



INTERNATIONAL JOURNAL FOR LEGAL RESEARCH AND ANALYSIS

Open Access, Refereed Journal Multi Disciplinary
Peer Reviewed Edition :

www.ijlra.com

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INTERNATIONAL JOURNAL FOR LEGAL RESEARCH & ANALYSIS

ISSN

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CYBERVIOLENCE AGAINST WOMEN

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ABSTRACT:

These days, there is an increase in crime against women from all walks of life. Additionally, since technology permeates almost every part of our lives, there has been a marked rise in cybercrimes against women. Cyberviolence, a subset of cybercrime, is defined as "the use of computer resource to cause, facilitate or threaten violence against individuals, that usually causes them psychological, emotional, sexual or emotional harm," though a precise definition is still lacking. People often underestimate and trivialize the internet, and therefore cyberviolence is not treated as seriously as it should be. For them, anything happening online is not worth paying attention to. Most cybercrimes, particularly those targeting women, begin with plans to cause mischief online. They fail to realize, nevertheless, that women frequently experience a great deal of stress and difficulty because of their mischievous actions. More so since the social framework of the society constantly seeks to oppress women and places the blame on them. Women often withdraw from cyberspace due to occurrences of online harassment, abuse, and threats via email or social media platforms. Because the internet also provides anonymity, people who abuse women frequently get away with it. In this article, I've talked about the different forms of cyberviolence that women experience and how it negatively impacts them... I have also examined several legislations, such as the Information Technology Act of 2000 and the IPC's criminal provisions, that are designed to safeguard women in the event of such situations. However, criminal penalties alone are insufficient to counteract any societal evil, in this case, cybercrimes; instead, raising people's understanding and consciousness about appropriate internet usage is crucial. I've also talked about the precautions that people should take to stop the growing trend of cybercrime against women. In the end, I've concentrated on the solutions offered to cybercrime victims and the systemic adjustments needed to successfully stop the growing trend of cybercrimes.

INTRODUCTION:

Cyberviolence can be defined as any online behavior that intends to intimidate or cause adverse effects on the psychological, emotional, physical, sexual, or financial state of a person /group.

Cyberviolence is often overlooked by people and not taken as seriously as it should be, because people forget that cyberviolence may start online, but it has detrimental effects on the victims and their families. The victims of tech-driven violence often tend to experience anxiety, stress, sleeplessness, suicidal thoughts, and the feeling of always being monitored.

Thanks to technological advancements, everyone is familiar with using the internet these days. The Internet is available to almost everyone, and although it offers numerous benefits, there are drawbacks. Now, practically anyone may locate someone online and inflict mental distress upon them.

Cyberviolence is gender-neutral and affects both men and women, but since women and children are the most vulnerable sections of society, they are more likely to experience severe and traumatic types of cyberviolence. Cyberviolence can take many forms, such as non-consensual pornography, hate speech, sextortion, gender-based slurs, online bullying, harassment, and cyberstalking.

CYBERVIOLENCE AGAINST WOMEN:

For generations, women in the patriarchal society were oppressed and treated as second-class citizens. They were always denied the rights, opportunities, and exposure that they rightly deserved.

With the advancement of technology women's emancipation is now feasible, and they are gradually attempting to free themselves from male dominance. However, incidents of online harassment, assault, and threats via email or social media platforms frequently drive women to retreat from cyberspace. Since the internet provides anonymity, those who commit violence against women frequently escape punishment. Certain groups of women and girls may be particularly vulnerable to this kind of violence because of their social roles. In the digital sphere, public figures, politicians, journalists, video game creators and players, environmental and other activists, and women's rights defenders are more active than ever. This is because they can use

the platform to access and share information, gain visibility, expose human rights violations, and inspire people to act. Being in the forefront, though, puts them in danger of more violence and smear campaigns meant to undermine their credibility as individuals and as professionals.

TYPES OF CYBERVIOLENCE AGAINST WOMEN:

- **CYBERSTALKING:** Cyberstalking is the practice of harassing or stalking someone online using the internet and other technologies. It can take the shape of texts, emails, posts on social media, and more, and it's typically more methodical, persistent, and planned. Even when the receiver says they're unhappy or requests that the person stop, the conversations usually continue. A person may experience fear, concern, anxiety, or worry because of unsuitable and occasionally even upsetting content addressed to them.
- **CYBERBULLYING:** Cyberbullying is the practice of intimidating, threatening, embarrassing, or single-handedly targeting someone online. It is anything that is intended to offend, harass, or cause pain to another person that is uploaded online. Threats made online, as well as insulting, obnoxious, or invasive texts, tweets, posts, comments, or communications, all count. Cyberbullying also refers to offensive images, texts, or remarks that are posted online and are not removed, even when the victim is asked to. The victim of the abuse has no idea how many people—possibly hundreds of people—have seen the posts or messages, and it is difficult to track down and manage. Every time a person checks their computer or smartphone, they may experience constant humiliation.
- **DOXING:**¹ Doxing refers to the act of obtaining and disclosing the personal information of others without their consent. Names, residence addresses, and other private information about the victim and their family are disclosed through doxing. Also, since it allows the victims to be physically located, it can be a precursor to physical violence and crimes like stalking, etc. Motives could be anything from extortion to financial harm to exposure to harassment to even singling out the victim in real life. To further humiliate and expose the victim, doxing may also entail falsifying information.

¹ Kaspersky, <https://www.kaspersky.com/resource-center/definitions/what-is-doxing>, (last visited Feb 10, 2024, 22:25)

- **CYBERGROOMING:** When a person (often an adult) befriends a young person online and manipulates them, creating an emotional bond to abuse, exploit, or trafficking them sexually, this is known as cyber grooming. The main purpose of cyber grooming is to win someone over with trust and get sensitive information from them, frequently of a sexual nature (such as sexual discussions, images, or videos), which can then be used to threaten or blackmail them into providing more offensive content.
- **SEXTORTION:** Sextortion is when someone threatens to disseminate your intimate details, nude or explicit images, or videos online if you don't meet their demands. Perpetrators usually do this to demand money, sexual favors, or more sexual images from the victim. They also threaten to reveal the explicit material to the victim's friends, family, coworkers, and other contacts. An alternative is that the video or image might be posted to a sizable pornographic website.
- **CYBERSEX TRAFFICKING:** Cybersex trafficking is very different from physical sex trafficking because in this the victim is unlikely to come in contact with the perpetrators. Rather, the traffickers film or photograph the victim participating in personal or sexual actions from a central location, and they subsequently, sell the footage online to clients and sexual predators.

THE LEGAL FRAMEWORK TO PROTECT WOMEN FROM CYBER VIOLENCE:

- ★ The Information Technology Act of 2000, which was later amended in 2008,2015 and then in 2021 was passed to place restrictions on the ability of these attackers to commit cybercrimes. In common usage, this is referred to as the Cyber-law. The penalties and damages for technology-related offenses are outlined in this Act. If someone has been the victim of cybercrime, she might file a lawsuit to hold the offender accountable.

The IT Act has the following provisions for protecting women against cybercrimes:

- SECTION 66C:² Electronic signature or other identity theft like using other's password or electronic signature etc.

² The Information Technology Act ,2008,§ 66C ,No.10, Act of Parliament ,2008 (India).

- SECTION 66D:³Cheating by a person on using a computer resource or a communication device shall be punished with imprisonment of either description of three years in addition to potentially facing a punishment of one lakh rupees.
 - SECTION 66E:⁴Anyone found to have intentionally or knowingly taken a picture of a private area or person without that person's consent or under circumstances breaching that person's privacy may risk a fine of up to two lakh rupees or a maximum sentence of three years in prison.
 - SECTION⁵ Penalties for disseminating or publishing obscene material online. It carries a punishment of three years imprisonment and a fine which may extend to five lakh rupees on a first conviction, and in the case of subsequent conviction, imprisonment for a term which may extend to five years and with a penalty which may extend to ten lakh rupees.
 - SECTION 67 A:⁶Penalties for publishing or disseminating electronic content that includes sexually explicit acts, etc. On the first conviction, the act carries a maximum sentence of five years in prison and a fine of ten lakh rupees. If the act is found to have been committed again, the penalties increase to seven years in prison and ten lakh rupees in fine.
 - SECTION 67 B:⁷Penalties for publishing or disseminating electronic content that shows young children engaging in sexually explicit behavior, etc. For the first conviction, the punishment is a maximum sentence of five years in jail and a fine; for successive convictions, the maximum sentence is seven years in jail and a fine.
 - SECTION 72:⁸ Penalties for violating privacy and confidentiality. The punishment is imprisonment for a term which may extend to five years or with a fine or with both
- ★ Besides the IT Act 2000, the IPC (Indian Penal Code) which is the general criminal law of the land, also prescribes certain acts against women as punishable under the law.
- SECTION 354A:⁹According to Section 354A, a man is guilty of sexual harassment if he does any of the following: he shows pornography to a woman against her will, demands or requests sexual favors, or makes sexual remarks. He may face a fine or perhaps three

³ The Information Technology Act ,2008 ,§66D, No 10,Act of Parliament,2008 (India).

⁴ The Information Technology Act ,2008, §66E, No.10, Act of Parliament, 2008 (India).

⁵ The Information Technology Act ,2008,§ 67, No 10, Act of Parliament ,2008 (India).

⁶ The Information Technology Act,2008,§67A, No.10, Act of Parliament ,2008 (India).

⁷ The Information Technology Act, 2008, §67B, No. 10, Act of Parliament ,2008 (India).

⁸ The Information Technology Act, 2008,§72, No.10, Act of Parliament ,2008, (India).

⁹ The Indian Penal Code ,1860,354A, No.45, 1860, (India).

years of rigorous imprisonment. The first two cases carry a maximum sentence of one year in jail, a fine, or both.

- **SECTION 354C:** ¹⁰According to Section 354C, 'Voyeurism' is defined as an act of capturing a picture of a woman performing a private act and/or disseminating it online without the woman's consent. For it to be considered "voyeurism," The woman must be in a circumstance where she would "usually expect not to be seen, either by the offender or by anyone else carrying out the offender's instructions." If found guilty under this section, the offender may be sentenced to a maximum of three years in jail for the first conviction and seven years for the second. There may also be a fine.
- **SECTION 354 D:** ¹¹This section talks about stalking. When a man approaches or follows a woman despite her clear lack of interest in him, or when he keeps an eye on a woman's online activity, Internet usage, or electronic correspondence, it is considered stalking. A guy facing stalking charges might go to prison for up to three years and be liable to a fine; if convicted again, the maximum sentence would be five years and a fine.

★ **¹²The Cyber Crime Prevention against Women and Children (CCPWC) Scheme:**

The CCPWC scheme was introduced by the Government of India to provide practical responses to cybercrimes against India's women and children. Through an online portal for reporting cybercrimes, it enables victims of cybercrime to complain.

Information about local and federal law enforcement and regulatory organizations is also available on the platform. To prevent cybercrimes, the CCPWC also runs awareness campaigns that begin in schools

★ **National Cyber Crime Reporting Portal**

The government has created the National Cyber Crime Reporting Portal (www.cybercrime.gov.in) to allow the public to report incidents related to all types of cybercrimes, emphasizing cyber crimes against women and children.

To facilitate the prompt reporting of financial fraud and stop money from being embezzled by scammers, a module of the Citizen Financial Cyber Fraud Reporting and Management System has also been implemented.

¹⁰ The Indian Penal Code, 1860, 354C, No.45, 1860, (India)

¹¹ The Indian Penal Code, 1860,354D, No.45, 1860, (India).

¹² Parth0501,Cyber crimes against women ,Legal Service India(Feb 13,2024,22:00), Cyber Crimes Against Women (legalserviceindia.com)

SUGGESTIVE MEASURES TO COUNTER CYBERVIOLENCE AND CYBERCRIME:

- The user is required to maintain her active security settings. A friend request from an unknown individual should not be accepted.
- The password must be changed from time to time, and the same password must not be used in many places.
- As far as possible, one should avoid opening anonymous email.
- The user should never reply to messages sent by strangers and stay away from arguing and flirting with them.
- The privacy policies that are provided with the software and on websites should be read with special attention.
- A victim of cybercrime should as soon as possible notify the local cyber cell or a police station or a complaint can also be submitted to the National Cybercrime Reporting Portal...

CONCLUSION:

Cyberviolence is the new age crime of the current fast-moving society, which is taking hideous proportions and is largely directed towards women and children. Especially in India, cybercrimes and in general any other crime against women are still taken lightly and are usually considered the women's fault. The perpetrators of the crime are never held accountable for anything, while the women are always at the receiving end of all the vilification and mudslinging.

Even though laws are in place to protect women's rights, we as members of a civilized society also must ensure that the underlying source of this issue is found and fixed. Men's deep-seated disdain for women and their ignorance of cyberspace are the main causes of these atrocities. Many individuals still find it hard to accept that it is illegal to even post someone's photos online. Young children should learn to respect women at an early age. Therefore, in addition to harsher criminal changes, a significant overhaul of the educational system is required to combat cybercrimes against women. Women also must educate themselves to take preventive actions, such as being cautious when sharing pictures and videos of themselves and their loved ones online, being cautious when chatting with strangers online, and safeguarding their passwords and other sensitive data.

Therefore, there is an urgent need to bring awareness and consciousness among women to be careful while using Internet facilities. they in any case become victims of cyber violence, they should be able to speak against it.

