



# Child Online Grooming in Malaysia: Prevalence and Current Legal Standpoint

Norhayati Mohamad Hussain<sup>1</sup> (✉) and Nurzali Ismail<sup>2</sup>

<sup>1</sup> Universiti Utara Malaysia, Kedah, Malaysia  
norhayatimh@uum.edu.my

<sup>2</sup> Universiti Sains Malaysia, Pulau Pinang, Malaysia

**Abstract.** Child online grooming is an act that includes online behaviours of adults that aims to attain some type of sexual contact with a child. Along with the exponential range of research focusing on the information and communication technology (ICT), research involving child online grooming has grown considerably in the past decade. However, in Malaysia especially when the Internet boom started later than developed country like the USA, the Internet remains a fairly new and mostly unregulated entity, which in turn can place children at risk of experiencing some of its potential threats, including unwanted online exposure to sexually explicit pictures or videos, as well as unwanted online solicitation (i.e., requests by a peer or adult to engage in unwanted sexual activities or sexual talk online) which can result to online grooming. This paper look at the prevalence of online grooming in Malaysia and the current legal standpoint against it. Based on newspaper reporting and studies centred around the involvement of Malaysian children in online sexual abuse, it can be concluded that online grooming is a growing and prevalent situation in Malaysia. The Sexual Offences Against Children Act and Sexual Crime Court Against Children which directly target individuals who approach children either online or offline with the intent of sexually grooming and abusing them have been launched in 2017. Parents need to be made aware of the dangers that their children are exposed to online.

**Keywords:** child online grooming · social networking sites · children · child sexual abuse

## 1 Introduction

Section 2 under Child Act 2001 in Malaysia defines a child as a person under the age of eighteen years. This vulnerable group represents nearly 30% of total 32 million Malaysian populations, according to the Malaysian Statistics Department. Lately, the increase of child rape cases has been proven to be more predominant along with the emergence of various social media platform. A study by Marret and Choo [1] found that 51% of young people using mobile phone with Internet connection had been invited to offline meetings, with 30% of them complying with the request. The evidence of young people's involvement in online sexual abuse is in fact overwhelming. Since 2010, enforcement agencies in Malaysia have received more than 400 reports of Internet-related rape cases, of which 339 involved minors [2].

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Yaakob [3] reported that a 13-year-old schoolgirl had become a rape victim of her newly met 16-year-old boyfriend from WeChat. In addition, five teenagers aged 13 to 18 were arrested for raping a 15-year-old girl repeatedly after having met her through WeChat only three weeks prior [4]. On August 11, 2014, Sinar Harian newspaper reported that a 14-year-old schoolgirl had been gang-raped by four men, one of which included her alleged 22-year-old “boyfriend” that she recently met on WeChat [5]. Worse, a 12-year-old was not only repeatedly raped, but was also continuously given cocaine as a “reward for sex” by a 24-year-old man that she met with, also on WeChat [6]. Even with the seriousness of this issue, some victims chose not to report rape cases as some victims do not acknowledge the offence as a crime, do not have adequate resources or feel ashamed and embarrassed to report the crime [7].

## 2 Online Grooming

The body of research concerning the topic of child online sexual grooming is expanding worldwide, together with the advancement of the digital Internet era. The advancement of the Internet not only provide new opportunities for children to explore and easily search for information online, but also expose them to multiple danger and threat if utilized improperly.

Online grooming is defined as the process by which an adult builds an online relationship of trust and influence over a child in order to obtain some type of sexual interaction, either online (e.g., obtaining sexual images of the child) or offline (e.g., meeting in person), with the child [8, 9]. While online grooming is fairly an emergent topic of interest, the grooming phenomena itself is neither new nor exclusive to the online environment only. Researchers have found that child sexual grooming took place in an offline setting with different groomer characteristics before the emergent of the Internet use that alter the grooming strategies used [10].

Research surrounding child online grooming includes the processes of online grooming and strategies implemented by predators to ensnare child victims [11, 12], characteristics of online groomers [13], and the vulnerabilities of children that plays into their susceptibility of online grooming [14]. Children are a more vulnerable towards online grooming compared to adults as they are more likely to engage in risk taking behavior online, have constant connection of Internet access, and lack of parental involvement in monitoring the children’s internet use [9]. Moreover, research has found that girls are at a higher probability of being groomed online compared to boys as girls are more likely to face unwanted encounter and asked inappropriate questions online [15, 16].

In addition, there are also research that aim towards demonstrating the prevalence of unwanted sexual encounter and unwanted online solicitation which can lead to child online grooming that has been proven to be more common throughout the years. For example, [16] conducted a study on 2,731 young people in Madrid found higher prevalence in online sexual solicitation compared to previous studies, citing a more comprehensive evaluation of sexual solicitation and the increase use of ICT among children as the reasons. Similarly, a 2021 study by [17] on 1801 Spanish children has also found the prevalence of grooming in this sample seems to increase progressively from 12 to 15 years.

## 2.1 Prevalence of Child Online Grooming in Malaysia

Malaysia is a South East Asia country with the Internet penetration rate of 89%, making it second behind Brunei [18]. Furthermore, a survey by MCMC found that there are 155% increase of children age 5-17 using the Internet in 2020 compared to 2016 and 2018 [19]. More than half of these children (56.3%) were accessing the Internet from their own personal device (smartphones, computers, tablets). Along with these exponential growth of child Internet users are concurrent growth in Internet and social networking sites (SNS) exposure. The Internet could be a wonderful place that act as a source of information, and could be greatly beneficial to children in terms of greater access to learning opportunities, valuable resources, and positive social interactions with peers [20].

However, in Malaysia especially when the Internet boom started later than developed country like the USA, the Internet remains a fairly new and mostly unregulated entity, which in turn can place children at risk of experiencing some of its potential threats, including unwanted online exposure to sexually explicit pictures or videos, as well as unwanted online solicitation (i.e., requests by a peer or adult to engage in unwanted sexual activities or sexual talk online) which can result to online grooming.

Studies on the prevalence of online grooming in Malaysia is relatively scarce. A nationwide survey conducted in 2014 with 14,000 students (National Survey 2014: CyberSAFE in Schools) reveals a troubling finding [21]. The study was designed to look at a variety of internet-related behaviours, including: online safety, cyberbullying, social networks, and individual concerns. According to the report, youngsters do not care about safeguarding their privacy online, making 83 percent of them open to dangers due to the insufficient precautions taken. The survey also revealed that 70% of kids are not cautious when communicating with strangers online or when engaging with the anonymity of the opposite side, which leaves them open to online grooming. Rashid et al [22] study, which included 205 children aged 10 to 17, further demonstrated the alarming scenario regarding the prevalence of online grooming in Malaysia. In their investigation, it was shown that 19.5% of youngsters had been targeted to talk about sex online. More disturbingly, 61.5 percent of the kids had been requested to meet someone they met online in person.

In a different study, [1] study 3,349 Malaysian secondary school students. Their research revealed that 51% of the students had received requests to meet up Face to face from people they had first met online. Further research revealed that 30% of the students who were invited to meet offline actually complied with the request, with some of the students reporting verbal, physical, and sexual assaults. Additionally, according to the UNICEF (2020) evaluation of national education policies in East Asia and the Pacific, 223,999 illicit photos and videos were reported in 2018, with 91% of those involving children under the age of 13 and 80% of them being female. The level of parental participation and understanding in preventing online child grooming is another important factor in the prevalence of the practise in Malaysia. In addition, a study by [23] included interviews with 23 parents of kids between the ages of 10 and 17. The results imply that although parents are aware of the hazards associated with online predators, they are compelled to provide their kids access to the internet and smartphones because they are a “important component of children’s existence nowadays” [23].

R.AGE, a group of local journalists, created the “eye opener” campaign “Predators in My Phone” in 2016 with the goal of highlighting the seriousness of the online grooming and predators issue in Malaysia. They use WeChat as the medium for their social experiments, and they employ adults to trick the predators into believing they were talking with children under the age of 18. When they meet the predators face-to-face, they utilise a covert camera to film the conversation and upload it to YouTube. Although there was a clear age difference between the predators and the “school girls,” they insisted on meeting in person before attempting to force their victims to have sex. They were able to secure interviews with some of the cyber predators for their exposé series. One of the predators, a 28-year-old male, admitted that he only searches for “People Nearby” on WeChat, filters them based on gender, and sends messages to as many girls as he can find. This strategy will undoubtedly cause some innocent young people to fall into his trap and become grooming victims online. These real-world examples showed how widespread the problem is and how urgent measures must be made to safeguard the nation’s youngsters.

## 2.2 Vulnerabilities of Children to Online Grooming

A vulnerable condition is defined as “susceptibility of some groups of people to victimisation, through no fault of their own, but based on some demographic or other traits, for example youngsters, elders, or women as these people are more prone to being victims” [24, p. 100]. According to research, young individuals are particularly susceptible to being approached, groomed, and used for sex by adult sex predators [25, 26]. Parents, schools, a child protection organisation, and law enforcement—who work to protect and safeguard young people who are vulnerable to sexual abuse—were deeply concerned about this situation. For both theoretical and practical reasons, it is crucial to comprehend the risk factor linked to young people being “susceptible” to online grooming.

Numerous research have focused on the susceptibility of victims as it existing offline and moves online, although some victims are solely vulnerable online, according to other studies [26, 27]. In addition, studies have shown that young people, who are not thought to be vulnerable offline, are vulnerable online [9, 26]. This finding revealed that aspects of Internet use, such as risk-taking behaviour displayed online, a lack of proximity, and the perception of anonymity, may increase the risk of online vulnerability [28]. The psychological, environmental, social, behavioural, and interpersonal risk factors that increase the likelihood of young people being sexually exploited and solicited online have been extensively studied in earlier research [30]. The likelihood of young people being sexually solicited is reportedly increased by a number of risk factors, including prior incidents of physical or sexual abuse, depression, interpersonal difficulties, risky online behaviour (sharing personal information, communicating with strangers they met online), and problematic offline behaviour (delinquency, alcohol and drug abuse) [30, 31].

Various research have looked into the risk factors that make young people more vulnerable in the specific field of internet grooming and exploitation. The results showed that there are several risk factors that are similar for both online sexual solicitation and online grooming. For instance, Palmer’s [27] research confirmed what [31] study on young people who experienced online sexual solicitation found: those with mental

health issues are more susceptible to online grooming. [9] interviewed eight victims of online grooming for their study and discovered that risk variables within the person, family, community, and society all contribute to young people's susceptibility to online grooming. The Social Ecological Model put forth by Bronfenbrenner, which is a hypothesis of human development, is shown to parallel these aspects. In addition, a number of research investigating the susceptibility of young individuals link back to risk variables in Bronfenbrenner's model. According to [13] analysis of young people's susceptibility to online grooming, each young person's family, friends, community, and larger society all have an impact on them. According to a study by [16], psychological and individual characteristics, including depression and the presentation of risky behaviour both offline and online, as well as age and gender, affect young people's vulnerability to online grooming.

There is little literature currently available in Malaysia investigating young people's susceptibility to sexual abuse, whether offline or online. Child sexual abuse is a form of child abuse that needs to be addressed right away, according to a 2013 study by [32] that involved interviews with numerous representatives of child welfare institutions. Furthermore, a study on child prostitution in Malaysia has found that 67% of the young people who engaged in prostitution had experienced numerous forms of abuse, including sexual, mental, and physical [33]. Additionally, research has discovered depressive symptoms in Malaysian children who have experienced sexual assault [34]. This has demonstrated that failing to properly address child sexual abuse can have even graver repercussions.

### 3 Current Legal Standpoint Against Online Grooming

From the legal standpoint in Malaysia, the issue of online grooming can be considered a fairly new and emerging situation, with debates going on for officially criminalizing the act of committing sexual offenses using Internet as the medium. Offline child sexual abuse is a situation where a child has taken part in activities of a sexual nature for pornographic materials or sexual exploitation [35]. Section 31 of the Child Act 2001 states that sexual abuse of children is punishable by a maximum fine of RM20,000 or a maximum 10-year jail term or more ([www.unicef.org](http://www.unicef.org)). Nonetheless, online grooming is a prevalent issue that is detrimental to the Malaysian society, especially targeting young people [23]. There are also demands for the enforcement of protection of young people in the Malaysian legal framework in the areas of online sexual offense [36]. Despite having pornography-related offences, there is still no specific law that punishes Internet-related sexual predator.

The topic of "grooming" has been getting attention since the recent case of paedophile Richard Huckle who was found in 2016 to have collected sexually abusive pictures and videos of children. The discovery shook the whole nation and causes uproar amongst the society, with majority feels that it is crucial to "address new laws such as the sexual grooming laws to protect the vulnerable children on the Internet" [35, p. 152]. Scholars have since provided research and discussion about the nature of online grooming in Malaysia, for example, [35] discussed about why a new law to protect children online should be regulated, and what are the responsibilities of parents and state in protecting children. Subsequently, Sexual Offences Against Children Act 2017 was published in

gazette on 7th of July 2017. Section 11 of this act stated that “any person who— (a) sexually communicates with a child; or (b) encourages a child to sexually communicate, by any means, commits an offence and shall, on conviction, be punished with imprisonment for a term not exceeding three years”. With the commandment of this Act, predators using Internet as a medium to communicate with a child can be perceived as committing an offence. In the same year, Malaysia has also launched Sexual Crime Court Against Children which is the first of its kind to be launched in Southeast Asia that specializes in expediting the disposal rate of cases involving sexual offences against children. This is seen as a positive effort in giving the attention and justice to victims of online grooming. Since its commencement in 2017, the Putrajaya court handled 234 active cases while the Kuching court launched in 2018 successfully handled 164 active cases [37]. This is a big step up by the country to protect the safety of its young people online. However, with only two major cities out of the 14 states and federal territories in Malaysia that have the Sexual Crime Court Against Children in action, there is a need to expand the court to all the states in Malaysia, so that access to justice can be fairly accessed.

#### 4 Conclusion

Based on the review of past studies, online sexual grooming is a growing concern that is prevalent in Malaysian society nowadays. With the laws enforced, one of the ways to move forward is by examining the awareness of parents on the threats that their children are exposed to on the Internet as well as the awareness of the existence of Sexual Crime Court Against Children and Sexual Offences Against Children Act 2017. This study will gauge the parent’s point of view on the online grooming situation and the benefit that were provided with the commencement of Sexual Crime Court Against Children and Sexual Offences Against Children Act 2017.

For this purpose, a quantitative approach will be adopted, in which survey questionnaires will be administered to parents whose children are adolescent below 18 years old. A study by [38] has already revealed that urban parents are aware of online grooming and the dangers that it poses but still shy away from talking about sexual matter to their own children due to the sensitivity and “taboo” of the topic. Therefore, this study will focus on parents of a more rural areas in Kedah, Johor, and Perak to gauge their reaction on the matter. The findings from this study will greatly benefit the society on the awareness of rural parents on online grooming and strengthen the need to expand the Sexual Crime Court Against Children.

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