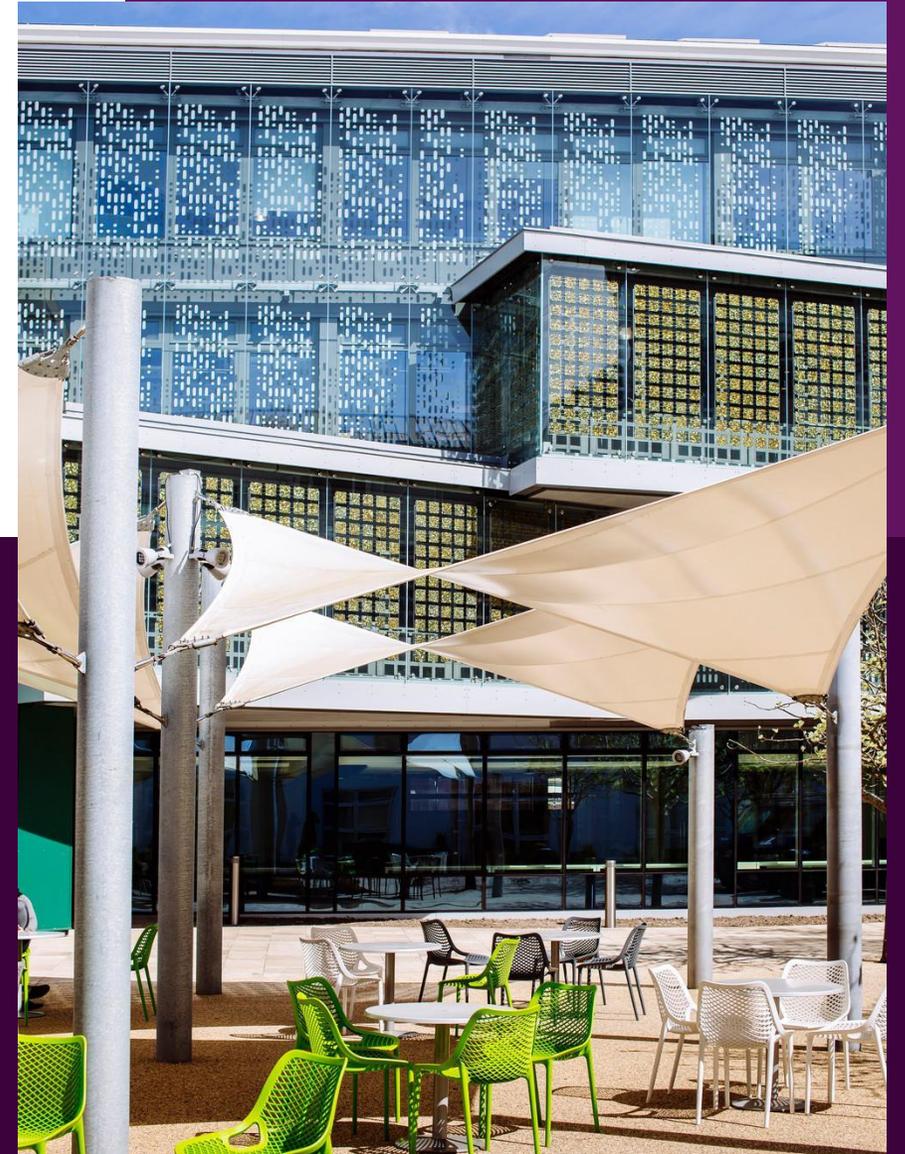# UNIVERSITY OF PORTSMOUTH

The impact of technology facilitated domestic abuse - victims' perspectives gained through the role of specialist advocates

Dr Jacki Tapley, Principal Lecturer in Victimology
School of Criminology and Criminal Justice
jacki.Tapley@port.ac.uk

Computer Misuse as a Facilitator of Domestic Abuse

- Project funded by the UK Home Office Domestic Abuse Perpetrators Research Fund

- Aims - To examine the nature of domestic abuse facilitated through unauthorised access and other computer misuse and related technological offences

- To assess how the link between computer misuse & domestic abuse can be formally evaluated

- Objectives – To identify the types of computer misuse related crimes used by domestic abuse perpetrators

- Identify what forms of technology are being used by perpetrators of domestic abuse

- Identify how technology is being used by perpetrators of domestic abuse

- Gauge the extent of different types of technology-facilitated domestic abuse

- Examine the impacts of technology-facilitated domestic abuse upon victims and the levels of support available

- Examine the response of the police and Crown Prosecution Service to examine their level of understanding of technology facilitated domestic abuse

Methods and research sample

- Literature Review

- Media Analysis - 146 cases

- Online Technology Review - 1654 technology tools extracted from 330 unique websites

- 21 Semi-structured interviews with professionals and service providers supporting domestic abuse victims in England and Wales

UNIVERSITY OF PORTSMOUTH

Semi-structured interviews

- 21 semi-structured interviews - 19 conducted online via Zoom, MS Teams, 45 minutes - 2 hours in length, and 2 by email.

- Participants - from across the South of England, the Midlands and North of England, domestic abuse service providers, charities, independent domestic violence advisors (IDVA), counsellors, first-response police officers, and a CPS lawyer

- Majority of participants were female – average of 10 years experience

- Supporting a range of victims - gender, ethnicity, and specialist services for specific groups

- Analysed thematically (Braun & Clarke, 2006)

Types of technology facilitated domestic abuse

SPYWARE
'Dual-use' apps (Chatterjee et al, 2018) ambiguity concerning the potential to normalise use – protection/safety
Simple deployment – gifts, access to devices
Blurring between clearly covert apps (Flexispy, Wife Spy, Girlfriend Spy, Spyera) and seemingly innocent apps (GPS, Find My Phone) and parental controls

Use of fake accounts
Fictitious person/s, real persons, or impersonating victims
Low technical skill required
Grey area legally
Used to abuse & harass victims, present victim in a derogatory manner

Stalking – victims manipulated into installing trackers for safety reasons
Covert trackers – phones, Fitbits, children's toys, smart speakers, delivery apps, video doorbells.
Image based sexual abuse – pictures and videos, threats to share intimate pictures and videos

Tools of TFDA
Technologies targeting physical identity of individuals; digital data; both physical and digital
Everyday mainstream devices
Covert devices readily available online – eg. cameras, trackers
With guidance on how to use specifically for abuse

Scale of TFDA
The use of technology now featuring in the majority of DA cases
Likely to be part of an ongoing pattern of CCB during relationships
Sometimes only starts when relationship ends, but more often escalates when a relationship ends

UNIVERSITY OF PORTSMOUTH

Impact on victims

- Serious impact of constant surveillance - psychological, emotional, physical, financial - *complete deterioration of mental well being*

- *I'd say that when we've spoken to women, they say it's as intrusive as being assaulted, sexually assaulted. And quite often, there are visual cameras in the property. They suspect there is, they're trying to find them. And they know they're being watched; their every movement is being watched. They can't seek help…there's no safe way to speak to somebody, communicate, get help, you're never left alone. Imagine what that does to somebody's mental health. It really, really makes somebody afraid and paranoid…, it helps that facilitation of gas lighting, making somebody think they're going crazy* (Interviewee 1)

- Technology utilised to further control victims, insidious nature, removes any autonomy and independence they may have from the perpetrator.

- Children damaged by its impacts – constant surveillance

- High risk indicators not always identified – stalking behaviours linked with fatal consequences

- Severity of harms minimised by authorities when compared with offline abuse - victim blaming, placing responsibility upon victims to protect themselves, not recognising the abuse as a repeated, on-going pattern of abuse

- Victims often respond to perpetrator to placate them, aware of the risk, situation may escalate if they do not respond

Response to victims

- Victim-blaming - onus remains on victim to change their behaviour, start their lives from scratch *'huge injustice'*

- Expectation that victims disconnect - unfair and impractical, abuser succeeds in isolating victim

- Failure to recognise when and how abuse is occurring – victims' complaints not taken seriously. Often appears low level, but when repeated and combined - causes serious harm

- One size-fits-all approach not feasible - some general guidance possible (victim guidance produced by this project)

- Some services have developed specialist advocates, but projects are grant funded, prevents development of skills/knowledge

- Further knowledge and training required for criminal justice professionals and service providers. Collect and record evidence, make use of legislation available, improve charging and prosecutions.

- *Right now, a lot of our services tend to be very much in the physical space or tend to deal with domestic abuse as a physical crime, and I'd say that is where the public sector hasn't really kept pace. We know that domestic abuse takes place online as well, like cyber bullying, but our service provisions tend to be very much shelters, workers, keyworkers, support officers, social workers who deal with the physical act and taking people out of a situation. But when you talk about a phone and other digital devices, I don't think we're there yet. I think it's just beginning to change the landscape in terms of what we consider to be domestic abuse and how we respond to it.* (Interviewee 19)

Criminal justice and legislative responses

- Computer Misuse Act offences rarely used for prosecution - although 55/108 involved unauthorised access

- Lack of evidence - perpetrators able to evade sanctions – eg. automatic removal timers

- Professional lack of understanding about the role of technology - often considered low level, unless combined with offline offences

- Lack of legislation to tackle distinct forms of TFDA, but new legislation emerging - Domestic Abuse Act 2021, Online Harms Bill 2022

- A need for training for professionals to raise awareness of technological abuse (including the judiciary) - utilise existing resources and partnerships

- Coercive and controlling abuses still being treated as isolated incidents, need to be acknowledged as a pattern of repeated and combined behaviours

- Interviewees advised that victims are being told by the police that nothing can be done until the perpetrator commits an offence - abuse is so well hidden

- If victims receive a poor initial response *'it sets the tone, it's easy for trust to be broken and victims won't re-engage'* exposing them to higher risks

Findings

- Computer misuse offences, especially unauthorised access, feature within DA contexts, but a broad range of other offences and harms also apply. Rarely occurs in isolation and is part of a wider pattern of behaviour.

- TFDA is becoming routine and normalised, due to increased use of technology in daily lives

- Wealth of information available and devices easily accessible to perpetrators online - ambiguity of dual use apps and tools

- TFDA has been found to be a component throughout coercive and controlling relationships, but is likely to increase/ be implemented when relationship ending

- Children increasingly involved in DA contexts to unwittingly assist in digital abuse

- Harms are no less serious than other coercive and controlling behaviours and physical violence

- One size-fits-all approach in supporting victims not possible – role of specialist advocates is crucial to provide support and link with CJS

- Computer misuse offences overlooked in the context of stalking and harassment or control and coercion

- Use of technology to facilitate domestic abuse needs to be recognised as an aggravating feature

Moving forward to tackle TFDA

- **Updated training**: Technological aspects to be included in domestic abuse training for police – Domestic Abuse Matters (DA Matters) run by SafeLives

- **Specialist advocates:** The development of specialist advocates with the relevant knowledge and skills. Many services are already developing this specialism, but it must be supported further with sustainable funding.

- Specialist knowledge 'Digital safeguarding' partnerships – advocates, police and CPS

- Use of technology to support and protect victims – Brightsky app – information, advice, 'My Journal' where you can record evidence

- DAIS Domestic Abuse Diary – a diary to keep a record of incidents which can then be exported to the Daisy Chain Project

- One combined app – online logging facility, ability to share entire log, and a two-way update facility

UNIVERSITY OF PORTSMOUTH