

REVENGE PORN: The Facts

BE
AWARE
B4
YOU
SHARE

A new criminal offence to tackle Revenge Porn is being introduced in England & Wales as part of the Criminal Justice and Courts Bill.

WHAT IS REVENGE PORN?

Revenge Porn is 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. The images are sometimes accompanied by personal information about the subject, including their full name, address and links to their social media profiles.

The offence applies both online and offline and to images which are shared electronically or in a more traditional way so includes the uploading of images on the internet, sharing by text and e-mail, or showing someone a physical or electronic image.

WHAT WILL THE OFFENCE COVER?

The new offence will criminalise the sharing of private, sexual photographs or films, where what is shown would not usually be seen in public. Sexual material not only covers images that show the genitals but also anything that a reasonable person would consider to be sexual, so this could be a picture of someone who is engaged in sexual behaviour or posing in a sexually provocative way.

WHAT IS CHANGING?

The big change is that there will now be a specific offence for this practice and those found guilty of the crime could face a sentence of up to two years in prison. The new offence is due to come into force in the spring.

Revenge Porn is not new and currently, the Crown Prosecution Service (CPS) prosecutes cases around Revenge Porn using a range of existing laws.

Sending explicit or nude images of this kind may, depending on the circumstances, be an offence under the Communications Act 2003 or the Malicious Communications Act 1988. Behaviour of this kind, if repeated, may also amount to an offence of harassment under the Protection from Harassment Act 1997.

The CPS recently updated its legal guidance in order to clearly set out how such cases should be brought to court under the new legislation. Details can be found on the CPS [website](#).

PUBLIC AWARENESS CAMPAIGN

The Ministry of Justice is launching a campaign aimed at raising awareness of the new legislation surrounding Revenge Porn. The aim of the Be Aware B4 You Share campaign is to:

- Make it clear to potential perpetrators that sharing explicit images, without consent, is unacceptable; it is a crime and will be prosecuted.
- Discourage those thinking that sharing explicit images is a bit of fun by emphasizing the impact that the sharing of private sexual images can have on a victim.
- Advise victims to report the crime to the police.

HOW DOES THIS AFFECT THE POLICE?

As part of the campaign victims will be encouraged to report incidents to the police. Officers may wish to familiarise themselves with the details of the new offence and be prepared for a possible rise in victims coming forward.

WHERE CAN YOU FIND MORE INFORMATION?

For more information, visit:

www.gov.uk/government/publications/revenge-porn-be-aware-b4-you-share

