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# Combating Cyber Sexual Crimes Against Women: Legal Challenges and Multi-Stakeholder Solutions in the Digital Age

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## ABSTRACT

*Technology-Facilitated Sexual Violence (TFSV) represents an increasingly pervasive existence of cybercrime that perpetrates sexual offenses against vulnerable populations, particularly women and children. This article delineates the multifaceted nature of TFSV, categorising it as sextortion, cyberstalking, revenge porn, and child pornography, while examining the profound psychological, physical, economic, and legal ramifications confronting victims in contemporary digital society.*

*The analysis substantiates that TFSV constitutes a transnational criminal phenomenon that inexorably defies geographical boundaries, necessitating comprehensive international cooperation in legislation and implementation. Empirical data from the National Crime Records Bureau reveals alarming statistics, with 14,409 cybersex crimes against women registered in India during 2022, demonstrating the magnitude of this digital scourge. The research explicates the disproportionate impact on vulnerable demographics, particularly middle-class working women and economically disadvantaged children.*

*The article juxtaposes various international legal approaches, analyzing the EU's harmonization directives vis-à-vis Indonesia's victim assistance framework, while examining India's legislative response through the Bharatiya Nyaya Sanhita, 2023, and Information Technology Act, 2000. The analysis reveals that whereas statutory provisions exist to address TFSV, enforcement mechanisms remain inadequate, contributing to systematic under-reporting due to societal stigma.*

*The research posits that effective mitigation requires a holistic, multi-stakeholder approach integrating legal reform, international collaboration, victim-centred support systems, and enhanced technological capabilities for law enforcement. The study concludes that combating TFSV necessitates fundamental paradigmatic shifts in enforcement methodologies, and societal attitudes toward digital sexual violence through coordinated national and international efforts.*

**Keywords:** *Technology-Facilitated Sexual Violence, Cybercrime, Sextortion, Revenge Porn, Child Pornography*

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## I. INTRODUCTION

The dusk of 20<sup>th</sup> century and dawn of 21<sup>st</sup> century, internet penetration increased on the planet and with that this technology-facilitated sexual violence (TFSV) became uncontrollable contagious disease across the continents. In the patriarchal societies, where male dominance is pervasive in economic, social, and public spheres, trite to say only women not men become victims of conventional sexual offences like rape, molestation, outraging the modesty, slanders, libels or word, gesture or act intending to outrage the modesty of woman and reflecting the same image in magnifying intensity, women, particularly young women become victims of sextortion, cyberstalking, or revenge porn in the virtual world.

The coward offender becomes brave in the internet world and brazenly perpetrate cybersex crimes due to the secured anonymity and remote shelter, digital technology provides to him. The impact of such online sexual violence by emboldened offender becomes harder for victim to escape or remove harmful content from the web world.<sup>2</sup> Victims often face significant emotional distress, reputational harm, and privacy violations. The emotional toll includes fear, shame, and a sense of violation, which can have long-lasting effects on well-being of victim. Some instances indicate that emotional distress accentuated by such crimes drove vulnerable victims to commit suicides.

## II. DEFINITION AND CLASSIFICATION

Legal frameworks define cybercrime as unlawful activity involving computers, networks, or digital devices as offenders or victims or both, such as data theft, online fraud, identity theft, and malware dissemination.<sup>3</sup> Cybercrimes also cover traditional crimes like fraud or harassment when internet is used to commit such crimes.

Cybercrimes related to sexual offences encompass such offences where digital technology is used to commit, facilitate or threaten sexual harm. Cybercrime is genus and Technology-facilitated sexual violence (TFSV) is species. TFSV comes in various forms like sextortion, child pornography, sexual abuse, cyberstalking and non-consensual distribution of sexually explicit images, also popularly known as 'revenge porn'. In sextortion, offender blackmails victim to upload sexually explicit images or videos of victim for public consumption and thereby coerce victim to succumb to his unlawful demands. Another type of TFSV is creating and possessing child pornography for quenching personal perverse desires or distribute it

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<sup>2</sup>Henry, N., Flynn, A., & Powell, A. (2020). Technology-Facilitated Domestic and Sexual Violence: A Review. *Violence Against Women*, 26, 1828 - 1854. <https://doi.org/10.1177/1077801219875821>

<sup>3</sup> Goni, O., Ali, M., , S., Alam, M., & Shameem, M. (2022). The Basic Concept of Cyber Crime. *Journal of Technology Innovations and Energy*. <https://doi.org/10.56556/jtie.v1i2.113>

commercially for economic gain and thereby vitiating the atmosphere of the whole society. For filming such abhorrent videos, child victims are kidnapped, threatened, and drugged. Cyberstalking, online harassment and unwanted consistent intensive sexual advances despite repeated repulses from victim or seeking sexual favours, is another type of TFSV. When differences come up between victim and offender, offender shares the intimate images of the victim without her consent to satiate his revenge, but not with commercial interest and hence, this type of TFSV is called ‘revenge porn’.

While rapid development of digital world influenced the present generation, vulnerable sections of the society – women and children should be protected from TFSV for the very benefit of healthy growth of the internet world and holistic atmosphere in the society.

### III. PREVALENCE AND ESCALATION

TFSV existence is all pervasive and wide spreading, one report says 8.8% of people complained non-consensual sharing of sexual images, 7.2% threatened with its distribution, and 17.6% having images taken without permission.<sup>4</sup> Another report says that sextortion victimization affects 14.5% of adults across 10 countries, with 4.8% admitting to perpetration.<sup>5</sup> Another report indicates that multiple forms of digital sexual violence is more common than previously thought, with victimization rates averaging 4.86% and perpetration 6.43%.<sup>6</sup>

The National Crime Record Bureau initiated to collect data in respect of cybercrimes and cybercrimes related to sexual violence from 2020 onwards, on all India basis and, also Metropolitan-wise. The data provided by NCRB in respect of TFSV is alarming, shrieking the need of war footing measures in law enforcement agencies, particularly cybercrime control cells to combat this malady efficaciously.

#### **Voyeurism and Stalking offences in 2020, 2021 and 2022**

Table 1<sup>7</sup>

Offence	2020		2021		2022	
	Cases	Rate	Cases	Rate	Cases	Rate
Voyeurism	1260	0.2	1513	0.2	1451	0.2

<sup>4</sup> Patel, U., & Roesch, R. (2020). The Prevalence of Technology-Facilitated Sexual Violence: A Meta-Analysis and Systematic Review. *Trauma, Violence, & Abuse*, 23, 428 - 443. <https://doi.org/10.1177/1524838020958057>

<sup>5</sup> Henry, N., & Umbach, R. (2024). Sextortion: Prevalence and correlates in 10 countries. *Comput. Hum. Behav.*, 158, 108298. <https://doi.org/10.1016/j.chb.2024.108298>

<sup>6</sup> Ibid

<sup>7</sup> <https://www.ncrb.gov.in/uploads/nationalcrimerecordsbureau/custom/1701859939TABLE12.pdf>

Stalking	8512	1.3	9285	1.4	10116	1.5
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**All India Cyber Sex Crimes against Women in the Year 2022**

**TABLE-2<sup>8</sup>**

Nature of Crime	No. of Cases registered
Cyber blackmailing / threatening	125
Cyber Pornography/Obscene Sexual material S. 67A/S.67 B of IT Act, 2000	2251
Cyber Stalking/Cyber bullying of women Section 354 D IPC/Read With IT Act, 2000	1457
Defamation / Morphing (S. 469 IPC and Indecent representation of women/read with IT Act	385
Fake Profile, IT Act	179
Other Crimes against women	10012
Total Crimes against women	14409

Comparing State-wise cybercrimes perpetrated against women in 2022, Karnataka is at the top position with 3904 cases, followed by Madhya Pradesh with 2530 cases and Telangana in the third position with 1262 cases and bottom three states/union territories are Ladakh, Lakshadweep and Mizoram with zero cases of this nature. These three union territories are not showing cybercrime related sexual violence for the reason these places are not covered by internet widely.

The statistics of TFSV, do not reflect the actual number of offences perpetrated, as like in all other sex related offences. In TFSV also, under-reporting became norm because of the attitude of society to downplay the online sexual violence, justify perpetrator, blame the victim or deny the seriousness that discourages the victim herself to collect the courage to register the complaint for the fear of shame in the society.

In India situation is no different comparing international position. The class-barriers play vital

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<sup>8</sup> Ibid

role in determining vulnerable sections of TFSV. Those sections of women and children, who have got access to internet are the potential victims. That the penetration of mobile in the country surpasses many other countries and hence, the quantum of victims would be obviously on higher side. The middle class working women, divorcees, and single mothers, active on social networks and spend considerable time in virtual world and have extra-marital affairs or pre-marital affairs are the most vulnerable targets of sextortion and cyberstalking, while not absolutely ruling out the existence of other sections of population for becoming victims of this offence. Children from the poorest families, who go to government schools or abandoned education at primary or secondary school level to earn livelihood and settle in menial jobs of rag picking, washing, cleaning etc. as domestic servants, living in vagrancy or reside in urban slums become potential targets of child pornography, as they can be kidnapped and used for video-graphing of sexual acts. The families of these victims cannot have access to the support of law enforcement agencies or societies to get justice.

The perpetrators of sextortion are men and boys, in most cases, victims know them as they live in and around the victims' residential or workplace vicinity or having casual relationship with the victim, in the past. The perpetrators of cyberstalks are also known to the victims as a friend in social media or chat clubs or a colleague in the workplace or even an estranged spouse. In the case of child pornography perpetrators, they are members of hardcore criminal mafia and run the rackets and do this crime for commercial purposes. They are well organized, dividing the work among the groups, one group identifying the vulnerable children and kidnap them, another group confine them in remote places and facilitate the video-recording and another group connect the connoisseurs of lascivious child pornography and collect hefty amounts for video displaying.

The victims of TFSV experience significant mental health impacts including anxiety, depression, detachment with the society, display sexphobia even in legitimate sexual intercourse with spouse. The victims isolate themselves from other family members or colleagues in workplace and refuse to attend social functions and experience social stigma. Above all, the victims go through extreme persistent emotional trauma of fear and shame resulting into physical health issues.

#### **IV. NEED FOR COMPREHENSIVE RESPONSE**

TFSV being a transnational criminal offence, that requires a universally combined approach to combat this menace. The nature of TFSV offences give scope that the offender to commit the offence beyond his national boundaries against the victim staying securely in another nation.

Various nations adopted different kinds of approaches to tackle the problem. The criminal legislations of some countries have got extra-territorial jurisdictional powers meaning thereby municipal courts, where victim resides have got the jurisdiction to extradite and try the offender operating from another country, whereas, some countries have got limited intra-territorial jurisdiction to try only if the offender lives within its territorial jurisdiction. European Union introduced directives to harmonize criminal laws and strengthen victim protection.<sup>9</sup> Indonesia's Law provides a legal basis for victim assistance, content removal, and recovery, while also criminalizing a range of digital sexual offences.<sup>10</sup> International conventions such as Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979 and Istanbul Convention, 2011 addressed gender-based violence providing guidelines to combat it with an unified approach.<sup>11</sup> The guidelines sought comprehensive definitions of cyber sexual violence, victim-centred approaches, international co-operation, proactive regulations and education and training for law enforcement agencies etc.

The scourge of TFSV cannot be combated just by making legislations, even though it is a very essential part of overall strategy, but the need of the hour is the comprehensive responses like coordinated action from educators, law enforcement, service providers, online communities and social media platforms to ensure prevention, support, and accountability.<sup>12</sup>

In India, Indian Penal Code, 1860 and its successor Bharatiya Nyaya Sanhita, 2023 allocated specific provisions to tackle TFSV. Section 77 of the BNS, 2023 (S. 354 C of IPC, 1860) defines Voyeurism, classifying it cognizable offence, providing the punishment of 1 to 3 years with a fine and imprisonment of 3 to 7 years for subsequent conviction. Similarly, Section 78 of the BNS, 2023 (S. 354 D of IPC, 1860) defines Stalking, classifying it cognizable offence, providing the punishment upto 3 years with a fine and imprisonment of 5 years for subsequent conviction.<sup>13</sup> Besides, a specific Act, i.e., Information Technology Act, 2000 made provisions to address TFSV. Section 67 provides punishment of 3 years imprisonment with fine upto Rs. five lakhs and subsequent conviction upto 5 years of imprisonment with fine upto Rs. Ten lakhs for publishing or transmitting obscene material in electronic form. Section 67-A provides

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<sup>9</sup> Rigotti, C., McGlynn, C., & Benning, F. (2024). Image-Based Sexual Abuse and EU Law: A Critical Analysis. *German Law Journal*. <https://doi.org/10.1017/glj.2024.49>

<sup>10</sup> Rahman, A., Sutrisno, A., Martia, L., & Wangi, F. (2024). Legal Protection for Victims of Online Gender-Based Violence (Cyber-Based Violence). *Edunity Kajian Ilmu Sosial dan Pendidikan*. <https://doi.org/10.57096/edunity.v3i12.350>

<sup>11</sup> Polyzoidou, V. (2024). Digital Violence Against Women: Is There a Real Need for Special Criminalization?. *International Journal for the Semiotics of Law - Revue internationale de Sémiotique juridique*. <https://doi.org/10.1007/s11196-024-10179-3>

<sup>12</sup> Ibid.

<sup>13</sup> Bharatiya Nyayay Sanhita, 2023

punishment of 5 years imprisonment with fine upto Rs. ten lakhs and subsequent conviction upto 7 years of imprisonment with fine upto Rs. Ten lakhs for publishing or transmitting material containing sexually explicit act in electronic form. Section 67-B provides punishment of 5 years imprisonment with fine upto Rs. ten lakhs and subsequent conviction upto 7 years of imprisonment with fine upto Rs. Ten lakhs for publishing or transmitting material depicting children in sexually explicit act, in electronic form.<sup>14</sup>

A more effective legal response to TFSV requires both national and international coordination. Social media has got dual role, it can either facilitate or combat TFSV. It facilitates the offences impliedly supporting offenders by watching the child pornography or revenge pornography by paid subscriptions. It can effectively combat along with law enforcement agencies by raising support against TFSV and exposing perpetrators in cyber world.

## **V. PREVENTION**

For preventing TFSV and supporting victims, Government, private sectors, and civil society must work together to develop and implement preventive measures. Raising awareness among the internet users about TFSV, safe internet use by privacy settings, restricted sharing of personal information particularly intimate pictures and images online. The women and parents of children shall be educated about legal rights, the procedure how to register the complaints and take up follow-up actions and seek the assistance of cyber-cell police in the event of threats received from offenders. The Law Enforcement agencies shall equip themselves with the latest developments in cyber technology and match the offenders, who will be always a step ahead. The law enforcement agencies should excel them in expertise and provide support to victims in registering the cases, displaying empathetical attitude to victims, expediting pro-active investigations and co-operating and persuading courts for speedy conclusion of trials and successful convictions of sexual offenders.

## **VI. CONCLUSION**

In conclusion, cyber sexual offences against women represent a rapidly escalating threat worldwide, with particularly acute challenges in India due to gaps in legal awareness, social stigma, and insufficient enforcement mechanisms. The psychological trauma and social repercussions for victims are profound, often compounded by a lack of knowledge about legal protections and hesitancy to report incidents. While technological advancements have empowered women in many ways, they have also created new avenues for abuse, highlighting

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<sup>14</sup> The Information Technology Act, 2000



the urgent need for comprehensive legal reforms, robust implementation of existing laws, and widespread educational initiatives to enhance awareness and reporting. Only through coordinated efforts involving legal, social, and technological interventions can the tide of cyber sexual crimes against women be effectively stemmed and their rights and dignity safeguarded in the digital age. Cyber sexual offences are rapidly increasing due to gaps in legal awareness, social stigma, and insufficient enforcement mechanisms. The physical, psychological, and economic trauma faced by the victims of sexual offence are profound. A multi-pronged approach combining legal reform, international collaboration, victim support, education, technological innovations, and continuous updating of technical knowledge by the law enforcement agencies is essential to effectively combat cyber sexual offences against women and ensure their safety and dignity in the cyber world.

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