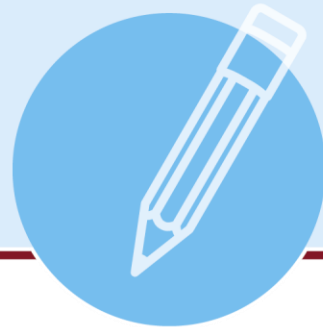




Bundesverband Frauenberatungsstellen und Frauennotrufe | Frauen gegen Gewalt e.V.  
Federal Association of Women's Counselling and Rape Crisis Centres (bff)

## COUNSELLING CENTRES AND THE DIGITALIZATION OF GENDER-SPECIFIC VIOLENCE



### **Results of a survey of women's counselling and rape crisis centres at bff**

Berlin, Oktober 2017

***bff*: aktiv gegen digitale Gewalt**

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As of 2017, bff has implemented the “Active against digital violence”<sup>1</sup> project. The project seeks to raise awareness, intervene and educate. Cyber-violence, as an expression of gender-specific violence, has kept women’s counselling centres and women’s emergency helplines busy for several years already. “Active against digital violence” now offers the possibility to bring together expert knowledge and current experiences in the women’s counselling centres and to further develop adequate support for victims.

In March of 2017, a survey was sent to all 176 counselling centres (as of March 2017) with which bff is affiliated. Over 60 counselling centres gave feedback about their experiences with digital violence. Since the concept of “Digital Violence” in the context of the counselling of female victims of violence has not been well developed conceptually or scientifically until now, the survey used the following interpretation as a basis<sup>2</sup>:

*By digital violence, we mean all forms of violence that make use of technological devices and digital media (mobile phones, apps, web applications, email, etc.) and/or violence that occurs in the digital realm, e.g. in online portals or social platforms. We start from the premise that digital violence does not function separately from “analogue violence”, but rather largely constitutes a continuation of or addition to the concept of violent relationships and dynamics.*

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<sup>1</sup> Information about the project and its various sectors available here:

<https://www.frauen-gegen-gewalt.de/das-haben-wir-im-projekt-vor.html>

<sup>2</sup> Further aspects of gender-specific digital violence available to read about here:

<https://www.frauen-gegen-gewalt.de/was-ist-digitale-gewalt.html>

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## 1. Results of the survey of women's counselling and rape crisis centres at bff

The survey analysis gives an overview of the work of counselling centres against digital violence. Assertions on the following points have been made:

- **concrete forms of violence**, which currently play a role in counselling work,
- **questions asked by the victims** that concern **coping strategies and legal measures**, such as
  - the description of certain **life situations or social positioning** that make the victim vulnerable in a specific way.
  - Furthermore, the counselling centres answered questions about their **cooperation with the police**
  - such as questions that concern their assessment of the **frequency of digital violence** and the **challenges in their counselling practice**.

### 1.1 Forms of violence

Counsellors describe the following forms of digital violence as relevant in their counselling practice:

- the circulation of intimate videos or photos that were originally created consensually<sup>3</sup>
- blackmail with intimate photos or videos
- the creation and circulation of videos that were made during a rape (in some cases in conjunction with the use of date rape drugs)
- the creation of fake profiles for dating websites, social networks, porn sites or the placement of false newspaper ads - all of which are very often followed by harassment and further (sexual) violence
- identity theft (“he writes false things in my name to friends/acquaintances/family and harasses them”)
- stalking (harassment by text, spying, ordering of merchandise, etc.)

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<sup>3</sup> In this context, so-called “sexting” (a combination of the words “sex” and “texting”) is often mentioned. The term refers to the sending and exchanging of pictures or videos with sexual content. When these photos are further circulated without the consent of the depicted person, this is a form of violence.

- doxing (the collection and publication of personal information on the internet)
- insults, threats via email, Whatsapp or other media
- actively deleting important documents, such as work documents
- romance scams<sup>4</sup>
- non-consensually taking of photos/videos in the public realm, e.g. in public bathrooms or fitting rooms
- hate posts
- surveillance (usually in the context of stalking and domestic violence):
  - installation of spy apps
  - surveillance of mobile phone/emails, e.g. if they were set up by a (former) partner who knows the passwords
  - reading emails/profiles, e.g. Facebook account
  - secretly filming with cameras installed in private homes
  - secretly eavesdropping on conversations

## 1.2 Questions asked by the victims concerning coping strategies and legal measures

Women who are victims of digital violence have numerous questions about individual coping strategies as well as possible legal measures:

- How do I delete photos that are circulating the internet?
- How do I protect myself (against threats)?
- How do I find out if my device is secure? Who can check that?
- What is criminally prosecutable?
- Do I need to leave the social networks that I frequent if the perpetrator also uses them?
- Can I get a restraining order for social networks as well?
- How do I deal with the fact that I don't know who has seen the photos of me?

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<sup>4</sup> A romance scam is a form of internet fraud. The culprits often set up fake profiles on dating sites in order to meet potential victims, trick them into falling in love and cheat them out of money or other things.

- How do I deal with the humiliation and how will my family/social sphere react?
- Is the spreading of “nude photos” criminally punishable?
- Does the Protection Against Violence Act apply?
- How do I cope if I am continuously being contacted?

### 1.3 Living situations and vulnerabilities

In the survey, the counsellors also describe, in addition to concrete forms of violence, life situations and social positions that make dealing with digital violence difficult and make victims particularly vulnerable. This includes **women with an uncertain legal residence status** (“The husband sends photos and information to the family of origin”). **Women with learning difficulties** are also considered particularly vulnerable.<sup>5</sup> For women who have children with a violent ex-partner, **right of access regulations** can prevent her from successfully fighting back against digital attacks. A question that emerges is, to what extent does prohibiting attempts to get in contact comply with the offender’s right of access? For example, despite cyber-stalking and threats via smartphone, numbers cannot always be cancelled and the ex-partner cannot be blocked since these arrangements need to be made jointly.

**Cases of separation pose a particular potential for danger.** Separation processes are, for example, delayed because the offender threatens to send intimate photos to family and friends. The potential for danger also increases through the conscious use of digital media to control and spy on the victim after the separation. Meanwhile, according to statements given by the counsellors, it often occurs that spyware is installed on the smartphone of the woman involved.

Furthermore, **women in financially precarious living situations** have limited possibilities to react to digital violence. Counsellors report that it is financially impossible for many women, whose mobile phones have been hacked and surveilled, to purchase new phones. However, this is often their only chance to

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<sup>5</sup> From other project areas, we know that LGBTIQ\*, people of color and people with disabilities are affected the most by digital violence. The intersection of different forms of discrimination also occurs in the digital realm and shows that women and trans\* people affected by multiple types of discrimination experience digital violence in its various manifestations in a particular quantity and quality.

escape surveillance. In some cases, women in acute situations of violence are so burdened that the purchasing of a new mobile phone, as well as the financial and organizational expenses that come along with it, presents a huge obstacle. Often gender-specific violence has a negative impact on the financial situation and dependence of the victims. Through identity theft, massive amounts of debt can accumulate, for example, if merchandise is ordered in the name of the victim and she becomes responsible for its payment.

#### 1.4 Cooperating with the police

Within the police force, Victim Protection Services and the Commission for Internet Crime or the Commission for Sex Offense/Victim Protection are the relevant authorities. It can sometimes be difficult to find those responsible for digital violence in the police forces. Often the police have only marginal knowledge about digital violence against women, the victims are not always taken seriously and very rarely are there (appropriate) IT specialists.

The counselling centres would like to have aware and technically trained police personnel. Digital violence is still too often assessed as “not real” or “not that bad”, since it occurs on the internet.

#### 1.5 How commonly do digital forms of violence play a role in the counselling practice?

The majority of the counsellors who participated in the survey state that enquiries for advice regarding digital violence have increased in the last three years. Some recorded no increase. A few pointed out that the significant increase had occurred earlier, for example around 5 years ago. Violence through digital media was an incidental theme mentioned more and more in counselling sessions without it necessarily being the reason for seeking out counselling. This applied to counselling in the context of domestic violence as much as in the context of sexual violence.

Cyber violence against girls was not directly asked about.

Counselling centres that also counsel girls and carry out prevention work in this area reported above all: bullying, lack of awareness about the protection of one's own

privacy and the dangers of sexting, as well as grooming<sup>6</sup> and a fast turnover in the use and popularity of apps and social networks, which are potential platforms for digital violence.

Particularly with stalking, it has become clear that the internet or digital media are used in almost all cases to exercise stalking behaviour. It is also noteworthy, especially in the context of domestic violence and separations, that the issues of information protection and security planning must be revisited.

*“The most common problem is that women who are affected by domestic violence or stalking now also have to assume that spyware will be found on their smartphones.”<sup>7</sup>*

Most of the counselling centres have already been confronted with these spy apps, which are installed on smartphones and can transmit everything from call logs to your current location. The survey shows that spy apps now play a large role in relationship violence.<sup>8</sup> They are easily purchased and installed and can be hard to detect on a smartphone, even for those with a strong technical background. One can see clearly how digital technology lends itself to the fostering and spreading of violent dynamics.

The question of how many women (in counselling) are affected by digital violence is not addressed in this survey. For that, we will need to conduct more research on a national and international level and gather reliable data on which to base a fully-developed concept of gender-specific digital violence.<sup>9</sup>

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<sup>6</sup> Grooming is the deliberate preparation for sexual violence against children and adolescents through establishing contact, building relationships and manipulation.

<sup>7</sup> Excerpt from an answer to the question “What issues concerning digital violence do the affected women bring into counselling?”

<sup>8</sup> bff has created a flyer with tips for data and privacy protection while using smartphones: <https://www.frauen-gegen-gewalt.de/broschuere-flyer/sicher-mit-smartphone.html>

<sup>9</sup> For the current state of international research and further critique of the gaps in research on digital violence, see also: EIGE (European Institute for Gender Equality): Cyber violence against women and girls (2017), at: <http://eige.europa.eu/rdc/eige-publications/cyber-violence-against-women-and-girls>. A short summary of the paper has been made available on bff’s homepage: <https://www.frauen-gegen-gewalt.de/aktuelle-studien-und-veroeffentlichungen.html>



As a starting point for analysis, the survey makes clear that forms of digital violence often accompany other experiences of violence.

**The victims, who seek counselling in cases of stalking, sexual violence and domestic violence, are also potentially affected by forms of digital violence and digital violence can present as a part of their experience of violence.**

Depending on the individual counselling centres' points of focus, different forms of violence are addressed with the counsellors. In the context of sexual violence, the issue is commonly the use of intimate photos or videos to threaten or blackmail, as well as the filming of rape and the usage of video files. Within the context of (ex-)partner violence, digital media are often used for surveillance and assertion of power. Girls and young women are affected by harassment in chats as well as bullying. Grooming has also changed greatly due to digital media, and poses a risk for children. Furthermore, cases have even been reported of initiating contact and starting a relationship with the mother with the sole purpose of gaining access to the daughter.

### 1.6 What are the current limitations and challenges in counselling on digital violence?

Counselling centres work in many fields. In addition to basic counselling work, they carry out prevention and publicity work, are active in committees and roundtables and do political work to improve the situation of women and girls affected by violence. This mostly happens with very scarce resources, little personnel and uncertain financing, which often must repeatedly be sought out applied for. Digital violence in the work of counselling centres is not only a new aspect of the violence experienced by women and girls, but also a topic that requires additional technical and legal knowledge. Nevertheless, it does occur mostly in the context of other forms of violence. The counselling centre staff have been experts in the handling of gender-specific violence for decades and can also apply their counselling skills and knowledge of violence dynamics and coping strategies in these cases to properly and professionally support victims. In the light of scarce financial and personnel resources, it is a problem for many counselling centres to increase capacity in order

to deal with this phenomenon more thoroughly and to acquire the necessary technical expertise, for instance.

The counselling centres also report the following factors which make support work difficult:

- Website operators react too slowly to reported content and delete-requests.
- There are difficulties with prosecution, investigations take a long time, the victims are not taken seriously by the police and there are few IT experts within the police force.
- There are many requirements to be met in order to even initiate legal action.
- It is difficult to find trustworthy specialist companies to check devices.

### 1.6.1 The facilitation of social participation despite potential danger - a challenge in the counselling practice

The use of digital media and the internet is an essential part of social participation. The possibility of using the internet unreservedly is now required for many people to build and nurture social relationships, be professionally successful and have access to education. When women are forced out of digital realms, keep away from them or remove themselves from them in response to violence, their participation is restricted. Often, this is the exact goal of the culprit.

For counsellors, this results in the task of supporting the victim in protecting herself from violence without having to (permanently) go offline and, for example, quit using social media. Many counsellors report how difficult it is for victims to protect themselves without socially isolating themselves at the same time. Proper methods and strategies to make this possible must always be decided according to the individual context, but also through a wider political debate about the societal ramifications of gender-specific violence.

## 2. Demands for adequate support in cases of digital violence

The bff, as a part of the “Active against digital violence” project, supports counselling centres with information and training about the legal and technical parameters of digital violence. However, more must be done for the integration of this topic into the help system and for the comprehensive implementation of adequate forms of support.

For a **sustainable strategy against digital violence** and for the **establishment of adequate support for affected women and girls**, the bff considers the following points essential:

### 1. Additional financial resources for counselling centres:

Counselling centres must be provided additional financial resources in order to be able to resolutely confront gender-specific digital violence. Aside from additional personnel resources, the counselling centres must also have the possibility to better equip themselves technically. Data protection and the protection of the victims, as well as of the counselling centre staff (from spyware, for instance), must not suffer because of financial limitations.

### 2. Representative studies:

In order to determine concrete requirements and to be able to make statements about the dissemination and occurrence of digital violence, informative and representative studies are needed.

### 3. Funding of the necessary prevention work:

Many counselling centres for violence against women and girls carry out prevention work. They inform about forms of digital violence and impart knowledge with women and girls about the possibilities and risks of new media and awareness in dealing with personal data protection against digital violence. There is a widespread demand for gender-specific prevention proposals in all age groups of our society. In order to meet this demand, counselling centres need better financed prevention projects and/or a replenishment of personnel resources in particular counselling centres.

**4. Awareness in the police and justice system:**

The police and the justice system must be made aware of and trained in the subject of digital violence against women and girls. Digital violence is real and can have considerable repercussions for the victims. It is important that the authorities recognise the signs and conduct investigations, take the victims seriously and not lay the blame on them.

**5. Nuanced legal regulations**

In the proposition of legal regulations, the gender-specific dimension of digital violence must be considered. Data protection policies do not necessarily have to stand in opposition to better prosecution laws. The inclusion of civilian voices and expert NGOs is imperative to this issue.

**6. Critical debate about violence in the digital public realm:**

A societal debate about cyber-violence in the digital public realm is needed. It must always be pointed out that digital violence is an instrument of power used to silence marginalized voices. Women and trans\* people are pushed out of spaces that were originally conceived of as gender neutral, in order to limit their social standing. Digital media are used to isolate, to silence and to prevent self-empowerment. In this way, an equal share of the benefits of social media and the internet is prevented. We cannot accept this.

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