

Gang-based Cybercrime of Juvenile Society in Bangladesh: Challenges and Remedies

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Abstract:

Teenagers of Bangladesh are entering the world of cyber-crime using online and apps. From gambling, pornography to human trafficking, their position is now in the mafia kingdom. The biggest concern and discomfort is that in front of their parents, the youngsters are intoxicated with this doomsday game, but they have no idea about it. Recently, Bangalore police in India arrested five Bangladeshis in connection with gang rape and torture of a woman. One of them is AV Hridyo. He is known as 'TikTok Hriday', said Bangladesh Police. According to the information provided by them, Hridiya was committing the crime of trafficking women by luring them to work on TikTok app. Those detained in India including him tortured a young woman from Bangladesh with the intention of trafficking. The Indian police arrested them only after that video went viral. Online and social media fraud, sexual harassment and many other crimes are already going on in Bangladesh. However, this new type of crime is raising the alarm. In addition, for these crimes there are various groups of criminals online, social media and apps. The names of those groups are known in the investigation.

For the first time in Bangladesh, the police found the dreaded LSD drug after the death of a student of Dhaka University. This drug communication also goes online. The police said that they have found multiple groups of drug users and suppliers on Facebook. In addition, last October, the police arrested three students of a private university associated with online pornography. They built the pornography market in the developed world. They used to create pornography under the guise of friendship. Earlier, another such group was caught in 2014. According to social scientists, social degradation and political misogyny are at the root of juvenile delinquency. Due to the lack of proper practice of moral values from childhood in educational institutions including family, one day slowly becomes reckless. They get involved in different branches of crime without their knowledge.

Keywords: Cybercrime, Juvenile, Law, Bangladesh, Court, Offence, Internet and Computer.

Introduction:

Cybercrime is any criminal activity that takes place in the digital realm. We often think of cybercrime as “hacking,” which in this context refers to unauthorized intrusion into the digital environment. However, it includes many other types of crime, including physical crime, which extends beyond the virtual world into the real world.

Everything from child pornography to altering customer ATM information stored in banks and making illegal withdrawals, or stealing source code are covered by “cyber” crimes. A successful cybercrime often exposes legal privacy violations – for example, when data is stolen because a company does not properly encrypt personal information, that company is essentially violating the consumer's privacy, and those involved in the data theft are complicit in cybercrime. In 1950, the second session of the United Nations Congress on Juvenile Delinquency stated that there is no need to overemphasize the definition of juvenile delinquency. However, all crimes committed by minors are law-breaking and deviant or deviant behavior that is not socially acceptable these are juvenile delinquencies.¹ Currently, those who are rapidly becoming addicted to the Internet are in the age group of 14 to 24 years, that is, the young society. About 77 percent of them are addicted to pornography, and about 220 million people in the world play video games. Bangladesh currently has 11.27 million internet users, of which 10.32 million are connected to the internet through mobile phones. Among this huge number of internet users, the number of secondary and higher secondary level students is about 35 percent. In Bangladesh, 14 million people play the video game called PUBG every day.²

Methodology

The paper is prepared based on secondary data, which collected from different sources like books, journals, Newspaper and the internet. Collected information has been analyzed to draw suggestion from the study and make the study informative to the concerned readers. This technique of the critical review will be demonstrated gang based cyber-crimes of juvenile society in Bangladesh.

Causes and Modes of Gang based Cyber-crime:

The factors that are considered conducive to the occurrence of cybercrime are as follows:

- I. Criminal technology skills,
- II. Reduction in the scope and scope of crime in the traditional way,
- III. Widespread spread of computer and information technology in the society,
- IV. Whether or not the risk is low for such crimes,
- V. The complexity of taking legal action against the offender,
- VI. Possibility of monetary gain,
- VII. Inattention and incompetence of computer and information technology users,
- VIII. Inadequacy of criminal law in defining cybercrime,
- IX. Problems in identifying the real culprits,
- X. The invention of new criminal tactics and the weakness of law enforcement agencies,

¹ <https://www.newsbangla24.com/analysis/140198>

² <https://lawyersclubbangladesh.com/2022/04/11>

- XI. In some cybercrime cases, the main reason for cybercrime is the unwillingness of the victim to take legal action.

Different modes of cybercrime have been illustrated below:

- a. Hacking comes first in cybercrime. We are all reasonably familiar with the two words hacking and hacker. Hacking usually means taking control of or damaging one's electronic device without one's permission. In addition, those who do these things of hacking are called hackers. A hacker can spread a virus on a computer, mobile, or other electronic device and steal or destroy any critical information. Moreover, hackers can do any harm by hacking social account. Again, many hackers can hack the information or credit card number of various essential websites or e-commerce websites and cause huge losses. There are several types of hacking, of which black hat hacking is the most harmful, and those hackers inflict huge losses on their targets.
- b. Pornography Many people fall prey to hackers through pornography. Most pornographic sites contain harmful computer viruses. At any time, hackers can hack the device of the person visiting the porn site. Moreover, many sites do pop-up ads, and many sites sometimes ask for e-mail addresses. Through all this work or those who download videos from these sites, they can unknowingly download many virus files created by hackers with videos. With these files, hackers can take control of the device. As a result, they may face extensive losses.
- c. Drug business what happens now via the internet? From drugs to trafficking in women and children, everything is now done through the internet. Drug dealers are buying and selling drugs worldwide through their websites. Which is a deadly cybercrime? They are doing all these things secretly.
- d. Torture of children another big issue of cybercrime is violence against children. Hundreds of women are constantly being victims of cybercrime. From an actor to ordinary children is not left out here. Many fall victim to cybercrime due to a lack of internet usage skills or a good idea about cybercrime. Cybercrimes such as hacking children's' social media accounts, revealing personal information, revealing or threatening to publish sex scenes, or opening fake accounts using pictures of children are often occurring.

Moreover, because of technology development, many people are abusing it and using artificial intelligence to create artificial sex scenes using girls' faces and publishing them on the internet. As a result, millions of girls face loss, and many are surviving the path of suicide. Again, pictures of many children are being found on pornography sites, which are being published on all these pornography sites from their social media accounts. As a result, many people are suffering from various problems. Moreover, the level of these crimes is increasing day by day.

- e. Spamming and junk mail It is an effective way to deceive ordinary people. Many people are called from different fake office numbers and told that I am from Bkash or some company; you have won a lottery of lakhs of rupees. Through this, they fool people and manipulate their various account numbers. As a result, many people suffer substantial financial losses due to the greed of the lottery. Moreover, it talks

about many more problems or takes away the personal information, address, password, account number of the user by showing various greed. Hackers usually do this through phone calls and often through messages or e-mails.

Figure of gang-based cyber juvenile crime in Bangladesh

It is a misconception that cybercrime is doing something with criminal intent. Many times like-share or comment without understanding also falls into cybercrime. The number of juvenile delinquents is increasing through cybercrime. Suddenly with mobile phones in their hands, teenagers are trying to gain fame through various games, likes, TikTok. This creates conflicts and juvenile gangs. In addition, there are incidents like bullying someone or sending offensive messages by opening a fake Facebook ID. Many times, they commit crimes without knowing. Taking drugs through the Internet has become easy and its scope has increased, because social media, especially Messenger, WhatsApp, has become one of the means of selling drugs during the Corona period. Young children can be easily influenced about anything.

There are cases of militancy in our country through mobile and internet, from pornography to human trafficking nothing is left out. More teenagers are victims of crime than perpetrators. Incidents like trafficking of women have also happened in the trap of fame and greed. Young people are the most victims, and they are the most involved in this crime.³

According to police headquarters sources, more than five hundred juvenile gangs are active in every district, upazila and metropolis of the country. Five to six thousand members are involved in these gangs spread across the country. Among them, at least 150 to 2000 youths are active in at least 70 to 75 youth gang groups in the capital.⁴ Human rights activist Noor Khan Liton said political and influential cliques are using teenagers. If this is stopped and they are brought under the law, the juvenile gangs will be stopped. A group will be caught. Another group will be created. The main culprits remain unaccounted. Hafiz Akhter, Head of Intelligence Division of Dhaka Metropolitan Police and Additional Commissioner of Police, told the Daily Inqilab that many teenagers and young people associated with teenage gangs, Tik Tok and Likei are involved in various crimes. They are involved in murder, fighting, extortion and dominating the area. They are harming themselves and their families by getting involved in crime at an age when they should be in school and college. For this, all the society including families, educational institutions should come forward. He commented that teenagers and young adults should be kept away from teenage gangs, Tik Tok and Likey through cultural activities and religious education and sports.⁵

Gangs across the country, including in the capital, include teenagers from lower-class families and middle-class and upper-class families. Juveniles are involved in crime due to lack of parental control. Number one problem, they get what they want. As it is available whenever you want, the limit of the child's obligation is at one stage released.

³ <https://www.ittefaq.com.bd/276656>

⁴ <https://m.dailyinqilab.com/article>

⁵ Ibid

They also take advantage of opportunities. Parents feel that the availability of mobile phones and access to the internet is exacerbating the problem. They are also using social media as a weapon. Sharing information and pictures, ordering mayhem in online messages.

Teen gangs, TikTok and Likey were the talk of the year. Due to the closure of educational institutions due to the coronavirus, these have taken a terrible shape. Along with conventional drugs, new drugs are coming to the country. Gangs or groups are formed by teenagers around drugs. They indulge in various vices. Under the umbrella of elder brothers (cadre) in the neighborhood, youth gangs become reckless.

From the beginning of 2021 to the end of 2021, the youth gang was discussed for various crimes including murder, rape, extortion and domination of the area. On the other hand, the number of sensational murders that have occurred include the murder of Comilla City Corporation Councilor Sohail and his accomplice, the murder of a housewife in the launch cabin and the triple murder in Tangail.

Along with teen gangs, TikTok-Like adds a new dimension to teenagers and young adults. TikTok is a video sharing app. Like TikTok, another app called Likey has become popular among teenagers. Celebrities from the entertainment world also share various videos on these two apps. Many teenagers and young adults are getting involved with organized crime gangs to make TikTok videos. Among teenagers and young women, many TikToks behave abnormally in extravagant clothes.

The body of a Dhaka University student named Hafizur Rahman was identified on May 23, 2022 after eight days of disappearance. According to the information received, Hafiz involved himself in gang culture. The leader of this gang is Sadman Saqib alias Rupaul. On May 16, a young man named Sahinuddin was hacked to death in broad daylight in front of a seven-year-old child in Pallavi of the capital. Gang culture was also behind it.

A gang was formed in Pallavi led by Suman. Kishore Arif (16) was stabbed to death in Banani of the capital on the first day of the year-long conflict between two groups of Kishore gangs. Three days after the abduction, the body of a teenager named Mumin (16) was recovered from Chakoria in Cox's Bazar in a half-melted condition. CID officials said that juvenile gangs are also involved in this incident. On the night of May 27 in Comilla, gang members cut the veins of a school student's arm and leg in a brutal stabbing. On May 30, two groups of juvenile gangs attacked each other with sticks in the grounds of Sonakanda High School in Narayanganj. On March 13, the Patenga police station of Chattam arrested a teenage gang leader named Tahmina Simi. On November 22, Camilla's Pathuriapara Thristar (Three Star) Enterprise, the councilor of Ward No. 17. Sohail and his accomplice Haripad Saha were shot dead. Five more people were shot at this time. The body of homemaker Sharmin Akhter was recovered from the launch cabin in Barisal on December 10. The investigation revealed that her husband killed the homemaker. On October 30, three people, including two women, were killed in a house in Tangail's Ghatail. Another person was injured. The matter created a great sensation.

Current picture of juvenile gang-based cybercrime laws and cases in Bangladesh:

Like developed world countries, the number of cybercrime related cases is increasing rapidly in our country. The government is taking various steps to curb this crime. Initially the only cyber tribunal to try cybercrimes was in Dhaka. Later, the government added 7 more cyber tribunals in 2021 for the convenience of the litigants due to the increase in the number of cases related to cybercrimes. The total number of cyber tribunals stands at eight. In addition, currently these eight tribunals located in the divisional cities are - Dhaka Cyber Tribunal, Chittagong Cyber Tribunal, Rajshahi Cyber Tribunal, Khulna Cyber Tribunal, Barisal Cyber Tribunal, Sylhet Cyber Tribunal, Rangpur Cyber Tribunal and Mymensingh Cyber Tribunal.

Offenses triable in this tribunal were tried before 2018 under sections added to the Cybercrime Act, Information and Communication Technology Act, 2006 (Amended-2013)⁶. However, later the Digital Security Act, 2018 was enacted subject to amendment and repeal of certain sections of the Information and Communication Technology Act, 2006 (Amended-2013)⁷. Accordingly, the trial of cybercrime is going on in the tribunals. In this new law, the punishment for the crime is imprisonment of not more than 10 years or a fine of not more than three lakh BDT or both. However, for second or repeated offences, life imprisonment and a fine of one crore BDT or both have been provided.

According to media reports, the Digital Security Act came into effect on October 8, 2018. In the next three years, about 4 thousand 657 cases were filed under this law. Since 2013, 2,642 cases have come to the Cyber Tribunal for trial from different police stations across the country. The number of cases is increasing every year 721 in 2019, 676 in 2018, 568 in 2017, 233 in 2016, 152 in 2015, 33 in 2014 and 3 cases in 2013. There have been 256 cases this year.⁸

So far 1082 cases have been filed directly in the tribunal Among these, the tribunal has ordered various organizations to investigate and submit reports in 447 cases The remaining 635 were dismissed by the court as they did not have the necessary elements Investigation reports of 150 cases out of 447 have already been submitted to the court At present, the total number of pending cases in the tribunal is 2021.

Recommendations:

Cyber crime is a threat to a country and nation. The government should take more initiatives to curb cyber crime. Along with the government, public should also be more

⁶ The Information and Communication Technology Act, 2006 (Amended-2013)

⁷ The Digital Security Act, 2018

⁸ <https://lawyersclubbangladesh.com/2022/04/11>

aware. When using internet is our daily thing then we need to know more about the proper use of this internet. 7 point recommendations are proposed to curb gang based juvenile cyber crime

1. Inclusion of seriousness of cybercrime and tougher punishment provisions in juvenile curriculum;
2. Reducing the availability of mobile data and taking tougher measures on age restrictions for purchasing mobile connections;
3. Ensuring verification of national identity card in case of using easily available apps and IDs like Gmail, Facebook, Likey and TikTok.
4. Prohibition of use, purchase and sale of unregistered mobile phones of BTRC along with verification of National Identity Card in purchase and sale of Android phones and change of ownership in case of sale of old phones should be done through appropriate authorities;
5. Reducing gang-based cybercriminals' access to comparably simpler provisions such as the Children's Act or Juvenile Court and prosecuting them under the Cyber Security Act, the Information Technology Act, or bringing them under the age limit for juvenile cybercriminals to be prosecuted as adult offenders;
6. Establishment of cyber tribunals at the local district level and speedy disposal of cases by reducing the period for disposal of cases. At the same time, building public opinion against cyber criminals and social boycott;
7. State and social ban on the use of youth in political work and discourage spontaneous participation in political meetings.

Conclusion

Juvenile society is the national wealth and beacon of future of our country and if such wealth or potential is damaged due to our mismanagement or lack of awareness then we will have to pay a heavy price in the future. In his 1963 book 'Childhood and Society',⁹ German-American psychologist Erik Erikson discussed two problems in adolescence while writing on the causes of juvenile delinquency. Explaining the discussion of the fifth stage of his psychosocial development theory, 'Ego Identity' and

⁹ [Erik Homburger Erikson](#), 'Childhood and Society', 2nd Edition, 1963, P-493 Vintage publication, 1963

'Role Confusion', he says that adolescence plays an important role in building a person's personal identity later in life. Because, it is during this adolescence that they discover independence, which helps in building their own being. By bringing dynamic changes in social values, legislation and law enforcement, the society and the state can be saved from deadly diseases like organized juvenile cybercrime and we can also stand tall in the world as a crime-free civilized nation.

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