

TRACKING DOWN THOSE RESPONSIBLE FOR VIRAL POSTS COULD BE AN EXERCISE IN FRUSTRATION: ASSOC PROF

'Not easy' to enforce proposed anti-harassment law

Legal experts ask whether the authorities have the resources to bring everyone who breaks the law anonymously to justice

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SINGAPORE – A proposed anti-harassment Bill that will be tabled in Parliament on Monday is likely to deter extreme forms of behaviour in cyberspace, such as the lynch mob mentality, but the jury is still out as to whether it can be effectively enforced if passed.

In the past year, Singapore has seen several high-profile cases of individuals who ended up being the targets of online vitriol after they posted controversial comments.

They included Briton Anton Casey, whose derogatory comments about the public transport system and Singaporeans went viral on social media, and undergraduate Quek Zhen Hao,

who had his family's and girlfriend's personal details posted on the Internet by netizens, after two videos showing him engaging in aggressive driving in a case of road rage were circulated widely online.

Last year, former National Trades Union Congress employee Amy Cheong and a fictitious Facebook character "Heather Chua" were also condemned by Singaporeans online for posting racist comments.

However, some netizens themselves posted reactions that were abusive and hateful.

Several lawyers and academics told TODAY that the proposed Protection from Harassment Bill will send a strong signal that bullying or harassing behaviour will not be tolerated. Victims of cyber bullying or harassment will also have the strength of the law to aid them in seeking recourse, said criminal defence litigator Sunil Sudheesan.

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“As much as we should be given the right to say what we want, there must still be some governance to protect the weak and vulnerable. After all, the pen — or in the current climate, the keyboard — is mightier than the sword,” he added.

However, the legal experts told TODAY that enforcing the proposed law will not be easy.

Mr Sunil felt it would be difficult to bring individuals who flout the new law anonymously to justice.

While the court has the power to direct third parties to remove offending materials under the proposed Bill, Mr Sunil said: “If something goes viral, the spread and damage cannot be mitigated. The efficacy of the take-down orders will be limited if they are granted too late in the day.”

Singapore Management University Associate Professor of Law Eugene Tan felt tracking down those responsible when a post had gone viral could be an exercise in frustration.

Then, there is the question of the resources needed to ensure effective enforcement.

“Do (the authorities) have resources to go after everyone?” social media lawyer Lionel Tan asked, referring to the difficulty in dealing with viral posts.

Mr Josephus Tan added: “How much are we willing to spend to set up such a massive infrastructure ... to monitor and track the various social media platforms on a 24/7 basis?”

Still, Assoc Prof Tan felt that the proposed law was a significant step forward.

“Hopefully, the law will catalyse the development and growth of appropriate online conduct. We need a civil online society — otherwise, the full potential of social media will not be realised,” he said.