



End Violence Against Women (EVAW) Coalition Briefing for Second Reading of the Online Safety Bill

19 April 2022

The Online Safety Bill is not equipped to address violence against women and girls

*“The digital dimension of violence against women and girls remains insufficiently addressed. Common shortcomings persist in most domestic laws adopted in this respect. In some countries, **the issue is only partially tackled through the lens of children’s rights and Internet safety**” - Dunja Mijatović, Commissioner for Human Rights*

*“In particular, we have heard about critical issues that need to be focussed on...these include...**key omissions such as violence against women and girls (VAWG)**” – Digital, Culture, Media & Sport Committee¹*

The long-awaited Online Safety Bill, introduced in Parliament on 17 March 2022, is currently unfit to address the pervasive issue of online violence against women and girls (VAWG), despite this being repeatedly committed to as a government priority. The failure of the Bill to mention, let alone comprehensively address VAWG, represents a grave omission in the legislation. Victims and survivors of online abuse are relying on government to take urgent action, in a context where tech companies are currently profiting from their abuse and evading accountability. Over 60,000 people have signed our [online petition](#) with Glitch calling for the Bill to tackle the abuse of women and girls online. **We urge Members of Parliament to attend the Second Reading Debate to recommend amending the Bill to properly address online VAWG.** The piecemeal inclusion of criminal offences of VAWG does not substitute this need.

Background

Over the last year, the issue of violence against women and girls (VAWG) has been at the forefront of the public’s minds and repeatedly committed to as a government

¹ <https://committees.parliament.uk/publications/8608/documents/86960/default/>

priority. This has followed a series of tragic events, including a surge in VAWG for those who experienced 'lockdown' trapped at home with their abusers and widespread coverage of the murder of Sarah Everard by a Metropolitan Police Officer, Sabina Nessa, and many others. We know however, that abuse cuts across women and girls' everyday lives, and we cannot hope to end violence against women and girls without any major action to combat the abuse that takes place online. **There is a consensus among expert VAWG organisations that the Bill in its current form is not equipped to address this pervasive problem.**

VAWG perpetrated in the digital sphere has a serious impact on women's and girls' lives, including psychological and physical health, their livelihoods, their physical safety. It also has severe implications for women's participatory rights online, silencing their voices and reducing their perspectives in public debate. Many MPs have borne witness to the significant abuse faced by women MPs in Parliament. The statistics below highlight how prevalent online abuse is for women and girls:

- **1 in 5** women have experienced online abuse²
- **71%** of girls and young women aged 7-21 years old have experienced online harms in the past year³
- Women are **27x** more likely than men to be harassed online⁴
- **85%** of women who experienced online abuse from a partner or ex-partner said that it was part of the pattern of abuse they also experienced offline.⁵
- Sexism and misogyny often intersect with other forms of discrimination. For example, research shows that black women receive the most abuse from strangers on social media⁶

In 2021/2, ERAW joined a coalition of 14 women's expert groups and academics to produce a [briefing](#) with 8 key recommendations to ensure that the Online Safety Bill adequately addressed gender-based violence. Only one of these has been taken forward. The introduction of new criminal offences for cyber-flashing and rape threats, whilst welcome overall, do not substitute the need for the Bill as a whole to reflect a gendered analysis of online abuse, with VAWG named on the face of the Bill. The result is a Bill which does not adequately reflect those disproportionately affected by harm online or how abuse online intersects with other forms of violence against women and girls. The Bill also does not provide for people who may experience abuse on the basis of overlapping protected characteristics.

² Amnesty International UK (2017) Online abuse of women widespread in UK <https://www.amnesty.org.uk/online-abuse-women-widespread>

³ <https://girlguiding.foleon.com/girls-attitudes-survey/2021-report/online-and-social-media/>

⁴ European Women's Lobby (2017) Her Net Her Rights – Mapping the state of online violence against women and girls in Europe

⁵ Women's Aid (2021) Research on Online Domestic Abuse <https://www.womensaid.org.uk/information-support/what-is-domestic-abuse/online-safety/>

⁶ Amnesty International (2018) Troll Patrol Findings: Using Crowdsourcing, Data Science & Machine Learning to Measure Violence and Abuse against Women on Twitter <https://decoders.amnesty.org/projects/troll-patrol/findings>

4 key reasons as to why the Bill fails to address online violence against women and girls:

1. **Violence Against Women and Girls is not named on the face of Bill.** Government claims it can be addressed through accompanying guidance. Compare this with 'Fraudulent advertising' for example, which is both named on face of Bill *and* listed as one of the codes of practice. In fact, the Bill does not even mention women, girls, gender or sex, let alone have any gendered analysis, including in its content around children.
2. **There is no guarantee within the Bill that VAWG will be included in list of 'legal but harmful' content in secondary legislation.** At this stage, government has only suggested that 'misogynistic abuse' may be listed in secondary legislation.⁷
3. Even where there are new criminal offences related to VAWG, such as cyber-flashing, **these have been drafted in such a way which is against the advice of VAWG sector organisations.** i.e. it will only be considered an offence if it can be proven that the sender had particular motives, such as causing distress, alarm or humiliation, rather than being based on whether the sender had the consent of the recipient. The motivation of those who perpetrate this abuse is incredibly hard to prove and is a higher threshold than for other criminal offences.⁸
4. **The content of the Bill is not tied in any way to broader human rights frameworks or conventions on violence against women and girls,** such as the Istanbul Convention⁹ or the Convention on the Elimination of All Forms of Discrimination against Women. We do not believe that the same tech companies currently profiting from online VAWG will be held properly accountable for their actions to address VAWG, without any such guiding frameworks.

The right to be safe from threats and violence applies equally online and offline. In its current form, the violence against women and girls sector's assessment is that this Bill is not adequately equipped to protect women and girls from abuse online. We urge government and MPs to work with VAWG sector organisations, experts, victims and survivors to change this.

For further information about this briefing or to discuss amendments to the Bill, please contact janaya.walker@evaw.org.uk

⁷ The government factsheet states that priority categories for "legal but harmful" content "is highly likely to capture misogynistic abuse."

<https://www.gov.uk/government/publications/online-safety-bill-supporting-documents/online-safety-bill-factsheet>

⁸ Please see written supplementary evidence from Professor Clare McGlynn:

<https://committees.parliament.uk/writtenevidence/41308/pdf/>

⁹ The Istanbul Convention is the Convention on preventing and combating violence against women and domestic violence, the most comprehensive legal framework that exists to tackle violence against women and girls, covering domestic violence, rape, sexual assault, female genital mutilation (FGM), so-called honour-based violence, and forced marriage. The UK government has been a signatory to the Convention since 2012.