

Image-based abuse

What is image-based abuse?

Billions of images are captured, uploaded online, and distributed electronically every day. The internet not only allows for rapid distribution and sharing, but also creates an irreversible, permanent record of our actions. In Australia, image-based abuse is the sharing of (or threat to share) intimate images without the consent of the person in that image. Many states in Australia have legislation that makes the non-consensual sharing of an intimate image an offence.

In the context of domestic violence, abusers will often share or threaten to share intimate photos or videos of survivors in order to manipulate, punish, or control the survivor. Many of these videos or photos are often posted and shared online to popular social media sites or pornography or “revenge porn” websites.

When posted online, some intimate images include identifying information of the individual, such as their full name, address, phone number, and place of employment or school, which can pose significant risk of further abuse, stalking, and harassment by other perpetrators. Survivors have reported being contacted by strangers asking for lewd sexual favours or for more photos after their picture or videos and personal information have been posted online.

Abusers may also send or threaten to send images directly to friends, family, and others in the community who know the victim via email or texting.

A perpetrator can come into possession of intimate photos or videos in various ways.

- He originally took the photo or video.
- He was sent the photo or video by the person in the video (a selfie).
- He stole the image (by accessing the survivor’s phone or computer).
- He photo-shopped another image to look like the survivor.

Impact on victims/survivors

The effect of this abuse can be devastating, impacting every part of the victim’s life and future. Many victims are re-victimised in their school, workplace, or community and some have attempted or committed suicide as a result. Unfortunately, a significant amount of victim blaming exists in some of these cases, suggesting that the victim should not have shared the images in the first place. Even if the images were obtained without consent or permission (secretly recording someone or recording a sexual assault), the victim’s actions are often questioned. The focus of image-based abuse should not be on the victim’s action, but the distribution without consent by another person.

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Terminology

Image-based abuse is often referred to as “revenge porn” or “cyber harassment.” Other terms used to explain this form of abuse include: exploitation or sextortion, where someone blackmails another person by threatening to reveal explicit images; and e-venge, referring to the electronic distribution.

The current preferred term is “image-based abuse” or “non-consensual distribution of images.” This terminology does not focus on the action of the victim (which can be victim-blaming) or the motivations of the person who shared the image (which is not often revenge), but instead focuses on the lack of consent by the victim in either the recording or distribution of the intimate image.

Further, the images do not have to be sexual or nudes but can be an image that is intimate in nature. Images do not have to show nudity or genitals (which is often the criteria used to determine whether an image is considered pornographic) or be sexual in nature. The term intimate image also encompasses photos or videos that may be intimate based on the victim’s cultural/social background but does not depict nudity or sex.

What can survivors do?

Document what’s happening

For many survivors, their first instincts are to get the images removed from the internet immediately. However, before you do that, consider if you want to document or capture any evidence, so you have a record of what was posted and by whom. This will be important if you decide you want to report it – either to the police, a lawyer, or other reporting processes.

Here are some tips for documenting evidence:

- Capture the URL of where the image was posted.
- If the URL doesn’t include it, identify which website it was posted on.
- If the website shows who posted the image, also capture (by taking a screenshot or screen capture) the name of the person who posted it and any other profile information available about them.
- Try to capture the date/time the image was posted if possible and always record the date the evidence was collected.
- If there is any other related harassment, such as emails or texts, be sure to keep those as well.
- If the abusive person made any statements about posting your intimate image, record that in your documentation log.

Remove the online content

Report to the website

Many major social media websites have a process to remove non-consensual intimate images (see [eSafety’s list of platforms](#) that have formal removal processes). These companies have policies

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that do not allow non-consensual intimate images to be posted on their sites and once reported, the images will be removed. (This is why you want to capture the evidence first before you report it; as once it's removed, you will not have evidence of where it was posted.)

Some websites do not have a reporting process to take down non-consensual intimate images. If this is the case, read their community guidelines or content guidelines to see if they will remove certain content. Some websites will have content guidelines around harassing, abusive, hateful, or harmful content. While they may not have a take-down reporting process, they may allow requests for content removal if you email them or contact them. Some websites will remove content if there is a copyright infringement. This can be helpful if the photo or video was taken by you.

Be wary of websites that require a lot of personal information from you or asks for payment in order to remove the image. While most websites will try to be helpful, some websites may further exploit what happened to you by requesting personally identifying information so they can post it alongside the intimate image or blackmail you for more money to remove the content.

Remove your image from search engines

For some survivors, the biggest worry is that these images will come up if someone searches for them. You can submit a request to [Google](#) or [Bing](#) and ask that they remove the URL links with your image from search results. This way, when someone searches your name, it's not the first thing that comes up.

Report the abuse

Report to the police

One option is to report to the police. It is a Commonwealth offence to use a carriage service to harass, menace or offend; and depending what state you live in, there may also be specific image-based abuse offences. To find out what general and Commonwealth laws may apply, as well as specific state-based image-based abuse legislation, visit the [eSafety Commissioner's Image-Based Abuse website](#). You should also be aware that if the image-based abuse is part of a larger pattern of abuse, there may be other crimes that have occurred as well. Speak to the police about your case and ask what they can do.

Report to the eSafety Commissioner

If you need assistance in reporting to the website or want more information, visit Office of the eSafety Commissioner's [Image-Based Abuse Online Portal](#). This online portal includes information on who to contact to request that your intimate image be removed. You also have the option of reporting to the eSafety Commissioner's office, and they will report the image/video on your behalf. This portal also has a range of information regarding legal and support options. The eSafety Commissioner office may even be able to investigate the image-based abuse and proceed with civil measures to hold accountable the person who posted your image.

Get legal advice

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In some cases, you may want to review your civil options. This may include seeking a protection order or other civil recourse. Contact your local [Community Legal Centre](#), [Women's Legal Centre](#) or [Legal Aid Commission](#) for advice or referral to someone who can help.

Seek support from a domestic violence service

If the intimate image-based abuse is part of a pattern of domestic violence, seek support from a domestic violence service. They can help you with other things that are happening, along with the image-based abuse.

Tech Safety Tips

Here are some tips that may be helpful for your:

- If your photos and videos are automatically uploaded to an online cloud service, check to make sure that those accounts are secure and someone else doesn't know the password. In fact, it is always a good idea to make sure that all your online accounts are secure and that no one else by you knows the passwords.
- Review the privacy settings of your social media accounts, so you know who sees what you share. You may want to review your friends and followers, and if there is anyone you don't want to see your information, you may unfriend them or remove them as a follower of your account.
- Put passcodes on your devices, particularly devices that has photos and videos of you.
- If you feel comfortable, consider creating a Google Alert for your name so that if anything is posted online with your name, you will get an alert. This will be best for someone with name that isn't very common. Also make sure you'll be okay getting an alert, even if that means you'll know each time your intimate image has been re-posted. Some survivors find this helpful to do, while some survivors feel that this can be difficult.

Resources

The following websites may provide more of information about this issue, as well as listings for legal services and other advocacy services that may be able to help.

- eSafety Image-Based Abuse – www.esafety.gov.au/image-based-abuse
- State-specific legal guides for technology-facilitated abuse – <http://www.smartsafe.org.au/legal-guides>
- WESNET Technology Safety – www.techsafety.org.au
- 1800 Respect – www.1800respect.org.au
- National Association of Community Legal Centres – www.naclc.org.au
- Legal Aid – <http://www.nationallegalaid.org/>

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