

DISRUPTING HARM IN MALAYSIA

Evidence on online child
sexual exploitation and abuse

EXECUTIVE SUMMARY



Funded
by



End Violence
Against Children

Implemented
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Warning:

Disrupting Harm addresses the complex and sensitive topic of online child sexual exploitation and abuse. At times in the report, some distressing details are recounted, including using the direct words of survivors themselves. Some readers, especially those with lived experiences of sexual violence, may find parts of the report difficult to read. You are encouraged to monitor your responses and engage with the report in ways that are comfortable. Please seek psychological support for acute distress.

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Funding from the Global Partnership to End Violence Against Children, through its Safe Online initiative, does not constitute endorsement.

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Funded by the Global Partnership to End Violence against Children, through its Safe Online initiative, ECPAT International, INTERPOL and UNICEF Office of Research – Innocenti worked in partnership to design and implement *Disrupting Harm* – a research project on online child sexual exploitation and abuse (OCSEA). This unique partnership brings a multidisciplinary approach to a complex issue in order to present multiple viewpoints around the issue of OCSEA. The research was conducted in seven Eastern and Southern African countries and six Southeast Asian countries, including Malaysia. Data are synthesised from up to nine different research activities to generate each national report which tells the story of the threat of OCSEA and the national response mechanisms in place to tackle this form of violence against children. The report ends with a set of clear recommendations for action.

Internet access, activities and skills

Ninety-four percent of 12–17-year-olds in Malaysia are internet users, meaning that they have used the internet within the past three months. Moreover, according to the *Disrupting Harm* nationally representative household survey of 995 internet-using children in this age group, 96% go online at least once a day. Children mainly access the internet from their homes, followed by access at school and at malls/internet cafes. Almost all the children surveyed used smartphones to access the internet, and only 25% – particularly the younger children aged 12–13 – shared their smartphones with someone else. Computers were used for internet access by 28% of children.

The majority of the surveyed children used social media (91%) and instant messaging apps (90%), watched video clips (88%) and used the internet for schoolwork (86%) at least once a week. Children in Malaysia are high-frequency internet users, and this is reflected in their digital skills. As many as 84% claimed that they could determine which images of themselves or their friends to share online, while 67% said they knew how to change their privacy settings and 66% said that they knew how to report harmful content on social media. Self-reported digital skills were weakest among younger children aged 12–13 and children living in rural areas.

One caregiver¹ of each child interviewed also took part in the survey. Almost all of the surveyed caregivers (98%) said that they had used the internet within the past three months: an unusual finding in the *Disrupting Harm* countries where children were frequently found to be online more than their caregivers. Of the internet-using caregivers, 92% went online every day; however, fewer older caregivers (aged 50+) used the internet as compared to younger caregivers.

As many as 88% of the children surveyed said that their caregivers had suggested ways for them to stay safe online and 79% said that their caregivers would help them if they were bothered by something on the internet. In contrast, caregivers themselves were only moderately confident about their digital skills, i.e., 55% said that they knew more about the internet than their child and 33% said that they could help their child cope with things that bothered them online ‘a fair amount’.

Risky online activities

The great majority of the surveyed caregivers considered it to be very risky for children to share sexual images or videos online (87%), send someone their personal information (84%), see sexual images online (83%) or meet someone in person whom they had first encountered online (77%). Twenty-six percent of the children said that their caregivers restricted their use of the internet, while 36% of the caregivers said that they would restrict their children’s internet use if the children were bothered by something online.

1. In the household survey, the term ‘caregiver’ is an inclusive term used to refer to all adults who are responsible for children, such as parents, step-parents, grand-parents or other legal guardians.

Most of the children were also aware of the risks associated with being online. Indeed, only a small minority of children reported that they had engaged in risky online activities in the past year. For example, 5% had, within the past year, met someone in person whom they had first met online. Only 1% (six children) said that they had shared naked pictures or videos of themselves online in the past year.

Twenty-four percent of children had unexpectedly come across sexual content online through advertisements, social media feeds, search engines and messaging apps, and 17% reported actively looking for such material. Children aged 16-17 and boys were the most likely groups to be exposed to sexual images and videos online.

Children's experiences of online sexual exploitation and abuse

The surveyed children were also asked whether they had been subjected to a range of experiences which could constitute OCSEA within the past year. In the *Disrupting Harm* reports, OCSEA is defined as situations that involve the use of digital or communication technologies at some point during the continuum of sexual exploitation or abuse of a child. According to *Disrupting Harm* data, in the past year, 4% of internet-using children aged 12-17 in Malaysia (38 children) reported that they had been subjected to a clear form of online sexual exploitation and abuse. This estimate includes having been blackmailed to engage in sexual activities, having had their sexual images shared without permission, or having been coerced to engage in sexual activities through promises of money or gifts. In addition, 5% of the surveyed children (46 children) had received unwanted requests to talk about sex and 3% (26 children) had received requests for images showing their private parts, which, depending on the circumstances, could constitute grooming. With respect to the household survey, a certain degree of under-reporting is expected due to factors including discomfort about discussing sex and sexuality with survey administrators and fears of legal self-incrimination, as some practices are criminalised.

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Of the 38 children who reported being subjected to at least one of the four clear forms of OCSEA, the offenders were individuals the children did not know prior to the incident (10 children), peers under 18 (six children), adult friends or acquaintances (five children) or family members (five children). Eighteen children did not know who the offender was, while another 11 children preferred not to indicate who the offender was. Children who had been subjected to online sexual exploitation and abuse or experienced other unwanted online interactions of a sexual nature cited numerous social media and online messaging sites where they were targeted. Among these, WhatsApp was most prominent, alongside Facebook/Facebook Messenger. Other non-U.S.-based platforms, particularly WeChat and Telegram, were cited in some instances.

Furthermore, the number of reports (known as CyberTips) made to the U.S. National Center for Missing and Exploited Children (NCMEC) by U.S.-based technology companies concerning suspected child sexual exploitation in Malaysia increased by 90% between 2017 and 2019. A wide range of social media platforms, image hosting and video sharing providers made reports regarding content concerning Malaysia, but the largest number came from Facebook. Almost all notifications were related to the possession, manufacture and distribution of child sexual abuse materials (CSAM). Further analyses for *Disrupting Harm* indicated that there is evidence that, in Malaysia, CSAM is searched for on the open web. Data was identified and shared with Malaysian law enforcement regarding attempted online enticement of children pre-travel, indicating that Malaysia is a potential destination for travelling sex offenders.

Disclosure and reporting of online sexual exploitation and abuse

The law enforcement entity charged with investigating all forms of online and offline child sexual exploitation and abuse is the D11 division of the Royal Malaysia Police (also known as the Sexual, Women and Child Investigation Division). According to the D11 division, 35 cases of OCSEA were investigated between 2017 and 2019. This is the sub-section of all the child abuse cases investigated by the unit that were tagged as involving technology. The D11 division also noted that some of their cases may not have been recorded as OCSEA but may still have had an online or technological element.

OCSEA cases were generally reported to the police by or with the support of adults, i.e., not directly by the children themselves. Only one case came via a helpline. The results from the household survey of children suggest that OCSEA frequently goes undisclosed and formally unreported. Half of the small number of children who did, during the survey, disclose that they were subjected to at least one of the four clear instances of OCSEA or other unwanted sexual experiences on the internet did not tell anyone (indicating possible under-reporting, as mentioned above, meaning that the actual number is likely higher). Those who did disclose were most likely to confide in a friend or a caregiver. Reasons given by children for not disclosing OCSEA included a lack of awareness of where to report or whom to tell, feelings of shame and embarrassment, not thinking the incident serious enough to report, a sense of having done something wrong, concerns about getting into trouble, concern that disclosing would cause trouble for the family, concern that the incident would not be kept confidential, and not believing that anything would be done about it. Conversations with young survivors of OCSEA conducted for *Disrupting Harm* indicated that threats are also used against children. Children – particularly boys – who were abused or exploited by offenders of the same sex may have particular difficulty in disclosing OCSEA due to stigma and the risk of self-incrimination, as sexual contact between males is illegal in the country and a male child could, therefore, be prosecuted under these laws if victimised by a male offender.

Identification and investigation of OCSEA cases

The Sexual Offences against Children Act criminalises the act of sexually communicating with a child or encouraging a child to sexually communicate by any means. It also makes it an offence for anyone to communicate with a child with the intention of committing or facilitating offences related to CSAM or sexual abuse. The act contains a broad definition of CSAM and outlaws many acts related to its production, distribution and sale. Knowingly accessing and possessing CSAM is also an offence. Although respondents in interviews for *Disrupting Harm* reported that these provisions are used in cases of live-streaming of child sexual abuse, the law could more explicitly criminalise this crime. Inconsistencies exist, for example, under the Penal Code, statutory rape – denoted as penetrative sexual intercourse – is only applied to girls below the age of 16. The age of consent for non-penetrative sexual acts, which fall under the Penal Code's "acts of gross indecency", is set at 14 for all children, while the provisions of the Sexual Offences against Children Act apply to all children below the age of 18. In practice, such inconsistencies may lead to different levels of protection depending on the sex and age of the children involved in the abuse.

In the case studies collected from law enforcement for *Disrupting Harm*, male offenders who committed OCSEA-related crimes against male victims were charged under provisions outlawing homosexuality included in the Penal Code as opposed to specific OCSEA-related crimes under the Sexual Offences against Children Act. A lack of familiarity with this act may, in part, explain this tendency, yet this may affect the services and support made available to child victims.

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The Malaysia Internet Crime Against Children (MICAC) Investigation Unit is one of the units that make up the D11 division. It comprises four trained officers dedicated to addressing OCSEA at the national headquarters. Despite its expertise, equipment, and strong history of international cooperation and collaboration with financial institutions, the unit is constrained by the low number of staff, frequent transfers and reassignments of duties and responsibilities, the absence of a high-speed broadband connection that would facilitate the use of INTERPOL's International Child Sexual Exploitation database, the lack of psychological support for officers and an insufficient capacity for covert investigations, open-source intelligence gathering and proactive surveillance.

Digital forensic assistance is available to D11/MICAC from the Malaysian Communications and Multimedia Commission (MCMC) and the National Cybersecurity Agency. Under the Malaysia Cyber Security Strategy for 2020–2024, a National CyberCrime Enforcement Plan is to be adopted, which will include efforts to increase the knowledge and skills of law enforcement officers and members of the judiciary and legal professions in the increasingly complex realm of cybercrime.

Children's experiences with law enforcement mechanisms, the justice process and social services

The *Disrupting Harm* research team was unable to identify a sample of children who had sought justice for OCSEA through the courts. Sample identification included extensive searches via the networks of supporting organisations, legal professionals and others. The conclusions drawn in the report, therefore, are based solely on interviews with government officials, justice professionals and a survey of frontline service providers. The difficulty of identifying children may indicate that OCSEA remains insufficiently visible within the justice system on a national level. The possible reasons for this, including evidence that indicates that significant stigma exists around disclosing sexual crimes in Malaysia, is discussed in the report.

Law enforcement officials all expressed their commitment to a child-centred approach to investigations and prosecutions. The D11 division provides support services for children through care officers at Victim Care Centres and liaises with the Department of Social Welfare to obtain other necessary support services for children who have disclosed child sexual exploitation and abuse, including OCSEA (e.g., shelter). There are Child Interview Centres in every state with officers trained to follow child-friendly investigation approaches. Even so, it was reported that the police do not always use the centres' special rooms or video recording equipment when interviewing children.

Two special courts were established to specifically handle sexual crimes against children, in the cities of Putrajaya and Kuching, but this initiative has not yet been expanded to other geographical locations. Special courts have child-friendly facilities, such as private entrances and exits for child victims, child-friendly waiting rooms and video link facilities. Judges use child-friendly language and cases proceed relatively rapidly. In other courts, cases can be drawn out and the treatment of child victims varies, depending on the budgets for facilities or the awareness/training of judicial professionals.

Legal companion services are available to victims through the Legal Aid Department, but interviewees indicated that they are not well defined and are rarely taken up. Similarly, victims have the right to compensation, but prosecutors rarely put in applications, and there is no formal guidance for the courts regarding how to determine the amounts awarded. In addition, offenders may be unable to pay compensation and can choose to serve longer prison terms instead, meaning the child may not benefit from the compensation claims even if pursued.

Social support services for child victims are provided by the Social Welfare Department and various other institutions and organisations. Hospital-based One-Stop Crisis Centres and the Suspected Child Abuse and Neglect teams provide an initial medical examination and non-emergency interventions for sexual crimes, including when children are involved, and they are said to be very efficient in this regard. However, there is a need for clear referral pathways from local clinics to these centres. Social support services are said to be available mostly in major cities.

Current initiatives for children

Malaysia has produced a number of strategic documents on child protection, including a multi-sectoral Plan of Action on Child Online Protection (2015–2020). In 2019, Malaysia adopted the ASEAN Declaration on the Protection of Children from all Forms of Online Exploitation and Abuse. This requires it to improve child protection standards and policies on OCSEA, thus enhancing the capabilities of professionals in the specialised unit responsible for investigating OCSEA-related crimes, strengthening data collection mechanisms, raising awareness and engaging with the private sector.

The main institutions with a mandate for combating OCSEA include the Ministry of Women, Family and Community Development, the Social Welfare Department of Malaysia, the Malaysian Communications and Multimedia Commission (MCMC), Cybersecurity Malaysia, the Ministry of Science, Technology and Innovation, the Royal Malaysia police, the Attorney Generals Chambers, the Ministry of Health and the Ministry of Education. These institutions have carried out awareness-raising and educational initiatives for both children and caregivers concerning child abuse and online safety; however, it was not clear from the interviews with government representatives how much focus is given to OCSEA in these programmes. The MCMC also assists the Royal Malaysia Police by blocking access to websites containing child sexual abuse materials and helping with suspect identification and digital forensic analyses.

However, government representatives and other informants suggested that a lack of dedicated budgets and trained personnel has made it difficult to concretely implement policies and plans to prevent and respond to OCSEA. With respect to coordination, a Child Online Protection Taskforce was established by the Ministry of Women, Family and Community Development in 2013 for the purpose of overseeing the Plan of Action on Child Online Protection – which lapsed in 2020 – but is no longer functioning. Evidence regarding the effectiveness of awareness-raising initiatives related to OCSEA was also not uncovered.

Awareness-raising efforts have been stunted by cultural discomfort around discussing sex and sexuality, which extends into discomfort around sexual abuse and exploitation. This was evidenced in interviews among justice professionals and in the survey with frontline workers, 72% of whom believed taboos around sex and sexuality are a barrier to reporting OCSEA.

Non-governmental organisations (NGOs) cooperate with the government on education and awareness-raising initiatives. NGOs such as Protect and Save the Children, the Women's Aid Organisation and the Women's Centre for Change, Penang, also support victims during court proceedings. Protect and Save the Children is said to be the only social organisation focused solely on child sexual abuse, with a range of activities from policy advocacy to running a hotline and counselling and therapy services. Monsters Among Us: Youth Advocates is a youth-led organisation that aims to advocate, empower, educate and support child victims of abuse. It has an online reporting portal for victims called Lapor Predator.

Internet service providers are said to cooperate well with law enforcement authorities in the investigation of cases of OCSEA. However, this is not obligatory, and in the absence of any mandatory data retention/preservation law, they may not retain and preserve data with this in mind. Similarly, there is no specific legal obligation for Internet service providers to report CSAM or to remove or block access to websites containing child sexual abuse materials; however, the Communications and Multimedia Act makes them criminally liable if they provide content on their networks that is indecent, obscene or offensive in character with the intent to annoy, abuse, threaten or harass. According to the Malaysian Communications and Multimedia Content Code, "child pornography" is included within the category of prohibited obscene content.

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Key insights

The report concludes by providing six key insights from the research:

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.



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The report ends with a series of detailed recommendations regarding action to be taken by the government, by the law enforcement, justice and social services sectors and by those working within them, by communities, teachers and caregivers, and by digital platforms and service providers. Many of the recommendations align with the Regional Plan of Action for the Protection of Children from All Forms of Online Exploitation | and Abuse in ASEAN.²

2. ASEAN Secretariat. (2021). [Regional Plan of Action for the Protection of Children from All Forms of Online Exploitation and Abuse in ASEAN: Supplement to the ASEAN Regional Plan of Action on the Elimination of Violence Against Children.](#)

HOW TO DISRUPT HARM IN MALAYSIA

Disrupting harm from online child sexual exploitation and abuse requires comprehensive and sustained action from all stakeholders – families, communities, government representatives, law enforcement agencies, justice and social support service professionals and the national and international technology and communications industry. While children are part of the solution, the harm caused by OCSEA obliges adults to act to protect them; we must be careful not to put the onus on children to protect themselves from harm without support.

The following detailed recommendations for action in Malaysia are clustered under six key insights from the *Disrupting Harm* data and are signposted for different stakeholder groups. However, all these recommended actions are interlinked and are most effective if implemented in coordination.



SIX KEY INSIGHTS AND RECOMMENDATIONS FOR ACTIONS

Disrupting Harm Alignment with the Model National Response

Many countries, companies and organisations have joined the WePROTECT Global Alliance to prevent and respond to online child sexual exploitation and abuse. Despite not being a member of the Global Alliance, Malaysia can use the [Model National Response to Preventing and Tackling Child Sexual Exploitation and Abuse](#) to help organise its response to OCSEA. The model is a valuable tool for governments to improve the level of their response.

The majority of the recommendations in this report align with the 21 'capabilities' articulated in the Model National Response. Most *Disrupting Harm* recommendations address legislation,³ dedicated law enforcement,⁴ judiciary and prosecutors⁵ and education programmes.⁶

However, *Disrupting Harm* identifies priority areas for interventions based specifically on the data gathered in Malaysia.

ASEAN recently endorsed the Regional Plan of Action for the Protection of Children from All Forms of Online Exploitation and Abuse in ASEAN.⁷ This Action Plan includes commitments for member states to strengthen online child protection in the region. The plan has seven focus areas ranging from awareness raising and strengthening data collection to legislative reform. The actions recommended by *Disrupting Harm* constitute sustained, practical and evidence-based activities that can be implemented in Malaysia as part of its commitment to the Regional Plan of Action.

INSIGHT 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 that included being blackmailed to engage in sexual activities, someone else sharing their sexual images 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 a single year.

Government

1.1 Continue to engage the public - including children, caregivers, teachers and others - in awareness of violence against children including OCSEA via existing national programmes.¹⁹¹

Ensure that:

- Awareness and education programmes are evidence-based. They should be developed and tested through safe and ethical consultations with children,⁸ caregivers and teachers to ensure that they address their lived experiences of online risks and also include the techniques children use to keep themselves safe. This will help to create campaign messages that are relevant to children and are, therefore, more likely to resonate with them.

3. Model National Response #3.

4. Model National Response #4.

5. Model National Response #5.

6. Model National Response #13.

7. ASEAN. (2019). [Declaration on the Protection of Children from all Forms of Online Exploitation and Abuse in ASEAN](#).

8. This aligns with the ASEAN Regional Plan of Action Activity 6.2.1 on supporting mass and targeted public campaigns on online safety. ASEAN. Regional Plan of Action for the Protection of Children from All Forms of Online Exploitation and Abuse in ASEAN: Supplement to the ASEAN Regional Plan of Action on the Elimination of Violence Against Children. (forthcoming).

9. In Malaysia, the Children's Representative Council (MPKK) under the Ministry of Women's Children's Division could be engaged. The representatives comprise of 30 adolescents aged 13-17 years old from across each state in Malaysia. MPKK is the official children's consultative mechanism, and two representatives from MPKK are members on the National Children's Consultation Council mandated under the Child Act to promote the involvement of children in decision-making processes.

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- Existing evidence-based programmes that have proven to be effective are adapted and contextualised to Malaysia and are prioritised and sustained.
 - The campaigns have universal reach. Children aged 12–13 and children living in rural areas were found to be the least likely to have received information on how to stay safe online. Out-of-school children must also be reached.
 - Interventions and programmes are monitored and evaluated, and use is made of innovative tools such as the online safety programmes evaluation model,¹⁰ which was recently developed by a global panel of experts on online safety. This framework of indicators was designed to address the specific challenges of the East Asia and Pacific regions.
 - Foster an environment in which children are more comfortable having conversations about sexuality or asking adults, including teachers, for advice. Feelings of discomfort, shame or embarrassment can make children reluctant to discuss sexuality with adults; in fact, up to 22% of the children surveyed said they *did not want* to receive any sex education, which may indicate that children perceive discussing sexuality as stigmatising. While children should not be forced to engage in conversations that they are not comfortable with, in the context of OCSEA, it would be beneficial if adults create an environment in which children feel safe enough to report and seek help when experiencing sexual exploitation or abuse.

Awareness programmes should:

- Make children, caregivers and teachers fully aware of the role technology might play in the sexual exploitation and abuse of children.
- Equip adults and children to recognise signs of potential abuse and inform them about how and where to seek help for oneself or for others.
- Target boys and girls equally, as in Malaysia, it is equally common for boys and girls to be subjected to OCSEA.
- Equip caregivers with the knowledge and skills to foster safe and ongoing communication with children about their lives – both online and offline – leveraging, when possible, existing positive parenting programmes in Malaysia.
- 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. Best practices already exist¹¹ and can be built upon and set in the local context.
- Emphasise that child abuse and exploitation, in any form, should never be tolerated and that an experience of abuse or exploitation is never the child's fault.

These messages should be disseminated via the channels preferred by the recipients:

- The *Disrupting Harm* data shows that school teachers are both the primary source and a preferred source of age-appropriate comprehensive sexuality education and information for children. They are also one of the possible points of disclosure for a proportion of children. Engaging teachers in campaigns is critical, not only for disseminating key messages, but also for building trust and a sense of safety so as to enhance the opportunity for an open conversation and, where necessary, disclosure.

10. UNICEF (forthcoming). Evaluating Online Safety: What Works to Keep Children Safe Online.

11. See the Australian eSafety Commissioner's programme 'Start the Chat' to encourage caregivers to talk with their children about their lives online; and eSafety Commissioner's programme for seniors going online for the first time 'Be Connected'.

SIX KEY INSIGHTS AND RECOMMENDATIONS FOR ACTIONS

- For caregivers, the *Disrupting Harm* survey highlighted family or friends, social media, television and children's schools as actual and preferred channels for receiving guidance on children's internet use and how to keep them safe. Parenting online apps may also be a useful channel in Malaysia. One in five of the caregivers surveyed also received information from religious leaders. Taking into account caregivers' individual characteristics and preferences, these channels could be leveraged to disseminate awareness-raising messages or educational programmes about how caregivers can empower children to use the internet safely and effectively.

The government body suggested to lead in implementing this recommendation is the Ministry of Women, Family and Community Development, with the support of Ministry of Health, Ministry of Education, Ministry of Youth and Sports and the Ministry of Communication and Multimedia.¹²

1.2 Invest in digital literacy programmes for 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. Thirty-seven percent of the children surveyed had never received information on how to stay safe online.
- Integrate cybersafety education into national school curricula and empower teachers to guide children's internet use. Existing programmes¹³ in Malaysia should be evaluated and expanded.

- Ensure that these programmes reach younger children and children in rural areas, who have the lowest rates of risk awareness and digital skills, and children not in school.
- These programmes should consider the specific challenges faced by marginalised groups of children and their caregivers and the needs of children with low literacy levels.
- Integrate digital literacy information into positive parenting programmes.¹⁴ Youth-led and youth-serving organisations could also be engaged to deliver digital training.¹⁵

1.3 Increase coordination and cooperation across programmes focused on online and offline violence and, to the extent that it makes sense, with programmes focusing on violence against women and children.

Caregivers, teachers and social support services¹⁶

1.4 Engage with children about their online habits and activities and teach them about the potential risks that exist online, possible protective measures and what to do if they encounter harm online. Overall, caregivers in Malaysia are likely to be familiar with the digital environment and have strong digital skills. They can make use of this knowledge to keep up to date with their children's online experiences. Older caregivers tend to have a much lower level of digital skills and are much less likely to engage in online activities. They, therefore, require tailored programmes that focus on parenting skills, such as how to engage in meaningful enabling mediation, and encompass basic online safety skills, including the nature of online risks and how they may lead to harm.

12. The recommendations for the leading organisations and bodies are based on discussions with over 98 participants – from government, law enforcement, CSOs and NGOs – at the national consultation for the *Disrupting Harm in Malaysia* report.

13. Examples include Yellow Heart by DiGi and DiGi CYBERSAFE (Education Ministry, CyberSecurity Malaysia, Childline Malaysia, Malaysian Communications and Multimedia Commission and DiGi).

14. Existing initiatives in Malaysia could be leveraged. UNICEF MY/National Population and Family Development Board (LPPKN), parents and other government partners came together at a forum to discuss digital parenting for better child online protection. Under the guidance of the forum, a new training module on Digital Parenting and Child Online Protection was developed for the Semarak Kasih Parenting Programme. This module focuses on how to establish rules and guidelines for appropriate digital device use by adolescents, creating a family media plan on safety, establishing privacy controls, monitoring online use, engaging adolescents in discussions about personal privacy and responding to OCSEA instances when they arise. The module will be delivered along other parenting modules, as part of a coherent intervention.

15. Such organisations include Monsters Among Us, WOMEN-girls, KRYSS Network.

16. Government, intergovernmental agencies and civil society need to translate and convey these messages to reach caregivers, teachers and social support staff.

INSIGHT 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.

Government

2.1 Implement programmes that cover sexuality education. Sixty percent of the children surveyed in Malaysia had not received any sex education.

- Programmes should cover issues such as consent, personal boundaries, what adults or others around children can and cannot do to them, risks and responsibilities when taking, sending and receiving sexual images, and how to say 'No' to others. 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. Programmes should be age-appropriate, gender-sensitive and provide accurate information. Programmes should be monitored and evaluated by child protection experts. While some initiatives already exist in Malaysia,¹⁷ they must be scaled-up and reach all children. The Curriculum Development Department (under the Ministry of Education) would be well placed to develop a comprehensive and integrated syllabus, in collaboration with the Ministry of Health, child protection experts and early childhood professionals, and in consultation with other relevant stakeholders (e.g., religious groups, civil society organisations, etc.).

The syllabus should be implemented in both public and private schools and in other educational institutions. The existing curriculum should be adequately funded and scaled-up at all levels, building on international guidance such as the UNESCO International technical guidance on sexuality education.¹⁸

- As school teachers are a preferred source of sex education, they should receive additional training on OCSEA and support to overcome challenges in teaching comprehensive sexuality education in schools. Teacher Training Institutions could introduce a comprehensive sexuality education curriculum into their syllabus along with fundamental training on gender-sensitivity and child psychological health. In addition, regular training on sexuality education could be included under the Ministry of Education's Continuous Professional Development programme to support continuous learning among teachers. This would ensure teachers are adequately qualified to deliver comprehensive sexuality education to children in schools.

The government body suggested to lead in implementing this recommendation is the Ministry of Education with the support of the Ministry of Health and the Ministry of Women, Family and Community Development. Non-governmental organisations could support delivery of these programmes to out-of-school children, marginalised children and children with disabilities.

17. Sex education through the Social and Reproductive Health Education curriculum ('Pendidikan Kesihatan Reproduktif dan Sosial' or PEERS) has been introduced into the primary and secondary school systems by the Ministry of Education, but its implementation is limited for various reasons, including a lack of sufficiently trained teachers and a lack of support from parents and the wider community. Furthermore, PEERS places strong emphasis on abstinence as the best policy. This approach or punitive measures do not confront the reality of adolescent sexuality. Other examples include the Federation of Reproductive Health Associations Malaysia which provides ad hoc workshops in schools on comprehensive sexuality education. The National Population and Family Development Board (LPPKN) under the Women's Ministry delivers comprehensive sexuality education informally via *Kafe at Teen* and their website.

18. UNESCO (2018). [International technical guidance on sexuality education \(revised edition\)](#).

SIX KEY INSIGHTS AND RECOMMENDATIONS FOR ACTIONS

2.2 Age-appropriate OCSEA education and awareness-raising approaches need to reach all children in Malaysia. The *Disrupting Harm* data did not indicate any differences according to age or gender in terms of the likelihood of children experiencing OCSEA, so programmes should target children of all genders and ages. 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.¹⁹ Non-governmental organisations may be ideally positioned to deliver information to these vulnerable populations. This is not intended to place the burden on children to protect themselves, but rather to help them become aware of the risks.

There are other existing reports²⁰ and initiatives²¹ developed internationally that might act as helpful references and examples of good practice in age-appropriate resource material.²²

2.3 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 online or in person. The data indicates that a proportion of children – particularly younger children aged 12–13 – would prefer to receive sex education from their caregivers. Guidance and skills-building for caregivers could be provided through existing government interventions and programmes promoting positive parenting.^{23,24}

Several guidelines exist, including a guide developed to assist UNICEF and its partners in supporting and implementing parenting interventions that prevent and respond to violence against children.²⁵

Caregivers, teachers and social support services²⁶

2.4 Learn about what children are doing both online and offline and be vigilant about the people that their children or the children in their community interact with. Consider whether these interactions seem appropriate for children. Because OCSEA affects children regardless of age and gender, caregivers and duty-bearers should be vigilant about *all* children's interactions regardless of their gender or gender identity.

2.5 Inform children about their right to be protected from all forms of emotional, physical and sexual abuse and exploitation, including OCSEA. Engage with children to build their understanding of how to stay safe by setting boundaries and recognising appropriate and inappropriate behaviour. Education and awareness-raising efforts should not focus disproportionately on 'stranger danger'. The data suggests that, in a proportion of cases, offenders are people known to the child – sometimes family members. Children should be made aware that all forms of sexual exploitation and abuse (both online and in person) are unacceptable, even if committed or facilitated by family members or trusted adults.

19. This aligns with the ASEAN RPA Activity 1.3.3: to ensure that the specific needs of vulnerable groups are appropriately integrated into the development and implementation of national policies and programmes aimed at tackling OCSEA; and Activity 6.2.2: to ensure targeted awareness-raising and digital-literacy interventions for all vulnerable children and high-risk groups.

20. United Nations Population Fund (UNFPA). (2021). [My Body is My Own](#).

21. United Nations Girls' Education Initiative. (2020). [Bodily autonomy and SRHR](#).

22. National Society for the Prevention of Cruelty to Children. (2017). [Talk PANTS with Pantosaurus and his PANTS song #TalkPANTS – YouTube](#).

23. Nur Azira Fideyah Binti Abdullah et al. (2020). [The role of parents in providing sexuality education to their children](#). *Makara J Health Res*. 2020;24(3):157–163doi: 10.7454/msk.v24i3.1235.

24. The Naungan Kasih positive parenting programme's sexual and reproductive health module covers the following topics: Discussion on sexual and reproductive child rights, sexuality and parents' role in sexuality education, activities on talking about puberty, safe/unsafe touch, intimate relationships, sexual consent, child marriage and disclosure of sexual abuse. Parenting programmes under LPPKN could include guidance for caregivers to discuss sexuality with their children in age-appropriate and accurate terms. Schools could also be mobilised through PIBG (parent-teacher association) to engage with parents through the Ministry of Education.

The National Unity and Integration Department runs programmes for and with the urban poor community and could act as a forum to educate parents and the community on the dangers of OCSEA and how to engage in open conversations with their children. All universities and colleges providing social work training should include sexuality education in the curriculum, enable social workers to understand the need to sensitise children and adults about knowing their body parts and functions and provide skills to intervene appropriately and professionally with victims.

25. UNICEF. (2020). [Designing Parenting Programmes for Violence Prevention: A Guidance Note](#).

26. Government, intergovernmental agencies and civil society need to translate and convey these messages to reach caregivers, teachers and social support staff.

2.6 Facilitate access to trusted online sources of information for children as a complement to adult-led comprehensive sexuality education.²⁷

The data indicates that children – particularly older children and children living in rural areas – may be reluctant to seek sex-related information and advice from adults and may rely on their peers (32% of the children surveyed consulted their friends on sex-related matters) or may resort to seeking answers online. Social workers, teachers and other trusted adults should promote reliable online sources of information – such as the ACE website²⁸ or the ANA Chatbot²⁹ – among children. Content from promoted sources of information should be regularly monitored and updated.³⁰

INSIGHT 3

Children mainly experienced OCSEA through the major social media providers, most commonly via WhatsApp, Facebook/Facebook Messenger, WeChat or Telegram.

Government

3.1 Consult with Internet service providers, law enforcement authorities, privacy experts and technology companies to develop realistic, mandatory regulations for filtering, removing and blocking CSAM, addressing grooming and live-streaming of sexual abuse and complying with legally approved requests for user information in OCSEA cases. Monitor for timely compliance and implement sanctions for failure to comply.

Stakeholders may refer to existing regulations from other countries as examples of good practice when considering amendments to the legislation.³¹

3.2 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.³²

3.3 Promote awareness of OCSEA among relevant private sector entities including Internet and mobile service providers to enhance understanding of the risks to children and what they can do to combat OCSEA. Promote multi-sectoral initiatives in order to develop or strengthen internal child protection policies on internet and communications technologies actors, ensuring these are aligned with international standards. Existing guidelines can serve as a useful starting point.^{33,34}

3.4 Engage with owners and proprietors of internet cafes and other computer rental shops to ensure adequate safeguards are in place. The *Disrupting Harm* data indicates that 39% of internet-using children go online from internet cafes. Support owners of these establishments in taking steps to protect 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.

27. United Nations Children's Fund. [The Opportunity for Digital Sexuality Education in East Asia and the Pacific](#). UNICEF East Asia and Pacific, Bangkok, 2019.

28. The National Population and Family Development Board (LPPKN) also provides a SRHR curriculum through [ACE Reproductive and Social Education](#), which is available online in both English and Malay, and is also delivered through their Kafe@Teens initiative available nationwide. LPPKN is an agency under the Ministry of Women, Family and Community Development.

29. The Federation of Reproductive Health Associations Malaysia and UNICEF Malaysia developed the ANA chatbot in 2021. It allows young people to obtain sexual reproductive health and rights information anonymously via [web chat](#) or WhatsApp. WhatsApp: +60 3-5633 7514

30. Government (including the Ministry of Education, the Ministry of Health, the Ministry of Women, Family and Community Development and the Ministry of Youth) in collaboration with civil society organisations and experts could constitute a body overseeing trusted and promoted online sources of information.

31. [United Kingdom Online Safety Bill](#) (Chapter 2).

The [Australia Online Safety Act](#) requires industry to develop new codes to regulate illegal and restricted content. This refers to the most seriously harmful material, such as videos showing sexual abuse of children.

The [EU Proposal for a Regulation of the European Parliament and of the Council laying down rules to prevent and combat child sexual abuse](#) establishing an obligation for providers to detect, report, block and remove child sexual abuse material from their services.

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

33. ITU and UNICEF (2015). [Guidelines for Industry on Child Online Protection](#).

34. Online resources for the ICT sector can be found [here](#).

SIX KEY INSIGHTS AND RECOMMENDATIONS FOR ACTIONS

Consider making licensing conditional on these safeguards. Internet cafes could also serve as avenues to disseminate information among children about online safety strategies, help-seeking and reporting mechanisms, and about practices that promote positive engagement with digital technologies.

The bodies suggested to lead in implementing these recommended actions are the Malaysian Communications and Multimedia Commission (MCMC), with the support of local authorities (e.g., local councillors).

Law enforcement

3.5 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. Consider engaging global platforms through coalitions such as WePROTECT, to which many are already members.

Industry

3.6 Technology companies and online financial providers should consider **proactively detecting and eliminating CSAM**, and identifying grooming attempts and live-streamed child sexual abuse using technology such as PhotoDNA³⁵ and API Arachnid.³⁶ Guidance to help companies establish policies and practices to support the prompt and effective removal of child sexual abuse material exists.³⁷ Private sector entities should also consider engaging with existing networks for support, such as the Asia-Pacific Financial Coalition Against Child Sexual Exploitation.³⁸

3.7 Make formal reporting mechanisms within social media and instant messaging platforms clear and accessible to children and detail in child-friendly terms what happens after children submit a report. Platforms and Internet service providers must respond rapidly to reports made by children and demonstrate transparency and accountability.

3.8 Improve cooperation between Internet service providers and law enforcement agencies by:

- Creating pathways for processing requests and collaborations.
- Training staff to respond to data requests for ongoing cases and minimising processing times.
- Providing the law enforcement authorities with any associated information they have that might help to identify offenders and victims in a timely manner.
- Detecting and removing OCSEA-related content on their servers.

3.9 Prioritise responding to data requests from the courts in cases involving children to help reduce the duration of trials. This could be done by having Internet service providers appoint a law enforcement liaison officer to be responsible for handling any data requests from law enforcement agencies to speed up the investigation and prosecution of OCSEA cases.

3.10 Prioritise children's needs in product development processes. Such designs must be informed by evidence on children's digital practices and their experiences of OCSEA, including the *Disrupting Harm* study.³⁹

35. Microsoft [PhotoDNA](#) helps detect child abuse and assists in the detection, disruption of circulation and reporting for further investigation by law enforcement.

36. Canadian Center for Child Protection. (n.d.). [Project Arachnid](#).

37. UNICEF and GSMA (2016). [Notice and Takedown: Company policies and practices to remove online child sexual abuse material](#).

38. The [Asia-Pacific Financial Coalition Against Child Sexual Exploitation](#) is a platform for law enforcement, regulatory bodies, companies and non-profit organisations to share, leverage and collaborate against online child exploitation. APFC members include banks, credit card companies, electronic payments networks, online third-party payment systems, internet companies, technology companies, social networking platforms, industry associations, law enforcement agencies and NGOs.

39. A good starting point for exploration is the free [tools](#) made available by the Australian eSafety Commissioner and this [framework](#) developed by UNICEF.

INSIGHT 4

Children who were subjected to OCSEA tended to confide in people within their interpersonal networks, particularly a friend, siblings or caregivers. Helplines and the police were almost never avenues through which they sought help.

Government

4.1 Ensure reporting mechanisms are available and accessible to all children, including those who do not live at home or those who do not have trusted adults to confide in. The *Disrupting Harm* data indicates that a majority of formal reports to law enforcement were made by adults, or by children themselves with the support of an adult. A further consideration would be to streamline existing hotlines and helplines and to create one dedicated reporting portal/number for children, that is free, accessible nationwide 24/7, confidential and has trained personnel who can offer online counselling. The current government helpline, the Talian Kasih helpline, is not dedicated to children but is open to other vulnerable individuals, including adults. Evidence from *Disrupting Harm* suggests that there are a number of reporting mechanisms in Malaysia, yet not all are well-resourced or adequately visible. This may create confusion for children who are trying to seek help.

4.2 Raise awareness that existing helplines⁴⁰ can be a source of information about how to support young people subjected to OCSEA. Children may be more likely to confide in trusted adults or friends than to call a helpline. However, the data from *Disrupting Harm* shows that few caregivers (19%) would call a helpline should their child be subjected to sexual harassment, abuse or exploitation. Similarly, 56% of the children surveyed would not know where to go if they or a friend were sexually assaulted or harassed.

Awareness-raising efforts should communicate that peers, siblings, caregivers and teachers can find information, support services and help through helplines.

An important prerequisite is that helplines are adequately resourced and trained concerning OCSEA, so that they can provide good quality information and advice in a child-friendly manner. Employees and volunteers should be screened to ensure that they are fit to work with children and the government should consider the provision of psycho-social support to helpline staff who have constant exposure to trauma-inducing cases.

Awareness-raising programmes may include advertising helplines and the support services they offer at bus stops and on social media, and incorporating messages into child protection awareness messages from relevant government ministries and their partners. Messages can also be disseminated through schools and places of worship, and community volunteers can be trained to disseminate these messages at the community level. Messages should be targeted to all communities including the most marginalised.

The government agencies that should be involved in the implementation of this recommendation include the Ministry of Women, Family and Community Development, the Ministry of Education, the Department of Social Welfare Malaysia, and the Malaysian Communications and Multimedia Commission and CyberSecurity Malaysia under the Ministry of Communication and Multimedia.

4.3 Given that children rely heavily on their interpersonal networks for support, especially friends, consider expanding programmes such as the S.C.A.R.S programme⁴¹, the Federation of Reproductive Health Associations Malaysia's Reproductive Health of Adolescents Module and Life's Journey programmes,⁴² which rely on opening dialogue among young people and encouraging peers to seek help for abuse. Such initiatives could improve children's awareness of OCSEA and increase rates of disclosure.

40. Existing helplines in Malaysia include The Talian Nur Helpline, the Childline Talian Kasih 15999 hotline, National Helpline Childline Malaysia, The Protect and Save the Children (P.S. The Children) Hotline and the Lapor Predator Reporting Portal.

41. Childline Foundation. (n.d). *Programmes*.

42. The Federation of Reproductive Health Associations, Malaysia (FRHAM) strongly advocates for rights-based, gender-focus and informed-choice CSE. Modules such as the Reproductive Health of Adolescents Module (RHAM) and Life's Journey were developed for this purpose. The federation believes in meaningful youth participation and adopts youth-friendly services and youth-led projects in their programmes.

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4.4 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.

4.5 Invest in improving the capacity of all staff working in social support services (including professionals working in health institutions, education institutions, social welfare institutions, rehabilitation and recovery centres and those providing psycho-social support) to recognise the unique risks and harms associated with OCSEA, and to better identify children at risk or that have experienced OCSEA. Training of staff working at the district level should be prioritised as they are the first level of contact and support for victims of OCSEA and their families. Training should also be provided to the secretariat of the Malaysian Council for Anti-Trafficking in Persons and Anti-Smuggling of Migrants to better identify OCSEA cases. The Child Act⁴³ imposes mandatory duties on these professionals to report incidents of child sexual abuse, including OCSEA. In addition, the Sexual Offences against Children Act⁴⁴ imposes a more general mandatory reporting duty that requires any person (whether a professional or a private citizen) to report any offence outlined in the act (which includes OCSEA).

It is, therefore, important that these professionals are equipped with the necessary knowledge to recognise OCSEA and other forms of abuse when they occur. Government agencies that should be involved in the implementation of this recommendation include the Ministry of Women, Family and Community Development and the Ministry of Health through the Suspected Child Abuse and Neglect (SCAN) teams under government hospitals, which can build the capacity of the multi-disciplinary teams on OCSEA.

Caregivers, teachers and social support services⁴⁵

4.6 Responses to disclosures of OCSEA should always convey that the abuse is never the child's fault, whatever choices they have made; it is always the fault of the offender or exploiter of the child.

Data from the household survey showed that 78% of children and 83% of caregivers believed that it is the victim's fault when a self-generated image or video is shared further. Reasons commonly cited by children for not disclosing instances of OCSEA included feeling that they had done something wrong or fear of getting into trouble or creating trouble for the family.

All responses to and interactions with children impacted by OCSEA should be without judgement or punishment.⁴⁶

4.7 Avoid restricting children's internet access as a response to potential harm and, instead, take an active role in children's internet use and provide them with support and information on how to stay safe online. Over a third of the caregivers surveyed in Malaysia said that they would restrict their child's internet access if he/she was upset by something online. This can have a negative impact on children's digital skills and might be perceived by children as a punishment and so reduce the likelihood of them disclosing such matters in the future.

4.8 Help children, caregivers, teachers and those working with children to understand the full extent of the risks of sharing sexual content online, including the possibility of the content being shared further and of sexual extortion, and how to engage in harm minimisation to limit possible negative repercussions. Only 1% of children in the household survey said that they had shared sexual images of themselves online, but 17% did not regard this as 'very risky'.

43. Government of Malaysia. (2001). [Laws of Malaysia - Act 611 - Child Act 2001](#), as amended in 2017, Sections 27, 28 and 29.

44. Government of Malaysia. (2017). [Laws of Malaysia - Act 792 - Sexual Offences against Children Act 2017](#), Section 20.

45. Government, intergovernmental agencies and civil society need to translate and convey these messages to reach caregivers, teachers and social support staff.

46. See for example [WHO Guidelines for the health sector response to child maltreatment](#).

INSIGHT 5

A range of promising initiatives driven by the government, civil society and industry are underway in Malaysia, but weak inter-agency coordination and cooperation and limitations in budgetary resources exist.

Government

5.1 Consider expanding/including the role of the multi-stakeholder committee (Integrated Action Committee on the Management of Children's Issues Online) led by the Ministry of Women, Family and Community Development in general child online protection work, including reviewing and implementing the *Disrupting Harm* findings.

5.2 Address the challenges faced by OCSEA victims and their caregivers within the criminal justice system that lead to them either withdrawing registered complaints or settling OCSEA cases with the offender informally out of court. Victims of sexual crimes may choose not to pursue prosecution for various reasons, such as the length of period it takes to finalise a criminal case against the offender or the shame and stigma that is often associated with sexual crimes. Addressing these underlying challenges will ensure that more OCSEA cases that are reported to the police result in the prosecution of offenders. The government representatives interviewed for *Disrupting Harm* indicated that, since the enactment of the Sexual Offences against Children Act in 2017, few cases of OCSEA reported to the police have culminated in the prosecution of the offenders due to the withdrawal of registered complaints by child victims and the settling of cases outside the formal justice system.

5.3 Allocate financial resources to support 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. Data from *Disrupting Harm* revealed that the specialised courts provide better services to child victims of sexual crimes than ordinary courts as they have child-friendly facilities, such as private entrances and exits for child victims, child-friendly waiting rooms and video link facilities. Ordinary courts do not always have these child-friendly facilities. Currently, however, there are only two special courts, in Putrajaya and Kuching, and the initiative has yet to be expanded to other states.

5.4 Equip more judges, prosecutors, law enforcement officers and social workers, including those working in ordinary courts, with the technical knowledge and skills necessary to handle OCSEA cases and to work with child victims and witnesses in a child-friendly manner within the criminal justice system, and ensure that child-friendly procedures are implemented whenever and wherever children are involved as victims in the justice system. This can be done by:

1. Institutionalising 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.
2. 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.
3. Child-friendly facilities (such as the ones implemented in the special courts for Sexual Offences against Children) should be made available to all courts that work with children. The court methods used in the Barnahus⁴⁷ model may also be explored for adoption.

47. See: Child-friendly centres for abuse victims: [Barnahus](#).

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Government agencies that should be involved in the implementation of this recommendation include the judiciary, the Attorney Generals Chambers, the Ministry of Women, Family and Community Development, the Judicial and Legal Training Institute, the Department of Social Welfare Malaysia, the Royal Malaysia Police and the Ministry of Health.

5.5 Support all child victims of OCSEA in accessing support services including ‘legal companion’ services 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”.⁴⁸ These guidelines serve as interagency standard operating procedures to guide health workers when providing medical services to child victims.

5.6 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, with respect to cybercrime.

Caregivers, teachers and social support services⁴⁹

5.7 Provide all staff working in social support services (including professionals working in health institutions, education institutions, social welfare institutions, and rehabilitation and recovery centres) with evidence-based best practices for responding. This could be done by incorporating information on OCSEA into the existing child protection social services training. When children are brave enough to seek help, those they seek help from must be equipped to support them.

Law enforcement

5.8 Increase the priority attached to OCSEA by the political authorities and law enforcement machinery when investing in talent and resources. Efforts to highlight the threat of OCSEA in Malaysia may enable the D11 division/Malaysia Internet Crimes Against Children (MICAC) Investigation Unit to attract the additional resources required to more effectively combat these crimes.

5.9 Strengthen the Malaysia Internet Crime Against Children (MICAC) Investigation Unit with sufficient personnel and the necessary expertise 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 NCMEC. The team also needs reinforcement in terms of cybersecurity experts and infrastructure. Government representatives and justice professionals who were interviewed were of the view that law enforcement staff’s OCSEA training is currently insufficient.

5.10 Ensure vertical, horizontal and cross-sectional collaboration as a prerequisite to effective operations using standard operating procedures. Limited information was available on the local sub-national units. Although the Malaysia Internet Crimes Against Children Investigation Unit has personnel who provide field support, INTERPOL was not able to interview them.

5.11 Further enhance international cooperation among law enforcement agencies. While Malaysia’s cooperation and coordination with international law enforcement bodies is commendable and it has collaborated successfully with foreign law enforcement agencies, there is scope to extend the level of international cooperation.

5.12 Psychological support for the staff members of the Malaysia Internet Crimes Against Children Investigation Unit and other pertinent units would also help to improve the effectiveness with which they conduct stressful investigations and serve the community.

48. The Ministry of Health Malaysia. (2015). [One Stop Crisis Centre: Policy and Guidelines for Hospitals](#).

49. Government, intergovernmental agencies and civil society need to translate and convey these messages to reach caregivers, teachers and social support staff.

5.13 Ensure that the Malaysia Internet Crimes Against Children Investigation Unit plays a meaningful role in the drafting, finalisation and implementation of preventive policies, including the upcoming National Child Protection Policy and Action Plan, in order to benefit from the interest, engagement and investment of its staff in the digital safety of children.

5.14 Standardise the utilisation of the Child Interview Centres by law enforcement officers when interviewing child victims of OCSEA and other forms of sexual abuse. Although the criminal justice professionals interviewed for *Disrupting Harm* explained that there are Child Interview Centres in every state in Malaysia, they also indicated that these centres are not always used.

Justice professionals

5.15 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. This will enable child victims and their caregivers to make informed decisions.

5.16 Prevent the re-traumatisation that occurs when victims are repeatedly summoned to provide information during investigations and as a result of exposure to the offender during trials. 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.

5.17 Deputy prosecutors must support victims to obtain compensation by ensuring that they submit the necessary applications for it in court. According to the criminal justice professionals interviewed for *Disrupting Harm*, deputy public prosecutors are responsible for submitting applications for compensation to the court on behalf of victims, but they do not always do so. Without the submission of these applications, the court cannot order the offender to compensate a victim of OCSEA.

INSIGHT 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 to ensure a comprehensive response to OCSEA.

Government

6.1 Although provisions on child sexual abuse material can be used in cases of live-streaming of child sexual abuse, the legislation should be amended to **criminalise live-streaming of child sexual abuse as a separate and distinct offence.**

6.2 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/facilitated in the online environment.

6.3 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. Findings from *Disrupting Harm* indicate that cases of OCSEA are sometimes prosecuted under provisions criminalising homosexuality (Sections 377A and 377B of the Penal Code) instead of under the relevant provisions of the Sexual Offences against Children Act. The Government agency that should lead the implementation of this recommendation is the Attorney General Chambers.

6.4 Amend legislation to ensure that provisions establishing age of sexual consent are consistent across legislation and apply equally to boys and girls. A close-in-age exemption should be provided for consensual sexual relationships between adolescents.

6.5 Amend legislation to ensure children are exempt from criminal liability for the self-generation of sexual content.

6.6 Include a provision in the legislation prohibiting sex offenders from **holding positions involving or facilitating contact with children and introduce an obligatory check against the sex offender registry.**

6.7 Consider legal amendments to align with international conventions that offer excellent guidance for addressing this issue – such as the Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse (the Lanzarote Convention) and the Convention on Cybercrime (the Budapest Convention) adopted by the Council of Europe. Although these conventions are regional commitments for member states of the Council of Europe, the guidance they provide on OCSEA is highly relevant. While it may not be required for states outside this region to comply with these conventions, they are a useful measure of national legal frameworks related to OCSEA and they are open for accession by states that are not members of the Council of Europe.

6.8 Ensure the creation of a roadmap towards the implementation of the updated National Child Policy and Action Plan under the Ministry of Women, Family and Community Development.

Following the ongoing review of the Plan of Action on Child Online Protection (2015–2020) and other child protection and child development policies, such as the 2009 National Child Protection Policy and the 2009 National Child Policy, an action plan/roadmap on child online protection should include a coordination mechanism with relevant stakeholders and a monitoring and evaluation plan. The said proposed action plan could build on existing regional and global guidelines, such as the WePROTECT Model National Response and the ASEAN Regional Plan of Action for the Protection of Children from All Forms of Online Exploitation and Abuse in ASEAN.

6.9 Support the implementation of existing policies on child protection and child development by allocating the required financial and human resources necessary for their implementation and building the capacity of relevant government agencies for their respective roles in implementing these policies. The government representatives interviewed indicated that the main challenges facing government agencies in the implementation of policies were limited financial resources and a lack of trained personnel to effectively implement policies and plans. It was highlighted that, in general, the various policies related to child protection and child development are not adequately incorporated in government decisions. The government agencies that should be involved in the implementation of this recommendation include the Ministry of Women, Family and Community Development, the Ministry of Finance, the Ministry of Education, the Ministry of Health and the Attorney Generals Chambers.

6.10 Join the WePROTECT Global Alliance and use the [Model National Response to Preventing and Tackling Child Sexual Exploitation and Abuse](#) to help organise the national response to OCSEA. The Model is a valuable tool for governments to improve the level of their response.

The government agencies that should be involved in the implementation of this recommendation include the Malaysian Communications and Multimedia Commission, the Ministry of Women, Family and Community Development and Cybersecurity Malaysia.

