

Online Upsurge of Women Victims: Exploring the Barriers to Reporting and Awareness of PECA 2016

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Abstract

This study investigates women online victims, and aims to understand the reasons women avoid reporting to authorities. According to Federal Investigation Agency and National Response Centre for Cyber Crime, Pakistan, there has been a rise in cybercrime reporting during the year 2020. Due to Covid-19, the educational activities were shifted online throughout 2020, increasing the on-screen duration for every student. The excess use of internet during lockdown had a collateral damage in terms of increased cybercrimes. This paper will focus female victims of cyber-bullying and online harassment, in the light of the laws that empower women. Also brings to attention the cultural and psychological reasons for not reporting such crimes. With the increase in internet usage the cyber-bullying and harassment has also increased and most of the victims are women. The cultural barriers that prevent women to report cybercrimes is reflected in the theory of the spiral of silence. The paper addresses the need to identify the problem and introduce intervention for a positive social change and adapt to the new normal.

Key words: Online victims, cybercrime, PECA

Introduction

Technology is a pivotal force behind the process of globalization of economy, science and culture. The liberating nature of computer technologies and information encourage people to participate in a “global village” (KOÇ, 2006) What is being created is a new electronic cultural space, a “placeless” land of image and simulation, a world in which space and time horizons have diminished and made the world available with just a click. It’s a world of instant and vast communication which is changing our understanding of it. This is invoking a new sense of placeless identity and creating a new self-interpretation. Turkle, (Alone Together, 2013) suggests that “engagement with the new technology challenge what many people have traditionally called `identity`; a sense of self is recast in terms of multiple windows and parallel lives”. The virtual interactive spaces mediated through the contemporary communication tools such as posting wall, chat rooms, instant messaging, live video chatting and friends list all as a part of Facebook can transform traditional notions of identity into those of multiplicity, fluidity and difference.

Servino & Tankard (2001) defined cyber communication as the form of communication enabled by internet. Participants in Computer Mediated Communication (CMC) are dependent on typed messages and do not share time & space unlike face-to-face communication (Rafi & Sarwar, 2019).

Only 20 years back internet and mediated communication was restricted among advantaged people and was not available for masses (Jewkes & Yar, 2011). When it became public, it was the reform of the relationships, bonds, socialization and communication. This networked technology re-shaped how we communicate, engage and entertain. It had a lot to offer and despite of the entire utopia it surely has a dystopian side to its existence (Jewkes & Yar, 2011). According to the Handbook of Internet Crimes (2011), the dystopian side can be defined as computer assisted and computer oriented offences. On one hand these intricacies and on the other the lack of awareness and responses to such activities.

Since 2007, in order to identify and curb the technological abuse, National Response Centre for Cyber Crime (NR3C) was formed to deal with cyber-crime cases in Pakistan. According to NR3C, Cyber-crime is “any activity commissioned via computer, digital devices and networks used in the cyber realm, and is facilitated through the internet medium. It can include the distant theft of information belonging to an individual,

government or corporate sector through criminal tress-passing into unauthorized remote systems around the world. It includes from stealing millions of rupees from online bank to harassing and stalking cyber users” (NR3C, 2021). Cyber Crime also includes sending malicious viruses on different systems or posting defamation messages.

Cybercrime refers to a wide array of illegal activities ranging from hacking, bullying, stalking, denial of attack to identity theft, digital piracy, vandalism and terrorism to mention broader categories (NR3C, 2021). National response Centre for Cyber Crime not only educates about the cyber-criminal forms but also provides services and takes up the complaints.

The Prevention of Electronic Crimes Act (2016), the official document states the jurisdiction of the act, clauses, punishment & penalties, the investigation agency & procedure for all the internet users, organizations and individuals alike.

PECA 2016 document is well- written and educates on various cyber-crimes. However, the paper will examine the clauses, punishments and rights that empower female online users.

Following are the clauses from PECA 2016:

1. Electronic Fraud:

If a person tempts you to enter into a relationship for wrongful gain or deceives and it causes damages shall be punished with imprisonment for a term which may extend to two years or with fine which may extend to ten million rupees or with both.

2. Offences against the dignity of a natural person:

Whoever intentionally and publicly exhibits or displays or transmits any information through any information system, which he knows to be false, and intimidates or harms the reputation or privacy of a natural person, shall be punished with imprisonment for a term which may extend to three years or with fine which may extend to one million rupees or both.

Any aggrieved person or his guardian, where such person is a minor, may apply to the Authority for removal, destruction of or blocking access to such information.

3. Offences against modesty of a natural person and minor:

Whoever intentionally and publicly exhibits or displays or transmits any information which: superimposes a photograph of the face of a natural person over any sexually explicit image or

video; includes a photograph or a video of a natural person in sexually explicit conduct; intimidate a natural person with any sexual act, or any sexually explicit image or video of a natural person; cultivates, entices or induces a natural person to engage in a sexually explicit act.

Through information system to harm a natural person or his reputation, or to take revenge, or to create hatred or to blackmail, shall be punished with imprisonment for a term which may extend to five years or with fine which may extend to five million rupees or both. If the victim is a minor, according to Pakistani laws, the imprisonment term may extend to seven years and with fine may extend to five million rupees. If it's a repeated crime with minors the imprisonment may extend to term of ten years and with fine.

Any aggrieved person or the guardians of minor may apply to the Authority for removal, destruction or blocking access to such information.

4. Child pornography:

Whoever intentionally produces, offers or makes available, distributes or transmits through an information system or procures for himself or for another person or without lawful justification possesses material in an information system, that visually depicts:

A minor engaged in sexually explicit conduct; a person appearing to be a minor engaged in sexually explicit conduct; realistic images representing a minor engaged in sexually explicit conduct; discloses the identity of the minor shall be punished with imprisonment for a term which may extend to seven years or with fine which may extend to five million rupees or with both.

Any aggrieved person or the guardians of minor may apply to the authority for removal, destruction or blocking access to such information.

5. Cyber Stalking:

A person commits the offence of cyber stalking who with the intent to coerce or intimidate or harass any person uses information system, information system network, internet,

website, electronic mail or any other similar means of communication to:

Follow a person or contacts or attempts to contact such person to foster personal interaction repeatedly despite a clear indication of disinterest by such person; monitor the use by a person of the internet, electronic mail, text message or any other form of electronic communication; watch or spy upon a person in a manner that results in fear of violence or serious alarm or distress, in the mind of such person; take a photograph or make a video of any person and displays or distributes it without his consent in a manner that harms a person.

Whoever commits the offence shall be punished with the imprisonment for a term which may extend to three years or with fine which may extend to one million rupees or with both. Any aggrieved person or the guardians of minor may apply to the Authority for removal, destruction or blocking access to such information.

Understanding and awareness of the above clauses is really important as these clauses empower women online users and help them feel secure and safe claiming online spaces.

Literature Review

In the present age of digital communication, time has been compressed by reducing the distance between different points in space, and the sense of space has led people to feel that local, national, and global space becomes obsolete (Harvey, 1990). In addition, the reachability of digital media can now extend to all people, instead of a limited audience. This is significant because without the confinement of time and space, the control of message production and dissemination is no longer a privilege possessed only by church, state, and government, but instead, equally shared by all individuals.

As Chen (2007) indicated, the impact of digital or new media on human society is demonstrated in the aspects of cognition, social effect, and a new form of aesthetics. Cognitively, new media demands a nonlinear nature and the creation of expectations for content, which directly influences the way people use media. Socially, the most manifested impact of new media is the effect of demassification, which denotes that the traditional design for a large, homogeneous audience is disappearing

and being replaced by a specific and individual appeal, allowing the audience to access and create the message they wish to produce (Olason & Pollard, 2004).

New media is also the main force accelerating the trend of globalization in human society. The globalization trend has led to the transformation of almost all aspects of human society. For instance, socially and culturally, globalization has changed the perception of what a community is, redefined the meaning of cultural identity and civic society, and demanded a new way of intercultural interaction (Chen & Zhang, 2010). The convergence of new media and globalization brings about at least six new experiences for human beings, including new textual experiences, new ways of representing the world, new relationships between users and new media technologies, new conceptions of the biological body's relationship to technological media, and new patterns of organization and production (Lister, Dovery, Giddings, Grant, & Kelly, 2009). These experiences will inevitably challenge the traditional formation and definition of social or cultural identity. In other words, the use of new media is shaking the root of cultural identity by weakening or strengthening the intensity of the relationship between people and community (Hampton & Wellman, 1999; Singh, 2010). The time and space compression caused by the convergence of new media and globalization creates a universal cyberspace in which new cultural identity is emerging in different virtual communities.

Online identity is anonymous and flexible and not tied with offline identity. Online identity encompasses of online social identity and online personal identity. Online identity consists of symbolic communication and textual communication. Self-concept consists of personal and social aspects leads to self-presentation (Canary & Manusov 2003). Identity sharing behaviors such as hobbies, interests, favorites, testimonials, groups and affiliations show open communication and trust among social network sites (SNS) users (Shahrinaz, 2010).

The theory of technological mediation offers a framework to analyze the relations between human beings and the world. This research attempts to look into the changing course of communication due to technological mediation and the crucial concepts in shaping the social fabric that can be affected by technology such as identity crisis and communication. In light of real life examples of people and psychological theories, the aim is to understand the changing mode of communication and the creation of identity crises in the process. People are now moving towards the

internet to meet important psychological and social needs they have (John A. Bargh & Katelyn McKenna, 2002). This is invoking a new sense of placeless identity and creating a new self-interpretation. Turkle, (2013) suggests that “engagement with the new technology challenge what many people have traditionally called `identity`; a sense of self is recast in terms of multiple windows and parallel lives”. The virtual interactive spaces mediated through the contemporary communication tools such as posting wall, chat rooms, instant messaging, live video chatting and friends list all as a part of Facebook can transform traditional notions of identity into those of multiplicity, fluidity and difference. Sherry Turkle explain this by the idea of “saturated self” in which online sites allow people to “colonize each other’s brains” by continuous construction and negotiation of their identities with the ability to have relationships across the globe diminishing distances while shrinking the world.

Spectacle selves, tailored identities, anonymity and performativity bring us closer to how each one of us define catharsis. Catharsis is the purification and purging of emotions. Catharsis can translate into violating someone’s privacy. It is very subjective. The freedom online spaces are providing can be misused and is a concern globally. It is now a safety and security concern for the users. Females fall prey to sexual predators online and this impact their online socialization (Malar, 2012). Online networking sites provide a lot of liberty in terms of mediated communication. Online users tend to communicate with strangers and at times disclose personal information, engage in risky sexual behavior, share pictures and probability of cyber bullying increases. Willard (2007) mentions in his article, not only young users are vulnerable but also get trapped with sexual predators online. Munir & Shabir (2018) say that a large number of university students are internet users and at high risk of being a victim to cyber-crimes.

Bharkavi and Sheeba (2009) in their study found that female online users do not take precautions. They are not suspicious of strangers sending them friends requests until they face harassment. Moreover, they identified that female users are not aware of the different types of cyber-crimes and laws.

Women face a disturbing amount of harassment and bullying in real spaces that are offline (Rafi & Sarwar, 2019). Not only they are being bullied online but also the statistics is growing alarming day by day. It is

also upsetting that the percentage of cyber bullying attacks on female users is comparatively higher than male users (Rafi, 2019).

Cyber bullying is becoming a global concern. According to a research, 41% women in UK received non-consensual pornographic data, faced harassment and experienced stalking (Griffiths, 2000). Young women across the globe are being victims of online sexual harassment and cyber stalking (Finn & Banach, 2000).

However, there is a consistency in the behavior pattern of women not reporting crimes. Anderson (2001), women do not seek legal help and they suffer silently. Women barely have faith in legal procedures and laws. This pattern may encourage it. Cripps & Stermac (2018), online sexual violence is rising and becoming a social health concern as it bears the power to affect the victim.

Babu & Jayakumar (2020) in their research found that women do not possess the courage to report the crime or stand against the mistreatment they confronted. It has been observed that female students will remain silent and suffer alone as they are scared of being called immoral and sinful (Magsi, 2017). Women do not even share their cyber bullying episode with their family members. The harassment or sexual violence in online spaces is often observed through the manipulation of images and videos. This also trouble females as objectification and misusing the image points towards slut shaming (Ringrose & Renold, 2012).

The behavior pattern of suffering in silence, not reporting, not being able to stand for oneself and

societal stereotyping female can be prone to mental stress. This phenomenon can be understood

in the light of (Noelle-Neumann & Petersen, 2004) Theory of Spiral of Silence. Human's fear of

living in isolation and therefore they seek conformation within social influences. Behaviors that

are in approval are adopted and the one in conflict are rejected and therefore, tend to hide their opinions so that they are not exposed and are not victims of isolation.

Cyber-crime of any nature could be detrimental for a woman (Babu & Jayakumar, 2020). Cyber bullying victim deals with a terrible psychological and physical health. It can cause sleeping & eating disorders, stress, alienation, lack of motivation, mood swings, suicidal thoughts, self-harm less focus on academics and use of drugs (Menesini & Salmivalli, 2017). It has been observed that victims face difficulty in

having optimistic thoughts and unable to focus on responsibilities (Nobles, Reynolds, Fox, & Fisher, 2014). Cyber-stalking victims are well-known to encounter a sense of fear and intimidation along with stress and anxiety (Hazelwood & Koon-Magnin, 2013).

Results

This research looks at the online upsurge of women victims specifically through Facebook. A survey was conducted with 418 respondents from Karachi in November 2020. The university students, aged 19- 25 years, were asked questions regarding their internet usage, how it increased during the pandemic when internet was the source of education and what were the consequences of increased screen time. A focus group of 10 females were asked specific questions regarding online harassment, awareness of cyber-crime laws in Pakistan, what are the reporting trends among female victims and why female victims are reluctant to report crimes.

The survey respondents are students belonging to affluent families and are enrolled in private and public universities in Karachi. However, it was convenient sampling as survey was circulated among university students via mediated systems/ internet. Focus group females were entirely based on the willingness and participatory enthusiasm. Most of the female respondents declined and did not show acceptance to a focus group study. Several females rejected the idea of specific or remotely specific questions related to encountering sexual offences online or if they ever reported someone online or through cyber-crime cell.

The survey questions started with a comparison of how year 2020 increased the internet usage of the respondents. 68% said that they were using internet 3 – 4 hours a day before pandemic and 56% from this section reported that their internet usage increased to 8 hours a day. However, only 30% of the respondents were able to restrict internet usage to 30% during pandemic.

A significant 51% of the respondents responded that they are not aware of cyber-crime laws in Pakistan and 31% did not even know if Cyber Crime Cell even existed in Karachi.

As high as 92% of the respondents believed that increase in internet usage has also increased cyber-criminal activities. An alarming 78% stated that they were bullied online at least once since they have been

using internet. Only 21% mentioned that they reported the crime through the online social networking site they were bullied using.

While inquiring for the reasons of not reporting online harassment, 30% respondents agreed that they were not aware of the rights and laws, 30% deemed it was embarrassing, 33% thought that family involvement was difficult. Marginalized responses such as; fear of retaliation, revenge from the bully, they are not comfortable talking about it, and mistrust of concerned authorities were also quantified. When female users were asked if they ever got bullied will they report it, 40% said they will still not report the cyber-crime.

When respondents were asked what might be the possible reason users bully females online, the most common answer given by 51% was the advantage of being anonymous, 30% felt that there are no repercussions for bullying and 19% believed that bullies have psychological issues.

A significant 92% respondents admitted that online bullying and harassment can have psychological impact on victims. While admitting, 62% respondents replied that they had never seen any awareness campaign regarding cyber bullying and harassment. Survey responses of 92% were certain that academic institutions can bring a change in the situation. As 87% survey respondents consider cyber bullying to be the new normal of the digitalized world. While on the positive note 70% have faith in the change of behavior pattern and decline in cases, if reporting cybercrimes is promoted and awareness is initiated with multitude.

The survey results show a cyber-crime discourse from a female user perspective. A lot of the results prove that online users especially females need awareness regarding laws and how to report crime as they are more vulnerable in online spaces.

The focus group with 10 females selected on the basis of their willingness to speak revealed the reasons as to why female victims do not report to authorities. Cultural barriers and societal notions of defining women were the most common responses from the participants. The reoccurring answers were; defamation, blackmailing, victim shaming, family disgrace, judgments and fear of being exposed. Unpopular answers included; authorities are ineffective, tiring process, never got a response from officials, waste of time and going to the office is a hassle.

This qualitative and quantitative research using the theory of Spiral of Silence unfolds the power relationship gender roles play even in online spaces. Looking at the key points of feminism; existence of male

dominance and lower the value and role of a woman (Tracey, 2013). Feminist intent to free marginalized group from oppressive situations and choose to remain discreet about their misfortunes.

The study has deep roots in patriarchy and the gender roles our society decides for the sex people possess. As much as the online spaces are connected to the idea of freedom there are still security and safety concerns attached to the female users.

Discussion

This paper primarily focuses on how increase in screen time has directly increased cyber bullying and why female victims do not report. It subsequently revealed the barriers of reporting that were actually social and psychological; and the horrific consequences of cyber bullying among female victims. The latter half of the paper sheds light on the awareness of PECA (2016) Act that most of the students are not aware of. Such researches help us unfold behind the screen behavior patterns of users (Oblad, 2020).

Internet has made it possible for everyone to connect across globe. As social media has shaped the communication it also has evolved. The collateral damage of this technological penetration has increased the risks of suicidal ideation, suicide, sexual abuse or exploitation, to the extent of social withdrawal (Kowalski et al, 2014). Particularly female cyber victims are more prone to increased levels of depression (Kowalski et al, 2014). Mental illnesses and social media connections have been documented considerable times over the past decade (Kowalski et al, 2012) (Oblad, 2019).

This research looks at the online upsurge of women victims specifically through female users on Facebook residing in Karachi. In November 2020, a survey was conducted with 418 university students enrolled in public and private Higher Education Institutions, aged 19- 25years. Later on, through Facebook 10 females were asked open ended questions regarding online harassment, awareness of cyber-crime laws in Pakistan, what are the reporting trends among female victims and why female victims are reluctant to report crimes. Those 10 females were selected on the basis of willingness to discuss their experiences of cyber bullying, whether they reported or not and if they did, what was the outcome.

The Meta narrative of the results indicates that there is a huge number of university going students who are not aware of the laws and regulations. The PECA Act 2016 empowers them with the right to claim virtual

spaces and protect them against bullies and harassers. The official Act covers all kind of online offences from electronic fraud to unsolicited pictures and pornography to stalking or harassment. It also states the wide array of punishments to the guilty and the right to ask for the removal/blockage of defaming pictures/data from internet if the victims suffer from such a situation. This holistic Act can only be empowering if the users know about it and report the crime against them.

However, more than 90% of the respondents agree that cyber bullying victims deal with anxiety, depression and other mental illnesses. The results clearly show a juxtaposition as the respondents did not only mention but also defended why it is critical to report such offences for a woman.

The reoccurring answers from the focus group of 10 females were; defamation, blackmailing, victim shaming, family disgrace, judgments and fear of being exposed. Unpopular answers included; authorities are ineffective, tiring process, never got a response from officials, waste of time and going to the office is a hassle.

This phenomenon can be understood in the light of (Noelle-Neumann & Petersen, 2004) theory

of Spiral of Silence. Human's fear of living in isolation and therefore they seek conformation

within social influences. Behaviors that are in approval are adopted and the one in conflict are

rejected and therefore, tend to hide their opinions so that they are not exposed and are not victims

of 'isolation pressure'.

This process is initiated where there is a question of emotional and moral issue and the motion is

elicited into a spiral on controversial issues, where the society seems to be in consensus. The

victims of cyberbullying are the ones caught in controversy and hence deem fit not to be exposed

and remain silent. Here again if the victims are better aware about their rights and protection as

per the PECA guidelines, they might feel confident to break their silence.

In 2019 (Martinez et al), a study conducted among university students in Spain also took a different approach into trying to understand

perspectives of a cyber-bully in dating relationships online. It revealed a significant idea of sexist behavior towards the females in comparison to

the male. The males were engaged in bullying females they were in relationship with. The hostility of males towards females was through internet and mobile devices.

This paper reveals that the online behaviors have deep roots in patriarchy and the gender roles. Male dominance prevails in cyberspaces too leaving female users marginalized. As much as the online spaces are connected to the idea of freedom there are still security and safety concerns attached to the female users. To counter this prevalent notion, we look forward for the awareness of laws, ultimately leading to the implementation of the justice.

Conclusion

This paper unfolded how female users are more vulnerable in digital spaces. Moreover, the cyber bullying and harassment is increasing day by day. On contrary, the female victims do not report to authorities. Not only they do not report but also they feel oppressed because of victim shaming culture, defamation, blackmailing, revenge and family disgrace. The disturbing upsurge makes the digital equally unbearable as the real world because the digital bullying, harassment leave psychological illness.

The study is not sufficient to the social disequilibrium cyber bullying is causing. There should be an intervention designed for the problem. The concerned authorities and academic institutions should work together along with media to aware masses. The first step towards empowerment of the female online users is the knowledge of laws, followed by the encouragement to report cyber-crime, and eventually the implementation of the laws.

Recommendation

The purpose of aiming the study for female university students was based on the hypothesis that Generation Z would be better equipped with the knowledge of Digital and Cyberspace laws and would be more upfront with reporting of online harassment and bullying in question.

However, the results of this research indicates that there is a huge gap in awareness of laws and procedures. Considering the data procured from university students also highlights that there are unaware masses who are using ICTs. There seems a dire need to bridge this gap in order to help the online users and rectify this situation at hand. Cyber world being the new normal cannot have drastic consequences as collateral damage.

To avert the dilemma of gender discrimination surfacing on ICTs, where the female gender is cornered, and feel unsafe raising voice for justice more research should be conducted on gender studies focusing to limit the emerging new layer of gender discrimination on ICT platforms.

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