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Decoding the Bois Locker Room Chat: A Theoretical Analysis of Juvenile Cyber-Delinquency

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ABSTRACT

Screenshots of chats from an Instagram chatgroup known as the Bois locker room surfaced on social media in May, 2020.As reported by the police, the members of the chatgroup were boys (mostly in school), who used the chatgroup to share morphed pictures of women (including those of minor girls), made objectionable comments on women and glorified rape.[2] With the increasing use of Internet by juveniles in India and the world in general,[3] they are vulnerable to both victimization in cyberspace and turning into cybercrime perpetrators themselves. As juveniles increasingly come in conflict with law in cyberspace, often unaware of the ramifications their actions, it is pertinent to understand the phenomenon which leads to this. This paper presents a theoretical analysis of the causes of cybercrime by juveniles in general and the bois locker room controversy in particular. Theories of crime applicable in cybercrime context such as neutralization theory, routine activity theory and social learning theory are used for this purpose. In addition to these, Space Transition theory developed specifically to study cyber-crime is also used for analysis in the paper. The paper further attempts to proffer possible and pragmatic suggestions to deal with the issue.

Keywords: Cybercrime, Juveniles, Neutralization theory, Routine activity theory, Social learning theory, Space transition theory.

I. INTRODUCTION

The use of internet and rapidly advancing digital technologies have impacted social behavior around the world. People have found a new and effective way to express themselves as well as

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[2] Shantanu Guha Ray, *Bois Locker room is the tip of the iceberg*, THE SUNDAY GUARDIAN, (May 16, 8:42 A.M) https://www.sundayguardianlive.com/news/bois-locker-room-tip-iceberg .

[3] UNICEF, *The State of the World's Children 2017: Children in a Digital World* 5 (2017). See also, *66 mn children aged 5-11 are active internet users in India*, THE HINDU BUSINESS LINE, (Sep 26,2019) <https://www.thehindubusinessline.com/info-tech/66-mn-internet-users-in-india-aged-between-5-and-11-years/article29518418.ece> *.38% school-going kids have access to Internet in India: Report*, Outlook News Scroll, (May 6,2020,4:27 P.M) <https://www.outlookindia.com/newsscroll/38-schoolgoing-kids-have-access-to-internet-in-india-report/1825630>

to interact with others in cyberspace. Children today account for a substantial number of internet users. According to the UNICEF State of the World's children report of 2017, one in three internet users around the world is below the age of 18.[4] Children as young as the age of thirteen and even below create their digital identity and open accounts in their name on popular social media platforms such as Facebook, Instagram, You tube etc. Access to internet is also facilitated through mobile phones enabled with cameras, SMS and MMS services. Children today use the internet as a one stop solution for a multitude of purposes such as seeking information, education, entertainment, socializing as well as for creative expression. However, children have not been able to escape the perils of using digital technologies. Their tender and impressionable age makes them vulnerable to victimization as well as to cyber-crime perpetration. As more and more children access the internet, juvenile cyber-delinquency becomes a cause for concern.

Cyber-crime is a diverse issue entailing varied damages that range from economic to emotional. Juveniles engage in a variety of cyber-crimes including but not limited to cyber theft, digital piracy, cyber hacking, cyber stalking, cyber pornography, cyber frauds etc. [5]One of the most common form of cyber deviance that juveniles engage in is cyber-pornography. Sexually explicit content is easily accessible on the web and it can be viewed and shared by almost anybody of any age.[6] DVD's, online web streaming, digital photography and other such media further facilitate the expansion of pornography industry[7]. According to a study conducted in 2005, one in three children come across unwanted nude images or images of sexual activity between two people while they surf the internet[8].

Online harassment is another common form of cyber deviance engaged in by juveniles. Online harassment can have disturbing impact on the psychology of a victim and their feelings of fear and distress is comparable to being subjected to harassment in offline spaces.[9] Harassment in digital spaces can take various forms.[10] Sexual messages, rape threats and other objectionable messages are sent through e-mails or through instant messaging applications [11]. Also, with the

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[4] UNICEF, *The State of the World's Children 2017: Children in a Digital World* 5 (2017) .

[5] H. DiMarco, *The electronic cloak: Secret sexual deviance in cybersociety.* In Y. Jewkes, Dot. cons: Crime, Deviance, and Identity on the Internet ,53–67, (1st ed. 2003).

[6] B Edleman, *Red light states: Who buys online adult entertainment?* 23 JOURNAL OF ECONOMIC PERSPECTIVES, 209–220, (2009).

[7] F. S. Lane, *Obscene profits: The entrepreneurs of pornography in the cyber age*, Routledge (2000).

[8] J. Wolack et al., *Online victimization of youth:5 years later*, Washington:National Centre for Missing & Exploited Children, (2006).

[9] P. Bocij, Cyberstalking: Harassment in the Internet age and how to Protect your Family, (2004).

[10] J.Finn, *A survey of online harassment at a university campus*, 19 JOURNAL OF INTERPERSONAL VIOLENCE,468–483, (2004).

[11] D. S. Wall, *Cybercrimes and the internet.* In D. S. Wall, Crime and the Internet,1–17, (1st ed. 2001).

advent of social media platforms such as Facebook, Instagram, Twitter etc. disgraceful messages are often posted to demean a particular person in full public eye.[12]

Researchers have grappled for long with the question as to what leads to such deviant behaviour by juveniles in cyberspace. [13]According to Arthur and Bowker[14] there are primarily four causes leading to cyber delinquent behaviour by juveniles. Firstly, juveniles of the internet age are better off than their previous generations in terms of technical competence and their exposure and access to digital devices right from a young age makes them aware of its potential for both legit and non-legit purposes. Secondly, there appears to be an apparent lack of ethics regarding the use of digital devices. Thirdly, juveniles appear to learn delinquent behaviour from peers online in a similar fashion as in offline spaces. It must be taken into account that peer associations for a juvenile has transcended from the limits of their schools and neighbourhood to a global community. Juveniles come in contact with inappropriate content on websites, news groups and chatrooms that facilitate deviant acts online including but not limited to hate crimes, paedophilia, identity fraud, hacking etc. Finally, the authors note that anonymity provided to users on the web that conceals details like name and age of an individual further facilitates cyber delinquent behaviour by juveniles.

In order to deal with cyber delinquent acts of juveniles and derive an amicable solution, there is a need to analyse the cause of such behaviour. Part I of this paper discusses theories of crime applicable in context of juvenile cyber-delinquency. Part II deals with the theoretical analysis of the *bois locker room* controversy by application of different aspects of theories discussed in part I of the paper. Part III proffers some suggestions on the issue and also provides a conclusion.

II. THEORETICAL FRAMEWORK

There has been a significant body of research conducted on criminal theories applicable in cyber-crime context. Criminologist have faced the challenge of explaining patterns of cyber-crime offences through theories of crime applicable in physical spaces.[15]Criminal theories that are most likely to explain the phenomenon of juvenile offending in cyberspace are: neutralization theory, Routine activity theory and Social learning theory. Also, the Space

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[12] Sameer Hinduja, J.W Patchin, *Cyberbullying: An exploratory analysis of factors related to offending and victimization*,29 DEVIANT BEHAVIOR, 129–156 (2008).
[13] Sameer Hinduja & J.W Patchin, Bullying Beyond The Schoolyard: Preventing and Responding to Cyberbullying, (2nd ed. 2009).
[14] Arthur L. Bowker, *The Advent of the Computer Delinquent*, 69 FBI L. ENFORCEMENT BULL. 7 (2000)
[15] Eric Rutger Leukfeldt & Majid Yar, *Applying Routine Activity Theory to Cybercrime: A Theoretical and Empirical Analysis*, 37 DEVIANT BEHAVIOR, (2016).

transition theory, developed in context of cyber-crimes can help understand as to why juveniles engage in cybercrimes.

(A) Neutralization theory

The neutralization theory developed by Gresham Syske and David Matza in 1957 explains neutralization techniques used by delinquents to neutralize their feelings of guilt for their behaviour. According to this theory, delinquents employ a number of rationalizations in order to justify their delinquent behaviour. There are five techniques of justifying illegitimate behaviour by delinquents.

1. **Denial of responsibility**: In this particular technique the delinquent shrugs of responsibility of his behaviour insisting that his actions are due to external forces beyond his/her control. For instance, they may blame their family structure or the surroundings in which one lives.

2. **Denial of injury**: This technique is often used by delinquents to show that though their acts might be unlawful, there isn't any real injury caused to any person. The belief rests on the ground that even if there was a person affected by the delinquency, it could be easily dealt with and thus there was no injury in the true sense.

3. **Denial of Victim (Defence of necessity)** – The delinquent person may justify their action against the victim using this technique, trying to establish that the victim deserved the injury caused to them. The delinquent act is shown as a retaliation or as a punishment that the victim called for through his deeds.

4. **Condemnation of Condemners:** Through this technique the delinquent person tries to shift focus from their conduct and doubt the intentions of those who call out the delinquent's act as unlawful. The delinquent attempts to establish that the purported victims are hypocrites and they would have acted in a similar fashion had they been in the position of the delinquent.

5. **Appeal to higher loyalties:** This technique is employed when the delinquent justifies his action as being done for the greater good and sacrificing something for the better.

The application of these techniques can very well be traced in the actions of the juvenile cyber delinquents. Cyber offences, such as illegal access, infringement of Intellectual property rights such as copyright and trademark etc, involve delinquents who do not consider their actions as causing harm even being aware of their illegality. Juveniles collecting and distributing pornographic material, specifically child pornography, believe that their actions cause no harm

and there isn't any victim involved. [16] Also, in the case of downloading files such as music, movies, software etc, juveniles believe find it normal and not something immoral.

(B) Routine Activity Theory

This theory was proposed by Cohen and Felson (1979) and explains the occurrence of crime through convergence of three variables namely: motivated offender, suitable target and absence of guardian. So, for a crime to occur a motivated offender will come in contact with a suitable target in the absence of a guardian who can possibly prevent the crime. This theory was developed when crime rates in the American society of 1960's and 1970's were rising despite of an advancement in income and education levels. Cohen and Felson advocated that the answer to increase in crime rate could be deciphered from the daily routine of individuals. When the routine situations provide more opportunities to commit a crime to potential delinquents, crime increases. Therefore, it is not the case that offenders in a society are increasing but the situational structure offers more opportunities to offenders.[17] Mustain and Tewksbury (1998) [18]argue that *"the routines of activities influence the degree of exposure one has to potential offenders, how valuable or vulnerable individuals or their property are as targets, and whether/or how well guarded they or their property is"*.[19]

If we think about the cyberspace, it would be a conducive space for the convergence of these variables and thereby provide opportunities for cyber-crimes. Routine activity theory can be employed to explain almost all kinds of hateful online activities and helps in decoding ways and means used to commit such cyber-crimes.[20] It is observed that an offender is more likely to commit an offence in cyberspace than in physical space as the victim is not in physical proximity of the offender, so it becomes essential to consider the proximity between offender and victim in course of application of this particular theory to explain cyber-crime[21].Mueller argues that as the internet brings a victim in virtual proximity of motivated offender and the removal of physical barriers by the cyberspace widens the scope of action for the offender, it becomes more likely for juveniles to both commit or be a victim of cyber-crimes.[22] Considering

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[16] Kirwan Gráinne & Andrew Power, The Psychology of Cyber Crime: Concepts and Principles, (2012).

[17] L. E., Cohen, & M. Felson, *Social Change and Crime Rate Trends: A Routine Activity Approach*, 44(4) AMERICAN SOCIOLOGICAL REV., 588-608, (1979).

[18] E. E Mustaine & R.Tewksbury, *Predicting Risks of Larceny Theft Victimization: A Routine Activity Analysis Using Refined Lifestyle Measures*, 36 CRIMINOLOGY, 829-857, (1998).

[19] *Id.*

[20] *Supra* note 16.

[21] Susan W Brenner, *Cybercrime: Rethinking Crime Control Strategies*, In Yvonne Jewkes(ed.), Crime Online, 12–18 (2007). See also, Susan W. Brenner, Cybercrime: Criminal Threats from Cyberspace, (2010).

[22] Milton L. Mueller, Networks and States: The Global Politics Of Internet Governance, (2010).

the fact that one in three internet users around the world are children [23] and that cyberspace by removing physical barriers brings the perpetrator closer to the victim, so there exists higher chances in cyberspace for delinquents to track down and attack suitable targets. It may so happen that juveniles out of their curiosity access some platforms being unaware of its illegality and commit unlawful acts. The anonymity offered by cyberspace may further incline an individual to commit unlawful actions by being least risk averse. [24]

Lack of capable guardianship is another variable of the routine activity theory that heightens the risk of children being cyber-delinquent. The commission of digital crimes by juveniles is often a result of absence of capable guardianship and there arises a need to create awareness of the risks associated with victimization of individuals as well as institutions in cyberspace[25].According to a study, the amount of time spent by a juvenile online is directly related to his/her chances of engaging in cyber deviance or being a victim of it. Also, the proficiency in the use of internet and computer systems results in an increased possibility of committing cyber- crimes such as cyber-bullying or being subjected to it. The results from an online survey data collected from around 1400 juvenile internet users reveals that the more routine use of internet and proficiency in computer use by juveniles makes them more likely to experience cyber-bullying.[26]Another study concluded that the number of hours spent online by juveniles in chatrooms and engaging in cyber deviant behavior exposes them to a greater risks of being subjected to online harassment.[27]

(C) Social learning theory

Social learning theory was proposed by Akers in 1985 as a general theory capable of application to all kinds of criminal activities. Differential association, definitions, differential reinforcement and imitation are the four fundamental factors that this theory encompasses. Crime, which is a learned behaviour is the result of interaction between these factors. Akers argues that deviant behaviour like socially conformant behaviour arises from the same process of learning in context of social structure, interaction and situation.[28] When individuals come in contact with delinquents and are exposed to definitions favouring violation of the law,

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[23] UNICEF, *The State of the World's Children 2017: Children in a Digital World* 5 (2017)

[24] *Supra* note 7.

[25] Grabosky et al., *Telecommunication Fraud in the Digital Age: The Convergence of Technologies.* In David Wall, Crime and the Internet,29–43, (1st ed. 2001).

[26] Sameer Hinduja & Justin W. Patchin, *Cyberbullying: An Exploratory Analysis of Factors Related to Offending and Victimization*,29 (2) DEVIANT BEHAVIOR,129–156,(2008).

[27] Holt, J.Thomas & Adam M. Bossler, *Examining the Applicability of Lifestyle-routine Activities Theory for Cybercrime Victimization*, 30 (1) DEVIANT BEHAVIOR,1–25, (2008).

[28] G. E. Higgins & D.A Makin, *Does social learning theory condition the effects of low self-control on college students' software piracy*, 2 J. OF ECONOMIC CRIME MANAGEMENT,1–21(2004).

delinquent behaviour is imitated.[29] Compelling evidence has been found by various scholars revealing a strong connection between cybercrimes and deviant peer association.[30] Also, deviant definitions comprising attitude and justification for a particular offence as well as differential reinforcement that relates to rewards and punishment associated with an act are active components driving an individual to offend online.[31]Digital Piracy[32], hacking[33], movie piracy[34] etc. are some of the common cyber offences that can be understood from the lens of social learning theory. In today's day and age where juveniles are connected to a network of individuals through their computers, they are also constantly exposed to people with delinquent behaviour. When juveniles associate with cyber -delinquents in the cyberspace they learn techniques and methods to carry out a delinquent act as well as the rationalizations for those acts. A juvenile imitates the pattern of deviant behaviour without fully understanding the immorality of the act and thereby turns into a juvenile cyber-delinquent. [35]

(D) Space Transition Theory

The space transition theory has been developed by Jaishankar (2008) and is by far the most debated and cited theory in cyber criminological literature. As a contrast to other theories discussed above, the space transition theory was developed to understand causation of crime in cyberspace. According to this theory, when there is a transition from physical space to a virtual space, individuals who would not generally engage in criminal activities in the virtual world, would tend to offend in the cyberspace. This theory argues that there is a difference in behaviour of individuals when they transcend from physical to cyber space The promise of anonymity, flexibility in identity and deceased deterrence facilitates the commission of crimes in cyberworld. Also, the chances of being caught, punished and stigmatized being significantly lower than the real world is an incentive for those who would otherwise not offend in the physical world.[36] Moreover strangers may join hands together in cyberspace to carry out an

[29] G.E. Higgins & D. A. Makin, *Self-control, deviant peers, and software piracy*,95 PSYCHOLOGICAL REPORTS, 921–931 (2004).

[30] G. E. Higgins & A. L. Wilson, *Low self-control, moral beliefs, and social learning theory in university students' intentions to pirate software,* 19 SECURITY J.,75–92 (2006).

[31] T. J. Holt et al., *Social learning and Cyber deviance: Examining the importance of a full social learning model in the virtual world*, 33 J. OF CRIME AND JUSTICE (2010).

[32] G. E Higgins et al., *Digital piracy: Assessing the contributions of an integrated self-control theory and social learning theory using structural equation modelling*,19 CRIMINAL JUSTICE STUDIES,3–22, (2006).

[33] W. F. Skinner & A. M. Fream, *A Social Learning Theory Analysis of Computer Crime Among College Students*, 34 J. OF RESEARCH IN CRIME AND DELINQUENCY, 495–518 (1997).

[34] G. E. Higgins et al., *Low Self-Control and Social Learning in Understanding Students' Intentions to Pirate Movies in the United States*, 25 SOCIAL SCIENCE COMPUTER REV.,339– 357 (2007).

[35] Elvin Balajanov, *Setting the Minimum Age of Criminal Responsibility for Cybercrime*, INTL. REVIEW OF LAW, COMPUTERS & TECHNOLOGY, (2017).

[36] Robert Moore, Cybercrime: Investigating High-Technology Computer Crime, (2nd ed.2011).

offence in the physical space and vice-versa. Following are the propositions of Space transition theory:

1. *"Persons, with repressed criminal behaviour (in the physical space) have a propensity to commit crime in cyberspace, which, otherwise they would not commit in physical space, due to their status and position".* – Jaishankar explains that individuals with a tendency to offend but who understand the risk of possible harm to their status and position would not offend in physical space but would rather do it in cyber-space. Such individuals weigh the risks associated with delinquent behaviour in the offline vs. the online world. In order to explain this proposition, Jaishankar relies on Arbak's (2005) [37]model of crime and social status in order to explain *"a) individuals feel varying degree of self-reproach on engaging in criminal activities, b) they are generally concerned with their social status in the society, based on others' perceptions of their values and, c) in making their decision, they calculate the social and material risks of being a criminal against the comfort of living as a law-abiding citizen".* As cyberspace provided anonymity and reduces risk of being identified, individuals who don't want to run the risk of harming their reputation in the physical space would engage in delinquent behaviour online. So, these individuals conform to societal standards of morality in the physical space as they fear the stigma associated with immorality, but the same fear does not exist in the cyberspace where they can hide behind a mask. Such persons often engage in stalking, bullying and harassment online as engaging in these activities in the offline world will adversely affect their status in society.

2. *"Identity Flexibility, Dissociative Anonymity and lack of deterrence factor in the cyberspace provides the offenders the choice to commit cyber-crime"* The concept of identity flexibility and dissociative anonymity as developed by Suler [38]has been used by Jaishankar to explain the delinquent behaviour of people online through this proposition. Jaishankar explains two facets of the disinhibition effect of anonymity. One in which people satisfy unpleasant desires of objectifying women, sexual harassment of women and children, abusing online etc. The other is when people discuss their difficulties honestly, for which they would not usually gather courage in an offline space. Further, there is sense of dissociation that people experience with their actions online and they are convinced that their actions in cyberspace aren't theirs at all. This is the sense of safety generated in cyberspace as people do not run the risk of

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[37] Emrah Arbak, *Social Status and Crime* , (Université de Lyon, Working Papers 0510, 2005).
[38] John Suler, *The Online Disinhibition Effect*, 7(3) CYBER PSYCHOLOGY & BEHAVIOUR, 321-326 (2004).

facing consequences of their delinquent acts as in the real world. So, they tend to dissociate their delinquent acts online with their offline personality. Moreover, *Silke and Demetriou (2003)*[39] argue that de-individualization is one of the prime reasons why individuals commit cyber-crime. De-individualization is a psychological disorder wherein a person loses his sense of individuality and engages in more aggressive or selfish behaviour without owning up for his acts. Jaishankar advocates that anonymity is the prime factor causing de-individualization in cyberspace.

The lack of deterrence in cyberspace is also a significant factor that makes it a safe space for criminals to target their victims who might be miles apart from them. Victims of cyber delinquent act may be scarred for life, as actions against them could affect them emotionally, socially as well as financially, still due to lack of deterrence in cyberspace and the immediate injury not being apparent, cyber delinquent acts are viewed with a different lens as compared to crimes in offline world.

3. *"Criminal behaviour of offenders in cyberspace is likely to be imported to Physical space and the one's in physical space may be exported to cyberspace as well".*

   With the advancement in technology and expanded scope of activities online, nature of cyber-crimes have changed. Now, cyber offences are committed not just for personal vendetta or as a past time but for monetary gain as well. There has been a rise in organised cybercrime activity with cyber criminals becoming more professional and further enhancing their skills to commit offences online. Cyber-hacking is one such offense, wherein delinquents engage in criminal activity for financial gains. Further, there is a transition seen in crimes from cyberspace to physical space and vice-versa. For instance, cyber grooming is one such offence that serves as a classic example of how sexual abuse of a child in the physical space can begin from grooming in cyber space.

4. *"Intermittent ventures of offenders in to the cyberspace and the dynamic spatiotemporal nature of cyberspace provide the chance to escape"* As cyberspace is limitless in nature and individuals can exit and enter anytime they like and with different identities, Jaishankar argues it facilitates the escape of the offender making it difficult to determine the location as well as the effect of crime. As a criminal in cyberspace can attack a victim with no physical proximity and can do so in a very short

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[39] C. Demetriou & A. Silke, *A Criminological Internet 'Sting'. Experimental Evidence of Illegal and Deviant Visits to a Website Trap*, *43*(1) BRITISH J. OF CRIMINOLOGY,213-222, (2003).

period of time , there is a lack of spatiotemporal restrictions due to the nature of cyber-crime.

5. *"(a) Strangers are likely to unite together in cyberspace to commit crime in the physical space.*

(b) Associates of physical space are likely to unite to commit crime in cyberspace".

Jaishankar argues that strangers with criminal tendencies and similar dissatisfactions may join hands in cyber space to work out techniques for offending in the physical space. For instance, the online recruitment of individuals by terror outfits explains how violence can be spread offline by devising ways and means online. Similarly, individuals united with a common cause in the physical space may offend in cyberspace to take advantage of its anonymity and low levels of risk involved. Jaishankar brings in the example of dissatisfied employees of an organisation who can engage in cyber-crimes such as leaking sensitive information to harm the interests of the company or organisation.

6. *"Persons from closed society are more likely to commit crimes in cyberspace than persons from open society".*

In this proposition Jaishankar argues that as individuals from open societies have more avenues to express their opinion and vent out their feelings in the form of protests, demonstrations etc., individuals in a closed society find cyberspace as a convenient and safe means to engage in any activity including hate messages, revenge porn etc.

7. *"The conflict of Norms and Values of Physical Space with the Norms and Values of cyberspace may lead to cyber-crimes."*

As cyberspace provides avenues for people from various nationalities and cultures to participate and interact with each other, Jaishankar argues there in no uniform structure of norms and values in cyberspace as has been evolved in physical societies. This often results in a clash between individuals online further leading to cyber-crimes.[40]

III. UNDERSTANDING THE "BOIS LOCKER ROOM" EPISODE

In May 2020, screenshots of chats from an Instagram chat group called *"bois locker room"* went viral on social media. The chats related to objectification of women, derogatory and lewd comments   on their body parts, sharing of morphed pictures (including that of underage girls) and use of graphic sexual language. Members of the chat group were teenage boys, most of whom studied in posh schools of South Delhi. The screenshots of the alleged chats were

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[40] K. Jaishankar, *Space transition theory of cybercrimes*, In F. Schmallager, M. Pittaro (eds.), Crimes of the Internet, 283-301, (2008).

revealed on social media by two women whose morphed pictures were circulated in the group. The members of the chat group threatened to leak nude pictures of the women who exposed the chats on social media. As cyber cell of the Delhi police filed an FIR in the matter, this became the very first case of cyber-crime in India to originate from an Instagram chat. Initial investigations revealed that most members engaging in offensive communication on the group were schoolboys and some were in college[41].

In the words of cybercrime expert Pavan Duggal "*Incidents like the bois locker room are the tip of the ice-berg*", there is a long list of chat rooms in India with juvenile members engaging in offensive communications around sex and making vulgar remarks on women. In 2018, a school teacher in Gurugram received rape threats on Instagram from one of her teenage student, who also threatened to get the teacher's daughter kidnapped and raped. The incident was covered up by school authorities with no action being taken against the student despite of repeated complaints being made by the teacher. In yet another case, a teenage student from a Gurugram school wrote objectionable emails to two female teachers in the school asking them out for a "*candlelight dinner and sex*".[42]

It would be a mistake to assume that incidents like these are a development of the recent past. In 2001, a 16 years old school boy had put up pictures of his female teachers and classmates on a porn website created by him. The nature of the crime left the authorities perplexed as it was first of its kind in the country. While granting bail to the juvenile, Justice Sanjay Agarwal of the Juvenile Court in Delhi remarked that the incident is an "example of tech-graffiti" and "it should not be taken seriously". In 2004, students in a Delhi School circulated on the internet a clipping of two of their classmates in a compromising position. The key accused in the case was a 17-years old boy who allegedly captured the sexual act.

As investigation proceeds in the *bois locker room case*, several revelations made by the members of the chatgroup during police examination are of particular significance to understand what leads to such instances. As per the Police, conversations in the chatgroup ranged from curiosity about sexual activities to glorifying the ghastly act of rape. Teenage boys through their fake identities, not just shared morphed picture of minor girls and passed objectionable comments, but also discussed different ways and means of raping minors. Conversations also revolved around masochism in bed and how that turns on girls as they prefer

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[41] *Bois LockerRoom:10 things you need to know about scandal that has rocked Indian social media*, INDIA TODAY, (May 5, 2020, 6:52 A.M) <https://www.indiatoday.in/india/story/bois-locker-room-10-things-you-need-to-know-about-scandal-that-has-rocked-indian-social-media-1674687-2020-05-05>.
[42] *Supra* note 2.

confident boys in bed rather than soft and sensitive one's. Boys in the locker room chat also confessed to the police about their curiosity as to how porn translated in real life. The boys also revealed that they discussed about porn websites on the chatgroup and that watching porn influences their mindset towards girls at school. Many confessed of visiting porn websites and also consuming sex scenes on a daily basis. Further, it was revealed that their consuming sexual content online and engaging in conversation around sex increased their performance anxiety and further added to their confusion on the topic. It is interesting to note that the boys were confident that their parents did not even have a faint idea of them engaging in locker room chats or watching porn as they used their handsets for this purpose and usually at late night.[43]

(A) Analysing the incident through a theoretical lens

The locker room incident can be explained through a combination of theories discussed in Part I. *Firstly*, the use of fake identities by members in the chatgroup participating in objectionable conversation is a clear instance of the principle of identity flexibility and dissociative anonymity at play.[44] This explains that the boys involved had some understanding of the fact that their online behaviour does not conform to societal standards and could adversely affect their status and position in society. Moreover, they could dissociate their offline individuality with their online deviant behaviour. In this manner, often cyber-offenders do not feel guilty about their online behaviour. *Secondly*, some locker room conversations were potent enough to translate into serious crimes offline. For instance, when rape is glorified and methods for raping minors are discussed in secret chat rooms such as these, it has the potential to transcend from cyberspace into physical spaces. Thus, the proposition of criminal behaviour in cyberspace likely to be transported to physical space as identified by Jaishankar in his space transition theory is applicable in this regard.

Thirdly, boys allegedly engaging in the locker room chats confessed about their routine access to the internet and consumption of sexually explicit content on a daily basis out of the knowledge of their parents. [45]This brings to fore the element of absence of guardian, which is one of the components of routine activity theory of crime. The routine exposure of juveniles to internet without any parental guidance increases their chances of both engaging in deviant acts or being a victim of it. *Fourthly,* locker room conversations reveal that teenage boys are perplexed about subjects such as sex and access to sexually explicit content online further adds

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[43] *Id.*
[44] *Id.*
[45] *Id.*

to this confusion.[46] As sex education and related aspects such as porn literacy do not find place in the Indian education system, or in other offline public discussions accessible to juveniles, this hints at a form of closed society, as explained by Jaishankar, which further inclines an individual to vent out their feelings online and engage in deviant behaviour. As teenagers do not find avenues to discuss and learn about sexuality in physical spaces, they access online platforms out of curiosity and develop distorted notions about sex. They also tend to engage in deviant behaviour often being unaware of its illegality. *Fifthly*, the factor of imitation of deviant behaviour online as explained by the social learning theory, can be roped in as one of the potential reasons to explain such incidents. There a number of chatrooms on various online platforms discussing sex, drugs, sharing morphed images of girls and posting vulgar comments. Investigation revealed that the admin of the *Bois locker room* chat was a college going adult[47].As Juveniles come in contact with such deviant individuals online, they learn and imitate deviant behaviour. *Sixthly*, the factors of denial of victim and denial of injury under the neutralization theory can be read into the locker room case. It is to be noted that the girls exposing the alleged conversation on social media were threatened by some members of the chatgroup that their nude picture would be circulated on the internet [48]. This exposes two facets of the approach taken by the alleged online offenders. Firstly, they did not consider their group conversations as victimising an individual and causing them some injury; secondly, on being called out, they further threatened to commit a cyber offence against them in retaliation all while posing it to be an injury called for by the girls on account of their own actions.

IV. SUGGESTIONS & CONCLUSION

Juveniles often engage in activities online unaware of its illegal nature and the potential loss it can cause to a victim. When they are tracked down and questioned about their conduct, they often admit to their acts and feel guilty about it. Excerpts from an interview of police officials dealing with juvenile cyber-criminals reveals that juveniles engaging in crimes such as morphing pictures, online harassment, cheating etc. often admit to it and do not repeat it after assuring the police in writing. Such matters are usually settled with the help of parents and the complaint is withdrawn.[49] There arises a need on part of parents, teachers, educational institutions as well as state authorities *to increase awareness relating to cybercrimes among*

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[46] *Id.*

[47] *Id.*

[48] *Id.*

[49] Saurabh Trivedi, *Juveniles should be treated with caution, soft hands*, THE HINDU, (May 21 2020, 23:45 P.M) <https://www.thehindu.com/news/cities/Delhi/juveniles-should-be-treated-with-caution-soft-hands/article31645016.ece>.

juveniles. Cyber-crime awareness should be introduced School curriculum and juveniles must be apprised with the appropriate and ethical use of digital technologies.

Parents usually are caught unawares when they find their children engaging in deviant behavior online and it is often too late as the damage is already done. There seems to be a gap between parents and children with regard to the knowledge about latter's activity online. Interrogations following the Bois Locker room chats revealed that parents had no clue about their children watching sexually explicit content online late at night and engaging in conversations like the locker room chats. This brings to fore the *need for capable parental guidance.* Parents need to effectively acquaint their children about appropriate behavior online and establish systems at home that keeps them aware of their child's online activities. Parents should apprise themselves of features such as parental controls in digital devices, so that children are not exposed to any unwanted adult content. State Authorities, educational institutions and other civil society bodies should engage in assisting parents in this task by creating awareness among them about cyber-crimes and enabling them to provide capable guidance to their children and monitoring their online activities.

The law relating to cybercrimes lacks teeth and needs to be amended and enforced keeping pace with the development of digital technologies. For instance, the IT Act in India was amended back in 2008 when the use of smartphones and their possible misuse by cyber delinquents was not foreseen. The slack treatment of juveniles by the law especially juveniles committing cybercrimes is also a cause of concern for right thinking members of society. While deterrence beyond a point can harden a first time juvenile cyber offender, their lax treatment can also increase chances of recidivism. Also, often the victims of online deviant acts by a juvenile is another juvenile in the same age group and the crime leaves a deep scar in their mind for life. Therefore, this calls for a *comprehensive legislation* dealing with cybercrimes, balancing the interest of both the victim and offender being *effectively enforced* against all cyber-delinquents regardless of age.[50]

In the world of seamless internet access without any credible user authentication, juveniles often are exposed to sexually explicit content online. Due to their curious nature and the ease of access, they start exploring subjects such as sex, drugs etc. through online platforms such as porn websites, online community websites, chatrooms etc. As all this happens without any guidance provided either by parents or teachers, juveniles often have misconstrued perceptions

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[50]Budhaditya Ghosh, *Bois Locker Room: Cybercrime and Juvenile*s, LEXINSIDER (May19,2020) < https://lexinsider.com/bois-locker-room-cybercrime-and-juveniles/ >.

regarding sex. Further, as the subject of sex is considered a taboo in the Indian society and questions around it are often supressed in educational spheres or other offline settings, juveniles turn to cyberspace in search for their answers. This points to the *need to educate juveniles on subjects such as sex*, so that they do not fall prey to distorted perceptions created online. Sex education will not only prevent juveniles from turning into online sexual predators, but also save them from possible abuse online.[51]

It is well understood that a single theory of crime cannot provide complete explanation of an offence. Factors from different theories taken together can help study causation of a crime.[52] Similarly, it is difficult to delineate a single cause for juvenile cyber-delinquency. Moreover, the immaturity of juveniles makes them vulnerable to engage in delinquent acts online either out of unawareness or due to its risk-free nature. The anonymity coupled with low levels of risk in cyberspace inclines a juvenile to engage in deviant behavior. Juveniles are open to a range of influences in cyberspace which deeply affects their impressionable minds and can turn them into offenders as well as a victim in cyberspace. There are a multitude of factors both personal and social that lead to such occurrences. Therefore, not just parents and the law enforcement agencies, but policymakers, educational institutions, civil society organizations working the field, technology experts etc. have a significant role to play in providing juveniles a safe online environment. [53]

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[51] *Supra* note 2.

[52] *Supra* note 31.

[53] Astha Srivastava & Shivangi Sinha, *Cyber Delinquency: Issues And Challenges Under Indian Legal System*, 8(5C), INTL. J. OF ENGINEERING AND ADVANCED TECHNOLOGY, (2019).