I DIDN’T CONSENT:
A Global Landscape Report on Image-Based Sexual Abuse
Prepared by: The Image-Based Sexual Abuse Initiative
February 2023
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.

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Contributing civil society and external partners include:

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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

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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 sexual abuse is and offer multiple paths forward for how we can – and we must – work together to end it.

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.
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

"I felt like I did not have anyone. I tried to kill myself three times. My brother saw my videos and so did my mom. I begged my mom for forgiveness but she said I had nothing to be ashamed of. She said not to be ashamed of my body."

- 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 AUD$555,000 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.
Introduction

In the last ten years, gender-based violence has increasingly infiltrated our digital lives, destabilizing and harming an ever-increasing number of people around the world – primarily women and girls, but also members of many marginalized populations and identities. As our lives have moved online, image-based sexual abuse has become the new frontier of gender-based violence. While initiated online, IBSA quickly damages the very real lives of those whose consent, autonomy, and rights have been violated.

As a society, we have a choice. We can either choose to continue hiding from the collateral damage of our increasingly digital lives, pretending that cyber sexual violence is an inevitable price to pay. Or we can face our responsibility to mitigate the harms that our society has largely ignored by uplifting a global movement to end this cyber form of gender-based violence.

Many live in silence, and we can no longer remain silent in the face of their abuse.

We choose to seize this opportunity – to build a movement as members of civil society, survivors and lived experience experts, government leaders, funders, and policymakers all working under a shared vision.

We envision a world where everyone may be freely and safely online without the threat of image-based sexual abuse.

The purpose of this report

When intimate images are nonconsensually shared, it violates basic rights to consent—regardless of the intent of the individual who violated them. Laws, policies, advocacy and prevention campaigns, helplines and hotlines, and direct services should be designed to protect that consent and advance healing and justice for those whose basic autonomy and agency has been violated. For this reason, we have chosen ‘I Didn’t Consent’ as the title of this global landscape report.

This landscape report is designed to set the foundation for that movement by analyzing and summarizing the current state of image-based sexual abuse from the perspectives of those who have been most impacted, as well as members of civil society organizations, academics, and government regulatory commissions.

This work is necessary to catalyze awareness of this issue for decision makers in governments, the private sector, and the general public. There is currently very little data collected about this issue and relatively few organizations focused primarily on this form of sexual violence. Better education will do several things:

- enable more effective policy for reducing abuse and holding perpetrators accountable
- increase awareness and availability of support for people who have experienced abuse
- incentivize technology platforms to enforce stronger standards that make social media and other technologies safe for all users
- help jumpstart better research about image-based abuse and its effects

What is also clear from our early analysis is that no single agency or entity can end image-based sexual abuse on their own. Resoundingly, the call from civil society and lived experience experts is for more collaboration, connection, and shared initiatives to advance and improve the global response.

To solve this issue, we need a clear and field-informed strategy that encompasses new and stronger laws, better survivor support, improved global coordination, innovative technology solutions, widespread prevention strategies, and multi-sectoral partnerships of frontline organizations. While many of these efforts are emerging, this report explores where progress is being made and where gaps remain.
Our methods

Our team has taken a firmly victim-centered and trauma-informed approach in all our interactions with those who contributed to this report. The information shared here comes from various sources, including extensive desk research, consultation with 20 lived experience experts from across the world, and key insights from civil society and governmental stakeholders, allied coalitions, and technology platforms.

Rather than a fragmented or hyper-specific analysis, this report offers a comprehensive examination of the field of image-based sexual abuse as it exists today, including by:

- uncovering gaps in support services, including mental health and advocacy resources
- examining current laws and policy
- identifying the trends that characterize image-based abuse
- and outlining potential solutions

Our hope, with all humility, is that this report will help frame the issue of image-based sexual abuse, the harms it causes survivors and what we can and must do together to stop it. In addition to better education, terminology is a critical component of understanding the gravity of this issue and ensuring a movement can build from a shared foundation.

In this report we define and clarify many of the terms used to describe various forms of image-based abuse and more clearly link them to the broader field of sexual violence. We recognize that even the term “image-based abuse” is but one of many used to describe the issue at hand. We humbly use this term while we work to find a shared global language for a crime that is often associated with gender-based violence, hate crimes, sex crimes, cybercrimes, and more.

The path forward

In this report, we share insights, experiences, trends, gaps, and recommendations coming from the lived experiences of those most directly impacted by this type of abuse. We write with the knowledge that there is much more to learn and examine, and thus this report is not meant to be a definitive review of the entire issue or field. Through the expertise of our stakeholders, 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 report will guide our strategy to advance the collective mission towards a world free of image-based abuse.

There is still much more to learn, but working together we can catalyze and elevate the field of image-based abuse, support and learn from survivors, and ultimately move towards a future where everyone may be freely and safely online without the threat of image-based sexual abuse.

Thank you for your partnership,

Andrea Powell
Director
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Innovation
Section 1: The current landscape of image-based abuse

A note on terminology

Many terms are used to define the different nuances of image-based sexual abuse – some of which are distinctive, but many of which are used interchangeably. As this field emerges and brings in more perspectives and voices, there is yet to be a universal – or even widely-agreed upon – term to fully define this issue. This is further exacerbated by different cultural norms and nuances in language. However, the terms we use can directly impact how laws are proposed, written, and implemented by policymakers, judicial systems, and law enforcement. Whether we intend to or not, the words we use can also impart harm and bias or impact public perception.

Through conversations with more than 20 lived experience experts and 55 civil society partners, we have gathered insights that inform the (non-exhaustive) list of terms in appendix 3, including where and how they are used by various stakeholders.

Note: for the purposes of this report and the beginning phase of our work at Panorama we have chosen to primarily use the umbrella term, “image-based sexual abuse” to balance the severity of the crime with a term that clearly describes it. In every way that this crime occurs, it is abuse and intended to be sexual in nature.

1.1 Prevalence and harms

Image-based sexual abuse is a criminal act that can take many forms, but all are violations of individuals’ rights to privacy, autonomy, and agency that occur through the nonconsensual creation and/or distribution of intimate images, often of a sexually explicit nature.

This field represents the latest frontier in the fight against digital gender-based violence and hate crimes. While this form of abuse has taken place as long as cameras have been available, it has become increasingly widespread as a result of recent advances in technology and our increasingly digital world – most notably the advent of camera phones and the accompanying rise in social media use. In the last few years in particular, image-based abuse has grown at an alarming rate and on a global scale. Even so, this remains an under-recognized crime that has largely been ignored by judicial systems around the world.

Image-based abuse certainly occurred long before the creation of the internet. Sharing intimate photos without someone’s consent could occur with hard copy Polaroid photos, for example. However, with the advancement of the online world, image-based abuse has proliferated at an exponential rate across the globe, especially over the last decade. As technology advances, it 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.

Its unique risk to individuals’ safety is a result of the many nuanced ways this crime can take place, such as sextortion, upskirting, leaked or hacked images, cyber flashing, revenge porn, manipulated or altered images (deepfakes), and digital sex trafficking. And the ever-present threat of new or existing images and videos being shared and re-shared keeps many survivors in states of constant fear.
Multifarious harms with far-reaching impacts

Online image-based abuse has a variety of motivations, including causing harm to a specific person depicted in the photos or videos, for financial benefit, to gain a following on social media, or to exercise power and control. For survivors, the trauma from this harm is often long-lasting and can even lead some to die by suicide. Regardless of the intent, the violation of consent and the harm it causes to victims is clear.

In conducting research for this report, we examined 27 publicly available cases of teenagers and young adults who took their lives after having intimate images shared online without their consent. Their experiences with IBSA included the release of intimate selfies taken at the request of a partner, digitally altered and nonconsensually shared explicit images, filmed recordings of sexual assaults, and sextortion.

Leah Juliett

Nonbinary activist and poet Leah Juliett was only 14 when they fell victim to image-based sexual abuse when a classmate shared nude images of them online. They believe that they did this to shame them for being LGBTQ+. Their attempts to have the photos removed did not work and they fell into severe depression coupled with post-traumatic stress disorder. Along with their published poetry, Leah is now a leading activist working against nonconsensually shared intimate images and uses their lived experience expertise to support programs serving both children and adults. Their program, March Against Revenge Porn, galvanizes survivors and allies across the United States to stand up for the rights of everyone to be safe from image-based sexual abuse.

Intersecting harms that can lead to or follow from image-based abuse

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.

Many survivors report that the depression and isolation following their abuse led to suicidal ideation and in some cases, suicide attempts. Image-based sexual abuse is rarely an isolated or singular abuse. It often is created by or compounds other harms that are long-lasting in the lives of survivors.

Cyberbullying

Increasingly prevalent among teens, cyberbullying is an online form of harassment that can have lasting impacts. In our review of 27 cases of young adults who lost their lives after experiencing IBA, a substantial number experienced cyberbullying prior to their image abuse and even more so following the posting of their intimate images. Adult survivors also experience severe forms of cyberbullying, doxing, and threats online following their image abuse and exploitation.

“I had my photos and videos shared hundreds of thousands of times, they were sent to my grandparents, parents, my entire family. I had 400 plus messages on Facebook telling me to kill myself, which led up to a suicide attempt.” - Megan, a lived experience expert and model from Ireland advocating for changes in the law to prevent IBSA and hold abusers accountable
Sexual assault

Online image abuse is most often sexual in nature. Sexual assault, while often understood as a crime that happens physically and in-person, can also happen online through the sharing of intimate nonconsensual images or videos.

Rehtaeh Parsons was 17 when she lost her life to suicide on April 7, 2013. She was gang raped at a party, and the images of her assault were then posted online by the four teenaged perpetrators. A few days later, images of her rape were shared with peers at school and online. She was shamed, harassed, and threatened with requests for sex on Facebook and other social media sites. Over the 17 months following this incident, Rehtaeh moved schools three times to escape in-person and online abuse from classmates. After her death a new investigation led to charges for two of her rapists. Lived experience experts would say that if her sexual assault had been taken seriously and her rights as a victim of rape upheld, Rehtaeh might very well be alive today.

“It is not a scandal. It is a sex crime. It is a sexual violation. It’s disgusting. The law needs to be changed, and we need to change. Just because I’m a public figure, just because I’m an actress, does not mean that I asked for this.”

– Jennifer Lawrence, actress and survivor of image-based abuse

The Guardian, October 7, 2014

Domestic violence

There are cases where a former or current intimate partner can utilize IBSA as a tactic of control that occurs as part of domestic violence. This includes situations where a former or current partner obtains intimate images that were either consensually or nonconsensually created and then either shares them online or threatens to do so.

In April 2019, 19-year-old Joel Crockett Devine of Lancaster, England, died by suicide after a former partner leaked intimate images of him. Days before taking his own life, his mother claims Joel became withdrawn and asked for a large sum of money. After his death, text messages from his abuser encouraging him to “die” were found as well as weeks of verbal abuse and threats. A month following Joel’s death, his mom reported to law enforcement that Joel’s nude images had been shared online by his former partner. The case never went to court and attempts to remove Joel’s images after his death were also reportedly met with resistance. They continue to be distributed online.

Hate crimes

When the sharing of nonconsensual images is motivated by the gender, race, ethnicity, ability, or sexual orientation of the victim, this can rise to the level of being a hate crime. This includes obtaining, creating, or altering intimate images of an LGBTQ+ individual with the intent to out their sexual orientation or gender identity.

Financial hardship

Many survivors of image-based abuse spend thousands of dollars on services that attempt to remove their nonconsensually shared images. Financial hardship happens when paying these sums of money is compounded if survivors also experience job loss, reputation damage, and loss of access to educational options that would lead to increased opportunities and earnings.
Katie Hill

One lived experience expert, former U.S. Representative Katie Hill, reports that following the nonconsensual recording and sharing of her intimate images, she sued her abuser and the online publisher who distributed her nonconsensual images and allowed her abuse to remain online. When the court ruled against her on the basis of first amendment protections, she was ordered to pay her abusers’ legal fees which eventually led to her having to file for bankruptcy.

For many survivors, image removal services are not widely available, nor well known, and they often require survivors to pay out of pocket. Some survivors report that law firms or consultants charge for image removal, and in some cases, the fees are exorbitant. One survivor spent thousands of dollars for image removal only to find her nonconsensual images, which were hacked, continued to appear in searches associated with her name. Survivors we spoke with called for better and more comprehensive solutions and protocols for low-cost or free image removal of their nonconsensual images from anywhere that they may exist online.

Survivors highlighted services, like PimEyes, an online search engine where anyone can upload a clear photo of themselves to see where their image may be present anywhere online. Many reported this to be a reliable source for finding images, including nonconsensual ones, and can be a useful tool in the process of requesting image removal. However, to access the websites where these images are found, a paid subscription is needed.

👋 I should not have to pay for the removal of images of my own abuse.
No survivor should.

- a U.K.-based lived experience export and advocate

Social isolation

After experiencing IBSA, many survivors report the loss of intimate relationships, harsh reactions and victim blaming from friends and family, and a persistent sense of feeling alone. This isolation often leads to further depression and anxiety. When survivors experience severe harassment or cyberbullying, isolation is compounded if they need to take time off work or pause their time in school.

Schools, universities, workplaces, and communities play a critical role in the lives of survivors. Online and offline bullying by peers, along with sexual threats and physical assaults, are common elements faced by survivors following the initial crime of their images being nonconsensually shared. Some survivors move schools attempting to escape the bullying. Others completely change their identities and leave careers and even countries to escape the abuse. The result is often further isolation, shame, and financial or social ruin.
In 2015, I was lured online by a fake ad, groomed, manipulated, and coerced into doing pornography. After I was recognized and identified in videos on Pornhub by high school classmates, girls I graduated with shared screenshots and links on Facebook and social media (which went viral in my town) and resulted in public shame, humiliation, and harassment not only for me but for my family. This not only caused isolation between my family and I, but I felt I had no one I could trust. Seven years later, I now have no contact with anyone I went to school with. I lost every friend I thought I had due to the effects of this image-based abuse. This also amplified my already existing anxiety and depression.

- U.S.-based lived experience expert and advocate


Damilya, a university student, had been in a long-term physically and psychologically abusive relationship with her boyfriend, Alessio Bianchi. A few weeks prior to ending her life, Damilya received messages through the end-to-end encryption app, WhatsApp, depicting her in a nonconsensually created sexual video with her then-boyfriend. In addition to sending it to her, he also shared it with her friends and threatened to share it with her family.

Damilya's sister reports she lived in fear of Bianchi and worried he would in fact share her videos with her family.

Risk factors for image-based sexual abuse

Damilya reportedly suffered from depression and anxiety, both due to the prior abuse in her relationship with her boyfriend. She also struggled with substances including narcotics and alcohol. She had reportedly attempted suicide twice in 2017.

The spectrum of gender-based violence

The prior sexual and domestic violence she experienced in the two and a half years she was dating Bianchi included reports to the police. The reports detailed Damilya being trapped by her throat, struck in the face, spat on and being thrown into a water fountain outside of Bianchi’s apartment. All of this took place prior to the threats and sharing of her intimate images via WhatsApp. The last time Bianchi physically assaulted Damilya was a day before her death.

Using image-based sexual abuse to silence and shame the victim

Following documented incidents of intimate partner abuse at the hands of Bianchi, Damilya received the first nonconsensually-created intimate video on May 25, 2017, days before her suicide. The same video was sent to her friend along with the threat of harm toward her next. In his message to Damilya, Bianchi allegedly justified his abuse as a form of revenge and to attempt to prevent her from "spreading rumors about him." His texts continued to threaten her with further ruin.

Image-based sexual abusers are often not held accountable

After Damilya reported the video to the police, Bianchi was arrested. Following the admission in court that he disclosed private sexual photographs and film with the intent to cause distress, he was given a 12-week suspended sentence, ordered to attend a rehabilitation program and pay £250.
Prevalence across demographics and borders

Image-based sexual abuse is limited neither by gender, identity, or age, nor by borders.

Of the 27 cases we analyzed with individuals who lost their lives after experiencing image-based abuse 20 were women and girls and seven were men and boys, ranging from the ages of 11-24. Their stories spanned across the world, including Australia, Brazil, Canada, Egypt, Ireland, England, and the United States, and occurred between 2012-2022.

Shylynn Dixon

IBSA is truly borderless. Shylynn Dixon of Lisbon, New York was 16 years old when she shared intimate images with a man she met online who was posing as a romantic interest. After two years of harassment and blackmail, Shylynn ended her own life. A year after her death, the FBI located Shylynn’s abusers in Pakistan. The two men responsible for her abuse are currently being investigated by Pakistani law enforcement. Shylynn, like so many survivors, did not know she was a victim of a crime. In her suicide note, she blamed herself.

Recent studies

There is no comprehensive global study of image-based sexual abuse and similarly limited research on the prevalence of this form of gender-based violence. However, academic studies on this issue and reports from IBSA survivor hotlines around the world indicate that this form of abuse and exploitation is on the rise and deeply harmful to both child and adult victims.

- In a recent study researchers reported there are more than 3,000 websites dedicated to nonconsensually sharing intimate images, predominantly of women and girls.

- A 2017 study found that one in eight Americans have been victims of nonconsensual pornography. Furthermore, a recent 2020 study conducted in the United Kingdom concluded that rates of image-based abuse doubled between the years 2019 and 2020. In the study, approximately 15 percent of Britons between the ages of 18 and 45 stated that intimate sexual pictures of them had been shared without their consent in 2020 – up from eight percent in 2019.

- Similar studies conducted in the United States are a few years older but still speak to alarming trends. According to a 2016 study by the Center for Innovative Public Health Research (CiPHR), four percent of U.S. internet users – or 10 million people (about half the population of New York) – have faced the threat or reality of having their intimate pictures exposed without their consent.

- In Australia, a 2019 survey conducted by RMIT University found that one in three Australian participants between the ages of 16 and 64 said that “someone had shared or threatened to share a nude or sexual image of them without their consent.” This number increased from the initial 2017 study whereby one in five Australians reported similar threats and abuse.
Disproportionate impacts

While anyone can experience image-based abuse, studies on the ways in which it intersects with gender, race, and sexual orientation suggest that, like in other forms of gender-based violence, this form of cyber sexual violence also disproportionately impacts minorities and women. Certain groups appear to be more at-risk of becoming targets of image-based abuse than others. Groups that tend to be more at-risk include younger adults and children, women, ethnic minorities, and those who identify as LGBTQ+.

LGBTQ+ people

In a 2016 study, 15 percent of LGBTQ+ Americans report that someone threatened to share their intimate images; seven percent reported that someone had actually done it. Channing Smith of Manchester, Tennessee, was 16 when he took his life hours after classmates threatened to release sexually explicit messages he created, believing that he was communicating with another gay student.

In Australia, the 2017 study cited above indicated that those who identify as LGBTQ+ are over four times more likely to be victims of image-based abuse, with LGBTQ+ individuals reporting at 36 percent and non-LGBTQ+ individuals reporting at 21 percent. In a 2016 study, LGBTQ+ individuals who are online reported a much higher rate of threats or actual image abuse at 17 percent.

People of color

In a 2020 survey of 484 British citizens, a total of 38 percent of respondents reported online abuse, whereas this number jumped to 50 percent for Black and minority women and nonbinary individuals. Furthermore, 17 percent of people of color and other ethnic group respondents reported their online abuse consisted of violent or graphic images or videos (including depictions of sexual violence) as compared to 14 percent of white respondents. In response to their abuse, only four percent of BIPOC (Black, Indigenous, people of color) respondents reported their abuse to law enforcement, compared to 16 percent of white respondents.

Women and girls

Online image-based abuse has distinct aspects that are unlike any other form of sexual exploitation and abuse, yet it exists on the continuum of gender-based violence. Because women and girls are the primary targets, and because the content is often recorded and online, this form of sexual abuse follows victims well past the initial nonconsensual sharing of an intimate image or video. The trauma of the initial image distribution does not remain in the past, but rather is ever-present as victims are forced to live with exposure to the repeated trauma of long-term abuse as images resurface and are repeatedly shared.

A national 2017 study initiated by the Office of the eSafety Commissioner in Australia found that one in 10 adult Australians have experienced their nude or sexual images being shared without their consent. One in five women aged 18 to 45 reported their intimate images being shared without their consent. A different 2017 Australian report from the same office indicated that of the 4,122 people surveyed, 11 percent over the age of 18 had experienced image-based abuse. They also found that women were twice as likely to experience image-based abuse as their male counterparts.

In the United Kingdom, women comprise 73 percent of callers to the Revenge Porn Hotline with their images shared 30 times more than their male counterparts, suggesting a clear need to look at online image-based abuse as a form of gender-based violence.

In Brazil, a Freedom Online survey that gathered data concerning online harassment experienced by children and adults reported that 77 percent of girls reported being harassed, compared to a global average of 58 percent.
Rising cases of sextortion targeted at boys

Increasingly, young boys are targets of sextortion, often for money. In Canada, the national tip hotline for reporting online child sexual abuse, Cybertip.ca, reported a concerning increase in reports of online extortion, at 300 per month. In July 2022, 92 percent of the 322 reported cases involved boys.

Notably, in most cases of abuse involving adolescent males, the victims were approached by individuals who posed as an intimate or romantic interest. The perpetrators then lured their young male victims into sharing intimate photos that were - within hours or days - used to extort the victims for money. Even after receiving some of the money that was demanded, the abusers continued to threaten their victims. Of the seven global cases of adolescent males, ranging in age from 15 to 19, who died by suicide did so within two to 24 hours of the threat to share or the actual sharing of their nonconsensual images.

Where and how are nonconsensual images shared online?

Victims of image-based abuse are exploited and abused by their perpetrators through multiple forms of technology. How an image or video is shared, how identifiable the individual is in the image, and to what extent personal information is shared that further exposes the identity of the victim can vary from case to case.

Victims of image-based abuse have their images shared on a myriad of social media platforms, pornographic sites, apps, emails, texts, private messages, and even hard copy images.

The 2017 survey of survivors of online image-based abuse from the eSafety Commission of Australia reported that Facebook and related services were the top reported platform where survivors’ sensitive content was shared. There were significant differences in how images were shared based on age. Adults over the age of 25 indicated email was most common at 13 percent, and younger adults and minors mentioned Snapchat, which teen girls aged 15 to 17 cited 47 percent of the time.

However, the U.K.-based Revenge Porn Hotline's second annual report from 2021 showed that from their data set, nonconsensual images are now most shared on pornographic websites, with a jump from 32 percent of their cases in 2020 to 52 percent of their cases in 2021. Thus, the way that intimate images are nonconsensually shared varies by country depending on trends, access to technology, and even perceptions around gender, race and class.

A BBC documentary, “Without Consent: Shared on the end-to-end encryption app, Telegram,” found that thousands of women from Russia to Brazil and Kenya to Malaysia had their intimate photos shared on certain group channels on Telegram. The purpose was to threaten, shame and blackmail them. The documentary found nonconsensual images of women from 20 different countries. One Cuban woman alone had 18,000 Telegram users following the channel that was posting her nonconsensual images.

Survivor leaders are paving the way for both civil and criminal responses to the crime of image-based abuse as well as advocating for and creating healing services for those harmed by it. However, these harms have lasting consequences that make the “post” in post-traumatic stress disorder irrelevant. In some cases, when survivors speak out or simply appear to move on with nonconsensual their online, their abuser or other secondary perpetrators will re-share their original sexual abuse content or create new content. In one case, a survivor spoke out on a national U.S. television series only to have her images re-shared online and rack up more than 2,000 abusive comments in an hour.

Survivors report that this constant threat of abuse, often coupled with the lack of reliable image removal options and accessible therapy, amplifies the original harms. Globally, survivors are leading the charge by creating campaigns, circulating petitions and developing their own support services. Often their efforts are purely volunteer-based or undertaken with few resources.

The need for continued research on the prevalence of image-based sexual abuse is clear in the lack of data available. As the incident rate of IBSA grows around the globe, the urgency of a coordinated effort among cross-sector actors working together to gather and report data through a unified global is starkly clear. Understanding the prevalence and who is most impacted is a critical step toward this effort.
1.2 Existing laws and policy mechanisms

Globally, laws to prohibit different forms of image-based abuse are expanding and evolving, often in response to survivors’ stories and advocacy. In some cases, the tragic suicide of a teen or young adult has inspired advocates and lawmakers to come together to pass laws to address image-based abuse. Family members, notably the parents of those who have died because of image-based abuse, are often also at the forefront demanding change in laws and policies.

Of the laws that have been passed, many are still relatively new, and thus their implementation and effectiveness will be clearer in the coming years. Some laws stand alone as specific pieces of legislation while others come as part of a broader act addressing online harms, gender-based violence, or consumer protection. Many are national in scope while others focus on a specific region, territory, or state within a country.

Across all of these cross-cutting issues, significant gaps remain for laws and policy mechanisms.

Consent, intent, age, and other considerations

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.

Laws to address image-based sexual abuse are largely designed to hold accountable those individuals who initially create and share nonconsensual intimate images, as well as the platforms that publish, promote, or profit from the images, while at the same time promoting victim justice and protection. In addition, the way these laws are implemented is often demarcated by whether the victim is a minor or an adult. In some cases, the alleged intent of the initial distributor impacts their legal culpability, which is often not clear or difficult to prove.

Globally, laws to address image-based sexual abuse often draw distinctions between what is known as “child sexual abuse material” (CSAM) and “image-based sexual abuse.” The former, impacting children, is also addressed uniquely by regulators, civil society, direct services providers and technology companies. This includes flagging “suspicious” adults and removing CSAM without the need to prove intent, given that the distribution of all child sexual abuse material is prohibited across the United States and most other countries, with 16 exceptions as of 2018.

Unlike with children, laws and regulations addressing adults must draw distinctions between what was consensually shared and what was nonconsensually shared. Those who consented to the creation and even sharing of their images with certain individuals often are met with disbelief by law enforcement and others when attempting to report their abuse, thus limiting or eliminating their ability to access justice and protection under the law. In some countries, regardless of the known lack of consent, a victim simply appearing in sexualized or intimate images can result in law enforcement refusing to take a report and can even have negative legal consequences for the victim. These ingrained societal attitudes toward adults and sexuality are magnified and warped when technology companies, largely self-regulating, are rarely fined or held accountable when they do not effectively remove nonconsensual content.
The Person Depicted in the Image Should be the Owner of that Image

In some countries or jurisdictions, when photos are taken of you without your consent, the person who was holding the camera and actually took the photo impacts who is considered the “owner” and copyright holder of that image. This can then impact a survivor’s ability to have images removed if they are not considered to own the nonconsensual image shared of them because platforms can claim that they do not own the image they are requesting to be removed. Who owns the image should not directly correlate to the harm that has been caused to the person depicted in it when it is nonconsensually shared.

Governmental commissions and regulatory bodies

Some countries, such as Australia, Ireland, South Korea and Taiwan, have created governmental entities pertaining to image-based abuse and cybercrimes to address image removal, provide services for survivors, and create public education efforts to let victims know where they can access help. These entities are often created as the result of specific legislation passed to address image-based abuse.

In Australia, for instance, the Office of the eSafety Commissioner is the national reporting agency where victims of image-based abuse may confidentially report their abuse regardless of whether they are an adult or a minor. The eSafety Commissioner’s office works directly with law enforcement to address image removal and initiate criminal investigations.

While national bodies are important, the need for a global response to this global crime is clear. It is encouraging to see examples of multilateral coordinated and collaborative responses.

The South Korea Communications Standards Commission (KCSC) has established bilateral relationships with Australia and France to raise awareness about the harmful effects of nonconsensual sharing of images and to combat digital sex crimes online.

In 2021, KCSC’s Digital Sex Crime Information Review Bureau and Australia’s Office of eSafety Commissioner issued a joint statement to strengthen international cooperation on IBSA. Building on this relationship, KCSC and France’s Point de Contact issued a similar statement in 2022, with a focus on eradicating digital sex crime content and image-based abuse. In addition to bilateral cooperation, South Korea and U.S. based civil society organization, the National Center for Missing and Exploited Children, entered into a joint agreement in 2021 to address and prevent child sexual exploitation.

These multi-lateral agreements foster global cooperation on what is often a borderless crime and ensures that citizens of any of the cooperating governments will have redress if their images are nonconsensually shared in the participating countries. The agreements include working with technology platforms for image removal.

Survivor Advisory Councils

Survivor leaders that we spoke with recommended that regulatory bodies have lived experience experts consult and advise on their policies and procedures to better ensure accountability and foster solutions that are rooted in the needs of those most impacted. Like the Survivor Advisory Councils that are found in other related issue areas like human trafficking, these advisory bodies could each have a council of image-based abuse survivors informing and guiding their work.
National legislation

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.

Below we highlight examples of relevant national laws that have been passed since 2012.

**Australia: Online Safety Act of 2021**

The Online Safety Act of 2021 is the reformed bill formerly known as the 2018 Enhancing Online Safety (Nonconsensual Sharing of Intimate Images Act). This piece of legislation offers several broad changes. It strengthens existing Australian laws for online safety by making internet service providers more accountable for the safety of their users, while also reducing the time they have to respond to content removal notifications. It also expands additional protections for adults online and broadens the Cyberbullying Scheme for children to capture the harms that occur on platforms beyond social media, like WhatsApp or other encrypted apps. Largely speaking, this legislation focuses primarily on the accountability of online service providers.

**Noelle’s Story**

Noelle Martin is a lived experience expert whose own image-based abuse took place at the age of 17 when her selfies were photoshopped into pornographic images and distributed across multiple pornography sites. Noelle is now a lawyer and national campaigner in Australia speaking out and advancing legislation to stop image-based abuse. Despite this role having led to increased online attacks, she played a pivotal role in making the circulation of nonconsensual intimate images illegal. As legislation advanced, Noelle joined in official press conferences announcing new laws on image-based abuse in Australia. From 2017 onward, Noelle has worked alongside Attorneys General across Western Australia offering her lived experience and expertise as well as submitting information to parliamentary inquiries and participating in public roundtables on the development of laws to criminalize image-based abuse.
Brazil: 2018 amendment to the Sexual Harassment Law

In 2014, InternetLab, a Brazilian think tank focused on internet policy, launched a two-year study to “understand the development of IBSA cases in Brazil, assess legal responses, and point to legislative or policy gaps.” The study was precipitated by the 2013 death of 17-year-old Julia Rebecca, who had been shown with two adolescent boys in intimate videos that were posted online. In farewell tweets, Julia wrote, “I love you, I’m sorry for not being the perfect daughter but I tried. I’m sorry I’m sorry I love you so much.”

After InternetLab’s study concluded, and amidst a growing public outcry to criminalize image-based abuse, Brazil passed a comprehensive law in 2018 that defined sexual harassment as a lewd act against someone without their consent. The 2018 Sexual Harassment Law includes revenge porn and the nonconsensual sharing of intimate images. If convicted, perpetrators face one to five years in prison.

Canada: Cyber-Safety Act and Intimate Images and Cyber-Protection Act

In Canada, the deaths of Amanda Todd in 2012 and Rehtaeh Parsons in 2013 inspired the passage of the Cyber-Safety Act, a piece of anti-cyberbullying legislation that also allowed victims to sue abusers through civil litigation. However, in 2015, this law was invalidated by the Nova Scotia Supreme Court, which ruled that its “wide definition of cyberbullying infringed on Charter rights and freedom of expression.” Advocacy organizations, law enforcement, and researchers often have differing opinions on how narrow such a definition should be to balance free speech with victim protection and justice.

In 2018, the Canadian government enacted a new law, the Intimate Images and Cyber-Protection Act. This legislation allows victims and their families to use alternative means of dispute resolution, such as mediation and restorative justice, request the removal of online content, and receive compensation. Those who violate this law can face imprisonment of up to five years.

Critics of the legislation claim the process of taking a claim to court is expensive and difficult for survivors, while others claim it strikes the balance between privacy and protection and narrows the definition of cyberbullying by looking at the intent of the sharer. By 2022, 620 cases had been brought to authorities, at least two of which have made it to court.

Ireland: The Harassment, Harmful Communications, and Related Offences Bill

In 2021, The Harassment, Harmful Communications, and Related Offences Bill went into effect. This legislation, known as Coco’s Law, is named after Nicole Fox, a young woman who took her life after intimate images were posted online by a former partner. Nicole’s former partner is one of 28 individuals who have been prosecuted under this law, which increased the penalties for the offense of online harassment to include up to 10 years of incarceration. Between September 2021 and March 2022, Hotline.ie, a program of the Irish Department of Justice, closed 16 cases of reported online image-based abuse, with 23 still under investigation. Survivors can choose to report images for removal and request that a criminal investigation be initiated directly through the hotline.

The content of this Bill is strongly influenced by persons who have lost their lives because of online abuse, in particular Nicole Fox. The Bill is in recognition of her mother’s determination to honour the memory of her daughter and to strengthen the law so that others can be safer. As a result, this Bill can be referred to as Coco’s Law.

- President Higgins in his Explanatory Memorandum
Kenya: Computer Misuse and Cybercrimes Act 2018 and the 2020 amendment

In 2018, Kenya passed the Computer Misuse and Cybercrimes Act, which focuses on a broad range of online offenses and behavior, including by making it a crime to share nonconsensual intimate images. The Act further defined the crime as the sharing of “private, sexual materials, either photos or videos, of another person without their consent and with the purpose of causing embarrassment or distress.” In 2020, an amendment to the original Act was introduced – and ultimately passed in 2022 - that made it illegal to share all pornography, and in some cases bans websites containing pornography. Although this amendment covers victims of image-based sexual abuse, there are concerns about infringement of freedom of expression as anyone found in possession of pornographic material on their phones or computers faces hefty fines or up to 25 years in jail. Even with the wide scope of the Act, BBC reports that there remain hundreds of Telegram channels alone where end-to-end encryption technology allows for the continued abuse of Kenyans.

Mexico: Olimpia’s Law

In Mexico a new federal law passed in 2021—Olimpia’s Law—which prohibits the sharing of content of a sexual nature without the subject’s consent. It also bans the promotion of sexist stereotypes and hate messages online. The Mexican Senate approved the federal legislation, which followed several state-level laws, with unanimous support. This legislation increased the maximum prison time from three to six years. The law was inspired by Mexican advocate Olimpia Coral Melo, whose images were nonconsensually shared online and showed her, at age 18, having intimate relations with her then-boyfriend. Critics of the legislation cited concerns that it focuses solely on prosecutions, even if the survivor does not want to participate in a criminal investigation.

I tried to report what had happened to me but the police said it was not a crime because I had taken the photos myself. So, I lost my rights. I realized that we needed a law that would change the criminal code. We needed to call it digital violence that affects women. So, for 10 years we advocated and created a group called Digital Defenders. Laws are not enough. I am no longer Olimpia of the sexual video. I am Olimpia. Now, the law we passed will soon be based in Argentina, Chile, Ecuador, Peru, and other Latin American countries.

- Olimpia, Mexican lived experience expert and feminist movement advocate

Portugal: Domestic Violence: Article 152

In 2022, Portuguese law was updated to increase the fine for the nonconsensual sharing of private images and sounds that are considered intimate, and a penalty of up to five years in prison. This law sits within the broader framework of Portugal’s domestic violence laws. Legal protection for those who experience nonconsensual sharing of images is also found within recent rulings protecting online privacy and the ability to photograph or film another person without their consent. More broadly, Portuguese law addresses image-based sexual abuse in several areas of their criminal code.
South Korea: Digital Sex Crimes

Beginning January 1, 2023, the Korean Communications Commission is pushing for reform of the laws related to which institutions should engage in the removal of content that constitutes digital sex crimes. These crimes are defined by law through the Ministry of Gender Equality and Family as the taking of images – photos or videos – of a person’s body or part of their body without their consent as well as either distributing or threatening to distribute them through downloading, showing, buying, or selling them. This includes all material regardless of age, as well as spy cameras, digitally altered images, and non-consensually distributed videos. Currently, 17 institutions are designated to aid in the removal of images and South Korea is currently expanding its international agreements to ensure that South Koreans whose rights are violated outside of South Korea will also have their images removed.

United Kingdom: Section 33 of the Criminal Justice and Courts Act and the Online Harms Bill

Currently, nonconsensual pornography is illegal and is termed a “sexual offense” with a maximum penalty of two years. Section 33 of the 2015 Criminal Justice and Courts Act establishes that sharing of intimate images without consent or with the intention of causing harm is illegal. However, new legislation is currently proposed in the UK. The Online Harms Bill, referred to as the Online Safety Bill, has yet to pass but would be the first UK legislation addressing all forms of image-based sexual abuse. The law would focus on holding online platforms and technology companies that host user-generated content accountable for image removal or face fines. Furthermore, those who engage in online harms, such as image-based sexual abuse, will face criminal prosecution. Included as part of the criminal code would be digitally altered images, cyberflashing, down blousing and posting a message that indicates a threat of serious harm.

United States: 2022 reauthorization of the Violence Against Women Act

A provision of the Violence Against Women Act Reauthorization Act of 2022 addresses image-based abuse by creating a new federal private right of action. This means that victims of image-based abuse now have a right to sue their abusers and seek civil remedies and redress. Those who are victimized are allowed to recover up to US$150,000 in damages, plus reasonable attorney’s fees and litigation costs.

Weeks prior to the reauthorization of the Violence Against Women Act (VAWA), the Stopping Harmful Image Exploitation and Limiting Distribution (SHIELD) Act of 2022 was introduced to allow for expanded prosecution, establish federal criminal liability for those who share private, sexually explicit or nude images without consent, and to ensure protection for victims of serious privacy violations like hacking. Ultimately, one part of this Act was included in the VAWA reauthorization, allowing for civil remedies for victims of IBSA while leaving out new criminal provisions.

The work of advocacy organizations in the U.S. has had a major impact on passing laws to address image-based abuse. In some cases, lived experience experts have advocated alongside civil society organizations like the Cyber Civil Rights Initiative (CCRI) for local, state, or federal laws. The SHIELD Act, which would have criminalized all forms of nonconsensual sharing of intimate images, narrowly did not pass the Senate in December 2021 and awaits reauthorization as of publication of this report.

In September 2022, the Preventing Rampant Online Technological Exploitation and Criminal Trafficking (PROTECT) Act was introduced. The legislation would require online platforms to obtain verified consent from individuals who upload sexually explicit content or those who are appearing in uploaded content and require said platforms to remove uploaded images that do not have consent. To date, over 200 survivors of image-based sexual abuse have signed a letter initiated by the National Center on Sexual Exploitation (NCOSE) in support of this yet-to-be-passed legislation.
1.3 Barriers to justice for survivors

Criminal prosecutions

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.

The recent conviction of Stephen Bear, a British man who now faces sentencing in the U.K., highlights both the challenges of prosecuting image-based sexual abuse without specific legislation on the crime as well as the possibilities for justice.

In 2020, British reality TV actress, Georgia Harrison, discovered that her boyfriend, Stephen Bear, had CCTV footage of them engaging in sexual intercourse in his garden. She then observed him sharing that footage on WhatsApp. She stated she did not consent to the sharing of her intimate images and videos; however, he uploaded the videos to the online platform, OnlyFans. Reports indicate he has made £40,000 from the uploaded video and during trial he even boasted to fans that he was offering a 50 percent off deal on his OnlyFans account. On December 12, 2022, Bear was convicted on one count of voyeurism and two counts of disclosing private sexual photographs and films. Released on bond, he currently faces sentencing in an Essex court on March 3, 2023.

One unique case of a criminal enterprise that engaged in both sex trafficking and image-based abuse and was successfully investigated and prosecuted was the U.S.-based GirlsDoPorn enterprise, in 2019.

Case Study: GirlsDoPorn

A San Diego-based sex trafficking operation used fraudulent recruitment ads to lure dozens of young adult women to San Diego for what they believed to be modeling photo shoots. Using Craigslist advertisements, fake websites, and manipulated references from other women, they purportedly offered paid “clothed” modeling opportunities. The company’s true motives, it was later discovered, were to trick, threaten, and coerce women into filmed pornographic acts that involved abuse, violence, and rape. These acts were then marketed as “amateur” porn on platforms such as Pornhub under the label “GirlsDoPorn,” which operated from 2012 through 2019.

GirlsDoPorn was a popular partner channel on Pornhub with hundreds of thousands of followers. Meanwhile, dozens of young adult women from both the U.S. and Canada were victimized by GirlsDoPorn, first through the trafficking and sexual assault perpetrated by force, fraud, and coercion, and thereafter through nonconsensual image-based
abuse when videos depicting them in the filmed sex acts were distributed online without their knowledge or consent. GirlsDoPorn was a popular partner channel on Pornhub with hundreds of thousands of followers.

The survivors, together with their lawyers, spoke out against their abusers at GirlsDoPorn and helped advance justice for themselves and many other victims. GirlsDoPorn faced both a federal criminal investigation as well as multiple civil lawsuits (see below). In December 2021, MindGeek, the parent company of Pornhub, entered into a confidential settlement with 50 survivors as part of a civil case.

The co-conspirators of the criminal enterprise were Michael Pratt, Ruben Andre Garcia, and Matthew Isaac Wolfe. In the criminal prosecutions, Garcia was sentenced to 15 years to life in June 2021. In July 2022, Wolfe also pleaded guilty to conspiracy to commit sex trafficking by force, fraud and coercion. Court documents reveal he filmed approximately 100 videos and was responsible for advertising them on websites including Pornhub. In September 2022, Pratt was added to the FBI’s 10 Most Wanted Fugitives list. After being a fugitive since 2019, Pratt was arrested by Spanish authorities in December 2022.

Civil Litigation

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.

The FLASH Act (Forbid Lewd Activity and Sexual Harassment Act)

In September 2022, California Governor Gavin Newsom passed the FLASH Act, which aims to protect internet users in California from receiving unsolicited lewd images or videos. The bill creates a private right of action against all adults who know or “reasonably should know” that the lewd image or video they sent was unsolicited. It also allows for damages of up to US$30,000 as well as punitive damages, “reasonable” attorney fees and costs, and other available redress. This bill follows in the footsteps of bills introduced in Texas and Virginia in 2019; however, the California bill offers civil remedies, while the Texas version criminalizes the same act.

Case Study from Kenya: Ashleys Kenya Limited

In 2016, Roshanara Ebrahim, Miss World Kenya of 2016, filed a civil suit against Ashleys Kenya Limited (AKL), the holding company of the pageant that crowned her. Without her consent, a former intimate partner had sent nude photos of Roshanara directly to AKL, which then revoked her Miss World Kenya title. After losing her role, Roshanara filed a civil suit seeking damages. The court focused on two issues. First, it weighed whether Roshanara’s constitutional rights were violated when she was not allowed a hearing prior to her dismissal as Miss World Kenya. Losing her title meant losing the social and financial benefits associated with her status as an international pageant winner. The court also investigated whether her privacy rights were violated as a direct result of her former partner’s nonconsensual sharing of her intimate photos. The court found that Roshanara’s claim against AKL and its CEO was a matter of contract law - a commercial, not constitutional matter - and thus should be addressed in arbitration.

In the matter of the nonconsensually shared intimate images, the court found that Roshanara’s former partner violated her human rights under the Kenyan Constitution. As such, the court upheld that as a private citizen, her former partner was obligated to uphold her right to privacy. They denied he had the right to publish these images, regardless of whether he took them himself. He also sent them directly to the pageant, which indicated malicious intent. However,
the court maintained that because Roshanara had previously shared nude images of herself with her partner, she did "expose herself to the risk and danger of the photographs being transmitted to and viewed by other persons." The court ultimately assessed damages for the breach of Roshanara's rights and decided to award "modest damages" for the "breach of the right to privacy" in the amount of one million Kenyan Shillings. No criminal charges were filed against Roshanara's former partner.

Case Study from the United States: MindGeek and Pornhub

In the United States, dozens of survivors have joined together to take civil action against their abusers and the technology platforms that continued to host images and videos even after being made aware of their nonconsensual creation and distribution. As the criminal investigation and case against GirlsDoPorn gained traction, survivors also filed civil suits against Pornhub and its parent company, MindGeek, alleging that they profited from abuse and exploitation.

Eventually, 50 of the women who were trafficked to San Diego and filmed in explicit and violent acts that were nonconsensually shared on GirlsDoPorn joined together to sue. As the criminal sex trafficking case against GirlsDoPorn progressed, each of the 50 trafficked victims participating in the civil action sought $1 million in damages, the money MindGeek earned from the hosting and promoting of their nonconsensual videos, as well as legal fees. In December 2021, MindGeek entered into a confidential settlement with the survivors as part of this civil case.
1.4 Civil society and survivor leaders

As a client of Sanar Institute, I can say with full confidence my life has exponentially shifted towards a greater path of healing and good health. The impact Sanar has had on my life is almost indescribable. Their expertise and trauma-informed practices have truly made all the difference. This service has been fully sponsored, free of charge to me. I am a better, healthier version of myself thanks to services I have received at and with Sanar.

- U.S.-based lived experience expert, advocate and educator

Over the past 10 years civil society stakeholders across the world have been developing programs to support survivors of image-based abuse in finding healing, justice, and safety, most often on a local or national level. The global and borderless nature of the internet, coupled with the ease of keeping one’s identity and location anonymous, speaks to the need for a more coordinated global response, including international advocacy, law enforcement, and supportive services.

From our research and conversations with partners it’s clear that this represents both a challenge and an opportunity. The services and support that adult survivors require vary in need and accessibility—and continue to lag behind—services available to children and adolescents. For example, specialized hotlines and therapy are, in many countries, not available for adults. Furthermore, obligations to remove images often differ by age – whereas many technology companies have trust and safety officers dedicated to addressing child sexual abuse material (CSAM), adult survivors typically need to self-initiate and advocate for removal themselves.

I felt like I did not have anyone. I tried to kill myself three times. My brother saw my videos and so did my mom. I begged my mom for forgiveness but she said I had nothing to be ashamed of. She said not to be ashamed of my body.

- Mexican lived experience expert and policy advocate

The global field addressing image-based abuse is still relatively nascent and has much more room to grow. In consultation with more than 50 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

Through our research and consultations, it is clear that survivors frequently do not know how or where to get help. They may not know what hotline is there to help them facilitate the removal of their nonconsensually shared images, where to find trauma-informed therapy, or how to gain access to legal assistance to file a criminal report with law enforcement or pursue civil remedies.

Below we share examples of organizations and leaders working across various types of services and support. Each of these groups are working to address the needs of survivors in their own ways but could benefit from fieldwide collaboration and support. This is not an exhaustive list as the field continues to grow and new organizations are established.

**Hotlines and helplines**

Hotlines connect those experiencing image-based abuse with a range of critical services including counseling and assistance with image removal. In some cases, these hotlines are embedded in advocacy or direct service agencies, while in others they are run by government institutions or volunteers. Some hotlines are specific to this issue, while others weave this issue into a broader mandate around sexual assault, domestic violence, human trafficking, or other online harms. Furthermore, some hotlines, such as the Korean Communications Standards Commission and France’s Point de Contact, serve both children and adults. Others, such as the Revenge Porn Helpline in the U.K, specifically serve adults over the age of 18.

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**U.K: Revenge Porn Helpline**

As a program of the Southwest Grid for Learning (SWGfL) in the U.K, the Revenge Porn Helpline was founded in 2015 after legislation criminalized the disclosure of private sexual images and videos without someone’s consent. Despite the increasing global need for this form of support, the Revenge Porn Helpline is one of the only dedicated, NGO-run hotlines of its type worldwide that specializes in this issue and works on all forms of image-based abuse. The helpline currently has six staff and, as of 2021, has assisted over 8,500 people in the U.K. with the successful removal of 92% of the content reported by their clients, totaling more than 200,000 unique pieces of content. The Revenge Porn Helpline receives funding in part from the U.K. Home Office. They are also the host of the new tool, StopNCII.org (See below).
Italy: Permesso Negato APS

Permesso Negato APS is an Italian nonprofit that offers technological and legal support for survivors of nonconsensual image abuse. They focus on using technological strategies and legal mechanisms to identify, report, and remove nonconsensual sexual, violent, or hate-based images from major online platforms. They also offer free legal feedback from expert lawyers, work to prevent the re-uploading of content, and catalogue digital evidence to prosecute abusers. Their team is largely volunteer-driven and makes referrals for survivors to direct service agencies who offer psychological support.

Portugal: Portuguese Association for Victim Support (APAV)

In Portugal the APAV, a member of StopNCII, offers online support for both children and adults through a staff- and volunteer-run hotline that addresses many forms of crimes, including image-based sexual abuse. From 2019 to 2020, the hotline experienced a significant increase in calls regarding adult image-based sexual abuse. Their APAV’s nationally available helpline supports many victims experiencing a range of needs following abuse. In addition to providing legal aid, APAV supports with image removal by directly contacting technology platforms. Despite staff-reported challenges working across a range of user agreements and guidelines on each platform, APAV is a trusted flagger for many, aiding in the escalation of image removal. In addition to image removal, APAV offers social and emotional support and other direct contact and services.

There is an ongoing need for more hotline coverage in different parts of the world, including the United States, so that survivors everywhere know that there are hotlines they can call to get psychological and legal support and assistance in having nonconsensual images removed. Achieving this goal could occur through the launch of new hotlines, the expansion in the reach and geographic scope of existing hotlines, or the addition of this issue area to existing hotlines working in related and intersectional areas.

Counseling and direct service organizations

Image-based abuse often results in a variety of physical, social, and mental health effects, including post-traumatic stress, isolation, loss of reputation, loss of employment prospects, anxiety, depression, shame, suicidal ideation, and financial hardship. The negative impacts are often ongoing, and many survivors remain in persistent fear that their nonconsensual intimate images will be uploaded, shared, and distributed again and again. Survivors report a lack of services designed for their unique traumas, which often require highly skilled and tailored approaches.

Most survivors we spoke with reported that they did not have access to formal mental health services or counseling or were not aware where they could go for this support. Lack of access to specialized therapists and affordability are two factors that impact whether survivors will receive mental health care. There is a critical gap in services for mental health and counseling services, in addition to gaps in direct services - such as assistance with making police reports - and case management. These gaps leave many survivors to suffer and try to survive alone, in some cases with devastating consequences for their lives.

Survivors highlighted one specialized direct service and trauma counseling program, which provides counseling free of charge, that has played a critical role in their healing.

The Sanar Institute

The Sanar Institute, based in Newark, New Jersey, is a global nonprofit agency providing trauma-specific interventions for individuals and communities to heal from complex trauma. Grounded in the belief that healing from trauma is a fundamental human right, Sanar’s work centers the wisdom of lived experiences along with evidence-based mental health practices. The Institute supports survivors of child sexual abuse, sexual assault, gangs, sex trafficking, and other
forms of gender-based violence, and has also worked with dozens of survivors of image-based sexual abuse. Sanar reports that the need for their services has increased, as have referrals from law enforcement and other organizations. In addition to their direct clinical work and wellness center, Sanar’s Thrive Initiative supports workplace wellness programs for staff in organizations who may develop secondary or vicarious trauma in the course of their work.

With a limited staff, they are one of the only free resources for survivors, thus ensuring accessibility regardless of survivors’ income. The number of survivors receiving their support shows the need is much greater than what one organization can handle, and thus funders can and should support increased capacity for Sanar Institute and organizations like them.

Reporting and image removal options

Many survivors, upon discovering that nonconsensual images have been shared, swiftly seek their removal wherever they may exist online. However, in addition to the trauma and ongoing harassment that often occurs after these images are shared, it is often difficult for survivors to know how and where to engage with multiple technology platforms to request removal of nonconsensual content. A further complication is that by the time a survivor realizes their intimate images have been shared without their knowledge or consent, these images may have already been downloaded, re-posted, re-uploaded, and streamed across multiple platforms.

Furthermore, survivors report that it may take months, if not years, for online technology platforms to remove their images even after repeated requests. Even then, it’s difficult to ever fully know if nonconsensual images have been completely removed online because they can simply be re-uploaded by other users – once nonconsensual intimate images are shared publicly online, they become difficult to remove entirely from the web. Early detection and swift, decisive image removal are critical to slow the spread of nonconsensual images online.

Worldwide: StopNCII.org

In the U.K, the Revenge Porn Helpline offers victims of image-based abuse resources and support to initiate the removal of nonconsensual shared images or videos. The Revenge Porn Helpline currently operates a first-of-its-kind platform, StopNCII.org, designed to help survivors remove content by working to digitally “hash” private sexual content and prevent it from being shared across different platforms. During their initial report, survivors are issued a private case number and PIN-code and can check the status of their case as it progresses.

The more technology partners work with StopNCII.org, the better the chances are that a victim’s images can be fully and completely removed.

Hashing is like a Digital Fingerprint

The nontechnical term for “hash” is “digital fingerprint.” It operates like a tag or code that is attached to an image reported by a victim and run through the StopNCII system. The hash is then stored and shared across the technology platforms that work with StopNCII. Hashes are compared to all images uploaded to partner platforms and the images that match are removed from those participating platforms. This open-source technology can be used for both photos and videos.

This program is an extension of an initial pilot program with the social media platform Facebook. There are currently 80 hotlines around the world that have joined StopNCII, and in November 2022, TikTok, a video-sharing platform, and Bumble, an online dating platform, also joined as partners to help stop the spread of nonconsensual images.
United States: Cyber Civil Rights Initiative

In the United States, the Cyber Civil Rights Initiative (CCRI) has created a comprehensive guide for victims of image-based abuse to report and request to have their images removed. Informed by major social media and tech companies, the report provides guidance to victims on how to report their images. Recommendations include verifying the policies of online platforms and documenting the posts that the victim may want removed. The guide then describes how to request image removal from a variety of social media and adult platforms.

Ireland: hotline.ie

In Ireland the government-funded hotline.ie, founded in 1999, receives reports of image abuse—both adult and child-related content—and can work to initiate image removal. Hotline.ie provides image removal services through trusted partners and supports survivors in accessing services, free legal aid referrals, and access to law enforcement. The hotline.ie website offers survivors of IBSA information about how to make a report and what they can expect from the reporting process. The hotline’s 2021 annual report cited a 94% success rate of cross-border removal of intimate images created without consent.

Australia: eSafety Commission

In Australia, the eSafety Commissioner’s office receives reports of image-based abuse content. Their website offers substantial information about different forms of online abuse in addition to resources for support. Survivors can follow detailed instructions for making reports, which include collecting evidence, making a formal report to the Commission, stopping all contact with the abuser, and accessing support services. The eSafety Commissioner’s office works directly with law enforcement to address image removal and initiate criminal investigations. They also provide additional resources to educate the public on image-based sexual abuse, how to identify all types of illegal online content, and what to expect from the reporting process.

Brazil: SaferNet Brasil

SaferNet Brasil offers a national encrypted helpline for Brazilians to either text or email with therapists who offer support on intimate image abuse as well as other forms of online harm. Internationally, they have received more than four million global tips since their inception in 2007, including reports of image-based sexual abuse. Since 2007, they have received reports from 18,611 adults and 4,468 young people. In 2021, approximately 275 reports of intimate image exposures were reported to SaferNet Brasil.

France: Point de Contact

In France, Point de Contact offers French citizens a mobile app where they can download and report their own abuse. Following the report, public safety officers review and process the reports. They work together with governmental and technology partners to streamline the removal of online abuse content, including both child and adult image-based sexual abuse. In 2021, Point de Contact received 21,109 reports that qualified as sexual exploitation of minors, up 78% compared to 2020.

South Korea: Korean Communications Standard Commission

In South Korea, the Korean Communications Standard Commission operates the Support Center for Victims of Digital Sexual Crime. They run a 24-hour hotline where reports are investigated, and image removal proceedings are initiated. KCSC also provides customized consultation and support for deleting content, engaging in investigations, and helping survivors access legal and medical support. KCSC cooperates internationally with key governmental and civil society partners to ensure that Korean nationals victimized by abusers or platforms abroad may have their images removed. From January to October 2022, KCSC reviewed 42,839 cases and deleted 440 images (1.1% removal rate) due to the blockage of the content by providers outside of Korea.
Restorative and protective legal services

Legal services for survivors of image abuse are often critical to providing relief, protection and justice for survivors of all forms of image-based abuse. While there are limited legal services for survivors globally, there still are some bright spots in the field when it comes to legal expertise.

United States: CA Goldberg LLC

In the United States, for example, CA Goldberg LLC is a leading victims’ rights law firm that specializes in cases of image-based abuse. It was founded by Carrie Goldberg after her own experience with image-based abuse and revenge porn. Ms. Goldberg created a law firm where lawyers with lived experience are advancing cutting edge legal case law and supporting survivors across the United States. Some of their successes include assisting in the removal of 38,727 videos and images, de-anonymizing 72 harassing email and social media profiles, and obtaining 122 orders or protection for survivors.

Outreach, advocacy, and prevention campaigns

Advocacy and public awareness campaigns are essential for the passage of laws, victim outreach, prevention of future victimization, and to the creation of better services. Civil society, in partnership with survivors, has been the most effective driver in mobilizing strategic efforts to shift culture toward making image-based sexual abuse widely understood and unacceptable in society.

Without a doubt, it has been survivor-activists who have courageously led the charge to help combat image-based sexual abuse all around the world. Some have been instrumental in successfully changing laws in their respective jurisdictions, some are fighting to reform those laws, and others are still fighting the good fight every day. Whether the global community recognises it or not, we are all beneficiaries of the courage, sacrifice, tenacity, and sheer perseverance of survivor-activists.

Aside from changing laws, survivor-activists possess an often-underrated superpower; power that is difficult to quantify, but nevertheless exists in abundance: the power to change hearts and minds. Laws can only do so much to help tackle image-based sexual abuse – challenging societal and cultural attitudes, igniting and shifting conversations, and raising awareness of this issue is just as – if not more – important. This is where the unrivaled superpower of survivor-activists comes in.

Academics, bureaucrats, regulators, and law and policy-makers can speak at great lengths about the urgent need for justice to combat image-based sexual abuse, but there is absolutely no substitute for the power of human stories to bring about long-lasting, meaningful change--the human stories of those who have lived and breathed this abuse, who know first-hand the devastating harms it causes, and who – despite all odds – turn that pain into a mighty fight for justice. Survivor-activists humanise this issue in ways that no other person, law, or policy instrument could do so. Make no mistake: it will be because of survivor-activists today who will make tomorrow a safer and more just world for future generations.

- Noelle Martin, an Australia-based lived experience expert, lawyer and advocate

Many survivors of image-based abuse do not know that there is help or even that what they have experienced is a crime. Furthermore, both young people and adults often do not have the tools or knowledge to understand what image-based abuse is and how to either prevent or report it should it happen to them or someone they care about.
Educational campaigns

Lived experience experts have begun their own campaigns and petitions to advance their pursuit of justice and to push for legislative, social, and technological change. Among survivor leaders there is a strong interest in ensuring that all teachers, administrators, school staff, and counselors in junior high and high schools are trained annually about image-based abuse, how to spot warning signs, and how to respond in a trauma-informed manner to students who are at-risk or who have experienced this type of abuse.

This includes engaging survivors in the development of trainings through a survivor leadership and advisory council. Similarly, lived experience experts believe that colleges and universities should be encouraged to train their staff, particularly counselors, student services staff, and campus police, in how to respond to those reporting that they have experienced image-based sexual abuse.

In many parts of the world, civil society stakeholders report that there is very little awareness and understanding in the general public about this crime and about the severe impacts it has on victims. Good public education focusing on image-based sexual abuse, in particular that of adults and those over the age of 18, is a persistent gap area. Yet, an increase in public awareness levels is key to de-stigmatizing victims and increasing reporting, prosecution, and prevention.

Resource hubs and academic research

There is also no global knowledge or resource hub focused on IBSA where comprehensive information and resources exist. Instead, civil society organizations, often in collaboration with lived experience experts or inspired by survivor stories, are emerging.

In addition to public education, increasing academic research on image-based sexual abuse is still needed. The evolving and growing nature of the crime warrants ongoing academic research to study emerging and shifting trends. Research on the harms, sub-types, criminal justice response, the impacts of new laws, and the effect on public health is all needed.

Governments and private funders can and should invest in this academic research.
Online petitions

In Germany, HateAid, a national civil society organization, launched a January 2022 petition together with 20 European Union-based partners and gathered 30,000 signatures to call upon the European Parliament to end online image-based sexual abuse against women and girls as part of their advocacy strategy to advance the Digital Services Act. The petition exerted pressure on member states to ensure victims’ concerns and rights are upheld.

Danielle Green:

In 2009, Danielle Green shared intimate photos with the father of her young child. More than a year later, after she had moved back to her small hometown, those photos appeared on a website called IsAnyOneUp.com that prided itself in the digital trafficking of nude women who were usually very young. Most of the images were posted without the consent of the depicted women and would detail the victim’s personal social media and contact details. After reaching out to the owner of IsAnyOneUp.com, Danielle’s request to have her images removed was met with a “LOL.” After years of battling depression and the social, emotional and economic fallout of her public abuse, Danielle shared her story on the 2022 Netflix documentary “The Most Hated Man on the Internet.”

“I wanted to be a voice for girls like me,” she says. “I wanted to give them hope and empowerment and some skills that I had learned. I had empowered myself after all these years. And why would I keep that to myself?”

“Demand US Congress to Criminalize Image-Based Sexual Abuse (previously "Revenge Porn")

29,994 have signed. Let's get to 35,000!
At 35,000 signatures, this petition becomes one of the top signed on Change.org

I felt violated. -Humiliation.

Sign this petition

Dear US Legislators,
We demand federal legislation that criminalizes the non-consensual sharing of intimate images.

First name
Last name
Email

Danielle Green started this petition to President Joseph R. Biden and 1 other

Post

Linda Ingrid signed this petition
Benjamin Londe signed this petition

Comment

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In 2021, Megan Sims, whose own nonconsensual images were shared online in 2016, campaigned to advance national support services for victims of revenge porn and other forms of online image-based abuse. Her campaign petition, which gained over 85,000 signatures, helped advance a new Department of Justice portal to support victims. Since her own victimization, she advocates for educational services to let young people know where to get help.

Social media campaigns

#MyImageMyChoice is a campaign and research initiative of Power Play Productions, a U.K. production company focused on advancing spaces for women’s narratives and justice. MyImageMyChoice is a coalition of survivors and advocates whose goal is the passage of comprehensive federal legislation to protect survivors and stop IBSA in the U.K. while advancing policies and support for survivors worldwide. The goal is to create dynamic social media spaces for survivors within the coalition to share, advocate and speak directly to the harms they have experienced and their insights into what needs to change to protect others from this human rights abuse.
Section 2: Paths forward for policymakers and funders
2.1 Recommendations for policymakers

U.S. policy recommendation

Although 48 states have criminal codes addressing at least some forms of image-based sexual abuse, there is currently no federal law in the United States that fully addresses IBSA. A federal criminal statute would be a consistent model for states to follow.

In this fast-moving legislative landscape, comprehensive data is often quickly out of date, but according to the Cyber Civil Rights Initiative, as of September 22, 2021, 48 states have criminalized nonconsensual pornography, while eight states explicitly outlaw sextortion and four states prohibit the distribution of deepfakes. However, these state laws vary in effectiveness, and many are not inclusive of the range of ways intimate images can be created, distributed, or profited from. For example, some laws define the crime narrowly through the lens of revenge porn, requiring proof that abusers explicitly intended to cause harm and emotional distress by sharing nonconsensual images or videos, which presents a difficult legal hurdle for survivors.

Other concerns voiced by lived experience experts include statutes of limitations that are too short, and laws that do not consider image-based abuse to be a serious or violent crime. As a result, the state in which one was abused could very well determine whether a survivor sees justice – or whether they might continue to experience harassment from their abusers who walk free.

A federal criminal statute could provide a stronger, more consistent model for states to follow, moving U.S. citizens a long way towards a future where everyone may be freely and safely online without the threat of image-based sexual abuse.

Globally, the need for policy reform or creation is a critical element to ensuring that the rights of survivors are upheld, and that justice can be obtained by anyone, regardless of age, who experiences image-based sexual abuse. There cannot be true justice where there is an absence of law and policy or where there is policy that does not focus on the consent of the survivor. The recommendations here reflect the lived experience of 20 survivors from eight countries coupled with the insights of all our key stakeholders. This is not an exhaustive list but rather reflects the key concerns and recommendations that have been identified to date.

1. Lengthen statutes of limitations

In our research and consultations, lived experience experts consistently recommended that statutes of limitations on reporting crimes be lengthened – or removed entirely. This is especially necessary for image-based sexual abuse survivors who may not discover nonconsensual images have been created or shared for months or years following the initial abuse. As additional policy reforms are introduced, it’s vital to consider more appropriate timespans for statutes of limitations related to image-based abuse.
2. Remove intent or purpose language

Lived experience experts agree that model IBSA laws should not include requirements about an abuser’s purpose or intent when creating or sharing intimate images. In many U.S. states, for example, statutes require that unlawful distribution of sexual images must be specifically intended “to harass, frighten, intimidate, threaten or abuse another person” or to cause “emotional distress.” As written, these laws narrowly define the many different forms of image-based sexual abuse exclusively through the lens of “revenge porn.” These definitions unnecessarily narrow the applicability of laws and require survivors to meet difficult burdens of proof.

Policy reforms to update these problematic definitions are needed so that they incorporate a broader understanding of the different sub-types of image-based sexual abuse. For example, Illinois’ statute offers a useful model by focusing on the actual act of disseminating images without consent and not requiring any information about the perpetrator’s intent or the purpose of image sharing.

3. Broaden protection orders

Lived experience experts’ stories abound with challenges faced in obtaining effective protection or restraining orders against perpetrators of image-based abuse. For example, protection orders don’t always include online protection, meaning abusers can freely contact or engage with survivors online. In other cases where image-based abuse did not occur within the context of an intimate relationship, some jurisdictions’ standards for protection or restraining orders could not be met.

It is vital that policy reforms expand the coverage of certain protection orders and broaden the scope of individuals that these orders may apply to.

4. Implement comprehensive criminal legislation

Around the globe, nations and states are responding to the crime of image-based abuse with myriad criminal codes. Regardless of whether the crime is embedded within other criminal statues or a stand-alone piece of legislation, a comprehensive criminal law that ensures abusers and those who benefit from image based sexual abuse are held accountable with meaningful consequences for their participation in the abuse.

Regulatory bodies should ensure that they effectively hold abusers accountable through investigations and appropriate fines for both abusers and online platforms that violate or ignore reporting removal laws.

Regulatory Agencies

In Australia, the Office of the eSafety Commissioner is vested with regulatory and statutory authority to act on both child and adult image-based sexual abuse. Different from a law enforcement entity, this body can levy fines, issue warnings, and take other types of actions against perpetrators of image-based abuse. In other countries, such as South Korea, a similar entity is tied to government bodies tasked with providing direct services. In Ireland, the Department of Justice is responsible for their country’s hotline for both children and adults.
5. Create laws and policies that support survivors

A. Increase inter-governmental cooperation: Given the global nature of the internet – and of image-based sexual abuse – there is a growing need for stronger joint governmental action and cooperation. The internet is borderless, requiring governments to work together on cases that span multiple countries.

Launched in March 2022, the Global Partnership for Action on Gender-Based Online Harassment and Abuse is a great start towards facilitating more government buy-in and international cooperation on this issue area. Initiated by the governments of Denmark and the U.S., along with Australia, the Republic of Korea, Sweden, and the United Kingdom, this partnership brings country governments together to better prioritize, understand, prevent, and address the growing issue of technology-facilitated gender-based violence.

The governments of Canada and Chile have since joined this partnership – more governments should join and commit to advancing this vital work.

B. Expand availability of free or low-cost legal services: Lived experience experts call for an increased volume of free or low-cost legal services for victims of image-based abuse. In some civil remedies, survivors remain reluctant to come forward because of the possibility of having to pay for their abusers’ legal fees on top of their own in the case of a loss in court. Whether by normal circumstances or as a result of financial loss resulting from their abuse, many survivors do not have the financial means to pay for their own legal counsel. (See case study above)

C. Create specialized training for law enforcement officers: Create or reform federal and state training for law enforcement to ensure laws are enforced, victims are identified, and prosecutions are handled effectively—and involve survivors in developing trainings. The need for stronger law enforcement training on a local, national, and global scale is a concern shared by survivors everywhere. Lived experience experts were near unanimous in saying that there is a lack of law enforcement personnel with sufficient training on image-based abuse, including fully understanding this crime and how to properly engage with survivors in a trauma-informed manner.

As a future initiative not yet in existence, lived experience experts support the exploration of a new specialized law enforcement training institute designed in partnership with survivors to better prepare law enforcement to identify and protect against image-based abuse.

D. Consider dedicated units and task forces: Explore options for creating a new unit for adult-specific IBBA, including modeling it after the DOJ’s Human Trafficking Prosecution Unit that is housed within the Civil Rights Division. This could expand to a national landscape of specialized task forces to focus on adults, or the exploration of broadening the remit of current Internet Crimes Against Children (ICAC) task forces to include cases of adults as well.

Despite rising rates of image-based abuse, there remains a limited number of jurisdictions where law enforcement units are specifically trained and dedicated to fighting this crime at the federal, state, and local levels. In the United States, for example, survivors are interested in proposing a specialized adult cybercrime unit within the DOJ with a team of dedicated staff who become experts on this specific issue area.
2.2 Recommendations for funders

Lived experience experts and civil society organizations are quick to point out how those responding to image-based sexual abuse are yet to receive significant funding from governments, philanthropies, corporations, or individual donors – despite the growing prevalence and widespread harms this issue. While a lack of substantial funding has stalled the field’s necessary growth for the past 10 years, it also represents a major opportunity for impact-minded funders now.

For those with a focus on human rights, public health, gender-based violence, the status of women, LGBTQ+ issues, adolescent mental health, racial justice, online safety, or any combination thereof, the issue of image-based abuse is one where strategic and catalytic philanthropy could make an outsized difference, especially as the field continues to grow over the next five years. Given the relatively low levels of funding to date, there are myriad opportunities for funders to engage on this issue now.

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.

1. Enact legal and policy reform

   A. **Policy advocacy and reform**: Provide funding for teams of policy experts and survivor leaders who can join with civil society organizations or action networks to advocate for the passage and implementation of stronger laws on a national and global scale.

   B. **Law enforcement training**: Fund a new specialized training institute and other training efforts for prosecutors and law enforcement as they strengthen their response and pursue accountability for perpetrators.

2. Invest in public education and prevention

   A. **Outreach and awareness-raising**: Support new awareness campaigns, media engagement, online resource hubs, and targeted prevention and outreach efforts for at-risk populations.

   B. **Engaging schools and universities**: Equip high schools, colleges, and universities with training, engagement programs, and other tools to be better prepared to prevent and respond to instances of image-based abuse.

   C. **Research**: Fund ongoing academic research to learn more about this evolving issue and build an evidence base that can better inform the global response.

3. Support survivors

   A. **Direct services, hotlines/helplines, and mental health counseling**: Resource programs that directly serve survivors of image-based abuse, including hotlines/helplines, case management, and mental health support.

   B. **Legal services**: Help create and expand legal services and support for survivors as they pursue civil cases and other legal remedies.

   C. **Image removal**: Offer a resource or subsidized support for free or low-cost image removal services so survivors do not have to pay large out-of-pocket sums to remove nonconsensual images.
4. Build the field

A. **Survivor leadership**: Help survivors play leadership roles in the field by supporting new staff positions for survivors at civil society NGOs, and by providing funding for Survivor Advisory Councils that can engage with and inform the work of governmental bodies.

B. **Summits and field-building**: Sponsor conferences, summits, working groups, and other collaborative efforts to help build relationships and grow the field.

C. **Core operating support for existing organizations**: Increase the stability of this growing field and help attract additional funding by providing multi-year core support grants for NGOs. The majority of organizations in the field operate on limited and/or restricted funding, which hampers growth and sustainability.

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.
Section 3: Appendix
3.1 Lexicon of terms

Many terms are used to define the different nuances of image-based sexual abuse – some of which are distinctive, but many of which are used interchangeably. As this field emerges and brings in more perspectives and voices, there is yet to be a universal – or even widely-agreed upon – term to fully define this issue. This is further exacerbated by different cultural norms and nuances in language. However, the terms we use can directly impact how laws are proposed, written, and implemented by policymakers, judicial systems, and law enforcement. Whether we intend to or not, the words we use can also impart harm and bias or impact public perception.

Through conversations with more than 20 lived experience experts and 55 civil society partners, we have gathered insights that inform the (non-exhaustive) list of terms in appendix X, including where and how they are used by various stakeholders.

Note: for the purposes of this report and the beginning phase of our work at Panorama we have chosen to primarily use the umbrella term, “image-based sexual abuse as it clearly defines the type of abuse that occurs.

Cyber sexual assault

While some experts expressed concerns with referring to their experiences as a form of rape, many were also threatened with physical sexual assault after experiencing image-based abuse. Others expressed a common sentiment that each time someone looked at images of them, they experienced it as – and consider it to be – a form of sexual assault. Given that survivors’ images can be downloaded and shared countless times, this form of trauma can be complex and wide-ranging. Similar to cases of physical sexual assault, the nonconsensual sharing of intimate images is a violation of autonomy and agency and can result in similar emotional repercussions.

Digital sex crime or digital abuse

In South Korea, the term “digital sex crime” is more widely used and emphasizes the criminal nature of these acts. This term, along with “digital abuse,” is also used by some lived experience experts to explain what they have experienced.

Digital Sex Trafficking

Sex trafficking of adults involves elements of force, fraud, or coercion as means to control a victim for the purpose of commercial sex acts – the abuser or trafficker gains something of value from the victim being abused and exploited. Trafficking intersects with image-based sexual abuse when someone is physically forced (e.g., a filmed sexual assault); through fraud (such as a modeling...
job “interview” where the abuser obtains sexual images they promised not to share); and coercion (such as threats to release intimate images if they don’t receive payment in some form).

Furthermore, in addition to money, abusers may benefit from social media clicks, likes, shares and even online clout with other abusers. These forms of commercial gain can lead to additional brand deals, increased visibility online by business partners or other financial contributors or non-monetary but valuable things such as invitations to private events or parties. Within the U.S. Trafficking Victims Protection 2000, trafficking involves all commercial gain, not just direct cash.

**Image-Based Abuse (IBA) or Image-Based Sexual Abuse (IBSA)**

These are largely viewed as umbrella terms that cover the spectrum of online image-based abuse harms. Many lived experience experts comfortably use this term. However, it may not convey the gravity needed to educate and mobilize the broader public, law enforcement, or policymakers to act on this issue. Lived experience experts reported that in some countries, policymakers and law enforcement do not understand that IBA is a form of sexual abuse or sexual assault, resulting in fewer laws passing and fewer prosecutions and legal protections.

**Lived Experience Expert**

*Other term(s): “survivor leader”*

This term has been used to describe those with firsthand experience of image-based sexual abuse who are speaking out, advocating, or otherwise working to address this harm. Their expertise is informed, at least in part, through their lived experience. They may or may not publicly identify as survivors of image-based sexual abuse and have no obligation to share their personal stories, advocate publicly or engage in any other way unless they feel ready and willing to do so.

**Nonconsensual Intimate Images (NCII)**

This term is most often used by technology companies to encompass both images that were nonconsensually created and those that were nonconsensually distributed. Images that were created nonconsensually could have been artificially altered using computer software or surreptitiously taken in either private or public spaces.

Images that were distributed nonconsensually may include ones shared by a current or former acquaintance or could be the result of an account or device being hacked. Images that were created through elements of force, fraud, or coercion - such as sextortion schemes or forced pornography - are neither created nor shared consensually. All of these different instances are understood to fall within the range of NCII.

**FBI Arrests Glendale Man Accused of Coercing Hundreds of Young Women to Share Intimate Images**

In 2013, a California man was convicted of hacking into hundreds of women’s Facebook, Skype, and email accounts in order to extort them into sending nude images. His 30-count indictment described how through hacking into the victims’ accounts and changing their passwords, he would search for naked or semi-naked photos of them, and also gather information about their friends and family. Impersonating other women or friends of the victims, he would then fraudulently convince them to share additional intimate images. When the women discovered that they were not speaking with their actual friend, he would engage in sextortion to try and obtain more nonconsensual content. In some cases, he would then share their intimate images online if his victims refused to expose themselves to him. With approximately 3,000 photos, investigators estimated that he victimized more than 350 women through this abusive conduct.
Nonconsensual pornography (NCP)

Nonconsensual pornography is another term used in the field, including by some organizations working on image-based sexual abuse. While some lived experience experts use this term as well, there is an ongoing concern that nonconsensual images should not be referred to as a form of pornography. The organization Not Your Porn is named for this very purpose and calls out this concern. They believe in engaging survivors in law and policy while advocating that consent is mandatory both on and offline. The use of the term “pornography” in this context reflects the same concern that exists with terms like “revenge porn.” Like NCII, NCP is meant to be an encompassing term that applies to numerous sub-types of the issue.

Revenge porn

The term “revenge porn” helped galvanize the public’s interest, albeit in only one form of image-based sexual abuse. A common scenario referred to involves former romantic partners revealing intimate photos or videos in response to a relationship ending. There are many laws in the United States designed to address revenge porn both at the national and state level.

However, this is a problematic term for many lived experience experts. “The word ‘revenge’ implies that we, the victims, did something wrong,” one expert shared, “and the word ‘porn’ sexualizes our abuse.” In Mexico, this sentiment was expressed in a widely shared campaign called, “This is not porn, this is not revenge.” Furthermore, this term does not effectively encompass many other types of image-based abuse such as leaked or hacked images, the use of spy cameras, or sextortion.

Lived experience experts sometimes use this term due to its familiarity and widespread use, while also seeking to correct popular misconceptions.

Survivor

In the context of this report, the term “survivor” references anyone who has experienced image-based sexual abuse. Regardless of where they are on the continuum of healing or when their experience occurred, they are surviving. Even those who are no longer with us as a result of image-based sexual abuse are still referred to as survivors, regardless of the aftermath and tragic end of their lives.

Forms of image-based abuse

There are many forms and sub-types of image-based sexual abuse, and the language to describe them continues to evolve, as does the crime itself. The following section outlines a variety of the sub-types.

Artificially altered intimate images

Other term(s): “manipulated images,” “deepfakes,” “cheapfakes”

Deepfakes are images or videos that have been generated or altered through the use of computer software or artificial intelligence tools. In recent years, popular understanding of deepfakes grew with the circulation of computer-generated videos that realistically appeared to show public figures speaking. A significant percentage of deepfakes has been generated as pornographic images, a form of nonconsensual, image-based abuse.

Survivor leaders point out that the term “deepfake” was first used in 2017 by a Reddit user who created an online space to share pornographic videos made with face-swapping technology. For some survivors, the term’s origin inextricably links it to perpetrators of image-based abuse. Furthermore, images that are more easily
created with widely available tools like Adobe Photoshop are often referred to as “cheapfakes,” even though the harm can be just as profound as with a more convincing deepfake images.

Terms such as “artificially altered intimate images” or “manipulated images” are considered more accurate and preferred by lived experience experts.

Sextortion

Sextortion involves threatening to distribute real or altered imagers for the purposes of extracting sexual favors or extorting money. In many cases, abusers already possess intimate or sexually explicit images of the victims and threaten to distribute them to schools, communities, workplaces, family members, friends, or others. People of all ages and genders can become victims of sextortion, which is often used as a tactic of control by sex traffickers or domestic abusers.

Upskirting and Downblousing

Upskirting and downblousing are acts of taking an intimate photo or video of an individual without their consent or knowledge. This most typically takes place in public spaces, such as on public transportation, particularly where there are larger groups of women who will be less likely to notice the crime as it occurs. In many cases, the victim does not know they have been intimately photographed without their consent.

Cyber flashing

Other term(s): “dick pics”. Cyber flashing, often referred to as ‘dick pics,’ is the act of violating an individual’s autonomy and agency by digitally sending a sexually explicit image (often of genitalia, and not always of the abuser) without the recipient’s consent. It is often meant to cause shock or distress and to exert power over recipients who may fear how the abuser’s behavior may escalate in the future. Many survivors of image-based abuse also report having experienced cyber flashing.

Leaked or hacked images

Images that were consensually or nonconsensually created and then retrieved via hacking and leaked online is another form of image-based abuse. This type of abuse has often been associated with celebrities or women and minorities in politics. In 2014, for instance, nearly 250 Apple iCloud accounts of women celebrities were hacked and had intimate images distributed across the internet.
### 3.2 Civil society sources

**Global Review of Civil Society Partners of the Image-Based Sexual Abuse Initiative**

While the number of partners and allies continue to grow, the following breakdown shows the diversity of civil society partners who shared their insights and work with us to help, along with desk research and knowledge from lived experience experts, the bulk of this report.

#### Percentage based on sector (consolidated classifications):

<table>
<thead>
<tr>
<th>Sector</th>
<th>Agencies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direct service (incl. hotline, advocacy, legal aid)</td>
<td>25 agencies = 50%</td>
</tr>
<tr>
<td>Image removal</td>
<td>3 agencies = 6%</td>
</tr>
<tr>
<td>Policy and research</td>
<td>19 agencies = 38%</td>
</tr>
<tr>
<td>Education (incl. fashion)</td>
<td>3 agencies = 6%</td>
</tr>
</tbody>
</table>

#### Geographical breakdown:

<table>
<thead>
<tr>
<th>Region</th>
<th>Agencies</th>
</tr>
</thead>
<tbody>
<tr>
<td>North America</td>
<td>18 agencies = 36%</td>
</tr>
<tr>
<td>Latin America</td>
<td>2 agencies = 4%</td>
</tr>
<tr>
<td>Europe</td>
<td>23 agencies = 46%</td>
</tr>
<tr>
<td>Africa</td>
<td>1 agency = 2%</td>
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<tr>
<td>Asia</td>
<td>3 agencies = 6%</td>
</tr>
<tr>
<td>Oceania</td>
<td>3 agencies = 6%</td>
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