

News

How should the law deal with cyber buayas?

Trap them or...



SCARE THEM?

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THEY are lurking in our midst, ready to pounce on young victims. In one case earlier this week, six men were caught for having paid sex with a 15-year-old boy.

The New Paper on Sunday's test revealed many more potential buayas (crocodiles in Malay and slang for sex predators) who hunt in cyberspace.

If they lay their hands on their victims, they could face up to two year's jail or pay a fine of up to \$5,000 for committing obscene acts under the Children and Young Persons Act.

But can such acts be prevented in the first place? Such buayas operate brazenly in Internet chatrooms, and it did not take much to flush them out with a one-line proposition.

To keep buayas at bay, two experts say urgent action is needed.

Mr John Shaznell from the Association of Telecommunication Industry of Singapore believes the predator's activities should be exposed to the authorities the moment he suggests a lewd act to a child.

Added Mr Shaznell, a Briton: "It's a preventive measure that would deter potential harm from befalling underaged children."

There are laws in place to protect minors in such instances. One, in particular, involves the offence of sexual grooming.

The law, introduced in 2007, states that a person

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—Lawyer Satwant Singh, who says the law needs to be amended to address the issue

above 21 is liable for the offence when he "intentionally meets or travels to meet a minor with the intention of committing a sexual offence with the minor".

The accused must also "have met or communicated with the minor on at least two prior occasions".

A person found guilty of sexual grooming may be fined and jailed for up to three years.

Change the law

Lawyer Satwant Singh believes the law needs to be amended to address the issue of Internet predators.

He said offenders should be punished if it can be proven from chatroom transcripts that they had enticed children to perform immoral acts.

In other words, don't wait for the predator to meet the child before acting.

"At the first meeting with the child, he could have sex with the child. We shouldn't wait for a sexual predator to destroy a child's life," Mr Singh said.

"If we catch the instigator early, then we would be able to prevent the crime from taking place."

While evidence to prove sexual grooming may be hard to collect, it is not impossible, said Mr Singh.

Evidence might include chatroom transcripts, the presence of pornography, or even a camera that is used to photograph the lewd acts if it is found on the culprit, when he meets or travels to meet the minor.

In Australia, a sexual predator can be stopped earlier, said Dr Raymond Choo, a Canberra-based researcher at the Australian Institute of Criminology.

Said Dr Choo, who was with the Singapore Police Force for five years: "In Australia, the fact that an adult pretends to be a child to establish contact with the victim... can be viewed as an act preliminary to commission of a sexual offence."

He added there have been a number of cases of children (or undercover law enforcement officers posing as children) having been approached online that have led to prosecution of those responsible in Australia and the United States.

The police do conduct anti-vice raids regularly in the real world. Should more be done in cyberspace as well?

SNARING CYBER BUAYAS

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Internet chat

In Singapore this is still considered harmless.

But if the conversation takes on a suggestive nature, this could be used as evidence under the requirements of the sexual grooming offence.

In Australia, lewd acts proposed by an adult online can result in prosecution.

Meeting the minor

In Singapore, meeting or communicating with the minor "on at least two prior occasions" can amount to sexual grooming, which carries a fine and a jail term of up to three years.

In Australia, face-to-face meetings, either actual or planned, may be enough to prosecute the offender.

Sexual act

If cyber chatting leads to sex with a minor, this would be in violation of Section 376B here.

The adult can be jailed up to seven years or fined, or both, when he obtains the sexual services of a person under 18 years of age.

In the US, a man was sentenced to 280 months, because as a registered sex offender, he had enticed a 13-year-old girl he met online to engage in sex acts.

Pimping

In Singapore, when a minor has been used by an adult to sell sexual favours, the adult would have committed an offence under the Women's Charter, by living off the earnings of a prostitute.

Those guilty can be jailed up to five years, fined up to \$10,000, or both.

In the US, coercing a minor to engage in commercial sex acts is an offence, carrying a fine and jail of not less than 15 years or for life.

Trafficking

When somebody engages in the trafficking of women and girls, whether for sex or not, he can be jailed not more than five years and fined not more than \$10,000.

In the US, the offence of trafficking a minor for the sole purpose of sexual activity carries a penalty of fine or jail term of not more than 30 years, or both.

TNP ILLUSTRATION: LEE HUP KHENG

Organized by: National Youth Council
Supported by: MCYS

In conjunction with SHINE Youth Festival '09, the Stars of SHINE is a youth role model award in recognition of youth who have inspired their peers through their life changing experiences. Here are this year's winners:

YOUTH VENTURER AWARD	YOUTH CONTRIBUTION AWARD	YOUTH CONTRIBUTION AWARD	YOUTH INSPIRATION AWARD	YOUTH INSPIRATION AWARD	MOST FAVOURITE NOMINEE
ADRIAN CHUA	MERVYN SEK	DINA EE	HARIDHARAN S/O JAGANNATHAN	ALEX LIM	SEAH HOCK RONG
Adrian is a youth entrepreneur who helps youths to achieve their dreams.	Mervyn helped the NUS NMAC attain the prestigious Commonwealth Youth Silver Award 2008 and is an active volunteer at grassroots sessions.	Dina has initiated active ageing projects and organised community visits for her school's community programme.	Struck with cerebral palsy, Hari pushes on with volunteerism and was honoured the NYAA Bronze Award.	Ex-governor offender, Alex, has been an active volunteer with MCYS Youthworks for the past five years.	Hock Rong is a multiple NYAA winner and serves on various grassroots committees.

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