**COURSE CODE: CPE 513**

**TITLE 1: Needs and Importance of Cyber-law,**

**TITLE2: EMERGING LEGAL ISSUES IN CYBER-LAW**

Introduction- According to the National Research Council, USA “Computer at Risk “1991, states that “the modern thief can steal more with a computer than with a gun. Tomorrow terrorist may be able to do more damage with a keyboard than with a bomb”, so, you can understand the needs for cyber-law. There are a variety of purposes for cyber laws. Some of these laws protect people from becoming victims of crime through activities on the internet. Other laws define rules for how an individual can use the internet and the computer system. Implementing laws in cyberspace is an important step to create a safe and secure environment for people on cyber platforms. To protect from cybercrimes, computer forensic science should focus on [**ethical hacking training**](https://krademy.com/ethical-hacking-training) and implementing cyber security plans addressing people, process, and technology issues arise nowadays. Strict cyber laws are the need of this era where technology is growing at rapid speed because the budgets have not been increased to keep up with this rate of change in technology.

**Needs for Cyber-Law:**

1. Laws of real world cannot be interpreted in the light of emerging cyberspace.
2. Cyberlaw is extremely important for organizations that are vulnerable because of their ineffective cybersecurity system. These laws are for there in place for all types of business organizations and digital systems that operate on a day to day basis. Each organization follows different cybersecurity guidelines, cybersecurity legislation, cybersecurity policies, and legal issues regulations that have been crafted especially for them. Various reasons for why cyber laws are essential are – (a.) Cyber citizens should be availed legal means to seek redress for the protection of their properties, rights to information technology and intellectual paraphernalia. (b.) Quite obvious and germane is a cybercrime law that gives law enforcement agents efficient and effective legal tools for investigating and curtailing electronic invasions and unlawful conducts. In this category also is an avenue for prompt and effective prosecution of perpetrators. It should contain provisions relating to the nature and scope of liability, increased sentences and forfeiture powers; protection for cybercitizens or ordinary internet users. A cybercrime law is a valuable and effective tool for combating cybercrimes.
3. **Protection of business-** Cyber laws are the most significant factor when it comes to protecting a business. It is because of this that employees of an organization can surf the internet without any risk of potential threat. It is because of cyber laws; an organization can send and receive important and sensitive data from one network to another.
4. **For the protection of a user’s personal information-** A user’s personal information is safe because of cyber laws. Several threats affect people in the digital world; cyber laws help keep personal and sensitive information shared over the internet secret and protected.

Cyber laws are important to punish criminals who commit serious crimes related to the computer such as hacking, online harassment, data theft, disrupting the online workflow of any enterprise, attacking another individual or website

1. **Scam/ Treachery-** Cyber laws exist to protect people from online frauds and scams, these laws prevent any financial crimes and identity theft that happen online.
2. **Copyrighting Issues-**The Internet is the source of multiple types of content, but it is not right to copy the hard work of any other person. There are strict policies in cyber laws against copyright that protects the creative work of companies and individuals.
3. **Online Insults and Character Degradation-** Online platforms like social media are the best platform to speak your mind freely but there is a thin line between the liberation of using the right to speak and defaming someone online. Cyber laws address issues like online insults, racism, gender targets to protect a person’s reputation.
4. **Data Protection-** People using the internet risk their privacy while being online and often rely on cyber laws and policies to protect their secrets. Also, companies should maintain the confidentiality of data of their users.
5. **Defamation-**Many people use the internet to speak their mind. When people use the internet to say things that are untrue, it can cross the line into defamation. [Defamation laws](http://legalcareerpath.com/what-is-defamation-law/) are civil laws that protect individuals from untrue public statements that can hurt a business or someone’s personal reputation. Defamation law is cyber law when people use the internet to make statements that violate civil laws.
6. **Harassment and Stalking-** Sometimes online statements can violate criminal laws that prohibit harassment and stalking. When a person makes repeated or threatening statements about someone else online, they may violate both civil and criminal laws. Cyber lawyers both prosecute and defend people when stalking occurs using the internet and other forms of electronic communication.
7. **Freedom of Speech-** An important area of cyber law is freedom of speech. Even though cyber laws prohibit certain behaviors online, [freedom of speech laws](http://www.uscourts.gov/about-federal-courts/educational-resources/about-educational-outreach/activity-resources/what-does) also allow people to speak their minds. Cyber lawyers must advise their clients on the limits of free speech including laws that prohibit obscenity. In addition, cyber lawyers may defend their clients when there’s a debate about whether their actions constitute permissible free speech.
8. **Trade Secrets-** Companies that do business online often rely on cyber law to protect their trade secrets. For example, [Google](https://www.google.com/) and other online search engines spend a great deal of time developing the algorithms that produce search results. They also spend a great deal of time developing other features like maps, intelligent assistance and flight search services to name a few. Cyber lawyers help their clients take legal action as necessary in order to protect their trade secrets.
9. **Contracts and Employment Law-** Every time you click a button that says you agree to the terms and conditions of using a website, you’ve used cyber law. Contracts protect individuals and corporations as they use technology and do business online. For example, non-compete clauses in employment contracts used to impact only a small, local geographic area. As more business move online, the way lawyers draft these agreements and the way that courts enforce them may change. Lawyers must work to represent the best interests of their clients in areas of law that may still be unsettled. Another area of cyber law may be [domain disputes](https://www.godaddy.com/help/whats-the-difference-between-a-domain-and-a-website-16574). When parties disagree about who owns or who should own a website, cyber lawyers may step in. Civil litigation may involve seeking monetary damages or an injunction to prevent online behavior by another party.

**EMERGING LEGAL ISSUES IN CYBER-LAW**

Cyber law topics and questions continue to grow and change. Lawmakers and business leaders continue to discuss and debate how individuals and corporations should be allowed to use the internet. For example, [net neutrality](https://www.aclu.org/issues/free-speech/internet-speech/what-net-neutrality) is a subject of ongoing public debate. Cyber attorneys may advocate for their clients by approaching lawmakers to explain their position and ask for laws that work to their favor. Other cyber lawyers may represent public interest groups. Cyber lawyers are part of the ongoing discussion about what the laws should be in this area of law.

The advances in science and technology has given us information, communication and digitization technologies– along with powerful search engines, social networks, robotics, artificial intelligence, machine learning, virtual reality, drones, autonomous cars, 3d printing, quantum computing and so much more that transforms not only cyberspace, but also geospace and space

**Jurisdictional Challenges in Cyber Law**

Cyber law often presents jurisdictional challenges. Jurisdiction is the question of what court has authority to hear the case. Where a person makes a statement in one jurisdiction and a person reads or hears it in another, it creates a question of where to bring litigation. When crimes occur, it may be hard to even figure out where a defendant committed a crime. There may even be difficulties working between states or countries to bring litigation. Cyber lawyers must navigate all of these challenges to effectively pursue their case on behalf of the public or the client.