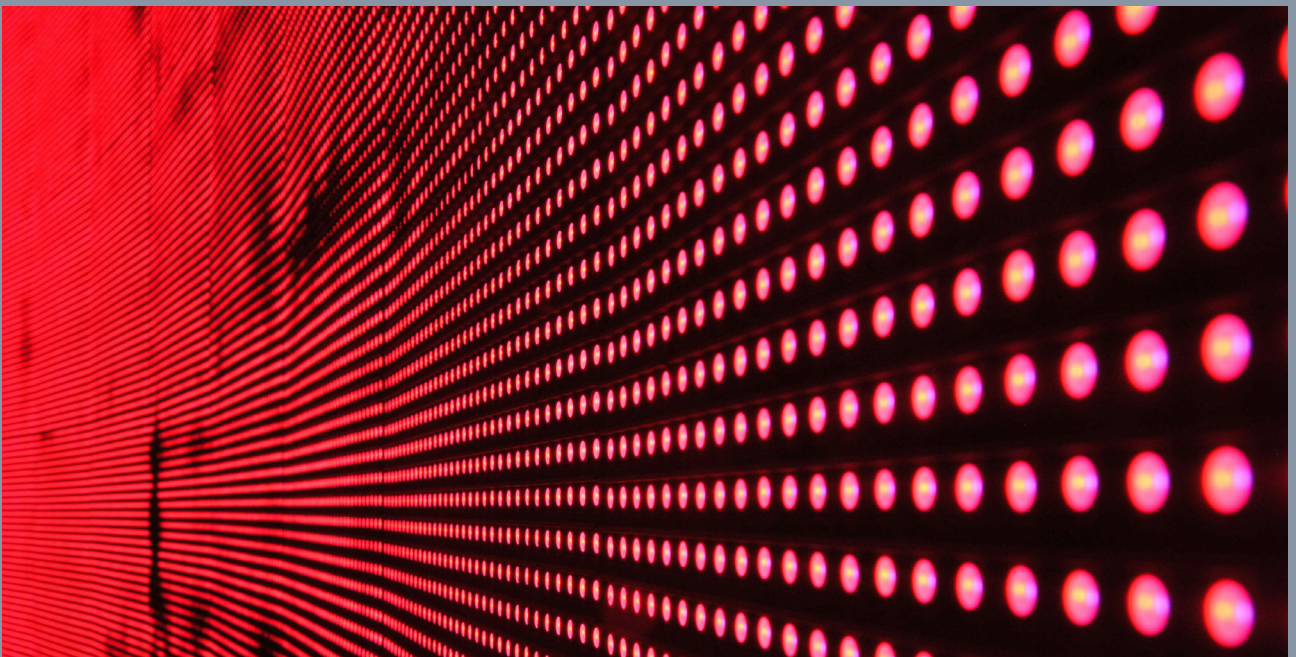


# CONSENT IN DIGITAL SEXUAL CULTURES



## Author

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This report is grounded in findings from workshop activities and discussions, as well as presentations about and written and delivered by representatives from Beyond Equality, Enhance the UK, Fumble, and the Revenge Porn Helpline.

Whilst Amundsen is listed as the author of this report, the findings that it presents are collaboratively generated by all workshop participants.

Any issues with the content of the report are the responsibility of Amundsen, who brought together and formatted the findings presented here. Amundsen is thus the first point of contact for any questions and comments about the report.

## Funders

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The Centre for Technology and the Body in the Digital Futures Institute of King's College London generously funded a post-workshop reception.

## Ethics

This workshop was granted ethical approval by the Arts and Humanities Research Ethics Panel of King's College London (rec@kcl.ac.uk) with ethical review reference number: MRA-23/24-39941.

Prior to the workshop, all participants received a participant information sheet and signed an informed consent form where they, among other things, consented to the audio recording and professional third-party transcription of presentations to and discussions with the whole group. Small-group discussions and any other conversations were not recorded.

This report is grounded in findings from the transcripts and notes taken by Amundsen during the workshop. The report does also draw on findings from posters created by participants during the workshop.

During the workshop, participants were asked to adhere to a code of conduct, grounded in King's College London's 'Principles in Action', which centre around the core principles of include, challenge, support and connect.

## Acknowledgments

We are extremely grateful to Beyond Equality, Enhance the UK, Fumble, and the Revenge Porn Helpline for their invaluable contributions to the workshop, for sharing their presentations for inclusion in this report, and for reviewing and commenting on report drafts.

A huge thank you to the workshop co-organisers from the Arts and Humanities Impact and Knowledge Exchange Team at King's College London: Events and Engagement Coordinator Justyna Ładosz and Engagement Officer Dr Emma Libonati. Thank you for your steadfast support, creative ideas, careful guidance and practical help throughout all stages of the workshop and writing of the report. To Justyna, thank you for designing and formatting this report.

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## ***Executive Summary***

This report presents findings from the Consent in Digital Sexual Cultures Stakeholder Workshop, held in January 2024 with 24 stakeholder participants. The report summarises key findings, grounded in insights shared by participants. The workshop and subsequent writing of this report, was informed by a desire to collectively unpack obstacles to consensual sexual interactions in digital spaces, and opportunities and recommendations to promote and secure consent in digital sexual spaces.

The aim of the report is twofold. It seeks to:

1) Provide proof of concept, to support stakeholders in the field of consent in digital sexual cultures in promoting their mission objectives and research, as well as future funding applications, and;

2) Foreground the voices of the charities present and presenting at the workshop – Beyond Equality, Enhance the UK, Fumble, and the Revenge Porn Helpline – all doing crucial work supporting youth and adults in navigating consent in digital sexual cultures.

Key recommendations from the workshop on how to promote and secure consent in digital sexual cultures include the following five points:

a) Youth, adults, and professionals implicated in cases involving issues related to consent in digital sexual cultures (like teachers and the police) would benefit from receiving **(sex) education material** that is more contextually informed, intersectionally aware, and that addresses the role that digital technologies can play in consent negotiations and in sexual acts and practices;

b) Charities and organisations providing **legal aid and support** should receive more funding, so they can continue and increase their work to support those whose consent has been violated in digital sexual spaces, hence also improving access to justice;

c) **Digital technology and platform providers** must place safeguarding and positive (sexual) rights at the forefront of their design and implementation of technologies, rather than acting in a reactive way where such issues are mainly addressed after violations of consent have occurred;

d) To boost **research-informed activism and advocacy** and ensure greater societal rewards for their collaborative work and activities, academic researchers must take greater care to share insights from their research beyond academia and with non-academic collaborators like charities and activist groups;

e) Conceptually, we should strive to develop and apply more **nuanced and contextually informed understandings of consent**, acknowledging the role that, for instance, identity positions and the nature of the digital technologies play in shaping and thus differentiating practices and perceptions of consent.

# Introduction

The practical negotiation and literal definition of consent can be multifaceted and complex and, as such, it is also something that has been subject to extensive discussion and deliberation.<sup>1</sup> Following the rise of the #MeToo movement especially, debates around consent, what it is, and what we think it should be, have proliferated. This already complex debate regarding the state and nature of consent has also been further complicated by a turn to digital technologies for sexual purposes. Issues like content moderation and shadow banning,<sup>2</sup> widespread 'data extraction',<sup>3</sup> and the use of rapidly changing digital technologies for sexual practices in continuously evolving digital contexts,<sup>4</sup> bring a digital dimension to this matter, already recognised as socially, politically, and legally fraught.

For instance, research has shown the enhanced difficulty young people have in establishing consent and in preventing its violation in digital sexual and/or intimate contexts.<sup>5</sup> Forms of digitally mediated sexual violence, like various types of intimate image abuse, constitute one example illustrating this problem.<sup>6</sup>

At the same time, digital technology has opened new opportunities and spaces for being sexual, exploring sexuality, seeking and making connections, and negotiating consent.<sup>7</sup> Digital spaces and technologies can also be conducive to the development of healthy sexual consent cultures, wherein sexual acts and activities are grounded in and generative of new and helpful understandings of sexual consent, and of how it can be secured and promoted.

## Workshop Aims

Taking the above into consideration, the aims of this workshop were the following:

1. Provide a space for stakeholders and experts to collectively unpick some of the main challenges that those aged 16-and-over face in the area of sexual consent in digital sexual cultures;
2. Formulate key recommendations in the form of actionable steps that those working with this group on this topic can draw on as they navigate this space;
3. Foreground the crucial work conducted by charities working with those aged 16 and over in the UK on concerns related to consent in digital sexual cultures.

## Workshop Objective

The desired outcome of the workshop was this report. The hope is that the report will constitute a mechanism for stakeholders in this field to advocate for themselves and for the important work that they do in this area, either through funding applications, activism and advocacy, or in simply raising awareness of the significant challenges many are facing with regards to sexual consent and due to its digital mediation. The target audience for the report is stakeholders within the

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1 See, for example: Angel, *Tomorrow Sex Will Be Good Again: Women and Desire in the Age of Consent*; Garcia, *The Joy of Consent*; James-Hawkins and Ryan-Flood, *Consent*; Popova, *Sexual Consent*.

2 Are, 'How Instagram's Algorithm Is Censoring Women and Vulnerable Users but Helping Online Abusers'.

3 D'Alton, 'Q and A with Nick Couldry and Ulises A Mejias on Data Grab'.

4 Devlin and Locatelli, 'Guys and Dolls'; Easterbrook-Smith, 'OnlyFans as Gig-Economy Work'; Saunders, 'Sex Tech, Sexual Data and Materiality'.

5 Setty, Ringrose, and Regehr, 'Digital Sexual Violence and the Gendered Constraints of Consent in Youth Image Sharing'; Setty and Dobson, 'Young Love "Locked Down"'.

6 Revenge Porn Helpline, 'What Is Intimate Image Abuse?'

7 See, for example: Paasonen, Jarrett, and Light, *NSFW*; Tiidenberg and van der Nagel, *Sex and Social Media*.

field of consent in digital sexual cultures including, but not limited to, people approaching this topic from the fields of academia and research, law, digital technology and platforms, education, policy, advocacy and activism, and/or charity work.

## Attendees

The Consent in Digital Sexual Cultures Stakeholder Workshop was held at King's College London on 12 January 2024. Twenty-four participants attended the workshop. Participants were invited by Amundsen because of their unique experience and expertise in areas related to consent in digital sexual cultures.

Participants included mental health and wellbeing professionals; lawyers working with clients who have had their consent violated in digital spaces and/or providing free legal advice to university staff and students; researchers and authors having extensively explored negotiations of consent in relation to the joys and harms of digital and non-digital intimacies and relations; legal, social and policy experts having provided advice and recommendations to committees involved in the drafting of policies and regulations related to questions of consent; researchers looking more closely at digital technologies and their role in enabling and/or preventing sexual consent; and representatives from charities doing crucial work with youth and adults to assist them in navigating the issues that they face regarding consent in digital sexual cultures.

Those attending the workshop were offered the opportunity to have their crucial contribution to the workshop design, activities, and report recognised by having their name and place of work listed here. Not all participants opted in for this.

Ben Hurst	Beyond Equality
Emilie Cousins	Fumble
Jennie Williams	Enhance the UK
Zoe Lloyd	Enhance the UK
Hayley Laskey	Report Harmful Content and Revenge Porn Helpline
Sarah Daniel	Hamlins
Carly Billiau	King's College London
Jamie Hakim	King's College London
Jessica Ringrose	University College London
Kaitlyn Regehr	University College London
Laurie James-Hawkins	University of Essex
Adrija Dey	University of Westminster
Lorna Woods	University of Essex
Róisín Ryan-Flood	University of Essex
Emily Setty	University of Surrey
Frances Ridout	Queen Mary, University of London
Chloé Locatelli	King's College London
Kovila Coopamootoo	King's College London
Paula Martín Martínez	King's College London
Rikke Amundsen	King's College London

## Workshop Content

The workshop was centred around two participatory small-group activities: The first small-group activity focused on obstacles to consent in sexual interactions in digital spaces. The second small-group activity focused on opportunities and recommendations to promote and secure consent in digital sexual spaces.

The activities in both small-group activities centred on discussing consent in digital sexual spaces in relation to five sub-categories: (a) education, (b) law, (c) digital technology and platforms, (d) policy, advocacy and activism, and (e) social/individual factors and identity categories. The design and content of both activities were grounded in inputs from workshop participants, shared with Amundsen during the planning stages of the workshop.

Between the two small-group activities, the workshop included short presentations by the four participating charities: Beyond Equality, Enhance the UK, Fumble, and the Revenge Porn Helpline. These presentations introduced the important work that each of these charities does to promote and protect consent in digital sexual cultures. They also addressed some of the main challenges and obstacles to consent in digital sexual cultures that they come across through their crucial work.

The workshop concluded with a group discussion, where participants reflected further on the points raised and discussed throughout the day, but especially in relation to the opportunities and recommendations made to promote and secure consent in digital sexual cultures.

In the next report sections, we first introduce each participating charity and give a summary of their presentations. This is followed by a summary of the main obstacles and recommendations identified during the workshop small- and whole-group activities in relation to the five focus areas: (a) education, (b) law, (c) digital technology and platforms, (d) policy, advocacy and activism, and (e) social/individual factors and identity categories. The report ends by summarising some final reflections.

## Empirical Focus

The workshop was carried out with a focus on the UK, and on consent as it is practiced by anyone aged 16 and over (as the age of consent in the UK is currently 16). However, it is worth noting that, in the UK, the Protection of Children Act 1978<sup>8</sup> makes it clear that, “it is an offence to make, distribute, possess or show any indecent images of anyone aged under 18”.<sup>9</sup>

## Defining Consent

Consent is a multifaceted concept subject to different and sometimes conflicting definitions and understandings, often depending on the context in which it appears, and the people involved in negotiating it.<sup>10</sup> The workshop was therefore not grounded in a set definition of what consent means and contains. Rather, it was run with the hope of encouraging discussions about what ‘consent’ can mean and contain, or perhaps even should mean and contain, when it occurs in the context of digital sexual cultures. In Amundsen’s opening remarks, it was suggested that participants follow the advice of Milena Popova,<sup>11</sup> that we approach consent as “something enmeshed in social structures, cultural practices, and complex operations of power”. To this, Amundsen added the encouragement that participants approach consent as something enmeshed in digital infrastructures too.

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8 Protection of Children Act 1978.

9 Child Law Advice Service, ‘Sexting’.

10 Garcia, *The Joy of Consent*, 4–5; James-Hawkins and Ryan-Flood, ‘Introduction’, 1.

11 *Sexual Consent*, 10.



# Charity Presentations

## Beyond Equality

**Presentation delivered by Ben Hurst, Director of Facilitation, and co-written by Daniel Guinness, Managing Director**

Beyond Equality (BE) is a gender equality organisation focused on masculinity and gender norms, founded in 2014. BE works with young men in the places that they are. This includes, but is not limited to, schools, universities, corporate spaces, and sports teams. BE is a preventative organisation, addressing gender justice, gender based violence and mental wellbeing issues. They work by shifting the conversation around masculinity and create spaces for boys and young men to rethink how their identities, attitudes and behaviours can be influenced in damaging ways. A particular focus of their work is on the harmful consequences that certain understandings of masculinity can have for boys and young men, but also for other people, like women, girls, trans and non-binary people.

Three core elements guide BE's work with boys and young men. The first is positive integration, which is facilitated by BE inviting boys and young men to deconstruct and reconstruct masculinities for themselves. The second element is inclusivity, which is promoted by BE encouraging understandings of masculinities as plural, unstable, diverse, and shaped by the geographic and temporal contexts and social and individual factors that they appear in relation to. The third element guiding BE's work with boys and young men is compassion, as their work with boys and young men is grounded in their understanding that it can be difficult and daunting to find your own way and to navigate your own gender identity at a time when masculinity is often claimed to be in crisis – vulnerability can be a pathway to empathy and change.

To facilitate boys and young men's rethinking and reflection on masculinity, BE runs workshops and interactive participant-led sessions centred around games, activities, and questions about masculinity. Their aim in doing this is to involve boys and young men in conversations around gender norms that they would likely not have otherwise. BE also engages with the youth advisory board that they have set up and contributes to research on topics related to their work.

## **Beyond Equality's Approach to Consent in Digital Sexual Cultures**

The topic of consent in digital sexual cultures shows up in BE's school and university workshops, which are organised into modules consisting of three workshops each. These workshops deal with (1) masculinity and gender norms, (2) sex, sexuality, and healthy relationships, and (3) gender-based violence prevention, focusing especially on violence against women and girls. Of the three workshops, the second one, on sex, sexuality, and healthy relationships, focuses the most on consent and it is in this workshop that the topic of consent in digital sexual cultures comes up most frequently.

When discussing consent in digital sexual cultures, the core concerns that participants in BE workshops generally bring up and want to discuss relate to (a) sexting and nudes, (b) digital content sharing and digital footprints, and (c) online bullying. Relatedly, BE has noted an overarching concern among boys and young men about doing things online that is not legal or alright, and confusion around what is or is not socially or legally acceptable to do. Helping boys and young men unpack these concerns and pointing them towards sources where answers to their questions about this can be found, is thus crucial.

Along with fellow stakeholders METRO and Survivor's Network, Beyond Equality has also recently collaborated with Dr Fiona O'Rourke and Dr Craig Hasler from the University of

Liverpool as they were developing the [‘#Men4Change’ toolkit](#).<sup>12</sup> This toolkit provides guidelines and suggested activities on how to work with young men to encourage their critical thinking about and engagement with masculinities and other gender norms, also in relation to consent.

One main issue that BE has discovered in relation to consent in digital sexual cultures, is connected to the topic of anonymity and accountability. Because one can engage with a broad range of online activities without necessarily being recognised for doing it, there appears to be less of a sense of consequence among the boys and young men that they work with. This also means that these boys and young men are more likely to cause harm to themselves and others.

Another issue identified by BE relates to the development of new norms with regards to consent in digital sexual cultures, accompanied by new expectations of young people in terms of what they think is expected of them. BE has found that the norms regarding what is socially acceptable can be vastly different in different contexts and depending on who is involved in the different interactions. Because of this, they stress that it is important that education on consent in digital sexual cultures accounts for the importance of context. Such education must acknowledge that norms and expectations with regards to consent can be informed by contextual factors like time and space, and by the demographics of the people involved. Sadly, some boys are being drawn by algorithms into particular online contexts where consent and respect are far from the norms.

**“There are lots of norms that don’t respect consent, especially in group spaces and forums. We see that loads of young people are kind of swept into behaviors that they think are what are expected of them not because that’s the thing that they want to do, [but] because that’s the norm.”**

**– Ben Hurst, Director of Facilitation,  
Beyond Equality**

A final core takeaway from BE’s work with boys and young men about these topics is that, as we live in a digital culture, explorations of digital sexuality are inevitable. Talking to boys and young men about how digital sexuality can be exercised in safe ways, is key. There is no rulebook or set of answers on how boys and young men should protect and secure consent in digital sexual cultures, and act in ways that are responsible, safe, and respectful. It is precisely because of this insight that organisations like BE are more important than ever before, as they provide necessary spaces for boys and young men to talk through, unpack, and make sense of the issues that they face in digital sexual contexts.

## **Enhance the UK**

**Presentation delivered by Zoe Lloyd, Campaign Manager, and Jennie Williams, Chief Executive Officer**

Enhance the UK is a user-led charity founded in 2009 by Jennie Williams, with the aim of changing how people perceive disability. Williams’ motivation to set up this charity was grounded in experiences that she gained when working as a social carer and realising that the care plans for people living in care homes involved little to no information about their sexual

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<sup>12</sup> O’Rourke and Haslop, ‘#Men4change: Tackling and Transforming Harmful Gendered Norms and Behaviours - a Toolkit for Youth Leaders and Activists’.

needs. Enhance the UK – and their specific campaign called Undressing Disability – was consequentially established to enable and encourage conversations around sex and disability. Since then, Enhance the UK has also set up the Love Lounge, a platform for asking questions about disability and sex. The Love Lounge is a free support service, and people can reach them via email for written support, or they can schedule up to 60-minute long Zoom calls. As part of the Love Lounge, Enhance the UK are also sharing relevant information via their social media accounts, like the meanings of sexual/dating acronyms. Such information is necessary to ensure that people who might be vulnerable in online dating contexts can practice fully informed consent, as they know what the different things they agree to and engage in mean and involve.

Another core element of Enhance the UK's work involves collaborating with care homes on amending or writing from scratch their policies on sex. Enhance the UK are also working to make these policies accessible and easy to understand for carers whose first language is not English. They also provide training and an accredited course about how to have conversations with disabled people about sex and consent, and about how to support their human right to accessing sex and relationships. Central to this training is understanding the legal framework and its limitations, and breaking down a carer's own prejudices about sex (and disability).

Recently, Enhance the UK has also brought out their own inclusive sex toy range called Quest.<sup>13</sup>

**“...if there's not representation in sex education again people aren't going to identify with that and [they will] say, 'This isn't for me' and step back from the sex education at age 12 or whatever and go, 'Well they're not talking about me, so it doesn't matter'. And so again they're isolated. ... obviously this can have implications in terms of consent when they're older.”**

**– Zoe Lloyd, Campaign Manager, Enhance the UK**

## **Enhance the UK's Approach to Consent in Digital Sexual Cultures**

A core concern that Enhance the UK are facing through their work is about access to sexual content and to education and information about sex for disabled people. For example, one obstacle to such information that people residing in care homes or in settings of care can face, is parental blocks that prevent them from searching for sexual content online. These blocks can be put in place to prevent staff from watching pornographic content at work, out of a desire to safeguard residents in care homes, or simply because accessing, for instance, pornographic content is considered inappropriate. Putting such blocks in place is problematic, however, as pornography in and of itself is not illegal and, for some disabled people, pornography is also the only possible route for sexual stimulation. These blocks do also have the potential to create significant health risks, because they prevent disabled people from accessing information that they might need to understand a sexual health problem. Such blocks in care homes can also prevent residents from accessing advice on how to navigate consent in a sexual relation.

Not all people with disabilities have carers or a community around them to ask questions about and discuss sex. Not being able to compensate for this by searching for information online can

<sup>13</sup> Enhance the UK, 'Quest - An Inclusive Sex Toy Range'.

therefore be extremely isolating. Whilst such blocks and/or a lack of communication by carers about this topic might come from the point of wanting to safeguard, it can in fact have severe negative consequences. Not only can blocking access to information about sex and consent work as a form of infantilisation. Blocking such information can also put disabled people at risk, as they do not then have access to the information that they need to negotiate consent safely.

Another consent-related issue experienced by Enhance the UK is that disabled people sometimes express feeling like a burden to their carer. As a result, they might end up saying yes to things that they do not want. Relatedly, in couples where one of the partners acquires a disability (as is the case with about 80% of all people with disabilities<sup>14</sup>), there is the risk that a change in the dynamics between partners also comes with a decreased respect for the boundaries of the person with the disability.<sup>15</sup>

A final consent-related issue that Enhance the UK is dealing with through their work, and that they are seeking to address, is a lack of representation of disabled people in sex education. This lack of representation can have two negative effects on practices and perceptions of consent: one is a lack of education of the population generally, where people fail to acknowledge the sexual needs and rights of disabled people. Another issue related to a lack of representation in sex education, is that disabled people stop engaging with it as they do not identify with what they are being taught, as it does not account for their experiences. This lack of engagement with sex education can have severe negative implications for their ability to negotiate consent in sexual interactions later in life, whether that be in a digital or offline space. For example, research shows that disabled women are more likely to experience abuse, partly because of their lack of education in this area.<sup>16</sup>

## **Fumble**

### **Presentation delivered by Emilie Cousins, Programme Manager**

Fumble is an educational youth charity providing online sex education material for young people up until the age of 25 (it should be noted that their educational material is available to anyone who might find it helpful, including those aged 25 and over). Fumble was founded in 2017 by a group of volunteers, including Cousins and their Chief Executive Officer, Lucy Whitehouse. It received official charity status in 2020 and, since then, Fumble has acquired a staff team, in addition to their group of volunteers. Fumble was developed as a response to what the founders saw as inadequate sex education for young people in the UK. The development of Fumble also happened because, at the time, we were witnessing the first generation growing up with the Internet, smartphones and social media, something that has brought about some core differences to how sex, but also consent, is practiced and perceived.

Fumble provides sex education material through their website and social media platforms. In doing so, they aim to provide an inclusive platform for young people to ask questions about sex and relationships, with a particular emphasis on providing answers to young people that are LGBTQ+, have a disability, and/or that struggle with any mental health condition. In addition to providing educational material about sex, Fumble provides information about other, related topics, like gender identity, body image, self-esteem, and digital wellbeing.

All educational material provided by Fumble is given through a peer-to-peer model for co-creation. This model is grounded in collaboration with their youth advisory board, which is a diverse group of 14 young people, aged 16 to 21, and from a broad range of backgrounds. This group steers all work conducted at Fumble, from content creation to recruitment of new staff, to consulting funding bids. The co-creation of material is also facilitated through public surveys,

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14 Department of Work and Pensions, 'Level 2: Disability Confident Employer', 2.

15 Office for National Statistics, 'Disability and Crime, UK: 2019'.

16 See, for example: Disability Justice, 'Sexual Abuse'; Weiss, 'People with Disabilities and Sexual Assault'.

which ask young people what educational material they want and need.

## **Fumble's Approach to Consent in Digital Sexual Cultures**

Fumble's sex education material is founded on the idea that sex education is about more than just the simple act of sex itself. Crucial to any information provided about sex, is additional information about setting and respecting boundaries, and about recognising and differentiating between healthy and unhealthy relations (regardless of whether these relations are romantic, sexual, friendly, or familial). Another core issue that Fumble is addressing with their sex and consent educational material, is the need to recognise that the online and offline are not oppositional or independent from each other. Rather, the digital and non-digital inform and shape each other, and it is therefore important that educational material on sexual issues addresses the ways that these realms intersect.

One of the core challenges in relation to consent that Fumble is addressing now, is especially related to boys and young men wanting and needing somewhere and someone to talk to about this issue, online and in-person, but not finding supportive spaces for it. Fumble creates digital content that addresses their concerns around consent, and provides a healthy, trustworthy online space for boys and young men to access at their own pace. Another core concern that Fumble has noticed in interaction with boys and young men, is about their worrying about false accusations of having violated someone else's consent, as well as their having several questions about when and how to initiate sex and sexual activity, without crossing any lines or disrespecting the boundaries of a sexual partner. As there is no fixed way to do these things correctly, it is very difficult for Fumble to give explicit answers to these questions. To address this issue, Fumble has created a whole suite of updated consent content, trying to account for and explain the necessity of consent, as well as its complexity and the need to develop the skills necessary to communicate about one's own and other's boundaries. Fumble is aware that young people, especially boys and young men, want practical examples of how consent happens in real life. To meet this demand, Fumble uses examples from popular media in their consent content, to show what healthy consent, checking in, and non-consent can look like.<sup>17</sup>

**“And I do think it's really important that research is going on and charities are doing so much work around consent, because it is one of those where the more you tread in the more you realise it's so deep, there's so much.”**

– Emilie Cousins, Programme Manager, Fumble

A final issue that Fumble is addressing, relates to the sheer scale of consent as a concept and practice. In Fumble's experience, young people – and especially boys and young men – can feel overwhelmed by the volume of information about consent. Such feelings of being overwhelmed can lead to them simply wanting to withdraw themselves from the conversation and, as such, these feelings can create barriers to access to sex and consent education. To address this issue, Fumble has aimed to simplify their educational material on consent, bringing it back to the simple message of consent primarily being about care and checking in to make sure that everyone involved is OK, and that they are having fun.

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<sup>17</sup> See, for example: Rach, 'Heartstopper'.

# The Revenge Porn Helpline

## Presentation delivered by Hayley Laskey, Senior Revenge Porn Helpline & Report Harmful Content Helpline Practitioner

The Revenge Porn Helpline (RPH) was founded in 2015 in line with the introduction of new legislation under the Criminal Justice and Courts Act 2015<sup>18</sup> criminalising the disclosing of private sexual images without the consent of a person in the image.<sup>19</sup> The Revenge Porn Helpline falls under the Safer Internet Centre and is part of the South West Grid for Learning, which runs three helplines – with the RPH being one of them.

The RPH is a non-judgmental and confidential service, which assists adults aged 18 or over in the UK with having non-consensually shared private sexual images removed from online spaces. They also aid with reporting non-consensually shared private sexual images, in addition to giving advice, signposting to legal advice services, and helping with reporting to the police. In terms of the type of cases where they assist, this involves helping those who are experiencing either that their intimate images are shared without consent, but also those dealing with threats to share their intimate images without consent, intimate images taken without consent like voyeurism or up-skirting, or sextortion – which is what happens when someone is lured into sending intimate images of themselves and then threatened with it being shared forward unless they first transfer money. Sextortion is a crime often committed by criminal gangs overseas, and it affects mainly men.<sup>20</sup> Sextortion is also currently one of the biggest crimes handled at the RPH.

The RPH are also operating the Stop Non-Consensual Intimate Image abuse tool (StopNCII.org), a free tool that enables people to hash their intimate images. StopNCII will then distribute that hash to the companies that they collaborate with, like Reddit, OnlyFans and MindGeek, who can then take the image down if they recognise the hash in an image on their site.<sup>21</sup>

Whilst the RPH uses the term ‘revenge porn’ in its title, that is still a term they would refrain from using themselves. The non-consensual disclosure of private sexual images does not have to involve revenge, and the kind of imagery shared as part of this act is not porn. Staff working at the RPH rather refer to such events as intimate image abuse. Still, as the RPH is the name that the helpline took when it first started, that is the name that most people know them by, and how people in need of their support tend to find them online. Moreover, whilst ‘revenge porn’ is a name that practitioners and academics have tended to stop using, it is still a term being used in the media. Sticking with the old name – despite its shortcomings – is thus useful to ensure that the RPH is easily found online by people in need of their help.

## Revenge Porn Helpline’s Approach to Consent in Digital Sexual Cultures

The RPH can only handle the removal of private sexual images as they are defined by law, which is something that can sometimes make their job very difficult. For example, an image already shared on a public forum like OnlyFans, would not legally be considered as ‘private’, even if the creator only intended for it to be accessed by a select group of people. Another issue relates to the definition of ‘sexual’ itself, as what is sexual to some might not be seen as sexual to others. At the time of the workshop, an image only legally counted as ‘sexual’ if it is nude, semi-nude, or showing genitals and/or a sexual act. However, new updates to the law coming in alongside the Online Safety Act 2023 should mean that underwear images, toileting images, topless images of men, and deepfakes will also be included in this definition. With these

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18 Criminal Justice and Courts Act.

19 Revenge Porn Helpline, ‘About Us | Revenge Porn Helpline’.

20 Papachristou, ‘Revenge Porn Helpline 2023 Report’, 13.

21 StopNCII.org, ‘Stop Non-Consensual Intimate Image Abuse | StopNCII.Org’.

changes to the law, the emphasis on having to prove “intention to cause distress” in Section 33 of the Criminal Justice and Courts Act 2015<sup>22</sup> – criminalising the disclosure of private sexual images – will also be removed. Semen images and so-called ‘creepshots’ (images taken of someone in public, without their knowledge or consent) will still not be included. These changes to the law are mostly thanks to campaigning work by people like Dame Maria Miller, and Professor Clare McGlynn, alongside recommendations from the RPH and the Law Commission, among others.

Another one of the issues that the RPH is currently facing in relation to consent, is simply navigating the existing legal framework with regards to the non-consensual sharing of intimate and/or private sexual images. At the time of the workshop in January 2024, the Online Safety Bill had become an Act, but it was not yet clear when the elements of this law related to non-consensual sharing of intimate imagery would come into force. As such, the RPH was mainly relying on existing legislation criminalising such non-consensual activity, like the Criminal Justice and Courts act 2015,<sup>23</sup> the Domestic Abuse Act 2021,<sup>24</sup> and the Voyeurism (Offences) Act 2019.<sup>25</sup>

The task of proving non-consent has also become a significant obstacle to the RPH in their work. This is also an issue often reported on by their clients. For example, clients have shared with the RPH that the police have made it a requirement that those reporting digital intimate image abuse to them can prove a lack of consent. Non-consent is also near impossible to show or demonstrate in cases where intimate images have been created in response to coercion. Improved education around consent in schools and at universities, but also for policy and people involved in all stages of a case where digital intimate image abuse is happening, would be very helpful. Indeed, enhanced education around consent could help make it easier to address issues related to confusion around what consent is, involves, and how it can be recognised.

**“So ... this is the words of a client that came to us. ... she said she went to the police because she had her images shared, and they asked her to prove that she didn’t want them shared. Otherwise it wasn’t a crime. ... But it got me thinking, how do you prove that you didn’t want them shared?”**

– Hayley Laskey, Senior Report Harmful Content and Revenge Porn Helpline Practitioner, The Revenge Porn Helpline

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22 Criminal Justice and Courts Act.2015

23 Criminal Justice and Courts Act.2015

24 Domestic Abuse Act 2021.

25 Voyeurism (Offences) Act 2019.

# Obstacles, Recommendations, and Opportunities

Below follows a summary of the main obstacles, recommendations and opportunities for consent in digital sexual cultures, as identified during workshop activities and discussions. These will appear in the following order, as organised into the five main workshop focus areas: 1) education, 2) law, 3) digital technology and platforms, 4) policy, advocacy and activism, and 5) social and individual factors, and identity categories.

## Education

### Obstacles to Consent Conjured by Sex Education in Schools

- A sufficient level of sex education is currently not being provided in schools, even though sex education is core to prepare youth for entry and full participation in consensual, respectful and respecting digital sexual cultures later in life.
- The opportunity for parents to opt their children out of some sex education (until three terms before the child's 16th birthday), and a lack of compulsory sex education for mainstream primary schools, constitute risks to the promotion of healthy sexual consent cultures.<sup>26</sup>
- 'Shielding' youth from sex education is risky, as it prevents youth from accessing information about what safe and respectful sexual practices should look like.
- Insufficient education about how to establish, secure, and protect sexual consent, places the responsibility for gathering this information on young people themselves (including in cases where young people are survivors of sexual violence).
- Consent as it is currently taught in schools does not always prepare students for more complex real-life situations where consent is required. For example, a 'textbook' definition of consent might not necessarily capture how practices and perceptions of consent are contextually informed and shaped by the interplay of various individual and social factors that inform not just how consent is understood, but also how it is enacted.
- Current sex education in schools is not necessarily prepared to inform students about consent as it occurs in the digital realm.

### Obstacles to Consent Conjured by Sex Education for Adults

- Educational material about consent in digital sexual cultures must be provided across age groups, including for adult and elderly people, who might be less familiar with digital technology and with how that can be used in a way that is respecting and respectful of their own and others' boundaries.
- Adults with disabilities are put in vulnerable positions when not granted

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<sup>26</sup> For a complete overview of relationships, sex and health education in schools in the UK, please consult this overview by the Family Planning Association 'Relationships, Sex and Health Education Across the UK' (link and title is available in the reference list). See also: Abreu and Long, 'Relationships and Sex Education in English Schools'.



access to sufficient information about sex and consensual sexual acts, for example online.

- For adults with disabilities, infantilisation and attempts to ‘protect’ them from information on sex, rather than their being educated about it, can constitute an obstacle to their developing informed understandings of consent in digital and non-digital sexual interactions and situations.

## **Recommendations and Opportunities for Consent Conjured by Inclusive and Contextually Informed Sex Education**

- Future sex education should be context specific, addressing how the use of digital technologies for sexual purposes is informed by time, space, digital technologies used, and by the situation and identity position of each user.
- Overall, there is a need for more sex and consent education that addresses negotiations of consent in LGBTQ+ relations, and that accounts for the sexual needs and experiences of people with disabilities.
- Sex education should shift its focus from risk and risk management, to focusing on positive rights in relation to sex and consent: Education would do better to focus on what people can do and what their opportunities are, and to encourage conversations about ethics and consent.

## **Recommendations and Opportunities for Consent Conjured by Funding and Support of Sex Educators**

- Charities, activist groups, and educators require more funding and support to continue to provide spaces to share and discuss experiences of using digital technologies for sexual acts and purposes, especially in relation to consent and its violations.
- Sex educators themselves need education on the changing nature of consent in digital spaces and cultures.
- To enable parents to better support their children, parents need education about the obstacles to consent that occur due to the introduction of the digital into sexual lives and practices.

**“Education, education, education, I think really is the key. And then we can start changing the narrative and the culture around [intimacy and masturbation].”**

– Jennie Williams, Chief Executive Officer,  
Enhance the UK

# Law

## Obstacles to Consent Conjured by the UK Legal System

- The suitability of the law to protect and promote consent in digital sexual cultures is limited by its reactionary approach, meaning that it cannot be in line with or up to date on the latest developments of digital technology platforms.
- Tensions can occur between a desire to align with different laws. For instance, the right to privacy must sometimes be jeopardised for those seeking to take legal action when their confidentiality has been violated.
- Historically, the law on consent has been created by people with an overwhelming white, cis, and heterosexual background, situated within a legal context informed by the UK's colonial legacies. Consequently, the law is unlikely to reflect the broad range of identities, social factors and contexts that feed off and into various consent negotiations – in digital spaces or otherwise – and, owing to this, its applicability is limited.
- The broader implications of reporting – involving the need to disclose, and repeat, the nature and details of their painful experience – deter many survivors from making use of legal frameworks.
- Survivors can be deterred from reporting consent violations to the police, where the police are not sufficiently well-trained to recognise certain consent violations as illegal.
- Whilst prosecution under the criminal law is free, it is not always the most useful option for survivors. For example, if someone's main concern is that they want certain material taken down and removed from a platform, then the civil law might be a more suited option.
- Using the civil law for legal redress can be very expensive, something that can prevent survivors from making use of it.

## Obstacles and Opportunities to Consent Conjured by the Online Safety Act 2023 (OSA)<sup>27</sup>

- There is a lack of clarity about various aspects related to the OSA, like the new super complainant procedure. This lack of clarity makes it difficult for stakeholders working on consent in digital sexual cultures to fully comprehend what applies when.

## Recommendations and Opportunities for Consent Conjured by the UK Legal System

- To address issues related to access to justice, we need more funding to enable:
  - Accessible and affordable legal aid and support for survivors.
  - Improved training of the police force, to help them recognise cases where consent has been violated;
  - Civil society organisations to collect and present evidence in super complainant cases under the OSA.

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<sup>27</sup> Department for Science, Innovation and Technology, 'Online Safety Act'.

# Digital Technology and Platforms

## Obstacles to Consent Conjured by Digital Technology Design and Development

- Digital technologies are generally developed with the aim of financial profit, meaning that financial gain can take precedence over a concern for the potential consent problems that these technologies might generate.
- Obstacles to consent in digital spaces are generally addressed only after they happen, rather than it being at the foreground when designing these technologies in the first place.
- There are few incentives for digital technology developers to consider safeguarding, and a limited emphasis on their accountability in cases where consent has been transgressed and/or violated.<sup>28</sup>
- Digital technologies are – overall – designed and developed by people with a narrow demographic.<sup>29</sup> This can lead to a lack of consideration of the diversity and range of their users, and of the various sociopolitical and psychological factors that can inform their use.

## Recommendations and Opportunities for Consent Conjured by Digital Technologies

- Digital technologies and spaces can play key roles in the dissemination of ideas and information about sexual consent and sex education.<sup>30</sup>
- Digital spaces can be important for, for example, LGBTQ+ people, as they provide a virtual space to disseminate information and educate each other on the importance of consent.
- Digital technologies could safeguard by design, meaning that the responsibility to keep users safe can be shifted from the users themselves on to the digital technology providers.
- Digital rights could be ‘by design’, meaning that users are automatically protected from, for example, receiving nude content on their social media, but where they can decide to opt out of that safety feature should they wish to do so.<sup>31</sup>
- Digital technology companies could be rendered more accountable for their own failures to provide safeguarding by design, for example by introducing a broader range of fines – of the same nature as GDPR style fines.
- Providing a generalised recommendation for all digital platforms might be a solution to the issue of unclear lines between platforms, and the difficulty of removing nonconsensual material that circulates between them.

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28 Though new duties have been imposed on social media and technology providers to protect users from online harm, as is outlined in the OSA.

29 See, for example: Oudshoorn, Rommes, and Stienstra, ‘Configuring the User as Everybody’; Hicks, ‘De-Brogramming the History of Computing [Think Piece]’; Young, Wajcman, and Sprejer, ‘Where Are the Women? Mapping the Gender Job Gap in AI. Policy Briefing: Full Report.’

30 For example, Fumble provides a broad range of sex education material on their social media and website, thus making use of digital spaces to provide crucial educational material that, for example, the sex education provided in schools might not provide.

31 After the workshop, Instagram announced that they would introduce such a feature, making it compulsory for under-18s, and optional for those over. See, for example: Vallance, ‘Instagram to Test New Tools to Fight So-Called Sextortion’.

# Policy, Advocacy, and Activism

## Obstacles to Consent in Relation to Activism and Advocacy

- Advocacy work on consent in digital sexual cultures is crucial, but the resistance that stakeholders can face in working to raise awareness on these issues can be exhausting.
- Academic research that happens in collaboration with, for instance, charities and activist groups can often be extractive: Unless academics provide information that can be fed back to these collaborators, then that research will not benefit anyone but themselves, and that collaboration will be a further strain on those groups' time and resources.

## Recommendations and Opportunities for Consent Conjured by Activism and Advocacy

- Digital technology platforms can provide important spaces for sex education, and for the sharing of ideas around consent and care.<sup>32</sup>
- Supporting researchers, activists and those involved in advocacy through enhanced funding is a recommended step towards enabling more such work in this area.
- If research is to reach its potential for feeding into advocacy and activism and encouraging positive change, it is key that time and resources are invested to establish strong links with the communities and groups that they work with.

# Social and Individual Factors, and Identity Categories

## Obstacles to Consent Conjured by a Lack of Representation

- The lack of diverse representation in sex education, policy making, and digital technology design and implementation, means that the diversity in use, needs, and requirements with regards to consent in digital sexual cultures are not sufficiently tended to.
- Research, activism and advocacy in the space of consent in digital sexual cultures tend to focus on negotiations of consent between women and men in cisgendered heterosexual relations,<sup>33</sup> meaning that it fails to account for diversity and the broad range of experiences of consent in these spaces.

## Recommendations and Opportunities for Consent Conjured by Enhanced Representation

- Law makers, sex educators, digital technology providers, and policy makers must include a broader range of people in the design and implementation of policy and law, educational material, and digital technologies.
- Stakeholders should move away from using generalised conceptualisations

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<sup>32</sup> For example, dating platform Bumble has played an important role in an activist campaign for the criminalisation of sending unsolicited penis imagery. See: Bumble, 'U.K. Government Accepts Bumble's Call to Make Cyberflashing a Crime'.

<sup>33</sup> See, for example: Amundsen, 'The Turn to Trust'.

or understandings of consent in relation to any element of digital sexual cultures.

- To fully address the changing nature of consent as it moves between different people and (digital) contexts, more research, advocacy and activism that accounts for the different consent relations that happen between different people and in different socio-technical contexts is necessary.

## Final Reflections

- The successful implementation of the recommendations outlined in the workshop and report requires the initial acknowledgement that digital sex and sexuality is valid, and that it is something that all should be able to freely and respectfully participate in.
- Bringing about cultural change in terms of how consent is practiced and perceived can be difficult, especially as we see the rise of self-proclaimed misogynist influencers like Andrew Tate.<sup>34</sup> At the same time, the rise of cultural products with alternative messages, promoting and discussing issues around consent, like *Sex Education* and *Everything Now*, can have a positive effect in enabling broader discussion around consent.
- Social policing around what can/cannot be said online and offline, and related concerns about being 'cancelled', can prevent those unsure about sex and consent from raising questions and discussing ideas with, for example, sex educators and support services.
- There are not enough spaces to ask difficult questions about sex and consent, but charities like Beyond Equality, Enhance the UK, Fumble, and the Revenge Porn Helpline provide crucial information and spaces for conversations around gender, sexuality, and consent, in non-judgemental environments.
- In future stakeholder discussions about obstacles, recommendations, and opportunities for consent in digital sexual cultures, it would be helpful to have representatives from policy, law making, the police, and digital technology providers present.

## Charities' Requirements to Address Gaps in their Work with Constituents

- To enable the RPH to help those affected by intimate image abuse more effectively, changes to the law, ensuring that all intimate images shared without consent are illegal, regardless of the circumstances, would be necessary. Today, when an intimate image is shared without consent, the act of sharing it is illegal, but the image itself may not be. This allows some websites to be less responsive in removing such content.
- As intimate image abuse often occurs alongside other issues, many of the

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34 BBC News, 'Who Is Andrew Tate?'

RPH's clients might benefit from support from both the Revenge Porn and Report Harmful Content helplines. Funding to merge these services into a single 'one-stop' resource for reporting all harmful content would enable a more effective approach for supporting clients, by simplifying and enhancing the client experience.

- Enhance the UK stresses that, to ensure that disabled people can advocate for themselves and understand what their rights are, they should be offered training on topics related to sexual health and rights. Such training could make part of an overall effort to normalise such conversations with care givers, thus contributing to the removal of shame and embarrassment. To improve inclusion and access to information for disabled people, there is also a need for a higher level of representation of disabled people in educational material, as well as in social media and on TV.
- To explore, and later address, how a lack of representation and inclusion of disabled people in sexual health discussions affect their mental health, Enhance the UK calls for funding to support more research in this area generally, and in relation to consent and digital sexual cultures specifically.
- Enhance the UK stresses the significance of implementing the topic of disability and sexual health and rights as part of statutory training for health professionals, like doctors, nurses, and carers.
- Fumble stresses that there is an overall need for more funding to support youth-led charities and projects that listen to young people's realities and provide the support they need. Such funding would enable them to do more to empower meaningful uplifting of young people in discussions around, for example, sex and consent.
- Charities would benefit from more long-term funding opportunities, like multi-year grants that provide organisational resilience and security. This would allow them to offer more opportunities for funded youth participation, like graduate roles, in their core staff team.

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