
WHAT THE WORLD CAN TEACH MALAYSIA IN BUILDING BETTER CHILD CARE SETTINGS

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ABSTRACT

This paper analyses the international experiences of various jurisdictions that may be taken as lessons for Malaysia. The discussion touches on the feasibility of making international comparisons in child care settings, in order to enhance the quality of child care settings in terms of laws and regulations. Experiences from other countries are scrutinised here in order to take lessons from these countries. Looking into child care in the prisms of international perspectives will assist Malaysia in improving and developing the Malaysian child care, specifically on laws and regulations. The paper aims to present experiences from other countries, which can be a valuable reference for Malaysia to work on improving the Malaysian child care legislative framework.

Keywords: *child care, quality, legislative, malaysia*

Introduction

Early child care and education may be defined differently according to many countries. Looking at the reports and work done by many organisations including the Organisation for Economic Co-operation and Development (OECD), the European Commission and others, ECCE can be defined as provisions prepared for children with regards to their education and care from zero years old to compulsory schooling. This is regardless of the types of services offered, curriculum prepared, funding system and other factors. This is the definition adopted in the report by Scottish Government on their report on Early Childhood Education and Care Provision: International Review of Policy, Delivery and Funding Final Report (Scottish Government, 2013).

There are many categories of child care services available across the world. There are formal and informal non-parental ECCE. Formal ECCE according to OECD are the services organised by the government and are regulated by the laws. Meanwhile, informal ECCE services are often unregulated settings arranged independently by the parents such as services by relatives, friends, nannies and babysitters (Scottish Government, 2013).

Experiences from other countries are scrutinised here in order to take lessons from the policies adopted by these countries. Looking into ECCE in the prisms of international perspectives will assist Malaysia in improving and developing the Malaysian ECCE, specifically on laws and regulations. It is worth to trace the scenario of ECCE or child care centres internationally. This is for Malaysia to learn and realize the standard that Malaysia has right now, to find out whether it is up to the international standards or just touching the minimum standards. The lessons are useful in the effort for Malaysia to improve its legislative framework on child care. Currently, the main legislations governing child care centres in Malaysia are Child Care Centre Act 1984 (CCCA 1984) and Child Care Centre Regulations 2012 (CCCR 2012).

International Comparisons: Is It Workable?

Studies on child care conducted in other countries may be taken as guidance. However, the comparisons should not be directly made as the philosophies of childcare in different countries are differently laid out. Factors such as localities should be scrutinised in order to make any comparisons. For instance, although United Kingdom and Denmark stipulate similar ratio for children below three years old, direct comparisons cannot be made as UK perceives quality, training and payment of workers differently than Denmark (Munton et al., 2002).

Taking research done in United States of America (USA) for instance, can adequate comparisons to USA be made? Munton et al. (2002) viewed that, USA led research shall be relevant to UK child care for three main similarities. They are similar attachment philosophy for child care replacing maternal care, systems which are dominated by private market and non-integrated system of governance separating between child care and pre-school.

As far as Malaysia is concerned, Malaysia too has similar underlying attachment philosophy that child care is more to child custody replacing maternal care. Besides that, child care settings in Malaysia are dominated by private sector too, like UK and the USA and Malaysia also has a non-integrated system segregating child care under the governance of Ministry of Women, Family, and Community Development while kindergarten is placed under Ministry of Education. Therefore, international studies are helpful for Malaysia to learn lessons in improving Malaysian child care settings' landscape especially through legislative framework.

In addition, in making comparisons between countries, it is advisable to choose countries which have recently reviewed their legislations (Early Childhood National Centers, 2017). Thus, international references benchmarking the practices of other countries such as Australia and Singapore which have just introduced their new legislations pertaining to child care are relevant.

Internationally, there are multiple types of regulatory regimes on child care regulations. In a comparative study evaluating four industrialized countries (Gormley, 2000); it was found that France and Germany regulatory regimes are provider focused. This means that the regulations in these countries give more attention to ensure that the child care providers are fit and proper for the job and have good qualifications. In other words, the regulations highly stress on the education and training of child care providers. Meanwhile, Sweden is more child-focused where the welfare of the children is always the priority. Sweden also has strict regulations on ratio and high requirements for qualification of child care providers in order for the child to get adequate care and attention from the child care providers. United States on the other hand, is described as having a regulatory regime which is more facility focused, stressing more on regulations pertaining to health and safety and physical environments (Gormley, 2000). This practise of the regime can be seen in the list of one of the wide-used standards in USA which are the 13 main indicators of child care regulations developed by Fiene (2002). Eight of the indicators focus on the health, safety and physical environments of the child care centres. They are, child abuse reporting and clearances, proper immunizations, fire drills, administration of medication, emergency plan and contact, outdoor playground safety, inaccessibility of toxic substances, and hand washing and diapering.

These 13 indicators were developed initially from the shortened assistance tool, 'Stepping Stones to Using Caring for Our Children', which reduced the number of the complete version of the comprehensive documents containing 900 standards, which is Caring for our Children; National Health and Safety Performance Standards for Out-of-Home Child Care. It is claimed that, these standards though focusing on health and safety, are not just meant to protect the children from harm and hazards, but also to assist in providing positive outcomes to them. It is also interesting to note that these standards are proven statistically to indicate overall compliance with the child care regulations.

Fiene (2002), in highlighting these standards, made a remark that it is not more or less regulations that matter, but indicators that may give the most impact and indicate overall compliance, that are more vital. Therefore, there is a need to determine the standards that Malaysia should be focusing on, in setting up a balance between raising up the bar of minimum standards and encouraging

registration and compliance by the child care operators. In the effort to determine the standards, lessons from international experiences should be guidance for Malaysia.

Sweden

“If I were to be a child again, I would like to be raised in Sweden”. This was the remark made by one of the researchers in OECD investigation group describing the high quality of Early Childhood Education and Care in Sweden. The conclusion made by the researchers in their report in December 1999 was that Sweden had high quality ECCE and scored the best in many areas concerned (Engdahl, 2005). On top of that, although Finland is known for having the best education in the world, Sweden meanwhile leads the world in early childhood education and care with the system they named as EDUCARE. It is suggested that for a country to make a reform in ECCE, a model from Sweden can be adapted (Nilsson, Ferholt, & Alnervik, 2015).

As opposed to United States and United Kingdom, Sweden practises the model of maximum public responsibility where the government and parents share the responsibility to provide children with quality child care. In Sweden, the private sectors only cover 10 per cent to 20 per cent of child care centres which must get approval from the authorities (Goulet, 1986).

With regards to family policy, amongst EU countries, Sweden had the largest percentage of female employment at 73.1 per cent recorded in 2014. Furthermore, Swedish mothers who have children below six score the third highest employment rate in European Union. Besides that, the policy on parental leaves in Sweden is also admirable as Sweden provides up to eight months of paid leave for each child. In addition, Sweden also allocates considerable amount of the country's GDP on children and families which is approximately 3.2 per cent of the GDP. This percentage is one of the highest among EU countries which on average spend 2.4 per cent of GDP (European Union, 2016).

Moreover, all children in Sweden are entitled for a place in public child care. Children aged three to six years old in Sweden are also entitled for free pre-school. The right to child care moreover covers those parents who are unemployed and parents on parental leaves (European Commission, 2009). The fees for child care will depend on the income of the parents and the number of children they have. In short, there is large amount of subsidy prepared to cover fees for child care. Consequently, the rate of enrolment of formal child care in Sweden reaches the targets set by EU Barcelona target which is 55 per cent for children under three and 96 per cent for children from three to six years old (European Union, 2016). The average score in EU is 27 per cent for children under three and 82 per cent for children between three to six years old.

On top of that, the UNICEF Report Card 8 ranks Sweden the first in the league table of early childhood education and care in economically advanced countries complying all the 10 indicators (United Nations Children's Fund (UNICEF) Innocenti Research Center, 2008). Nevertheless, non-governmental organizations in Sweden criticised Sweden's child care system so as to discourage home schooling (Ruxton, 2011). It was claimed that the system leads to emotional poverty where children are detached from their parents for large amounts of time at a very young age. They advocated for parents to stay with children until they are 4 to 6 years old.

The performance of ECCE in Sweden therefore, is the best compared to other countries. Nevertheless, as Sweden practises the maximum public responsibility model of child care, this model may not be followed by Malaysia. Malaysia has not yet achieved the status where education is provided by the government without the hustle for the parents to find private sectors especially for child care centres. Nevertheless, the practise of high attention given to this sector by Sweden government may be a lesson for Malaysia to realize that investing in children is a comprehensive investment in building a better nation for the future.

The United States of America (USA)

Child Care in United States of America is an example of a maximum private responsibility model of child care where child care settings are dominated by private sectors. This is also the case for

United Kingdom. The goals of child care in the countries which practice this model are inter alia to assist the low income families and children at risk of physical abuse or neglect with the proper child care settings (Goulet, 1986). Besides that, it is to encourage more participation of private sectors and voluntary services. These countries therefore often set minimum standards in ensuring quality child care. The government's role in the USA child care system is to provide funding to the states for the needs of low-income families and child care services which need special treatments. Besides that, the government took the initiative to initiate tax relief to individuals who use child care services in private sectors to lessen the burden for child care cost.

In addition, it is asserted that the cost of child care in United States is high. Findings indicate that the average amount spent on child care may be more than the average amount spent on food. The cost may also exceed the cost for tuition and public university annual fees (Whiteford, 2015). Furthermore, it is reported that the cost of child care in United States is the third highest amongst the OECD countries (Hamm & Martin, 2015). There are initiatives taken in providing affordable child care especially towards low income families such as Child Care Development Block Grant and Child and Dependent Care Tax Credit. However, these financial aids only benefit a small percentage of the families. Additionally, United States spends low on public funds according to international standards, where only 1 per cent of the national budget is allocated for child care while other OECD countries mostly spend from two per cent to seven per cent (Hamm & Martin, 2015).

One of the significant studies on child care in the United States, especially for children below 3 years old, is the National Institute of Child Health and Human Development (NICHD) Early Child Care Study of Early Child Care. This study involved nine states namely Arkansas, California, Kansas, Massachusetts North Carolina, Pennsylvania, Virginia, Washington, and Wisconsin. As the regulations in the United States vary between states, this study portrays the variations of child care regulations in United States (Vandell & Wolfe, 2000). From the data compiled by the Centre for Career Development in Early Care and Education, it appears that many states have very loose regulations which are not up to the standard as recommended by professional organizations. For instance, for the recommended adult child ratio, only three states regulate 3:1 ratio for infants. Meanwhile, for 18 month olds, only one state has the suggested 3:1 ratio and for 3 year olds, only two states practise 5:1 ratio (Vandell & Wolfe, 2000).

Other proofs showing that United States has low standards of structural quality can be observed through the national representative surveys. The results from the survey conducted by The Profile of Child Care Settings indicate that on average, child care centres and home child care did not practise the recommended adult to child ratio. Meanwhile, in terms of educational background and training of child minders, in 1990 it was a positive trend. Almost 50 per cent of them had a college qualification and 90 per cent had been trained for at least 10 hours. Nevertheless, NICHD study reports that the percentage of educated and trained child minders has been decreasing. From 90 per cent, the recent data shows that slightly over half of the child minders had undergone specialized training and that two thirds had more than high school qualifications. It is claimed that this decreasing trend may be due to poor wages offered to child minders in 1990s (Vandell & Wolfe, 2000). It was reported that a child care worker would only get \$19,430 for the median annual wages which was less than the salary of a parking lot attendant or a janitor (Cohn, 2014)

Looking at the quality of child care services in United States from the prism of maltreatment cases, fatal cases involving children are uncommon, but not as uncommon as they should be. It was reported that there were 45 fatal cases between 2007 and 2010. Furthermore, violations of the regulations may not always result in the closure of child care centres. In a decided case, the child care centres were only instructed to be shut down after repeated violations for more than two years (Cohn, 2014). Besides that, it is criticised that many cases brought to the court asking for the court to instruct for the closure of the child care centres failed, as the court was not satisfied with the reasons unless it involved death.

An overall evaluation of the United States child care quality portrays that efforts must be made in improving the areas of concern. On average, the process aspect of quality child care in United States is only at a fair level, or only meets minimum standards (Vandell & Wolfe, 2000), and even that is

claimed to be mostly mediocre to poor (Hamm & Martin, 2015). Meanwhile, for structural quality features, some states still fail to practise the recommended group size and adult to child ratio. In terms of child minders' education and background, as mentioned above, there was a declining trend compared to that in the 1990s. Therefore, some improvements are needed. For instance a higher standard can be defined and implemented federally or through state legislation (Vandell & Wolfe, 2000).

Child care in the United States progresses with the introduction of new child care legislation, the "Child Care Access to Resources for Early Learning Act of 2016" (The Child C.A.R.E. Act) in the US Congress. This act mainly legislates measures mainly on funding, in assisting families to obtain high quality child care (Nichols, 2016). This bill is meant to amend the Social Security Act with regards to mandatory funding. This Bill aims to assist low income families with infants and toddlers who have not more than 200 per cent of the applicable Federal poverty guideline.

Looking at the performance of child care settings in the USA, it may not be the best example of country experience for Malaysia to follow. Nevertheless, ample research and studies done by the USA researchers should be valuable guidance for Malaysia.

The United Kingdom (UK)

The UK child care did not portray a praiseworthy performance prior to 1998, when it was recorded to have obtained a low ranking in the European Union child care services league tables. Nevertheless, after a small revolution with £21 billion of investment in 1996-2007, the provision of child care in UK showed significant improvement. The child care services grew almost double in impact from 1997 to 2007, from the first National Childcare Strategy (Taylor, 2012). Subsidy assistance to parents is available to families through the Childcare Tax Credit Systems. The launch of Sure Start Programme was also significant in the landscape of UK child care involving low-income families with children aged three and below. However, the coverage was not wide enough, and it covered only about 30 per cent of the low-income families. The Employment Act 2012 moreover, regulated paid paternity and adoption, expanded the maternity leave and pay and facilitated the right for parents to request for flexible working hours. In addition, in 2012, a Childcare Commission was established in the effort to reduce the cost of child care and expand its accessibility.

Similar to the USA, United Kingdom practises maximum private responsibility in child care (Goulet, 1986). This means that most of the child care services are run by private sectors or not-for-profit sectors. Child care services available in UK consist of formal settings such as nurseries, playgroups, children or family centres and child minding. When the children are arranged to be taken care by the relatives, friends or neighbours, these settings are known as informal child care. The UK settings of ECCE are a mixture of public and private provisions where the care of younger children is almost arranged by private sectors (Scottish Government, 2013). Public services meanwhile are often available to those aged three and above, and compulsory schooling starts at five years.

The Childcare Act 2006 highlights the obligation for local authorities to prepare sufficient child care to accommodate children with working parents up until they are 14 years old. However, as mentioned above that UK practises maximum private responsibility, and due to this, local authorities will only provide child care when there is none from the private or not-for-profit sectors available. In fulfilling this obligation, local authorities have to undergo child care sufficiency assessments every year to audit whether there is sufficient place for child care for children from various backgrounds such as disabled children, children with parents working for irregular hours and so on (Rutter, 2016).

With regards to the amount spent on child care and early education, although not as much as Sweden or Denmark, UK spent in 2011, 1.1 per cent of its GDP, which surpasses the average percentage in OECD countries which is 0.8 per cent (Javornik & Ingold, 2014). It was predicted however, that UK would spend more in 2017, up to approximately £7.5 billion (Rutter, 2016). Part time free early education is available to all three and four year old children. In 2017 however, half of this group of children would receive double free hours of free early education up to 1140 hours annually. This was in accordance to the Childcare Bill 2016.

Child care in UK is also costly. It was recorded that the cost of part-time nursery caring for a child under two was £116.77 per week, or £6,072 per year which had increased by 1.1 per cent compared to 2015. Meanwhile, the fee for a child minder was £104.27 per week increasing from £104.06 the previous year. The fees were expected to decrease for older children where for children aged two years and above, the fees are 4.2 per cent lower than those under two years old (Rutter, 2016).

Hence, UK has proven that the efforts made in reforming the sector shall be fruitful. Despite the issues of high cost, the positive developments since the introduction of the Childcare Strategy are worth giving attention to. The increasing amount spent by UK for this sector should also be exemplified by Malaysia in materializing the efforts in improving the quality of child care sectors in Malaysia.

Australia

It is estimated by the Australian Bureau of Statistics that approximately 919,400 children aged 0-12 years in Australia attended formal child care (Sheppard, 2015). There are a few types of child care services available in Australia. Amongst them are long day care which caters children of 0-6 years, family day care where the children are placed in the providers' house, in-home care provided by educator in the children's home, outside school hours care which cater school children before or after school and during school holidays, and lastly occasional care, a centre-based service where parents sought to look after their children when there is a need due to unexpected events such as the parents having to work for extra hours and so on. It is reported that most of the children aged 0-6 years old attended long day care. Up until 31 March 2015, there are 14,827 licensed Early Childhood Education and Care services as stated in The National Quality Framework Quarterly Snapshot 2015 and all these services are qualified to receive Australian Government's Child Care Benefit payment.

As far as the legislative framework of Australia is concerned, there are three main issues for Australian ECCE which are, the existing policies and regulations are fragmented and thus resulting in bias, low amount spent by the government for child care compared to other countries, and the heavy dependency on markets and market mechanisms for child care services (Logan, Sumsion, & Press, 2015). Thus, starting from 1 January 2012, Australia experienced a reform of national quality standards for Early Childhood Care and Education. The reform was done through National Partnership Agreement on National Quality Agenda for ECCE. Amongst the aspects touched in the reform was the staff child ratio and training for child minders (Australian Children's Education and Care Quality Authority, 2016). In the process of reform, Australia utilised international research which prove the constructive effects of ECCE towards children growth and development ECCE (OECD, 2012b). Experiences from other countries were scrutinised in improving the regulations and standards of Australia's.

Australia enacted the Child Care Act 1972 as the root legislation on child care, especially on the government support provision. The quality of child care standards in Australia shows a good trend especially after the implementation of Quality Improvement Accreditation System (QIAS). It is asserted that Australia was the first country in the world pioneering the compulsory QIAS through legislation and regulation (Whiteford, 2015). Although the impact has not yet reached those child care centres which have not been accredited, the increasing quality of Australia child care standards are worth to be noted. As mentioned above, the reform which was launched on January 2012 marked a significant progress on Australia's ECCE. The new National Quality Framework was set up replacing the existing legislations, and it set new benchmarks on child care standards in Australia. This National Quality Framework regulates all formal child care arrangements in Australia. A new legislative framework, a new national quality standard, new national quality rating system and assessment as well as a new national body and The Australian Children's Education and Care Quality Authority (ACECQA) were amongst the products of the reform. Overall, it can be regarded as a model of child care quality which was first to be created not just in Australia but also internationally. However, this reform process is ongoing where some of the requirements concerned, such as staff child ratio shall be implemented gradually until 2020. Therefore, overall assessment cannot be made in certain aspects which involve a longer time frame.

National Quality Framework encompasses wide scope of children services to include long day care, family day care, preschool/kindergarten, and outside school hour's care. Amongst the important components of National Quality Framework are the National Law consisting of Education and Care

Services and National Regulations. The legislation is to enforce the National Quality Standard under the administration of territory regulatory authorities. Besides that, ACECQA will also guide the enforcement process of the legislations.

This framework is created to allow the whole country to have a standardized and consistent national approach on laws and regulations of education and care services. In fact, it incorporates the element of improving quality through this approach. The focus of the law is mainly to improve the quality of education and care services in Australia. Besides that, this is an attempt to make the services friendlier, not to be burdened by procedural regulatory requirements (Early Childhood Resource Hub, 2013). The National Partnership Agreement on the National Quality Agenda for Early Childhood Education and Care was launched in December 2009. Through this, National Quality Framework was established. One of the features in the framework is the development of Acts and Regulations comprising the National Quality Standard. There are seven quality areas highlighted in the National Quality Standard which are, educational programme and practice, children's health and safety, physical environment, staffing arrangements, relationships with children, collaborative partnerships with families and communities and leadership and service management. Besides having regulatory authorities in each jurisdiction, ACECQA were established in order to manage the application of the national quality standards. The national law which was first passed by Victoria and later adopted by other states and territories is the mechanism to have national approach in legislating and quality assessment of education and care services. The national regulations lay down the operational requirements including the assessment and rating process. One important lesson that can be learnt is that although NQF has been launched since the year 2013, consultations are still carried out in order to repair loopholes if any, when the framework has been implemented. Another lesson to be observed is that, there is willingness to remove the red tape in the implementation of the framework, in order to ensure that the desired outcome of having quality educational and care services will not be hindered by excessive bureaucracies in adhering to the laws and regulations.

Looking at the impressive progress child care in Australia especially in terms of Australia's legislative framework, this country's practise is worth to be scrutinised in order for Malaysia to learn lessons from their efforts. The introduction of New Quality Framework which embedded the new legislative framework proves that in the effort to enhance child care settings in a country, the laws and regulations governing child care centres need to be improved and revisited in certain period of time.

Singapore

Singapore, although small in size with only 5.54 million residents as of 2015, performs well as a developed country in South East Asia. Singapore gives much attention to human building especially on the education sector as people are the only natural resource Singapore has (Tan, 2007). Pre-school in Singapore comprises of two sectors which are child care sector and kindergarten sector. Child care sector is governed previously under the Ministry of Community Development, Youth and Sports (MCYS) focusing on the services for infants as early as two months to two years old. Meanwhile kindergartens are under the auspices of Ministry of Education, which is in charge of care and education for children aged four to six years old. Therefore, it can be seen here that there is an overlapping or split and parallel system practised in Singapore as both sectors are providing care and education for children (Choo, 2010).

Singapore today has shown tremendous performance in education. For instance, it is amongst the few countries in the world which has high literacy percentage with 97per cent literacy rate in 2016 for residents above 15 years old (Department of Statistics Singapore, 2017). In addition to that, Singaporean school children perform remarkably well, especially in their secondary mathematics and science (Zhang, 2015).

Early childhood in Singapore is observed by an agency which is The Early Childhood Development Agency (ECDA). It is an agency under the supervision of Ministry of Social and Family Development. Besides that, Ministry of Education also jointly oversees this agency. The interesting point on the authority in Singapore is that ECDA is an autonomous agency and they are the regulatory body in charge of the developmental progress of the early childhood services in Singapore. This agency was just launched few years back in April 2013.

Child care centres in Singapore are governed under the Singapore Child Care Centres Act 1988. This statute basically highlights the requirements for licensing including health, nutrition, safety, teachers' qualification, and ratio. To catch up to the rising demand of child care, the child care centres industry has been expanding (Choo, 2010). Thus, there is a problem with the numbers and availability of trained teachers. In addition, as the teachers are often not being recognized as professional educators, the issue of wage arises. Many of them quit and find other better paid jobs.

Remarkable progress was implemented by Singapore by introducing a new legislation governing child care. Discussing on the reforms made by Singapore, it is interesting to note that the introduction of Early Childhood Development Act 2017 (ECDA 2017) is a crucial move made in raising the quality of early childhood development in this country. Tan Chuan Jin, the Singapore Minister for Social and Family Development made an interesting remark on regulatory standards when he stated that

'Regulatory standards underpin the foundation of a good quality pre-school, much like the stacking ring toy that we played with when we were young, and is commonly found in pre-schools to develop a child's fine motor skills. It is a classic toy, with a cone, and rings in different sizes and colours, and the biggest ring goes in first to form a sturdy base'.

The shifting from merely child care centres to early childhood development centres is seen as significant in the effort to develop the children's potential and not merely for babysitting or custody. To make it clear, the differences in the purpose of the legislation can be seen, where the previous legislation merely highlighted on the control, licensing and inspection of child care centres. Meanwhile, the purpose ECDA 2017 is further explained in Section 4 which is to regulate the operation of early childhood development centres in order to fulfil two aims. First among these, is to provide better protection to the children and secondly, to encourage continuous improvement in the quality of the services offered to the children.

Amongst the key points of the new legislation is that firstly, kindergartens will have to renew their licences regularly, similar to child care centres. Before this, kindergartens needed to only register once and there was no requirement to renew licences. In the new legislation, the licences shall be valid for three years. Secondly, previously the authority was just able inspect and collect relevant documents about the centres. The new legislation expands their power to include interviewing people concerned, taking photos, videos or even audio recordings at the centres so as to collect proof.

Thirdly, the punishment for any violation of the legislation has been increased to \$10,000 and imprisonment up to one year. Besides that, regulatory sanctions are introduced. Therefore, the authority has the discretion in determining the penalties imposed to include fines up to \$5,000, shorten the lifespan of the licence and public censures. Additionally, any violations of administration duties will not be counted as criminal offences. Problems arise when the centres stop their services without giving due notices to the parents. Therefore, new legislation includes the power of the authority to order the centres to provide advanced notice to the parents and to stop receiving new children to the centres.

It is interesting to note that the Minister made a point which stated that in order to avoid the increase of cost in implementing the new law; there were no additional requirements in the legislation with regards to space for the child and adult to child ratio. The lifespan of the licence has also been extended from two to three years in order to ease things for the child care centres, a decision which has performed well in their regulatory track records. Somehow, administrative costs would be reduced.

Before the passing of the Act, a public consultation was made by ECDA. This consultation invites members of the public to give feedback and comments on the proposed early childhood development centres' regulatory framework. The aim, scope and proposals are briefly explained in the public consultation document. The feedback can then be sent to ECDA through email or by mail. From the public consultations, the ECDA expect feedback on the proposals that the public agree on and if further clarifications were needed on any of them. Besides that, the public consultation also opens the floor for any suggestions on any proposal that should be added or modified out of the proposed regulatory framework.

In the reading of the Bill of the Act in the parliament, there were some debates from the members of the parliament. Amongst them was on the manpower, especially the teachers. There were recommendations made on the issue of qualification. Besides paper qualifications, the staff should be considered as fit and proper, depending on the experiences the person has. This is recognised by ECDA when the teachers or infant educators apply for training courses. In addition, participation of professional bodies is also stressed in the process of registration and accreditation. Tan in responding to this issue highlighted that current experts from early childhood professional representatives are invited to provide their views and opinions in the registration of teachers and course accreditation standards.

On the issue of curriculum, Tan highlighted that the Act allows for the flexibility for centres to innovate and customise their curriculum. A reference can be made to the Ministry of Education's Nurturing Early Learners Curriculum Framework; and for child care centres catering to children of three years and below, ECDA's Early Years Development Framework is available. Meanwhile, on nutritional diet for the children, ECDA is expected to give detailed requirements in future, such as not allowing unhealthy food like deep-fried snacks. Additionally, recreational or outdoor activities will also be underlined as a requirement, to be increased to one hour for full-day programmes.

Other concerns put forward by the members of Parliament are on the possibility of cost increment and administrative burden. It was highlighted that field-testing has been done by ECDA on various types of centres. In addition to this, the expansion of license tenures from two to three years is one of the measures to cut the administrative burden as well as to track whether the centre keeps adherence to the regulatory standards underlined by the laws. Centres which do not reach the satisfactory level will be audited in an effort to lend them a hand in improving their quality and standards. It is interesting to note too that in an effort to avoid increasing costs, non-teaching staff or the operational support staff can supervise the outdoor sessions, and neighbourhood playgrounds are allowed to be used and considered as a suitable outdoor space replacement.

To conclude, the Act cannot stand alone in improving the quality of early childhood development centre. However, the Act forms the sturdy foundation in complementing other efforts taken by the Government to enhance not just the quality, but also accessibility and affordability of early childhood development in Singapore.

The developments made in Singapore are a good example for Malaysia, to look at the positive developments of the sector and to uphold ECCE not just for matters of custody. Furthermore, the introduction of a new Act with the consideration of putting emphasis on the most impacted features of quality in regulating new laws and regulations should be followed. Reforming and improving new improvised laws should avoid increasing the administrative costs, else it will usually result in more cases of unregistered child care centres, and their non-adherences to the laws and regulations.

Conclusion

Although there are existing legislations on child care centres regulating child care centres in Malaysia, there is still room for numerous improvements. CCCA 1984 for instance, which focuses more on procedural matters, should be moulded to put safety and welfare of the children as the primary aim. The loopholes identified in Malaysian laws and regulations, especially on the part of the aim and purpose of the statutes themselves, should be examined further to expand the functions of laws and regulations especially CCCA 1984 and CCCR 2012, to cater to the protection as well as developmental growth of the children. Furthermore, the issue of registration also needs further scrutiny. The problem of illegal child care centres hiring unqualified child care providers is one of the issues that needs to be tackled by the laws and regulations. The improved version of the laws is not just meant to be a reactive tool offering remedies, but should also include preventive measures in avoiding undesirable events from occurring again in future.

From the practises implemented by other countries, it should be evaluated whether international comparison is workable. It is emphasized that in analysing the quality of child care, the locality aspect should always be considered as standards and suitability of quality child care may differ between

countries (Whiteford, 2015). Furthermore, as child care settings should be seen contextually, there are varying practices amongst the countries as they practise different values, understandings, and philosophies on child care. However, comparative studies between countries might be helpful when the experiences and perspectives of other countries may open the paradigms of the policy makers and law makers to new things that have not been previously considered in their child care system. Therefore, it is not the issue of questioning whether country A is better than country B, but the question that should be raised is why do differences exist in the child care practices, policies and regulations between the countries (Munton et al., 2002).

According to the ranking on early childhood care and education made by the Economist Intelligence Unit (EIU) in 2012, Report Card 8 by UNICEF in 2008, Nordic countries always lead the league. That is why the Scandinavian system has always been seen as a good model to be learnt by others. Nevertheless, the nature of Scandinavian system which has vast differences to Malaysia especially the practice of public driven market of child care makes Scandinavian system not the best model for Malaysia to follow.

Meanwhile, United Kingdom specifically was ranked the fourth in the index ranking by EIU and achieved five out of ten benchmarks in the Report Card 8 by UNICEF. United States of America, although not obtaining a good rank in the EIU index ranking and UNICEF Report Card 8, has extensive existing and on-going research and studies in developing their ECCE system especially with the introduction of C.A.R.E 2016 Act. Therefore, there are lessons that can be learnt from these countries despite the overall performance rankings by international bodies.

Moreover, although it is hard to make direct comparisons between countries as their theories and practices are different, there are still vital common features that they share. For example, some reviews and researches in United Kingdom such as Research on Ratios, Group Size, and Staff Qualifications and Trainings in Early Years and Child Care Settings, Munton et al. (2002) took US as comparison due to the relevant research done in US. Besides that, UK and USA share the same fundamental philosophy of attachment pedagogy, attachment theory; and both practise maximum private responsibility model of child care. However, comparisons between UK and other mainland Europe countries may not be suitable as the philosophies are different and their characteristic of child care settings are different, which practice maximum public responsibility (Munton et al., 2002). Looking at United States and Australia, their policy regime is different in terms of legislative and regulatory aspect. The regulation across states in United States are diverse while in Australia, although there are differences between regulations between states in Australia, there are overall standards set under the agreement of states and Commonwealth government. Therefore, in adapting findings and results from the research done in United States, extra caution should be made considering the national and local context. This is also the case for Malaysia as Malaysia regulates child care sector federally under Child Care Centre Act 1984. Furthermore, experiences from Korea and New Zealand can be scrutinised where these countries preserve and take into account their local values and cultures (Economist Intelligence Unit & Lien Foundation, 2012).

Moreover, the successes of Australia and Singapore in reforming their ECCE sectors by having examples from the research and practices done in other countries may shed a light for Malaysia in pacing the efforts in improving and reforming the Malaysian ECCE sector, specifically in improving the laws and regulations on child care centres in Malaysia. Additionally, the practice on how these structural features are legislated should be employed and benchmarked from the developed countries which have just made their reform in their child care centres law. For Australia, the National Quality Framework is a comprehensive framework consisting of the national quality standards and secondly the national legislative framework. This is a good model of improving quality efforts which covers quality aspects as well as legislative aspects. Moreover, the experts in Malaysia for example Datuk Dr. Chiam, the Founding President of ECCE Council, who is known as a leading expert in early childhood care and education, also highlighted Australia Quality Framework as a model that should be given attention to by Malaysia as an example (Chiam, 2012). A recent study made by UNITAR for SWD also made Australia as a benchmark or secondary model replacing Finland for a good model of child care besides those of Singapore and Japan (UNITAR International University, 2017). Singapore on the other hand,

has just taken another step further in improving the early childcare and education sector by introducing Early Childhood Development Centres Act 2017 repealing the previous Child Care Centre Act 1988.

Singapore is seen as a good country to compare with looking at the similarity of the legal systems of Malaysia and Singapore. The similarity on common law, legal tradition and geographical context makes Singapore a comparable subject as it may have similar problems, challenges and considerations in constructing their laws on child care centres. Therefore, it would be more relevant and useful for Malaysia to learn lessons from Singapore's experiences and discussions as opposed to those of other countries such as Scandinavian countries where the legal system, the geographical context and legal tradition are very different from Malaysia.

Additionally, as Singapore uses English as its medium in terms of its legislation, parliamentary discussions and academic analysis, this makes it more accessible and suitable than other countries that do not use English as the primary language. On top of that, compared to other legislations, before the introduction of new bills, Singapore used similar legislation as Malaysia i.e. Child Care Centre Act. Therefore, the experience of Singapore reforming their laws especially by repealing the Child Care Centre Act is seen as valuable milestone to be exemplified by Malaysia.

Therefore, from the research done and examples of best practises from other countries explored, it is hoped that Malaysia may be able to have a new, improved legislative framework in ensuring that the children in Malaysia have better protection, better care and better education in future. The loopholes and weaknesses in Malaysian child care laws and regulations need to be improved through legislative efforts as laws and regulations underpin the concrete foundation in achieving high quality child care sector.

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