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Crime against women in the Cyber Space

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Abstract

Today the whole society tries to prove that they are very progressive and man and woman are equal. But all these things prove wrong when we daily read and hear some incidents against women. Crime against woman are increasing day by day and women are more easily victimized in the cyberspace. Criminals are using technology against women. Cyber Crime is a term used to broadly describe criminal activity in which computers or computer networks are a tool, a target, or a place of criminal activity and include everything from electronic cracking to denial of service attacks. Cyber stalking is an online stalk or harassment to an individual person, group of individuals or an organization. The cyber stalker or the attacker harasses a victim using the electronic communication like e-mail or instant messaging or messages posted in the social network website like Facebook, Twitter, and LinkedIn etc. Cyber crime like phishing, forgery, stalking, spamming and many more occurred in the cyber world. Offender somehow obtains the personal information of people to use for any illegal purpose and fraud. Particularly women and adolescent defamed by sending obscene emails, videos where women are in compromising position, morphing of the images for obscene content. Guilty not affected because victim lacks in knowledge about the law and technology advancement.

The UN Declaration on the Elimination of Violence against Women (1993) defines violence against women as, “any act of gender-based violence that results in, or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public and private life.” There is need to break the silence and ensure that violence against women is not just a

woman's issue but primarily a political, social, economic and cultural issue that concerns men as well.

Key words- Women victim, Cyber Harassment, Cyber space

Introduction:

Internet spread all over world like a web. All the invention and discoveries have both the sides- good and bad, so is the Internet. For all the good it does us, cyberspace has its dark sides too. Unlike conventional communities though, there are no policemen patrolling the information superhighway and leaving it open to everything and everyone in all way. The social networking websites (SNWs) have developed a new arena for socializing. Irrespective of any distinction, women in the society are pleased with this liberation to the fullest. From online shopping to net banking, from e-ticketing to e-tax filling, it has made the life of Indian women easy (Halder & Jaishankar, 2009). It has enabled women to fight for equality even within the confines of their society. They can now share their experiences to the whole world, and this advantage of being able to share their success stories as well as their problems have given them a platform in the global world. In this context, Halder and Jaishankar (2009) have opined: "Most women users avail this new way of socialization as a stress-reliever. Cyber socializing through SNWs help women users to share with likeminded friends, their emotional needs, personal problems..." (p. 6) Along with providing them with a platform to voice their struggles and success in life, it inscribes new spaces of power, which is accompanied with knowledge. Ironically, on the one side, the internet is serving as boon, but on the other side, it has made the life of women insecure due to rising cyber crime in the virtual world. Women of all ages and milieu are in jeopardy with the coming up of internet (Halder & Jaishankar, 2009). While many women are victimized online, what makes Indian women unique? India is predominantly patriarchal and orthodox country and women who are victimized are mostly blamed and online victims are no exception (Halder & Jaishankar, 2011). There are instances where marriages of women victims were stopped due to their online victimization. Also, there is less legal protection to them compared to their western Counterparts and the Indian women victims do not get adequate solutions for their victimization from the ISPs governed predominantly from a western cultural perspective.

(Halder & Jaishankar, 2011b)

Different cyber crimes and women as a victim:

Some are here the different types of cyber crime which can be mentioned as specially targeting women are as follows: –

I. Harassment through e-mails: is not a new concept. It is very similar to harassing through letters. Harassment includes blackmailing, threatening, bullying, and even cheating via email. E-harassments are similar to the letter harassment but creates problem quite often when posted from fake ids.

II. Cyber Stalking : This is one of the most popular about internet crime in the modern world Cyber stalking can be defined as the repeated acts harassment or threatening behavior of the cyber criminal towards the victim by using the internet services. Cyber Stalking usually occurs with women, who are stalked by men, or children who are stalked by adult predators. It is believed that percentage of the victims is female are much more than the males. The prime reason behind cyber stalking is sexual harassment, obsession for love, for revenge and hate etc. Cyber stalkers target and harass their victims via websites, chat rooms, discussion forums, open publishing websites (e.g. blogs and Indy media) and email.

Ritu Kohli Case

Ritu Kohli Case was India’s first case of cyber stalking, in this case Mrs. Ritu Kohli complained to police against a person, who was using her identity to chat over the Internet. Mrs. Kohli further complained that the person was chatting on the Net, using her name and giving her address and was talking obscene language. A case was registered under the section 509, of IPC and thereafter he was released on bail. This is first time when a case of cyber stalking was reported. Similar to the case of email harassment, Cyber stalking is not covered by the existing cyber laws in India. It is covered only under the ambit of Section 72 of the IT Act that perpetrator can be booked remotely for breach of confidentiality and privacy. The accused may also be booked under Section 441 of the IPC for criminal trespass and Section 509 of the IPC again for outraging the modesty of women.

III. Cyber Pornography is the other threat to the female citizens. This would include pornographic websites, pornographic magazines produced using computers (to publish and print the material) and the Internet (to download and transmit pornographic pictures, photos, writings etc). Furthermore, there are more serious offences which have universal disapproval like child

pornography and far easier for offenders to hide and propagate through the medium of the internet. Recent Indian incidents revolving around cyber pornography include the Air Force Bal Bharti School case. A student of the Air Force Bal Bharti School, Delhi, was teased by all his classmates for having a pockmarked face. Tired of the cruel jokes, he decided to get back at his tormentors. He scanned photographs of his classmates and teachers, morphed them with nude photographs and put them up on a website that he uploaded on to a free web hosting service. It was only after the father of one of the class girls featured on the website objected and lodged a complaint with the police that any action was taken.

IV. Cyber Defamation: Cyber tort including libel and defamation is another common crime against women in the net. This occurs when defamation takes place with the help of computers and / or the Internet. E.g. someone publishes defamatory matter about someone on a website or sends e-mails containing defamatory information to all of that person's friends
Cyber defamation occurs when with the help of computers and internet someone publishes derogatory or defamatory information to all of that person's friends or the perpetrator post defaming stories about the victim. Although this can happen to both genders, but women are more vulnerable.

V. Morphing: When unauthorized user with fake identity downloads victim's pictures and then uploads or reloads them after editing is known as morphing. This amounts to violation of I.T. Act, 2000 and attracts sec. 43 & 66 of the said Act. The violator can also be booked under IPC also. The Times of India reported that in October, a Delhi based beautician told the police that her photograph was flashed on a porno portal along with her mobile number.

VI. Email Spoofing: E-mail spoofing is a term used to describe fraudulent email activity in which the sender address and other parts of the email header are altered to appear as though the email originated from a different source. The more common method used by men is to email vulgar photographs of themselves to women, praising their beauty, and asking them for a date or inquiring how much they charge for 'services'. Besides sending explicit messages via e-mail, SMS and chat, many also morph photographs - placing the victim's face on another, usually nude, body.

Reasons for the Growth of Cyber Crime against Women in India

Through internet any one can spread any news or matter very easily and fast. Women are easy victim of cyber crime. The transcendental jurisdiction of Internet causes the major threat to the society in the form of cybercrime. The main victim of this transgression can be considered women and children. The study shows that we have 52 million active internet users in India which reached at 71 million in the year 2009. Among them working women net users are 8 percent and 7 percent nonworking women in the year 2009 and 37 percent usage of all users accessing internet through cyber café. It is very common phenomenon that the important information of the net surfer is being disclosed easily by the owners of cyber café and then it is used for illegal purposes. Although acquaintance with technology is positive aspect that can be considered important for the development of any country but at the same time it is becoming the source to increase the crime rate with technology against the weaker section of the society. Most of the cyber crimes remain unreported due to the hesitation and shyness of the victim and her fear of defamation of family's name. Many times she believes that she herself is responsible for the crime done to her. The women are more susceptible to the danger of cyber crime as the perpetrator's identity remains anonymous and he may constantly threaten and blackmail the victim with different names and identities.

Safety Measures against Cyber-Crime

One should be alert and aware about the use and misuse of net. One should know the law related to cyber crime. In cities such as Bangalore, New Delhi and Mumbai, where cyber crime cells do exist, there is potential for improvement. Law enforcement agencies are not well-equipped and oriented about cyber crime yet. There is an immense need for training, and more cities need to have such cells. We need to create special tribunals headed by trained individuals to deal solely with cyber crimes. There is also a need for IT-savvy lawyers and judges, as well as training for government agencies and professionals in computer forensics. Awareness is important, and any matter should be reported at once. More importantly, users must try and save any electronic information trail on their computers. That's all one can do, then, until laws become more stringent or technology more advanced.

Conclusion

The prime problem with cyber crime is that the victim is unaware of the latest technologies and trends. Indian women are still not open to immediately report the cyber abuse or cyber crime. This nature provides the offenders the chance to escape after the commission of crime.

The police, judiciary and the investigative agencies need to stay abreast with the latest developments in web-based applications so that they can quickly identify the actual perpetrator. It is the job of the legal system and regulatory agencies to keep pace with the technological developments and ensure that newer technologies do not become tools of exploitation and harassment.

Hence, to counter cybercrime against women in India, not only stricter penal reforms are needed but also a change in education system is a huge requirement. Such change cannot come from within a single block of society but people, government and NGOs etc. need to work together to bring forth such changes.

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