

SMU LIT CLUB

NEWSLETTER

MARCH 2025

TIKTOK ON TRIAL: PRIVACY, POLITICS, AND THE FUTURE OF SOCIAL PLATFORMS



Designed By: Clarisse Teo, Marketing Director

Our website



Our socials



Instagram



LinkedIn



Telegram



TikTok





THE FRAGILITY OF MEDIA ACCESS

It is familiar news to many that, at the beginning of the year, the popular social media app — TikTok — had gone dark momentarily as the Supreme Courts debated upon its complete ban. This inquiry arose due to allegations of exploitation by China for espionage and by extension, cybersecurity and personal data concerns.

While Trump assured that the US Supreme Court's deliberated ban of the app would not be effected, others flocked to purchase Meta (holding company of Instagram) stocks, in assumption that users of TikTok would transition to use Instagram's "reels" function instead. This inadvertently reflects the socio-political limbo that the country was stuck in due to the uncertainty in regulations.

For many, TikTok's reactivation restores their rhythm of daily life. However, this episode of uncertainty begs the question of whether other apps and perhaps even systems of life, could be subject to such flippant changes. Pertinently, the question is extrapolated to the use of Artificial Intelligence ("AI") that has in recent years grown to become inextricable from the careers of many. Would this new and largely unregulated technology become inaccessible overnight?



It seems that in a highly political country such as the US, where politics shape access rights, the law must perform a balancing function to govern the usage of such platforms. In other words, the law must eagerly and efficiently adapt to pressing societal changes to secure the balanced rights of the people.



In Singapore, while our political landscape is largely free from the encumbrances of such severe polarisation, we ought to ponder about the insidious effects of such conflicts and precariousness experienced by a world power on our tiny little red dot. Simultaneously, Singapore should also conscientiously regulate apps to prevent unsecure platforms and thereby, our people from creating reliance on them.

Written By: Ivy Wong, Law & Tech Director

Our website



Our socials



Instagram



LinkedIn



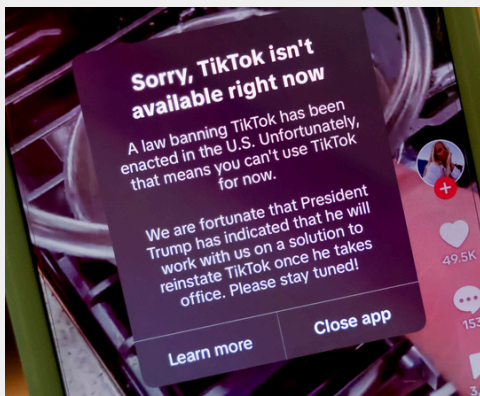
Telegram



TikTok



LEGAL INNOVATION AND TECHNOLOGY

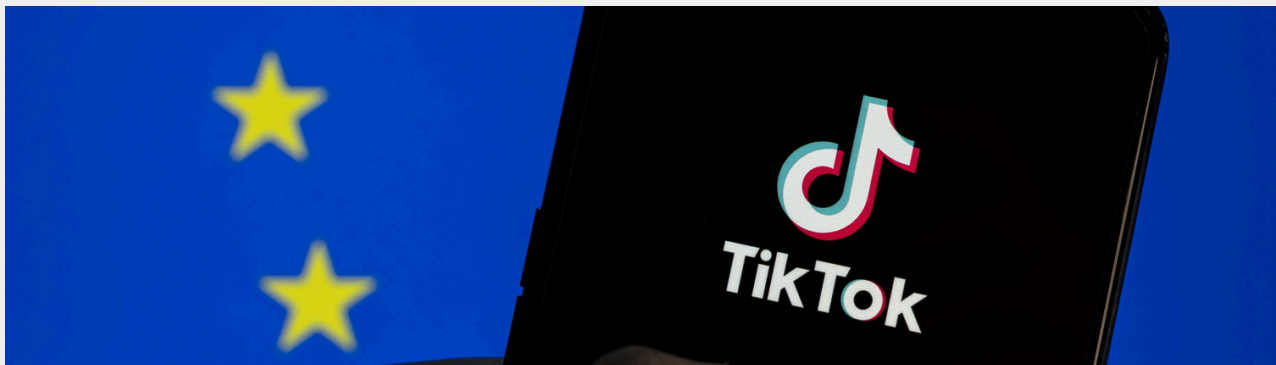


HOW LAWS SHAPE TECHNOLOGY: TIKTOK

Social media platforms face numerous legal challenges, ranging from data privacy and security concerns to content moderation and intellectual property disputes. These laws dictate how companies operate and alter the way their technology is implemented and designed. This newsletter explores how the GDPR has forced TikTok to adapt its technology, focusing on the implications for its infrastructure, costs, and user experience.

IMPACT OF GDPR

Laws such as the General Data Protection Regulation (GDPR) protects individuals by enforcing strict rules on how personal data is collected, processed, and stored. The GDPR restricts transferring EU user data to non-EU countries unless adequate safeguards exist. For TikTok, this means having to address concerns regarding whether user data can be accessed by the Chinese government, a key issue which led to the creation of Project Clover.



PROJECT CLOVER

To comply with GDPR in Europe and address user data concerns, TikTok launched Project Clover in Europe, which involved building local data servers in Ireland and Norway to store EU user data. TikTok set aside €12 billion for this project, where €600 million was set aside for the Ireland data server. This investment by TikTok underscores the financial burden of having to comply with personal data laws and regulations.

Furthermore, TikTok has enlisted the help of UK-based cybersecurity firm NCC Group to independently audit its data controls, monitor data flows and report incidents, providing a level of transparency and oversight by ensuring continuous monitoring of the security gateway environments that provide additional protection to our European data and preventing access to employees based in China.

CONCLUSION

This case study illustrates the profound impact of laws on technology. From server migrations to involving independent auditors, regulations like the GDPR compel companies to rethink their operations at every level, creating a safer, more equitable digital ecosystem.

Written By: Chua Teck Ren, Technology Director

1. <https://www.bbc.com/news/technology-66717589>

2. <https://www.londonstockexchange.com/news-article/NCC/project-clover-contract-extension-with-tiktok/16872729>

3. <https://www.siliconrepublic.com/enterprise/tiktok-data-centre-dublin-600m-ireland>

4. <https://www.techerati.com/news-hub/tiktok-opens-first-european-data-centre-to-address-privacy-concerns/>

5. <https://newsroom.tiktok.com/en-gb/project-clover-data-migration-to-tiktoks-norwegian-data-centre-has-begun>

Our website



Our socials



Instagram



LinkedIn



Telegram



TikTok



LEGAL INNOVATION AND TECHNOLOGY

Man Represents Himself Using ChatGPT in Court

A man represented himself in court for a charge of committing rape against his domestic helper in 2020. The man admitted to using ChatGPT to generate cases in his written submissions. The court later found the cases cited to be hallucinated.

In September 2024, the Supreme Court issued a circular to guide court users (including lawyers, self-represented persons and witnesses) on the use of generative AI tools. In general, such tools are allowed in the preparation of court documents, but the court user still undertakes all responsibility for the documents they produce. This includes ensuring all AI-generated output is accurate, relevant and does not infringe IP rights.

<https://www.straitstimes.com/singapore/courts-crime/man-who-raped-domestic-helper-gets-191-2-years-jail>

TikTok Fined

In September 2023, the Irish Data Protection Commission fined TikTok €345 million for mishandling children's data, citing violations of GDPR provisions. These included issues regarding lawful processing of children's personal data, as well as concerns over default privacy settings and a lack of transparency.

https://www.dataprotection.ie/en/news-media/press-releases/DPC-announces-345-million-euro-fine-of-TikTok?utm_source=chatgpt.com

Hong Kong Law Schools Embrace Tech for Future Lawyers

Hong Kong's law schools are evolving to prepare graduates for tech-driven legal challenges, including AI ethics, cybersecurity, and online fraud. Programs like HKU's LLM in Technology and IP Law equip students for roles as legal technologists and advisers. Future developments include AI-driven case predictions, digital legal consultations, and chatbots for preliminary advice, shifting lawyers' roles toward risk prevention.

<https://www.scmp.com/special-reports/article/3300387/how-hong-kongs-law-schools-are-adapting-their-curricula-equip-postgraduates-skills-handle-new-types>

Our website



Our socials



Instagram



LinkedIn



Telegram



TikTok

