"The Ethical and Social Ramifications of Pornographic Images Found Online, As Well As Alternate Solutions"

Rekha, Dept. of Law, Research Scholar, SunRise University, Alwar (Rajasthan)

Dr. Vinod Kumar Sharma (Law), Professor (Dept. of Law), SunRise University, Alwar (Rajasthan)

ABSTRACT

Online child pornography has become an increasingly pressing social issue. With the proliferation of personal computers (PCs) and Internet access over the past decade, child pornographers have had an easier time disseminating graphic images of child sexual assault. However, law enforcement officials and attorneys all over the world have discovered that tracking down and prosecuting child pornographers who operate online is a time-consuming and difficult task, with disappointing results at best. Current law enforcement strategies against cyber child pornography have been criticised as ineffective and regressive. In this study, we examine the major societal, legal, and technological challenges that citizens, lawmakers, and law enforcement agencies face in the face of online child pornography. In addition, we suggest a novel technology strategy for preventing and responding to instances of child pornography posted online. We think that law enforcement agencies around the world would be interested in our proposed approach to identifying objectionable content on the internet because it can be implemented with reasonable costs.

Keywords: Online Child Pornography, Law Enforcement, Personal Computers (PCs).

INTRODUCTION

Consider the example of child pornography that occurs online.

Due to the horrifying nature of the atrocities endured by the children who are the targets of child pornography, the topic is generally taboo in both social and academic settings. In a recent article for the mainstream media titled "ruinyrpjs?," Julia Morgan details one such instance.

Here's how this true story progressed: Paul Gillespie, a police officer in Toronto, Ontario, has recently received over 450 photographs of a young girl being beaten and raped that were put online by an officer in the United Kingdom. In several of the photos, a hunting knife is shown poised at her, and offensive phrases like "Kill me, I'm a slut" are written on her tiny body. Maybe one of the most horrific photos was that of the small girl of \sabout age five or six imprisoned naked inside a dog cage—with a fearful look in her huge brown eyes. Her eyes were red, and the corners of her mouth were turned down as she sobbed. Paul Gillespie enlarged the photos with picture editing software and saw the details of the girl's amusement park wristband and her Girl Scout uniform number. The officer then set to work using tried and true policing techniques. (Morgan, 2006).

How much do we really know about child pornographers?

There is no question that the Internet has generated the most exponential growth in

child pornography than at any other \stime in history. The ease with which newcomers can create and distribute child pornographic content is a contributing factor to this surge. Cameras and robust multimedia editing tools are getting more accessible and cheaper, making it simpler to produce and distribute child porn. The United States federal government defines child pornography as "a visual depiction of a youngster engaged in sexually explicit behaviour," and it has been harming children for generations (Magid, 2002). The Internet, however, has given child porn fresh life by making it easy to spread from one paedophile to many other paedophiles and from one country to many other countries.

Unfortunately, at least 80% of people who buy child porn are also known to be child molesters. To add insult to injury, 36 percent of child pornographers who use the mail system in the United States to exploit a child have been proven to be actual child molesters. Pornographers who target children are often between the ages of 10 and 65. (Posey, 2005).

Cyber sex (whether involving children or not) is a kind of psychopathology and a symptom of neurotic, obsessive behaviour, according to psychologist Kimberly Young and psychiatrist Alvin Cooper, two experts who have researched online sexual activity. It is undeniably a form of addiction. Cyber child pornography, in particular, can be understood as a form of

socio- and psychopathology because it involves an imbalance of power in which an adult exploits a child for sexual gain. Adults' sick sexual fantasies involving children often serve as the impetus for these violent acts. Sadistic rituals and fixations are the most common kind of sexual fantasy fulfilment involving kids and the internet (Uebel, 2002).

OBJECTIVES OF THE RESEARCH

1. We need to figure out why kids are getting into such shady behaviour in the first place.
2. to examine possible outcomes, the existing legal framework, and recommendations for outlawing child pornography.

RESEARCH PROBLEMS

As a result of the country's recent technological advancements and rising standard of living, child pornography has become a major problem in India.

To put an end to child pornography, we need a legislative regime that is both effective and prioritises the safety of children. In order to safeguard the child and stop any potential abuse, all laws and regulations must be properly implemented.

METHODOLOGY

The approach is doctrinal in character. The study has combined information from primary and secondary sources. Sources included legislation, judicial pronouncements, and a variety of papers and books on the topic of child abuse.

Child porn's complex nature

Child pornography is a complex crime with multiple elements and severe repercussions. Sexual abuse of a young child who is unlikely to grasp what is happening to him is the first step; if he is aware of the abuse, it does not make the situation any better. Then, the recordings of this abuse are shared with a small group of particularly heinous individuals, who derive great pleasure from seeing the children's anguish as a direct result of their exploitation and are thus further emboldened to engage in such behaviour themselves. People's urge to do such atrocities develops in this way, and many of them actually succeed, leading to an increase in criminal activity.

A child is at the outset of his or her life and has many years to live; nevertheless, if he or she is a victim of a crime as horrific as child pornography, it becomes extremely challenging for that youngster to live normally afterwards. A youngster who experienced anything like this would carry the shame of it with them forever. The growth of the child pornography industry has paralleled that of the Internet and cutting-edge digital technology. Social networking sites, file-sharing sites, photo-sharing sites, gaming devices, and mobile apps are just some of the many Internet technologies that make it easy to access child pornography photographs. In addition to selling, exchanging, and trading photographs, cyberspace provides a meeting place for those who engage in child pornography to discuss their shared passions, desires, and experiences in this criminal activity.

Child Pornography: A Definition

It's the depiction of a minor engaging in or witnessing sexually explicit behaviour, either in real life or in a simulated setting, via electronic, digital, or optical media. The act exploits a minor for sexual purposes. The visual portrayal may also have been fabricated, reworked, or altered to give the impression that a minor is participating in sexually explicit behaviour. Sexual abuse and exploitation of children immediately undermine their health and happiness, both physically and psychologically.

Child pornography is defined by the Optional Protocol to the Convention on the Rights of the Child as any visual depiction of a child engaging in actual or simulated explicit sexual actions, or any visual depiction of a child's genital parts for primarily sexual reasons. [2] According to both the description and the paedophile connotations, children play a central role in child porn. Most paedophiles are men, however women often engage in sexual abuse of children [3]. The term "paedophilia" is commonly used to describe a sexual orientation, and it is widely understood to include daydreaming about sexual acts with children. When this happens between adults, it is a blatant rejection of a healthy sexual connection. Article 9 of the Cyber Crime Convention, 2001 defines child pornography as "pornographic material that visually depicts: a juvenile engaged in sexually explicit activity and a person seeming to

be a minor engaged in sexually explicit conduct." Children's minds are especially malleable and fragile in their formative years, making it difficult for them to avoid the potentially harmful influences of today's cutting-edge technology.

Attractive as it may seem, social media is a prime meeting place for adults seeking sexual encounters with adolescents. This facilitates the pedophile(s)' ability to recruit and brainwash vulnerable children, which in turn facilitates the commission of crimes such as child pornography and trafficking.

The Indian Legal System

A Law to Protect Minors from Sexual Offenses (POCSO) The purpose of this law is to ensure that the best interests of the child are protected at every level of the legal process in cases involving sexual assault, sexual harassment, and pornography. Child-friendly reporting, evidence recording, investigations, and expedited criminal trials through designated special courts are all a part of the Act's goal to put children first. Many offences are outlined in the new Act as potential punishments for offenders. Furthermore, it criminalises acts of immodesty committed by minors, including those that include penile-vaginal intercourse.

Penis, object, or other body part inserted into vagina, urethra, anus, or mouth of a child, or request that the youngster engage in such conduct with the perpetrator or another male. Sexual assault occurs when an adult physically touches a child or coerces the child to physically contact another person; sexual harassment occurs when an adult makes lewd comments, makes sexual noises or gestures, follows the child around, flashes them, etc. Sexual assault was made worse by exposure to child pornography.

The 2012 POCSO Act Amendment

In August of 2019, the Indian Parliament revised the 2012 Protection of Children from Sexual Offenses Act. Among its provisions is a death penalty for juveniles convicted of sexual offences.

The Bill includes penalties for anyone who engage in child pornography, including up to five years in prison and a fine. Yet, a second or subsequent conviction could result in a sentence of up to seven years in prison and a fine of up to $7,000. The term "child pornography" is used in the bill to describe any visual depiction of sexually explicit behaviour on the part of a child, whether it be a photograph, video, digital, or computer-generated image.

The Year 2000 Privacy and Security Act

The dissemination or transmission of any pornographic material is illegal under the Information Technology Act of 2000. There were no specific provisions for dealing with child pornography in the previous Act; instead, all pornographic material was dealt with under Section 67. To be fair, the IT Act of 2000 did represent a significant improvement over previous laws. In the past, the Indian Criminal Code 1860 and the Indecent Representation of Women (Prohibition) Act 1986 were used to handle all cases of pornography, whether they occurred online or not. Two years in prison and a fine that can go up to five million rupees is the penalty for sending or publishing sexually explicit content. On a second offence, the penalties increase to five years in prison and a fine that can go up to ten million rupees. Child pornography is illegal under a 2008 modification to the Child Online Protection Act of 2000. Publishing or transmitting images of children engaging in sexually explicit conduct is illegal. It also criminalises access to, and the production of, child-oriented sexual content online. It is a crime to initiate contact with a minor online, to aid in the sexual abuse of a child, or to record such abuse on electronic media. The maximum penalty under the Act is five years in prison and a fine of up to five million rupees; for a second conviction, the maximum penalty increases to seven years in prison and a fine of up to 10 million rupees. Infractions of the Act are cognizable and cannot be dismissed on the basis of bail. Intermediaries face responsibility for the storage and dissemination of data under Section 67C.

The modified Section 79 now details the circumstances in which intermediaries would not be held liable. The difficult challenge of reducing child pornography persists despite the existence of sophisticated legal tools for doing so. There is a lot of pornographic material, but the technology is not advanced enough to mass produce child pornography. Pornography and the First Amendment's protection of free speech make it a challenge to draw clear lines

between the two in online media. Though the legislation has been made under the various statutes, the basic problem of implementation is a serious issue, as in the physical world implementation is possible due to stricter approach by the government, but as for the digital sphere the government seems to have little concern, and even these institutions who are accorded the duty to do so are not even funded properly, so in actually to curb the problem a serious approach is required.

LEGAL STRATEGIES FOR DEALING WITH THE ISSUE

Laws have been enacted by legislation, but their application is still subject to scrutiny. To give just one example, no case has yet been filed in either the High Court or the Supreme Court under Section 15 of the POCSO legislation of 2012, which governs the storage of pornographic material involving a child for commercial purposes. In this case, it appears that either the implementation or the authorities dealing with the issue are underperforming. As there is usually a plethora of evidence at hand in child pornography cases, the judiciary has attempted to resolve the issue whenever it has arisen. The real problem, however, comes in the fact that such cases have ever reached the courtroom in the first place.

Individuals tend to avoid discussing the problem in the vast majority of settings. There are scant decisions from higher courts, such as the High Court or the Supreme Court, on the subject. The following are a few of them:

State of A.P. v. MangaliYadagiri was heard in the High Court of Hyderabad over the rape and subsequent photographing of a 14-year-old SC/ST girl. She was silenced for some time because the offenders threatened to go public if she ever came out with her allegations. The High Court was asked to decide whether the case should be handled in a POCSO special court or a SC/ST court, and it ultimately decided that it should be tried in a POCSO special court.

P. Shanmugavel Raj v. State and Others is the name of the case. A petition for Criminal Revision was filed to challenge the trial commitment in the case of a 13-year-old girl's rape. The case had been filed in the session court, but the High Court of Madras ruled that it must be transferred to the special court instead because that court was formed by the legislation. It was also determined which court shared the earlier conclusion regarding the Special Prosecutor.

Hector FirdausKothavala v. State of Maharashtra concerned an anticipatory bail application for a POCSO-related offence. The father of two young children in this case was making sexual advances towards them.

Despite the fact that her four- and six-year-old children did not bring up the horrible conduct, their mother discovered it and brought a case to justice. That defendant was granted anticipatory bail.

PORNOGRAPHY, PARTICULARLY CHILD PORNOGRAPHY, AND THE SOCIAL AND LEGAL DIFFICULTIES THAT ACCOMPANY IT

The difference between online adult pornography, which is not always unlawful until the contents surpass the community's norm, and online child porn, which is prohibited in the United States and others, is crucial to make from a social and legal perspective.

Both adult and juvenile pornographic media

In sum, most legal systems in the Americas and Europe recognise "adult pornography" as sexually explicit content seen by "consenting adults."

As an example, the First Amendment protects such writing in the United States. This means that even while numerous websites, online newsgroups, and unsolicited email messages provide adult pornography that is offensive to many online users, these online venues are not breaking the law. Models utilised by these adult pornographic websites are usually beyond the age of 18, despite the fact that they may depict youngsters in sexually explicit ways (Magid, 2002). Recent studies from 2005 estimate that 4.2 million of the total 7.2 billion websites on the internet are pornographic. The global pornography market is estimated to be about $57 billion, which is more than the total revenue generated by the NFL, NBA, and MLB. Seventy-two percent of men and twenty-eight percent of women said they frequently access adult pornography websites in 2005; twenty percent of men said they frequently see

pornography online while at work (Ropelato, 2005). Although though laws have been implemented in the United States and elsewhere to prevent children from being exposed to pornographic material, many minors still visit adult-oriented websites despite this. The most frequent viewers of pornographic content online are between the ages of 12 and 17, and when completing homework, 90% of children aged 8 to 16 have viewed pornographic content online. These numbers are from 2005. Worryingly, 29% of kids ages 7-17 admitted they would share their home address with strangers online (Ropelato, 2005).

Similarities between online porn and dial-a-porn services of the 1980s

Parents and lawmakers now may accuse the Internet of providing too easy of access to pornographic content for minors, but similar accusations were levelled against "dial-a-porn" telephone services in the 1980s. To sum up, for a price, these telephone services provided listeners with explicit, live or prerecorded communications. Several parents were upset by the large rises in their phone bills caused by their children's and their friends' interest in "dial-a-porn" services because of the explicit sexual messages they offered. Furthermore, parents were outraged that their children had such easy access to dial-a-porn material. In response to public uproar, the United States Congress swiftly passed legislation outlawing dial-a-porn services. Yet, after a decade of court proceedings and intricate interactions between the Federal Communications Commission (FCC), the courts, and Congress, the United States was able to achieve a satisfactory settlement to the dial-a-porn issue (Mashima & Hirose, 1996). For instance, in 1983, U.S. Congress amended the Telecommunications Act to prevent the distribution of obscene or indecent commercial television services in interstate or foreign communications to minors under the age of 18. This was in response to negative allegations regarding "dial-a-porn" telephone services made by its citizens. Violations of the Act are punishable by a fine or jail time, or both, as increased by the Act's amendments. The Federal Communications Commission then mandated, one year after the Act was passed, that dial-a-porn services could only operate between the hours of 9 p.m. and 8 a.m., and that payment by credit card (presumably an adult's) had to be paid before a sexually-explicit message could be delivered. However, a lawsuit was filed immediately on the grounds that this ruling was violating the freedom of information rights of adults, and the Federal Appeals Court for the Second Circuit invalidated this time-of-day restriction after concluding that the FCC could have adopted some other alternative that did not severely restrict free speech. So, the FCC offered a novel proposal in 1985: dial-a-porn content providers may only send sexually-explicit content to callers using an access code or personal identification number (PIN)— available only to adults (Mashima & Hirose, 1996).

Aims of Laws Prohibiting Child Pornography

Online As we shift our focus to internet child pornography, it is evident that punishing offenders requires a classic legal balancing act between protecting youngsters and preserving the information rights and freedoms of adults. In a nutshell, legislators in North America and Europe have tried to strike a balance between protecting children from sexual exploitation and safeguarding the right to freedom of expression and thinking. The latter are safeguarded by constitutional provisions such as the First Amendment in the United States and the Charter of Rights and Freedoms in Canada. The United States' dial-a-porn case is illustrative of a more general problem: when lawmakers err too far in one direction, the courts will rule that the law violates individuals' rights and strike it down. If legislators err on the side of caution, law enforcement and judicial authorities will complain that "toothless rules" make it harder to prosecute hackers like child pornographers. Laws to punish offenders, especially cyber pornographers, are often swiftly enacted as a response to horrible crimes committed against innocent children in the United States, Canada, South Africa, and other parts of the global. Also, the Internet and other technological regulations are always changing to keep up with the times.

Taking a Network Perspective

Underground websites on the Internet are a common source of child pornographic content. Several newsgroups, such as "alt.pictures.binary.pedofile" and "alt.pictures.erotica.dhildren," are specifically dedicated to child pornography. Many strategies at the level of the network

have been developed to tackle child pornography. These technical methods can be categorised in a traffic-type paradigm that distinguishes between visual, textual, and encrypted traffic. Animated images or frames constitute visual data transfer. Still images, such as JPEG files, are subtypes of this kind. Common methods of sharing these files online include peer-to-peer (P2P) software programmes. Emails and documents are examples of textual traffic; they may contain explicit descriptions of child pornography or other suspicious content, such as Chat Room conversations in which one person asks another user for their age. Last but not least, encrypted file-transfers create an even more difficult circumstance, as it may be computationally impossible to examine encrypted file contents. Traditional methods of identifying child pornography online involve law enforcement agents manually searching the Internet or making contact with offenders via the Internet in order to make arrests and remove censored material. This host-based strategy is quite inefficient and requires a lot of resources, as was mentioned before in this work. It's possible that detecting techniques implemented in internal network equipment won't be as efficient as those implemented in the network infrastructure equipment, which can check more traffic from more networks. In particular, we are working to develop more effective methods for identifying content that has been censored. We think that, with some tweaks, network security methods may serve this purpose. In a nutshell, the plan is to equip routers in network backbones with the ability to detect child pornography files in transit and, potentially, to identify suspect network nodes implicated in this unlawful file transmission. In contrast to the host-based, labor-intensive approach typically used by law enforcement today, where computers of suspects are scanned locally or remotely using a variety of forensic techniques to look for evidence of censured content, the proposed system should be able to trace offending material using core routers. There are a number of commercial tools (e.g., those made by Bajai, Inc.) that can categorise the content of visual files; nevertheless, intermediate routers might not be able to analyse visual files online due to factors such as fragmentation and performance limitations. Realize that data is not transferred from host to destination as whole files, but rather as packets of data that are broken down and reassembled at the destination. When the size of the data to be transported over the Internet exceeds the maximum packet size, the data is broken up into smaller Information Protocol (IP) packets and then reassembled at the receiving end. So, it is possible that intermediary routers in a visual file transfer will not be able to view the entire visual file within a single packet due to the fact that routers do not reassemble packets. About efficiency limits, classifying visual files takes a long time, and networks might not be able to handle the traffic. We writers think that several filtering and efficient classification approaches used to detect harmful code at the network level could be useful in more effectively and efficiently combatting child porn in unencrypted text, image, or video formats with some minor changes.

While dealing with non-static data, such as cyber child pornographic images, the proposed classifier

All existing classification techniques, as previously highlighted in this study, have the drawback of not being able to capture rapid shifts in the distribution of the source data, such as when dealing with non-stationary data like cyber child porn. Let's start with the assumption that the input data arrives in IP packets of a relatively modest size, say 512 bytes, and from a variety of sources and circumstances, such as those encountered in the transfer of documents (child pornographic or otherwise). Next, we'll pretend these IP packets were sent from various programmes. Finally, let us suppose that B.H. Schell et al. / Aggression and Violent Behavior 12 (2007) is what we are working with.

an indicator of classification based on the data's statistical distribution. It is necessary to employ estimators when working with data distribution statistics because the true distribution is often unknown. The estimator in this case must be able to "learn" these parameters in order to rapidly identify changes in them, which is necessary for estimating the parameters of the underlying distribution. Maximum likelihood estimates (MLE) and Bayesian estimates are just two examples of the estimators that have been proved to be reliable (Duda, Hart, & Stork, 2000). While having many asymptotic convergence qualities, these estimators have

struggled to deal with the issue of dynamic distributions and parameters. Using a "window" to estimate the MLE parameters has not been the ideal choice either, as it is hard to know how wide the window should be in advance. In order to address this type of estimate issue, Oommen and Rueda (2004) suggested a stochastic learning-based weak estimator (SLWE). Where non-stationary data is involved, the SLWE has proven to be an effective tool for solving the resulting challenges. The adaptive compression of data files (like Microsoft Word documents) with embedded mathematical formulas, images, and tables is an example of this class of challenges. When combined with conventional adaptive encoding methods, SLWE has been found to provide about 10% more compression of data files than conventional estimators (Rueda & Oommen, 2004).

SUGGESTIONS & CONCLUSIONS

There are societies where pornography is widely accepted while others have stringent regulations. In certain nations prostitution is not only allowed but actively encouraged as a means of generating tourism-based revenue. Whereas, prostitution is considered to be against the law in India. Because of the information gap, the generation gap, the gender gap, the alcoholism gap, the crime gap, the generation gap, and the intimacy gap, etc.

Online pornographic material is a global problem. It encourages young people to think about sexuality in a negative way. If we educated young people properly about sexual health, we could simply stop this from happening. Young people's brains can be swayed by pornographic media in ways that are harmful to themselves and to society as a whole. As a country founded on the notion of dualism, India has not changed its stance on cyberporn. Rather, legislators and law enforcement agencies have no choice but to maintain the present dualism and contradiction for cyber pornography because of its accessibility (only three clicks from anywhere) and anonymity. The challenge of how to limit access to cyberpornography by minors while protecting adults' freedom of expression is a global one. Governments around the world, it is said, can do very little to address the situation after lawmakers ruled it down as unlawful. By the year 2018, India's government will have blocked access to 800 adult-oriented websites. India has a huge number of children because it is one of the world's youngest countries. This country's future depends on its children, so it's important that laws are enacted with their best interests in mind. Sexual exploitation is the most serious type of exploitation that a child of tender age could encounter, having a profound and lifelong effect on the child; regulations should be written accordingly to combat this issue. The regulatory issues surrounding it are monumental, and here are a few possible solutions:

a) Educate yourself about the inner workings of pornographic sites on the web.

b) Connect with related organisations and governing bodies.

c) Establish links with ISPs.

d) To fortify the governing body and establish an effective line of communication.

e) Get familiarity with POCSO court procedures and the nuances of the law as they relate to the IT Act.

Parents and educators should make an effort to get along with their students. Child pornography is illegal and the government should take the appropriate steps to enforce this. Most of the laws that have been passed in response to cyberporn are rather severe in their penalties. Individuals aren't allowed the freedom to educate themselves about and experiment with their sexuality, which leaves them vulnerable to the misleading claims of unlawful and unethical groups. Given the current state of affairs, education and the role of parents who must assume responsibility of acting as teachers, friends, and policeman to minor and adolescent children is the best solution to this problem, as victims themselves often do not have the knowledge of the ground they have been trapped into illegal acts.

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