



Women and Equalities Committee

Friday, 24 May 2024

Rt Hon James Cleverly MP, Home Secretary
Rt Hon Michelle Donelan MP, Secretary of State for Science, Innovation and Technology
Rt Hon Alex Chalk MP, Lord Chancellor and Secretary of State for Justice
Dame Melanie Dawes, Chief Executive, Ofcom

[by email]

Dear colleagues,

Non-consensual intimate image abuse

The Women and Equalities has just concluded an inquiry into non-consensual intimate image abuse ('revenge porn'). Non-consensual intimate image abuse is a deeply personal crime. It can have life changing and life-threatening consequences.

During our inquiry, we met with multiple victims of non-consensual intimate image abuse, including campaigner, broadcaster and TV personality Georgia Harrison who gave formal evidence to the Committee. The people we spoke to, and those who provided us with written testimony, described the far-reaching impact that the sharing of non-consensual images online has had and continues to have on their lives, their confidence and their relationships.

We heard from the Revenge Porn Helpline how it dealt with 19,000 cases in 2023, an increase from 1,600 in 2019. It is clear the problem of non-consensual intimate image abuse is getting worse, and it is predicted to continue to do so. We were told that some cases were astounding in their scale, sometimes involving thousands of victims abused by a single perpetrator.

The cases of the individuals we spoke to share a common trait: that even where the perpetrator had been convicted, the content remains online and accessible, preventing them from moving on with their lives. There are many cases where a conviction has not been achieved or even sought, but where the victim just wants the content taken down or blocked without the added trauma of engaging with the criminal justice system. Like those who have sought convictions, they too are being denied that resolution, as far as that is ever possible, due to inadequacies in the current legislative framework.



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I tabled an amendment, in my capacity as Chair of the Women and Equalities Committee, to the Criminal Justice Bill to try and address those inadequacies. NCII content needs to be treated with the same severity as child abuse material, we need legal provisions to allow for the rapid blocking of known NCII content, akin to how child exploitation content is handled, facilitating more immediate and effective responses.

I urge the next Government and Ofcom, as regulator, to take the steps necessary to require platforms remove non-consensual intimate image content and for them to do so as soon as it is reported or discovered to prevent its spread, and for internet service providers to block it.

Cultural abuse

Non-consensual intimate image abuse is not always limited to sexually explicit content. For example, in some cultures, countries or religions, sharing a photograph of a woman without their religious clothing, or with their arm around a man, can be disastrous for the victim. It is essential that any legislative changes refer to 'non-consensual intimate images' and are not solely linked to sexual content.

Police response

Witnesses to our inquiry also drew our attention to the police response to reports of non-consensual intimate image abuse. We heard accounts of victims of this abuse turning to the police for help but finding themselves being dismissed or blamed for what had happened to them by frontline officers. Such actions are deplorable.

In one of the most serious cases discussed with us, multiple police forces had received reports from victims of the same perpetrator but it was only when investigating authorities from outside of the UK—who were looking into offences committed by the perpetrator against their civilians—raised it with the NCA that was action taken against him.

I urge Ofcom to work with the College of Policing to improve the police response to reports of non-consensual intimate image abuse. It should go without saying that any investigation of those reports by the police should include whether other people have been victim to the same perpetrator in other jurisdictions.



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Victim experience of the Criminal Injuries Compensation Authority

Victims of non-consensual intimate image abuse told us they had been advised to apply to the Criminal Injuries Compensation Scheme to get support with the costs of their ongoing counselling but that their applications were refused as the trauma they suffer is not considered to be derived from 'a crime of violence'.

The Ministry of Justice (MoJ), which has policy responsibility for the Criminal Injuries Compensation Authority, consulted on the Scheme in 2020, 2022 and most recently in summer 2023 in response to the final report of the Independent Inquiry into Child Sexual Abuse which recommended that the scope be extended to include forms of child sexual abuse such as online-facilitated sexual abuse. The MoJ is currently considering the responses to those consultations as part of a comprehensive review of the Scheme.

The list of offences which are within scope of the Criminal Injuries Compensation Scheme is clearly out of date. The idea that non-consensual intimate image abuse is not a "crime of violence" is outdated and factually incorrect; crimes perpetrated online, such as non-consensual intimate image abuse, can be just as damaging to a person as those involving physical violence. They can have a catastrophic impact on a person's mental health. It is essential that victims of such crimes are able to access compensation to help contribute to the costs of vital counselling. I urge the Ministry of Justice to extend the scope of the Criminal Injuries Compensation Scheme to allow claims from victims of sexual offences perpetrated online, specifically non-consensual intimate image abuse.

Hashing

In 2021, the Revenge Porn Helpline, operated by SWGfL, launched StopNCII.org, a free 'hashing' tool designed to protect people threatened with non-consensual intimate image abuse. The tool allows individuals to create a digital fingerprint of their content. That fingerprint can then be circulated to platforms and will prevent the associated content from being uploaded to them. Such technology is now protecting nearly 700,000 images. However, just ten platforms have signed up to accept the hashes. Compare this to the over 200 companies that accept hashes of child sexual abuse material from the Internet Watch Foundation.

It is unacceptable that so few platforms receive hashes designed to prevent the violation and humiliation of victims of adult intimate image abuse, not least when they are already able to incorporate similar technologies for preventing the sharing of child sexual abuse material.



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It is obvious to my Committee that accepting hashes is morally the right thing to do, irrespective of whether there is legislation or statutory guidance to require it. It is disappointing that companies, in some cases trillion-dollar companies such as Microsoft and Google, have been unable to make that judgement. Such companies have the means to overcome any interoperability issues which may exist in order to accept the StopNCII.org hashing technology. By not doing so they have chosen instead to allow their platforms to be at risk of being used to facilitate the abuse of vulnerable people.

Any platform or website which facilitates user-to-user contact should incorporate hashing technology to prevent intimate image abuse. As many companies, including some of the largest in the world, have so far failed to do so despite repeated requests, I call on the Government and Ofcom to make accept hashes for adult non-consensual intimate images a requirement of operating in the UK. Ofcom should have the power to impose significant sanctions on individual companies until they meet this requirement, and the ability to do so quickly.

My Committee is immensely grateful to the individuals who shared their experiences of non-consensual intimate image abuse with us. It is not easy to share such personal details of this abhorrent abuse with a parliamentary Committee. The strength and bravery contributors showed in doing so is admirable.

I hope that their efforts will not be in vain, and that the next Government will move quickly to ensure the images that have been shared without their consent will finally be taken down and blocked and that they will be able move on with their lives.

Yours ever,

Rt Hon Caroline Nokes MP
Chair, Women and Equalities Committee

CC by email:

Rt Hon Yvette Cooper MP, Shadow Home Secretary

Peter Kyle MP, Shadow Secretary of State for Science, Innovation and Technology

Shabhana Mahmood, Shadow Secretary of State for Justice