CENTRE FOR CYBER VICTIM COUNSELLING (CCVC)

Centre for Cyber Victim Counselling (CCVC) is a registered (Trust under the Indian Trusts Act, 1882, Reg No: 1097/2009), nongovernmental, not for profit organization committed to work for the victims of cyber crime in India. The Directors of CCVC Debarati Halder PhD is a Lawyer / Expert in cyber laws and K. Jaishankar PhD, is a leading cyber criminologist. It works for: Victims of Cyber Harassment/Cyber Hate, Victims of Cyber Stalking/bullying, Victims of Identity theft, Victims of Social Networking Sites (Facebook, Myspace etc.), Women Victims, Teen Victims and Schools and Colleges.

The Mission of CCVC is to:

- counsell victims of cyber crime, and to work for the prevention of crime in the cyber space, protect potential victims from cyber crimes
- disseminate the knowledge of Cyber Crime, Laws and to undertake preventive measures, publish journals, newsletters, books, pamphlets, booklets and other periodicals, and also develop audio-visual materials on cyber crime and distribute the same to increase and improve the awareness of cyber crime in India.
- hold conferences, seminars, symposia, workshops, and other scientific meetings and dissemination of information on cyber crime and for spreading awareness about cyber crime and preventive measures.
- align, associate, network with law firms/ colleges/ universities/ corporations/ academics/ social workers, who work with a social concern for cyber victims, offer consulting and other expert services for prevention of cyber crime in India and other countries.
- liaise, coordinate, cooperate, network and develop linkages and other suitable mechanisms and protection of cyber victims and spread awareness about cyber crime prevention measures in India and other countries, and start suitable and appropriate measures to control and prevent cyber victimization in India and other countries.

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HARASSMENT VIA *WHATSAPP* IN URBAN AND RURAL INDIA: A BASELINE SURVEY REPORT (2015)[1]

Debarati Halder and K. Jaishankar

Introduction

As per the 2013 –14 annual report of the department of telecommunication (DoT), presently Indian telecom sector is the second largest network in the world next to China (Government of India, 2014) and the country has 933.02 million telephone connections including 904.52 million wireless telephone connections. The number is inclusive of the urban and rural areas (Government of India, 2014). As it may be seen, since last couple of years, India is experiencing a huge transformation in access to digital communication technology. Cheap devices, affordable 'talk time plans' by private as well as public sectors offering digital communication services and penetration of internet giants in the field of digital and information communication technology have enormously encouraged people to get connected through the telecom and digital communication network from urban as well as rural places in India, irrespective of their age, social or economic background. This wave of the digital communication revolution has further been fuelled by the slashing of prices of smart phones. It should be noted that, India experienced a growth of over 186 percent in the sale of smart phones in 2014 (IBNLive, 2014).

Also in this decade the usage pattern of digital communication technology has changed: usage of simple text messaging services or SMSs was slowly replaced by Facebook or Google messaging services on android phones and presently WhatsApp has become chosen favourite for text messages, group communications and circulation of photographs. WhatsApp has now more than 70 million users in India (NDTV, 2014). The simple reason for such a huge popularity of WhatsApp in the Indian market lies in the fact that it does not charge for messaging since it is a "cross platform mobile messaging app which allows you to exchange messages without having to pay for SMSs............WhatsApp Messenger

uses the same internet data plan that you use for email and web browsing," (WhatsApp, 2014, see sub- para B in Para 3).

What does WhatsApp offer?

WhatsApp messenger was started approximately in 2009 in the US by Jan Koum and Brian Action as a "better SMS alternative" (WhatsApp, 2014) and it is available for iPhone, Blackberry, Android, Windows phone, Nokia etc. This app uses the user's phone number as the basic verification mode and it does not support calls via VoIP (Schrittwieser, Fr¨uhwirt, Kieseberg, Leithner, Mulazzani, Huber, & Weippl, 2014). Some of the basic features of WhatsApp include status update, profile picture update, uploading of address book (Schrittwieser, et. al., 2014), options to create/join groups (Terpstra, 2013), updates about location, uploading and circulating photos and videos and voice recordings.

Typically WhatsApp verification may include a three stage procedure which involves (i) logging on to the download page of WhatsApp @ https://www.whatsapp.com/download/ and clicking on the chosen device icon and start downloading; (ii) the server then sends a 4-digit PIN number by SMS to the prospective user's phone by SMS for verification and authentication (Schrittwieser, et. al., 2014), (iii) the user copies the code to the WhatsApp's application graphical user interface (GUI) and after cross checking by the WhatsApp server the app gets activated on the phone of the user (Schrittwieser, et. al., 2014). Once connected with WhatsApp, the user can get the information about other WhatsApp users by simply checking his/her phone address book or call log history or Gmail address book. This is because WhatsApp may access the user's contact list or address book to keep track of other mobile phone numbers who use the WhatsApp services and may store this information on the server (WhatsApp, 2014, see sub- para B in Para 3) to get people connected instantly, profile pictures of other users and one WhatsApp user may get instantly connected to others through the server. WhatsApp also offers unique settings for the senders of the messages to know whether their messages have been accepted, read or heard (in case of audio-visual messages) by other recipients.
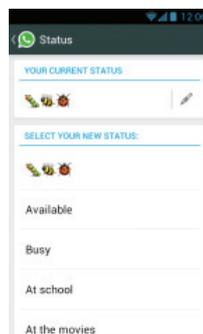
Interestingly, WhatsApp retains the messages of a sender for the view of other recipients even if the sender had left the group or the chat (WhatsApp, 2014, see faq). It also offers its own unique features for privacy of the user whereby the user can choose to upload his/her profile pictures, select audience to show the profile picture and status between 'everyone' or friends who are enlisted in 'my contacts' (WhatsApp, 2014, see faq). WhatsApp also offers techniques to block any unwanted phone number to contact the user.

It is further interesting to note that WhatsApp offers variety of communication icons including the alphanumeric keypads. The 'stickers' and emoticons can be used to express the feelings of the sender, instead of writing in words he/she can express in images.
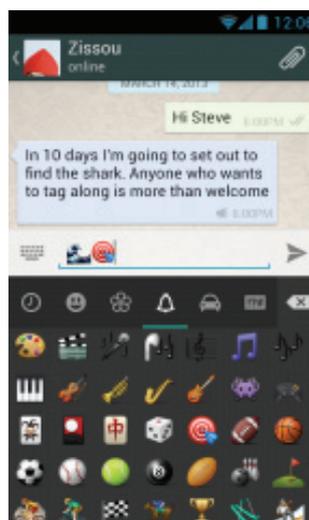
Background of the study

With the advent of information communication technology, online crimes against individuals, State and corporate houses have had an alarming growth in the past few years. Online speech conveyed by the internet and digital communication has attracted huge debate over the issues of anonymity, the limits of free speech, child pornography etc. Exchange of information for positive gain had unfortunately resulted in feeding the terrorists (Halder, 2011), similarly it has been noted in many researches that individual peer to peer communication may result in numbers of criminal activities , including cyber bullying (Jaishankar, 2009; Shariff & Hoff, 2007), sexting (Halder & Jaishankar, 2014a; Jaishankar, 2009), revenge porn (Halder & Jaishankar, 2013), hate crimes (Citron, 2014) etc. There are also umpteen examples of privacy breaching and damage to online reputation of men, women and teens due to the bloating and floating of personal information in the internet (Halder & Jaishankar, 2014b), online stalking (Bocij, Griffiths, & McFarlane, 2002; Baer, 2010) etc. Not to forget, ignorance and innocence of people along with the greed to get sudden riches have also fuelled Nigerian scams, including phishing attacks, lottery scams, job scams etc (Griffith, 2010).

As can be seen from the above, it is an unfortunate fact that behind building up a negative racket in the dark fantasy world called cyber space, many psychological, social, criminological and legal reasons are responsible; these include ignorance of people to learn the safety guidelines, the reluctance of victims to report crimes, victim blaming by unaware police personnel etc, and huge gain of profit (either by way of negative ego boosting or by monetarily) on the perpetrators on the basis of these factors. In the previous researches conducted by Centre for Cyber victim Counselling, it has been shown how and why people needs to be aware about the online victimisation in India (Halder & Jaishankar, 2010) and how internet and digital telecommunication technology can be misused in the hands youth, especially in semi rural and rural areas in India due to no awareness or less awareness about the safety guidelines, immaturity in handling the electronic devices and no or less awareness about privacy and rules and regulations relating to photography in public places policies in India (Halder & Jaishankar, 2013).

Internet giants like the Google or Facebook or other internet companies like WhatsApp (Facebook bought WhatsApp in February, 19, 2014 for $19 billion) (Facebook, 2014) continue building pathways for easy communication, and their technologies are further improved by invention of numerous apps which help people to connect through mobile phones. It needs to be noted that WhatsApp like other social networking sites also offers a set of policy guidelines which secures it from third party liability in cases of infringement of privacy due to status submission, content uploading by others and

copyright infringement (WhatsApp directs users to send a written communication in case of copyright infringement as per Section 512(c)(3) of the Digital Millennium Copyright Act) and restricts minors under 16 years of age from using the services and restricts its services to those who are declared as "terrorist supporting countries" (WhatsApp, 2014, see legal). Further, when WhatsApp is downloaded, it also provides a separate set of privacy and security tools in the "settings" menu which is exhibited in the phone device of the user.

The popularity of WhatsApp among Indian users has inspired many government agencies including the police to use it for connecting to the public: for instance, Delhi police had launched a new WhatsApp help line @ the number 8750871493 whereby people in Delhi can send audio-visual and still images to the police for complaining any issues related to traffic violations, misbehaviour of public transport drivers and conductors etc, (PTI, 2014) similarly, people are now encouraged to send audio-visual or still images or complaint messages to police in UP (Banerjee, 2014), Kerala (Balanarayan, 2014) and Karnataka (Menasinakai, 2014). Indeed, WhatsApp has become an essential communication medium for the majority of Indians now. Interestingly, WhatsApp has been used for positive developments, including helping undergraduate students to discuss about studies (Ahada & Lim, 2014), and WhatsApp had been specifically used for numerous purposes including sharing jokes (Soliman & Salem, 2014). However, similar to other social networking sites and internet communication mechanisms like the emails, WhatsApp is neither hassle free. WhatsApp like Facebook or Google Hangout also offers security problems (Schrittwieser, et. al., 2014) and threat to privacy (Roslan, 2014).

Need for the study and Methodology

It is interesting to note that while in some countries like Brunei (Ahada & Lim, 2014), Ghana (Tawiah, Nondzor, & Alhaji, 2014; Yeboah & Ewur, 2014), and Israel (Bouhnik & Deshen, 2014) some researches had been conducted to understand the pattern of usage of WhatsApp by school students and youth. However, in India still now no formal study has been conducted to understand either the behavioural and usage pattern of WhatsApp or the level of awareness regarding safety settings that WhatsApp offers or the harassment patterns through WhatsApp. There is neither any study to offer comparative analysis of the awareness level, harassment pattern and victim's possible contribution to the probable harassments in WhatsApp through exchange of information and communication. This research report, which is a baseline survey, consisting of 131 respondents from three cities in India viz., Tirunelveli, Delhi and Kolkata, aims to fill in this gap. The present survey concentrates on reviewing new trends in harassment through WhatsApp in

Tirunelveli, Delhi and Kolkata. The three cities were chosen specially to understand the comparative variations between non-metro city and metro cities. All of the respondents are adults and multiple choice questions were used for knowing the response of the respondents. The survey aims to find answers to the following key research questions:

1. Are people aware of the safety settings in WhatsApp?
2. What are the latest trends of harassment through WhatsApp?
3. Do users voluntarily contribute to invite harassments?
4. Are users from metro cities more prone to harassment through WhatsApp than non-metro cities or vice versa?

Findings:

1. Socio-demographic characteristics:

The survey was done with 131 respondents with a majority of females (75.6%) than males (24.4%). The age group of the respondents was from 19 to 40 and above. As such 62.6% were within the age of 19-23, 29.8% were from the age group of 24 to 30 and 7.6% were from the age group of 40 and above. The survey involved undergraduate and graduate students, working people and home makers. Thus, it includes 72.5% who are students, 25.2% who are working men/women/professionals and 2.3% of the respondents were women who were homemakers. 47.3% of the respondents were from Tirunelveli, Tamil Nadu, 22.1% were from Delhi and 30.5% were from Kolkata.

2. Use of Smart Phones and WhatsApp:

72.5% of the respondents use smart-phones and 27.5% responded that they do not use smart-phones. It was further seen that 72.5% said they use WhatsApp, 26.7% said they do not use WhatsApp and 0.8% said they do not know about WhatsApp mobile messaging services.

3. Awareness about safety tools in WhatsApp mobile messaging services:

The respondents were asked about their awareness about safety tools in the WhatsApp mobile messaging services and whether they feel that this sort of internet communication service through mobile messaging service is safer than other internet communication services including email, Google hangouts, Facebook, Twitter etc. These two sets of questions had four options: yes, no, don't want to tell and 'I have no direct knowledge even though I have heard about it'. The last option was set specifically to know whether the respondent had really used such tools and what is the level of

confidence when it comes to his/her knowledge about the safer internet communication services.

32.8% stated that they are aware of the safety tools in WhatsApp and 42.7% said they feel it is safer than other internet communication services. 41.2% stated that they were not aware of the safety tools and 13.7% stated that they don't feel that WhatsApp is safer than other internet communication services. 1.5% did not want to tell about their knowledge of awareness regarding safety tools in WhatsApp and 11.5% did not want to tell about their feelings whether WhatsApp is safer than other internet communication services. 24.4% stated that they have heard about the safety tools in WhatsApp but have no direct knowledge about it. 32.1% stated that they have heard about other internet communication services, but they do not have direct knowledge, whether WhatsApp is safer because they do not use other services.

4. *Contacted by strangers and making of new friends through WhatsApp:*

As had been stated above, through WhatsApp strangers can be connected. In this survey it was seen that among 131 respondents, 29.0% stated that they had been contacted by strangers through WhatsApp, 35.9% stated that they were not contacted by the strangers and 0.8% did not want to tell whether he/she had been contacted by strangers. 34.4% stated that they were not sure whether any stranger had contacted them as they were not frequent in WhatsApp or do not use the services anymore. 11.5% stated that they had made new friends through WhatsApp, 53.4% stated that they had not made any new friends and their WhatsApp connections are restricted to only known persons. 0.8% did not want to answer and 34.4% stated that they had not made any new friends since they don't use WhatsApp or have stopped using the services.

5. *Harassment through WhatsApp:*

In this section, the respondents were asked (i) whether they had received any harassing /abusing/bullying messages in their WhatsApp messages; (ii) whether they had received any symbols including 'smilyes', 'emoticons' etc which may symbolise harassing or unwanted message: these included posting symbols such as kissing, angry face, broken heart etc; (iii) whether they had received any violent images such beheading videos, killing, torturing human beings or animals, accident videos/still pictures etc; (iv) whether they had received any sexually explicit or obscene images including videos/images of rape, sexual abuse of women or children or men or LGBT people etc. It was seen that among 131 respondents, 10.7% had received harassing messages, 53.4% said they did not receive any harassing communication, 1.5% did not want to answer and 34.4% stated that they are

not sure whether any harassing communication was posted to them or targeting them since they do not use WhatsApp or have stopped using the services.

It was further seen that 9.9% stated that they received harassing symbols and smileys, 53.4% stated they had not received, 2.3% did not want to answer and 34.4% stated that they are not aware of being targeted with such symbols or emoticons that may or may not have been posted to harass them as they do not use WhatsApp or stopped using the services. It was also seen that 7.6% received violent images in their WhatsApp messages, 57.3% did not receive such messages and 0.8% did not want to answer. 34.4% said they are not aware of being targeted with such messages because they do not use WhatsApp or have stopped using the services. Among the 131 respondents, 11.5% stated that they had received sexually explicit or obscene images, 51.9% stated they did not receive such images and 2.3% did not want to answer. 34.4% stated that they are not aware of being targeted with such images because they do not use WhatsApp or have stopped using the services.

6. Willingness to report the matter to the family members and the police:

As could be seen in the previous researches and findings as had been mentioned above, victims or possible victims in India feel reluctant to report the victimisation to the police or disclose the matter to his/her family members due to fear of social pressure, secondary harassment etc. In this survey it was found that 67.9% of the total 131 respondents stated that they are willing to discuss any possible victimisation with their family members. 29.0% stated that they will not discuss these matters with the family members and 3.1% did not want to answer. 55.0% stated that they were willing to report any sort of victimisation through WhatsApp, but have not reported to the police so far. Interestingly, only one person among all the 131 respondents stated that she had actually reported the matter to the police. 41.2% stated that they will not report the matter and 3.8% did not want to answer.

Discussion and Conclusion

As can be seen in this survey, awareness level regarding the safety tools that are offered by WhatsApp and whether WhatsApp messaging services is safer than the other information communication services is much lower. It can be presumed that in India people get connected with WhatsApp without knowing about the policy guidelines and safety measures. As can be seen, WhatsApp has been used to send abusing, annoying, harassing, threatening communication in various ways, including sending emoticons or sending violent pictures or sexually explicit or obscene images to the recipients. It needs to be understood that WhatsApp messaging services can be connected with other internet

communicating services and viral videos may get spread through WhatsApp to reach those who do not generally use or access YouTube or search engines like Google or Yahoo. Prior to the arrival of WhatsApp, MMSs' were hugely used to spread viral offensive video clippings like that of the Andaman Jarawa tribal naked women dancing videos (Halder & Jaishankar, 2014c). After the introduction of the WhatsApp, spreading of such offensive video or still image content from the internet to millions of other users has become even easier. Notably, violent videos such as ISIS beheading videos which became viral on the internet (BBC, 2014) may also spread through WhatsApp. This survey shows that WhatsApp has been used to spread violent images and offensive sexual images in India. It further needs to be noted that like other social networking sites or internet communication technologies, WhatsApp also excuses itself from monitoring of contents or messages by putting the burden of safe practices to the users and directing the victims to report the matters through takedown reports or self-protection mechanisms. Harassers or perpetrators take huge advantage of this situation since the level of awareness regarding safe practices in the WhatsApp is low in India. Added to this, the level of willingness to report the matter to the police or disclose the matter to the family members is neither positive in India.

However, one positive sign that can be noted in this survey when compared to the previous research reports made by the Centre for Cyber Victim Counselling, is the rise in number of people regarding their willingness to contact the police: in the Baseline survey report on cyber victimisation in India (Halder & Jaishankar, 2010), it was seen that of the total 73 respondents from all over India, 90.4% stated that they were not willing to report any sort of online victimisation to the police. In the Baseline survey report on the use and misuse of the internet by in semi- urban and rural youth in India (Halder & Jaishankar, 2013), it was seen that among 70 respondents, only 34.3% stated that they were willing to report the cases to the police. 61.4% of this total respondents stated that they did not want to report to the police because they feared reporting is not necessary (12.8%), or police is worthless in such cases (2.9%), or due to fear of media flash (18.6%), or due to the fear that reporting to the police may bring unwanted harassment to the family (27.1%). In the present survey, it was seen that among the total 131 respondents, 55.0% were willing to report the victimisation to the police and one respondent mentioned that she had already lodged complaint with the police regarding harassment through WhatsApp.

While this being a positive sign, it needs to be understood that laws regarding data privacy, offensive communication through internet and digital communication technology and jurisdictional issues in cases of crimes committed through ICT and DCT still need to be developed in India. The rise in willingness to report crimes may be the result of gross sensitization of people regarding the cooperation of the police as well as types of crimes

that may happen through the internet; but simultaneously, level of awareness regarding safe practices in communication and victimization on the internet is still low. With the introduction of WhatsApp people can get instantly connected to internet without understanding the fact that they are actually connected to the worldwide web. Their profile pictures or phone numbers can be leaked in the web or they can be attacked by strangers in more vicious ways since their personal phone numbers can be stored even after they have left using WhatsApp services. Given the fact that in India revenge based crimes in the internet especially targeting women and children are rising (Halder & Jaishankar, 2013), WhatsApp can be misused to harass in such particular ways.

On the basis of the above findings, it is suggested that more sensitisation is needed among the youth regarding the positive use of WhatsApp messaging services, regarding the various types of harassments that can be carried out through WhatsApp and more awareness regarding safety mechanisms in the internet and digital communication technologies.

Limitations of the study

Due to time and financial constraints, this study is done only with 131 respondents in three cities. No sweeping generalization can be made with the results and this study is done only as a baseline survey and a study with more respondents and more geographical coverage will be done later.

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