



PLEASE NOTE THAT THE RESEARCH INFORMATION CONTAINED IN THIS DOCUMENT IS BASED SOLELY ON A REVIEW OF PUBLICLY AVAILABLE SOURCES AND WITHOUT ASSISTANCE FROM LICENSED LEGAL PROFESSIONALS IN THE RELEVANT JURISDICTION. IT DOES NOT CONSTITUTE LEGAL ADVICE AND IT SHOULD NOT BE RELIED UPON AS SUCH. TO THE EXTENT LEGAL ADVICE MAY BE REQUIRED, IT SHOULD BE OBTAINED FROM LICENSED LEGAL PRACTITIONERS IN THE RELEVANT JURISDICTION. *The responses for this country are provided for informational purposes only. Responses to the questionnaire may be limited to officially enacted legislation; it is possible that actual practice or enforcement of the law varies, and relevant court rulings or case law may also differ from legislative text. Responses have been reformatted and may have been slightly edited for clarity. Furthermore, responses may include commentary, paraphrasing, and unofficial translations of source material (e.g., national legislation) originally produced in other languages. Only official source documents in official languages should be relied upon as legally binding. This document serves to inform further research and does not constitute legal advice from NCMEC or from the law firm that prepared them.*

**1. What laws and regulations contain legal definitions of the following terms or corresponding terms in your local jurisdiction (links to existing U.S. legal definitions are included, where relevant, as background for comparison – please include definitions of any corresponding terms in your country):**

**a. child or minor (18 U.S.C. 2256(1), <https://www.law.cornell.edu/uscode/text/18/2256>)**

Under the Children and Young Persons Act 1993 (“CYPA”), a “child” is a person who is below 14 years of age.

A “young person” is a person who is 14 years of age or older but below 16 years of age; and for the purposes of certain provisions under the CYPA, a person who is 14 years of age or older but below 18 years of age.

s. 2, CYPA, <https://sso.agc.gov.sg/Act/CYPA1993>

**b. child sexual exploitation (Missing Children’s Assistance Act of 2023, Section 2, (a)(1)(9), <https://www.congress.gov/118/bills/s2051/BILLS-118s2051es.pdf>)**

The sexual exploitation of a child or young person is an offence under the CYPA. Section 8 of the CYPA describes the crime of “sexual exploitation of child or young person” as:

- committing or abetting the commission of or procuring or attempting to procure the commission by another person of any obscene or indecent act with any child or young person below 16 years of age; or
- where the young person is 16 years or older but below 18 years of age, either:
  - (i) the young person does not consent to the obscene or indecent act; or
  - (ii) the offender is in a relationship that is exploitative of the young person.

In deciding whether an accused’s relationship with a young person of 16 years of age or older but below 18 years of age is exploitative of the young person, the court is to have regard to all of the following:

- (a) the age of the minor;
- (b) the difference between the age of the accused and the young person;
- (c) the nature of the relationship;



(d) the degree of control or influence exercised by the accused over the young person. It is presumed until the contrary is proved that an accused's relationship with a young person of 16 years of age or older but below 18 years of age is exploitative where the relationship is any of the following:

- (a) the accused is a parent, step-parent, guardian or foster parent of the young person;
- (b) the accused is the de facto partner of a parent, guardian or foster parent of the young person;
- (c) the accused is a member of the teaching or management staff of the school or educational institution at which the young person is a student;
- (d) the accused has an established personal relationship with the young person in connection with the provision of religious, sporting, musical or other instruction to the young person;
- (e) the accused is a custodial officer of an institution in which the young person is detained;
- (f) the accused is a registered medical practitioner, a registered traditional Chinese medicine practitioner or a psychologist and the young person is a patient of the accused; or
- (g) the accused is an advocate and solicitor or a counsellor and the young person is a client of the accused.

s. 8, CYPA, <https://sso.agc.gov.sg/Act/CYPA1993?ProvlDs=P12-#pr8->

**c. sexually explicit conduct (18 U.S.C. 2256(2), <https://www.law.cornell.edu/uscode/text/18/2256>)**

There is no definition for sexually explicit conduct under Singapore laws. However the meaning of exploitative relationship is described in section 377CA of the Penal Code 1871 ("Penal Code").

An obscene or indecent act (as referred to above in the CYPA) is also not statutorily defined, although case law states that an obscene or indecent act would include acts like sexual intercourse and other explicit sexual acts (PP v Lee Seow Peng [2016] SGHC 107).

In the Penal Code, for the purposes of the sexual offences therein (sections 375 to 377BO), penetration, touching, communication or other activity is "sexual" if:

- (i) because of its nature it is sexual, whatever its circumstances or any person's purpose in relation to it may be; or
- (ii) because of its nature it may be sexual and because of its circumstances or the purpose of any person in relation to it (or both) it is sexual.

s 377C, Penal Code, <https://sso.agc.gov.sg/Act/PC1871?WholeDoc=1#pr377C->

**d. child sexual abuse (18 U.S.C. 2243(a), <https://www.law.cornell.edu/uscode/text/18/2243>)**

Not expressly defined but falls under the wide ambit of ill-treatment of a child or young person under section 6 of the CYPA and an "obscene or indecent act" as referred to in section 8 of the CYPA.



s. 6, 8, CYPA, <https://sso.agc.gov.sg/Act/CYPA1993?ProvlDs=P12-#pr6->

- e. **child pornography or child sexual abuse material (CSAM) (18 U.S.C. 2256(8), <https://www.law.cornell.edu/uscode/text/18/2256>)**

Child abuse material is substantively the same as child pornography or Child Sexual Abuse Material. The production, distributing or selling, advertising or seeking or possession of or gaining access to child abuse material are all offences under the Penal Code (ss. 377BH to 377BK of the Penal Code).

Child abuse material means material that depicts an image of any of the following:

- (a) a person who is, or who appears to a reasonable observer to be, or who is implied to be, below 16 years of age:
  - (i) as a victim of torture, cruelty or physical abuse (whether or not the torture, cruelty or abuse is sexual);
  - (ii) as a victim of sexual abuse;
  - (iii) engaged in, or apparently engaging in, a sexual pose or sexual activity (whether or not in the presence of another person); or
  - (iv) in the presence of another person who is engaged in, or apparently engaged in a sexual pose or sexual activity;
- (b) the genital region or buttocks (whether exposed or covered) of a person who is, or who appears to a reasonable observer to be, or who is implied to be, a person below 16 years of age, where the depiction is sexual and in circumstances (whether or not apparent from the depiction) which reasonable persons would regard as being offensive; or
- (c) the breasts (whether exposed or covered) of a person who is, or who appears to a reasonable observer to be, or who is implied to be, a female below 16 years of age, where the depiction is sexual and in circumstances (whether or not apparent from the depiction) which reasonable persons would regard as being offensive.

s. 377C, Penal Code, <https://sso.agc.gov.sg/Act/PC1871?WholeDoc=1#pr377C->

- f. **computer-generated images or videos of child pornography or CSAM (created by artificial intelligence or morphed) (18 U.S.C. 2256(8) & (9), <https://www.law.cornell.edu/uscode/text/18/2256>)**

For these purposes:

- “image” means a still, moving, recorded or unrecorded image and includes an image produced by any means and, where the context requires, a three-dimensional image;
- “image”, in relation to a person, means an image of a human being that is not fictional or imaginary but includes an image that so closely resembles that of a human being as to make it difficult for an ordinary person to distinguish it from an image of a human being that is not fictional or imaginary; and
- “material” means:
  - (a) any film, photograph, printed matter or computer game depicting an image;
  - (b) any electronic record depicting an image; or
  - (c) any other thing of any kind depicting an image.
- Penetration, touching, communication or other activity is “sexual” if:



- (i) because of its nature it is sexual, whatever its circumstances or any person's purpose in relation to it may be; or
- (ii) because of its nature it may be sexual and because of its circumstances or the purpose of any person in relation to it (or both) it is sexual.

Accordingly, the definition of "child abuse material" read with the definitions of "material" and "image" appears to be wide enough to include any computer-generated images.

s. 377C, Penal Code, <https://sso.agc.gov.sg/Act/PC1871?WholeDoc=1#pr377C->

Pursuant to the Films Act 1981, it is an offence if any person causes or procures any child or young person allows that child or young person to commit or abet in the commission of any offence pertaining to dealing in obscene films, possession of obscene films and advertising in obscene films.

The offence under section 32 of the Films Act is described as follows:

- (1) Any person who causes or procures any child or young person or, having custody, charge or care of a child or young person, allows that child or young person to commit or abet in the commission of any offence mentioned in section 29 (dealing in obscene films), 30 (possession of obscene films) or 31 (advertising obscene films) shall be guilty of an offence and shall be liable on conviction —
  - (a) to a fine not exceeding \$80,000 or to imprisonment for a term not exceeding 12 months or to both; and
  - (b) in the case of a second or subsequent conviction, to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 2 years or to both.
- (2) If it is proved that a child has committed or abetted in the commission of any offence mentioned in section 30(1) or 31(1), the person having the custody, charge or care of the child at the time the offence was committed is presumed, until the contrary is proved, to have allowed the child to commit or abet in the commission of the offence.

s. 32, Films Act, <https://sso.agc.gov.sg/Act/FA1981>

- g. enticement or grooming (encouraging, persuading, or coercing a child to engage in sexual activity or to create child pornography or CSAM) (18 U.S.C. 2422(b), <https://www.law.cornell.edu/uscode/text/18/2422>)**

Sexual grooming of a minor below 16 years of age (section 376E) or exploitative sexual grooming of a minor above 16 but below 18 years of age (section 376EA) are offences under the Penal Code. The offence is described as:

A person of at least 18 years of age (A) having met or communicated with another person (B) on at least one previous occasion:

- (a) A intentionally meets B or travels with the intention of meeting B or B travels to attend a meeting with A which A has either initiated or agreed to whether expressly or by implication; and
- (b) at the time of the acts referred to in paragraph (a):
  - (i) A intends to do anything to or in respect of B, during or after the meeting, which if done will involve the commission by A of a relevant offence;
  - (ii) B is below 16 years of age (or in the case of an offence under section 376EA,



- above 16 but below 18 years of age);
- (iii) A does not reasonably believe that B is of or above 16 years of age (or in the case of an offence under section 376EA, 18 years of age); and
- (iv) in the case of an offence under section 376EA only, A is in a relationship that is exploitative of B.

A “relevant offence” refers to an exhaustive list of sexual offences including, inter alia, sexual assault, rape, commercial sex, using or involving child in production of child abuse material, sexual exploitation (an offence under the CYPA) and prostitution (an offence under the Women’s Charter).

s. 376E and s. 376EA, Penal Code, <https://sso.agc.gov.sg/Act/PC1871?WholeDoc=1#pr376E->

**h. legal age of consent for sexual activity – are there laws and regulations, if so, what ages are specified?**

The general age of consent in Singapore is 16. Section 376A of the Penal Code makes it an offence to engage with sexual intercourse with a minor under the age of 16.

However, where the sexual activity is commercial in nature, the minimum age is 18. Section 376B of the Penal Code makes it an offence to obtain commercial sexual services of a person who is under age 18.

Further, where there is a relationship of trust between the parties (i.e., a relationship which falls under one of the categories giving rise to a presumption of exploitation under s. 8 of the CYPA and s. 377CA of the Penal Code – see question (b) above), the minimum age of consent is 18.

A reasonable mistake as to the age of a person cannot be a defence to any charge of a sexual offence, except that the presence of a reasonable mistaken belief that a minor was of or above 18 years of age is a valid defence to a charge for a sexual offence where the fact that a minor is of or above 16 years of age but below 18 years of age is a physical element of the offence.

However, the fact that the minor was observed to be participating in activities which are restricted to persons of or above 18 years of age, such as smoking a cigarette or admission to premises with access restricted to persons of or above 18 years of age (such as a nightclub) is neither sufficient to constitute a reasonable basis for the mistaken belief nor reasonable steps to verify that minor’s age.

s. 376A, s. 376AA, s. 376B, s. 377CA, s. 377D, Penal Code,  
<https://sso.agc.gov.sg/Act/PC1871?WholeDoc=1#pr376A->

**i. Sextortion (extorting money or sexual favors from a child by threatening to share sexually explicit, child pornography or CSAM images of the child) (Missing Children’s Assistance Act of 2023, Section 2, (a)(1)(8), <https://www.congress.gov/118/bills/s2051/BILLS-118s2051es.pdf>)**

There is no legal definition for “sextortion”, neither is there a specific crime of “sextortion”



under Singapore laws. However, a person who commits an act of “sextortion” (within the meaning given to it above) may be guilty of distributing or threatening to distribute intimate images or recordings (section 377BE, Penal Code), criminal intimidation (section 503, Penal Code) and/or extortion (section 383, Penal Code).

**2. Please explain any legal or regulatory requirement or recommendation for Online Platforms to undertake any of the following activities on their systems to protect children online from sexual exploitation:**

**a. review, screen, moderate, or detect content to identify child pornography or CSAM content**

Generally, the Broadcasting Act 1994 (“BA”) and Code of Practice (Online Safety) focus on protecting children as end-users of online material, as opposed to from being the subject of such material. As such, the laws and regulations set out in this question 2 should be read in such light.

Online Communication Services (“OCS”): No obligation, but the Info-communications Media Development Authority (“IMDA”) can issue directions to the OCS to disable access to the egregious content by Singapore end-users, and stop the egregious content from being transmitted to Singapore end-users via other channels or accounts. An OCS must comply with such directions from IMDA, failing which it would be a criminal offence under section 45E of the BA.

Regulated Online Communication Services (“ROCS”): ROCSs must minimize end-users’ exposure to harmful content via reasonable and proportionate measures. These measures include, but are not limited to, a set of community guidelines and standards, and content moderation measures that are put in place and effected by the ROCS.

Under paragraph 15-16 of the Code of Practice (Online Safety), end-users’ exposure to child sexual exploitation and abuse material on the ROCS must be minimised through the use of technologies and processes. These technologies and processes must proactively detect and swiftly remove child sexual exploitation and abuse material as technically feasible, such that the extent and length of time to which such content is available on the ROCS is minimised.

End-users must be protected from preparatory child sexual exploitation and abuse activity on the ROCS through reasonable and proportionate steps taken by the ROCS to proactively detect and swiftly remove preparatory child sexual exploitation and abuse activity (such as online grooming for child sexual abuse).

Part 10A, sections 45A to 45T, <https://sso.agc.gov.sg/Act/BA1994?ProvIds=P110A-#P110A->

Code of Practice (Online Safety), <https://www.imda.gov.sg/-/media/Imda/Files/Regulations-and-Licensing/Regulations/Codes-of-Practice/Codes-of-Practice-Media/Code-of-Practice-for-Online-Safety.pdf>

**b. review, screen, moderate, or detect content to identify enticement, grooming, or sextortion of a child**



See (a) above.

- c. **report child pornography, CSAM, enticement, grooming, or sextortion that they become aware of or are notified about on their systems to a law enforcement or government agency or nongovernmental organization**

Section 424 of Singapore's Criminal Procedure Code (CPC) was introduced to ensure that serious crimes are reported to the police. It provides that every person aware of the commission of, or the intention of any other person to commit, any arrestable offence listed in Section 424 must, in the absence of reasonable excuse, immediately give that information to the police.

- d. **remove or take down any child pornography, CSAM, enticement, grooming, or sextortion that they identify, become aware of, or are notified about**

See (a) above.

- e. **review content by human moderators to screen or moderate for child pornography or CSAM**

No specific requirement under Singapore law.

- f. **remove child pornography, CSAM, enticement, grooming, or sextortion from their systems when notified of its presence by a victim, nongovernmental organization, law enforcement, or government agency**

See (a) above.

The Online Criminal Harms Act 2023 ("OCHA") allows for directions to be issued to individuals, entities, online and Internet service providers, and app stores to remove or block access to content it suspects is being used to commit crimes. Directions can be issued in respect of online activity if an authority reasonably suspects that a specified offence has been committed and that any online activity is in furtherance of the commission of the offence. Specified offences are listed in Schedule 1 of the OCHA and include sexual exploitation under section 8 of the Children and Young Persons Act 1993 and all sexual offences under the Penal Code 1871.

There are five types of directions that can be issued:

1. **Disabling Direction:** This requires online service providers to disable specified content (e.g., post or page) or their service from the view of people in Singapore.
2. **Account Restriction Direction:** This requires online service providers to stop an account on their service from communicating in Singapore and/or interacting with people in Singapore (e.g., by terminating, suspending, or restricting functionalities of the service in relation to the account).
3. **Stop Communication Direction:** This requires the recipient of the direction (persons and entities who communicated the online content) to stop communicating specified online content to people in Singapore.
4. **Access Blocking Direction:** This requires internet service providers to block access to an online location (e.g., web domain) from the view of people in Singapore.



5. App Removal Direction: This requires app stores to remove an app from its Singapore storefront to stop further downloads of the app by people in Singapore.

Non-compliance with a Part 2 direction is an offence and an Online Platform which is guilty of such an offence will be liable on conviction to fines of up to S\$1,000,000 depending on the order not complied with.

Further, an authority may give a Part 6 order if any person has not complied with a requirement of a Part 2 direction. Part 6 orders include:

- (a) access blocking order;
- (b) app removal order; and
- (c) service restriction order.

A Part 6 order is binding and it is an offence to fail to comply with the order. An Online Platform guilty of non-compliance of a Part 6 order will be liable on conviction to fines of up to S\$1,000,000 depending on the order not complied with.

OCHA has extra-territoriality and will apply to any individual or entity, whether or not resident or physically present in Singapore, and whether or not carrying on a business or operating in Singapore.

Part 2, Part 6 and Part 11, Online Criminal Harms Act 2023,  
<https://sso.agc.gov.sg/Act/OCHA2023/Uncommenced/20231105072622?DocDate=20230807&ProvIds=P12-#P12->

There are no specific laws in Singapore that require OCS or ROCS to remove child pornography, CSAM, enticement, grooming, or sextortion from its systems when notified of its presence by a victim or non-governmental organization.

The OCHA has been passed by the Singapore Parliament, but has not yet been brought into force at the time of writing. It remains to be seen how the OCHA will be enforced in practice.

- g. **use any specific technology to detect, remove, block, or take down any child pornography, CSAM, enticement, grooming, or sextortion, including:**
  - i. **"Hashing technology"** (<https://www.thorn.org/blog/hashing-detect-child-sex-abuse-imagery/>). Many Online Platforms hash and tag images and videos of child pornography or CSAM and then use hashing technology to scan content on their systems to detect the distribution of child pornography or CSAM online so it can be removed.
  - ii. **Artificial intelligence or machine learning tools to detect the presence of child pornography, CSAM, enticement, grooming, or sextortion.**

OCS: OCSs are not required to implement any technology to detect, remove, block or take down any child pornography, CSAM, enticement, grooming, or sextortion.

ROCS: ROCSs must minimise end-users' exposure to child sexual exploitation and abuse material through the use of technologies and processes. These technologies and processes must proactively detect and swiftly remove child sexual exploitation and abuse material as technically feasible, such that the extent and length of time to which



such content is available on the ROCS is minimised. See (a) above.

- h. if the applicable laws or regulations require some, but not all, Online Platforms to perform any of the above activities, describe how the differing requirements apply. For example, are differences based on the number of online users, types of services offered, etc.?

IMDA is empowered to designate an online communication service with significant reach or impact in Singapore as a ROCS. As at the date of writing, the following social media services have been designated as ROCSs

<https://www.imda.gov.sg/-/media/imda/files/regulations-and-licensing/regulations/codes-of-practice/codes-of-practice-media/list-of-designated-social-media-services-subject-to-the-code-of-practice-for-online-safety.pdf>:

- a. Facebook;
- b. HardwareZone;
- c. Instagram;
- d. Tiktok;
- e. X (formerly known as Twitter); and
- f. YouTube.

3. Are Online Platforms legally required or recommended to implement any method to verify the age of a user before allowing access to an online platform?

No. While Singapore currently does not impose any legal requirements on Online Platforms to implement any method to verify the age of a user, the Singapore Government has stated that it will continue to monitor global developments as well as consult extensively, including on the issue of age verification, and consider additional measures where viable and appropriate.

<https://www.straitstimes.com/singapore/politics/challenging-to-balance-reliable-methods-to-verify-age-with-data-protection-concerns-jani>

4. Are Online Platforms legally required or recommended to implement any method to obtain parental consent before a child uses the services of such Online Platforms?

ROCS: Under paragraph 20 of the Code of Practice for Online Safety, unless a ROCS restricts access by children, children must be provided differentiated accounts whereby the settings for the tools to minimise exposure and mitigate impact of harmful and/or inappropriate content and unwanted interactions are robust and set to more restrictive levels that are age appropriate by default.

Children or their parents/guardians must be provided clear warnings of implications if they opt out of the default settings.

OCS: These requirements do not apply to OCSs.

5. Are there legal remedies for children who have been victimized by online child sexual exploitation? This may include children who are victimized by the distribution of child pornography or CSAM imagery in which they are depicted, or children victimized by enticement, grooming or sextortion. If such legal remedies exist, do they include:



YES

**a. The ability to stop the publication of the pornography or CSAM imagery by the Online Platform?**

The victim does not have the ability to stop the publication of the pornography or CSAM by the Online Platform. However, as mentioned in question 2(f), (once the OCHA is brought into force) authorities can issue directions under the OCHA to individuals, entities, online and Internet service providers, and app stores to remove or block access to content it suspects is being used to commit crimes, including the publication of child pornography or CSAM.

**b. An obligation on the part of the Online Platform to take active steps to remove the pornography or other imagery from their servers?**

As mentioned in question 2(f), ROCSs must implement technologies and processes to proactively detect and swiftly remove child sexual exploitation and abuse material as technically feasible, such that the extent and length of time to which such content is available on the ROCS is minimised. End-users must be protected from preparatory child sexual exploitation and abuse activity on the ROCS through reasonable and proportionate steps taken by the ROCS to proactively detect and swiftly remove preparatory child sexual exploitation and abuse activity (such as online grooming for child sexual abuse). These requirements only apply to ROCSs, the list of which is set out in question 2(h).

Again, it bears repeating that the BA regulations on OCSs and ROCSs focuses on protecting end-users from child sexual exploitation, rather than the victims of these pornography or CSAM imagery.

**c. An ability to get an injunction or other court order against the Online Platform to stop them from publishing the pornography or imagery?**

The victim does not have the ability to obtain an injunction or any other court order against the Online Platform to stop them from publishing the pornography or imagery. However, as mentioned in question 2(f), (once the OCHA is brought into force) authorities can issue directions under the OCHA to individuals, entities, online and Internet service providers, and app stores to remove or block access to content it suspects is being used to commit crimes, including the publication of child pornography or CSAM. Further, an authority may give a Part 6 order if any person has not complied with a requirement of a Part 2 direction.

**d. A protective order or other court order that prohibits the person who posts the pornography or imagery from doing so in the future on the same or other Online Platform?**

As mentioned in question 2(f), (once the OCHA is brought into force) authorities can issue a stop communications directions under the OCHA to individuals to remove, stop storing, posting, providing or transmitting any online material similar to the relevant material, or block access to, content it suspects is being used to commit crimes, including child pornography or CSAM. An individual person guilty of non-compliance with a Part 2 stop communication direction will be liable to a fine not exceeding \$20,000 or imprisonment for a term not exceeding 2 years or both.



- e. **the ability to seek financial damages or any sort of monetary recovery from an offender who has shared the child's image or video, either in a civil or a criminal proceeding?**

There are no specific remedies for children who have been victimized by online child sexual exploitation or child pornography/CSAM.

The Criminal Procedure Code 2010 ("CPC") provides for a general compensation order in respect of any criminal offence, although it should be noted that compensation will not necessarily be appropriate in every case. If a person has been convicted of an offence, the court may order the offender to pay monetary compensation to the victim who has sustained injury to his person, character or property under section 359 of the CPC if it finds it appropriate. This compensation order is meant to allow the victim or their representative to recover compensation without having to sue for such compensation. The compensation order will be made in addition to the offender's existing sentence (such as a jail term and/or a fine).

S. 359, Criminal Procedure Code 2010, <https://sso.agc.gov.sg/Act/CPC2010?ProvIds=P118-#pr359->

The court would make a compensation order only if it is appropriate to do so. This could be where:

- the fact and extent of damage are either agreed or readily and easily ascertainable on the evidence;
- a civil suit to recover compensation is an inadequate or impractical remedy, e.g. where the victim is impecunious; and
- the compensation order will not cause undue hardship on the offender.

(Tay Wee Kiat and another v PP [2018] SGHC 114)

Alternatively, a victim of sexual assault or sexual harassment can sue the perpetrator for compensation.

- f. **the ability to seek any other forms of victim compensation/recovery/services provided for under the law and/or by a government-funded source?**

The Child Protective Service ("CPS") within the Ministry of Social and Family Development undertakes the statutory role in investigating and intervening in situations where children cannot remain safe with their parents or caregivers. The CPS only steps in for situations that present serious child protection concerns, e.g. sexual abuse, severe neglect, serious injuries inflicted by parent/caregiver.

The CPS is generally empowered under sections 9, 10 and 11 of the CYPA to obtain and communicate information, order child or young person to be produced for assessment or treatment, or even to remove a child or young person to a place of temporary care and protection.

ss. 9-11, CYPA, <https://sso.agc.gov.sg/Act/CYPA1993?ProvIds=P12-#pr9->

CPS will undertake a social investigation using evidence-based tools to assess the safety



and well-being of the child. CPS will work with parents/caregivers, extended family members and community partners to ensure that the child is in a safe and stable environment. Concurrently, the police may conduct a criminal investigation and determine the action to be taken for the offence against the child.

When child protection concerns are severe and parents/caregivers are unwilling or unable to ensure the safety of children in their care, CPS will place the child in alternative care such as with extended family members or friends who can protect the child. If extended family members or friends are not suitable, CPS will then place the child in foster care or a Children's Home. When a child is placed outside of his/her parents' care, CPS will work with parents to reintegrate the child with his/her family as soon as possible.

The CPS may file a complaint on behalf of the child or young person in the Youth Court. The Youth Court Judge will decide if there are sufficient grounds in the complaint to warrant an investigation. If so, the Youth Court Judge may call for a Social Report on the child or young person. The Youth Court Judge may also order the child or young person be placed in the care of a fit person or a place of safety while the Social Report is being prepared.

The Youth Court Judge will consider the contents of the Social Report and discuss the case with two Panel Advisers (who are individuals in the community with vast work experience with children and youths and are appointed by the President of Singapore). If the Youth Court Judge is satisfied that a child or young person is in need of care or protection, the Youth Court Judge is empowered under section 54 of the CYPA to make any one of the following Care and Protection Orders:

- Order the parent/guardian of the child or young person to be bonded to exercise proper care and guardianship of the child or young person.
- Order the child or young person to be committed to the care of a fit person for a period of time specified by the Court.
- Order the child or young person to be committed to a place of safety or a place of temporary care and protection for a period of time specified by the Court.
- Place the child or young person under the supervision of the CPS, an approved welfare officer or any other person appointed by the Court for a period of time specified by the Court.

In addition, the Youth Court is also empowered under section 56 of the CYPA to make Enhanced Care and Protection Orders for a child or young person to be committed to the care of a fit person until the child or young person turns 21 years old or for a shorter period specified by the Court if the parents/guardians are not fit to care for the child or young person or it is not appropriate to return the child or young person to the care of his/her parents/guardians.

<https://www.msf.gov.sg/what-we-do/help-those-in-need/article/programmes/Protecting-the-Safety-and-Well-being-of-Children>

[https://www.judiciary.gov.sg/docs/default-source/family-docs/cpo\\_guide\\_english.pdf](https://www.judiciary.gov.sg/docs/default-source/family-docs/cpo_guide_english.pdf)

ss. 54, 56, CYPA, <https://sso.agc.gov.sg/Act/CYPA1993?ProvIds=P13-#pr54->



- g. notification to a victim when an offender is arrested for distributing child pornography or CSAM in which the child is depicted?**

There is no legal requirement for the authorities to inform or notify the victim when an offender is arrested for distributing child pornography or CSAM in which the child is depicted.

In practice, a victim is interviewed by the police if a complaint is lodged or if an offence has been disclosed. Parents of the child are notified as well.

- 6. “Safety by Design” is defined as tools or processes that are built into an Online Platform to protect children by making it easier for the relevant Online Platform to detect or prevent the distribution of child pornography or CSAM.**

- a. Are Online Platforms legally required to incorporate “Safety by Design” into their systems?**

There is no legal requirement for Online Platforms to incorporate “safety by design” into their systems.

- i. If so, must these steps be taken before the launch of an Online Platform?**

n/a

- ii. If so, if an Online Platform has already been in public use, when must they have incorporated “Safety by Design” measures?**

n/a

- iii. For each of 6(a)(i) or (ii) above, please describe the legal requirement or recommendation.**

- b. Please include information about the parameters for monitoring, management, and enforcement of any legal or regulatory requirements for the Online Platform’s incorporation of “Safety by Design”?**

n/a