

**A COMPARATIVE STUDY OF THE LEGAL FRAMEWORK ON
CHILDREN PROTECTION FROM ONLINE PREDATORS IN
MALAYSIA AND THE UNITED STATES OF AMERICA (USA)**

By

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The students/authors confirmed that the work submitted is their own and that appropriate credit has been given where reference has been made to the work of others.

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Abstract

The publicity about online predators that prey on naive children using trickery and violence is improper. Internet sex crimes involving adults and juveniles more often fit a model of statutory rape-adult offenders who meet, develop relationships with, and openly seduce underage teenagers-than a model of forcible sexual assault or pedophilic child molesting. This is a serious problem that requires approaches different from those in current prevention messages emphasizing parental control and the dangers of divulging personal information. Malaysia does have laws such as the Communication and Multimedia Act 1998, the Penal Code and other types of enforcement but not a specific law as with the United States of America (USA). Specific legislation to deal with the children protection against offences committed by the online predators is of utmost necessary due to the incomprehensiveness of the current laws in Malaysia. Apart from legislative measures, there are appropriate prevention strategies that target youths directly and acknowledge normal adolescents with awareness and avoidance skills while educating older youth about the pitfalls of sexual relationships with adults and their criminal nature. Particular attention should be paid to higher risk youths, especially those with history of sexual abuse, sexual orientation concerns, and patterns off and online risk taking.

TABLE OF CONTENTS

Acknowledgement	ii
Abstract	iii
Contents	iv
List of Statutes and Cases	vi

CHAPTER ONE: INTRODUCTION

1.0	Introduction	1
1.1	Background	1
1.2	Problem Statement	5
1.3	Objectives of the Research	6
1.4	Research Methodology	6
1.5	Scope and Limitation of the Research	8
1.6	Significance of the Research	8
1.7	Conclusion	8

CHAPTER TWO: THE NECESSITY TO HAVE LAWS TO PROTECT CHILDREN FROM ONLINE PREDATORS

2.0	Introduction	9
2.1	Online Predators	9
2.2	Potential Victims - Children	11
2.2.1	Definition of Children	11
2.2.2	Dangers Children Face Online	12
2.2.3	Factors that Contribute to the Issue of Online Predator	16
2.2.3.1	Internet Addiction	16
2.2.3.2	Online Self-Narcissism	18
2.3	Approaches and Techniques to Curb the issue of Online Predators	20
2.3.1	Parental Control	20
2.3.2	Self-initiative	22

CHAPTER THREE: LAWS GOVERNING THE ACTIVITIES OF ONLINE PREDATORS IN MALAYSIA

3.0	Introduction	26
3.1	Malaysian Communication and Multimedia Commission (MCMC)	27
3.1.1	Communication Multimedia Act 1998 (Act 588)	29
3.1.2	Penal Code (Act 574)	34
3.1.3	Other Types of Enforcement	36
3.2	Reported Cases in Malaysia	39
3.3	Conclusion	42

CHAPTER ONE

INTRODUCTION TO THE RESEARCH

1.0 Introduction

This chapter contains the background of the study, followed by the problem statement, research questions and the objectives. This chapter also includes the research methodology, the scope of study and also the limitations that were present during the study and finally, this significance of the study.

1.1 Background

The Internet is a global collection of networks, big and small, which houses information that can be accessed by connecting online through a general computer. These networks connect together in many different ways to form the single entity that we know as the Internet. In fact, the very name comes from this idea of interconnected networks.

With such vast array of networks connected to each other, one would think that such an invention known as Internet would be too vast for anyone to monitor over. This was quashed in 1992 when a non –profit group known as The Internet Society was established to oversee how one person uses and interacts with the Internet.¹

The impact Internet bring upon humanity revolutionizes how people interact with each other. All kinds of users, children, teenagers, and adults alike have been using the Internet ever since. Thus the internet would be the best medium for online predators to exploit the children, commit cyber crimes or immoral acts such as cyber harassment and outraging the modesty of their victims.

An online predator is a person who targets minors over the cyberspace for own malevolence purposes, particularly sexual and abusive in nature, in acts known as

¹ Jeff Tyson, “How Internet Infrastructure Works”, available at <http://computer.howstuffworks.com/internet/basics/internet-infrastructure> accessed on 3 August 2010.