EXPOSURE OF SEXUALLY EXPLICIT MATERIALS : THE APPLICATION OF THE EXISTING LAWS IN CURBING THE PROBLEM

By

Dhaniah bt Ahmad (2003302873) Norasidi b Nadziruddin (2003345038) Ummal Remiza bt Khaja Mohideen (2003303340)

Submitted in Partial Fulfillment of the Requirements for the Bachelor in Legal Studies (Hons)

> Universiti Teknologi MARA Faculty of Law

> > April 2006

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

Acknowledgement

First and foremost, we would like to thank God the Almighty in regards of the completion of this research project. Without His bless, we will not be able to complete this task within the time given.

We wish to record our most sincere gratitude to our supervisor, Puan Sharlene for her assistance and guidance in seeing this project paper from time to time from its beginning to its very end. Being the supervisees of Puan Sharlene herself was in fact an extremely rewarding experience.

Numerous people have been instrumental in providing us information as to complete this research project. In particular, we wish to thank Professor Dr Shad Saleem Faruqi, Professor of Law and Legal Advisor of UiTM and Encik Noordin Kadiran, the owner of Purple Cyber Café, for all the valuable information given by them as to assist us in relating to this topic and for their time and co-operation in the interviews held in completing this task.

Our thanks also to our families, loved ones and friends for their support and the constant encouragement and understanding throughout the period of finishing this research project paper.

i

Abstract

The growth and development of technology is flourishing and seems to be impressive from time to time with the new inventions derive from creative mind of the mankind, apparently. However, despite of the contributions from countries throughout the entire world are seen to be inevitable and encouraging benefiting the people in various ways, there are also defects apart of its contribution which may results in a negative manner and also cause disaster to the society as a whole, technically or morally. Specifically, the context or issue which we are focusing in this study is primarily about the borderless world which is known as the 'borderless world'. It has becomes an easy access territory, where there is almost no restriction at all. In other words, anyone may enter into the cyberspace or the Internet just through a click on the computer. The problem arising from the cyberspace nowadays is regarding the wide usage of unwanted website to acquire sexual or adult materials. As far as the study is concerned, the law pertaining it and its enforcement are being so weak and vulnerable, which has caused loopholes in the rules and regulations itself. In this legal research, we will analyze, discuss and look into the existing laws which are in practice in Malaysia with few comparisons with other countries like the United Kingdom and the United States. It is essential as it assists us to measure its effectiveness in order to be applied and adopted strictly. Besides that, stringent and prompt action by the government, non-governmental bodies, parents and the society need to strive hand in hand to combat and prevent before the exposure get more serious and worse.

TABLE OF CONTENTS

Acknowledgement	i
Abstract	ii
Table of Contents	iii

CHAPTER ONE : RESEARCH PROPOSAL

1.0	General Introduction	1
1.1	Problem Statement	3
1.2	Objective of Study	4
1.3	Methodology	5
1.4	Limitations	6
1.5	Contribution Of Study	7
1.6	Provisional Plan of Research	8

CHAPTER TWO : LITERATURE REVIEW

2.0 Literature review	9
-----------------------	---

CHAPTER THREE : RESEARCH METHODOLOGY

3.0	Introduction	15
3.1	Qualitative Method	16
3.2	Quantitative Method	17

CHAPTER ONE INTRODUCTION

1.0 GENERAL INTRODUCTION

In general, explicit materials can be categorized as the sources that contained some elements that contrary with our moral values like pornography and violence that might cause social problems and promoting immorality in society as a whole. The phenomenon of the exposure of explicit materials is widely open and accessible to the people all around the world including Malaysia. This current and hot boiling issue is alarming and rampantly occurs as the sources of explicit materials can be attained in many forms. Basically, these sources comprised of materials such as books, magazines, videos and cassettes. While, there is other form that can be seen which is through the Internet that provides unlimited and borderless sources including pictures, songs, video clips and movies. In this project paper, the research is focused on the materials which can be found on the Internet.

Youth and adult are the group of people that involve with this kind of unhealthy activities which likely to induce and invoke negative habit among them. The exposure of such materials is merely such an excitement as it only gives temporary satisfaction but the impact is deep and unpredictable. Besides, due to this exposure, the behaviour and attitude will be influenced, that may contribute to some unexpected and inconvenience circumstances. In some instances, some criminal offences such as rape, vandalism, drug addiction and murder may result. Apparently,