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## **THE DUAL IDENTITY OF MINORS IN THE CYBERSPACE: VICTIMS AND OFFENDERS**

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**MS. ARATHI SANDEEP**

### **ABSTRACT**

This paper critically analyses the existing limited literature on the phenomena of minors playing the dual role of both victims and perpetrators in the current cyberspace. The aim is to understand cyber related criminality, its associated victimization and the resultant desensitization better. Drawing from various research papers, articles, book chapters and reports – the review highlights the various vulnerabilities and behavioural patterns showcased by adolescents and children online and the effects of these traits as observed. It focuses on a plethora of factors, including digital anonymity, lack of supervision, ineffective and insufficient laws and psychological predispositions such as lack of impulse control, thrill-seeking, peer influence etc that tend to foster a duality in the current youth where they are simultaneously victimized as well as showcase tendencies to engage in cyber-offenses. This paper, through its review, has noted limitations such as cross-cultural perspectives, over-reliance on theory-based ideas with a lack of empirical knowledge to back it as well as longitudinal analyses in the current research sphere on this topic. It calls for the need of reform-oriented restorative justice in practice and focus on prevention, rehabilitation and collaborative integrating various disciplines such as law, psychology, education and technology to protect and guide youth in growing digital environments.

**KEYWORDS:** VOO, Victim-offender, digital disinhibition, cyberspace, cybercrime

## INTRODUCTION

The digital revolution has fundamentally transformed the social landscape for youth, making the internet an essential medium for interaction, education, and development. The rise of connectivity has increased juvenile involvement in cyber offenses, making the digital sphere both a developmental space and a potential crime scene. Technological advances lower the threshold for crimes like hacking, cyberbullying, identity theft, and online fraud, often aided by detachment from real-world consequences. Minors' inexperience, limited impulse control, and lack of supervision heighten their vulnerability, underscoring the urgent need for effective governance online and in communities.<sup>1 2</sup>

A key complexity in this field is the Victim-Offender Overlap (VOO), where juveniles often act as both victims and perpetrators in digital spaces. The concept was first officially introduced by Terrence P. Thornberry in 1994 through the Rochester Youth Development Study.<sup>3</sup> The term had since then been used across various contexts by multiple researches across a multitude of disciplines such as psychology, criminology, anthropology etc. More recent studies confirm that this overlap is significant, with over 20% of surveyed students reporting being both victims and offenders in cyberbullying,<sup>4</sup> and a substantial overlap observed in financial cybercrime among youth in the 21<sup>st</sup> century.<sup>5</sup> This duality is largely driven by similar psychological and behavioural traits as well; for example, individuals characterized by low self-control are significantly more likely to report both offending and victimization among the youth.<sup>6</sup>

Furthermore, experiences of victimization significantly increase the likelihood of subsequent online offending as we know by now.<sup>7 8</sup> This is also often mediated by emotional strain, such as depression, a very common factor, which serves as a pathway to deviant coping behaviours.<sup>9</sup> In the unique digital context, factors such as digital disinhibition, that is, a sense of detachment from real-world consequences and anonymity that is further amplified by risky online actions, and vice versa, thus sustaining this cycle of harm.<sup>10</sup>

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<sup>1</sup> R. Sharma et al., *Digital Danger: The Rising Victimization of Children in Cyberspace* (2025)

<sup>2</sup> Yunhao Hu et al., *Behind the Screen: How Gaming Habits...* (2025)

<sup>3</sup> Michelle Eileen Manasse & Natasha Morgan Ganem, *Victimization as a Cause of Delinquency* (2009)

<sup>4</sup> Yi-Syuan Jian et al., *Cyberbullying Victim-Offender Overlap...* (2025)

<sup>5</sup> Joyce Kerstens & Jurjen Jansen, *The Victim-Perpetrator Overlap in Financial Cybercrime* (2016)

<sup>6</sup> Brooke Nodeland, *The Effects of Self-Control on the Cybercrime Victim-Offender Overlap* (2020)

<sup>7</sup> Michelle Eileen Manasse & Natasha Morgan Ganem, *Victimization as a Cause of Delinquency* (2009)

<sup>8</sup> Aaron Gómez-Dorado, *Cybercrime and Cyber-Victimisation...* (2022)

<sup>9</sup> Thomas Holt et al., *Digital Drift and the "Sense of Injustice"...* (2018)

<sup>10</sup> Majid Yar, *Explaining Why Cybercrime Occurs* (2018)

The main challenge lies in current legal systems, particularly in India, which face critical limitations. Traditional laws often fail to address the developmental complexity of juvenile behaviour in digital settings. Legislation such as the Juvenile Justice Act 2015, the IT Act 2000, and the POCSO Act struggles with modern cyber offenses due to ambiguous and rigid jurisdictions, encryption barriers, and outdated technological provisions.<sup>11</sup> Specifically, the watertight binary classification of victim versus perpetrator in the Indian legal system is heavily inadequate, especially in challenging cases like Self-Produced Child Pornography (SPCP), where minors are simultaneously actors and exploited individuals.<sup>12</sup> This often results in minors being wrongly criminalized instead of receiving counselling and rehabilitation, hindering their development into functional members of the society.<sup>13</sup>

Keeping these ideas in mind, we can understand that one of the primary elements of our research problem is the crucial gap between legal doctrine and digital psychology. The current punitive legal approach overlooks adolescents limited impulse control and incomplete moral reasoning as natural traits of their developmental stage, often leading to outcomes that are counterproductive in reducing recidivism within juveniles.<sup>14</sup> Perceived unjust or inconsistent policing can foster a sense of injustice in young offenders, reinforcing neutralizing beliefs and promoting further criminal behaviours.<sup>15</sup>

Addressing this systemic failure requires a shift from theoretical speculation to evidence-based policy. This study highlights the need for a balanced legal cum psychological framework prioritizing rehabilitative justice, though the lack of longitudinal primary data remains a significant constraint.<sup>16</sup> Longitudinal data needed to establish causal relationships and track moral development over time are hence unavailable or limited heavily. Furthermore, to highlight one more factor, most findings currently in this specific area stem from Western, non-representative samples, this also limits the generalizability of prevention and intervention models to the distinct socio-legal realities of India and most other Asian jurisdictions.<sup>17</sup> By

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<sup>11</sup> R. Singh, *Cyber Crime against Children: Is POCSO Sufficient?* (2023)

<sup>12</sup> Bryce Westlake, *Delineating Victims from Perpetrators: Prosecuting Self-Produced Child Pornography...* (2018)

<sup>13</sup> *Juvenile Offenders and Victims of Digital Violence* (2023)

<sup>14</sup> Mojtaba Ghorbani Asiabar et al., *Legal and Psychological Analysis of Juvenile Criminal Responsibility in Cyberspace* (2025)

<sup>15</sup> Thomas Holt et al., *Digital Drift and the "Sense of Injustice"...* (2018)

<sup>16</sup> Joeri Loggen et al., *Pathways Into, Desistance From...* (2024)

<sup>17</sup> Teresa Lancy A.S. Robalo & Razwana Begum, *Cyber Victimization, Restorative Justice and Victim-Offender Panels* (2023)

attempting to address these current voids, this paper aims to provide the conceptual foundation for integrated, youth-centric policy reforms stemming from rehabilitative notions of justice.<sup>18</sup>

Based on the identified gaps and the issue at hand, this paper seeks to answer the following research questions:

1. To what extent do digital affordances interact with internal psychological traits to generate and sustain the victim–offender overlap among minors in online contexts?
2. How should existing legal frameworks, judicial procedures, and prevention strategies be reformed to shift from punitive models toward a balanced legal-psychological approach centered on rehabilitation, protection, and digital literacy?

Along with keeping in mind the following objectives:

1. To identify and analyse research gaps across the psychological, social, and technological dimensions of juvenile offending, victimization, and the victim–offender overlap in digital contexts.
2. To evaluate the limitations of current legal frameworks on cybercrimes involving minors and propose reforms that strengthen child protection and prioritize rehabilitation over punishment.
3. To determine the adaptive policy and prevention frameworks to promote digital literacy, self-regulation, protection, and rehabilitation of minors in evolving digital environments.

Taking into consideration these objectives and the questions we have at hand, this paper's structuring seeks to provide a theoretical and conceptual analysis, detailing the psychological mechanisms, trait-based factors, and digital dynamics that explain the VOO. The further sections offer a Legal and Judicial Critique, specifically in analysing the inadequacy of current Indian statutes and judicial responses to juvenile liability, including the SPCP dilemma that was briefly discussed. Following that, it also addresses the mandate for reform, outlining models for rehabilitative justice, preventive education, and the role of restorative justice mechanisms.<sup>19</sup> And moving forward, there is a critical need for longitudinal and cross-cultural

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<sup>18</sup> Danielle LeBlanc, *Legislating Cybercrime...* (2025)

<sup>19</sup> Teresa Lancry A.S. Robalo & Razwana Begum, *Cyber Victimization, Restorative Justice and Victim-Offender Panels* (2023)

empirical studies as well.<sup>20</sup> Finally, we seek to present the conclusion, summarizing key findings, reaffirming the necessity of a more holistic and interdisciplinary approach this is important as this paper examines the victim–offender overlap among minors in cyber contexts through the intersecting lenses of psychology, cyberlaw, and juvenile justice.<sup>21</sup>

## **UNDERSTANDING THE VICTIM-OFFENDER OVERLAP (VOO)**

To establish a theoretical and empirical grounding for addressing juvenile cybercrime, it is essential to first understand the Victim–Offender Overlap (VOO), a concept first introduced in 1994 and since has been widely studied in traditional criminology and dealt with as an increasingly critical phenomenon in the digital sphere.<sup>22</sup> The victim–offender overlap (VOO) explains how individuals can simultaneously be victims and offenders, a dynamic especially evident in juvenile cybercrime where minors often shift between these roles unknowingly. This makes binary victim–perpetrator classifications inadequate for understanding behaviours such as self-produced child pornography (SPCP).<sup>23</sup> Studies confirm a significant victim–offender overlap in youth cybercrime, with over 20% of surveyed college students reporting roles as both cyberbullying victims and offenders, a pattern also evident in financial cyber offences.<sup>24</sup>

The Contemporary VOO is best understood by adapting traditional criminological theories to the psychological and structural realities of cyberspace. While these theories are not without limitations, their context-based nature allows their core principles to be effectively applied to digital environments. This analysis focuses on low self-control theory, routine activities theory, general strain theory, and, most notably, the digital disinhibition hypothesis.<sup>25 26</sup>

### **1. Low Self-Control (LSC) Theory**

Rooted in Gottfredson and Hirschi’s General Theory of Crime in traditional criminology, Low Self-Control is the most robust predictor linking victimization and offending even among youth. In brief, the low self-control theory or LSC theory suggests that individuals who lack self-control, often manifesting as impulsivity, short-sightedness, and a tendency to seek

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<sup>20</sup> Joeri Loggen et al., *Pathways Into, Desistance From...* (2024)

<sup>21</sup> Majid Yar, *Explaining Why Cybercrime Occurs* (2018)

<sup>22</sup> Michelle Eileen Manasse & Natasha Morgan Ganem, *Victimization as a Cause of Delinquency* (2009)

<sup>23</sup> Bryce Westlake, *Delineating Victims from Perpetrators: Prosecuting Self-Produced Child Pornography...* (2018)

<sup>24</sup> Joyce Kerstens & Jurjen Jansen, *The Victim–Perpetrator Overlap in Financial Cybercrime* (2016)

<sup>25</sup> Majid Yar, *Explaining Why Cybercrime Occurs* (2018)

<sup>26</sup> Thomas Holt et al., *Digital Drift and the “Sense of Injustice”...* (2018)

immediate gratification ultimately are significantly more likely to report both perpetrating and experiencing victimization through cybercrimes.<sup>27</sup> Lower self-control is consistently identified as a key risk factor driving impulsive engagement in risky online environments, thereby increasing exposure to both victimization and cyber deviance, as evidenced across studies on cyber-dependent crime since 2013.<sup>28 29</sup>

## **2. The Routine Activities Theory (RAT)**

Next, Routine Activities Theory (RAT) emphasizes situational factors and opportunity structures over individual traits, focusing on the convergence of a motivated offender, a suitable target, and the absence of a capable guardian.<sup>30</sup>

In the cyberspace, RAT highlights the importance of online opportunity structures and the elements that come with it such as anonymity and lack of real-world consequences.<sup>31</sup> Existing routine behaviours, such as frequent social media use, online gaming, and unmonitored browsing on the web, act as mediating factors that increase the risk of VOO due to these factors amplified by uncontrolled exposure.<sup>32</sup> The individuals who engage in high-risk online lifestyles or relating behaviours, such as frequent high-engagement on various social platforms for instance gambling websites, increase their vulnerability to victimization while simultaneously increasing opportunities to offend as well.<sup>33</sup> This dynamic, often observed in online competitive spaces, online gaming platforms in particular, demonstrates how digital environments reproduce criminogenic patterns found in the offline world usually.<sup>34 35</sup>

## **3. The General Strain Theory (GST)**

This theory, particularly Agnew's formulation of it, provides a crucial psychological link to our issue, explaining how the experience of victimization transitions into offending behaviour in a concise explanation, it posits the most common or likely reasoning given for the overlap by various sources.<sup>36</sup>

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<sup>27</sup> Brooke Nodeland, *The Effects of Self-Control on the Cybercrime Victim-Offender Overlap* (2020)

<sup>28</sup> Asier Moneva et al., *Hunter or Prey? Exploring Situational Profiles...* (2020)

<sup>29</sup> Revital Sela-Shayovitz et al., *Cyber Offending among Adolescents...* (2025)

<sup>30</sup> Asier Moneva et al., *Hunter or Prey? Exploring Situational Profiles...* (2020)

<sup>31</sup> Majid Yar, *Explaining Why Cybercrime Occurs* (2018)

<sup>32</sup> A. Verma, *Social Media Influence on Juvenile Crime Rates...* (2024)

<sup>33</sup> S. Ahmed, *Motives Behind Cyber Deviancy in University Students...* (2024)

<sup>34</sup> Yunhao Hu et al., *Behind the Screen: How Gaming Habits...* (2025)

<sup>35</sup> Alyona Tsyplakova, *Games as a Crime-Generating Factor...* (2025)

<sup>36</sup> Michelle Eileen Manasse & Natasha Morgan Ganem, *Victimization as a Cause of Delinquency* (2009)

The General Strain Theory or GST posits that experiences of victimization act as a severe strain-producing factor in individuals. This strain often leads to negative emotional states, notably depression.<sup>37</sup> This emotional distress sometimes acts as a pathway to deviant coping behaviours, where the adolescent responds to the strain of being victimized by engaging in delinquency or aggression online, in a way “revenge” based thinking at times. For example, a minor who is cyberbullied may retaliate by engaging in online harassment or fraud, thereby entering the role of the offender here.<sup>38</sup>

#### **4. Digital Disinhibition Hypothesis (DDH)**

The DDH is a cyber-specific psychological concept necessary to explain why traditional criminological concepts manifest differently online, it serves as a foundational principle in understanding cybercrimes in general.<sup>39</sup> DDH describes a sense of detachment from real-world consequences and effects that individuals feel when communicating through digital mediums, particularly under the cloak of anonymity like in most cyberspaces now.<sup>40</sup> This lack of perceived risk and reduced social accountability amplifies risky or unlawful online actions in most individuals, considering that, in case of youth with more impulsivity and less rational thinking at that stage of their development too result in the same. High online disinhibition is a powerful predictor of both cyber victimization and perpetration, particularly in financial cybercrime, something adolescents have been known to increasingly take part in recently.<sup>41</sup> This moral leniency is sustained by anonymity as mentioned, which reduces perceived risks associated with offending, making it easier for impulsive or strained individuals to transition into delinquent roles and continue to take part in increasingly risky behaviour with each act.<sup>42</sup>

These mechanisms converge in juvenile cyberspace involvement, where adolescents’ limited impulse control and developing moral and rational capacities heighten vulnerability to the feedback loops identified in VOO theory.<sup>43</sup> The normalization of toxic online peer behaviour among youth, combined with the anonymity of digital spaces, accelerates the cycle from victimization to offending, either through impulsive LSC or retaliatory strain under GST.<sup>44</sup> Understanding this foundation is crucial, because it exposes the limitations of juvenile justice

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<sup>37</sup> Michelle Eileen Manasse & Natasha Morgan Ganem, *Victimization as a Cause of Delinquency* (2009)

<sup>38</sup> Yi-Syuan Jian et al., *Cyberbullying Victim-Offender Overlap...* (2025)

<sup>39</sup> Manja Nikolovska, *The Internet as a Creator of a Criminal Mind...* (2020)

<sup>40</sup> Aaron Gómez-Dorado, *Cybercrime and Cyber-Victimisation...* (2022)

<sup>41</sup> Joyce Kerstens & Jurjen Jansen, *The Victim-Perpetrator Overlap in Financial Cybercrime* (2016)

<sup>42</sup> Majid Yar, *Explaining Why Cybercrime Occurs* (2018)

<sup>43</sup> *Juvenile Offenders and Victims of Digital Violence* (2023)

<sup>44</sup> *Identifying Trends and Patterns in Offending and Victimization on Snapchat* (2024)

frameworks in India, which often overlook that most online misconduct arises from digital and psychological dynamics rather than traditional criminal intent.<sup>45</sup>

Understanding the Victim–Offender Overlap (VOO) requires examining minors’ psychological landscape, as their online deviance is often times reactive or situational rather than rooted in traditional criminal intent.<sup>46</sup> As we’ve seen so far, we know that adolescent behaviour in cyberspace is shaped by developmental factors interacting with the unique, permissive architecture of digital platforms.<sup>47</sup> Adolescence is characterized by identity exploration and incomplete cognitive development, as suggested by psychology and behavioural studies. These traits are further amplified within the digital environment.<sup>48</sup>

Adolescents possess fairly limited impulse control and incomplete moral reasoning, which naturally reduce their legal responsibility in the context of cyber offenses as we see across various juvenile justice systems across the world.<sup>49</sup> Their engagement in online deviance is frequently driven by mostly curiosity, challenge-seeking, or the pursuit of recognition within online communities, rather than malice alone or even at all.<sup>50</sup> The strongest trait-based factor is Low Self-Control as we’ve seen through the consistent occurrence of the LSC variable in studies and data on the matter, Individuals low in self-control are significantly more likely to report both offending and victimization in cyber contexts, as this trait drives them toward high-risk, impulsive behaviours, especially online, such as unsupervised browsing and frequent social media use.<sup>51</sup> Though in a notable converse phenomenon, the ability to exercise Thoughtfully Reflective Decision-Making or TRDM serves as a protective factor, reducing the likelihood that an adolescent will engage in online offending, even in the face of victimization,<sup>52</sup> this undoubtedly varies person to person and even circumstance depending on factors such as environment, health, peers, etc

Further, another significant trait of the internet is disinhibition and detachment, which profoundly alters adolescents’ perception of consequence and accountability. Digital platforms

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<sup>45</sup> R. Singh, *Cyber Crime against Children: Is POCSO Sufficient?* (2023)

<sup>46</sup> Teresa Lancy A.S. Robalo & Razwana Begum, *Cyber Victimization, Restorative Justice and Victim-Offender Panels* (2023)

<sup>47</sup> Mojtaba Ghorbani Asiabar et al., *Legal and Psychological Analysis of Juvenile Criminal Responsibility in Cyberspace* (2025)

<sup>48</sup> Emile Mbungu Kala, *Influence of Online Platforms on Criminal Behavior* (2024)

<sup>49</sup> Danielle LeBlanc, *Legislating Cybercrime...* (2025)

<sup>50</sup> Annika Gray, *The Thrill-Seekers of the Digital Underworld...* (2025)

<sup>51</sup> Brooke Nodeland, *The Effects of Self-Control on the Cybercrime Victim-Offender Overlap* (2020)

<sup>52</sup> Joeri Loggen et al., *Pathways Into, Desistance From...* (2024)

particularly youth-oriented spaces such as Snapchat and Reddit, enable anonymity and increasingly foster a sense of detachment from real-world consequences, thereby amplifying digital disinhibition<sup>53</sup> collectively, these factors amplify risky and unlawful online behaviour, escalating with each action. Anonymity lowers perceived risk, enabling youth to adopt deviant roles and facilitating moral disengagement and rationalisation.<sup>54</sup> Offenders, including those engaged in serious cybercrime, rely on moral disengagement and rationalization to justify illegal online activities and self-soothe at times,<sup>55</sup> they often end up perceiving them as victimless or less harmful than crimes in the real world or the traditional sense.<sup>56</sup> This detachment is particularly evident in incidents of juvenile cyber-delinquency, where online anonymity and peer validation diffuse moral responsibility among participants.<sup>57</sup> This deviance is thus also sustained by peer influence and online social communities, which normalize deviant behaviour through reinforcement and identity validation, something any identity searching adolescent, blurring ethical boundaries among young users<sup>58</sup> and such communities. This is a crucial factor in the progression of cyber-dependent crime, which frequently originates through peer-based social learning, such as exposure to hacking.<sup>59</sup>

The Victim-Offender Overlap is often an observed to be a reactive cycle, where the pain of victimization fuels subsequent offending through emotional pathways, it signifies a sense of emotional dysregulation and instability.<sup>60</sup> This returns us to General Strain Theory, where victimization functions as a major strain, with resulting emotional distress, particularly depression, acting as a key mediator leading to deviant coping behaviours and delinquency among affected youth.<sup>61</sup> The primary motivation ends up becoming the idea of ‘revenge’ or ‘retaliation to pain’.<sup>62</sup> Such motives behind cyber deviancy often extend to social dominance, and a perceived sense of justice against prior bullying or unfair treatment by the others or perpetrators previously.<sup>63</sup> And thus, such psychological drivers often point toward behaviour being reactive or situational rather than stemming from deep-seated criminal intent or malice.<sup>64</sup> Students often engage in deviance due to emotional pressures, such as loneliness, insecurity,

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<sup>53</sup> *Identifying Trends and Patterns in Offending and Victimization on Snapchat* (2024)

<sup>54</sup> Thomas Holt et al., *Digital Drift and the “Sense of Injustice”...* (2018)

<sup>55</sup> Manja Nikolovska, *The Internet as a Creator of a Criminal Mind...* (2020)

<sup>56</sup> Revital Sela-Shayovitz et al., *Cyber Offending among Adolescents...* (2025)

<sup>57</sup> Majid Yar, *Explaining Why Cybercrime Occurs* (2018)

<sup>58</sup> A. Verma, *Social Media Influence on Juvenile Crime Rates...* (2024)

<sup>59</sup> Shanmugam Aravazhi, *Cybercrime Legislation and Online Hacking...* (2010)

<sup>60</sup> R. Sharma et al., *Digital Danger: The Rising Victimization of Children in Cyberspace* (2025)

<sup>61</sup> Michelle Eileen Manasse & Natasha Morgan Ganem, *Victimization as a Cause of Delinquency* (2009)

<sup>62</sup> Yi-Syuan Jian et al., *Cyberbullying Victim-Offender Overlap...* (2025)

<sup>63</sup> S. Ahmed, *Motives Behind Cyber Deviancy in University Students...* (2024)

<sup>64</sup> *Juvenile Offenders and Victims of Digital Violence* (2023)

or a need for attention-seeking, as seen in deceptive online behaviours like catfishing,<sup>65</sup> this falls to a different category of cybercrimes often different from financial crimes or cyberbullying.

A lot of data-based studies in the area also corroborate the theoretical links between psychological distress and the VOO among youth. There is enough empirical confirmation that victimization significantly increases the likelihood of subsequent online offending,<sup>66</sup> because in a study of adolescents, although depression partially mediated this link, the connection was strong, thereby underscoring that ‘trauma’ acts as a strain that fuels criminal behaviour through emotional mechanisms<sup>67</sup> and as a result, we observe instances of reciprocal aggression<sup>68</sup> as well. In specific contexts like cyberbullying among Chinese college students, the VOO is significant, confirming that online aggression often arises from reciprocal exchanges rather than one-sided victimization alone and the phenomenon remains almost constant and continuous rather than as a one-time occurrence.<sup>69</sup>

Another key factor relates to gender differences; these same studies further show that gender moderates these emotional responses to an extent.<sup>70</sup> We understand that female youth tend to exhibit higher depressive responses to victimization, whereas young males are often more likely to respond with delinquent behaviours bordering aggression and more risk.<sup>71</sup> And hence, this complex interplay of immaturity, unsupervised digital freedom, and emotional strain demonstrates why a punitive focus on juvenile cyber offenders is often insufficient in nature and more of a hindrance to their development and also why reform must prioritize education and psychological intervention<sup>72</sup> to address the underlying psychological drivers of this reactive behaviour rather than focus on punishment.

The digital environment is not merely a setting for juvenile conduct but an active force that fundamentally shapes behaviour<sup>73</sup> to anyone that comes across it, it is actively blurring the lines between victim and offender roles through its inherent affordances.<sup>74</sup> These same technological characteristics, often associated with development and advancement also facilitate the Victim-

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<sup>65</sup> Jacqui Taylor et al., *Exploring Attitudes Toward Catfishing...* (2024)

<sup>66</sup> R. Sharma et al., *Digital Danger: The Rising Victimization of Children in Cyberspace* (2025)

<sup>67</sup> Yi-Syuan Jian et al., *Cyberbullying Victim-Offender Overlap...* (2025)

<sup>68</sup> Yi-Syuan Jian et al., *Cyberbullying Victim-Offender Overlap...* (2025)

<sup>69</sup> Yi-Syuan Jian et al., *Cyberbullying Victim-Offender Overlap...* (2025)

<sup>70</sup> Aaron Gómez-Dorado, *Cybercrime and Cyber-Victimisation...* (2022)

<sup>71</sup> Yunhao Hu et al., *Behind the Screen: How Gaming Habits...* (2025)

<sup>72</sup> Priya Paul et al., *The Impact of Social Media on Child Abuse...* (2024)

<sup>73</sup> Emile Mbungu Kala, *Influence of Online Platforms on Criminal Behavior* (2024)

<sup>74</sup> Asier Moneva et al., *Hunter or Prey? Exploring Situational Profiles...* (2020)

Offender Overlap (VOO) by changing how minors perceive inherent risk, consequences, and identity.<sup>75</sup>

As discussed, these digital affordances, such as anonymity, visibility, and speed, create unique psychological conditions that accelerate the transition between victimization and perpetration.<sup>76</sup> The anonymity offered by platforms, often combined with the digital disinhibition hypothesis (DDH), amplifies risky or unlawful online actions.<sup>77</sup> This environment makes it easier for impulsive adolescents, particularly those with low self-control, to engage in deviance<sup>78</sup> and the same reduction of perceived risk due to anonymity facilitates moral leniency and allows offenders to rationalize their actions as victimless<sup>79</sup> but aside from these factors platforms like social media and online chat groups enable the rapid dissemination and virality of content as well, transforming localized disputes or personal images into widespread, permanent digital records that are nearly impossible to erase.<sup>80</sup> This speed and reach of communication signify an impulsive act of sharing can instantly create a massive, unintended consequence, thereby blurring the line between momentary misjudgement<sup>81</sup> and criminal offense as seen in various posts on applications such as Instagram, YouTube, Reddit, etc. Further, in contexts like the emerging metaverse, adding an element of heightened realism, anonymity, and social immersion could amplify full radicalization and anti-social behaviour among isolated youth even more and make it harder to reach out to them on time.<sup>82</sup> The ability of digital structures to shape the offender's mindset and the victim's vulnerability is evident, especially with the developments in recent years, often seen more in the analysis of cyber grooming dynamics as well.<sup>83</sup>

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<sup>75</sup> Manja Nikolovska, *The Internet as a Creator of a Criminal Mind...* (2020)

<sup>76</sup> Aaron Gómez-Dorado, *Cybercrime and Cyber-Victimisation...* (2022)

<sup>77</sup> Majid Yar, *Explaining Why Cybercrime Occurs* (2018)

<sup>78</sup> Brooke Nodeland, *The Effects of Self-Control on the Cybercrime Victim-Offender Overlap* (2020)

<sup>79</sup> Manja Nikolovska, *The Internet as a Creator of a Criminal Mind...* (2020)

<sup>80</sup> Priya Paul et al., *The Impact of Social Media on Child Abuse...* (2024)

<sup>81</sup> Anjali Dixit, *Decoding the Bois Locker Room Chat...* (2022)

<sup>82</sup> Aman Bajwa, *Malevolent Creativity & the Metaverse...* (2022)

<sup>83</sup> Alyona Tsyplakova, *Games as a Crime-Generating Factor...* (2025)

## CASE STUDY EXAMPLES OF DIGITAL AFFORDANCES AND ITS EFFECTS

The VOO is most starkly evident in cases where minors are simultaneously the source and target of harm and directly relating to the elements of digital affordances as driving factor, underscoring the inadequacy of traditional legal classifications.<sup>84 85 86</sup>

- ❖ **Sexting and Self-Produced Child Pornography (SPCP):** In sexting and SPCP cases, minors may simultaneously be the producer and victim of circulated content. Despite often acting without full awareness and frequently under manipulation or coercion, such juveniles are criminalized under child pornography laws intended for adult offenders.<sup>87</sup>  
<sup>88 89</sup> In such situations, a binary victim–perpetrator classification is inadequate and may lead to counterproductive outcomes, as exemplified by the Justin Berry case in the United States.<sup>90</sup>
- ❖ **Cyberbullying and Retaliation:** we already established that cyberbullying often operates through reciprocal exchanges rather than one-sided attacks alone, demonstrating the heavy intersection of the victim and offender bifurcations in a VOO.<sup>91 92</sup> Victimization can emotionally strain minors, prompting deviant coping responses such as retaliation and online aggression, thereby shifting them into offender roles.<sup>93 94</sup> and we have seen this occur in the case of the “Bois Locker Room” incident.<sup>95</sup> This same case can also highlight the affordance of:
- ❖ **Social Media Delinquency:** In contexts like India, social media acts as a catalyst for juvenile crime, where offenses such as cyberbullying and the circulation of morphed images or pornography are amplified by easy digital access,<sup>96 97</sup> much like we have seen in that case. The "Bois Locker Room" incident, analysed through criminological

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<sup>84</sup> Brooke Nodeland, *The Effects of Self-Control on the Cybercrime Victim-Offender Overlap* (2020)

<sup>85</sup> Annika Gray, *The Thrill-Seekers of the Digital Underworld...* (2025)

<sup>86</sup> Emile Mbungu Kala, *Influence of Online Platforms on Criminal Behavior* (2024)

<sup>87</sup> Bryce Westlake, *Delineating Victims from Perpetrators: Prosecuting Self-Produced Child Pornography...* (2018)

<sup>88</sup> Mojtaba Ghorbani Asiabar et al., *Legal and Psychological Analysis of Juvenile Criminal Responsibility in Cyberspace* (2025)

<sup>89</sup> Danielle LeBlanc, *Legislating Cybercrime...* (2025)

<sup>90</sup> Bryce Westlake, *Delineating Victims from Perpetrators: Prosecuting Self-Produced Child Pornography...* (2018)

<sup>91</sup> Yi-Syuan Jian et al., *Cyberbullying Victim-Offender Overlap...* (2025)

<sup>92</sup> Anjali Dixit, *Decoding the Bois Locker Room Chat...* (2022)

<sup>93</sup> Michelle Eileen Manasse & Natasha Morgan Ganem, *Victimization as a Cause of Delinquency* (2009)

<sup>94</sup> Aaron Gómez-Dorado, *Cybercrime and Cyber-Victimisation...* (2022)

<sup>95</sup> Anjali Dixit, *Decoding the Bois Locker Room Chat...* (2022)

<sup>96</sup> A. Verma, *Social Media Influence on Juvenile Crime Rates...* (2024)

<sup>97</sup> Priya Paul et al., *The Impact of Social Media on Child Abuse...* (2024)

theories, demonstrated how online anonymity, peer validation, and a lack of parental oversight in that particular well known chat group environment fostered a diffusion of moral responsibility and normalized objectification, blurring the line between immaturity and criminal intent<sup>98 99 100</sup> thus leaving more young men exposed to the same as well as conditioned to be disinhibited to it.

Social media's psychological dynamics, especially for adolescents exploring identity, fuel the VOO cycle<sup>101 102</sup>. Online platforms facilitate validation seeking and social dominance, often amplifying the need for the same within communities where youth mostly spend their time, such as, student communities, video game chatgroups, trending pages, etc.<sup>103 104</sup> When this is combined with the anonymity of platforms, adolescents often use fake profiles to mask identity and avoid consequences<sup>105 106 107</sup> even further, thereby completely disconnecting them from their actual lives and online persona. The perpetrators' use of moral disengagement and rationalization to justify illegal acts means they often perceive their actions as victimless or less harmful than traditional crimes<sup>108 109 110 111</sup> and these actions often help solidify these justifications in their minds.

The regulatory response to juvenile cybercrime can be more counterproductive than effective in the current stages.<sup>112 113</sup> When even the youth perceive the justice system as inconsistent or unjust, it fuels a "sense of injustice" that undermines law enforcement legitimacy and strengthens their neutralizing beliefs,<sup>114</sup> causing them to drift further into digital deviance, this sometimes even includes committing actions specifically against law enforcement itself in an

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<sup>98</sup> S. Ahmed, *Motives Behind Cyber Deviancy in University Students...* (2024)

<sup>99</sup> Alyona Tsyplakova, *Games as a Crime-Generating Factor...* (2025)

<sup>100</sup> Asier Moneva et al., *Hunter or Prey? Exploring Situational Profiles...* (2020)

<sup>101</sup> Manja Nikolovska, *The Internet as a Creator of a Criminal Mind...* (2020)

<sup>102</sup> Revital Sela-Shayovitz et al., *Cyber Offending among Adolescents...* (2025)

<sup>103</sup> Yunhao Hu et al., *Behind the Screen: How Gaming Habits...* (2025)

<sup>104</sup> *Identifying Trends and Patterns in Offending and Victimization on Snapchat* (2024)

<sup>105</sup> Emile Mbungu Kala, *Influence of Online Platforms on Criminal Behavior* (2024)

<sup>106</sup> Annika Gray, *The Thrill-Seekers of the Digital Underworld...* (2025)

<sup>107</sup> Jacqui Taylor et al., *Exploring Attitudes Toward Catfishing...* (2024)

<sup>108</sup> Majid Yar, *Explaining Why Cybercrime Occurs* (2018)

<sup>109</sup> Thomas Holt et al., *Digital Drift and the "Sense of Injustice"...* (2018)

<sup>110</sup> Aman Bajwa, *Malevolent Creativity & the Metaverse...* (2022)

<sup>111</sup> Brooke Nodeland, *The Effects of Self-Control on the Cybercrime Victim-Offender Overlap* (2020)

<sup>112</sup> Danielle LeBlanc, *Legislating Cybercrime...* (2025)

<sup>113</sup> R. Sharma et al., *Digital Danger: The Rising Victimization of Children in Cyberspace* (2025)

<sup>114</sup> Thomas Holt et al., *Digital Drift and the "Sense of Injustice"...* (2018)

act of ‘rebellion’.<sup>115 116</sup> This thus highlights how the legal system itself too inadvertently contributes to the cycle of offending by failing to adapt to the psychological reality of the adolescent mind in conflict.<sup>117 118 119</sup> Additionally, this ease of committing digital offenses, such as identity theft, fraud, and cyberstalking, is enabled by platforms that lower the threshold for criminal engagement in general,<sup>120 121 122</sup> this allows individuals with minimal technical knowledge to commit offenses as well not limiting the demographic of perpetrators either. This inherent accessibility increases the prevalence of the VOO, as more individuals, driven by low self-control or strain, can easily transition into the offender role<sup>123 124</sup> as observed in recent years.

## INDIA’S JUVENILE JUSTICE APPROACH AND LIMITATIONS

Current legal frameworks in India demonstrate a profound difficulty in addressing the Victim-Offender Overlap (VOO) among minors in digital contexts,<sup>125 126 127</sup> this can be attributed to the imbalanced and watertight classifications of ‘victim’ and ‘offender’ under law. That is to say, legislations itself tend to adopt a binary classification of the juvenile as either a protected victim or a culpable offender<sup>128 129 130</sup> without any possible relaxation, which is fundamentally

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<sup>115</sup> Emile Mbungu Kala, *Influence of Online Platforms on Criminal Behavior* (2024)

<sup>116</sup> Annika Gray, *The Thrill-Seekers of the Digital Underworld...* (2025)

<sup>117</sup> Mojtaba Ghorbani Asiabar et al., *Legal and Psychological Analysis of Juvenile Criminal Responsibility in Cyberspace* (2025)

<sup>118</sup> Teresa Lancry A.S. Robalo & Razwana Begum, *Cyber Victimization, Restorative Justice and Victim-Offender Panels* (2023)

<sup>119</sup> Aaron Gómez-Dorado, *Cybercrime and Cyber-Victimisation...* (2022)

<sup>120</sup> Yunhao Hu et al., *Behind the Screen: How Gaming Habits...* (2025)

<sup>121</sup> S. Ahmed, *Motives Behind Cyber Deviancy in University Students...* (2024)

<sup>122</sup> Yunhao Hu et al., *Behind the Screen: How Gaming Habits...* (2025)

<sup>123</sup> Brooke Nodeland, *The Effects of Self-Control on the Cybercrime Victim-Offender Overlap* (2020)

<sup>124</sup> *Juvenile Offenders and Victims of Digital Violence* (2023)

<sup>125</sup> R. Singh, *Cyber Crime against Children: Is POCSO Sufficient?* (2023)

<sup>126</sup> A. Verma, *Social Media Influence on Juvenile Crime Rates...* (2024)

<sup>127</sup> Mojtaba Ghorbani Asiabar et al., *Legal and Psychological Analysis of Juvenile Criminal Responsibility in Cyberspace* (2025)

<sup>128</sup> Mojtaba Ghorbani Asiabar et al., *Legal and Psychological Analysis of Juvenile Criminal Responsibility in Cyberspace* (2025)

<sup>129</sup> Teresa Lancry A.S. Robalo & Razwana Begum, *Cyber Victimization, Restorative Justice and Victim-Offender Panels* (2023)

<sup>130</sup> Danielle LeBlanc, *Legislating Cybercrime...* (2025)

inadequate for complex digital misconduct such as sexting or reciprocal cyberbullying<sup>131 132 133</sup> along with growing cyber concerns of AI in the recent years.

India's primary legislation governing juvenile conduct and online protection falls under three main acts, namely - The Juvenile Justice Act 2015, The POCSO Act 2012, and IT Act 2000.<sup>134</sup>  
<sup>135 136</sup> All of these acts require amendments and updates but to understand where and why, we must look into analysing them a bit more in line with our problems at hand.

1. The Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act): This act primarily defines the minor as an offender or a child in conflict with the law.<sup>137 138</sup> India follows a system where restorative justice is not always a direct or primary choice in most crimes;<sup>139 140</sup> the JJ act is limited by this to a good extent. Because, while correctional centres and schools exist under the act, they do not specifically address behaviour related to online delinquency.<sup>141 142</sup> As an emerging area, application of traditional laws to minors often hinders recidivism reduction, underscoring the need for legal reform beyond conventional correction.
2. The Protection of Children from Sexual Offences Act, 2012 (POCSO Act): While a progressive step from earlier laws<sup>143 144</sup> where offences against children was only covered in the Indian Penal Code 1860, the POCSO Act is designed to treat the minor as a victim of sexual offences,<sup>145 146</sup> once again, there is no specific inclusion where the

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<sup>131</sup> Bryce Westlake, *Delineating Victims from Perpetrators: Prosecuting Self-Produced Child Pornography...* (2018) Yi-Syuan Jian et al., *Cyberbullying Victim-Offender Overlap...* (2025)

<sup>132</sup> Bryce Westlake, *Delineating Victims from Perpetrators: Prosecuting Self-Produced Child Pornography...* (2018)

<sup>133</sup> Anjali Dixit, *Decoding the Bois Locker Room Chat...* (2022)

<sup>134</sup> Mojtaba Ghorbani Asiabar et al., *Legal and Psychological Analysis of Juvenile Criminal Responsibility in Cyberspace* (2025)

<sup>135</sup> Shanmugam Aravazhi, *Cybercrime Legislation and Online Hacking...* (2010)

<sup>136</sup> R. Singh, *Cyber Crime against Children: Is POCSO Sufficient?* (2023)

<sup>137</sup> Mojtaba Ghorbani Asiabar et al., *Legal and Psychological Analysis of Juvenile Criminal Responsibility in Cyberspace* (2025)

<sup>138</sup> Danielle LeBlanc, *Legislating Cybercrime...* (2025)

<sup>139</sup> Teresa Lancry A.S. Robalo & Razwana Begum, *Cyber Victimisation, Restorative Justice and Victim-Offender Panels* (2023)

<sup>140</sup> *Juvenile Offenders and Victims of Digital Violence* (2023)

<sup>141</sup> Revital Sela-Shayovitz et al., *Cyber Offending among Adolescents...* (2025)

<sup>142</sup> S. Ahmed, *Motives Behind Cyber Deviancy in University Students...* (2024)

<sup>143</sup> R. Singh, *Cyber Crime against Children: Is POCSO Sufficient?* (2023)

<sup>144</sup> Priya Paul et al., *The Impact of Social Media on Child Abuse...* (2024)

<sup>145</sup> Bryce Westlake, *Delineating Victims from Perpetrators: Prosecuting Self-Produced Child Pornography...* (2018)

<sup>146</sup> Teresa Lancry A.S. Robalo & Razwana Begum, *Cyber Victimisation, Restorative Justice and Victim-Offender Panels* (2023)

VOO might be relevant.<sup>147 148</sup> However, it continues to face significant challenges in addressing cyber offences shaped by digital anonymity, encryption, and cross-border jurisdictional complexities, making it essential that such reforms be prioritized, particularly given the Act's limited technological sensitivity<sup>149 150</sup> in its application and the IT Act 2000 also stays hardly effectively supplementing it in many circumstances.<sup>151 152</sup>

3. The Information Technology Act, 2000 (IT Act): This legislation establishes criminal liability for online activities,<sup>153 154 155</sup> this is hardly involving the complex interplay of the VOO and minors though.<sup>156 157 158</sup> Law reviews highlight that the IT Act and JJ Act are ill-equipped for emerging digital delinquency, a gap that is worsened by AI, leading to a growing number of cases and victims.<sup>159 160 161</sup> The introduction of the BNS has addressed some concerns, but the grey area of VOO involving minors remains unresolved.

If we take the example of SPCP, the juvenile justice system often fails to differentiate between exploitative and self-produced contexts heavily. Consequently, minors, often victims of manipulation or coercion, are inappropriately criminalized under laws made for adult offenders with fundamentally different levels of intent and culpability. The SPCP dilemma thus starkly exposes the legal system's failure to recognize a minor's dual status as both a responsible actor

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<sup>147</sup> Yi-Syuan Jian et al., *Cyberbullying Victim-Offender Overlap...* (2025)

<sup>148</sup> Anjali Dixit, *Decoding the Bois Locker Room Chat...* (2022)

<sup>149</sup> Shanmugam Aravazhi, *Cybercrime Legislation and Online Hacking...* (2010)

<sup>150</sup> Emile Mbungu Kala, *Influence of Online Platforms on Criminal Behavior* (2024)

<sup>151</sup> Shanmugam Aravazhi, *Cybercrime Legislation and Online Hacking...* (2010)

<sup>152</sup> Danielle LeBlanc, *Legislating Cybercrime...* (2025)

<sup>153</sup> Danielle LeBlanc, *Legislating Cybercrime...* (2025)

<sup>154</sup> Emile Mbungu Kala, *Influence of Online Platforms on Criminal Behavior* (2024)

<sup>155</sup> Shanmugam Aravazhi, *Cybercrime Legislation and Online Hacking...* (2010)

<sup>156</sup> Mojtaba Ghorbani Asiabar et al., *Legal and Psychological Analysis of Juvenile Criminal Responsibility in Cyberspace* (2025)

<sup>157</sup> Brooke Nodeland, *The Effects of Self-Control on the Cybercrime Victim-Offender Overlap* (2020)

<sup>158</sup> R. Sharma et al., *Digital Danger: The Rising Victimization of Children in Cyberspace* (2025)

<sup>159</sup> Emile Mbungu Kala, *Influence of Online Platforms on Criminal Behavior* (2024)

<sup>160</sup> *Juvenile Offenders and Victims of Digital Violence* (2023)

<sup>161</sup> S. Ahmed, *Motives Behind Cyber Deviancy in University Students...* (2024)

and an exploited individual.<sup>162 163 164 165</sup> Juveniles in India frequently engage in major offenses such as cyberbullying, digital theft, and the circulation of morphed images or pornography,<sup>166 167 168 169</sup> more recently, all of which are acts amplified by easy digital access and weak parental supervision. For instance, our previous analysis of the "Bois Locker Room" incident highlighted the inadequacy of traditional juvenile justice frameworks<sup>170 171 172</sup> when faced with delinquency driven by online anonymity, peer validation, and diffused moral responsibility already. And we understand that the effectiveness of legal reform in India is diminished by persistent challenges, including ambiguous jurisdictional reach, insufficiency of training for law enforcement in digital forensics, and the absence of technological updates in statutory provisions itself,<sup>173 174 175</sup> so when reworking through these problems, it is essential that we stand from the very grassroots of training personnel and statutory changes.

## INTERNATIONAL COMPARISONS FOR LEGAL CONTEXT – THE US AND THE EU

While there exists a notable lack of cross-cultural analyses in research, the critique of the Indian framework aligns with global demands for a more developmentally informed legal response as identified by various experts.

The SPCP dilemma is a very existing challenge in the US - the Justin Berry case originates in the U.S and also demonstrates the legal and ethical challenges in prosecuting juveniles under

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<sup>162</sup> Bryce Westlake, *Delineating Victims from Perpetrators: Prosecuting Self-Produced Child Pornography...* (2018)

<sup>163</sup> Mojtaba Ghorbani Asiabar et al., *Legal and Psychological Analysis of Juvenile Criminal Responsibility in Cyberspace* (2025)

<sup>164</sup> Danielle LeBlanc, *Legislating Cybercrime...* (2025)

<sup>165</sup> Majid Yar, *Explaining Why Cybercrime Occurs* (2018)

<sup>166</sup> A. Verma, *Social Media Influence on Juvenile Crime Rates...* (2024)

<sup>167</sup> Priya Paul et al., *The Impact of Social Media on Child Abuse...* (2024)

<sup>168</sup> Anjali Dixit, *Decoding the Bois Locker Room Chat...* (2022)

<sup>169</sup> Alyona Tsyplakova, *Games as a Crime-Generating Factor...* (2025)

<sup>170</sup> Anjali Dixit, *Decoding the Bois Locker Room Chat...* (2022)

<sup>171</sup> Asier Moneva et al., *Hunter or Prey? Exploring Situational Profiles...* (2020)

<sup>172</sup> S. Ahmed, *Motives Behind Cyber Deviancy in University Students...* (2024)

<sup>173</sup> Shanmugam Aravazhi, *Cybercrime Legislation and Online Hacking...* (2010)

<sup>174</sup> Emile Mbungu Kala, *Influence of Online Platforms on Criminal Behavior* (2024)

<sup>175</sup> Danielle LeBlanc, *Legislating Cybercrime...* (2025)

child pornography laws was put on question.<sup>176 177 178</sup> Globally, the consensus among experts, reflecting approaches in many Western systems, calls for a shift toward an interdisciplinary balanced legal-psychological framework<sup>179 180 181</sup>. This framework prioritizes rehabilitative and restorative justice and emphasizes education, psychological evaluation, and reform over punitive measures<sup>182 183 184</sup> alone.<sup>185 186 187</sup> The research highlights the need to align domestic laws with international child protection standards, like the EU's, and adopt restorative justice to foster accountability and healing. India's reliance on rigid, punitive statutes overlook adolescents' limited impulse control and moral reasoning, creating gaps in policy and lacking mechanisms to identify and rehabilitate minors who are both victims and offenders online

The complexity of juvenile cyber involvement necessitates a global shift away from purely penal legal models toward frameworks that acknowledge minors' dual status as both victims and offenders. International approaches, predominantly those emphasizing rehabilitative and restorative justice, provide crucial lessons for nations that continue to rely on binary and inadequate legal classifications. The European Union, including countries such as the Netherlands, serves as a key example in this regard.

### **1. The European (EU) Mandate.**

We understand from reviews that advocating for the principles championed by international bodies, such as the focus on restorative justice and aligning with fundamental child rights conventions are essential at the moment. In the EU, there has been significant progress in this aspect with the integration of the ideas from United Nations Commission on Rights of Children convention in the recent years. This means, they already have a foundation on dealing with issues related to criminalization and victimisation on matters regarding the VOO.

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<sup>176</sup> Mojtaba Ghorbani Asiabar et al., *Legal and Psychological Analysis of Juvenile Criminal Responsibility in Cyberspace* (2025)

<sup>177</sup> Bryce Westlake, *Delineating Victims from Perpetrators: Prosecuting Self-Produced Child Pornography...* (2018)

<sup>178</sup> Danielle LeBlanc, *Legislating Cybercrime...* (2025)

<sup>179</sup> Teresa Lancry A.S. Robalo & Razwana Begum, *Cyber Victimisation, Restorative Justice and Victim-Offender Panels* (2023)

<sup>180</sup> Aaron Gómez-Dorado, *Cybercrime and Cyber-Victimisation...* (2022)

<sup>181</sup> Revital Sela-Shayovitz et al., *Cyber Offending among Adolescents...* (2025)

<sup>182</sup> Brooke Nodeland, *The Effects of Self-Control on the Cybercrime Victim-Offender Overlap* (2020)

<sup>183</sup> Thomas Holt et al., *Digital Drift and the "Sense of Injustice" ...* (2018)

<sup>184</sup> Jeroen Loggen et al., *Pathways Into, Desistance From...* (2024)

<sup>185</sup> Revital Sela-Shayovitz et al., *Cyber Offending among Adolescents...* (2025)

<sup>186</sup> *Juvenile Offenders and Victims of Digital Violence* (2023)

<sup>187</sup> Teresa Lancry A.S. Robalo & Razwana Begum, *Cyber Victimisation, Restorative Justice and Victim-Offender Panels* (2023)

Globally, restorative justice is recognized as a humane and inclusive alternative to traditional punitive models in addressing cyber victimization. This is in line with the idea of a victim-first model.<sup>188 189 190</sup> This approach addresses the emotional and social harms of cybercrime often ignored by laws focused solely on accountability. Structured Victim-Offender Panels (VOPs) foster empathy, accountability, healing, and lessen recidivism.<sup>191 192 193</sup> Though the data is limited, dialogue-based sessions help offenders recognize the harm caused and restore victims' agency, countering digital disinhibition and the perceived justifiability of their crimes.

Effective juvenile justice often balances welfare and justice, aligning with the UNCRC, which requires legal systems to consider minors' developmental contexts and prioritize rehabilitation and protection. For instance, Serbia emphasizes prevention and rehabilitation programs consistent with the UN Committee's General Comment No. 25 on children's digital rights.<sup>194 195 196</sup> Restorative justice should complement, not replace, prosecution, balancing accountability with rehabilitation and reintegration.

## 2. The US Context.

While the US approach is often criticized for its punitive roots, and not being entirely child-centric, thus placing them in the middle ground when it comes to watertight bifurcations of victim and offender<sup>197 198 199</sup> and interdisciplinary approaches like in the EU, there are certain reforms that highlight the need for specialized responses, particularly concerning complex digital offenses. The complexity of cases involving Self-Produced Child Pornography (SPCP) in particular has been of extreme importance where minors are simultaneously exploited and

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<sup>188</sup> Teresa Lancry A.S. Robalo & Razwana Begum, *Cyber Victimization, Restorative Justice and Victim-Offender Panels* (2023)

<sup>189</sup> *Juvenile Offenders and Victims of Digital Violence* (2023)

<sup>190</sup> Revital Sela-Shayovitz et al., *Cyber Offending among Adolescents...* (2025)

<sup>191</sup> Teresa Lancry A.S. Robalo & Razwana Begum, *Cyber Victimization, Restorative Justice and Victim-Offender Panels* (2023)

<sup>192</sup> *Juvenile Offenders and Victims of Digital Violence* (2023)

<sup>193</sup> Revital Sela-Shayovitz et al., *Cyber Offending among Adolescents...* (2025)

<sup>194</sup> Revital Sela-Shayovitz et al., *Cyber Offending among Adolescents...* (2025)

<sup>195</sup> *Juvenile Offenders and Victims of Digital Violence* (2023)

<sup>196</sup> Teresa Lancry A.S. Robalo & Razwana Begum, *Cyber Victimization, Restorative Justice and Victim-Offender Panels* (2023)

<sup>197</sup> Bryce Westlake, *Delineating Victims from Perpetrators: Prosecuting Self-Produced Child Pornography...* (2018)

<sup>198</sup> Danielle LeBlanc, *Legislating Cybercrime...* (2025)

<sup>199</sup> Mojtaba Ghorbani Asiabar et al., *Legal and Psychological Analysis of Juvenile Criminal Responsibility in Cyberspace* (2025)

actors/perpetrators, it is a universal challenge now.<sup>200 201 202</sup> Cases like Justin Berry highlight the challenges of applying adult focused child pornography laws to juveniles, emphasizing the need to distinguish exploitative from self-produced contexts. Global reform proposals advocate prioritizing psychological evaluation, counselling, and mental health support over punitive measures.<sup>203 204 205</sup> This application also extends to US and similarly placed nations where a deeper and more research-based reforms are necessary going forward.

### IMPLICATIONS FOR LEGAL AND POLICY REFORM IN INDIA

India’s existing legal framework, which is fragmented across the POCSO Act, the JJ Act, and the IT Act, we already understood that it lacks the dual-status recognition needed to effectively address the VOO.<sup>206 207 208</sup> From the review we have done so far on other nations such as the US and nations in the EU, we can conclude the suggestions for reforms and practices<sup>209 210 211</sup> we can adopt and work on are as follows:

Level of Reform	International Best Practice	Indian Implementation Need/Adopt
Legal/Statutory	Differentiating between exploitative and self-produced content in case of SPCP.	Amend the POCSO and IT Acts to clarify digital crime definitions and recognize minors’ dual status as both

<sup>200</sup> Bryce Westlake, *Delineating Victims from Perpetrators: Prosecuting Self-Produced Child Pornography...* (2018)  
<sup>201</sup> Mojtaba Ghorbani Asiabar et al., *Legal and Psychological Analysis of Juvenile Criminal Responsibility in Cyberspace* (2025)  
<sup>202</sup> Danielle LeBlanc, *Legislating Cybercrime...* (2025)  
<sup>203</sup> Teresa Lancry A.S. Robalo & Razwana Begum, *Cyber Victimization, Restorative Justice and Victim-Offender Panels* (2023)  
<sup>204</sup> Aaron Gómez-Dorado, *Cybercrime and Cyber-Victimisation...* (2022)  
<sup>205</sup> Revital Sela-Shayovitz et al., *Cyber Offending among Adolescents...* (2025)  
<sup>206</sup> Mojtaba Ghorbani Asiabar et al., *Legal and Psychological Analysis of Juvenile Criminal Responsibility in Cyberspace* (2025)  
<sup>207</sup> Teresa Lancry A.S. Robalo & Razwana Begum, *Cyber Victimization, Restorative Justice and Victim-Offender Panels* (2023)  
<sup>208</sup> Danielle LeBlanc, *Legislating Cybercrime...* (2025)  
<sup>209</sup> Revital Sela-Shayovitz et al., *Cyber Offending among Adolescents...* (2025)  
<sup>210</sup> *Juvenile Offenders and Victims of Digital Violence* (2023)  
<sup>211</sup> Teresa Lancry A.S. Robalo & Razwana Begum, *Cyber Victimization, Restorative Justice and Victim-Offender Panels* (2023)

		exploited individuals and responsible actors.
Procedural/Judicial	Employing Restorative Justice (RJ) and Victim-Offender Panels over punitive measures always.	Integrate psychological evaluations into juvenile justice to assess developmental immaturity and implement VOPs as alternatives to punishment, particularly in cybercrime cases.
Policy/Preventive	Emphasizing digital ethics education and self-regulation training to both the general public as well as personnel in field.	Strengthen digital literacy initiatives by embedding child-protection mechanisms in software design, enhancing parental digital literacy, and providing specialized sensitivity training for professionals.
Systemic/Global	Adopting a balanced legal-psychological (interdisciplinary) framework and international cooperation.	Harmonize domestic laws with international cybercrime and child-protection frameworks to facilitate cross-border cooperation, tracing, and legal action.

As we know by now, pervasive Victim–Offender Overlap (VOO) and the fundamental inadequacy of traditional, punitive legal frameworks necessitate a paradigm shift toward a balanced legal-psychological framework for juvenile cyber involvement.<sup>212 213 214</sup> And it is essential that this reform move beyond binary classifications and integrate psychological insights and restorative principles to ensure both accountability and rehabilitation<sup>215 216</sup> to all involved.

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<sup>212</sup> Brooke Nodeland, *The Effects of Self-Control on the Cybercrime Victim-Offender Overlap* (2020)

<sup>213</sup> Thomas Holt et al., *Digital Drift and the “Sense of Injustice” ...* (2018)

<sup>214</sup> Teresa Lancry A.S. Robalo & Razwana Begum, *Cyber Victimization, Restorative Justice and Victim-Offender Panels* (2023)

<sup>215</sup> Teresa Lancry A.S. Robalo & Razwana Begum, *Cyber Victimization, Restorative Justice and Victim-Offender Panels* (2023)

<sup>216</sup> Revital Sela-Shayovitz et al., *Cyber Offending among Adolescents ...* (2025)

### A. Proposing a Dual-Status Recognition Framework (DSRF)

The most critical reform is establishing a mechanism to recognize the minor's complex, often exploited, role in cyber offenses.<sup>217 218 219</sup> Legal models must formally recognize the dual status of juveniles in complex cases such as that of SPCP, treating them as both responsible actors and exploited individuals is the main objective.<sup>220 221 222</sup> Such a framework must distinguish effectively to prevent the inappropriate criminalization of minors in need of counselling and education. This further necessitates dynamic legal reforms that integrate principles of rehabilitation and prevention, replacing outdated punitive ideologies of correction. Stronger, behaviourally up-to-date legislation is essential, integrating insights from cyberpsychology and digital ethics and other relevant elements.<sup>223 224 225</sup> In the Indian context, this mainly suggests amendments to the POCSO Act to clarify digital crime definitions and align legal systems with international child protection standards.<sup>226 227</sup>

### B. Prioritizing Assessment and Diversion over Punishment

Given that juvenile cyber offenses often stem from limited impulse control, emotional strain, and peer influence<sup>228 229 230</sup> and other traits a major part of youth possess, the default response should be psychological intervention rather than prosecution without inquiry.<sup>231 232 233</sup> A psychological evaluation must be integrated into the juvenile cyber justice system to assess the

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<sup>217</sup> Mojtaba Ghorbani Asiabar et al., *Legal and Psychological Analysis of Juvenile Criminal Responsibility in Cyberspace* (2025)

<sup>218</sup> Bryce Westlake, *Delineating Victims from Perpetrators: Prosecuting Self-Produced Child Pornography...* (2018)

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<sup>220</sup> Bryce Westlake, *Delineating Victims from Perpetrators: Prosecuting Self-Produced Child Pornography...* (2018)

<sup>221</sup> Mojtaba Ghorbani Asiabar et al., *Legal and Psychological Analysis of Juvenile Criminal Responsibility in Cyberspace* (2025)

<sup>222</sup> Danielle LeBlanc, *Legislating Cybercrime...* (2025)

<sup>223</sup> Mojtaba Ghorbani Asiabar et al., *Legal and Psychological Analysis of Juvenile Criminal Responsibility in Cyberspace* (2025)

<sup>224</sup> Annika Gray, *The Thrill-Seekers of the Digital Underworld...* (2025)

<sup>225</sup> A. Verma, *Social Media Influence on Juvenile Crime Rates...* (2024)

<sup>226</sup> R. Singh, *Cyber Crime against Children: Is POCSO Sufficient?* (2023)

<sup>227</sup> Priya Paul et al., *The Impact of Social Media on Child Abuse...* (2024)

<sup>228</sup> Brooke Nodeland, *The Effects of Self-Control on the Cybercrime Victim-Offender Overlap* (2020)

<sup>229</sup> S. Ahmed, *Motives Behind Cyber Deviancy in University Students...* (2024)

<sup>230</sup> Thomas Holt et al., *Digital Drift and the "Sense of Injustice"...* (2018)

<sup>231</sup> Aaron Gómez-Dorado, *Cybercrime and Cyber-Victimisation...* (2022)

<sup>232</sup> Revital Sela-Shayovitz et al., *Cyber Offending among Adolescents...* (2025)

<sup>233</sup> Teresa Lancry A.S. Robalo & Razwana Begum, *Cyber Victimisation, Restorative Justice and Victim-Offender Panels* (2023)

minor's developmental immaturity and underlying emotional drivers,<sup>234 235 236</sup> much like in cases of traditional crimes at times, but it must be ensured that the interventions are tailored to their needs and not applied blindly. The presence of traits like Thoughtfully Reflective Decision-Making (TRDM), or conversely, low self-control, should inform the idea of justice pathway but must not be the only pathway<sup>237 238</sup>

The overall strategy must prioritize rehabilitative justice and reform over punitive measures and diversion programs should provide psychological counselling to address emotional strain (such as depression) without shame and judgement,<sup>239 240 241</sup> since they drive deviant coping behaviours, careful actions should ensure rather than imposing sanctions that lead to a counterproductive "sense of injustice" and digital drift.<sup>242 243</sup> Restorative justice mechanisms offer a humane and inclusive alternative for addressing cyber victimization and as we have seen one idea of it extends in Victim-Offender Panels or VOPs. These should be utilized to promote empathy, accountability, and the restoration of the victim's sense of agency<sup>244 245 246</sup> but with extreme care. These restorative practices should be careful to complement, not replace, criminal prosecution as well.<sup>247 248</sup>

### C. Comprehensive Educational and Mental Health Reforms

Simple reworking of the legal system to recognize the VOO and focus on restorative justice will not fix the problem at its root.<sup>249 250 251</sup> long-term prevention inherently requires investing

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<sup>234</sup> Michelle Eileen Manasse & Natasha Morgan Ganem, *Victimization as a Cause of Delinquency* (2009)

<sup>235</sup> Yi-Syuan Jian et al., *Cyberbullying Victim-Offender Overlap...* (2025)

<sup>236</sup> Revital Sela-Shayovitz et al., *Cyber Offending among Adolescents...* (2025)

<sup>237</sup> Brooke Nodeland, *The Effects of Self-Control on the Cybercrime Victim-Offender Overlap* (2020)

<sup>238</sup> Thomas Holt et al., *Digital Drift and the "Sense of Injustice" ...* (2018)

<sup>239</sup> Michelle Eileen Manasse & Natasha Morgan Ganem, *Victimization as a Cause of Delinquency* (2009)

<sup>240</sup> Aaron Gómez-Dorado, *Cybercrime and Cyber-Victimisation...* (2022)

<sup>241</sup> S. Ahmed, *Motives Behind Cyber Deviancy in University Students...* (2024)

<sup>242</sup> Revital Sela-Shayovitz et al., *Cyber Offending among Adolescents...* (2025)

<sup>243</sup> Teresa Lancry A.S. Robalo & Razwana Begum, *Cyber Victimization, Restorative Justice and Victim-Offender Panels* (2023)

<sup>244</sup> Teresa Lancry A.S. Robalo & Razwana Begum, *Cyber Victimization, Restorative Justice and Victim-Offender Panels* (2023)

<sup>245</sup> Revital Sela-Shayovitz et al., *Cyber Offending among Adolescents...* (2025)

<sup>246</sup> *Juvenile Offenders and Victims of Digital Violence* (2023)

<sup>247</sup> Revital Sela-Shayovitz et al., *Cyber Offending among Adolescents...* (2025)

<sup>248</sup> Teresa Lancry A.S. Robalo & Razwana Begum, *Cyber Victimization, Restorative Justice and Victim-Offender Panels* (2023)

<sup>249</sup> Mojtaba Ghorbani Asiabar et al., *Legal and Psychological Analysis of Juvenile Criminal Responsibility in Cyberspace* (2025)

<sup>250</sup> Revital Sela-Shayovitz et al., *Cyber Offending among Adolescents...* (2025)

<sup>251</sup> *Juvenile Offenders and Victims of Digital Violence* (2023)

in resilience-building, digital literacy, and holistic mental health integration.<sup>252 253 254</sup> The foundation for prevention must be preventive education, focusing on digital literacy, cyber ethics, and self-regulation training for youth in particular but must not be limited to one demographic alone. Programs should bolster skills like TRDM and teach digital empathy and accountability in the cyberspace.<sup>255 256 257</sup> Along with this, peer-intervention programs are critical for disrupting the normalization of deviant behaviour and addressing social influence as well.<sup>258 259</sup>

Interventions must be gender-sensitive and address underlying psychological and emotional pressures, such as loneliness, insecurity, and social alienation that motivate online deceit and also must be wired in a way it is easily comprehensible to the youth.<sup>260 261 262</sup> This requires fostering open mental health discourse and developing preventive digital well-being programs that specifically target identity insecurity and validation seeking tendencies in individuals.<sup>263 264 265</sup> Beyond education, intervention requires collaboration between policymakers, psychologists, and technology architects to embed child protection mechanisms in software design<sup>266 267 268</sup> and develop real-time monitoring systems along with this proper base research in this topic from various perspectives across multiple disciplines also help. This proactive approach should also address new risks, such as detecting malevolent creativity, misuse if AI and preventing radicalization in immersive environments like the metaverse.<sup>269 270</sup> These policy reforms demand multi-disciplinary coordination between legal scholars, criminologists, and

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<sup>252</sup> A. Verma, *Social Media Influence on Juvenile Crime Rates...* (2024)

<sup>253</sup> Jacqui Taylor et al., *Exploring Attitudes Toward Catfishing...* (2024)

<sup>254</sup> *Identifying Trends and Patterns in Offending and Victimization on Snapchat* (2024)

<sup>255</sup> Manja Nikolovska, *The Internet as a Creator of a Criminal Mind...* (2020)

<sup>256</sup> S. Ahmed, *Motives Behind Cyber Deviancy in University Students...* (2024)

<sup>257</sup> Yunhao Hu et al., *Behind the Screen: How Gaming Habits...* (2025)

<sup>258</sup> Asier Moneva et al., *Hunter or Prey? Exploring Situational Profiles...* (2020)

<sup>259</sup> Alyona Tsyplakova, *Games as a Crime-Generating Factor...* (2025)

<sup>260</sup> Yi-Syuan Jian et al., *Cyberbullying Victim-Offender Overlap...* (2025)

<sup>261</sup> S. Ahmed, *Motives Behind Cyber Deviancy in University Students...* (2024)

<sup>262</sup> Yunhao Hu et al., *Behind the Screen: How Gaming Habits...* (2025)

<sup>263</sup> Brooke Nodeland, *The Effects of Self-Control on the Cybercrime Victim-Offender Overlap* (2020)

<sup>264</sup> Revital Sela-Shayovitz et al., *Cyber Offending among Adolescents...* (2025)

<sup>265</sup> Aaron Gómez-Dorado, *Cybercrime and Cyber-Victimisation...* (2022)

<sup>266</sup> Annika Gray, *The Thrill-Seekers of the Digital Underworld...* (2025)

<sup>267</sup> Aman Bajwa, *Malevolent Creativity & the Metaverse...* (2022)

<sup>268</sup> Majid Yar, *Explaining Why Cybercrime Occurs* (2018)

<sup>269</sup> Aman Bajwa, *Malevolent Creativity & the Metaverse...* (2022)

<sup>270</sup> Alyona Tsyplakova, *Games as a Crime-Generating Factor...* (2025)

psychologists to establish evidence-based frameworks<sup>271 272 273</sup> that adapt to rapidly evolving technologies and reflect the psychological complexities of the adolescent mind not only to collect data but also to work on keeping up with the rapid advancement of technology.

## CONCLUSION

This paper has explored the intricate reality of juvenile involvement in cyberspace, demonstrating that minors frequently inhabit a Victim–Offender Overlap (VOO), a phenomenon, coined first in 1994<sup>274 275</sup> but is now applied to online contexts<sup>276 277 278</sup> where they are simultaneously exposed to and inflict harm online.<sup>279 280 281</sup> This dual status demands a fundamental shift in how justice systems perceive and respond to digital misconduct<sup>282 283 284</sup> and this paper has attempted to explore that alongside answering its research questions and objectives.

The main argument established throughout this analysis is that juvenile cyber involvement is inherently psychological and contextual in nature.<sup>285 286 287</sup> The VOO is heavily driven by personal traits, such as low self-control or LSC,<sup>288 289 290</sup> which increase exposure to risky online environments and impulsive behaviour<sup>291 292</sup> among youth and adolescents. The cycle of offending is often reactive due to this, and stemming from the experience of victimization

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<sup>271</sup> Teresa Lancry A.S. Robalo & Razwana Begum, *Cyber Victimization, Restorative Justice and Victim-Offender Panels* (2023)

<sup>272</sup> *Juvenile Offenders and Victims of Digital Violence* (2023)

<sup>273</sup> Revital Sela-Shayovitz et al., *Cyber Offending among Adolescents...* (2025)

<sup>274</sup> Brooke Nodeland, *The Effects of Self-Control on the Cybercrime Victim-Offender Overlap* (2020)

<sup>275</sup> Joyce Kerstens & Jurjen Jansen, *The Victim–Perpetrator Overlap in Financial Cybercrime* (2016)

<sup>276</sup> Aaron Gómez-Dorado, *Cybercrime and Cyber-Victimisation...* (2022)

<sup>277</sup> Yi-Syuan Jian et al., *Cyberbullying Victim-Offender Overlap...* (2025)

<sup>278</sup> Teresa Lancry A.S. Robalo & Razwana Begum, *Cyber Victimization, Restorative Justice and Victim-Offender Panels* (2023)

<sup>279</sup> Michelle Eileen Manasse & Natasha Morgan Ganem, *Victimization as a Cause of Delinquency* (2009)

<sup>280</sup> S. Ahmed, *Motives Behind Cyber Deviancy in University Students...* (2024)

<sup>281</sup> Yunhao Hu et al., *Behind the Screen: How Gaming Habits...* (2025)

<sup>282</sup> Mojtaba Ghorbani Asiabar et al., *Legal and Psychological Analysis of Juvenile Criminal Responsibility in Cyberspace* (2025)

<sup>283</sup> Revital Sela-Shayovitz et al., *Cyber Offending among Adolescents...* (2025)

<sup>284</sup> *Juvenile Offenders and Victims of Digital Violence* (2023)

<sup>285</sup> Brooke Nodeland, *The Effects of Self-Control on the Cybercrime Victim-Offender Overlap* (2020)

<sup>286</sup> Thomas Holt et al., *Digital Drift and the “Sense of Injustice” ...* (2018)

<sup>287</sup> Manja Nikolovska, *The Internet as a Creator of a Criminal Mind...* (2020)

<sup>288</sup> Brooke Nodeland, *The Effects of Self-Control on the Cybercrime Victim-Offender Overlap* (2020)

<sup>289</sup> Yi-Syuan Jian et al., *Cyberbullying Victim-Offender Overlap...* (2025)

<sup>290</sup> S. Ahmed, *Motives Behind Cyber Deviancy in University Students...* (2024)

<sup>291</sup> Yunhao Hu et al., *Behind the Screen: How Gaming Habits...* (2025)

<sup>292</sup> Majid Yar, *Explaining Why Cybercrime Occurs* (2018)

that acts as a strain or stress producing factor, mediated additionally by emotional distress such as depression,<sup>293 294</sup> which ultimately leads to deviant coping behaviours in individuals. Furthermore, the unique technological affordances of the internet, including digital disinhibition,<sup>295 296 297</sup> and the anonymity,<sup>298 299 300</sup> amplify these risks and accelerate the normalization of such deviant behaviour<sup>301 302</sup> among youth on the web. The crucial finding is that traditional legal binaries are inadequate across systems but particularly with India, particularly in cases like Self-Produced Child Pornography,<sup>303 304 305</sup> where the minor is often a victim of manipulation or coercion yet is inappropriately criminalized under law.

As said in the aforementioned paragraph, the current legal frameworks, including in India, often fail to address the complexity of juvenile behaviour in cyber settings,<sup>306 307 308</sup> relying on punitive measures that can be counterproductive in reducing recidivism and result in overcriminalization. The punitive response can generate a 'sense of injustice' among the youth, thereby undermining the legitimacy of law enforcement and strengthening offenders' neutralizing beliefs.<sup>309 310</sup> And hence, the scholarly consensus calls for legal evolution toward a balanced multidisciplinary, particularly, legal-psychological framework.<sup>311 312 313</sup> This framework must prioritize rehabilitative and restorative justice, emphasizing education, psychological evaluation, and reform over punishment<sup>314 315</sup> and traditional ideas. Specifically,

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<sup>293</sup> Michelle Eileen Manasse & Natasha Morgan Ganem, *Victimization as a Cause of Delinquency* (2009)

<sup>294</sup> Aaron Gómez-Dorado, *Cybercrime and Cyber-Victimisation...* (2022)

<sup>295</sup> Annika Gray, *The Thrill-Seekers of the Digital Underworld...* (2025)

<sup>296</sup> Emile Mbungu Kala, *Influence of Online Platforms on Criminal Behavior* (2024)

<sup>297</sup> Yunhao Hu et al., *Behind the Screen: How Gaming Habits...* (2025)

<sup>298</sup> Asier Moneva et al., *Hunter or Prey? Exploring Situational Profiles...* (2020)

<sup>299</sup> Alyona Tsyplakova, *Games as a Crime-Generating Factor...* (2025)

<sup>300</sup> Bryce Westlake, *Delineating Victims from Perpetrators: Prosecuting Self-Produced Child Pornography...* (2018)

<sup>301</sup> Mojtaba Ghorbani Asiabar et al., *Legal and Psychological Analysis of Juvenile Criminal Responsibility in Cyberspace* (2025)

<sup>302</sup> Danielle LeBlanc, *Legislating Cybercrime...* (2025)

<sup>303</sup> Mojtaba Ghorbani Asiabar et al., *Legal and Psychological Analysis of Juvenile Criminal Responsibility in Cyberspace* (2025)

<sup>304</sup> R. Singh, *Cyber Crime against Children: Is POCSO Sufficient?* (2023)

<sup>305</sup> A. Verma, *Social Media Influence on Juvenile Crime Rates...* (2024)

<sup>306</sup> Thomas Holt et al., *Digital Drift and the "Sense of Injustice"...* (2018)

<sup>307</sup> Brooke Nodeland, *The Effects of Self-Control on the Cybercrime Victim-Offender Overlap* (2020)

<sup>308</sup> Teresa Lancry A.S. Robalo & Razwana Begum, *Cyber Victimization, Restorative Justice and Victim-Offender Panels* (2023)

<sup>309</sup> Revital Sela-Shayovitz et al., *Cyber Offending among Adolescents...* (2025)

<sup>310</sup> Aaron Gómez-Dorado, *Cybercrime and Cyber-Victimisation...* (2022)

<sup>311</sup> Teresa Lancry A.S. Robalo & Razwana Begum, *Cyber Victimization, Restorative Justice and Victim-Offender Panels* (2023)

<sup>312</sup> *Juvenile Offenders and Victims of Digital Violence* (2023)

<sup>313</sup> Revital Sela-Shayovitz et al., *Cyber Offending among Adolescents...* (2025)

<sup>314</sup> Aaron Gómez-Dorado, *Cybercrime and Cyber-Victimisation...* (2022)

<sup>315</sup> Brooke Nodeland, *The Effects of Self-Control on the Cybercrime Victim-Offender Overlap* (2020)

the adoption of Restorative Justice mechanisms, such as Victim-Offender Panels, although still in debate, is highly recommended as a humane alternative to promote empathy, accountability, and emotional healing among parties.<sup>316 317 318</sup>

While this analysis has attempted to synthesize existing multidisciplinary knowledge, it must acknowledge the significant research gaps that constrain the current policy.<sup>319 320 321</sup> Existing literature lacks longitudinal data on psychological traits and offending, and reliance on Western, non-representative samples limits applicability to Asian contexts, particularly India.<sup>322 323 324</sup> in this case and so the takeaways from this data is extremely carefully applied.

To address the rapidly evolving nature of cybercrime, future research and policy development must rely on robust interdisciplinary collaboration<sup>325 326 327</sup> as previously mentioned, this requires merging legal expertise with mainly psychological insights, technological foresight, and forensic computing<sup>328 329 330</sup> and other elements as needed. This is essential for drafting stronger, behaviourally up to date legislation and for developing preventative measures such as digital literacy, and embedding child protection mechanisms in software design and ensuring growth without any unnecessary hindrance. This holistic effort is necessary to create adaptive, evidence-based systems and so recognizing minors as both victims and offenders<sup>331 332 333</sup> is not to excuse their actions but to ensure justice aligns with developmental realities.<sup>334 335 336</sup>

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<sup>316</sup> Teresa Lancry A.S. Robalo & Razwana Begum, *Cyber Victimization, Restorative Justice and Victim-Offender Panels* (2023)

<sup>317</sup> Revital Sela-Shayovitz et al., *Cyber Offending among Adolescents...* (2025)

<sup>318</sup> *Juvenile Offenders and Victims of Digital Violence* (2023)

<sup>319</sup> Jeroen Loggen et al., *Pathways Into, Desistance From...* (2024)

<sup>320</sup> Manja Nikolovska, *The Internet as a Creator of a Criminal Mind...* (2020)

<sup>321</sup> Yi-Syuan Jian et al., *Cyberbullying Victim-Offender Overlap...* (2025)

<sup>322</sup> Mojtaba Ghorbani Asiabar et al., *Legal and Psychological Analysis of Juvenile Criminal Responsibility in Cyberspace* (2025)

<sup>323</sup> A. Verma, *Social Media Influence on Juvenile Crime Rates...* (2024)

<sup>324</sup> R. Singh, *Cyber Crime against Children: Is POCSO Sufficient?* (2023)

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<sup>326</sup> *Juvenile Offenders and Victims of Digital Violence* (2023)

<sup>327</sup> Revital Sela-Shayovitz et al., *Cyber Offending among Adolescents...* (2025)

<sup>328</sup> Annika Gray, *The Thrill-Seekers of the Digital Underworld...* (2025)

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<sup>331</sup> Bryce Westlake, *Delineating Victims from Perpetrators: Prosecuting Self-Produced Child Pornography...* (2018)

<sup>332</sup> Mojtaba Ghorbani Asiabar et al., *Legal and Psychological Analysis of Juvenile Criminal Responsibility in Cyberspace* (2025)

<sup>333</sup> Danielle LeBlanc, *Legislating Cybercrime...* (2025)

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