Sexual Image Based Abuse & Under Graduate Student Campus Culture: A Case Study

A CO-CREATED PROJECT

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Place In Historical Context

FUTURE, PAST & PRESENT
GENDER & CONTINUUM

➢ 1 form of a continuum of “gendered, sexualised forms of abuse which have common characteristics” (Mc Glynn et al, 2017) ‘continuum’ builds on Kelly (1988)

➢ Whilst no ‘absolute’ evidence confirming, vast majority accessing support via UK’s RP helpline are women (Govt Equalities Office 2015)
  - women more likely to report & access support?

NB

➢ Large proportion of data published on RP highly focused on offenders, less on victims
  - Statistics related specifically to gender have proved to be scarce: gender of victims NOT routinely collected by agencies in CJS (CPS 2017)

➢ HYPOTHESES
  - We will find/not find explicit/direct link to gender & victim blaming
  - We will find/not find explicit/direct preference given to being a gendered crime
FUTURE

➢ SIBA or ‘image-based sexual abuse’ (coined by McGlynn) definition “non consensual creation &/or distribution of private sexual images” better captures the nature & harms of behaviours & avoids pitfalls i.e. It is abuse not pornography

➢ RP focus is on the perpetrator & SIBA captures broad range of practices & conveys nature & extent of harms suffered by victims/survivors

➢ SIBA includes ‘typical’ RP i.e. consensually taken images hacked or stolen & then shared
  - goes beyond distribution & covers the non-consensual creation of sexual imagery: e.g. photos & videos of ‘up skirting’, other forms of voyeurism & sextortion, recordings of sexual assaults & perpetrators threatening to share images, commonly part of a pattern of coercive behaviour in abusive relationships
  - We add photoshopped images also as SIBA – currently not illegal

➢ NB: Importance of calling out ALL behaviours as part of the VAWG continuum
PAST: BEFORE 2015

- Victims of RP reliant upon imposing supplementary laws

- Relying on this legislation to prosecute perpetrators proved problematic as it failed to protect against 'modern' harassment methods and the psychological effect(s) these behaviours have on victims.

urbandictionary.com (2007) JonasOooohyeah "Homemade porn uploaded by ex girlfriend or (usually) ex boyfriend after particularly vicious breakup as a means of humiliating the ex or just for own amusement"
LAW ON ‘REVENGE PORN’

➢ April 2015: Criminal Offence via Criminal Justice & Courts Act:
  - “sharing of private, sexual materials, either photos or videos, of another person, without consent & with the purpose of causing embarrassment or distress”
  - Up to 2 years imprisonment to disclose a private, sexual image
    - Private: something not ordinarily seen in public
    - Sexual: exposed genitals or a reasonable person would assume is sexual
    - Without the consent of the person in the image
    - With the intention of causing distress
  - Defence if disclosing for purposes of crime, in public interest journalism, image has previously been disclosed for financial gain, secs 33-35

UK UNIVERSITIES TASKFORCE

➢ 2016: UK Universities taskforce set up
  - Requires Universities address all forms of sexual violence & harassment
  - DMU corporate project ‘Mandala’ established December 2016
  - ‘Revenge Pornography is a relatively new phenomenon however it has existed in other forms over many years including being reflected most recently in the emergence of ‘lad culture’ in Universities’ (Phipps and Young, 2015)
  - UUK task force (2017), online harassment & hate crime identified as significant problem for students
    - Recommend “work with relevant bodies such as the NUS, Jisc and Reclaim the Internet to assess what further support is needed”

PRESENT: TODAY
PROJECT/RESEARCH AIMS

➢ Academic studies have focussed on criminalising the actions of RP & victim’s experiences
➢ To investigate:
  - student perceptions of phenomenon
  - whether widespread or a problem amongst the student population
  - awareness of legislation supporting criminalisation & services available both in & outside the University for those experiencing it

Methodology

➢ Informed by a participatory approach (nothing about us without us)
➢ Exploratory Case Study 'snapshot' via Survey
  - Survey Method: questionnaire
  - Qualitative & Quantitative

Sample

➢ Purposive
  - Most likely age group to be online & most likely to be a victim of online abuse (25 for revenge porn) if 18-24 so sampled
  - Personal experience/disclosure not sought

Hypothesis

➢ Students would not know/would dissociate as per notion of public perception
FINDINGS: THEMES

Legislation
Healthy Relationships
Use of Language To Convey Meaning
Online Interactions & Real-life Effects
Coercive Control
publishing nudes or sexually explicit pictures of a partner or ex-partner without their consent after breaking up or being cheated on or wronged in some way

when someone exposes private/indecent photos of videos that may or may not have been taken with consent as a way of getting revenge on a current or ex-partner

IN YOUR OWN WORDS DEFINE WHAT YOU UNDERSTAND BY THE TERM ‘REVENGE PORNOGRAPHY

taking unsolicited & compromising pictures then uploading them in a non-consensual manner in retaliation for something
WHEN SIBA BEHAVIOURS WERE LISTED (e.g. Photoshopping)

➢ Majority of participants (All Faculties) identified it as a form of RP—indicating it’s prevalent enough in their social sphere for them to be able to identify it as a strand (continuum) of the illegal dissemination of explicit images

➢ However, non-consensual creation & distribution of photo shopped images are not currently criminalised

➢ Call for it to be criminalised!

➢ Anon Govt minister claimed images “do not have the potential to cause the same degree of harm as the disclosure of images that record real private, sexual events” (MOJ 2016) Extremely damaging/worrying. Individuals with power to make positive changes in regards legislation are of this view, particularly to those who have been victims!
THEMES

ONLINE INTERACTIONS & REAL-LIFE EFFECTS

➢ Phenomenon appears in (various) different online & offline
- Not merely perceived as online only! See opposite
- Other terms minimize/confuse e.g. sexting
- Our view is this is hate crime & online harassment can be linked regardless

USE OF LANGUAGE TO CONVEY MEANING

➢ Whilst some disassociation of on/off line worlds in language used to describe dissemination was varied
- Publishing, Sharing, Posting, Showing
- Use of (mis)perception of ‘just occurs online’ is ‘posting’ whereas ‘showing’ relates to both on & off line

➢ Half the participants used the terms ‘consent’ or ‘permission’
- current work of Mandala via UUK having an impact
Coercive Control

Explicit images or videos published or shown to others as a means of making someone feel guilt for doing or not doing something”

➢ Both genders of participants used the Term “blackmail” & could be both
  - the threat of distribution if there were a relationship breakdown &/or
  - the potential perpetrator making demands (coercive control Stark 2007)

➢ Mirroring & reproducing of power that occurs in society in intimate relationships implies some level of intimate relationship control is normalised for some men & women in society & within some intimate relationships

➢ Therefore the imbalance of power paired with the inability for the victim to be able to protect themselves within their relationships can be understood as a reason why revenge pornography has become a “fact of life” in the digital age (Hall & Hearne 2017)
*HEALTHY RELATIONSHIPS*

“SIBA is unhealthy & it is healthy to love others”

Healthy relationships prevent it from happening

“Healthy advertisements” & Police listed as a support service(s) outside of university
Mandala listed as support service internal to University
Is it illegal?

I don't know

I am not aware

Data Protection

Human Rights

Sexual Health

Sexual Offences

Hate Crime
TO CONCLUDE
WHAT’S IN A NAME?

➢ Terminology frames options for law reform, alongside playing expressive role in public debate

➢ Major purpose of criminal law is to express societal condemnation of specific activities with the hope of changing people’s behaviour

➢ ‘RP’ is the wrong one - It is not always about revenge! RP covers just one form of SIBA – malicious ex-partner sharing photos/videos without the agreement of their former partner. Many other kinds of SIBA that the law could/should cover

➢ It is not ‘porn’. Labelling of RP as ‘porn’ is salacious, designed to titillate. It distracts Govts, leads to thinking that images must be ‘pornographic’ or ‘obscene’ before being unlawful; or that the perpetrator must be motivated by sexual gratification

➢ It’s not about sex its about power!

WHAT CAN BE DONE? CHANGE THE...

➢ Language!
- Replace ‘RP’ with more accurate & inclusive term SIBA: small (important) step in challenging cultural context conductive to high levels of sexual coercion & violence

➢ Law!
- New law: welcome start, but is it unduly limited & already need reform? Should Parliament have laws to cover all forms of SIBA? civil & criminal remedies, & grant anonymity to all complainants/victims e.g. Remove intention to cause distress requirement (so law covers sharing images for financial gain? ‘laugh’? or from hacked/stolen tech?
- Extend the law to cover reckless intention to cause distress & threats to distribute without consent?
- Ensure creation & distribution of upskirting (!) images is criminalised? (voyarism bill)
- Introduce statutory civil law remedy to provide victims with alternative options? Compensation rather than prison or community sanction for perpetrators?

➢ Prosecute! Police criticised for taking no action following reports (lack of evidence/victim withdrawing support) Our research revealed students have faith in police

➢ Culture!
- SIBA is a form of cultural harm normalising non-consensual sexual activity. Frame as sexual violence
- Social & cultural practices rapidly evolving where tech can play an ever greater role. Opportunity to influence attitudes, ensuring consent, respect & dignity shape our (sexual) lives here!
- National campaigns & properly runned specialist support organisations for victims (& perpetrators) "BEWARE zero sum game. With regard Prevention (attempt to remove stigma) Govt rolled out “b aware b4 u share” (aim = potential perpetrators aware of prosecution, consequences in an attempt to prevent the sharing of explicit images)