



GENDER-SENSITIVE RESPONSES TO ONLINE HARMS



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About CPA UK and Women in Parliament

The Commonwealth Parliamentary Association (CPA) is the professional association of all Commonwealth parliamentarians, an active network of over 17,000 parliamentarians from 185 national, state, provincial and territorial Parliaments and Legislatures. CPA UK is located in and funded by the UK Parliament. We support and strengthen parliamentary democracy throughout the Commonwealth by bringing together UK and Commonwealth parliamentarians and officials to share knowledge through peer-to-peer learning.

A key focus of CPA UK's work is achieving representative democracies by helping women promote themselves in parliaments across the Commonwealth and developing the skills they need to succeed in their work. Our objective for this theme is to support parliamentarians to be active in implementing measures to increase gender representation and gender-sensitive practices within procedure and scrutiny and strengthen legislation to support ending violence against women and girls within their regions.

About the Report

Between August 2021 and March 2022 CPA UK has undertaken a project entitled 'Strengthening Democracy, Parliamentary Oversight and Sustainability in the Commonwealth.' This is funded by the UK Government's Foreign, Commonwealth and Development Office (FCDO) and includes workstreams on Public Accounts Committees (PACs), Women in Parliament and Climate Security.

The Women in Parliament workstream has been supporting parliamentary engagement and strengthening the area of gender-based violence facilitated by information and communication technology. As part of this work, this report presents an overview of gender sensitive legislative and non-legislative responses to online harms and includes learnings for parliamentarians to implement within their jurisdictions.

To inform this report, CPA UK held a virtual roundtable to discuss gender sensitive approaches to addressing online harms. This roundtable discussion covered the key principles underpinning good practices responses to online harms and how parliamentarians can apply gender-sensitive approaches to scrutinise their governments proposals.

The UK Government's Online Safety Bill was used as a case study to highlight lessons and recommendations for Commonwealth parliamentarians to apply to their respective jurisdictions.

Acknowledgements

CPA UK would like to thank the expert panel of speakers who participated in the virtual roundtable, whose contributions were instrumental to the shaping of this report:

Commissioner Julie Inman Grant, eSafety Commissioner, Australia

Honourable Maria Miller MP, UK Parliament

Honourable Anum Qaisar MP, UK Parliament

Dr Kim Barker, Senior Lecturer of Law, the Open University Law School

Hilary Watson, Policy and Campaigns Manager, Glitch

INTRODUCTION

Online violence, or violence facilitated by information and communication technology, is a growing human rights abuse worldwide. This violation is disproportionately targeted at women and girls, and disproportionately gender-based in its causes, manifestations, and consequences. Countries across the Commonwealth have begun to recognise various forms such violence takes, as well as the far-reaching impact on women's right to express themselves equally, freely and without fear.

While the growing recognition of women's experiences of online violence across the Commonwealth is to be commended, these experiences have also brought to light the inadequacy and lack of gender sensitivity in existing responses to online harms. Research has demonstrated that women have limited access to justice when they experience online violence, often being forced to navigate outdated cybercrime which fails to provide the necessary scope or appropriate protection to address the contemporary harms that women face.

The overarching result is such that perpetrators benefit from a culture of impunity, where the failure of justice systems to address such abuses as they occur creates the perception that such acts can, and will, remain unpunished. Allowing these criminal acts to continue means allowing the silencing of women to continue, and in our digital age, this means excluding women and girls from their full and effective participation in public and democratic life. Parliamentarians are key stakeholders in the pursuit to eliminate gender-based violence online and are strategically placed to drive the national changes towards this aim.

Parliamentarians are called upon to take responsibility for women's right to live free from violence, whether this is perpetuated offline or facilitated through information and communication technologies. By taking ownership of the learnings and recommendations outlined in this report, it is hoped that parliamentarians will apply and advocate for gender-sensitive approaches to online harms within their respective jurisdictions.

CURRENT CONTEXT ACROSS THE COMMONWEALTH

Research previously conducted by CPA UK revealed that despite the growing international recognition of the need for specialised legislative measures to address online violence against women, Commonwealth jurisdictions have been slow to respond. The overwhelming consensus was that coverage is neither robust nor universal, and oftentimes characterised by a lack of gender-sensitivity in both legislative and non-legislative responses.

Key findings emerging from CPA UK's report:

1. Most Commonwealth legislatures do not have a standalone legal framework addressing violence facilitated by technology. The legal instruments used most frequently in this regard are cybercrime laws, general criminal statutes, laws on domestic violence, hate speech laws, and laws on data protection and privacy.
2. This piecemeal approach has resulted in gaps where some forms of online violence against women are not explicitly criminalised. Furthermore, most legal provisions in this field predated the development of social media, leaving the current criminal offences across the Commonwealth ill-suited to addressing these particular harms.
3. The effectiveness of outdated cybercrime laws being utilised in this regard is a point of concern. Respondents highlighted that this legislation was often drafted and formulated in a gender-blind manner and therefore fails to provide the necessary scope or appropriate protection to address the contemporary harms that women face.
4. There was a broad consensus across legislatures that women have limited access to justice when they experience online violence, notably reflecting the lack of robust or comprehensive legislative provisions addressing this violence directly. In cases where women could seek to take further action, it was reported there is a lack of awareness concerning what their rights are.
5. The gaps and inappropriateness of existing laws are considered to be aggravated by gender insensitivity on the part of law enforcement and the judiciary, who tend to

trivialize online violence against women and hold the view that it does not constitute a crime.

6. A major barrier highlighted by respondents was a lack of adequate training in law enforcement in determining what constitutes a chargeable offence in the digital context. As a result, the police do not have the right training, skills, or resources to protect women survivors of online violence and abuse or bring the perpetrators to justice. On the rarer occasion where women victims succeed in reporting a case and having it investigated, it was also noted they encounter further obstacles posed by the lack of technical knowledge and ability in the judiciary.
7. As a result, perpetrators benefit from a culture of impunity, where the failure of the justice system to address such abuses as they occur creates the perception that such acts can, and will, remain unpunished. Many respondents reported low rates of reporting, in addition to a lack of available information for an investigation, prosecution and court procedures in such cases, reflective of the fact that criminal law has not yet been mobilised as the front-line defence against online violence.

CPA UK's findings are also mirrored by wider international research:

- The Association of Progressive Communications [reviewed](#) the legal systems of seven jurisdictions and similarly concluded that a culture of impunity was present in cases of online VAW across all seven jurisdictions. The report revealed a complete breakdown in the criminal justice system involving cases of online VAW, wherein relevant laws were essentially 'dead letter' legislation – i.e. laws that were no longer being enforced.
- A recent [report](#) by the UN Special Rapporteur also concluded that many states do not have a holistic legal framework for combatting and preventing violence against women, including with regard to specific provisions on online and ICT-facilitated violence against women. As a result, women experience multiple barriers to access to justice for women victims and a sense of impunity for perpetrators. The UN Special Rapporteur calls upon states to recognise online and ICT facilitated violence against women as a human rights violation, and duly apply core international human rights instruments.

GOOD PRACTICES IN RESPONSES TO ONLINE HARMS

Good practice responses to online harms are likely to take different forms in different legislative, cultural and geographical contexts. Accordingly, they cannot be prescribed - and must be tailored to each local context. As such, it is important parliamentarians are aware of the key principles which underpin good practice responses to online harms, enabling them to adapt and apply these to their legislative context.

Below are the panel's key principles underpinning a good practice response to online harms:

1. Recognition of online violence as a real form of violence

"Legislation needs to start from the very basic principles of myth busting. We need to bust the myth that the online world is in some way different to the offline world – it isn't. The same laws should apply online that apply offline. There is no better example than when it comes to violence against women and girls. A prime example is cyber-flashing. We would call this indecent exposure in the offline world; however, it entirely evades the law in the UK when it occurs online"

Rt Hon. Maria Miller MP, UK Parliament

Online violence against women should be recognised by states as a violation of human rights and as a form of violence against women. The UN Special Rapporteur [reports](#) that states must apply human rights instruments accordingly. [recommends](#) To counteract myths and false narratives which minimise women's experiences of online harms, the Association of Progressive Communications have produced a useful guide which you can view [here](#).

2. Gender-sensitivity

Online harms regulation must address and reflect women's experiences in the online sphere. A gender-sensitive approach to online harms thus acknowledges that women's and men's experiences of the online space differ, and that women disproportionately experience gender-based violence facilitated through technology. It also acknowledges that gender-based violence

that takes place online exists on a continuum with such violence offline and is a manifestation of historically unequal power relations between men and women and discrimination against women.

“An underpinning principle for online violence particularly is to treat it as a form of discrimination because it is. That is the approach legislation should embody. Gender is discriminatory issue, and the harm comes from gender-based discrimination in a perpetuating cycle. We have to take this broad stance when considering related legislation. If we don’t there’s a risk that people fall through the cracks”.

Dr Kim Barker, Open University

3. Comprehensive and multi-disciplinary: encompassing and addressing all forms of online violence against women

The UN Special Rapporteur [recommends](#) that responses to online harms should be comprehensive and multidisciplinary, criminalising all forms of violence against women and encompassing issues of prevention, protection, survivor empowerment and support, as well as adequate punishment of perpetrators and availability of remedies for survivors.

“Legislative action alone will not put a halt to misogynistic abuse - we do have to take a multifaceted approach that targets the myriad social, cultural, and technological drivers.”

Commissioner Julie Inman Grant, eSafety Commission, Australia

A holistic response to this violence necessitates that prevention initiatives and civil and criminal legal frameworks are updated regularly to account for the specific and emerging types of violence that women encounter online and via new technologies, especially in the context of domestic violence or when these types of violence target groups of women who are already affected by intersectional threats.

4. Formed in consultation with key stakeholders, and based on a strong set of evidence

Inclusive and diverse consultation with all stakeholders who are either affected by or will implement legislation is a key component of the legislative process. This ensures the realities of women who experience online violence are accurately portrayed and that the legislative response is appropriate. It also enhances the potential for the legislation to be implemented effectively.

“Speaking with experts and speaking with organisations who work with people with lived experiences is key to a survivor and trauma formed approach and will reveal the gaps in existing provisions”.

Hilary Watson, Glitch

Adopting an evidence-based approach further ensures that the development and design of legislation are well informed and can enhance the quality and potential future effectiveness of legislation. Responses should draw on reliable evidence, including data and research on the scope, prevalence and incidence of all forms of online violence against women, on the causes and consequences of such violence, and on lessons learned and good practices from other jurisdictions in preventing and addressing online violence against women.

5. Balanced and proportional

Measures that protect women online must consider multiple rights, including the right to safety, movement, to participate in public life, freedom of expression, and privacy, among others, and must take into account existing inequalities and discrimination which may affect how rights are protected and recognised. Article 19 [recommends](#) that to ensure online harms regulation does not have a further adverse impact on gender equality, domestic constitutional provisions should set clearly set out the scope of permissible restrictions on the right to freedom of expression, including: that such restrictions must be provided by law; be narrowly defined to serve a legitimate interest recognised in the constitution; and be necessary for a democratic society to protect that interest.

6. Redress and protection

The Association for Progressive Communications [research](#) found that in the context of online VAW, swift redress, such as clear take-down protocols, should be prioritised over criminalisation, which can oftentimes result in lengthy judicial proceedings, lawsuits that do not amount to any damages paid, reliving trauma or even bringing more attention to the concerning content in the first place.

“Protection is facilitated through our reporting and investigative powers. We have a mechanism through which people can make individual complaints. 70% of all reports of abuse that are received by the Commission are related to violence against women and girls, including through our image-based scheme and our newer adult cyber abuse scheme. These are civil powers so that women are not forced down an expensive and painful criminal justice pathway. We have about an 85% success rate in terms of getting image-based abuse down from platforms all over the globe. Where youth based cyber bullying is involved, we have about a 90% success rate”.

Commissioner Julie Inman Grant, eSafety Commission, Australia

In the context of online VAW, where the harm caused by a single abuse can be quickly multiplied by others reposting and resharing, immediate redress is essential to prevent further harm.

7. Prevention

Early legislative responses to violence against women have tended to focus solely on criminalization and thus did not attempt to address the root causes of violence against women. Over time, however, the importance of including preventive measures in responses to violence has been increasingly emphasised.

The most effective means of addressing online GBV remains to prevent it and transform the environment in which such violence occurs. By solely focusing on prosecution, responses are limited to addressing the symptoms of violence after it occurs.

“A key pillar to addressing online violence against women is prevention, through research and evidence based education and outreach training programmes targeted at a broad range of women with different levels of digital literacy and covering the spectrum of online harms. For example, eSafety Women targets technology facilitated abuse as an extension of coercion and control that is found in almost 99.3% of domestic and family violence situations. An additional programme we have is called Women in the Spotlight which is about social media self-defence skills for women in politics, journalism, and advocacy and those who have intersectional characteristics in the public eye”.

Commissioner Julie Inman Grant, eSafety Commission, Australia

8. Inclusive of non-legislative responses

Legislative reform and/or new legislation regarding online GBV in and of itself is not sufficient. Holistic solutions for online GBV should include both legal and non-legal measures and be accompanied by a National Action Plan ensuring a framework exists for a comprehensive and coordinated approach to the implementation of responses.

Holistic non-legislative responses to and prevention of online GBV should also strive to create an enabling environment for women's access to and enjoyment of ICT in terms of quality infrastructure, training in highly technical skills, and meaningful participation in internet governance for women.

“Glitch is interested in a public health approach looking at online violence against women generally and also how we can have digital citizenship education, not just for schools, but for people in a whole range of education establishments. Most of us are not in formal education settings anymore yet we are online all the time”.

Hilary Watson, Glitch UK

WHAT IS A GENDER-SENSITIVE RESPONSE TO ONLINE HARMS?

A gender-sensitive approach to online harms acknowledges that women and men's experiences of the online space differ; and that women are disproportionately targeted by violence facilitated through technology.

Below are the key markers of a gender-sensitive response to online harm outlined by the expert panel:

1. Explicitly naming online violence against women and defining it

A key marker of a gender-sensitive approach to online harms is state recognition of online and ICT-facilitated VAW, as a form of discrimination, and gender-based violence against women. Such recognition is more likely to promote a gender-sensitive approach, by eliminating discrepancies with regard to what constitutes online violence against women, and by providing clear direction and guidance for those responsible for its implementation with regards to what constitutes an offence.

Research has demonstrated that existing laws that address violations of related rights (such as cybercrime laws, copyright laws and 'obscenity' laws), which are sometimes recommended for use to address online gender-based violence, neglect the gender-specificity of these acts, and thus fail to provide an adequate response to the harms faced. For example, the Association of Progressive Communications [highlights](#) that obscenity laws that are often used to criminalise sexual content often do not distinguish between consent and lack of consent in the creation and distribution of content. As a result, this can have the problematic effect of criminalising consensual sexual expression of women and can render both the victim and perpetrator equally liable for the violation.

"The most fundamental provision for me is defining what we are talking about. We need to be really clear about the behaviours we are concerned with when we're trying to legislate for online violence against women in whatever form it might take. If we are unclear then the legislation will be unclear and result in patchwork coverage".

Dr Kim Barker, Open University

2. Platform accountability

Platforms, including internet and mobile services providers, have an essential role to play in combating online GBV and must be compelled to develop corporate policies, practices and tools that respect women's rights and counter online practices that are harmful to women.

"Here the Commission is aligning with the UK in terms of systemic change and looking at the systematic failures of platforms not enforcing their terms of use consistently and effectively; allowing the creation of fake impostor accounts; and allowing bad actors to go back onto platforms. We have a strong evidence base that all of these systemic failures are happening as a result of our individual complaint scheme.

It is through initiatives like safety by design which puts the burden back onto the platforms themselves to anticipate the harms and embed the safety at the front end. rather than the back end. It also puts the burden on technology companies to anticipate how emerging technologies might be weaponised against women, such as deep fakes or even sexual assault in the metaverse".

Commissioner Julie Inman Grant, eSafety Commission, Australia

3. Empowerment of regulators

As noted previously, it is essential any responses seeking to address online violence protect women from further harm and provide an immediate means of redress. One such way is through the empowerment of regulators to provide swift solutions in cooperation with private sector platforms. Such agencies should be empowered to investigate complaints, able to accept third-party complaints and act both reactively, in response to specific complaints, and proactively, in response to potential trends; issuance of protection orders, and emergency take-down protocols which still follow due process.

"In the UK Online Safety Bill it will be Ofcom who are used to implement and enforce the legislation. The reality is this change has to happen because historically it has been nearly impossible to use traditional policing methods to deal with illegal content promoting violence against women. Platforms must have a responsibility to take down content that is illegal"

Rt Hon. Anum Qaisar MP, UK

“Regulators need to be empowered with a multifaceted regulatory agreement which gives us both the powers and functions to protect women on line, to engage in these co-design processes, but to also hold perpetrators to account and increase accountability for digital platforms”

Commissioner Julie Inman Grant, eSafety Commission, Australia

4. Capacity building for actors in the criminal justice system

Internet Governance Forum [research](#) suggests that the experiences of victims/survivors through the justice system indicate that the range of actors responsible for the implementation of online harms measures does not possess the gender-sensitivity necessary to provide victims with adequate redress. In many cases where progress in the development of gender-sensitive legislation exists, it has not been accompanied by comparable progress in implementation. Gender-sensitive implementation is therefore fundamental to ensure online harms measures are applied as originally intended and thus serve to protect women effectively from further harm.

Gender-sensitive implementation of legislative and non-legislative measures requires regular and institutionalised capacity building around online violence against women for the range of actors responsible for its implementation.

5. Prevention through education

A gender-sensitive approach to online harms is one that acknowledges that online gender-based violence exists on a continuum with such violence offline and is a manifestation of historically unequal power relations between men and women and discrimination against women. In so doing, a focus on prevention is critical to address the root causes of such violence against women.

Initiatives that aim to modify harmful stereotypes and promote change at a societal level for more gender equality will thus positively impact behaviours online and offline. Such initiatives contribute to combating harmful stereotypes that can unravel on social networks and affect women, especially those with intersecting vulnerabilities. The Council of Europe Group of Experts on Action against Violence against Women [recommend](#) that prevention provisions should focus on the following measures:

- **Awareness-raising activities** on the different types of online GBV in all sectors of society, along with specific campaigns on the specific laws that punish these types of violence as well as the availability of dedicated services and guidelines on how to respond to this on a victim level
- the **use of educational curricula** to promote digital education on equality between women and men, to better understand how stereotypes of women and girls unfold on the internet and to educate users on the source of the content they consume online and on ways to dismantle harmful stereotypes and behaviours
- and the **sensitisation of the men** regarding online violence against women to prevent the potential “recruitment” of young men and boys in extreme groups operating online which promote negative stereotypes on women and call for violence against women

6. National Action Plans and Budgets

For gender-sensitive responses to online harms to be most effective, they should be holistically integrated with a National Action Plan or strategy targeting violence against women, with the inclusion of violence facilitated through technology, and accompanied by sufficient resourcing. The United Nations recommends an effective National Action Plan should contain a set of activities with benchmarks and indicators, and further include targeted mechanisms around online violence against women and girls. The plan should be used as the framework for the comprehensive and coordinated implementation of legislation and policy measures specific to online harms.

“A key non-legislative measure is around resourcing. This is not only about supporting victims but also about enforcing the law. There is no point having a strong and comprehensive law if it can’t be effectively implemented due to a lack of resources”.

Dr Kim Barker, Open University

REFLECTIONS ON THE UK'S ONLINE SAFETY BILL

The UK's Draft Online Safety Bill was introduced before parliament in May 2021. The Bill has been strengthened and clarified since it was published in draft in May 2021 and reflects the outcome of extensive Parliamentary scrutiny. Below are the panel's reflections on how far the UK's Online Safety Bill goes in terms of meeting the principles and provisions outlined above:

Dr Kim Barker, Open University

"The online safety bill is a useful starting point and we can build on this. While it isn't perfect, we have to begin somewhere. The most recently published form is a clear indication that there is some strength in coming together to push forward and tackle some of the issues, such as cyber flashing and online harms communications. There is some real merit in the big picture and the broad ambition.

That said, I think it falls short specifically on online violence against women. I would like to have seen women named specifically in the bill, along with online violence against women and recognition of this as a form of discrimination. These could have been captured to a greater extent. Issues affecting women specifically should have gone into the planning and consideration of the bill at an earlier stage."

Rt Hon. Maria Miller MP, UK Parliament

"The issue that we face is there is so much that needs fixing in the online world, inevitably one piece of legislation is never going to do it all. I'm heartened that this bill in the UK is very clearly sending a message to organisations that the notion of the online world being a wild west is at an end. The UK Online Safety Bill does this by putting in place criminal liabilities for organisations that don't abide by the rules. It is also a requirement in the Bill to take a proactive approach to the moderation of content. There are also important provisions around the reporting of child sexual abuse.

What it doesn't do is identify how the UK government is going to address the gaps in the law that are clearly there, particularly as they relate to violence against women and girls. For example, the online posting of intimate images without consent has been subject to a major

Law Commission review. The recommendations are not included in this Bill and there is no clarity as to how that and other issues are going to be dealt with. There needs to be a manifesto of intent around gaps in the law and how the Bill links to the violence against women and girls' strategy.

The other gap is around how we are going to ensure that the issue of prevention is carried through and co-ordinated with other policies in the UK. Backbenchers forced through a mandate in 2017 that all school-age children in the UK would receive sex and relationship education. An important part of this will be online behaviour and this has been very slow in its roll out. This is an important prevention tool so will require scrutiny to make sure it is effective in implementation”.

Rt Hon. Anum Qaisar MP, UK Parliament

“The Online Safety Bill is a promising start, but it simply does not go far enough. One of the concerns is that part of the law requires intent, so if someone perpetrated cyber-flashing that would cause alarm, distress or humiliation, if they claim it is for some other reason other than sexual gratification it would not be an offence.

Another concern is that the reality is it's not just about what is being said but also how it is spread. We know that platforms will push controversial content through their algorithms as it gains more traction and more engagement. Adding frictions, such as asking people if they are sure they want to post something that is filtered as abusive or harmful, would be one way of reducing the likelihood of people spreading hateful content”.

Hilary Watson, Glitch

“Online violence is a gendered issue and we know from other work on gender issues that you can't have a gender-neutral solution to such a gendered problem. This piece of legislation is missing the inclusion of women, girls and gender. At the moment we are arguing that women should be included rather than being able to advocate for the strengthening of specific details of the Bill. From our analysis of the newest version the clause which indicated an intersectional approach has also been removed. It needs to recognise that many of us are in multiple groups and are disproportionately impacted by online violence against women. There also needs to be recognition of the wide range of abuses women experience online, rather than equating cyber flashing as synonymous with online violence against women”.

THE ROLE OF PARLIAMENTARIANS IN PROMOTING GENDER-SENSITIVE RESPONSES TO ONLINE HARMS

Parliamentarians are key stakeholders in the pursuit to eliminate gender-based violence online and are strategically placed to drive the national changes toward this aim. Below are the key action points for parliamentarians to take forward in to promote gender-sensitive responses to online harms.

Gender-sensitive scrutiny of online harms proposals

Gender-sensitive scrutiny is a way of exploring and addressing the potential and actual impact of laws, policies, programmes and budgets on men and women to ensure they are effective and fair. It is therefore a key mechanism through which parliamentarians can assess the merits of government proposals around online harms regulation, in terms of how effectively they are likely to protect women from the experience of violence facilitated by ICT.

“When I am looking at online harms regulation, I am making sure that I think very firmly about how effective it is and how it is going to really advantage of those that have been most disadvantaged when it comes to the online world, and those who have disproportionately been affected by online harm.”

Rt Hon. Maria Miller MP, UK Parliament

“A gendered lens is required and so is an intersectional lens, to ensure the responses are strength-based, trauma informed and culturally safe and appropriate”

Commissioner Julie Inman Grant, eSafety Commission, Australia

Benchmarks for gender-sensitive scrutiny

At a minimum, national approaches to online harms must meet the international and regional standards and benchmarks concerning GBV to which legislatures have committed. When looking to strengthen legislation, these standards and benchmarks can be utilised as a comprehensive baseline of provisions to assess how effectively proposals respond to women's experiences in the digital space. In addition, parliamentarians should consider the following questions to inform their gender-sensitive scrutiny:

- Does the proposal recognise that individuals of different genders will experience online harms differently? Does it further consider how individuals' more intersecting identities may affect their experience?
- Do the solutions proposed similarly reflect an understanding that women will require additional supports or attention to address inequalities?
- Does the bill cover all of the issues that were identified as priorities in your research and consultations? If not, what additions or deletions could be necessary?
- Is there evidence of good practices from international and national experiences having been adapted to suit the purpose and context?
- Are there any specific additions I could suggest that would highlight issues not yet considered?
- How will the bill work with other laws in the country? Are there any possible gaps in coverage?
- Is there a plan for implementation? Have sufficient resources been allocated for this?

Consulting with stakeholders and building a strong evidence base for reform

Parliamentarians are in a unique position to engage with a range of actors in the field of gender-based violence facilitated through ICT. This includes law enforcement, the judiciary, civil society organisations, technology companies, and social media corporations. Consultation with this range of stakeholders is key to gathering a strong evidence base to inform scrutiny and effectively answer the above questions. Expert advice is invaluable in identifying areas of controversy, weaknesses, or incoherence in proposals, and allows parliamentarians to build a more effective case to lobby the government.

Furthermore, the strength of proposals, and the effectiveness of their eventual implementation, will be improved if those who work directly with survivors of online gender-based violence have an opportunity to influence all aspects of the legislative process.

“As a Member of the Women and Equalities Committee I have found it incredibly important that we hear from those with lived experiences because that is exactly what will help us shape policy. Taking evidence from experts who have that in-depth knowledge who can come back to us and say what needs to be strengthening is also incredibly important”

Rt Hon. Anum Qaisar MP, UK Parliament

Campaigning for gender-sensitive amendments

If government proposals are revealed to be weak or incoherent in effectively addressing online violence against women, it is the responsibility of parliamentarians to campaign and advocate for the strengthening of the measures in question. The mechanisms through which parliamentarians can advocate for gender-sensitive amendments will vary from legislature to legislature. However, there are a number of common entry points through which parliamentarians can seek to influence the debate:

- **Parliamentary debates**

Calling for and/or contributing to parliamentary debates regarding government online harms proposals is a key mechanism through which parliamentarians can promote their views on the parliamentary floor and influence debate. Ahead of debates on the bill and proposed amendments, it is important to have strategic arguments in place. Parliamentarians should be able to explain how the executive will benefit from supporting the issue. Drawing on a strong evidence base, international good practice and the support of external stakeholders adds legitimacy and weight to a contribution.

- **Parliamentary questions**

Utilising written and oral parliamentary questions enable parliamentarians to gather more information on any areas of controversy, weakness, or incoherence. It enhances accountability and exposure when government proposals are subjected to thorough scrutiny on the public record, requiring Ministers to publicly defend their positions.

- **Partner with civil society organisations**

Partnering with civil society organisations is key to launching a successful advocacy campaign. Women's rights organisations often play a critical role in advocating for specific amendments and bringing the stories of the individuals they serve to the process. These stories form an important part of the evidence needed to convince government of the needed changes.

- **Engage with the media**

Build alliances and collaborative relationships in the media. This is key to ensuring the mobilisation of campaigning and awareness-raising efforts, and ensuring messages are communicated beyond the constituency. Additionally, allies in the media can provide a useful

source of information concerning current affairs relating to online gender-based violence and access to a greater number of national stakeholders.

- **Engaging cross-party**

Engaging cross-party support is critical to gathering support for gender-sensitive amendments to ensure they are not viewed as partisan concerns. Parliamentarians should utilise stakeholder and public support of the issue or cross-party parliamentary networks to call for political unity. Women's parliamentary caucuses and all-party parliamentary groups are key mechanisms through which you can engage cross-party and cross-house parliamentarians.

- **Engaging with men**

Ensuring gender-sensitive online regulation is the responsibility of every parliamentarian, and women parliamentarians cannot advance this legislative agenda alone. This is especially true in contexts in which parliaments are dominated by men. For gender-sensitive approaches to gain ground, it requires their support. There are a number of strategic reasons for involving men in the legislative process: gaining legislative allies, attracting more votes for a bill or amendment, and increasing the effectiveness of the law's eventual implementation. You can read more on how to engage with male parliamentarians on issues of gender equality [here](#).