I DIDN’T CONSENT:
A Global Landscape Report on Image-Based Sexual Abuse
Prepared by: The Image-Based Sexual Abuse Initiative
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CONTENT WARNING

This report includes graphic written content that demonstrates the severity and criminality of image-based sexual abuse, including references to self-harm and various forms of sexual violence. This content is not included gratuitously but is vital to the understanding of the scope and breadth of this issue.

If you, or anyone you know, has experienced image-based sexual abuse, there are resources available:

In the United States the 988 Suicide and Crisis Lifeline is a hotline for individuals in crisis or for those looking to help someone else. To speak with a trained listener, call 988. Visit 988lifeline.org for crisis chat services or for more information.

The Cyber Civil Rights Initiative can support you in image removal and other vital resources. Contact them at 1-844-878-2274 or cybercivilrights.org

In the United Kingdom, you can contact the Revenge Porn Helpline.

If you are outside of the United States, please visit the global resource section of the Revenge Porn Helpline.
Dedication

At Panorama Global we believe that all of us can – and indeed must – contribute to the shifts in culture, norms, regulation, and legislation needed to prevent image-based sexual abuse. But this will only be possible if we listen to, engage with, and learn from our peers with lived experience.

We dedicate this report to the young people we have lost to the immense harms of cyber sexual violence – and the countless others who have been affected. Below we list those whose stories we found through public records, but we know there are many more. Their lives helped inform this initiative and the content of this report. They will not be forgotten.

Alyssa Funke, 19 – United States
Amanda Todd, 15 – Canada
Audrie Pott, 15 – United States
Basant Khaled, 17 – Egypt
Channing Smith, 16 – United States
Daisy Coleman, 23 – United States
Damilya Jussipaliyeva, 24 – United Kingdom
Danny Lints, 17 – United States
Heidi Shehata, 15 – Egypt
Hope Witsell, 13 – United States
Jenna Bowers-Bryanton, 15 – United States
Jessica Logan, 18 – United States
Joel Crockett-Devine, 19 – United Kingdom
Jordan John DeMay, 17 – United States
Julia Rebecca, 17 – Brazil
Karina Saifer Oliveira, 15 - Brazil
Kimberly Proctor, 18 – Canada
Onur Cucu, 15 – The Netherlands
Rehtaeh Parsons, 17 – Canada
Riley Basford, 15 – United States
Ryan Last, 17 – United States
Selena Rodriguez, 11 – United States
Shylynn Dixon, 18 – United States
Sydney Dane Sellers, 14 – United States
Tevan Randall Tobler, 16 – United States
Tilly Rosewarne, 15 – Australia
Tovanna Holton, 15 – United States
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We are deeply grateful to the over 25 lived experience experts who joined us to inform this report and to share their experiences and knowledge. Out of safety and respect for privacy, we have chosen not to share their names. However, our gratitude is unwavering and deep.

We are also deeply grateful to our collaborative network alliances, InHope and WeProtect, whose work to respond to child sexual abuse online we greatly admire and continue to learn from.

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Written by Andrea Powell, with support from Hallie McCormick and Bradley Myles
Edited by Dani Benyishay and Angelica Serna
Executive Summary

Sextortion. Upskirting. Revenge porn. Deepfakes. Digital sex trafficking. Spycams. Cyberflashing. Some of these phrases may be more familiar than others, but they all describe the spectrum of sexual assault perpetrated online, which falls under the umbrella category of image-based sexual abuse.

This technology-enabled form of gender-based violence can result in very real impact, ranging from mental illness to suicide, from job loss to social isolation, physical assault to body dysmorphia, threats against friends and family, and many other harms. This issue is also growing at a breakneck speed, impacting people across generations and across borders. No one is immune to these risks, and no single vaccine is on the horizon.

With social media, smart phones, and other technology woven seamlessly into all facets of everyday life, many of us – primarily women and girls, but not solely – must face the fact that threats of sexual and gender-based violence now pervade our online lives.

The victim-blaming question of “Well, what was she wearing?” has been replaced with “Well, why did they take that photo in the first place?” But just as with physical assault, online sexual violence is not inevitable.

We can’t ignore these harms, and we have the tools to make progress – if we work together.

Survivors and civil society organizations alike have called out the urgent need for integrated, coordinated, cross-sector solutions on a global scale, including stronger laws, global cooperation, government action, public awareness, media education, technology innovation, prevention strategies, and more. It is resoundingly clear that there is no one stakeholder, agency, or government that can prevent image-based sexual abuse or provide healing or justice for those who have experienced its far-reaching harms.

To that end, Panorama Global launched the Image-Based Sexual Abuse (IBSA) Initiative in the spring of 2022 to start the process of elevating, accelerating, and unifying the global response to the nonconsensual creation and distribution of intimate imagery. In our first year we have listened to lived experience experts, engaged with civil society leaders, and analyzed the state of the response to image-based abuse on a local, national, and global scale.

As we begin the next phase of this initiative in partnership with leaders around the world, we present this global landscape report to deepen understandings of what image-based abuse is and offer multiple paths forward for how we can – and we must – work together to end it.

In this report we share insights, case studies, trends, gaps, and recommendations coming from the lived experiences of those most directly impacted by image-based abuse. We write with the knowledge that there is much more to learn and examine, and thus this collected analysis is not meant to be a definitive review of the entire issue or field. Through the expertise of our partners, we examine what image-based sexual abuse is, how it happens, the harm it causes, and what laws and services exist or are emerging. This landscape report will guide our strategy to advance the collective mission towards a world free of image-based abuse.

What is image-based abuse?

Image-based abuse is a technology-enabled form of gender-based violence – primarily but not solely impacting women and girls – that occurs when someone shares, or threatens to share, intimate or explicit images without someone’s consent.

When nonconsensual imagery is shared over text message, in online forums, or posted on social media platforms, it can quickly reach a global audience via uploads to pornographic websites that do not, or cannot, reliably verify consent and/or ages of people depicted. Those who are impacted, whether they are adults or children, frequently experience elevated levels of psychological distress and trauma, including extreme, prolonged anxiety and suicidal ideation.

Image-based abuse and other mechanisms of online harm have increased at an alarming rate in recent years, especially as reliance on digital tools such as social media and other online platforms has become a new norm.
The current landscape of image-based abuse

Prevalence and harms

KEY TAKEAWAY: As technology advances, image-based abuse has the potential to impact ever-growing numbers of people around the world, disproportionately impacting women and girls, people of color, those who identify as LGBTQ+, and other marginalized groups around the world.

This field represents the latest frontier in the fight against digital gender-based violence and hate crimes, which, in the last few years, have grown at an alarming rate and on a global scale.

Image-based abuse doesn’t occur in a vacuum and has major crossover linkages and intersections with domestic violence, sexual assault and harassment, stalking, and human trafficking. Prior abuses such as cyberbullying, sexual assault, sex trafficking, and child abuse can compound a potential victim’s risk of experiencing image-based sexual abuse. Furthermore, image-based sexual abuse can and often does lead to additional harms against those who experience it.

Even so, image-based abuse remains an under-recognized crime that has largely been ignored by judicial systems around the world.

- Mexican lived experience expert and policy advocate
Existing laws and policy mechanisms

KEY TAKEAWAY: Legislation to address online image-based abuse, especially concerning adult victims, faces significant challenges and considerations.

These include concerns about privacy, regulating social media platforms, free speech, a burden to prove the malicious intent of those sharing nonconsensual intimate images, the process of image removal, civil remedies for survivors, and questions around whether survivors should be required to engage with law enforcement if they make a report of image abuse. Further compounding these challenges is the question of how to define the term “image-based abuse” in the context of a criminal prosecution.

KEY TAKEAWAY: Existing legislation provides valuable case studies even as the global and borderless nature of the internet speaks to the need for a more coordinated global response, including international advocacy, law enforcement, and supportive services.

The number of countries that have enacted specific laws addressing both the criminal and civil protections against image-based abuse is growing as more cases come to light. Other countries, including the United Kingdom and the United States, continue to work toward passing national laws. These are some examples of national laws addressing image-based sexual abuse.

- **Australia:** The Online Safety Act of 2021 allows for fines of up to AUD555,000 for internet service providers who do not remove abusive content. The criminal code for those who nonconsensually share intimate images remains on a state-by-state level.
- **Brazil:** Criminal code 2078 includes all forms of nonconsensual sharing of intimate images, including “revenge pornography,” punishable by up to five years in prison.
- **Canada:** The 2018 Intimate Images and Cyber Protection Act 162.1 provides for dispute resolution, mediation, and restorative justice. This Act also holds those who share nonconsensually shared intimate images, either knowingly or with reckless disregard, accountable, punishable by up to five years in prison.
- **Ireland:** The 2021 Harassment, Harmful Communication and Related Offenses bill criminalizes all forms of nonconsensual sharing of intimate images, with those who violate the law facing up to 10 years in prison.
- **Kenya:** The Computer Misuse and Cybercrimes Act of 2018 and the updated provisions in 2022 make all sharing of intimate images and pornography illegal.
- **Mexico:** The 2021 Olimpia’s Law, named for international advocate and survivor, Olimpia Coral Meleo, criminalizes all forms of nonconsensual sharing of intimate images with penalties of up to six years in prison.
- **Portugal:** In 2022, Portuguese law expanded to allow for up to five years in prison for the nonconsensual sharing of intimate images and any form of image-based sexual abuse.
- **South Korea:** The Ministry of Gender Equality and Family defines “digital sex crimes” as taking images – photos or video – of a person’s body (or partially of their body) without their consent as well as either distributing or threatening to distribute, sell, or buy them.
- **United Kingdom:** The United Kingdom currently does not have a national law addressing all forms of image-based sexual abuse; however, national legislation that would hold both abusers and internet platforms that do not remove intimate images accountable is under consideration.
- **United States:** The United States does not have a federal law against image based sexual abuse. However, 38 states uphold varied versions of their own state law addressing some or all forms of the nonconsensual sharing of intimate images.
Barriers to justice for survivors

KEY TAKEAWAY: As it stands right now, perpetrators of image-based abuse rarely face criminal charges, signaling to survivors deciding whether to come forward that doing so may very well result in neither justice nor protection.

There are many factors leading to this result, including, for example, gaps in laws and regulations, inconsistent enforcement of those already in place, and insufficient specialized, trauma-informed training for law enforcement. In many countries, this results in legal systems that are incapable of arresting and prosecuting abusers, or, in fact, even identifying and protecting the victims of image-based sexual abuse.

However, survivors of many forms of image-based abuse are increasingly able to pursue civil remedies as one form of justice, including on a global scale as this crime proliferates. These remedies allow survivors to obtain justice by directly holding their abusers accountable for the harms they caused by their actions – including those who initially shared their intimate images as well as the internet publishers or online platforms that helped distribute them. However, options vary, success in civil court is not guaranteed, and this is not always a viable pathway when laws require that victims pay the legal fees of their abusers should they lose.

Civil society organizations and survivor leaders

KEY TAKEAWAY: The global field addressing image-based abuse is still relatively nascent and has much more room to grow.

In consultation with more than 25 civil society organizations across the globe, we have identified the strong need and common desire for collaboration, coordination, and creation of comprehensive services and supports for survivors as well as means to prevent these crimes from ever taking place. However, many of the organizations working in this field are under-funded and under-staffed.

Despite challenges faced by individual organizations operating in an emerging field – some of which are led or staffed by survivors – civil society groups are responding in a variety of ways. In consultation with civil society organizations and survivors, we have identified core areas of support for those healing from image-based abuse, including:

- Hotlines for both children and adults
- Virtual and in-person counseling
- Supportive advocacy in preparing for and engaging with law enforcement
- Support in advancing civil litigation
- Support in reporting and monitoring the removal of new or resurfaced images as well as other personal information
Recommendations for policymakers

Lived experience experts and civil society partners fundamentally understand what laws and policies work and where there are gaps and opportunities to support survivors of image-based sexual abuse. The following is a list of recommendations for policymakers to ensure prosecutions and inter-agency actions are trauma-informed and rooted in the needs of those most impacted.

- Lengthen statutes of limitations to ensure justice for all victims of image-based sexual abuse.
- Implement comprehensive criminal legislation that is consistently applied across jurisdictions and is understood by both prosecutors and law enforcement.
- Increase inter-governmental cooperation to improve the effectiveness of international prosecutions.
- Expand availability of free or low-cost legal services to increase access to justice and safety for survivors.
- Create specialized training for law enforcement officers to ensure officers are equipped to identify and assist victims in a trauma-informed manner.
- Consider dedicated units and task forces at the local, national, and international levels to support coordinated responses to instances of image-based sexual abuse.
Recommendations for funders

Informed by discussions with lived experience experts and civil society partners, the following is a list of areas and programs where increased donor support is needed to effectively combat image-based sexual abuse – and where early investment could help catalyze future impact.

- Create teams of policy experts and survivor leaders to advocate stronger legislation
- Support a new specialized training institute for prosecutors and law enforcement
- Launch targeted awareness campaigns for at-risk populations
- Equip schools and universities with training, programming, and other tools
- Fund academic research to build out the evidence base
- Resource direct service programs
- Expand availability of affordable legal services for survivors
- Subsidize support for no or low-cost image remove services
- Provide leadership training for survivors and connect them with civil society organizations
- Sponsor events and opportunities for collaboration
- Provide core operating support to increase stability for this growing field

Image-based abuse isn’t endemic or unsolvable. Systems change is possible, and a new equilibrium with effective policies, tools, and norms can effectively end this harmful practice. The entry of new dedicated private funders and government funding streams will amplify and accelerate the promising work that is already underway and increase the likelihood of success on a faster timeline.

Our complete 50 page report will be available in the coming weeks at panoramaglobal.org/ibsa