2018
Establishment project of international solidarity for victim support

one small step for Korea,
one giant leap for the world.

Against Cyber
Gender based violence United

한국을 위한 작은 발걸음, 
세계를 위한 큰 도약

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한국여성재단이 후원하는 사업입니다
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a. History and Mission

The Revenge Porn Helpline was launched in February 2015 with the specific mandate of assisting and advising people who have been the victim of revenge pornography. The Revenge Porn Helpline is the only dedicated service providing support and advice to victims of non-consensual sharing of intimate images in the UK. The Helpline is provided by South West Grid for Learning (SWGfL) Trust, a not-for-profit charitable trust providing schools and other establishments with safe, secure, managed and supported connectivity and associated services, learning technologies to improve outcomes, and online safety solutions. SWGfL is a world leader in online child safety, a founding member of the UK Council for Child Internet Safety as well as an advisor to Governments and the lead partner in the UK Safer Internet Centre. The Helpline offers practical assistance in reporting and removing content online, provides coaching and advice on how and when to gather evidence and approach the authorities, and signposts clients to other support services that may be helpful, for example, domestic abuse services, stalking services, specialist support for Muslim or LGBT clients or, where necessary, referral to free legal advice via our partners at the SPITE project run by the Legal Advice Centre at Queen Mary University of London. Owing to the expertise within the Helpline’s parent company, South West Grid for Learning, the Helpline team has immediate access to some of the UK’s most respected Online Safety Professionals, including personnel from two Police Forces, a Magistrate, Educators and Social Workers. This ensures that the advice provided to clients is robust and at all times accurate. Since launching in February 2015, the Helpline has received over 7,000 contacts from people seeking support and have been instrumental in changing legislation and policy within both Government and the internet industry.
b. How do you define and categorize sexual violence in cyberspace?

Revenge porn, otherwise known as image-based sexual abuse, involves intimate content being shared without an individual’s consent in order to cause them distress. The law defines intimate as being completely nude or overtly sexual, and not something ordinarily seen in public. Victims are often targeted maliciously and content can be linked to their social media accounts or personal identification, and sometimes sent to people they know, such as family or a work colleagues.

c. Please feel free to introduce other terminology you have created and used that best portrays your perspective on this issue.

The following definitions are not of those which we have personally created ourselves but are used widely around the issue of revenge porn and we have found useful to become familiar with:

**Sexting:** Sending (someone) sexually explicit photographs or messages via mobile phone.

**Extortion:** The practice of obtaining something, especially money, through force or threats.

**Sextortion:** A form of sexual exploitation that employs non-physical forms of coercion to extort sexual favours from the victim. Also refers to a form of blackmail in which sexual information and images are used to extort sexual favours from the victim.

**Coercion:** The action or practise of persuading someone to do something by using threats or force.

**Blackmail:** The action treated as criminal offence, of demanding money from something in return for not revealing compromising information which one has about them.

**Grooming:** When someone builds an emotional connection with a child to gain their trust for purposes of sexual abuse, sexual exploitation or trafficking. Children and young people can be groomed online or face-face, by a stranger or by someone they know - for example a family member, friend or professional.

**Trolling:** Sending abusive, menacing or upsetting messages or threats on social networks, email and chatrooms.

**Baiting:** Humiliating peers online, by labelling them as sexually promiscuous.

**Spamming:** Where offenders send victims multiple junk emails or viruses.

**Hacker:** Hackers are people who gain unauthorised access to data, remotely, using a computer or mobile devices.
d. By what means do you believe sexual violence in cyberspace can end?
- Stronger recognition of issues of image based abuse and subsequent consequences on mental health within UK government law.
- Increase the knowledge and understanding of UK police forces in issues of internet safety and image based abuse to ensure all victims can receive the best possible outcome of cases and are given correct and up to date advice. A large proportion of cases we see do not end in prosecution of the perpetrator, this is due to several factors including victims are often be too traumatised to go the police, wanting to just forget about the whole experience and move on, which they have every right to. Other factors that make it harder for victims to pursue prosecution can include a lack of evidence, limited police understanding and the current inability to stay anonymous throughout proceedings (as is the case with generic sexual abuse cases).
- Education of children and younger generations of how to keep safe online and the dangers of sharing images or talking to unknown people.
- Strengthen policy of internet platforms where non-consensual images and videos are shared and create easy and non-distressing ways for victims to take down their own content.

e. What kind of support do you provide to your clients? If there is any statistics regarding your victim support, please share with us.

The type of support offered to victim contacting the helpline ranges from general information to practical advice and emotional support, depending on the scenario. The advice is clear and supportive and includes how to block emails and the legal implications of the situation. The practical advice also includes encouraging victims to take screenshots and to keep copies of emails, threatening texts and messages on social media.

Helpline practitioners are enabled to request or advise clients how to take down any content from multiple sites online or social media platforms. Whilst there are no guarantees, we are viewed as trusted flaggers by many of the websites where this kind of content is uploaded and as a result have a very good success rate with removals. The Revenge Porn Helpline has a strong relationship with the major social media platforms including Facebook.

Most clients who contact the Helpline are seeking practical advice on topics such as how to remove content or what their legal rights are. The Helpline is perfectly placed to be able to respond to these types of cases. Victims contacting the helpline often approach us
distressed, panicked and concerned, we offer immediate emotional support through reassurance and a non-judgemental and confidential space to discuss the issue and potential resolutions. The helpline does not currently have the resources or capacity to offer long term support to clients, instead we signpost to other services that they can contact to receive the support that is most often required.

f. What limitations do you face when supporting victims?

Looking beyond the Helpline’s current scope, it does receive calls from clients who are seeking emotional support; counselling support is something the Helpline does not currently offer. Sometimes cases involve post-traumatic stress or suicidal thoughts and again the Helpline is not equipped to provide this and if a client shows emotional trauma or says they are suicidal, the only option available is to suggest they talk to their GP or call Samaritans. This does not feel adequate. It takes our clients a huge amount to open up and talk about their circumstances, often under deep shame and embarrassment, if not even the threat of further exposure or physical harm then it is unlikely they will be able to repeat the process a second time.
2. National status quo

a. What are some major incident(s) that brought this issue of cyber sexual violence to surface? Please portray notable incident(s) in your nation that are worth sharing globally.

The affordances and interoperability of mobile internet technologies has enabled the easy photographing and filming of both the self - the selfie - and others in previously private spaces, which can be quickly made public at a click or the touch of a screen. Due to social media apps on the rise, there are more avenues for people to submit nudes and pornography with personal information and profiles attached. Many websites and apps are anonymous, making it more difficult to pinpoint the actual offender. What is also disturbing is that many of these websites will charge fees to have these devastating pictures removed.

Here are some of the more common types of cases seen on the Helpline:
- Abusive ex shares, or makes threats to share, images
- Celebrity or high profile person deliberately targeted
- Extortion - organised crime, financial motivation from known person, for additional material by known person
- New female partner finds content of ex female partner and posts them as revenge
- Extra marital affairs are uncovered and any shared images are used to name and shame both parties
- Photoshopped images are produced and uploaded to porn sites, often within ethnic minority groups where “real” sexual content doesn’t exist: the pseudo images are sufficient to cause significant harm.

Linked behaviours:
- Domestic Abuse
- Stalking/harassment
- Bullying
- So called ‘Honour Crimes’

b. How would you assess your country’s public awareness with regards to this issue?

Bothamley & Tully (2017) conducted an online survey of 168 adults within the UK general public, to understand the public perception of revenge pornography and victim blaming. Findings of this survey implicated that the general public recognise revenge pornography as an offence and believe there are further consequences of the crime of long term
psychological harm and being in fear. This shows there is awareness for the effect on the victim and recognition of the issue within the UK. However significant difference was shown in perception between males and females. Men were more likely to blame the victim than women, and women rated police intervention significantly more necessary than men. Overall, the research concluded that the public perceptions on Revenge Porn do not follow the same patterns of perception as do other more established crimes such as Rape and Stalking. Victims of revenge pornography and image based abuse are not generally blamed and there is a good understanding of the fear and mental health issues experienced by victims as a consequence.

c. In your country, how are the two concepts, misogyny and internet freedom, intersected in relations to this issue?

Since the rise of technology and development of social media platforms, the ability to share images, videos and opinions is following an exponential trend. Subsequently, there is a growing concern about the disproportionate levels of gender based online abuse experienced by women (Ging & Siapera, 2018). With more avenues and availability of ‘internet freedom’ becoming accessible to the general public the likely trend will follow that of higher report rates of revenge porn to the helpline. We currently see a higher amount of cases from women than men, but it is not an issue exclusive to misogyny.

d. Are there any organizations in your country, either governmental or nongovernmental, that actively deals with cyber sexual violence and maintains cooperative relationship with you?

The Revenge Porn Helpline is a member of the Cyber Enabled Blackmail Working Group; this is a closed group managed by the UK National Crime Agency, which has membership from industry and the four UK Police Forces. The purpose of the group is intelligence sharing, to inform global efforts on “sextortion” and to raise awareness of the issue. The group collaborated on a social media campaign aimed at 17-24 year old males [http://www.nationalcrimeagency.gov.uk/news/960-help-available-for-webcam-blackmail-victims-don-t-panic-and-don-t-pay](http://www.nationalcrimeagency.gov.uk/news/960-help-available-for-webcam-blackmail-victims-don-t-panic-and-don-t-pay)

Other organisations working with the same client group includes, but is not limited to:
- Women’s Aid
- Stalking Helpline
Specialist services such as Galop (Broken Rainbow Helpline), Karma Nirvana, Muslim Women and Girls network, Kurdish Women’s Support are also essential services for our client group.

e. What have government and congress done in your country to end cyber sexual violence? What do you hope they could do?

Revenge pornography is defined by the Ministry of Justice as: 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 new offence, including defences, is at section 33 of the Criminal Justice and Courts Act 2015. The offence is triable either way and punishable with a maximum sentence of 2 years’ imprisonment. Section 33 of the Criminal Justice and Courts Act 2015 creates an offence of disclosing private sexual photographs or films without the consent of an individual who appears in them and with intent to cause that individual distress.

According to the Ministry of Justice the offence applies both online and offline and to images which are shared electronically or in a more traditional way. This includes the uploading of images on the internet, a social media site, sharing by text and email, or showing someone a physical or electronic image. However, it should be noted that the offence came into force on 13 April 2015 and can only be committed if the disclosure took place on or after this date. The legal implications of sexting, more commonly associated with young people, are more established. Yet, in spite of anti-sexting campaigns over the last five years making it likely that most adolescents are aware of the potential severe legal consequences of sexting, they are still choosing to produce them. Sexting behaviours in relation to adults are, however, often overlooked in both media and policy discourses yet it is increasingly becoming a notable aspect of both romantic attachment and sexual attraction in contemporary adult relationships.
f. What are existing laws in your country that are related to cyber sexual violence (nonconsensual pornography / sextortion / deepfakes / cyberbullying)? What do you think is the major problem of current laws and how can it be complemented / fixed?

Offline Sexual Offences: The Sexual Offences Act 2003 covers the non-consensual offences of rape, assault by penetration, sexual assault and causing a person to engage in sexual activity without consent. It covers child sex offences and offences involving an abuse of a position of trust towards a child.

Computer Hacking and Sextortion: The Computer Misuse Act (CMA) (1990) is the main piece of UK legislation relating to offences or attacks against computer systems such as hacking or denial of service. Sending a communication that is grossly offensive, indecent, obscene, conveys a threat or is false.

Section 127 of The Communications Act (2003) makes it an offence to send through a ‘public electronic communications network’ a message or other matter that is ‘grossly offensive’ or of an ‘indecent, obscene or menacing character’. The same section also provides that it is an offence to send or false message ‘for the purpose of causing annoyance, inconvenience or needless anxiety to another’. The offence is summary-only, with a maximum penalty of 6 months’ imprisonment.

Sending a communication that is grossly offensive, indecent, obscene, conveys a threat or is false, with intent to cause distress or anxiety.

Section 1 of The Malicious Communications Act 1988 makes it an offence for a person, with the intention of causing distress or anxiety, to send certain items to another person which convey an indecent or grossly offensive message or are themselves of an indecent or grossly offensive nature, or which convey a threat or information which is false and known or believed to be false by the sender.

Stalking and Harassment: Stalking and harassment offences are under The Protection from Harassment Act 1997. It makes it an offence for a person to stalk, harass, or intent fear of violence or serious alarm or distress.
g. In your country, what is the conventional amount of sentence for perpetrators of cyber sexual violence (mainly for distributing nonconsensual pornography)?

According to the Crown Prosecution Service (CPS), revenge pornography is an offence under Section 33 of the Criminal Justice and Courts Act 2015 and carries a maximum sentence of 2 years’ imprisonment.

h. What do you believe are the problems of the law enforcement of your nation regarding this issue?

Whilst cases of revenge pornography are beginning to be brought to court, victims are very often unaware that an image or a video has been posted of them. Sometimes images are online for a considerable time before victims are aware of them. During that time images are often reposted to multiple sites or copied to other social media before the victim is able to report the image and request or attempt to get it removed. Many victims may also be unaware of the new legislation designed to protect them and that other aspects of legislation may also be helpful.

The current UK law does not provide victims of revenge porn with anonymity in court. It is believed that 1 in 3 allegations of revenge porn are dropped. An petition to change the law has been launched by the North Yorkshire Police and Crime Commissioner, Julia Mulligan, who has asked for anonymity for victims, the same as in sexual offence cases. The petition, which has received over 15,000 signatures, states: “We want the Government to close the legal loophole which means there are currently no laws to stop media outlets naming victims, including the coverage of court cases. We believe that victims of revenge porn should have the same rights as victims of other types of sexual assault and have their identity protected by law.”

i. What is the procedure in the criminal justice system that one has to go through when one experiences cyber sexual violence in your country?

- Contact police, either via the 101 non-emergency number or log report at local police station.
- Police will choose to investigate the case or not.
- Crown Prosecution Service (CPS) make final decisions on whether to charge the offender.
- A person found guilty of this offence may face a fine or even imprisonment.
j. What is the procedure of receiving request of international coordination from foreign law enforcement?

We are only funded to support victims who are based in the UK and do not have the expertise to advice on law and practice in other countries. If able, we try to signpost a client not from the UK towards information and advice regarding their countries own laws.

References:

Debbie Ging & Eugenia Siapera (2018) Special issue on online misogyny. Feminist Media Studies, 18:4, 515-524
1. Organization

a. History and Mission

In August 2012, after struggling and hiding for three years as a victim of the NCP, Holly Jacobs, Ph.D., began the End Revenge Porn (ERP) campaign. Initially launched as a website that collected signatures in favor of criminalizing NCP, ERP eventually grew into a hub where victims could get information about NCP, receive support from other victims and victim advocates, be referred to pro or low bono services to help them regain control of their search results and lives, and support the passage of legislation against NCP.

A year after ERP’s inception, in August 2013, Dr. Jacobs optimized the work she had achieved through ERP and incorporated it into the Cyber Civil Rights Initiative (CCRI). Today, CCRI is a 501(c)(3) non-profit organization serving thousands of victims around the world and advocating for technological, social, and legal innovation to fight online abuse.

b. How do you define and categorize sexual violence in cyberspace?

Nonconsensual pornography (NCP): the distribution of private, sexually explicit images of individuals without their consent.

Recorded Sexual Assault (RSA): the image or video capture of a sexual assault, typically by a rapist, to further humiliate a victim and/or discourage them from reporting the crime.

Sextortion: the act of threatening to expose a nude or sexually explicit image in order to get a person to do something such as share more nude or sexually explicit images, pay someone money, or perform sexual acts.

c. Please feel free to introduce other terminology you have created and used that best portrays your perspective on this issue.

The term “revenge porn,” though frequently used, is somewhat misleading. Many perpetrators - nearly 80% according to a 2017 nationwide CCRI study - are not motivated by revenge or by any personal feelings toward the victim. A more accurate term is
nonconsensual pornography, defined as the distribution of sexually graphic images of individuals without their consent. This includes both images originally obtained without consent (e.g. by using hidden cameras, hacking phones, or recording sexual assaults) as well as images consensually obtained within the context of an intimate relationship.

Nonconsensual pornography transforms unwilling individuals into sexual entertainment for strangers. A vengeful ex-partner or opportunistic hacker can upload an explicit image of a victim to a website where thousands of people can view it and hundreds of other websites can share it. In a matter of days, that image can dominate the first several pages of “hits” on the victim’s name in a search engine, as well as being emailed or otherwise exhibited to the victim’s family, employers, co-workers, and peers.

d. By what means do you believe sexual violence in cyberspace can end?

Public Education & Awareness: CCRI works to raise awareness and educate the public on NCP. In addition to posting information about NCP (e.g., applicable laws, resources for victims, blog posts, infographics) on our website, CCRI’s board members and staff give presentations about NCP at universities and conferences, participate in media interviews, teach Continuing Legal Education classes on NCP, contribute to documentaries on NCP and online harassment, and write op-eds for such media outlets as The Guardian, CNN, The Washington Post, The Atlantic, and The Huffington Post.

Work with the Tech Industry: CCRI works with tech industry leaders such as Twitter, Facebook, and Google regarding their policies against NCP. CCRI works to encourage companies to develop design-based solutions to NCP and other forms of online abuse. In 2015, several major companies announced the banning of NCP from their platforms and the implementation of reporting procedures to investigate complaints.

Legislative Support: In order to prevent NCP from happening to others in the future, CCRI supports the implementation of stronger laws that define and protect against NCP that also respect freedom of speech. CCRI’s Legislative and Tech Policy Director, Prof. Mary Anne Franks, provides consultative research support to legislators and their staff while they are drafting legislation. CCRI’s coverage in the media drives legislators to reach out to CCRI for input on their bills. Other times, constituents, who have read our “Educate Lawmakers” page, which provides individuals with instructions on how to contact their legislators and urge them to pass laws against NCP in their state, increases the awareness of legislators who then reach out to CCRI. This demand-driven approach ensures that lawmakers know that a
NCP law matters to their voters and is not just the soapbox of another non-profit.

**Legal Research:** Our consulting work with legislators and interviews with the media concerning NCP legislation is greatly supported by CCRI’s legal research. To date, CCRI’s research has consisted of the information contained in the “Guide for Legislators”; model state, federal, and civil laws against NCP; a comprehensive infographic that outlines the anatomy of an effective NCP law; a list of states with NCP laws; and a list of ancillary laws.

e. What kind of support do you provide to your clients? If there is any statistics regarding your victim support, please share with us.

**Victim Services:** CCRI provides emotional support, technical advice, and information to current victims of online abuse. Victims can reach out to CCRI through the Helpline or our website and receive support from a Helpline Counselor or a Victim Support Specialist. CCRI’s Helpline (844-878-CCRI) provides access and communication to victims of nonconsensual pornography (NCP) 24 hours a day, seven days a week, providing the urgent support they need when their incident occurs. CCRI also provides victims—those referred from the Helpline, who contact CCRI through its website, and who are referred through a personal connection—with one-on-one support via email and phone. One-on-one support offers the victim the opportunity to get more in-depth support than the Helpline can provide and allows them to speak to the same person each time. (Victims who call the Helpline may speak with different counselors each time, which can be difficult for victims, who must recount their story each time and/or who have difficulty trusting new people.)

Our 2017 nationwide study found that 1 in 8 American social media users have been targets of nonconsensual pornography. Women were significantly more likely (about 1.7 times as likely) to have been targets of NCP compared to men.
2. National status quo

a. What are existing laws in your country that are related to cyber sexual violence (nonconsensual pornography / sextortion / deepfakes / cyberbullying)? What do you think is the major problem of current laws and how can it be complemented / fixed?

   Civil and Copyrights remedies: Civil suits are costly, time-consuming, and often draw further attention to the offending material. Most suits stand little chance of success because so many defendants are judgment-proof - that is, they don’t have the financial resources to satisfy a judgment. In addition, many websites and social media sites are protected from civil liability by a federal law known as the Communications Decency Act §230, which provides immunity to online intermediaries for material posted by third-party users.

   While §230 does not bar copyright claims, copyright actions are often no less onerous than tort actions. Also, victims cannot bring these claims if they were not the person who took the picture or video because they would not be the copyright owners.

   The ever-increasing number of revenge porn sites and victims strongly indicates that the threat of civil or copyright actions is not an effective deterrent against nonconsensual pornography.

b. What is the procedure in the criminal justice system that one has to go through when one experiences cyber sexual violence in your country?

   Before 2013, only three U.S. states had criminal laws directly applicable to nonconsensual pornography. As of January 2018, that number is 38, plus Washington, D.C. Most of these laws were drafted in consultation with the Cyber Civil Rights Initiative.

   In addition to working with state legislators, the Cyber Civil Rights Initiative has worked with the office of Congresswoman Jackie Speier (D-CA) and Senator Kamala Harris (D-CA) on a bipartisan federal bill addressing the issue. Originally titled the Intimate Privacy Protection Act (IPPA) and introduced in July 2016, it was re-introduced as the ENOUGH Act in November 2017. Its status is pending.

   Laws prohibiting stalking and harassment often only apply if the victim can meet the heavy burden of showing that the nonconsensual pornography was part of a pattern of conduct directed at the victim with intent to distress or harm. Such laws do not apply to perpetrators careful enough only disclose an intimate image once - though in one of the most public and permanent ways possible - or those motivated by a desire for money or
notoriety rather than revenge.

Many states' voyeurism laws have not been updated to reflect current technology, so that they may not apply to images obtained by “upskirt photos” or hidden cameras. Even updated anti-voyeurism laws generally apply only to victims whose images were originally obtained without consent, not images consensually obtained for private use by an intimate partner.
1. Organization

a. Tell us why your organization was founded and some of your milestones.

Hello to those from Korea, Taiwan, US and Australia. PAPS (People Against Pornography and Sexual Violence) is an organization, founded in 2009, that focuses on the harms and sexual violence from pornography. We hold a symposium every fall that highlights issues related to the harms and human rights of minors through pornography, and prostitution industry. We are also involved in raising social awareness through research and publication, and began providing consultation and counseling in 2012. There was only a single case in the beginning—an actress was sued by her agency with a claim for damages when she refused to work on a porn. We helped her win the case in 2014 and the number of cases grew exponentially since. From April of 2015 to August of 2017, we provided consultation together with Lighthouse, Center for Human Trafficking Victims. We became an independent organization in August of 2017 and registered as an NPO Corporation in November the same year.

b. How does your organization define and classify cyber sexual violence?

I’d like to discuss the harms of pornography. When we say ‘porn’s harms’ people often respond, ‘Is it not a hobby or a taste of an individual and not really anyone’s problem?’ or ‘It may bring up the question of moral values but that’s so by the book. It’s not like there’s a victim.’ But is that really true?

Our world overflows with pornographic elements. Ads in subways, signboards and fliers on the streets, articles on prostitution in men’s magazines that we often encounter in subways, porn ads on the internet and spams from prostitution industry, porn magazines in convenience store and so on.

Minors in Japan are exposed to such environment and many of these pornographic products dehumanize girls as sexual objects. How about adult females? Is it alright to make them the subjects of such products? Countless pornographic products expose women to
indisputable abuse and describe sexual crimes as fun games.

We often read about crimes that were the result of exposure to porns on newspapers and the internet. Taking sneak photos up random strangers’ skirts and creating and selling child pornography continue to take place. “Revenge porn” is a term that’s often seen these days which refer to ex-boyfriends or ex-husbands spreading sexual photos or videos of their ex-partner. A male perpetrator of revenge porn in Japan, who was also stalking his ex-girlfriend, ended up murdering the victim. Also, although it’s not always reported via media, too many women and minors are exposed to porns at work, home, schools and other places against their will, and are even forced to mimic pornographic performances in real settings.

The production, distribution, sales and social existence of pornography is socially damaging, and we specify and call the harms ‘porn’s harms.’ Such sexual harms and violence are more widespread and deep-rooted than what most may realize.

c. Share with us expressions/terms that may better describe your organization’s viewpoint in regards to cyber sexual violence.

We recognize five types of porn’s harms.

1. **Production harms**: Harms that occur from instances such as being forced to perform in violation of terms and agreement, exposed to violent and dangerous scenes, surreptitiously captured on camera victims’ nude body and sexual acts without consent, and filmed a sexual assault without consent.

2. **Distribution harms**: Harms victims are exposed to when the above-mentioned products are distributed, when sexual photos and videos that two people in relationship shared are made public against one party’s will, or when sexual photos or manipulated photos are circulated for the purposes of bullying or revenge.

3. **Consumption harms**: Harms from sexual harassment and violence perpetrated by someone influenced by porns, such as forcing others to watch porns at home or work, or forcing others to mimic porn performances.

4. **Social harms**: Harms from encountering porn products at random public places such as subways to cause emotional pains (harms from porn-abundant environment), and harms to women’s dignity and social standing due to endemic porn products presenting women as objects of sexual consumption.

5. **Existence harms**: Harms victims are exposed to when their nude photos or videos are in
possession of a third party to be consumed for their own pleasure, or when such materials are abused for blackmail or as sexual harassment.

d. What does your organization believe is the key to eradication of cyber sexual violence?

A change of perspective. This issue is not about obscenity but human rights. There are victims from commercial pornography who were actually sexually assaulted, beaten, vomited upon, tortured or insulted. Some are coerced into performing for pornos due to swindle or threats. This is what we call ‘production harms.’

Victims from ‘distribution harms’ are reduced to objects of entertainment when produced contents are released without their consent. And there are victims that are forced to recreate scenes from pornos, made to watch pornos every day, and sexually assaulted and harassed like pornographic performances, “consumption harms.”

There are children and teens who are treated as sexual objects by adults affected by pornos. Victims of ‘social harms’ are exposed to gender-biased contents against their will, and their rights to equal treatment are violated as their sexual dignity is undermined as women or sexual minorities. Victims of ‘existence harms’ are consumed by fear and shame, as they survive through each day.

They exist. They live in the same world everyone else. These are not just some concepts but specific harms that living humans are made to endure. When victims exist, efforts to prevent such harms from recurring and to aid them should follow. A concept of human rights that can help us recognize a harm done as a harm is necessary.

That’s why we advocate new human rights concepts of “sexual personal rights” and “rights to sexual equality.” These basic concepts of sexual human rights will help us find a way to deal with not only porn’s harms but also other harms from sexual violence.

Why is sexual violence a crime so unforgivable? Because victim’s chastity is compromised? Because the victim was not rewarded for the labor? No. Sexual violence is appalling because it can significantly destroy and violate one’s sexual personal rights and dignity. It also degrades a social group of women as a sexual subordinate and subjugated class. Sexual violence violates the rights to sexual equality for the group of women, the rights to be treated as equal persons.

When someone is harmed by porn, one’s sexual personal rights were violated as an individual and one’s rights to sexual equality were violated as a woman. Such perspective should be educated, legally institutionalized, reflected in building victim support system and
rehabilitation and education system for criminals, and used in establishing comprehensive measures.

I’d like to touch upon the education aspect in particular. In society that’s experiencing an inundation of distorted sexual information from porns, proper education on gender equality and sex can be most effective to prevent impoverishment of sex and to advocate human rights mentioned before. “Comprehensive sexuality education (CSE)” that can be applied not only in school but also in many situations in life is sorely missed to help recognize sex from the perspective of science and human rights, and independence and symbiosis. CSE aims to develop effective sexual self-determination for all sexual contexts and is different from ascetic or moral sex education as its aim is more practical.

CSE is based on following ideas.
1. Nurture attitudes that respect others’ and one’s own human rights and that promote equality and inclusion.
2. Provide multifaceted sexuality education, consistent with the sexual development of young people.
3. Help young people develop sexual self-esteem and decision-making abilities.
4. Teach specific issues such as reproductive health, contraception, pregnancy, childbirth, sexual exploitation, sexual violence and sexually transmitted infections, including HIV.
5. Foster respect for sexual minorities’ rights and diversity.
6. Offer measures and support for the underaged who were exposed to sexual harms or who went astray from sexual norms.

In other words, the view of sexuality or womanhood is at the far end of the spectrum from pornography which denounces women as means to handle sexual urges.

e. What support do you offer to victims? Please share statistics or figures related to such aids, if there are any.

Since 2012, PAPS began offering consultation service and counseling to women whose lives were significantly damaged by porns and wanted undo the harms. We helped them be heard and have been successful. Many, after long silence, are speaking out one by one through consultations. The range of issues submitted is wide, from adult videos (AV), prostitution, domestic violence (DV) to child prostitution. We began helping victims and the number of cases grew to over 100 cases by the end of 2015. Some cases were actually closed with proper resolution and settlement. Around 70% of open cases are related to AVs. The
aggregate sum of cases handled by the organization from 2012 to July, 2018 is 503.

We have a hotline, open 24/7, that can be reached by phones, emails and SNS. We accompany victims to consult lawyers, the police or women support centers, according to the nature of each case, and help victims document their cases in timeline for the purpose of police and legal counseling. If the victim wants to ask for suspension of sales and disposal/removal of a product, we help confirm the uploader’s identity and draw up and send necessary legal documentation. We work together with services that offer financial aid and shelters to help victims find a place to stay and ultimately stand on their feet.

f. What kind of limitations does your organization face while supporting the victims?

The number of cases submitted for consultation is on the increase. We are managing more than 20 sessions a month, including accompanying service, and we are short of manpower. Most of the victims to AVs want to request for removal and disposal of videos and such contents. However, selecting a content removal service and bringing in a lawyer onboard to seek resolution for each case takes at least a year. When the victim also suffers from PTSD, the support becomes long term. To build a quality consultation support system that can cater to every needs of each case while the total grows, we need to secure talents first and foremost.

Also, most porn victims suffer from economic difficulties and we often need to seek cooperation of other experts and professional organizations. We have run a consulting window, support facilities and shelters as the result of great efforts, but we still need more. Our people in the field feel short of material, financial and human resources that simply cannot be met with hard work.

In other advanced nations, central and local governmental bodies are actively involved in building consultation, support and treatment systems for the survivors of sexual violence. The movement has just begun in Japan. The Japanese government and local bodies should get involved in establishing support systems for victims, streamline relevant laws and regulations and strengthen rehabilitation of the perpetrators.
2. National status quo

a. Is there a major event that raised awareness for cyber sexual violence in the nation your organization is based in?

A woman came to PAPS asking for help in 2014. She was being coerced to perform for an AV production which was scheduled for a few days later. PAPS immediately teamed up with lawyers to refuse participation in future AVs and to request for suspension of sales of DVDs which were already released, as per the victim’s request. We succeeded in both against the production, but the talent agency that represented the female was still an issue. They demanded JPY 24.6 million in damages. When the victim refused, the agency raised a civil suit against her.

The plaintiff, the talent agency lost the case in September 2015 and PAPS held a press conference with the defense counsel. It was known the public that a young woman can be sued for damages of a fortune, 24.6 million yen, just for refusing to appear in an AV and that such abnormal practice is the norm in the industry. It made headlines as “AV appearance coercion.” This surfaced the human rights issues of behind the scenes and distribution process in the industry, and served as a momentum for AV issues to be reflected in policies.

In the following year, March 3rd, 2016, Human Rights Now (HRN) released a powerful investigation on Japan’s entertainment industry—porns filmed under coercion and human rights violations against women and girls in AV industry. The report drew upon not only cases that were independently investigated by HRN but also those that PAPS and Lighthouse worked on. The AV industry strongly denied allegations that such AV’s harms are commonplace. However, many victims found the courage to speak out following release of the report, both anonymously and by their real names, and AV’s harms were widely recognized as a serious social issue.

b. In your opinion, how does the public of your country perceive cyber sexual violence?

Victims are starting to speak out and social awareness has risen as issues of AV’s harms made headlines but many Japanese still argue that—

* subjects of pornos and adult videos have consented to being the subjects, and therefore their cases don’t constitute sexual violence.
* there are only allegations but no grounds that pornos and adult videos are a bad influence
to society.
* regulating pornos and adult videos is a dangerous idea since it violates freedom of expression.
* women in sex industry have the right to work in the industry and what is necessary is to have in place a system in which women won’t be exploited and to recognize prostitution as a form of labor.

c. How do misogyny and internet freedom connect to cyber sexual violence in the nation your organization is based in?

Misogyny and internet freedom are two concepts and ideas that are most relevant to Japan. Sex industry thrived in Japan historically and also today because a sexist culture (misogyny) that views women and sex of women as means of entertainment runs deep and wide. Such culture was weaved and mixed with internet freedom to produce uncontrollable cyber sexual violence, and AV appearance coercion.

d. Is there a governmental body or nongovernmental organization that actively addresses cyber sexual violence and works in solidarity with your organization in the nation you are based in?

More than 500 scholars, lawyers, counsellors, field volunteers, and civic activists have banded to create a network to draw up prohibition on sexual violence. Their aim is to streamline comprehensive sexual violence prevention laws and to put in place victim support systems. Numerous networks and organizations were founded across Japan to support victims and provide consultation service. Prefectures of Japan each also has centers that offer one-stop support for victims, including counselling, police calls and medical help. The range of support and counselling is expanding continuously.

However, not many governmental bodies or nongovernmental organizations in Japan are dedicated to cyber sexual violence. In particular, PAPS and Lighthouse are the only notable organizations that run consultation windows for AV’s harms. The Safer Internet Association (SIA, https://www.safe-line.jp/), a nonprofit organization, offers a safeline that notifies of harmful and illegal information online to address revenge pornos and child pornos but the support goes only far as deleting data, images or videos, and does not help victims seek justice through the legal system or provide victim aid.
e. What have the government and the congress have done in your nation to eliminate cyber sexual violence?

The police are raising awareness among the young people who are easily exposed to cybercrimes via SNS such as Twitter or dating apps by distributing fliers or through lectures. Also, they regularly ambush illegal trades by surveilling internet communities and dating apps under secret identities. They would declare themselves as the police and warn the concerned for prevention.

However, restricting the young people from posting potentially illegal comments and uploading photos or videos isn’t enough to eliminate cyber sexual violence or to reduce the number of victims. The efforts to punish assailters are lacking. Crack downs on adult perpetrators who deceive minors, trade in minors’ sex and ultimately expose them to crimes should be further strengthened.

f. What are some of the laws in force related to cyber sexual violence in your nation?
What is the most important problem that needs to be fixed, and how can it be fixed?

There are laws for obscenity, child porns, defamation and prevention of revenge pornos, for both releasing and supplying. Many of the cases submitted at our consultation service are AV related, but there’s no law that can be applied to AV’s harms, which is our major interest. AV related laws and regulations are necessary. The application of revenge porn prevention law is limited to ‘private photography.’ Therefore, AVs—even when they are the result of deception or threat—are deemed as filmed upon consent and not protected by the law.

There should be a law that specifically addresses harms from pornos. The only legal restriction currently enforced against pornos, other than prohibition on child pornos, is a criminal law against the distribution of obscene contents. There are local ordinances for the healthy growth of young people and for the prevention of public nuisance that prohibits sexual sneak photography.

A movement to enact “Antipornography Civil Rights Ordinance,” that focuses on the harms associated with pornos, took place in 1980s in the United States. Catharine Mackinnon, an American legal scholar, and Andrea Dworkin, an author, drafted the Antipornography Civil Rights Ordinance which acknowledged pornography as an ‘active form of inequality’ that’s also socially damaging.

The ordinance was designed to enable victims to seek justice in the civil court, not criminal.
Antipornography Civil Rights Ordinance specifies five causes for action—coercion into pornographic performances, forcing pornography on a person, assault or physical attack due to pornography, defamation through pornography and trafficking in pornography—and allows victims to request for suspension or claim for damages on applicable cases.

A limited number of local governments passed the ordinance but it was blocked by an organization that represents the porn industry. It was ruled unconstitutional by the Supreme Court. However, during the process, Mackinnon and other supporters were able to explicitly declare to the world the harms from pornography, uncover the magnitude of the harms so that countless victims who were silenced could be heard and reveal the malpractices of the industry, which is a great feat. PAPS was also influence by their movement.

PAPS took lessons from the ordinance of Mackinnon etc. and felt the need to draw up a unique law that reflects Japan’s unique situation. PAPS dubs it as “Porn Harms Prevention Act.” This is fundamentally different from restrictions on obscene contents. Concrete harms from sexual violence through pornography are not obscenity nor freedom of expression related issues.

Porn Harms Prevention Act could be a standalone law or a part of a comprehensive prohibition on sexual violence. Or it could be partially enacted as a law that addresses specific harms from pornos, like the law against sneak photography. It will depend on which direction is more realistic and effective. Important thing is that pornos aren't just prohibited or suppressed in administrative or criminal ways, like that of criminal law against distribution of obscene contents. The focus should be on human rights of the victims of porn's harms.

The law should encompass both codes of civil procedure and criminal procedure. In order to prevent porn’s harms from taking places, persecutors of porn’s harms can be punished through criminal procedure and civil procedure is needed for the relief and recovery of victims’ rights.

In Republic of Korea, a portion of production harms (filming under coercion) is specified by the law as a punishable action. The Act on the Prevention of Sexual Traffic and Protection, etc. of Victims was enacted in 2004. As per Article 18, Prohibition on Operation for Profit, persons who filmed video or the like that contain obscene contents such as coitus through hierarchy or force may be subject to imprisonments up to 10 years or fines up KRW 100 million.

In Japan, legislations that prevent revenge porn and prevent harms from supplying private sexual image records etc. were passed in 2014. Enactment of specific laws that address
individual harms are being realized, albeit partially, and such laws aren’t criticized for violating freedom of expression. Porns shouldn’t be judged on whether it can be deemed obscene but rather on whether “Does this pornography violate human rights?” Contents that were produced based on sneak filming, violence, threats and more, contents that are cruel and threatens the dignity, safety and hygiene of the cast, and contents that contain vicious gender discrimination and sexually violent messages should first and foremost be regulated. If we can define what to regulate based on respect for human rights, we’ll be able to dispel worries that such laws can be too loosely defined.

g. What is the average penalty sentenced to cyber sexual criminals in the nation your organization is based in (especially when a sex video is released without consent)?

   It is specified by the law as follows—
   For performing or displaying obscene contents: Imprisonment up to 2 years/ Fines up to JPY 2.5 million
   For child pornography:
   Simple possession -> Imprisonment up to 1 year/ Fine up to JPY 1 million
   Supply, perform or display -> Imprisonment up to 5 years/ Fine up to JPY 5 million
   For defamation: Imprisonment up to 3 years/ Confinement/ Fine up to JPY 500,000
   For revenge pornos:
   For releasing -> Imprisonment up to 3 years/ Fine up to JPY 500,000
   For supplying -> Imprisonment up to 1 year/ Fine up to JPY 300,000

h. What does your organization believe is the biggest issue with the law enforcement of your country?

   The SIA and some other organizations offer data removal services for sneak photos or videos of children on adult websites, however, most don’t help identify perpetrators and to seek justice by reporting to the law enforcement even when such contents can be categorized as child prons due to practical challenges. They explain that child’s testimony is required for reporting is difficult to acquire, and evidence to prove the identity of the filmed children are frequently insufficient.

   Even when AVs are filmed through the means of false pretense, blackmail, brainwash or other malpractices, the current system recognize it as legally consented if the party signed any contract. Very limited number of harms are recognized when sexual or physical assaults
take place at the film site.

i. What steps must victims of cyber sexual violence take according to the criminal justice system in the nation your organization is based in?

In many of child porns, revenge porns or sexual sneak videos, the perpetrators hide themselves on contents and it is difficult to identify them. The victims must prove that the photographer made the contents public and that the subject on the film is the victim herself. They also must specify the location and time of photography. Even when such evidence can be provided, the police would start the investigation passively. This is because when the servers are offshore, it becomes difficult to tell if the uploader is residing in Japan. Most victims that seek help from PAPS come to us because the police can no longer help them.

PAPS requests for disclosure of data to the porn sites with offshore servers to identify the uploader. When the IP address is local, we petition for injunctions and raise charges to the court with the victims so that uploaders' information is released and we take that information to the criminal justice system.

To identify the uploader from an IP address, a trial must take place. It can weigh heavily on the victim financially, but first-time offenders are often sentenced only a fine or a probation. Child porn is not an offense subject to complaint, but is treated as such, and often the charges are dropped for compensation.

The adult video industry of Japan is growing to be a mega-industry. Child porns, even though illegal, are booming and revenge porns are being disseminated via internet. Countless consumers are supporting the huge industry. The consumers of the industry come from all over the world and Japan is the ground zero of the violence. Sexual dignity of the humanity is at risk globally. We only hope that we can protect our dignity by banding and working together with the like-minded of the world.

The change may be slow but it has definitely begun. The challenges ahead of us are grave but we will do what we can. We are not powerless.
1. Organisation

a. History and Mission

History: Taipei Women’s Rescue Foundation (TWRF) was formally registered in September of 1987 to provide legal consultation and counseling to girls and women in the sex trade, and to help them return to their families and society.

TWRF has been a pioneer in the effort to eliminate the trafficking of women in Taiwan and was established with a mission to eradicate child prostitution, which in 1980s–1990s was a serious problem, most notably with economically disadvantaged parents selling their daughters into prostitution.

In 1991, TWRF, together with Awakening Foundation and Rainbow Project, initiated the “Save Child Prostitutes” campaign, which was a landmark in creating awareness of the problems associated with prostitution. With the help of significant media coverage, this campaign brought much attention to the women’s movement, which had not hitherto been in the public spotlight.

TWRF has been a standard bearer for the plight of aging women who served as sex slaves (so-called “comfort women”) to Japanese soldiers during World War II. Since 1992, TWRF has provided legal counsel and psychological support for these victims. TWRF have championed their cause by petitioning governments and courts both in Taiwan and in Japan.

The plight of female victims of domestic violence has gained much-needed attention 20 years ago, and TWRF’s resources have been extended to battered women, especially those are married. For victims of domestic violence, TWRF provides legal assistance, counseling, court accompaniment and shelter to them.

With the rapid changes in the Taiwan society, types of violence against women become more serious, more diverse and more complicate. TWRF therefore extended services to provide legal consultation, counseling, case management, and needed assistances to abused women, victims of gender-based violence crime, and children who witness domestic violence.

On the lobbying front, TWRF has cooperated with legislators and other organizations to help bring modern legislation to Taiwan, including the “Children’s Welfare Act” (1989), the “Child
and Youth Sexual Exploitation Prevention Act” (1995), “Domestic Violence Prevention Act” (1998), “Human Trafficking Prevention Act” (2009). Recently TWRF especially focuses issues on the violence occurred in the intimate relationships. One issue that TWRF pays high attention and has begun to take actions is called “revenge porn”. “Revenge porn”, which is also called “nonconsensual pornography”, means distributing, broadcasting, posting or in any ways of nude or sexually explicit photos and/or videos intentionally without consent of the subjects. This type of crime mostly occurs when the intimate relationship of spouse or partners or friends is broken off. It is a threat and a crime definitely.

**Mission:** TWRF has diversified its mission over its short existence to address the rapid changes that have occurred in Taiwanese society. TWRF’s core values, however, have not changed; where there are women in trouble, TWRF seeks to provide individual assistance and to spur on reform in society as a whole.
- To initiate and to dedicate in society reform by advocacy
- To empower vulnerable children and women by providing professional services

**b. How do you define and categorize sexual violence in cyberspace?**

TWRF defines sexual violence in cyberspace as any sex related violent acts with the intention to hurt or to against a person on the internet or through using internet technology. It may include but is not limited to: Using the internet to engage in sexual assault Production of pornographic graphics Distribution of pornographic graphics without consent Sex solicitation (such as sexually suggestive or sexual conversations with minors on the internet, asking minors to provide naked photos, etc.) Sexual threats (sextortion, using the internet to obtain other people's sexual information, threats or extortion) Large cybercrime (such as using the internet for human trafficking)

**c. By what means do you believe sexual violence in cyberspace can end?**

By education emphasizing on online safety and online good behavior and attitude. By sound and strict regulation on internet service providers’ removal procedure and self-monitoring system. By providing sex education, gender education and emotion education, people are more aware of how to respect the privacy of individuals and each other.
d. What kind of support do you provide to your clients? If there is any statistics regarding your victim support, please share with us.

**Hotline:** We operate hotline to answer phone calls from victims. All calls are answered by well-trained social workers.

From 2015 to 2017, a total of 313 calls were received via the telephone hotline and 72 victims were served. Most victims were females. Approximately 70 percent were between 18 and 35 years old, while the youngest victim was 12 years old. About 3 percent of the victims were under 18 years old when the intimate images were taken. Notably, the ages of victims have been lower than previous years.

**Website:** We designed and set up a website named “Anti-Revenge Porn” in February 2015 to help not only victims but to educate people who are interested in this issue. The information on this website includes detailed analyses of all forms of revenge porn crimes, related research and data worldwide, legislation in multiple countries, updated information on the media, and most importantly, information on prevention and what to do when one becomes a victim. We hope that this site is a platform for victims to seek help and to educate the public about revenge porn. [http://advocacy3.wixsite.com/twrf-antirevengeporn](http://advocacy3.wixsite.com/twrf-antirevengeporn)

**Free legal consultation:** We work closely with a group of attorneys who are experts at and familiar of this subject to provide free legal consultation to victims. This service is offered every other Monday.

Starting from 2015 to the end of 2017, a total of 36 free legal consultation were provided to 56 victims.

**Public awareness:** To avoid victim blaming and to encourage victims of revenge porn to seek help, we go into schools providing free speeches for students and teachers. We also go into communities whenever is possible, to participate in various community activities, to share information and knowledge of revenge porn on the purpose of prevention.

From 2015 to 2017, TWRF was invited to 29 schools to give speeches. Near 3,400 students learned how to protect themselves from revenge porn.

**Training:** We organize trainings for network professionals, such as police, judge, prosecutor, lawyer, social worker, counselor, teacher—etc. By training network professionals, TWRF hope that services for revenge porn victims are effective, worthy and in high quality.

In 2017, TWRF organized 6 trainings for network professionals. With a total number of 420 network professionals were trained.

**Legislation:** Taiwan doesn't have a sound and strong law of revenge porn to protect victims...
yet. Due to this limitation of our existing laws, we do research on searching legislation status among different countries. We also collaborate with domestic and international leading legal researchers, specialists and attorneys in legislation visually and in person. We form focus groups and call on taskforce team for regular discussions. Our goal is to amend or to make a new law that can successfully combat this type of crime in the soon future.

After 1.5 years working hard on law reform, in 2018, TWRF made a draft bill addressing the issue of revenge porn (nonconsensual pornography). A press conference was held in July to introduce the draft bill to the public. In August, the first hearing of this draft bill took place in the legislation agency. The aim for TWRF in the upcoming years is to pass this bill soon.

Advocacy: Due to our conservative culture, most of victims are too scary or too afraid to speak out their stories or seek for help. We urge the government to develop cross-border cooperation and build up the effective removal mechanism. We promote “No victim blaming” and “No clicking, No downloading, No forwarding” to the public. We also closely monitor the media and request them self-monitoring by not disclosing victims' personal identities when making reports.

e. What limitations do you face when supporting victims?

Difficulty in finding or identifying offenders. Difficulty in removing sexual images posted on the internet completely and timely Lack of social support: Victim blaming is still the common atmosphere among Taiwan society. In addition to that, there is insufficient sensitivity to identify this as a crime problem, so the public is often indifferent. Lack of legal basis for preventive image deletion (For those whose sexual images haven’t distributed yet, but is (or not) under threat) Insufficient protection measures for victims. Criminal Law cannot handle the case of self-portrait and desirable filming.

2. National status quo

a. What are some major incident(s) that brought this issue of cyber sexual violence to surface? Please portray notable incident(s) in your nation that are worth sharing globally.

2001年，璩姓女議員與已婚男性友人的性私密影像遭竊錄外流，引起大眾一片嘩然。當時，台灣社會仍以道德論的標準譴責該名女議員，社會焦點放在女議員的私德，責備女議員與已婚男性友人的不倫戀，網路上則充斥著一片跪求載點的風氣，大眾仍以窺奇探秘來看待性私密影像外流事件。
2012年台灣發生一起李姓富少性侵及偷拍性愛影像案，此案件經警方調查後發現被害人多達三十餘人。警方在富少居所，搜出大量性愛、裸體影片、照片，多數性侵被害人疑似遭下藥無力氣抵抗，並疑有知名女星受害。於案件調查期間，富少偷拍的影片也被有心人在網路瘋狂散布，原先只在臺灣、港澳、中國大陸流傳，隨即傳至日本、韓國，甚至東南亞、歐美等。此案件在台灣社會掀起震撼，並激起對夜店文化、媒體文化等的諸多討論，社會輿論也從以往的譴責被害人角度，變得較為同情被害人處境，並且加以譴責加害人。於案件調查期間，富少偷拍的影片也被有心人在網路瘋狂散布，原先只在臺灣、港澳、中國大陸流傳，隨即傳至日本、韓國，甚至東南亞、歐美等。此案件在台灣社會掀起震撼，並激起對夜店文化、媒體文化等的諸多討論，社會輿論也從以往的譴責被害人角度，變得較為同情被害人處境，並且加以譴責加害人。事件發生過後，性私密影像遭外流成為社會關注焦點，新聞案件報導量增多，譴責加害人的輿論開始出現，相對被害人願意站出來尋求幫助的比例也增高不少。

2017年一名國二女學生，因自拍裸照遭前男友現任女友在臉書散布，導致被害女國二生羞憤難堪、不敢到校，企圖跳橋自殺，幸而被家長發現救回。此案件讓台灣社會意識到性私密影像被害人年齡層下降，台灣父母開始警覺子女網路使用安全的重要性，教育單位也展開積極教育預防工作。

b. How would you assess your country’s public awareness with regards to this issue?

Some people still think that it is the victim’s fault. They believe that as long as people do not shoot these images, there is no risk of being spread. However, because of the endless news events, the public began to pay attention to their own privacy security on the internet, and they have raised the security level settings and paid more attention to the protection of personal data.

c. Are there any organizations in your country, either governmental or nongovernmental, that actively deals with cyber sexual violence and maintains cooperative relationship with you?

Yes. TWRF cooperates with both governmental and nongovernmental organizations closely. For example, TWRF has been working closely with Legal Aid Foundation, an organization was established under the Legal Aid Act passed in 2003, receiving annual contribution budgeted by the Judicial Yuan with the purpose of defending people’s basic litigation rights.

d. What have government and congress done in your country to end cyber sexual violence? What do you hope they could do?

目前台灣依據『兒童及少年性剝削防制條例』，針對未成年性私密影像拍攝、持有以及散布，可在司法面上對加害人進行懲處，同時提供被害人適當的保護服務。
婦女救援基金會期待未來，台灣政府在處理國人性私密影像遭外流時，能有單一法令規範，不分被害者的年齡或身份，皆能提供嚴謹且適時又適切的司法保障及被害人保護服務。
e. What are existing laws in your country that are related to cyber sexual violence (nonconsensual pornography / sextortion / deepfakes / cyberbullying)? What do you think is the major problem of current laws and how can it be complemented / fixed?

If the victim is underage, Child and Youth Sexual Exploitation Prevention Act is apply, while the criminal law is apply to the rest. Punishment is usually light, and mostly a fine may be imposed instead of being in prison eventually, which lead to no deterrent effect!

At present, the major problem of current law is that we lack of a single specific law which can completely define problems, include appropriate punishment and perfect protection measures to effectively deter criminal behavior and provide victim protection.

Therefore, TWRF has advocated for making a new law that addressing revenge porn issue specifically. A draft bill is made and already introduced to the public in 2018. With the hope that the bill can be passed soon in the future.

f. In your country, what is the conventional amount of sentence for perpetrators of cyber sexual violence (mainly for distributing nonconsensual pornography)?

Victim’s age is under 18: the perpetrator shall be subject to imprisonment for not more than three years, or in addition thereto, a fine of up to NT$5,000,000. Victim’s age is over 18: the perpetrator shall be sentenced to imprisonment for not more than two years, short-term imprisonment, in lieu thereof, or in addition thereto, a fine of NT$30,000 may be imposed.

g. What do you believe are the problems of the law enforcement of your nation regarding this issue?

法律不足以回应被害人的侵害：目前法律大多使用「散布猥亵物品罪」处罪加害人恶意散布性私密影像之行为。然而，这条罪名原先是为禁止散布色情淫秽之物品影像以「保护社会善良风俗」，对被害者而言，这样的法律不仅没有回复、保障她所遭遇的人格、隐私、名誉或性自主等等权益侵害，且将她们遭流传的被害影像定性为「猥亵物品」，更隐含有贬抑的意涵！

刑度过低，缺乏犯罪预防效果：依目前法律，无论散布猥亵物品罪或妨害名誉罪等，处罪最高刑度均仅两年以下有期徒刑，且法院实务判决中，对加害者的量刑更往往只判六个月以下徒刑，可易科罚金。法律刑度过低，且法院往往轻判，这样的刑罚制度明显不足以使加害人的行为获得应有的处罪，且对于社会上的相类犯罪行为，更缺乏预防之效果！

执法人员对于议题敏感度不足：因为是因网络科技新兴所衍生的新型态犯罪，执法人员对于议题不熟悉，导致被害人报案时，无法同理被害人，提供适切且立即协助！
h. What is the procedure in the criminal justice system that one has to go through when one experiences cyber sexual violence in your country?

報案：當刑事案件發生時，被害人或是被害人家屬到警察局報案，警方會進行筆錄，調查犯罪事實，後將案件移轉檢察官。

偵查：檢察官受理案件後，經過偵查程序調查犯罪。

起訴：若檢察官認定被告涉犯該刑事案件，就會提起公訴，由檢察官向法院提出起訴書。

審判：當刑事案件進入法院，法官會依據檢察官提出證據開始審理案件，最後會對該刑事案件進行判決有罪或無罪，並執行判決。

i. What is the procedure of receiving request of international coordination from foreign law enforcement?

國際刑事司法互助的主要措施包括引渡、送达司法文書、調查取證、情報交換、外國刑事判決的承認與執行、刑事訴訟移轉管轄等。

一般而言，刑事司法互助須由請求協助國透過外交管道，先向台灣外交單位提出申請，而後我外交單位將依請求協助案件類型、協助方式等，依兩國間的盟約或既往合作模式，提供必要協助。
Helpline (UK)  revengeporhelpline.org.uk
CCRI (USA)  www.cybercivilrights.org
PAPS (JAPAN)  www.paps.jp
TWRF (TAIWAN)  www.twrf.org.tw
KCSVRC (KOREA)  www.cyber-lion.com