residency are the most visible in Bruneian society.

### 2.1.2 The arrival of Islam

The earliest archaeological evidence of Islam’s arrival in Brunei is a tombstone dated to 1264 AD (Awang, 2013). The books of succession charting the history of Brunei’s Sultans name the first Sultan as Sultan Muhammad Shah. 1360 is the date given as the conversion of Awang Alak Betatar to Islam, a faith still practiced by the current Sultan
Islamic practices blended with the Indigenous adat practices, give a Malay tradition to the practice of Islam, especially in law and gender relations (Black, 2006). During the 15th and 16th centuries when Brunei ruled as far north as Manila, the state focused on Islamic missionary activities (Sidhu, 2010). This created conflict with Spanish and Portuguese explorers who had claimed much of the area for themselves, and launched attacks against the Bruneian missionaries in 1578 and 1580 (Sidhu, 2010).

Sidhu (2010) argues that it was during this period that the state administrative structure was entrenched in Brunei and that was in part due to Islamic teachings surrounding hierarchy in the cosmos. The reign of Sultan Muhammad Hassan between the late 16th and early 17th century saw the introduction of Islamic jurisprudence into the state structure. Under British control, Islamic bureaucracy was maintained as part of a power sharing deal between the Sultan and the British. Mansurnoor (2008) argues this maintained Islam’s influence throughout the period of British Residency.

2.1.3 The British Residency

Brunei entered into a Protectorate Agreement with the British government in 1888, with a supplementary agreement established in 1906 (Awang, 2013; Gunn, 1997; Loo, 2009). The Protectorate Agreement was entered following the continued encroachment of colonialists into Brunei territory (Loo, 2009). Following the agreement of 1888, further action to seize Bruneian territory was taken by James Brooke, which saw Limbang become part of Sarawak (Loo, 2009). This action saw Brunei divided into two separate territories, a situation current today. From 1906 until 1984 governance of Brunei occurred under the observation of the British Resident who acted as Advisor and Chief Executive Officer of the government (Awang, 2013). The Sultan retained control of religious affairs.
The social changes that occurred during this period were immense. The British established postal services in 1906, a Police force in 1907, radio services in 1921 and formal education in 1911 (Awang, 2013). Formal education raised the age of marriage and changed the way childhood was constructed in Bruneian society (Gunn, 1997). Pre-Residency Brunei had religious education where students were taught the basics of Islam including how to read the Qur’an (Shahminan, 2012).

The first Malay speaking school opened in Brunei in 1913, and was operated from a Mosque (Singh, 1984). Thirty male children attended (Shahminan, 2012). By 1926, five Malay schools had opened throughout the sultanate. A Chinese school was created in 1916 though it remained under the control of the Chinese community. It was not until 1938 that significant numbers of female pupils (189) were recorded as attending Bruneian schools (Singh, 1984). Many of the male students were from the upper classes, with very low numbers of village children attending. To raise school attendance compulsory attendance was introduced in 1929 (Awang, 2013; Shahminan, 2012). By 1959, of the 15006 pupils enrolled in Bruneian Schools, 30% were female (Jones, 2009).

The establishment of a further agreement between the British Government and Brunei occurred in 1959, as did the development of The State of Brunei Constitution (Awang, 2013). Under the Constitution, there was to be an Executive Council, headed by the Sultan (Majid, 2007). The legislative council was established, with the positions to be filled by elections. Since the rebellion of 1962, a state of emergency has been declared (Majid, 2007). This has resulted in the Sultan suspending elections, and a continued focus on the Monarchy in national narratives (Sidhu, 2010). Reid (2001) argues that any nationalistic outpouring that does not revolve around the monarchy is met with suspicion by the ruling elite. Full independence from Britain was granted to Brunei in 1984.
At the beginning of the British Residency most land dwelling Bruneians lived in longhouses. These longhouses were common throughout Borneo and enabled large extended families to live together, leading to an array of people who were available to look after children. In some rural areas of Brunei long-houses still remain common, however with government employment centring around Bandar Seri Begawan, many families have now moved to Western style houses in the capital.

2.2 Culture, ideology, and ethnicity in Brunei

2.2.1 Malay Islamic Monarchy

Melayu Islam Beraja (MIB), Malay Islamic Monarchy, is the guiding philosophy of Brunei. MIB is shaped by Bruneian history and shapes how Bruneians view history. It was formally adopted in 1984. In the accompanying titah Sultan Bolkiah described MIB as “the highest value” and “the only seed that can grow rich on the earth of Brunei” (Awang, 2013, p. 33). The national philosophy affirms Brunei’s commitment as a government to act in an Islamic way in accordance with the Ahle Sunnah wal Jama’ah sect. The three parts of the philosophy are interlinked in official documents. There are divergent views in the literature on the purpose of MIB. Generally, writers inside of Brunei view MIB as a national narrative to ensure “continued survival” (Awang, 2013, p. 290).

There is awareness of how the inclusion of a specific racial group in the national philosophy and to a lesser extent the privileging of Islam and Monarchy, are perceived by other nations (Umar, 2013). In the face of criticism, champions for MIB, such as Umar (2013) highlight the ancient political roots of the philosophy. MIB provides Brunei with a unifying identity across multi-religious and multi-ethnic lines to ensure peace and stability (Umar, 2013). Authors outside of Brunei including Braighlinn (1992), Gunn
Kershaw (2011) and Schottmann (2006) have critiqued MIB and its historic legitimacy. These critiques all highlight the pre-Islamic history of Brunei and its silencing through MIB. Critiques also include the use of MIB to legitimise power of the ruling Brunei Malay ethnic group, over other groups, also considered indigenous to Brunei.

MIB is promoted and institutionalised throughout the State (Chin & Daud, 2015). This includes the teaching of MIB in every level of formal education. MIB is also replicated throughout social and familial interactions in Brunei.

MIB is thus a political expression of age-old ritual traditions and customs already in practice within social spaces and reproduces through interactive family and communal networks, also known as cara Brunei (the Bruneian way of life). As a result, MIB is as much embedded within social and cultural consciousness as it is within the national imaginary (Chin & Daud, 2015, p. 104).

Chin and Daud (2015) examine MIB using theories by Foucault, highlighting how individual’s identities are regulated by ideological rules. Their discourse analysis drew attention to the “fear of the other” present in Brunei and the challenges of acting outside of State narratives. Inherent in the idea of MIB is collectivism and social order, replicated throughout Brunei in family life (Chin & Daud, 2015).

2.2.2 Ethnicity

Understandings of ethnicity in Brunei have been influenced by anthropologists. The work of anthropologists was useful to the Sultan in reinforcing social structures that supported his rule. Brown’s (1973) work has often been critiqued as reinforcing the ruling Bruneian elite’s ideology (Fanselow, 2014). Fanselow (2014) argues that in the transfer of power from the British, there was an assumption that the Sultan’s power came from firstly, the continual rule of the Sultan throughout the Residency period and from the assumption of an unwritten constitution between the Sultan and his subjects developed over centuries.
Brown’s (1973, 1974) work took place between the Constitution of Brunei being introduced and independence, a time when national identity was shaped in response to the rebellion. While these points are relevant, Brown’s (1973, 1974) work has been included throughout this literature review as it is a seminal ethnographic work on Brunei.

2.2.2.1 Malays

“Malayness” is a key factor in Bruneian citizenship. Malay is defined not only by language and ethnicity but also by religion. Being Muslim is almost synonymous with being Malay. Reid (2001) describes Malayness as being more prominent in the ideology of Brunei, than it is in Malaysia or Indonesia. In Brunei, the definition of Malay is broad enough to incorporate those who are non-Muslim as well as Muslim. In contrast, the Malaysian constitution uses the term Malay to refer to those who are Muslim, of Malay culture, speak Malay as a language and who have Malay ancestry (Abdullah, 2016).

There are seven ethnic groups defined as “original Malay tribes” in Brunei (Abdullah, 2016). Referred to as puak jati, they are Brunei, Belait, Bisaya, Dusan, Kedayan, Murat and Tutong (Abdullah, 2016; Wahsalfelah, 2005). These groups are arranged into a hierarchy in Bruneian society. Hanapi (2006) noted the importance Brunei’s strict social hierarchy plays in child rearing practices. The Sultan is the head of the hierarchy. The social hierarchy ranges from the core nobility (raja-raja bertaras), through to the nobility (raja-raja, pengiran-pengiran), doubtful nobility (ampuan-ampuan), aristocrats (awang-awang), commoners (rakyat), subjects (sakai) down to servants (hamba/ulun) (Abdullah, 2016).

Brown’s (1974, 1973) structural ethnographic work describes a stratified Bruneian society that ranks both ethnic groups and people within those groups, in a hierarchical system. The Brunei Malay ethnic group is also referred to as the Barunay (Brown, 1974).
The Barunay traditionally made their living from the sea and devalued the products that came from Brunei’s forests. This attitude that forest products (and the people associated with them) are less valued is echoed in the social hierarchy. The Barunay traditionally lived in Kampong Ayer, yet now live in all areas of the Sultanate (Abdullah, 2016). The Barunay are wholly Muslim (Abdullah, 2016). Traditional ethnic group interactions influence the way Barunay children conceptualise their futures. Maxwell (1991) notes that it was commonplace for marriages within the Barunay to be arranged without the girl or boy ever meeting. It is unknown how common this arrangement still is. Maxwell (1991) recorded the importance placed by Barunay fathers on their daughter’s behaviour. This included having friends monitor their behaviour at school to make sure they did not shame the family. Reports are made to parents to ensure the family does not lose face (Maxwell, 1991). The same behaviour is not common among the Kedayans who historically needed their young women to help with subsistence agriculture. The largely Muslim Kedayans were traditionally farmers in Brunei’s interior, however economic changes have seen younger generations move into employment in the government sector (Abdullah, 2016). In Kedayan society there is a belief that when a child moves from becoming a newborn (anak baru keluar) to being able to talk (anak bear sudah), they can then learn adult roles. This change in classification signifies that the child is ready to learn adult roles (Kimball & Craig, 1987).

The Bisaya and Dusan, do not all identify as Muslim, with the majority remaining animist, and minorities ascribing to Islam and Christianity (Abdullah, 2016). Animist rituals are still performed amongst these communities (Abdullah, 2016). Bernstein (1997) observed a preference for Malay Islamic workers over Dusans’ in the job market, demonstrating how children are influenced by the social hierarchy. This locks the Dusan into low-income jobs with little hope of advancement (Bernstein, 1997). “Although
Dusan youth have relatively poor qualifications, the disappointment they experience personally and see in their brothers, sisters, and cousins leads to a vicious cycle of apathy and underachievement” (Bernstein, 1997, p. 162). Less has been published on the Murut of Brunei. The Murut are an insular group that lived in family groups in longhouses (Abdullah, 2016). These housed around twenty people with specific places for younger children to sleep. The Belait and Tutong are the final two Malay groups. Abdullah’s (2016) analysis highlights the commonalities across the Malay ethnicities, including food and music. Differences exist over languages spoken and social structures (Abdullah, 2016). There are also some groups designated as Malay who are non-Muslim, including the Dusan. MIB presents a uniform depiction of the Malay ethnicity. This obscures the complexity of the lived experience of the term (Abdullah, 2016).

**2.2.2.2 Chinese and Indigenous populations**

The ranking of one ethnic group above another can be seen in who is eligible for citizenship in Brunei. Penan and Iban adults are not Bruneian citizens, neither are adults in the Chinese community. The Chinese community grew significantly under the British Residency, however, despite British pressure, the Chinese were declared stateless when Brunei became independent (Kershaw, 2001). With the promotion of MIB as a state ideology, the ethnic Chinese population of Brunei is symbolically and structurally excluded from the narratives of nationhood (Chin, 2016).

In 2011, the Chinese comprised 10.3% of Brunei’s population, a decrease from the decade earlier that saw the population at 15.6% (de Vienne, 2015). Dunseath (1996) estimates that of the Chinese population, 20% are citizens, 30% are permanent residents with 50% being classed as 'expatriates' a label that includes the stateless population. These statistics are contested, with Loo (2009) estimating that 90% of the Chinese
population are non-citizens or stateless, however, this number is derived from information collected in 1984. In 2013, there were 21 009 stateless persons residing in Brunei, with a significant proportion of these of Indigenous or Chinese descent (United States Department of State [USDoS], 2013). The most recent Bruneian census completed in 2011, places the number of stateless persons at 13 310 (USDoS, 2015). To become citizens, the stateless population must pass a Malay language and culture test, be a permanent resident who has contributed to the economic growth, or through marriage (King & Wilder, 2003; USDoS, 2013). The language test is described as almost impossible, with many native speaking Malay citizens unable to pass it (Sidhu, 2010). Bruneian citizenship can also be obtained by marrying into a Bruneian male citizenship line, but cannot be obtained if a child's mother is Bruneian and not the father. There are significant time periods for which stateless persons must have resided continually in Brunei, ranging from between thirteen to twenty years (USDoS, 2013). Children who are born in Brunei to stateless parents require a special pass and for those who live in rural areas where birth registration is less assured, this may be difficult to obtain (USDoS, 2013).

The Bruneian Government differentiates between stateless permanent residents and stateless persons without status. Stateless persons with no status are ineligible for any forms of official identification, education or healthcare (USDoS, 2013). Strict procedures delay and obstruct applications and have resulted in small numbers of stateless persons becoming citizens. For example, over a nine-month period in 2013, 1386 people became citizens of Brunei, after waiting on average between 1.5 and 2 years, with only 186 having been stateless (USDoS, 2013).
Exclusion from citizenship results in the Chinese experiencing restrictions in relation to accessing free university education, ownership of property and healthcare (Chin, 2016). The Chinese population are also unable to hold a Bruneian passport, which restricts freedom of movement outside of Brunei (Chin, 2016). Alternative travel documents are provided to this population, however they are not recognised in all jurisdictions.

Chin (2016) argues that traditional Chinese gender norms that privilege male children continue to be seen amongst the Chinese community in Brunei. To reinforce this point, Chin (2016) describes Chinese families’ abandonment of female children. These children are then adopted into Brunei Malay families, and adopt the Malay religion and identity (Chin, 2016). While education and healthcare are provided free to the children of non-citizens, this is not the case for adults, which may put the family in a precarious position.

While the Chinese community is economically better off than many of the low paid migrant workers, the benefits barred from them by lack of citizenship is a concern. Citizenship ensures free healthcare and education and subsidies for housing, cars and pilgrimage to Mecca (Neher, 2002). Without these assurances, extra pressure is put on families, especially if a parent gets sick and is unable to work. Gunn (2000) and Paul (2010) argue that the legal privileging of citizens over Chinese non-citizens negatively affects the Chinese community’s capital.

The creation of Brunei as a nation with borders by the British has stopped previously nomadic groups such as the Iban and Penan from continuing their traditional way of life (Sercombe, 2010). Both Iban and Penan are considered migrants and do not fit into the traditional Bruneian social hierarchy (Sercombe, 2010). The Penan exist in small numbers in Brunei, numbering 55 people at the time of independence (Sercombe, 2010).
Unlike other Indigenous groups in Brunei, the Iban are growing in number, and have continually maintained their traditions (Sercombe, 2010). These groups are largely invisible in national narratives.

2.2.2.3 Foreign workers

Brunei’s industries are supported by high numbers of foreign workers (Mohamed, 2016). Estimates of the foreign worker population from 2013 place it at 183,541 (Mohamed, 2016). The majority of foreign workers are from Indonesia, Malaysia and the Philippines, with workers being used as domestic helpers as well as in construction. Mohamed (2016) argues that foreign workers have difficulty integrating into Brunei’s socio-cultural environment and that foreign workers have been responsible for the increasing crime rate. Mani (2008) examines the experiences of foreign workers from the subcontinent, finding that workers were concerned about their lack of employment rights, the employment conditions and their social exclusion. Of most concern in relation to non-citizen children in Brunei are the barriers to education. Non-citizens can apply to send their children to Bruneian government schools on a fee-paying basis, but do not have access to free education at Bruneian government schools (United Nations Educational Scientific and Cultural Organisation [UNESCO], 2010).

2.2.3 Islam in Brunei

We are very much involved in Islam, not as…flippant Muslims, but really steady adherents to Islam with heart and soul, and sincere Muslims with the trustworthy attributes and intention for the sake of Allah solely (Sultan Bolkiah in Awang, 2013, p. 129).

As this quote illustrates, Islam is integral to Brunei’s identity. Brunei is a Sunni Muslim state, following the Shafi’i legal school of thought (Math-hab). Brunei is one of only two countries that ascribes to a particular Math-hab in its constitution. Interest in Islam in Brunei from academics has focused on the lack of radicalism preached (Mansunoor,
Disseminating religious knowledge to children was institutionalised in 1956 with the opening of religious schools. This created an opportunity for girls to receive religious education (Mansunoor, 2008). Mansunoor (2008) argues that religious schools have led to a more orthodox practice of Islam in Brunei. The Bruneian government is concerned about “fraudulent” Islamic teachings entering the country (Awang, 2013). As Mansurnoor (2011, p. 180) explains:

> Education policy toward the study of Islam has been pursued ingeniously and persistently so as to produce the desired outcome: dedicated citizens who are loyal to the ruler, moderate in their religiosity and who uphold the much-valued Malay culture.

In 2005, religious education classes were taken from being a MoE responsibility, and moved to the MoRA, who oversees all religious activities, Mosques and Madrasahs (Mansurnoor, 2011). Mansurnoor (2011), a leading scholar on Islam in Brunei, states that the monarchy in Brunei is seen as the “paramount Islamic institution” reinforcing how entwined the concepts of Malay, Islam and Monarchy are in the country.

There are five pillars of Islam, known as *arkan al-Islam*: *Shahadah* (reciting the profession of faith), *Salat* (ritual prayers performed five times daily), *Zakat* (giving annual compulsory charity to benefit the poor and needy), *Sawm* (observing fasting in the month of Ramadan) and *Hajj* (pilgrimage to Mecca once in a lifetime for anyone capable financially and physically). Brunei has a state monitored *Zakat* register. Salleh (2015) examined Brunei’s *Zakat* system and recipients and found that those of low incomes who received *Zakat* were more likely to place it towards education for children. This highlights the role Zakat can play in assisting to provide for low-income families in the Sultanate and assist in ensuring childhood education. State control of *Zakat* is one way that Islam is governed in Brunei. Brunei also has a Syariah legal system, including a Syariah Penal Code (Attorney General [AG], 2013a). This is explored later in this chapter.
Muller (2015) examines the governance of Islam in Brunei. Islamic teachings are regulated through a licensing system, with Imam’s receiving government licenses that can be revoked at any time (Muller, 2015). Muller (2015) describes the Islamic bureaucracy as “the sultanate’s most powerful political actor outside of the royal family” (p. 320). Islam is bureaucratised through the MoRA, the State Mufti Department, the Religious Council and the Islamic Da’wah Centre (Muller, 2015). The 1990s saw changes to Islamic administration with the banning of alcohol, restrictions on public entertainment, and increased use of prayer spaces (Muller, 2015). Brunei also has widespread bans on those suspected of spreading “deviant teachings”, including Shia and Sufi groups (Muller, 2015).

2.2.4 Family
The importance of extended family in Brunei has been detailed by a number of writers (Black 2011, 2010, 2006; Bernstein, 1997; Ellen, 2002; King & Wilder, 2003; Mani, 2008, Maxwell, 1991; Roff, 2007). Children in Brunei are not only cared for by their parents but also grandparents, aunts, uncles and elder siblings (Kimball & Craig, 1987; Wahsalfelah, 2005). The role of community and extended family in Brunei is comparable to that seen throughout the Malay world, as described by Bakar (2011). Bakar (2011) uses an Islamic lens to critically unpack the family in the twenty-first century and explores the word ‘commune’ and its applicability to Malay family life. In Malay family life, the idea of the commune is apt, as it is common for parents to live in the same house as adult children, to provide spiritual and moral leadership (Bakar, 2011). Having extended family members living together influences the way children are raised. In ensuring family cohesion Bakar (2011) makes some suggestions including that families could benefit from better understandings of Qur’anic based teachings on family life. Bakar (2011) also sees the need to reiterate the importance of the extended family in
Malay life and for Muslim and non-Muslim groups to engage with each other to find common solutions to common family problems. Bruneian family life is influenced by Brunei’s collectivist culture (Black, 2010; Low, 2011). Seen throughout Asia, collectivism prioritises the wellbeing of the group, whether it is family or nation, over the rights of individuals (Low, 2011). Conflict resolutions occur within families to ensure social order (Low, 2011).

Chin and Daud’s (2015) research examines the discourses of family and relationships that infuse Bruneian culture. Based on research with creative writing students, they found that more than 60% of writings centred on the parent child relationship and many made reference to the unfilial, or disobedient child. A family member who is pregnant outside of marriage can be seen as bringing shame on a family, not just the individuals involved (Chin & Daud, 2015). Chin and Daud (2015) state that children challenging parental authority are seen as disloyal not only to their parents but also to the Nation. Shame is a powerful controlling regulator in Brunei; it plays a role in establishing appropriate behaviour for family members (Chin & Daud, 2015; UNESCO, 2012). The main authority figure in the family is the father and the father is also seen as the protector of family reputations’ and purity (Chin & Daud, 2015).

2.2.5 Gender in Brunei

Women in Brunei generally have equal opportunities in the fields of education, business health and government (Chin, 2016). More than half of graduates from tertiary institutions are female (Low & Zorah, 2013). The first female members of the Legislative Council were appointed in 2011 (Roberts, 2014). Brunei has specific laws that protect the rights and legal status of women, including the Married Women’s Act, the Women and Girls Protection Act and the Islamic Family Law Act (Chin, 2016). Despite the legal
protections offered, inequalities based on gender exist in Brunei. The UN (OHCHR, 2016) has called on Brunei to recognise gender stereotypes that discriminate against women and lead to their subordination in family life. Chin (2016) states that men’s salaries in Brunei are double that of women and that there is an absence of a legal definition of gender discrimination in the Sultanate. The ideology of MIB places the Sultan as a father figure of the nation. It is argued by Chin (2016) and Chin and Daud (2015) that the promotion of this belief of Sultan as head of the family, reinforces and promotes paternalistic-patriarchal discourses throughout the nation. Women in Brunei are expected to fulfil their roles as mothers and wives alongside their paid employment (Chin, 2016). The social expectation of women to be ‘good’ wives and ‘educators’ of children in Brunei cuts across ethnic divides (Chin, 2016).

2.3 The legal systems of Brunei

There are three legal systems running parallel in Brunei: Common law, Syariah law and Adat (customary) law. The first is for everyone, the second for Muslims and the third is for Indigenous non-Malay groups. Syariah inspired law has existed alongside Adat law since the 16th century (Muller, 2015). Black (2011, 2010) has written on the three systems of law. While there is no specific reference to how children are protected by laws in Brunei, conclusions can be drawn from the wider work. Black (2010) highlights that there is a want in Brunei to avoid direct conflict and confrontation (Black, 2010). However, confrontation is becoming more common, especially as the rise in the rate of divorce has led to more complex marital dispute cases being addressed under the Syariah law system (Black, 2010). Adat law is also going through changes in how it relates to the modern world with many non-Muslim Adat users finding it ineffectual in dealing with “modern” problems (Black, 2010). The most explicit child protection problem relating to the legal system in Brunei is in the judicial system of law where young people can be whipped or
caned up to 18 times (Black 2011). Black (2011) notes that capital punishment can still be used in Brunei, but has not been for many years and there is no indication that children would be executed.

2.3.1 Syariah law in Brunei

Syariah law provides legislation on adoption, divorce and custody arrangements and thus is relevant to the lives of Muslim children. In 2013 it was announced that Syariah Penal Code Order (SPCO) 2013 (*Perintah Kanun Hukuman Syariah* 2013) would be introduced in three stages. Stage one was introduced in 2014. The SPCO is part of Wawasan 2035 Negara Zikir, a plan for Brunei to become the ‘purest’ Islamic state by 2035 (Brunei Economic Development Board [BEDB], 2013). While much was made of the development in the media (Muller, 2015), Brunei has had a concurrent system of Syariah law in the constitution since its inception. The SPCO adds *hudud* laws for contravening Islamic law. The renowned jurist, Mufti Usmani (2006, p. 287) states:

The *hudud* are the penalties that the Qur’an and Sunnah of the Prophet have prescribed for certain crimes. Notably, Islamic criminal law is quite lenient in this matter in that it prescribes punishments for only a few crimes. For all other crimes, there is no permanent prescription for specific punishments and the task of imposing punishments has been left to the ruler and the judge, i.e, the legislature and judiciary in modern society. It is these institutions that can prescribe punishments for different crimes according to the demands of the time and prevailing conditions.

Sultan Bolkiah first announced his intention to move towards an Islamic penal code in 1996 (Muller, 2015), with Brunei consulting with Syariah specialists over the past twenty years (Black, 2010; Muller, 2015).

The first phase of the SPCO, saw the introduction of 55 offences punishable by fine or imprisonment, stage two will include offences punishable by Qisas, while stage three will see the introduction of the death penalty for certain crimes (AG, 2013a; Muller, 2015). The SPCO applies to Muslim residents (including migrant workers) in Brunei and to
offences committed where one or both parties are Muslim. The types of offences include Hadd offences like Sariqah (theft), Hirabah (robbery), Zina (adultery including rape and sodomy), Qazaf (accusation of Zina), intoxicating drinks and Irtidad (apostasy). The punishments for Hadd are those outlined in the Qur’an and Hadith. Usmani (2006, p. 287) states: “It is important to note that the Hudud Ordinances are not “static”. It is for the courts to decide each case, keeping in view specific details, the context in which the crime took place, as well as the condition of the accused…even a small plausible doubt suffices to annul hadd punishments.”

Age can play a role in confessions and witness statements. To give a confession (Ikrar) the witness must have attained puberty, be of sound mind and it must be voluntary. To be a witness (Syahid) the requirements include: being of sound mind, attained puberty, possess good memory and able to see and hear. In theft cases the witness also needs to be above 15 years old. This suggests that children may have trouble reporting crimes and in having their voices heard in the Syariah penal system.

Gender plays a role in the SPCO. There are specific punishments included for Muslim women who become pregnant outside of wedlock (section 94.1). The penalty for both men and women involved is a fine of greater than $8000.00 BD and/or greater than two years in jail. Sections 201 and 203 both refer to the guardianship of Muslim women. The penalty for enticing a female Muslim to leave the custody of her parents/guardians is again a significant fine or more than 2 years in prison. If an unmarried female Muslim leaves the custody of her guardian without a reasonable excuse, there is a fine or imprisonment for greater than three months.
Muller (2015) identifies specific instances where non-Muslims can be affected by the SPCO, including that non-Muslims can receive the death penalty, or thirty years imprisonment, for insulting the Prophet Muhammad under Sections 110, 221 (Muller, 2015, p. 324). The third phase of the SPCO has been condemned by the UN (OHCHR, 2014). Women are more likely to be sentenced to stoning, and thus entrenched discrimination is of great concern (OHCHR, 2014). The real test of the Syariah law implementation (or re-implementation as this system already exists in many instances) will be in how it is enforced rather than how it is legislated (Young et al., 2017). In practice, Brunei has had an effective moratorium on the use of the death penalty since 1957 (OHCHR, 2014). The OHCHR (2014) have called on Brunei to formalise this moratorium and work towards the elimination of the death penalty.

2.4 Brunei’s education system

A substantial body of literature is available on education in Brunei (for example Abdullah & Osman, 2010; Attwood & Bray, 1989; den Brok, Fisher & Scott, 2005; Ghani, Siraj, Radzi & Elham, 2011). MIB is central to education. “The education ethos is founded on MIB, which uses religious principles as a guide for cultivating personal values in students” (Shahminan, 2012, p. 37). The education system is based on the British model of 7 primary years, 3 lower secondary, 2 upper secondary and 2 pre-university (UNESCO, 2008). Education is described as “a priority” and “free” for Brunei nationals who attend government schools (Bradshaw & Mundia, 2005). The National Education Policy introduced in 2009 mandates 12 years of education, however, constitutionally, there are no protective mechanisms to prevent children with special needs from being discriminated against at school (Huraini, 2009). Brunei’s education system has an exam-oriented focus (Omar, 2001).
Burns (1998) and Dhindsa (2008) have both published on aspects of gender in schools in Brunei. Neither plainly describes discrimination on the basis of gender, though both describe male children being treated differently from female children in the classroom. Dhindsa (2008) compares those to the roles that children fill at home where girls are expected to help with domestic tasks indoors while young males are encouraged to help outside of the home.

Brunei’s National Education System (SPN 21) incorporates Ugama education. Ugama education is a six-year course, compulsory for all Muslim children, and is completed between the ages of 7 and 15. Zakaria and Mahalle (2012) examine the teaching of Ugama education and identified five aims of the curriculum. These include encouraging students to practice Islamic teachings daily, emphasise Islam as a religion that encourages community development and to develop a culture of brotherhood and sisterhood (Zakaria & Mahalle, 2012). A challenge in the teaching of Ugama education is in making it relevant to the lives of Bruneian children, to allow for greater engagement with the texts (Zakaria & Mahalle, 2012). An additional challenge is in formally assessing religious knowledge.

UNICEF (2015) has called on Brunei to explicitly prohibit the use of corporal punishment in schools. This could include rethinking disciplinary practices in schools and including these in regulations (UNICEF, 2015). There is also a need to ward against the use of emotional and mental abuse in schools (UNICEF, 2015). Hanapi’s (2006) work noted the use of pinching by teachers to control special needs students. Teachers in the study also requested more support and training when dealing with special needs students (Hanapi, 2006). Kitson (2004) examined the balance between support for a Bruneian child at home and support for the child at school. Kitson (2004) found that there is a gap
between expectations that teachers have of parents and vice versa. Kitson (2004) found that there were high levels of anxiety amongst students starting school for the first time, with only one third of school starters enjoying school.

Another group that may require extra assistance in schools are Indigenous children. The Indigenous groups that reside in Brunei such as the Penan and Iban largely reside in poorer rural areas (Sercombe, 2010). Their seclusion leads to children beginning school without a firm grasp of English or Malay, the two languages used for teaching (Sercombe, 2010). Sercombe (2010) notes that there is little value placed on education by parents in the Penan community and this influences Penan children’s experiences in schools.

2.5 Children with special needs

Koay (2007) traces the beginning of special needs intervention programs in Brunei to the opening of the first Handicapped Children’s Playgroup in 1981. The playgroup included all special needs children and was run by an occupational therapist at RIPAS hospital. The success of this program led to similar programs being opened in all districts of Brunei (Koay, 2007).

A great deal of literature examines the experiences of special needs children in Bruneian schools (Bradshaw & Mundia, 2005; Haq & Mundia, 2012; Koay, 2009, 2007; Mundia, 2009; Tait, 2008; Tait & Mundia, 2012; UNESCO, 2008). Brunei has achieved a 98% rate of special needs enrolment (UNESCO, 2008). Support and advocacy is given by NGO’s dedicated to those with special needs in Brunei. There is a need to expand services into isolated areas, increase support for complex needs or those with multiple disabilities and more curriculum development (UNESCO, 2008).
Brunei’s education policy for special needs children has been described as neither exclusionary nor parallel. Children with learning difficulties also appear in the Special Education literature (Bradshaw & Mundia, 2005; Hurairah, 2009; Haq & Mundia, 2012; and Koay, 2009). Tait and Mundia (2012) have taken their work on Special Education a step further and looked at the impact that a child with autism can have on a family in Brunei.

One family told the investigator that upon receiving their child’s diagnosis, a hospital social worker gave them a brochure to read on autism and they were told to take their child home. That was the extent of the support service that they were offered by the Brunei Government” (Tait & Mundia 2012, p. 203).

Tait and Mundia (2012) highlighted the added financial pressure placed on families with a child with autism in Brunei. Tait (2008) describes the government, social and allied health systems of support for families with disabled children as “extremely limited”. The lack of social support is surprising given descriptions of how important extended family is in Brunei (Walsalfeleh, 2006). Tait and Mundia (2012) put the lack of family support down to a limited knowledge of disability in the community.

Children with autism have previously been banned from attending school (Taha, Yoong & Leong, 2004). They are now allowed to attend, however many disabled students do not “succeed” at school and it is not uncommon for them to be kept at home due to a lack of understanding by Bruneian teachers and lack of acceptance of disability in society (Tait & Mundia, 2012). The attitudes of the peer group to special needs children were investigated by Haq and Mundia (2011). They found that the majority of lower secondary students interviewed in Brunei were unable to identify the differences between disabilities, due to a lack of knowledge and local beliefs. Local beliefs included individuals with special needs being thought to be demons or to hold magical powers.
Haq and Mundia (2011) found that individuals with high support needs in mental, behavioural and visual problems were the most invisible in Bruneian society.

Having a family member with autism may also bring shame on the extended family (Tait & Mundia, 2012). Tait and Mundia’s (2012, p. 204) study reported comments from parents with autistic children: “As a parent, we should not be ashamed of them as I understand it, a lot of other family tried to hide it” and “There is not much support from society in Brunei”. Further comments from participants included “The community as a whole does not understand what autism is, so people tend to laugh or just find them troublesome or weird” and “Even my closest family do not give enough support”.

Assistance was first offered to Bruneians with special needs in 1980 with the opening of a small clinic offering a basic training program. In 2013, there were 465 people attending the four government run centres throughout Brunei. Brunei is a signatory to the Biwako Millennium Framework and the Convention on the Rights of Persons with Disabilities. It is estimated that 1 in every 1000 Bruneians is on the autism spectrum (Thien, 2014). Throughout Brunei there are over 4000 children officially considered special needs, with 3000 active cases being treated at the Child Development Centre (CDC) (Thien, 2014). Of these cases a higher proportion are males (Thien, 2014). Treatment at the CDC is terminated when the child is 16 (Thien, 2014).

2.6 Child protection, a view from the media

The term social ill is used in the Bruneian media when describing undesirable adolescent behaviour (Hayat, 2011). This can refer to a range of phenomena including smoking, illicit drug use and pre-marital sex. Bruneian children are positively displayed in the media when demonstrating academic excellence. Of particular interest is the way that the Bruneian media presents children involved in the court system. This is the main way that
information is available to the public. For example, the only public information available on the welfare home for children (KRK) and on the number of abuse cases present within is through newspapers (Kamarulzaman, 2014). Kamarulzaman’s (2014) article detailed that there were 13 current residents of KRK who were residents as they were in need of protection from abuse, rape, incest and neglect (Kamarulzaman, 2014). Table 2 is replicated from this article.

Table 2: Statistics of admission to the Welfare Home Complex for the year 2006-2014.

<table>
<thead>
<tr>
<th>Case</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sexual abuse</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Incest</td>
<td>9</td>
<td>2</td>
<td>9</td>
<td>2</td>
<td>-</td>
<td>5</td>
<td>1</td>
<td>3</td>
<td>-</td>
<td>31</td>
</tr>
<tr>
<td>Rape</td>
<td>4</td>
<td>-</td>
<td>7</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>-</td>
<td>18</td>
</tr>
<tr>
<td>Sexual harassment</td>
<td>-</td>
<td>-</td>
<td>2</td>
<td>6</td>
<td>-</td>
<td>3</td>
<td>2</td>
<td>-</td>
<td>-</td>
<td>13</td>
</tr>
<tr>
<td>Physical abuse (by)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Husband</td>
<td>1</td>
<td>5</td>
<td>2</td>
<td>2</td>
<td>4</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>3</td>
<td>22</td>
</tr>
<tr>
<td>Mother/Father/step parent</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>10</td>
<td>1</td>
<td>7</td>
<td>6</td>
<td>-</td>
<td>6</td>
<td>30</td>
</tr>
<tr>
<td>Guardian</td>
<td>-</td>
<td>-</td>
<td>1</td>
<td>1</td>
<td>-</td>
<td>2</td>
<td>4</td>
<td>1</td>
<td>-</td>
<td>9</td>
</tr>
</tbody>
</table>

(Welfare Home Complex cited in Kamarulzaman, 2014)

This table does not only include children but also women who are residents of the welfare home. Kamarulzaman (2014) continues that the children, consistently referred to as victims, are given housing, care and are given skills to enter the workforce. Counselling and psychological services, including art therapy are also described. Newspapers also included articles detailing child rape and child abuse allegations while they are going through the courts (for example Hajar, 2010). In these cases, the children giving evidence are deidentified. However, significant amounts of detail are included in articles and with Brunei’s small population it is conceivable that children may be identifiable.

Social issues involving teenagers are often included in the papers. These articles include the punishments for the detailed social issues. For example, Kon’s (2011) article examining teen pregnancy begins by detailing the numbers of teens (both married and
unmarried) who have given birth. The number given is 2176. Kon (2011) then continues that pregnant teens can be fined or jailed for six months and that their children will be given a stateless status.

Social media is presented as something children need to be protected from, with online sexual predators presented as a threat (Bandial, 2014). In 2014, the Bruneian government released the online child protection framework (Bandial, 2014), though no research is available on the risk faced by Bruneian children using the internet. One article, quoting the Brunei Police Force, detailed that 60% of under-16 rape cases were from predators met online (Borneo Bulletin, 2012). It also reinforces the belief in Brunei that children are in need of protection from those “outside” of the family.

2.7 Child participation in Brunei

In Brunei, voices of children are evident in academic research (see Hanapi, 2006; Kitson, 2004). Kitson (2004) gave children a chance to voice their opinions and experiences on starting school in Brunei. Most reported being worried or physically crying. Including the children’s voices alongside that of parents, teachers and principals demonstrated the contrast in how children and adults view attending school. For example, no child referred to religion or traditions that were involved with the start of school. In contrast, these were mentioned by teachers, parents and principals. This demonstrates that if children are given a chance to speak in Brunei that they will have different perspectives from that of adults.

2.8 Conclusion

An important finding of this thesis is the identified gap in the academic literature relating to children and childhood in Brunei. While research has been conducted on Brunei’s
culture, history, ethnicities, legal systems and family structures; children were not visible in these works. Few studies included the voices of Bruneian children. Thus, this thesis aims to address this gap, providing an opportunity for Bruneian child voices to enter the academic literature, and raise the visibility of Bruneian children.

This review provided important contextual information, from which the research was further developed. Information on Brunei’s history, guiding philosophy, ethnicities and legal systems allows a greater understanding of the ideologies that shape Bruneian childhoods. For example, authors such as Chin and Daud (2015) have demonstrated the effect that MIB has on shaping ideal family norms and gender roles in Brunei. The areas of literature that most explicitly focus on the lives of children in the Sultanate are those that relate to Brunei’s education system and children with disabilities. These represent areas of interest for Bruneian academics and community leaders and thus areas where researchers can collaboratively work with the community and incorporate these interests.

While there is a substantial body of literature looking at education and children with special needs, only Kitson (2004) and Tait and Mundia (2012) extended their research beyond the school and have examined wider family life for children in Brunei. These studies are also of interest, as they use qualitative interviews and thus provide guidance on using such methods with parents in Brunei. The majority of studies examined were review papers or used quantitative surveys.

Reports of child abuse and juvenile crime, are not covered in the academic literature but are reported on in the Bruneian media. The following chapter contextualises the literature reviewed within Brunei’s international child rights commitments. Reviewing Brunei’s child rights commitments allows for an understanding of the policies and principles that
the Bruneian government holds towards children. The next chapter examines the OIC, UNCRC and children in Brunei.
3.0 The OIC, UNCRC and children in Brunei

The UN and OIC contain agreements between member states on the rights of children. These agreements are the UNCRC and the OICCRCI. These documents contain areas of convergence and divergence, adding complexity for members aiming to comply with both documents. This chapter contextualises, compares and contrasts, both documents within Brunei, by reviewing relevant literature and legislation, and providing background information relating to child rights in Brunei.

This chapter begins with a basic review of Islamic teachings in relation to children and child protection. A focus on the Sunni school of thought is relevant in the Bruneian context. Background information is provided on the OICCRCI and UNCRC. Conclusions are drawn on the convergences and divergences between the two documents. Academic studies reviewed in the previous chapter are used to deepen understandings of child rights in Brunei. These are combined with reports from NGOs, the UN and the OIC. Overall, this chapter combines background information with academic literature to allow the reader to gain an understanding of codified child rights in Brunei.

Since gaining full independence in 1984, Brunei has demonstrated its commitment to participating in the International community through membership in ASEAN, the UN and the OIC (Sidhu, 2010). Brunei’s foreign relationships reflect the nations historic and contemporary identities. Brunei aims to be a leader within the region, and was most recently ASEAN chair in 2013 (Roberts, 2014). Brunei has similar strategic interests to its neighbours, including Singapore (Oishi, 2016). The 1960s saw Brunei align itself more closely with Singapore, rather than Indonesia or Malaysia (Oishi, 2016). This legacy has seen Brunei model domestic common law legislation on Singapore’s legislation, including child protection legislation. Both countries legislation reflects Britain’s historical legacy of State formation in the region. Brunei’s Islamic identity also
influences its foreign alliances. Brunei participates in aid activities led by the OIC (Oishi, 2016), including rebuilding projects in Aceh and working to establish peace in the southern Philippines.

3.1 Islam and children

Islam frames the meaning of Muslim childhood. Islamic teachings and rhetoric are used by Bruneian government, religious and non-governmental leaders to reinforce ideals of family and childhood.

Islam makes the world of a child a beautiful world, full of love, happiness…It ardently seeks to instil the love of children into adults and urges them to build up the family that can fulfil harmonious development, respect and equality for all its members, particularly children (Saudi National Commission for Child Welfare, 1998, p. 10).

Islam is a caring religion, with teachings advocating care for the poor, the old, the disabled and children (Hashemi, 2008). Human rights in Islam is not about:

…how man asserts his rights against man but how man discharges his duties toward God. It is not preoccupied with the horizontal relationship of man with his fellow man but with the vertical relationship that subsists between each man and his maker (Weeramantry, 1988, p. 116).

The Syariah helps tend the relationship between Muslims and God by stipulating the ideal Islamic law (Sait, 2000). The Syariah is defined as “God’s eternal and immutable will for humanity” (Esposito, 1995) and is expressed in the Qur’an and Sunnah (Prophet Muhammad’s example). For Muslims, it is the ideal Islamic law (Esposito, 1995). Essentially, the Syariah refers to explicitly revealed laws that are fixed and general (O’Leary, Abdalla, Hutchinson, Squire & Young, 2018). Alternatively, Fiqh or Islamic jurisprudence, is flexible in its application (Abdalla, 2012). The Qur’an and Hadith, the primary and secondary sources of the Syariah respectively, recognises child rights in several ways. Firstly, they guarantee the right of the child to life (including the life of the unborn child), regardless of gender (Surah 17:31, Qur’an 81:8-9) (Sait, 2000). They highlight the importance to care for all children, regardless of kinship or the religion of...
the child’s parents. Surah 107 in particular shows the consequences of neglecting the needs of orphan children (Sait, 2000). They also establish that children have the right to sustenance, property and freedom of conscience; to parentage, inheritance and maintenance; to a proper upbringing and to guardianship both of person and property (UNICEF & Al-Azhar, 2005).

Documents charting the nurture and protection of Muslim children have been produced to guide the practice of child protection professionals. UNICEF and Al-Azhar have worked in collaboration to form two guides to child protection in Islam (UNICEF & Al-Azhar, 2005; 2016). The first, released in 2005 titled *Children in Islam: Their Care, Upbringing and Protection*, examines child rights in Islamic teachings, stating that it is the parents, family and society who are responsible for the care and attention given to children. Instances from the Qur’an where teachings on health and education coincide with agreed upon international child rights principles are highlighted. The UNICEF and Al-Azhar report found that the Syariah states and affirms the following rights of the child (UNICEF & Al-Azhar, 2005, p. 10):

1. The right of the child to a healthy beginning
2. The right of the child to a family, name, property and inheritance
3. The right of the child to education
4. The right of the child to dignity and security
5. And the right of the child to have society and a nation that supports and protects their rights.

In Islam rights for children extend into pre-natal care, with specific teachings relating to pregnancy (UNICEF & Al-Azhar, 2016). For example, pregnant women are not required to fast during Ramadan (UNICEF & Al-Azhar, 2016). The importance of nutrition for pregnant women is also recognised in the Syariah. Teachings require the husband to share
food with the mother and the child and to provide psychological care (UNICEF & Al-Azhar, 2016). The report also suggests that pregnancy under the age of 18 and over the age of 35 may be harmful to the child. After birth, Syariah teachings strongly recommend breast-feeding (UNICEF & Al-Azhar, 2016).

Recently UNICEF & Al-Azhar (2016) have revisited their earlier work on child rights in Islam, producing the document *Islamic perspective on protecting children from violence and harmful practices*. This publication has been part of a collaboration that also includes the Christian perspective on child protection and a joint book on Islamic and Christianity messages on child protection (UNICEF & Al-Azhar, 2016; UNICEF, Al-Azhar & Coptic Orthodox Church Egypt Bisphoric of Public, Ecumenical and Social Services [BLESS], 2016). The Islamic perspective systematically deals with various forms of maltreatment of children by outlining the Qur’an, Syariah and Islamic scholarly opinion on the forbiddance of harming children (O’Leary et al., 2018). In doing so, it offers a repudiation of acts such as child marriage, child labour and female genital mutilation by using Islamic principles (UNICEF & Al-Azhar, 2016).

### 3.1.1 Teachings on maturity

The Syariah provides guidance on when a child is considered mature. While Sait (2000) does not include gender in his analysis of maturity in Islam, Hashemi (2007) argues that Muslim legal traditions recommend lower age limits for females, as females generally show physical signs of maturity earlier than males. This influences the age that children can be married in Islam. Legally, in countries such as Pakistan, the age for female children to marry is 14 (Hashemi, 2007). Sait (2000) argues that under the Syariah it is religious knowledge rather than age that informs when a child is judged as mature. Islamic theory relies not only on physical development, but also mental ability when
judging whether one is a ‘child’. Sait (2000) continues to detail the steps that Islamic law takes in determining maturity. Hashemi (2007) argues that this definition of maturity has led to countries such as Syria, Sudan, Iran and Pakistan to determine 15 as the age of criminal responsibility. Decisions made about a children’s maturity using religious guidelines challenge the arbitrary 18-year guideline set down by the UNCRC.

Teachings on maturity guide the age of marriage in some Muslim-majority nations. UNICEF (2014a) undertook work on child marriage in Jordan. This qualitative study aimed to understand attitudes towards child marriage amongst those residing in Jordan, including Syrian refugees, and included the perspectives of parents, women who married early, Judges, Sheiks and Imams. This study established that despite the age of eighteen as the legal age of marriage, early marriage still takes place in Jordan (UNICEF, 2014a). This legislation is undermined by special permissions granted by individual judges, who make decisions on the maturity of those marrying. This occurs under Jordan’s Syariah legal system. Further, the study found a widespread attitude of acceptance of the early marriage practice across a variety of groups in Jordan, including Jordanians, Syrians, Iraqis and Palestinians (UNICEF, 2014a).

3.1.2 Custody, guardianship and kafalah
The Syariah includes teachings regarding breastfeeding, maintaining kin ties, and care and custody of children. The concepts of Hizanat (custody) and Wilayat (guardianship) frame the Syariah’s teachings on the relationship between parent and child (Sait, 2000). The responsibility of caring for children falls under the legal concept of guardianship, which is well detailed in the Syariah, and each parent has specific responsibilities toward their children. Custody regulations are affected by the child’s age and sex. There are rules governing adoption practices in Islam (Hifazatullah, Farooq, Badshah & Rahman, 2011).
Age guidelines regarding custody vary according to Islamic schools of thought, but under all circumstances, the best interest of the child takes preference. Children are entitled to inheritance, which is not dependent on gender but familial ties. Girls can inherit under multiple circumstances. Based on Qur’an 4:11, a female receives half the inheritance of her male siblings or relatives (Abdalla, 2012). However, based on other verses and Hadith traditions.

There are also eleven cases where a woman inherits the same amount as a man, in fourteen cases she inherits more than a man, in five cases she inherits and a man does not, and only in four cases will a woman inherit less than a man (Abdalla, 2012, p. 658).

Those born outside of wedlock have the same rights, with discrimination against them considered illegal in Islamic jurisprudence. There is a distinction between custody and guardianship in Islamic traditions. Custody is a joint duty performed by both parents, whereas guardianship including the payment of maintenance is only the duty of the father, or in his absence, other male relatives of the child (Hashemi, 2008). In fact, Meeusen (1995, p. 119) argues that:

By historical comparison with Western society…Islam was revolutionary as a force in reforming and elevating the status of the non-marital child. Constrained by the Christian doctrine of the sanctity of marriage, the non-marital child in common law jurisprudence, in contrast, was deemed filius nullius—a child of no one.

Most scholars consider that the child belongs to their mother in births outside of wedlock, as there are biological links. Furthermore, the Syariah prohibits denying an adopted child their identity and the Qur’an specifies that adopted children must not be considered one’s own biological children. It further stipulates that adopted children keep their fathers name (Hashemi, 2008). This practice of caring for adopted children is known as kafalah. Its practice allows the child to be cared for by an adopted family but to keep his or her own identity (Rajabi-Ardeshiri, 2009). The Syariah outlines the limits of parental authority and places duties on parents to educate and guide their child correctly (Olowu, 2008). Aijaz (1991) describes a hierarchy of punishments that Islamic teachings recommended for Muslim children; exhortation, rebuke and admonition, boycott and chastisement that
leaves no mark on the child’s body (Aijaz, 1991, p. 35). Aijaz (1991) describes chastisement as only an option if the child does not respond to exhortation or admonition. He continues “but it should be born in such a way that no visible injury is caused to his body” (Aijaz, 1991, p. 35) and that hitting on the face is prohibited.

In a family setting, the Qur’an urges children to respect their parents and show them gratitude (Sait, 2000). However, it is insisted that parents are not just to be blindly followed, if they are misleading their children in matters of faith (Sait, 2000). By proposing that children are under no obligation to follow misguided parents misconceptions of faith, the Qur’an can be used to justify the concept of a child’s voice in Islam. More so, it recognises not only that children may voice opinions but also that these opinions may have great educational value and perhaps be more informed than those of adults. Sait (2000) argues that the spiritual obligations that Islam expects of children are the key to opening the door to child participation in Islam. He further argues that if a child’s capacity to comprehend the divine message increases with age, then so too must the child’s comprehension of “worldly affairs” and thus they should be considered competent to participate in these worldly affairs. By Sait’s (2000) reasoning children should be given a voice as their religious knowledge increases.

3.1.3 Education

Education is highly valued in Islam with an abundance of evidence found in the Qur’an and Hadith in this regard. For example, the Prophet Muhammad said “a father gives his child nothing better than a good education” (Scourfield et al., 2013a, p. 22). The Qur’an espouses the virtue of pursuing knowledge and stresses this practice as a religious obligation (Scourfield et al., 2013a). UNICEF and Al-Azhar’s (2016) report describes the right of the Muslim child to education as an opportunity to be part of a collective, as the
child cannot live in isolation. In a Hadith the Prophet said, “Seeking of knowledge is obligatory upon every Muslim male and Muslim female” (UNICEF & Al-Azhar, 2005). This is seen as demonstrating the desire for equal standing of both boys and girls in Muslim education. Teachers are encouraged to lead by example as teachers are highly regarded in Islam for the influence that they wield (UNICEF & Al-Azhar, 2005). While the state is responsible for providing education for children, UNICEF and Al-Azhar (2005) state that it is the role of Islamic scholars to educate parents in how to raise a child.

3.1.4 Academic literature on Islam and children

A small but growing body of academic work published in English focuses on the care and protection of Muslim children (Al-Krenawi & Graham, 2003; Chatty & Hundt, 2002; Hashemi, 2007; Hashemi, 2008; Hifazatullah et al., 2011; Hutchinson et al., 2015; Jacobson, 1998; Meserati, 2009; Olowu, 2008; Rajabi-Ardeshiri, 2009; Rajabi-Ardeshiri, 2011; Sait, 2000; Scourfield et al., 2013a, Scourfield et al., 2013b; Shaw, 2000). Studies focus on children in both minority-Muslim and majority-Muslim settings. Shaw (2000), Jacobson (1998) and Scourfield et al. (2013a, 2013b) have contributed significant studies towards the academic study of Muslim children in Britain. Using qualitative research, Scourfield et al., (2013a) specifically focus on nurture and religious transmission amongst Muslim Children in early and middle childhood. Conclusions included that the rate of intergenerational transmission (passing of ideas, beliefs or culture from parents to child) of Islam, is much higher than the rate for other religions in Britain (Scourfield et al., 2013a). Scourfield et al. (2013a) argue that cognitive transmission assists in explaining the high rate of religious transmission, particularly when focusing upon the repetition of ritual and religious recitation from young ages in Muslim families. This is reliant on parents teaching children about Islam and additional teachings from outside of the family.
Scourfield et al. (2013a) also link these home learnings to the sociological concept of habitus. A Muslim child will be marked as Muslim from early in life by having the adhaan (call to prayer) spoken into their ear (Scourfield et al., 2013a) and will likely to be given a name identified with Islamic traditions. The home environment is likely to display verses of the Qur’an on walls (Scourfield et al., 2013a). The significance of Scourfield et al.’s (2013a, 2013b) work is such that it adds to understandings of parenting a Muslim child and the early life of Muslim children. It is part of a growing literature that examines the topic qualitatively.

Hashemi (2007, 2008), Hifazatullah et al. (2011), Sait (2000), Rajabi-Ardeshiri (2009, 2011) and Olowu (2008), examine Islamic law in the context of child rights, and the applicability of Western child protection frameworks. These works highlight the strong traditions of Islamic teachings in relation to child protection. For example, Olowu (2008) argues “Islamic law requires not only enforceable legal sanctions but also extensive religious, moral and social measures and obligations to protect and safeguard the rights and welfare of the child” (Olowu, 2008, p. 9). All contend that Islamic traditions holistically incorporate child wellbeing mechanisms. However, how they are implemented by nation states and are being enacted in Muslim societies can be problematic. Particularly, Rajabi-Ardeshiri’s (2009, 2011) work highlights the mistrust that can arise when Western child protection practices are uncritically adopted in Islamic contexts. Chatty and Hundt’s (2002) study established that there is a gap between UNICEF’s theoretical and practical positions. For example, interviews undertaken with UNICEF workers in Palestine revealed that regional officers often try to modify programs heavily laden with Western assumptions of appropriate child behaviour, to fit within their local contexts. Chatty and Hundt (2002) note that these modifications of official programs are not based on empirical study but happen on an ad hoc basis,
determined by what individual local practitioners judges to best fit their communities. Chatty and Hundt’s (2002) work is significant as it highlights differences between Western and Islamic conceptions of childhood and the shortcomings of the UNCRC.

Hutchinson et al. (2015) examine how differences in understandings of childhood between Islamic and Western worldviews can be explored through dialogue. This dialogue took place with Islamic leaders, child protection academics and NGO workers, and utilised a roundtable methodology (Hutchinson et al., 2015). This allows for a deeper understanding of how Islamic teachings can be incorporated into child protection mechanisms and the further development of child protection interventions that rely on the strengths already embedded in communities. Al-Krenawi & Graham (2003) examine social work in the Arab world and the implications this has for child protection practice in the region. Their work concludes that Western-centric social work is viewed with suspicion in the region given the ongoing legacy of colonialism. Al-Krenwai & Graham (2003) identified that Islamic principles could be used as a starting point for dialogue between social workers and Muslim communities.

3.2 Organisation of the Islamic covenant’s rights of the child in Islam (OICCRCI)

The OIC comprises of 57 member states, making it the second largest intergovernmental organisation in the world (OIC, 2004). In 2004, the OIC developed and adopted, the OICCRCI. This document outlines how children residing in member states are to be treated. Despite the myriad of local cultures represented in the OIC, this document uses the Syariah as a unifying force to provide a framework for child rights in Islamic contexts. Throughout the document a balance is struck between the values espoused by the OIC, and the values inherent in the legislation of the individual countries involved. The OICCRCI gives greater consideration to the laws of individual countries than the
UNCRC. Another difference between the two documents is in the way that the child is defined. Article 1 of the OICCRCI defines a child as a human being who has not attained maturity. This allows the individual OIC state to use their own definition of maturity and ultimately of a child. This has direct ramifications for phenomena such as the age of marriage. The definition of a child in Brunei reflects the sentiments of the OIC document. In Brunei a “Child: means a person who has not attained the age of 14 years.” This definition appears in the Children and Young Person's Act 2012 and is coupled with the definition of a Juvenile (means a person who has obtained 7 years of age but who has not attained the age of 18 years) as well as a Young person (means a person who has attained the age of 14 years but has not attained the age of 18 years) (AG, 2012a).

The importance of family is present in Article 8, which ensures that the Islamic child grows up in a supportive family environment. Family is considered the primary layer of protection in combating ‘social ills’ in Brunei (ASEAN Inter-Parliamentary Assembly [AIPA], 2012). This is a sentiment echoed in the OICCRCI. Equality is called for, regardless of the child’s sex, race, religion, language or nationality. Children are given the right to life, with the OICCRCI detailing that abortion should be prohibited unless under exceptional circumstances. This document contains rights relating to children’s play, education, healthcare, social living standards and contains provisions for the care of children with special needs and those detained in juvenile justice facilities.

3.2.1 Adoption

Islamic traditions guide custody and guardianship of children, as well as kafalah and ‘adoption’. While the UNCRC specifically references kafalah, the OICCRCI does not. Yet, the OICCRCI contains provisions consistent with Islamic teachings on the subject. For example, article 6 of the OICCRCI states “the child shall have the right to descent,
ownership, inheritance, and child support” (OIC, 2004, p. 5) and article 7 states that “a child shall, from birth, have right to a good name…and to know his/her parents, all his/her relatives and foster mother” (OIC, 2004, p. 6). The term ‘adoption’ is used in Brunei and the OICCRCI document. The definition of adoption is contained in Brunei’s Islamic Adoption of Children Order, 2014 “adoption means to bringing up, maintain and educate the child of another person like one’s own child without becoming a natural child of the adopter” (AG, 2014, p. 107).

Adoption in Brunei is largely absent from the literature, with only one reference made. In 1978, anthropologists, Wolf & Wolf (1978), visited Brunei and describe infertile marriages as being common in Brunei at this time. Yet, the importance that Bruneian society placed on having children meant that there were no orphans, as childless couples were adopting them. Adoption legislation in Brunei is congruent with ethnicity. Muslim adoptions are handled by the Syariah court while non-Muslim adoption is decided in the civil court. Criteria by which applications are judged include income, health, age and a secure home. A social visit by MCYS is made to prospective parents before a decision is made. Under the Syariah court system the definition of a child in relation to adoption is someone whose parents are unmarried and under 18 years of age, while adoption means to raise and educate a child like it was one’s own without claiming to be the biological parent. According to Bruneian legislation the decision of the court needs to be made for the Maslahah (benefit or interest) of the child. This includes considering the child’s view, if able to communicate it. Applications also need to be processed through the Department of Immigration and National Registration.
3.3 United Nations’ convention on the rights of the child (UNCRC)

The UNCRC was the first international treaty to focus solely on the promotion of children’s rights. This ensured that children’s rights were recognised as a central concern to human rights discussions. It consists of 54 articles, which can be reduced down into three parts: participation, protection and provision (James, 2007). The UNCRC provides a framework for child protection worldwide. It details the minimum standards of care and protection that nation states have a responsibility to provide for children, with states able to add extra measures as desired. The UNCRC arose from organised child rights activism prolonged over decades (Rajabi-Ardeshiri, 2014).

While 192 countries, including Brunei, have signed the UNCRC, none have fully implemented their commitments to child welfare contained in the Convention (Fanning & Veale, 2004). “Much of the world has as much chance of implementing the Convention as sending its citizens to the moon…Unfortunately most countries would also rather do the latter” (Freeman, 2000, p. 16-17). Freeman (2000) suggests that the lack of implementation occurs because child protection is a low priority for governments. However, it could equally be because the UNCRC conflicts with traditional child protection practices, inspired by religious traditions, already in place in a country.

Article 1 contains the contested definition of a child as a human being below 18. This definition captures a theme inherently problematic throughout the UNCRC, that of the universalised child. In 2006, the Society for Medical Anthropology (SMA) released a statement that urged the United States to ratify the UNCRC (Bluebond-Langner & Korbin, 2007). This statement was released despite the concerns of members that “the UNCRC has at its core a universalised and essentialised view of “the child” based on Western assumptions about children’s best interests and a single standard of age (18 and
under)” (Society for Medical Anthropology [SMA], 2007, p. 235). The Western assumptions present in the UNCRC, have led to the almost paradoxical position of the UNCRC being the most ratified yet most contested International treaty (Hashemi, 2007).

Member states hold more religious based reservations towards the UNCRC than to any other treaty (Hashemi, 2007). The reservations from Islamic countries occur to articles where the UNCRC differs from Muslim legal traditions. Brunei holds religious reservations to Articles 14 and 21 and general Syariah reservations to the entire document (Hashemi, 2007; OHCHR, 2016). Brunei has withdrawn its reservations towards Article 20, an article that focuses upon the care of children outside of the family environment (OHCHR, 2016). The UN (OHCHR, 2016) has called on Brunei to ensure its withdrawal of all reservations. Article 14 allows the child freedom of thought, conscience and religion. Brunei’s argument is that article 14 interferes with Islamic child raising practices (Hashemi, 2007). Jordan officially takes the line that freedom of religion contravenes the family system in place in the country. Brunei is also one of many Islamic countries that hold reservations to article 21; adoption practices for children.

The UNCRC included a specific reference to *kafalah* law to try to accommodate Islamic adoption traditions. Principles included in the UNCRC overlap with provisions for children outlined in the Qur’an. While overlap certainly occurs, Olowu (2008) argues that there are differences between the epistemological foundations of the UNCRC with Islamic standpoints. Uncritically implementing the UNCRC into Islamic contexts has led to tensions, misunderstandings and resistance in the Islamic world. If implemented without understanding the underpinnings of the UNCRC could recreate colonial structures, which is a concern for post-colonial countries such as Brunei.
3.4 Areas of convergence and divergence

There are convergences and divergences between the UNCRC and OICCRCI. More areas of convergence have been identified than divergence. However, this convergence is mediated by the reservations held by Muslim states towards some articles of the UNCRC. Identifying areas where there are common aims in relation to child rights will strengthen responses to child protection within OIC member states and identify areas where dialogue can occur effectively. Rajabi-Ardeshiri (2011) notes that the main difference between Western and Islamic discourses framing children is that Western discourses primarily focus on children’s rights, whereas Islamic discourses place equal importance on the rights of the child and on children’s responsibilities towards their parents (Rajabi-Ardeshiri, 2009). Thus, in an Islamic context, the empowerment of children by Western rights-based practitioners undermines power relations within Muslim families. Another example of divergence can be seen in the definition of a child, where the UNCRC define by age in Islam it relates to a subjective judgment (O’Leary et al., 2018). Age, maturity and the definition of a child are a divergence between the OICCRCI and UNCRC. Divergences over the definition of a child, lead to the OICCRCI including provisions prohibiting abortion, while the UNCRC is silent on the subject. Freedom of religion is clear in the UNCRC whereas it is central to the OICCRCI that children are raised as Muslims who are encouraged to meaningfully participate in their local society and within the international Muslim community (O’Leary et al., 2018).

Convergences and divergences can be identified by examining the text of the two documents. These are illustrated in Appendix 2. One area of convergence is in relation to the detention of children. Both the UNCRC (Article 37c) and OICCRCI (Article 19, part 3a) describe the right of the child to be housed separately from adults when deprived of liberty. The OICCRCI calls for children deprived of liberty to be housed in juvenile
facilities, similarly the UNCRC requires detained children to have their age specific needs taken into consideration. Both documents allow the national government the ability to decide which crimes result in juvenile detention. Yet both also stress that the purpose of juvenile justice is not to punish but to rehabilitate and reintegrate children into society.

A further convergence is in the right of the child to be protected from abuse. The OICCRCI (Article 17 part 3) states that nation members shall incorporate measures to protect children from all forms of abuse. The UNCRC (Article 19) follows the same sentiment but explicitly states the types of abuse referred to, as well as details on mechanisms that member states should include to prevent and identify such abuse. Both the OICCRCI (Article 18 part 1) and UNCRC (Article 34) have provisions on the rights on the child to be protected from commercial sexual exploitation. Further convergences include the rights of the child to play, healthcare and education, including sexual education. Both documents contain provisions to ensure the rights of children with special needs and particularly emphasise the right of the child with special needs to education in Article 16 part 2 of the OICCRCI and Article 23 part 3 of the UNCRC. Similarly both documents give the right of the child to participate in society and crucially in the Bruneian context, to nationality. Both the UNCRC and OICCRCI contain provisions against corporal punishment. However, while the UNCRC uses this precise phrase, the OICCRCI references the right of the parent to “exercise Islamic and humane supervision” over the child and prohibits “all forms of torture or inhumane or humiliating treatment in all circumstances and conditions” (OIC, 2004).

While areas of convergence can be identified in the documents, the implementation of these mechanisms may differ both between Islamic and Western traditions and from society to society. This is apparent when working with the “best interests of the child”.
The UNCRC relies on the best interest of the child throughout its child rights provisions: however, the meaning and implications of this phrase in any society can be open to challenge. The best interests of the child can be refined through dialogue between cultures. Dialogue over how child protection mechanisms are enacted can deepen understandings of how child rights are lived. In 1985, four years prior to the UNCRC’s inception, talks took place between UNICEF and Islamic academics about Islam and child rights, highlighting that dialogue has long been occurring between Islamic leaders and human rights practitioners (Volkmann, 2012). While in some areas, there is significant conceptual overlap between the UNCRC and OICCRCI, differences in epistemological underpinnings can result in differing strategies in how best to protect the rights of children (Hutchinson et al., 2015). Ultimately, this leads to superficial engagement with communities over complex issues such as gender discrimination (Hutchinson et al., 2015; UNICEF, 2012).

Identifying areas of convergence and divergence aids in identifying areas where dialogue between Islamic leaders and child protection professionals can occur. To enter into dialogue and create deeper understandings, Hutchinson et al. (2015) used a roundtable methodology to explore child protection mechanisms in Islamic communities and to discuss with religious leaders and practitioners’ practical applications of these beliefs (O’Leary et al., 2018). The roundtable brought together Islamic scholars, child protection academics and international NGO workers. This work highlighted the diversity of approaches across Islamic schools of thought and cultures (Hutchinson et al., 2015), as well as identifying mechanisms that could ensure child wellbeing including solh (reconciliation councils), engaging the support of religious leaders, and the centrality of Mosques in promoting child protection (Hutchinson et al., 2015). The roundtable reaffirmed the assertion in the literature (Al-Krenawi & Graham, 2003) that child
protection in Islamic communities sits within cultural narratives of the prioritising of the collective over the individual, valuing social stability. It also demonstrated the use of a roundtable methodology as a mechanism to guide respectful dialogue.

It is an aim of the wider research project that a roundtable occurs in Brunei. One guide for this process could be the convergences and divergences between the UNCRC and OICCRCI and how these are enacted in the sultanate. A process of dialogue in Brunei could involve academics from both Islamic studies and child protection, alongside religious officials with appropriate knowledge and direct involvement with children. This may include Ugama teachers, or Imam’s with a strong Mosque Youth presence at their mosque. Those who work in child protection in the Sultanate would also offer useful perspectives.

3.5 Brunei’s child protection legislation and compliance to international conventions

Legislation is a key component of working towards a comprehensive child protection system (UNICEF, 2015). Laws hold perpetrators accountable and guide societies on what are appropriate behaviours towards children (UNICEF, 2015). Reviewing Brunei’s legislation is pertinent with the implementation of the SPCO. The UN (OHCHR, 2016) have raised concerns over how this legislation may effect children and have called on Brunei to work with Islamic legal researchers, religious leaders, and NGOs to eliminate all discrimination against children and to develop human and technical resources to allow for effective implementation of legislation. Further, the UN (OHCHR, 2016) has concerns over the invisibility of children in Brunei’s long-term development strategies, the coordination of inter-ministerial efforts at addressing child rights and the lack of data collected. This section of the chapter examines Bruneian legislation in relation to child protection and relies on reports by UNICEF (2015) and the UN (OHCHR, 2016),
academic literature and reports by NGOs (Child Rights International Network [CRIN], 2015; Intan, 2015).

3.5.1 Brunei’s legislation in relation to children

In 2016, the Brunei Council on Social Welfare released a statement examining the effectiveness of child protection legislation in the Sultanate.

The government has initiated some good programs geared towards child protection, but many aren’t fully implemented. Perhaps it’s due to a lack of resources in terms of manpower and finances. [The lack of] emphasis on children’s issues, resulting in inadequate budgeting, has led to poor implementation…I’m not saying that in Brunei we don’t have programs at all; we do, but in a very limited way and some are very temporary. It only solves the problem for a couple of months…which doesn’t allow total support to the vulnerable children…these children are totally neglected or left to the care of relatives. (Thien, 2016).

This critique is echoed by the UN (OHCHR, 2016), who labelled Brunei’s lack of technical expertise in child protection implementation a challenge. Intan (2015) identifies lack of technical expertise as inhibiting the functioning of Brunei’s juvenile justice system.

Children’s rights are assured in the general protections offered to all Bruneians. There are specific laws that relate to child protection. These include:

- Births and deaths registration Act
- Marriage Act
- Labour Act
- Registration of Adoptions Act
- Chinese Marriage Act
- Midwives Act
- Kidnapping Act
- Dissolution of Marriage Act
- Dana Pengiran Muda Mahkota Al-Muhtadee Billah for Orphans Act
Brunei’s child protection legislation were modelled on Singapore’s common law. This includes Brunei’s Children and Young Persons Act (AG, 2012a). Thus, similarities can be seen between Singaporean and Bruneian child protection legislation. One such similarity is in the inclusion of beyond parental control orders in both sets of legislation (AG, 2016; Ministry of Social and Family Development [MoSFD], 2017). These offences relate to children who are seen to be acting in a way that is beyond control, or placing themselves in moral danger (AG, 2016). These children are classed as being in need of both protection and rehabilitation (AG, 2016).

The Acts outlined above highlight the role ethnicity plays in Brunei with the inclusion of different laws for not only religious diversity but also ethnicity. These Acts provide protection on aspects of children’s lives, however of particular note is the Children and Young Persons Act (AG, 2012a). This Act covers children’s protection in the court, in detention, as victims and as perpetrators (AG, 2012a; Intan, 2015). Intan (2015) describes the guiding principle of this legislation as ‘the best interest of the children’. One example of how this Act is applied was reported in the Brunei Times (Kamit, 2016). In this case, a four-year-old girl had her limbs tied, while being attacked physically and verbally by a male in his twenties, while her mother laughed (Kamit, 2016). The Women and Children Abuse Investigations Unit took action, and both adults were accused under Section 28(1) of the Act, Chapter 219, under which the detailed punishment could be 10 years in prison,
a fine of 20,000 dollars, and/or 10 lashes (Kamit, 2016). The child was taken into the care of another family member (Kamit, 2016). In this case action was taken against the perpetrators after a video was uploaded on social media. In a small community like Brunei, the child will be identifiable into the future and the perpetrator has been named in the media (Young et al., 2017). The UN (OHCHR, 2016) has called on Brunei to strengthen its legislation by including a legal recognition of the best interests of the child, in all policies relevant to children. This is to establish greater recognition of the respect for children’s views in all areas of life including education, healthcare and family life (OHCHR, 2016).

Japan's Ministry of Health, Labour and Welfare (JHLW) have compiled a report on child wellbeing in Brunei (Japan Ministry of Health, Labour and Welfare [JHLW], 2008). This report praises Bruneian policies. However, some areas require improvement. The first of these is monitoring children classed as high risk. JHLW (2008) found that there is no systematic way to monitor children who have reported being abused. Secondly, JHLW (2008) found there needed to be more practical and financial support to children from disadvantaged backgrounds. The final recommendation was for more support to be offered to the families and carers of disabled children.

3.5.2 Brunei and the rights of the child with special needs

Islam influences how disability is conceptualised in Brunei. Islamic teachings provide guidance on caring for those with a disability. Omar Ibn Al-Khattab, the third Muslim leader, assisted a blind child in reaching a Mosque by buying his family a house nearby (Al-Aoufi, Al-Zyound & Shahminan, 2012). The Umayyad caliph, al Walid ibn Abd al Malik of the second Islamic state in Damascus also cared for people with disabilities in his community by building a care home for them. The Qur’an also contains specific rules
for those with disability when it comes to guardianship and marriage (Al-Aoufi et al., 2012).

Tait and Mundia’s research into autism in Brunei found that Islam played a role in how parents perceived their child’s diagnosis. Many thought it was a test from God and that prayer helped them to cope. However, they also found that children with autism are not considered capable of carrying out all the tenants of Islamic faith (Tait & Mundia, 2012). Tait and Mundia (2012) witnessed a lack of support for children with autism contradicting article 6 of the OICCRCI, which calls for care of children with special needs. Brunei does have protocols and policies catering for children with special needs but there are still some families, such as non-citizens who cannot access this support. The UN (OHCHR, 2016) reporting committee made recommendations to assist Brunei in strengthening policies for children with special needs. These include ensuring early detection and diagnosis and to encourage more inclusive education (OHCHR, 2016).

3.5.3 Child marriage, domestic violence, and gender equality

Bruneian legislation has inequalities in the protections provided to children of different genders. For example, there is no legal protection in Brunei to protect boys from rape (AG, 2016). Laws such as the Unlawful Carnal Knowledge Act only apply to women and females under 16 (AG, 1984). An example of inequality in relation to race is in the age that a child can be married. In Brunei, the age of marriage is 14 for Muslim children, 15 for Chinese children and 18 for those who are neither Muslim nor Chinese (AG 1984, 2012a, 2012b, 2013b). Muslim marriages are also guided by the Islamic Family Act, which places 16 as the minimum age that Muslim girls can marry (USDoS, 2016). With the complexity of competing and contradictory legislation, it is not clear how common child marriage is in Brunei. Brunei has differing ages for consent between boys and girls
Consent is negated by marriage in Bruneian laws. UNICEF has released a statement urging Brunei to raise the minimum age, arguing that it is an obligation Brunei agreed to by signing the UNCRC (OHCHR, 2016). Statistics on child marriage are not available, however in 2010 there were 225 Muslim marriages where either one or both partners were under 18 (Bandial, 2015). In response, the Bruneian government released a statement saying that there were no plans to increase the minimum age of marriage (Bandial, 2016).

The UN (OHCHR, 2016) recommends that Brunei create a strategy to address gender stereotypes and discrimination against all marginalised children. This included discrimination causing children to be classified as stateless. Article 7 of the UNCRC includes the right of the child to a nationality, a provision Brunei contravenes. Children can be classed as stateless if their mother is Bruneian and their father is not, as citizenship is granted through paternity in Brunei (UNICEF, 2015). In relation to inheritance in Brunei the UNCRC have made the following statement: “In particular, the Committee is concerned about discrimination against females and children born out of wedlock under existing personal status law.” (Hashemi, 2008, p. 237). The shame born out of having a child outside of marriage may lead to isolation of both mother and child and stands in contrast to Islamic teachings outlined earlier (Hashemi, 2008). Syed’s study (1998) into the applied rights of children born out of wedlock in Islam, found that discrimination against these children occurs in countries including Morocco, Nigeria, Bangladesh and Indonesia. In Brunei, children born outside of wedlock may be regarded as illegitimate and therefore an orphan. The definition of an orphan in chapter 185 in the Laws of Brunei is as follows:

Orphan means an unmarried child either male or female who has not attained 18 years according to the Islamic calendar (qamariah) and without a father according to one or more of the following circumstances: his father has died; the whereabouts of his father are unknown; abandoned by his father and the identity of his father is
unknown; he is an illegitimate child. (AG, 2000)

Orphans in Brunei receive assistance from the *Al-Muhtadee Billah* for Orphans. The assistance provided requires compliance with the values outlined in MIB (AG, 2000). However, assistance can be sought for any orphan resident in Brunei despite race or citizenship status. While this assistance is of use, social exclusion may still occur. Some children may be placed in welfare homes.

For those who fall outside of the guardianship system, Brunei has a welfare home, run by the Department of Community Development (AIPA, 2012). The aim of this facility is to “rehabilitate the moral of those who have been involved in negative social activities,” as well as providing youth with a temporary safe place to stay (AIPA, 2012). Brunei’s welfare home houses children in need of care and those who have committed a crime (Young et al., 2017). The UN (OHCRC, 2016) recommends that Brunei support more family based care, and to reduce institutionalisation of children in need of care. Neighbouring Indonesia is committed to moving from institutional care for vulnerable children, recognising the negative impacts that institutions can have on child wellbeing (O’Leary, Young, McAuliffe & Wismayanti, 2018). Some women and children who are victims of domestic violence are housed in government institutions in Brunei (USDoS, 2016). This is justified by stating that it is for the victims own protection (USDoS, 2016). There are no facilities for adult males who experience domestic violence (USDoS, 2016). Jaya (2013) notes that domestic violence in Brunei is not regarded as a ‘social problem’ but as *trauma yang terselinding* or hidden trauma. Domestic violence as a phenomenon can illustrate the strength of Brunei’s legal systems, and the protections offered. Protections offered include the Islamic Family Law Act, which offers protection to Muslim women in the Syariah court, while the civil court offers protection to non-Muslim women through the Married Women Act (Jaya, 2013). Jaya (2013) contrasts this
with Malaysia’s domestic violence legislation. Malaysia has one comprehensive act (Malaysia’s Domestic Violence Act 2012) to protect women of all races and religions, which can lead to confusion (Jaya, 2013). Domestic violence impacts the life of children. The fear of losing children during divorce proceedings can influence decisions made by women to stay with violent partners (Jaya, 2013) and thus strengthening legislation is essential.

To give an insight into how the legal system works, Kumaraswamy (2007) provides a case study, which indicated how his work as a psychotherapist overlaps with the legal system in his treatment of patients. A patient has presented with depression from continuing fights with her husband.

Mrs. A argued with her husband…and…he hit her….in our practice we have seen many….similar situations. It is a male-dominated society and quite often during arguments the husband will hit; unless the violence is very severe in nature it will not be called to the notice of…authorities. Moreover, if the patient complains to Shariyat court…usually they counsel the wife to listen to her husband and follow him faithfully. They try to compromise by counselling both but emphasize that is the duty of the wife to obey the husband (Kumaraswamy, 2007, p. 742).

The relevance to child protection comes as Mrs. A has also reported stress as her children are both struggling with their schoolwork and making friends. Kumaraswamy (2007) states that trouble at school is a common response for children who see parents being hit. Domestic violence is a subject which has begun to be discussed in Brunei and one in which women and children are often discussed together. This increased awareness may account for the tripling of domestic violence reported cases between 2000 and 2005 (Junaidi & Sharbawi, 2006). However, in almost all cases prosecution did not occur as the wife withdrew her complaint citing reasons such as “I don’t want my husband to lose his job” and “my husband is the sole bread winner and I don’t want my family to suffer.” (Junaidi & Sharbawi, 2006). UNICEF’s (2015) report recommends that Brunei strengthen its existing legislation to recognise domestic violence as a distinct form of violence. This
should include young males who are victims of domestic violence (UNICEF, 2015). Brunei’s current legislation has provisions to protect partners from physical violence, but not sexual violence (UNICEF, 2015; USDoS, 2016). Spousal rape is only criminal if a girl is under the legal age of marriage (USDoS, 2016). The USDoS (2016) argue that the Islamic family law protections in Brunei can be interpreted to cover sexual assault.

3.5.4 Female circumcision and abortion
Female circumcision is not criminalised under Bruneian legislation, and there are no statistics on the frequency of this practice in the sultanate (USDoS, 2016). However, the MoRA has declared that circumcision is a rite for Muslim women and that it should include the removal of the hood of the clitoris (USDoS, 2016). The Bruneian government does not consider this practice to be classed as female genital mutilation (USDoS, 2016). UNICEF (2015) has called on Brunei to criminalise female genital mutilation while creating preventative mechanisms. Abortion is illegal in Brunei, which reflects the OICCRCI standing on the subject. Women are given medical treatment following illegal abortions, before being reported to police (USDoS, 2016). In contrast to the OICCRCI, the UN (OHCHR, 2016) requests Brunei decriminalise abortion and to respect the views of girls in relation to abortion care. Sexual education is not taught comprehensively throughout Brunei (OHCHR, 2016).

3.5.5 Violence against children
UNICEF (2015) reviewed the legislation of ten ASEAN nations, including Brunei, in relation to violence against children. This report uses the UNCRC as a tool to evaluate Brunei’s child protection legislation. Brunei was found to have strong laws that protect children against trafficking, abduction and sex tourism (UNICEF, 2015; Young et al., 2017). Brunei has made significant progress towards constructing strong protection
measures to tackle child abuse, child labour, minimum working age and physical violence in the community (UNICEF, 2015; Young et al., 2017). However, there are areas highlighted by UNICEF (2015) where legislation needs to be strengthened. UNICEF (2015) has also made recommendations in relation to child abuse. These include strengthening of Brunei’s legislation to ensure that emotional violence is considered a criminal offence. Child neglect is also an area largely absent from Bruneian legislation (UNICEF, 2015).

One area that needs strengthening is in relation to physical violence against children (UNICEF, 2015). Bruneian legislation does not contain comprehensive definitions or prohibitions of corporal punishment. Black (2011) argues that Brunei’s criminal punishments for children do not comply with the UNCRC as corporal punishment may be used as a punishment under both common law and Syariah law. While caning is a widely used punishment for adult males in Brunei, the rate of use for juvenile offenders is not recorded. Caning is considered an appropriate punishment for juvenile’s who have committed offences such as having unlawful carnal knowledge of any female under the age of 16 (outside the bonds of marriage) (AG, 2016). “Youthful offenders, where the laws require it, are subject to whipping of not more than 18 strokes where is shall be inflicted in the way of school discipline with a light rattan” (Intan, 2015). Under common law, caning is prohibited for women and children under the age of 8 (USDoS, 2016). Caning with a “light rattan” is permissible for those over the age of eight. The SPCO prohibits caning as a punishment for those under fifteen (USDoS, 2016). Canings occur under medical supervision, with the doctor able to interrupt the practice if needed. Corporal punishment can be used in Bruneian schools (UNICEF, 2015). Punishment is used as a justification for violence against children in Bruneian legislation (UNICEF,
2015). Provisions could be included to limit physical violence against children in conflict with the law.

Children who are in conflict with the law are particularly vulnerable. Bruneian legislation lacks safeguards against violence by law enforcement (Young et al., 2017). There are also concerns about violence when children are detained in institutions (UNICEF, 2015). Solutions suggested by UNICEF (2015) include developing a separate system for juvenile justice. Further training is also needed for specialist police in relation to children (UNICEF, 2015). No academic literature focuses upon children’s detention centres in Brunei, however Yusuf and Mundia (2014) have produced a paper examining counselling in adult prisons. Like juvenile facilities, adult prisons aim to be rehabilitation institutions (Yusuf & Mundia, 2014). Almost 25 percent of Brunei’s prison population are classed as foreigners (Yusuf & Mundia, 2014). Yusuf and Mundia (2014) found that adult prisoners were unlikely to self-refer for counselling and that almost all counsellors were aware that imprisonment without counselling does not lead to life-style change. This study recommended that attention should be paid to family relationships and the reintegration of prisoners (Yusuf & Mundia, 2014). The label of prisoner carries with it stereotypes that inhibit reintegration. Yusuf and Mundia (2014) also identified that motivational talks, are organised by the rehabilitation department and that this program should be expanded. Women housed in jails are required to cover their heads, regardless of religion (USDoS, 2016). Mundia, Matzin, Mahalle, Hamid, and Osman (2016) established that those under 17 in Brunei when convicted are detained in juvenile correctional facilities and receive education, counselling and religious interventions.

Intan (2015) examines juvenile justice in Brunei across legal systems. Under Bruneian law, the age of criminal responsibility is 7-12 years of age (Intan, 2015), contravening
Brunei’s commitment to the UNCRC. This age limit is justified by the argument that no case has even been reported of a crime committed by a child between the age of 7 to 10 (Intan, 2015) and that when the law is applied, a child as young as 7 is unlikely to be considered to have “sufficient maturity of understanding.” Intan (2015) gives details of juvenile court procedures and the options that juvenile courts can place on child offenders. Options range from discharging the case, to placing a bond on the parents, to community service, probation and being placed in an “approved school” or welfare home for offenders from between 24 to 36 months (Intan, 2015). The aim of approved schools is to provide rehabilitation. Rehabilitation is offered at the welfare home KRK, which was established in 1982, and has separate wings for males and females (Intan, 2015). The welfare home offers offenders’ academic studies, religious education, vocational education, counselling, sports and fitness and extra-curriculum activities (Intan, 2015). Intan (2015) highlights that there are no non-residential facilities to assist in the rehabilitation of children.

Juvenile courts consider three categories of offence: criminal offences committed by juveniles, those beyond parental control and those who are in need of protection (Intan, 2015). Juveniles are judged in an adult criminal court if charged jointly with an adult (Intan, 2015). This leads to juveniles being detained in adult prisons (Intan, 2015). There is no minimum age to receive a prison sentence in Brunei (Intan, 2015). Brunei has relatively low rates of crime. In 2012, 82 juveniles were judged as committing a crime in Brunei, with this number falling to 76 in 2013 (Intan, 2015). In 2012, the most common offence for juvenile offenders to commit was theft (Intan, 2015).
3.6 Conclusion

This chapter aims to provide contextual information on Islamic teachings that impact upon the care for Muslim and non-Muslim children in Brunei and beyond. These teachings have been codified into the OICCRCI, a document that outlines how children should be treated in an Islamic society. It provides a guide for countries to help streamline their legislation to reflect Islamic practices rather than local traditions. As Brunei is a member state of the OIC, this document allows a point of comparison for Bruneian legislation. The UNCRC was used throughout the chapter as a guiding document to contextualise Bruneian legislation and child rights in Brunei. The convergences and divergences between the UNCRC and OICCRCI have been highlighted.

Throughout this chapter, conclusions were drawn to guide the study. It was established that there is a lack of data available on child protection in Brunei. Areas of concern in relation to child rights in Brunei include the approach taken to juvenile justice, the institutionalisation of children in need of protection, gender equality, the vulnerability of those with special needs and the use of corporal punishment. The reviewed academic literature in the previous chapter had also drawn attention to the vulnerabilities of children with special needs and those who are not citizens. Furthermore, the UN (OHCHR, 2016) has identified areas of common law legislation that require strengthening in relation to child rights. This chapter applied a child rights approach to child protection. This approach fits within the framework of the study, detailed in the following methodology chapter.

The review of the literature on children in Brunei and Islam around child protection identified a number of gaps in the academic literature. These include the invisibility of
children in the academic literature focusing on Brunei and a lack of qualitative studies giving voice to children. A review of Bruneian legislation and Islamic teachings on child protection, highlight the need for greater academic attention on how these ideals impact upon Brunei children’s lives. Establishing an understanding of these ideals is necessary in addressing the research question: how are the Brunei Government’s child protection policies and principles reflected in the everyday experiences of children in Brunei? To understand the lived experiences of Bruneian children, semi-structured interviews were conducted, the details of which are included in the following chapter.
4.0 Methodology: framework, fieldwork, and methods

Throughout the previous chapters, aspects of Bruneian childhoods have been explored through an examination of the literature, key documentation, Brunei’s international commitments and legislation. Specific areas of vulnerability were identified related to citizenship, disability, those in the juvenile justice system, child rights and gender equality. The strengths of Brunei’s education and health care systems were identified as areas that offer protections to children. Further, conclusions were drawn about how Brunei’s unique culture, history, human geography and Islamic ethos all act as frames of reference for both childhood and family life. By exploring Brunei’s legislation, international commitments, guiding philosophy and culture, an understanding of Brunei’s policies and principles has been established. This is an essential step in answering the question: how are the Brunei Government’s child protection policies and principles reflected in the everyday experiences of children in Brunei? To explore this question further, the everyday experiences of children in Brunei need to be gathered and analysed. This chapter outlines how this was approached.

The chapter begins with an explanation of the framework used to guide the study. The framework has three interlinking components: child rights, collaboration and case studies, with all three discussed in further depth below. Using case studies allowed for a range of participants with diverse experiences to take part in the study. Groups included children from the welfare home (KRK), children in a homework assistance program (YSHHB), children who attended a primary school in a disadvantaged area, children who attended privately run secondary schools and children who attended a religious activities group (Mosque Youth). Adults were also interviewed including teachers, practitioners and parents of adoptive children and parents of children with special needs. All groups are profiled in this chapter. Data was collected over a six-month period in 2014, with semi-
structured interviews the main method used. The fieldwork process concentrated on gathering individual narratives, which were verified and cross-referenced by gathering data from many individuals (Grbich, 2004). This chapter summarises how the data was analysed and how this then frames the following chapters of the thesis.

4.1 Conceptual framework

The conceptual framework guided the approach to developing the research question and the fieldwork process. This framework consists of three components; a child rights framework, collaboration with participants and co-researchers and case studies. The components are interlinked. A child rights approach guided the research design and interpretation of results. It informed the choice to place child participation at the core of methods used and was further strengthened by a collaborative approach to ensure respectful engagement with participants. The collaborative component aimed to include diverse expertise and included guidance from Islamic scholars and Bruneian academics. Both the child rights approach, and collaboration, were then used to guide the selection of appropriate groups of children to act as case studies. These case studies allowed a range of children from throughout Brunei to participate, giving an overview of child experiences amongst diverse groups in Brunei.

Overlaying the conceptual framework is the epistemology guiding the study. A constructivist understanding of knowledge underpinned the study; namely that knowledge is not objective, but rather constructed by individuals, through individuals’ experiences and social interactions (Given, 2008). Thus, knowledge is temporal. Ontologically, realities are relative, multiple and influenced by social and cultural constructs (Given, 2008). Research assists in the knowledge creation process bringing researchers and participants together in the inquiry, where understandings emerge through the joint
constructions of the research participant and the researcher (Given, 2008). It was an aim of the research to ensure that Bruneian children’s views were central to addressing the research objectives. This study employs a “bottom-up” approach, working on the understanding that Bruneian children are experts on their own lived realities and are best placed to articulate such realities. However, the positionality of the researcher impacts on how these articulations are interpreted.

It is inherent of qualitative research that the personal values and experiences of the researcher shape the construction, analysis and conclusions of the project (Dean, Furness, Verrier, Lennon, Bennett & Spencer, 2018). This study design is underpinned by Western understandings of child development, wellbeing and child protection, reflecting the researchers’ cultural background. Further examination of the impacts of the researchers’ gender, ethnicity and ‘outsider’ status on the project are contained in this chapter. Working definitions of child wellbeing and child protection were applied when undertaking the study. Explicitly, child protection in this thesis refers to ensuring the physical, social, and emotional safety of children, acknowledging that for many children this will include ensuring the physical, social and emotional safety of the child’s caregivers. Axford’s (2008) guidance on child wellbeing was applied in this study. Child wellbeing can be a holistic approach to examining the lived circumstances of children. The concept of wellbeing is influenced by the lens the research applies to it. Axford (2008) identifies five concepts often used by researchers to understand states of child wellbeing; need, rights, poverty, quality of life, and social exclusion. This study focuses on the rights of children as a primary lens of child wellbeing. The positives and limitations of this approach are discussed further in the articulation of the conceptual framework later in this chapter.
Fundamentally, both definitions were applied reflexively, with an appreciation that they may be incongruent with some aspects of Bruneian culture. The limitations of applying Western definitions of child wellbeing and child protection in the Bruneian post-colonial context is acknowledged. The inclusion of Islamic understandings of child wellbeing in chapter three, and an analysis of where contestations may occur with Western understandings of child protection, were also used to guide the research as it evolved on the ground. Future research could specifically examine outsider researchers’ perspectives on the religious, legal and cultural practicites concerning child protection in Brunei.

Central to the epistemology of the study, is an understanding of why the research is being conducted. Three reasons are presented for why the study was undertaken. Firstly, the research was part of a wider research project for which to examine how child Islamic child protection mechanisms are operationalised, where Brunei Darussalam was one case-site. Research in each case-site operates independently, with approaches and methodologies differening across sites. The unifying component of the wider research project is that Islamic traditions contain mechanisms to protect children, and that understanding these traditions will enhance child wellbeing throughout the Muslim world. Translating the research findings beyond Brunei has led to an aspect of universalism entering the epistemology. Universal rights documents such as the OICCRCI and UNCRC are used to contextualise the local Bruneian findings in chapter 10. These doctorines are used to demonstrate areas where Bruneian children’s experiences do or do not align with international rights doctorines. Secondly, the study was undertaken to address the gap in knowledge relating to children in Brunei. Addressing this gap allows Bruneian children’s voices to enter the academic literature. A plurality of voices in academic literature strengthens knowledge bases and allows for innovative solutions to be developed for social problems. Finally, the research is not
purely for knowledge sake, it aims to assist positive change in the lives of children in Brunei. This is underpinned by the principle that ethical research is conducted with vulnerable populations with a component of advocacy. Recommendations to enhance the rights of children in Brunei are included in this thesis. This element of change is underpinned by the assumption that no society worldwide is without child protection challenges, and that enhancing child wellbeing globally is a dynamic aim of all societies.

4.1.1 Child rights

Rights-based frameworks recognise that there are some individual liberties that humans are entitled to and should be respected across legal and social boundaries (Axford, 2008).

Calling them rights means…they should take precedence over the private interests of those in power and the pursuit of other social goals and aspirations and that societies should seek to secure them, irrespective of traditions…or levels of economic development (Axford, 2008, p. 29).

Axford (2008) characterises rights as legal or moral concepts that are unconditional and thus based on individual human worth. A child right’s framework perceives children as bearers of human rights and is a language commonly used in child protection policy in Western nations (Bessell & Gal, 2009). Human rights can be understood as providing a conceptual framework for action and as an international system of agreements and commitments, like the UNCRC (Bessell & Gal, 2009).

Children’s rights have been codified into international law through the UNCRC. The UNCRC is aspirational and details standards for child participation, protection and provision of basic needs (Van Bueren, 1995). It balances liberationist and protectionist approaches (Archard, 2004; Axford, 2008; Fox-Harding, 1991; Franklin, 2002). Thus, it portrays children as in need of protection while “deserving to be brought up in a spirit of dignity, freedom and equality” (Axford, 2008, p. 34). The UNCRC also provides a conceptual framework for a human rights approach to children in research (Bessell &
Freeman (2007) argues that a human rights approach allows researchers to re-characterise and guide interactions with children. For example, a human rights approach re-conceptualises care of children as an entitlement, rather than an “act of adult benevolence” (Bessel & Gal, 2009). This reconceptualisation allows a rights-based framework to be used to challenge sites of power (Bessel & Gal, 2009). Sites of power may include imbalances in adult-child interactions, power possessed by States over children residing in national boundaries and power given to cultural beliefs surrounding childhood. A rights-based framework also incorporates the child’s right to express their own views and to participate in the social world. This includes the right to participate in discussions and research that affect the lives of children.

Sociological and anthropological interest in the social constructions of childhood, and children as social actors, has seen an increase in children’s participation in research (for example James, Jenks, & Prout, 1998; Prout, 2005; Tisdall & Punch, 2012). With the inclusion of participation rights in the UNCRC, child participation has been tied to a rights-based framework. To guarantee child participation rights in research are ensured, children need to be engaged directly in research (Tisdall, 2017). Children are thus seen as participants in their own right, with the ability to describe their own realities and voice their own experiences, opinions, and concerns (Tisdall, 2017; Tisdall & Punch, 2012). As children inhabit different roles from adults, they can provide distinctive understandings of the social world (James, 2007). Commentary on the ethics of child participation in research, has been used to guide this thesis (Alderson, 2008; Alderson & Morrow, 2011; Bessel, 2013; Boyden, 2000; James & Prout, 1997; Qvortrup, 1994; Skelton, 2008). The research design for this project centred on engagement with Bruneian children and their descriptions of their everyday lives. The methods used allowed children to guide the direction of discussions.
There are limitations to adopting a rights-based framework. Human rights are contested, and when codified in international agreements, rights can conflict with each other. For example, Article 19 of the UNCRC grants children the right to be protected from abuse. In national child protection legislation, this may result in children being removed from parental care. However, Article 12 gives the child the right to have their views taken into account over where they would like to live and Article 18 states that parents’ have the right to raise their offspring (Axford, 2008). Rights are codified in an abstract manner, which leads to contestations when they are applied. When applied, rights are open to subjective interpretations (Axford, 2008; Higgins, 1999). Human rights also place a greater focus on the wellbeing of the individual, rather than the community (Bessell & Gal, 2009). By focusing on individuals, the rights-based framework removes individuals from their social contexts and promotes human rights as neutral, cultureless entities (Bessell & Gal, 2009; Rajabi-Ardeshiri, 2009; Tisdall, 2017). The use of the UNCRC promotes Western conceptualisations of childhood, which denies local child protection mechanisms inherent in other traditions. This has potentially damaging consequences for children from non-Western countries, like Brunei. By understanding the strengths and weaknesses of a child rights framework, this framework can be critically applied to the research design.

The OICCRCI has been included as a frame of analysis to address the Western assumptions of the UNCRC. Chapter three includes a short examination of the applicability of the UNCRC in Islamic contexts and an aim to further understand its alignment with Bruneian culture. By being cognisant of different cultural understandings of child rights, including long-held Islamic traditions and the limitations of the UNCRC and a child rights approach, the framework can be applied critically. Thus, this project
critically utilises a child rights approach, while simultaneously exploring the framework and its use within Muslim-majority communities. Collaboration with Islamic scholars and Bruneian academics ensured that the framework was appropriately applied in the local context.

4.1.2 Collaboration

Collaboration in research encourages research “with” communities, rather than research “on” groups (Pushor, 2012). Collaboration is a way of lessening power imbalances between the researcher and the researched (Lassiter, 2005). Pushor (2012) describes collaborative research as a process that can be situated within a specific discipline, or can be integrated into multidisciplinary teams, allowing diverse voices to interact and research to be approached in a more holistic manner. To further understand Islam and child protection, and strengthen child protection responses in Muslim-majority communities; it is necessary to bring together those with specialist knowledge of Islamic texts and those with specialist child protection knowledge. This research brought together a multidisciplinary team with specialist knowledge in both areas. Academics from Brunei were included in the conceptual design and fieldwork stages to ensure that the research aligned with community goals and concerns. Integral to collaborative research is the alignment of common goals and an appreciation that the research will benefit from the inclusion of all voices (Pushor, 2012). Taking a collaborative approach was also an ethical decision. As the researcher is not Bruneian, collaboration was an avenue to ensure Bruneian voices were included in the research process.

Dialogue between the researcher and academics from UBD established areas where common interests lay. The local academics highlighted an area of child wellbeing in Brunei of particular interest to them, and to community leaders, and that was the care and
protection offered to children with special needs. This ultimately saw the inclusion of parents of children with special needs as participants. This case group was not part of the original research design, however their inclusion aligned with community interests and strengthened the research. Gatekeepers from Bruneian NGOs who support families with special needs children, assisted in developing appropriate participation strategies for parents. This led to a greater number of participants being included in the study and engaged with in a way that respected their families’ needs. For example, initial contact with parents was scheduled to occur through a group briefing held at the NGO centre. However, NGO leaders assisted in redeveloping the initial contact approach, as it was realised it was unfeasible for parents of children with special needs to attend a face-to-face briefing with the interview team. Instead, letters, both from the researcher and NGO, were distributed by the NGO to all parents with a child attending the centre. Parents who were interested in participating returned a consent form with their contact details to a locked box within the centre. Thus, allowing recruitment to be more respectful and responsive to their needs as parents of a special needs child.

4.1.3. Case studies
Case studies are an element of the conceptual framework. What constitutes a case study approach is contested amongst social researchers (Schwandt, 2011). Schwandt (2011) proposes that to constitute a case study, the case, rather than variables, should be central to inquiry. Yin (2002) argues that a case study approach is applicable:

- if the research is interested in answering a “how” or “why” question,
- when the focus of the inquiry is a contemporary phenomenon in a real-life context,
- when the boundaries of the phenomenon are unclear, and
- when it is necessary to use multiple sources of evidence (Schwandt, 2011, p. 29).
Using Yin’s argument as a guide, the case study approach is suitable to this research as child protection in Brunei is a contemporary phenomenon in a real-life context. The research question explored in this thesis is a “how” question, exploring the contemporary phenomenon of child wellbeing in Brunei. Given the lack of academic literature produced on this topic, multiple sources of evidence were required to produce a comprehensive understanding of children’s experiences in Brunei. Thus, specific groups of children were used as case groups including those at KRK Welfare home, those attending a homework assistance club and those attending educational institutions.

Brunei itself was chosen as a case site to further understandings of Islam and child protection. By developing a good understanding of Islam and child protection in one location, the impact of variations in traditions and teachings across the Islamic world can be deepened. Brunei is a unique case site. The majority of Muslims in the nation are Sunni and follow the Shafi’i legal school of thought. The uniformity of Islam practiced in Brunei, allows for conclusions to be drawn on child protection in one Islamic school of thought, without the added complexity of understanding how multiple schools of thought are practised within one nation. Brunei also provides a stable context with lessened levels of poverty and conflict and thus has the potential to act as a comparison site to other areas where the basics of survival are not as assured.

A case study approach was applied during fieldwork to identify and recruit participants. The case study groups represented diverse participant groups, whose experiences were pieced together to construct a holistic picture of child rights in Brunei. The selection of case study groups inside of Brunei was guided by both the literature and collaborations with local researchers and NGO leaders. While using a case study approach ensures good
understandings of specific localised experiences, care needs to be taken in generalising beyond the boundaries of the group.

4.2 Research design

The research was designed to explore the question: how are the Brunei Government’s child protection policies and principles reflected in the everyday experiences of children in Brunei? An essential component to answering this question is the collection of data from Bruneian children on their experiences. This was the primary aim of fieldwork. Further aims included:

- to identify programs and mechanisms within Brunei that facilitate child wellbeing;
- to deepen understandings of how Islam frames the lives of children in Brunei;
- to identify areas where future dialogue between Islamic leaders and child protection professionals in Brunei could take place and
- to include the voices of Bruneian children in the academic literature.

By being cognisant of these aims, children could then be included into the research design.

4.2.1 Fieldwork preparation

Prior to entering the field, a review of literature was undertaken to allow the researcher to become familiar with the context. Two visits to Brunei occurred before fieldwork commenced. From these visits relationships were established between the academics from Griffith University and those from UBD. Throughout fieldwork, support was given by the Sultan Omar ‘Ali Saifuddien Centre for Islamic Studies (SOASCIS) faculty at UBD. The UBD campus is located at Jerudong, which can be seen in Figure 1.
Research participants were recruited from all four areas of Brunei, thus a central location, a phone and a car were used and were essential to the data collection process. Before interviews could occur, local translators were recruited.

**4.2.2 The interview team**

The research was led by a team from Griffith University and was developed in conjunction with UBD. This brought together academics with specialist child protection knowledge and those who specialise in Islamic studies. Given Brunei’s religion and culture, the leadership and guidance provided by Islamic scholars on this project was essential. It allowed the research to be approached collaboratively and respectfully. The data was collected by the author, with support from two local translators. The author identifies as an English speaking, white, Australian, female whose academic background is in anthropology. These identifiers have been included as they impact how the author approached the project, and how she was perceived by the participants and local researchers.
The local translators are graduates from UBD and had previously worked on research projects in Brunei. To ensure their anonymity, they are referred to as BW and WW. Both were local Brunei, Malay and female. Thus, the researcher and translators participating in the interviews were all females in their 20s. Allowing participants to have the option of being interviewed by a male researcher may have proffered different results. However, the children were accustomed to having female teachers and counsellors, and none vocalised discomfort at being interviewed by females. The relative youth of the research team may have also helped make them more relatable to young people. Following fieldwork, BW, WW, and the researcher provided written reflections on their experiences. Excerpts have been included throughout this chapter.

4.2.3 Language

Brunei Malay is spoken daily, and is an important part of the country’s unofficial identity. However, the official languages of Brunei are English and Bahasa Melayu (standard Malay). Brunei Malay and Bahasa Melayu are just two of the varieties of Malay spoken in Brunei (Martin, 1996). Other languages spoken in Brunei include Tutong, Belait, Dusan, Bisaya, and Murut, considered Indigenous languages, and Iban, Penan and Mukah (termed immigrant languages) which are spoken elsewhere in Borneo (Martin, 1996). Chinese languages are also spoken. Language usage was frequently considered throughout the project. The language used was not the only consideration but also the understanding of questions by children, complicated by their language acquisition and language spoken at home.

With such a diversity of languages, it was difficult for participants to be interviewed in the language they spoke at home. Thus, the official languages were used in interviews as
was Brunei Malay. Objections to this were only raised once, by an older teenage boy, who was worried that he would include Chinese phrases that would confuse the translators. However, he later chose to participate in a group interview conducted in English and Malay.

Malay is a highly formalised language, with different sentence constructions and language choices used for speaking to a child, compared to speaking to an adult.

With Brunei Malay…there are a few ways to construct the sentences and this can decide whether we’re being casual or formal…..We decided that the interview will be in a very friendly and comfortable setting and as an interpreter, I might have slightly went back and forth with being formal and casual just because I was thinking too much on how I would say the questions….I find that I always, always need to be extra careful with the structuring of the sentences, making sure the questions and how I present the questions remain tactful. Reflection by BW.

The language choices used denote respect and societal status.

The majority of interviews occurred with translators’ present. The only times this did not occur was at private secondary schools that taught exclusively in English and with parents of special needs children who felt they did not require Malay translation. Often, participants would attempt to speak in English and would then continue in Malay to articulate more abstract concepts. Religion was almost exclusively spoken about in Malay, reflecting the language it is spoken about in schools in Brunei.

An Italian study by Corsaro and Molinari (2008) used English with a few Italian words in participant observation in a classroom. They found that especially with young children, this lessened the barrier between adult and child in the research process, as the adult was demonstrating a lack of knowledge on a topic (Italian) that the children understood well. A similar technique was adopted in this interviewing process, with the author lessening their authority by demonstrating their lack of familiarity with Malay. A consequence of
this was that participants in group situations felt comfortable discussing the questions in Malay before answering in English. This initial Malay discussion was later translated for the researcher and added depth to the answers given.

4.3 Participants

Diverse groups of Bruneian parents, practitioners and young people participated in the study. These included children from KRK, a welfare home that comprises of children who have committed a crime and children who are in need of protection. Children from YSHHB, an educational support group for children and children who attended the Mosque Youth program also participated, as did children attending primary and secondary schools. Adults were also recruited to participate in the study. These included teachers from YSHHB and practitioners who worked in child protection, adoption and domestic violence services. Parent participants included those who had adopted a child, and those with a child with special needs. Table 3 gives an overview of the number of participants in each group and the method used.

Table 3: Overview of Participants

<table>
<thead>
<tr>
<th>Group of participants</th>
<th>Age group</th>
<th>Type of participation</th>
<th>Number of individuals</th>
</tr>
</thead>
<tbody>
<tr>
<td>KRK welfare home</td>
<td>Child</td>
<td>Individual and pair interviews</td>
<td>12</td>
</tr>
<tr>
<td>YSHHB homework assistance</td>
<td>Child</td>
<td>Individual and group interviews</td>
<td>28</td>
</tr>
<tr>
<td>Mosque Youth</td>
<td>Child and Adults</td>
<td>Group interviews and interview sheets</td>
<td>7</td>
</tr>
<tr>
<td>Primary school</td>
<td>Child</td>
<td>Interviews with interview sheets</td>
<td>33</td>
</tr>
<tr>
<td>Secondary school</td>
<td>Child</td>
<td>Individual and Group interviews</td>
<td>32</td>
</tr>
<tr>
<td>Practitioners</td>
<td>Adult</td>
<td>Individual and Group interviews</td>
<td>5</td>
</tr>
<tr>
<td>Teachers</td>
<td>Adult</td>
<td>Individual and Group interviews</td>
<td>11</td>
</tr>
<tr>
<td>Adoptive parents</td>
<td>Adult</td>
<td>Individual and Group interviews</td>
<td>5</td>
</tr>
<tr>
<td>Parents of special needs children</td>
<td>Adult</td>
<td>Individual and pair interviews</td>
<td>8</td>
</tr>
<tr>
<td><strong>Total number of participants</strong></td>
<td></td>
<td></td>
<td><strong>139</strong>*</td>
</tr>
</tbody>
</table>
Two participants had adopted a child with special needs. Thus, they have been included in both the adoptive parents and parents of special needs children categories in the table, but not twice within the total number of participants.

An aim of this research was to allow Bruneian children to have their voices heard and thus children were a targeted participant group. Adult practitioners were included to add details on processes, practices and system responses. Adult parents who had adopted a child were included to answer questions on adoption processes and to speak for their children, the majority of whom were under the age of four. Similarly, parents of children with special needs were included. This was to gain an understanding of the experiences of children with special needs in Brunei and to further understand the needs of their family members.

Participants came from all four regions of Brunei. However, the majority of participants were from Tutong and Brunei Muara. While the adults were not asked to provide their age, the children in the study ranged from nine to nineteen. The majority of participants were Bruneian, Malay and Muslim, with the exception of those who attended the private secondary school. This group had significant numbers of participants who were non-citizens and non-Muslim. Some participant groups were highly gendered. For example, all practitioners and teachers who participated were female. Specific demographics for each case study group are presented in the analysis chapters.

4.3.1 Recruitment

There are differences in the way recruitment of participants occurred between the case study groups. However, to ensure a degree of uniformity some standard processes for initial engagement were adopted. Generally, a key contact was approached via email,
phone or WhatsApp. Key contacts were from the specific government departments, schools or from NGOs. Those who were interested in having their organisations or departments participate then contacted the author and an initial meeting occurred. Following these meetings, the researcher was given access to participants, and the process of obtaining parental/participant consent began. The specifics of how initial contact and recruitment occurred within each case group are outlined in the following sections.

4.3.2 KRK welfare home

Access was granted to KRK through JAPEM which is under MCYS. Initial contact was made with JAPEM through the Facebook page for Helpline 141. Helpline 141 is a free 24-hour phone service that offers counselling for children and parents in need and places them in contact with further services. Facebook was used for initial contact with JAPEM as the author was concerned that calling the number could prevent a caller in need getting through. A key learning from fieldwork was that if the researcher was flexible, permission could be granted quickly. The face-to-face meeting was successful and an official letter was gained from JAPEM to undertake research at their facilities and with professional workers in the child protection area. A briefing then took place at KRK, which allowed the research team to view the area for the first time. Those administering the briefing were the head of House of Detention (HoD) and House of Safety (HoS). HoD houses juveniles who have committed an offence. HoS houses young people judged to be in need of care and protection. Both HoD and HoS are institutional facilities, housed in the same complex, yet both operate independently.

Following the briefing, the KRK staff asked the children currently housed in HoD and HoS whether they would like to participate in the research. A time was then given to
undertake the interviews. The centre director, being the current guardians of the children, signed the consent forms. As the facility is behind a barbed wire fence, the research team were asked to hand over identification each day and received visitor passes for the centre.

Interviews were undertaken in the same room as the initial briefing. This was a large room with a 24 seat table in the centre of the room and a smaller table. The researcher and translators used the small table to conduct interviews with a circular seating arrangement around the recording device. This was hoped to reduce some of the formalities that the larger table would have implied. As the centre staff had briefed the children on the interview process, the interviewees did not meet the research team prior to the interview.

4.3.3 Yayasan Sultan Haji Hassanal Bolkiah Foundation (YSHHB)

The Yayasan Sultan Haji Hassanal Bolkiah (YSHHB) was founded by the current Sultan in 1992. The foundation aims to fund religious, welfare and education programs in the Sultanate. In terms of education, it provides those in need with extra tuition and financial assistance. The program runs on Sundays with extended weekend camps during vacation time. Selected students from disadvantaged backgrounds are transported to specific schools for their tutoring sessions. They are provided with two meals during a session in case adequate food is not provided at home. Interviews were conducted with students and teachers who attended the extra weekend tuition sessions run by YSHHB.

The YSHHB program first came to the attention of the author after the program appeared in articles in The Brunei Times. YSHHB was first contacted via email. After a meeting at YSHHB headquarters, permission was granted to interview the children and teachers. YSHHB provided literature on the program for the research team.
YSHHB tuition assistance currently operates out of two schools in Brunei, one in Bandar Seri Begawan, and one in Tutong. Both locations were visited. The first visit was to the school at Bandar Seri Begawan. This visit allowed the research team to distribute parental consent forms, and to interview teachers involved in the program. The parental permission forms were seen as unnecessary from those running the program, as YSHHB had already granted permission for the research to occur. After negotiation the parental permission forms were distributed to students, however only one form was returned. Thus, while YSHHB caters for all school age children, only those over fourteen years old were interviewed, as, in compliance with the ethical clearance granted by Griffith University, those above the age of fourteen were judged to be of a level of maturity to decide whether or not to take part in the study.

It was important to the author that lessons for the children were not interrupted, so interviews were conducted when children had free periods between lessons and when they were not participating in games or prayer. A range of places throughout the schools were used for interviews including cafeterias, classrooms and sporting fields.

Unlike at the primary and secondary schools, there was no introduction by teachers to the students. The research team were allowed to approach students at any time and explain the project. This led to awkward initial engagements as students had not been given any information about the project and were being approached by adults they did not know. However, word organically spread of the research. Participants from previous visits would greet the research team by name and this made other students more amenable to taking part in the research. The freedom of movement allowed the research team to examine the school environments. Photographs were taken around the school at Tutong.
Figure 2 shows a message of acceptance for those with special needs within Bruneian government schools. Figure 3 shows the information on intoxicants presented in the Bruneian school.

Both figures demonstrate the bi-lingual approach to education taken in Brunei, with information in neighbouring classrooms presented to students in different languages.
4.3.4 Educational institutions

Initial contact with three separate case study groups are presented in this section; those attending the Mosque Youth Program, those attending a private secondary school and those attending a government primary school. They are presented together as they are all educational institutions. The Mosque Youth program has run through MoRA since 2000. The program is designed so that the mosque can monitor youth in their region and so that youth can participate in programs run through the mosque. The programs run are different from mosque to mosque and are tailored to suit the needs of particular youth groups. For example, one mosque may focus on fishing, while another may run courses on computer skills. Thus, the programs seek to engage in collaborative interactions between youth and mosque leaders, with youth given a voice in deciding which courses to run. Objectives of the program include creating a feeling of belonging between the youth and the mosque and guiding young people’s development. The mission of Mosque Youth is to not only strengthen faith but also to instil good behaviour and discipline, coupled with knowledge and skills to be useful members of society. Further aims include creating bonds between the mosque leaders and the youth, motivating and encouraging the youth in planning suitable activities in the mosque. The term youth in Brunei is used to describe those up to forty years of age. Thus, the program hypothetically caters for a wide range of ages.

The Mosque Youth program came to the attention of the author through an article in The Brunei Times. The author contacted The Brunei Times via email, they then gave the contact details for the head of Mosque Youth. After a short interview, permission was given to contact the head of Mosque Youth Programs at each mosque. Interviews were
undertaken with a Mosque Youth group in Tutong, after initial contact was made through a mutual contact.

Three participants were interviewed in person at the Mosque Youth group leader’s home in Tutong. Figure 4 below shows the hospitality inherent in interviewing in participants' houses.

![Figure 4: Bruneian hospitality during interviews](image)

Other participants who could not make it to the interview filled in interview sheets sent and returned via email. These interview sheets can be seen in Appendix 3 and consist of the interview questions asked throughout the research. Due to the gender segregation of the Mosque Youth Program all participants interviewed were female, however one male participated via email. Participants who filled in interview sheet via email were also asked to fill in a consent form.

Initial contact with the primary and secondary schools occurred through contacts made previously with an NGO specialising in special needs. Schools selected the participants and sent consent forms to parents. The private secondary schools have large non-Muslim populations and it was noted by the teachers that some families did not give their
permission due to the focus of the research on Islam. Interviews were conducted in school libraries during class time. The private school children who were interviewed off school campus had their interviews scheduled for NGO activity days, when they volunteered with special needs children.

Again, the NGO assisted in connecting the researcher with a staff member at a government primary school in Kampong Ayer. Permission from MoE was gained. After negotiations with the principal, a time was made for all children from grades 4 to 7 to be interviewed. All parents in this group returned completed consent forms. Interviews took place in the school’s library. Figure 5 contain signs that were present in the library giving examples of acceptable behaviour in Bruneian society.
These signs are used to influence the behaviour of young Bruneians and to demonstrate the importance of listening to parents.

4.3.5 Practitioners

Teachers from YSHHB and practitioners from MCYS who work in the child protection, domestic violence and adoption systems participated in interviews. Initial contact with YSHHB resulted in permission being granted to interview both teachers and students from the program. Teachers were recruited to be interviewed during the YSHHB camp and tutoring days. The interviews took place in the staff rooms and cafeteria and were scheduled around the educators’ teaching commitments. The interviews with teachers were short and informal. Only one interview was done entirely in Malay the others were either wholly in English or were a mix of Malay and English. Two interviews were conducted in pairs. Interviews with staff from MCYS were undertaken to provide
clarification on aspects of practice. Government permission was granted from MCYS to interview staff as well as children from KRK. Interviews were undertaken in Staff offices. Two were group interviews and one individual. Translators were present for all but one of these interviews. The interviews were conducted in a mixture of Malay and English, with all interviews ranging between 30 to 60 minutes.

4.3.6 Parents

Parents who had adopted a child, or were parenting a child with special needs were recruited for the study. Support is offered to Bruneians with special needs by government services and recognised NGOs including, Pusat Ehsan, Brunei Darussalam National Association of the Blind, SMARTER, Learning Ladders Society and Special Olympics Brunei Darussalam. Though not officially recognised, La Vida BHD also provides early intervention support for children with special needs. Pusat Bahagia provides government support to those with special needs and is under the MCYS. Four organisations allowed access to the research team, with interviewees recruited from two organisations. To offer a degree of anonymity, the organisations will henceforth be referred to as SN1 and SN2.

SN1 and SN2 were first approached on the recommendation of the UBD researchers. Contact details for the head of the organisation were gained. Initial contact was made with both organisations through social media. Once contact was established, meetings took place at the organisations. Meetings were held while activities were occurring at the centre, allowing the researcher to observe interactions between staff, parents and children. Participants were recruited slightly differently at each organisation. At SN2 parents were approached individually while activities were taking place. The project was explained face-to-face. Three participants from SN2 elected not to have their interviews recorded. Thus, hand written notes were taken. Participants from SN1 were recruited after
a letter explaining the project had been distributed by the organisation, alongside a letter of support from SN1. A box was placed inside the centre, and interested participants returned consent forms alongside their contact details. The interested participants were contacted via WhatsApp and meetings were arranged at a location of their choice. These included a coffee shop, an office, behind a family restaurant and at the centre. The majority of these interviews occurred in English.

Parents who adopted a child also participated in the research, allowing for a deeper understanding of adoption practices in Brunei. Following the interviews with MCYS practitioners, and children at KRK, it was established that further knowledge needed to be gained about informal adoption in Brunei. MCYS practitioners introduced the author to two families who had adopted children. The face-to-face meeting with the families took place the same day, with the interviews occurring in one of the participants’ house. Another couple were later identified and recruited for the study. As the couple had adopted a child with autism, questions were also asked on their experiences with special needs services.

4.4 Methods

Following the identification of participant case groups and the recruitment of participants, children and adults took part in semi-structured interviews. This section gives an overview of the interview content. It also contains background information into why these methods were selected, how they work to answer the research question and how they are situated within the conceptual framework.
4.4.1 Interviews

With increased recognition across disciplines of children’s rights and agency there has come about an increased recognition of the importance of capturing children’s voices in research (Saywitz & Comparo, 2014). Researchers have also improved understandings of interview designs with children. Interviews aim to obtain pertinent and accurate information from participants, with the interviewer directing the content, focus and tone of the interaction (Saywitz & Comparo, 2014). Interviews with children range along a continuum from highly structured to unstructured interactions (Saywitz & Comparo, 2014). The interview design for this research was semi-structured, with a group of core questions used to guide discussions. The core interview questions used can be seen in appendix 4. The interview questions were used to elicit discussion and follow an open-ended structure, allowing participants to direct the discussion. Unscripted follow up questions were asked to provide clarity.

Open-ended interviews blend the asking of pre-determined questions, with follow-up questions dependent on the individual answer of the research participant (Hoffman, 2007). The pre-determined questions allowed the researcher to ensure that certain topics were covered across all interviews. Open-ended interviews also allow for a more equal power relationship than fully structured interviews (Hoffman, 2007). By asking follow-up questions unique to each research participant, the researcher may be able to break through the ‘official account’ that the interviewee is giving (Hoffman, 2007). Thus, the researcher has an opportunity to break down barriers between researcher and participant by taking the interview into different conversational directions. This allows the research participant to contextualise their account, with other ‘less official’ behaviour (Hoffman, 2007). Allowing the children to shape the interactions and guide the discussions, fits within the conceptual framework used to design the study.
Participants and gatekeepers guided whether interviews were conducted individually, in pairs or in groups. For example, individual interviews were used for the children at KRK, where discretion was necessary. However, two participants requested to be interviewed as a pair, as they were close friends and were comfortable listening to each other’s experiences. Group, individual and pair interviews were all approached using the same prompting questions to guide the discussion. To understand the context, the questions were constructed to elicit descriptive answers. The author encouraged participants to take the role of expert on their own experiences, by highlighting her outsider status and thus her ignorance of Bruneian life. This technique is encouraged in child centred research to mediate child-adult discrepancies and is advocated for by Christensen and James (2007).

The interviews took place in locations familiar to the children. The approach to the interview was supportive and welcoming with a period of rapport building pre-interview.

Interviews were audio recorded on a tablet. The recording device was chosen as it is a device that participants are familiar with. It was placed close to participants so they could switch it off at any time during the interview.

**4.4.2 Interview sheets**

Two groups of participants were encouraged to participate using question sheets rather than oral interviews. This reflected the needs of these participants and the ability of the research design to adapt to, and accommodate, the needs of participants. The questions used differed between groups, as different groups had different experiences that needed to be encapsulated. Participants from the Mosque Youth group who could not commit to participating in an interview, were encouraged to fill in interview sheets. These questions reflected those used in the interviews with Mosque Youth participants.
The second group to participate through interview sheets were children who attended primary school. This design can be seen in appendix 5. The interview sheets were adapted from a study previously undertaken by the author (Simoncini, Cartmel & Young, 2015). Questions were adapted both from those used with older children, and those used in this previous work with children of a similar age in an Australian context (Simoncini, Cartmel & Young, 2015). For example, “what is the best thing about afterschool care?” became “what is the best thing about living in Brunei?” and “have you made any new friends at afterschool care?” became “is it easy to make friends at school?” The design of the interview sheets is where Simoncini et al.’s (2015) article was most heavily drawn upon. The sheets were printed on A4 paper and divided into boxes with adequate space to fit both the question in Malay at the top and for children to provide a pictorial or written response. The sheets were printed on coloured paper to engage the children. Using the research methods across two different contexts (a Bruneian primary school and Australian After School Care facilities), allows for a deepening understanding of research methods with this age group.

These adaptations reflect the recognition that younger children have different interests from older children and have different levels of comprehension and maturity. The author, a translator and a familiar teacher assisted children to complete the questionnaires in small groups. This process differed from interviews as no follow-up questions were asked.

4.4.3 Ethics

Ethical approval for this research was received from Griffith University’s Human Research Ethics Committee, with protocol number HSV/19/13/HREC. The project was also approved by MCYS, and MoE. The approval letter from MCYS can be seen in
The project evolved in the field, thus many amendments were made as the project progressed. These were approved by Griffith University. The formal ethical code of Griffith University’s Human Research Ethics Committee guided decisions made during the course of the research. The conceptual framework also contained approaches that guided ethical decision-making. This included a commitment to collaborating with participant’s and Bruneian community members.

Lassiter (2005) outlines a moral code of collaborative research. These are listed below, and all have been integrated into the research design of this project:

- To ensure the wellbeing of the participants,
- Faithful representations will be presented in all work,
- Good relations will be maintained with all members of the community, to ensure that future collaborative research projects can be undertaken,
- Participants are aware of the study’s products,
- The goals of the project are made clear.
- To be conscious of the participants views even when they differ from the researchers and
- To complete the project (Lassiter, 2005, p. 79).

These points have been used to guide the research project through research development, fieldwork, analysis and text production. A children’s rights approach has been taken through the development of the project and included the acknowledgement of the right of the child to participate. Children’s voices and experiences are the focus of the research and are privileged throughout. Children were encouraged to participate at a level appropriate to their age. For example, question formats and wording were adapted for younger children.
Brunei is a country with a small population, which posed specific challenges in ensuring the confidentiality of participants. For example, the practitioners interviewed could be identifiable from their job and department titles. Every effort has been made in the text not to include their titles, specific department and pseudonyms have been used for all participants. Having two local translators, BW and WW, was an asset. However, both translators were involved in interviews where they knew participants. For BW, it was an adult participant who had attended the same university.

I didn’t have any problem with it. I wasn’t uncomfortable in any way and by the looks of it, she didn’t appear like she was uncomfortable with me there either. BW reflection.

WWs experience was with a relative. The relative had been recruited through an NGO providing services to those with special needs. Thus, they were already aware of the research and had consented to participate before being approached by WW. WW approached her relative after it was decided that the research would also examine adoption processes in Brunei. The participant consented to participate in an interview and stated that they felt comfortable with WW as translator. Had they not been comfortable, another translator would have been arranged. WW was later asked about this interview:

It was really refreshing to hear them talk about the process. Because when I found out they were adopting, I was only seeing it from a family member’s point of view. I respected their decision and didn’t pry further. But hearing them actually explain how they feel and what the process is like sheds some light into why [they] decided to adopt. WW reflection.

Neither participants showed any level of discomfort during the interview. BW transcribed the interview, to ensure that no concerns had been voiced in Malay. The use of a different translator to conduct the interview and to transcribe the interview, ensured that any mistranslations could be identified and noted in transcripts. Throughout the research, participant welfare was monitored. Procedures were planned should any participant show distress, or ask for further support. Participants were not offered compensation, however gatekeepers from the organisations involved did suggest ways in which the author could
give back. For example, the primary school asked for assistance in setting up an overseas trip to an Australian school. The trip was to examine discipline systems in other schools. Information was gathered for the Bruneian school on the process and an initial meeting organised between the Bruneian school and the Victorian Education Department. Once fieldwork was completed, research tools such as coloured pencils, stickers and picture books were donated to the participating NGOs supporting those with special needs. All participants completed consent forms and were provided with participant information sheets. The English language consent forms can be seen in appendix 7, with Malay language forms also distributed. Parental consent was sought for those under the age of fourteen.

### 4.4.4 Rigour

Rigour was provided throughout the research by heeding guidance from the wider research team, which included local and international academics with expertise in child protection and Islamic studies. Processes of reflection, including journaling and debriefing were undertaken throughout the research. These ensured that the development of the project was documented and that the research remained focused on answering the research question. The process of writing reflections allowed the author to engage with assumptions made. This was especially important as the author was an outsider to the Bruneian community. Regular check-ins with translators before and after interviews also allowed for reflection on the process. These check-ins were used to add a measure of rigour, as they allowed the local translators to give input on the process. The informal check-ins were formalised at the end of fieldwork. At this point the researcher and translators contributed reflections. To ensure authenticity, phrasing has not been altered in quotes.
A key moment in the fieldwork process was during the first set of interviews, which took place at KRK. These were the first interviews undertaken with translators and the interviews with the most vulnerable children. In the reflections and debriefs both the author and translators spoke of being concerned before these interviews. For the author, the concern was for the wellbeing of the translators.

I realised that the stories we were about to encounter may be intensely disturbing for my translators to hear…I was mindful of this, and before we started told them that we could stop the interview if they felt uncomfortable and that they should feel free to leave the room at any time if they needed. They were both worried about children who had committed crimes, that they would be dangerous.

AY reflection.

The wellbeing of the translators had not been considered in the ethical review process. It is a learning from the project that this will be considered in future research. The translators were concerned that they only had two days to become familiar with the questions. They also had concerns over visiting a place in Brunei they were unfamiliar with, and had personal safety concerns over interacting with juveniles detained for criminal offences. However, once the interviews commenced the researcher and translators began to feel at ease with the process and the stories that were heard.

My first thought was the interview will be daunting and the kids, hard to talk to. On the contrary, they were in complete opposite of how I thought they would be. Most of them seemed nice and friendly.

BW reflection

It was an eye-opener. Prior to this research, I have never even heard about this centre, let alone know what they do. The children who are able to stay there are lucky to be able to have a place to be in.

WW reflection

KRK was one case study where none of the research team had prior knowledge or experience. Thus, to some extent all three were outsiders.

KRK featured heavily in the debrief discussions and reflections. It was the most intense period of new learnings. For the translators, assumptions about Brunei were challenged.
WW reflected on how she felt she had been “shielded” from aspects of society, while empathising with young females’ experiences.

I could relate to some of their answers, especially in the matter of safety. It’s gotten more dangerous now in Brunei, especially for girls. Some subjects like sexual assaults and/or abuse are still a taboo to discuss about and I unfortunately am one of the people who are ‘shielded’ from this side of Brunei.

WW reflection

A common feature of the reflections was the responsibility to communicate the stories to the community. All felt gratitude at the opportunity to hear the stories from KRK.

To know that some of these children…are able to tell us stories they probably haven’t told anyone. Just to know that they’re able to tell us and trust us is very rewarding, especially if it helps ease their burden just a bit.

WW reflection

We know social problems, domestic violence…exist but we have never seen or heard it ourselves… If people are beginning to understand there will be more people who will able to lend a helping hand.

WW reflection

Both BW and WW’s accounts reflect a hope that the stories would be heard more widely in the community. However, there is also a responsibility to contextualise these stories in such a way as to protect the Bruneian community from condemnation, racism and Islamophobia. While these stories were emotionally intense, the numbers of children interviewed in KRK were small. Their stories are important, but do not represent what everyday life is like for most children in Brunei.

As a non-Bruneian, the author had to consider the role her ethnicity, nationality and religion played in the research project. The author had family members in Brunei at the time. This helped to build trust with the participants. As family is central to Bruneian culture, the participants accepted that family was one reason for choosing Brunei as a fieldsite. Having a non-Muslim researcher examining Islamic child protection mechanisms was questioned by Muslim researchers during the research design. Thus, having translators who participate in Muslim religious life in Brunei ensured that the
interviews were conducted appropriately. Where assumptions about religion were made by the author, they were corrected by the translation team. For example, the author assumed that as a participant was wearing a tudung that she was Muslim. However, the translator explained that the tudung was part of the uniform and was also worn by Indigenous students. The author contributed a reflection on asking participants about their religious beliefs.

Especially at the beginning, I felt that I was asking something private of the children, and often left the questions on religion to second last….As the research progressed, I became more confident in asking questions on religion as there were never any negative responses.

AY reflection

When negotiating to work with the primary school at Kampong Ayer, the interview team were advised that asking children questions about religion would not be permitted as it was a sensitive issue. However, once the questions were sighted by the Principal they were judged to be allowable.

Overall, engaging in dialogue with translators, having debrief periods and keeping a diary of reflections added rigour to the research. Feedback during fieldwork could be incorporated immediately into the research design. This allowed the research to be led by an outsider to the Brunei community, but remain culturally appropriate and respectful to the participants. Reflection allowed the interview team to engage thoughtfully throughout fieldwork, while also allowing an awareness of the author’s background and experiences, and the influence that this had on the data collection process and analysis (Mortari, 2015).

4.4.5 Thematic analysis

A thematic approach to analysing the data was utilised. This approach aimed to synthesise data, allowing the researcher to “search for patterns by using analytical categories to describe and explain social phenomena” (Evers & van Staa, 2012). It is a
lengthy and immersive process (Evers & van Staa, 2012; Patton, 2015). Following the completion of data collection, the interviews were transcribed, translated, and de-identified, before being analysed.

The software package NVivo was used as a tool to organise the data and ensure the easy retrieval of transcripts (Evers & van Staa, 2012). Individual transcripts were coded. Individual transcripts were reviewed, with themes emerging from the data identified. Emerging themes were identified through recurring words, statements and sentiments. As more transcripts were examined, the emerging themes were classified into categories, which were then used to code the transcripts. Codes were refined as transcripts were read and re-read. Relationships between categories were explored by creating hierarchical structures. For example, the codes of “gender” and “non-citizen” were placed under the parent code of identity. After transcripts had been examined individually, they were read as part of their case-groups. This assisted in establishing key themes and narratives present in particular groups and in identifying unifying themes present across the case-groups.

An inductive process gradually constructed from the data was used to ensure that the analysis was grounded in the voices of the participants. Given the outsider status of the author, and the little work done on the research topic, it was important that themes emerged from, and were embedded in, the data. However, to fully explore the research question in relation to Brunei’s child protection policies and principles, deductive analysis was also utilised. Combining inductive and deductive analysis results in data analysis that is both structured yet flexible (Evers & van Staa, 2012). Thus, it explores the data with an “open mind” but conclusions are informed by the researchers’ framework and theoretical notions (Evers & van Staa, 2012). Following the thematic coding, the data
was compared to the UNCRC and OICCRCI documents, to draw conclusions on Brunei’s compliance and commitment to child rights. This deductive analysis was used to inform the discussion section of the thesis. The data process was enhanced by careful interpretation of the data and by keeping records of choices made.

To fully illustrate the analysis process, an example from the data is given. The “Ezycard scheme” was described by one participant. This phenomenon, as described by the participant, consists of young females performing sexual acts on older males in exchange for telephone credit. On the first reading of the transcript this was coded as “Ezycard scheme”, however once it was established that this was the only reference to the phenomena the code was incorporated under “sexual abuse”. This reference was also coded in the inductive analysis under themes of “gender relations” and “technology use” as the participant had highlighted both aspects of the behaviour. Once the deductive analysis is applied, the “Ezycard scheme” can be considered commercial sexual exploitation of children, contravening the UNCRC. Thus, a more holistic understanding of the participants’ statement comes from combining analytic approaches, with conclusions still situated within the data.

Analysis continued simultaneously with the writing process. Writing and the subsequent production of this text, allowed for continual refining of the themes, and the conclusions drawn. The five subsequent chapters focus on analysis. Each contains a summary and exploration of the themes identified for the case-group.

4.5 Conclusion

This chapter has outlined the methodology and the data collection process. It was guided by a three-pronged conceptual framework that incorporated child rights, collaboration
and case studies. By focusing on working collaboratively with Bruneian community members and incorporating a degree of flexibility to the methods, the research was able to align with the interests of Bruneians. One example was in the inclusion of those parenting a child with special needs. This resulted in the author contacting NGOs who worked with children with special needs in Brunei and ultimately making important community connections that furthered the research and allowed access to new participant groups. These included connections to the private secondary schools and government primary school. A wide range of participants were involved in the study. These include particularly vulnerable children from KRK, those from YSHHB who have been identified as in need of assistance by the NGO, young people who attend the Mosque Youth program and children who attend specific schools. The voices of these children are analysed in the following analysis chapters. Adults also participated in the research. The adults who participated were practitioners with specific knowledge of working with vulnerable children in Brunei, and teachers from the YSHHB program. Parents of special needs children and those who had adopted a child were also interviewed. Again, their accounts are explored throughout the analysis chapters. Each analysis chapter is structured around a case group, with some utilising life stories to connect the reader with children’s narratives.

The fieldwork experience highlights some important learnings for researchers planning qualitative studies in Brunei. Flexibility was essential in setting up meetings. Meetings occurred within hours of initial contact being made, at the request of gatekeepers or participants. Being based in Brunei was essential to the success of the fieldwork. Not only did it give the outsider author lived experiences in situ, it also allowed for community connections to be made, translators to be easily recruited, and knowledge of community programs to be acquired. Further learnings included the preference of
community members to be contacted via social media. This also allowed texts to be translated as needed, and demonstrated the use of having a Bruneian phone number. Social media pages for Bruneian government accounts were used to make initial contact, and these resulted positively in meetings. English language newspapers were useful sources, as they often profiled the work done by NGOs. These newspapers were forthcoming with contact details for community members and played an important role in initial contact being made with the Mosque Youth program and YSHHB. Final learnings included that snowballing was an appropriate recruitment tool in the Bruneian context. The fieldwork experiences detailed throughout this chapter can guide future research with Bruneian children, an under-researched population.
5.0 KRK welfare home

5.1 Introduction and context.

This chapter focuses on findings from the welfare home Kompleks Rumah Kebajikan (KRK), which is an institutional care facility for children in Brunei. Comprising of the House of Detention (HoD) and House of Safety (HoS), the facility houses children who have been abused and those who have been convicted of a crime (Mohd, 2016). While these two groups appear distinct, similarities in their circumstances can be seen when examining their life stories. This chapter presents results from interviews with children in KRK. The data gives an insight into what daily life is like in KRK including rehabilitation programs, living arrangements, support for the children and discipline techniques.

The KRK complex is located in Bandar Seri Begawan. The centre provides educational programs and schedules leisure activities for children. The basic needs of children, such as food, are provided. KRK is surrounded by fences and requires visitors to sign in at a security checkpoint. The security acts to protect those in HoS and to contain those in HoD. The research was conducted over a two-day period. Throughout this process very little of the facility was observed, due to security requirements. Interviews were undertaken in a meeting room. Participants were brought to the room by centre staff.

Throughout this chapter, the results of these interviews have been presented as life stories. This decision was made to assist the reader in engaging with the data and to show the complexity of the lives of the participants. A small amount of analysis accompanies each life story, with a discussion and synthesis of the emerging themes at the conclusion of the chapter.
5.1.1 Participants

Twelve participants were interviewed in total. Five participants were from HoS, with seven from HoD. All those from HoD were male. Females were detained in HoD at the time but elected not to participate. This has implications for the data. For example, two participants have been detained on beyond parental control orders. While this allows analysis on the practice, in interviews with practitioners contained in chapter 8, workers stated that most beyond parental control cases involve female children. Thus, there are some gaps in the data collected.

Of the five participants from HoS, four were female and one was male. Two of the female participants chose to be interviewed together as they were friends. The male was the only participant interviewed after he had left the centre. He was interviewed in his adopted family’s home, alongside his adopted mother. An overview of the participants can be seen in Table 4.
Table 4: KRK Participants

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mahmud</td>
<td>HoS</td>
<td>Mahmud is a ten year old Bruneian, Malay, Muslim male. He had been taken into the care of KRK after experiencing physical abuse, perpetrated by his adoptive family. Since leaving KRK, he has been adopted and lives in Bandar Seri Begawan. Mahmud is the only participant interviewed after leaving the centre.</td>
</tr>
<tr>
<td>Osmawani &amp; Faiza</td>
<td>HoS</td>
<td>Osmawani and Faiza chose to be interviewed as a pair. Osmawani is fourteen years old, Faiza is eighteen and they are female, Malay and Muslim. Their status as citizens is unknown. Before KRK, Osmawani lived in Temburong with her parents and five siblings. Faiza lived in Belait with her mother and step-siblings. Neither girl gave a specific reason for why they had been taken into the care of KRK, preferring to refer to it as &quot;my secret&quot;.</td>
</tr>
<tr>
<td>Mira</td>
<td>HoS</td>
<td>Mira is fourteen years old and female. She is Bruneian, Malay and Muslim. Before KRK, Mira lived in Bandar Seri Begawan with her mother, step-father and four siblings. She has been taken into the care of KRK after experiencing physical abuse committed by her brother.</td>
</tr>
<tr>
<td>Bahiyah</td>
<td>HoS</td>
<td>Bahiyah is twelve years old and female. She is Malay and Muslim. Bahiyah is a permanent resident, rather than a citizen of Brunei, as her father is Malaysian. Before KRK, Bahiyah was living with her mother, father and siblings in Belait. She has been taken into the care of KRK after experiencing physical and sexual abuse. Her father was the perpetrator.</td>
</tr>
<tr>
<td>Idris</td>
<td>HoD</td>
<td>Idris is sixteen years old and male. He is Bruneian, Malay and Muslim. Before KRK, Idris lived in Tutong with his father. Idris had been detained for driving a car without a license.</td>
</tr>
<tr>
<td>Jamal</td>
<td>HoD</td>
<td>Jamal is fifteen years old and male. He is Bruneian, Malay and Muslim. Before KRK, Jamal lived in the Brunei-Muara district with his father, step-mother and thirteen of his siblings. Jamal is being detained for breaking probation. Previously he had been detained on a beyond parental control order.</td>
</tr>
<tr>
<td>Amir</td>
<td>HoD</td>
<td>Amir is fifteen years old and male. He is Bruneian, Malay and Muslim. Before KRK, Amir lived in the Temburong district with his father. His parents have divorced and he no longer has contact with his mother or five siblings. Amir is being detained on a beyond parental control order.</td>
</tr>
<tr>
<td>Aziz</td>
<td>HoD</td>
<td>Aziz is seventeen years old and male. He is Bruneian, Malay and Muslim. Before KRK Aziz lived in the Belait district, with his mother. Aziz is being detained for breaking his probation. Previously he had been detained for theft. Aziz has also been placed on a beyond parental control order.</td>
</tr>
<tr>
<td>Abu</td>
<td>HoD</td>
<td>Abu is thirteen years old and male. He is Malay and Muslim. Abu was born in Malaysia and is a permanent resident of Brunei. Before KRK, Abu lived in the Brunei-Muara district, with his parent, step-parent, siblings and step-siblings. Abu is being detained for theft.</td>
</tr>
<tr>
<td>Hassan</td>
<td>HoD</td>
<td>Hassan is eighteen years old and male. He is Malay and Muslim. His birth father is Malaysian making Hassan a permanent resident of Brunei. Before KRK, Hassan lived with his adopted father. Hassan is being detained for theft.</td>
</tr>
<tr>
<td>Karim</td>
<td>HoD</td>
<td>Karim is eighteen years old and male. He is Bruneian, Malay and Muslim. Karim was born in Brunei. His family originally lived in Temburong before moving to Bandar Seri Begawan. Before KRK he had lived with his parents and four siblings. Karim is being detained for theft.</td>
</tr>
</tbody>
</table>

Pseudonyms have been used to ensure anonymity. All participants were interviewed with a translator present, with interviews conducted in Malay. The participants came from all regions of Brunei and all identified as Muslim.
Similar themes were identified throughout the cases. The processes followed by MCYS, who have administrative control over the centre were highlighted, as were processes in the juvenile justice system and adoption systems. Instances where processes were not followed were noted. Gender and violence were identified themes across the cases in HoS. Physical violence was also perpetrated by males against younger males in HoD cases.

Children in HoD spoke of the influence of friends. Most had been pressured into committing crimes or engaging in truancy by older males they considered friends. Islamic guidance is part of the rehabilitation program for those in HoD and aims to combat the negative influence of friends. Religion was a theme throughout the cases. Participants described using Islamic prayers to calm their minds and to relieve boredom. It was the first time that many had engaged with religious education.

Further themes discussed included bullying, informal and formal support network, and adult child relationships. Children from both groups displayed mistrust towards adults. The relationship between parents and children were of particular interest in beyond parental control cases. The majority of children who participated from this group described familial arrangements impacted by divorce, remarriage or adoption.

**5.2 House of safety**

The participants from HoS are children who have been removed from their family environment to ensure their protection. Three children interviewed were taken into the care of the centre after suffering abuse perpetrated by family members. Two of the children chose not to disclose the abuse perpetrated against them. Their stories are confronting but necessary in illustrating how vulnerable children experience government
intervention in Brunei. The life-stories of the participants highlight their experiences of school, family life and social supports. They also contain details pertaining to who they sought support from and their experiences after disclosing their abuse.

5.2.1 Mahmud

Mahmud’s case has notable differences from the others presented in this section. Firstly, Mahmud was interviewed post-KRK, while the other participants were interviewed while still residing in the centre. Mahmud was adopted from KKR. Secondly, Mahmud was the only participant interviewed alongside an adult. His adoptive mother Diyana also participated in the interviews. Her experiences of adopting a child are presented in chapter 9. Information from her interview relevant to Mahmud’s life-story has been included here. Thirdly, Mahmud was younger than the other cases presented. He was three when he first entered KKR and four when he experienced an abusive event post-KKR. This is another reason Diyana’s voice is presented throughout this section. Her comments provide assistance in understanding aspects of the story that Mahmud was too young to understand. Finally, Mahmud is the only male case included in this section.

Currently 10 years old, Mahmud was born in Brunei and was adopted by Diyana at age five. He remembers KKR and describes it as a “place for orphans.” Mahmud was first brought to the centre at age three by his biological mother. Diyana describes Mahmud’s biological mother as “divorced” and attributes this to him being relinquished into the centre’s care. Initially, he was very distressed at KKR.

Diyana: Whenever he’s brought in to the welfare home, he’d cry and refuse to go in… I suggested that maybe it’d be better if he stayed with us at our home…. So he stayed with us for about a year, but his food and necessities were provided by the welfare…. After he was with us for a year, he was sent to a new family; a second adopted family. The second family…[were] terrible. He had bite marks on his hands. We don’t know whether it was because she disliked the boy or was it the doings of her children (translated from Malay).
There is some confusion over who was responsible for the abuse against Mahmud, suggesting the perpetrator was not held accountable. The description does not mention an adoptive father residing in the household, with Diyana suggesting that the perpetrator was either the adoptive mother or other children. Diyana became aware of the abuse Mahmud was experiencing in his new adopted family. She worked for the ministry that oversees welfare and adoption and removed him from the adopted family’s care. Mahmud was taken to the hospital.

Diyana: They took a look at him and they were more concerned about his bruises and bite marks. So he was admitted to the hospital. They had a meeting and I said to them, he’s not my son. I just look after him and I have my own family. He had to stay at the hospital and wasn’t allowed for release until they have decided. It was complicated; his case was brought to the police…I was sorry for him. He’s just a little boy I worry for him; for his future (translated from Malay).

Mahmud described his experience with his second adoptive family as “torture.” After leaving their house there was evidence of cigarette burns on his limbs. After he was released from hospital he was placed in Diyana’s care. This was Mahmud’s wish. Diyana later officially adopted Mahmud.

Mahmud still gets scared when strangers come to the door or of people in the street who remind him of his second family. He has twice weekly sessions with a psychologist through MoH to treat his trauma and nightmares. Mahmud attends a private school and has faced bullying from other students who know a little of his story. He attends mosque for Qur’an reading classes with eleven other children. Mahmud is settled in his current family. If he has any worries he talks to his adopted mother. One of his worries was his circumcision.

Mahmud: The one time when I was six, when I have to go to the hospital that I have to like, do this thing called circumcision, I was afraid. I was very frightened …it was feeling like nightmares.
Circumcision is considered a right of all male Muslim children. Mahmud stated that this was a time when he remembered feeling worried. However, as circumcision is performed in a hospital in Brunei, it is possible that he has associated the experience with previous visits following his physical abuse. When asked about what he wanted to do in the future, Mahmud stated that he would like to have a family. He was the only participant to answer this question in terms of family and not employment.

Mahmud’s story contains notable themes. Firstly, Mahumd’s story demonstrates the distress experienced by children adjusting to life in the institution. Mahmud was visibly distressed at being relinquished from his biological mother’s care into KRK. Older children described feeling isolated within the centre. Like Mahmud, they turned to adult staff members for comfort. However, Mahmud was the only child who was offered alternative care outside of the centre. This may be due to his age as he was only three. Further, it may have been because Mahmud was voluntarily surrendered by his biological mother. Secondly, Mahmud’s case highlights themes related to “divorce” and non-traditional family structures in Bruneian culture. Throughout this chapter, participants described families consisting of remarried parents, divorced parents, and adoptive parents. Mahmud’s biological mother was described as divorced, with this implied by Diyana as the reason for her relinquishing Mahmud into the care of KRK. The act of relinquishing Mahmud suggests that further support is needed for unmarried mothers in Brunei. However, supports of non-traditional families, may be inconsistent with cultural narratives of the Malay family (Bakar, 2011; Chin & Daud, 2015).

Thirdly, Mahmud’s story highlights the adoption process in Brunei. Mahmud’s placement with an adoptive family where he experienced abuse is concerning. However, processes were in place to identify the abuse and remove Mahmud from the situation. Mahmud then
voiced his wish to live with Diyana, demonstrating an aspect of child participation. Mahmud’s placement with Diyana’s family suggests acting in his best interests, despite it breaching governmental policies. A strict reading of the guidelines would not have seen Mahmud placed with his current family due to the number of older children, and the mother’s employment at KRK. These guidelines have been overruled in what appears to be Mahmud’s best interests as he is currently settled in a supportive family.

Mahmud’s case also demonstrates that there are supports available in the Bruneian community to support children outside of institutional care. Mahmud receives medical care and educational support as he would receive if he were residing in KRK. Even before he was officially adopted, his food and necessities were provided for through ministerial support.

5.2.2 Osmawani and Faiza

Osmawani (OS) and Faiza (FZ) are close friends in the centre and were interviewed together at their request. They were the longest-term residents interviewed. Osmawani had resided in KRK for over three years and was 14 at the time of interview. She did not know when she would leave HoS. Both participants did not disclose their abuse. They referred to specific incidents as “my secret”. This term is used by both participants throughout the case. What can be ascertained is that the specific act, or series of acts, has led to both children residing in the centre for years. This case presents both participants’ life stories, as well as including details about life in KRK. They are presented together as it was a joint interview and both participants added details to each other’s experiences. Both participants largely spoke in English throughout the interview, while explaining a few complex concepts in Malay. Their English was conversational, and whilst understandable, was not always grammatically correct. To ensure authenticity of meaning
the grammar has not been corrected in the excerpts of transcript provided. The decision to interview the children together in this case, was guided by the wishes of the participant and consistent with both the methodology and ethics that framed the research.

Osmawani was the least forthcoming of any child on speaking about what had led her to HoS, though was happy to speak about life inside KRK. Osmawani is from Temburong. Sleeping is her favourite thing in the centre, though she also enjoys the five meals they have a day. Despite being detained in KRK long-term she has struggled to make friends, apart from Faiza. She occasionally gets visits from her family. Osmawani is the second eldest of her five siblings. Before KRK, she lived with them and her parents. The first person she told “her secret” to was her mother, who responded angrily, though Osmawani was unsure whether she was angry at her, or someone else. Osmawani’s mother reported the information to the police. Osmawani was very scared when talking to the police. She then went to the hospital where her blood and her urine were taken for samples. Following the tests, Osmawani was brought to HoS.

Osmawani stated that she enjoyed school before entering KRK and never missed classes through truancy. In the centre she is reluctant to talk to anyone but Faiza who provides her with support. Osmawani has tried talking to a counsellor but finds the process difficult. The participants compared counselling experiences during the interview.

FZ: Meeting your counsellor. How long do you usually need to wait?

OS: A long time

FZ: Do you get frustrated when you had to wait a while?

OS: Yes

They both go to school outside KRK. Only one teacher at the school is aware of their situation and this teacher is their contact point if they have a problem. Osmawani did not
feel there was anyone at her previous school that she could talk to. She reported feeling unsafe before coming to HoS, particularly when she was walking around her village and males would “hit on her”. It is assumed this term refers to making a sexual advance. Osmawani added that some of these males were older than her, while some were her age. She was approximately eleven before entering KRK, meaning the males involved were a similar age or older. Osmawani stated that the worst thing about the school she attends while residing in HoS is that she has to attend with males.

Osmawani provided details of the punishments enforced for child residents in HoS who were disobedient. These include getting “duty” which involves cleaning the rooms for months. Osmawani described her current duty and the one she dislikes most.

OS: Sweeping the living room then after, mop
AY: What’s the worst duty?
OS: Hmm cleaning the drain

It is hard to comprehensively understand Osmawani’s story from the information provided. She has lived in HoS for three years, which is a significant portion of her life. Osmawani wishes to return to live with her family in Temburong after she leaves the centre. Despite her long stay in the centre, Osmawani had never been asked to testify in court. Neither Osmawani nor Faiza were aware of when they would leave the centre.

Faiza was 18 at the time of interview. Before HoS, she lived in Kuala Belait. She had been in the centre for a year and a half. Faiza gave a description of the room she lives in with Osmawani.

FZ: Our house is double storey. At the upstairs is where we sleep, with all the beds and we, we have, not office, it’s called aquarium. It’s for our guardian. At the downstairs we have a living room and we also have a place for changing dress.

Faiza has also found it hard to make friends in KRK, apart from Osmawani.
FZ: I’m staying here for one year… I see many people characteristics here. There… some people like easy to get friends, friendly, then there’s some people that not easy going. Like, they like to be, like, with themselves only.

Faiza is the eldest of her five siblings. She receives visits from family occasionally. Before KRK, she lived with her siblings and parents. However, when she was younger she had been adopted by another family.

FZ: I have a difficult time when I’m growing up because from when I was five years old I didn’t live with my parents because I was adopted by other people. So when I am in primary six, there was when I start living with my mother. And then, because I don’t have my biological siblings, I have a step sibling, so it’s very hard for me to connect with them, but luckily like, they friendly to me. They accept me as their sister.

AY: Who were you adopted by? Did you know them?

FZ: Yeah, my grandfather’s sibling

AY: Ok… Why did they adopt you?

FZ: I don’t know

AY: Did they ask you if you would like to be adopted? Or who you’d like to live with?

FZ: No. They just… my grandfather just send me there. They just said, this is for your safety until you grow up

AY: And, so then you had a whole new set of siblings? Step siblings

FZ: Yeah. I don’t have my own biological sibling. I also don’t know my father, my real father.

Faiza stated that once she left the adopted family to return to her mother, she rarely saw the adopted family again. Her story highlights the use of short-term adoptions as an informal child protection measure in Brunei. Faiza’s biological grandfather organised the adoption with his extended family for Faiza’s safety. Not knowing her biological father may have implications for Faiza’s citizenship status and entitlements. She did not provide her citizenship status.
The events that led her to KRK began when she was 14. She waited until she was 17 before disclosing “her secret” to her biological grandmother. Faiza remembers her grandmother becoming angry at the perpetrator and then reporting the incident to the police. The police then took Faiza to KRK, explaining it was for her own safety. Faiza found it difficult talking to the police as she had to keep re-living the incident. Like Osmawani, she was then taken for blood and urine tests at the hospital. Before talking to her grandmother she did not feel like she could tell anyone “her secret”. She continued to attend school during the three years the incidents were taking place. She did not disclose “her secret” to anybody at school.

FZ: No. Because for me, when I’m at home I’m a different person. When I’m at school I’m also a different person…Yeah. So I don’t have to tell everyone my secrets…I have to pretend that there is nothing happened to me.

Faiza stated that she regretted not confiding in people earlier.

FZ: If that incident happen to you, just tell anybody that you trust and then solve that problem…don’t wait until you regret it, because I’m regretting it because I didn’t tell earlier. So if it happen to you…don’t just think about what people are gonna say about you.

Faiza’s case highlights shame and self-blame as factor that inhibits children disclosing abuse.

Like Osmawani, Faiza also reported feeling unsafe around certain men in her community. However, these men were foreign workers, rather than males of a similar age.

FZ: Yeah, sometimes when we go to shopping complex, we go alone and with the foreigner everywhere, so it’s scary.

AY: Can I ask you what type of foreigners?

FZ: Yeah, Indians and Indonesians

Similar sentiments are present in the interviews with female students from private secondary schools, presented in chapter 7.
Faiza enjoys the religious classes offered in KRK and stated that her faith supports her while in HoS. She enjoys the field trips that the children attend outside of HoS, but wishes there were more of these activities.

FZ: Yeah. And we go with our guardian, so we like to think we are like VIP, so it’s awesome.

AY: When you go to the cinema, is it just you…in the cinema?

FZ: There are other people but we’d have our guardians sitting beside us…We would like to go…to the beach and then we can have barbecue, I want [more] like that. More fun activities like games or some activities that are fun so we can release our tension.

Faiza’s comment highlights that children do feel tension within HoS. In the future she would like to become a lawyer and help children who have been abused by their families.

Faiza was the participant who gave the most detail on giving evidence in court. Few other participants provided details on their experience at court. Faiza described the process as really hard. “Yeah, it’s full of angry, sadness and also we need to reflect back the incident, so it’s very frustrating.” Faiza stated that she felt safe, as a guardian from KRK attended, as well as police officers.

HoS has given Faiza and Osmawani the opportunity to meet each other: two girls who have similar experiences and are reluctant to talk to about it. Both spoke of their uncertainty about when they were leaving the centre, but stated they were ready to leave. When asked about safety, the discussion was not about what led them to KRK, but rather everyday encounters with males and for Faiza specifically foreign males. Osmawani dislikes attending school with young males. Gender and safety are themes present throughout the accounts of female participants. While challenges were evident throughout their accounts, the highlight of their time in KRK are the excursions and school,
comparatively normal experiences for the girls. Faiza’s account adds to understandings of adoption in Brunei.

5.2.3 Mira

Mira was 14 at the time of interview and had been housed in HoS for five months. She was born in Brunei and before entering HoS had lived in Bandar Seri Begawan. Mira is the second youngest of four siblings who she lived with, along with her mother and step-father. She was not sure when she would be able to leave. Her favourite activity outside of KRK was talking to her friends. Mira found making friends in KRK very difficult.

Mira entered HoS after being repeatedly beaten by her brother over a period of three years. Mira’s brother is at least four years older than her. Her brother used various weapons, including a belt and a book.

Mira: Thick book and everything else in my grandmother’s house. And I crying, crying and I say to my brother, I don’t know. So my brother always, always make me crying.

Mira’s younger brother was also beaten by this elder brother. Mira witnessed this abuse, and felt sympathy for her younger brother. Mira said that her parents were not aware of the abuse, as her brother was careful to perpetrate the acts when they were absent. This illustrates a pattern of control and planning to the violence.

Mira disclosed her abuse to her teacher. She first told the teacher two years before she was taken to HoS. Mira had known this teacher since her first year of primary school.

Mira: I like her because she was very kind at me, caring. She always buying clothes and food for me. She, she always, she always…drive go to the shopping.

AY: Did your parents take you food and clothes shopping as well?

Mira: Hmm, no.

This suggests a degree of neglect and/or poverty surrounding Mira’s upbringing.
However, Mira rarely missed lessons at school. She is committed to her education and wants to be a doctor.

Mira entered HoS after a violent episode perpetrated by her older brother. To escape the violence, she ran away from the house. “My brother last hitting me, when it was…October, and I run from my house and I get to the bus and zoom.” Mira was able to give a lot of detail about the day she left home. After leaving the house, Mira went to find her teacher. She disclosed the latest abuse to the teacher, who took Mira to the police station. There was a lengthy wait at the station, as they had to wait for officers from the Criminal Investigation Department (CID) to perform the interview.

Mira: CID came…and then she asked me, when do I leave the house? I say, afternoon. And then, what transport do you use? Bus. And then she asking who is abusive? My brother. And then I say, it use belt, golf…book

Following her interview, Mira was taken to the hospital for a medical check. She was then informed that she would be taken to HoS. Mira was told that this was to protect her from her brother. The officer went to Mira’s home and gathered her personal belongings before taking her to HoS. The officer also bought Mira some new clothes and toiletries.

Mira thought she would only have to stay in KRK short term. She remembers the officer saying it would only be for three weeks. Mira has been in KRK for five months. Mira has received visits from her family, but feels isolated and lonely. Mira has regularly spoken to a counsellor but reported that she cries a lot because she feels stressed. She is worried about the trial, that she will not see her friends and cousins again, and who she will live with when she leaves HoS.

Mira: I’m confused and scared…I don’t know which of them are gonna adopt me. My father, my step-father and my mother or my teacher

AY: Which one would you like to adopt you?

Mira: I think, my teacher.
Mira said that her teacher had previously told her she would adopt her and take her to another region of Brunei to protect her. Mira also thought her teacher would be at the upcoming trial. Mira felt uncertainty about the trial.

Throughout her interview, Mira repeatedly said that she was sad, lonely and afraid. However, she also told the researcher that she could immediately talk to a counsellor in the centre if needed and regularly does. This reassured the researcher that she was supported.

Mira was unsure what consequences her brother will face for his behaviour. As he is under the age of 18, he may be detained in HoD after the trial. Her wishes to be adopted by her teacher are clear; however, it is unknown whether this will be followed, and whether the teacher will be judged a suitable candidate for an adoptive parent. Mira’s assertion that it was her teacher that had provided her with food and clothing suggests neglect from her parents. This history may influence where Mira lives once she leaves KRK. Mira’s story is the third of those from HoS to contain a theme of adoption. Her use of the word to describe receiving care from her step-father and mother, or biological father is interesting. This was the only mention of Mira’s biological father. Mira resided with her step-father and mother, in what can be described as a “non-traditional” Malay family. Mira did not describe either of her brothers as step-siblings, thus it is assumed they are her biological siblings.

The violence perpetrated by the older brother can be viewed through a gendered lens. The violence committed used weapons and repeatedly occurred over a two-year period covertly. A further aspect of the violence was that it was also perpetrated against Mira’s younger brother, with Mira witnessing the events. This may have increased the level of
emotional violence experienced by Mira. Mira’s case has some similarities with Bahiyah’s. Both girls first turned to their teachers for help, and both felt the need to speak up to protect their younger siblings.

5.2.4 Bahiyah

Bahiyah was 12 years old when interviewed and was also born in Brunei. She is a permanent resident rather than a citizen as her father is Malaysian. Before entering KRK she lived with her parents and three younger siblings in Kuala Belait. Bahiyah also has an older sister who did not live with her. In the year before Bahiyah had entered HoS she changed schools. She had to leave her previous school as “there wouldn’t be anyone to look after me and take me to school.” Unhappy at her new school, Bahiyah regularly participated in truancy to go visit her friends at her old school. Despite being close to her friends, it was a teacher at her new school to whom she first disclosed her abuse.

Bahiyah was 11 when her father first raped her in their house. “At night he’d come to me. Rape. I tried to fight back, but he’d always win because he’s strong.” The abuse lasted for around a year, with her younger sister witnessing it and her uncle, aunt and grandfather possibly knowing about it. Bahiyah did not want to tell her mother, but her mother witnessed the abuse just before her twelfth birthday. “She knew. When I turned 12, the night before the day I registered for my IC [identity card], she saw but didn’t dare to interrupt. My father is harsh.” Bahiyah’s mother confided in Bahiyah’s older sister about the abuse she witnessed.

Bahiyah: My mother told my sister and then she asked my mother whether she had my teacher’s phone number….She gave my teacher a call and asked about me, about my problems at school, but he said he didn’t know. He gave her the principal’s phone number. She then went on to call JAPEM. Then JAPEM contacted the principal…where they mentioned to him that there’s a student in…who is having some problems (translated from Malay).
Bahiyah told “her stories” to the principal. The principal then asked if she would be happy to talk to the police, and once Bahiyah agreed he took her to the police station. Two weeks later Bahiyah’s mother was arrested and her younger siblings along with Bahiyah were moved to HoS.

Bahiyah shared a room with her sister who is 11, and her younger brothers are in another room. At the time, Bahiyah expected the family to go home three months later when her mother was expected to be released. While inside the centre Bahiyah was “too embarrassed” to talk to a counsellor about her experiences, but enjoyed talking to a warden and expressing her feelings through drawing. In the future, she wants to continue studying and then become a policewoman.

Bahiyah’s case is slightly different to the other girls in HoS as she knows when she will go home and whom she will live with. The uncertainty of release dates and future plans appears to negatively affect those in HoS. Bahiyah and her siblings will return to live with their mother once she is released from prison. It is uncertain why Bahiyah’s mother was arrested. However, had she not been imprisoned, Bahiyah and her siblings may not have been taken into the care of KRK. Bahiyah’s narrative did not include the consequences faced by her father for perpetrating the abuse. There was no mention of his arrest.

Bahiyah’s case contains elements of gender and violence. This was also a theme present in the accounts of the practitioners interviewed. Their accounts have been included in chapter 8. Feeling unsafe around males in the community was also identified in the accounts of Faiza and Osmawani.
The importance of interacting with adults while children were in HoS was apparent in all five interviews. Mahmud was adopted by a staff member from KRK and a number of the girls spoke about their interactions with guardians and wardens from the centre. Counsellors were also spoken of, yet the difficulties of getting an appointment for the longer term residents like Osmawani is concerning. Details on whether or not government process was followed could be ascertained in the interviews, as the research was interested in this aspect of child protection policy. Processes such as accessing counselling in KRK, and registering abuse through JAPEM were identified as areas where processes were disrupted. An area of process that can be improved is in relation to the information provided to children. Children reported distress at the uncertainty felt. The uncertainty stemmed from not knowing when they would leave HoS, or whom they may live with once they left. Misinformation was given to Mira over when she would leave HoS. Children were not informed of decisions that directly affected them, having implications for child participation in Bruneian society. Conversely, child participation was noted in the adoption process, where Mahmud appears to have had his wishes to live with Diyana taken into consideration.

Bahiyah gave a reason for her truancy; namely to combat isolation, which stemmed from moving schools. Truancy is a theme throughout all the cases in HoD. The importance of going to school goes beyond the educational outcomes. Here children can access support from adults outside of their family. Schools and teachers were important facilitators in Bahiyah and Mira accessing assistance after disclosing abuse. Access to a school outside of KRK, with anonymity assured, was positively viewed by Faiza. Those in HoD are not able to access schools outside KRK. However, they are given educational opportunities within KRK.
5.3. House of detention

As well as housing survivors of abuse, KRK also houses those under 18 who have committed a crime. This side of KRK was described as HoD. The Bruneian government portrays HoD as a place for “protection, rehabilitation and guidance” (Mohd, 2016). The focus on guidance was a theme for those residing in HoD. Rehabilitation and guidance was delivered by Islamic counsellors and was valued differently by different participants from HoD. The first two interviewees, Idris and Jamal, were positive about the effects that religious education had on them while in HoD.

Throughout these interviews, participants were asked to describe their everyday lives inside KRK. The details provided assisted in constructing a picture of the centre’s environment and approach to rehabilitation and reintegration of juvenile offenders. The participants described being provided with five meals a day and attending lessons, including religious education. They also described being allowed to do leisure activities such as playing boardgames, playing sports and creating art. However, some activities were classed as a “privilege” that was earned once residents demonstrated behavioural standards. HoD uses a grading system. Children wear green uniforms with red stripes on the sleeves to denote their grade. Grades are determined by length of time spent in the centre, and behaviours exhibited. Family visits are classed as a privilege that is determined by a children's grade. The term ‘privilege’ is used as this was the term used by participants and reflects the language used by KRK.

5.3.1 Idris

Idris was born in Brunei and was living in Tutong with his father before HoD. Idris is one of seven children. He had been in KRK for seven months; however this was his second
stay in the centre. Like other residents, he regularly engaged in truancy prior to entering KRK. When asked why, Idris stated it was because he did not want to learn.

Currently 16, Idris had been sentenced to two years in KRK after being caught in a police chase where he was driving without a license. He was by himself during this incident. Outside of the centre, he had supportive friends who he could talk to and would listen to him. Inside HoD, he has found it easy to make friends but finds it hard to talk to the counsellors.

His favourite activity in HoD is reading and says there are enough books in the library. He also gave specific examples of religious activities that are undertaken in KRK. “We have zikir, yassin, ratib and tahlil” [these are religious practices that include remembrance of God, recitation of chapter Yassin of the Qur’an and so forth]. While he felt like his faith supported him in the centre, he was not comfortable discussing his problems with an Ustaz. Idris has been receiving visits from his family while in KRK. He was hoping to live with his family after leaving the centre. However, he had no plans beyond this for the future. He struggled to answer any questions about future professions or a future he envisioned for HoD or Brunei.

5.3.2 Jamal

Jamal was born in Brunei and was 15 when interviewed. He had resided in HoD for seven months. Outside of the centre he lived in Muara with 15 siblings, his father and stepmother. He is the youngest. Before entering the centre he enjoyed going to school to play futsal and occasionally engaged in truancy. This practice is referred to locally as “escaping” school or “running away”.

Jamal: I didn’t do it that too many times. Depends on my mood, like if the teacher is angry, then I’d run away. You won’t see my face. If the teacher scolds me even
when I did nothing wrong, I’m much better off running away…The teachers were the problem. I didn’t do anything wrong yet they still scold me. I came to school, around seven in the morning and they started to scold me, “you’re this and that” (translated from Malay).

Jamal’s account highlights how children understand and justify truancy. These can be used to further understand the practice in Brunei. Jamal later linked his truancy to behaviours that had led to him being brought into the centre’s care. Outside of KRK, Jamal is in a band with his friends. Like Idris, this is his second stay in HoD. Jamal returned to KRK after breaking probation.

Jamal: I was brought [here] because I was difficult to control. I didn’t listen to my parents…I started smoking in secondary one. Then I started to skip class. Basically I was influenced by my friends. I ran away from home, I came home late. I basically just never listen. My parents would tell me to act otherwise, but I never listened. I did listen for the first two or three days then I went on a relapse. My parents…had enough of my behaviour so they sent me here. I’ve been in here twice. The first time was November two years ago and I was released in January. I was released under probation for about two months….But the judge was not pleased because there was a slight problem. He said that I should improve more so he gave me probation of six months…. Still he wasn’t satisfied so he sent me here. We had an agreement. I promised the judge that there won’t be any trouble, otherwise he’d put me in this centre for two years. That was our deal. Basically why I’m put here is because I broke probation (translated from Malay).

Though he never used the term, Jamal’s case fits the criteria of a beyond parental control case. These cases consist of behaviours exhibited by juvenile Bruneians, which are classed as disobedient towards parents. Yet, these behaviours may not be illegal. A common example is “running away from home”. This behaviour is discouraged in Brunei but is not illegal. However, it leads to children being classed as beyond parental control cases. Another behaviour seen as disreputable in Brunei is smoking, referred to by Jamal. It is unclear throughout the data whether participants are speaking of smoking tobacco or another substance. The theme of smoking is often linked to gender and feeling unsafe, as the behaviour is exhibited by young males in “gangs”.
While in HoD, Jamal has made a few close friends and has used Islam to try and control his temper. His anger was a theme throughout the interview, especially in his relationships with staff members and other residents of KRK.

Jamal: Praise God. I am able to change. But here, there are also cases of bullying and scolding. There are times when I do feel miserable. Like, if I was outside, I could think for myself, but everything changes in here. They’d call me crazy. But I’m not crazy. …Outside of the centre, I can think for myself, the good and the bad. Here, if they tell me something, I get mixed feelings. They’d call me dumb and cuss at me. I keep quiet and remain patient. I thought, if I was outside hearing all this, I’ll explode. I’d beat them up. But I keep quiet and leave them alone. If I were to talk to someone about this, they’d say I was blaming the staffs here, blaming the residents. So if I told someone about this, I’d be misunderstood (translated from Malay).

This excerpt has implications for how the rehabilitation process in beyond parental control cases is understood. Jamal describes an understanding that he is able to change his behaviour. However, he finds it difficult to change his behaviour inside of KRK. In the institution, he is housed with children who have committed a variety of offences. This environment may not be conducive to lasting behaviour change. His quote highlights that he is being bullied by others inside HoD. He will not disclose the abuse as he does not trust the adults to react appropriately. This quote also highlights that Jamal recognises his capacity to react violently.

Jamal gave details of the process that needed to be followed to obtain counselling within KRK.

Jamal: It’s easy, but you’d have to produce a letter and fill up a form and only then you can see them. You’d have to wait to be called in. After you’ve handed in your letter, telling them your problem then they’d call you in when they’re free (translated from Malay).

Like others residing in KRK, Jamal often got bored and would sleep a lot. He would tell the warden that he had a headache as an excuse to sleep more than allowed. He attended lessons and explained that they did one subject a day.
Jamal is interested in Islam. When he thinks others are providing him with misinformation he goes to talk to an Ustaz. He felt the best thing about living in Brunei was Islam. Jamal gave an example of a prayer he uses to control his anger.

Jamal: Like it says in the book, if you’re angry, have a seat. If sitting doesn’t help, stand up. If standing doesn’t help, perform ablution. If after ablution you’re still angry, pray. If you’re still angry, read the Quran (translated from Malay).

Jamal was apprehensive about what life would be like once he left HoD. He was holding onto advice given to him by a friend who had recently left who had told Jamal to just focus on what is happening in KRK and not think beyond it. His advice for others in HoD was to focus on discipline and think of your parents. This suggests that the idea of rehabilitation engaged with in KRK, is underpinned by discourses of discipline. Jamal was one of the few that received the “privilege” of a visit from his parents. Parental visits are classed as a privilege, as they are not offered to all inmates. Instead, they must be earned through demonstrating appropriate behaviours.

Both Jamal and Idris were on their second stays in HoD. Both mentioned specific prayers they use in their daily lives in KRK. Idris is unusual amongst the interviewees for both his actions, driving in a police chase and being alone while doing it. Most participants, like Jamal, spoke of the influence of friends on their behaviour. Both engaged in non-violent activities that resulted in their detention.

Jamal’s case is of interest as it is a beyond parental control case. Jamal’s case highlights themes of interactions between adults and children in Brunei. Jamal described being scolded by teachers and adults inside HoD. His comments suggest he feels misunderstood by adults and even bullied by some inside KRK. He also appears to be being bullied by other inmates, yet does not retaliate. While it appears that Islamic counselling is providing some comfort, he does not feel comfortable discussing the bullying with adults.
in KRK. Jamal stated that he felt they would misunderstand him as they would accuse him of blaming others. Mistrust of adults is a theme present in Jamal’s narrative. Accounts like those from Jamal and Amir are integral to furthering understandings of beyond parental control cases in Brunei.

5.3.3 Amir

Amir was 15 at the time of the interview. He was born and lived in Temburong. He enjoys the peacefulness of Brunei. He is the youngest of six children, however after his parents divorced he no longer lived with his mother or siblings. Instead he lived alone with his father. He no longer sees his mother or siblings.

Amir engaged in truancy outside of the centre. He justified it by stating that he would only do so if he wished to visit his older girlfriend. She, along with his friends, were his support network outside of the centre. Inside he talks to counsellors. He had been in the centre for six months and had talked to a counsellor twice. His faith has also supported him while in KRK.

This is Amir’s second time in HoD. Despite only residing with his father, Amir stated that his “parents” brought him to KRK at the age of 14. Amir said this was because he was “naughty”. He had broken his probation after being released and had been returned to KRK. He was not sure how long this stay would be. As the interview progressed, Amir gave more details on what his “naughty” behaviour had looked like “I was talking back to my parents and I stayed out.” Amir justified this by stating that his friend’s house is more fun than his. Both these behaviours are consistent with behaviours exhibited in beyond parental control cases.
Amir described a typical morning in HoD.

Amir: We wake up at half past four…we take a shower, perform the Subuh prayer then clean around the home area and then around the recreation area. We have breakfast at seven o’clock then afterwards, the assembly.

Amir has not been granted visits from his family yet. His favourite things to do in the centre include playing sports, however this is a privilege so if it is not granted he will sleep, draw or fantasise about life outside. When he leaves he wants to live with his sister who is 17 rather than his father. Again he says that it will be more fun to live with his sister. In the future he wants to be a soldier.

Amir’s story has parallels with Jamal’s. Both had broken probation and described their behaviours in similar terms. They both also gave the example of staying out at friend’s houses as “naughty” behaviour. Amir is the only participant from HoD to mention a girlfriend, or any interactions with girls. In contrast, two girls from HoS and a number from YSHHB and private secondary schools mentioned interactions with males and the impact this had on their feelings of safety. However, having a girlfriend may have contributed to Amir being classed as a beyond parental control case. Engaging in casual sex was a behaviour linked to these cases by practitioners in chapter 8.

It is unknown why Amir was separated from his siblings and went to live with his father after his parents’ divorce. However, it may have played a role in his behaviours, which Amir described as “talking back to parents” and feeling of isolation. Aziz’s account has similar themes to Amir’s and can be used to further understand divorce in Brunei.

5.3.4 Aziz

Aziz was 17 at the time of interview and was born in Brunei. Before entering HoD he had lived in Kuala Belait, with his mother and is the third of three brothers. Aziz was 15 when
he came to KRK the first time. He had committed theft, robbing a store with his older cousins. He is currently three months into his second stay in KRK. Aziz indicated that he did not understand what the consequences of his actions would be stating that “at that time, I didn’t really know anything. I was with my cousins, two of them”. Aziz clarified that these cousins were older than him.

Like Jamal, Idris and Amir, Aziz had broken probation, and been returned to KRK. Aziz gave the most comprehensive explanation on why he broke probation. Aziz had a good understanding of English, but responded to questions in Malay.

AY: What kind of probation did they put you on, did you have a curfew?
Aziz: Yeah.
AY: Okay…what rule did you break?
Aziz: Because I didn’t come back home. But there was actually a reason that I forgot to tell the probation why, that’s why I was pulled back. But it was actually okay.

AY: Can we ask…the reason why you couldn’t tell the probation officer?
Aziz: My mother and father are actually divorced. After I left here, the divorce was still fresh. Then it was like, I’m actually okay if they’re planning on getting back together but the problem is… my father sells drugs. That’s why I didn’t want to live in that house. Furthermore, he controls my life; doesn’t want me mingling with anyone. I told my mom, if I could stay at my aunt’s house.

AY: So you didn’t want to get your dad in trouble by mentioning drugs to the probation officer?
Aziz: At that time, the probation was actually looking for me. When I was brought here, I was given a final warning. I was with my mother. They said okay and went to check on me and couldn’t find me. I also forgot the probation’s number because I changed my cell number. That’s why it was hard to find me. I didn’t even know they were looking for me for a long time. That’s why when I went here, my father sent me to the police station.

AY: You say your dad’s controlling your life…how is he controlling your life?
Aziz: It’s like… he tells me not to get too close with my mother’s siblings (excerpt partially translated from Malay).
This excerpt gives insight into why a young Bruneian may break probation. A lot of responsibility has been placed on Aziz by the probation officers to follow a process. Simultaneously, the actions of Aziz’s father impact on his ability to follow the process. Aziz has made choices to ensure his own safety. These include leaving the house where his father resides. Aziz highlights that his father engages in controlling behaviours. By sending him to the police station, Aziz’s father may have been controlling his son’s behaviour by using complicit Bruneian governmental systems. Control is a lens of use in unpacking Aziz’s statement and also adds an important perspective in beyond parental control cases. Finally, Aziz links breaking his probation to his parent’s divorce. He found the separation emotionally difficult to process. It disrupted his routine and living arrangements.

After he leaves HoD, Aziz would like to live with his maternal aunt. At the time of interview, he had six months left in KRK, however he had been assured that if his behaviour continued to be good he would be able to leave early. In the future he would like to be a footballer. In his description of KRK, Aziz mentioned that he would like greater opportunities to participate in woodwork, through the introduction of a workshed.

Outside of HoD, Aziz did not feel like he had anyone to talk to, and regularly engaged in truancy. Inside, he prefers to talk to the adult attendants rather than friends and spends most of his time reading. Aziz’s interview contained insights into how he conceptualised rehabilitation. Aziz felt like his behaviours were changing. He attributed this to religious education and being emotionally ready for change; “it depends on the heart, if you want to change, you’ll change”.

Aziz’s advice to others shows tensions between personal responsibility and the influence of older youth.

Aziz: Like my case, you can’t blame your friends or your cousins who dragged you along. It’s actually up to you if you want to or not. If you didn’t want to, you wouldn’t have been in here. But if you’re already following their footsteps… It’s like they say, even if you’re not a bad child but because you follow them for just a bit, you can still be influenced.

AY: You said you were being naughty. What were you doing?

Aziz: I liked running around (excerpt partially translated from Malay).

“Running around” refers to leaving the home without permission and roaming with friends around the area. This quote contains themes of rehabilitation, personal responsibility and the influence of friends. It highlights that for Aziz you cannot be a “good” person while associating with “bad” influences. He attributes no responsibility to his family members. While influence is discussed throughout the data in relation to friends, few participants discuss the negative influences families may have on behaviour. For example, Aziz entered KRK as a beyond parental control case. He was classified as such for leaving the house without permission. His father’s behaviours are not considered a negative influence on Aziz by anyone included in Aziz’s narrative. Abu’s case also adds to understandings of influence and the effect that older males can have on younger males’ behaviours in Brunei.

5.3.5 Abu

Abu was one of the younger participants and was 13 at the time of interview. He plays guitars and drums, but cannot be in his band while on remand. He was born in Malaysia. Abu lived with his parents, sisters and step-brother. He regularly engaged in truancy because he was “naughty and didn’t like to study.” Though, he also stated that he was negatively influenced by friends. They encouraged him not to attend school. Abu did not feel that there was anyone he could talk to about his friends pressuring him to engage in
truancy. These friends were his support network. He felt they were the only people who listened to his concerns.

Abu was detained in KRK for engaging in theft. He explained that his friends had pressured him into stealing.

AY: What did they ask you to do?

Abu: Stealing…Money, laptops, handphones (translated from Malay).

None of his friends were arrested, only Abu. This was Abu’s first offence. However, he knew of KRK as three of his cousins had been detained in HoD. One of his cousins had also been arrested for theft. It was unclear whether this was connected to Abu’s case.

Abu had been remanded in HoD for two months. He is yet to face trial and thus does not know how long he will stay in KRK. He gets visits from his family and enjoys playing football and ping-pong inside HoD. Abu often feels bored while in KRK. He relieves his boredom through prayer. Abu described a change in his attitude towards prayer while in HoD. “Outside, I didn’t like to pray. But here I can. I want to change myself, to learn.” This sentiment contains themes of rehabilitation. Abu has linked behaviour change to religion. Abu has talked to counsellors inside HoD.

Abu was one of two participants to raise concerns over strict disciplinary procedures in HoD.

Abu: My life here is kind of easy but troublesome too. There are a lot of punishment.

AY: Have you been punished while you’ve been here?

Abu: Yes.

AY: How did they punish you?

Abu: Push-up. The most is doing that in hundreds. And running, at least six to
seven rounds (excerpt partially translated from Malay).

Abu stated that marching is also used to instil discipline in HoD. Both HoD participants who described punishment, described practices that are non-violent. However, the use of extensive exercise routines may place physical strains on the child’s body. In contrast, Hassan experienced extensive physical violence while detained. This was not at KRK, but within a police station.

5.3.6 Hassan

Hassan was 18 at the time of interview, and was born in Brunei. His biological father is Malaysian. Before HoD, he lived with his mother and adoptive father. His biological parents were never married. Hassan’s status as a Bruneian citizen would thus be dependent on the citizenship status of his adoptive father. His siblings live in a different region of Brunei. Hassan is the youngest of seven children.

Outside of HoD, Hassan regularly engaged in truancy. He stated this was due to the influence of his friends. These same friends influenced him to steal. Hassan was first caught stealing at the age of ten. It was after this event that the physical abuse was perpetrated by CID officers.

AY: So what happened when you were caught the first time?

Hassan: They did things, like hit me.

BW: Who was the one who hit you?

Hassan: CID.

AY: Okay, so CID um, they hit you.

Hassan: Yeah.


Hassan: Eight.
AY: Eight. And with rotan or with hand?

Hassan: Metal.

Hassan indicated that he was physically assaulted with a metal bat. The abuse appears to have occurred covertly over an extended period of time. Hassan stated that he was first arrested at ten but later stated that he was 13 when the abuse was occurring. He stated that he was beaten with the metal bat approximately six times, with these events occurring every “few months”. After the physical assaults the CID officers allowed Hassan to return to his family. However, he stated that he did not feel like he could talk to a teacher or his family about this experience. Hassan said he had confided in some of his friends. Inside KRK he has spoken to a counsellor about the abuse.

Hassan also reported being physically assaulted by older males that he considered his friends. He did not give specific details about the use of weapons. However, he did confirm that he had to go to the hospital for his injuries.

AY: Have you ever been hit outside of the centre?

Hassan: Yes.

AY: By your friends?

Hassan: Yes.

AY: Ok, did they seriously hurt you?

Hassan: Yeah.

AY: Did you have to visit a doctor...

Hassan: …Hospital doctor.

As Hassan got older he continued to steal. He stated that his friends used physical abuse to bully him into stealing. He described these friends as older males.

AY: Older like, how much older?

Hassan: Like 25, 23.
AY: Oh, wow. Much older…did they get caught as well?

Hassan: No

Given that Hassan was a teenager at the time, there is a significant age difference between him and those he describes as friends. Bullying is a theme present across the participant groups. However, Hassan’s case contains the most physical abuse. Hassan’s narrative also demonstrates overlap between descriptions of friends as influencers of bad behaviours and bullying. It is common across the accounts in HoD for the participants to report that they were the only one in their group detained for the crime, while others went unpunished.

Hassan’s most recent charge was for breaking and entering into a property. He was in KRK because he did not show up to court to face these charges. Hassan stated that he did not present to court as he “was afraid of being imprisoned”. Hassan reported receiving no support from a lawyer. The decision was made by a judge, who spoke directly to Hassan, with no adult mediation.

At the time of the interview, Hassan had only been in KRK for a week. He had already had an opportunity to talk to a counsellor about his multiple assaults. Given his age, Hassan was waiting for his court hearing to find out whether he would stay in KRK or be transferred to Jerudong prison to be housed with adult prisoners. Hassan had firm views on where he would rather stay.

Hassan: Prefer here.

AY: Prefer here? Why?

Hassan: Because you can learn here and study good things.

AY: So, you’re 18, will the judge give you a choice or they decide?

Hassan: They decide (excerpt partially translated from Malay).
This quote demonstrates that Hassan recognises that rehabilitation and education are prioritised in KRK, whereas they may not be in an adult prison. It further demonstrates that Hassan wishes to further his education. Hassan had previously been detained in Jerudong prison before being transferred to KRK. Hassan stated that when he is released he wishes to live with one of his sisters. He would like to become a soldier.

The physical abuse perpetrated against a young male child by adult Bruneians, is the dominant theme in Hassan’s case. These were deliberate acts that recurred over an extended period of time and included multiple, distinct groups of perpetrators. Hassan did not disclose his abuse to anyone but his friends. These friends later engaged in the abuse. He has now told his story to a counsellor. However, this was years after the event. The silence of Hassan about his abuse is similar to that of participants from HoS. This suggests that that shame, fear, uncertainty and a possible mistrust of adults is inhibiting children from disclosing abuse. Similarly, to other accounts in HoD, Hassan described a lack of support within the justice system.

Both Karim and Hassan had been taken to Jerudong prison before being transferred to KRK. Both briefly described their experiences. Jerudong prison is designed for adult prisoners. Detaining juvenile offenders with adult offenders places juveniles at risk. Karim’s case highlights the physical risk to children detained with adult offenders.

5.3.7 Karim

Karim was 18 at the time of interview. He was born in Brunei and before HoD lived in Temburong and Bandar Seri Begawan. Karim lived with his parents and four siblings. Like others in KRK, he regularly skipped school and enjoyed hanging out with his friends. However, unlike others he felt that he had family and teachers he could talk to
and that would give him support. In particular, he felt his sister was good at listening to his concerns, “she would listen and give constructive advice like not to do this or that, but I still did anyway.” Karim was arrested for theft. He first began stealing to gain enough money to obtain narcotics.

Karim was 16 when arrested for his first offence, which is older than most other participants. He was open in discussing the offences he had committed and his drug addiction.

Karim: First offence was being involved with Shabu [Methamphetamine]. It just started as trying out the stuff with my friends. Then I tried it out and…I was addicted. Then there was the issue with finance. My friends would tell me to go steal so we can get more Shabu. After a while I just stopped going back home and stayed at my friend’s house. My friends took me in but they said if you get caught, you leave us out; and I agreed. But after some time, after a lot of thinking, I decided to stop. I tried coming back home and they accepted me. I tried looking for jobs when one day out of the blue, police came to the house. I heard a knock on the door, got up and opened it. They asked, ‘Who’s Karim?’ and I said, ‘That’s me’, and they said ‘come with us’, and I didn’t know what was going on. They asked me, ‘what did you do last night?’, so I told them everything that I went out in the morning and came back home at night. I looked out, and I saw one of my friends inside…the police car. The police asked, ‘did you steal anything….?’ and I said no. Turned out my friends were stealing…and they told the police that I was with them. So on January…I wasn’t brought here yet. I was brought to the prison in Jerudong first, then here (translated from Malay).

Karim’s friends in this quote are older, ranging in age from 18 to 22. Karim added that the 22 year-old had also been detained but had been released. Karim implies that he did not commit the offence he has been detained for. While he has previously been involved in theft and drugs, he was not with his friends during the specific event at Kampong Mata-Mata. The influence of friends is a strong theme in Karim’s narrative. His friends first introduced him to Shabu. Once addicted, they stole to obtain enough money to gain more Shabu. His behaviour led to him running away from home and living with his friends. Leaving the house without permission is seen as disobedient behaviour in Brunei, that in itself can lead to a child being detained in KRK.
Upon his arrest, Karim was detained in a prison that houses adult inmates.

AY: How old were you when you were taken to Jerudong?

Karim: 16

AY: Do you know why they transferred you from Jerudong to here?

Karim: Yeah, I was sentenced to a year and four months there. We filed an appeal, hoping for a more lenient sentence, of which we had to pay $200, but leniency wasn’t given. I went for trial...and the verdict was to have me transferred here because I was underage (translated from Malay).

Karim’s timeline suggests he was detained for around 18 months in Jerudong before facing trial. Jerudong does not provide specialised care for juveniles. He was detained in the same space as adult prisoners. His appeal came with a fee. This fee may discourage those in poverty from filing an appeal. Karim provided more details of life within Jerudong.

AY: If you had a problem in Jerudong, were there counsellors that you could talk to?

Karim: They do have counsellors but they’re really hard to meet.

AY: Did you have lessons or activities while you were there?

Karim: They have religious classes every Monday and Thursday and they’ll only let you do some activities when you’re in the three months before your release (partially translated from Malay).

This suggests the focus of imprisonment in Jerudong is less about rehabilitation. While educational opportunities were offered, they were only available to those about to be released.

Karim was forthcoming about his addiction. He first tried the drug at 15 when his family relocated to Bandar Seri Begawan. Initially, he had found it easy to obtain Shabu.

Karim: They give it to you for free, to sample on. So at first you take in little doses then it gradually increase. When you’re so used to taking in big doses you can’t be satisfied with little doses. You can’t afford them anymore. We didn’t have money, we didn’t have jobs, so it was really hard.
Those distributing the Shabu appear to be engaging in deliberate behaviours to promote addiction. Karim stated that he had addressed his addiction before his arrest. He had not been offered treatment for his addiction through KRK. However, he reiterated that this was because he had addressed the addiction himself, outside of KRK.

Karim has earned the privilege of visits from his family. He explained that privileges are linked to a grading system. The grading system is determined by behaviour and length of time spent in HoD. The grades of inmates are displayed on their green uniforms.

Karim: The grading system here depends on whether or not your performance is satisfactory. When you first come here, the first three months is the trial period and you will not be given grades. Your grade will remain zero. In the fourth month, then you will advance to grade 1 then in six months grade 2 (translated from Malay).

He has made friends in KRK and in his spare time in the centre he plays indoor games like chess and prays. Karim’s faith has deepened since entering HoD.

Karim: When I first attended class here, I didn’t know one letter of Jawi. Then they taught us how to pray and the prayers then it got better. Back then praying was a chore. But after a while, you become more sincere in praying. When you’re stressed, just go to pray. Pray and say Zikir (translated from Malay).

Karim’s quote suggests a lack of engagement with Islam before HoD. Ugama education, including Jawi, is compulsory for all Muslim Bruneians. Thus, Karim would have been required to attend classes. His description highlights that his appreciation of prayer deepened through repeating the act. He now uses it as a form of stress relief.

Karim was concerned about the punishments handed in HoD. He stated that punishment was likely if you made a mistake while completing a task. Those in HoS had also described participating in assigned duties, however they had not spoken of consequences for not completing the duties.

Karim: You know we have shifts here, right? Where we are assigned tasks. The slightest mistake will get us punished.
AY: Ok. What type of punishment?

Karim: Punishments like to roll over. You have to keep doing it until they tell you to stop.

AY: And what type of things do you get punished for?

Karim: Like for not cleaning up littered areas.

AY: What was it like in Jerudong? Were you punished for littering there too?

Karim: You’d have to cause a stir there to be punished. Like fighting with the other inmates. They will increase your period of stay like an extra month.

AY: You were 16 when you were in Jerudong. Were you with adults or were you with other people your age?

Karim: Older. Adults. All of them were older.

AY: And that was okay? They didn’t fight with you?

Karim: Some did. But if you fight back, of course you’ll lose (partially translated from Malay).

Karim’s case demonstrates the risks to juveniles when detained with adult prisoners. Karim was exposed to physical violence. He managed his safety through submitting to the violence, rather than fighting back. The discipline dispensed by staff in HoD appears from Karim’s description to be non-violent. Again, it adds to the understandings of how rehabilitation is enacted in KRK.

At the time of interview, Karim thought he may be released in a month. He was not sure what he wanted to do in the future, but did want to return to live with his family. He was worried however that he would fall back in with his old friends. His advice to other Bruneian teens was to not try drugs, and if you had already tried them, to stop.

Karim’s story demonstrates the effects of drugs on the life of a Bruneian teen. His addiction was fed by poverty and in turn led him into greater financial difficulties. A
number of the participants from HoD mentioned stealing, yet Karim is the first to link it to poverty.

One positive to come out of the interviews with those from HoD was the effect that Islamic teachings and counselling had on their mindsets. This was judged from the self-reporting of the participants. In detention, the participants often reported feeling bored, and found that prayers offered some relief. A few reported that they did not wish to attend Islamic classes when they lived outside but their attitudes had changed inside HoD. All participants from HoD regularly engaged in truancy outside of the centre. The inability to miss lessons has led to the residents having to participate in classes.

5.4 Summary of main themes and conclusion

The participants in KRK consisted of those from HoS and HoD. While managed as distinct groups by Bruneian governance structures, similar themes emerged from the participants’ narratives, suggesting that both groups have similar vulnerabilities. All children included in this section had resided in the institutional facility. The justification for the deprivation of liberty is contestable. The use of institutional facilities to care for those in need of protection has been critiqued. UNICEF (2004) and Save the Children (StC, 2009) have recommended that countries move away from institutional care, citing concerns over the viability of the response and its congruence with children’s rights (Embleton et al., 2014). International standards contain guidance that institutional detention should be a measure of last resort, used only for serious crimes (United Nations Office on Drugs and Crime & UNICEF, 2006). None of the children in HoD had committed a violent offence. Congruent with international trends, most of the children in detention had committed theft, drug offences, or were detained for status offences (United Nations Office on Drugs and Crime & UNICEF, 2006). Beyond parental control
cases can be classed as status offences, as they consist of offences that when committed by children result in intervention, but are not considered offences when adults participate in the same activities (CRIN, 2009). Mahmud’s case highlights that there are processes present to support community-based care in exceptional cases.

KRK isolates children from the Bruneian community. In the centre, children spoke of isolation. For those in HoS, they found it difficult to make friends with the other residents. They did however find comfort in speaking to the adult attendants in HoS. Conversely, those in HoD did not find it difficult to make friends. Both groups reported feelings of boredom. Isolation was combatted for those in HoS with fieldtrips and by attending lessons at schools outside of the centre. Isolation was mediated by family visits in both facilities. However, these are classed as a privilege in HoD, and must be earned through conforming to behavioural standards. Behaviour is regulated in HoD through punishments. This suggests a conflation in the conceptualisation of rehabilitation and discipline by management. Two participants described the punishments as harsh. Punishments were handed out for failure to complete duties. Duties, such as cleaning, are also undertaken by those in HoS. Duties in HoS may be used to instil discipline and responsibility, or could be viewed as establishing a routine. Both those in HoS and HoD reported having their basic needs met, in terms of food, clothing and leisure time. Mira’s case highlighted that these basic needs are not always assured outside of KRK. Both groups also had access to education, including religious education. In this way, the centre offers protections to the children. Outside of the centre, children described participating in truancy.

Participants were asked to describe their families. The use of informal adoption practices were noted in Faiza’s case. Adoption was used as a protective measure by her
grandparents. A high number of the participants described living in divorced, remarried or adopted families. These family structures do not necessarily make children any less safe. However, where the children live and whom they live with, does impact on their lives. Negative stereotypes about single mothers and divorce were noted in participants’ accounts contained in chapters seven and eight. These stereotypes may lead to social exclusion for children living within these family structures. Some parents described by this cohort were Malaysian. This may have implications for citizenship and informal supports offered to the children.

Beyond parental control cases provide an insight into how childhood is understood in Brunei. This category of offence is unique to children and sits within narratives of disobedience and parent/child relationships. The behaviours described that were classed as beyond parental control included leaving the family home without permission. The act of leaving the house could be viewed as a child undertaking a protective act to ensure their own safety. For example, Mira described leaving the house to escape her abusive brother. However, for those classed as beyond parental control cases this is classed as an offence. In Aziz’s case, he did not wish to live with his father, who was involved with drugs. After leaving the house, Aziz was brought to KRK by his father, who Aziz labels “controlling” and handed to authorities for breaking probation. In beyond parental control cases, parents have power over their child. This power is sanctioned by the juvenile justice and child protection systems in Brunei, systems of power controlled by adults. Viewing beyond parental control cases through the lens of neglect and emotional abuse, may assist in further understanding the phenomenon. This lens may allow understandings to be aligned with the child’s perspective. Understandings may be furthered by examining the practice through Islamic teachings on the responsibilities of Muslim parents towards children and vice versa. These cases fit within wider narratives of child and adult
interactions. Mistrust of adults was identified. Children were also reluctant to communicate abuse and worries to adults. This ensured they were lacking formal and informal supports.

A positive theme that emerged was the role Islamic counselling played in the lives of the children. For the majority it acted as a comfort and added normality to their lives inside the centre. Children used prayer as a meditative tool to instil calm and relieve boredom. For those in HoD, it was seen as an instrument for behaviour change. The children understood rehabilitation as a process of internal change, which involved taking responsibility for actions. Actions included not being influenced by “bad” friends. Participants who attended the Mosque Youth program, presented in chapter seven, similarly implied that associating with bad influences made you a bad person. However, family influences as “bad” influences were not discussed. The dichotomy of “good” and “bad” is used by children throughout the research to explain behaviours and society. Both categories are rooted in Bruneian morality. One of the strongest themes to emerge was the influence of friends. Especially in HoD, truancy and being coerced into behaviours was linked by participants to the influence of friends. These friends did not face the same consequences as the participants.

The research explored government processes experienced by children. Information was gathered on adoption cases, juvenile justice and child protection. Mahmud’s case highlights flexibility in process to adapt to the needs of the child. However, Hassan’s case can be used to demonstrate the risks to children when process is not followed. The police officers that arrested Hassan did not follow process and instead handed down informal justice, which resulted in physical assault. A further example of not following process
was in the detention of juvenile offenders in adult prisons. Again, this is a practice that placed Hassan and Karim at risk, as violence was witnessed while in the adult facility.

The participants from KRK represent children at the tertiary end of the child protection system in Brunei. Their lives have been impacted upon by intervention by the government, either for their own protection, or to engage in a process of rehabilitation. In either circumstance, they have been separated from the community. However, their narratives are connected through common themes to children throughout Brunei. Hassan labelled the physical abuse he suffered at the hands of his friends as bullying. Participants from YSHHB and schools also described bullying. The descriptions of bullying in the other participant groups do not contain the same levels of violence. However, they can be used to construct a narrative, intersecting across case groups. Similarly, cases from HoS demonstrate extreme cases of violence perpetrated by males against female children. Participants from other cohorts reported feeling unsafe around males, and specific incidences of being chased, demonstrating a narrative of gender and violence that crosses participant groups, with extreme examples in KRK. Identifying narratives that span children’s specific circumstances, is an important aspect of the research. Once narratives are identified, their roots in Bruneian cultural beliefs can be examined. The following chapter examines the themes raised by participants from YSHHB and the overlap with themes presented in this chapter.
6.0 Yayasan Sultan Haji Hassanal Bolkiah Foundation

6.1 Introduction and context

The YSHHB foundation funds religious, welfare, and education programs throughout Brunei. This program aims to provide those in need with extra tuition and financial assistance. The program focuses on a different cohort of children in need each year. For example, one year the program may recruit children who live in poverty. No definitions were given on how poverty or educational disadvantage were measured by the program. Despite targeting different categories of children in need, the program is administered in the same way for all children. Research for this thesis was undertaken with participants attending an education program run by YSHHB.

The YSHHB program provides tuition assistance to the child attendees. Extra classes with volunteer teachers are held on Sunday mornings and over weekend camps. Children are collected from meeting points in their villages and taken to a school in their district. They are provided with food and transport. Children living in poverty may have difficulty accessing transport or food. Thus, the program ensures they have transportation to lessons and access to food while attending lessons. The lessons mirror those taught in schools. The program also incorporates marching practice, sports, religious education and counselling. While Ugama lessons are not taught, children are given time for prayer. They are also given motivational talks from speakers, described as “motivational experts”. These talks incorporate Islamic values. To deepen understandings of the program, teachers from the program were interviewed. Their accounts are included in chapter 8. The teachers described the role of the motivational expert as also one of counselling. Each student is assigned their own motivational expert, who they are encouraged to speak to if they have problems. If a student reports having difficulties, the motivational expert mediates between the parents and children.
Research was undertaken at two locations used by YSHHB, one in Tutong and one in Bandar Seri Begawan. The main themes to arise from the participants’ accounts are summarised at the end of the chapter. Areas of commonality with the themes in other participant groups are identified.

6.1.1 Participants

In total, 28 child participants from YSHHB were interviewed. Children in this group demonstrated their agency within the research process. They were encouraged to participate in a way that they were most comfortable with. Thus, some elected to be interviewed individually, while others preferred to be interviewed in. Three participants were interviewed individually. An overview of their demographics can be seen in table 5.

<table>
<thead>
<tr>
<th>AJ</th>
<th>AJ is a 17 year old male. He is from the Tutong area and was born in Brunei. He is Bruneian, Malay and Muslim. AJ had previously engaged in truancy. He had made friends through the program and felt the program had helped him.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Citri</td>
<td>Citri is an 18 year old female. She is from the Tutong area and was born in Brunei. She is Bruneian, Malay and Muslim. She has not engaged in truancy. She plays a leadership role within the program.</td>
</tr>
<tr>
<td>Abell</td>
<td>Abell is a 16 year old male. He is from Brunei-Muara district and was born in Brunei. He is Bruneian, Malay and Muslim. Abell has not engaged in truancy. He made friends through the program and felt that program had helped him.</td>
</tr>
</tbody>
</table>

Translators were used in all interviews with this group. Participants switched from Malay to English through interviews. Those who participated individually have been included in a separate section of the chapter. They have been presented individually, as they spoke at length on topics of interest to them. Their descriptions of family life contextualise their views. Those interviewed in groups spoke less about their family lives. They instead focused on wider aspects of Bruneian life. An overview of the participants interviewed in groups can be seen in table 6. They ranged in age from 15 to 18 years old. A total of 25 participants were interviewed in small groups. An overview of the participants who have been directly quoted in text can be seen in Table 6. Of those who participated in group
interviews nine were male, and 16 were female. The majority were from Tutong, were Malay and Muslim.

*Table 6: YSHHB Group Interviewees*

<table>
<thead>
<tr>
<th>Name</th>
<th>Gender</th>
<th>Ethnicity</th>
<th>Religion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aala</td>
<td>Female</td>
<td>Malay</td>
<td>Muslim</td>
</tr>
<tr>
<td>Hilmi</td>
<td>Male</td>
<td>Malay</td>
<td>Muslim</td>
</tr>
<tr>
<td>Haziq</td>
<td>Male</td>
<td>Malay</td>
<td>Muslim</td>
</tr>
<tr>
<td>Aqil</td>
<td>Male</td>
<td>Malay</td>
<td>Muslim</td>
</tr>
<tr>
<td>Abeera</td>
<td>Female</td>
<td>Malay</td>
<td>Muslim</td>
</tr>
<tr>
<td>Nia</td>
<td>Female</td>
<td>Malay</td>
<td>Muslim</td>
</tr>
<tr>
<td>Mahasin</td>
<td>Female</td>
<td>Malay</td>
<td>Muslim</td>
</tr>
<tr>
<td>Bagaskoro</td>
<td>Male</td>
<td>Dusan</td>
<td>Free-thinker</td>
</tr>
<tr>
<td>Bagus</td>
<td>Male</td>
<td>Dusan</td>
<td>Free-thinker</td>
</tr>
<tr>
<td>Ajij</td>
<td>Male</td>
<td>Dusan</td>
<td>Free-thinker</td>
</tr>
<tr>
<td>Bulan</td>
<td>Female</td>
<td>Dusan</td>
<td>Free-thinker</td>
</tr>
</tbody>
</table>

All those who participated in-group interviews were born in Brunei. As can be seen from the table, there were significant numbers of the Dusan Indigenous group included in this case group. The Dusan reside largely in the Tutong area, where the majority of the participants were recruited. Dusan describe their religion as “free-thinking”, thus that term has been utilised. Free-thinker refers to the Dusan Indigenous belief system that is Animist in nature.

These interviews were conducted with participants in groups numbering between three and five of the same gender. Participants chose their own groups and were with those they considered friends.

Whether interviewed in groups or individually, common themes were identified across the accounts of YSHHB participants. As the program was what united the participants, its effectiveness was a theme of all accounts. Children discussed the motivational talks, classes and social aspects of the program. Children spoke of their relationships with their parents. Some went to their parents for comfort and advice, while others stated that they found it difficult to communicate with their parents. The negative influence of friends
was discussed, as was associated topics such as smoking and loitering. A final theme that crossed all interviews was religion. Those who were Muslim gave examples of how they lived their faith. Two participants spoke passionately about how Islam is lived and understood by their fellow Bruneians. However, there is also a proportion of children who are non-Muslim who attend the program. These Indigenous Bruneians had difficulty identifying specific religious traditions practiced by the Dusan cultural group.

6.2 Individual Cases

The narratives provided by those interviewed individually differed in structure from those interviewed at KRK. Participants from KRK spoke at length about their own experiences. Thus, life-stories could be constructed. These individuals spoke less about their own lives and more about the program and society in general. Thus, while a sense of their life-story can be constructed, a lineal narrative cannot. Instead, their cases are presented thematically. The themes discussed are contextualised by descriptions of family life unique to the individual cases.

6.2.1 AJ

AJ was 17 at the time of interview. He was born in Brunei and lives in Tutong with his grandparents, parents, brothers and sisters. AJ regularly engaged in truancy and feels that this practice is common for Bruneian teenagers. Influence of others was a present theme in AJ’s narrative. He spoke of how his family and siblings had almost led him astray.

AJ: There are eight of us and I’m the fifth. I have three sisters. All…of them didn’t get to year eleven and only made it to year nine…My brother, he was actually doing very well in school but when he was in year nine he was mixing with the wrong friends and ended up being pretty bad in school. He failed…and ended up quitting after trying for two years. And then my sister…you know what happens when girls start meeting boys; it’s the same with her. She went with a boy. And the worst of all is my younger brother….He was retained in year seven for two years until he decided to quit school. He was tired of school. We did talk to him saying things like how will you get a job if you don’t finish school but he would talk back. So my family is not that good…I actually have my own problems but Alhamdulillah from all the motivational talks and support from the teachers I have improved…. My teachers said to me things like, “if your family is already having
problems don’t add to that problem making things worse”…Besides we’re not well off (translated from Malay).

This quote highlights that despite education being compulsory in Brunei, dropping out of formal education still occurs. Educational drop out is linked in the quote to the negative influences of friends and failing classes. Addressing the needs of those failing is an aim of the YSHHB program. A further theme is gender. AJ describes his sister as associating with young males. He associates this behaviour with educational drop out. Finally, AJ praises the motivational aspects of the YSHHB program and the effect it has had on his behaviours.

AJ’s discussed the impact of poverty on his family, and parents’ behaviours.

AJ: My parents… like my brothers and sisters. Their problems too are results from bad parenting. …With my parents, not only are we financially lacking, our parents don’t even pay attention to us. They don’t care about our needs plus I don’t get along with my parents. I get along better with my aunt. So if I needed anything, I would go to them [aunt’s family]. … And it’s sad with my brothers and sisters. I mean, the family is already a mess and they can’t even think for themselves. They follow their friends and their bad influence. But then again those influence you cannot completely blame others for it. It’s also your own fault. If a friend is setting a bad example it is up to us to think of the risks (translated from Malay).

This was a rare instance of a child being critical of a parent in the data. AJ also highlights the importance of extended family in Brunei and the informal supports offered when children’s needs are not met by immediate family. AJ’s quote highlights an awareness of behaviours that are deemed as unacceptable in the Bruneian community, such as leaving the house without permission. These behaviours can lead to children being placed on beyond parental control orders. The influence of friends was a strong theme throughout AJ’s interview. He spoke further of the influence of his own friends in his life.

AJ: I’m actually not picky with who I be friends with even the naughty ones. To be honest the naughty ones are actually good friends. They may be extremely naughty, they smoke and they leave home but if they see me being stressed or upset they’d try to console me bringing me along in their ‘activities’ saying, ‘this is good, this is fun’. Of course they aren’t good activities so it’s up to me to decide. To me the best way to cool off from problems is to talk about it to someone. Don’t succumb to temporary relief. (translated from Malay).
This quote sits in difference to the majority of others containing the theme ‘influence’. AJ is able to disassociate the behaviours of his friends from the individuals themselves. Most other participants’ conflated “bad” behaviours with “bad” individuals, implying they could not associate with a person engaging in bad activities as this would also make them a bad person, unless they were trying to reform the individual engaging in bad activities. Conversely, AJ saw that people who were bad influences could still be good friends, and offer support.

Throughout the interview, AJ referred to “my problems”.

AJ: Actually, my problem isn’t that serious it’s just that I was lazy and short tempered. I try to fight my temper by doing ablution and talk to people and do something good that can take my mind off it. But most importantly you must never play a stressful video game when you’re angry (translated from Malay).

AJ’s strategy to combat his laziness was through identifying someone he admired and using them as an aspirational role model. These strategies to combat anger and laziness may have been suggested through the motivational sessions held at YSHHB. AJ spoke passionately about the motivational speakers. He has aspirations to become an Imam or a photographer. He credits the motivational talks for changing his behaviours.

AJ was the participant who spoke most about the implementation of the SPCO. He was in favour of the penal code and contrasted the punishments contained within it to those offered in Bruneian civil law. His comments gave insight into the Bruneian communities’ attitudes towards the SPCO. AJ saw this introduction as the Sultan’s greatest achievement. AJ thought individuals engaged in immoral activities, as they did not believe that the law existed.

AJ: With the Syariah law, many of the people are saying “that cannot be real”, and they still do it….They don’t believe that the government has actually implemented the Syariah law. And some of them disagree with the law. But…the Syariah law is actually fair. Take for example, caning. Caning in civil law is much more brutal
than caning in Syariah law. They’re so much more painful because they don’t provide a covering layer on the skin whereas Syariah law does….Bruneians right now, they feel that the Syariah law is unlawful. So what they focused on was the difference between worldly law and Islamic law. Man - made law, worldly. So if it was you, which would you choose? Man - made punishments like caning where the person holding the cane is someone who is….big. Three strikes can make the person lose consciousness. Imagine how bad it’ll be with 10 strikes without any coverings above the skin. And then the Syariah law. True execution is done in front of a crowd… so that the accused could reflect on his wrongdoings….And the way they strike is different to civil law… So we need to be reminded that the Syariah law is a law made by Allah and it is much more lawful than any law created by men (translated from Malay).

AJ’s understanding of the SPCO is that it is the enforcement of laws outlined in Islamic jurisprudence, with a focus on punishment. At the time of interview, the first phase of the SPCO had been introduced. The aspects relating to executions that AJ highlights were yet to be introduced. AJ’s description of the attitudes of other Bruneians towards the laws suggests that his views are in a minority.

Despite being critical of his parents’ behaviours, AJ spoke of the need for Bruneian youth to respect their parents. He later stated that he only talks to his father once a month. This demonstrates a complexity in the theme of parent child relations in the narrative. Like those in HoD, AJ demonstrates a tendency to have difficulties in communicating with his parents. However, he has other informal supports in the community.

The YSHHB program appears to have supported AJ and assisted him in becoming a mentor for younger students. AJ’s story demonstrates the merits of combining a secondary intervention program and Islamic motivational talks and could be a model useful in other contexts. The motivational speakers who work within this program also work in the Mosque Youth program and government schools in Brunei. However, descriptions of the motivational speakers highlight that they work both with the student and with the family. While AJ spoke of great changes in himself, he did not identify any changes in his family’s behaviours. AJ spoke at length about Islam, as did Citra.
6.2.2 Citra

Citra is an 18 year old from Tutong. Like AJ, Citra focused far less on herself and more on family life, Islam and social trends in Brunei. She had recently become more interested in Islam and begun attending Mosque Youth. Both her and AJ were worried about the effect Western culture was having on Bruneian teenagers.

Citra: I think that the decline in religious life, the secularisation. I am really worried about that actually. Because many teenagers….they don’t really hold up to their faith anymore…They have been influenced by the Western cultures.

AY: Okay, so why do you think your faith is so strong?

Citra: Actually, I was one of those people…But then…I met…with some people from the Mosque so…that is how I restarted my life. Going back to Islam….It was quite recent actually…I have friends who are members of the Mosque Youth and then they invited, they call them sisters, yeah they invite the sisters to our school the other day so…they deliver the talk to us. It is like a motivational talk. So that is how I started to be friends with them. But…I don’t really go to Mosque…I only go when there are some activities.

AY: So your friends go to Mosque Youth?

Citra: Yeah, actually you don’t have to stay in the mosque actually to be a member…just well for women, we are not really encouraged to go to mosque so it’s mostly when we have turned up to something then we will go there.

Participants from Mosque Youth have been included in this study. Their accounts are included in chapter 7. Citra’s assertion that women are not encouraged to go to mosque has implications for female participation in Bruneian society. The mosque is an important social institution.

Again, Citra’s account contains themes of personal reform and highlights the value the children place on motivational speakers. The motivational talks are used to change behaviours through emphasising Islamic values. Citra felt that changes to the way Ugama education is approached, would challenge secularisation in Brunei. She critiques the teaching techniques used in the classes, highlighting that they use rote learning and memorisation. The majority of students cannot speak Arabic and thus Citra argues, do not
fully understand the meaning behind what they are reading. Citra felt that improving Ugama education would emphasise to Bruneian children that Islam is a way of life and help them to apply Islamic values in their lives. She would like to see changes to teacher training, to improve Ugama education. Similar critiques of Ugama education were offered by participants in chapter 8.

Citra discussed family life and Bruneian life. She gets angry that she sees so many in Brunei being “ungrateful” for aspects of Bruneian life, such as free healthcare. This idea was also brought up by AJ. Citra also saw a cultural generational gap between Bruneians in her generation and that of her parents. She felt that they think about things differently and this makes it hard to communicate, especially in her own family.

Citra: We have issues especially about feelings. We aren’t really open, well I’m not really open with my parents about the way I am feeling at school so most of the time I just talk with my friends. I can’t really talk with parents the way I talk to my friends. So that is mostly what I encounter with my parents… my siblings as well but because I am the youngest all my problems…they use it against me sometimes…so I am the victim there.

Citra did not give details on what she meant by being a victim. Citra’s quote further adds to understandings of parent and child relations in Brunei. Citra is able to confide in her friends, demonstrating the importance of this social support in the lives of young Bruneians.

6.2.3 Abell

Abell is 16 and was born in Brunei. He lives in Brunei-Muara with his parents and sisters. Abell was able to discuss his concerns with his parents in some instances. However, like AJ and Citri he would feel more confident in confiding in his best friend. Other problems, like bullying, he would talk to a teacher at school. He identifies as Muslim and would talk to an Imam or Ustaz if he needed guidance. He attends the YSHHB program because “I
want to build friendship with everyone to gain success and teamwork”. So far, he feels that the program has helped him in these aims.

Abell stated that he sometimes felt unsafe in Brunei. He does not feel safe around the city centre, because of the Indonesian migrant workers. Fear of foreign males in public space was a concern for young females in KRK. Abell is the only male participant to voice this fear. He was concerned over the “inappropriate” behaviours he saw exhibited by other Bruneian young people. To combat these behaviours, Abell would “tell their parents to keep guard on them so they don’t do those things.” This sentiment places the responsibility on parents to keep children inside of the home.

Abell, Citri, and AJ’s cases deepened understandings of the YSHHB program and the attitudes held by children towards Bruneian society. While the participants in KRK spoke largely of their own experiences, these participants provided commentary on Bruneian society. However, AJ’s account also gave insights into his family life. AJ was open in speaking about the behaviours of his parents and siblings. He identified that his parents do not meet his needs and that he has difficulty communicating with them. Citri also finds it difficult to talk to her parents. Both participants spoke passionately about Islam and the positive effects of the motivational speakers from YSHHB. This raises questions of how suitable the program is for non-Muslim children. The group interviews included participants who were non-Muslim and Muslim, enriching understandings of the YSHHB program and non-Muslim children’s lives in Brunei.

6.3 Group interviews
The group interviews utilised the same core questions as those used for individual participants. Of interest to the research was how effective participants felt the YSHHB
program to be. 24 of the 25 participants had made new friends through attending the YSHHB program. 21 of the participants stated that it had helped them academically. This suggests that the YSHHB program is valued by children. However, conclusions on the long-term effectiveness of this intervention cannot be drawn from the data collected. The children were open in discussing truancy. Ten stated that they had never engaged in truancy, while 15 had to some extent. Few participants gave reasons for this behaviour.

Participants spoke of societal issues that cause them concern. These included theft, bullying, smoking and loitering. Bullying was only mentioned by female participants and may be one reason for truancy. When experiencing bullying, children turned to teachers at school for support. Children like Aala also sought support by posting about their experiences on social media.

AY: So if you did have a problem, say someone bullied you at school or said something mean. Who would you go to, to talk about it?

Aala: the internet…you can post (translated from Malay).

Social media and technology use was a minor theme across all case groups. However, this quote demonstrates its use as a tool for child participation. Aala continued that she found posting on the internet a useful support strategy when engaging with difficult situations. Hilmi saw stealing as a problem in Brunei, however he stated that no one had stolen from him.

Hilmi: Stealing

AY: Okay. Have people stolen from you?

Hilmi: No…Go ahead and try, I’ll punch ‘em in the face (excerpt translated from Malay).

This was the only reference to physical violence in the YSHHB interviews. Smoking and loitering, were also viewed as negative behaviours that concerned children. These
constitute behaviours that could place a child on a beyond parental control order in Brunei. However, one group of young males viewed loitering differently.

AY: What is a not so good thing about living in Brunei?

Haziq: The rules.

AY: Like what kind of rules?

Aqil: Like about loitering about an area. Like sometimes people don’t really…

Haziq: Care, simply care.

Loitering was associated with young males throughout the data set. The five males taking part in this interview did not see loitering as a social concern.

In contrast to those from KRK, the majority of YSHHB participants stated that they would seek comfort and advice from their parents. When asked why they attended YSHHB, participants stated that it was their parents who had put their names forward. Six children stated that it was their own decision to join the program, showing a level of agency. All children who participated in the group interviews stated that their biggest worry was exams. Addressing this worry could be why children voluntarily apply for the program. The children from YSHHB found the questions posed challenging to answer. In some instances discussion occurred though little data was collected. An example can be seen in the exchange below.

AY: And if you were Sultan for the day, how would you change Brunei?

Aala: Wow awesome!

Abeera: Interesting question.

Nia: There is so much, I’m too eager to think.

Mahasin: It would be fun….

Abeera: Yeah, but what would you do?

Mahasin: I don’t know, but that would be so much fun (excerpt translated from Malay).
This question was useful in starting discussions on Bruneian life with other case groups. However, those from YSHHB found such questions challenging.

Islam plays an important role in the motivational talks incorporated into the program. It does however raise questions of the applicability of the program for non-Muslim children. Non-Muslim participants are required to wear the same uniform as Muslim students. Females are required to wear a Tudung while males are required to wear a Songkok. Requiring children to wear religious dress incongruent with their identities, may affect a child’s sense of self. Dusan children were not required to attend religious prayer. However, no alternate activity was given to the children who did not attend prayer. The experiences of the Dusan children who participated in the group interviews provided data on experiences of Indigenous life in Brunei.

The Dusan children had difficulty answering questions on religion. Some were uncertain of what to label themselves, as can be seen from the exchange below.

AY: What religion are you all?
Aqil: Islam.
Bagaskoro: Free-thinker.
Haziq: Muslim.
Bagus: Not sure.
Ajij: [to Bagus] You are a free thinker.
Bagus: A free thinker
Bagaskoro: [to Bagus] Are you seriously a free thinker?
Bagus: Yes.
This exchange also demonstrates that religion is not often discussed by young Bruneians, as there is surprise amongst the friends as who subscribes to which religion. Most could not give an example of “beliefs” or “rituals” that were Dusan. This reflects how the Animist religion of Indigenous groups in Brunei is conceptualised, as there are not the formalised structures present in religions such as Islam. Free thinker is a term often used by Indigenous groups in Brunei. Bulan’s comments below show her understanding of the term:

AY: Okay so free thinker is?
Bulan: No religion.

The inability to answer the question on “how you live your religion everyday” points to a holistic belief system, where parts of life are not characterised as “religious”. For example, Adiratna gave “we follow our parents” as a response to how Dusan children practice religion. This comment reflects sentiments present in Islam and amongst the Chinese students interviewed. Islam is also a holistic belief system, however all Muslim children interviewed gave specifically religious answers, such as praying. In fact, this was bemoaned by some participants who wished that Islam was taught more holistically in Ugama schools.

All the children who identified as Dusan and free thinkers were from the Tutong area. Tutong had suffered severe flooding in the previous year. Thus, this group were also the only group to identify natural disasters and flooding as something that makes them feel unsafe in Brunei.

6.4 Main themes and conclusion
Common themes were identified across the accounts of participants interviewed individually and those interviewed in groups. Those interviewed individually provided
more detail in response than those interviewed in groups. However, the group interview format allowed more participants to participate in interviews. It also redressed some of the power imbalances between the interviewers and interviewees. When individuals were interviewed, there were two adult researchers present. Two adult researchers were also present in group interviews, however the number of children was greater and thus the power differential lessened to some extent. Both interviewing formats produced useful data. Thus, their inclusion has enriched the research.

Participants discussed the program and the effect it had socially, behaviourally and academically. The majority of participants reported making friends in the program. Friends can be an important social support for young people. Creating social support was not an explicit aim of the YSHHB program. However, the positive and negative influence of others is a component of the motivational talks. Therefore, it is assumed that children making friends with those who have also attended the motivational talks will assist them in being influenced by those judged to be positive role models. The educational component of YSHHB is valued by the participants. All spoke of their worries about exams. Extra tuition can assist in allaying these worries. No participants spoke of the program meeting their basic needs in terms of food or transport. The final component of the program is the motivational talks offered as a form of Islamic counselling. AJ’s case highlights the value he places on the motivational speakers and identified changes it has had on his behaviour. Similar themes were emphasised through the rehabilitation program in HoD. AJs case had some similarities to those from HoD, especially in terms of family life. Thus, it was of interest to the research to ascertain how the motivational speakers included the parents and siblings into their work. This was a stated practice of the motivational speakers, given by a teacher working in the program in chapter 8.
However, there is no evidence of the motivational speaker working with anyone but AJ in his account.

Religion was a theme discussed by all participants. Those who were Muslim all gave examples of how they lived their faith daily. The majority stated that they prayed or read the Qur’an. In her interview, Citra spoke of the need for reform in Ugama education, to ensure young Bruneians are engaged in the learning of their religion. Those in group interviews did not give more than one word responses on how they lived their faith. This may demonstrate a lack of deeper engagement with Islam. Female participants from Mosque Youth and private secondary schools raised similar concerns to Citra. Their commentary can be seen in chapter 7. Both Citra and AJ perceived Bruneians to be lacking an understanding of Islam and implied that behaviours they view as social issues would be addressed with an increase in religiosity across the population. AJ tied this concept to the SPCO. His interest in this change in Bruneian law demonstrates an engagement of youth with wider changes in Brunei society. Participants who provided a non-Muslim perspective on the SPCO have had their voices included in chapter 7.

The Dusan participants provided a non-Muslim perspective on Bruneian life and to a lesser extent, the YSHHB program. None explicitly stated that they felt included or excluded from the program. The majority stated that the program had assisted them academically. They were also interviewed in groups with Muslim students who they identified as their friends, suggesting they are not socially segregated. However, the Islamic values that underpin the program may reduce the effectiveness of the program for Dusan attendees. The Dusan children were observed not participating in prayer times. Further, none mentioned the motivational speakers as a source of support.
Themes identified in the cases from KRK recurred in the YSHHB data. These included truancy, the influence of friends, parent child relationships and social exclusion. The following chapter explores the recurrence of these themes amongst school children. One male participant identified feeling unsafe around Indonesian men. This is a concern echoed by female participants from KRK and those who attend private secondary schools. The influence of friends and its association by participants with smoking and loitering, is again explored in the following chapter.
7.0 Educational institutions

7.1 Introduction and context

This chapter has a focus on children attending the Mosque Youth program, private secondary schools and a government primary school; all of which are educational institutions. As established in the literature review, Brunei has a diverse history. The interviews in this chapter reflect this diversity by including participants who are Chinese Bruneian, Hindu, Buddhist and Christian. A diversity of ages is also included, with participants ranging from 9 to 26. Participants were recruited from Tutong and Bandar Seri Begawan.

The Mosque Youth program offers Muslim youth the opportunity to participate in social and religious activities, outside of the compulsory religious education classes offered at schools. The activities offered include training, raising awareness for charity and team building exercises. The private secondary schools teach in English, rather than bilingually. The majority of the students interviewed from private secondary schools were non-citizens.

The primary school is situated within Kampong Ayer; a water village inhabited by Brunei Malays. All those interviewed from this school were Malay and Muslim and all but one were born in Brunei. The one participant not born in Brunei was from Malaysia. The area is considered poor by Bruneian standards. YSHHB targets children from Kampong Ayer to assist families that may be affected by poverty. The area is undergoing significant change, as residents are encouraged to move to more uniform housing. Thus, this cohort provided accounts of social change in Brunei. Accounts from a generation that catch the school boat to get to school but also enjoy playing on iPads. Unlike those in KRK or who attend YSHHB, these children have not been identified as being at risk. There is however,
overlap with the themes identified in this chapter and those presented earlier. These are highlighted throughout and unpacked in the short discussion at the end of this chapter.

Unlike the previous chapters, this data is not presented as life-stories but thematically. This cohort embraced group interviews and drove the conversation into areas including sexual education, environmental concerns, dating, drugs, religious education, divorce, and gangs. Isolating these discussions by presenting one person’s account at a time would not accurately represent the context of the comments. The three case-groups consisted of seven participants from Mosque Youth, 32 from private secondary schools, and 33 from the primary schools. The number of participants makes it impractical to present all cases as life-stories. Additionally, participants from this group engaged in the research through a variety of methods, including group interviews, individual interviews and questionnaires. For those who were interviewed in group interviews and questionnaires, the focus was less on their individual life courses and more on their experiences and perceptions of Bruneian society. Thus, the analysis of such data lent itself to being presented thematically, rather than through life stories.

While methods differed between participants, the core questions remained consistent. This allowed themes to be consistently identified across the data sets. Slight differences in approach were incorporated to ensure that questions were age-appropriate. These included questions on play for younger children, and program specific questions for those attending Mosque Youth. An overview of each participant group has been included in each section below.
7.2 Mosque Youth

The Mosque Youth program was identified through the media in Brunei. It was of interest to the research as a program that encouraged religious participation for young Bruneians outside of Ugama School. It was also thought to be a program that could potentially be replicated in other Islamic contexts. Those who participated were positive about the program. Participants reported no negative aspects of the program. However, there was little awareness of the program amongst participants outside of this case-group.

Seven participants were recruited from the Mosque Youth program in Tutong. Six were male and one female. Three females participated in a group interview. These were the three youngest participants from this cohort. To allow a deeper engagement with the themes, quotes have been included from participants. Table 7 gives an overview of the participants who have had direct quotes included, to allow an understanding of the speaker.

Table 7: Participants from Mosque Youth quoted in text

<table>
<thead>
<tr>
<th>Name</th>
<th>Age</th>
<th>Gender</th>
<th>Ethnicity</th>
<th>Religion</th>
<th>Role</th>
</tr>
</thead>
<tbody>
<tr>
<td>Atiqah</td>
<td>22</td>
<td>Female</td>
<td>Malay</td>
<td>Muslim</td>
<td>Group leader. Participated in a group interview</td>
</tr>
<tr>
<td>Hana</td>
<td>16</td>
<td>Female</td>
<td>Malay</td>
<td>Muslim</td>
<td>Participated in a group interview</td>
</tr>
<tr>
<td>Farah</td>
<td>16</td>
<td>Female</td>
<td>Malay</td>
<td>Muslim</td>
<td>Participated in a group interview</td>
</tr>
<tr>
<td>Sofiane</td>
<td>23</td>
<td>Male</td>
<td>Malay</td>
<td>Muslim</td>
<td>Completed a questionnaire</td>
</tr>
<tr>
<td>Nor</td>
<td>24</td>
<td>Female</td>
<td>Malay</td>
<td>Muslim</td>
<td>Completed a questionnaire</td>
</tr>
</tbody>
</table>

Quotes were selected on their ability to succinctly illustrate a theme. Older participants were included in this group given the small number of participants recruited from Mosque Youth. Their inclusion allows for greater clarity in conclusions on the processes and program aims of Mosque Youth. All those who participated in this group were Malay and Muslim.
The activities offered by the program differ from mosque to mosque. Each mosque that runs the program has two coordinating committees, one to organise female activities and one to organise activities for males. The separation of males and females while undertaking activities was seen by participants as appropriate behaviours. Thus, gender was a repeated theme throughout this group.

7.2.1 Gender, behaviour and the influence of others

Mosque Youth participants were the only group to use specific terms like Muslimah for females. The leader, Atiqah, described feeling uncomfortable mixing socially with males. This had led her to join the Mosque Youth program.

Atiqah: I have been looking for this type of organisation because I was active in scouts before but for myself I…feel uncomfortable with the scouts since the activities are mixed with men…So for me it’s…hard since I understand my religion that we cannot mix unless it’s for something important but if its just like for fun its better not to do it mixed. So then I found the [group] advertised so… actually I can do the activity… but in a proper way…according to religion.

AY: With Mosque Youth then is there a female side and a male side? So the mosque runs both but you only do activities with females?

Atiqah: Actually we have a male and female committee but mostly during the activities we try to separate…after the talks or the session we will combine but the males will sit in front and the females…in the back.

Interacting socially with males was seen as inappropriate by young females who attended Mosque Youth. Farah and Atiqah also provided commentary on female appropriate behaviour. Unlike with males, where the “influence of friends” was almost always associated with negative behaviours like smoking, females saw their influence as a way to improve their friends’ behaviours.

Farah: You see young people these days they like to wear tight revealing clothes. It’s better to ask them to cover up. Wear clothes that cover themselves.

Atiqah: We try to show what Islam is really…like in the school maybe you could show like not…if we dress like this they have like high expectation that we won’t talk with any male or we won’t make friends with any male, but we try not to have
that expectation. We could make friend with male but in a professional way. So we try to show a good role model at them. So indirectly we are practicing our religion.

These young women see being a good role model as a feature of enacting their faith. These quotes highlight how moral behaviour is seen as Islamic in Bruneian society. Themes of morality, gender segregation and sexuality are present. Female dress was rarely mentioned by participants from other case groups. They also saw displaying appropriate Islamic behaviours as a way of addressing issues that concerned them in Bruneian society. Hana advocated enforcing behaviour standards as a way to address child abandonment.

Hana: For me, maybe, like what happens at school is the students wear revealing clothes. So I think we should have stricter rules on this. For example, a friend of mine goes to an Arabic school where Islam is a top priority. The school pays close attention to their students’ dress code and ensures that the students are properly dressed.

AY: Okay. Why would you like stricter religion?

Hana: Many girls these days resort to abandoning their babies as a result of casual sex. So if there are no social problems these problems wouldn’t exist. Babies will not be easily abandoned (excerpt translated from Malay).

Casual sex amongst teenagers was further explored by practitioners working with beyond parental control cases in chapter 8. Others, such as AJ from YSHHB, spoke around the topic in general terms such as “going with boys” or “having boyfriends”. In all discussions, judgement was attached to the females’ behaviours. While males are seen as “bad influences”, the responsibility over actions is placed on the girls.

Like KRK and YSHHB, talks to influence behavioural change were provided by the Mosque Youth program. Again, these talks included an Islamic component.

Hana: There’s recently a talk by Ustaz, and I was talking to my friends, I guess you could say some of them are considered bad. I was saying to them that his talk was funny and… really good to listen to. So after that she also starts listening to his talks and… I see changes in her like she wears tudung now. She’s improved to be a better Muslim…. Because good friends can set a good example whilst negative friends will give you a negative example (translated from Malay).
Making friends was described as a positive consequence of the Mosque Youth program, and something that all but one of the participants found easy to do. Friendship, as conceptualised by the participants, is conditional. Those who engage in negative behaviours, will influence the behaviours of good people and thus good friends cannot interact with negative friends. However, there is a sense of obligation exhibited by these young Muslim women to reform those who are exhibiting negative behaviours, by being a good role model. The discussion of influences was couched by all case groups in terms of good or bad. Mosque Youth participants most explicitly linked good behaviours, with Islam.

7.2.2 Perceptions of Bruneian society

Young Bruneians associate bad influences with feeling unsafe. Hana stated that smoking was a behaviour which makes her feel unsafe, especially when exhibited by young males. Smoking was associated with males, rather than females, across the participant groups. Girls attending private secondary schools also mentioned feeling unsafe around young males who smoke. Smoking was identified as a negative behaviour, which can result in teachers and police imposing punishments. Other social problems identified by this group included the negative effects of social media, leaving the house without parental permission and partying.

Atiqah: Some of my friends they…go to party. …for me it is not a good thing…the thing is this kind of social problem usually comes from broken families. So…some of my friends are coming from the broken families so they tend to be like,…have this kind of social problem. They tend to be…stealing or doing something bad…so…it somehow affects…the future generation if they have like broken families…they would practice what their parents are practicing and it goes on.

Atiqah stated that broken families were divorced families. Atiqah reiterated that she sees the Mosque Youth program as a solution to social problems. Her positioning of divorced families as a social problem is of note, as it suggests stigma around divorce in Brunei. The correlation was noted between children at KRK and non-traditional Malay family
structures. A stigma was also noted in the descriptions of single mothers amongst adult participants in chapter 5 and chapter 9. The stigma around divorce may contribute to social isolation for children and their families, and an inability to access informal community supports, as they are labelled as “bad influences”. Another insight into Bruneian society is the idea that alcohol, illegal in the country, is available to young people. Throughout the data alcohol was rarely alluded to as a social problem, while other drugs such as tobacco and syabu were discussed more often.

7.2.3 Islam in Bruneian life

Participants raised concerns about the quality of Ugama education in Brunei. The sentiments echo those in Citra’s case from YSHHB.

Atiqah: The student, they learn about the religion in the afternoon, 1-5 for 7 years. But after that they don’t practice what they have learnt. So its…too general…and the way they teach…the syllabus they are teaching is just about the rules and regulation it is not about how we should be a Muslim. So…usually after they finish the religious school they won’t read the Qur’an…but they don’t understand that from the 7 years we need to practice and become better…and maybe in like the education they can implement the Arabic language because from learning Arabic and Jawi we can actually learn… the meaning of each of the Qur’an. From that we can practice Islam indirectly.

Atiqah is concerned that students are not learning how to apply the teachings of Islam to become better Muslims. Hana also spoke of the importance of learning Arabic to allow for a deeper engagement with faith.

Hana: Because when I read the Qur’an I feel serene like I feel calm and then …because I feel calm when I read the Qur’an, I would try to find out what it means. Sometimes when you read the Qur’an you don’t find that it is easily comprehensible so I will ask someone who knows Arabic to decipher the meaning.

Hana has school friends who speak Arabic and it these individuals whom she would ask to translate. Hana’s quote highlights that she feels calm when reading the Qur’an without being fully aware of the meaning. Those from HoD similarly found Islamic prayer as a useful tool to calm themselves. Ugama education in Brunei is completed by students in
lower-secondary school. Mosque Youth participants confirmed there is a yearning for deeper religious engagement after this time in children’s lives. Ugama education could be extended to address the needs of teenage Bruneians. Ugama education could also be strengthened by drawing on the positives of the Mosque Youth program.

### 7.2.4 Program processes and child participation

Participants were asked about the positives of the Mosque Youth program, practicalities and future developments. Motivational talks by religious teachers were viewed positively, as they were with the YSHHB cohort. Motivation and self-improvement were positives participants had taken from the program. Some participants described the program as allowing them to discover meaning, deeper understandings of the Sunnah and higher self-esteem. It also allowed participants to “fulfil moral obligations to the community” and to get to know people in their community. Making friends and meeting neighbours all play a role in allowing young Bruneians to feel part of the community, as does their involvement with mosques.

Mosques play an important religious and social role and are also a part of Bruneian identity. With mosques being an important part of Brunei life the program plays an integral role in allowing youth to participate in the community.

Sofiane: When my siblings and I were…kids, we were being forced to the mosque, from there we slowly learnt to be good to the mosque, and alhamdulillah now we are used to the mosque. From there the Imam bring us to join the program that has been planned by the mosque for the youth….From there I started to join the youth program.

The Mosque Youth program allows entry into mosque life. However, the program goes beyond inclusion to active participation by allowing youth members to develop their own activities for the program. As leader of the female program, Atiqah described the steps she needs to take to get an idea into the program. In the future, Atiqah would like to run a
survival camp. “Before this I was in Scouts, I would like to have a survival camp… but in a more Islamic way maybe?” Atiqah stated that her branch of the program is new, and would need greater stability before a camp. She would also like to create an internship for children who live around the mosque. Further, Atiqah was able to describe the process she would undertake to place these ideas into action.

Atiqah: Usually we do…paperwork… like two months or four months before. Because the preparation is very long process… and the Imam of the mosque if they are okay with that then we will… process it and make it go to Hal Ehwal Masjid [the mosque affairs] …. and if they approve then we can go for that. And we actually need to find like maybe sponsorship if not we can ask the budget from the mosque is approved then we could get the budget. But for … like these kind of program we need a lot of approval. For example,…in terms of safety we need the police and everything. As long as we have prepared it for a year then it will be easier.

The approval process takes a significant amount of time. The process is divided into separate domains. Thus, the Imam and the Mosque Affairs Department of MoRA have approval over the content of the application, while the Police have approval over aspects of physical safety.

Atiqah’s description displays a lot of hard work by youth leaders to establish projects that will engage young Bruneians. However, it also demonstrates the social agency that young Muslim Bruneians possess. Atiqah’s quotes illustrate how young Muslim Bruneians can not only have their voices heard in one of Brunei’s social spaces, mosques, but also play an active role in shaping conversations and priorities. The social agency given to youth through the program goes beyond the mosque to empower youth to have conversations with community entrepreneurs (to receive sponsorship) and with police to ensure safety. Youth working positively with police sits in contrast to the KRK discussion.

Atiqah speaks for the female side of the program. Her comments shed light on female voices in the mosque. In Brunei, women do not have to attend mosque for Friday prayer,
whereas it is compulsory for males. However, Atiqah’s comments demonstrate that young females are encouraged to participate in the religious and social life of mosques.

Interactions between the participants and religious leaders also inform discussions on child participation in Muslim contexts. The process of organising programs shows the role that Imams play as conduits between ideas and mosque authorities. The mentoring role played by those giving religious talks was present in the discussions, akin to the YSHHB discussion. It was assumed that those attending Mosque Youth would be more open to seeking advice from religious leaders than other groups. However, Mosque Youth attendees still reported feeling more comfortable discussing their problems with parents and friends. Atiqah provided commentary on when youth may take concerns to a religious leader.

Atiqah: It depends on what kind of problem. But if it is more Syariah kind of thing, like the rules and regulations of Islam, then I would go to the Imam or the Ustaz, especially during the talks or during the program, which is more formal so we can ask directly from them. Or what we can do is for example if you want to know about the rules and regulations in Islam we could also email the Mufti…but he will reply…it may take a long time for that… and then if it’s like…just normal things I would go to my friends or my father for that.

This quote highlights the role that different levels of religious officials have in influencing youth on religious matters. It demonstrates that Atiqah feels religious officials are approachable on matters of Syariah law. The distinction between personal guidance and religious guidance is of note, as all members of this groups spoke passionately about Islam being holistic.

Nor: Islam is the way of life and hence religion shouldn’t be limited to only prayer. It should cover in all aspect of life so that is what I am trying to do. I want to work, to live, to eat, to jog… for Allah so that the life is worth living for.

Despite these descriptions of Islam, guidance on personal matters was viewed as separate from guidance on Islamic law. While they are open to applying Islam to their daily lives, they would not feel comfortable seeking guidance on the specifics of this from a religious
official. This has implications for the use of religious officials in changing attitudes in Bruneian society.

When asked specifically if they would feel comfortable talking to a religious leader, all participants in this group responded positively. Sofiane specified that they would feel comfortable talking to a religious leader if they were “trusted”, “honest” and “reliable”. Or as Sofiane explained: “I’ll only take the positive view and the reliable source and the rest I’ll just ignore”. However, no details were given on how participants evaluated the religious officials and came to these decisions. Further, no information was offered on how many religious officials do not fit within these categories.

An important positive identified by participants was that they get to give back to the community through volunteering. The effort put into the program by young Bruneians is voluntary. Bruneian society has a high rate of youth-unemployment. Thus, volunteering provides a way for young Bruneians to interact with their community and participate in social life beyond the family.

7.3 Secondary School

Providing an avenue for young Bruneians to participate in social life is particularly important for those from minority groups. The majority of participants presented so far have been Muslim and Malay. However, those interviewed from private secondary schools in Brunei were diverse, with participants coming from Chinese, Indian, Indonesian and European backgrounds as well as those who were Muslim and Malay. Table 8 gives an overview of the demographics of this group.
Table 8: Characteristics of participants from private secondary schools

<table>
<thead>
<tr>
<th>Participant Characteristic</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>14</td>
</tr>
<tr>
<td>Female</td>
<td>18</td>
</tr>
<tr>
<td>Born in Brunei</td>
<td>20</td>
</tr>
<tr>
<td>Citizens of Brunei</td>
<td>11</td>
</tr>
<tr>
<td>Muslim</td>
<td>11</td>
</tr>
<tr>
<td>Christian</td>
<td>10</td>
</tr>
<tr>
<td>Other (Buddhist, Chinese, Hindu, none)</td>
<td>11</td>
</tr>
<tr>
<td>Malay</td>
<td>11</td>
</tr>
<tr>
<td>Chinese</td>
<td>11</td>
</tr>
<tr>
<td>Other Ethnicity</td>
<td>10</td>
</tr>
<tr>
<td><strong>Total number of participants</strong></td>
<td><strong>32</strong></td>
</tr>
</tbody>
</table>

This cohort embraced the group interview format, with students from different cultural backgrounds discussing their lives with each other as well as the author. The students ranged in age from 12 to 19. All interviews were conducted in English with no translators present. Primarily, group interviews contained participants of the same gender and those of similar ages. Six group interviews occurred in this case-group. Table 9 presents an overview of the composition of the groups.

Table 9: Composition of group interviews

<table>
<thead>
<tr>
<th>Group</th>
<th>Number</th>
<th>Gender</th>
<th>Age Range</th>
<th>Religions Included</th>
<th>Ethnicities Included</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>3</td>
<td>Female</td>
<td>16-19</td>
<td>Christian</td>
<td>Chinese, SriLankan</td>
</tr>
<tr>
<td>2</td>
<td>4</td>
<td>Female</td>
<td>15-16</td>
<td>Christian, Muslim</td>
<td>Malay, Indonesian</td>
</tr>
<tr>
<td>3</td>
<td>5</td>
<td>4 Males, 1 Female</td>
<td>14-15</td>
<td>Muslim, Hindu, Christian</td>
<td>Chinese, Malay, Indian</td>
</tr>
<tr>
<td>4</td>
<td>6</td>
<td>Female</td>
<td>14-15</td>
<td>Muslim, Hindu, Christian, Buddhist</td>
<td>Chinese, Malay, Indian</td>
</tr>
<tr>
<td>5</td>
<td>3</td>
<td>Male</td>
<td>13-14</td>
<td>Muslim, Christian</td>
<td>Malay, Unknown</td>
</tr>
<tr>
<td>6</td>
<td>5</td>
<td>Male</td>
<td>15-16</td>
<td>Muslim, Christian, Buddhist, Chinese</td>
<td>Chinese, Malay</td>
</tr>
</tbody>
</table>

Specific participants were quoted throughout this section. Table 10 below provides an overview of all those who had direct quotes included.
Table 10: Participants from private secondary schools quoted in text

<table>
<thead>
<tr>
<th>Name</th>
<th>Age</th>
<th>Gender</th>
<th>Race</th>
<th>Religion</th>
<th>Interview Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yi Ying</td>
<td>16</td>
<td>Female</td>
<td>Chinese</td>
<td>Christian</td>
<td>Interviewed individually</td>
</tr>
<tr>
<td>Jack</td>
<td>17</td>
<td>Male</td>
<td>European</td>
<td>Unknown</td>
<td>Group interview</td>
</tr>
<tr>
<td>Taib</td>
<td>15</td>
<td>Male</td>
<td>Malay</td>
<td>Muslim</td>
<td>Group interview</td>
</tr>
<tr>
<td>William</td>
<td>15</td>
<td>Male</td>
<td>Chinese</td>
<td>Buddhist</td>
<td>Group interview</td>
</tr>
<tr>
<td>Felix</td>
<td>15</td>
<td>Male</td>
<td>Chinese</td>
<td>Chinese</td>
<td>Group interview</td>
</tr>
<tr>
<td>Syiqah</td>
<td>14</td>
<td>Female</td>
<td>Malay</td>
<td>Muslim</td>
<td>Group interview</td>
</tr>
<tr>
<td>Dinusha</td>
<td>19</td>
<td>Female</td>
<td>Sri Lankan</td>
<td>Christian</td>
<td>Group interview</td>
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<td>Kayla</td>
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<td>Christian</td>
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<td>Rebecca</td>
<td>16</td>
<td>Female</td>
<td>Chinese</td>
<td>Christian</td>
<td>Group interview</td>
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<td>Apala</td>
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<td>Female</td>
<td>Indian</td>
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<td>Aini</td>
<td>16</td>
<td>Female</td>
<td>Indonesian</td>
<td>Christian</td>
<td>Group interview</td>
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<td>Aditri</td>
<td>14</td>
<td>Female</td>
<td>Indian</td>
<td>Hindu</td>
<td>Group interview</td>
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<tr>
<td>Jazreen</td>
<td>17</td>
<td>Female</td>
<td>Malay</td>
<td>Muslim</td>
<td>Interviewed individually</td>
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<tr>
<td>Adik</td>
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<td>Female</td>
<td>Malay</td>
<td>Muslim</td>
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These interviews concentrated on race, gender, gangs, religion and discipline. Participants were united in their commitment to schoolwork, with no participants engaging in truancy. They were all able to conceptualise what they would like to do in the future, with plans of going to universities. The majority gave altruistic answers to the question on what they would do if they were Sultan for the day. Examples included helping the poor and cleaning up Brunei’s environment.

7.3.1 Volunteering and children with special needs

Access to the participants was initially gained through a special needs NGO. This NGO recruits young people to volunteer, helping young children with special needs through play-based learning activities. Thus, a significant number of participants spoke about volunteering and children with special needs in Brunei.

Volunteering is an avenue for young Bruneians to participate in society. For non-citizens, it provides a way to interact with individuals beyond the family and school environments. The NGO works with children of all ethnicities in Brunei, giving an opportunity for volunteers to interact with a diverse array of families. All participants who volunteered...
spoke of it as an avenue to give back to Brunei and how it changed their perceptions of those with special needs.

Yi Ying: Because…I think these special needs are often…put aside away from the normal people and I think that is really not healthy for the society…. Because these children need to be loved properly and accepted. And why I volunteer for them is because in a way you get to interact with little ones. Because…little ones are always needing more love and caring and things and sometimes parents are just too busy to give them support or anything at all….And parents are always busy because maybe they have older siblings….So parents put them here…I have no other activities to do….In a way I am giving back to society.

Jack: At first…I was a bit lost because you know they tell you that they are special children with special needs so you don’t really know exactly what to do with them. But then it just turns out that they play like any kid.

Yi Ying’s quote contains the assumption that parents might be too busy to fully care for their children. This was a voiced concern of parents with special needs children interviewed, whose accounts have been included in chapter 9. While the NGO provides respite, it also engages in early intervention therapy for children. Yi Ying saw the program as parenting assistance rather than as play-based therapy. Both Jack and Yi Ying’s comments show uncertainty about interacting with special needs children. This suggests informal segregation between those with special needs and those without in Bruneian social spaces such as classrooms. Bruneian government policy encourages children with special needs to attend non-specialist schools where possible. Yet one private school participants attended did not accept students with special needs.

Participants discussed their observations of children with special needs in Brunei. One participant described children with Autism as being “hidden”. The extraordinary abilities of special needs students were raised. Children had observed the bullying of special needs children at their school. This included verbal abuse. A further discussion on the experiences of those with special needs at school can be found in chapter 9.
7.3.2 Citizens, non-citizens, and belonging

Participants were asked about citizenship status. The children from this case-group can be divided into three groups: citizens, permanent residents and “foreigners”. The last category was how participants described themselves if they had a green identity card (IC). A yellow IC is given to citizens. Green ICs are given to those born outside of Brunei and red ICs are given to permanent residents; usually those born in Brunei of Chinese or Indigenous descent. The red IC denotes statelessness. For children who are stateless, the red colour affects their ability to access some government services, obtain a passport, apply for government scholarships to overseas universities and access some phone plans. From the work done at KRK it was established that ICs are given to children when they turn twelve. The gaining of their own IC is a rite of passage for those becoming citizens. However, while aware of their IC status, none of the children directly discussed the effects of statelessness. Also, the awareness of the colour of their IC was not connected by participants to their citizenship or visa status. While all could provide the colour of their card, some could not state what category this placed them in.

One participant who had turned 19 had experienced difficulty now that she was no longer a child. Born in Sri Lanka, Dinusha is a green IC holder.

Dinusha: In terms of healthcare until the age of 18 I was perfectly all right because my dad works in a pharmacy so…I was like a local until I turned 18, which was last year. And then everything starts to add up like now I’m 19 now and I have to pay for my hospital bills and stuff and even like now I’ve lived from like when I was three years old until I’m 19 and I haven’t even got a PR [permanent residency] or anything in a sense…so when it comes to…I’m not dependent on my Dad anymore so I am now on visit visa.

Dinusha had to renew her visitors visa regularly once turning 18. This inconvenience led her to consider leaving Brunei. Aini was born in Indonesia and was worried about the impact being a foreigner may have on her father’s employment.

Aini: It change a lot … not only from Syariah there are also changing jobs…they are only taking local people now … and foreigners are limited so I’m actually a
foreigner so if my dad has to come out of this country because he is also a foreigner
I will also lose my school.

While Aini qualifies for government assistance, her father’s visa status leads her to voice
concerns about the stability of her position in Brunei. Aini spoke of her commitment to
school and the importance of her education. The possibility of having to change schools
caused her some anxiety. While Aini enjoys school, she has experienced racist bullying
from other students.

This case-group were the only cohort to speak of racist bullying. Aini spoke of the
importance of not retaliating to racist taunts. Her comments on controlling her emotions
have similarities to those taught in the motivational talks outlined in the KRK and
YSHHB case-groups.

Aini: Yeah racism…if they don’t like you or you don’t belong in your group...they
have this group...so one group that will come over to you and make you say all
those harsh words, swears at you. You just feel like slapping them sometimes. But
then you just have to control the emotion and then like be patient with some of
them because if you get into trouble you will probably have to go to headmistress’
office.

Racism was only spoken about by female participants. While Aini is Indonesian, the
other three females were of Indian and Sri Lankan descent.

Aditri: They like to tease Indians, just because our skin colour is dark. So some
people they think that just because our skin colour is dark that we are dirty, so that
is really hurtful.

Apala: I have experienced in year 7 my classmate said that Indians were stupid and
India is a really stupid country.

The racist abuse illustrates the convergence of two themes identified in the data: bullying
and foreigners.

Those who reported receiving racist abuse, were those classed as “foreigners”. They
stated that the racist abuse came from both Malay and Chinese Bruneians.
Dinusha: I was the victim of it last time...like in form 1, form 2, form 3...this one was not really the locals...it was more of the Chinese.

Kayla: They are kind of the locals because they are actually Bruneian Chinese.

Dinusha: So they are locals...so its like they used to bully me. I guess it was not really severe it was just more of like when I’m around “Oh Keling is here”...

Kayla: Yeah they would tease her...it is a derogatory term for Indian.

Dinusha:...I mean they actually bully you with that word when it affects you a lot but when you just shrug it off they are just like “Okay, you cannot bother this girl anymore”. So they find someone else to bully. So in the first three years yeah it did kind of affect me a lot because it was pretty much like my whole class against me [all laugh] but then...ironically the one that bullied me the most became my best friend.

Dinusha's account highlights the emotional effects that racist abuse can have on a child. She stated that the majority of her class perpetrated the abuse, suggesting that racist attitudes are relatively common in Brunei. The abuse is aimed at those on the most vulnerable visa status. These individuals are the least likely to have social supports in Bruneian society and the most likely to have parents who cannot access government services such as healthcare. It is unlikely then, that racist abuse would be reported to teachers. The racist stereotypes that feed abuse come from power imbalances between ethnic groups within Brunei. No Chinese participants reported racism however, comments made by Chinese participants show that they are isolated from aspects of Bruneian social life.

Like those from KRK and YSHHB, participants spoke of feeling unsafe around foreign males. The following excerpt demonstrates the harassment young females residing in Brunei experience. The construction workers mentioned are migrant workers from nations including Bangladesh and Indonesia.

Dinusha: I think whether there is construction...around those sites you can’t really be alone...they...harass you.

AY:....the workers on the construction site?
Rebecca: Yeah especially when you are walking down the road and then there is this car with like a whole lot of guys inside…like need I be more specific? They would all be like “psst psst Hi! Hello!” And…it’s not unsafe but it is annoying.

AY: So older males…making comments…and does this happen with your family or only when you are alone?...

Dinusha: Usually alone or with friends…more specifically it’s usually guys so if you’re with a whole bunch of girls there then yeah you get attacked…There was this one time I was walking down the road with two of my girlfriends and then this car just like took a u-turn and followed us and…they shadowed us. … [we] got freaked out. So we had a guy actually with us and … when they saw him coming they drove straight. Took a u-turn and drove back out.

Rebecca: It has happened to me as well. I was in my compound and these guys came up to me and were like “do you need a ride anywhere?” And I was like “um no.”

Dinusha: They do that actually.

Rebecca: They followed me as well actually.

Dinusha: Last time…this guy seemed like he was following us and me and Kayla had to pretend that we were staying somewhere. …. And then we had to hide to make sure he wasn’t going to run back….

Rebecca: Sometimes it’s not safe. Sometimes it’s extremely safe. I don’t know it depends on…where you are…

Dinusha: Most of the time yeah it rarely happens but when it does happen it’s kind of scary… because the thing is like it’s anywhere. It’s not this specific place you go. You don’t cross a place and then you get harassed….It can even be close to your house.

Dinusha was 18 and Kayla 16 at the time of harassment. This excerpt contains the lived experiences of young women in Brunei, who perceive threatening behaviours from older men. This harassment occurred in public spaces. The harassment ranges from verbal comments to stalking behaviour. The quote begins by explicitly stating that it is foreign males who the young women feel unsafe around. However, as the stories continue they appear to incorporate men in general. The perception that foreign males are a safety risk highlights a fear of outsiders in Brunei.
7.3.3 Religion

Religion was a feature of individual and group interviewees. For those participating in-group interviews, it was a rare opportunity for children to discuss their religious experiences with each other. The majority of groups contained at least one Muslim and one Christian participant. Those who were non-Muslim discussed the effects of living in a country with an explicit Islamic ethos. Islamic practices and traditions still frame their life experience. For example, one Chinese participant spoke of his frustration at all businesses in the country being shut down on Friday afternoons for Muslim prayer.

William: On Fridays they close everything from 12 til 2 and I don’t like it because I’d like to go out on Fridays and they actually ruin my going out so there’s that.

For those who are non-Muslim, this furthers feelings of isolation from the wider Bruneian community. Non-Muslim children also do not participate in Ugama classes. In the past, when Muslim children attended Ugama classes, Christian education was offered to children who ascribed to that faith. Participants reflected on the changes in their spiritual education.

Dinusha: When the Muslim people go to their Ugama classes… then we go to our Christian stuff or more like character building.

Kayla: I think they try not to put in the Christian stuff because you know the law and everything… so to be safe we just teach like character building. You can’t just leave them to go to Ugama and then teach nothing. So I guess the school comes and teach like moral values not like more religion.

Dinusha: That’s like when… in the beginning we did have religious knowledge, and then it slowly disintegrated and then came character building. This is more like teaching more biblical morals and stuff but not really like teaching the bible and stuff.

AY: So do you… mix with the Muslim kids a lot?

Dinusha: Yeah we do.

AY: There’s no kind of barriers?

Dinusha: As long as you don’t mention like your religious views it’s fine.
Non-Muslim children are not able to freely practice their faith within Brunei. They do interact with Muslims, but are unable to discuss their faith with them. Faith is an important part of an individual’s identity and the inability to express it can impact on a child’s sense of self and connection to community. Kayla highlighted the self-censorship undertaken by non-Muslim children. She is concerned of the consequences if “caught” saying things that are explicitly Christian. Throughout the accounts of non-Muslims in this case-group there were worries of behaviours being reported to authorities. For example, those who were being harassed by groups of young males were concerned that the young males would report them, despite it being the young males who were engaged in inappropriate behaviours. Children who are non-citizens and non-Muslim have lives influenced by uncertainty and disconnection from the community. Thus, there is a level of mistrust towards government officials and those with power within Bruneian society. Not being able to discuss their religion led to misunderstandings. One participant, who identified as Hindu, described an experience where a lizard was killed by her Muslim Bruneian classmates. She saw this lizard as important to her belief system and was upset when her classmates killed it. Yet, she understood that her classmates did not recognise the importance of the lizard to her religion.

A number of participants still participate in Church and youth groups. Hindu students spoke of worshipping with their community at the Gurkha temple in Brunei, while Chinese Buddhists saw respecting their parents as central to their beliefs. Thus, this concept crosses faiths in Brunei. Felix, one Chinese Buddhist, spoke of his wish to convert to Christianity.

Felix: I am converting to Christian once I am 18. Because my parents don’t allow me now. But when I get my own independence.

Despite being non-Muslim, Felix cannot convert due to Brunei’s laws relating to conversion of minors. However, his conversion would be approved if he was converting
to Islam. Brunei’s strict laws relating to conversion and apostacy have roots in Islamic teachings which consider apostacy haram. Though not illegal amongst Chinese Bruneians above the age of 18, William stated that conversion is seen as culturally inappropriate.

William: It is just very tough to deal with our parents…Chinese like they want their religion to pass on for generations but it’s like you cannot force someone to take on your beliefs ... This is a big comment among Chinese if they want to convert to Christian or Muslim.

The majority of Chinese participants in this study identified as Christian. Those who did not, identified as Buddhist or “Chinese”. William’s comments highlight that for Chinese Bruneians, converting to Islam is not viewed positively, despite conversion being an avenue for citizenship. This suggests that religion is connected to cultural identity by Brunei’s ethnic groups.

Muslim participants provided information about their faith, similar to Muslim participants from KRK, YSHHB and Mosque Youth. Children spoke of prayer and Ugama education. The participants were open to approaching a religious teacher for further guidance on Islam. Syiqah highlighted that this can be necessary when there is confusion over Muslim practices.

Syiqah: If I have some religious questions like...because actually I think some of the teenagers especially girls for those who are on their period they are not allowed to cut their nails or cut your hair or anything. But even if the hair falls out you have to collect it and take it. And then at school we have this rule our nails they have to be short and if they are long you will have to cut it...but some of the Muslim girls they tell us like I am having period but they still cut it so I am confused. And then one of the girls said…they are allowed to cut because it doesn’t say it in the Holy Book so I asked my Ustaz and she said it’s actually like our religion so I think it is just people try to twist our rules and it gets very confusing. For me it is very annoying and makes me angry like why do you want to change this religion when it is actually only my people that live my religion, they are the ones who are changing it.

Syiqah’s quote contains insight into when a child would approach a religious teacher for guidance. It also highlights that there is confusion amongst Muslim youth on Islamic
teachings. Syiqah sees this as the deliberate spreading of confusion by other Muslims, rather than misunderstandings.

Participants remarked on these interviews being the first time they have been able to talk about their religious beliefs to each other in a group situation. The discussions were able to challenge assumptions that young Bruneians had made.

7.3.4 Sexual education, gender, relationships and self-harm

Sexual education is inconsistently taught in Brunei. One male student stated that he was concerned at the rate of teen pregnancy and child abandonment in Brunei. He perceived the practice to be common. His school did not offer sexual education. Jazreen’s school does have a component of sexual education.

Jazreen: They teach you life skills. It’s like a lesson you have on Friday morning when you are really tired and they lecture you. So like with the seniors most of the time it’s about alcohol and sex education and with the younger years it’s about cyberbullying….With the sex ed they teach you how to use a condom which I found really awkward.

AY: Do you know if they do that at the local schools?

Jazreen: I really doubt it…they are really conservative. Which I find quite bad because like how are kids supposed to know like if they do get like sexually frustrated like how are they meant to know what to do to like save them. If they get surrounded by the wrong kind of people and start drinking heavily like how are they going to know? So I just find it…it’s not a smart way to deal with it. Like ignoring it isn’t going to help. Like they are just going to find out for themselves anyway. So I think they should address it.

Sexual education in Brunei was a theme present in the accounts of adult practitioners, presented in chapter 8. Jazreen’s excerpt demonstrates that sexual education is taught alongside other elements of behavioural guidance. Despite some uncomfortableness, Jazreen saw the value of sexual education. She viewed it as an avenue to “save” those who were sexually frustrated. This is congruent with the narratives of the practitioners who see sexual education as an avenue to halt teenagers engaging in casual sex.
participants from this case-group made similar comments, citing sexual education as a way to halt inappropriate behaviours. Participants noted that the interviews were a rare opportunity to discuss such issues with an adult.

Children used a variety of descriptors in discussing relationships between young female and male Bruneians. This included, “going with”, “flirting”, “casual sex” and “having a boyfriend”. Female participants were more forthcoming in these discussions. No participant talked about themselves dating, however they did talk about their impressions of other teenager’s relationships.

Syiqah: There was this guy and a girl rejected him so he told the girl “look how much girls I will flirt with and I will get”. So he is flirting with all the girls and it is really irritating even at Ugama school...like the guys they try to get girls, and the girls they try to flirt with the guys. Their tudong is all up like this because they are trying to flirt....And to me it makes no sense, you are just 12...And again it is happening at my Ugama school. Because at Ugama school they teach the religious rules but then it is like they break the rules here and doing the thing that they are not supposed to do... They...make bad decisions.

Similar commentary was offered from Mosque Youth participants. Her moral indignation is intensified as the flirting is taking place in a religious class, with girls in religious dress. Similar to Mosque Youth participants, Syiqah critiques the teaching in Ugama classes, highlighting that religious rules are taught. However, children are not engaged in the application of the rules. Syiqah’s commentary differs from participants from Mosque Youth in that she sees those attending Ugama school as engaging in “bad activities” because they enjoy it.

The majority of participants focused on the behaviour of young females. Judgement and responsibility of male behaviours rarely occurred. Female participants described witnessing self-harming behaviours, such as cutting, exhibited by girls who had been rejected from relationships with young males.
Syiqah: [Female] students who are younger than me they have cut themselves a number of time just because they lost someone who they dated for maybe two weeks…

Apala: And now-days even the primary kids have boyfriends.

Syiqah: …There was this new girl who was in year seven. She just came to the school and she already had a boyfriend here….And then … they had a fight, then get back together, then fight, then get back together…And then one of my friends said she saw her cutting herself.

Apala: And they feel like if they don’t have that guy then their whole life is gone. My opinion is that that guy is trouble actually. Because if they concentrate on him then they can’t concentrate on their studies.

This is the only report of self-harming given by any participant. Syiqah and Apala’s comments contain a level of judgement towards the girl self-harming. Beliefs around appropriate behaviour between genders present in Brunei may contribute to children experiencing rejection feeling further isolated. It may also inhibit them from seeking help.

Participants throughout the study were asked who they felt they could talk to if they had a problem like a break-up. While most said parents, friends or teachers, a third said that they felt that they would not feel comfortable talking to anyone about their problems. There was also mistrust about talking to teachers from older female students, who were concerned that information would be used against them.

### 7.3.5 Gangs and narcotics

Both female and male participants in this case group stated that they felt unsafe around groups of loitering young males. The participants referred to these groups of young males as gangs. The term gang is used to reflect the participant’s usage. A specific behaviour exhibited by the gangs that made participants feel unsafe was smoking tobacco. Both behaviours, loitering and smoking, can be considered grounds for a beyond parental
control orders, and have also been associated with people being ‘bad influences’ by participants in previous case groups.

The majority of participants saw all drug use, including smoking, as inappropriate behaviour in all circumstances. They described drug use as an aspect of “the other”. It was a phenomenon that occurred amongst “other” people, from “other” schools. However, one participant described drug use as occurring at every school. She had previously attended a government school and described drug use by students.

Dinusha: In like my school they have a lot of drug users actually…and smoking as well. … They take a lot of weed. There was this friend who came to me in my biology class, he…comes up to me and he shows me this like this little thing with a lot of weed inside and I was like “err” and then he showed me this bong.

AY: Because there are big consequences here…

Dinusha: Yeah. It’s not dealt with that seriously. They just scare you…You know how things go in Brunei. They are very laid back…So I think they are really more concerned about the harder substances. Like not so much weed…The only thing I think they abuse in my school is weed and … they smoke at every school.

Dinusha’s comments suggest that government processes to address drug use are not consistently followed. This sentiment was not reflected in other interviews, where it was felt that the consequences for smoking tobacco were significant. Dinusha was the only participant who felt that the consequences for drug use would not be enforced by government officials. Dinusha also differentiated between different types of drugs, implying that marijuana was more acceptable than other illicit drugs. Most participants viewed all drug use, including tobacco, as equally inappropriate.

Smoking was reported as the biggest social issue in Brunei by most groups. Smoking was linked with truancy, disobeying parents and was seen as particularly poor behaviour for Muslim youth. As with those from Mosque Youth, smoking was largely seen as a male
behaviour. When Syiqah reported seeing females smoke, other participants in her group showed surprise.

Syiqah: Especially at Ugama you can find students smoking in class…Girls especially.

Aditri: Girls?

Apala: Girls? Really?

Syiqah: In their tudungs. The tudungs they are very big so they have an opportunity to hide the smoking and yeah…I was kind of scared and I was also I was kind of aggrieved because it shows our peoples smoking is not good.

Throughout Syiqah’s interview she repeatedly made reference to “our peoples” when speaking about Muslims. Her disapproval of the behaviour was intensified by it occurring in a religious class, amongst Muslim girls, who were using explicitly Muslim dress to hide the behaviours. Smoking was positioned as a moral concern for participants more often than a health concern.

Smoking is legal only for those who are over 18. Thus, it is a status offence for children. This situates the offence within themes of adult child relations. Even though it is legal for adults, children still associated the behaviour as one enacted by “bad influences”. Apala described a parent smoking in front of a child.

Apala: The father smokes in front of the child. So they don’t even care about people’s health. We don’t know whether they know that they are spoiling him or they don’t know but they are just doing it and we don’t have the right to tell them. So that is really worrying us.

Apala’s comments show an awareness of the health consequences of smoking, including the consequences of second-hand smoke. However, she also views smoking through a moral lens. Apala is a non-citizen. Thus, the moral dimensions of smoking are present in the conceptualisations of non-Muslim and Muslim Bruneians. This suggests the narrative surrounding the morality of smoking reaches beyond Islamic understandings of the practice. Throughout Apala’s interview, the group focused on the disempowerment of
children towards influencing adult behaviours. Apala states that she does not feel she can affect the parents’ behaviours and this adds to her worries. This adds to understandings of child participation in Brunei.

There are consequences for adults smoking near children in Brunei.

Adik: And the elders also if they smoke nearby the teenagers in public places both the parents and the kid will get fined.

Aini: There is a fine also. It is $500.00 BD…

Adik: But if you are caught twice that is the end of the fining and they will either put you in jail or…if you are a teenager they will kick you out of school first. And then you have to go to these certain places where you become reformed to stop you from smoking…They will recover you. They will give you advice. And then if your religion is Muslim they will ask you to pray. And in the end they will make you feel more regret of your past. And be better for your future and stop you from smoking. But if you are found smoking again after you come out you have to go to jail. You have no choice.

For young people caught smoking, counselling is offered at facilities run by MoH. Adik’s comments demonstrate that rehabilitation is focused upon in such facilities. She also differentiates between rehabilitation and jail. Adik’s description highlights that children can be expelled from school for smoking. This would increase the likelihood of smokers also engaging in loitering, and increase their risk of becoming a beyond parental control case.

Gangs were of concern to both male and female participants. They contributed to participants feeling unsafe when visiting public spaces. Fear of gangs was a theme of every group interview with this case-group. The behaviour was associated with those attending government schools.

Aini: It is really a big problem for teens in Brunei here…but only in government school.

AY: Yep but then it is still a problem for you…if you go to the mall or something…

Aini: There is actually because when they know…that you are not one of them….
They see you as someone of lower standard. And then they know you do not belong to their group.... So, we are like keeping away from each other.... But the more we try to keep away from them the more they come towards us....Because they are jealous of us.

Adik: We know that we are...better than them but it’s nothing to do with us right they are government schools.

Aini: They know if you say something they will report and they know you will get in trouble. So just keep your mouth shut.

Associating the practice with government schools suggests that those participating in the gangs are Muslim Malay Bruneians, as this is the demographic most likely to attend government schools. Those attending private schools are more likely to be non-citizens, and seen as outsiders. This is one explanation for why they feel they are targeted. However, gang behaviour was described across case groups, suggesting the phenomenon cannot be wholly understood through insider/outsider narratives.

The behaviours of gang members, described by participants, included loitering, harassing other teenagers through making comments and smoking. Physical fighting was described in one participant’s account. While it was mostly male gangs that were referenced, females were also involved. Participants called girl gangs “love gangs”.

Aini: The girls from private schools deal with the girls from government schools and the boys from private schools deal with boys. There are no boys and girls fighting. Always girls on girls.

“Love gangs” appear to consist of females in relationships with male gang members. This adds a further “unacceptable” behaviour, mixing socially between genders, to gang membership. Both smoking and the behaviours of gangs are viewed by young Bruneians, as elements of society that contribute to them feeling unsafe.
7.3.6 Discipline and family life

Interactions with siblings and parents gave insight into the everyday experiences of the participants. One theme that emerged was how discipline was enforced in families and at schools. Physical punishments were described by participants using phrases such as “harsh” and “strict”. Yi Ying described how discipline was administered.

Yi Ying: I’ve seen in public parents hit their children and I’m just like “No! Don’t do that!” … I grew up and my parents would hit me if I did something wrong. And they would scream at me. And I think that’s where...I learnt to see wrongdoing because if I see something wrong if I knew it was wrong I would know what the consequences are and I think growing up I took a lot of beatings and everything. But my parents stopped...thank God.

AY: Okay, at what age did they stop?

Yi Ying: I think I was 7.

AY: Okay around 7….Did you go to school with physical bruises?

Yi Ying: No they don’t really hit. They do hit but they just tap me. So you learn from your mistakes and...what is right and what is wrong…Even if you don’t know that it is wrong...when you have committed something wrong but without realisation...they would scold you but one thing I like about growing up in Brunei is when my parents scold me...after they scold me then I understand and I get their guidance.

Two themes frame this section; discipline and parent child relationship. Disciplining children to guide their behaviour was viewed by the participants as a parental responsibility. Yi Ying began by describing an aspect of Bruneian society she found unacceptable, namely, parents hitting their children in public. Her comments appear conflicted when she considers that the physical punishment may be used by parents to teach a child guidance. Yi Ying is grateful that she was guided by her parents, but was also relieved when the “beatings” stopped.

Yi Ying clarified that her parents did not “hit” her, just “tapped”. Tapping denotes the use of slight force to provide guidance, whereas hitting and beatings suggest physical abuse. In describing discipline, children seemed conflicted between their wish not to be
physically harmed and their understanding that it is the duty of parents to guide children, to ensure obedience. The narrative of child obedience is strong in Bruneian culture and reinforced through the enactment of beyond parental control orders. The strength of the narrative of child obedience, the power imbalance between children and adults and the inability of children to differentiate between reasonable force and physical abuse, suggests that children are unlikely to report physical abuse perpetrated by parents.

Males also discussed discipline used at home, with techniques ranging from confiscating phones to caning.

William: They take your things away until you get better grades. Or they hit you and I think if things get out of hand they will actually start caning you.

Felix: Yeah I used to get the cane when I was young.

These accounts demonstrate that physical punishments are used in households across Brunei. However, the participants who most explicitly described it were of Chinese descent. Physical punishments being used at schools were not mentioned. Both Taib and William described the use of non-violent disciplinary techniques. The use of a cane can be viewed as the use of a weapon against a child. These findings suggest further guidance is needed in Brunei on the use of physical punishments.

It was common for participants in this cohort to state that they thought stricter punishments and rules are needed to combat social issues. Participants viewed those younger than themselves as disrespectful towards adults. The solution suggested by participants was for parents to discipline their children.

7.4 Primary School

Primary school children were recruited through a government school in Kampong Ayer. They were all upper primary students and ranged in age from nine to twelve, with an
almost even gender split amongst the 31 students. The students who have had direct quotes included are introduced in Table 11.

Table 11: Participants from primary school quoted

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The younger children provided more simplistic answers than their older counterparts and spoke entirely in Malay with translators’ present. Common themes were identified including descriptions of everyday life, play, gender and religion.

7.4.1 Everyday life in Brunei

As with the older children, interviews began by asking what the best thing was about growing up in Brunei. All children gave positive responses including:

Ajib: The best thing about living in Brunei is peaceful.

Abidin: Best thing about living in Brunei is Islam.

An: Jerudong Park.

The most common answers were that Brunei was peaceful and Jerudong Park, an amusement park. Students in Brunei are taught the national philosophy, MIB, from a young age. MIB lessons remind children that Brunei is a peaceful nation that follows Islam. It is assumed that this is one reason why children mentioned peace. It was also a
common answer given by older children, demonstrating the influence MIB has on Bruneian identity. Jerudong Park is a significant distance away from Kampong Ayer. Its inclusion as “the best thing about growing up in Brunei” shows the importance children place on having a safe, child-friendly place to play.

Children were also asked if there were any bad things about growing up in Brunei. Responses included:

- Abidin: Worse thing about living in Brunei is dreaming of ghosts.
- Afiqah: Bad thing about living in Brunei is there are bad people.
- Badan: Worst thing about Brunei is theft, drugs and smoking.

Other responses included stealing, adultery and snakes. Five students responded with smoking and drugs, which reflect concerns raised by students in secondary schools. This suggests cultural awareness of the dangers of drugs begins quite young in Brunei and as does the concept that these are undesirable aspects of society. However, it raises the question of how this awareness develops whether through direct experience, religious education, or hearing of the perceptions of parents.

This part of Kampong Ayer was in disrepair, with houses designated for demolition. Two male children reported feeling unsafe because of homicides in Brunei, however it is unknown whether any homicides had recently occurred in the area. This shows an awareness of crime at primary school age. It further demonstrates an understanding of “good” and “bad”, which is further explored by older participants. When asked about times when they have felt unsafe, only Mazlin, spoke of unsafe housing.

AY: What is a not so good thing about growing up in Brunei?

Mazlin: Old houses.
This was the only reference to housing despite the changes occurring. Apart from the one concern about unsafe housing, no other results pointed to these children being disadvantaged. All reported eating between 3 and 6 meals a day, which aligned with results from other groups.

**7.4.2 Play**

Children stated that they enjoyed playing with iPads and Playstations, suggesting that some had access to technology.

AY: What is your favourite things to do in your free time?

Ajib: Watch TV.

Afiqah: Play with the tablet.

The numbers who reported technologies as their favourite things to play with were less than a third (7 out of 31). The most common responses were netball, takraw (kick volleyball) and badminton, followed by other outdoor activities like kite flying.

Fashran: Riding bicycles.

Abirammi: Riding bicycles, but I don’t have one.

Abirammi’s comment highlights an element of sharing and communal life for those who may not have access to equipment.

Children reported enjoying outdoor activities. Thus, access to spaces to pursue these activities is necessary. Given that the water village has limited outdoor spaces, transportation beyond the village is important. Participants from secondary schools had highlighted that without being able to drive, their leisure activities could become limited.

The majority of those in this case-group reported that their favourite place to play was at home. This was closely followed by at school and places on land outside of the water village such as at the stadium and Jerudong Park.

Daessa: I like to play at school.
Afiqah: At home because it has wifi.

Abidin: At the field.

Bruneian children are encouraged not to leave the house without parental permission. This may limit opportunities to play outside of the house. That schools are viewed as places of play, highlights their importance as a social facilitator as well as an educational facility.

7.4.3 School life

There is notable overlap between the responses of the primary school students and older children. The younger children gave similar responses to positives about Brunei, truancy, and religion. All primary school children reported missing classes. However, they also gave reasons on why they missed school:

Badan: I have skipped school because I had a fever.

Zurina: Yes, sometimes I don’t go to school because I go to the hospital.

Zuridah: Yes, I have skipped school for whatever reason.

The question aimed to gain an idea of why children may deliberately engage in truancy. Participants from this case-group highlighted that they had reasons beyond disobedience for missing school. The wording of the question offers explanation on why all reported missing school. A better indicator was in response to the question “do you like school?” where all in this cohort replied in the affirmative. The majority of children found it easy to make friends at school, with only three reporting they did not find it easy to make friends. Having friends at school is important to ensure engagement with the school environment from a young age. They also ensure that children have a support network beyond the family.
7.4.4 Gender and religion

All participants within this group identified as Muslim and all identified rituals that enabled them to live their faith. This demonstrates that Islam is transmitted to the next generation of Muslims before the end of primary school in Brunei. Children gave praying and reading the Qur’an as the most common ways they lived their religion. Three girls took this answer further:

Zuridah: Pray, read the Qur’an and cover up.

Apart from those in the Mosque Youth group, these girls were the only participants to associate dress with the everyday living of Islam. Tudungs are part of the standard uniform for government schools in Brunei. They are also a visible signifier of Muslim identity as lived in Brunei. Prayer and reading the Qur’an were identified as a way children lived their faith. This may indicate that such practices are lived daily in their homes. They also occur within schools, with this age group participating in Ugama education.

Gender also played a role in activities that the children enjoyed. Three of the sixteen girls who participated in this case group said they enjoyed helping out their families in their free time.

Zuridah: My favourite activities are helping out my parents and drawing.

No male participants gave this answer. While it is only a small sample, these responses suggest that girls are encouraged to help more in family and home life than boys.

7.4.5 Altruism and future lives

Participants were asked to describe what they would do if they were Sultan for the day. Like older students, the primary school students struggled with this question. However, with encouragement, some gave considered answers. This question caused contemplation across the case-groups. It suggests that Brunei’s social hierarchy and hereditary position
of the Sultan is engrained in Bruneian imaginings. Female students most thoroughly dealt with this question.

Suhana: The change I would make to Brunei is to build a big mosque.

Sofea: I would help the less fortunate.

Samina: I would give to all the orphans.

Sida: I would ask smokers to quit smoking because smoking is dangerous.

These answers show that altruistic concerns for wider Bruneian society are embedded in children from a young age. Sida’s quote reflects the conceptualisations present in older children’s accounts about smoking, linking it to safety.

All the children in this group had ideas of what they wanted to do in the future. The most common jobs included soldier, fireman, scientist, teacher, doctor, veterinarian and police. Questions about the future demonstrated what role young Bruneians could see themselves playing in Brunei society. All participants in all three of these groups had an idea of what they wished to do in the future. This is just one of the similar themes that span all three groups.

7.5 Summary of main themes and conclusion

This chapter has presented the experiences of participants attending the Mosque Youth program, private secondary schools and a government run primary school. The main purpose was to gather children’s voices from a range of educational institutions to gather an insight into children’s lives across diverse settings. Similar themes have emerged from this combined data set. This section aims to weave together the themes from these three cohorts and add an understanding of participants’ experiences in the wider Bruneian context.
7.5.1 Play, leisure time and child participation

Play is important for child development and is a right in both the OICCRCI and UNCRC. Having places to play allows children to feel included in communities. Both younger and older children provided examples of where they enjoyed playing. These can be seen as safe places for children in Brunei. Common answers included schools, homes, fields, Jerudong Park, malls, playgrounds and skateparks. Choice of leisure activity was not greatly aligned with gender. One difference between genders was in the self-reporting of assisting in family activities during leisure time. Here, young females reported assisting in household tasks, while males did not.

Participants reported playing with technology across groups. Access to technology appeared common. One participant discussed technology in terms of cyberbullying. This was the only instance of a child raising safety concerns about technology. In contrast, the practitioners interviewed in chapter 8, raised concerns about child technology use and sexual abuse. This highlights a difference in how technology is conceptualised between younger and older Bruneians. The removal of technology by parents was described as a disciplinary action, which inhibited the children’s use of technology during leisure time.

Beyond school settings, participants described participating in Bruneian society. Teenagers and young adults volunteered in programs like Mosque Youth and the NGOs early intervention program. Findings demonstrate that the NGO program encourages teenagers to assist in playing with young children with special needs, allowing teenagers to interact with parents and children from outside of their regular social networks. It also allowed teenagers to “give back” to the community. This is congruent with the altruistic motivations given by adult volunteers in chapter 8. A theme of altruism can be identified
in the accounts of those attending primary school. Involving teenagers in the NGO program will assist in changing attitudes towards those with special needs in Brunei.

While the findings show that the NGO program encourages youth participation, it also shows that Mosque Youth programs encourage young Bruneians to go beyond participation and shape these programs. Mosque Youth allows youth to negotiate which programs are run and needed within the community. They allow young Bruneians to participate in an important social, cultural and religious space. Participants stated that they valued creating activities that could be run in an “Islamic way”. This was positioned in contrast to activities run through Scouts, where those of different genders undertook activities together.

7.5.2 Gender

Gender and appropriate behaviours was a theme of all three case-groups included in this chapter. However, it was more prevalent in the accounts of older children and most explicitly discussed by Mosque Youth participants. This suggests that children become more aware of inappropriate behaviours for their gender with age. For example, primary school participants showed an awareness of expectations of appropriate dress for Muslim women in Brunei. Participants from the Mosque Youth program explored this theme further. They viewed wearing a tudung as a sign of appropriate behaviour by young Muslim women. They stressed that mixing with males should be done in specific ways to ensure that the behaviour is “professional” rather than “social”. To a lesser extent, this theme was present in the narratives of participants from private secondary schools.

Participants judged the actions of young females who entered into relationships with young males. Less responsibility was placed on males who interacted with females. This
theme was present among participants from private secondary schools, across ethnicities. However, participants from private secondary schools judged male behaviour as inappropriate in relation to loitering and smoking but not in relation to interacting with females.

The UN (OHCHR, 2016) has called on Brunei to address gender stereotypes, which reinforce cultural expectations placed on women. Judging mixing with males as “inappropriate” behaviour leads to unwillingness by young Bruneian women to seek support. This may lead to self-harming behaviours, as identified in one account. For those who are sexually abused, these beliefs may further stigmatise and inhibit help-seeking. Participants from HoS relayed waiting significant periods of time before disclosing abuse, for fear of what others would think. Thus, judgement around appropriate female behaviours can affect vulnerable young women. Sexual education was offered as part of life skills in one private school. Giok, Chong, Salleh, and Huat (2017) found that young Bruneians turn to parents, the internet, TV programs and health professionals to receive information about sexual education. Adult practitioners add further to this discussion in chapter 8.

Young women reported feeling unsafe around groups of men in social spaces. Reports included harassing comments and stalking behaviours by men. Three participants highlighted that they felt unsafe around foreign men. Those from HoS raised similar concerns. However, more female participants reported feeling unsafe around young men who smoke and congregate in gangs. These young men were not described as foreign. The harassment of young women in public spaces can be situated within gender relations in Brunei. Harassment is symptomatic of gender inequality in society.
Racist bullying was reported by four young women classed as foreigners in Brunei. No males reported racist bullying, suggesting that female foreigners are more vulnerable to such abuse. Given the importance placed on Muslim dress, foreign women may be more readily identified as outsiders.

7.5.3 Citizenship, foreigners and belonging

The majority of those interviewed from secondary schools were permanent residents or foreigners. They also represent those from these citizenship categories who can afford to send their children to private schools. Thus, the economic effect of the lack of citizenship is possibly lower amongst this group.

Children classed as foreigners reported receiving racist bullying. They also voiced concerns relating to the stability of their families in relation to employment, and the effect this could have on their schooling. Children classed as permanent residents comprised of both Chinese Bruneians and those whose families were from Malaysia, or were born in Malaysia. Children who are non-citizens hold multiple identities within the Bruneian community. They move between being seen as “locals” to “outsiders” with nuanced understandings of when each label is appropriate to themselves. For example, in discussions of racism the Chinese were described as “locals” who participated in the racist bullying of “foreigners”. However, Chinese Bruneians continue to be structurally and symbolically excluded from the Bruneian narrative.

Those who are non-Muslim could not freely practice their faith. Non-Muslims stated that they regularly mixed with Muslim children, however they self-regulated their behaviour, ensuring that they did not discuss religion. Children voiced fears of publicly demonstrating their non-Muslim faiths. Conversion to Islam is encouraged through
governance structures in Brunei. Citizenship can be obtained through conversion, but participants stated that it is seen as culturally unacceptable in the Chinese community. Non-Muslim children were aware of Muslim practices and described their influence on their lives.

Children focused on behaviours they viewed as inappropriate and unsafe. Those who engage in such behaviours are seen as bad influences. The conceptualisation of some individuals as “bad” influences excluded them from those who self-identify as “moral” in Bruneian society. An example is those who come from “broken” or divorced families. Participants from Mosque Youth saw those who came from divorced families as contributing to social problems, such as partying. Therefore, they are perceived as bad influences leading to their moral exclusion from the Bruneian community. Similar narratives can be seen around those who participate in gangs and smoke.

7.5.4. Safety

The majority of participants, both male and female, felt most unsafe around gangs of young males who loitered and smoked in public spaces. Some of these young males made verbal comments towards the participants. This phenomenon was viewed as distinct from bullying. Other forms of verbal abuse, such as racist abuse, were not described in terms of safety. Participants were reluctant to report the abuse.

This gang behaviour can be contextualised by the information gathered from HoD. Here, young males were placed on beyond parental control orders for leaving the house without permission and congregating in public spaces. Young males from HoD who were detained for theft described being pressured into this behaviour by older males. The narratives from HoD position the gang activity as unsafe for those inside the gang, as
well as those who perceive themselves as targets in the community. The violence within the gangs, as well as the perceptions that their behaviours are “bad” may contribute to the perception that gang members pose a safety risk.

Smoking was described as a behaviour that made young Bruneians feel unsafe. Again, this was associated with young males. Perceptions that smoking is more prevalent amongst young males is consistent with research by Talip, Kifli, Murang and Naing (2016) which estimated that 17.8% of adolescent males smoke tobacco in Brunei, compared to 4.8% of females. Participants stated that if a child was caught smoking the police and teachers may intervene. Two participants gave descriptions of the process congruent with that outlined by MoH. For those under 18, counselling is offered after the first offence, with a fine of $100.00 BD handed down for a second offence. It is unknown what occurs if the fine cannot be paid. That most children are unaware of the process suggests that further education is needed or that the process may not be consistently followed by authorities.

7.5.5. Relationship to adults

Teachers and parents were the most common answer across all groups when asked who children felt comfortable going to for advice and comfort. Disempowerment was present in children’s accounts when discussing changing adult behaviour. Listening to parents was seen as obedient behaviour. For children who were disobedient, participants placed blame on parents stating that they should have been stricter, to curtail their children’s behaviours. Obedience to parents was seen as a cultural and religious practice by Muslim and Chinese children.
Discipline was a theme present in the accounts of Chinese Bruneian children. While children steered the conversation towards the topic, they were not comfortable criticising their parents’ disciplinary techniques. Children described the discipline used in some of their homes as “harsh” and included descriptions of caning. Corporal punishment is codified in both the Syariah and Common Law penal codes in Brunei. The use of physical punishment by the State may influence the choice of physical disciplinary techniques used by parents in the home.

7.5.6 Islam

Participants across the three groups gave examples of how they lived and conceived their faith. The statements made by the youngest participants reflected the most common answers of older participants across the cases; praying and reading the Qur’an. Children from Mosque Youth and private secondary schools raised concerns of the quality of Ugama education. These reflect critiques raised by a participant from YSHHB. Concerns included that this education focused too much upon the rules of Islam, rather than applying Islamic teachings in daily life. When asked when they seek guidance from religious officials, participants stated they would seek clarification on rules and Islamic teachings. The specific application of Islamic teachings in personal problems is an aspect of participants’ lives that they contemplate themselves, or discuss with family and friends.

Mosque Youth participants stated that guidance on religious texts could be obtained from varying religious officials. This suggests that religious guidance is available to children. Participants stated that they sought advice from “trusted” religious sources, though did not provide details of how they made these decisions. One participant also highlighted that there is misinformation spread about Islamic practices in Brunei. Syiqah stated that she had sought clarification from her Ugama teacher on the cutting of hair and nails, after
she had received conflicting advice on the practices. Newland's (2000) ethnographic fieldwork in Indonesia contains descriptions of similar rituals around the cutting of hair and nails. This suggests that the practice is a feature of the Malay world. The combing of hair and cutting of nails is not undertaken by some Muslim women while menstruating (Newland, 2000). This practice is tied to rituals around menstruation and understandings of cleanliness (Newland, 2000). Newland’s (2000) work amongst Indonesian villagers demonstrated that this practice was followed to different extents by different women, highlighting that inconsistencies in understandings of these rituals are present beyond Brunei. Beyond this case group, girls were also observed at YSHHB not participating in prayer because of menstruation. Thus, Islam is embedded in experiences of gender and within understandings of the body.

The themes identified across the case-groups contained in this chapter, can be connected to the accounts of children from YSHHB and KRK. Thus, while the everyday experiences of children differ, their accounts are connected through cultural narratives. These narratives are constructed through communal understandings of gender, parenting, childhood and Islam. Throughout the children’s accounts, Bruneian government policies and procedures have been alluded to. The following chapters contain the results of interviews with adults. The adult practitioners and parents were able to engage in details with policies and procedures due to their majority status in Bruneian society.
8.0 Teachers and practitioners

8.1 Introduction and context

Across case-groups, children stated that they were comfortable talking to teachers and counsellors. Having a trusted adult outside of the family to talk to can be beneficial to a child’s wellbeing. For children who have been deliberately isolated from adults in their families, such as children in KRK, talking to adults could ease isolation and assist in rehabilitation. This chapter focuses on interviews conducted with teachers and practitioners. Those interviewed worked with children at YSHHB, or were government employees working within the child protection system.

The analysis of this chapter focussed on adding details to children’s accounts, around processes at YSHHB, KRK and surrounding adoption. For example, children had spoken about the time taken to get a counselling appointment in KRK. A practitioner was able to explain the process in which children could access counselling both within and outside of KRK. This information provides details that children could not have known, given that they are not workers within KRK. Thus, this chapter aims to provide information that complements the children’s accounts, rather than speaking for the children. The analysis also focuses on conceptualisations of children amongst adult Bruneians. These interviews took place in a mixture of Malay and English, with translators present.

Themes identified amongst the adult participants included altruism as a driver of working or volunteering with vulnerable children. Both teachers and practitioners also discussed the responsibilities of parents and children for child behaviour. Children and sexual behaviour was identified as a key theme amongst practitioners, with discussions ranging from teenage pregnancy to pornography. These narratives are influenced by understandings of gender norms and Islam within Bruneian society.
8.1.1 Participants

Participants in this group were teachers and practitioners working with vulnerable children. The teachers interviewed volunteered at YSHHB. While the term “teacher” is used, those interviewed were not currently employed as teachers. They are however referred to as teachers by the program and all but one participant held teaching qualifications. This participant was 18 and had previously been a student in the program. Given her age, and previous life experience, she has been included in chapter 6 rather than in this case-group. All teachers interviewed were female. While a small number of males were teachers in the program, none elected to participate. Eleven teachers were interviewed at schools in Tutong and Bandar Seri Begawan. Nine of the teachers were Malay and Muslim, with two Chinese Bruneians. Eight participants had been involved with the program for a year, two for four years, and one participant for seven years.

The term “practitioner” was chosen to refer to those who worked in the government child protection system. This group hold diverse job titles. However, the qualifications held often did not match the job title. For example, while a participant referred to herself as a social worker, her qualifications were not in social work. Five female employees from MCYS were interviewed to gain their perspectives of the children they work with and the system they work within. Two worked in child protection, one as a counsellor and two in domestic violence and adoption procedures. These three areas of work are all within one department in the Ministry. All the workers had been in their positions for at least five years and were drafted into their positions by the Bruneian government. Three had a background in sociology/anthropology, one in interior design and one entered the department after completing secondary school. All participants have learnt considerable skills on the job. At least one participant has received a Masters level qualification. All were Bruneian, Malay and Muslim.
Given the small numbers of workers employed in the positions, a participant table has not been included. This is as a measure of anonymity and to ensure that specific comments are not attributable to an identifiable individual. This does not inhibit the chapter, given the focus is on process and practices, rather than the life experiences of participants. Thus, the sections in this chapter are structured around themes, rather than life-stories.

8.2 Volunteer Teachers

The YSHHB program is a secondary child protection measure as it targets specific groups and aims to improve their wellbeing. Interviews focused on approaches used by the teachers to engage children from YSHHB and the teachers’ perspectives of the children in the program. These interviews were short, with most spanning between ten and twenty minutes. This was due to the need to fit the interviews around the teaching commitments of the participants.

All the teachers who participated were volunteers. The main reason for volunteering was to get experience so that it would be easier for to find work. Many had finished degrees but were yet to find employment. This reflects the realities of young professionals in Brunei, where there is an unemployment rate of 25% for those between 15 and 24 compared to an unemployment rate of 6.9% for the general population (Shen, 2015). Other reasons for volunteering included finding themselves, and altruism.

Hasiah: I love teaching. I love kids and so when my friend asked me if I wanted to teach, I said yes. Because I look on it as I like to do all things to help with society.

Narratives of altruism can be attributed to the values inherent in Bruneian society. Hasiah’s comments highlight that volunteering with children is seen as a way to “help with society”, suggesting that vulnerable children are seen as a social issue by Bruneians.
This points to a strength present in Bruneian society; namely that assisting children will ultimately benefit the community.

Teachers described the groups targeted by the program as “under achievers” and from “disadvantaged backgrounds”, explaining that the program focused on one specific group of children for a period, before moving to another group. Children spend six to nine months with the program. This strategy means that more children are able to enter the program, however this short time approach may not redress systemic disadvantages, such as poverty, that impact educational opportunities.

Ezrine: There is quite an interesting gap between certain classes. Like…last year we have a lot of underachievers….But for this year I think they just choose the ones who are not from…financially stable backgrounds…but then they are quite intelligent and clever students.

While Ezrine identified that the groups she had worked with over the past two years were different, she did not elaborate on any different approaches taken for the distinct groups. Her description demonstrates surprise that children experiencing poverty have proven to be clever students. Ezrine recollected that YSHHB had first targeted the children from Kampong Ayer, with the children there designated as most in need.

Four teachers spoke of the low academic standards that children possess when entering the program. Some students who had reached grade 6 were unable to read. This was surprising to the teachers.

Najwa: Some of the student cannot read…one of my student he don’t even know his own name. So how I face it is I continue to give him the same exercise.

Hasiah: I would say the secondary school kids some of them didn’t really know how to read well. They need to see the words. Some of them have the IQ of…primary school children.

Ezadurah: Some of the students are slow learners like the ones that are from poor family background. What’s even more concerning is some of them can’t read. Most regular schools, the way they teach their students is by drilling them. We do that too, but we also focus on getting to the students and trying to understand their
problems. (translated from Malay).

The comments made by Ezadurah highlight a conflation between poverty and being a “slow learner”, or having a low IQ. The decision to include both those in need of academic assistance, and those from low-socioeconomic backgrounds in the program could reinforce this conclusion amongst the teachers. The term IQ was used occasionally throughout the interviews with teachers and practitioners, however it was not established whether formal IQ testing occurs in Brunei. Ezadurah spoke most about the impact poverty had on children who attended the program. She noted that she had students who were involved in drugs, and how she felt this was linked to the children’s low economic backgrounds and residency in Kampong Ayer.

Teachers cited the lack of retention of students as a reason for low academic standards. Even if a student is struggling they proceed to the next grade, until they sit their exams at the end of primary school (PSR). Once students sit the PSR they are streamed into academic or vocational training courses for secondary school. Thus, it plays a significant role in the remainder of schooling. If a student is of the right age to take the exam but has difficulty reading and writing it could affect their career choices.

All teachers saw their primary role as preparing students to succeed in exams. They aimed to achieve this through explaining concepts in a different way from classroom teachers and by ensuring that children attended class. YSHHB has strategies in place to minimise children missing class. These include providing free transport to tuition for all children. Azlin-Hezri advised that missing class was unusual for children attending the Tutong classes. Children who missed class three times had to attend an interview with their parent to explain their absences.

AY: What excuses do you normally get for why they have missed?
Azlin-Hezri: Transportation, because most of them are from rural area so it is hard for them to get here … For this area there are not a lot of excuses so it is fine.

AY: So transport is one issue, what other social issues do you see facing this group of children?

Azlin-Hezri: Their families because…their parents are tired because this weekend…is their only time [off] so they are tired and it is hard for them to send their children here. Most of it is because of the parents working timing.

Families were given as the most common ‘social issue’ facing these children. Some teachers saw the lack of parents educational attainment as holding children back, as they could not get help with homework.

Two participants spoke about how the low incomes of the families involved, meant that older children had to work as well as going to school.

Lim: Their families like…because they don’t have a lot of money right, they sometimes depend on their children actually. So some of my students they have like part time jobs like one of them actually has a part time job at night. So it is really sad.

AY: So at about what age would they start working?

Min: 16 or 17…It is actually not common in Brunei, we don’t really work at that age. Just the special cases.

This exchange informs understandings of child labour in Brunei. Having to work while other students do not, may not only affect the student’s academic work, but also may lead to social stigma. It also highlights that child labour is viewed as uncommon in Brunei and is linked by these participants to poverty.

If a child raises an issue that worries a teacher they can then arrange for the family to be engaged by a motivational speaker.

Ezadurah: If they are having problems, we have a motivational speaker who will talk to them and assist them…. The motivational expert would ask for a list of students for him to meet and our motivational expert…. will meet with the students and parents to talk to them…. Alhamdulillah, the problems are usually handled well. It may not be 100% cured, but they do help (translated from Malay).
AY: What kind of motivational speaker? An Imam?

Ezadurah: YSHHB is working together with the MoE, and Mr X is their motivational expert and we would refer to him if there are any problems with the students. So every student has their own motivational speaker…If any of these students have problems, they will already have someone assigned to help them. Each motivational speaker would be put in charge to about 15 students (translated from Malay).

This valuable description of the practice of motivational speakers gives insight into how issues between parents and children in Brunei can be mediated by those outside the family. The speakers at YSHHB come from the Counselling Unit at the Counselling and Career Guidance Section, Department of Schools at MoE. This strategy shows the protections offered by MoE and the importance that Bruneians place on having good role models for children. Ezrine spoke of how the importance of choosing “good” friends of reputable character was recommended to children.

While all teachers spoke of how rewarding their work in the program was, there were also comments made about the students, which illuminate how children were viewed by this group of adults. Firstly, Anitha spoke of her frustration with children’s “teasing” of teachers in the classroom. She cited the quietness and “lack of confidence” demonstrated by students as a way students deliberately frustrate teachers. Najwa and Honey saw this behaviour as ‘anti-social’ and induced by technology. They saw technology as something teachers had to keep up with, in order to combat the “aggressiveness” of its use by students.

Najwa: Children now days I think…they have all become anti-social because they let them play with the technology…so …the children become more aggressive in using the technology. So the teachers have to be more knowledgeable about using the technology.

Technology use amongst children was a theme also present in the interviews with practitioners. Similarly, technology was viewed as encouraging negative behaviours.
8.3 Practitioners

The practitioners interviewed spoke passionately about all aspects of their jobs. Three out of the five participants cited helping people as one of the reasons they work in the sector. Two practitioners interviewed did not view their primary jobs as child protection, rather describing their roles as family protection. All participants were interviewed in their workspaces.

8.3.1 Beyond parental control cases

The interviews with practitioners clarified points raised at KRK and assisted in gaining a better understanding of beyond parental control cases. The Child Protection team work with individuals under the age of fifteen. Nuha explained that the majority of child protection cases are beyond parental control cases and the children involved are normally female.

Nuha: Usually most of them are female that the parents complain they are going out from home for…more than seven days and then thinking something like alcohol and then having…sexual activities with many partners and everything then they will come to us. But we have to apply for the particular case to the…court... And from the court that will give us the order that either the girls, or the case, should be placed under our rehabilitation centre or not… from the court order we can put the young person under our rehabilitation centre. If the court doesn’t grant it…we can do monitoring and counselling session with that particular young person (partially translated from Malay).

Nuha added that some beyond parental control cases relate to “things they did that is not illegal it is beyond our religion.” Kadiza added that beyond parental control cases often result in relapse due to the family environment. There are processes in place to try and address relapse. The follow up is done by bahagian keluarga [The Family Unit] who make an unscheduled visit to the family to assess the environment and then make regular follow up visits. There is also counselling offered to children after leaving KRK.
Nuha and Izzah saw rehabilitation, rather than punishment of children, as the aim of HoD. It is a judicial decision whether the child experiences rehabilitation within the family environment, or within KRK. Outside of KRK, rehabilitation is addressed through counselling and mediation. Inside KRK there are programs involving religious officials.

Izzah: So actually if it is in our rehabilitation centre…we are providing…religious teacher…and we are also giving them more rehabilitation activities so they have to be given religious talks…and also they have to be in Mullah exposing to all the bad things they have done and also involving from… the Bureau of drugs and then we are also including the hospital people…we expose them to all these kinds of things when they are put inside the home (partially translated from Malay).

The inclusion of drug education highlights the overlap between beyond parental control cases and criminal offences. Izzah’s quote also demonstrates that at the heart of the rehabilitation program is an element of Islamic education. The rehabilitation relies on children understanding that their previous behaviours are “bad”. Izzah gave a further example of how she engages with children classed as beyond parental control to change their behaviours.

Izzah: So we use psychologies, we are not expert in these things. So actually we try…ask them to imagine themselves being in a situation, the risks because they are usually very young and like eleven years old and they’re already you know so we give them something to think about like if you became parents at this age, would you be willing to serve your baby?…Let them think for themselves, what do you want to do in the future. Often times they don’t realise what they’re doing is wrong. Even a fifteen-year-old can’t tell right from wrong. Majority of them below eighteen, their IQ is a bit low. Most of them, like on rape cases or incest, most of them have low IQ and sometimes because they are too exposed with all those kind of things at a young age because the parents are having problems the mother is going out with the boys or something. So lack of attention from the parents that’s why this particular case was being wild.

Izzah’s engagement strategy encourages children to think about their behaviour, by asking them to imagine how their parents feel when they are engaging in bad behaviour. Her second engagement strategy to work with children having sex, is to draw their attention to the risk of pregnancy. Izzah gives the age of the hypothetical child engaging in sex as eleven, which is consistent with examples given by other practitioners. Her
conceptualisation of children under the age of 15 being unable to tell right from wrong, illuminates how children are thought about and interacted with, by adults in Brunei.

Izzah’s quote connects the behaviour of the children in these cases, and the family environment. The idea that children’s behaviour is influenced by the mother’s promiscuous behaviour underlies the practitioners practice. This belief gives insight into gender relations in Brunei. Izzah describes the majority of her cases as being with those of low IQ. She connects low IQ with being exposed to sexual abuse at a young age and the impact this can have on children’s development. However, the overrepresentation of those with low IQ’s in child protection cases also has implications for furthering understandings of those with special needs in Brunei. Conversely, the negative impacts parenting behaviours may have were recognised by practitioners.

Nuha: So sometimes the kids if they are not going to school it could be because the parents are not aware of the welfare of their own children. Sometimes they do not want to send them to school with many excuses. ... it’s not necessarily always the kid’s fault.

Nuha’s comment’s regarding why children skip school, places the responsibility on both parents and children. Overall, this discussion demonstrated the vulnerability of children who are judged to be beyond parental control cases. While offered rehabilitation, they are also in need of protection.

**8.3.2 Child sexual abuse cases**

KRK was a discussion topic in all interviews. The practitioners described KRK as a place of rehabilitation and of protection. Having both rehabilitation and protection in the same complex was seen as problematic. Ramziah relayed that children she worked with described feeling a sense of injustice at being detained in HoS.

Ramziah: I do have cases when they were raped by their father and they come in, they say things like … “why am I being put here?” “Like I’m being imprisoned” … “I’m not the perpetrator” like “I’m the victim”. So sometimes it is a bit difficult for
us...because how do you explain...this is for your protection? But...they feel like I’m not given a lot of protection here in terms of...emotional needs you know? But... some of them they do feel protected because...you do see cases of incest sometimes its like the worst of brother, father and uncles, because they live in the same house, in one extended family household...so its not only the father, it’s the brothers and also the uncles, so they do feel protected. But some of them they do feel like “I’m the one who did wrong”. You know? So...there are discussions ... where...they want to make it more welcoming for the protection...so I think ... we are achieving our work especially in rehabilitation but protection we are trying to work on how ... to really achieve ... making them feel more protected instead of being confined (partially translated from Malay).

Ramziah’s quote shows the desire for a shift amongst the practitioners away from detaining those in need of protection in the same facility as those detained for an offence.

Under-resourcing was given as the reason for the current situation. Ramziah differentiates between different types of protection offered to the children. While barriers such as fences ensure they are physically removed from the perpetrator, Ramziah does not feel that the children are having their emotional needs met within KRK. The children feel as if they have done something wrong, rather than the perpetrators. Also of note, is Ramziah’s assertion that there are often multiple male perpetrators in incest cases, due to extended families residing together.

Incest cases were described by Nuha and Izzah as cases they find most challenging. They stated that in these cases parents are often difficult for practitioners to approach, so the police have to get involved. Kadiza and Ramziah saw sexual education of children as a way to combat incest.

Kadiza: If there is incest cases you know then they feel that maybe if the father touch them like in a sexual way they think that’s how their father expresses love for them. So they don’t really know what this sex… maybe in Brunei they get a bit of knowledge from the elder person.

Ramziah: When we go to schools, we give explanations on incest. They do not know anything about what what the meaning of incest is… So we teach them, we tell them, this is the boundaries of love like you don’t get it confused. When someone touches you like this, that’s not right. (partly translated from Malay).
The teaching included in Ramziah’s quote refers to Brunei’s Forum Sinar, or sexual education program. Ramziah describes it more as an advocacy for abstinence than sexual education. She continues that sexual education cannot really be taught because it is not a part of MIB. However, Ramziah feels that Brunei has “religious inception” which emphasises the moral need to delay sex until marriage. Hospital workers also visit schools to educate students on sexually transmitted diseases. Aqsa and Kadiza saw parents as playing an important role in sexual education. Rather than using schools, they feel that elders can have the conversation with children. Schools can then add a biological perspective.

The primary reason described for teaching Forum Sinar was addressing casual sex amongst teenagers. The practitioners described Bruneians as young as nine as engaging in casual sex. One participant linked this behaviour to “dysfunctional families.”

Ramziah: Their family do not send them to religious schools… and sometimes it’s to do with dysfunctional families…like the mother has boyfriends…they sleep with…so when they see it they think like “oh that’s normal”.

Use of pornography and the influence of technology, were linked by the practitioners to casual sex in teenagers. Extreme examples are given in Forum Sinar to demonstrate the consequences of casual sex. The Ezycard scheme is explained to children in Forum Sinar to try to warn them of the dangers. An Ezycard contains phone credit.

Ramziah: We tell them about what’s happening in Brunei like cases of Ezycard we call this, there is a term called Ezy 5, Ezy 10. Where… the youth, especially girls, they would have this chat group called the Ezy free chat. So Asia free chat, so they would text and they would find people who would want to give them 25.00 Ezycard or 100 dollars Ezycard, by meeting them up…doing things…and also they would just get the Ezycard…just like that. Not only that, we also have you know this scale of men, they would just hold the cards and put it on their car windows, they would drive around. So the girls or the people who knows about this scheme of this for the Ezycard, they would just take the card and go into the car. We have cases like that…. We have cases of Facebook…they don’t tell you their identity so they make the girls fall in love with them and so after that they lure them, … they say we will go out on a date but then after that they rape them (partly translated from Malay).
No further references were found in interviews, media reports, or English language literature on the Ezycard scheme, so conclusions can only be drawn from this passage. This quote highlights themes of technology, social media, gender and child sexual abuse. Men approaching young women on the street for sexual exchanges can lead to young women feeling unsafe. Social media connects the community. However, Ramziah also connects it to anonymity and the risk of those who are unknown. The use of social media and technology is linked by Ramziah to sexual abuse and is more prominently discussed than the acts themselves.

All practitioners were candid during interviews. The discussion was steered by the participants into sensitive areas, not often spoken about in Brunei. Before entering this field, Ramziah did not realise that incest and casual sex occurred in Brunei, and described her first months of work as “an eye-opener” and “overwhelming.” She puts the lack of public awareness down to Brunei’s state controlled media. Public awareness is growing with incest cases reported in the media and volunteers from the community being exposed to the cases when assisting the practitioners. Ramziah suggested that increasing the number of volunteers and including teenage volunteers, as the best way to increase understanding in the community.

Ramziah: Come in...see what’s going on in Brunei. So that you would know this is actually what is going on in Brunei...We need to be aware of it you know...we need to help each other...to make it much better...than just simply turn a blind eye. (partly translated from Malay).

The idea of involving twelve-year-old volunteers would give children a voice in conversations from which they are excluded. However, the further use of volunteers could affect the professionalism of the workforce.
8.3.3 Domestic and family violence cases

Cases of domestic or family violence are referred to practitioners via helpline 141 or by the police. Practitioners explained the priority in these cases is to ensure the safety of women and children. The preference is to find women and children a place to stay with kin, if this is not possible they are taken to KRK. KRK assists in caring for the children, ensuring they are given medical care and access to schooling. The decision on whether to keep mother and child together is somewhat dependent on the mother’s wishes.

Aqsa: Sometimes they prefer to stay at a friend’s house first. Then they leave the children with their family. Because sometimes the husband only abuse the wife but not the children.

Through the Islamic Family Law Act a restraining order can be obtained, this can protect the women and children from the husband and the husband’s family. The practitioners emphasised the importance of the restraining order, as it enables the police to take action if the husband, or husband’s family, breaches the conditions. Women are offered counselling. Marriage counselling is offered for both husband and wife in these cases.

The practitioners partner with the women by accompanying them to the hospital, or the police station. Kadiza and Aqsa discussed the impact that racial prejudices have on police attitudes in domestic violence cases.

Aqsa: I think racial prejudice in crimes…from the government agencies…like we have cases that … are from the Philippines you know? Or Chinese you know? And the police did not really co-operate well with them because they are not Bruneian? Yeah if they are Indonesian…they are like you are the one who is materialistic maybe you married your husband…

Kadiza: yeah married for money so that is their prejudice.

Further frustration with the police came at the length of time it took for practitioners to obtain information from officers. Similarly, there were frustrations at delays in receiving information from hospitals and Courts. The practitioners also highlighted that in some of the domestic violence cases the husbands were involved in drug and alcohol use.
8.3.4 Adoption cases

Practitioners were involved in evaluating the suitability of families who wished to adopt a child. The practitioners were involved in cases where families already had the child in their care and had applied to the Syariah Court to officially get the adoption approved. Thus, they could provide little information on why a child may have been put up for adoption by the birth family. The practitioners then constructed a social report evaluating the home environment.

The ability to care for the child is based on the applicants’ economic situation, the safety of the house and the age and sexual orientation of the applicant. To adopt a child, a parent cannot be younger than 25 or older than 55. The practitioners highlighted that the younger age limit is in place as a measure to ensure that children are not groomed by potential adoptive parents.

Kadiza: We need to know because there are cases like...lesbians maybe...you know...they are just taking care of the children not really adopting them...So...we have to investigate further. Because if there is something fishy yeah like she is young...and...the gap of the age is not that big...you know we must further investigate.

AY: Does that happen a lot? Further investigation?

Kadiza: Not really but some...

Aqsa: Very few cases

Kadiza: But economically not suitable because of their economic background, yes. That happens a lot yeah...

Aqsa: So if they already have like ten children and they want to adopt children then economically it’s unstable.

Often, applicants are rejected on economic grounds, with priority being given to those married for more than five years who are childless.
8.4 Summary of main themes and conclusion

Based on findings from interviews, this chapter established that teachers and practitioners have a passion for working with children. It also showed that across both groups, motivations for volunteering and working with children included desires to “help society.” The positive motivations and enthusiasm for working with at risk children can be contextualised in Brunei’s caring collectivist culture. The interviews with adults provided invaluable information on procedures in child protection, domestic violence, adoption and KRK. These interviews also provide a comparison between children’s descriptions of life in Brunei and adult perceptions. They assist in drawing conclusions on adult and child relations in Brunei and adult views on the competence of children. The perception of adults that children as old as 15 years are not able to distinguish between right and wrong is illuminating. It presents children as lacking agency and needing adults for guidance. The majority of the teachers and all practitioners recognised, the negative impacts families could play on child wellbeing. However, it was only the domestic violence and adoption workers who viewed their work as family protection, rather than child protection. While practitioners demonstrated commitment to their roles, few held qualifications that matched their job titles. Social work qualifications are not offered at tertiary institutions in Brunei. Increasing the visibility and professionalisation of social work in Brunei will strengthen child protection responses (O’Leary, Young, McAuliffe & Wismayanti, 2018). The professionalisation of the child protection workforce is a challenge across the region (O’Leary, Young, McAuliffe, & Wismayanti, 2018).

In their brief comments about the lives of children at home, teachers spoke of families, rather than specifically mothers or fathers. The practitioners only referred to fathers and male relatives as perpetrators of incest. Mothers were casually referenced throughout. Mothers with lots of boyfriends were cited as possible reasons for children becoming
beyond parental control cases and a mother’s divorce was given as a reason for her dropping off her child at KRK. These two examples suggest that mothers are held responsible for children’s conduct in Brunei despite Islam’s guidance on the roles both parents play in child rearing. Practitioners identified beyond parental cases as being more common amongst girls. This study only interviewed male child participants in this category. The higher rate of beyond parental control cases amongst females is indicative of the higher standards expected of girls’ behaviour in Brunei.

Practitioners highlighted that beyond parental control cases are under-pinned by Islamic values. Thus, beyond parental control cases present an interesting nexus between gender, Islam and child protection. The uncertainty on whether the behaviour in beyond parental control cases is illegal or against Islamic values is part of a larger theme throughout the research with participants connecting “bad” behaviour with a lack of religious values, rather than illegality.

Islam and values was a theme examined in the interviews with adults. Islam has a role in the rehabilitation of children deemed to be illustrating troubling behaviour. This can be seen in both KRK and YSHHB practices. The effectiveness of this rehabilitation has been discussed above in the children’s section. Islam also framed the discussion around beyond parental control cases and sexual education. It could be argued that fear is used as a deterring factor in sexual education discussions with children, more than Islam. However, the Islamic leadership in Brunei was seen by Kadiza as a barrier to furthering discussions on sexual education in schools. Teenage pregnancy was discussed more by practitioners than by children. Practitioners described children as young as eleven becoming pregnant, whereas when children were interviewed specific ages were never
discussed. Islamic teachings were not suggested by practitioners as a way to discourage teenage pregnancy.

The motivational talks at YSHHB use Islamic teachings, as well as a whole of family approach, rather than focussing exclusively on the child. Motivational talks are used in a variety of situations with adults and children in Brunei. The status of these speakers is high in Brunei, however it is unknown whether they hold formal qualifications. The children’s accounts above showed that they link the motivational talks with Islamic teachings. No practitioners spoke about engaging with parents while children were in KRK. While parents of those who attend YSHHB and KRK were not interviewed, a small number of parents who adopted a child and were parenting children with special needs did participate. Their responses can be seen in the final analysis chapter.
9.0 Parents

9.1 Introduction and context

Bruneian children’s experiences sit at the core of this research. These accounts can be contextualised by examining cultural norms, policies and practices. Governmental policies that protect children may be too complex for children to comprehend fully. The onus of negotiating these policies to ensure child wellbeing is placed on parents. This is especially true for parents of young children and those with special needs.

This chapter focuses on accounts of parenting in Brunei. The parents interviewed either were raising children with autism or had adopted children. The focus of the interviews were to capture the realities of children whose voices are not often heard in Brunei. Particular interest was placed on how parents negotiated governmental policies and practices to seek support for children. Children with special needs had been identified in the literature review as a vulnerable group, supported by a range of specific protections. Children in chapter 7 also spoke about peers with special needs.

The interest in adoption arose out of the responses at KRK, where children discussed informal adoption. As established in the literature review, Islamic and Western conceptualisations of adoption differ (Ishaque, 2008). In Brunei, the term ‘adoption’ is used when communicating in English, yet it refers to adoption under Islamic Law. This differs from other Muslim-majority nations where the term kafalah is used. The use of the term “adoption” throughout this chapter reflects the Bruneian use of the term. Interviews with parents were designed to explore the practice of formal and informal adoption from the perspective of local families. This chapter also examines Bruneian adults’ perceptions of children.
The experiences of parents across these two groups were united by common themes. Firstly, Islamic beliefs were discussed, both explicitly and implicitly, as underlying adoption practices in Brunei. A desire for Muslim children with autism to have an Islamic education was discussed by parents, as were Islamic prayers used to calm children. Secondly, gender was identified as playing a role in parenting practices. Thirdly, citizenship was implicitly present in the discussion of both adoption services and special needs entitlements. Two families were non-citizens in the special needs cohort, while one child who was adopted had a birth parent who was an Indonesian migrant. Fourthly, parental guilt and blame was present in the majority of accounts of those with autistic children. These feelings were mingled with hope and a desire to protect the children into the future. The motivations for those adopting children were mixed but two families also spoke of their wish to protect a vulnerable child. The final theme present was the experiences of systems. The processes of adopting a child was described as reasonably straightforward and reflected descriptions given by practitioners. In contrast, parents’ experiences of special needs education conflicted with Bruneian policy guidelines.

### 9.1.1 Participants

The participants in this chapter are united by parenthood. All are raising vulnerable children in Brunei. Their stories are distinct, while also hosting common themes. Table 12 provides an overview of participant cases present in this section.
### Table 12: Participants who are parents

<table>
<thead>
<tr>
<th>Name</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Diyana</td>
<td>Diyana is a mother who adopted a child. She is Malay, Muslim and Bruneian. Diyana is married but was interviewed alone. She adopted Mahmud, whose account was included in the HoS section, presented in chapter 5.</td>
</tr>
<tr>
<td>Iskandar &amp; Alya</td>
<td>Iskandar and Alya are parents who adopted a child. Both are Malay, Muslim and Bruneian. They are married and were interviewed together. The child they adopted is an infant. The birth mother is a migrant worker from Indonesia.</td>
</tr>
<tr>
<td>Annisa &amp; Alif</td>
<td>Annisa and Alif are parents who adopted a child, who was later diagnosed with autism. Both are Malay, Muslim and Bruneian. They are married and were interviewed together. The birth parents are relatives of Annisa. Annisa and Alif’s experiences have been included in both sections of this chapter.</td>
</tr>
<tr>
<td>Nabilah</td>
<td>Nabilah is a mother of a son with autism. She is Malay, Muslim and Bruneian. Nabilah is married but was interviewed alone. Her son attends SN1, an organisation that supports individuals with autism in Brunei.</td>
</tr>
<tr>
<td>Suhana</td>
<td>Suhana is a mother of a son with autism. She is Malay, Muslim and Bruneian. Suhana is married but chose to be interviewed alone. Her son attends SN1.</td>
</tr>
<tr>
<td>Syed &amp; Amina</td>
<td>Syed and Amina are parents of twin boys, both of whom have been diagnosed with autism. Syed is Muslim and from Pakistan. Amina is Muslim and from Indonesia. They are married and were interviewed together. Syed and Amina’s sons attend SN1 and SN2. Both organisations support individuals with autism in Brunei. Syed and Amina elected not to have their interview recorded.</td>
</tr>
<tr>
<td>Li-Li</td>
<td>Li-Li is a mother of a son with Autism. She is Chinese Bruneian and her religion is unknown. Li-Li is married but chose to be interviewed alone. Her son attends SN2, an early intervention program in Brunei. Li-Li elected not to have her interview recorded.</td>
</tr>
<tr>
<td>Roz</td>
<td>Roz is a mother of a son with autism. She is Malay, Muslim and Bruneian. Roz is married but chose to be interviewed alone. Her son attends SN1.</td>
</tr>
</tbody>
</table>

Three participants elected not to have their interview recorded. Hand notes were taken and care was taken with accuracy. The majority of the participants included in this chapter are female. No fathers were interviewed alone, but three did take part with their wives. All the children described in the interviews were male. Participants also had female children in the family, but these children were not the primary child of interest in the interview (either the child with special needs, or who had been adopted). The participants’ accounts have been presented as case studies. This choice was made to deepen the readers understanding and connection to these stories. The cases have been divided into two groups to better contextualise each group. The first grouping focuses upon parents who have adopted a child, with the second focusing on parents of those with special needs. Annisa and Alif are included in both sections, having adopted a child with special needs.
9.2 Parents who have adopted

Interviews with adoptive parents were conducted after practitioners had given an overview of the adoption system in Brunei. The information given by practitioners can be seen in chapter 8. Practitioners spoke of the adoption process and their role in assessing potential families. Parents were interviewed to give another perspective on the process. A gap identified in the practitioners accounts, was the little information given on the children adopted. Their jobs involved ensuring the adoptive family were suitable, yet their roles did not include finding out the previous history of the child, or how the child had come into the adoptive family’s care. Thus, interviewing adoptive parents allowed understandings to be developed on which children were being adopted in Brunei and why they were adopted.

Mahmud, Zikri and Daud, could be described as vulnerable children. Mahmud was adopted from HoS by Diyana after being abused by his former adoptive family and abandoned by his biological mother. His account was included in chapter 5 with the KRK cohort. The motivation for Diyana to adopt was a desire to help a child in need. Zikri’s biological mother is a migrant worker, who had become pregnant while in Brunei. She was unmarried, under financial stress and had tried to abort Zikri in her third trimester of pregnancy. Iskandar and Alya provided her with medical care in her final weeks of pregnancy and then adopted Zikri. Daud was adopted by Annisa and Alif a few weeks post birth. He was later diagnosed with autism. Thus, it can be argued that adoption in Brunei can function as a child protection mechanism for vulnerable children.

The differences between the three cases highlights the diversity present in the formal Bruneian adoption system. Thus, the system has to encompass a degree of flexibility to
take into account diverse needs, while still demonstrating clear processes to ensure child wellbeing.

9.2.1 Diyana

Diyana’s case illustrates system flexibility. Diyana was interviewed in her home after her son Mahmud’s interview. She insisted that Mahmud leave the room for her interview so she could speak openly. Mahmud had been sent to KRK by his biological mother. Diyana worked at KRK at the time and remembered Mahmud crying and refusing to enter the centre. She noted that his biological mother was divorced, presenting this as the reason Mahmud was surrendered into care. No mention was made of reunification attempts between Mahmud and his biological family.

Mahmud was three at this time. Like Diyana, one of the female wardens from KRK noticed his distress and took Mahmud to her house. However, Mahmud still had to come to KRK with the warden during work hours, as she did not have a maid who could care for Mahmud while she was working. Aware of the situation, Diyana suggested that Mahmud instead come live with her, as she had a maid who could care for him. Mahmud then stayed with Diyana and her family for a year. During this time, his food and necessities were provided by KRK.

Following his year with Diyana, Mahmud was sent to live with a new adopted family. He experienced physical abuse while living with this family. Once Diyana became aware of the abuse, she took Mahmud back into her care. She describes Mahmud at this time as “not having anyone”, but stated that he was comfortable at her home and with her family and so Diyana took him back to house. She then began proceedings to officially adopt Mahmud.
Diyana: Six months after leaving the second family, I needed approval for custody from the Director so that he can stay with us. He doesn’t feel at home anywhere else, he likes it here, he’s comfortable. To be honest, I wasn’t allowed to take him. Because I work for the Ministry… and we aren’t allowed to adopt. Plus, I already have a lot of children; I have seven children of my own. But since he’s a special case and he’s already gone through two families, they were lenient (translated from Malay).

Mahmud’s wish to live with Diyana was included in the decision-making process about his future adoption.

This case highlights some key points. Integrally, it demonstrates how children can have their voices heard to advocate for their needs. It shows how flexible Brunei’s system can be to cater for the diverse needs of children in vulnerable circumstances. While system flexibility is important, if not based on a clear rationale, complications can arise that places the wellbeing of children at risk. Acting within the “best interests of the child” is one lens which can be used to examine the adaptability of systems to the needs of the child on a case by case basis. In the interviews with practitioners included in chapter 8, it was established that economic concerns were of importance in deciding whether an adoptive family was suitable. Given that Diyana is employed by the Ministry, her economic situation was stable.

During his time at KRK, it appears that Mahmud entered a situation akin to foster care. He did not wish to stay in the institution, thus staff members took him into their care. Diyana was given economic compensation while caring for Mahmud. That this consideration was in place, suggests Mahmud’s case may not be atypical. Informally, KRK appears to be blending institutional care with family-based care in some cases. Both Diyana and the warden are female. It is unclear whether Mahmud would have been allowed to reside with a male staff member. The case also highlights the use of maid’s in
childcare. This is a theme present in the accounts of mothers. Bruneian mothers imply throughout the chapter that for employed mother’s having a maid is a childcare necessity.

Mahmud’s story draws attention to the risks of placing a child in adopted care, even when processes are followed. In Western-based child protection systems there are issues with abuse in alternative care families. The trauma experienced by Mahmud, following the abuse by his adopted family, continues to affect his life.

Diyana: Every time we get visitors…he’d be frightened. He was afraid that they might take him away. He’d ask why they are in the house. ….. I’d tell him, they’re just here to visit; they’re my family. They are not bad people (translated from Malay).

There has also been extensive psychiatric care offered by the MoH to assist with ongoing nightmares and anxiety. Mahmud’s worry that Diyana may “give him away again” suggests he may have difficulties in forming secure attachments. It also gives an insight into his level of understanding of his past.

Diyana’s family were supportive of her decision to adopt and supportive of Mahmud.

Diyana: He was asking why he’s not in the family photo. So when it was Hari Raya, we took photos with him making him happy. We sympathise with him after the incident with the second family (translated from Malay).

Extended family provides important social support. That the family are supportive may highlight that there is little stigma attached to adopting a child in Bruneian culture. Mahmud’s wish to be included in the family photograph suggests shifts in his identity from a child residing with a family, to a child who is part of the family. The right to maintain a child’s identity is contained in the OICCRCI and is an important aspect of Islamic jurisprudence. Maintaining the identity of the adopted child was a theme explored throughout the three adoption cases.
9.2.2 Iskandar and Alya

Similarly to Diyana, Iskandar and Alya had not planned to adopt a child. In both cases the child was adopted out of a willingness to provide care to a child in need. At the time of interview Iskandar and Alya’s adopted son, Zikri, was ten months old and had lived with the couple since birth. The couple first met Zikri’s biological mother through Alya’s sister.

Alya: My sister had a friend who was looking for someone who’d adopt a baby. The baby’s biological mother considered…having an abortion, so she was looking for someone to adopt the baby, plus she was already in her third trimester. She tried taking in medications, but the baby was still intact. So she was looking for anyone who’d be willing to take care of her baby (translated from Malay).

Iskandar: We found out about the baby when it was eight months in. … She’s a single mother…She’s Indonesian. She can’t afford the expenses of having a child in Indonesia. She’s in Brunei under social pass, as a visitor, so she couldn’t earn stable income (translated from Malay).

This highlights the lack of social and financial protection for migrants in Brunei and the risk this poses to children. It further demonstrates that there is awareness in the Bruneian community of the lack of protections for foreigners.

Originally the couple were not interested in adopting the child.

Alya: In the beginning, we never intended on adopting. We were only married for about two years or so, so it was too early to decide on adopting. We did offer people and asked around for anyone who’d be interested in adopting, but none responded. So we felt bad for the unborn baby. Rather than getting rid of an innocent soul, we decided we might as well rescue it (translated from Malay).

Alya and Iskandar’s reluctance to adopt stemmed from financial worries. Alya and Iskandar mentioned that the ability to “save an innocent life” was a motivation behind their decision to adopt.

Alya: Its biological mother was desperate to go for an abortion and we felt sorry for both the mother and baby. So we spontaneously thought, ok, let’s save an innocent life. So we decided to adopt the baby regardless of our financial setbacks.

Iskandar: It was also a desperate decision considering she was about a week away from the due date.
Alya: Yes, she told us a week before the baby was coming. And it was hard to meet up with her, she was always busy selling, nasi katok and we were worried. By that time she had already taken countless medications to get rid of the baby. We begged her to take better care of herself, buying her some vitamins and some formula for expectant mothers, you know, for the baby’s health. She never had prenatal care since the beginning of her pregnancy till the day she gave birth (translated from Malay).

Abortion is illegal in Brunei. The repeated attempts by the birth mother to abort the baby speak of her desperation and vulnerability as a migrant. The couple describe Zikri as a “good baby” and did not describe any lasting health effects from the medications taken by the biological mother during pregnancy. They were concerned for his health pre-birth and paid for an ultrasound. They also paid for the birth mother to attend private clinics.

Unlike the other cases, this adoption is yet to be made official. At the time of interview, Zikri was not yet a Bruneian citizen. Iskandar and Alya have to extend Zikri’s visitors pass every three months, but had been advised that this would change after their case had been reviewed by the Syariah court. Presently, Zikri does receive free health care in Brunei.

Iskandar: For now, he’s still Indonesian.

Alya: We’ll have to wait till he’s five years old?

Iskandar: Yeah. For now, we’re still waiting for the Syariah court order. He’s not legally ours yet. So after the approval from the Syariah court, then we can proceed to extending his pass; just the visitor pass…For now it’s every three months, but I’ve asked the court and they said after we’ve received the approval, we get to renew his visitor pass annually until he reaches the age of two, then we can apply for permanent resident (excerpt translated from Malay).

Neither Alya or Iskandar were concerned over Zikri’s citizenship status. Zikri’s current citizenship status is the same as his biological mother’s, despite citizenship status being determined by the biological father of the child. Iskandar and Alya description of the adoption process was congruent with the information provided by practitioners.
Alya and Iskandar described Zikri as “like a child of our own”. They had found their extended family to be supportive of their decision to adopt a child.

Alya: Even though he’s adopted, they think of him as their own. They love him just as they would their own grandchild (translated from Malay).

This statement has implications for Zikri’s identity as an adopted child. Iskandar and Alya were unsure of how they would approach informing Zikri that he was adopted. The couple did not demonstrate a strong awareness of the need to inform Zikri of his biological identity. Alya and Iskandar’s case highlights a commitment in the Bruneian community to care for children in need. Zikri and his biological mother are not Bruneian, yet their circumstances had come to the attention of concerned locals.

**9.2.3 Annisa and Alif**

Annisa and Alif’s case differs from the previous two. Firstly, Annisa and Alif had long planned to adopt a child. They were not motivated by seeing a child in need, but a desire to be parents. Secondly, they adopted a child from within their extended family. Annisa and Alif were asked by Annisa’s brother to adopt the child following the birth. This was Annisa’s brothers’ fourth child. The couple had discussions with Annisa’s brother about adopting his older children, but were surprised when he offered Daud. Two weeks later Daud came to live with them. They spoke of how unprepared they felt.

Annisa: It was all so sudden. Even in the beginning when they first got pregnant, they never said that they were giving us their child. ... So once he was born... they asked us, “would you take care of this child?” (translated from Malay).

Annisa did not feel confident looking after a baby. However, Alif was so enthusiastic that they ended up taking Daud early, and not waiting until he was 40 days old. The official process began at the Department of Immigration, as this is where birth registration occurs in Brunei. This department plays an important role in family entitlements as the child ages.

Annisa: We applied at immigration … so that they can put his name under my
husband’s name. Because we’re his guardians now and if one day for example, he decides to study abroad, we can claim travel fares under my husband’s name.

Alif: Also, for when he attends school when he’s five.

Annisa: Yeah, we can claim for fares. His biological dad doesn’t earn much, so this helps (excerpt translated from Malay).

There was also the need to get a letter for transfer of custodial rights from the civil court. This letter was then given to the Syariah court, demonstrating how the legal systems in Brunei work in tandem. The Syariah court was approached after the couple had custody for six months. Following the Syariah court approval, the families are passed on to MCYS for interviewing. Annisa described this as the most detailed interview, covering the couple’s financial situation, a home visit and questions over childcare. As Annisa was working at the time of the MCYS interview, she was concerned of what the practitioners would think.

Annisa: I had to be in a meeting, but they were already insisting on coming over but I couldn’t get out of the meeting… It was just my husband and the maid at the house so we were worried that they might take down notes saying we’re too busy. Like thinking, “they won’t have time for the child”. So we were worried (translated from Malay).

The application then goes through immigration again, before returning to the Syariah court. Alif described the process as easy but felt this was due to the fact that he was adopting his nephew. Their case contains similar themes concerning employed mothers. Annisa was worried that the practitioners would think she did not have enough time for the child while she was employed. This was not a worry for her husband. Gender also played a role in the formal adoption process. In their description, Annisa notes that while they are both guardians of Daud, Daud’s birth registration is under Alif’s name.

Annisa and Alif adopted from within the family, so the extended family were supportive. When asked if they had any advice for prospective couples looking to adopt in Brunei Annisa and Alif contrasted their experience to another couple they knew.
Annisa: You have to love the child. I have a friend who I guess; adoption doesn’t really work out well for her.

Alif: Her soul isn’t cut out for it.

Annisa: Like it doesn’t get to her on the inside; ‘will I love this child?’ In my case, he’s my nephew but I love him. Care for him when he’s sick, feed him and seeing him everyday, you do feel such emptiness when he’s not around. But my friend, even after taking care of the child for so long, she hasn’t felt a connection yet. The affection isn’t there (excerpt translated from Malay).

This quote speaks to the idealism of parenting in Brunei. Parenting is seen as a spiritual act. Attachment to the child as something intrinsic, rather than something that can be developed. Annisa illustrated her attachment to Daud, despite the realisation that in the future he may return to his biological family.

Annisa: We don’t have high expectation for the future or that he will always stay with us. We never hoped to accept gratitude, either way he’s doing us a favour. He fills our life and we’re thankful for that.

The idea that a child can have a “real” family and a family that takes care of them daily, influences the relationship between the parent and child. Annisa and Alif are both Islamic teachers. They were informed of conceptualisations of adoption in Islam.

Annisa: In Islam, you cannot attach your name to your adopted child. So hopefully he will understand eventually by looking at his name…And…we never stop him from being with his real mom. We even told him that that’s his mom and this is dad. Hopefully these will be a lot more obvious to him in the future.

Their approach to maintaining Daud’s identity was through emphasising his name, rather than having an explicit conversation. Parenting has been an emerging theme throughout all interviews with adults and will be discussed further in the next section.

Throughout the three case studies, support from extended family and the Bruneian community could be seen. The protections and social networks that these offer enhance child wellbeing. Conversely, parents bringing up children with autism, whose cases are presented in the next section, described their extended family as not being a source of support. This was due to a lack of understanding of special needs in the wider
community. A comparison between the themes present in these adoption cases and the cases of parents of a child with special needs is presented at the end of this chapter. This is to allow further exploration of Annisa and Alif’s experiences of raising a son with autism who was also adopted. Their story continues in the next section.

9.3 Parents of those with special needs

This section presents accounts of parents raising children diagnosed with autism. Parents were recruited through two NGOs specialising in autism and early intervention services. The interviews focussed upon the experiences of parenting special needs children in Brunei, interactions with government systems such as education and health and the attitudes towards autism in the Bruneian community. One theme noted was feelings of parental guilt and blame, which can be seen by returning to the case of Annisa and Alif.

9.3.1 Annisa and Alif (continued)

Annisa and Alif were concerned about Daud’s communication skills. Daud had begun talking when he was around a year old. However, he suddenly stopped communicating.

Annisa: He wasn’t connecting, like when he talks, he doesn’t look straight at you. Perhaps we were too busy back then. Working the whole day till the afternoon ….

Alif: He was always with the maid, all the time.

Annisa: He actually already began talking when he was about a year old. He could tell us what he liked and didn’t like, but that suddenly stopped (excerpt translated from Malay).

The idea that parents were too “busy” to give their son attention is shared amongst accounts. Feelings of guilt and blame were present in this interview.

Annisa: We actually think it’s our fault for not giving him more attention….But looking at his family, his brothers were also slow in talking. His oldest brother was exactly like him, he only started talking at 4 years old….They made sounds like ‘moo’, the same. …. But at the same time, we’re also afraid that what if he is not like his brother? So we’re worried about that (excerpt translated from Malay).
Daud’s diagnosis occurred after visits to private clinics and the Child Development Centre (CDC). The final diagnosis of mild autism was made after an interview with Daud and seven doctors. Annisa and Alif then approached SN1, to prepare Daud to attend school. They have observed progress.

Annisa: I’m truly impressed that he can now communicate. We were told that children with autism aren’t able to say what they want. They could only point to what they want. But now, he can say what he wants, like he can tell us if he wants milk, go to the toilet (translated from Malay).

This quote highlights misunderstandings of the parents towards special needs. The majority of parents had little understanding of autism before diagnosis, demonstrating misunderstandings of special needs within the Bruneian community. Annisa and Alif have chosen to send Daud to a private school, as they accept children at age four. Government schools require children to be five or older. All but one case saw parents of those with autism favouring private schools over government schools. However, the financial costs on a family are significantly higher at private schools.

9.3.2 Nabilah

Nabilah’s interview focussed on the financial costs of raising autistic children. She has two sons, both diagnosed with autism and a younger child. She was open in speaking about her struggle to balance work commitments with raising her children. Nabilah’s husband is unemployed. Nabilah described her employer as being very understanding. Her sons, Lokman and Razman, have to be driven to and from school and walked to their classrooms by their mother. Like all Muslim Bruneian children, they are required to attend Ugama school. Their academic school and Ugama school are in two separate locations. Thus, getting the children to classes takes up a significant proportion of Nabilah’s time. Nabilah has found the education system to be supportive, especially with her oldest child Lokman who can communicate verbally. Lokman’s Ugama teacher was especially supportive, despite having no training in special education. She has found that
teachers are less comfortable with her second son Razman who has only just begun to verbally communicate.

Nabilah described her extended family as being supportive. This is in contrast with the majority of accounts in this section. Her greater concern is the financial pressures the family are under. Both children attend two NGO programs. Both these programs have attendance fees. Nabilah said the family did not receive Zakat.

Nabilah: Zakat I think is mostly for those who are really poor. On special needs I have not come across. So mine is focus on financial support so we want to have more, at least more so that we see the improvement.

Syed and Amina stated they did receive Zakat support. Nabilah’s family are particularly worried as they are considering sending their children to a private school. After approaching one private school they were advised that that particular school could not cater for children with special needs. Some schools they have considered require the parent to provide their own special education teacher.

Nabilah: The problem is they do not have special teacher. So they can’t...like...some provide...their maid but I can’t because I have small baby. So we just put them in school and handle it. We just have to close eyes, close ears, and say okay.

Nabilah’s quote illustrates that while the school states that the family needs to provide their own special education teacher, families send untrained maids to assist their child. This practice was also noticed at NGO centres. However, the NGO facilities had trained special needs professionals to provide specialised care for the children, with the maids providing generalised care for the child.

Nabilah is able to send her children to government schools for free in Brunei but feels that private schools provide more appropriate educational opportunities for children with special needs. Nabilah did not feel that her children were given enough attention from the special education teachers at the government school, as there were a large number of
children at the school with special needs who required attention. Lokman and Razman had received free medical care in Brunei. However, Nabilah had also taken both children to Singapore for private medical care. This added to the family’s financial stress. Nabilah was concerned at the time taken to get appointments through Brunei’s government health system. She recognised the impact early intervention strategies can have in assisting those with autism and prioritised quick access to treatment over financial concerns.

Nabilah’s account highlights some important features of mothering in Brunei. Despite being the main wage earner for the family, with a job as a tertiary lecturer, Nabilah was also the parent who had to drive children to school and activities. She never mentioned her husband as playing a role in decision-making surrounding Lokman or Razman’s education or health care. Similarly, throughout this chapter no mother interviewed alone spoke of the role her husband played in raising children. Further research is needed with the inclusion of fathers interviewed individually, to determine the impact that fathers have on parenting special needs children in Brunei.

9.3.3 Suhana

Suhana was interviewed with translators present at a coffee shop. Her eldest son Awan was diagnosed with autism before starting school. Suhana described the diagnosis. She was overwhelmed by the amount of information given and was left “gasping”. She first became concerned when she noticed Awan’s sleeping patterns.

Suhana: He was obsessed with the fan switches and everything. Because I’m seldom at home because I am working, so by the time I come back from work he is already asleep. But he wakes up at 3am in the morning and I have to start work at 8…I said to my maid ‘what did you do to him?’ to make him sleep in the afternoon long naps and having him wake up at 3…It wasn’t my maid’s problem it was him actually.

Themes of blame, the role of maids in childcare, and mother’s employment, are again present in this excerpt.
Religious education was seen as a key right of children with Autism by three parents interviewed.

Suhana: They are going to have special Ugama teacher for special children. ..... So I am very hopeful that he will learn more. Because when I was observing him for the two weeks with Ugama teachers inside the classroom, she was a bit scared of him. Quite reluctant to give him work on the Jawi writing…. And Awan likes Do’a…when he listens to that he will automatically [makes prayer motion] until it finishes. So I think that is good but the thing is I need him to be more practical on Jawi writing and I have here…Surah on [phone] so he is more interested in that.

Suhana described apps that she uses to engage Awan in Surah. The use of technology in this context adds to understandings of intergenerational transmission of faith in Muslim families. The move to provide specialist special education teachers at Ugama schools highlights a shift in government policy. It will encourage greater participation amongst those with special needs in religious life, an important aspect of Bruneian culture.

Suhana is proactive in ensuring that Awan receives appropriate schooling. She described trying a number of schools. At each she would sit in the classroom to observe the interactions between Awan, teachers and other students. Her actions were criticised by school management. Suhana labelled the experience a “headache”. In classrooms, she saw Awan being isolated from other students and receiving little attention. On one occasion her son jumped out of a window at school while unsupervised.

Suhana: When I first registered with the government school I said Awan has this problem. He is scared if there is not adult supervision in the class, if you leave him alone in the class with other children, he will jitter…. It happened one day. He was on the first floor, both doors locked … and he jumped out of the window …. So I said that is it. … I moved him to Private school …. I had had enough. And you know what the principal say “Mummy knows best”.

The attitude of the principal, highlights disrespect towards the parent’s concern. The use of “mummy” may also be reflective of gender attitudes in Brunei, given the male principal is communicating condescendingly with a female parent in response to practice that contravenes government policy. Suhana monitored the Special Education Unit’s
(UPK) involvement in Awan’s education. She described the UPK as “hopeless”. Initially, UPK were helpful in reviewing Awan’s case and ensuring he received a place in a government school. However, they did not undertake further monitoring of student’s progress, unless it was requested by a parent. When Suhana requested to review Awan’s file it contained little information. Suhana felt that the need to continually monitor her son’s treatment at school, was a “heavy burden” on parents that created stress.

Suhana described her sister as her greatest support, as well as a parents group run by the NGO. She was interested in the idea of respite care.

Suhana: I know in the UK they have respite...through churches. They have somebody to look after your kid while you are away or something but...not in Masjid. That’s a bit lacking. For me the community should be something like that. Helping each other.

Despite being Muslim and Malay Suhana did not feel supported by the community. This may stem from a lack of understanding of autism within Bruneian society and thus a tendency for a family with a child with autism to become isolated. While Mosques do not offer respite care, religious leaders could still play a leadership role in changing attitudes towards special needs in the community. Suhana described a lack of understanding of autism in her parent’s generation, which inhibited her in seeking support from them. She stated that she would not feel comfortable leaving Awan alone with her parents, as she worried that they would not be able to cope. Syed and Amina are foreign workers with no family in Brunei. However, their account features less explicit explanations of isolation.

9.3.4 Syed and Amina

Syed and Amina were interviewed together. They elected not to have this interview recorded. Therefore, the quotes are not verbatim. Syed and Amina have twin boys Adhi and Adinda, both diagnosed with autism. Syed is Pakistani and Amina is Indonesian; neither are citizens of Brunei. They have no extended family in Brunei. Syed works at
restaurants, which gives him enough money to pay for assistance from two NGOs. While this family does not receive governmental assistance, they did receive 100.00 BD as a form of Zakat last year. Both Syed and Amina are practicing Muslims. It is unclear under which category Syed and Amina qualify for Zakat, as previous interviewees had stated that having a child with special needs did not qualify families for Zakat in Brunei. The lack of a social support network in Brunei was described by Syed.

Syed: Everywhere you go you have to think of them though. I can’t go out with my friends because I have to think of them and my friends don’t understand if I take them with me. It is a big issue and a huge stress. Everywhere you go you have to pay for.

Both Syed and Amina spoke of stress. Their boys have both been diagnosed with Autism, however one is showing greater progress than the other. Adhi is now attending a mainstream school, causing Adinda distress, as he does not understand why they go to separate schools. Both children will eventually go to a private school, though Syed is concerned at the cost. Syed and Amina were the only parents to speak of their children’s academic futures, hoping that Adhi will eventually be able to go to university, and that Adinda will work in Syed’s restaurants.

9.3.5 Li-Li

Li-Li also elected not to have her interview recorded. Again, the quotes are not verbatim. She is a permanent resident of Brunei and is a Chinese Bruneian. Her son, Han, was diagnosed with autism after attending a private school, with a teacher raising concerns over Han’s behaviour. Despite not being a citizen, Li-Li described accessing free medical care for Han. Though she did not feel like the care was adequate and also used private services. Li-Li spoke passionately about early intervention for those with autism.

Li-Li: Early intervention is so important and that you can’t be in denial. My friend actually has a child with Autism and it is actually so bad because she is in denial and he has been banned from attending some schools so then she had to face up to it. When he couldn’t attend school at all.
This quote illustrates that children can be “banned” from school in Brunei and that the reason for that exclusion could be because of autism. It is unclear whether this was a private or public school. Li-Li prefers to send her son to a private school.

Li-Li: I think the international schools are better than the government schools for children with special needs. They will have a better experience there. The government schools do have some teachers for children with special needs but you are not sure how good they are. What are they teaching them? Do they have enough experience? It is right to have all the children mixed in with normal children? Or do you need to separate them out—then you are labelling them as special. I don’t know what is right.

Li-Li did not mention financial stresses, or worries about Han in the future. While Li-Li felt she had a good understanding of autism, she did not feel the same could be said for her extended family. Li-Li and Han do not receive a lot of support from the extended family.

Li-Li: There isn’t much help that they can offer. I don’t really tell them anything about it because they won’t understand. They are a different generation. My mum had five children and so she will say things like he will grow out of it don’t worry your brother didn’t talk til he was 5 and he is fine. It’s a different generation. I can’t wait that long.

The understanding that early intervention is an important step in addressing Autism is a sentiment echoed through many of the accounts and is a key teaching of both NGOs and the MoH. This idea appears to sit in contradiction with a belief amongst older Bruneians that a lack of communication skills and other signs of autistic behaviour, are something that children may outgrow. In both Li-Li and Annisa and Alif’s interviews, comparisons are made of the child with autism and family members who had similar traits who had aged and no longer exhibited this behaviour. These comparisons appear to be used to minimise parental worries over the child’s autism.

Despite being a Chinese Bruneian, Li-Li’s account reflected similar themes to the Bruneian Malay parents. These include the lack of extended family understanding, a preference for private education and medical care and an awareness of early intervention.
strategies. This suggests that a lack of understanding of special needs occurs across cultures in Bruneian society. Thus, providing an opportunity for cultural leaders from all groups to unite to address the negative impacts these beliefs can have on those with special needs and their families.

9.3.6 Roz

Roz’s son, Emas, has been diagnosed with autism and has attended programs with the NGO for a number of years. Emas regularly runs away from home. Roz’s kampong are supportive when Emas goes missing, with locals often taking him to the police. The willingness to help a lost non-verbal child, demonstrates a village culture that maintains a support network for children.

Roz spoke passionately about Islam. She was the only participant to describe combining treatments offered by MoH and NGOs with Islamic prayers. Excerpts from this interview give insight into how Roz approaches prayer.

Roz: The Qur’anic is another alternative ways... It’s...more just spiritual like our spiritual beliefs... Because he is a gift from God...so as much as we want him to be cured...we don’t know whether this is the time for us so we have to accept him. But...at the same time we make some effort...to deal with this...in an Islamic way. So...what I mean is that...we perform like prayers, like...we also brought...some stars out of our home and performing Ruqyah...we call it Ruqyah is Islamic rituals...something like a Do’a...to calm him down. ... because lots of times...he was really really hyperactive before...and then he also got lots of meltdowns, they are very dangerous the meltdowns...so that’s the time when alternative things like Islamic Do’a we perform for him.

Roz gave detail on how to organise qualified people to come and perform Do’a. She uses a specific organisation and warned against letting those who are unqualified perform Do’a, mentioning that there are others who perform it in a “dubious” way. She would feel uncomfortable having someone who was “unqualified” involved.

Roz: I don’t like people coming like oh ok you can chant something or something you make Do’a over my children ... I believe that a parents’ Do’a is the most sacred.
The idea that a parents Do’a is the most sacred, adds to the literature on Islamic teachings and parenting in Muslim communities. Do’a plays a role in calming Roz’s son, it also allows him to participate in spiritual life. Roz repeatedly highlighted that Do’a was a strategy used alongside medical treatment.

Roz: We can enrich their life again with Islamic values...because it is very difficult for my son... because I cannot get him to attend a religious school...so maybe he is accepted because of non-verbal problem...and then I wanted him to go to Mosque ... I am concerned that his adult life...there will be changes in his hormones...when he wants to understand more about the world around him...and I’m getting...more worried now that he’s an adult because if I don’t get...this right balance of life in him maybe that’s what leads him to do unnecessary things.... You know acceptance is the greatest thing I want him to understand. And then being accepted as an individual in a society is also an important thing for him in the future. You know it is going to be very challenging for him when he grows up… Because he is not as normal as his siblings so...that is why I felt...this religious aspect is very important for him.

The wish for those with autism to receive a spiritual education can be seen in previous interviews. Mosques play an important role in Bruneian social life and the inclusion of those with special needs in this space can lead to a greater understanding of those with special needs in Brunei. Roz’s statement also highlights the theme of worrying about the future, which can be seen in a number of accounts. A synthesis of the themes in this section and throughout the chapter, are explored further in the conclusion to this chapter.

9.4 Summary of main themes and conclusion

Parenting in Brunei is influenced by cultural and religious beliefs. Gender constructions are embedded in mothering and fathering. The fathers interviewed are a small sample. Both fathers who adopted a child were heavily engaged with the adoption process and in the case of Alif it was his desire for a child that drives the couple towards adoption. Fathers did not feature heavily in the descriptions of family life of those with special needs. One exception was Syed who was the sole provider for his sons. Syed spoke of the
effect that his sons had on his social life. Syed’s perceived isolation from his friends is exacerbated by his status as a foreign worker, with no extended family.

One gender stereotype identified is that females are the primary care giver of the child. Employed mothers had to balance their work with childcare commitments. This was amplified when children had special needs. In the adoption cases, Annisa was concerned that her work commitments would be interpreted by practitioners as her being too busy to care for a child. Two of the three adopted children had unmarried biological mothers. In neither case, were their biological fathers mentioned, rendering the father’s invisible in their child’s narratives. This suggests that mothers have a greater degree of responsibility for childcare placed on them by Bruneian society than fathers. It highlighted the need for greater support for unmarried mothers both socially and through government assistance. As was highlighted in Annisa and Alif’s case, children are registered under their father’s names. Thus, government entitlements are provided through the father. The UN (OHCHR, 2016) has raised concerns over birth registration in Brunei and its relationship to citizenship, with citizenship being determined on the visa status of the child’s father.

The use of maids was seen as a necessity in childcare in Bruneian families. Mothers appear to be responsible for ensuring maids are appropriately caring for the child. Their duties include the daily care for the child, including the care for children with special needs. The majority of maids in Brunei are migrant workers from the Philippines and Indonesia (Razak, Anuar, Sahar & Matsuni, 2015). Thus, they are not offered the protections given by Bruneian citizenship. The description of Zikri’s biological mother illustrates the vulnerability of migrant workers in Brunei. She could not access healthcare, and was not financially secure to raise Zikri in Brunei, or Indonesia. This situation heightened the risk to Zikri, who is not yet a Bruneian citizen. He is on a
visitor’s visa, placing him at risk of being labelled stateless. While he is officially classed as Indonesian by the Bruneian authorities it is unclear what status Zikri would hold within Indonesia given he has been adopted by a Bruneian family. His adoptive parents stated that Zikri receives free healthcare and will become a Bruneian citizen once he turns five. Until this point, Zikri is denied his right to citizenship.

Those who had adopted a child described the process without judgement. Their accounts highlighted that children must reside with the potential adoptive family for six-months before the official process begins. Thus, there is a six-month period of time when children have left their biological families and are being informally cared for by another family. There does not appear to be any monitoring of the child or the potential adoptive family throughout this period of time. Children enter this six-month period of care through personal connections with the adoptive family. Diyana’s account illustrated how adoption decisions could be made by listening to children and acting in their best interests. If guidelines were followed, Diyana would not have been a suitable candidate, however the specific circumstances were taken into account and this has benefitted the child. A degree of system flexibility ensures that children’s best interests are taken into account. However, there are also risks to children when processes are disregarded on an ad hoc basis. In this case, Mahmud’s views on where he wished to live were taken into account. Processes were still followed to some extent, as the case was approved by the Syariah Court. Having an adoption process that incorporates the Syariah Court and Ministerial approval, leads to greater accountability. One component of the system can offer flexibility, under the guidance of the other.

Maintaining identity for the adopted children was approached differently throughout the cases, however this reflects flexibility in guidance. Alif and Annisa highlighted that Daud
retained his biological name and that this was integral in maintaining identity. This is consistent with Islamic teachings (Muslim Women’s Shura Council [MWSC], 2011). The Muslim Women’s Shura Council (2011) calls for adoptive families to inform the child of their status, with due consideration, to prevent an identity crisis.

The accounts of parents of children with autism demonstrated the influence Islam has on the lives of children. Syed and Amina’s family received Zakat support, which assists the finances of the family. Roz’s account gives detail on Do’a used to calm her son. This fits into a wider dialogue on Islam and disability. There is a need to compare how these practices are performed in other Muslim-Majority contexts. This may assist in determining whether these practices are unique to Bruneian culture. Roz was the only participant to mention Qur’anic treatments in connection with autism. The wider use of these prayers may help in addressing the stigma towards disability noted by participants in the community. Access to a spiritual education for children with autism was advocated for by participants. This includes ensuring that Ugama classes are appropriate.

All parents who had adopted a child gave positive descriptions of their families. Conversely, the majority of the participants parenting a child with autism felt misunderstood and unsupported by their extended families. Extended family plays an important role in Bruneian society, and Malay culture (Bakar, 2011). Not being able to draw on this support impacts family functioning.

Parents raising an autistic child described feeling guilt and self-blame. Two participants felt their perceived lack of attention given to their children may have contributed to their autism. Feelings of parental guilt and self-blame in relation to children with special needs has been identified in other studies (Rodrique, Morgan & Geffken, 1990). Mother’s
parenting a child with autism were found to self-blame more than children who did not have autism (Rodrigue et al., 1990). In Brunei, Tait and Mundia (2012), identified that families with a child with autism felt shame. This stemmed from misunderstandings of autism within the community. The results amongst the parents in this thesis are consistent with this research.

Parents of children with autism identified gaps in the government services offered to support their children. The inconsistency in government support leads to parents feeling unsupported within Brunei. Parents had concerns over the practices in government schools and healthcare. These reflect the findings of previous studies into special education practices in Bruneian schools (Haq & Mundia, 2011; Tait, 2008; Tait & Mundia, 2012; UNESCO, 2009). Three parents had sought second opinions using private health services, at some cost. All but one of the parents voiced their preference for private schools over the government system, despite some private schools requiring parents to provide their own special needs teacher.

The UNCRC and OICCRCI have consistent protections of the rights of children with special needs. The accounts of the parents and the themes present within their cases, highlight that this is an area were the Bruneian government is not fulfilling its international commitments. Islamic teachings contain guidance on the care of the Muslim child with special needs that can be utilised to challenge the attitudes present in the Bruneian community. The following chapter extends this discussion, identifying areas where Islamic teachings can be used to facilitate child wellbeing. To achieve this, it takes the themes and information gathered from participants, and situates it within Brunei’s policies and international obligations.
10.0 Discussion

This thesis set out to examine the research question: how are the Bruneian government’s policies and practices reflected in the everyday realities of children in Brunei? Despite aspirational visions for children in Brunei, this thesis shows there is disparity in terms of which children are more likely to benefit from these aspirations. The everyday realities of children have been analysed in the five previous chapters. Themes that emerged from the data were identified and commonalities across case-groups noted. This chapter provides a synthesis of the research findings. The findings are discussed in relation to Bruneian government policies and processes, Brunei’s international child rights commitments, academic literature and Bruneian cultural narratives.

Multiple factors influence the accounts of participants; including the historical legacies of colonialism and beliefs cultivated throughout Bruneian history. For example, the social, symbolic and structural exclusion described by participants who are non-Malay, stems from understandings of Bruneian history which privileges the Malay ethnicity, and silences non-Muslim influences. This is reinforced through the philosophy of MIB and in effect denies people of Chinese and Indigenous descent citizenship rights. Statelessness impacts on children’s identity rights, access to education and health services, as well as children’s sense of community belonging. Findings relating to citizenship, social exclusion and equality are discussed throughout this chapter in the context of child rights.

The legacy of the British regency can be seen in the construction of Brunei’s juvenile justice system and child protection institutions. Bruneians view some practices in these systems through an Islamic moral lens, despite their roots in Western epistemology. For example, the actions undertaken by children in beyond parental control cases were described by adult practitioners as contravening Islamic behavioural standards, rather
than the criminal code. This is despite beyond parental control processes coming from British influences, rather than Muslim traditions. These cases speak to adult child relations in Brunei and give insight into child participation rights, gender and parenting. Examples of complexities such as these arose from the data and are discussed throughout this chapter. Compliance to, and deviance from, Bruneian formal processes are examined, as are informal processes present that act to protect children. Issues of gender, lived religion, social exclusion, citizenship, adult-child relationships, violence, and vulnerability are discussed across child rights categories in this chapter. These themes emerged across case-groups in the data and are integral to understandings of children’s experiences in Brunei and in shaping responses that ensure child wellbeing.

Brunei is a signatory to the OICCRCI and UNCRC. As illustrated in chapter 3, there are convergences and divergences between the documents. Mapping where the participant’s narratives coincided with Brunei’s compliance to the UNCRC and OICCRCI occurs throughout this chapter. It was expected that Brunei’s compliance would be greater where there was greater convergence between the documents. When divergence occurred, it was expected that the participants’ experiences would align with the OICCRI, given the nation’s Islamic ethos and reservations to the UNCRC. Instead, this discussion identifies infringements of child rights, through identifying where participants’ experiences did not comply with the rights outlined in the UNCRC or OICCRCI.

Convergences and divergences between the OICCRCI and UNCRC and the understandings of child rights that they contain, are used throughout this chapter as a tool to organise and understand the data. Mapping this framework onto the emergent themes allows conclusions to be drawn on where children’s rights are being violated in Brunei. These conclusions are drawn from the experiences of the participants detailed in the
previous chapters, and thus the relatively small study population should be kept in mind. Participants’ descriptions of Bruneian government policy and practice are also contextualised using the OICCRCI and UNCRC, which contain guidance on child protection policy implementation. Categories of child rights are used to structure this chapter. In order, these are; violence against children and child protection, juvenile justice, family cohesion, children with special needs, equality and identity rights, child participation, education, health, and play. While structured separately, these categories are interlinked. The interlinking of these categories is signposted throughout, as is the highlighting of groups of children who are vulnerable to having their rights infringed across multiple categories.

The chapter concludes with a synthesis of key findings from the research. Six key findings are identified from the discussion;

1. Aspects of Bruneian child protection culture place the onus of maintaining family cohesion on children, despite imbalances in power between adults and children. This is particularly relevant to beyond parental control cases. Power imbalances between parents and children also impact upon the use of corporal punishment in homes in Brunei.

2. Children who identify as Chinese, Indigenous, Indic, foreigners and non-Muslim were found to be socially, structurally and symbolically excluded from Bruneian society. This impacted upon their ability to practice religion freely and children’s citizenship rights.

3. Gendered behaviour norms impacted upon children across categories of child rights. The onus of regulating behaviours was largely placed on young females. Young females reported harassment and abuse.
4. The institutional responses to children in the child protection system and juvenile justice systems fail to incorporate the wider familial factors that impact on child behaviours.

5. Both formal and informal processes guiding child protection were identified. It is a paradox of the findings that in some instances informality ensured positive outcomes, however a lack of formal monitoring and compliance may also place children at risk.

6. Islam and religiosity was identified by children across case groups as a frame that impacts their lives. Religious programs were identified as encouraging child participation in Bruneian society. These findings are elaborated upon throughout the discussion. Further, this chapter highlights learnings that could be of use in other Muslim-majority contexts. The methodology utilised in this thesis is also useful in further research. Children’s voices were at the core of this approach. The applicability in other contexts is discussed at the end of this chapter.

10.1 Violence against children and child protection

Child protection is an aim across all categories of child rights and is an aspirational aim of the Bruneian government. Tertiary child protection mechanisms, such as institutions, are discussed in this section, as well as specific aspects of violence perpetrated against children. The rights of children to protection are an area of some convergence between the OICCRCI and UNCRC (OIC, 2004; UNICEF 2013). However, the UNCRC has a more comprehensive definition of abuse including a definition of neglect. The Syariah contains guidance on the protection of children from physical and psychological abuse and neglect (Rajabi-Ardeshiri, 2009; UNICEF, Al-Azhar & Bless, 2016), yet neglect is not specified in the OICCRCI. Recognising neglect is important as it can reposition
cultural understandings of parenting, and reclassify aspects of juvenile justice, such as beyond parental control cases. This places emphasis on social conditions and familial factors rather than the individual failing of the child and/or family.

Given that children spend a third of their time in school, teachers are in a position to identify child protection concerns, if they have received appropriate training (Baginsky & MacPherson, 2005; Kee & Dillenburger, 2009). Two participants from HoS, first disclosed their abuse to their teacher. In one of these cases, the teacher had been providing the child with food and clothing for an extended period of time. There is a substantial body of literature on teacher training in Brunei (Bradshaw & Mundia, 2005; Dhindsa, 2008; Haq & Mundia, 2012; Kitson, 2004; Mundia, 2009). However, none of the literature references child protection as part of teacher training in Brunei. This suggests that child protection education for trainee teachers is not a priority or part of a formal process of protection.

10.1.1 Child labour

Child labour is a form of violence perpetrated against children, and a point of convergence between the UNCRC and OICCRCI. Teachers described children from YSHHB working, stating that it impacted the children’s education. UNICEF (2014b) identifies teachers as frontline support in a systems approach to addressing child labour. The YSHHB program can be utilised in identifying child labour in at risk groups, such as those in poverty. This is not an aim of the program, however with teacher training it could be an outcome of the program. The findings of this research are limited on child labour but do identify that it occurs in Brunei, and that further research is needed.
10.1.2 Commercial sexual exploitation of children

Commercial sexual exploitation of children (CSEC), in the form of the Ezycard scheme, was identified in the data, contravening Bruneian policy and Brunei’s commitments to the UNCRC and OICCRCI. Practitioners saw sexual education in schools as a strategy to address the practice, conflating sexual education with sexual abuse prevention strategies. This approach places responsibility on the child, rather than the men who perpetrate the behaviours. CSEC will be more comprehensively addressed through a strengthening of legislation and challenging of harmful gender stereotypes. Descriptions of perpetrators were absent from the practitioner’s description of the practice. Instead the narrative focused on technology use and the morality of the behaviour of the young women. These themes are consistent with those in the reporting of child sexual abuse in Brunei, where technology use is seen as a cause, obscuring the role of perpetrators (Roslan, 2015; Suraj, 2014). This research finding assists in addressing the gap in the literature on child sexual abuse in Brunei, and highlights the need for further attention to be placed on the actions of perpetrators.

The framing of CSEC is important in addressing the practice (Houston, 2015). Utilising a feminist lens can contextualise the Ezycard scheme within gender norms present in Bruneian culture. Young female participants across case-groups reported feeling unsafe walking the streets and reported being harassed by groups of men. Further, children reported feeling powerless to confront adult behaviours. Thus, it is important that adult male perpetrators are held responsible for their actions to fully address the Ezycard scheme. Sexual education alone is ineffective, as it cannot address the gender stereotypes or adult to child power relations that place female children at risk in Brunei. Sexual education can be utilised as one factor alongside a robust legal and policy framework.
underpinned by data collection to build evidence-based practice and service delivery (UNICEF, 2014b).

To fulfil its international commitments to child rights, Brunei needs to strengthen its legislation around CSEC, with a focus on perpetrators. UNICEF (2015) has recommended that Brunei expand the definition of child prostitution beyond penetrative sex, to include a range of sexual activities. This would ensure greater protections for children involved in the Ezycard scheme and other systems that use technology platforms to exploit children.

### 10.1.3 Child sexual abuse

Three cases of child sexual abuse (CSA) were identified in the data. All three children have been institutionalised in KRK. The children interviewed had taken significant time to disclose sexual abuse. Their stories were characterised by stigma and self-blame. There appeared little responsibility placed on perpetrators in their stories. Trauma attributable to CSA was identified in the accounts of child participants. Two participants, Faiza and Osmawani would not use the term “sexual abuse”, instead referring to the abuse as “my secret”. The trauma of CSA across the life course of victims has been well documented in the literature (for example Alaggia, 2005; Frazier, West-Olatunji, St Juste, & Goodman, 2009; Koenig, 2004). Institutionalisation of victims adds to the shame experienced by survivors of CSA. Cultural beliefs around sexual abuse, which lead to stigma, inhibit disclosure (Dartnall & Jewkes, 2013). Osmawani and Faiza stated that they regretted not disclosing the abuse earlier, however they were concerned about the reactions from family.
Brunei can address cultural attitudes towards victims of sexual abuse, through highlighting Islamic teachings that focus on perpetrators to shift stigma from victims (UNICEF & Al-Azhar, 2016). However, shifts in process are also needed to address the institutionalisation of victims. Detaining victims of CSA in KRK, without informing them of when they are to be released, adds to the victimisation of these children and contravenes Brunei’s international child rights obligations. These include child participation rights, and family cohesion rights. Practitioners identified the injustice that child victims feel at being detained. Faiza stated that before her institutionalisation, her grandparent had taken measures to protect her, through informal adoption. Thus, there are informal community mechanisms operating to protect children outside of the institutional system that can be built upon. However, practitioners spoke of the negative role that extended family systems can play in CSA cases, reporting that some victims can experience abuse from multiple male perpetrators within the family. Gender is an important component of understanding CSA in Brunei. The three child participants were all female when details were given, all perpetrators were older males. This suggests gender inequality impacts upon responses to CSA in Brunei.

10.1.4 Corporal punishment

Children hold lesser rights than adults in Brunei and thus are open to abuse of power at the hands of adults (Roche, 1999). An example of this is Bruneian children experiencing corporal punishment perpetrated by adults. Islamic teachings give strong guidance against using corporate punishment (UNICEF & Al-Azhar, 2016). Severe corporal punishment was described by one participant. The beatings occurred over a course of months at a police station. This contravenes Brunei’s international child rights commitments, the Sultanate’s justice processes, as well as Islamic jurisprudence. Contravening government processes enhanced child wellbeing in one adoption case, however this incident
highlights the harm that can occur when processes are not adhered to. The UNCRC reporting committee is concerned about the ongoing use of corporal punishment in families, schools, and institutions in Brunei (OHCHR, 2016).

Children were conflicted over the use of corporal punishments in their homes. They described it as harsh, but also saw it as necessary to teach the difference between right and wrong. This suggests that addressing corporal punishment will require strategies that incorporate children and address intergenerational transmission of ideas surrounding the subject. Adults who have experienced corporal punishment are more likely to accept the use of such a punishment (Bower-Russa, Knutson, & Winebarger, 2001; Knutson, DeGarmo, Koeppel & Reid, 2005). The UN reporting committee called for public education to change community attitudes and to include children in campaigns (OHCHR, 2016). This idea is linked to child obedience taught through both family systems in Brunei and MIB (Chin & Daud, 2015). It is a finding of this study, that both Malay and Chinese Bruneian children experience corporal punishment at the hands of their parents. Thus, this is an area where Malay leaders can work with Chinese leaders to assist parents in developing appropriate discipline techniques. Parenting programs are present in Brunei and can assist in teaching parents how to care for their children, while also being a primary child protection mechanism, where ideals that may place children at risk can be challenged (Mejia, Calam, Sanders, 2012).

10.1.5 Emotional abuse and neglect

Brunei does not have legal provisions that prohibit neglect (UNICEF, 2015). UNICEF (2015) has called on Brunei to: “Ensure that non-physical (emotional) forms of violence which are included in the law are classified as a criminal offence” (UNICEF, 2015, p. 1). Without a provision in the legal code to recognise neglect, beyond parental control cases
can only ever be classed as offences, with the onus for controlling behaviour placed upon the child. This obscures power imbalances between children and parents. Focusing on parent responsibilities to children, may shift cultural norms surrounding Bruneian families which emphasise child obedience and thereby inhibit child participation.

Two participants described not having their basic needs met by their parents. AJ stated that the situation was ongoing despite intervention from the YSHHB program. Mira also described her basic needs as not being met by her family. Her teacher provided her with clothing and food before she was institutionalised. These two cases demonstrate that children can fall through the social security and protection provisions, despite Brunei’s commitments.

Though the OICCRCI does not make explicit reference to emotional abuse, Islamic teachings contain guidance on the emotional care of a child (UNICEF & Al-Azhar, 2016). Thus, there is an inconsistency between Islamic teachings and the OICCRCI. Guidance is given to parents on how to show compassion and affection to their children to ensure emotional formation (UNICEF & Al-Azhar, 2016). Neglect and emotional abuse were identified amongst child participants from HoS, HoD and YSHHB. UNICEF (2015) defines neglect as “failure to provide for the development of the child including leaving the child alone without appropriate care, not providing the child with adequate food, clothing, medicines, or health care, or the failure to properly supervise to protect children from harm” (UNICEF, 2015, p. 1). If a child leaves the home without permission in Brunei, it is classed as beyond parental control. However, using UNICEF’s definition it can be reframed as neglect as the parent is failing to supervise the child and protect them from harm. This is further explored in the section on maintaining family cohesion later in this chapter.
Reframing beyond parental control cases as neglect can shift the responses to these cases from juvenile justice, to child protection. Children in both cohorts were placed at risk through parental behaviour and socially marginalised through a lack of extended family support, experiences of poverty, exclusion from education and they were reluctant to seek assistance from adults. The tertiary ends of the child protection system and juvenile justice systems results in the institutionalisation of children. The UN reporting committee calls for Brunei to emphasise social programs rather than institutions (OHCHR, 2016). The move away from institutional responses is supported by international NGOs (StC, 2009; UNICEF, 2004) and the academic literature (Embelton et al., 2014). The use of institutions to house those who have experienced neglect, whether processed through the child protection or juvenile justice systems, is an ineffective response. It does not address issues of power imbalances between children and parents, abuse, or family cohesion. The risks to child safety while in institutions are highlighted in the following section.

10.2 Juvenile justice

There is very little literature on juvenile justice in Brunei. Cases in this study from the HoD addresses this gap. These are explored in the context of international literature and key child rights documents.

10.2.1 Children detained with adult prisoners.

Two participants reported being detained in an adult facility. This is consistent with Intan’s (2015) report on juvenile justice in Brunei. Intan's (2015) report focuses on Brunei government processes and states if a child is charged with an offence along with an adult then they will be detained and remain on remand in an adult prison. A commonality across the HoD participants’ narratives was that coercion by older males
had played a significant role in their detention. Thus, it is a finding of this study that it is likely that young males will be detained with older males, as they are likely to commit offences under the coercive influence of older males. Similar to participants from HoS, some were physically threatened by the older men. This highlights the violence perpetrated by older males against male and female children in Brunei. This is unacknowledged and unexplored in the academic literature focusing on Bruneian children. Acknowledging the gender of perpetrators and labelling the phenomenon as gender-based violence will allow appropriate strategies to be developed.

Under the Prisons Act, adult prisoners are to be housed in separate wings from juvenile offenders (Intan, 2015); however, it is a finding of this research that there was no separation. This contravenes the UNCRC, OICCRCI and Bruneian policy. In a point of convergence, both the UNCRC and OICCRCI have articles banning the detention of children in adult jails. Furthermore, one participant was housed in the adult prison until trial. He reported witnessing violence and that there were little educational opportunities offered in the adult prison. Thus, it is a finding of this study that institutionalisation in the juvenile justice system is placing children at risk. This is congruent with global literature on the topic (Hamilton, Anderson, Barnes & Dorling, 2011; Human Rights Watch [HRW], 2016). This further contravenes Brunei’s commitments to the rehabilitation of juveniles in accordance with the UNCRC and OICCRCI. This is contrary to the aims of the adult facility outlined in research by Yusuf and Mundia (2014), which state it has a focus on rehabilitation and reintegration of prisoners. Juveniles housed with adult prisoners rather than in juvenile facilities, experience higher rates of victimisation, are less likely to form positive relationships with adult staff and experience higher rates of depression (Kolivoski & Shook, 2016).
10.2.2 Rehabilitation, reintegration and maintaining family contact

Further convergences between the UNCRC and OICCCRCI can be seen in their joint commitments to the right of the child to legal representation, to be informed as to the length of their detention and to be treated with respect and dignity while in detention. The UNCRC gives the right of the child to maintain contact with family through correspondence and visits, unless there are exceptional circumstances. However, participants from HoD described family visits as a “privilege” that was earned through complying with behavioural standards. Restricting visiting access to those who have achieved certain behavioural standards violates Brunei’s international commitment to the UNCRC.

Furthermore, Intan (2015) states that no legal aid is offered to children in Brunei, which contravenes the UNCRC and OICCCRCI. Participants who described their trial stated that a lawyer had not been present, reconfirming Intan’s (2015) finding. This research found that there was aspirational compliance to the purpose of detention, namely reintegration and rehabilitation, stipulated by the OICCCRCI and UNCRC. For example, research participants reported participating in educational classes, as well as Islamic counselling. The Islamic counselling included a focus on Islamic education and Islamic motivational speakers, who highlighted that children should take responsibility for their actions and cease contact with bad influences. Thus, Brunei’s aspirations for rehabilitation and reintegration are in compliance with the UNCRC and OICCCRCI. However, the effectiveness of the programs is questionable and not evidence based. Yusef and Mundia (2014) and Intan (2015) call for further training of counsellors and educators to improve the effectiveness of rehabilitation programs in Brunei (Intan, 2015; Yusef & Mundia, 2014). Participants from HoD spoke of difficulty in processes when accessing counselling in KRK. No participants provided information on how the family were
focused upon in this rehabilitation, or what work was done with parents to prepare them for the reunification with their child. This suggests child behaviour change is the primary focus of the rehabilitation, leaving concepts such as neglect and abuse HoD participants experienced to remain unacknowledged. This is a known factor that increases the likelihood of reoffending (Andrews et al., 2012; Lodewijks, de Ruiter & Dorelieijers, 2010). Thus, there is a need for future research into the training and religious knowledge of motivational speakers and counsellors and future research into the structure and content of program materials.

Effectiveness of reintegration of juvenile participants can be viewed through their probation experiences. In Brunei, probation represents periods of restricted reintegration into family life. Four of the seven participants from HoD had previously been detained in the centre and had been placed on probation. All four had broken their probation. All gave reasons for breaking probation, including feeling unsafe within the home. For example, one participant stated he felt unsafe in his home as his father was dealing narcotics. Thus, it would appear that reintegration would likely have failed due to an unsafe home environment. This failure is consistent with Intan's (2015) report into Brunei’s juvenile justice system, which concluded that there are gaps, including funding support, within the legislative and institutional frameworks, especially around probation.

10.2.3 Systemic responses, processes and maturity.

This research found that the children’s experiences while being held in detention or state care showed instances of non-compliance with Brunei and international legislations. Further evidence of non-compliance with Bruneian and international legislations. For example, one participant reported being treated without dignity and beaten, while held in police custody. His repeated beatings are inconsistent with Bruneian process, legislation,
UNCRC and OICCRCI declarations, and indeed Islamic teachings. UNICEF and Al-Azhar (2005) highlight that no adult has the right to smack a child, as it will inflict both physical and psychological damage and that corporal punishment should be avoided. The participant reported being struck with weapons, increasing the severity of the assault. Here, processes ensuring the safety of the child were not followed. Complaint mechanisms for breaches were not evident from the data. This contravenes UN guidelines and child participation rights. Similarly, a lack of recourse for children were identified in the processes and practices for children institutionalised in KRK.

The findings of this research inform understandings of maturity in Brunei and specifically how governance systems view child maturity. Practitioners saw those under 15 as being incapable of telling right from wrong. This is paradoxical to other findings of the research, which highlighted that the onus of behaviour change was placed on children. Responsibility on children is systemically incorporated into Bruneian government processes. For example, participants from HoD described being responsible for their compliance to probation orders. The risk this may place them in, or levels of maturity, were not taken into account, resulting in a high rate of reoffending amongst participants. This paradox between conceptions of child maturity and the incongruence with responsibility placed upon them is a finding of the research. It further frames other interactions between children, adults and government processes.

10.3 Family cohesion

Programs were identified in the data which aimed to maintain family cohesion. The YSHHB program contains an element of Islamic counselling with parents and children to assist in family cohesion. However, similar to the rehabilitation efforts in HoD, participants saw little change amongst parents, with the onus of change placed on the
Maintaining family cohesion is an area of convergence for both the UNCRC and OICCRCI. While this category of rights is discussed separately in this section, there is significant overlap with the commentary earlier in the chapter on juvenile justice and violence against children, particularly in focusing on child neglect in beyond parental control cases. The findings on family cohesion contained in this thesis add to understandings of nurture and intergenerational transmission of the Islamic faith.

Child participants described divorced and remarried families as a social issue. The majority of child participants in KRK were from divorced families. Their overrepresentation in the sample from KRK suggests that stigma around divorce in Brunei adds a layer of vulnerability to such children. Brunei’s divorce rate is lower than the Asia Pacific averages (Organisation for Economic Cooperation and Development [OECD], 2014). The relatively low divorce rate in society, may add to stigma. Stigma surrounding divorce may result in children’s social isolation and exclusion, especially given the cultural narratives surrounding the ideals of family in Bruneian society (Chin & Daud, 2015). Further research is needed to establish the vulnerability and experiences of children from divorced families in Brunei and to ensure appropriate support is given to single mothers.

10.3.1 Beyond parental control cases

It is a finding of this study that beyond parental control cases are the most common cases for child protection practitioners to work on, and the most common reason that participants from HoD were institutionalised. Institutionalisation is incongruent with the inherent aims of beyond parental control cases and incongruent with maintaining family cohesion. Further, by approaching cases through a juvenile justice lens, children may be placed at risk. Beyond parental control cases are a class of offence in other jurisdictions.
including Singapore, Malaysia, Nigeria, Jamaica, Central Asian and Eastern European nations. In Singapore behaviours labelled as beyond parental control are: defiance towards parents, running away from home, truancy, gangsterism, drug taking and moral danger (Ozara, 2009). Similar behaviours were identified in the accounts of participants from HoD. The similarity between Bruneian and Singaporean legislation highlights the British colonial influences in codifying these behaviours as juvenile offences.

Singapore addresses such cases through diversionary programs and mediation before the child enters the judicial system (MoSFD, 2017). Like Brunei, high-risk cases are placed in detention facilities (MoSFD, 2017). Further, as reflected in the data collected from Bruneian practitioners, beyond parental control cases in Singapore are more likely to involve a female rather than a male child (MoSFD, 2017). Comparison to Singapore is of use, as Brunei developed its child protection and common law legislation based on Singapore (Black, 2010). Yet, practitioners interviewed saw behaviours demonstrated in beyond parental control cases as contravening Islamic conventions. This demonstrates that while this class of offence was first developed from common law, it has become conflated with Islamic behavioural norms in Brunei. Practitioners recognised that these actions are not illegal. Using institutional detention as a consequence for contravening behavioural standards does not encourage family cohesion. Small references were made to parental behaviour in these cases, yet most references in the data showed that the onus to change behaviour and ensure family cohesion was placed on the child. Beyond parental control offences are “status offences” that infringe child rights.

Status offences are a form of age discrimination. They violate children's rights because they target what adults consider being problematic behaviour in youth but acceptable once above the age of majority. Thus, limits are placed on children's behaviours that are not tolerated by adults (CRIN, 2009, p. 4).

Some restrictions on child behaviour are justified by traditions and/or religious beliefs, including the Syariah. For example, in Afghanistan the actions of young females leaving
the family house without permission, are viewed as against Syariah principles, and mistakenly believed to “cause” crimes like adultery and prostitution (HRW, 2012). This belief has been codified into Afghani laws and this in turn creates a situation whereby juvenile females are systemically encouraged to stay in abusive situations, or should they leave, face imprisonment. The research findings from this thesis in relation to beyond parental control cases add to global literature on status offences.

Beyond parental control cases in Brunei further marginalise already vulnerable children by placing them in the juvenile justice system and does not adequately address the root causes of their behaviours. These cases are further framed by power imbalances between adults and children in Brunei, which inhibit child participation. Islamic teachings on family cohesion could be of use in addressing the cultural constructions that see these behaviours classed as crimes and the use of institutions as a punishment. Similarly, theories of child social exclusion (Axford, 2008) could assist in seeing these cases reconceptualised outside of a juvenile justice framework into a social welfare focus.

10.3.2 Institutionalisation

The UNCRC and OICCRCI have areas of convergence around the maintenance of the family. Both documents reference acting within the best interests of the child and aim to keep children within the family setting unless removal is completely necessary. The removal of the child is to only occur under the guidance of competent authorities, following procedures. It is a finding of this study that removal of children occurs in Brunei through informal and formal means. Informally, children were removed from their immediate families and placed with extended family members. In KRK, children were removed from families for their own protection, or relinquished by parents. The rights of the child to family cohesion are impacted upon by Brunei’s institutional responses.
There is convergence in the two documents about the use of institutions to care for, and detain children. Institutionalisation is a response underpinned by ideals introduced by the British residency. The children in HoS had been placed in institutional care as they were at risk. Children were unsure of when they would leave the centre, with some detained for three years. Children spoke of their isolation and boredom while detained. Little work was evident in seeking alternative care for the children outside of KRK.

The UN reporting committee has recommended that Brunei “support and facilitate family-based care for children wherever possible, with a view to reducing the institutionalisation of children” (OHCHR, 2016, p. 9). This thesis identified informal family-based and community-based care mechanisms in participants’ accounts. The adoption cases all contained an element of community-based care, which later became formalised care. These informal practices can be built upon to establish formalised alternatives to institutional care for children in need of protection. Working to reduce the institutionalisation of children will assist Brunei in fulfilling its obligations to the UNCRC and OICCRCI. Working to maintain family cohesion further aligns with Malay family ideals (Bakar, 2011) and the values of MIB (Awang, 2013; Chin & Daud, 2015).

10.4 Special needs

The Bruneian government holds aspirational policies towards children with special needs, such as their inclusion in mainstream and ugama education. The OICCRCI and UNCRC contain specific rights to ensure the care and protection of children with special needs. These include the right to healthcare, education and participation in society. Research data was collected from parents of children with special needs and children who volunteered to assist with special needs children. This provided a child and adult perspective on the experiences of those with special needs within Brunei.
10.4.1 Social exclusion

Child volunteers assisted in play-based activities for children with autism, encouraging an avenue for greater understanding of the experiences of children with special needs. Volunteering also gave stateless children an opportunity to participate in Bruneian society, outside of their own communities and families. Child volunteers self-identified a change in their attitudes towards special needs. Research findings highlighted that child volunteers lamented that those with special needs are “put aside from the normal people” in Brunei. The term “normal” was used by participants consistently to describe those without special needs. This demonstrates the positioning of children with special needs as different from the norm.

This research found that misunderstandings and negative perceptions of special needs were present across generations in Brunei. The parent participants highlighted that these attitudes were present in their extended family networks. This effected access to care and support for special needs children and their parents from extended family members. These findings are consistent with Tait and Mundia's (2012) Brunei study, which found that extended family members offered little support to parents of a child with autism, and that this contributed to feelings of shame held by such parents. Furthermore, consistent with the research findings, Haq and Mundia (2011) and Tait and Mundia (2012) found that negative perceptions are held in the Bruneian community towards those with special needs. This inhibits efforts to include those with special needs into Bruneian society. These attitudes were identified in both the Malay and Chinese Bruneian communities.
10.4.2 Children with special needs and education

Brunei’s education policy for those with special needs is aspirational. However, attitudes towards special needs in the general community erode the effectiveness of such policies. For example, the research found that child volunteers reported witnessing the bullying of those with special needs at schools. Thus, while integration was encouraged, the safety of special needs children was put at risk.

Another finding of this research is the gaps in processes in government schools identified by parents. Gaps identified included a lack of monitoring of students by UPK and a lack of appropriate supervision by teachers. The inability for established processes to be followed in government schools led to parents’ preference for private schools, despite the financial costs associated with private education. Research findings also suggest that training around appropriate supervision is needed for teachers and principals. This is consistent with academic literature, which identified that Brunei teachers needed more training in relation to special needs education (Hanapi, 2006; UNESCO, 2008).

10.4.3 Systemic support for children with special needs

Parent participants called for greater financial support for their families. This was in response to the costs imposed in taking children to private healthcare facilities, and private education. All parents had taken their child to a government health clinic, before seeking private treatment. Those who were non-citizens stated that they were also given free access to government healthcare, in compliance with Brunei’s international commitments. Previous research has established that the support offered in relation to special needs children by government clinics is inadequate (Tait & Mundia, 2012). It is a finding of this research that parents felt they needed extra support. The accounts of parent participants contained self-reported feelings of blame and guilt for their child’s diagnosis.
Research findings also revealed that little emotional support was offered to these parents and that misunderstanding of the causes of autism contributed to feelings of self-blame.

10.4.4 Spiritual development of children with special needs

The UNCRC includes reference to the cultural and spiritual development of the child with special needs. Findings from the data suggest that children with special needs are encouraged to participate in spiritual practices, like attending Ugama classes. However, parents stated that children were ignored in Ugama classrooms, and that further training of Ugama teachers in relation to special needs is needed. Furthermore, data revealed that beyond formal settings, children with special needs are given informal religious education by their parents. The participant parents provided their children with electronic applications that assisted in teaching the Qur’an. A description was given by one participant of specific Islamic prayers that she uses to assist her child with special needs. One important aspect of the description was the coming together of parents, the child and Islamic leaders to perform the prayers. The parent’s prayer was described by parent participants as the most powerful form of prayer. These accounts add an important understanding of how Islamic rituals are used to include those with special needs in spiritual life. Participants highlighted that those who perform the prayers are accessed through government processes, and are approved religious officials. Through highlighting the Islamic obligations and rights of those with special needs and working with Islamic community leaders, the stigma surrounding special needs in Brunei may be lessened.

Overall, the right of the special needs child to have their spiritual needs met is supported by Brunei’s religious officials, who support parents in delivering prayers to children. Brunei’s Ugama education system aims to meet the spiritual needs of special needs
children, however these aspirations are inhibited by limited teacher training, and by negative perceptions of those with special needs in the Bruneian community.

10.5 Equality, identity and State rights

Discrimination was identified in children’s accounts in relation to citizenship, racial identity and socio-economic status. The OICCRCI and UNCRC call on nations to grant equal access to rights for all children within their jurisdictions, regardless of gender, language, religion, race, disability and national origin of parents. However, research findings identify that across case-groups, equal access to rights were not guaranteed in Brunei. Inequality was noted in relation to disability, gender, religion, race and parenthood. It was identified that those with special needs have difficulties accessing appropriate education, and healthcare and were socially excluded from important aspects of Bruneian society. These inequalities and discrimination are present due to structural barriers, symbolic barriers and societal attitudes present in Brunei. There are significant overlaps between the discussion on equality and identity and commentary on juvenile justice and violence against children. For example, adoption cases relate to a child’s identity. However, it is a finding of this research that adoption in Brunei is a process that informally takes place around vulnerable children, who may otherwise enter the child protection system.

10.5.1 Racial discrimination, citizenship and statelessness

Both the OICCRCI and UNCRC call upon signatories to ensure that children are registered with authorities, that issues of statelessness are addressed and contain the right of the child to a name and nationality. Brunei’s philosophy, MIB, privileges the Malay ethnicity. This highlights an epistemological gap between Brunei and its international child rights commitments to equality, especially in relation to non-Malay children.
Ethnicity in Brunei influences citizenship with restrictions on citizenship determined through ethnicity and the identity of parents. The non-granting of citizenship to some children contravenes the UNCRC and OICCRCR, rather than it being a failure in practice the contravention lies in both philosophy and policy in Brunei. Whereas most other contraventions are primarily practice failures rather than aspirational, philosophical, or policy contraventions. One example, is the juvenile justice system where Brunei was philosophically aligned with the OICCRCR and UNCRC but did not consistently practice accordingly. Issues of child statelessness and citizenship are pertinent across the Muslim-majority world, thus the research findings highlighted in this section are relevant to other contexts.

It is a finding of this research that Brunei is not in compliance with either document’s commitments to the identity rights of the child. Citizenship in Brunei is influenced by both ethnicity and gender. A child can become stateless in Brunei either through being born to Chinese or Indigenous parents, or through having a father who is not a Bruneian citizen (USDoS, 2013; OHCHR, 2016). Children in the dataset were aware of their status as citizen, permanent resident, or foreigner. Children who were permanent residents or foreigners spoke of social exclusion from aspects of Bruneian life. Their identities were more tied to their religion and ethnicity, than to being “Bruneian”, a label none of them identified with. The UNCRC reporting committee made recommendations in relation to Brunei’s stateless population and in particular children of Bruneian women married to foreign nationals (OHCHR, 2016). Zikri’s case highlights the potential for a child to become stateless in Brunei. Born to an unmarried migrant, Zikri was adopted by Bruneian parents. However, until the age of five when he will be eligible for citizenship, Zikri has been placed on a visitor’s visa, like a “foreigner”. Zikri, thus, does not have the full protections of citizenship. This status affects the support given to Zikri’s guardians from
the Bruneian government. In the adoption cases examined, government payments were seen to be passed through the adopted father rather than mother. It was also a finding of this research that exclusion from citizenship impacts upon children’s healthcare in Brunei. Migrant mothers were unable to access affordable healthcare, placing children at risk while in-utero.

This study found that female children of Indonesian, Indian and Sri Lankan descent received racist abuse perpetrated by Chinese and Malay Bruneian children. Racist incidents can result in negative psychological, psychosocial and physiological effects on children (Bryant-Davis & Ocampo, 2005; Polcanco-Roman, Danies & Anglin, 2016). Racial discrimination contradicts Islamic teachings, which made all people equal in duties and rights (UNICEF & Al-Azhar, 2016). Addressing racial discrimination in the Sultanate is a place where religious teachings can be used to change attitudes.

Brunei has extensive social security for citizens, with variations in social security arrangements for permanent residents and migrant workers (Kershaw, 2003; Kershaw, 2001; Gunn, 1997; Mani 2008). Throughout the case groups, children reported receiving between three and five meals a day, even in areas like Kampong Ayer, that are considered low socio-economic areas. Salleh’s (2015) work states that Zakat in Brunei is used, alongside government allowances, to assist those with low-incomes. One family in the study received Zakat. The family had two children with special needs and both parents were migrant workers from Muslim-majority nations. Thus, Zakat is one protection inherent in Brunei for migrant workers who are Muslim. Zakat was not received by Bruneian families who had a child with special needs. This highlights that these families were traditionally and currently, not perceived as being in need of religious alms by
This is congruent with attitudes towards those with special needs identified in the wider Bruneian community.

10.5.2 Indigenous children and identity

The UN (OHCHR, 2016) has raised concerns over birth registration in Brunei, and its relationship to citizenship, with Indigenous children less likely to be registered (USDoS, 2015). Specific protections in relation to Indigenous identity are contained in the UNCRC. The statements from Dusan children in the YSHHB case-group highlight the disconnect of Indigenous groups from their culture. Bernstein’s (1997) research on the Dusan in Brunei found that the community were given less opportunities for employment and advancement, leading to a cycle of apathy and underachievement amongst the Dusan youth. Thus, the Dusan are likely to be amongst those targeted by YSHHB. Children whose first language is Dusan may also be more likely to need academic assistance, as lessons in Bruneian school are taught in Malay and English (Sercombe, 2010). It is therefore important that they are engaged throughout. Dusan children had difficulties explaining aspects of life specific to their Indigenous culture and religion. Abdullah (2016) states that Animist rituals are still performed amongst the community, however the participants in this study did not identify any.

Indigenous children are given specific rights protections under the UNCRC to support the maintenance of culture. The inability of Dusan children to describe their culture and religion suggests disconnection between their prescribed identity and its lived experience, which impacts the maintenance of their culture. This is consistent with research conducted with other Indigenous groups in Brunei, such as the Penan (Sercombe, 2010). Erosion of culture can be seen by requiring Dusan children to wear Islamic dress as part
of the uniform undermines their cultural identity and is suggestive of a process of coercive assimilation.

10.5.3 Religious discrimination

It is a finding of this research that children who are non-Muslim are unable to freely practice their religion in the Sultanate. This is an area of complexity as Brunei holds reservations towards the article of the UNCRC which guides states on the freedom of religion of the child. Brunei has placed its reservations towards this article, above its obligations towards equality rights. In this, it is congruent with the sentiments inherent in the OICCRCI.

Reference to protecting children from information against the teachings of the Syariah is present in the OICCRCI but not the UNCRC. A minority of Muslim, Malay participants stated they wished to be protected from hedonism. Practitioners and teachers discussed the need to protect children while using technology, linking its use to pornography. The values of Malay Muslim Bruneians are in congruence with the OICCRCI in this instance. However, protecting children from information conflicting with the Syariah is used to justify restrictions placed on non-Muslim children in Brunei in practicing their religion.

The data demonstrated that participants who are from religious minority groups in Brunei were not encouraged to discuss their beliefs. They participated in self-censorship. Religious education classes for Christian students had been halted during the children’s lifetimes, with participants stating now they participate in moral education. The experiences of the religious minority children highlight the lack of freedom of religion for non-Muslim children in Brunei. This is in compliance with the OICCRCI and Bruneian policy but not the UNCRC.
10.5.4 Gender discrimination and sexual harassment

Brunei is committed to gender equality in education and has reached gender parity in enrolments, average years of schooling, and transition rates from primary to secondary school (Ministry of Education [MoE], 2015). All female children interviewed had access to schooling, even those in HoS. Islamic teachings discourage gender discrimination: “Islam calls to give due attention to the care of girls, guaranteeing their rights to familial, health and economic care, so whoever cheats them of their rights is a sinner” (UNICEF & Al-Azhar, 2016, p. 21). Despite this, gender inequality in Brunei was a theme that emerged through all case-groups, especially around feelings of safety. Females from private school and HoS lamented feeling unsafe around foreign males. While foreign males are perceived by young females to be unsafe, racist attitudes towards these groups are present in Bruneian society and may lead to foreign males being disproportionately blamed. More data is needed to verify the extent of street harassment in Brunei. Two participants gave detailed descriptions of being chased by males on more than one occasion. Similar to the findings on CSA, the onus was placed on young females to regulate their behaviour to ensure safety. Little focus was placed on the perpetrators.

Female participants from Mosque Youth, YSHHB and private schools reported feeling unsafe around groups of young males smoking, referring to these groups as gangs. The Bruneian government addresses this issue through the criminalisation of smoking for those under 18, leading to consequences of fines and imprisonments. Also, congregating in groups without parental permission falls under the beyond parental control category. What these measures do not address is underlying gender inequality. While a few males from a private school also felt unsafe around gangs of males, it was largely females who
reported feeling unsafe on the streets of Brunei. Young females feeling unsafe on the streets points to continuing gender inequality and the prevalence of gender stereotypes.

The UN reporting committee remains concerned about gender stereotypes and their effect on child rights in Brunei. The committee recommended that the Bruneian government amend laws and undertake awareness raising to ensure that mothers and fathers equally share parental responsibilities (OHCHR, 2016). This thesis found that gender stereotypes impact parenting and domestic duties in Brunei. Female children were more likely to undertake tasks around the home and female parents more likely to take on the majority of childcare and domestic duties, as well as maintaining paid employment. Families who were adopting were concerned of the implications of having adoptive mother’s working on their applications. Specifically, they were concerned that mothers who were employed would be viewed by authorities as not having enough time to spend with their children. In contrast, fathers were largely absent from accounts of family life. The role of fathers in Brunei is a theme not discussed in the academic literature. The findings of this research highlight that fathers are present in formal proceedings relating to children, including adoption procedures and juvenile justice proceedings. However, their role in family functioning was not explored by practitioners. This is an area that requires further research.

Social stigma was noted in the accounts around single mothers. Bruneian family structures and their importance, are discussed in the academic literature (Black 2011, 2010, 2006; Bernstein, 1997; Ellen, 2002; King & Wilder, 2003; Kumaraswamy, 2007; Mani, 2008, Maxwell, 1991; Roff, 2007; Wahsalfelah, 2005). These structures allow Bruneians to make sense of their society. It is a finding of this research that single mothers do not receive much support in Brunei and a suggestion that more support is
needed. Two of the three children who were adopted had biological mothers who were single mothers. Research conducted in Malaysia found that single mothers experience social stigma and experienced limited opportunities to socialise and to seek support (Abdul Kadir & Bifulco, 2011). Extended families ostracised single mothers due to the shame they brought upon them (Abdul Kadir & Bifulco, 2011). Given the similarity of cultural narratives, it is assumed similar attitudes are present in Bruneian society and influenced by gender norms.

### 10.5.5 Equality in education

Both the UNCRC and OICCRCI are united in their commitments to universal education, to address education drop-out and to provide spiritual and sexual education. However, divergence is present in relation to the right of the child to culturally and religiously appropriate education. The UNCRC contains the right of the child to have their cultural identity respected while at school. In contrast, the OICCRCI does not make reference to a child’s cultural identity (OIC, 2004).

The data demonstrates that Brunei is more aligned with the principles of education in the OICCRCI than the UNCRC. Data from YSHHB demonstrates that female Dusan children who identified as free thinkers were required to wear Islamic clothing, restricting their religious freedoms under the UNCRC. The Dusan are considered a Malay tribe of Brunei. This classification of Malay rather than non-Malay Indigenous, places the Dusan ethnically as Malay despite the majority ascribing to animism (Abdullah, 2016). Their status as Malay negates the protections offered to Indigenous non-Malay groups such as the Penan. The MoE states that they aim to provide inclusivity through education to ethnic minorities.

Most of the individuals are Indigenous to the rainforest and choose to preserve their own way of living. The MoE deploys qualified teachers to these areas and ensures
the schools are also equipped with technology and modern equipment to their urban peers. Two such schools exist, catering to a school population of 15 and 4 respectively (UNESCO, 2008, p. 26).

This statement implies that the MoE only considers the non-Malay Indigenous Penan and Iban groups as ethnic minorities, excluding for example the Chinese Bruneian population. The description matches those provided of schools for the Penan in Sercombe’s (2010) work. However, it does not reflect Sercombe’s (2010) concerns that classes are not taught appropriately for Penan children. The descriptions of education provided by Dusan participants highlight that their animist culture is not taken into account, as they are not classified as an ethnic-minority.

MoE estimates that 3.6% (UNESCO, 2008) of the student population in Brunei consist of other nationalities, though it states that they have no data on migrant children. Free and compulsory education is offered to all child residents and citizens in Brunei, which included the children of migrant workers. While these children are offered an education in government schools, the language requirements pose a barrier to full participation (Sercombe, 2010). Further, children of migrant workers voiced concerns of how the transience of their parents may affect their schooling. In particular, they were worried about locating to new schools in new jurisdictions.

**10.5.6 Adoption and identity**

Brunei has concurrent legal systems that work together to ensure the wellbeing of children in the adoption system. The adoption system in Brunei can be viewed as a positive child protection mechanism that works to protect vulnerable children in the community. Divergence between the UNCRC and OICCRCI occurs in relation to adoption. The UNCRC contains the right of the child to adoption if it is within the best interest of the child, while also containing reference to the Islamic guardianship. The
OICCRCI follows Islamic jurisprudence, which forbids adoption in the Western sense but allows for the guardianship and care of children. Across research findings adoption was interlinked with juvenile justice and children institutionalised in the child protection system. Three formal adoption cases were examined, with informal adoption referenced in the data. All adoptees were vulnerable and two couples were particularly motivated by altruism to adopt. The link to identity was raised in one case where the couple recognised that it was an Islamic requirement. They approached their duties to maintaining the child’s identity through naming practices. The approaches taken towards maintaining identity through all three cases were congruent with Islamic teachings (MWSC, 2011).

Adoption in Brunei operates as a way to protect children and is community driven. Further, informal adoptions appear to be occurring within families as an informal act of child protection. All contacts between children and potential adoptive couples was made through community connections, rather than State introductions. All extended families were supportive of the adopted children, suggesting little stigma surrounding adoption. In two cases the process followed was congruent with that outlined in Bruneian legislation and the description of practitioners. Mahmud’s case did highlight that Bruneian government guidelines were not adhered to completely when applied. Participants highlighted that employees from KRK were not allowed to adopt children from the centre, yet in that case it had occurred due to the wishes of the child. Acting within the best interests of the child in custody proceedings is congruent with Islamic teachings of guardianship (Hifazatullah et al., 2011). There is also an accommodation in Bruneian policy to act within the benefit or interest of the child. This was utilised in Mahmud’s case, despite the deviance around Bruneian adoption policy. In this case, non-compliance with Bruneian policy and process enhanced the wellbeing of the child. However, non-
compliance with formal process could also place children at risk. It is a noted paradox of the research findings.

10.6 Child participation
Child participation was identified across case groups in the findings. Structural participation was identified for Bruneian children when granted their IC at age twelve. Child participation was further identified amongst participants in adoption processes where the best interest of the child were acted upon. It is a finding of this research that child participation also occurs in Brunei at a local level. Those in the Mosque Youth program shape their program by working with religious community leaders. This program differs from mosque to mosque, depending on the needs of the community and the ideas of youth and religious leaders. This program empowers youth and allows them an avenue to interact in an important Bruneian social institution.

Conversely, children across case-groups lamented an inability to have their views heard when interacting with adults. Children stated that they could not challenge parental behaviour, even when they felt that parents were not acting in the best interests of themselves. Islamic teachings guide that children should respect and show gratitude to their parents but that parents should not be uncritically followed (Sait, 2000). Islamic teachings give guidance on the responsibilities of parents to children (UNICEF & Al-Azhar, 2016) and these can be used to encourage greater responsiveness of parents to the emotional needs of their child. However, participants from the Chinese community and migrant children also spoke of their inability to voice their concerns to adults. Chin and Daud’s (2015) work highlights the power that ideals of child obedience have in Brunei. These have been codified in beyond parental control cases. Child accounts throughout highlighted the engrained beliefs of good and bad influences, with bad influences tied to
disobedience to parents. To fully allow child participation, cultural ideas of child obedience need to be critically examined and challenged.

**10.7 Education**

Findings indicated that Brunei is in compliance with the UNCRC and OICCRCI in relation to the educational rights of citizen children. All participants reported having access to some level of schooling, even those in institutional care. Positive programs, such as YSHHB, are present in Brunei and aim to address the needs of children at risk of not meeting educational standards. This program is underpinned by the altruism of volunteer teachers in Brunei. This demonstrates a Bruneian cultural trait; showing concern for vulnerable children in the community. This program also incorporates Islamic teachings to ensure child protection in the form of motivational speakers, however it is unevaluated.

**10.7.1 Truancy and educational drop out**

Both the UNCRC and OICCRCI grant the right of the child to free, compulsory primary education, with signatories called to implement measures to address educational drop-out. Brunei has a low drop-out of 0.08% in primary school and 2.99% in secondary schools (UNESCO, 2008). All participants from HoD engaged in truancy. Reasons given included coercion by friends and perceived negative teacher attitudes towards students. No literature was found relating to truancy in Brunei to contextualise this finding, thus literature beyond Brunei has been used. Veenstra, Lindenberg, Tinga and Ormel (2010) identified risk factors related to truancy. These included being a boy, early pubertal development, family breakup and low socio-economic status (Veenstra et al., 2010). Their study included participants of a similar age to those in HoD. For participants in HoD, being male along with family break-ups were components of their narratives,
alongside truancy. Further, Veenstra et al. (2010) found that those demonstrating a lack of attachment to parents and teachers are at greater risk of truancy at early ages. This is consistent with the life stories of those who are beyond parental control cases. Fergusson, Lynskey and Horwood (1995) found parallels between truancy and drug use, juvenile delinquency and mental health. The data gathered from HoD highlights that truancy in Brunei has similar predictors and outcomes to studies conducted in other jurisdictions. Understanding the parallels between truancy and juvenile justice in Brunei will assist in keeping children out of the justice system.

This research identified that the Bruneian community aims to address vulnerable children at risk of drop-out and truancy through the YSHHB program. Positive responses about the program were elicited from most participants. YSHHB is however, a short-term measure. The program aims to address attendance and family issues by providing motivational speakers who work with the children and parents. No literature was found on the motivational speakers, their qualifications, or the quality of religious knowledge incorporated into their practice. However, conclusions can be drawn from the quality of other counselling interventions undertaken in Brunei. Yusuf and Mundia’s (2014) work highlight that there are few counsellors registered in the country with legal practicing certificates (Yusuf & Mundia, 2014). The term counsellor is used by psychiatrists, clinical psychologists, counsellors, social workers and sociologists, thus there are inconsistencies in the training, expertise, and responses offered across counselling sessions. Yusuf and Mundia (2014) call for a wider focus on family environments during counselling, rather than working primarily with an individual. The MoE counselling unit also has a focus on those who are at risk of educational drop-out, and states that they work with both parents and children (UNESCO, 2008). Further research on the use of motivational speakers and their use of Islamic texts is needed to understand the
effectiveness of the practice and its applicability to other jurisdictions to combat educational drop-out.

10.7.2 Ugama education

Child participants felt that the Ugama education system could be improved if it was more relevant to the everyday lives of children and focused less on the rules and regulations of Islam. Participants felt this would engage young Bruneians in a deeper understanding of their faith, and combat social ills in society. Similar conclusions were drawn in Zakaria and Mahalle's (2012) study. Their study established that children would prefer Ugama teachers to use creative teaching methods to ensure that the content was relevant and relatable to their lives (Zakaria & Mahalle, 2012). The inclusion of children’s voices could assist in developing a religious education program more relevant to children’s lives.

10.7.3 Sexual education

Access to sexual education is seen as a duty of a parent in Islamic teachings (UNICEF & Al-Azhar, 2016). The subject is not consistently taught across schools in Brunei, contravening Brunei’s commitments to the UNCRC and OICCRCI. The UNCRC reporting committee recommended that Brunei:

Ensure that sexual and reproductive health education is part of the mandatory school curriculum and targeted at adolescent girls and boys, with special attention to preventing early pregnancy and sexually transmitted infections (STI) (OHCHR, 2016, p. 10).

Child participants saw it as a way to address teen pregnancy. A study on the knowledge held by Bruneian teenagers of STI, found that few teenagers had adequate knowledge of sexual health (Giok et al., 2017). Inconsistent knowledge was obtained from parents, the internet, media and health professionals (Giok et al., 2017). Consistent access to sexual education across schools would assist teenagers in gaining an informed understanding of sexual practices, in compliance with their educational and health rights. However, it must
be balanced, without placing responsibility for CSA protection and prevention on children.

10.8 Health

Both the UNCRC and OICCRCI state that children have the right to access basic health care, including psychological care. It is a finding of this research that free psychological support is offered to Bruneian children who have suffered trauma. Mahmud receives ongoing free mental health support from the Bruneian government, consistent with the rights contained in the OICCRCI and UNCRC. As discussed previously, Brunei is not in compliance with the OICCRCI and UNCRC, in relation to the health rights of the non-citizen child and children with special needs. In the case of the latter, Bruneian policies were judged by parents to be inadequate in fully meeting the needs of the special needs child. Brunei is in compliance with the health rights of the OICCRCI and UNCRC in relation to citizen children. Children who had been traumatised reported receiving ongoing mental health treatment at no cost, with no children reporting a lack of access to medical care.

The literature review identified the continuing use of traditional healers in Bruneian society (Kitson, 2004; Kumarswamy, 2007; Muller, 2015; Walker, 2010). Yet, participants made no reference to approaching traditional healers for guidance or medical advice. Thus, the use of Bomohs and Orang Pandai may be less common amongst children. One reference was made to the use of Islamic prayers in assisting a child with autism. These prayers were administered by trained Muslim facilitators, who were accessed through and registered with MoRA. This is consistent with Muller’s (2015) findings, of State control of Islamic practices in Brunei to ensure consistency with the Ahle Sunnah Waljama’ah of the Shafi’i school. Bruneian legislation is in congruence
with the OICCRCI in that abortion is illegal (OHCHR, 2016). In the one case of attempted abortion present in the data, the child was subsequently protected through adoption, and no reference to criminal proceedings occurred.

10.8.1 Narcotics and children

The UNCRC and OICCRCI state that children have the right to be protected from illicit drugs, harmful substances and narcotics. Smoking was the most common reason children stated that they felt unsafe in Brunei. The participants took a moral approach when describing the negative impact of smoking. Smoking was described as a deviant activity, undertaken by socially excluded young males. Brunei has strong laws with enforceable consequences relating to drug possession and distribution (UNICEF, 2015). Despite the Bruneian government’s strong legal and religious leadership on the issue, participant accounts highlight that drug use is present in Brunei.

Smoking is discouraged, yet not fully forbidden, in Islamic teachings (French, Purwono & Rodkin, 2014). The participant accounts suggest that peer pressure contributes to young males’ uptake of smoking. This is consistent with other research from Brunei (Talip, Kilfi, Murang, & Naing, 2016) and Indonesia (French et al., 2014). The influence of drug use by parents was seen as unsafe by children and resulted in one child choosing to break probation to ensure his own safety. One participant from HoD who was previously an addict, spoke of the coercive influence of older males on his drug use. The impact of older males on drug use and younger male behaviour, is a key learning from this research. This can be used to inform effective responses to substance use in Brunei and other Muslim majority contexts.
In the Middle East, Northern Africa and parts of Asia, drug use has gone through a shift in acceptance and use (Mauseth, Skalisky, Clark & Kaffer, 2016). Akin to the participants’ accounts, substance use has been condemned across Muslim-majority nations, which has created social stigma (Mauseth et al., 2016). Social stigma is a barrier to developing preventative measures in Muslim communities (Mauseth et al., 2016). Consistent again with the participants accounts, substance abuse by Muslim females is reportedly very low, with male users being more prevalent (AlMarri & Oei, 2009). Female cases may be underreported (Mauseth et al., 2016), given the increased social stigma for females participating in the process. Mauseth et al., (2016) call for a greater health focus to be taken on substance abuse issues throughout the Muslim world, to accompany the cultural, religious and legal guidance already in place. Similar arguments can be made in Brunei. Mauseth et al. (2016) also highlight the need for appropriate responses across Muslim nations, representing an area where dialogue and a child focus may be of assistance.

10.9 Play

The experiences of participants highlighted that they have their rights to play and leisure respected in Brunei, with all reporting access to opportunities to play. Both the OICCRCI and UNCRC recognise the right of the child to rest, leisure and play. Divergence occurs in the extent of parental control over the child’s play activities. The OICCRCI references the right of parents to ensure that a child’s play activity is in accordance with educational and moral controls, while the UNCRC does not reference parental rights in relation to child’s play.

Little literature is available to contextualise play in Islamic communities, or in Brunei. It is therefore, an area requiring further study. It is a finding of this research that children
have access to play areas in Brunei. Children did not describe restrictions placed on their activities by parents. However, Bruneian social norms were noted in some accounts that did influence the choice of activity. The data showed that for young children in primary school, girls reported assisting in household activities, while boys did not. Older female children who attended Mosque Youth had chosen the program as it allowed leisure activities to occur in more “appropriate” ways. Their descriptions highlighted their belief that mixing between genders should not occur in leisure time. This demonstrates that societal controls constrain the play choices of young Bruneians, without direct parental involvement.

10.10 Synthesis of the discussion across child rights categories

This thesis has combined self-descriptions of children’s lived experiences, with contextualising information about Brunei’s aspirational policies and a comparison with international child rights benchmarks. This section focuses upon the learnings that can be derived from this thesis and key findings. Learning has been drawn from across the discussions on child rights categories in this chapter. Children’s lived experiences highlighted areas where their needs were fulfilled. These included having spaces and opportunity to play, even in institutional care. For those who are classed as Brunei-Malay, their educational and health rights were largely met. Children generally reported feeling safe and supported.

However, the accounts of Bruneian children also highlighted that there are areas where their experiences differ from Brunei’s international child rights commitments, and Bruneian government policy and practice. Appendix 8 details a table that provides a visual representation of compliance to child rights identified in the data. The data presented in appendix 8 is drawn from the participants accounts presented in Chapters 5
to 9. Thus, if one child’s rights were found to be violated in the data sample, that resulted in an area of non-compliance being recorded. This reflects the understanding that if one child is found to have their rights violated in the research sample, it would be expected that there are more children in the Bruneian community in similar situations. The areas of education and health have been classed as non-compliance, despite the extensive protections offered to children in these arenas. In both cases, this was due to one of the protections given not being complied with. In the category of education, this related to sexual education, which is not consistently offered to any groups of children in Brunei. In relation to health, children across all case groups reported being exposed to narcotic and illicit substances. Similar judgements were made for each category. Further explanation can be found accompanying the table in appendix 8.

Across categories there are groups of children who consistently do not have their rights fulfilled. These groups of children can be described as vulnerable in Brunei. Three groups in particular were visible in the data: those with special needs, those who are non-citizens and females. These groups have been used in appendix 8 to demonstrate their vulnerability to rights infringements in Brunei. The category of Brunei-Malay has been included to provide a comparison group. Those of Brunei-Malay ethnicity in Brunei are given the protections of citizenship, as well as being of the majority in the nation. The national narrative and social hierarchy both privilege this group, all of whom ascribe to Islam. Those with special needs are vulnerable across multiple domains of rights. Attitudes towards those with special needs within Bruneian society further isolates these children, even from support offered by extended family members. Children who are permanent residents and “foreigners” have been placed in the same category; labelled non-citizens. There are differences between the positions of the two groups. However, they have been placed together as both are absent from national Bruneian narratives.
They are symbolically excluded through MIB and structurally excluded from citizenship. The final group that showed vulnerability across categories were female Bruneians. Similar to those with special needs and non-citizens, women are absent from Bruneian national narratives (Chin & Daud, 2015). Further, all three groups were identified in the data as being negatively impacted upon by stereotypes, gender discrimination and cultural attitudes in the Bruneian community. With further research, a fourth vulnerable group could be identified, in children who reside in non-traditional families, like divorced families. While these family structures do not themselves place a child at risk, stigma in the Bruneian community creates social exclusion for such children. However, consistent data was not collected on family structures. Thus, there is not enough data to draw firm conclusions.

10.10.1 Key findings

Six key findings arose from the discussion, with minor findings previously outlined. These unpack why Brunei’s aspirational visions for children are not consistently reflected in the everyday realities of children. Firstly, interventions and strategies appear to place the onus on children to address behaviours and ensure family cohesion. Throughout the research, children discussed a sense of powerlessness when interacting with adults, which inhibited their participation. This power imbalance between adults and children in Brunei is situated within wider cultural narratives in Brunei and enables specific violent acts, including corporal punishment, perpetrated by adults against children.

Secondly, interventions in the juvenile justice and child protection systems were guided by institutionalisation. While “problematic” child behaviours were viewed by practitioners and systems through an Islamic lens, the interventions are guided by common law processes, underpinned by attitudes established in the British residency.
While alternative or traditional justice mechanisms are present in other Muslim-majority contexts, such as Afghanistan (Neal, 2016), none were identified in the research findings. The informality present in some processes observed in the data were not observed in the juvenile justice system. Alternative justice mechanisms and challenging institutional practices will assist in developing more effective juvenile justice processes.

Thirdly, gender influenced the experiences of children across categories of child rights. Female children reported varying levels of harassment and abuse. Their experiences were framed by ideals of appropriate behaviour, present in Bruneian society, and gendered family roles. The onus was on young females to protect themselves, with little emphasis placed on the perpetrators of the abuse. The perpetrators identified in the data were largely males. Their role as perpetrators are absent from the academic literature related to Brunei. Foreign males were identified as perpetrators. However, this finding needs to be contextualised by the racism and discrimination towards such groups in Bruneian society.

Fourthly, the understanding of Brunei as a Malay Islamic Monarchy, excludes those who are non-Malay and non-Muslim. Throughout the data the social, structural and symbolic exclusion of those who were Chinese, Indigenous, Indic, non-citizens and non-Muslim were identified. In this instance, the Bruneian government’s aspirations to a state following the MIB philosophy are incongruent with its international child rights commitments at an epistemological level. In other areas, such as juvenile justice, non-compliance occurs because of deviance from Bruneian processes and policies, rather than epistemological differences. Privileging those who ascribe to Malay and Muslim identities impacts upon the lives of children living in Brunei.
Fifthly, informal processes and deviance from formal processes, were noted in the data. While in some instances this informality ensured positive outcomes for the child, a lack of formal monitoring and compliance may also place children at risk. This is a paradox of the findings. Strengthening child protection responses relies on identifying strengths already present in the Bruneian community that enable child wellbeing. Thus, formalising informal practices may assist in addressing the paradox.

The final key theme across child rights categories was Islam and religiosity. The narratives of children highlighted ways in which Islam frames and impacts upon their lives. Positively, these include engaging with prayers and participation through the Mosque Youth program. Non-Muslim children were not accorded the same socio-religious supports and sometimes Islamic practices were imposed on them. These key findings, while important, draw focus from some positive and concerning aspects of the data. However, they also provide opportunities to further develop child protection responses in the Sultanate. Recommendations on how to strengthen responses are explored further in the conclusion of this thesis.

**10.10.2 Key learnings in conducting child research in Brunei**

A figure was developed to give an overview of an approach useful in child research in Muslim-majority contexts. This was based on learnings that emerged while conducting the fieldwork in Brunei. This figure can be applied in designing social research with children in contexts where the lead researcher is an outsider to the research community. The outer circle could be adapted, if the research did not utilise a child rights framework. Further, the model could be expanded or adapted to reflect the dominant religion, or dominant philosophy, of the local context.
Figure 6 contains seven key components: international convention compliance, policy and law, understanding the Islamic and other faiths, cultural understandings of Islam and other faiths including the impact on non-Muslim children, awareness of the context, informality and child voice.
Akin to the methodology used in this thesis, child voices and child participation is at the core of the figure, centering the rest of the approach. Without listening to and focusing...
upon, children’s voices appropriate responses to protect children’s rights cannot be
developed, or evaluated (Alderson, 2012a; Alderson & Morrow, 2011; Bessell, 2013;
Boyden, 2000; James & Prout, 1997; Skelton, 2008). The experiences of Muslim children
helps to inform understandings of lived Islam across cultures. Adults speaking on behalf
of children have different experiences of the social world (James, 2007), thus it is integral
to allow children to participate in research to adequately understand the realities of
children. The richness of the data collected for this thesis was possible because the
methods used were adapted to reflect the interests and wishes of children. Children were
given the opportunity to shape the direction of the interviews and interact in a manner
appropriate to their development. Access to children’s voices were possible through
agencies and organisations approached informally.

It is a finding of this research that informality ensured access to research participants in
the Bruneian context. While formal processes like government approval were respected,
initial approaches were made through informal means such as Facebook, Whatsapp and
texting. Once community connections were made, snowballing ensured that further
research participants were recruited. In a communal society like Brunei, making
community connections for an outsider researcher was integral to the success of the
research and the ability to collect data. Informal introductions placed research
participants and gatekeepers at ease with the researcher and research process and assisted
in establishing the credibility of the researcher and making community connections.
Relationship building was important before gaining access.

An awareness of the Bruneian context allowed informal approaches to take place and thus
access to child voices. Awareness of the context and culture where the study is conducted
is an ethical consideration of all research (Lassiter, 2005). Beyond ethical considerations,
an understanding of the context was necessary to fully understand the accounts of children. Crucially, an understanding of family structures and parenting was necessary to contextualise children’s experiences. Developing an awareness of the Bruneian context assisted in addressing the gap in the academic literature relating to childhood in Brunei. It will also be of further use for future researchers who wish to undertake qualitative research in Brunei. Beyond Brunei, an awareness of context is necessary to unpack cultural understandings of Islam that impact upon Muslim and non-Muslim children.

A strength of this thesis is the contextual information gathered on Brunei’s history and culture from the academic literature. This allowed conclusions to be drawn on the cultural underpinnings of traditions and State structures which impact upon the lives of children, like beyond parental control orders. The positioning of such orders as Islamic, despite the roots of the orders coming from British colonialism, is a finding of this study. Beyond Brunei, understanding the roots of traditions and structures understood as Islamic, assists in addressing practices mistakenly attributed to Islam. It is this circle where Islamic leaders and teachings may be of use in critically challenging the positioning of practices as Islamic. Of particular relevance to Brunei’s non-citizen children, is the impact that cultural understandings of Islam have upon non-Muslim children.

Understanding the lived Islam was an important component of the research. Findings from the research add to understandings of how Islam is lived, for both Muslim and non-Muslim children. However, it was also an important frame for the research and allowed for appropriate interpretation of the data. It is important for those researching child protection in Muslim-majority contexts to have an understanding of the Islamic, or to collaborate with Islamic scholars and key stakeholders who can guide the project. This will also assist in developing an understanding of how Islam and other faiths inform and
are incorporated into policy and law in different contexts. National policy and law is the second largest circle in figure 6 and throughout this thesis has been heavily compared within the largest circle in figure 6, that being international child rights commitments. Understanding the legal structures and policy directions of State governments allows for insight to be drawn on the aspirations and priorities of nations in relation to child protection. It also adds an understanding of the State structures that frame children’s daily interactions with governance.

The final layer in figure 6, international child rights commitments and doctrines has utilised the international agreements that Brunei is a signatory to, the UNCRC and OICCRCI, to frame and guide the discussion. While used to guide legislation and research, these documents should be open to discussion and critique. This critique is informed by the circles below in figure 6; namely that children’s experiences should centre discussions on international child rights. Further, that such documents should take into account cultural and religious traditions.

10.11 Conclusion

This chapter has provided a synthesis of the research findings in relation to the research question and academic literature. Findings were further unpacked through comparison to Bruneian government policies and processes, Brunei’s international child rights commitments and Bruneian cultural narratives. Groups of children who were vulnerable across multiple categories of child rights were identified. These include children with special needs, females and non-citizens. Brunei’s compliance to international child rights doctrines was low in relation to juvenile justice, child protection, family cohesion, identity and equality. The following chapter summarises knowledge gained from this
thesis. Further, it makes recommendations to assist Brunei in meeting their aspirational vision for children residing in the Sultanate. Future research directions are outlined.
11.0 Conclusion

This chapter summarises the research project, highlighting key learning’s from the literature review, methodology, results and discussion. It also draws attention to avenues for further research in the studies of Bruneian children, child rights and child protection in Islamic contexts. There have been few studies on children in Brunei. The main contribution of this thesis is to address this gap in the academic literature, providing a study centred on Bruneian children’s experiences and voices. The methodology employed allowed a framework to be developed that can be of further use in researching child protection in Muslim-majority contexts. Findings include that there are disparities between groups of children in Brunei, with some more likely to benefit from the government’s aspirational policies than others. Disparities arise from structural inequalities engrained in Brunei through governance definitions of who is considered Bruneian. These disparities and nuances are summarised in this chapter and are contextualised through summarising the research methodology. Research findings established in the discussion are highlighted, denoting areas of vulnerability for children in Brunei and future avenues of study for researchers interested in the topic. Specific concerns relate to Brunei’s juvenile justice system, the institutionalisation of children, the responsibilities placed on children to protect themselves, statelessness, discrimination and gender-based violence. The findings of this thesis add to understandings of child rights and child participation in Brunei. Beyond Brunei, these research findings add to a growing body of literature on child protection in Muslim-majority contexts and understandings of Islam and child wellbeing.

11.1 Summary of the Study

11.1.1 Aims of the study

The main research question for this thesis was: How are the Brunei Government’s child protection policies and principles reflected in the everyday experiences of children? To
answer this question the experiences of children were ascertained using a qualitative methodology and thematic analysis. The Bruneian government’s policies and principles were established through a review of academic literature and Bruneian legislation. Crucially children’s experiences were compared with the Sultantes’s international commitments to child rights doctrines. Brunei is a signatory to both the UNCRC and OICCRCI and these have been used throughout the thesis to provide context to the discussion on child rights in Brunei and to contextualise the experiences of children.

This study also aimed to address a gap in the English academic literature on childhood and child protection in Brunei. An important finding is the lack of academic attention and available data on child protection in Brunei. The review of the literature found studies relating to Bruneian history, culture, ethnic groups, legal systems, education system and the experiences of those with special needs in Brunei. While the literature reviewed was extensive, children had little visibility in the academic work focusing on Brunei. The literature was read with a view to shaping the study and to bringing forth the visibility of Bruneian children in academic narratives.

Academic and grey literature on Islam and child protection was also reviewed as part of the study. This was consistent with a further aim of the study: to further understandings of how Islamic child protection teachings can be, and are, used in Muslim majority communitiescontexts. Incorporating Islamic teachings into child protection strategies in Muslim communities is the aim of a wider but different long-term research-project. Findings from this thesis may assist that wider project. However, this study identified areas of convergence between “Islamic” and “Western” child rights declarations, particularly the UNCRC and OICCRCI. The research identified areas of convergence in categories of child rights between these declarations, allowing for possible dialogue
between Muslim and non-Muslim stakeholders working in the area of child protection in Muslim contexts. More broadly, this thesis adds to the body of literature on child rights and their contextual application. This can assist practitioners working within a child rights framework.

11.1.2 Summary of methodology

The methodology utilised aimed to ensure appropriate child participation in the research process. A three-pronged conceptual framework guided the study; combining a child rights approach with collaboration and the use of case studies. The child rights approach informed the choice to place child participation at the core of the methods used and worked in combination with a collaborative approach to ensure respectful engagement, informed by diverse expertise. Case studies were used to ensure a range of Bruneian children were included in the study. Children participated in semi-structured interviews from HoS, HoD, YSHHB, Mosque Youth, private secondary schools and a government run primary school. Adult parents and practitioners were also included, to describe their experiences of policy and process. The parents interviewed had either adopted a child or were parenting a child with special needs. Their participation ensured that the experiences of adopted children and those with special needs could be incorporated into the study. Further, conclusions were drawn on parenting in Brunei, especially in relation to gender and insights into family life.

Key learning’s can be identified from the methods used. The research was exploratory in nature, with little qualitative research on children previously undertaken in Brunei. Thus, the experiences of the author during fieldwork can guide future research projects. Informality in approach ensured that adequate amounts of data were collected. Flexibility in approach allowed participants to shape the methods used. Thus, more participants were recruited and participated in a culturally appropriate manner. For example, children could
choose to participate either individually, in pairs or in groups. The blending of individual interviews with group interviews is an area where this thesis can guide the work of other researchers. Methods were also adapted to suit the age of participants. The use of case groups allowed a range of participants to be recruited across Bruneian society, allowing the study to be representative.

This study has used semi-structured interviews and qualitative methods and has demonstrated the usefulness in using qualitative methods in data collection. Such methods could be of use alongside quantitative data in adding to Brunei’s data system. The UN reporting committee has called on Brunei to improve its data collection system for both offences committed against children and for all aspects of rights covered within the UNCRC. The lack of a data system surrounding child rights in Brunei provides an opportunity for academics to work with the Bruneian government to assist in developing a comprehensive system.

11.1.3 Key findings of the study

Thematic analysis was used to identify key themes emerging from the data. This allowed a synthesis of data across individual and case groups. The results were presented as both individual and case studies to allow the reader to engage with the richness of the data. Further, it allowed for easy comparison across groups, to note the similarities in narratives. Though the intensity of themes differed across cases, similarities were observed that could inform understandings of cultural narratives present in Bruneian society. Key themes that spanned case groups included gender, lived religion, social exclusion, citizenship, adult-child relationships, violence, and vulnerability. Adherence to government process was also a theme across case groups.
This research informs understandings of child rights and child vulnerability in Brunei. At-risk groups were recruited for the research including those in the juvenile justice system, those in the child protection system, children who were non-citizens, children with special needs and those at risk of educational dropout. Across the categories of child rights three groups consistently were identified as at risk of having their rights go unmet: (1) those with special needs, (2) non-citizens and (3) girls. With further research a fourth could be added, Bruneians from non-traditional family structures, such as divorced families.

11.1.3.1 Key findings relating to international compliance

In the Bruneian context, areas were identified where convergence occurred between the OICCRCI and UNCRC. However, this convergence did not align with Brunei’s compliance to its international child rights commitments. The following were identified as areas where Brunei is not compliant with the UNCRC, or OICCRCI:

1. The detention of adults with children. Both documents agree that juveniles should not be detained with adults and Brunei has policies in place to separate children in detention. However, two children in this study reported being detained with adults.

2. Chinese and Malay children reported experiencing corporal punishment. The UNCRC is clear in its stance against corporal punishment. The research found that UNCRC and OICCRCI provisions were contravened in this matter.

3. Both the UNCRC and OICCRCI documents agree that children should be informed of the period of institutionalisation. This research found that children institutionalised through the juvenile justice system and child protection systems were uninformed on when their detention period would end.
4. The OICCRCI and UNCRC are in agreement that children should have appropriate legal representation. One participant stated that he had not been given representation.

5. The OICCRCI and UNCRC guide States to protect children from the influences of narcotics and illegal substances. Brunei has strong anti-drug legislation, including restrictions on alcohol and tobacco. These were recognised by children, who further associated smoking with feeling unsafe. However, two children reported that their family members were involved in drugs. This led to one child breaking parole due to fear for his safety from his father.

6. The OICCRCI and UNCRC urge States to protect children from sexual abuse, and CSEC. Three children were identified in data as being victims of CSA, with references to CSEC present in the accounts of practitioners. The child victims were traumatised and institutionalised.

7. The OICCRCI and UNCRC guarantee the rights of all children to citizenship, and to resolve issues of statelessness. In Brunei, Chinese and Indigenous populations were identified as non-citizens. Further, children who were non-Malay and non-Muslim experienced racial and religious discrimination. Gender discrimination and discrimination against those with special needs was also identified in children’s accounts. Discrimination was noted across child rights categories. It is a finding of this research that Brunei is not compliant with the rights provisions for identity or equality.

8. The OICCRCI and UNCRC have rights explicitly protecting children with special needs. The data demonstrated that Brunei has aspirational policies towards the educational and healthcare rights of children with special needs.
However, parent participants saw these provisions as inadequate in fully meeting the needs of their children.

9. The OICCRCI and UNCRC highlight that children have the right to sexual education. Child participants and practitioners stated that sexual education is not consistently taught throughout schools in Brunei.

10. Finally, both the UNCRC and OICCRCI provide guidance on the rights of family cohesion. The systematic responses to curtail child behaviours through beyond parental control order, infringes child rights in relation to family cohesion and places the responsibility and consequences from issues such as neglect disproportionately on children.

These findings represent areas where Brunei is not compliant with its international child rights commitments, even when there is congruence between the Western and Islamic understandings of child rights.

**11.3.1.2 Final synthesis of key findings**

Further research findings were identified through contextualising the data in academic literature. Six key findings were identified that add to understanding the experiences of childhood in Brunei. These findings also add to discussions of child rights beyond Brunei. Firstly, aspects of Bruneian child protection policy place an onus on children to ensure family cohesion and to ensure their own safety. Children classed as beyond parental control, those on probation and those who had sexual abuse perpetrated against them, were all identified as having a disproportionate onus of blame placed upon them to address “their behaviours”. Child participants described a sense of powerlessness when interacting with adults. This inhibited their participation in society and added to feeling unsafe. For example, power imbalances between adults and children in Brunei are reinforced by Bruneian cultural narratives and enable elements of violence including the use of corporal punishment in the home.
Secondly, children who identify as Chinese, Indigenous, Indic, foreigners and non-Muslim were found to be socially, structurally and symbolically excluded from Bruneian society. This is reinforced by the understanding of Brunei as a Malay Islamic Monarchy. Privileging those who ascribe to Muslim and Malay identities impacts upon children living in Brunei. Explicitly, non-Muslim children have their ability to practice their religion inhibited. Indigenous children have a disconnect with their culture. Chinese and Indigenous groups also have their citizenship rights impacted upon and are classed as “stateless”.

Thirdly, gender constructions in Bruneian society impacted upon the experiences of children across categories of child rights. Gendered family roles were identified and were framed by Bruneian ideals of appropriate behaviour. Female children reported harassment and abuse, with the onus placed on young females to protect themselves. Little focus in narratives was placed on the perpetrators of abuse, who were largely males. Older males were also identified as coercing younger males into committing offences, with juvenile males reporting that older males often did not face consequences for their involvement in these crimes.

Fourthly, interventions in the juvenile justice and child protection systems are guided by institutionalisation. It was a finding of this research that beyond parental control cases are framed through a juvenile justice lens in Brunei, rather than through a prism of parental neglect. Reframing beyond parental control cases as neglect redresses some of the power imbalances between adult-child relationships observed in the data. Further, the behaviours viewed as problematic were seen by practitioners as not contravening common law, but rather Islamic moral standards. This is despite beyond parental control
cases being a part of Bruneian common law and being a remnant of the British residency. The institutional responses to children in the child protection system and juvenile justice systems fail to incorporate the wider familial factors that impact on child behaviours. Similarities were noted in the accounts of those institutionalised in the child protection system and juvenile justice systems. Both groups of children experienced unsafe home environments, had a mistrust of adults and were socially excluded. Their family structures were non-traditional for Bruneian society and incorporated divorced and adoptive families, to a greater degree than other case groups.

Fifthly, it was a finding of this research that Brunei has formal processes and policies that guide child protection responses. However, informal processes and deviance from formal processes were identified in the data. It is a paradox of the findings that in some instances informality ensured positive outcomes, however a lack of formal monitoring and compliance may also place children at risk. For example, research findings suggest that adoption in Brunei acts as a community protection for vulnerable children and that informal adoption also takes place in Brunei. Adoption processes were adapted from formal procedure to ensure the best interests of the child principle were incorporated.

The final key finding of this thesis was that Islam and religiosity were themes identified across participant accounts and categories of child rights. Islam was identified by children as a frame that impacts upon their lives. Examples of how Islam positively impacted upon the lives of Muslim children included engaging with prayers and participation through the Mosque Youth program. Child participation in Brunei was enabled through programs like the Mosque Youth program, allowing Muslim children to participate in an important social institution in the Sultanate.
11.3 Implications of the study

This thesis added to the body of knowledge on the lived experiences of children in Brunei. Beyond Brunei, this study added to knowledge on child participation in Muslim communities. This added knowledge has implications for the way that child protection interventions are approached in Muslim-majority communities. For example, the Mosque Youth program was identified as a measure that enhanced child wellbeing by allowing children to participate in Bruneian society. This program provides a model that can be utilised in other Muslim-majority contexts and highlights the important role that religious leaders can have in child participation and thus protection. The research findings point to further areas where Islamic leaders can enhance child protection efforts, including supporting families with a child with special needs. Islamic leaders can also partner with other community leaders to address issues which impact upon Bruneian children across ethnicities. Corporal punishment, and its use in homes is one area where leaders can come together; another is in addressing the racial abuse perpetrated by both communities against those of Indie origins and foreign workers.

Categories of child rights were utilised to establish where there was convergence and divergence between the OICCRCI and UNCRC. Areas of convergence provide opportunities for dialogue between Islamic leaders, government officials and child protection professionals. Identifying areas of convergence can be of use beyond Brunei in developing an Islamic lens for child protection work within Muslim communities. Identifying areas of non-compliance with the UNCRC and OICCRCI in the research findings has implications for understandings of Brunei’s child protection system, and for practitioners aiming to refine child protection responses in the Sultanate. For example, research findings identified a lack of compliance in Brunei’s juvenile justice system, which were placing children at risk. It is therefore an implication of this research that
areas of Brunei’s juvenile justice system need to be reformed to reflect best practice, as guided by international commitments. Specifically, the use of institutions and a lack of community-based care were noted in the research. A shift in structural processes to juvenile justice and child protection in the Sultanate may make interventions more effective.

11.4 Limitations of the Study

Limitations were identified in this study. This research, although qualitative in nature was expansive and captured key areas of children’s lives in the Sultanate. Consistent narratives were observed across case groups and findings were substantiated through consistent analysis. However, this thesis cannot speak for all Bruneian children. Consistency was ensured through contextualising findings within other research available on Brunei and child rights internationally.

The use of a case-study approach as part of the conceptual framework was apt for the study. However, there are limitations in utilising case-studies. Case-studies lead to the exclusion of certain groups of the population. Generalisations drawn from case-study research and discussed in relation to population groups who were not represented in the research, should be applied with caution. Some participant groups were absent from the study. For example, female participants from HoD were not interviewed, as KRK reported that there were no female children wishing to participate. Their inclusion would have allowed understandings of beyond parental control cases from a female perspective. As cases are more likely to involve female children, their absence tempers the conclusions drawn. Other participant groups that were not recruited included male teachers and practitioners. One male was included in the Mosque Youth and HoS cohorts. The inclusion of a greater number of male participants in these case groups would have allowed case-groups to be more representative.
Language choices framed the study. The academic literature reviewed was predominately in English. Limited Malay literature was examined by a translator and Malay translators were used in the translation of research materials and assisted in interviews and transcription. Greater incorporation of Malay and Arabic literature may bring further understanding to Islamic teachings and guidance. For example, Malay literature could be useful in contextualising the use of motivational speakers and Arabic literature useful in understanding the Islamic texts used by such speakers.

All interviews were conducted with female researchers and translators. No participants raised concern over the lack of male interviewers, or stated that they felt uncomfortable speaking to a female. However, it would be of interest to see if young males, especially those in HoD, would have given differing accounts if speaking to a male interviewer. To enable greater inclusion, having research team members who are specifically trained to communicate with those with special needs would also have enhanced the study. While parents of children with special needs were interviewed, as were child volunteers from special needs organisations, being able to communicate directly with the children would have verified the parents’ accounts.

A further limitation of the study is that the research did not quantitatively measure child well-being. While Axford’s (2008) work was referenced, measures of child rights and child well-being were not incorporated into the methodology. Instead, lived-experiences and subjective well-being were qualitatively explored. Future research could examine the applicability of child well-being measures in Muslim-majority contexts and utilise such measures in research with Brunei children.
11.5 Future research directions

This research identified topics in need of further study. For example, child labour is a topic referenced minimally in the data collected. Its appearance in the data highlights that child labour occurs in Brunei, however the extent and severity are unknown. Thus, further research is needed. This is also an area of interest for academics at UBD, thus ensuring that work could continue collaboratively. Academics from UBD also have interest in adding to understandings of special needs within Brunei. Two areas on the topic were identified as needing further study; Islamic treatments and the role of domestic helpers. The use of Islamic treatments could ensure greater inclusion in religious life of special needs children. Research findings from this study also highlight that maids play a key role in caring for children in Brunei, especially children with special needs. Maids are generally female migrant workers and thus have a vulnerable visa status within Brunei. Their use in childcare has research implications in furthering understandings of Bruneian family life, gender, class, child protection and safety for both worker and child.

A further future research interest is an examination of the teachings of Imam’s and Ustaz’ in Brunei. This could be approached using a combination of interviews, focus groups, or a roundtable methodology as utilised in Hutchinson et al. (2015). Research participants may include Imam’s or mosque officials who work with the Mosque Youth Program, as well as Ugama teachers, child protection professionals and children.

The methodology used in this thesis could be used to understand child protection practices regionally. Brunei is surrounded by Malaysia, making Malaysian Borneo an interesting comparison site. Malaysia is also a Muslim-majority nation, with a large Malay population and an English colonial history. However, the states of Sabah and Sarawak also have sizeable Chinese and Indigenous populations. Some of the Indigenous
groups also have populations within Brunei. The complexity of the cultural mix, citizenship and how this influences ideas of childhood could be compared to conclusions drawn about Brunei. Other areas in the region could also act as interesting comparison sites. Notably, the Indonesian province of Banda Aceh, which is also operating under a Syariah Penal Code. In developing regional research, ASEAN agreements and guidance documents could also play a role. ASEAN has regular conferences on child protection in the region and could be a strong partner in future research. Beyond Southeast Asia, future research into child rights, citizenship and the impacts on non-Muslim children residing in Muslim-majority contexts could be undertaken in nations such as Oman, Qatar and Kuwait. Similarly, to Brunei these nations have significant populations of foreign workers.

11.6 Final statement

This thesis has provided an avenue for Bruneian children’s voices and experiences to enter the academic literature. Through a methodology which centred on child rights and child participation, the experiences of children were collected and analysed, producing findings that highlight areas Brunei is not in compliance with in its international child rights commitments or aspirational policies. Discrepancies were observed between different groups of children and their access to rights. Groups of children are socially, structurally and/or symbolically excluded from Bruneian society. Through critically analysing the voices of children and contextualising them within academic literature, the gap between Brunei’s aspirational child protection policies and the everyday realities of children will lessen. This thesis has addressed some of the gaps in knowledge in this evolving area of inquiry, not only specific to Brunei, but also relevant to working in similar contexts. In keeping with the child rights approach adopted, this thesis concludes with the voice of a child. This quote demonstrates a sense of hopefulness, and altruism present amongst children in the Bruneian community.
Aini: I know we are not all one nation or one language but we are all friends and we are all humans so we should care for each other.
Appendix 1

Text of Children in Brunei Darussalam: Their educational, legal and social protections

Children in Brunei Darussalam: Their Educational, Legal and Social Protections

AMY YOUNG, PG NORHAZLIN PG HJ MUHAMMAD, OSMAN BAKAR, PATRICK O’LEARY & MOHAMAD ABDALLA

ABSTRACT

The past two decades of academic work, have cemented the idea that childhood is a social construction. As such, how children are conceptualized, educated, protected and interacted with differs from society to society, given the values inherent in each social construction. Culture, history and geography all influence the daily lives of children, and the inherent protections that children are offered in each society. This paper examines child protection provisions embedded in Brunei Darussalam by critically reviewing the sparse literature available. While much academic work has been done on Brunei Darussalam’s political system and unique ideology, little has been written on the children of Brunei. Specifically, the focus taken is on the protections offered by the Bruneian legal and education systems, family and cultural institutions, and on Brunei’s international commitments to ensuring child wellbeing.

Keywords: Brunei Darussalam, child, childhood, Islam, shariah law

Negara Brunei Darussalam is an Islamic sultanate with a particular vision for its people and children. Yet little academic work has focused on children in Brunei. The United Nations Convention on the Rights of the Child (UNCRC) is central to the way children are viewed worldwide. It reflects an awareness that children are not just passive recipients of adult culture in need of protection and provision, but also beings in their own right who participate and interact with the world (Alderson 2012a, 2012b, 2010). This acknowledgement of childhood as a social construction means that childhoods differ significantly across cultures and nationalities.

How countries incorporate child protection into their policies reflects the way that children are conceptualized in that society. Countries with an explicit Islamic ethos, such as Brunei, have policies and principles that espouse Islamic values. Islamic values are articulated by government officials in the newspapers of Brunei. One example included the reporting of a speech given by an official from the Ministry of Religious Affairs on how Islamic education can act as a protective mechanism. The focus was to reinforce the importance of religious education. “When the children pray and are nurtured with good ethics such as respecting the elderly and being well-behaved, all the things that they aspire towards will become a reality. When such a shield is

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adequate, all sorts of challenges can be faced calmly” (Othman 2013). Islamic societies have a rich history of child protection practices that have existed for centuries (Authors 2016; Rajabi-Ardeshiri 2009; UNICEF & Al-Azhar University 2005). However, there is recognition in academic and humanitarian circles of the tensions between Islamic child protection mechanisms and the UN CRC (Hutchinson et al. 2015; Rajabi-Ardeshiri 2009; UNICEF & Al-Azhar University 2005; UNICEF 2012).

There is significant conceptual overlap between the UN CRC and Islamic child protection mechanisms, however the differences in epistemological underpinnings often result in differing strategies in how best to protect the rights of children (Hutchinson et al. 2015). This leads to superficial engagement with communities on sensitive issues such as early marriage and gender discrimination (UNICEF 2012; Hutchinson et al. 2015). Hutchinson et al. (2015) used a roundtable methodology to explore child protection mechanisms in Islamic communities, and to discuss with religious leaders and practitioners of practical applications of these beliefs. This work highlighted the diversity of approaches across Islamic schools of thought and cultures (Hutchinson et al. 2015), as well as identifying mechanisms that could ensure child wellbeing including solih (reconciliation councils), engaging the support of religious leaders, and the centrality of mosques in promoting child protection (Hutchinson et al. 2015). While this paper’s focus is Brunei, the knowledge produced can feed into discussions on Islam and child protection worldwide.

This paper examines child protection provisions embedded in Brunei by critically reviewing the literature. Particular attention is focused on Brunei’s education system, legal system, international obligations and family networks. These institutions are shaped by Brunei’s Islamic ethos, and how Islam influences childhood in Brunei is explored throughout. Islam has undoubtedly had an effect on Brunei’s history and current ideology. However, little work has focused on Islam and its role in the lives of children in the Sultanate. This work comes from a collaborative project between Universiti Brunei Darussalam and Griffith University examining aspects of Islamic law and child protection in Brunei.

The Bruneian Context

Brunei sits at the heart of Southeast Asia, on the northwest coast of Borneo. The history of Brunei can loosely be divided into four waves: animism, the arrival of Hinduism, the arrival of Islam and colonization (Awang 2013; Gunn 2000; Walker 2010). These four ideologies were not wholly chronological. All four influence how Bruneian society conducts itself today. Brunei is recorded as Po-li in Chinese writings from the Liang, Sui and Tang dynasties (Awang 2013). The Chinese traded with the coastal Brunei Malays who would in turn obtain goods by trading with inland indigenous groups such as the Penan (animists) (Sercome 2010). Brunei began as an animist society. Practicing animism can still be seen in the country among the Penan and Dusun groups (Sercome 2010). Brunei was next influenced by the Indic school of thought. The legacy of the Indic element can be seen in the construction of a centralised state order noted in historical sources pre the arrival of Islam (Gunn 1997). Indic influences still seen in Brunei include: the style of kerajaan (kingsdom), social stratification, ceremonial elements (including the use of the royal drum), regalia (the use of yellow umbrellas) and in protocols surrounding the appointment of officials (chereria) and ministers (menteri) (Gunn 1997: 4). After animism and Hinduism came the arrival of Islam (around the fourteenth century), which is the current state religion, with 78.8% of the population ascribing to it (CIA 2016). The late nineteenth century saw colonization by the British, which has influenced Brunei’s education and civil legal systems. The influences of Islam and British colonization are the most visible in Bruneian society. Brunei was granted full independence from Britain in 1984 (Sidhu 2010). In the same year Brunei became a member of the UN and Organisation of the Islamic Conference (OIC), the latter renamed Organisation of Islamic Cooperation.
From independence, Brunei Darussalam has been guided by the state's official philosophy, Malay Islamic Monarchy or Melayu Islam Beraja (MIB) (Awang 2013). This reflects the country's dominant ethnicity, religion and governmental system. In his proclamation of independence Brunei's head of state His Majesty Sultan Haji Hassanal Bolkiah Mu'izzaddin Waddaulah ibni Al-Marhum Sultan Haji Omar'Ali Saifuddien Sa'adul Khairi Waddien (henceforth Sultan Hassanal Bolkiah) articulated his hope that Brunei will always remain guided by MIB (Awang 2013). MIB is taught to children at every level of education and frames their understanding of society from a young age. It is therefore an important place to begin in gaining an understanding of the Bruneian context. Firstly, to the monarchy. His Majesty Sultan Hassanal Bolkiah is the Prime Minister (Yang Di-Pertuan) and head of the country's military and finance. In the most recent Cabinet reshuffle (2015) he also holds the post of Foreign Minister. Brunei's heredity line of monarchs can be traced to 1363 (Awang 2013). The Sultan is a role model and fulfills the role of Caliph, Sultan and Imam for his people (Awang, 2013). Brunei is an absolute monarchy with elections suspended since 1962 when a State of Emergency was declared, and full executive powers were handed to the monarchy (Kershaw 2001).

"Malayness" is a key factor in Bruneian citizenship. Malay is defined not only by language and ethnicity but also by religion. Being Muslim is almost synonymous with being Malay. There are seven original Malay groups that are still present in Brunei. Sometimes referred to as puak jati (original tribes) they are Brunei, Belait, Bisaya, Dusun, Kedayan, Murat and Tutong (Wahsalfelah 2005). These groups are arranged into a hierarchy in Bruneian society. There are also intergroup hierarchies as well. The Sultan is the head of the hierarchy. Hanapi (2006) noted the importance of Brunei's strict social hierarchy plays in child rearing practices, equating its influences on social interaction with that of Islam.

Islam is integral to Brunei's identity. Brunei is a Sunni Muslim state, following the Ahl Sunnah Wal Jama'ah of Shafie school of thought (Awang 2013). Interest in Islam in Brunei from academics has focused on the peacefulness and lack of radicalism preached (Mansuroor 2008). Islam is at the heart of the MIB philosophy, with all laws and practices needing to comply with Islamic law and ethics. There are provisions under shariah laws and roles for child protection, some of which are explored in this paper.

This brief introduction to MIB, and its three interlinking prongs, gives an insight into the Bruneian mindset and governance structures. Further work can be done in understanding how MIB can be used as a child protection tool in Brunei.

International Rights of the Child

Brunei is a signatory to the UNCRC and the Organisation of Islamic Cooperation's Covenant on the Rights of the Child in Islam (OICCRCI). There are similarities and differences between the documents. For example, the OICCRCI focuses less on the rights of individual children than the UNCRC, but places more importance on the community (Hutchinson et al., 2015). Finding convergent and divergent points in child protection practices between Islamic and Western culture is complicated not only by underlying epistemologies, but also by practices mistakenly labeled as Islamic. For example, both Jordan and Syria have acknowledged that the reservations they hold towards UNCRC article 14 (the right of a child to freedom of religion) are not wholly Islamic in nature (Hashemi 2007). Their objections stem from their strict cultural family systems, which do not permit members to renounce their religion (Hashemi 2007). Brunei Darussalam holds reservations to UNCRC Article 14 (Freedom of Religion), Article 20 (Children Deprived of Family Environment) paragraph 3, and Article 21 (Adoption) subparagraphs b, c, d and e (UNTCP 2015).

The OIC comprises of 57 member states, making it the second largest intergovernmental organisation in the world. Brunei's membership in the OIC came out of a desire to 'work closely with other OIC members in promoting Islamic interests and values for benefits for the Islamic Ummah' (Sidhiu 2010). In 2004, the OIC developed the OICCRCI. This document outlines how

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Children residing in member states are to be treated. Despite the myriad of cultures represented in the OIC, this document uses the shariah as a unifying force to provide a framework for child rights in Islamic contexts. Throughout the document a balance is struck between the values espoused by the OIC, and those inherent in the legislation of individual countries. The OICCRCI gives greater consideration to the laws of individual countries than the UNCRC. Another difference between the two documents is in the way that the child is defined. Article 1 of the OICCRCI defines a child as “a human being who has not attained maturity”. This allows the individual state to use their own definition of maturity, and ultimately of a child. This has ramifications for phenomena such as the age of marriage. Whereas Article 1 of the UNCRC defines a child as a human under 18 years of age “unless under the law applicable to the child, majority is attained earlier” (UNICEF 2016).

The definition of a child in Brunei reflects the sentiments of the OIC document rather than the UNCRC. In Brunei a “Child: means a person who has not attained the age of 14 years.” This definition appears in the Children and Young Person’s Order 2006, and are coupled with the definition of a juvenile (“means a person who has obtained 7 years of age but who has not attained the age of 18 years”) and Young Person (“means a person who has attained the age of 14 years but has not attained the age of 18 years.”) (Attorney General 2015).

Another divergence from the UNCRC relates to the right of the child to freedom of religion. While the UNCRC guarantees this right, it is a central formulation of the OICCRCI that children are raised as Muslims, who are encouraged to meaningfully participate in their society, and a wider Islamic civilization. However, there are overlaps between the UNCRC and the OICCRCI. Both documents provide the right of the child to life, guarantee the basic necessities of life and to protect the child from violence and abuse. The importance of family is present in Article 8, which ensures that the Islamic child grows up in a supportive family environment.

UNICEF (2015) reviewed the compliance of ASEAN member states’ laws in relation to child violence. Brunei was found to have strong laws that protect children against trafficking, abduction and sex tourism (UNICEF 2015). Brunei has made significant progress towards constructing strong protection measures to tackle child abuse, child labour, minimum working age and physical violence in the community (UNICEF 2015). However, there are areas highlighted by UNICEF (2015) where legislation needs to be strengthened.

Children who are in conflict with the law are particularly vulnerable. Bruneian legislation lacks a minimum age of criminal responsibility, and safeguards against violence by law enforcement. There are also concerns about violence when children are detained in institutions (UNICEF 2015). Solutions suggested by UNICEF (2015) include developing a separate system for juvenile justice, and setting a minimum age of criminal responsibility. The shariah provides guidance on when a child is considered mature. Sait (2000) argues that under the shariah it is religious knowledge rather than age that informs when a child is judged as mature. Islamic theory relies not only on physical development, but also mental ability when judging whether one is a ‘child’.

Discussions on the age of maturity also concern ages of consent when it comes to sexual activity. Brunei has differing ages for consent between boys and girls (UNICEF 2015). Consent is negated by marriage in Bruneian laws, with the age of marriage being directly linked to ethnicity and religion. Brunei’s customary law allows marriages to take place at 14, while Chinese girls can be married at 15 (Bandial 2016). No age is specified for Muslim marriages (Bandial 2016), however consent must be given by a guardian and the registrar. UNICEF urged Brunei to raise the minimum age, arguing that it is an obligation agreed to by signing the UNCRC (Bandial 2015; Bandial 2016). In 2010, there were 225 Muslim marriages where either one or both partners were under 18 (Bandial 2015). In response, the Bruneian government released a statement stating there were no plans to increase the minimum age of marriage (Bandial 2015). “The minimum age for marriage varies between existing relevant legislation, taking into account the diverse religious and cultural background of the people in the country. Although the minimum age of marriage provided under the relevant laws is below 18 years, the laws lay certain conditions
before a marriage can be concluded. These conditions are imposed to ensure that any party... has been fully qualified and ready in all aspects to enter into a married life" (Bandial 2016). In response, UNICEF reiterated their concerns that early marriages can lead to young pregnancies, putting both mother and baby at risk (Bandial 2016). UNICEF called for this debate not to be framed as a ‘clash of cultures’ but rather for religious officials to be involved in discussions on the best interests of children (Bandial 2016).

Child pornography is a topic explored by the Bruneian media (Roslan 2015; Suraj 2014). While production and distribution of such material has been criminalized, legislation is lacking a comprehensive definition of child pornography or laws requiring reporting obligations (UNICEF 2015). To further protect children in Brunei from sexual abuse, UNICEF (2015) has requested Brunei reconsider its laws to apply to all acts of sexual penetration, and to cover both male and female sexual abuse survivors. Presently, there are no protections for male children. There is also a need to explicitly include criminal consequences for the ‘grooming’ of children (UNICEF 2015).

After submitting the third report to the UNCRC in 2015, Brunei’s Minister for Culture, Youth and Sport responded to queries from the committee (OHCHR 2016). Here, Brunei was praised for its comprehensive and inclusive education system, and for its exceptional literacy rate (OECD 2016). Questions were raised by the committee regarding: The minimum age of marriage, the age of criminal responsibility, the prevalence of corporal punishment, the relation between civil and shariah laws, female genital mutilation, negative gender stereotypes, child labour, religious and public education, the juvenile justice system, alternative care and foster systems, adoption processes, the obesity rate and abortions (OHCHR 2016).

In response to the request for legislation to be brought into line with human rights standards, Bruneian officials maintained that Brunei will “continue to provide for and protect the rights of the child in line with its Constitution and Shariah principles” (OHCHR 2016).

Legal Protections

In 2016, the Brunei Council on Social Welfare released a statement examining the effectiveness of child protection legislation in the Sultanate.

The government has initiated some good programmes geared towards child protection, but many aren’t fully implemented. Perhaps it’s due to a lack of resources in terms of manpower and finances. (The lack of) emphasis on children’s issues, resulting in inadequate budgeting, has led to poor implementation or looking good on paper only... I’m not saying that in Brunei we don’t have programmes at all; we do, but in a very limited way, and some are very temporary. It only solves the problem for a couple of months or a couple of years, which doesn’t allow total support to the vulnerable children... these children are totally neglected or left to the care of relatives (Thien 2016).

This critique is echoed by the United Nations Human Rights Commission (OHCHR 2016), who labeled Brunei’s lack of technical expertise in child protection implementation as a challenge. Brunei has dual legal systems which work in tandem to protect children; the common law and Shariah law. Children’s rights are assured in the general protections offered to all Bruneians. There are also specific laws that relate to child protection. These include:

1. Births and deaths registration Act.
4. Registration of Adoptions Act.

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(Malaysia’s Domestic Violence Act 2012) to protect women of all races and religions, which can lead to confusion (Jaya 2013). Domestic violence deeply influences the life of children. The fear of losing children during divorce proceedings can influence decisions made by women to stay with violent partners (Jaya 2013), and thus strengthening legislation is essential.

UNICEF’s report (2015) recommends that Brunei strengthen its existing legislation to recognize domestic violence as a distinct form of violence. This should include the young males who are victims of domestic violence (UNICEF 2015). Brunei’s current legislation has provisions to protect partners from physical violence, but not sexual violence (UNICEF 2015). Domestic violence legislation can also strengthen the protections for children when being punished in the home, and in the school environment (UNICEF 2015).

Educational Protections

A substantial body of literature exists on education in Brunei (for example Muhammad 2014; Abdullah & Osman 2010; Attwood & Bray 1989). MIB is central to education and taught throughout schooling. “The education ethos is founded on MIB, which uses religious principles as a guide for cultivating personal values in students” (Shahminan 2012: 37). The current education system is based on the British model of 7 primary years, 3 lower secondary, 2 upper secondary and 2 pre-university (UNESCO 2009). However, education in Brunei has roots that pre-date the arrival of Europeans.

Pre-residential system Brunei did have religious education where students were taught the basics of Islam including how to read the Al-Quran (Shahminan 2012). These classes took place in mosques and houses, and can be traced back to the 14th century (Muhammad 2014). The first Malay speaking school opened in 1913, and was operated from a Mosque (Singh, 1984). 30 male children attended (Shahminan 2012). By 1926, five Malay schools had opened under the supervision of the British resident. A Chinese school was created in 1916. It wasn’t until 1938 that significant numbers of female pupils (189) were attending Bruneian schools (Singh 1984). The initial low numbers of female students has been attributed to parents refusing to send their daughters to school. Many of the male students were from the upper classes. Compulsory attendance was introduced in 1929 (Shahminan 2012). Religious education for Muslim citizens is compulsory until the end of primary school, to ensure children are given a spiritual education.

UNICEF (2015) has called on Brunei to explicitly prohibit the use of corporal punishment in schools. This could include rethinking disciplinary practices in schools and including these in regulations (UNICEF 2015). There is also a need to watch against the use of emotional and mental abuse in schools (UNICEF, 2015). Hanapi’s (2006) work noted the use of pinching by teachers to control special needs students. Teachers in the study also requested more support and training when dealing with special needs students (Hanapi 2006).

A great deal of literature examines the experiences of special needs children in Bruneian schools (Bradshaw & Mundia 2005; Haq & Mundia 2012; Koay 2009, 2007; Mundia 2009; Tait 2008; Tait & Mundia 2012; UNESCO 2009). Brunei has achieved a 98% rate of special needs enrolment (UNESCO 2009). Support and advocacy is given by NGO’s dedicated to those with special needs in Brunei, including SMARTER, KACA, Pusat Ehsan, and La Vida. UNESCO (2009) recommends that teachers’ requests for further education on special needs be fulfilled. There is a need to expand services into isolated areas, increase support for complex needs or with multiple disabilities, and more curriculum development (UNESCO 2009).

Another group that may require extra assistance in schools are Indigenous children. The Indigenous groups that reside in Brunei such as the Penan and Iban largely reside in poorer rural areas (Sercombe 2010). Their seclusion leads to children beginning school without a firm grasp of English or Malay, the two languages lessons are taught in (Sercombe 2010). Sercombe (2010) notes that there is little value placed on education by parents in the Penan community, and this influences Penan children’s experiences in schools. The success of Brunei’s education system is underpinned by the values espoused in Bruneian families.

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cohesion. All of these are overlaid with Brunei’s international obligations, which provide accountability. UNICEF (2015) has noted ways in which Brunei’s children can be better protected, and these have been detailed throughout this paper. The most pressing of the issues raised is the need for further resourcing and training of social workers. These recommendations deserve consideration through dialogue, to ensure they are compatible with Islamic teachings. This cultural approachability will lead to better outcomes for Brunei’s children.

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**Appendix 2: Convergences between the OICCRCI and UNCRC**

*Table A: Categories of child rights and the convergences between the OICCRCI and UNCRC*

<table>
<thead>
<tr>
<th>Child Rights Category</th>
<th>Degree of Convergence</th>
<th>OICCRCI</th>
<th>UNCRC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Justice</td>
<td>Convergence</td>
<td>States shall implement a minimum age under which children shall not be judged. Assistance shall be given at Court. No child shall be deprived of freedom, unless under the guidance of the law and for a reasonable and specific period of time. During this period, they will be treated in a way consistent with human rights and basic freedoms. Children will be detained in separate facilities from adults. Children shall be given access to lawyers. The case will be heard by a juvenile court. Juvenile justice will focus on rehabilitation and reintegration, rather than punishment.</td>
<td>Assistance will be given to children in Court. No child will be deprived of freedom arbitrarily. Arrest and detention will occur in accordance with lawful processes and only as a last resort. Children will be detained for the shortest appropriate amount of time. In detention, children will be treated with respect and dignity, in accordance with human rights and basic freedoms. Children will be detained in separate facilities from adults, unless it is in the child’s best interest. Children will maintain contact with their families through visitation, unless it is not in the child’s best interests. Juvenile justice will focus on rehabilitation and reintegration.</td>
</tr>
<tr>
<td>Special needs</td>
<td>Convergence</td>
<td>A child with special needs or disability is entitled to receive specialised care to guarantee their full rights. References supports and resources to be offered to the child, and the carers of the child. Access for children to appropriate education, rehabilitation, training, care for their condition, and mobility to ensure they participate in society. Where possible, this is to be free of charge.</td>
<td>Mentally or physically disabled children have the right to ensure a full and descent life, with dignity and facilitate the participation of such children in the community. Calls for supports and resources to be offered to the child, and the carers of the child. Access for children to appropriate education, health services, rehabilitation, recreation and cultural and spiritual development. Where possible, this is to be free of charge.</td>
</tr>
<tr>
<td>Equality</td>
<td>Convergence</td>
<td>Nations will guarantee the equality of all children to enjoy their rights regardless of sex, birth, race, religion, language or any other consideration affecting the right of the child or family.</td>
<td>Nations will ensure the rights of all children without discrimination, irrespective of the child’s or parent’s, race, colour, sex, language, religion, disability, or national origin.</td>
</tr>
<tr>
<td>Social living standard</td>
<td>Convergence</td>
<td>Children have the right to custody and maintenance. Children also have the right to benefit from social security in accordance with national laws. Nations will guarantee mandatory measures to compel parents and guardians to fulfil their obligations as outlined in the Syariah.</td>
<td>Children have the right to benefit from social security in accordance with national laws. Further, children have the right to maintenance. Nations will assist parents or guardians to meet the needs of the child.</td>
</tr>
<tr>
<td>Labour</td>
<td>Convergence</td>
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<td>Children are protected from participating in any risky work, or work which obstructs their education, health, physical and/or spiritual growth. States will create laws dictating a minimum age of work, and have sanctions for those who contravene these obligations. The child has the right to protection from trafficking, kidnapping, and sexual abuse.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Children are protected from participating in any work considered hazardous, or work which obstructs their education, health, physical, mental, spiritual, moral or social growth. States will create laws providing a minimum age for employment, and will regulate hours and conditions of employment. Laws will create sanctions for those who contravene these obligations. The child has the right to protection from sexual abuse, trafficking and abduction.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Family cohesion</th>
<th>Majority convergence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nations will protect families from causes of weakness and disintegration. No child shall be separated from their parents against their will. Parents will not have their guardianship revoked unless it is a necessity, and follows domestic processes, with an opportunity provided for the child and one or both parents to discuss the matter with the judiciary. Invokes the best interests of the child principle.</td>
<td></td>
</tr>
<tr>
<td>Gives less focus to the rights of parents than the OICCRCI. Nations with respect the responsibilities and rights of parents, when in accordance with child rights. Invokes the best interest of the child principle. Advocates for children only to be removed from the care of families, except with competent authorities, through following procedures and when acting in the best interests of the child.</td>
<td></td>
</tr>
<tr>
<td>Education</td>
<td>Majority convergence</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Play</td>
<td>Majority convergence</td>
</tr>
<tr>
<td>Health</td>
<td>Majority convergence</td>
</tr>
<tr>
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<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Participation</th>
<th>Some convergence</th>
<th>Children are provided opportunities to recognise their place in society and are encouraged to participate in cultural life.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Children have the right to express themselves freely, in a manner not contradictory to Syariah or national laws.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Children are provided opportunities to participate in society and cultural life in accordance with their age and maturity.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Children have the right to express themselves freely, in all matters effecting themselves, again in accordance with their age and maturity.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Unlike the OICCRCI, children have the right to freedom of religion, thought and conscious. Limitations may be prescribed by national laws.</td>
</tr>
<tr>
<td>Identity</td>
<td>Some Convergence</td>
<td>Children have the right to a good name and to be registered with authorities and have their nationality determined. Nations will resolve issues of statelessness within their territories and for citizens born outside their territories.</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Child Protection</td>
<td>Some Convergence</td>
<td>Children have the right to be protected from narcotics, torture or inhumane treatment, all forms of abuse, particularly sexual abuse, and armed conflict. Children have the right to be protected from cultural and ideological information which contradicts the Syariah or the national interests of states.</td>
</tr>
<tr>
<td>Definition of a child/ Judgements of maturity</td>
<td>Divergence</td>
<td>(OIC, 2004; UNICEF, 2013)</td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td>------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>Does not give a specified age of maturity. Defines a child as a human being who has not reached maturity under laws applicable to him/her. Gives more power to States to create rulings on maturity. Includes specific guidance on abortion. States that a child shall have the right to life from a fetus, with abortion prohibited unless it is within the interests of mother or fetus.</td>
<td>Defines a child as an individual under the age of eighteen, unless State laws guide that majority is attained earlier. Does not included guidance on when life begins and does not make reference to abortion.</td>
<td></td>
</tr>
</tbody>
</table>
Appendix 3: Mosque Youth interview sheet

Growing up in Brunei
And
Why I come to Mosque Youth

The following are questions about your experiences of the Mosque Youth Program. If any of the questions make you feel uncomfortable, please feel free to leave the box blank.

Age:

Gender:

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Were you born in Brunei and are you a Bruneian citizen?</td>
<td></td>
</tr>
<tr>
<td>What is the best thing about living in Brunei?</td>
<td></td>
</tr>
<tr>
<td>What is the worst thing about living in Brunei?</td>
<td></td>
</tr>
<tr>
<td>Who do you live with? How many people live in your house?</td>
<td></td>
</tr>
<tr>
<td>What is your favourite thing to do in your spare time?</td>
<td></td>
</tr>
<tr>
<td>What first made you want to join the Mosque Youth Program?</td>
<td></td>
</tr>
<tr>
<td>What kind of activities do you do here?</td>
<td></td>
</tr>
<tr>
<td>Is it easy to make friends here?</td>
<td></td>
</tr>
<tr>
<td>What positives have you taken from the program?</td>
<td></td>
</tr>
<tr>
<td>What improvements do you think could be made?</td>
<td></td>
</tr>
<tr>
<td>If you are still at school, do you like school?</td>
<td></td>
</tr>
<tr>
<td>Question</td>
<td></td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>If you are still at school, do you ever skip school for any reason?</td>
<td></td>
</tr>
<tr>
<td>Who do you go to if you have a problem?</td>
<td></td>
</tr>
<tr>
<td>Do you think that they listen to you?</td>
<td></td>
</tr>
<tr>
<td>Is there anything that you worry about?</td>
<td></td>
</tr>
<tr>
<td>What do you see as the biggest social issue facing youth in Brunei?</td>
<td></td>
</tr>
<tr>
<td>Do you ever feel unsafe in Brunei?</td>
<td></td>
</tr>
<tr>
<td>How do you live your religion everyday?</td>
<td></td>
</tr>
<tr>
<td>Do you feel your faith emotionally supports you?</td>
<td></td>
</tr>
<tr>
<td>If you had a problem would you feel comfortable speaking to a religious scholar or an Imam about it?</td>
<td></td>
</tr>
<tr>
<td>What would you like to do in the future?</td>
<td></td>
</tr>
<tr>
<td>What advice would you give to another youth growing up in Brunei?</td>
<td></td>
</tr>
<tr>
<td>If you were Sultan for the day what would you change about Brunei?</td>
<td></td>
</tr>
<tr>
<td>Is there anything else you would like to say that has not been covered?</td>
<td></td>
</tr>
</tbody>
</table>

Thank-you for taking part in our study. We will be in touch to let you know the results.
Appendix 4: Core Interview questions

For children

1. Starting easy questions
   - Rapport building questions for example, what is your favourite TV show?
   - Age
   - How long have you lived in Brunei? Generally what part of Brunei are you from? Citizenship status?
   - What is the best thing about living in Brunei?
   - What is a ‘not so good’ thing about living in Brunei?
   - Is it easy to make friends here?
   - Family questions eg how many siblings etc
   - Do you want to talk about what brought you to the centre? Program? School?

2. School
   - Do you like school?
   - Do you ever miss/skip?

3. Support questions
   - How easy is it to talk to the counselors, teachers here?
   - Do you feel you are listened to?
   - How about outside the centre? School? Program? Who did/could you go to if you had a problem?
   - What advice would you give to another young person in Brunei who felt unsafe?
   - Do you feel safe here? Are there other places in Brunei where you feel safe?
• Are there other times in Brunei when you have felt unsafe?
• Do you get bored? What do you do when you are bored?

4. Religion questions
• Which religious do you follow?
• Has/ how does your faith support you?
• How do you practice Islam/ your faith daily?

5. The future
• Are there any things you are particularly worried about?
• If you were Sultan for the day what would you do? How would you change Brunei?
• What would you like to do in the future?
• Is there anything you would like to do here that you can’t at school/ program?
  Anyway to improve the centre/school/program for people who may come in the future?

6. Is there anything else you would like to talk about?

For adult practitioners
1. Questions about profession
• How long have worked in your position?
• What first attracted you to your role?
• Can you give us an overview of what your daily duties entail?
• What is the most positive aspect of your job?
• What is the most challenging part of your job?
2. Specific follow ups for practitioners
   - How often are counseling sessions offered to house of detention, house of safety?
   - How do the young people request sessions?
   - What services are offered once the young people leave the centre?
   - Which other services do you link with and how?
   - What do you see as the purpose of the centre –and how effective is it in achieving this aim?
   - Mandatory reporting?

3. General questions beyond role
   - What in your opinion is the biggest social issue facing children/young people in Brunei?
   - In your experience, who do children turn to when they have a problem?
   - What are the positives and challenges of raising a child in Brunei?

4. Islam
   - Does your faith emotionally support you in your work?
   - Does your work explicitly incorporate Islamic values and teachings?
   - What is your understanding of religious teachings to do with children?
   - What underlies your practice?

5. Future
   - If you could implement any program in Brunei to ensure child wellbeing what would it be/target?
   - Are there any other things you would like to say or ask us?
• Would you be interested in the future in participating in a round table discussion?

For adult parents

• How did you hear about the NGO your child attends? What support is offered here?
• Has your child attended a government school in Brunei before? If so what was this experience like?
• Discussion on family and living arrangement, including extended family support.
• What support do you receive from the government?
• Have you had any difficulties accessing support for your family?
• What is it like taking your child out in Brunei?
• Are you religious?
• How does your child participate in religious life?
• For parents who are adopting, can you describe your experiences adopting a child?
• What made you first want to adopt a child?
• How do you hope to discuss adoption with your child?
Appendix 5: Primary school interview sheet

These sheets were distributed in Malay, on coloured paper to engage the younger children.

**My Life in Brunei**

My age is:

I was born in:

<table>
<thead>
<tr>
<th>Why do you live with?</th>
<th>What is the best thing about living in Brunei?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>What is the worst thing about living in Brunei?</th>
<th>What is your favourite thing to do in your free time?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Is it easy to make friends at school?</th>
<th>What time do you wake up? How many meals a day do you eat?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Question</td>
<td>Answer</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Who do you talk to if you have a problem?</td>
<td>Do you like school?</td>
</tr>
<tr>
<td>Do you ever miss school for any reason?</td>
<td>What makes you feel unsafe in Brunei?</td>
</tr>
<tr>
<td>What do you worry about?</td>
<td>What do you do when you get bored?</td>
</tr>
<tr>
<td>What do you want to be in the future?</td>
<td>Is you were Sultan for the day what would you change about Brunei?</td>
</tr>
<tr>
<td>Question</td>
<td>Answer</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------</td>
</tr>
<tr>
<td>How do you practice religion?</td>
<td>If you could improve the school what would you do?</td>
</tr>
<tr>
<td>What is your favourite game to play?</td>
<td>Where is your favourite place to play?</td>
</tr>
</tbody>
</table>

Thank –You!
Appendix 6: Ethical approval

Translation of letter from JAPEM

This letter was originally received in Malay.

PERMISSION TO CONDUCT RESEARCH

With reference to your letter on the 22nd April 2014; regarding the matter stated above.

We are pleased to inform that this department has no opposition for you to carry out your study/research as per requested to this department.

In addition, you will be required to attend a further briefing with myself, JANAPI BIN JIAN, community development officer, at level 3 HRD/PR section or call 2382911/2381903/5 ext. 1341.

As for prior notice, for any case studies used in this research we ask that all clients’ personal information must remain confidential. Should there be any interviews, all interviews to be conducted must be under the agreement of clients and does not deviate from the department’s rules and regulations. We also request that a copy of the thesis report to be provided to the department for future reference.

Sincerely,

(JANAPI BIN JIAN)

On behalf of the director
Appendix 7: Participant information sheets

Please note all information was also translated and distributed in Malay.

Adult and older children information sheet

Participant Information Sheet

Project Title

Bend the Bamboo Shoot while it’s still young: Rhetoric, Ideals and Children in Brunei Darussalam

Researchers

<table>
<thead>
<tr>
<th>Amy Young</th>
<th>Professor Osman Bakar</th>
<th>Assoc Prof Mohamad Abdalla</th>
<th>Professor Patrick O'Leary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal Investigator, Griffith University and UBD</td>
<td>UBD Contact Information</td>
<td>Griffith University Contact Information</td>
<td>Griffith University Contact Information</td>
</tr>
<tr>
<td>Women's College, UBD, Jalan Tungku Link, Gadong</td>
<td><a href="mailto:osman.bakar@ubd.edu.bn">osman.bakar@ubd.edu.bn</a></td>
<td><a href="mailto:m.abdalla@griffith.edu.au">m.abdalla@griffith.edu.au</a></td>
<td>p.o'<a href="mailto:leary@griffith.edu.au">leary@griffith.edu.au</a></td>
</tr>
<tr>
<td><a href="mailto:amy.young3@griffithuni.edu.au">amy.young3@griffithuni.edu.au</a></td>
<td>office number: 2463001 ext 1901</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobile: 8665099</td>
<td></td>
<td><a href="mailto:m.abdalla@griffith.edu.au">m.abdalla@griffith.edu.au</a></td>
<td></td>
</tr>
</tbody>
</table>

Project Aim
To understand the everyday experiences of children in Negara Brunei Darussalam. To form understandings of the working of Islam in child protection practices in Muslim contexts.

Benefits of the Project
The project will assist in understanding the everyday lives of children in Brunei Darussalam, and further the understandings of how Islamic teachings can be used to enhance child wellbeing in Muslim contexts.

General Outline of the Project
The research team will visit schools and centres in Brunei Darussalam for no more than 6 weeks. The research team will participate in activities undertaken by the children who visit these schools and centres. Interactions will be recorded and used to draw conclusions on the everyday lives of children in Brunei Darussalam. Children will also be asked to keep a diary of their everyday activities throughout the research. This project is part of a larger research project with partners at Qatar University, Terre Des Hommes and Islamic Relief Worldwide.

Participant Involvement
We will be visiting your child’s school/centre for one to three weeks. If you decide to allow your child to take part your child will undertake their normal activities. The research team will participate alongside your child, while asking occasional questions in a conversational style. The research is designed to compliment your child’s interests with minimum inconvenience. Your child’s responses to questions will be audibly recorded on a device that will be visible at all times. Your child can elect to turn off the device at any
time. A debriefing will be held at your child’s school to let them know the results of the research.

Participation in the research is completely voluntary and children may, without any penalty, decline to take part or withdraw at any time without providing an explanation, or refuse to answer a question. Participation or non-participation will have no impact on the service that your child receives at this service. The only potential risks to participation relate to privacy and confidentiality. Please be assured that all data collected will be stored securely and only accessed by the researchers. Great care will be taken to ensure that any reports of the data do not identify any individual or their circumstances.

Confidentiality
Only the researchers will have access to the individual information provided by research participants. Privacy and confidentiality will be assured at all times. The information collected is confidential and will not be disclosed to third parties without your consent, except to meet government, legal or other regulatory authority requirements. A de-identified copy of this data may be used for other research purposes. However, your anonymity will at all times be safeguarded. The research outcomes will be presented at conferences and written up for publication. However, in all these reports, the privacy and confidentiality of individuals will be protected.

Anonymity
Due to the methods used and the need for parental consent, it is not possible for the research to be anonymous. However, please be assured that all reports of the research will contain no information that can identify any individual and all information will be kept in the strictest confidence. All written reports and verbal presentations will contain pseudonyms to protect the identity of all research participants.

Data Storage
The information collected will be stored securely on a password protected computer throughout the project and then stored at Griffith University for the required five year period after which it will be destroyed according to university protocols.

Ethics Committee Clearance
The project has been approved by Griffith University, Universiti of Brunei Darussalam and the Ministry of Culture, Youth and Sport.

Queries and Concerns
Queries or concerns regarding the research can be directed to the researchers whose contact details are on the top of this form. They welcome answering any queries. To speak to an independent advisor about your concerns please contact Professor Osman using the details above.
**Project information sheet for young children**

Name __________________________

Date _____/____/_____  

I Would Like To:

<table>
<thead>
<tr>
<th><strong>Talk to the research team.</strong></th>
<th><strong>Let the research team participate with me in my activities.</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><img src="image1" alt="Illustration" /></td>
<td><img src="image2" alt="Illustration" /></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Let the research team write about me.</strong></th>
<th><strong>If I feel sad let the research team know so they can help.</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><img src="image3" alt="Illustration" /></td>
<td><img src="image4" alt="Illustration" /></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>If I have worries about the research team let my carer know.</strong></th>
<th><strong>I can choose not to take part at any time.</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><img src="image5" alt="Illustration" /></td>
<td><img src="image6" alt="Illustration" /></td>
</tr>
</tbody>
</table>
Adult consent form

Project Title: Bend the Bamboo Shoot while it’s still young: Rhetoric, Ideals and Children in Brunei Darussalam.

Researchers:

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amy Young</td>
<td>Principal Investigator Griffith University and UBD</td>
<td>Contact Information Women’s College, UBD, Jalan Tungku Link, Gadong <a href="mailto:amy.young3@griffithuni.edu.au">amy.young3@griffithuni.edu.au</a> Mobile: 8665099</td>
</tr>
<tr>
<td>Professor Osman Bakar</td>
<td>UBD</td>
<td>Contact Information <a href="mailto:osman.bakar@ubd.edu.bn">osman.bakar@ubd.edu.bn</a> office number: 2463001 ext 1901</td>
</tr>
<tr>
<td>Assoc Prof Mohamad Abdalla</td>
<td>Griffith University</td>
<td>Contact Information <a href="mailto:m.abdalla@griffith.edu.au">m.abdalla@griffith.edu.au</a></td>
</tr>
<tr>
<td>Professor Patrick O'Leary</td>
<td>Griffith University</td>
<td>Contact Information <a href="mailto:p.oleary@griffith.edu.au">p.oleary@griffith.edu.au</a></td>
</tr>
</tbody>
</table>

Statement of Consent for Parents

By signing below, you are indicating that you:

- Have understood the information about this project;
- Am willing to allow the child in my care to converse and interact with the research team.
- Are willing to allow conversations and research findings to be included within research reports, publications and presentations, where my child will remain anonymous.
- Understand your child is free to withdraw from any or all of the above information gathering at any time
- Understand that if you have any further questions you can ask Amy Young;
- Understand that if you have any concerns about the ethical conduct of this research please direct them to the Chair of the UBD Ethics Committee, Dr Mohd Ayub Sadiq on +6732463001 ext 2204 or email ayud.sadiq@ubd.edu.bn
- I agree that the child in my care can participate in the project

The conduct of this research involves the collection, access and / or use of your identified personal information. The information collected is confidential and shall not be disclosed to third parties without your consent, except to meet government, legal or other regulatory authority requirements. A de-identified copy of this data may be
used for other research purposes. However, your anonymity shall at all times be safeguarded. For further information consult the University’s Privacy Plan at http://www.griffith.edu.au/privacy-plan or telephone (07) 3735 5585.

Name __________________________

Signature_____________________________________________

Date ____/____/____
Child consent form

Project Title: Bend the Bamboo Shoot while it’s still young: Rhetoric, Ideals and Children in Brunei Darussalam.

Researchers:

<table>
<thead>
<tr>
<th>Amy Young</th>
<th>Professor Osman Bakar</th>
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<td>Mobile: 8665099</td>
<td>office number: 2463001 ext 1901</td>
<td></td>
</tr>
</tbody>
</table>

What I am agreeing to:

By writing my name below I am indicating that

* I would like to talk to the research team.
* I would like the research team to participate in my usual activities
* I would like conversations that I have had with the research team, and observations that they have made to be printed and presented to other researchers.
* I know that I am choosing to be part of this project and can choose not to be at any time.
* I know that if this project upsets me I can let the research team know and they will help me.
* I know that if the research team make me feel uncomfortable in any way I can contact Dr Mohd Ayub Sadiq, Chair of UBD Ethics Committee on +6732463001 ext 2204 or email ayub.sadiq@ubd.edu.bn
* I would like to be a part of this project.

The conduct of this research involves the collection, access and / or use of your identified personal information. The information collected is confidential and shall not be disclosed to third parties without your consent, except to meet government, legal
or other regulatory authority requirements. A de-identified copy of this data may be used for other research purposes. However, your anonymity shall at all times be safeguarded. For further information consult the University's Privacy Plan at http://www.griffith.edu.au/privacy-plan or telephone (07) 3735 5585.

Name __________________________

Signature_____________________________________________

Date ____/____/____
Appendix 8: Brunei’s compliance to international conventions

Table B: Brunei’s compliance to the OICCRCI and UNCRC

<table>
<thead>
<tr>
<th>OICCRCI</th>
<th></th>
<th></th>
<th></th>
<th>UNCRC</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Brunei</td>
<td>Malays</td>
<td>Non-Citizens</td>
<td>Special Needs</td>
<td>Females</td>
<td>Brunei</td>
<td>Malays</td>
</tr>
<tr>
<td>Justice</td>
<td>x</td>
<td>x</td>
<td></td>
<td>x</td>
<td>x</td>
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The groups non-citizens, special needs and females have been used in Table B to demonstrate Brunei’s lack of compliance to those most vulnerable. The category of Brunei-Malay has been included to provide a comparison group. Cells were marked with an x, and non-compliance denoted, if one child was found in the data collected to have their rights violated. The conclusions in the table could be strengthened through collection of quantitative data to establish the numbers of children affected in each category. The blank cells represent areas where no data was collected. Ticks represent areas where child rights were identified as being in full compliance. The cells were further coloured to allow the reader to easily view where child rights are being adhered to in Brunei.
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