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CYBER JAGROOKTA DIWAS

Organized by Central Institute of Educational Technology (CIET),
NCERT

Online Child Sexual Abuse

INTERACTION WITH

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*“Childhood should be carefree,
playing in the sun; not living a
nightmare in the darkness of the
soul.”*

- DAVE PELZER- A CHILD CALLED “IT”

What is Online Sexual Abuse?



Online child sexual abuse is any type of sexual harassment, exploitation, or abuse that occurs through internet.

Online child abuse, also known as "Cyber Molestation," is a unique form of child abuse.

Online child sexual abuse can have serious psychological and emotional effects on victims, including trauma, depression, and anxiety.

The anonymity and reach of the internet can make it easier for perpetrators to carry out online sexual abuse and can also make it harder for victims to seek help or report the abuse.

Occurs through various forms, including cyber-bullying, grooming, and sexual abuse.

Perpetrators of online sexual abuse may use tactics such as coercion, manipulation, or blackmail to control or exploit their victims.

In India, a total of 1,49,404 cases of crime against children were registered during 2021, showing an increase of 16.2% over 2020 (1,28,531 cases)- (NCRB).

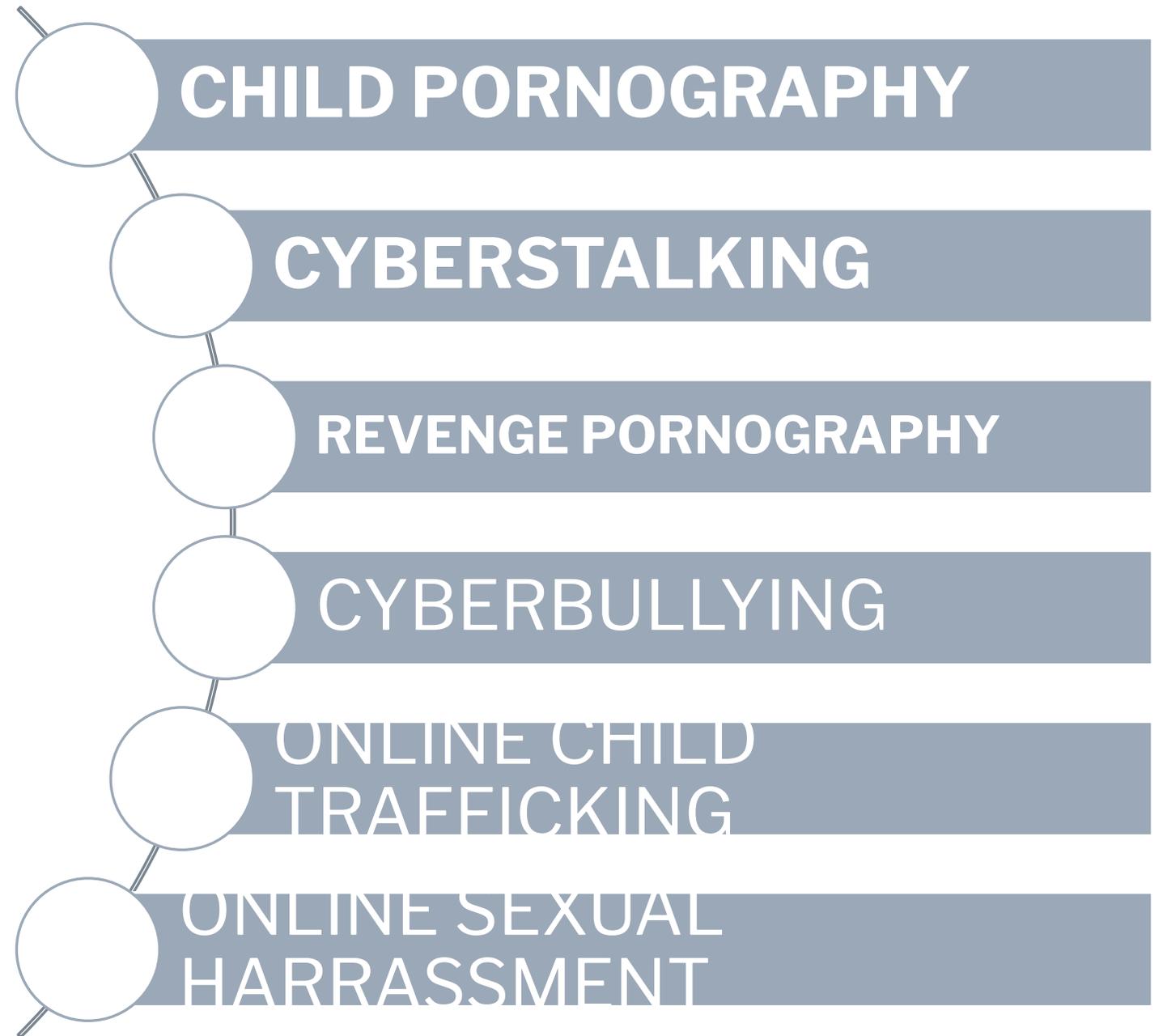
What is Online Sexual Abuse? (Continued)

Forms of online child sexual abuse:

- Sending hateful or unwanted comments based on sex
- Sending unwanted requests for nude photos or videos
- Performing sexual acts on webcam without consent or in inappropriate settings
- Sharing private images or videos without consent (revenge porn)
- Sharing porn in spaces where not everyone has consented to view
- Grooming children for sexual abuse online or offline.

Impact of online sexual abuse: Not less real than face-to-face abuse. Risk of revictimization as images of abuse can be reshared and circulated on the internet.

Various Cyber Crime leading to Online child Sexual Abuse



Child Pornography



Using a child for pornography in any form of media (television, internet, electronic, or printed) for sexual gratification is a crime.

Distribution of child pornography is a cognizable and non-bailable offense –punishment upto 5 years and fine

Storage of child pornography for commercial purposes is a cognizable and bailable offense with a punishment of up to 3 years imprisonment, fine, or both.

Child Pornography (Continued)



to 5 years imprisonment for the first conviction and up to 7 years for subsequent convictions along with a fine

- **For direct participation in pornographic acts:** 10 years to life imprisonment and fine
- **For penetrative sexual assault:** Rigorous life imprisonment and fine
- **For aggravated penetrative assault:** 6 to 8 years imprisonment and fine
- **For sexual assault:** 8 to 10 years imprisonment and fine for

• **Ingredients of the Law:** Capturing, publishing, or transmitting images of a private area of a person without their consent, in a manner that violates their privacy.

- This includes the naked or private parts of a child
- The law covers capturing images through video recording, photography, film, or any other means.

Publishing the image in print or electronic form and making it available to the public is also considered a violation.(Sec 67B IT Act & S. 13 defines child pornography , Sec 14 POCSO Act,2012 provides punishment-upto 5 years,fine or both-cognizable and non bailable)

Cyberstalking



Cyberstalking refers to the use of the Internet or other electronic means to stalk or harass an individual, group, or organization.

There is no specific legal definition of Cyberstalking, but various sections of law have been used to address this crime.

Section 11(iv) of POCSO Act 2012 covers cyberstalking with sexual intent as sexual harassment of a child.

Before Section 66A of IT Act, 2000 was declared unconstitutional, it also covered cyberstalking.

Punishment for sexual harassment under POCSO Act is imprisonment up to three years and a fine.

Ingredients of the law include sexual intent of the perpetrator, constant following/watching/monitoring or contacting a child and stalking through electronic means.

Cyberbullying

- **Cyberbullying** is a form of bullying or harassment using electronic form of contact (computers, mobiles, internet)
- **Types of cyberbullying:** trolling, rumor spreading, happy slapping (using social media)
- **Intent of cyberbullying:** solely to intimidate another person
- **Lack of express legal definition of cyberbullying:** "criminal intimidation" in the Indian Penal Code (IPC) has been made applicable to this crime.
- **Section 503 IPC:** criminal intimidation is defined as threatening another person with injury to their person, reputation, or property
- **Punishment for criminal intimidation under Section 506 IPC:** imprisonment for a term of 2 years, fine, or both
- **Section 507 IPC:** criminal intimidation by anonymous communication (concealing identity) - imprisonment up to 2 years
- **Status of the offence:** non-cognizable and bailable.

Online Child Trafficking

Definition of Child Trafficking by UNICEF: "Any person under 18 who is recruited, transported, transferred, harbored or received for the purpose of exploitation, either within or outside a country."

Online Child Trafficking: The use of the internet to commit the offense of child trafficking. Happens through the dark web using mediums such as bitcoin and cross-chain technologies. Cannot be easily tracked.

Legal Provisions in India: Immoral Traffic Prevention Act (ITPA), 1956. Section 5 of ITPA speaks specifically about trafficking for the purpose of prostitution.

Forcing a child under 16 years into prostitution

Punishment: Punishable with a minimum imprisonment of 7 years and a maximum of life sentence. **Forcing a child between 16-18 years into prostitution:** Punishable with a minimum imprisonment of 7 years and a maximum of 14 years.

Nature of Offence: A cognizable and non-bailable offence.

Online Sexual Harrasment

Definition: A form of abuse where a child is exposed to sexual content, followed/watched digitally, sent text messages with sexual overtone, exhibited body parts online, threatened with use of body parts in a sexual manner, or used for pornographic purposes.

Related Crimes: Cyberstalking, cyberbullying, and child pornography

No specific mention of online sexual harassment in Indian law, but sections can be interpreted to cover it as they use words such as "electronic" and "digital".

Section 11,12 POCSO Act, 2012: sexual harassment of a child, cognizable and bailable offense, punishment of imprisonment up to 3 years and fine.

Section 354A IPC, 1860: sexual harassment of a woman including a female child, cognizable and bailable offense, punishment of imprisonment up to 1 year or fine or both.

Types of Online Sexual Exploitation & Abuse

- **Grooming:** Grooming is the name given to tactics used by exploiters to gain your trust. They develop a relationship with you, often using specific strategies like manipulative behaviors that the abuser uses to gain access to a potential victim, coerce them to agree to the abuse, and reduce the risk of being caught. While these tactics are used most often against younger kids, teens and vulnerable adults are also at risk.
- **Persistence:** Persistence is when someone keeps asking you for something, even when you repeatedly say “no.” It’s important to not give in and to try blocking them online if they aren’t listening to you. If you agree to send sexual images, they may be used to blackmail you in the future.
- **Using pity/guilt:** An exploiter may try to make you feel sorry for them, or guilty about something, in order to make it more likely you’ll do what they want.
- **Sending sexually explicit material:** An exploiter may send you unwanted sexually explicit material (pornography, nude photos of themselves, etc.) and try to convince you this type of unsolicited sexual behaviour is acceptable.
- **Sextortion:** Sextortion is when someone uses a sexual photo/video of you to blackmail or coerce you into doing what they want. For example, they may threaten to share a nude or semi-nude photo of you with your school or post it online unless you agree to their demand.

How to protect yourself if you become a Victim of Online Child Abuse



Get the photo/video removed: Contact the website or application to try and have them remove the photo/video. Filed a legal case and report it to local police

Involve a safe adult: You don't need to show the safe adult the photo/video, but you can tell them what's happening. You can talk to a family member, parent/caregiver, teacher, counsellor or family friend.

Protect yourself: Block people who are harassing you, and the people who forwarded the photo/video, on your online accounts. Don't respond to mean and hurtful comments. (This could make the situation worse.)

Get support: Being exploited and abused doesn't define who you are. It's important to get support and take care of yourself.

How to protect yourself if you become a Victim of Online Child Abuse (Continued)

If you're in immediate danger: If you feel threatened or are in immediate danger, you can call the police. The police are able to act immediately to make sure you're safe if you're in imminent danger. It's important to know the police may share your personal information with child protection services and others.

Here's what may happen when you call the police: You can dial **1098, 1930**

1. You'll be asked to say your name, address and phone number. You may also be asked your age.
2. You'll also be asked to explain what's happening. If you think someone you met online knows where you live and you feel unsafe, say so.
3. Even a child is liable if a child commits online sexual abuse against another child as per POCSO law and Juvenile Justice (Care and Protection of Children) Act, 2015

Filing a Complaint

- You need to report the incident to **www.cybercrime.gov.in** — National reporting portal for cybercrimes. Citizens can file complaints in case of cybercrime , including child pornography, sexually explicit materials and online sexual abuse, leading to registration of FIR and investigation action against the offenders.
- This will not only help the victims and complainants but also civil society organisations and responsible citizens to anonymously report complaints pertaining to child pornography, child sexual abuse material or sexually explicit material.
- **The cyber-crime prevention against women and children (CCPWC) portal** is convenient and user friendly. It will enable complainants to report cases without disclosing their identity. Complainants can also upload the objectionable content and URL to help police in the investigation.
- The complaints registered through this portal will be handled by police of respective states and Union Territories. The victim or complainant can also track his or her report by opting for "report and track" option using his or her mobile number.

Complaints for Online Sexual Abuse

- ❑ **Police/Registering FIR :-** An FIR can be filed at any police station or the one nearest to where the crime happened or on www.cybercrime.gov.in. Anyone, including a friend or relative can also file an FIR on a survivor's behalf. However, at the time of reporting, the survivor will have to give a statement which a female police officer will record in the FIR.
- ❑ **Call 100 :** By calling 100 a survivor can seek immediate help from the police. If a survivor is in trouble, a police unit will be sent to their location for further assistance.
- ❑ **NCPCR :** By approaching the National Commission for the Protection of Child Rights and filing a complaint on e-POCSO button.

How can I file a complaint before the National Commission for Women?

- I. by making a complaint on the official website of the Commission ncwapps.nic.in under the section of 'register online complaints'
- II. by sending a written application containing all the important details (along with supporting documents, if any) through post or by hand.

Any kind of violence against women including sexual offences and domestic violence can be reported

☐ **Email:** A complaint with NCW can be filed by sending an email to complaintcellncw@nic.in

☐ **Letter/ Messenger:** A letter can be written to the National Commission for Women, to this address:

National Commission for Women Plot-21, Jasola Institutional Area, New Delhi- 110025

A friend/relative can also file a complaint on a survivor's behalf or can handover the letter to a friend/relative who in turn can deposit it in the above-mentioned address.

Complaints Registration and Monitoring System of NCW

The NCW has an online complaint system known as Complaints Registration and Monitoring System where a survivor can fill in details and file a formal complaint. The following information has to be given:

1. Details of the complainant (the person who is filing the complaint),
2. Details of the survivor (woman who has faced the violence),
3. Details of respondent (perpetrator i.e., the person who commits sexual violence)
4. Details such as: Particulars of the Incident
5. Date and Time Place of incident

Best Practices post reporting incident



Best Practices – Incident response:

- Engage a child rights lawyer for legal redressal-proceedings can be kept in camera (confidential)
- Engage a computer forensic professional to preserve electronic evidence for the case.
- Look for a therapist who specializes in child care-trauma therapy.
- Ensure that the program is systemic and contextual in its approach to child sexual abuse.
- Make sure the professionals you are working with are a comfortable fit for you and your family

Long Term effects of Childhood

Sexual Abuse

• Eating disorders Substance use disorders

• Sexual dysfunction Common Effects:

• Guilt

• Shame

• Re-victimization

• Diminished self-esteem

• Depression

• Relationship difficulties **Important to Note:** Not every child who has experienced abuse will experience

• symptoms
• Dissociative disorders

Treatment for Childhood Sexual Abuse



Two broad approaches to the treatment of child sexual abuse:

Victim treatment:

Family treatment:

- Family-systems model
- comprehensive treatment model that incorporates elements from both approaches
- Addresses all members of the family
- Includes larger legal and social justice systems
- Addresses all levels of vulnerabilities to
- Individual counseling: Play therapy for younger children & Talk therapy for older children
- Group therapy for children of similar ages
- Family therapy for children and/or parents
- Reframing of victim's behavior as coping mechanism
- Couples therapy to repair relationship damage
- Parenting groups to teach new skills and help parents process grief and guilt

Note: There is no one cause of sexual abuse in the family and good treatment should address all levels of

Best Practices for online safety

Never click on suspicious links

Donot share your password with anyone

Never click and share personal pictures that contain sensitive images

Donot befriend strangers

When being stalked or uncomfortable on internet, speak to your parent or trusted person

Never leave your device unattended

Maintain good antivirus and antispyware on your devices

Use multifactor authentication for securing your account