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Vasudev Devadasan writes: The conflict between free speech and consent

Vasudev Devadasan writes: There are ways to take down non-consensual intimate images. But these must not be used to curb free speech



Publishing NCII is a criminal offence under the Information Technology Act 2000, with platforms doing their best to filter out such content. (Image: Pixabay)



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The Delhi High Court in *Mrs. X v Union of India* is confronted with a familiar problem. A woman whose nude photos were shared online without her consent approached the Court to block this content. While the Court has impleaded the Delhi Police's cyber cell and various online platforms to restrict the content, the case highlights the need for courts, law enforcement, and technology platforms to have a coordinated response to the sharing of non-consensual intimate images (NCII) online.

Publishing NCII is a criminal offence under the Information Technology Act 2000, with platforms doing their best to filter out such content. While a criminal conviction is desirable, the more urgent need for victims is to stop the spread of this illegal content. The Intermediary

Guidelines 2021 provide a partial solution. They empower victims to complain directly to any website that has allowed the uploading of non-consensual images or videos of a person in a state of nudity or engaging in a sexual act. This includes content that has been digitally altered to



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