

# 'If a person feels justified in this behaviour, what else are they capable of?'

Cyber-flashing is the act of sending unsolicited explicit images to a stranger's phone – and instances of it are rising fast. **Zoe Beatty** reports on why this is a new form of digital sexual assault that affects all women, from teenage girls to adults



The first thing I notice is that it is sort of sad-looking. And then I note that the fingernails are dirty. I'm mildly amused but also repulsed by this image that appeared suddenly on my screen, so I screenshot it and forward it to my friend, instructing her to look at it. I caption it "millennial pink".

I had been waiting for a train home to southeast London after a night out when I first encountered cyber-flashing, the act of a stranger purposely sending an unsolicited picture of their genitalia (a dick pic to anyone under 40) over the AirDrop function on an iPhone or via Beam on an Android model, with the intention to shock, usually, or for another kind of thrill.

Once the snap is sent, the phone owner is asked whether to "accept" or "decline" the image, but, regardless of their choice,

they are confronted by a preview of what has been sent. In cases of cyber-flashing, that is usually a penis – and it should be thought of as a form of sexual assault, just digital. It is also increasingly prevalent: the number of incidents – 35 offences were recorded in the first half of this year – is set to double for a second year running.

Those figures, however, could be a little misleading: a quick poll of my peers reveals that it is far more common than reports suggest. A lot of them have stories like mine to tell. One friend had a picture pop up on a packed rush-hour train from Waterloo to Clapham Junction; another was sent a pecker that emerged from the digital abyss as she picked up her lunchtime Pret. A 20-year-old from Lincolnshire says that it happened to her when she was 15. (Teenage girls are arguably particularly susceptible, a generation brought up on digital communication, they are more likely to have their AirDrop

settings open, which means anything can be sent to their phones.) Two accounts describe incidents where multiple lewd images – scores even – were sent in quick succession, one at 4.30pm on a suburban Sunday afternoon.

"I was sitting at a bus stop in Streatham last month when I got the notification," Joanna, 41, tells me. "It was about midnight, I'd just been watching an Instagram story, just scrolling through, when this dick popped up on my screen out of nowhere."

She says that she had heard accounts of cyber-flashing from friends, but had never experienced it herself. "I wasn't intimidated by it as such, but suddenly I found myself looking around... I got this creeping feeling that I was being watched, though I couldn't see anyone."

Like the majority of women I speak to, Joanna defused the uneasiness she felt by making light of it. She didn't once think to report it to the police – "Who's got time?"

she says, adding that she felt it would be a wasted effort because "nothing could be done about it anyway".

Which, really, is the crux of the issue. Currently, while new Freedom of Information data reveals that eight people have been arrested in the UK for "explicit image offences" on public transport, there have been no prosecutions. Why? Because, while some cases fall under the Malicious Communications Act, the Indecent Displays (Control) Act (1981) or breach aspects of our public decency laws, there is no specific legislation that covers this particular crime. Simply put, the laws have not caught up with the offences taking place. It creates a toxic – and dangerous – stalemate: perpetrators see little or no consequence for their actions and victims see little point in reporting the behaviour.

Technology has opened up a new frontier for sexual offence and harassment crimes, and the UK is not alone in its struggle to keep up. In May, Singapore made cyber-flashing (along with revenge porn and upskirting) a criminal offence. As ever, Scotland was ahead of the game and made cyber-flashing a criminal offence as long ago as 2010. Gina Martin's successful campaign brought in the Voyeurism (Offences) Act in England and Wales this year. It makes taking sexually intrusive pictures of someone without their consent a crime punishable by up to two years in prison. However, it doesn't cover cyber-flashing. In fact, under the law as it stands there is arguably more chance of my friends and me being prosecuted for forwarding an offensive image to each other in disgust than the offender themselves being charged. So why hasn't the UK caught up?

"It is frustrating because it's not as if the government doesn't know about it," says Clare McGlynn, a professor in law at Durham University and an expert in the legal regulation of pornography, image-based sexual abuse and sexual violence. "There has been a women and equalities select committee report on this very subject. There have been many such

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reports and calls for a change in the law, but the government and the Ministry of Justice so far just keep refusing to act."

There is a lingering question underlying all of this: who would actively engage in cyber-flashing, and why? The answer isn't easy to obtain. When I pose a query on Reddit – the so-called front page of the internet – asking for insight on the motivations of men who cyber-flash, the responses vary from shock ("Really? This happens?") to irreverence ("Mass marketing?" one user asks). "Never done it myself," one response begins, "but based on my discussions with people who have, as well as a little amateur psychology, I imagine it has a lot to do with ego."

"It is clearly someone who has not fully sexually developed," says Soren Stauffer-Kruse, a counselling psychologist, "and probably someone who grew up in quite a repressed environment in which they weren't able to express themselves. And without an outlet for that, they lack a boundary or a clear view, as an adult, to understand that this is abusive behaviour. I would think that there must be something in that person's past where healthy sexual development was interrupted. So now they can't see what effect their behaviour might have on another person and they're getting a thrill out of that."

Claudia Croppo, a psychotherapist who specialises in gender violence, believes that it has more to do with the sense of entitlement of the perpetrator, echoing patterns seen in many other forms of violence against women. "There's a sense from perpetrators of this behaviour that they do not need to think about the impact of their actions," she says. "It's difficult to say where sexual dysfunction like this might be generated from – it could be insecurity, or ego, or a thousand different things depending on the person and their past – but in my experience entitlement appears to be quite universal in terms of sexual violence."

It is easy to dismiss cyber-flashing as a "lesser" crime than what was arguably its predecessor, plain old flashing, wherein physical danger is more present. However,

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campaigners are keen to get the message across that it is just as damaging. "Even with so-called old school flashing – physically flashing someone in the street – there has historically been a tendency to brush it off as 'dirty old man' behaviour that we just have to put up with," says Emily Liddle, co-director of the Empower Project, a grassroots organisation set up in Scotland. Their cyber-flashing campaign Don't Be a Dick was set up in response to Scotland's 2010 legislation on the crime.

"There's a mentality that it should be taken with a pinch of salt, that it's just for a second, so it shouldn't affect a person. This is the attitude we want to change – because it can have a huge impact on a person's self-esteem and have a long-lasting effect on women. Worryingly, most responses to our campaign come from teachers and parents, who say that cyber-flashing is a life in schools."

Ultimately crimes such as these can be damaging, says Croppo. "A woman who receives this might become more fearful of being out in public, they can become very insecure. On a base level, they might worry about being watched or being followed, which could cause anxiety." Even for the most confident woman, that soundless, background voice that constantly assesses "are you safe?" is still present. And cyber-flashing plays into that fear. "The bottom line is we shouldn't have to deal with this sort of thing," McGlynn says. "We shouldn't have to change our AirDrop settings to private, or chastise ourselves for not doing so in the first place. We shouldn't have to do constant 'safety work' when we're just trying to go about our daily lives. Cyber-flashing infringes our right to everyday life, a life without looking over our shoulder, worrying what's around the corner. Regardless of the tangible impact, it's a breach of civil liberties."

So what should be done? First, a change in the law, say experts – a more general law that will cover a wide area of sharing explicit images without consent and that will even future-proof others – but only as an initial step. What is crucial is a change in culture and a national conversation that establishes this as unacceptable behaviour. And that takes education, as well as legislation, to have an impact.

"I did think," says Joanna, "that this might seem quite insignificant in the grand scheme of things. But then I reckoned, if a person feels justified in this behaviour, what else are they capable of?" ■ **zoe.beatty**