

Online Content Risk Among Adolescents: Reviews on Malaysia Law and Policy

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Abstract

Content risk protection is an important problem that must be investigated further. This is owing to the upsetting consequences that uncontrollable content circulated among the public, particularly through online media. The public's embrace and use of online media has increased the complexity of controlling this issue. The ease of accessibility is also one of the reasons why so many people use this media. Furthermore, research has shown that online content has a considerable potential for influencing and affecting adolescents. Tighter regulation and enforcement, as well as education and knowledge about risk protection in relation to online content, are all necessary safeguards. The purpose of this study is to review the available research on internet content risk protection for adolescents, as well as the laws and policies in place to address these issues. In order to gather information about the topic, a keyword search was employed. In addition, articles were also grouped the effects of online content towards adolescents in the context of learning, participation, creativity and identity. This has helped to oversee online content risk protection towards Malaysia Adolescents status in compared to others. In conclusion, the results of the review have its potential in assisting readers to understand the policy and regulations available to protect adolescents in Malaysia in the context of online content.

Keywords: *Online Content, risk protection, adolescents, Malaysia*

1.0 Introduction

In modern world nowadays, adolescents are the most vulnerable group in the context of online content. World Health Organisation defines adolescents as an individual age ranging 10 – 19 years old. Internet offers valuable opportunities to adolescents in terms of getting information, entertainment and networking yet it entails risks, especially for those adolescents' voluntary engaging in risky online activities [1], [2], [3]. The new norms have forced them to accept and use online medium extensively. The potential negative consequences due to these risky online behaviours are a major concern for parents and policymakers. Failure to manage well on risky online behaviours among adolescents will prepare them to be fragile, insecure and unprotected. Increasing numbers of accessibility to illegal and dangerous online content, rapid growth of technology has led them to be vulnerable to threats of content risk. Constant access to material risk contributed dilution amongst these generations. In order to understand the current and future actions to be taken to protect online content risk among Malaysia adolescents are needed. Therefore, the present study aims to overview existing policy available offered towards adolescents in Malaysia.

First section of the present study will introduce the readers relating to adolescents and online used in Malaysia. This followed by impact of online media contents towards adolescents, laws available to protect on risk of online content among adolescent specifically. Final section of the present paper will conclude the present available protection and improvement that can be imposed in present law in Malaysia.

2.0 Literature Review

2.1 Adolescents and Online Used

Adolescents are no longer uncomfortable towards using online platform compared to old times, social networking gradually has become part of their daily routine in communicating as well as to obtain information. This environment supported by the growth of social media sites and software's. The rise of online subscribers increased rapidly every year. Online platform also refers to one of its popular mediums that relates to website and software used to generate ideas, exchange data, or engage in social networking [4]. The interaction on social media includes an engagement on social networking platforms such as Facebook, Instagram or TikTok. Online platforms can also use to view author's online blogs, YouTube videos, or discovering fictional environment in an online game. Although social media does not limit to social networking, it also allows access to a web. It is important to remember that many of social networking platforms impose an age limit. For example, Snapchat and Facebook require age limit with minimum age thirteen years old as a restriction in line with the Children's Online Privacy Protection Act [5]. However, underage users on social networking sites able to subscribe by faking their age during registration. Many studies conducted relating to adolescent's protection towards online content risks. Total of 135,000 studies can be found online relating to online content risk. Table 1 below, illustrates numbers of studies conducted relating to adolescent and exposure towards online risks.

TABLE 1
Summary of studies related to online Content Risk towards Adolescents

Year Published	Online Content Risk among adolescents	Online education & adolescents	Rise of Covid-19 Pandemic
	Number of studies	Number of Studies	
2017	366,000	379,000	
2018	260,000	291,000	
2019	191,000	171,000	
2020	142,000	138,000	First case in Wuhan, China Dec 2019 and onwards
Jan 2021 – Mac 2021	91,100	82,800	

Declination of studies relating to mentioned issues are due to the improvement taken occasionally, and once it is becoming a norm, many have alerted and extra precautions was taken by educating the younger generation on what to view and the ability in filtering information's or images obtained online. However, since the outbreak of Covid-19 first case in Wuhan, China onwards, trends of previous studies imposing on online education and children are reducing from 291,000 to 171,000 studies. The rise of the pandemic has forced adolescents to accept and use online platform. Eventually, it also has to be adopted to those who are not familiar with online platforms as well. Due to that, focus has change on the progress of the pandemic and finding solutions to secure humans.

Yet, issues on protecting the adolescences from any online risks are still importance as they are now familiar and used the medium widely. Therefore, without a complete grasp of the implications, adolescents were exposed to many kinds of social media content [6]. Adolescents' rights are constantly looked over in this diminutive race. Child violence, including sexual assault, trafficking and corruption, often caused or encouraged technologies developed, which supposed to be designed to support societies and their individual components. Optional Protocol to the Convention on the Rights of the Child have recognised the danger of damage to children from the early days of the Internet. The trafficking of minors, child prostitution and child pornography has resulted in worldwide law restricting internet materials for child sexual exploitation [7].

2.1.1 Online use among adolescents in Malaysia

There are major challenges that also need to be discussed with respect to the dangers of children accessing social media, as well as questions over the psychological maturity of children to be involved online. This is mainly important to incorporate more conventional screen media with the Internet and social media today [8]. Adolescents' closest advisors was deliberate on the position of parents since they are closest and provider of mobile devices for children to access different forms of social media. Issues arise, when the usage of online platforms was not monitored, it led to psychological effects such as addiction, cyberbullies and many more. Researchers suggested on banning of smart phones into classrooms is an opportunity reduce the addiction among adolescents [8], [9].

In the context of Malaysian parents specifically, the pandemic attack was somehow impacted on the ways of dealing with adolescents at home, as they must carry out duty at home when "Work from Home" (WFH) introduced to control the spread of the pandemic. Adolescents attached to devices such as phone, computer and notebook for the purpose of studying, contacting friends and leisure. Due to this the exposures are higher than before. The situation supported in a report that internet users in Southeast Asia have been among the most active in the region, with average internet users in Malaysia, Philippines, Indonesia, and Vietnam all spending over five hours daily using the internet. It explains that population of Southeast Asia now used internet more than 30 percent of internet usage across the country or 80 million new subscribers in the previous 12 months overall [10]. Furthermore, study conducted by google shows that Southeast Asia is currently the third biggest region for web users with more online people than the overall United States population which able to influence on the region than primarily understood [11].

In Malaysia, the percentage of Internet usage was 86.6 percent, which were often used at home (85.6%), at every location by mobile devices (84%) and at work (58.7%). The highest number of home internet usage indicates the main place to manage internet operations, particularly among children [9]. The highest number of household internet usage indicates the main place to manage internet operations, particularly among children. Malaysian government have done their part in raising awareness among the children and parents on how to use internet ethically, MCMC has introduced program "Click Wisely" in year 2017 and organized more than 800 activities to attract and cater 1.7 million audiences [12]. These efforts were made to prevent insidious effect on social media that as it gives negative effects towards adolescent.

2.2 Positive Effects of Online Content Towards Adolescents

According to a study conducted by previous researcher, there are many advantages or positive effects of online content towards adolescents specifically. It's divided into three categories: 1) Content and adolescents as recipients, 2) Content and adolescents as participants and lastly 3) Content and adolescents as an actor. These three categories affect adolescents learning, participation, creativity and identity. Positive contents led all categories to fully earn from the content such as self-learning, online

learning resources as well as collaborative learning. In addition, it also has the capability in shaping adolescent's identity such as, social networking, forums and lifestyle resources or even on healthy advice. Livingstone [13] summarise the positive effects in below table: -

TABLE 2
Summary of Content Effects towards Adolescents (Adopted [13])

	Learning	Participation	Creativity	Identity
Content-Adolescents as Recipient	Informal e-learning resources	Civic global or local resources	Diverse arts/ leisure resources	Lifestyle resources, health advice
Content-Adolescents as Participant	Participant Online tutoring, educational games/ tests	Invited interaction with civic sites	Multiplayer games, Creative Production	Social networking, Personal Advice
Content-Adolescents as Actors	Self-initiated/ collaborative Learning	Concrete forms of civic engagement	User-generated content creation	Peer forums for expression of identity

2.3 Negative Effects of Online Content Towards Adolescents

2.3.1 Cyber-bullying

Cyber-bullying as "the method of transmitting or posting images and text by using internet, smart phones or other gadgets intended to insult or embarrass another person by hostile behaviour such as sending texts and sharing ugly comments on social media" [14]. Cyberbullying is an issue that able to lead to anxiety and depression in the victims. In many nations, cyberbullying is also the source of suicides by young people. It is hard enough that there are kids who are victims of strangers' cruel remarks and more are victimised by strangers. Online sexual predators attract many female online customers as well [15]. However more study supported that male youngster higher as victims to cyberbullying and affecting their life that much [44]. It can be concluded regardless of male or female youngsters are exposed to cyberbullying.

2.3.2 Cyber-stalking

Cyber-Stalking is an obsessive surveillance or attention to the victim who might harass him or her is known as stalking. Using social media, cyber - stalking can be done in several different ways. False allegations, defamation, gossip and libel can be used. Monitoring, identity stealing, intimidation, or information that may be used to intimidate, shame, or annoy can also be used [16]. An amendment on cyberstalking relating to children, as sharing information online allows them to be risky and affected in cybercrime [17]. The situation is always falsely interpreted by viewers on the editable version of video online without knowing the actual situation.

2.3.3 Cyber-grooming

Cyber grooming is described as the tactic used among cyber criminals to enable use of their goals by acting to be friends with cyberspace children to gain interest before they are unsuspecting that they've been manipulated [18]. The Ministry of Women, Family and Community Development, abbreviated KPWK, is a ministry of the Government of Malaysia responsible for social welfare: children, women, family, community, children, older people, destitute, homeless, disaster victim, disabled. Ministry finds that, one in ten children was asked to post their own personal photographs or videos online; a spike of 300 percent in Internet- related cases of rape began around 2010 and 2015; and 80 percent of

victims' recorded cases of rape during the last two years included Internet associates, with the majority of the victims under age of 18 [18]. Cyber-grooming has becoming significantly towards the youngsters nowadays in shaping its mind and interest.

2.4 Online Content Effects towards Adolescent Behavioural Disorder and Emotional Abuse

The influential advertisement they see from social media platforms affects many youngsters, and it is also significantly affecting their attitudes and behavioural comprehension. Most of them are not informed that they are personally targeted. Their behaviours and demographics are monitored by the pages that visited by them [19]. Young people who are social media addicts wind up wasting hours viewing videos, images and other posts shared by their peers and pages they follow every day. They probably be spending a large amount of time daily, resulting in low school scores. Many heavy internet users admit that their feeds are updated as much as 100 times a day and often even during school hours. Some children also know that they are spending a lot of time on social media and that has a negative effect on their attitude. It also induces a defeatist mentality in them [20].

2.5 Legislative System of Internet Broadcasting in Malaysia

In Malaysia, more than 50% children at the age between 6 to 12 years old have social media accounts where they share personal pictures and videos. Based on the survey their purpose on registering social media account is for limitless interactions among their friends and people around the world [21]. Our national values are endangered by exposure to material threats among children in Malaysia. Some of the impacts of material threats, as seen in previous research, have impacted children and teenagers in real life. According to statistical report, smoking, drug abuse, sexual intercourse among unmarried couple and rude to the parents are becoming norm in this country [22].

Exposing negative influence, the fast development of ICT was to blame in these serious social ills among the adolescents. Children have been subjected to the possibility of these attacks by the large use of the internet. Government has to play vital role on controlling the online content in the cyberspace and ensuring the safety of children from any cyber threats. One of the few countries in the world with a strongly developed internet infrastructure is Malaysia. Malaysia has set in place a variety of regulations in order to mitigate the big problems presented by new technical developments. More than ten new Internet laws were passed by Malaysia and several relevant changes were made to current laws on cybercrime and cyber security issues [23].

2.5.1 The Federal Constitution of Malaysia

Internet legislation in Malaysia is part of the general law defined in the Federal Constitution under the terms of freedom of expression. Equality of speech is protected under Article 10(1) of Section II of the Federal Constitution. Every individual has the right to freedom of speech, but in some conditions, Parliament can limit that right to preserve good relations with other countries, public order or morals, and any other limitation on the security of Parliament's protections or any offence [24]. Therefore, online broadcasting rights may be categorised, according to the limitations imposed, be defined as freedom of speech under the Federal Constitution of Malaysia. The Malaysian government, however, has not placed bans or restrictions on websites, except for websites that breach national pornography laws. Failure to have adequate specific legal requirements for the censorship of internet content should not be related to absolute freedom of expression online. It is because the state may depend on other legislation or introduce various methods of censoring online broadcasting opinions.

2.5.2 *The Communications and Multimedia Act (1998)*

The Communications and Multimedia Act (CMA) was implemented by the Malaysian government in 1998 to regulate and filter the internet and online broadcasting [25]. The Broadcasting Act 1988 was repealed by the CMA which allowed the government to control all broadcasting matters under a single piece of legislation. The CMA includes certain explicit requirements for the defence of freedom of speech online, such as "nothing in this Act shall be construed as allowing Internet censorship" [26]. However, the government has placed some limits on the broadcasting of material inside the CMA for the prevention of Internet violence.

For example, Section 211 specifies that a service provider of information applications or any user using a software application service shall not offer content that is pornographic, obscene, false, threatening or offensive in nature in order to interrupt, assault, threaten or harass anyone. However, concerns are often raised as to whether Sections 211 and 233 of the CMA violate the government's "no internet censorship" strategy. In fact, the aims of Sections 211 and 233 of the CMA are not for internet censorship to be enforced. Despite today's technical advances, no authority or regulatory agency in the world can effectively control online broadcasting. There are also options to circumvent these government-imposed limitations on viewing websites. In comparison, if a country tries to censor the internet, it will draw mass protest, causing the government more harm than gain.

2.5.3 *The Malaysian Communications and Multimedia Content Code*

Self-regulation model between industries, the Malaysian Communications and Multimedia Content Code was drafted. Although complying with the content code is voluntary, nearly everyone is committed to this. Unique guidelines for the recognition of permitted and forbidden material in Malaysia have been implemented by the Code, in the field of broadcasting, and content guidelines. These advice recommendations are familiar with the current national and policy goals of Malaysia's national information infrastructure. The Material Code makes it clear that all regulations related to conventional modes of broadcasting would extend similarly to internet broadcasting. This technique is somehow close to the EU tactic that everything that is prohibited offline is still illegal online.

2.5.4 *The Film Censorship Act (2002)*

Via the Film Censorship Commission, the Malaysian Ministry of Home Affairs regulates film censorship [27]. The Film Censorship Act, the Film Censorship Board must first approve all films for all TV programmes and films shown in Malaysia, the Film Censorship Board has implemented a classification scheme [27]. Films and Television shows are classified under this classification system based on various categories of viewers. Nowadays, because of the massive development of internet motion picture streaming, the effectiveness of the film censorship board is under immense pressure. Such forms of utilities are available all over the Internet and can be easily reached by subscription. Under simple subscription regulations, a paying user can reach these pages remotely from any location via a Broadband internet link. Despite of some sort of censorship, they will enjoy original programmes. Any clear regulatory and legal mechanism for such content is yet to be established by the Malaysian government. In addition, global online broadcasts claim that they are not forced to comply with the CMA 1998 and the Censorship Act 2002 along with Section 3 of the CMA 1998, which means that there is no censorship on the Internet [27].

2.5.5 *The Evidence Act (1950)*

The Evidence Act 1950, updated in 2012, is used to make internet broadcasters liable for the creation of seditious content on their websites [28]. This means that, even though they may not be the

source, hosts of sites, online forums, social media pages, news sources, blogs, and even internet service providers (ISPs) will be considered accountable for content published on their channel or network. This at concern as studies has shown on the increase of users are among adolescents and they are at risk without the necessary filter on information available online [29].

2.5.6 *The Sexual Offences against Children Act (2017)*

The Sexual Crimes against Children Act 2017 has specifically banned the distribution, production, direction of child pornography or the use of children in such activities in Malaysia [30]. Publications of such pornography are also punishable under this Act in any way, including online broadcast media. The penalty for exchanging, writing, copying, reproducing, marketing, broadcasting, advertisement, or doing business for profiting from child pornography is punishable with imprisonment not exceeding 15 years and not less than three whipping strokes [8]. It is inferred from the above discussion that the laws regulating the broadcasting environment are reasonably defined in Malaysia but dispersed. The proliferation of media technology and the entry of modern broadcasting media have, however, made it appropriate to include new legislation as custodians of online broadcasting media as well as existing broadcasting media.

3.0 Methodology

This study reviews the evidence regarding the effects of SMT on adolescent wellbeing. The methodological principles upon which this study was developed are influenced by systematic reviewing techniques and include seeking transparent and rigorous approaches to identification, quality appraisal and synthesis of studies [31]. At its simplest, systematic reviews are “designed to provide a reliable picture of ‘current best evidence’ relevant to a particular question”. The great emphasis is placed on the rigour of selection and appraisal methods within such reviews, of equal importance is the methodical quality of data synthesis [32]. Pound and his friends describe ‘synthesis’ as “a process of extracting data from individual research studies and interpreting and representing them in a collective form” [33]. In most cases the final product of such reviews is the presentation of a statistical (quantitative) or narrative (qualitative) summary of findings [34].

Due to the nature of the research question and research designs involved within this review a statistical meta-analysis of data was not possible so a narrative review approach to synthesise was used. Narrative reviews may be used to explore studies that investigate: the effects of interventions; the factors shaping the implementation of interventions; the needs and/or preferences of particular population groups; and the causes of particular social and/or health problem [34]. The methodology of narrative synthesis was informed by the work of who developed an approach involving four specific elements or steps: (1) developing a theory of how the intervention works, why and for whom; (2) developing a preliminary synthesis of findings of included studies; (3) exploring relationships in the data; and (4) assessing the robustness of the synthesis. The method was further validated in work by Edwards & Kaimal citing how rigorous narrative synthesis approaches added “meaning to quantitative findings” [35]. This framework was adopted to reduce bias and to enhance the transparency of the review.

4.0 Findings

Based on reviews made, there are many of the laws and policy protected currently under the list of laws listed in table 3 below. Although the risk is open in the market, yet rules and regulations are available to restrict and banning any productions that involves in any act displaying uncensored, explicit and bad contents toward adolescents.

TABLE 3:
Summary of law protection related to content

No	Content Related	Laws Protection
1	Internet service providers (ISPs) will be considered accountable for content published on their channel or network on any negative contents that affected adolescents.	The Evidence Act (1950) [36]
2	Publications of such pornography are also punishable under this Act in any way, including online broadcast media.	The Sexual Offences against Children Act (2017) [37]
3	Massive development of internet motion picture streaming has caused many abide the censorship Act. Displaying uncensored films.	The Film Censorship Act (2002) [27]
4	The Material Code makes it clear that all regulations related to conventional modes of broadcasting would extend similarly to internet broadcasting. Tactic that is prohibited offline is still illegal online.	The Malaysian Communications and Multimedia Content Code [25]
5	Government has placed some limits on the broadcasting of material with prevention of Internet violence	The Communications and Multimedia Act (1998) [25]

Based on review conducted, study has found that adolescents are often oblivious to the consequences and implications of disclosing their personal details, whether it is their own or family data. As a result, certain nations, such as the United States of America, have introduced strict legislation that protects children's privacy, such as the Children's Online Privacy Protection Act (COPPA) [38]; or developed self-regulatory policies on online children's privacy, as the European Union (EU) provides [39]. At the worldwide platform, the United Nations adopted the Convention on the Rights of the Child (CRC) in 1989 to specifically protect children. The CRC recognizes that children are a vulnerable group who need special care and protection.

In other words, the system of legislation that protects children in Malaysia does not offer clear and specific protection of children's online informational privacy in Malaysia, but rather protects children from abuse and crime [40]. Malaysia's government has enacted the Child Act 2001 and the Sexual Offences Against Children Act 2017, both of which protect children. As previously mentioned, Malaysia lacks legislation protecting children's online informational privacy. This is due to the fact that the above-mentioned Malaysian Acts primarily address the defence of adolescents against criminal conduct committed either online or in the physical world.

As a result, the non-censorship pledge has not achieved its ultimate goal of encouraging self-discipline among adolescents. Rather, Malaysia's Internet industry has taken the "easy way out." There were no active efforts to implement concrete strategies to minimize children's exposure to content risks. As a result, ISPs were not expected to create any classification scheme that could categorize online content into unique categories appropriate for children. At the moment, the only classification scheme available is run by Lembaga Penapis Filem Malaysia, and it only applies to films [41]. However, it does not protect material such as games, videos, and online content that most of the children spend more time accessing on the Internet. Direct online video streaming does not necessitate labelling or censorship. This introduces new challenges in combating material threats. In contrast, Australia has a National Classification Scheme that applies to all types of material [42].

The Penal Code is an Act relating to criminal offences that is applicable in Malaysia and covers all people, including children and adolescents. There are, however, a few laws that expressly shield adolescents from illegal actions. For example, selling obscene items to minors (Section 293), kidnapping a minor from lawful guardianship (Section 361), preventing a child from being born alive or causing it to die after birth (Section 361) (Section 315), infanticide (Section 309A), exposure and

abandonment of a child under the age of 12 by a parent or individual in charge (Section 317), statutory rape (Section 375(g)), and inciting a child to commit a gross indecency (Section 375(h)) are all prohibited (Section 377E) [43].

5.0 Conclusion and Discussions

The aim of this research was to shed light on how the use of social networking platforms influenced children by analysing bad impacts. Internet and social media are here to remain, but we need to figure out ways to shield children from their negative capacity as a society. By educating children and also their parents, caretakers, and teachers, the consequences to their security, well-being and mental health, and vulnerability to cyber-bullying and exploitation need to be mitigated. Effective procedures for protecting their privacy need to be taught to children and should be adequately modelled through good examples given in their lives by adults. Child and Screen, Institution of Digital Media and Child Development provides tips for parents in monitoring and guiding children's in using digital platforms, to protect children health mentally and physically. This is due to the long attachment on screen among this age group. It includes to further monitor on suitable contents, technique in blocking sites and many more.

However, safeguarding from the negative effects, a comprehensive piece of legislation covering internet broadcasting, collecting current legislation and importing contemporary legal provisions, must be enacted by Malaysian Government. It is clear from a thorough review of the rules and regulations regulating mainstream media that online broadcasting in Malaysia is not actually protected by an organised regulatory order. This is attributed to the fact that most of Malaysia's broadcasting laws were written before the invention of the Internet. In addition, the assurance of no guarantee of censorship on the internet also has made it impossible for regulatory authorities to exert meaningful control over the licencing of online broadcast media.

Protective applications and devices, along with necessary controls, need to be extended to social networking platforms that are more commonly visited by children and regulations need to be in place to shield victims of inadequate or adverse approaches against further damage by the justice systems. In addition, adolescents, together with their parents, also must be aware of the potential dangers of social media as well as how to handle them in order to learn from the beneficial aspects of technology. Technology for teaching has been an essential part of the education of a child. From the earliest stage possible, digital skills, including online security, must be taught. In practice, from early primary school age, this means for today's environment. Childcare providers across the region need enhanced professional capacity to address online child protection issues, as well as increased accessibility to children through online technologies such as SMS, online chat and social media.

6.0 References

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