

Chapter 36

Introduction

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As the previous section has shown, legal responses to technology-facilitated violence and abuse (TFVA) are mixed and varied in their effectiveness. While legal responses are vital in holding perpetrators to account for their behavior and in sending a clear message to the community, laws alone are not sufficient to prevent, challenge, and respond to the growing problem of TFVA. As Alison Marganski and Lisa Melander observe in their chapter, approximately three-quarters of women and girls have experienced or been exposed to online violence, which highlights the importance of identifying “inclusive” responses that “stretch beyond traditional design to dismantle problematic norms.” Julia Slupska and Leonie Tanczer similarly report that around three-quarters (72%) of people accessing the UK’s largest domestic violence charity (Refuge) experience this abuse through technology. As the chapters in this section explore, preventing and responding to TFVA requires a multifaceted and collaborative approach that incorporates criminal and civil justice laws, prevention education, as well as technological and other societal/community approaches.

In this section, we bring together eight chapters that explore options, methods, techniques, and avenues beyond the law in dealing with TFVA. In some chapters, the authors consider how technology can be used to combat and protect against TFVA, exploring innovative ways to prevent and respond to these abusive behaviors, including tech design and multifaceted collaborations. In other chapters, authors consider how victim–survivors and their support networks have sought to reach beyond traditional “justice” responses when their needs and interests are not being met; for example, in seeking informal justice through hashtag activism campaigns, naming and shaming perpetrators, and organizing rallies or demonstrations to highlight the extent of abuse and failings of traditional legal responses.

In their chapter, for example, Ella Broadbent and Chrissy Thompson explore the notion of informal justice beyond the law and what they refer to as the “assembly of counter-publics by girls and women on social media to contest social exclusion and subordination.” An example they provide is when technology is used by victims, such as through “name and shame tactics, to ensure that behavior of abusers is not

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excused and to contest the inadequacy of institutional responses to sexual violence.” Using a unique combination of applied thematic analysis and social network analysis, they examine a high-profile case of image-based sexual abuse that occurred in Australia, exploring the altered discourses that appeared on social media, specifically Twitter, in support of the victim and condemning the actions of the perpetrator. They consider how informal justice seeking responses gain traction and can counter “hegemonic discourses” and disrupt “the neutral narrative” of events, ultimately producing “a more favored and balanced consideration of the harms to the victim.”

Marganski and Melander’s chapter further considers the ways in which technology can be both a “weapon and a shield” in the context of violence against women and girls. They argue that any attempted solutions to TFVA “must engage various actors – including marginalized and oppressed persons ... not only victims/survivors and victim advocates, but also tech companies, healthcare providers, legal/criminal justice personnel, and educators.” Marganski and Melander identify several approaches, including better training of healthcare providers to recognize and treat TFVA, education on the nature and consequences of TFVA, clearer legal definitions and education on TFVA offenses, including outlining the harms involved in TFVA, as well as training for legal professionals, to improve victim safety and perpetrator accountability.

Marganski and Melander are clear in their contention that the burden of preventing TFVA should not fall on women and girls who are disproportionately the targets or witnesses of such abuse, but rather we must place the responsibility on the perpetrators, including targeting problematic myths and attitudes that minimize and condone TFVA. This is a key message across many of the chapters in this section, in that it is important for any responses beyond the law to engage with victim-survivors, but not to place the onus on them to be responsible for developing the solution or educating others on the importance of responding to TFVA.

Slupska and Tancer, for example, argue that existing responses to TFVA often shift the responsibility onto victims and survivors to find ways to protect themselves against such abuse. Likewise, Eva PenzeyMoog and Danielle C. Slakoff suggest that while recognizing the importance of including domestic violence victim-survivors in the development of technology responses to TFVA, there should not be expectations on them to engage in the work, but rather to ensure that they are given the opportunity to be part of the teams creating solutions.

Several chapters also point to the importance of multistakeholder and multi-perspective approaches to TFVA. Discussing their own experiences with multi-stakeholder collaboration through the eQuality Project, for example, Jane Bailey and Raine Liliefeldt explore the benefits and challenges of bringing together industry, civil society, government, and academia to respond to the wicked problem that is TFVA. Highlighting the importance of incorporating a range of perspectives and experiences, and drawing on the specialized knowledge and skills among a variety of stakeholders, Bailey and Liliefeldt consider how working collaborations “can lead to creative co-developed responses where all participants feel invested.” Recognizing the challenges inherent in bringing these diverse perspectives together, however, the authors outline eight suggestions to maximize the benefits and recognize the limits of multistakeholder collaborations to address TFVA, which researchers and

others can draw on in developing their own collaborative approaches and solutions.

Several of the chapters in this section focus on technology-facilitated domestic violence (TFDV) or technology-facilitated intimate partner violence. Penzey-Moog and Slakoff, for example, expand on the concept of using technology for good, by considering how technology can be used to respond to TFDV. Exploring three specific types of TFDV (financial abuse, targeted smart home devices, and stalking), they argue that building in consideration of how technology may be used to abuse at the design and testing stages of development can help address TFDV and produce “meaningful ways to improve victims’ safety.” In particular, they urge all tech companies to draw on their six-step “Framework for Inclusive Safety” to reduce the capabilities of technology to be used to abuse.

Slupska and Tanczer’s chapter also considers the ways in which technology can be used to address TFDV. In particular, they seek to highlight how and why TFDV requires a collaboration between social and technical responses, and suggest the importance of bringing together IPV and cybersecurity literature to better understand the threats, risks, and responses needed to address TFDV. Slupska and Tanczer present an overview of a hypothetical but prototypical smart lock system that has simple functionality, playing a key role in home security, as one example of an innovative response. In doing so, they seek to showcase how “seemingly neutral design decisions can constrain, shape, and facilitate coercive and controlling behaviors.”

Another clear theme within this section is calls for increased corporate and social responsibility in preventing and combatting TFVA. Using examples of image-based sexual abuse, Nicola Henry and Alice Witt argue that existing corporate governance is “inconsistent, reductionist, and ambiguous,” and that there are gaps between “the policy and practice of content regulation.” They note that there remains an onus on victims and other users to identify, report, and prevent online abuse. They argue that state-based regulations are needed to improve tech company and website responsibility to protect against TFVA on their platforms, as opposed to being left to govern themselves.

Michael Salter and Elly Hanson expand on the importance of appropriate governance of internet service providers and social media platforms through an exploration of the challenges experienced by individuals, including victims, in reporting and having child sexual exploitation and child sexual abuse material removed from online platforms. They argue that the existing “structure, administration, and regulation of online services and infrastructure have created a highly enabling environment” for child exploitation material to be shared, drawing, for example, on the ways that YouTube normalize and encourage “expressions of sexual interest in children” through its algorithmic recommend function. Salter and Hanson highlight multiple examples of the responsabilization of victims (and other users) to identify and report this abusive material, to the point that even though what they refer to as “pedophile hunting” on social media is not encouraged by authorities, they report that almost half of the prosecutions for grooming in 2018 in the United Kingdom were informed by evidence collected through online vigilante groups.

The vital role of bystanders in shaping social understanding and directly challenging the normalization and downplaying of TFVA perpetration is a key focus of the chapter by Robert D. Lytle, Tabrina M. Bratton, and Heather K. Hydson. They demonstrate how bystander intervention models, specifically the work of [Darley and Latané \(1968\)](#), can be modified to apply to cases of online victimization, using the examples of technology-facilitated suicidality, image-based sexual abuse, and cyberbullying. They argue that bystander intervention models “can be used to reduce bystander apathy, encourage decisions to intervene in emergencies, and perhaps even prevent TFVA by deterring violence.” Along the same lines as Marganski and Melander, they call for more research and education on TFVA, including providing guidance or “best practices” to bystanders on how they can safely diffuse or intervene when they witness TFVA online.

Reference

- Darley, J. M. & Latané, B. (1968). Bystander intervention in emergencies: Diffusion of responsibility. *Journal of Personality and Social Psychology*, 8, 377–383.