

'Cyberflashing' to become a criminal offence

- Online Safety Bill will include new cyberflashing offence
- Maximum sentence of two years in prison
- Part of wider Government efforts to ensure laws keep pace with emerging crimes

The practice typically involves offenders sending an unsolicited sexual image to people via social media or dating apps, but can also be over data sharing services such as Bluetooth and Airdrop. In some instances, a preview of the photo can appear on a person's device – meaning that even if the transfer is rejected victims are forced into seeing the image.

[Research](#) by Professor Jessica Ringrose from 2020 found that 76 percent of girls aged 12-18 had been sent unsolicited nude images of boys or men.

Ministers have today confirmed that laws banning this behaviour will be included in the Government's landmark Online Safety Bill alongside wide-ranging reforms to keep people safe on the internet.

The new offence will ensure cyberflashing is captured clearly by the criminal law – giving the police and Crown Prosecution Service greater ability to bring more perpetrators to justice. It follows similar recent action to criminalise upskirting and breastfeeding voyeurism with the Government determined to protect people, particularly women and girls, from these emerging crimes.

Deputy Prime Minister, Lord Chancellor and Secretary of State for Justice, Dominic Raab said:

Protecting women and girls is my top priority which is why we're keeping sexual and violent offenders behind bars for longer, giving domestic abuse victims more time to report assaults and boosting funding for support services to £185m per year.

Making cyberflashing a specific crime is the latest step – sending a clear message to perpetrators that they will face jail time.

The change means that anyone who sends a photo or film of a person's genitals, for the purpose of their own sexual gratification or to cause the victim humiliation, alarm or distress may face up to two years in prison.

It follows a Law Commission review 'Modernising Communications Offences' which recommended that a new offence should be created.

Digital Secretary Nadine Dorries said:

Tech has the power to bring people together and make our lives better, but it can also enable heinous behaviour from those who wish to abuse, harm and harass.

The forthcoming Online Safety Bill will force tech companies to stop their platforms being used to commit vile acts of cyberflashing. We are bringing the full weight on individuals who perpetrate this awful behaviour.

Justice Minister Victoria Atkins said:

It is unacceptable that women and girls travelling on public transport, or just going about their day-to-day lives, are being subjected to this despicable practice.

Cyberflashing can cause deep distress to victims and our changes ensure police and prosecutors have the clarity they need to tackle it and keep people safe.

Professor Penney Lewis, Criminal Law Commissioner at the Law Commission said:

Whilst the online world offers important opportunities to share ideas and engage with one another, it has also increased the scope for abuse and harm. Reports of cyberflashing are rising worryingly. This offence will close loopholes in the existing law and ensure that cyberflashing is treated as seriously as in-person flashing.

British Transport Police Assistant Chief Constable Charlie Doyle said:

British Transport Police have always taken reports of cyberflashing very seriously and we welcome any extra help in bringing more offenders to justice.

We expect this new legislation will be a positive step in helping to drive out this unacceptable behaviour and increase judicial outcomes for victims.

We know that all forms of sexual harassment are under-reported to

police and I hope the new legislation and increased awareness will encourage more victims to come forward and tell us about what's happened to them.

Today's announcement builds on what the Online Safety Bill already does by making sure criminal law is fit for the internet age and better protects victims from harmful communications online.

Alongside the new cyberflashing offence, the Government has previously committed to [creating three other new criminal offences](#) through this Bill, tackling a wide range of harmful private and public online communication. These include sending abusive emails, social media posts and WhatsApp messages, as well as 'pile-on' harassment where many people target abuse at an individual such as in website comment sections.

The Online Safety Bill will also put more legal responsibility on social media platforms, search engines and other websites or apps which host user-generated content to tackle a range of illegal and harmful content on their services.

Notes to Editors

- The new cyberflashing offence will apply to England and Wales. The Government continues to engage with all the Territorial Offices and the devolved administrations to effectively manage devolution considerations.
- [YouGov](#) research from 2018 found that four in ten young women aged 18-34 have been sent unsolicited sexual images.