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# **PROSECUTING VIRTUAL RAPE IN THE METAVERSE: LEGAL AND EVIDENTIARY IMPERATIVES**

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## **Abstract**

*The metaverse represents a transformative digital frontier that combines virtual reality (VR) and augmented reality (AR) to create an immersive, interactive 3D environment that transcends physical reality. Originating as a concept in Neal Stephenson's 1992 novel Snow Crash, the metaverse now serves as a vibrant digital space for socializing, trading, gaming, and more, powered by artificial intelligence and advanced sensory technologies. However, this revolution comes with new challenges, particularly the worrying rise of virtual sex crimes like virtual rape in these digital realms. Unlike traditional cybercrimes, acts of sexual harassment and assault in the metaverse such as non-consensual avatar contact or simulated sexual violence cause psychological and emotional trauma. The law grapples with issues such as jurisdictional ambiguity, evidentiary challenges, and outdated definitions that do not address the harms occurring in immersive digital spaces. This emerging form of virtual gender-based violence requires urgent legal recognition and rigorous reforms that balance technological innovation with protecting human dignity and psychological integrity. This study highlights the critical need for new jurisprudential and policy approaches that tackle virtual sex crimes in the metaverse, and ensure safety, justice, and equality in this evolving digital world.*

**Keywords:** *Virtual rape, Metaverse sexual assault, Digital sexual violence, Virtual reality (VR) crime*

## **INTRODUCTION**

The metaverse represents a revolutionary blend of the physical and digital worlds, allowing people to live, work, and interact in immersive 3D environments that mimic real-life experiences. The word "metaverse" comes from the Greek roots meta meaning "beyond" and verse meaning "universe" or "the entire world." Simply put it envisions an existence beyond

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physical reality made possible through advanced digital technology. Tech giants like Mark Zuckerberg have described it as "the internet you're inside" highlighting how it transforms the passive act of browsing into an active, tangible experience.<sup>2</sup>

Using virtual reality (VR) headsets, motion sensors, and haptic (touch-sensitive) technologies, users can sense spatial presence and interact through gestures, sight, and voice, making the experience incredibly lifelike. The metaverse is not a single platform, but a network of interconnected, real-time virtual spaces that merge with aspects of our physical world. This interconnectedness fosters global communication, removes geographical barriers, and opens new social and economic opportunities for millions of people.<sup>3</sup>

However, this same realism and freedom also expose users to new kinds of risks. People often begin to emotionally or psychologically identify with their virtual avatars, and develop a deep dependence on these environments as extensions of their real identities.<sup>4</sup> Alongside these benefits, there have been disturbing reports of harassment, sexual misconduct, and cyberbullying in these spaces. Unlike typical online abuse, such acts in immersive environments can feel physically and psychologically intrusive, as the user's sensory system is activated as if their own body were being violated.<sup>5</sup> This raises difficult questions for law and ethics how do we define "consent" or "bodily autonomy" in a world where bodies are digital, but experiences feel real?

The current study aims to explore these challenges by examining how sexual harassment and cyberbullying manifest within the metaverse, and how existing legal systems designed for the physical world struggle to regulate behaviour in these new, immersive digital realities.<sup>6</sup>

## Research Objectives

1. To examine emerging forms of sexual harassment and cyberbullying in the metaverse, focusing on how immersive and embodied interactions reshape the nature and perception of digital harm.

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<sup>2</sup> Mark Zuckerberg, *Connect 2021 Keynote Address*, Meta Platforms Inc. (Oct. 28, 2021).

<sup>3</sup> Matthew Ball, *The Metaverse: And How It Will Revolutionize Everything* (W.W. Norton, 2022).

<sup>4</sup> Nick Yee, *The Proteus Paradox: How Online Games and Virtual Worlds Change Us—and How They Don't* (Yale University Press, 2014).

<sup>5</sup> Nir Eisikovits & Dan Feldman, "Virtual Assault and the Metaverse: Moral and Legal Challenges," *Ethics and Information Technology* (2023).

<sup>6</sup> Catherine Flick, "Sexual Harassment in the Metaverse: How Virtual Misconduct Tests Real-World Laws," *Journal of Cyber Policy* (2024).

2. To analyse the legal and ethical implications of avatar-based violations, particularly those related to bodily autonomy, consent, and psychological integrity in virtual environments.
3. To evaluate the adequacy of existing national and international legal frameworks in addressing sexual offenses and online misconduct in immersive digital spaces, and to identify the need for new jurisprudential or policy responses.

### **Research Question**

1. How do acts of sexual harassment and cyberbullying in the metaverse threaten the psychological health, bodily autonomy, and dignity of women and children in immersive virtual environments?
2. To what extent can avatar-based violations and immersive digital interactions constitute legally cognizable “injury” under existing judicial definitions of harm and consent?
3. Are existing national and international legal frameworks particularly those governing cybercrimes and sexual offenses sufficient to regulate and address misconduct within the metaverse, or are special legal reforms required?

### **Research Scope**

This study focuses on sexual crimes, cyber harassment, and cyber bullying against women and children in the metaverse. As virtual environments become more pervasive and vibrant, reports of gender-based violence, online grooming, and emotional abuse are increasing.

The research aims to explore how these crimes although occurring in digital spaces cause psychological and emotional harm, threatening individuals' dignity, privacy, and mental integrity. It emphasizes that virtual violations translate into real trauma, mirroring real-world experiences of assault and bullying.

Its scope is limited to the human impact of such crimes, including ethical and human rights considerations. It examines how law and policy should be adapted to protect users' privacy, physical integrity, autonomy, and equality in immersive digital settings.

## Sexual Violence in the Metaverse

Sexual violence, which deeply impacts our physical and emotional worlds, is now permeating virtual spaces like the Metaverse, where people live, work, and interact through digital avatars. What was previously confined to the physical world is now manifesting in virtual environments, posing new challenges for society and the law. These online spaces, while promising creativity and connection, are also becoming breeding grounds for harassment, assault, and gender-based abuse.

Victims of such virtual sexual violence often describe their experiences as horrific and humiliating. Although the assault occurs through avatars, people experience it as real their bodies react with fear, shock, and trauma, just as they would in assaults in the physical world. Reports from victims on VR games and platforms like Horizon Worlds indicate that acts such as unwanted touching, groping, and verbal abuse can cause severe psychological harm and a lasting sense of humiliation and helplessness. Studies confirm that the brain processes these experiences as real violations rather than simulated events.

This issue is exacerbated by the gap between technological advancements and legal response. The law has not yet clearly defined or addressed crimes such as "virtual rape" or avatar-based sexual assault. As scholars point out, the law cannot remain in isolation it must respond to society's lived experiences and changing realities. The metaverse has made it clear that virtual harm is human harm, and its emotional, psychological, and moral consequences are real.

Therefore, studying sexual violence in the metaverse is not simply about understanding a new form of crime; it is about recognizing that human dignity and safety must transcend physical reality. This research seeks to explore how law, ethics, and technology can work together to protect that dignity ensuring that digital progress does not come at the expense of humanity's most basic rights and dignity.

### 1. Sexual harassment and assault

Sexual harassment and assault are widespread issues in both online gaming and virtual reality environments. Despite women comprising a significant share of the global gaming population 41% in the United States and 40–45% in Asia gaming remains predominantly male-dominated,

with women frequently facing gender discrimination and sexually charged trolling.<sup>7</sup> Empirical studies show that more than half of female gamers have experienced sexual harassment at least once, ranging from unwanted sexual comments to stalking and cyber sexual assault.<sup>8</sup> Such behaviour reflects the gender hierarchy prevalent in online spaces that replicates offline misogyny. For example, a female participant in Team Fortress 2 reported being bombarded with aggressive sexual questions such as "What are you wearing?" or "Do you have any nude photos?" when she used her voice during the game.<sup>9</sup>

The metaverse and virtual reality (VR) exacerbate such harms, as these interactions occur through embodied avatars. Acts such as virtual "groping" or simulated sexual contact create violations that are experienced as psychologically and physically invasive.<sup>10</sup> A survey of 609 VR users by Outlaw reported that 49% of women and 36% of men had experienced some form of sexual harassment, including simulated sexual acts and non-consensual proximity.<sup>11</sup> These findings confirm that cases like Patel's metaverse assault are neither isolated nor anecdotal, but rather part of a systemic continuum of virtual gender-based harassment.<sup>12</sup>

## 2. Sexual Victimization of Adolescents in Online Environments

Online grooming in the metaverse is a deliberate process by which adults build trust-based relationships with minors and sexually exploit or abuse them. Emerging digital spaces like VRChat, Altspace, and Horizon Worlds enable users to interact as lifelike avatars, creating emotional intimacy that significantly reduces children's natural caution or awareness of risk.<sup>13</sup> Despite policies that technically restrict access to those aged 13 and over, these platforms rarely use meaningful age verification measures. This makes it easier for adults to impersonate children or vice versa, blurring identity boundaries and increasing the risk of predatory contact.<sup>14</sup>

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<sup>7</sup> Entertainment Software Association, *Essential Facts About the Computer and Video Game Industry* (ESA, 2024); Bryter, *Female Gamer Survey 2020* (Women in Games, 2020).

<sup>8</sup> Y Zhou and Z D Peterson, 'Women's Experiences of Sexual Harassment in Online Gaming' (2025) 31 *Violence Against Women* 2037; ESA, *Essential Facts* (n 1).

<sup>9</sup> J De Letter, T Van Rooij and J Van Looy, *Determinants of Harassment in Online Multiplayer Games* (Ghent University, 2017).

<sup>10</sup> J Outlaw, 'When Virtual Reality Feels Real, So Does the Sexual Harassment' (2018) *Voices of VR* <https://voicesofvr.com/690-survey-of-harassment-in-vr-cultural-dynamics-vs-tech-solutions/> accessed 26 October 2025.

<sup>11</sup> *ibid.*

<sup>12</sup> C Rigotti, *Sexual Violence and Harassment in the Metaverse* (AUDRI, 2023).

<sup>13</sup> S Hinduja, *Child Grooming and the Metaverse – Issues and Solutions* (Cyberbullying Research Centre, 2024) <https://cyberbullying.org/child-grooming-metaverse> accessed 26 October 2025.

<sup>14</sup> ProtectChildren.ca, *Dangerous Reality: What Parents Need to Know about the Metaverse* (27 February 2022).

The immersive and tangible nature of avatar-based environments allows abusers to engage in "virtual touch" or personal interactions that feel physically real to the victim. In non-immersive platforms like chatrooms, such contact is limited to text or voice, but in the metaverse, predators can simulate proximity or affection, intensifying grooming tactics.<sup>15</sup> Various reports have documented that children as young as six have encountered adult strangers in these spaces, and in 2022, a South Korean man was sentenced to four years in prison for using a disguised child avatar to obtain sexual content from minors.<sup>16</sup> Such incidents demonstrate that the metaverse's promise of creativity and social engagement also brings to the fore a new frontier of online sex crimes demanding regulatory vigilance, child safety design, and international criminal law cooperation.

### 3. Exposure to Sexual Materials in Digital Environments

Many virtual environments within the metaverse are designed as "age-neutral spaces," allowing individuals of all ages to interact without effective age verification or content moderation.<sup>17</sup> These spaces such as VRChat and similar immersive platforms enable users to embody avatars and engage in interactions that sometimes mimic adult entertainment venues. Some rooms simulate strip clubs or erotic roleplay scenarios, allowing avatars to make sexual gestures or use virtual devices. During a widely cited BBC investigation, a reporter dressed as a young teenager entered such spaces and witnessed sexual displays, rape threats, and virtual propositions.<sup>18</sup> She encountered several adult avatars displaying sexually explicit objects and was told that the software allows users to "get naked and do unspeakable things."

Such incidents reveal how avatars can serve as symbolic bodies, making simulated behaviour including sexual aggression emotionally real for participants and observers.<sup>19</sup> Journalists and researchers who repeated similar experiments under different child and adult aliases

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<sup>15</sup> United Nations Interregional Crime and Justice Research Institute (UNICRI), *Gaming, and the Metaverse: The Alarming Rise of Online Child Sexual Exploitation and Abuse within the New Digital Frontier* (Bracket Foundation and Value for Good GmbH, 2022).

<sup>16</sup> *South Korea Sentences Metaverse Sexual Abuser to Four Years Imprisonment* (CryptoSlate, 11 September 2022) <https://cryptoslate.com/south-korea-sentences-metaverse-sexual-abuser-to-4-years-imprisonment/> accessed 26 October 2025.

<sup>17</sup> BBC News, 'Metaverse App Allows Kids into Virtual Strip Clubs' (22 February 2022) <https://www.bbc.com/news/technology-60415317> accessed 26 October 2025.

<sup>18</sup> Andy Phippen, 'Protecting Children in the Metaverse – We All Have a Role to Play' (Bournemouth University, 28 February 2022).

<sup>19</sup> HX Qin, 'Identity, Crimes, and Law Enforcement in the Metaverse' (2025) *Humanities & Social Sciences Communications* <https://www.nature.com/articles/s41599-024-04266-w> accessed 26 October 2025.

consistently observed sexual simulation, threats, and overt references to child abuse.<sup>20</sup> These findings align with academic concerns about “sexual age play” a form of adult role-playing where users adopt child-like avatars for sexual interactions. Although often defended as fantasy between consenting adults, such behaviour risks normalizing child sexualization and undermining public safety in shared metaverse spaces especially when minors are exposed. Collectively these reports highlight the urgent need for legal clarity and robust content moderation to prevent the normalization of virtual abuse that mirrors real world harms.

## **Evidentiary and Legal Barriers in Prosecuting Sexual Harassment in Virtual Reality Environments**

The rise of complex digital systems and virtual reality technologies has opened new avenues for sexual crimes, often disguised as online interaction or entertainment. Reports from the Center for Countering Digital Hate (CCDH) highlight that sexual content and harassment of minors frequently occur on virtual platforms, suggesting that online bullying and harassment has become even more severe in the metaverse.<sup>21</sup>

Especially after the pandemic, the metaverse has gained popularity as people seek new ways to socialize. Companies like Google and Apple have experimented with virtual reality and tactile technologies, allowing users to navigate immersive digital worlds through avatars. Although online gaming is often perceived as male-dominated, with low female participation, women still face significant harassment. Although approximately 45% of Asian gamers are women, sexual harassment and other crimes are still prevalent in virtual spaces.

A particular concern is that some metaverse platforms or rooms function like virtual strip clubs, encouraging sexually explicit activities and making it difficult to control inappropriate behaviour. Users can interact with various avatars regardless of age, creating a high risk of exposure to sexually explicit content. Several incidents illustrate this risk: for example, a researcher was assaulted in a private virtual party room, where the perpetrator instructed her to lift her avatar up for others to see. In Population One, Maria DeGrazia was virtually groped while wearing a haptic vest, and in Echo VR, Sydney Smith faced lewd comments and

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<sup>20</sup> S Hinduja, *Child Grooming and the Metaverse – Issues and Solutions* (Cyberbullying Research Center, 2024) <https://cyberbullying.org/child-grooming-metaverse> accessed 26 October 2025.

<sup>21</sup> L Goold and J Smith, ‘From Virtual Rape to Meta-Rape: Sexual Violence, Criminal Law and the Metaverse’ (2025) 45 *Oxford Journal of Legal Studies* <https://academic.oup.com/ojls/advance-article/doi/10.1093/ojls/gqaf009/8108104> accessed 26 October 2025.

harassment that were difficult to report.

Children are particularly vulnerable. Predators often lure young users by interacting through child-friendly avatars to gain their trust, with the goal of sexual assault. Age restrictions, such as a minimum age of 13, are often not verified, allowing adults to impersonate minors and vice versa. This creates a serious protective gap, leaving children exposed to offline meetings or private video chats, further increasing their risk.<sup>22</sup>

Historically, online sexual harassment was primarily considered a crime when it involved verbal or visual content. The metaverse has expanded the scope of such crimes to include immersive experiences, such as haptic touch, which can make virtual harassment as psychologically impactful as real-life assault. In some cases, the threats that accompany such virtual acts such as threats of physical harm or assaulting loved ones can exacerbate the trauma. Victims often experience long-term psychological effects, including anxiety, depression, and social isolation.

Proving these crimes is a major challenge. Because harassment occurs in a virtual world, it can be difficult for the public, legal authorities, or even victims to recognize the act as criminal. Unlike direct physical abuse, non-contact virtual abuse is sometimes considered less severe, although it can cause lasting trauma. Victim blaming worsens the psychological impact, especially in patriarchal societies like India, where women may have difficulty relinquishing social labels that hold them responsible for the crime. This combination of technological, evidentiary, and social factors contributes to a cycle of unreported and untreated trauma.

### **The Consequences of Sexual Harassment in Virtual Spaces: Evidentiary Challenges and Victim Impact**

A person who experiences repeated sexual assault can experience severe and lasting psychological and physical trauma. Such experiences often trigger immediate emotional reactions such as shock, fear, and helplessness, followed by long-term effects such as post-traumatic stress disorder (PTSD), anxiety, depression, and social isolation. Over time, the

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<sup>22</sup> Center for Countering Digital Hate, *New Research Shows Metaverse is Not Safe for Kids* (2022) <https://counterhate.com/blog/new-research-shows-metaverse-is-not-safe-for-kids/> accessed 26 October 2025.

persistence of such trauma can severely impact a person's self-esteem and daily functioning, leaving them vulnerable to emotional breakdowns and physical health challenges.

Children and young people are particularly vulnerable to these effects. Experiencing sexual assault or abuse in their formative years can disrupt emotional development and lead to conditions such as polycystic ovary syndrome (PCOS), which is associated with chronic stress and hormonal imbalances. Adolescents and young adults, especially those under the age of thirty, may also exhibit abnormal sexual behaviour or resort to substance abuse to cope with unresolved trauma and distress.

In short, the consequences of persistent sexual harassment extend far beyond the immediate incident affecting mental stability, social relationships, and even physical health. Early psychological intervention, trauma-informed support systems, and community awareness are crucial to mitigating these life-altering consequences.

### **Cognitive and Emotional Effects of Sexual Misconduct in Immersive Digital Spaces**

The mental and emotional impact of sexual violence in the metaverse is being recognized as like real-world trauma. Early online harassment was limited to words and images, but with the advent of immersive virtual reality (VR), a sense of presence and realism allows users to experience these events as if they were happening to their physical bodies. Due to the way the human brain processes the perception of threat and embodiment in virtual environments, victims cannot easily distinguish between real and virtual violations.

When a user's avatar essentially a digital extension of themselves is harassed, touched, or assaulted within VR, it can trigger physical and emotional reactions like those of offline sexual assault. These reactions can include anxious reactions such as increased heart rate, panic attacks, chills, or fleeing. Studies show that immersive sexual aggression can disrupt a person's sense of safety, body ownership, and personal boundaries in ways like traditional trauma.<sup>23</sup> Victims often describe feeling humiliated, scared, and powerless, especially when others dismiss the experience as not real.

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<sup>23</sup> C McGlynn, 'From Virtual Rape to Meta-Rape: Sexual Violence, Criminal Law and the Metaverse' (2025) 45 *Oxford Journal of Legal Studies* <https://academic.oup.com/ojls/article/45/3/554/8108104> accessed 26 October 2025.

Furthermore, psychological damage often extends beyond the virtual moment. Victims of virtual reality harassment have reported offline consequences such as anxiety, insomnia, depression, avoidance behaviour, and even post-traumatic stress disorder (PTSD).<sup>24</sup> The use of touch technologies that simulate touch can exacerbate emotional damage because virtual contact can feel physically invasive. Research has shown that direct tactile sensations in virtual violence produce greater distress, mirroring patterns of trauma in contact sexual assault victims.<sup>25</sup>

Psychologists like Jesse Fox emphasize that people who strongly identify with their avatars can experience avatar abuse as equivalent to personal physical violation.<sup>26</sup> This deep connection between identity and embodiment in virtual reality explains why sexual violence in the metaverse cannot be underestimated. The emotional injury manifested through shame, fear, and isolation is both psychologically real and socially consequential, requiring recognition within legal and mental health frameworks. Thus, the metaverse can mimic real-world structures of sexual harm, and exacerbate them through a lack of immersion and accountability.

### **Legal Complexities in Defining and Prosecuting Sexual Offences in Virtual Spaces**

The lack of a clear legal definition for crimes in the metaverse makes it extremely challenging to prosecute offenders or classify abuses under existing statutory law. Because virtual environments transcend physical boundaries, uncertainty persists about which country's legal system should have jurisdiction. For example, a perpetrator in one country could attack an avatar controlled by a victim in another, creating a jurisdictional vacuum where neither domestic law nor international frameworks provide adequate protection.<sup>27</sup> Current criminal laws do not explicitly recognize metaverse-based crimes, meaning that serious acts such as virtual rape or harassment often fall outside the scope of codified categories of crime.

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<sup>24</sup> AUDRI, *Sexual Violence and Harassment in the Metaverse* (April 2024) <https://audri.org/resources/sexual-violence-and-harassment-in-the-metaverse/> accessed 26 October 2025.

<sup>25</sup> N Ryzewski, 'The Landscape of Sexual Assault and Rape in the Metaverse' (2025) *FIU Law Review* <https://ecollections.law.fiu.edu/cgi/viewcontent.cgi?article=1704&context=lawreview> accessed 26 October 2025.

<sup>26</sup> J Fox, 'Sexual Assault and Virtual Representation in the Metaverse: Psychological Identity and Embodied Harm' in *Sexual Assault in the Metaverse: Virtual Reality, Real Trauma* (Psychology Today, 2023) <https://www.psychologytoday.com/us/blog/why-bad-looks-good/202301/sexual-assault-in-the-metaverse-virtual-reality-real-trauma> accessed 26 October 2025.

<sup>27</sup> SS8 Networks, *Crime and Law Enforcement in the Metaverse* (10 April 2025) <https://www.ss8.com/crime-and-law-enforcement-in-the-metaverse/> accessed 26 October 2025.

For example, in India, Section 64 of the Bhartiya Nyaya Sanhita (BNS) 2023 defines rape primarily as physical penetration of a human body.<sup>28</sup> Such a definition cannot easily encompass simulated attacks or abuse involving avatars. Nevertheless, this same legal logic could be extended to criminalize sexual harassment or offensive virtual behaviour if they cause similar psychological harm. Supporting this view, the Information Technology Act, 2000 specifically Sections 67, 67A, and 67B provides penalties for publishing or transmitting obscene, sexually explicit, or child-related material through electronic means, which may also include activities within the metaverse.<sup>29</sup>

Another serious problem arises from the global and anonymous nature of metaverse platforms, which weakens law enforcement agencies' ability to trace perpetrators, identify real-world identities, or ensure cross-border cooperation.<sup>30</sup> The immersive and physical realism of virtual reality made possible by tactile interfaces and full-body avatars also exacerbates the harm to victims, especially women. Repeated reports have documented widespread groping, non-consensual sexual behaviour, verbal abuse, and simulated rape in spaces like Horizon Worlds and VRChat, demonstrating that virtual abuse closely mirrors real-world patterns of gender violence while remaining largely unregulated. Until criminal jurisprudence evolves to define and address "virtual assault," metaverse sex crimes will continue to exist in a legal grey zone, leaving victims without effective recourse and international perpetrators immune from accountability.

Although the Indian Penal Code (IPC) of 1860 has historically governed criminal offenses, including sexual assault, the Indian Penal Code (BNS) 2023, which became effective July 1, 2024, now serves as India's primary criminal code. The BNS retains many provisions relating to sexual offenses against women but updates and consolidates penalties to reflect contemporary legal needs. For example, Section 75 of the BNS explicitly deals with sexual harassment, including physical contact, demands for sexual favours, showing pornography without consent, and making sexually explicit comments, with penalties of up to three years of rigorous imprisonment or a fine.<sup>31</sup> Although statutory provisions exist for offline and traditional

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<sup>28</sup> *Rape in India, Indian Penal Code 1860*, s 375 <https://www.indiatoday.in/law/story/noida-man-digital-rape-minor-law-sexual-assault-nirbhaya-case-1950193-2022-05-16> accessed 26 October 2025.

<sup>29</sup> Law School Policy Review, 'Expounding the Contours of Sexual Harassment in Virtual Reality' (May 2022) *RMLNLU Law Review* <https://rmlnlulawreview.com/2022/05/24/metaverse-2/> accessed 26 October 2025.

<sup>30</sup> V Kharkov and E Yaroshenko, 'Criminal-Legal Issues of Countering Crime in the Metaverse: Current State and Prospects of Development' (2025) *Journal of Digital Technology Law* doi:10.21202/jdtl.2025.8.

<sup>31</sup> *Bhartiya Nyaya Sanhita 2023*, s 75.

cybercrimes, the BNS, like prior laws, currently lacks specific provisions addressing criminal acts within metaverses or virtual reality spaces. Existing laws, including Sections 67, 67A, and 67B of the Information Technology Act, 2000, deal with online pornography and child sexual exploitation, but do not yet include offenses specifically located in avatar-based virtual environments.<sup>32</sup> Other Indian legal measures, such as the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013, define terms broadly to cover various scenarios of workplace harassment and include protections for contract workers and volunteers, but still do not explicitly extend to virtual environments like the metaverse.

On the international front, regulatory models such as the European Union's Digital Services Act (2022) and emerging AI regulations demonstrate efforts to mitigate online harms and establish standards for evolving digital ecosystems. Nevertheless, maintaining legal relevance remains challenging due to the dynamic and rapidly advancing nature of AI and VR. Given these shortcomings, it is crucial to create new policy frameworks that prioritize gender justice and feminist jurisprudence in virtual spheres. Such frameworks must acknowledge the intangible but serious harms caused by virtual sexual violence including privacy violations, reputational damage, and psychological trauma even if no physical harm is inflicted. Recognizing metaverse rape and sexual harassment as emerging criminal phenomena requires legal innovation that balances technological realities with the protection of human dignity and rights.<sup>33</sup>

The metaverse has emerged as a digital realm where women face a variety of sexual crimes, including stalking, cyberbullying, and harassment. A report titled "Sexual Violence and Harassment in the Metaverse: A New Manifestation of Gender-Based Harms" highlights how technology fuels gender-based violence against women and calls for expanding existing laws to cover the metaverse.<sup>34</sup> Article 8 of the European Council Convention on Data Protection underlines the paramount importance of privacy protection and emphasizes the risks posed by cybercriminals operating under anonymous identities. A significant legal challenge is the question of the legal identity of digital avatars; when crimes are committed by such avatars,

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<sup>32</sup> Information Technology Act, 2000, ss 67, 67A, 67B.

<sup>33</sup> European Union, Digital Services Act, 2022 <https://digital-strategy.ec.europa.eu/en/policies/digital-services-act-package> accessed 26 October 2025.

<sup>34</sup> Alliance for Universal Digital Rights, Equality Now and Vulnera, *Sexual Violence and Harassment in the Metaverse: A New Manifestation of Gender-Based Harms* (26 April 2024) <https://audri.org/resources/sexual-violence-and-harassment-in-the-metaverse/> accessed 26 October 2025.

issues of liability and prosecution arise. Current technologies struggle to keep pace with the evolving metaverse environment, making data privacy protections inadequate to address crimes in this realm. Regarding children, immersive technologies like virtual reality (VR) and augmented reality (AR) enable unrestricted social interaction within the metaverse, posing significant safety challenges. Both the United Nations Convention on the Rights of the Child and the Lanzarote Convention prioritize the protection of children in digital environments to avoid legal harm. Prolonged exposure to the metaverse can lead to physical side effects such as motion sickness and insomnia, as well as psychological problems such as anxiety and depression due to cyberbullying. India's primary cybercrime law, the Information Technology Act, 2000, which was primarily designed for e-commerce, does not comprehensively define 'cybercrime' nor address artificial intelligence or metaverse-specific issues. Meanwhile, the European Union's Artificial Intelligence Act, 2024, represents a pioneering step toward regulating AI, although its rapid technological evolution requires adaptable standards to remain effective.<sup>35</sup>

Tip Category	Recommendations
Age Restrictions	Ensure your child is old enough to use the metaverse; limit access or use devices under close supervision.
Account Management	Sign out of your metaverse account when not in use to prevent unauthorized access.
Parental Awareness	Stay informed about your child's online activity, metaverse platforms, VR devices, and games including privacy and reporting tools.
Activity Supervision	Have your child cast their metaverse activity onto another device (phone/laptop) so you can monitor in real time.
Communication	Maintain regular conversations about your child's metaverse experiences and online safety.

<sup>35</sup> European Union, *Artificial Intelligence Act*, 2024 <https://digital-strategy.ec.europa.eu/en/policies/artificial-intelligence-act> accessed 26 October 2025.

Tip Category	Recommendations
Risk Education	Teach your child that not everyone online is who they claim to be and discuss how to handle uncomfortable situations.
Emotional Support	Reinforce your availability for support if your child feels upset or experiences discomfort in the metaverse.

*Table 2. Tips for parents to help children better protect*

## CONCLUSION

The metaverse is still emerging, but increasingly reports of sexual harassment are being reported within its realm. While incidents of sexual abuse in the metaverse may be like those on other online platforms, the intense immersion and realism inherent in these virtual environments have profound psychological impacts, especially on young victims. This increases the need for active participation from users, educators, parents, and lawmakers to establish and implement adequate preventive and remedial frameworks. The metaverse is no longer a fantasy; it is a growing, evolving reality that constantly gives rise to emerging challenges. As a result, the establishment of illegal activities within virtual reality remains a complex and unlikely prospect. Despite its benefits, the metaverse has also contributed to social challenges by expanding the scope of sexual harassment beyond the physical and workplace boundaries into virtual realms. This expansion threatens progress towards equality and a harassment-free life. Therefore, scholars, practitioners, and policymakers should focus on mitigating the design risks of virtual reality and ensuring that legal frameworks evolve alongside technological advancements. These efforts should highlight how technological advances can sometimes conflict with, rather than complement, anti-sexual harassment laws. Ultimately, the researcher's initial hypothesis, which posits the validity and importance of these concerns, is confirmed and can be further refined based on ongoing developments.