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## Avinash Kumar



*Avinash Kumar has completed his Ph.D. in International Investment Law from the Dept. of Law & Governance, Central University of South Bihar. His research work is on "International Investment Agreement and State's right to regulate Foreign Investment." He qualified UGC-NET and has been selected for the prestigious ICSSR Doctoral Fellowship. He is an alumnus of the Faculty of Law, University of Delhi. Formerly he has been elected as Students Union President of Law Centre-1, University of Delhi. Moreover, he completed his LL.M. from the University of Delhi (2014-16), dissertation on "Cross-border Merger & Acquisition"; LL.B. from the University of Delhi (2011-14), and B.A. (Hons.) from Maharaja Agrasen College, University of Delhi. He has also obtained P.G. Diploma in IPR from the Indian Society of International Law, New Delhi. He has qualified UGC - NET examination and has been awarded ICSSR - Doctoral Fellowship. He has published six-plus articles and presented 9 plus papers in national and international seminars/conferences. He participated in several workshops on research methodology and teaching and learning.*

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# **DIGITAL RAPE: ABOUT AMENDMENT** **OF LAWS**

AUTHORED BY - AAGMAN SRIVASTAV

## **Abstract**

Laws are needed to keep the digital world under control because internet risks and privacy invasions are becoming more common. This study looks at the idea that more rules are needed to stop hackers and data breaches. Because technology changes so quickly, most of the talk is about how new ideas have changed the digital world. A lot of study is done on different kinds of privacy violations, like data breaches and surveillance that isn't supposed to happen, to show how important it is for the law to respond. The main goal of the suggested changes is to make laws stronger against cybercrime and private invasions, which are two important parts of progressive law. Our way looks for answers by examining global law and the thin line between privacy and safety. The conclusion stresses the need to adapt law systems to the digital age to stress how important it is to find a balance between full safety and personal freedom. This makes a promise of full safety.

## **Introduction**

New technologies have made the digital world more useful in many ways, but they have also introduced unknown risks. Most of these risks have to do with hacking and data breaches. This study looks at whether laws need to be changed to better handle new issues in the digital world, taking into account how laws have a big effect on people's lives<sup>1</sup>. As new technologies and cybercriminals' methods become more alike, we need rules that are proactive and flexible to cover risks. The main point of this study is that laws need to be changed right away to make privacy and cybercrime protections stronger. This article talks about the digital age and offers changes to the law that would make sure people use technology in a fair and legal way in our connected world.

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<sup>1</sup> Halder D., A Brief Commentary on Verma Committee Report on Criminal Law Amendment with Special Reference to Crime Through Digital Medium, 22 Virt. F. against Cyber Crime Monthly Newsl. 16 (Apr. 2013).

## Digital Crimes: Understanding the Landscape

In many ways, digital crimes use weaknesses in the digital world to their benefit. Crimes like these are known as "digital crimes." Cybercrime is the use of computers or networks to help with illegal actions. Cybercrime includes anyone breaking into a computer system, hacking, and identity theft. Many kinds of hacking exist<sup>2</sup>. Someone breaking into a computer system without permission will often change data. Using similar words and phrases, we can talk about these attacks. Criminals called hackers get into computers without the owners' permission. Name theft is when someone uses someone else's name without their permission. In order to understand how difficult illegal behaviour is online, these offences need to be clearly explained. Close examination of important case studies reveals the real-life effects of hacking. As an example of how broad the effects of cybersecurity breaches can be, think about big businesses or government agencies that set off events that create agreement<sup>3</sup>. Studies of actual cases show that identity theft hurts people's finances and emotions. These events serve as strong reminders of how important it is to have strict laws to stop and fight cybercrime, as they demonstrate the negative impacts on individuals and companies. For example, these scenarios reveal how weak the online world is and how hackers are changing how they work.

### Existing Legal Framework

There are many cases, laws, and rules that make up digital crime law. This technique was used to try to stop bad behaviour that digital platforms made easier to do. Some of these rules are about privacy, others about hacking, and still others are about data security. The rule needs to be changed though because new threats always show up. Look for any issues with the current legal framework to make sure the laws are full and sufficient. Authority issues, out-of-date language, and the need to change rules to fit the changing nature of cyber threats are some of the problems that keep coming up<sup>4</sup>. The law might be able to handle cybercrime better if the rules against it are looked at on a world level. Watching how similar issues were handled in other places might help you figure out which rules work and which ones don't. Other governments could be pushed to make cybercrime rules and security systems stricter. We can learn more about how to avoid

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<sup>2</sup> Jurasz O., Barker K., Sexual Violence in the Digital Age: A Criminal Law Conundrum?, 22 Ger. L.J. 784 (Aug. 2021).

<sup>3</sup> Janzen S., Amending Rape Shield Laws: Outdated Statutes Fail to Protect Victims on Social Media, 48 UIC L. Rev. 1087 (2015).

<sup>4</sup> Bhandari V., Kovacs A., What's Sex Got to Do with It? Mapping the Impact of Questions of Gender and Sexuality on the Evolution of the Digital Rights Landscape in India, Mapping the Impact of Questions of Gender and Sexuality on the Evolution of the Digital Rights Landscape in India (Jan. 20, 2021).

problems like these in the future, though, by looking at places that have already been through them. People can help build an international group that can effectively defend against digital threats by learning about how different laws work. Countries must also work together to fight transnational hacking. To make their anti-crime laws stronger, lawmakers need to look at other legal systems and learn from their pros and cons. This will make the online world stronger and better.

## Privacy Violations in the Digital Age

One of the main reasons for digital data breaches is that personally identifiable information is shared or misused without permission. Before describing these violations in detail, it is essential to understand the situations in which privacy rights are violated. Surveillance, breaches of privacy, and the illegal collection of data over the internet are all widespread. Social media, powerful data analytics, and digital platforms make privacy breaches more challenging to handle. An illustration of the size of the attacks could show how hard it is for people to protect their private information at a time when everyone is connected more than ever<sup>5</sup>. When privacy is violated, there are serious legal consequences that affect hacking. People who breach privacy must consider the penalties they will face when considering the legal consequences. New laws punish and discourage people who break privacy, data protection, and hacking rules. To determine how well these safety measures are working, we need to look at the enforcement tactics, penalties, and current laws dealing with the growing number of privacy risks. There needs to be a unified legal reaction because many privacy violations happen across national borders, making it harder to decide who is responsible. As a result, there needs to be a single legal reaction. That people who breaks privacy laws be held legally accountable is very important. In this way, a safe digital space will be created where people can be sure that their private data will be handled with the most excellent care and attention to detail<sup>6</sup>.

## Need for Legal Amendments

Legal systems must be constantly changed, making technological progress more urgent. To keep up with how quickly the internet changes, web deviance needs to be discussed regarding how new tools affect it. Hackers now have more options thanks to new technologies like Bitcoin, AI, and IoT. To deal with the challenges that new technologies bring, legal systems need to be able

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<sup>5</sup> Jalil J.A., Combating Child Pornography in the Digital Era: Is Malaysian Law Adequate to Meet the Digital Challenge, 23 *Pertanika J. Soc. Sci. & Hum.* 137 (Oct. 1, 2015).

<sup>6</sup> Karaian L., Lolita Speaks: 'Sexting,' Teenage Girls and the Law, 8 *Crime, Media, & Culture* 57 (Apr. 2012).

to spot and predict possible dangers. To stop new digital threats, laws must consider the security holes that new technologies create. Cybercriminals are still around in the digital age but are constantly changing to deal with new problems. Understanding how these crooks are changing their methods to avoid unexpected threats is very important. Unknown internet privacy risks always appear because thieves are always coming up with new ways to get around them<sup>7</sup>. Two of the most common threats are complex deception tactics and ransomware attacks. These threats must first be identified to come up with reasonable law solutions for cybercrime today. Cybercriminals are constantly changing how they do things, so the legal system must be able to switch to new and current problems.

## Proposed Legal Amendments

Legal ideas for updating and improving laws are essential for strengthening the system against digital crime. There needs to be an analysis of present laws to find and fix any problems, change definitions, and add new measures to deal with new threats. Because the digital world is always changing, politicians have to think ahead about possible problems and make laws that deal with them. As a result, it is very important to stress how important harsh legal steps are. Put up barriers to internet crime to help the police fight cybercrime. More and more people are worried about their personal info, so privacy laws need to be improved right away. Individual data security rules need to be strict in order to stay competitive and up to date with changes in technology. Privacy breaches will have effects, companies will have to be more open, and data collection will be limited more. Privacy measures that are taken proactively protect both state and individual rights and also boost trust in the online world.

## Challenges in Implementing Legal Changes

Global authority is a big problem when it comes to enforcing new rules in the digital age. Because the internet is so linked, cybercrime happens all over the world. Because of this, problems with the law happen. It's not always easy to tell if a court system is ready to handle cases involving people or businesses that have an impact around the world. International cooperation and frameworks that include a number of different law systems are very important<sup>8</sup>. There may be more consistency in the laws, and it may be easier to carry out agreements for extradition and mutual legal aid. It's more likely that we can stop people from stealing all over the world. When

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<sup>7</sup> Siddiq S.A., Meeran H.M., Can We Orange the World? The Process of Curating Rape and Sexual Violence in Digital Narratives.

<sup>8</sup> Mishra A., Digital Rape: A Medico-Legal Perspective.

new laws are written, they need to carefully consider what the best mix is between privacy and security. If politicians want to really stop hacking attacks, they need to find a way to protect people's privacy as well. If you want to sign an agreement, please make sure you carefully read the parts that talk about privacy, security, and data keeping. As a basic human right, the right to privacy must be protected by any changes to the law. For the new rules to work, they need to find a balance between stopping hackers and protecting people's rights and privacy.

## **Conclusion**

Cybercrime and privacy breaches are happening more and more often in the digital world, so we need a full and quick reaction. Some important points show how the effects of new technology, changing rules, and higher risk are linked and complicated. Because of these big changes, the government needs to move right away to make defences stronger against cyberattacks. Legal solutions should be based on the line between privacy and security, as well as moral concerns. To make laws that protect people's rights without putting their online safety at risk, we need laws that can change with the times.

