

# **Characteristics of reports of the disclosure of private images and social media-enabled domestic harassment offences**

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## **The reporting of online crime**

As reports of online abuse and offences increase, there is a need for more open discussion of the policing and regulation of online spaces, and the support available to victims. Despite growing concern regarding online abuse, and the role of social media and ICT in domestic violence and harassment, little is known about the experiences of victims, including why they opt to report certain cases of online abuse, and which forms of abuse are reported. There is also little known about their experiences with criminal justice agencies and the police.

## **The study**

We analysed the characteristics of 40 reports of online crimes including: 20 reports of the disclosure of private sexual photographs and films with intent to cause distress and: 20 reports of the role of social media in domestic harassment cases. These were reports in which the ‘online flag’ had been applied. As this is a largely understudied area, with gaps in knowledge at the present time, this project sets the scene for further research into victims’ reports of online crime, police recording of these reports, and the support offered to victims.

## **Overlap of offence types – implications for online abuse**

The findings suggest a significant overlap between incidents recorded as online domestic harassment and the offence of the disclosure of private sexual photographs and films with intent to cause distress. In both sets of offences, the victim and offender were known to one another in the majority of offences. In 30 out of the 40 cases analysed the suspect was the ex-partner of the victim. This adds support to McGlynn and Rackley’s (2017) work that suggests that disclosure of private sexual photographs and films with intent to cause distress should be considered as part of a wider focus on sexual and domestic forms of abuse and referred to as ‘image-based sexual abuse’. The benefit of this is that the offence is re-framed as one on the continuum of abuse and sexual violence of which it is usually a part, and make connections with the root causes of these offences which are often located in wider gendered practices of abuse, including victim blaming (McGlynn and Rackley, 2017).

The online forms of domestic harassment, and some of the reports of image-based abuse, that were analysed were often in addition to offline harassment behaviours. This supports the findings of Women's Aid that women harassed online are also often harassed offline and that these behaviours form part of a pattern of coercive and controlling behaviour and should be responded to as such by the police (Hadley, 2017).

### **Offence outcomes**

The domestic harassment offences analysed in this report produced no positive outcomes, even in one instance where the offender had a restraining order preventing him from making contact. Just under half of the online domestic harassment incidents were not taken any further as the victim declined to prosecute. It would be useful to understand their reasons for doing so and to be able to support victims in taking forward a prosecution. Offenders who engage in online harassment often have a history of offline domestic abuse or had targeted other people before, who did not press charges.

### **Use of online platforms and social media**

Facebook was used in the majority of image-based abuse and online domestic harassment offences either to make contact with the victim, to post public messages about the victim, or to distribute images of the victim. There needs to be a way to establish a safe environment and prohibit unwanted behaviours on social media that do not rely on self-policing. Victims are often viewed as solely responsible for their online safety. The focus needs to remain fully on the prevention and sanction of the offender. Nor should the victim be expected to self-exclude, for example expecting a victim to delete their Facebook profile. Social media and the internet is such a central part of people's lives that it is not realistic and its use should not be expected to be restricted for victims (Hadley, 2017).

### **Interpersonal nature of offences**

There was a strong interpersonal element to reports of image-based abuse. Most of the images were circulated via social media and messaging platforms amongst friends and acquaintances of the suspect, and at times friends and acquaintances of the victim also. In one report the distribution of the image was part of domestic harassment by her ex-partner:

*“Suspect is ex-partner has been messaging victim calling her abusive names and making threats to visit her address, he has then changed his profile picture on the*

*mobile application Whatsapp to a photograph of the victim with her breasts on show which was sent to him during the course of their relationship which has caused distress to the victim.” (Crime report 13)*

This demonstrates the close proximity of the victim to, not only the offender, but the recipients of the images/videos also. This can have implications for the harm caused to the victim, and can result in the withdrawing of the victim from social interactions (McGlynn and Rackley, 2017).

### **Going forward – recommendations**

Police crime reports of image-based sexual abuse offences are often inconsistent and incomplete, and key demographic information is missing. We recommend that recording practices regarding forms of online crime must be more rigorous.

The strong interpersonal element to offences which are reported suggest the need to consider how online technologies can further exacerbate or facilitate harassment and domestic violence, also making it easier for offences to be conducted.

Facebook was used in the majority of both reported offences and therefore there is a need to consider further the investigation and reporting of crimes facilitated via this, and other, social media platforms, and how these can be used as evidence.

The study echoes recommendations made by McGlynn and Rackley (2017) who suggests that disclosure of private sexual photographs and films with intent to cause distress should be considered as part of a wider focus on sexual and domestic forms of abuse and referred to as ‘image-based sexual abuse’. The benefit of this is that the offence is re-framed as one on the continuum of abuse and sexual violence.

Women who are harassed online are also often harassed offline and these behaviours form part of a pattern of coercive and controlling behaviour and should be responded to as such by the police (Hadley, 2017). It is important that officers understand the connections between the online and offline forms of behaviour and how they relate to coercion and control. Further training is required for frontline officers regarding the recording and investigation of these offences and the support offered to victims.

Further investigation into how online offences are treated as compared with the offline forms of harassment would be useful, especially the use of Non-Molestation Orders and Domestic Violence Prevention Orders in response to online offences.

Just under half of the online domestic harassment incidents were not taken any further as the victim declined to prosecute. Further research is required regarding reasons for this, and how to better support victims in taking forward a prosecution.

## **References**

- Hadley, L. (2017). *Tackling Domestic Abuse in a Digital Age*. All-Party Parliamentary Group on Domestic Violence. Available at: <https://1q7dqy2unor827bqjls0c4rn-wpengine.netdna-ssl.com/wp-content/uploads/2015/04/APPGReport2017-270217.pdf>
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## **Biographies**

Dr Karen Lumsden is Senior Lecturer in Sociology at Loughborough University. She leads the Policing Research Group and is the Academic Lead of the EMPAC Network – Victims, Witnesses and Public Protection. She is the author of a number of journal articles including in *Policing & Society*, *Theoretical Criminology*, and *Policing*, and books including *Boy Racer Culture* and *Reflexivity in Criminological Research*. You can follow her on Twitter: @karenlumsden2

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