



PROTECTING CHILDREN IN MALAYSIA FROM ONLINE SEXUAL EXPLOITATION AND ABUSE: THE WAY FORWARD

Children in Malaysia are vulnerable to harm from online sexual exploitation and abuse. In the past year, at least 4% of internet-using children aged 12-17 in Malaysia were subjected to clear instances of online child sexual exploitation and abuse (OCSEA) that included being blackmailed to engaging in sexual activities, having their sexual images shared without their permission, or being coerced to engage in sexual activities through promises of money or gifts. This number is likely underreported due to common discomfort discussing or disclosing sexual abuse. There is evidence of the manufacture and distribution of child sex abuse materials (CSAM) and that OCSEA tends to go unreported. Prevention efforts have not been sufficiently evaluated, investigation capacities fall short of what is required and not all victims are treated and cared for adequately. Government, public institutions and society can all do more to respond to OCSEA and disrupt the harm it is causing to children in Malaysia.

Recommended actions

Combating OCSEA and providing better support to victims requires comprehensive and sustained actions from government officials, law enforcement agencies, justice and social support professionals, the tech industry and communities. To support the implementation of a comprehensive and sustained response to OCSEA, *Disrupting Harm in Malaysia* lays out an actionable blueprint to protect children through a series of evidence-based recommendations spanning legislation, law enforcement, justice processes, social services and public awareness. These recommendations call on the Government of Malaysia and its partners to act, educate and invest.

Act

- Although provisions on CSAM can be used in cases of live-streaming of child sexual abuse, the legislation should be amended to criminalise this as a separate and distinct offence.
- Expand the existing provision criminalising those who threaten to use CSAM, to specifically refer to the act of using such material to extract sexual content or other benefits from a child, i.e., the sexual extortion of children committed or facilitated in the online environment.

- Strengthen the implementation of the Sexual Offences against Children Act by monitoring its implementation in order to identify and address any obstacles that hinder its effectiveness.
- Ensure that mechanisms for reporting OCSEA and obtaining information and support, such as hotlines and helplines, are available, accessible and well publicised to all children and their families and communities. Encourage reporting by peers.
- Strengthen the Malaysia Internet Crime Against Children Investigation Unit with sufficient personnel and provide psychological support to staff investigating OCSEA.
- Further enhance cooperation with foreign law enforcement agencies, and consider reconnecting to INTERPOL's International Child Sexual Exploitation database. The database is an intelligence and investigative tool that allows specialised investigators to share data on cases of child sexual abuse in order to reduce duplication, eliminate deconfliction and enhance international police cooperation.
- Standardise the use of Child Interview Centres by law enforcement officers when interviewing victims of OCSEA and other forms of sexual abuse.

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- Equip more judges, prosecutors, law enforcement officers and social workers – including those working in ordinary courts – with the technical knowledge and skills required to handle OCSEA cases to work with child victims and witnesses in a child-friendly manner.
- The pre-recording of the full child witnesses' testimony prior to trial, in a child-sensitive environment, should be considered so that the child does not need to attend the trial and to avoid children recounting their abuse multiple times. Ensure that criminal justice professionals have a standard information package to provide to all victims and their caregivers related to child sexual exploitation and abuse (including OCSEA). The package should clearly inform children about their rights, including their right to compensation, and familiarise them with the procedures they will encounter.
- Support all victims of OCSEA in accessing support services including 'Legal Companion' services¹ and medical services. Improve uptake of legal companion services by increasing awareness of this service among justice professionals and members of the public.
- For medical services, referral pathways from district/ community clinics to one-stop crisis centres should be strengthened by updating and training all medical staff at district and community clinics using the "Ministry of Health – One Stop Crisis Centre: Policy and Guidelines for Hospitals".²
- Make it mandatory for online platforms to have clear and accessible mechanisms for children to report concerns. Platforms should detail in child-friendly terms what the process looks like after children make a report. Popular social media and instant messaging platforms should consider closer collaboration with existing specialised reporting mechanisms in the country.³
- Engage with owners of internet cafes and other computer rental shops to ensure adequate safeguards are in place. This can include protecting children from harmful content or interactions online by installing pop-up blockers, limiting access to sites that are not age-appropriate for children and making referrals to authorities about suspected cases of child sexual abuse or exploitation, as per mandatory reporting under The Sexual Offences Against Children Act and the Child Act 2001.
- Liaise more closely with global technology platforms and build on existing collaborative mechanisms to ensure that the digital evidence needed in OCSEA cases can be gathered rapidly and efficiently, including in response to data requests, and that CSAM is promptly removed.

Educate

- Adopt and implement the Malaysia Cyber Security Strategy for 2020–2024, which includes initiatives to increase the knowledge and skills of law enforcement officers and other criminal justice professionals, including members of the judiciary, regarding cybercrime.
- Continue to engage the public – including children, caregivers, teachers and others – in awareness of violence against children including OCSEA via existing national programmes. Ensure that awareness campaigns and education programmes are developed and tested through safe and ethical consultations with children, caregivers and teachers. Provide comprehensive digital literacy and safety training to ensure that children and trusted adults are both aware of possible risks and know what to do about them. This should include information about what children can do if they are being bothered online, what kind of content is appropriate to share online with others and basic skills such as how to change their privacy settings and block people from contacting them.
- Support caregivers – especially older caregivers who are infrequent users of the internet – in communicating with children about their lives online and in becoming more familiar with the platforms that children are using.

1. This service is available to child victims of sexual assault and includes providing legal advice to the guardian of the child victim, providing relevant legal information relating to any criminal proceeding, accompanying the victim in any court proceedings, and, with permission of the court, speaking on behalf of the victim.

2. The Ministry of Health Malaysia. (2015). One Stop Crisis Centre: Policy and Guidelines for Hospitals.

3. For instance, in Malaysia, Monsters Among Us has successfully integrated their Lapor Predator Chatbot with WhatsApp, increasing access for children and the public.



- Implement programmes that cover sexuality education. Comprehensive sexuality education should cover OCSEA and how technology plays a role in the sexual abuse and exploitation of children and equip children to recognise inappropriate interactions both online and offline. These programmes should be age-appropriate, gender-sensitive and provide accurate information.
- Ensure that age-appropriate OCSEA education and awareness-raising approaches. Special care should also be taken to ensure that information is communicated to children whose situation may increase their vulnerability to OCSEA, including children with disabilities, children affected by migration, street-connected children, out-of-school children and children who experience other forms of violence. Monitor and evaluate the impact of these programmes.
- Support those with a duty of care for children – particularly caregivers, teachers, medical professionals and social workers – to overcome discomfort around discussing sex and sexuality in age-appropriate terms. This can encourage open dialogue about sexual abuse and exploitation both online or in person.
- Institutionalise capacity-building initiatives as part of the training calendar of the government. This will ensure that the necessary resources are secured and a regular and recurring budget is allocated. In addition, develop standard modules on OCSEA and child-friendly measures that can be used by trainers. These can also be integrated in the training curricula of the judicial and legal training institute and the Police Training Academy.

Invest

- Allocate the necessary financial and human resources for the implementation of these recommendations and for existing policies on child protection and child development.
- Increase the priority attached to OCSEA by the political authorities and law enforcement machinery when investing in talent and resources to protect children against sexual abuse and exploitation.
- Ensure that the Malaysia Internet Crime Against Children investigation unit has sufficient personnel and the necessary expertise and infrastructure needed to address OCSEA and reconnect to INTERPOL's International Child Sexual Exploitation database. The small number of staff in the specialised unit adversely affects the prompt investigation of cases and evidence building. The unit is not optimally staffed to handle the sheer volume of CyberTips from the U.S. National Center for Missing and Exploited Children. The team also needs reinforcement in terms of cybersecurity experts and infrastructure.
- Allocate financial resources to support more ordinary courts, including the court for children, in order to achieve the same level of child friendliness as the special courts, which were established to handle sexual crimes against children.
- Dedicate resources to child helplines and CSAM hotlines to improve record keeping so that they can record statistics on the OCSEA cases reported to them. Increasing the capacity of these organisations to collect and analyse such data will provide a better understanding of children's experiences of OCSEA, including how it changes over time, which could help develop prevention programmes and the necessary policies and legislative amendments.

Key insights

Through various research activities, *Disrupting Harm in Malaysia* has identified six key insights:

1. In the past year, at least 4% of internet-using children aged 12–17 in Malaysia were subjected to clear instances of online sexual exploitation and abuse, including being blackmailed to engage in sexual activities, having their sexual images shared without permission, or being coerced to engage in sexual activities through promises of money or gifts. Scaled to the population, this represents an estimated 100,000 children who may have been subjected to any of these harms in the span of a single year.
2. According to the household survey, while offenders of OCSEA are often someone unknown to the child, in some cases, offenders are individuals the child already knows – often an adult acquaintance, a peer under 18 or a family member.
3. Children mainly experienced OCSEA through the major social media providers, most commonly via WhatsApp, Facebook/Facebook Messenger, WeChat or Telegram.
4. Children who were subjected to OCSEA tended to confide in people within their interpersonal networks, particularly friends, caregivers or siblings. Helplines and the police were almost never utilised to seek help.
5. A range of promising initiatives driven by government, civil society and industry are underway in Malaysia; however, weak interagency coordination and cooperation, and limitations related to budgetary resources exist.
6. Although existing legislation, policies and standards in Malaysia include provisions relevant to OCSEA, including strong provisions regarding child-friendly investigations and prosecutions, support to implement such standards across the country and further legislative reform are needed for a comprehensive response to OCSEA.

The full report and complete list of recommendations can be found at: www.end-violence.org/disrupting-harm

About Disrupting Harm

Disrupting Harm in Malaysia is part of an unprecedented, multi-country research project on OCSEA, focusing on 13 countries in Eastern and Southern Africa and Southeast Asia. This large-scale research project draws on the expertise of ECPAT, INTERPOL, UNICEF Office of Research – Innocenti, and their global networks of partners. *Disrupting Harm* is supported by the [Fund to End Violence Against Children](#), through its Safe Online initiative.

In Malaysia, research took place from early 2020 to late 2021, including interviews with high-level representatives from the Government of Malaysia and a range of public bodies and organisations

active in the country. Research activities included a comprehensive analysis of the legislation, policies and systems addressing OCSEA in Malaysia, as well as interviews with justice professionals and frontline service providers, and a nationally representative household survey with internet-using children and their caregivers.

Data from these multiple sources were compared and triangulated to produce the *Disrupting Harm in Malaysia* national report. Recommendations from the data were presented and discussed at a national consultation in a hybrid event on 25th April 2022.