

## News

# In a bind over

**Yes, we need laws to police cyberspace, some say**

REPORT: LEDIATI TAN  
ledtan@sph.com.sg

**F**RIEND or foe? Much ink has been spilt on the role of social media tools such as Facebook and Twitter.

Both were vehicles for change in the Arab Spring uprisings which began in late 2010 in the Middle East.

But social media has also been hijacked to harass and to bully, even leading to cases in the US of teenagers committing suicide.

Locally, the Internet has been used for cyber-bullying and spreading malicious rumours. (See report on right.)

The double-edged nature of the Internet and social media was highlighted by Deputy Prime Minister Teo Chee Hean on Saturday at the annual dialogue for the Community Engagement Programme.

DPM Teo had also said in Parliament in March that there are no specific laws protecting people from cyber harassment, bullying and other anti-social acts on the Internet.

But now, three ministries – the Ministry of Information, Communications and the Arts, the Ministry of Home Affairs and the Ministry of Law – are reviewing cyber-bullying laws. The review is expected to be completed by the end of the year.

Mr Hri Kumar Nair, chairman of the Government Parliamentary Committee for Law and Home Affairs, said that while it is “fashionable” to talk about self-regulation on the Internet, “there is no evidence that it has or can work”.

## Self-regulation won't work

If we don't expect self-regulation to work in the real world, he said, why do we expect it to work in the cyberworld?

Even more so when people can act anonymously and therefore be less restrained in the cyberworld.

He added: “A person who is affected by (an online) post should be entitled to confront the person who wrote and published it.”

And that means having access to the writer's identity, and if the post is proven false, to be able to take it down and stop its further publication and be compensated for any loss suffered, he said.

Dr Brian Lee, head of Communications Programme at SIM University's School of Arts and Social Sciences, believes that tough laws will send a strong signal to the Internet community.

He said: “In view of the social and cultural setting of Singapore, it would be a strategic move for the Government to enact the law to regulate the Internet.”

Rather than to view regulation negatively, Dr Lee added that “Internet regulation actually helps to maintain a stable media environment (in) which the majority would feel comfortable.”

Agreeing, Mr Nair said: “People should be entitled to express views honestly held, but free speech is not the freedom to propagate lies or cause harm to others.”



## Worrying online trends

HERE are three worrying trends of Internet behaviour in Singapore:

### 1. Posting insensitive or derogatory remarks of a particular race or religion

In November last year, a Young People's Action Party member resigned after he posted a picture of a bus carrying kindergarten children wearing traditional Malay headgear on his Facebook page with an offensive caption.

### 2. Cyber-bullying

Last month, a polytechnic student who tweeted a racist remark was flamed online. Her personal photos were also circulated on the Internet. She de-activated both her Facebook and Twitter accounts after the incident.

### 3. Spreading false rumours and undermining the authority of an institution

Last month, rumours of kidnapping bids in various parts of Singapore – allegedly executed by a mainland Chinese syndicate – were circulated on the Internet and through phone text messages.

All rumours have been investigated by the police and some have already been exposed as hoaxes.

Still, some netizens questioned whether the police were trying to cover up the kidnapping bids.

While everyone – from the author of an online post to the reader to the person who is the subject of the post – has rights, these rights will come into conflict from time to time.

Laws are hence necessary to protect rights, arbitrate disputes and ensure fair outcomes, said Mr Nair.

He added: “The goal should ultimately be to promote responsible speech. If done correctly, this would not in any way dilute the principle of free speech on the Internet.”

“On the contrary, it would enhance it, as it promotes the Internet as a credible platform for the exchange of information and ideas.”

Rather than impose heavy penalties, tech lawyer Bryan Tan, a director of Keystone Law Corporation, said that the focus should be on sharper laws that get to the root of the problem.

A jail term may not be necessary, he said.

The offender can instead be warned, counselled and made to take down the content and apologise.

But Dr Lee also pointed out that it is not technically possible to regulate the Internet completely, given its cross-border nature.

Not that this is stopping the UK government from trying.

It is planning to introduce a law that will allow the government's electronic “listening” agency GCHQ to monitor all phone calls, e-mails and Internet use in the UK, including Facebook and Skype.

# Net regulation

**No, self-regulation online is sufficient, others argue**

REPORT: SPECIAL CORRESPONDENT  
tnp@sph.com.sg

YES to self-regulation, no to a code of good conduct.

Last Monday, Minister for Information, Communications and the Arts Yaacob Ibrahim called on the Internet community to create a code of conduct for responsible online behaviour.

He said: “The Internet is very much a public space, and the community is best placed to determine what online behaviour is acceptable and what is not.”

“Just as we have social norms to guide our interaction in the physical world, there should also be similar norms to guide online behaviour and interaction.”

Dr Yaacob's comments came during a time when rumours were being spread online of children being kidnapped.

Then there was the Filipino teenager residing here who was wrongly identified by netizens as another boy who had annoyed neighbours with his loud drumming.

But social media experts The New Paper spoke to were not in favour of an online code of conduct.

Singapore Management University law lecturer and Nominated Member of Parliament (NMP) Eugene Tan said the Sedition Act, the Penal Code, and the Maintenance of Religious Harmony Act were there to deal with transgressions.

## Existing codes

Additionally, Internet service providers and Internet content providers must comply with the Media Development Authority's (MDA) Internet code of practice.

MDA's code, among others, prohibits any material glorifying, inciting or endorsing ethnic, racial or religious hatred, strife or intolerance, Associate Professor Tan said.

Agreeing, former NMP and blogger Siew Kum Hong said: “Just because self-regulation may not work does not logically mean that government-imposed regulation would work.”

Crimes still take place in spite of laws, he noted.

Both Mr Siew and Prof Tan argue that self-regulation has worked.

Said Prof Tan: “The Online Citizen is an example of self-regulation, notwithstanding that it is gazetted as a political association.”

“It has to police the comments that are posted on its website. Likewise with TR Emeritus.”

In another example, polytechnic student Lai Shimun was quick to apologise for her racist tweet, and level-headed netizens also cautioned others from further stoking the fire, Mr Siew said.

As for “witch hunts” – such as netizens putting the personal information like addresses, employment details and photographs of “offenders” online – Mr Siew said these are “better addressed through privacy laws” and not by an online code of conduct.

He said: “It is the invasion of privacy that is causing the harm.”

“The fact that it is taking place on the Internet amplifies the reach and the harm, but the essence of the harm is not that it is taking place online.”

But Nanyang Technological University associate

professor Cheria George said: “We need stronger laws to protect ordinary citizens, especially the young, from cyber-bullying and privacy invasions.”

“There will be broad public support for such laws if it is guaranteed that they are not Trojan horses for tighter government regulation of political speech, which would be uncalled for.”

Elsewhere, efforts by the US to regulate the Internet have not been successful.

Earlier this year, two bills in the US Congress attempted to target international online piracy through new Internet regulations.

A massive protest across social media platforms pressured lawmakers to abandon these bills, social media expert and Virginia Commonwealth University's assistant professor Marcus Messner told TNP.

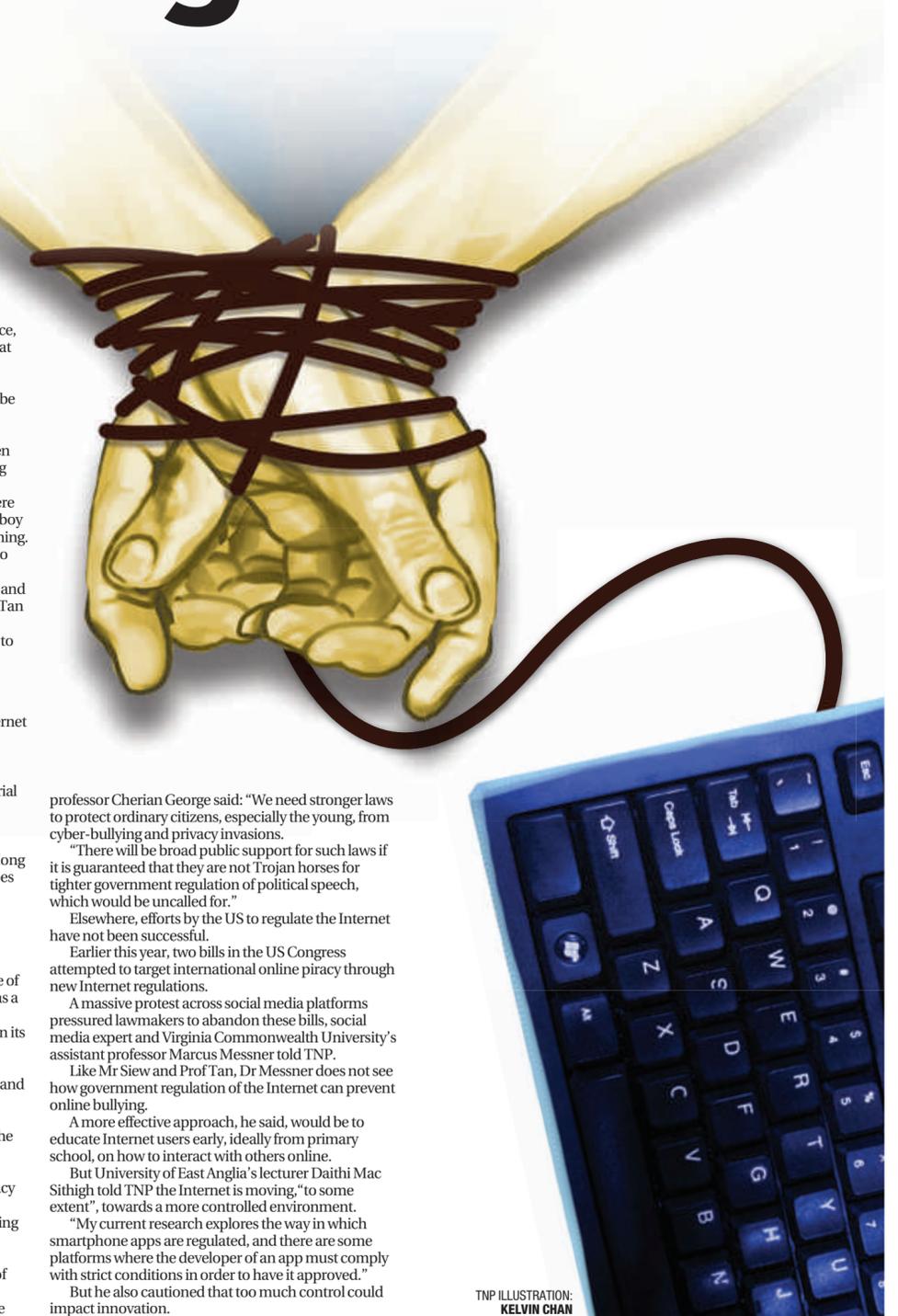
Like Mr Siew and Prof Tan, Dr Messner does not see how government regulation of the Internet can prevent online bullying.

A more effective approach, he said, would be to educate Internet users early, ideally from primary school, on how to interact with others online.

But University of East Anglia's lecturer Daithi Mac Sithigh told TNP the Internet is moving, “to some extent”, towards a more controlled environment.

“My current research explores the way in which smartphone apps are regulated, and there are some platforms where the developer of an app must comply with strict conditions in order to have it approved.”

But he also cautioned that too much control could impact innovation.



TNP ILLUSTRATION:  
KELVIN CHAN