CYBERCRIMES: TRENDS AND CHALLENGES IN MALAYSIA

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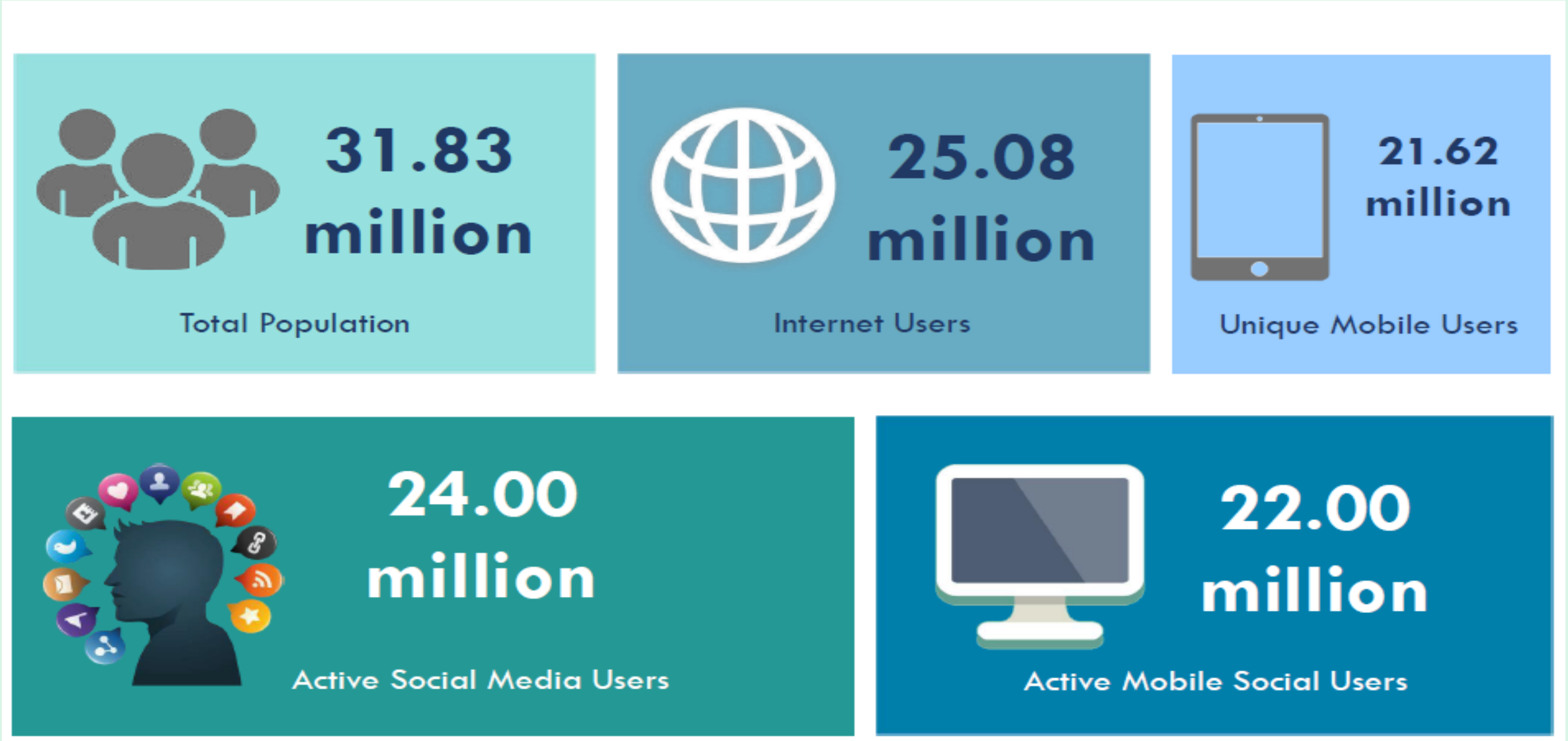
Tracing the Scene

- **Cybercrime existed before Microsoft Windows, the Internet, or PC.**
- **The first officially recognized cybercrime happened in 1964.**
- **Internet was introduced in Malaysia in 1987.**

Digital Use in Malaysia



Source: https://www.slideshare.net/wearesocial/digital-in-2018-in-southeast-asia-part-2-southeast-86866464

Cybercrimes in Malaysia

Number of Cybercrimes Cases

- **2015:** 8,762 cases
- **2016:** 11,012 cases
- **2017:** 13,636 cases
- **2018:** 8,313 cases
- **2019:** 11,875 cases
- **2020:** 14,229 cases

Main Cybercrimes in Malaysia

- Cyber Harassment
- Fraud & Forgery
- Malicious Code
- Denial of Service (DOS)
- Intrusion
- Content Related
- Intrusion Attempt
- Spam
- Vulnerabilities, Report

Samples of Cases

- Attacks on Malaysian Airlines websites by Lizard Squad - Official Cyber Caliphate (January 2015) (Sony PlayStation and Xbox).

- Phishing spear attack regarding the issue of MH370 (Feb-May 2018)

- In 2017, 77 credit card information of Malaysians has been revealed on the Internet.

- In 2017, three (3) Government agency websites and 51 local small company websites have been invaded.

LAWS, MEASURES, ACHIEVEMENT & POTENTIALS

- Cybercrime laws most concern criminalization.
- Contain an extensive list of offences.
- Core’ cybercrime acts**:** criminalized using cyber-specific offences.
- Computer-related acts: criminalized using general offences.

- Copyright Act 1987
- Computer Crimes Act 1997
- Communications and Multimedia Act 1998
- Personal Data Protection Act 2010
- Penal Code

(i) Crimes Related to Misuse of Computers: Computer Crimes Act 1997

Section	Offence
3	Hacking
4	cracking
5	Unauthorised modifications of the contents of any computers

ii) Crimes Related to Communication and Multimedia Industries: Communications and Multimedia Act 1998

Section	Offence
211	Content including indecent, obscene, false, menacing, or offensive in character
233	Improper use of network facilities or network service
236	Possession or use of hardware, software or other tools used to commit cybercrime
240	Distribution or advertisement of any communications equipment or device for interception of communication.
231, 232, 234 & 235	Any other activity that adversely affects or threatens the security, confidentiality, integrity or availability of any IT system, infrastructure, communications network, device or data:

iii) Penal Offences: Penal Code

Section	Offence
130J	Online Spreading of Terrorist Propaganda
416	Pishing
503	Online criminal intimidation
509	Online harassment

iv) Electronic theft: Copyright Act 1987

Section	Offence
36A	Circumvention of technological protection measure
36B	Remove or alter any electronic rights management information
41	A range of offences for copyright infringement

v) Failure to Secure Personal Data: Personal Data Protection Act 2010

Sec.	Offence
9	Failure to protect the personal data from any loss, unauthorized or accidental access or disclosures, alteration or destruction

Enforcement Agencies

Statute/ Regulations	Regulator
Communications and Multimedia Act 1998	Malaysian Communications and Multimedia Commission
Personal Data Protection Act 2010	Personal Data Protection Department/ Commissioner's Office
Penal Code, Computer Crimes Act 1997	Royal Malaysian Police
Banking and Financial Sector Guidelines	Central Bank of Malaysia or Bank Negara Malaysia
Securities Commission	Securities Commission Malaysia

ISSUES & CHALLENGES

1) Challenges in drafting national criminal laws

a.2) Usage of ICTs in various ways in crime preparation & execution

3) Limited international coordination

SUGGESTIONS & HOPE

- Developing a comprehensive and updated legal framework based on the appropriate principles
- Various approaches which must be undertaken

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