

Needed: Laws against cyber harassment

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The Straits Times

Tuesday, Nov 19, 2013



SINGAPORE - Legal experts see an urgent need for laws against online harassment in Singapore, calling this the most pressing gap in efforts to strengthen anti-harassment laws.

Although there are no specific laws to deal with sexual harassment, stalking, cyber bullying or bullying, offenders may be charged through laws relating to mischief, assault and harassment under the Miscellaneous Offences Act, in addition to outrage-of-modesty laws under the Penal Code.

But online harassment has gone unchecked and this should change, said several practising lawyers and academics.

"Currently, such acts are not criminalised. The Personal Data Protection Act also provides no recourse against individuals who abuse other people's personal information," said Stamford Law Corporation director Daniel Chia.

"Most online forums in Singapore also do not have strong take-down policies relating to the posting of such personal information.

Disinterest by the traditional authorities - including the difficulties associated with any investigation - may also lead to an unwillingness to investigate such acts."

He said this was the most pressing gap, which should be plugged by specific legislation or by extending existing anti-harassment laws, or by widening the scope of the Computer Misuse Act or the Personal Data Protection Act.

Although there are no specific provisions against cyber harassment, certain instances of hacking or the hijacking of accounts would fall foul of the provisions in the Computer Misuse Act.

Recent cyber bullying cases here involve situations where victims' personal information was posted online either to ridicule the victims or to incite hatred against them. Victims then fear for their safety as their whereabouts, home addresses, workplaces and phone numbers would have been revealed online.

It is hard to go after perpetrators because they hide behind anonymity. The posting of personal information is, in itself, not a crime. But inciting hatred could fall foul of the Sedition Act and, similarly, those who target racial groups would draw the wrath of the law.

Singapore Management University law lecturer Jack Lee Tsen-Ta said cyber harassment is serious because the threatening, abusive or insulting content is rapidly accessible by many people and causes great embarrassment to the victim.

"Content that is uploaded to the Internet is often very difficult to eradicate because it can be forwarded by third parties or remain in caches," said Dr Lee.

He felt that the penalties for such harassment should be increased, though younger offenders should continue to be dealt with in Juvenile Court.

"Some thought should also be given to whether it should be an offence for someone to forward harassing content to other people, even though the forwarder did not originally create or upload the content," he added.