Creating a Safer World - the Challenge of Regulating Online Pornography

By Baroness Bertin

Contents

Content Warning

This Report includes mentions of content that some readers may find distressing and disturbing. This includes references to sexual violence, child sexual abuse material, as well as offensive and explicit language. Content warnings have been included ahead of relevant Chapters, but please be aware that this Report may be difficult to read at times.

Foreword

Pornography has always been a fact of life, yet in recent years its scale, nature, and impact has transformed dramatically. Content that is free to view and easily accessible has become increasingly violent, degrading and misogynistic. Over a quarter of the nation regularly accesses online pornography. A third of men say they watch pornography at least once a week and the average age people first see pornography is 13, very often by accident.[1] This increase in accessibility has led to an explosion in both the volume and variety of pornography. And it is not limited to pornography sites. Such material is present on social media and mainstream sites too.

With that volume and variety has come violence – lots of it. Home pages of many mainstream pornography sites display content that nobody could deny is sexually violent. Video titles regularly include words such as 'attack', 'kidnap', 'force', 'violate,' and 'destroy'. Content around step-incest and adults role-playing as children is also highly prevalent.

The competition for clicks is driving the production of increasingly disturbing content. Its ubiquity is rewiring the way young people think about gender, sex and their role in society, and changing how they behave. Misogynistic attitudes are on the rise, with online spaces, including some pornography sites, playing a significant role. Worse, I have heard concerns from a wide range of experts of a potential association between people watching extreme (illegal) pornography and committing violent and sexual offences.

Observing these harms brought me to take on the role as Independent Lead Reviewer. Through my work on preventing violence against women and girls I have encountered some of the gravest issues in our society, from domestic violence to toxic masculinity to the mental health crisis among young people. And time and again, the word 'pornography' has come up as a contributing factor.

I want to be clear that I do not approach this subject from a prudish or disapproving position. I am a liberal Conservative and a proponent of free speech. I believe that people should be able to do whatever they want if it doesn't harm anyone – and that includes safely consuming adult content that has been made by consenting adults. But we need to strike the right balance between protecting those principles and protecting society, particularly the most vulnerable, from potential risks. And the time has now come to take a stand on this and call out what is really happening and the damage it is doing.

During the course of this Review, I have come across countless examples of just how deeply pornography and its influences have become embedded in our society. The schoolboy waiting for the police to arrest him in his headteacher's office for sexual assault who was pleading to be told what he had done wrong. Boys as young as 14 asking a teacher how to choke girls during sex. A Lead Nurse at a Sexual Assault Referral Centre describing the increasing number of sexually inflicted injuries that her service deals with on a daily basis. Nobody will

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[1] Kirk, I. (2022). *How often do Britons watch porn?* YouGov.

convince me that online pornography was not an influencing factor in the extreme fetishes uncovered in the Pelicot case. Nor was it remotely surprising that Dame Angiolini highlighted that the murderer of Sarah Everard had a history of viewing violent abusive pornography.

Despite the abundance of these harms, there has been a total absence of government scrutiny of the sector. No minister or department takes responsibility. The patchwork of laws that capture offences specific to pornography are mostly ineffective and rarely enforced.

Policing in this area is low-priority and reactive. Collection of enforcement data is minimal and inconsistent. Prosecutions are low – the Review found that there were over 1,000 charges for extreme (illegal) pornography possession in 2018/19, but there was no further information on how many of these led to convictions.

Meanwhile, there is no external moderation, monitoring, or auditing of online pornographic content. Mechanisms for reporting and removing illegal content are not fit for purpose. It is remarkable that the closest to any kind of regulator the online pornography industry has is payment processors, which, on one occasion, refused to handle transactions for a major website due to concerns that it contained child sexual abuse material.

Whilst it is welcome that the new Online Safety Act (OSA) will strengthen the rules for preventing children from accessing pornography, the success of these measures must be closely monitored, and they must also use their powers to target the ancillary services that support any websites in breach of legislation as aggressively as the sites themselves. If systems and processes are not deemed effective enough, I urge Ofcom and the government to look at additional measures to prevent children from accessing pornography, such as device-level age verification.

A great deal of content that would be deemed unfit for classification and distribution offline has no comparative online safety net. This type of pornography (which often includes degradation, threats, coercion, and penetration by harmful objects), is prohibited by the British Board of Film Classification in the 'offline' world. However, what is considered beyond the pale in the 'offline' world is not just permitted but is rife and heavily promoted online and can be called up on a smartphone almost instantly. This disparity forms the basis of many of the recommendations of the Review, which includes a new Code for safer online pornography and the creation of a new possession offence.

Another key set of recommendations will focus on so-called 'deepfake' pornography and intimate image abuse. We cannot act quickly enough on these issues and the law is already behind the curve, leaving far too many victims without justice.

I will also recommend that strangulation or 'choking' pornography is made illegal. Non-fatal strangulation (NFS) or 'choking' sex is perhaps the starkest example of where online violent pornography has changed 'offline' behaviour. 'Choking' sex is now being normalised with a survey showing 38% of women aged 18-39 have been choked during sex.[2] The Domestic

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[2] Savanta: ComRes for BBC 5 Live. (2019). *Representative survey of 2002 UK women covering violence during consensual sex.*

Abuse Act 2021 has made NFS a crime in itself, and therefore the definition of extreme (illegal) pornography needs to clearly state that NFS falls within its scope.

Additionally, some online pornographic content depicts disturbing 'role-play' including incest and adults role playing as children – evidence shows that this type of pornography is used by perpetrators to permit child sex abuse. This is totally unacceptable. I make recommendations to make incest pornography illegal, and for content that might encourage an interest in child sex abuse to be prohibited.

Over the past year I have spoken to a wide range of people affected by harmful pornography, as well as academics, civil society representatives, teachers, performers, creators, executives from tech companies, and pornography platforms. I have been struck by how relieved some stakeholders were to be able to speak at a high level about their respective areas of expertise. I want to thank the survivors of trafficking and exploitation I spoke to and acknowledge their bravery when speaking about their experiences. It was also important to engage directly with people from the pornography sector, who welcomed the chance to share their views. Many would welcome clearer guidance and a level playing field of regulation in this area, as well as safer conditions for performers.

Throughout, we must never forget whom it harms – the people behind the statistics. I came at this from a perspective of protecting women and girls, and so the many victims of violence and abuse were at the forefront of my mind. However, I couldn't help thinking constantly of the boys and young men affected by this culture. It is such a confusing world for our sons. They are, quite rightly, encouraged and taught to reject sexist attitudes, while a subterranean online world of pornography is simultaneously showing them that anything goes. Many are also falling into a 'manufactured' online intimacy which can damage and affect how they form real life relationships.

We must act now, for them and for everyone. This Review comes at a moment when I believe society has decided that 'enough is enough'. The pendulum is swinging back from unfettered access to pornography and now needs a course correction.

I simply do not accept that we can't act in this area and make a difference, and I am determined we should. It starts with bringing pornography and the industry out of the shadows, so that we can have a proper, grown-up conversation about mitigating its harms.

The stakes are high. We're dealing with the safety, health, and happiness of our daughters and sons as well as wider society here. This issue has been overlooked for too long, and in some places, corrective action is needed to rapidly bring legislation and regulation up to speed with what is happening online and in the real world.

Throughout this Review, I have tried to balance ambition with workability. My hope is that by making recommendations which mostly utilise legislation, structures, and frameworks that already exist, it will be easier for the government to take these forward. I know that they are keen to make positive change on online pornography, as it seeks to implement its mission to halve violence against women and girls in the next decade.

I am optimistic we can make a real difference in this area. Just as technology fuelled the online pornography boom, I firmly believe technology, along with better regulation, will help us get the guard rails back in place. I would like to thank the many survivors and stakeholders who met with me and responded to our Call for Evidence as well as my first-class Review Secretariat. Together, we can make the online world – and therefore the real world – safer and healthier for everyone.

Summary Of Recommendations

This Review offers practical, workable recommendations to help us create a safer world of online pornography for all those involved. I have grouped these recommendations by the common themes I discovered during this Review.

The themes – and a summary of each recommendation – are as follows:

1. **Tackling violence against women and girls, creating a culture of positive masculinity**

2. **Increasing accountability and onus on platforms for harmful pornographic content**

3. **Protecting those most vulnerable to exploitation and harms**

4. **Strengthening enforcement of pornography offences**

5. **Future-proofing against tech-enabled harms**

6. **Strengthening governance and oversight**

I will take each of these themes in turn, with outcome-focused recommendations for government and suggestions of how these outcomes could be achieved. For ease, I have attached the list of all 32 recommendations on the following page.

Recommendations

Tackling violence against women and girls (VAWG), creating a culture of positive masculinity

1. Harmful pornographic content, that is illegal to distribute in physical formats, should also be treated as illegal content on online platforms. This could be done either through a Safe Pornography Code in the Online Safety Act, or by creating a new publication offence. The aim of this would be to prohibit certain pornographic content online – including degrading, violent, and misogynistic content, as well as that which could encourage an interest in child sex abuse – just as it is prohibited in the 'offline' world, and mandate platforms to adopt specific safety-by-design measures.

2. Non-fatal strangulation pornography (commonly known as 'choking' in pornography) should be illegal to possess, distribute, and publish.

3. The non-consensual 'taking' and 'making' of intimate images – whether real or deepfake - should be made an offence.

4. Illegal pornography offences should be accurately tracked in the police database and a nationally agreed and consistent approach should be implemented across police forces in the UK to better record incidences of these crimes. This would improve the understanding of links between illegal pornography and other offences particularly those of a sexual nature.

5. Platforms should develop a campaign to raise public awareness about intimate image abuse– how to spot it, report it, and where to seek support.

6. Resources and funding should be focused on school and community programmes specifically for boys and young men in order to encourage healthy discussions about positive masculinity and relationships, and to counter misogynistic culture.

7. Clearer guidance should be given to schools on the role of teachers and staff in preventing harmful sexual behaviours.

8. An online space for parents and carers should be created, to access easy to understand to information on how to talk to their children about pornography and its impacts.

Increasing the onus & accountability on platforms for harmful pornographic content

9. A separate body should conduct content audits, to ensure platforms hosting pornographic content are tackling illegal and prohibited content effectively.

10. An accreditation scheme should be set up, so that it is clear to the public, government, banks, and payment providers, which companies are compliant with regulation tackling illegal and prohibited pornographic content online.

11. Industry should collaborate on a 'watch-list' of types of pornographic content which are restricted, or purposely made harder to find, so that it is only available to users if they intentionally seek it out.

12. Increased, effective, and quick business disruption measures across the ecosystem of pornography – including ancillary services that support the platforms – should be in place to ensure swift removal of illegal and legal but harmful pornographic content. A clear and enforceable sanctions framework, under the Online Safety Act, should also be established.

13. The aims, priorities, and capacity of current regulators should be reviewed by Government, with a view to ensuring online safety is regulated by a single, focused regulator.

14. The Advertising Standards Authority (ASA) and Committees of Advertising Practice (CAP) should review its approach to advertising on online pornography sites.

Protecting those most vulnerable to exploitation and harms

15. An ombudsman should be set up to receive reports and give support following incidents of intimate image abuse (IIA), abuse, control, coercion, and trafficking in the pornography sector. This ombudsman would act as mediator between victims and police, health and support services to ensure victims are accessing the services and support they need.

16. Specialised training should be given to ensure support services are equipped to effectively support victims of intimate image abuse (IIA).

17. Urgent action should be taken to better understand the links and prevalence of human trafficking in pornography to guide future policy and law enforcement response on this issue.

18. Those working in the sector should not be vulnerable to financial exploitation or illegitimate 'de-banking'.

19. Further consultation should be undertaken to understand whether problematic pornography use (PPU) should be formally recognised as an addiction.

20. Mental and physical health impacts of pornography should be recognised and represented in existing health strategies.

Mandatory industry action:

21. Companies that host pornographic content should have consistent safety protocols, processes, and safeguards in place to ensure that all performers/creators are consenting adults, are of age (18+), and have not been exploited or coerced into creating content.

22. There should be clear and standardised processes across the sector to enable performers and creators to withdraw consent and to have content they appear in removed from sites.

23. Platforms that host pornographic content should have robust protocols and processes to prevent and respond to stolen content. This should include easy reporting and removal of content stolen from performers.

Strengthening enforcement of pornography offences

24. The current criminal justice response is ineffective in tackling illegal pornography online. Government should conduct its own legislative review of this regime to ensure that legislation and Crown Prosecution Service (CPS) guidance is fit-for-purpose in tackling illegal pornography in the online world.

25. Pornographic content that depicts incest should be made illegal.

26. Platforms should prevent individuals who have previously uploaded illegal pornographic content, IIA, or CSAM, from uploading further content on platforms which accept user-generated and uploaded content.

Future-proofing against tech-enabled harms

27. Companies hosting pornographic content should be required to use proactive technology to identify and remove intimate image abuse (IIA) content.

28. Government should urgently explore what proactive technology could be most effective to identify and tackle deepfake/ AI-generated IIA and CSAM.

29. 'Nudification' or 'nudify' apps should be banned.

30. Creators of AI models should build safety mechanisms into AI tools that allow sexually explicit content, so as to ensure illegal pornographic content and CSAM material is not created.

Strengthening governance & oversight

31. Clear policy ownership and responsibility across Whitehall on pornography needs to be decided, with one department having oversight on pornography policy.

32. A global coalition should be formed between civil society, academia, governments, and industry to work together on tackling global issues and harms from online pornography.

See the next page for further details on each of these recommendations.

Tackling violence against women and girls (VAWG), creating a culture of positive masculinity

1. Violent, harmful and misogynistic pornographic content, that is illegal to distribute in physical formats, should also be treated as illegal content on online platforms. This could be done either through a Safe Pornography Code in the Online Safety Act, or by creating a new publication offence. The aim of this would be to prohibit certain pornographic content online – including degrading, violent and misogynistic content, as well as that which could encourage an interest in child sex abuse – just as it is prohibited in the 'offline' world, and mandate platforms to adopt specific safety-by-design measures.

Violent, harmful, and misogynistic pornographic content (known in this Review as 'legal but harmful pornography') is common on mainstream platforms that host pornography. Under the extreme (illegal) pornography offence this content does not meet the 'illegal' threshold, however, it would be refused classification by the British Board of Film Classification (BBFC) in the 'offline' world. This means that if this content was distributed in physical form (for example, in DVDs), the person supplying the material would face criminal charges, including a prison sentence of up to two years under the Video Recordings Act 1984.

This disparity between the online and 'offline' world cannot continue. Pornographic content that would be refused classification in the 'offline' world should not be available to view online.

As outlined in **Chapters 1 and 2**, evidence shows that violent and harmful behaviours and acts in pornography disproportionately affect women. The content I believe should not be available online is that which the BBFC already refuses to classify, as set out below:

- material (including dialogue) likely to encourage an interest in sexually abusive activity, which may include adults role-playing as non-adults
- the portrayal of sexual activity which involves real or apparent lack of consent and any form of physical restraint which prevents participants from indicating a withdrawal of consent
- the infliction of pain or acts which are likely to cause serious physical harm, whether real or (in a sexual context) simulated. Some allowance may be made for non-abusive, consensual activity
- penetration by any object likely to cause physical harm
- sexual threats, humiliation, or abuse which do not form part of a clearly consenting role-playing game

I would also recommend including racist content to this list, which the Review has identified as an issue on mainstream platforms. Additionally, I recommend adding content where a performer or creator has withdrawn their consent to being in a film, and where consensual content that has been shared elsewhere without performer's knowledge or consent (known as 'stolen content' in this Review), to this 'unclassified' list.

I have explored two ways government could achieve parity between the 'offline' and online pornography landscapes, where the outcome is that legal but harmful content would not appear or be allowed online:

- A Safe Pornography Code of Practice in the OSA or;

- Creating a criminal publication offence.

I will detail how both of these could work in turn below.

Safe Pornography Code of Practice

Legal but harmful content could be 'prohibited' online, with there being additional regulatory duties on services displaying pornography through the Online Safety Act 2023 (OSA). Such duties should be supplemented by a Safe Pornography Code of Practice, where all platforms in scope which host pornographic content would be required to take a proportionate systems and processes approach to tackle this content, as they do with illegal content. The code would set out measures companies can take – including content moderation and safety-by-design measures – to tackle legal but harmful pornographic content and would be enforced by Ofcom.

Additional duties would need to be added to the OSA under Part 3 (which captures user-to-user and search services, including social media) and services regulated under Part 5 (services which display provider pornographic content). These duties would replicate the illegal content duties under the OSA, but would pertain to high-level categories of prohibited content, which could be based on the BBFC's list above.

These duties would be on the same footing as services' duties for illegal content, they would need to set up systems and processes to tackle this type of content proactively, ensuring it is not on their services in the first place. This could be done through content moderation and removal, as well as safety-by-design measures.

Ofcom would develop and consult on a code of practice on pornography and accompanying guidance, setting out the measures companies could take to adhere to their duties. I anticipate these steps will be in line with measures some companies are already taking, or can take, on illegal content. I have also included some more specific ways companies could tackle prohibited content on their services, from evidence gathering from this Review:

- consent messaging in videos, so that users know performances are consensual

- key-word monitoring, for example deterrence messaging for problematic search terms including "girl", "young", "rape", "drunk" etc.

- algorithms being designed as safely as possible so as not to promote harmful content, such as step-incest content.

- paid-for services putting daily, weekly, or monthly spend limits on content, much like gambling services.

Using the BBFC's list as a basis for prohibited content means there is already a basis on which policymakers and Ofcom can consult on.

The OSA already sets a precedent for Ofcom to regulate 'legal but harmful' content, as we can see in the child safety duties. Additionally, Category 1 services in the OSA will be required to set up their own systems and processes to ensure content is not on their services that does not align with their Terms of Service, much of which will be legal content. To this end, I do not consider that identifying and regulating this content will be insurmountable for Ofcom or the platforms themselves. In fact, some platforms have said that regulation in this area could be helpful, if enforced effectively, as it would standardise what content is allowed on platforms across the UK, creating a level-playing field and ensuring the 'good players' are not penalised.

Additionally, as set out in **Chapter 1**, payment providers are currently the unofficial, unelected regulators of pornography content. Setting out clear, regulatory boundaries and having proper scrutiny over what content is allowed and what is not, can only be helpful in this space.

The OSA has its own fee regime by which companies in scope pay a fee to fund Ofcom's regulatory activities. I have learnt about how effective a levy could be on pornography companies, and so anticipate this fee regime could operate in a similar way to a specific levy on platforms.

Lastly, one of the major enforcement measures Ofcom is likely to deploy are fines for not adhering with their duties. Government, or Ofcom, should look to ring-fence any fines taken from platforms hosting pornographic content due to non-compliance, and use these to fund support for potential harms caused by the regulated platforms ("the polluter pays" principle).

A Safe Pornography Code of Practice and regulatory measures via the OSA are what I recommend the government begins with. If issues arise or there are serious timing or delivery implications, I recommend the government consult on a new publication offence for this content as soon as possible, the detail of which is outlined below.

Creating a criminal publication offence

Another option open to the government would be to capture this kind of content in a new publication offence. This would effectively render these categories of content illegal and therefore serve to remove ambiguity. This content should then be covered by Ofcom's illegal codes.

I recognise that for successful prosecution of this offence, with criminal penalties, the legislation would need a high level of detail in describing the types of content it applies to. In the course of this Review, I have found how much nuance is involved in making a judgement about pornographic content – and the disadvantages of approaches which leave little room for nuance or contextual considerations. This offence would therefore need to set out high-level categories of content (as per the BBFC classification list), with Crown Prosecution Service (CPS) guidance providing more detail, nuance, and context.

Evidence of harm from content will continue to evolve – at this stage, I recommend government begins with a pornography code of practice and regulatory measures via the OSA. If issues arise or there are serious timing implications of doing so, I recommend the government then look to consult on a new publication offence for this kind of content as soon as possible.

I firmly believe that this recommendation would go a long way to preventing real-world violence against women and girls (VAWG), with pornography instilling positive messages and behaviours. Recommendations in grouping 2 detail how government could bring this prohibited list 'online', and how Ofcom could enforce it.

2. Non-fatal strangulation pornography (commonly known as 'choking' in pornography) should be illegal to possess, distribute, and publish.

This recommendation is the first of two in this Review which look to make additional, egregious behaviours in pornography illegal – non-fatal strangulation and incest pornography (the latter is outlined in **Recommendation 25**).

As set out in **Chapters 2 and 3**, so-called 'choking' content, where there is external pressure on the neck, is rife on platforms that host pornography and is a very popular category of content. The Review has evidence to show the influence that media sources, including pornography, have had in establishing choking as a sexual norm. People acting it out in their sex lives may face devastating consequences. Evidence shows that even a small amount of pressure to the neck can harm the brain, and there is no safe way to strangle a person.

Non-fatal strangulation (NFS) is already an offence in its own right, being captured by the Domestic Abuse Act 2021, which amended section 75A of the Serious Crime Act 2015. This offence is committed if someone intentionally strangles another person or otherwise affects their ability to breathe (known as 'suffocation').[3]

Some stakeholder discussions have cited that NFS may already be included in the Extreme Pornography possession offence (in the Criminal Justice and Immigration Act 2008). There is no case law to support this, and I am not confident that its inclusion is clear. Government should look to ensure that the Obscene Publications Act 1959 captures this type of content, so it cannot be published or distributed. This recommendation would remove any ambiguity on if NFS is captured in illegal pornography legislation.

Making all NFS explicitly illegal in pornography is especially pertinent considering that we are seeing an interest in NFS from children and young people, with anecdotal evidence from teachers about students asking how to choke girls during sex.[4] I do not think government should take the risk of allowing this content to be legal, given what we know about how much pornography exposure can influence sexual behaviour.

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[3] Crown Prosecution Service. (2022). *Non-fatal strangulation or non-fatal suffocation.*
[4] Dunstan, G. (2024). *Boys asking teachers how to choke girls during sex.* BBC news.

3. The non-consensual 'taking' and 'making' of intimate images – whether real or deepfake - should be made an offence.

I welcome the government's recent announcement on the new intimate image abue (IIA) offences that will be introduced as part of the Crime and Policing Bill later this year.[5] This will introduce new offences for the taking of intimate images without consent and the installation of equipment with intent to enable the taking of intimate images without consent.[6]

My views align with those of Professor Clare McGlynn and Baroness Owen of Alderley Edge – that if an intimate image is made or taken without one's consent, then that should be an offence.

If utilised, these recently announced offences could go a long way as a preventative measure for VAWG, seeing as IIA disproportionately impacts women and girls. I look forward to hearing further details from the government in due course.

4. Illegal pornography offences should be accurately tracked in the police database and a nationally agreed and consistent approach should be implemented across police forces in the UK to better record incidences of these crimes. This would improve the understanding of links between illegal pornography and other offences, particularly those of a sexual nature.

As outlined in **Chapter 3**, police do not have a nationally agreed upon, consistent approach to recording data of those in possession of illegal pornography or those who have distributed or published it. Enforcement of the illegal pornography regime is reactive, with investigations often happening as part of a separate case and not being treated as a policing or VAWG priority. Therefore, little is known about the scale of offending. Some evidence shows there are associations between offenders who view illegal pornography and who then go on to commit sexual or violent offences. However, police have been directed to investigate illegal pornography only when prompted by other investigations or specific suspicions. There is little data about the scale of illegal pornography possession and publication. This means any potential link is difficult to substantiate and understand.

Agreeing on a national approach should be seen as a preventative measure to tackling VAWG, if a substantial link is found. This is especially pertinent considering that VAWG is now a Strategic Policing Requirement, which means that the national policing response to VAWG should be on a par with terrorism and serious and organised crime. A national approach is therefore proportionate to the issue. Knock on effects could include police being more likely to take the investigating of cases of illegal pornography seriously if there is further evidence to suggest perpetrators then go on to commit sexual, or violent, offences. This could for example, take the form of a police or Crown Prosecution Service case review.

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[5] UK Parliament. (2025). *Written questions, answers and statements, tackling Intimate Image Abuse and Sexually Explicit Deepfakes.*
[6] UK Parliament. (2025). *Written questions, answers and statements, tackling Intimate Image Abuse and Sexually Explicit Deepfakes.*

Any approach should be piloted with police forces before implementation. This recommendation could also help improve the evidence base around illegal pornography offences, including potential links between pornography offences and sexual offences and other VAWG-related offences. This would then provide robust data to inform future policy design and decisions about the criminal justice response or wider legislative change. It would also further government's objective of halving VAWG in a decade.

5. Platforms should develop a campaign to raise public awareness about intimate image abuse – how to spot it, report it and where to seek support.

There is a taboo attached to speaking about pornography as a society, which does not match the scale of how many people view it. Because of this, there is a significant disconnect between the content that is viewed versus how much the public know about the content they're viewing.

I believe public awareness campaigns can act as powerful early intervention measures by raising awareness of issues or changes. While it is separate from pornography, this Review found significant gaps in public knowledge around IIA and deepfake IIA, as well as how to report this on platforms and where to seek support. Significantly, IIA can be found on platforms that host pornography, and users may not even know they are viewing illegal content. To this end, an appropriate public awareness campaign could be developed to raise awareness of how to spot, report, and seek support for IIA. Platforms – including those that host pornography – should use their own resources and funding to collaborate on an awareness campaign, shown on their own platforms.

6. Resources and funding should be focused on school and community programmes specifically for boys and young men in order to encourage healthy discussions about positive masculinity and relationships, and to counter misogynistic culture.

Violent and misogynistic culture and attitudes are prevalent in the UK, with harmful debates about masculinity gaining traction online. The Review found that this can have significant impacts on men and boys, including negatively impacting men and boy's perceptions of healthy romantic and sexual relationships, how they understand their sense of self in society, and their perceptions of women and girls. I am concerned about the limited resources and education targeted at men and boys, who often do not have the same level of support and community as women and girls – leading many of them to lean into the harmful narratives that are found online. Additionally, some are themselves victims of exploitation, violence, degradation, and abuse in the sector, or in their own relationships, where pornography can play a role. To this end, I heard that it is very important that men and boys are not simply seen as perpetrators of violence or exploitation, but also to recognise that they can also be victims.

To ensure that boys and young men grow up with healthy outlooks towards sex and relationships, perceptions of women and girls, and themselves, government should provide resources and funding for school and community programmes for boys and young men. This will not only build a sense of community and belonging amongst men and boys (which seems to be hugely lacking) but will also contribute to tackling violence against women and girls by

replacing extreme misogyny that is normalised online with positive representations of what it is to 'be a man'.

Some existing programmes, which are detailed in **Chapter 6**, provide school pupils with safe and judgement-free spaces where boys can explore their masculinity, raise their self-esteem and emotional intelligence, and challenge regressive power and dominance-based models of masculinity.[7] They cover topics like emotional control and self-regulation, masculinity in the digital world, and healthy relationships and consent. This is an excellent example of the types of programmes government should be supporting to help young men and boys throughout the UK obtain a better understanding of positive masculinity, reduce violence against women and girls, and navigate the complex and potentially divisive content they see online.

7. Clearer guidance should be given to schools on the role of teachers and staff in preventing harmful sexual behaviours.

A major issue for schools when it comes to preventing harmful sexual behaviours – which we know can arise from the influence of pornography – is that teaching staff do not always know their role in preventing these behaviours. This is vital to enable teachers to appropriately tackle and prevent harmful sexual behaviours.

To better support teachers and aid in providing them with clear guidance, the government could look to an external body with expertise in sex and healthy relationships to provide age-appropriate guidance. This should be utilised alongside clearer guidance on the role of staff in preventing harmful sexual behaviours – often normalised in pornography – such as mandating hours of annual training for teachers on this topic. This should also centre discussions about pornography and its harms in a holistic way, alongside discussions about consent, misogyny, healthy relationships and sex. Taking these steps would make it easier for teachers to understand their role, build their confidence, and know where any boundaries lie on such a sensitive topic.

8. An online space for parents and carers should be created, to access easy to understand information on how to talk to their children about pornography and its impacts.

Giving parents and carers age-appropriate resources and guidance, and the confidence to talk to their children about the potential harms and impact of pornography, can be an early intervention measure to tackling VAWG. This could mean that children are better equipped at an early age to spot misogynistic content, understand that pornography is not real, and become aware of the potential harms and its influence. Guidance on measures to stop children from accessing pornography, such as parental controls and age assurance measures on sites, could also be included to ensure parents are aware of what technology is available to assist them.

As noted in **Chapter 6**, it is clear to me that– although excellent resources exist for parents and carers on how to talk to their children about pornography– there is not one clear and easy way

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[7] Progressive Masculinity. *Education: Transforming School Environments Through Progressive Masculinity.*

for them to find these resources. I do not think parents or carers should have to trawl through multiple places to find reputable information on such a sensitive topic. They should have easy access to clear, sensible guidance, which is organised into age-categories on how to confidently approach these conversations with their children, preferably with sources that are deemed reputable by government.

Other government administrations, such as the Welsh Government, already have existing guidance and resources on their official webpages to assist parents and carers. The UK government should follow suit by collating information into one place, such as a gov.uk webpage, to reduce the burden on parents and carers to identify which resources are credible. This would not only highlight the useful resources that already exist but would also standardise the information children get from their parents or carers. It would also be helpful in limiting any mis/disinformation in this area, giving parents and carers confidence in what they tell their children and how they approach the topic.

Increasing the onus & accountability on platforms for harmful pornographic content

9. A separate body should conduct content audits, to ensure platforms hosting pornographic content are tackling illegal and prohibited content effectively.

An ongoing concern I have is that some platforms hosting pornographic content, including social media sites, may not adhere to duties under the OSA effectively. For instance, legal but harmful content will be a new concept to many companies. Therefore, an additional body to ensure effectiveness of compliance with their new duties is appropriate and could be helpful to both Ofcom and platforms.

To this end, government could appoint a body, such as the BBFC, who have experience in moderating content, to audit content from platforms hosting pornography to ensure they are tackling prohibited and illegal content. This body could expedite reports to Ofcom where there is evidence of lack of compliance (Ofcom could then deploy enforcement measures if there was non-compliance, as in **Recommendation 12**). Government would need to look to additional funding for training and/or additional resource for this body.

10. An accreditation scheme should be set up, so that it is clear to the public, government, banks and payment providers, which companies are compliant with regulation tackling illegal and prohibited pornographic content online.

Linked to **Recommendation 9**, companies that pass the audit could receive an accreditation of good practice. This would signal to the public, government, and ancillary services that this company is well-regulated, acting as an incentive to platforms themselves to raise their own standards. This scheme could have knock-on positive impacts on 'good' platforms such as increased investment, collaboration with ancillary services such as banks and payment providers, and increased traffic. Additionally, this scheme would again remove the need for unofficial regulators and make clear who are the 'good' players, which would be especially helpful for banks and payment providers.

This would also serve a public awareness angle. I have found that there is currently little public awareness about what 'good' pornographic content looks like, or what a 'good' platform is. This accreditation would be a way for the public to clearly know if the service they are viewing pornography on meets the accreditation or not, allowing for more informed choices.

11. Industry should collaborate on a 'watch-list' of types of pornographic content which are restricted, or purposely made harder to find, so that it is only available to users if they intentionally seek it out.

As outlined in **Chapter 2**, I have seen evidence that there is content available to watch online which is not illegal but which I believe should be restricted. For instance, incest pornography between step-relations and certain content that may fall in the 'teen' 18+ category. Some have maintained that these types of content could be a fig-leaf for more sinister or illegal content.

This type of content should not be served up on a homepage to a first-time user. Industry should collaborate on a 'watch-list' of types of content in this space, restricting and down-ranking this content so that it is not available on homepages to first-time users. Government could decide to regulate this content or conduct further research on harms if there is later proof of harm or inaction in this space.

12. Increased, effective, and quick business disruption measures across the ecosystem of pornography – including ancillary services that support the platforms – should be in place to ensure swift removal of illegal and legal but harmful pornographic content. A clear and enforceable sanctions framework, under the Online Safety Act, should also be established.

As outlined in **Chapter 1**, many platforms are based outside the UK, or there is very little transparency in how they operate. This makes it hard for Ofcom's enforcement measures through the OSA to quickly and effectively disrupt many pornography platforms that are harder-to-reach, especially as business disruption measures under the OSA would need a court process, which could take time. Whilst I do not expect Ofcom to operate outside of the law when it comes to disrupting and closing sites hosting illegal and legal but harmful pornographic content, they must ensure their route to site removal and disruption is expedited. Effective business disruption in this sector will require Ofcom to use its full range of powers including those imposing specific requirements on ancillary services – such as advertisers, payment providers, data centres, and media owners.

Given the amount of time formal action could take, the whole ecosystem of how pornographic content proliferates needs to be looked at, with ancillary services being aware of the power they have in enabling platforms to operate. The body (at **Recommendation 9**) could expedite any reports of suspected non-compliance to these ancillary services, who could then deploy quicker disruption measures.

Additionally, as **Chapter 3** outlines, this Review has found existing pornography laws ineffective and poorly enforced, with few prosecutions being pursued. To ensure the successful implementation of the OSA and any future legislation targeting pornography providers, it is essential to establish a clear and enforceable sanctions framework. This Review urges government to mandate a firm deadline for Ofcom to publish a comprehensive sanctions regime. Such a regime should provide a clear roadmap of how repeating offenders will be held accountable, with a focus on ensuring the accountability of senior management and a clear line of sight to the possibility of prison terms for the most egregious cases.

13. The aims, priorities, and capacity of current regulators should be reviewed by government, with a view to ensuring online safety is regulated by a single, focused regulator.

Ofcom plays an important role in regulating and creating a safe online environment, alongside radio services, broadcasting, postal services, and telecommunications, amongst others.

The shift to online mediums has meant that we are increasingly seeing more online harms and threats emerging at pace, which play out in pornography and across other areas, such as:

sextortion, online dating, gaming, catfishing, cyberbullying, and sexual assault online. These online harms need to take priority in regulation, so we can stay on the front-foot and future-proof any regulatory response, accompanying guidance, and support. As detailed in **Chapter 2**, Australia's eSafety Commissioner is a great example of how a focused regulator on online harms can provide tailored guidance and regulatory oversight of emerging threats and online safety.

Whilst I do not doubt Ofcom's expertise in online safety, I am concerned that it has a very broad regulatory remit which could limit the effectiveness of a regulatory response to online harms. I urge government to promptly review the aims, priorities, and capacity of its regulators, to assess if any legacy areas under Ofcom would be more suited to a different regulator, giving them more space, resource, and focus to regulate the online landscape.

14. The Advertising Standards Authority (ASA) and Committees of Advertising Practice (CAP) should review its approach to advertising on online pornography sites.

As detailed in **Chapter 1**, there is limited regulatory oversight of advertisements appearing on pornography sites. While website advertising is held to standards through the Code of Non-Broadcast Advertising (CAP Code), these barriers are loosely enforced and rely on the advertisers, media owners, publishers, etc. to ensure that such rules are being upheld. While some sites may rightfully abide by the rules set out by the Committees of Advertising Practice (CAP), which produces codes that the Advertising Standards Authority (ASA) enforces, I have found that like so many other areas captured in this Review, advertising is yet another area where sites hosting harmful pornographic content have been able to operate with limited oversight.

To combat this, I recommend that the ASA and CAP, who are independent of the government, critically review their approach to regulating the content of advertising on online pornography sites in the UK. This could lead to further oversight to ensure platforms are fully abiding by the code and not featuring advertisements that promote any content that would be captured under the prohibited list in **Recommendation 1**. Should a platform not abide by the code, or push harmful content to viewers, strict enforcement measures should be more consistently applied. While I recognise there are numerous complexities in the advertising landscape, the scale of the pornography industry and the revenue it generates from advertising means it is imperative this area is not overlooked.

Protecting those most vulnerable to exploitation and harms

15. An ombudsman or Commission should be set up to receive reports and give support following incidents of intimate image abuse (IIA), abuse, control, coercion, and trafficking in the pornography sector. This body would act as mediator between victims and police, health and support services to ensure victims are accessing the services and support they need.

A major issue this Review found, as detailed in **Chapters 3 and 4**, is that despite support for victims of IIA, abuse, control, coercion, and trafficking existing through the police and health services, there is still a taboo attached to the pornography sector. Due to this, victims of crimes in this sector are sometimes hesitant to seek help. Additionally, victims of IIA do not always know where to turn to for assistance.

An ombudsman or Commission should be set up to handle issues such as those about consent, abuse, and trafficking for people to report to. This body could then sign-post people to adequate support. Given the cross-cutting nature and unique attributes of pornography, this will ensure victims have access to tailored support and guidance. Additionally, the ombudsman or Commission could consider taking forward research and case studies specific to victims' experiences to raise awareness of the nuances of victimisation of the pornography industry and reduce the stigma around reaching out for help.

16. Specialised training should be given to ensure support services are equipped to effectively support victims of intimate image abuse.

Stakeholders raised concerns that given the IIA offence is relatively new and that IIA can be found on pornography and social media sites, some support services do not have the tools or resources to best support victims of this crime or respond to the scale of the issue (as detailed in Chapter 4). Reports of IIA have been on the rise, with reports to the Revenge Porn Helpline (RPH) having doubled in 2020 alone and their 2023 annual report seeing a 106% increase of IIA compared to 2022.[8] Government could look to an external body like the RPH, who are immensely skilled in supporting victims of revenge pornography, to up-skill local agencies (such as police and/or health services) on the unique harms that arise from IIA. This could also include a focus on gaining understanding of how these harms present themselves in victims, so that agencies can provide tailored support.

17. Urgent action should be taken to better understand the links and prevalence of human trafficking in pornography to guide future policy and law enforcement response on this issue.

There is no doubt that trafficking in the pornography sector happens, and I am grateful to the survivors who have spoken to me about this issue. Trafficking is serious organised crime and so it is, by nature, is very difficult to understand its prevalence, scale, and how it operates. The Review has found it to be a very hidden practice (as detailed in **Chapter 5**). The evidence-

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[8] South West Grid for Learning. (2023). *Revenge Porn Helpline 2023 Annual Report*.

base first needs to be built before being able to make specific, targeted, and effective recommendations in this area.

Government could, for example, commission research with academics, civil society, the pornography sector, and law enforcement, to understand the prevalence and scale of trafficking in pornography, and how it operates. This should also consider the global element and impact of this issue by assessing similar research conducted in other countries, especially given the cross-border nature of human trafficking.

18. Those working in the sector should not be vulnerable to financial exploitation or illegitimate 'de-banking'.

Despite it being a legal sector, it is not uncommon for those working in the pornography sector, such as creators, producers, performers, and directors to face financial barriers from banking institutions due to their line of work (see Chapter 5 for further details on this). Repeatedly facing these barriers could, in turn, lead to them becoming more vulnerable to exploitation due to their limited control over their finances.

As detailed in **Chapter 5**, I have also found significant issues when it comes to positive investments in the pornography sector. This includes there being limited investment into smaller, ethical companies who have admirable aims in disrupting the mainstream sector, as well as into safety tech which could make the industry safer.

Government, the sector regulator, and the financial sector need to work together to tackle financial discrimination in the pornography sector so that those working in a legitimate industry are not unfairly discriminated against, and in some cases, put in vulnerable situations. Additionally, if online content has better regulation (achieved by **Recommendations 1, 9, 10, and 11**), this should increase transparency and accountability, legitimise the sector, and could reduce risks in terms of investment into safety practices and smaller, ethical companies.

19. Further consultation should be undertaken to understand whether problematic pornography use (PPU) should be formally recognised as an addiction.

As detailed in **Chapter 6**, although many experience addictive, impulsive feelings towards viewing pornographic content, PPU is not formally recognised as an addiction. It being recognised as an addiction by an accredited body would mean more resources and support would be available for those in need, and more research could be conducted to better understand this debilitating issue.

Not enough robust evidence was submitted to this Review to confirm if PPU should be classed as an addiction. Government should therefore look to the World Health Organisation and other relevant bodies to undertake consultations on this. If PPU is deemed to be an addiction by these bodies, I then urge government to explore the best approach to treatment by looking into similar addictions that are prominent in the online space, such as gambling addiction.

20. Mental and physical health impacts of pornography should be recognised and represented in existing health strategies.

The physical health impacts of pornography are complex. However, people are increasingly seeking medical help or advice relating to sexual health or sex-based injuries. Government must work with healthcare providers to ensure these issues are better understood and cared for. The Review evidenced cases of people seeking support from sexual health nurses for injuries from sex, with some young people citing pornography as an influence for trying certain sexual acts that can cause serious injury. Additionally, the Review heard from stakeholders about concerns for men who are part of the LGBTQIA+ community, in particular, about dangerous sexual experiences where pornography was an influence (more detail on this is in Chapter 6). Therefore, it is important that health guidance reflects these potential concerns and also demographic specific issues experienced by sexual minority groups.

The Review also found high levels of pornography consumption can lead to mental health issues with young people, with some saying the bodies they had seen in pornography lowered their self-esteem and created unrealistic expectations around sexual performance. Mental health guidance should factor in the potential impacts of pornographic content to ensure that those who are struggling are best supported. Technology facilitated sexual crimes like IIA and non-consensual deepfakes can have detrimental impacts on a victim's mental wellbeing, and in some cases can traumatise them.[9] Therefore, it is essential that mental health guidance factors in the impacts of these emerging yet serious crimes.

Government should work with healthcare providers across the UK, ranging from GPs to more specialised services like sexual health providers, to ensure they are able to offer clear pathways of support for any physical, sexual, and mental health impacts influenced by pornography.

21. Companies that host pornographic content should have consistent safety protocols, processes and safeguards in place to ensure that all performers/creators are consenting adults, are of age (18+), and have not been exploited or coerced into creating content.

This Review has found (as detailed in **Chapter 5**) safety protocols and processes across the pornography industry are inconsistent. This then allows content to be created where consent was not given, where creators have been coerced into performing, and where age-checks have not been sufficient. This includes dedicated pornography productions, and sites that allow the uploading of user-generated content. Any pornographic content where individuals are being coerced or exploited is, of course illegal. However, the online landscape has often made it exceptionally difficult to determine if someone is being forced to partake in something against their will.

Consistent safety protocols, processes, and safeguards across the pornography industry must be in place to ensure that performers are adults, are consenting, and that no exploitation or coercion is taking place. Examples of measures that could be applied more consistently are

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[9] Bushby, H. (2023). *Deepfake porn documentary explores its 'life-shattering' impact.* BBC News.

written and documented proof of consent, age verification requiring multiple pieces of identification, and bank account checks.

22. There should be clear and standardised processes across the sector to enable performers and creators to withdraw consent and to have content they appear in removed from sites.

Even if a performer or creator has provided consent for the initial recording and sharing of pornographic content, they should have every right to withdraw consent at a later point (whatever the reason may be) and have that content removed. Anecdotally, I have heard that some sites require a 'valid reason' for why a performer or creator wants content removed. Given the nature of pornographic content, and how possible it is for control and coercion to have taken place at the time of filming, I am firm that creators/performers should be able to withdraw consent and that platforms should remove the content in question effectively and promptly.

Companies hosting pornographic content should have clear, streamlined, and standardised processes in place to ensure that performers and creators can withdraw consent and have content removed online promptly. This could include using technology, such as hash-matching or a digital stamp, to track content across platforms and reduce sharing on sites without a performer or creator's knowledge (tied to this, see **Recommendation 23**).

23. Platforms that host pornographic content should have robust protocols and processes to prevent and respond to stolen content. This should include easy reporting and removal of content stolen from performers.

As detailed in **Chapter 5**, while some platforms have implemented processes to combat stolen content from performers and content creators, there are little or no consistent practices in place across the industry to tackle this. Performers and creators have the right to have ownership and to protect their work. However, with emerging technology, I worry that the issue of stolen content online may continue to become increasingly common. This is especially true of the pornography sector, given the nature of the content and how detrimental it could be for this to be stolen and spread across sites.

I therefore believe that any platform which allows pornography on its service should put in place robust protocols and processes to both prevent, and quicky respond to, reports of stolen content. This can be explored in several ways, including straightforward options to report stolen content or making use of technology (such as hash-matching) to track if stolen content is being shared across platforms, therefore aiding removal.

Strengthening enforcement of pornography offences

24. The current criminal justice response is ineffective in tackling illegal pornography online. Government should conduct its own legislative review of this regime to ensure

that legislation and Crown Prosecution Service (CPS) guidance is fit-for-purpose in tackling illegal pornography in the online world.

One of my main objectives for this Review, as set out in the Terms of Reference, was to assess the effectiveness of the criminal justice response to offences relating to pornography as currently defined in legislation. I have found that the response, while it may be seen as effective in addressing crimes committed in the 'offline' space, has not kept pace with the spread of illegal pornographic content in the online world (which I detail in further depth in **Chapter 3**). While some of the issues I have identified in this area are not necessarily unique to pornography, it is not in this Review's scope to recommend system-change measures. In using this process to understand the key issues in the criminal justice response, I have come across more fundamental challenges. So, I urge government to conduct their own in-depth review.

Overall, I found the Obscene Publications Act 1959 and Criminal Justice and Immigration Act 2008 (which includes the possession of extreme pornography offence) to be largely ineffective in leading to the charging, and later prosecution, of those disseminating illegal pornographic content online. This has led to there being little consequence for those uploading this illegal content, and signals how little a priority extreme (illegal) pornography is. Additionally, the extreme (illegal) pornography offence was last reviewed in-depth by government in 2015. A lot of change has happened to the landscape since this point, such as the rise in AI pornography and deepfakes, an increase in sites hosting user-generated content and changes in contemporary sexual behaviours. Therefore, an in-depth assessment is needed to understand how any legislation can reflect and be future-proofed against modern day harms.

The Review has also found difficulties meeting the evidential threshold for charging in reference to the possession of extreme (illegal) pornography – the exception being bestiality in pornography, which is much easier to identify in a still image or film. The considerations and challenges need to be looked at through a new lens for there to be effective prosecution and enforcement in this space.

25. Pornographic content that depicts incest should be made illegal.

As detailed in **Chapter 2**, some research shows that the most common form of sexually violent pornography on mainstream platforms was family sexual activity– with much of the content featuring incestuous titles and encouraging sexual acts between family members.[10] While it is currently a criminal offence to have penetrative sexual activity with a family member (both blood-related and adopted), it is not illegal to act out depictions of incest in pornography. Although some mainstream platforms already prevent you from specifically searching for incest content, and others do not host it, some platforms have been able to get away with creating and sharing incest pornography under the guise of it 'not being real' and being a depiction of a fantasy. This concerns me greatly, and the grim reality is that the normalisation of this content

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[10] Vera-Gray, F, et al. (2021). *Sexual violence as a sexual script in mainstream online pornography.* British Journal of Criminology.

online could potentially encourage devastating attitudes and actions, including child sexual abuse.

I recognise that much of this evidence is anecdotal, however, we cannot continue to allow this content to be normalised, and it is an area that must be dealt with in the most serious way.

I therefore recommend the government explore making the possession of incest pornography illegal under the extreme pornography offence (section 63 of the Criminal Justice Immigration Act 2008). I recognise that this a significant undertaking and could involve commissioning further research to evidence harms.

It should be noted that that this would not include pornography that depicts sex between step-relations – this is not illegal activity in the real world, however this content is rife on mainstream platforms. See **Recommendation 11** on how I would seek to tackle step-incest content.

26. Platforms should prevent individuals who have previously uploaded illegal pornographic content, IIA, or CSAM, from uploading further content on platforms which accept user-generated and uploaded content.

There are currently few barriers to prevent users uploading content on platforms, even when they have previously uploaded IIA, CSAM, or illegal pornographic content. This needs to change to prevent perpetrators from continually uploading illegal content.

I urge government to recommend that Ofcom add measures to create barriers for users in uploading content, after they have previously uploaded illegal content, in any illegal code revisions under the OSA. It is likely this would require platforms to verify their users and require users to have accounts to be able to upload new content, which I recognise could present challenges.

Future-proofing against tech-enabled harms

27. Companies hosting pornographic content should be required to use proactive technology to identify and remove intimate image abuse (IIA) content.

One of the key concerns around IIA is content being uploaded online without the individual being aware. The Review heard from stakeholders of instances where IIA content has been online for prolonged periods of time, and could be spreading to other sites, without the victim being aware. Proactive technology solutions involve continuously scanning and monitoring platforms to remove content as soon as it is detected. This approach works well for both identifying and removing known-to-be-illegal content without the victim or another user having to continually flag it for removal.

An example of proactive technology is hash-matching, as detailed in **Chapter 4**. Stop NCII (Non-Consensual Intimate Image) already has a database of images and hashes for IIA, so this approach could be replicated across other platforms, sites and databases. The use of proactive technology should be mandatory across online spaces where IIA can be uploaded and shared as this would standardise the process for removal and ultimately tackle the spread of such content. Ofcom should consider adding this to the illegal content codes as a measure companies could use to tackle IIA.

28. Government should urgently explore what proactive technology could be most effective to identify and tackle deepfake/ AI-generated IIA and CSAM.

Concerns were raised by stakeholders that hash-matching is difficult to apply to AI-generated content, due to the hash changing when an image is altered. We need urgent changes to this as technology continues to develop and the scale of the issues of non-consensual and illegal AI content online increases.

Government should look to explore alternative approaches and technologies which can be used to identify and tackle AI-generated illegal IIA and CSAM. Checks must be put in place, and it is imperative to work with industry and tech developers to adopt innovative solutions to protect vulnerable individuals in society.

29. 'Nudification' or 'nudify' apps should be banned.

As highlighted in this Review, concerns around the usage of 'nudification' or 'nudify' apps are growing. Users are becoming younger, usage is becoming more frequent, and access is easier.[11] Therefore, government should strongly consider banning apps that have been developed for users to 'nudify' themselves or others. Alternatively, government could explore banning these apps at a device level so that users in the UK are unable to download them on their smartphone, laptops, and other devices.

Whilst users can use nudification/nudify apps to create content consensually, the risk of users creating non-consensual images is high. It is safer for everyone if these apps are inaccessible.

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[11] Landi, M. (2024). *Apps that create deepfake nudes should be banned, says online safety group.* Independent.

This could be implemented, for example, through nudification/nudify apps being banned at the device level, so that users within the UK are not able to download them.

30. Creators of AI models should build safety mechanisms into AI tools that allow sexually explicit content, to ensure illegal pornographic content and CSAM material is not created.

I welcome the government's recent announcement criminalising the production, possession, distribution, and/or advertisement of digital models or files designed to create child sexual abuse material (CSAM). Given the constraints of this new offence, I believe that the government can go further and capture AI models more broadly.

Throughout the Review, and in particular **Chapter 1**, I have detailed how safety tech can help to prevent online harms, support those in need, and provide assistance to victims. This must continue and companies and developers of AI models should work to ensure the technology cannot inherently or does not allow illegal pornographic content or CSAM material to be created (both purposefully and inadvertently).

Ideally, I would like to see these techniques and safety mechanisms eventually be used to ensure that pornographic content captured in the prohibited list (**Recommendation 1**) cannot be created. However, this recommendation focuses on the most pressing issue we are seeing and hearing about, which is the creation of illegal pornography and CSAM through AI models.

AI models learn from data and through a range of training techniques such as supervised learning or image annotation. Therefore, it is essential that AI models are trained to recognise illegal pornographic content and CSAM from the outset. Such training and changes could be carried out at several intervention points. For instance, developers could ban having combinations of prompts like "girl, young, sex". Changes can also be made at the training and testing stages of AI to ensure the material they are learning from demonstrates the dangers of such content and flags when to remove it. Creators of these AI models must also be able to prove that they carried out reasonable measures and training to ensure that their model prevents the purposeful and inadvertent creation of AI illegal pornographic or CSAM content. Government should consider this as part of future AI legislation.

31. Clear policy ownership and responsibility across Whitehall on pornography needs to be decided, with one department having oversight on pornography policy.

Pornography policy does not currently sit with one department. The policy landscape is fragmented across Whitehall, including between the Home Office, Ministry of Justice (MoJ), Department for Science, Innovation and Technology (DSIT), Department for Culture, Media and Sport (DCMS), Department for Education (DfE) and Department of Health and Social Care (DHSC), who all hold different and siloed policy levers. I believe this is one of the main reasons why harmful online pornography has been able to continually grow in scale and prevalence over the years with limited intervention. For progress to be made, tracked, and measured, it is imperative that one department has oversight of all pornography policy, which should sit explicitly in a ministerial portfolio, with other departments feeding in.

Many of my recommendations directly feed into government's ambition to halve violence against women and girls in the next decade, and its mission to make our streets safer. To this end, I would recommend that the Home Office is the natural home for pornography policy. For too long, pornography has been a taboo – both in government and in wider society. I believe ensuring the policy has a home, especially one which is focused on preventing hams, would lead to significant progress. Government should consider my recommendations in the context of these objectives to shape the decision on which department should own pornography policy.

32. A global coalition should be formed between civil society, academia, governments and, industry to work together on tackling global issues and harms from online pornography.

The harms that can arise from online pornography is a borderless issue due to the nature of online spaces. This is compounded by the unique nature of the pornography sector. Many platforms are based outside the UK, performers/creators are often based abroad, trafficking into the sector can happen outside the UK, lots of the content we see in the UK is not made here, and harms from emerging tech are not unique to the UK. To this end, there is a need for global collaboration to tackle cross-border harms.

It is for this reason that I recommend a global coalition be made up of relevant civil society organisations, academics, governments and prominent figures in the pornography industry. This coalition could unite global partners by bringing them together to promote a safer more regulated environment for the viewing and creation of online pornography. Similar to values in well-known coalitions, such as the Technology Coalition to end online child sexual exploitation, values should promote collaborative long-term relationships, transparency and accountability.[12]

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[12] Tech Coalition. (n.d.) *About us.*

Executive Summary

The Recommendations section sets out my ambition, the issues I have identified across the scope of this Review, and all my recommendations that could help to tackle these issues. I have included below an executive summary of this Report.

Chapter 1: The Changing Pornography Landscape

How we create, consume, and distribute pornography has changed considerably since the invention of the internet. This chapter delves into the changing landscape and world of online pornography, detailing the change in pornography from print to video to online, looking at how we now access pornography and the implications of the ease of access.

This chapter addresses the lack of clarity around how pornography sites are run and generate income, and the consequent difficulties in creating regulation. Additionally, the switch to online viewing and emerging technologies like artificial intelligence on pornography has been monumental. They have changed how we can create pornography through deepfake technology and nudification apps and in some cases, how pornography is consumed, for instance through virtual reality headsets. The lack of regulation around these technologies is concerning, especially as they have changed the ways in which crimes are committed.

Chapter 2: Harms of Online Pornography

This chapter looks at online pornographic content which would be refused classification in physical formats, such as DVDs. If this content were to be distributed offline, it could lead to a prison sentence. For the purposes of this Review, this content is known as 'legal but harmful' content.

This chapter explores the types of legal but harmful content available online and the impacts this can have on sexual scripts. In particular, violent, aggressive, and misogynistic content is rife on mainstream pornography platforms, as well as content that fetishises minority groups and promotes racist stereotypes, and content which describes and shows sexually abusive behaviour. This is hugely concerning, especially with evidence to suggest pornography can be an influence on sexual behaviours, as well as perpetuating harmful stereotypes across genders and ethnicity. This chapter also seeks to understand the associations between violent and misogynistic content and violence against women and girls, and how important it is that pornography does not create or reflect misogynistic or violent ideals in order to tackle this issue.

This chapter explores two categories of content which are so egregious and harmful that I believe they should be 'upgraded' to be illegal under the extreme (illegal) pornography offence: choking and strangulation content that is common on mainstream platforms, and incest pornography, which is less prevalent, but has been noted as permitting child sexual abuse.

This chapter explores how the design of pornography platforms can also create harms - through platform design and operation – and the current state of play in terms of regulation, with payment providers currently acting as the unofficial regulators for online pornography and why this is an issue.

Lastly, this chapter explores how online and 'offline' parity could be achieved, to create a safer and healthier online world of pornography. It sets out recommendations for further regulation to achieve this, how content could be audited, an accreditation scheme and governance structures, which, if progressed together, would be hugely impactful.

Chapter 3: Illegal Pornography & the Criminal Justice Response

This chapter assesses whether law enforcement and the criminal justice system's response to illegal pornography, as currently defined, is sufficient and concludes that change is needed.

There are increasing gaps in legislation that do not reflect the online pornography landscape today. Furthermore, elements of the Obscene Publications Act 1959 and Criminal Justice and Immigration Act 2008 are unclear or cause confusion, and subsequently impact charging and prosecution. In particular, the chapter identifies that alignment is needed to ensure the more recent criminal offence of non-fatal strangulation is captured in illegal pornography laws. Policing this legislation is inconsistent, reactive and de-prioritised, and ultimately the offence of possession of extreme pornography is primarily used to prosecute bestiality images, probably because these are more straightforward to identify.

The chapter also discusses how the criminal justice response to victims and survivors affected by illegal pornography must be strengthened, identifying a crucial need for a mediating body to join together specialist services, the police, health officials and victims to ensure their experience with the criminal justice system is sensitive to the issues at hand, tailored to their needs and more likely to result in redress.

Chapter 4: Intimate Image Abuse & Child Sex Abuse Material on Pornography Websites

This chapter focuses on Intimate Image Abuse (IIA) and Child Sexual Abuse Material (CSAM). To be clear – neither of these are pornography. It is important to emphasise this for the sake of victims and survivors of these crimes. However, there is evidence that IIA material and CSAM have appeared on pornography sites; therefore, this element is within the scope of the Review.

The current legal framework is outlined for both IIA and CSAM. For IIA, an overview and support are provided on the government's new IIA offences that capture the taking of intimate images without consent. This chapter focuses on the failures of the criminal justice system to respond to victims and survivors of IIA, where there are similar issues to the illegal pornography enforcement response. Police forces take an inconsistent approach, with the

onus on the victim-survivor to continually fight for redress; there is a need for a tailored and trauma-informed response and a clear pathway of support.

On CSAM, the chapter considers how pornography sites can be used as disguised gateways for accessing or inadvertently directing individuals to CSAM. It also outlines some strong anecdotal evidence provided by law enforcement and civil society organisations on the potential links between viewing illegal pornography and CSAM.

Chapter 5: Safety in the Sector

Looking at the sector itself, this chapter explores the lived experiences of performers and creators. A key issue is human trafficking and its presence in the pornography sector and the potential overlap with sex work. More data and evidence are urgently needed in this area.

This chapter dives deep into the different ways in which workers' consent can be violated, and how the stigma surrounding their occupation makes it harder to report issues to law enforcement, find support, and have content removal requests honoured by online platforms. This chapter also explores how performers can be exploited by these platforms. It recommends safeguards that can be adopted to guarantee worker protection, the removal of content if the performer withdraws their consent to appear in a video or image and track stolen content across the web. Finally, the issue of financial discrimination against workers within the sector is explored.

Chapter 6: Education, Public Awareness & Cultural Change

This chapter concludes that current education on harmful impact of pornography – in the context of relationship, sex and health education (RSHE) – is inconsistent and needs development. Also, it is not always at pace with what children are seeing online. Coming across this content, either accidentally or purposefully, is having an unquestionably damaging effect on our children. With more and more incidents of sex crimes being reported amongst children and a normalisation of misogyny and sexual violence, this reality cannot be left out or glossed over in RSHE. This chapter also acknowledges that education in this space must be inclusive of boys, and that the impact this content may be having on them as victims is understood. This chapter approaches education as an important preventative measure in combatting these issues, and ensuring children are developing healthy attitudes toward sex and relationships.

This chapter also acknowledges how difficult discussions on pornography can be for teachers, parents, and carers, who often lack clear guidance and knowledge of where to look for reputable sources on how to approach teaching about the impacts of pornography. Tied to this, is a general lack of public awareness on how much harmful pornography is available online. This chapter will address these issues, with the intention of raising awareness and ensuring reputable guidance and resources are in place to facilitate confident, informed discussions.

This chapter will also explore the contentious area of the potential health impacts of pornography. This includes exploring available support for those concerned about their pornography consumption even though pornography is not formally recognised as an addiction by the NHS, and potential impacts on a viewer's mental and physical health.

Objectives And Methodology

The Independent Review of Pornography regulation, legislation, and enforcement was launched in December 2023 to examine whether the regulatory and legislative landscape is fit for purpose to tackle illegal, exploitative, and abusive pornographic content and activity in the sector.

I was asked to lead this Review due to my extensive experience, knowledge, and interests that align with the Review's objectives. I have been active in women's rights issues, in particular stopping violence against women and girls, and am the Vice-Chair of the APPG for Domestic Violence and Abuse. Previously, I sat on the Public Services Committee, the Communications and Digital Committee, Draft Domestic Abuse Bill (Joint) Committee, and the Children's and Families Act 2014 Committee. This experience has given me a broad understanding of the technology and regulatory landscape in which pornography is viewed and regulated, and the impacts it can have on society—in particular women and girls.

This is an ambitious Review, and its recommendations seek to tackle a wide range of complex, multi-faceted and sometimes taboo issues in an often high-harm sector. The Review has taken an evidence-based approach to develop a range of recommendations for government. These recommendations have been tested with various stakeholder groups. Although this is an Independent Review, it is important that recommendations are workable and feasible for government to action. To this end, working with government policymakers has been an integral part of the Review's development.

I have been hugely supported in this work by the Department for Science, Innovation and Technology, who provided a seconded Secretariat function to the Review. The Secretariat worked with me throughout the process, which has further helped to inform workable policies and recommendations that I am hopeful government will adopt. I would like to acknowledge the dedication of my team and reiterate how grateful I am to them for their commitment.

This is the most comprehensive Review of the pornography sector government has commissioned in decades. For so long, this has been a sector that has been hard to reach and operated in the shadows. The lack of intervention means large parts of how it operates and any harm it creates have been under-discussed by policy makers.

In recent years, government has sought to take action on pornography, focusing on illegal pornographic content and preventing children's access to pornographic content, through the Online Safety Act 2023 (OSA).

The Review was commissioned as a response to concerns about the prevalence and impact of illegal pornographic content and child sexual exploitation and abuse on pornography sites and social media. It was called for during the passage of the OSA, with many noting that more needed to be done to tackle pervasive harms from pornography over and above illegal content and children's access.

In the words of the Baroness Benjamin during the second reading of the OSA in the House of Lords:[13]

> *"The government states that [the Bill] is designed to ensure that what is lawfully unacceptable offline would also be unacceptable online. However, in respect of pornographic content, the Bill as drafted does not meet that goal. Material that is extreme and prohibited offline is widely available online."*

Lord Bethell raised concern around the type of content online and the easy access children have to this content:[14]

> *"Every day, millions of children in this country watch pornography in their homes, at schools, on the bus, on devices of all kinds, without any hindrance at all. The Children's Commissioner makes it really clear that this is not just raunchy pornography like in the old days of Razzle magazine. These are depictions of degradation, sexual coercion, aggression and exploitation, disproportionately targeted at teenage girls."*

This Review therefore looks at the ecosystem of online pornography: how the sector operates, how platforms generate income and how the content impacts us.

Objectives & scope

The Review's scope and objectives as presented in its Terms of Reference,[15] are set out below and the full Terms of Reference can be found at Annex A.

These objectives were set at the start of the Review process and agreed under the 2022-2024 government. They reflect some of the biggest issues that were raised in debates on pornography during the passage of the OSA:

- understand the prevalence and harmful impact of illegal pornographic content online, and the impact on viewers of other forms of legal pornography, including emerging themes like AI-generated pornography, and the impact on viewers' attitudes towards violence against women and girls

- assess the public's awareness and understanding of existing regulation and legislation of pornography

- consider the current rules in place to regulate the pornography industry, comparing online and 'offline' laws

- determine if law enforcement and the justice system are responding to illegal pornography sufficiently, and if change is needed

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[13] UK Parliament. (2023). *Online Safety Bill Volume 827: debated on Wednesday 1 February 2023.* Hansard.
[14] UK Parliament. (2023). *Online Safety Bill Volume 827: debated on Wednesday 1 February 2023.* Hansard.
[15] Department for Science, Innovation and Technology. (2024). *Terms of Reference: Independent Review of Pornography.* GOV.UK

- understand the prevalence of human trafficking and exploitation in the pornography industry
- use this knowledge to set out what more can be done to provide those who need it with guidance on the potential harmful impact of pornography

Although all these objectives are central to this Review, it is important to note that engagement with key stakeholders and evidence from the Call for Evidence highlighted that some objectives were more pertinent than others, and that is reflected throughout this Review.

Methodology

It is vital that this Review and its recommendations are evidence-based. Its method for evidence-collection came under two pillars: a Call for Evidence and extensive engagement across a variety of key stakeholders. The Call for Evidence was open for eight weeks and received 502 responses. I also held specialist roundtables on key thematic areas and met stakeholders and experts individually to gain a deeper understanding of the complex subject matter. I have set out my methodology and main stakeholders consulted per chapter below. Further detail on methodology, including a list of stakeholders that the Review met with, can be found at **Annex B**.

Please note that this is not exhaustive, and many stakeholder conversations overlapped between the chapters. Evidence provided through the Call for Evidence was also considered in depth alongside engagement, which is detailed in the chapters themselves.

Chapter 1: The Changing Pornography Landscape

For this chapter, my key stakeholders were academics, pornography websites both large and small, the British Board of Film Classification, the National Crime Agency (NCA), small businesses working in emerging tech, and support organisations for pornography sector workers. This complemented several questions in the Call for Evidence about the online pornography landscape, the parity between 'offline' and online regulation and the impact of emerging tech, artificial intelligence and virtual reality, on pornography.

Chapter 2: Harms of Online Pornography

Stakeholders consulted for this chapter include healthcare workers, educators, addiction specialists, civil society organisations, violence against women and girls (VAWG) organisations, men and boys organisations, academics, and social media platforms. I also discussed this with some of those in the pornography sector. The Call for Evidence had several questions pertaining to the potential harms of pornography including how legal pornography can adversely affect viewers, associations with violence against women and girls, and if there are any gaps in regulation.

Chapter 3: Illegal pornography & the criminal justice response

Specific stakeholders consulted for this chapter include the NCA, Crown Prosecution Service, National Police Chiefs' Council, VAWG groups, victim-survivor groups, and civil society organisations. The Call for Evidence had a specific section on illegal content, exploitation and abuse in pornography. Questions included assessing awareness of what pornographic content is deemed illegal under UK legislation, the prevalence of illegal content on pornography sites, prevalence of human trafficking in the sector, and links between those viewing extreme (illegal) pornography and committing sexual offences.

Chapter 4: Intimate Image Abuse (IIA) & Child Sex Abuse Material (CSAM) on Pornography Websites

Stakeholders consulted for this chapter included civil society groups involved in child safety, the Internet Watch Foundation, the NCA, large pornography platforms, and academics. The Call for Evidence did not ask specific questions about IIA, and instead asked about AI-generated harms from pornography. A lot of evidence around IIA and deepfakes on pornography sites was submitted in response to these questions. Questions on CSAM related to prevalence on pornography platforms, why people may view CSAM inadvertently or intentionally and the associations with illegal pornography.

Chapter 5: Safety in the Sector

Stakeholders consulted for this chapter included performers and creators of pornography, civil society organisations and unions that work with and represent performers, academics, human trafficking survivors, pornography platforms and payment providers. This accompanied questions in the Call for Evidence around performers' experience receiving adequate safeguarding from harms in the industry, as well as impacts on performers given the shift of pornography to mostly online spaces.

Chapter 6: Education, Public Awareness & Cultural Change

For this chapter, I primarily consulted RSHE educators, educational/digital citizenship consultants, the NCA, performers and creators, and civil society organisations concerned with child safety. However, most stakeholders across sectors and interests had strong stances on the necessity of education in this space. The Call for Evidence set out various questions around the public awareness of pornography, awareness of what is considered illegal pornography, how children are educated about pornography, and if parents have enough support in this space.

Chapter 1: The Changing Pornography Landscape

From print, to VHS, to DVDs, to online sites, to AI – pornography has continued to evolve over time. As it has evolved across mediums, so have the ways society consumes, accesses, creates, disseminates and experiences pornography.

> *Pornography is defined as "printed or visual material containing the explicit description or display of sexual organs or activity, intended to stimulate sexual excitement."[16] [17]*

The emergence of internet-enabled technologies, such as laptops and smartphones, has made pornographic content extremely easy to access. What once consisted of going into a licensed cinema to watch pornography or buy a magazine from a licenced sex shop, is now often free, anonymous, accessible with a click of a button, and offers endless options to choose from. Content that was once solely filmed by dedicated pornography companies on closed sets with professional actors can now be created by anyone in their home and uploaded online for viewers all over the globe to access at any time. This includes social media sites, where pornographic content has become increasingly prevalent (despite many platforms not allowing pornography under their terms of service). The ease of accessing this content has meant that both children and adults are inadvertently and unintentionally being exposed to this content.

The Review has heard from stakeholders that the taboo nature of discussing pornography and sex in society has resulted in little to no industry, regulatory, or governmental oversight on what type of content is being promoted, consumed and accessed online.

This Review has found that, alarmingly, platforms hosting pornographic content have largely been operating with very few checks and balances. There has been little transparency and accountability in terms of how they operate or generate an income. The content they host goes largely unchecked on free tube platforms. While the Online Safety Act 2023 (OSA) will go some way towards tackling illegal pornographic content and limiting children's access to pornography, there is much more to be done to address the scale of the issue and its many nuances.

Technological development has become even more advanced with the rise of artificial intelligence (AI) and virtual reality (VR) systems. These technologies are once again impacting how we create, disseminate and consume pornography, and present a whole new category of risks that the government must get ahead of to protect online users from harm.

This chapter explores these issues and assesses the current regulatory landscape for online pornography compared to the 'offline' regime. It will also explore the many ways that

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[16] Spectrum Community Health. (n.d.). Pornography
[17] Due to the scale and scope of the Review, erotic literature has been excluded from analysis

pornography platforms operate and will investigate the harms and benefits of emerging technology.

From Print to Your Screens: The Scale and Accessibility of Online Pornography

Pornography is not a recent phenomenon. Erotic imagery can be traced back to art and cultural products from ancient civilisations. However, its popularity has 'boomed' as technology and shifts in culture have emerged. Despite its popularity and ease of access, regulation and legislation has struggled to keep up with the proliferation of online pornography.

Print pornography, in the form of magazines, gained popularity and quickly became the primary medium for viewing pornographic images in the mid-1950s.[18] Physical pornographic media was popular until the 1990s, when the shift to online spaces began. Over time, print pornography transformed to pornographic films, which were soon shown in specially licensed cinemas, and, with the rise of take-home media —VHS, DVD, and Blu-Ray—the act of watching pornography became even more private and personal.

This shifted once again with the emergence of the internet, which is where its popularity really began to grow. Accessing pornography online is quick and easy, and there are endless options of free and premium pornographic content. With this ease of access, online pornography's popularity and usage soared compared to physical pornography and the scale of those accessing pornography is huge:

- Ofcom found that in May 2024, 13.8 million (29%) of UK online adults accessed a pornographic content service.[19]

- The UK daily traffic to one of the biggest pornography sites ranked the 4th highest of all countries globally.[20] [21]

- There were five pornography sites in the 50 most-visited sites in the UK in June 2024.[22]

- Research by YouGov in 2022 found that three-quarters of British men (76%) say they have watched pornography, compared to around half of women (53%).[23]

- Around a third of men (36%) say they watch pornography at least once a week, including 13% who watch porn every day or most days, while just 4% of women say they watch porn at least once a week.[24]

Additionally, where pornography was previously found largely on dedicated pornography sites that a user visited intentionally, one can now find this content on some social media sites, where people can inadvertently stumble across it. For example, research by the British Board of Film Classification (BBFC) and Revealing Reality found that many social media accounts

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[18] Keene, S. (2021). Just Fantasy? Online Pornography's Contribution to Experiences of Harm. The Emerald International Handbook of Technology Facilitated Violence and Abuse.
[19] Ofcom. (2024). Online Nation 2024 report.
[20] Similarweb. (2024). Pornhub.com Web Traffic by Country. Please note that this source refers to total visits, not per capita.
[21] For context, a country comparison by the CIA found that the UK ranks 16th globally for number of internet connections, though culture, language and internet restrictions will affect viewership.
[22] Similarweb. (2024). Top website ranking, most visited websites in the United Kingdom.
[23] Kirk, I. (2022). How often do Britons watch porn? YouGov.
[24] Kirk, I. (2022). How often do Britons watch porn? YouGov.

posted links and 'teaser' trailers to pornography subscription services.[25] This has made it easier for anyone to view it, even if they are not actively seeking out pornographic content.

Undoubtedly children should not be able to access pornography. However, research has indicated that many people encountered online pornography at a young age and by accident. In a survey of 1,000 young people (aged 16 to 21) commissioned by the Children's Commissioner, it was found that social media sites are where young people most frequently access pornographic content.[26] This survey also found that of the 64% of respondents who had ever seen pornography, the average age at which they saw it was 13.[27] In separate research the BBFC found that the first time most young people watched pornography was accidental, with over 60% of children aged 11 to 13 who had seen pornography saying they have viewed pornography unintentionally.[28]

I am aware the duties to prevent children from accessing pornography, both on dedicated pornography sites and social media sites, is a major pillar of the OSA. While a more thorough analysis of the OSA appears later in this chapter, I want to stress just how concerning these findings are. While the Review fully supports the efforts of the OSA in preventing children from accessing pornography, some stakeholders raised questions about how effective measures will be in practice. Progress of the new regime will need to be closely monitored and if the current approach is not effective, I urge Ofcom and the government to look at alternative or additional measures to prevent children from accessing pornography, for example, device-level age verification.

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[25] British Board of Film Classification and Revealing Reality. (2020). Young people, Pornography & Age Verification.
[26] Children's Commissioner. (2023). 'A lot of it is actually just abuse' Young people and pornography.
[27] Children's Commissioner. (2023). 'A lot of it is actually just abuse' Young people and pornography.
[28] British Board of Film Classification. (2019). Children see pornography as young as seven, new report finds.

The Make-Up of Pornography Platforms in the UK

During my time working on this Review, I have learned just how influential the pornography sector is, and the extent to which they are and have been at the forefront of technological advancement. This industry is vast, complex, and thriving, with estimates of the pornography market to be in the billions of pounds, although precise and reliable estimates are hard to come by due to a lack of sector-wide transparency. Some major platforms have been producing annual reports of viewing trends for over a decade, but others have only started doing so in recent years or do not provide these at all.

From the Review's inception, I met with public policy leads and executives at the largest pornography platforms to discuss the sector. These were robust but constructive conversations talking through the Review's concerns and scope, as well as the issues they are working to address, and issues on which they would welcome government intervention. With these working relationships firmly established, we moved on to discussions with smaller platforms, most notably self-identified ethical producers and platforms. Both groups provided me with helpful insight on the diverse make-up of the pornography industry, including different models and how they generate their income.

The Many Models of Pornography Sites

There is no shortage of pornography sites available online, with different models including tube sites that are often free-to-watch, paid-for services, and subscription-based models. The sector is diverse, though the most common model associated with pornography are tube sites, where users can upload and watch a range of pornographic content. Whilst each tube site is unique, users are normally met on the landing page with a selection of videos, a search bar, suggested categories, and adverts to other pornographic or sexual services. On such sites, people can upload their own content, watch content for free, or access pay-walled content.

Premium or pay-walled content websites are also used by many companies and platforms wishing to charge for exclusive content. These websites work similarly to tube sites. However, users must sign up for an account and pay a fee to access content; this can be a one-time fee or a subscription to the site. Subscription and pay-for-entertainment websites can also host pornography, amongst other content.

We have also seen online pornography deviate from dedicated sites to social media sites. While not all social media sites allow pornography on their platforms, some prominent services allow such content under their terms of service, blurring the lines of what constitutes a pornography platform. Additionally, some performers and creators use their social media platforms to advertise their pornography services; this too blurs the lines on what platforms and consumers consider acceptable on social media when it comes to pornography.

How Online Pornography Sites Generate Income: Advertising, Premium Services & Subscription Models

Knowing how pornography companies generate their income is helpful to understand how the companies' business models work. Having a better understanding of how they generate revenue can inform recommendations on business disruption measures and also ensure the enforcement of existing or new regulation. The lack of clarity on revenue sources and how it is distributed by pornography companies, poses difficulties for policy and regulation in this space.

There is a lack of transparency about financial data from many of the larger companies in the sector. Some are free sites, and some use paywalls, or encourage users to subscribe and pay for premium content via advertisements. Desk based research carried out by the Review found that some paid-for platforms offer new users one-off joining fees, flash sales on subscriptions, and discounts for those choosing to be billed yearly rather than monthly.

Further desk-based analysis by the Review of pornography sites found some pornography platforms make money from pay-per-click adverts, user data, by using algorithms to drive users towards paid-for-content, and creator programmes. However, without detailed evidence from the companies themselves, it is hard to make an accurate assessment of how pornography platforms generate revenue.

Advertising is a way in which free sites generate an income.[29] Free sites are often peppered with adverts, whether they be before the video plays, as popups, or around the video. Adverts can vary from presenting users with adverts for live webcamming or escort services[30], or offering links to pay-to-view pornography sites, channels, or tube services. These are sometimes owned by the original free pornography platform, allowing the site to drive traffic to their smaller paid content sites consequently generating income.[31] Despite this, I am concerned about certain pornographic content.

Advertising in the UK is broadly regulated by three main bodies. This includes the Advertising Standards Authority (ASA), which is the UK's independent advertising regulator and regulates advertising of legally available products and services. The ASA administer both the non-broadcast advertising code, which is overseen by Committees of Advertising Practice (CAP), and the broadcast Advertising Code, which is overseen by the Broadcast Committee of Advertising Practice (BCAP). The BCAP Code includes general rules that are likely to be applicable to the advertising of pornography, including:

- Adverts must be prepared with a sense of responsibility to the audience and to society

- That adverts must contain nothing could cause physical, mental, moral, or social harm to a person under the age of 18

- Adverts must not portray or represent anyone who is, or seems to be, under 18 in a sexual way

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[29] Hanson, E. (2021) Pornography and human futures. Fully Human.
[30] Hanson, E. (2021) Pornography and human futures. Fully Human.
[31] Hanson, E. (2021) Pornography and human futures. Fully Human.

- Adverts must not include gender stereotypes that are likely to cause harm, or serious or widespread offence

- Adverts must not contain anything that is likely to cause serious or widespread offence; advertisers must take particular care to avoid causing offence to the different protected characteristics[32]

The BCAP Code also contains specific rules for telecommunications-based entertainment, and broadcast advertising (such as television) of pornography and materials given an R18 rating by the BBFC.

In their joint submission to the Review's Call for Evidence with CAP and BCAP, the ASA notes that general rules, similar to the above listed, also apply for non-broadcast advertising (e.g. online, print, etc.) and are similar to advertising for other age-restricted products such as alcohol and gambling. It was emphasised that although advertisers may legitimately target ads for legal pornography content to adults, similar to advertising for other age-restricted products such as alcohol and gambling, they must ensure that such ads are responsible and directed away from under-18s. While this should pose no issue for dedicated pornography sites where under-18s are not permitted I am worried about advertisements on social media sites and other platforms that are not pornography platforms but allow pornographic content. Research by the BBFC and Revealing Reality found that young people are accidentally viewing pornography through adverts or pop-ups on film streaming, sport streaming, or gaming websites.[33]

Where my concerns primarily lie is that, aside from these very general rules, there is limited oversight on the application of these 'rules', and that the responsibility for ensuring advertising is in line with codes falls with advertisers, media owners, publishers etc. This could leave room for bad actors, who host harmful or illegal content, to misuse this model and face little to no repercussion for evading the code set out by ASA/CAP. Additionally, advertising also demonstrates yet another example of the disparity between how online content is regulated compared to 'offline', as there are currently more guardrails for offline advertising compared to online. I strongly urge the ASA to reconsider how they approach advertisements relating to online pornography, so that oversight of its application and enforcement is strengthened. See **Recommendation 14** for how I propose tackling this issue.

Some of the self-identified 'ethical' providers are more transparent in how they make money and generate an income. I learned that most of the content on their site is behind paywalls, because this allows a peace of mind for performers, viewers, and the business that both the content is ethically produced, and the business itself is run in an ethical manner. However, in practice, this may differ platform to platform, but standards of ethics are being developed within the sector through organisations like Porn Better. Porn Better is a 'fair-porn rating site' that reviews ethical pornography sites through a set of criteria. Its criteria include an assessment of:

- working conditions on set looking at practicing safer sex, clear demonstration of consent, and ensuring appropriate pay

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[32] Advertising Standard Authority/ Committees of Advertising Practice. (n.d.). *04 Harm and offence, BCAP code.*
[33] BBFC and Revealing Reality. (2020). Young people, pornography and age verification.

- diversity and variety in pornography

- pricing: Porn Better believe fairly produced pornography is rarely free

- site design; here looking at what language, imagery and advertising is used

The Review has also heard how much these smaller sites struggle with financing and raising investment, as well as how regulation, particularly if not proportionate, could impact their business too. Erika Lust Films, a company comprised of four ethical pornography sites, where consumers pay to stream or download content, highlighted that they are perceived as a high-risk business, and that even when financial services will work with them, they face higher fees than other sectors. They noted that as an ethical company, they are concerned about viewers' health, working conditions for performers and crew, and increasing respect for the work that has been done.

Ethical pornography company afterglow also explained that they have not been allowed to operate on some commonly used money transfer apps as afterglow's risk profile is too high for the standards these transfer apps set, meaning they have to pay higher transaction fees. The Review also heard from Aorta Films, a queer[34] ethical pornography site, about their struggle to secure a business bank account and other challenges to operating as a smaller ethical business. **Chapter 5** goes into more detail on this and related issues, with **Recommendation 18** setting out how government could tackle this.

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[34] When speaking with stakeholders in the LGBTQIA+ community, they often used the phrase 'queer', therefore, to avoid misquoting or incorrectly reporting findings the Review has used the phrase where appropriate. Queer is a term "used by those wanting to reject specific labels of romantic orientation, sexual orientation, and/or gender identity." This term includes but is not limited to gay and lesbian people as well as transgender and non-binary individuals. Stonewall. (n.d.). *List of LGBTQ+ terms.*

Emerging Technology in Pornography

The rapid pace of technological development has drastically changed how people consume, experience, share and create pornographic content. The most notable types of emerging technology in this space are Artificial Intelligence (AI)[35] and Virtual Reality (VR),[36] which have changed how viewers access content and how pornographic content is created, and how platforms monitor content uploaded to their sites.

New technologies have made some content creation, including for consumers, easier.[37] However, new technologies have also raised concerns around consent, material being stolen, and enhanced the prevalence of certain crimes like using AI tools to generate non-consensual intimate images. The growing industry of deepfake pornography needs an urgent legislative answer and there should also be more urgency in developing and sharing safety technology in this space - all of which is undeniably possible. Groundbreaking safety measures are being developed by organisations in isolation and I believe it is important that these are shared across the sector, like when Volvo shared its patent for free for the three-point seatbelt in the 1950s. When it comes to safety technology, the work by organisations like the Online Safety Tech Industry Association (OSTIA) is crucial to create visibility of new innovations, new technology and best practice.

Generative AI & pornography

The rise of AI has brought benefits and risks to society. The increased capacity and popularity of generative AI-tools (gen-AI) has led to this technology being used to create AI-generated pornography, whereby users can input instructions to AI-tools to produce or refine pornographic content.

A submission to the Call for Evidence from the Online Workers Working Group of the Sex Workers' Union pointed out that AI-generated pornography can provide some performers with a greater sense of safety and control over their image. I also heard that these tools can provide performers with increased identity privacy and security, as they can alter their images,[38] which reduces the risk of unwanted exposure, doxing, or harm. Additionally, some performers noted that AI has helped with business scaling and can streamline production workflows, ultimately allowing for the creation of certain fantasies or niche content without the performer having to physically engage in demanding or complex activities.

However, there are also risks that have emerged with the popularity of AI tools. AI has lowered the entry point for creating pornography, meaning anyone can now create pornographic

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[35] The UK Government's 2023 policy paper on 'A pro-innovation approach to AI regulation' defined AI, AI systems or AI technologies as "products and services that are 'adaptable' and 'autonomous'." – Gajjar, D., (2024), Artificial intelligence glossary. UK Parliament.

[36] Virtual Reality (VR) is the use of computer technology to create a simulated environment. Domestic VR systems involve wearing a headset, sometimes in conjunction with handsets or controllers. – Department for Business, Energy, and Industrial Strategy. (2020). The safety of domestic virtual reality systems.

[37] Cole, S. (2023). The Community Pushing AI-Generated Porn to 'the edge of knowledge'. 404media.

[38] Doxing, also known as doxxing, is the process whereby one's personal details such as home address are revealed or exposed online without their consent.

content tailored to their interests through a variety of tools and dedicated sites. Gen-AI models are trained on images and other content on the open-source web, meaning that outputs are based on both images of real people, animals, cartoons and fictitious imagery. This means that gen-AI outputs can often blur the lines between real-life and fiction.[39] For example, on a gen-AI site that allows pornographic content, a user could type in prompts including "woman, sex, pixie, horse", which could create an image whereby humans are performing sexual acts with fictional creatures or animals.[40] This can contribute towards the 'gamification'[41] of pornography whereby users attempt to create more and more 'extreme' content in hopes of shocking others online.[42]

Depending on its usage, gen-AI pornographic content can contribute to the normalisation of problematic sexual behaviour (covered in more detail in **Chapter 2**) or can be used to create idealised versions of people consequently normalising unrealistic standards, which could be harmful or dangerous. Therefore, I believe we must maintain an awareness around this developing technology.

Pornographic Deepfakes

Deepfakes are AI-generated content where a person's face or body has been digitally altered to appear as someone else, sometimes maliciously. Not all deepfakes are harmful or illegal; this is dependent on the content, and if consent was given, and their intentions. I want to be clear: deepfakes which show a person in an intimate state where they have not consented to this content being shared or distributed is illegal intimate image abuse (IIA), and therefore not pornography. For detail on deepfakes where they constitute illegal IIA, see **Chapter 4**.

The nature of pornographic content means that deepfakes need to be considered, and I believe consent should be evidenced by the creator or performer whose attributes are featured in the deepfake. Given what we know about the lack of transparency on how consent is provided, especially in user-generated content (see **Chapter 5** for more detail), this makes pornographic deepfakes even more of a complex issue. Some mainstream pornography sites do not allow deepfakes on their services at all, showing that perhaps a blanket ban on deepfakes is the easiest way to ensure harmful, or illegal, deepfakes do not appear on pornography sites.

Virtual Reality (VR) & Pornography

VR is another form of technology where pornography intersects. Research has found VR can offer viewers an immersive experience that can "enhance the experience of arousal and pleasure in response to pornography"[43] with a study of 97 participants finding male participants

[39] Cole, S. (2023). The Community Pushing AI-Generated Porn to 'the edge of knowledge'. 404media.
[40] Cole, S. (2023). The Community Pushing AI-Generated Porn to 'the edge of knowledge'. 404media.
[41] Gamification is the practice of making activities more like games to make them more interesting of enjoyable. – Cambridge Dictionary.
[42] Cole, S. (2023). The Community Pushing AI-Generated Porn to 'the edge of knowledge'. 404media.
[43] Evans, L. (2022). Virtual Reality Pornography: a Review of Health-Related Opportunities and Challenges. National Library of Medicine.

found VR pornography to be more arousing and intimate than 2D pornography.[44] VR pornography can be experienced via a headset and dedicated VR videos on pornography websites, through the creation of personalised pornographic content in virtual or augmented reality spaces, or through teledildonics[45] and haptic suits. Where this becomes very challenging is that VR pornography blurs the line between real and virtual, not only through the technologies used, but also through the content.[46] VR pornography, unlike traditional forms of pornography, can be experienced rather than solely looked at or heard. This can occur through the use of teledildonics or in some cases haptic suits; certain teledildonic devices can be used while watching VR pornography and allow the user to customise speed and rhythm and feature a simulated realistic body heat. Additionally, users can find online pornography websites that allow them to virtually connect with performers through teledildonics.

I am concerned that we do not know the extent of harms posed by VR pornography as it is a relatively new technology being used in pornography. Evidence submitted to the Review on VR pornography was extremely limited, making it difficult to draw conclusive claims about its harms. However, it is important we ensure new and emerging technologies are appropriately evaluated for harms and horizon scans are conducted to identify future impacts.

However, evidence submitted to the Review did indicate some good practice in this space. Some VR sites and apps have started taking steps to combat VR pornographic content. The Online Workers Working Group of the Sex Workers' Union cited Avakin as an example of an app where users exist as a virtual character in an online world.[47] Avakin has policies in place to ban explicit content, and explicit skins or modifications that could be deemed as sexual.[48]

Separately, the Games Rating Authority (GRA) regulates and classifies video games, and, since its adoption of the Pan European Game Information (PEGI) system in the GRA, have expanded its role to include advisory PEGI ratings for apps.[49] App developers self-certify their product via online storefronts like Microsoft Store or Google Play which are administered globally through the International Age Rating Coalition.[50] The GRA do classify VR games on a number of platforms and VR game platforms like Meta Quest have PEGI ratings. Additionally, the GRA works collaboratively with other rating authorities globally to perform targeted testing of apps available to download from app marketplaces, indicating good practice in the regulation of VR games to prevent users from harms.

While there are many complexities, this Review will not go into further detail on VR and pornography, as many issues go beyond the scope of this Review. There are reports of

[44] Elsey, J.W.B., et al. (2019). The impact of virtual reality versus 2D pornography on sexual arousal and presence. Computers in Human Behaviour volume 97.
[45] Teledildonics, sometimes known as cyberdildonics, are sex toys that can be used alongside online applications or websites to allow sexual simulation in mirroring the content featured on the apps or websites. These can often be controlled remotely by another person.
[46] Elsey, J.W.B., et al. (2019). The impact of virtual reality versus 2D pornography on sexual arousal and presence. Computers in Human Behaviour volume 97.
[47] Online Workers Working Group of the Sex Workers' Union. (2024). Written Evidence for the Independent Review into Pornography Regulation, Legislation and Enforcement.
[48] Avakin. (2024). Terms of Service
[49] Games Rating Authority. (n.d.). Our History.
[50] Games Rating Authority. (n.d.). Our History.

individuals being 'sexually assaulted' in the VR world,[51] which I believe could become more prevalent as technology further develops. I urge government to consider this, working closely with platforms, software developers, and law enforcement across borders, to understand this issue better and tackle it effectively, ensuring any future legislation is future-proofed.

Safety Technology

While there are inherent harms to emerging technology, it can be used for good to combat potential harms on pornography sites, and more broadly across the online landscape. For example, in collaboration with Aylo, Lucy Faithfull Foundation and IWF developed a child sexual abuse material (CSAM) deterrence chatbot which uses keyword detection to prevent users seeking CSAM and redirect them to support to stop. Please see the box below for a case study on this, and **Chapter 5** for further discussion on safety in the sector, including through good practice safety technology.

It is important for any response to tech-enabled harms to consider how technology can be used for good, to promote safety online. I would like to highlight the work done by OSTIA, which aims to bring together those who operate in online safety technology as well as the Trust and Safety Professionals Association, whose work fostering networks to share knowledge and experience is crucial to create a safer online world. I urge the pornography sector to come together to be part of the solution by collaborating on safety tech solutions to tackle tech-enabled and online harms. I would encourage the government, tech organisations and associations, and civil society groups to include the pornography sector in their discussions and initiatives.

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[51] Vallance, C. (2024). Police investigate virtual sex assault on girl's avatar. BBC News.

Case Study: Lucy Faithfull Foundation's CSAM deterrence chatbot

The reThink chatbot, developed by the Lucy Faithfull Foundation and the Internet Watch Foundation, is currently used on Pornhub UK and provides support for individuals looking for sexual images of children online, aiming to intercept and prevent users seeking CSAM and redirect them to support to change.

Alongside a static warning page, the chatbot informs users that the content they are searching for is illegal and signposts them to the anonymous Stop It Now helpline and website, where they can receive help and support to stop their behaviour. The anonymous Stop It Now helpline provides a live chat, confidential helpline, and secure email contact for those who are concerned about their thoughts, feelings, and behaviour towards children, as well as advice for those concerned about another adult's online or offline sexual behaviour towards children. It also features information on how to keep children safe from sexual abuse.

This approach is rooted in deterrence and aims to inform people that what they are doing is illegal, whilst providing support to change. Research on the success of the chatbot has shown that 82% of users whose initial searches triggered the warning message and reThink chatbot did not appear to search for CSAM again within that session after encountering these deterrence measures. Stop It Now can be accessed here.

I think it is vitally important we ensure that policies, legislation, and actions relevant to technological advancement and pornography are innovative and future-proofed. I am concerned that if this does not happen, we run the risk of such policies and legislation becoming obsolete by time of enforcement. Horizon scans and forecasting on the future of technological usage in pornography will identify emerging areas of concern, potential trends, and insights into the trajectories of current technologies, and any regulation or legislation will need to consider this.

Online And 'Offline' Disparity in Regulation

One of the priorities of this Review was to consider the current rules that are in place to regulate the pornography industry, comparing 'online' and 'offline' worlds.[52] There is a disparity between the way that online pornography is regulated compared to 'offline' pornography (DVDs, print, etc.). Many stakeholders provided views to the Review that were supportive of the 'offline' regime, primarily because the 'offline' world is seen to portray less violent, harmful, and abhorrent content than what appears in online spaces.

I acknowledge that the government has made strides to regulate online pornography through the OSA. However, the OSA only captures illegal pornography and preventing children's access to pornography. Implementation of the Act and these duties will not address many of the broader issues across the pornography sector that this Review has found, meaning things will remain largely unchanged.

While I am keen to address this disparity, it needs to be acknowledged that a 'one size fits all' approach to regulation will not be effective for content available on these different mediums. Measures will need to be adapted for the online world, as the creation, dissemination and consumption of pornography is very different from 'offline' pornography. There are unique challenges that I have contemplated when considering recommendations, including the rise of user-generated content online, and significant increase in those accessing pornography online compared to 'offline'.

The Regulation of 'Offline' Pornography

There is broad consensus that the 'offline' regime is in the right place, leading this Review to seek to understand what makes it so effective and what could be bought into the online world to make content safer. The absence of a regulatory or classification system for online content has meant that a large amount of violent and degrading content, that would not be approved for 'offline' distribution, is easily accessible on the internet and, over time, has come to be seen as mainstream pornography.

Pornography in physical video media format is regulated by two regimes: the Video Recordings Act (VRA) 1984, which is focused on the classification of the content itself, and the Licensing Act 2003, which regulates the exhibition of films. For the Review's purposes, the VRA has been of particular interest, as it sets out the requirements for video works in a physical format (such as VHS tapes and DVDs) to carry a content classification to be distributed or supplied in the UK. Under this Act, the BBFC is the independent authority responsible for classifying all video works.[53] It is a criminal offence to distribute pornography on physical media formats that has not been classified by the BBFC, and doing so can carry a penalty of up to two years imprisonment and/or a fine.[54] The BBFC has been incredibly helpful during the Review's duration, and I would like to thank them for their ongoing engagement and expertise.

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[52] Gov.uk. (2023). Pornography Review Terms of Reference.
[53] Gov.uk. (2014). The Video Recordings Act 1984 (Exempted Video Works) Regulations 2014.
[54] UK Government. (n.d.). Video Recordings Act 1984. Legislation.gov.uk.

The BBFC classifies pornographic works (i.e. works made primarily for the purpose of sexual arousal) as either an 18 or R18 classification.[55] In the '18' category, only pornographic works that contain sexual activity that may be simulated are classified.[56] The R18 category captures pornographic works that contain clear images of real sex, strong fetish material, sexually explicit animated images, or other very strong sexual images (see box below).[57] R18-rated videos may only be supplied in licensed sex shops or shown to adults in specially licensed cinemas.[58]

BBFC's 'R18' Classification

The BBFC's Classification Guidelines state that the BBFC **will not classify** the following harmful material at R18:

- Material (including dialogue) likely to encourage an interest in sexually abusive activity, which may include adults role-playing as non-adults

- The portrayal of sexual activity which involves real or apparent lack of consent. Any form of physical restraint which prevents participants from indicating a withdrawal of consent

- The infliction of pain or acts which are likely to cause serious physical harm, whether real or (in a sexual context) simulated. Some allowance may be made for non-abusive, consensual activity
- Penetration by any object likely to cause physical harm
- Sexual threats, humiliation or abuse which do not form part of a clearly consenting role-playing game

In addition to the box above, the BBFC will not classify any content in breach of criminal law. They will also intervene and require the removal of certain sexual acts where material might cause harm to potential viewers, including harm from imitation or the influencing of harmful behaviour. For example, if content encourages and fuels unhealthy fantasies relating to violence, sadism, abuse, and non-consensual behaviour.[59]

The Regulation of Online Pornography

Government has made strides in tightening regulation on online pornography through the OSA. Under the OSA, companies will have the following duties:

Illegal content

- **Part 3** services (user-to-user services, such as social media platforms, and search services) have duties to act against extreme (illegal) pornography, IIA and CSAM

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[55] British Board of Film Classification. (n.d.). BBFC Classification Guidelines.
[56] British Board of Film Classification. (n.d.). 18-suitable only for adults.
[57] British Board of Film Classification. (n.d.). R18- to be shown only in specially licensed cinemas, or supplied only in licensed sex shops, and to adults only.
[58] British Board of Film Classification. (n.d.). BBFC Classification Guidelines.
[59] British Board of Film Classification. (n.d.). About us/ frequently asked questions.

content.[60] Companies must take proactive measures to not only remove this content when they became aware of it, but to also take proportionate steps to prevent it from appearing online in the first place.[61]

- **Part 5** services (dedicated pornography publishers) do not have duties for illegal content but will be held criminally liable if they are found to have illegal content on their services.

Children's access to pornography

The OSA will also introduce measures that online services must follow to prevent children from accessing pornography. This includes all sites that offer pornography, including commercial pornography sites, social media, video sharing platforms, forums, and search engines. The Act addresses this in two sections:

- **Part 3** requires user-to-user services, such as social media platforms, to use highly effective age assurance measures (age estimation or age verification or both) to prevent children from accessing pornography on their service.

- **Part 5** requires services that display or publish pornographic content (for example, dedicated pornography sites that publish their own pornographic content and do not allow user-generated content) to use highly effective age assurance measures (age estimation or age verification or both) to ensure children are not normally able to encounter such content. Ofcom released guidance on highly effective age assurance and other Part 5 duties in January 2025.

Ofcom, the independent online safety regulator, published draft guidance for consultation about use of age assurance to prevent children accessing online pornography in December 2023, which included examples of highly effective age assurance to confirm a user's age. This included using open banking, photo-ID matching, facial age estimation, and credit card checks. The consultation closed on 5 March 2024.[62]

Business disruption measures

Under the OSA, business disruption measures can be used as a last resort of enforcement. Ofcom will have robust enforcement powers available to use against companies who fail to fulfil their duties. Included in these, Ofcom will be able to issue fines up to £18m or 10% of qualifying worldwide revenue in the relevant year, whichever is higher. They will also be able to apply to the courts for business disruption measures. These can include orders that impose specific requirements on third parties that facilitate the provision of a regulated service (such as payment services or ad networks). For example: requiring them to stop providing particular services; and also orders that require third parties to restrict access to non-compliant services in the UK, e.g. blocking via internet access services or app stores.

It is clear that speed of action is vital in the pornography sector. Sites allowing illegal content must be closed down as quickly as possible.

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[60] Department for Science, Innovation and Technology. (2024). Online Safety Act explainer. Gov.uk.
[61] Department for Science, Innovation and Technology. (2024). Online Safety Act explainer. Gov.uk.
[62] Ofcom. (2023). Guidance for service providers publishing pornographic content- consultation on draft guidance on age assurance and other Part 5 duties.

Video-sharing platform regime (soon-to-be repealed)

Ofcom is also the regulator for video-sharing platforms (VSPs) established in the UK, as set out in Part 4B of the Communications Act 2003. VSPs are a type of online video service which allow users to upload and share videos with the public and where the platform does not play an editorial role.

Guidance from Ofcom sets out measures for providers to take including access control measures such as age assurance and parental controls. Ofcom states that platforms "should determine whether it is appropriate to take a particular measure, according to whether it is practicable and proportionate to do so, considering factors including the size and nature of the platform; the type of material on the platform and the harm it might cause; and the rights and legitimate interests of users. Measures must be implemented in a way that protects users from harmful material."[63]

Ofcom currently has an open enforcement programme into age assurance measures on UK-established, adult VSPs, looking at whether UK-established VSPs that specialise in adult content have appropriate age assurance measures in place. The OSA will repeal the VSP platform regime following a transitional period, and services will be regulated under the OSA.

Addressing this disparity

Although strides have been made to regulate the online pornography landscape, with the advent of the OSA, this does not match up to how pornography is regulated in the 'offline' world. **Chapter 2** goes into detail of why regulating online pornography in a similar way to 'offline' is so important, and how government could go about doing this.

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[63] Ofcom. (2021). *Video-sharing platform guidance.*

Conclusion

The internet has shaped new ways to create, disseminate, and consume pornography. Pornography is now more easily accessible than ever before, with the boom of online pornographic content meaning viewers are exposed to content on both dedicated pornography sites and social media. This chapter shows that, despite these massive changes to consumption, regulation of pornography is incredibly fragmented and has not kept pace with the proliferation of online pornography or technological advances. More must be done to ensure that adults and children are not inadvertently stumbling across pornography online, and that harmful content which would never be allowed in the 'offline' world is not easily accessible online with no repercussions.

This is especially pertinent given the continued advancement of technology via AI and VR pornographic content. As detailed in this chapter, emerging technologies pose both opportunities and challenges for pornography creation and consumption. New and emerging technologies allow users to take pornography creation and viewership into their own hands. As these technologies continue to develop more work is needed to understand the impact they have on the industry and the consumer, and how to get on the front-foot of potential harms.

Chapter 2: The Harms of Online Pornography

Content warning*: this chapter contains graphic language and descriptions that some may find distressing, disturbing, and/or offensive. This could be particularly difficult to read. However, for the purposes of this Review, I found it important to accurately reflect the harmful types of content that are currently available online by including them in this chapter.*

A significant amount of evidence submitted to this Review was focused on associations between pornography use and its influence on sexual behaviours. Whilst there are no longitudinal studies showing causation, mainly because these have not been commissioned, the anecdotal evidence and data from smaller but significant studies cannot be ignored.

What this chapter will seek to demonstrate is how pornography plays a part in influencing sexual behaviours, particularly before many become sexually active. It may not be the only factor, and does influence some people more than others, but the nature of the content remains a powerful driver. It is therefore even more important that the type of content easily available online and viewed by many, promotes safe, consensual sexual behaviours, and that platforms are appropriately held to account in ensuring this.

One of the fundamental questions in this chapter is how to balance user safety with freedom of expression. This Review is not looking to interfere with people's private sex lives, 'kink shame', or limit sexual freedoms. Instead, it seeks to ensure that platforms and sites are held to account in protecting users from harm, as those that distribute pornographic content are in the 'offline' world.

Pornography's Impact on Sexual Scripts & Behaviours Online

For a long time, research and debates around pornography's impact on crime, sexual violence and social harm have mainly focused on establishing a causal relationship.[64] However, recently research has shifted towards questions of if and how sexual norms are influenced by pornographic content looking at the concept of 'sexual scripts'. 'Sexual scripts' is the theory that all social behaviour, including sexual behaviour, is socially scripted; 'sexual scripts' act as the guidelines for what is appropriate sexual behaviour.

It is important to note here that it is difficult to quantify to what degree viewing pornography affects sexual scripts. People are impacted in different ways by media, and the same applies for pornographic content. For instance, Professor Alan McKee's[65] submission to the Review's Call for Evidence sets out that academic research on pornography has failed to start with a definition of healthy sexual development to study the relationships between pornography and its audiences, and research has commonly confused correlation and causation. Professor McKee goes on to say that 'much commercially available' pornography is patriarchal: it consistently privileges male over female sexual pleasure. This could demonstrate that perhaps pornography may not be shaping sexual scripts but is rather promoting one patriarchal view of sex and pleasure, which could be argued is equally as problematic.

However, the Review did receive multiple pieces of evidence to suggest that pornography plays a role in shaping and influencing sexual scripts and behaviours. For example, a 2016 study surveying 487 American college-age men between 18 and 29 argued that pornography created a sexual script which guided real-life sexual experiences.[66] Results showed the more pornography a man watched, the more likely he was to watch pornography during sex, request particular sex acts seen in pornographic content, deliberately conjure pornographic images to maintain arousal, and have concerns over his own sexual performance and body image.[67] Further, higher pornography use was negatively associated with enjoying sexually intimate behaviours with a partner,[68] with some research suggesting that pornography is more likely to have negative impacts on relationship quality, sexual satisfaction and self-esteem for women in particular.[69] Research by Sun et al. concluded that pornography provides a powerful model for how to be in sexual relations, which influenced men's expectations and behaviours during sexual encounters.[70]

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[64] Bridges et al. (2016). Sexual scripts and the sexual behaviour of men and women who use pornography. Sage Journals: Sexualisation, Media, and Society.

[65] Professor Alan McKee is the lead author of the following report: McKee, A., Byron, P., Ingham, R. & Litsou, K. (2022). *What Do We Know About the Effects of Pornography After Fifty Years of Academic Research?* London: Routledge.

[66] Sun. C., et al. (2016). Pornography and the Male Sexual Script: An Analysis of Consumption and Sexual Relations.

[67] Sun. C., et al. (2016). Pornography and the Male Sexual Script: An Analysis of Consumption and Sexual Relations.

[68] Sun. C., et al. (2016). Pornography and the Male Sexual Script: An Analysis of Consumption and Sexual Relations.

[69] Keene, S. (2021). Just Fantasy? Online pornography's contribution to experiences of harm. The Emerald International Handbook of Technology-Facilitated Violence and Abuse.

[70] Sun. C., et al. (2016). Pornography and the Male Sexual Script: An Analysis of Consumption and Sexual Relations.

Additionally, a 2020 Government-commissioned review of the potential relationship between pornography use and harmful sexual attitudes and behaviours concluded there are associations between the two - especially violent pornography.[71] In particular, the four themes that were found to be influenced by pornography use are viewing women as sex objects; shaping men's sexual expectations of women; acceptance of sexual aggression towards women; and perception of sexual aggression (such as being more permissive and a reduced willingness to intervene in a potential act of sexual violence).[72]

A study of 1,880 heterosexual Americans found that both men and women who use pornography more frequently have a higher likelihood to try, or be interested in trying, sexual behaviours that they have seen acted out in pornography.[73] Research found that these sexual behaviours often involve aggression, for example, slapping, or include sexual acts that can present health implications (see **Chapter 6** for more detail on health impacts).[74]

Given some evidence shows that pornography is an influencing factor in forming people's views of sex, this makes it even more important that the content we consume does not foster unhealthy or unsafe sexual behaviours.

The most striking finding from evidence submitted to this Review, and from the Review's own research on mainstream sites, is the amount of pornographic content available online that promotes and perpetuates harmful, violent, misogynistic, and often racist tropes. This type of content would often be refused classification by the British Board of Film Classification (BBFC) and would therefore be illegal to distribute offline, but is rife on many online mainstream pornography sites. **For the purposes of this Review, this will be known as 'legal but harmful' online content.**

As touched on earlier, I recognise the importance of balancing user safety with freedom of expression, and do not intend to infringe on those rights. However, where categories of online pornographic content are evidenced to be causing harm to the public, and where such content would be regulated and refused classification by the BBFC in the 'offline' world, putting safeguards in place to protect users is important and overdue.

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[71] Government Equalities Office and Women and Equalities Unit. (2021). The relationship between pornography use and harmful sexual attitudes and behaviours: literature review.
[72] Government Equalities Office and Women and Equalities Unit. (2021). The relationship between pornography use and harmful sexual attitudes and behaviours: literature review.
[73] Bridges et al. (2016). Sexual scripts and the sexual behaviour of men and women who use pornography. Sage Journals: Sexualisation, Media, and Society.
[74] Bridges et al. (2016). Sexual scripts and the sexual behaviour of men and women who use pornography. Sage Journals: Sexualisation, Media, and Society.

Violent & Misogynistic Pornography

This subsection does not consider most BDSM[75] pornography as "sexually violent". However, as with 'offline' content classified by the BBFC, such content is subject to specific consideration.[76]

Pornographic content portraying misogynistic, violent, degrading, and humiliating sexual behaviours and attitudes is common on both mainstream and less popular sites. This is especially concerning given the impact pornographic content can have on sexual behaviour, and as we continue to see reports of violence against women and girls across the UK. Research from Northern Ireland's Executive Office in 2022-23 found one in five respondents have experienced at least one type of gender-based violence in the last five years;[77] in England and Wales in 2024 3,000 VAWG offences are recorded each day;[78] and in Scotland more than one in six women have experienced online violence[79] and 95% of rape or attempted rape victims in 2023-24 were female.[80]

Research from 2021, analysing video titles on landing pages of pornography sites, found that content can normalise sexual violence as a normative sexual script.[81] [82] This research found that one in eight titles (12%) shown to first-time users on the homepage of mainstream pornography sites describe sexual activity that constitutes sexual violence.[83] The most common category of pornography on these landing pages featured physical aggression and sexual assault; this did not include verbal aggression nor consensual BDSM material.[84] Titles of videos in the physical aggression and sexual assault category included words such as: 'brutal', 'attack', 'kidnap', 'force', 'torture', 'violate', 'destroy'.[85] It is, however, important to note this research only looked at content offered up on first-time users' landing pages and there are

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[75] Bondage, discipline, dominance, submission, sadism, and masochism (BDSM) is sexual activity involving such practices as the use of physical restraints, the granting and relinquishing of control, and the infliction of pain. *Merriam Webster.*

[76] The BBFC's Classification Guidelines and associated policies for content are based on expert advice, public opinion sought through regular consultation and their detailed experience as a regulator. The BBFC is an expert in making these judgements and holds detailed internal policies underpinning these. They will assess mitigating and aggravating factors to inform decisions on cases which feature BDSM content. It is the Review's understanding that any restriction imposed by the BBFC's classifications must be justified on the grounds that material is either illegal or raises significant risk of harm to viewers.

[77] The Executive Office. 2023. Ending Violence Against Women and Girls: Experiences and attitudes of adults in Northern Ireland in 2022.

[78] National Police Chiefs' Council. 2024. Call to action as VAWG epidemic deepens.

[79] Open University. 2023. OU research reveals shocking level of online violence experienced by women and girls across the UK.

[80] Scottish Government. (2024). Recorded Crime in Scotland, 2023-24.

[81] Vera-Gray, F., et al. (2021). Sexual violence as a sexual script in mainstream online pornography. British Journal of Criminology.

[82] These findings are based on major site content in 2017-18. As I have found throughout the Review, online pornography evolves and several high-profile cases have encouraged major platforms to change their model, meaning these results may not always reflect current content.

[83] Vera-Gray, F., et al. (2021). Sexual violence as a sexual script in mainstream online pornography. British Journal of Criminology.

[84] Vera-Gray, F., et al. (2021). Sexual violence as a sexual script in mainstream online pornography. British Journal of Criminology.

[85] Vera-Gray, F., et al. (2021). Sexual violence as a sexual script in mainstream online pornography. British Journal of Criminology.

additional, specific categories for sexually violent pornography on mainstream sites, constituting thousands of videos.

Another study, with a smaller sample that examined the content of videos, found visible aggression was present in 40% of videos in a random sample and 13% of the 70 most-watched videos on the same website.[86] It found that in these videos, acts of aggression accounted for around 6% of the duration of the video. Interestingly, non-consensual acts of aggression were found in 9% of the random sample and 1.4% of the most-watched sample.

Additionally, researchers have raised concerns that the portrayal of women in pornography as passive beings or objects deserving of sexual abuse seem to echo the discourse of some extremist men's rights groups, such as self-described involuntary celibates (known as 'incels').[87] This read-across between mainstream pornography and the rhetoric of extremist groups is very concerning - to the extent that the Education Secretary has issued guidance to teachers warning them to stay alert to signs of this incel culture among children over 14.[88]

Pornography promoting misogynistic ideals was also found on mainstream sites, which can lead to a lack of empathy towards the women who appear in pornography, to the point where sexual aggression in these films is completely normalised.[89] Scenes of aggressive and repressive sex, with female actors showing outward enjoyment of degrading positions (even asking for them), can reassure the viewer that it is totally acceptable to watch the abuse of women,[90] while misleading video captions may be training men to misinterpret real life signals from women.[91] Given the correlation between seeing women as sex objects and attitudes supporting violence against women, this is particularly alarming.[92]

An Australian study exploring what adolescents and young adults actually view when they access pornography found the following:

- 70% frequently saw men portrayed as dominant compared to 17% frequently seeing women as dominant

- 36% frequently saw women being called names or slurs compared to 7% frequently seeing men treated this way

[86] Shor, E. and Seida, K. (2021). Aggression in Pornography: Myths and Realities. In: Research in Sexualities. Routledge: Oxford.

[87] A Tranchese and L Sugiura. (2021). "I Don't Hate All Women, Just Those Stuck-Up Bitches": How Incels and Mainstream Pornography Speak the Same Extreme Language of Misogyny. Violence Against Women Vol. 27(14) 2709-2734.

[88] Smyth, C. and Woolcock, N. (2024) Teachers told to spot 'toxic' incel culture in class to prevent attacks. The Times.

[89] Antevska, A., and Gavey, N. (2015). "Out of Sight and Out of Mind": Detachment and Men's Consumption of Male Sexual Dominance and Female Submission in Pornography. Men and Masculinities, 18(5): 605–629.

[90] Antevska, A., and Gavey, N. (2015). "Out of Sight and Out of Mind": Detachment and Men's Consumption of Male Sexual Dominance and Female Submission in Pornography. Men and Masculinities, 18(5): 605–629.

[91] Antevska, A., and Gavey, N. (2015). "Out of Sight and Out of Mind": Detachment and Men's Consumption of Male Sexual Dominance and Female Submission in Pornography. Men and Masculinities, 18(5): 605–629.

[92] Wright, P.J., Tokunaga, R., and Kraus, A. (2016). A Meta-Analysis of Pornography Consumption and Actual Acts of Sexual Aggression in General Population Studies. Journal of Communication. 66(1): 183-205.

- 35% frequently saw 'consensual' violence towards women compared to 9% frequently seeing this towards men

- 11% frequently saw non-consensual violence towards women compared to 1% frequently seeing this towards men[93]

The examples above suggest that a power dynamic within a heterosexual relationship can often underpin violent pornography, and that violence in pornography mostly depicts a man being violent towards a woman, further entrenching dangerous tropes of gender-based and sexual violence.

A UK government-commissioned review highlighted "substantial evidence of an association between the use of pornography and harmful sexual attitudes and behaviours towards women."[94] Additional research found that pornography use has been associated with an increased likelihood of committing both verbal and physical acts of sexual aggression.[95] And concerningly, use of pornography has also been significantly associated with reduced willingness to intervene in a potential act of sexual violence.[96]

Worryingly, we can also see the influence of pornography on views towards women and girls playing out amongst children. Findings from a BBFC report with Revealing Reality indicate that 41% of young people who knew about pornography also thought that watching it made people less respectful of the opposite sex.[97] Of the subset of respondents who intentionally viewed pornography, 29% said that consent was not needed if 'you knew the person really fancied you'; whereas only 5% of respondents who accidentally viewed pornography expressed this belief.[98] Girls in particular spoke of their fear that aggressive depictions of sex would be seen as 'normal' by young male viewers of pornography, and accordingly copied in real-life sexual encounters.[99]

We must now consider the concern and harms surrounding the consumption of violent and misogynistic pornography. To me, there is clear evidence that pornography, especially that which promotes violent and misogynistic ideals, plays a part in influencing sexual behaviours and attitudes towards women and girls. In the words of the Government Equalities Office:

> *"There is evidence of an influential relationships between use of pornography and harmful sexual attitudes and behaviours towards women. While the nature and strength of the relationship varies by study, the finding holds across multiple methodologies… Pornography use is one among other potential factors that*

[93] Davis, A. C., et al. (2018). What behaviors do young heterosexual Australians see in pornography? A cross-sectional study. The Journal of Sex Research, 55(3), 310-319.

[94] Government Equalities Office. (2020), The relationship between pornography use and harmful sexual attitudes and behaviours: literature review.

[95] Wright, P.J., Tokunaga, R., and Kraus, A. (2016). A Meta-Analysis of Pornography Consumption and Actual Acts of Sexual Aggression in General Population Studies. Journal of Communication. 66(1): 183-205.

[96] Foubert, J., and Bridges, A. (2016). Predicting Bystander Efficacy and Willingness to Intervene in College Men and Women: The Role of Exposure to Varying Levels of Violence in Pornography. Violence Against Women, 23(6).

[97] BBFC. (2019). Children see pornography as young as seven, new report finds.

[98] Revealing Reality and BBFC. (2020). Young People, Pornography & Age-Verification.

[99] Revealing Reality and BBFC. (2020). Young People, Pornography & Age-Verification.

appear to contribute to a permissive and conducive context that allows harmful sexual attitudes and behaviours to exist against women and girls."[100]

Although lots of evidence provided to the Review focused on VAWG in reference to heterosexual pornography, in part because of the Review's defined objectives,[101] research has also explored the prevalence of violence and aggression in LGBTQIA+ pornography and the potential impact on sexual scripts. Please see **Chapter 6**, where as part of a wider discussion on education, awareness and cultural change, I have discussed the experiences of those who identify as part of the LGBQTIA+ community in relation to pornography consumption.

Strangulation & 'choking' content

It is important to note up front that the term 'choking' is often used colloquially, but incorrectly, to describe non-fatal strangulation content in pornography. 'Choking' is an internal obstruction within the throat, whereas strangulation is defined as "obstruction or compression of blood vessels and/or airways by external pressure to the neck impeding normal breathing or circulation of the blood."[102] Suffocation is to "deprive a person of air which affects their normal breathing. Suffocation is sometimes referred to as asphyxiation or smothering."[103]

By these definitions, strangulation pornographic content is rife on mainstream platforms, commonly known as 'choking' content. For the purposes of this section, this Review will use the colloquial term 'choking' instead of strangulation, as this is the language used on platforms and by users.

Pornographic content showing 'choking' in the title was found to be prevalent on the landing pages of mainstream pornography sites.[104] From the Review's own research, based on carrying out a basic search on some of the top ten most visited sites in UK, the autocomplete for searching "cho" provide the following options: 'choke her', 'choking fetish', and 'choke me daddy'. It is important to note that some of the top sites do not let users search for 'strangle' or similar words, and a warning that the user is searching for illegal or abusive material pops up.

The UK made non-fatal strangulation and non-fatal suffocation a criminal offence as part of the Domestic Abuse Act 2021,[105] following concerns that perpetrators were avoiding punishment since the act can often leave no visible injury.[106] Despite this, the Review heard anecdotal evidence and received research that demonstrated non-fatal strangulation is common in pornography and is having real-world impacts on how people are having sex.

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[100] Government Equalities Office. (2020), The relationship between pornography use and harmful sexual attitudes and behaviours: literature review.

[101] Please see 'Objectives and methodology' for these.

[102] Institute for Addressing Strangulation. (2024). Strangulation and 'Choking' Factsheet.

[103] Institute for Addressing Strangulation (IFAS). (2023). What are the differences between strangulation, non-fatal and fatal strangulation and suffocation?

[104] Vera-Gray, F., et al. (2021). Sexual violence as a sexual script in mainstream online pornography. British Journal of Criminology.

[105] Crown Prosecution Service. (2022). Strangulation and suffocation.

[106] Crown Prosecution Service. (2022). Strangulation and suffocation.

Research submitted to this Review indicates that 'choking' is prevalent in real-world sex, especially amongst young people.[107] [108] A 2021 study of undergraduate students in the US found that 27% of women, 7% of men, and 22% of transgender and gender non-binary participants reported being choked during their most recent sexual event.[109] A survey commissioned by the BBC of 2,049 UK men aged 18 to 39 found that 71% of the men who took part said they had slapped, choked, gagged, or spat on their partner during consensual sex.[110] This research indicates that women, transgender and non-binary people are impacted by choking more during sex, although this research is not conclusive.

According to a representative survey of UK women undertaken and reported on by BBC 5 Live, 38% of UK women aged 18-39 have experienced choking during consensual intercourse, 34% had experienced gagging, and 59% had experienced slapping.[111] While 53% of respondents said that these acts were unwanted at least some of the time they occurred, for 10% they were unwanted every time they occurred, and for 14% most of the time they occurred.[112] Conversely, 44% of respondents said that none of the times they occurred were these acts unwanted.[113] This is important in demonstrating freedom of sexual expression and its nuance. Nearly half of respondents wanted to be 'choked', and so this cannot be assumed to be a sexual behaviour that women do not want to experience.

There is also worryingly, evidence to suggest children are now partaking in sexual strangulation and note pornography a potential influence of this. One study found that 13% of sexually active girls aged 14 to 17 had already been choked.[114] Anecdotal evidence submitted to this Review also suggests that boys as young as ten are asking teachers how to choke girls during sex, with health experts reporting that pornography was a key contributor to this behaviour.[115]

While those who practice 'choking' in sex may believe that it can be done safely, health experts warn there is no way to strangle someone without risk, given blood and air flow may both be restricted.[116] A person can become unconscious within 10 seconds of being choked, and within

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[107] Herbenick, D., et al., (2023). Sexual Choking/Strangulation During Sex: A Review of the Literature.

[108] Hone, J. (2024). 'I think it's natural': why has sexual choking become so prevalent among young people?, The Guardian

[109] Herbenick, D. et al. (2021). Prevalence and characteristics of choking/strangulation during sex: findings from a probability survey of undergraduate students, Journal of American College Health

[110] Savanta: ComRes. (2020). BBC Scotland/Radio 5 Live, Rough sex survey with men.

[111] Savanta: ComRes for BBC 5 Live. (2019). Representative survey of 2002 UK women covering violence during consensual sex. Data tables found at: https://comresglobal.com/wp-content/uploads/2019/11/Final-BBC-5-Live-Tables_211119cdh.pdf and reported by the BBC at: https://www.bbc.co.uk/news/uk-50546184%22.

[112] Savanta: ComRes for BBC 5 Live. (2019). Representative survey of 2002 UK women covering violence during consensual sex.

[113] Savanta: ComRes for BBC 5 Live. (2019). Representative survey of 2002 UK women covering violence during consensual sex.

[114] Herbenick, D. et al., (2019). Feeling Scared During Sex: Findings From a U.S. Probability Sample of Women and Men Ages 14 to 60.

[115] Dunstan, G. (2024). Boys asking teachers how to choke girls during sex. BBC News.

[116] Dunstan, G. (2024). Boys asking teachers how to choke girls during sex. BBC News.

17 seconds they can have a seizure due to a lack of oxygen.[117] Death[118] can occur, including within 150 seconds of being rendered unconscious.[119]

> *"Hannah [Pearson, 16] met her killer James Morton, 24, on the day she died. [Morton] was reported as being obsessed with strangulation, frequently watching porn featuring strangulation of women. Although the judge said Morton had strangled Hannah 'without warning or permission', Morton claimed he began to lightly strangle Hannah…before more forcefully strangling her."[120] [121]*

Many studies in this area are unrepresentative as they are undertaken through a heteronormative 'man-chokes-woman' lens and do not constitute causal evidence. However, they do provide some insight into further areas of investigation that would help us understand the complexities of non-fatal strangulation and its depictions in pornography.

For example, academic research has found that where strangulation is non-fatal during sex, strangling or 'choking' may impact brain structure and morphology. In particular this can affect cortical maturation, which support and enable cognitive and behavioural functioning in young adult women,[122] and more generally can be associated with negative mental health impacts.[123] Research into frequency of pornography consumption in heterosexual-identified men found a positive association with exposure to pornographic depictions of sexual choking which in turn related to a higher likelihood of choking sexual partners.[124] This increased level of choking was due to a belief that it is pleasurable and safe.[125] The belief that choking a partner during sex is safe because it is non-fatal because it is commonly depicted in pornography is concerning.

Studies have shown non-fatal strangulation can be a precursor to more serious violence within abusive relationships, as victims are seven times more likely to be murdered by their partner if there has been an incident of non-fatal strangulation beforehand.[126] [127] Charities that support survivors of domestic abuse frequently see strangulation and suffocation being perpetrated by abusers. For example, domestic abuse charity SafeLives estimates that around 20,000 survivors are subjected to non-fatal strangulation every year.[128]

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[117] Hone, J. (2024). ['I think it's natural': why has sexual choking become so prevalent among young people?,](#) The Guardian

[118] Spereall, D. (2024). [Warning after dancer fatally choked during sex.](#) BBC News.

[119] We Can't Consent To This. (n.d.) [The Women and Girls.](#)

[120] We Can't Consent To This. (n.d.) [The Women and Girls.](#)

[121] BBC News. (2017). ['Sexual thrill' strangler James Morton jailed for Hannah Pearson manslaughter](#).

[122] Hou, J., et al. (2023). [Structural brain morphology in young adult women who have been choked/strangled during sex: A whole-brain surface morphometry study.](#) Brain and Behaviour.

[123] Wright, P.J., Herbenick, D., and Tokunaga, R.S. (2021). [Pornography Consumption and Sexual Choking: An Evaluation of Theoretical Mechanisms.](#) Health Communication.

[124] Wright, P.J., Herbenick, D., and Tokunaga, R.S. (2021). [Pornography Consumption and Sexual Choking: An Evaluation of Theoretical Mechanisms.](#) Health Communication.

[125] Wright, P.J., Herbenick, D., and Tokunaga, R.S. (2021). [Pornography Consumption and Sexual Choking: An Evaluation of Theoretical Mechanisms.](#) Health Communication.

[126] Ministry of Justice and The Right Honourable Victoria Atkins MP. (2022). [New non-fatal strangulation offence comes into force.](#)

[127] It should be noted that this study did not differentiate between whether acts of non-fatal strangulation occurred in a sexual or non-sexual context.

[128] SafeLives. (2022). [SafeLives Insights IDVA dataset 2021-22.](#)

Given the prevalence of 'choking' amongst adults and children, and evidence from health experts on strangling or 'choking', it is right that government takes robust action against 'choking' content in pornography.

In the 'offline' world, the BBFC would refuse to classify pornographic content featuring strangulation; including depictions of throat-grabbing, choking, gagging, and other plays on breath restriction, and also verbal references encouraging such practices.[129] Indeed, the BBFC noted in their most recent published annual report that when classifying pornographic films in 2022, they required cuts to 11% of these films to remove abusive and potentially harmful activity;[130] including the aforementioned depictions of strangulation related acts or references.

However, I want to go a step further than this. Considering the evidence of harm in this space, I recommend non-fatal strangulation/suffocation should be clearly and explicitly captured in illegal pornography offences. There is the argument that this is already illegal anyway, under the amendments brought in by the Domestic Abuse Act 2021. But I believe that explicitly moving strangulation and 'choking' from the category of 'legal but harmful' pornography into the 'extreme (illegal)' category is an important step to highlight just how harmful this practice can be, and how deep its impact on young people and sex has already been. In short, I am making an example of 'choking', which I believe is a necessary corrective of something that should never have been normalised in the first place. See **Recommendation 2** for further information on this recommendation, and **Chapter 3** for more detailed background.

Content that Depicts Coercion and Exploitation

Pornographic content depicting exploitation and implying coercion of actors is a concerning category of content. Academics conducted content analysis of landing pages and titles and found terms that implied an inability to consent were prominent. Terms affiliated with being underage and using the keywords 'very young' and 'schoolgirl' were common (this excluded terms such as just 'young' or 'teen', which fall into a separate category and will be tackled later).[131] This research found a total of 2,698 titles insinuated coercive and exploitative sexual activity.[132]

As with other categories of content, a large list of keywords was also used to capture the range of circumstances that may describe sexual activity in coercive or exploitative circumstances, including: 'accident', 'bribe', 'chloroform', 'desperate', 'crying', 'distress', 'schoolgirl' and 'helpless'.[133] Ensuring users' freedom of expression is not infringed on is important when reviewing pornography categories, however, we know pornography can influence and shape individuals' sexual scripts and behaviours. To this end, titles containing language or portraying sexual acts of a coercive and exploitative nature should not be permitted.

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[129] British Board of Film Classification. (2022). Annual Report and Accounts 2022.
[130] British Board of Film Classification. (2022). Annual Report and Accounts 2022.
[131] Vera-Gray, F., et al. (2021). Sexual violence as a sexual script in mainstream online pornography. British Journal of Criminology.
[132] Vera-Gray, F., et al. (2021). Sexual violence as a sexual script in mainstream online pornography. British Journal of Criminology.
[133] Vera-Gray, F., et al. (2021). Sexual violence as a sexual script in mainstream online pornography. British Journal of Criminology.

Age-play

'Age-play' is broadly considered a subset of the BDSM community.[134] Referred to within the 'age-play' community as 'littles', adults role-play as teens, toddlers, or babies. Some examples of this role-play include situations where there is a dominant father or mother, headmaster or headmistress, and a submissive little girl, boy, or baby.[135]

This Review sought evidence on whether age-play pornographic content could encourage a genuine interest in child-sex abuse material (CSAM), and it was found that evidence was limited in this space. However, the Review heard anecdotally from stakeholders in law enforcement and child safety that there are concerns that seeing adults role-playing as children in pornography could contribute to an interest in CSAM content. Additionally, some child safety stakeholders raised concerns that this type of content could be used to permit abusive relationships between adults and children, by an abuser using this content as a tool to normalise that behaviour to their victims.

'Age-play' pornographic content is available online on mainstream platforms; however, some of this content would not be classified by the BBFC in the 'offline' world. As per the BBFC's list of content they refuse to classify (see **Chapter 1**) this category of content would likely be captured as "material (including dialogue) likely to encourage an interest in sexually abusive activity, which may include adults role-playing as non-adults."[136] Despite age-play pornography very often featuring consenting adults there is undoubtedly the potential for harm to the viewer. While it depends on the context in which age-play is being exhibited, material (including dialogue) that is likely to encourage an interest in sexually abusive activity, which may include adults role-playing as non-adults, should be prohibited online, in line with regulation in the 'offline' world.

'Teen' Pornography

The category of 'teen' on mainstream online pornography sites is extremely common, with content often featuring 'teen' girls with older men and women, as well as 'teen' boys with older men and women. The Review found practice on some platforms which ensures that 'teen' categories are accompanied by an '18+' label to assure the viewer that the performer is over 18. However, this is not a standard practice across the sector.

More generally, the Review heard there is a lack of evidence on robust age-checking and consent-checking of performers on some online platforms, as detailed in **Chapter 5**, meaning it is not always confirmed across sites that performers in 'teen' pornography are actually 18+.

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[134] Tiidenberg, K. and Paasonen, S. (2019). Littles: Affects and Aesthetics in Sexual Age-Play. Sexuality & Culture 23, 375-393.
[135] Tiidenberg, K. and Paasonen, S. (2019). Littles: Affects and Aesthetics in Sexual Age-Play. Sexuality & Culture 23, 375-393.
[136] British Board of Film Classification. (n.d.). R18 – To Be shown only in specially licensed cinemas, or supplied only in licensed sex shops, and to adults only.

Analysis of titles on pornography sites also looked at the 'teen' category, along with other terms implying young performers.[137] Some titles and words used seemed to intentionally imply that performers could be under 18, posing concerns around consent and legality.[138] For example, analysis found that 'teen'-categorised videos were accompanied by terms like 'homework', 'pigtails', and 'braces', implying a younger age than 18.[139] They also noted that titles often featured references to school, implying an underage aspect and abusive undertones.[140]

It is important to stress that any material featuring someone under 18 would be classed as CSAM and is illegal. However, the 'teen' category, where the performer is over 18 (and this has been verified by the platform) is still problematic, especially where evidence illustrates that this content is accompanied by underage-coded language. Where this category is 'likely to encourage an interest in sexually abusive activity', it would be refused classification by the BBFC in the 'offline' world. If this content is prohibited in the 'offline' world, I see no reason not to restrict it in the online world as well.

This would not mean all 'teen' pornography is prohibited (e.g. content that does not include harmful, suggestive titles and where videos are clearly labelled that performers are verified 18+), but rather any content that is likely to encourage an interest in sexually abusive activity that would be refused classification by the BBFC, should not be allowed online. I also recommend that the sector themselves collaborate on a 'watch-list' of content that is more restricted. I believe this content should not be appearing or promoted on home pages to first-time users. Government could call for further research or decide to regulate this content if there is later proof of harm. See **Recommendation 11** for more detail on this.

Content Describing 'Image-Based Sexual Abuse'

Another concerning trend in online pornography is content that, whilst presumably consensually filmed, heavily implies it is not. Content with titles describing 'image-based sexual abuse', namely all forms of the non-consensual creation and/or distribution of sexual images, includes material commonly known as 'revenge porn', 'upskirting', voyeurism including hidden cameras, and 'spy cams'.[141] It is important to note that such videos often imply that they were in reality made and/or distributed without the consent of those featured, and whilst this might not actually be the case, this implication of non-consensual content is wrong. Content analysis of these types of videos found titles constituted descriptions of image-based sexual

[137] Vera-Gray, F., et al. (2021). Sexual violence as a sexual script in mainstream online pornography. British Journal of Criminology.
[138] Vera-Gray, F., et al. (2021). Sexual violence as a sexual script in mainstream online pornography. British Journal of Criminology.
[139] Vera-Gray, F., et al. (2021). Sexual violence as a sexual script in mainstream online pornography. British Journal of Criminology.
[140] Vera-Gray, F., et al. (2021). Sexual violence as a sexual script in mainstream online pornography. British Journal of Criminology.
[141] Vera-Gray, F., et al. (2021). Sexual violence as a sexual script in mainstream online pornography. British Journal of Criminology.

abuse and keywords included 'hidden', 'spy' and 'leaked', but excluded terms such as 'ex', 'homemade' and 'filmed'.[142]

As detailed in **Chapter 1**, the Online Safety Act 2023 (OSA), once in force, will put duties on providers of in-scope services to proactively identify, remove and tackle content which they have reasonable grounds to infer amounts to an actual intimate image abuse offence. Some content, which depicts purported image-based sexual abuse accompanied by descriptions that imply the sharing is non-consensual, would be captured by the OSA's illegal safety duties. As with the previous category of content, this category could also encourage an interest in sexually abusive activity and therefore would be refused classification by the BBFC. It should therefore also be prohibited online, to ensure this category of content is not available to view.

Racism & fetishisation of minority groups

It is well documented that mainstream pornography reproduces racist tropes and stereotypes, as another lens on top of objectification. Pornography sites apply tags to content to enable users to more easily find specific content: often women are tagged by age, job, or social / familial relation, for example sisters, 'MILFs', grannies, schoolgirls, teens and babysitters. Men are also tagged with categories such as, "muscular", "old", or terms describing their genitalia. Sometimes women are tagged according to their physical characteristics such as fat, skinny, big-breasted, small-breasted, blonde, red-headed, brunette, old, young, pregnant, or disabled. At other times, women and men are tagged by race.[143]

It has been highlighted that pornographic content includes many racist stereotypes and that "the degradation of people of colour in pornography is widespread and extreme."[144] Professor Robert Jenson argues pornography, "is one media genre in which overt racism is still routine and acceptable," commonly representing racist stereotypes.[145]

Content analysis of pornographic scenes finds clear evidence of racism in depictions of aggression.[146] [147] Men of colour, and Black men specifically, are more likely to be represented as using aggression than White men.[148] [149] Black men are also depicted as significantly less intimate with their partners.[150] Black women are portrayed as less innocent and more hypersexualised than their white peers.[151] Other academics note that pornography portrays

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[142] Vera-Gray, F., et al. (2021). Sexual violence as a sexual script in mainstream online pornography. British Journal of Criminology.
[143] Centre to End All Sexual Exploitation (n.d.). Racism in Porn.
[144] DiAngelo, R. (2015). What Does it Mean to be White? Developing White Racial Literacy?
[145] M. Tankard Reist and A. Bray (eds): Big Porn Inc: Exposing the Harms of the Global Pornography Industry (North Melbourne, Victoria Spinifex Press, 2011).
[146] Shor, E. and Golriz, G. (2019). Gender, Race, and Aggression in Mainstream Pornography. 48(3) Archives of Sexual Behavior 739-751.
[147] Fritz., et al. (2021). *Worse than objects: the depiction of black women and men and their sexual relationship with pornography.* 38(1) *Gender Issues* 100.
[148] Shor, E. and Golriz, G. (2019). Gender, Race, and Aggression in Mainstream Pornography. 48(3) Archives of Sexual Behavior 739-751.
[149] Fritz., et al. (2021). *Worse than objects: the depiction of black women and men and their sexual relationship with pornography.* 38(1) *Gender Issues* 100.
[150] Fritz., et al. (2021). Worse than objects: the depiction of black women and men and their sexual relationship with pornography. 38(1) Gender Issues 100.
[151] Miller-Young, M. (2010). Putting Hypersexuality to Work: Black Women and Illicit Eroticism in Pornography.

Black people as hypersexual and reduces them to their genitalia and sexual performance. For example, in some categories of pornography, Black men are depicted as having large genitalia, and their value is rooted solely in their genitalia and sexual prowess, thus contributing to stereotypes.[152] [153]

Research on women experiencing aggression found videos with Asian or Latina women were more likely to depict aggression than those involving White and Black women, and Black women were the least likely group to suffer from non-consensual aggression.[154]

Additionally, the Review's own research found pornographic content which seemingly fetishised those with disabilities, trans, queer and non-binary people, by using derogatory titles, perpetuating harmful stereotypes and attitudes towards these groups. It should be noted here that, of course, many people seek out pornography with performers that they see as representative of themselves, and of those they are sexually attracted to. I am in no way trying to take away from this, but rather highlighting how some sites appear to perpetuate harmful stereotypes. I am concerned that harmful and racist tropes in online pornography are shaping our sexual scripts and behaviours as well as having harmful impacts.

Content that shows racism or could encourage racist attitudes is currently not included on the BBFC's classification list – I would recommend that this be added to any prohibited list, as outlined at **Recommendation 1,** which sets out that violent, harmful and misogynistic pornographic content should be treated as illegal content on online platforms.

Incest & Step-Incest Pornography

Research has found that the most common form of sexually violent pornography online was family sexual activity.[155] It is a criminal offence, under the Sexual Offences Act 2003, to have penetrative sexual activity with a family member, which includes blood relationships of siblings, parents, aunts/uncles, and also adoptive parents.

Titles found included those that implied violent sexual activity between blood relations such as fathers and their daughters or siblings. At the time of this research, this material was also easily available on a major social media platform, such as 'Daddy's little girl comes home from school; let's now cheer her up," and in one click on a major search service for 'incest porn.'[156]

Upon the Review's own research of videos in October 2024, there is seemingly less pornography involving blood-relations, or sexual relations between depicted blood-relations.

[152] Thorpe, S., et al. (2024). The influence of pornography on heterosexual black men and women's genital self-image & grooming. Body Image, 48.

[153] DiAngelo, R. (2015). *What Does it Mean to be White? Developing White Racial Literacy?*

[154] Shor, E. and Golriz, G. (2019). Gender, Race, and Aggression in Mainstream Pornography. 48(3) Archives of Sexual Behavior 739-75.

[155] Vera-Gray, F., et al. (2021). Sexual violence as a sexual script in mainstream online pornography. British Journal of Criminology.

[156] Vera-Gray, F., et al. (2021). Sexual violence as a sexual script in mainstream online pornography. British Journal of Criminology.

Although some mainstream platforms already prevent you from specifically searching for incest content, and others do not host it, some platforms have been able to get away with creating and sharing incest pornography under the guise of it 'not being real' and being a depiction of a fantasy. I would like to reiterate that content that is 'likely to encourage an interest in sexually abusive activity' would be refused classification by the BBFC and so is prohibited in physical formats.

Anecdotal evidence provided to the Review by children's charity Barnardo's[157] highlighted that content depicting sexual relationships between family members can 'normalise abhorrent and illegal behaviours for children and young people', and impact children who view pornography to try and understand their own sexual abuse.[158] This concerns me greatly, and the grim reality is that the normalisation of this content online could potentially encourage devastating attitudes and actions, including child sexual abuse.

I recognise that much of this evidence is anecdotal, and there is limited data finding other potential impacts of incest pornography. However, we cannot continue to allow this content to be normalised, and it is an area that I firmly believe must be dealt with in the most serious way currently possible. I therefore recommend government make the possession of incest pornography illegal under the extreme pornography offence (Section 63 of the Criminal Justice Immigration Act 2008) – see **Recommendation 25**, and **Chapter 3** for more detail on illegality here.

Additionally, the Review has found a huge swathe of 'step-incest' pornography; these are often one of the most common categories on mainstream homepages. It is not a criminal offence to have penetrative sexual activity with step-relations, and the Review received little-to-no academic evidence around the potential harms of step-incest pornographic content.

However, anecdotal evidence provided to the Review by children's charity Barnardo's described how step-incest content can be used between an abuser and child to permit inter-family child sex abuse, similar to some 'age-play' content, with some also describing this content as a 'fig-leaf' for child sex abuse.

I am concerned about this type of content. To this end, I believe step-incest pornographic content should not be served up on a homepage to a first-time user and should be down-ranked on platforms, so that it is more restricted.

'Step-incest' pornography is the most pertinent and obvious category of content that should be restricted in the above way, but I have no doubt there will be other emerging categories. To this end, and line with the 'teen' category, I reiterate my recommendation for the sector themselves to collaborate on a 'watch-list' of content, which would capture 'step-incest' pornography, and is more restricted. See **Recommendation 11** for more detail on this.

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[157] Barnardo's is a children's charity. They host the Centre of expertise on child sexual abuse and have supported children and young people affected by sexual abuse for over 25 years, and now deliver specialist services in 45 locations across the UK.
[158] Barnardo's. (2024). *Submission to the Review's Call for Evidence.*

The Platforms' Role in Promoting Harms

Pornographic content itself plays a role in shaping sexual scripts and behaviours. However, evidence also suggests that the way platforms are designed and operate play a part in shaping sexual scripts and behaviours too.

Design and Operation to Facilitate Problematic Pornography Use

In October 2024, the Review examined several mainstream tube sites to understand what type of content was featured on their home pages ahead of clicking on other links, and found the following:

- On some sites, the homepage immediately shows you "Hot porn videos in UK", "Trending videos", or "Recommended for you", which seemingly means these are the most watched/viewed videos at the time of clicking, as well as very likely, commercial videos.

- There are numerous thumbnails of films which speed through the entire video in a matter of frames, often showing the viewer the graphic 'highlights' of the video.

- Titles included graphic descriptions of mainly step-incest, 'teen', and violent degrading content. Alongside more general nudity, the viewer is overwhelmed with close-up imagery of female genitals and anuses, and their penetration with penises.

- Video adverts are frequent, and attention is drawn to them because of their size, placement, and movement. At the time of viewing, sex toys, 'adult TikTok' and 'local sex' ads were mainly being advertised.

- The menu bar at the top of the page lists options such as 'live cams', 'phone sex', and 'local sex'.

- On accessing, you are required to tick a box to say if you are over or under 18 years old across all sites accessed, and the privacy and cookie notice is clear on some sites.

- Fast-forwarded clips of videos are played, showcasing 'highlights' of graphic parts of each video, presumably to encourage the viewer to click on that content. Once a video is clicked-on, there is another stream of videos below, some relating to the first video, but many unrelated.

One of the most striking things about the homepage is how the sites seem to steer you in the direction of what to watch. Through the opening page showing "most popular", "trending", and "hottest in UK right now" this suggests to the viewer that this is the type of content most people are watching. This is especially alarming when much of this content promotes rough sex, racist tropes, degrading sex acts towards women, 'teen' sex, and 'step-incest'. Additionally, if a first-time user has millions of videos and categories to choose from, tags, and labels, it is possible that they will stick to the content the site has recommended to them. This is problematic when the content served on the home page promotes misogynistic, racist, and violent tropes.

Evidence submitted to this Review also suggests that a platform's use of algorithms to promote content to users plays a role in shaping sexual scripts. Like many other companies operating

online, pornography sites utilise cookies and users' data to filter and individualise content to their 'likes' and use machine learning algorithms to promote content deemed most likely to nudge specific individuals into spending, both through keeping them on the site and via adverts.[159] 'Big Porn' platforms have been dubbed as part of the 'attention economy'[160], which proposes human attention is a scarce commodity. In the attention economy our online behaviours and data become profitable, and companies attempt to maximise the time and attention users give to their products and services.

McGlynn and Vera-Gray state how the business models, and therefore the algorithms, of the largest social media and tech platforms prioritise extreme and divisive material, as this is what keeps users engaged and continuing to scroll.[161] They make the case that content is not necessarily reflective of people's interests but shapes interests.[162] These conclusions are drawn from known business models of tech and social media platforms, rather than pornography platforms, and so are not a conclusive findings for how algorithms on pornography platforms operate. But I believe it is likely they follow the same models.

Anecdotal evidence submitted to the Review also indicated that home pages and algorithms have offered users hardcore content that they had no intention of viewing. And whilst recommended videos are often based on content 'popular' with users within the same region, it is worrying that a user's activity can be shaped by algorithms rather than reflecting their interests.

> *"Just as with Big Tech, Big Porn[ography] has learned that it is the more extreme and divisive content that keeps us scrolling and returning."[163]*

In addition to the purposeful design of tube platforms, there is evidence to suggest that the way some platforms operate can also perpetuate harms. This includes:

- **Reporting harmful content can be difficult**: Some mainstream sites require users to be logged in to do this, which, given the personal nature of this content, I anticipate could hold users back from reporting content. This could mean harmful, or even illegal content, is left up on a site.

- **Not all content is moderated in full before being uploaded**: This is problematic as it could mean moderators miss harmful or illegal behaviours that appear later in the video. Anecdotal evidence submitted to this Review also suggested that some smaller pornography sites do not moderate any content before it goes online.

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[159] Hanson, E. (2021). Pornography and human futures. Fully Human: fullyhuman.org.uk.
[160] Vera-Gray, F., et al. (2021). Sexual violence as a sexual script in mainstream online pornography. British Journal of Criminology.
[161] McGlynn, C., & Vera-Gray, F. (2024). Additional Evidence Submission: UK Government Review of Pornography Regulation.
[162] McGlynn, C., & Vera-Gray, F. (2024). Additional Evidence Submission: UK Government Review of Pornography Regulation.
[163] McGlynn, C., & Vera-Gray, F. (2024). Additional Evidence Submission: UK Government Review of Pornography Regulation.

- **There is little transparency on the number of human moderators**: It is unclear how many moderators look through the thousands of new videos uploaded to these sites. Transparency around this would clarify the effectiveness and adequacy of moderation.

- **Not all sites have prohibited search terms and deterrence messaging**: Some sites do not allow users to search for harmful or illegal content (for example, 'drunk', 'rape' and 'girl'). If searched, deterrence messages appear to let the user know what they are looking for is prohibited. This is not universal across platforms, meaning users can very easily leave one site to search for and view problematic content on others.

- **Consent messaging is inconsistent**: Some videos have messaging up front to show the viewer that the activity in the pornographic content is consensual between adults. This is really helpful in ensuring that the viewer is aware consent was present throughout filming. However, this is not done universally across sites/content.

- **It is easy for a bad actor to create a new account**: When a user is flagged for uploading illegal content, such as intimate image abuse (IIA) material, extreme (illegal) pornography or CSAM, some platforms will deactivate their account. However, these bad actors can often create a new profile, or hop onto another platform, and continue to upload this content. There must be a more robust preventative mechanism in place to ensure a user who has posted illegal content cannot reoffend. I recommend an approach for this under **Recommendation 26**.

Safety by platform design: best practice

It is important for this Review to emphasise that not all pornography platforms are designed and operate in a way that perpetuates harm. In fact, there are many pornography platforms whose sole purpose is to create and promote ethical and safe pornography. A key takeaway is that it is a business decision taken by platforms as to how they use design and operate – they have the means, systems, and resources to do this safely and ethically, as shown in these case studies of best practice on safety by design:

Case Studies: Ethical Porn Producers

FrolicMe was launched in 2015 to produce pornographic content that champions healthy sexuality and female pleasure. FrolicMe runs a subscription-based model in which users pay to access content. When asked why this model works, the CEO pointed out that her viewers would rather pay a fee to access content because of the higher quality, ethically produced content; built-in malware protection; and secure payment providers. This subscription model, combined with content only being presented behind a paywall, does provide maximum protection against the possibility of children viewing the content.

MakeLoveNotPorn (MLNP) is a platform designed through the female lens that aims to challenge the harmful stereotypes found in mainstream pornography with user-generated videos of real-world sex. One of MLNP's primary safety protocols is the use of human curators, who watch every frame of videos uploaded to the platform and approve or reject the content before it is posted. Likewise, these curators review every comment on every video. Setting industry best practice, MLNP requires two sets of government-issued ID, an email address for each video participant, and if a user submits an anonymous video MLNP requires them to send a photo of themselves holding a visual ID.

In addition, if participants request that a video be removed, it is taken down instantly. Many videos, particularly those containing BDSM activity, include visible negotiation and boundary-setting between participants, as well as aftercare. Videos show people having stop-and-start sex, versus prolonged, continuous activity. MLNP's content also depicts real world consent and intimacy.

When the OSA duties are in effect, companies in scope, including all sites that allow pornography, will be subject to duties to design their services to prevent priority illegal content being on their sites. Most pertinent for this Review is extreme (illegal) pornographic content, CSAM, and IIA content. This means mainstream pornography sites could in theory adopt prohibited search terms to ensure users cannot search for illegal pornography, IIA or CSAM, or could install better reporting mechanisms, along with a myriad of other safety-by-design measures. These duties will not apply to 'legal but harmful' content, which will not be regulated under the OSA.

The Unofficial 'Regulators': The Power of Payment Providers

As this chapter has emphasised, there is variation in how content is dealt with online compared to the restrictions the BBFC puts on its distribution in the 'offline' world. However, this does not mean that there have been no interventions to contain harmful pornographic content online. Payment providers are viewed as the unofficial regulators of online pornography, using their power of withdrawing their services should platforms put out anything against their terms of service. The most well-known example of this was in 2020, when Visa and Mastercard cut ties with Pornhub's paid products following an investigation by the New York Times revealing that numerous videos featuring child sex abuse material were on the site.[164] [165]

Added to this, many payment providers, including third-party providers, have their own lists of prohibited content and search terms that they prohibit pornography platforms they work with from using. The Review was advised that if a site uses any of the words on that list the payment provider will pull their services from that site. Similarly, many payment providers have a 'to watch' list, where certain terms that have the potential to be affiliated with harmful content are monitored.

The Review was able to view some of these prohibited content lists, which are not accessible to the public; it is worth noting that these lists are not consistent nor universal across payment providers. Little is known about how these prohibited content lists are used to moderate/cross-reference online, what evidence is used, how often lists are updated, and how successful they are in curbing prohibited content from appearing on pornography sites. While some of the categories featured are a good starting point, they are not enough. In lieu of regulation, the onus of prohibiting content and attempting to regulate certain online pornography platforms has fallen to payment providers and, because they are not official regulators this means that large volumes of violent and harmful content is still available online. We cannot expect payment providers to keep close tabs on the sector and how content and harms evolve. This is not and should not be their role.

More needs to be done to regulate the online landscape. This should be standardised across platforms and enforced by a regulator. Any prohibited list of content needs to be consulted on and updated to ensure it preserves freedom of expression, keeps users safe, and is future-proofed.

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[164] Kristof, N. (2020). The Children of Pornhub. New York Times.
[165] The Guardian. (2020). Pornhub: Mastercard and Visa to block use of cards on site after child abuse allegations.

Addressing the 'Online' & 'Offline' Regulatory Disparity

One of the biggest questions during this Review has been whether and how to align the 'offline' pornography world with the 'online' world. There is a consensus amongst some stakeholders that the way the BBFC classify 'offline' material is generally in a good place, where they carefully balance freedom of expression with user safety.

This balance is one of the most important things to get right when thinking about additional regulation in this space. This Review is not looking to regulate people's private lives or remove sexual freedoms. Instead, additional regulation should seek to keep viewers and those who work in the sector much safer online. It is through this lens that I have addressed the disparity between online and 'offline' worlds.

Taking 'Legal but Harmful' Content Off Online Platforms

Violent, harmful and misogynistic pornographic content (known as 'legal but harmful pornography') is common on mainstream platforms that host pornography. If this content was distributed in physical form, for example in DVDs, the person supplying the material would face criminal charges, including a prison sentence of up to two-years under the Video Recordings Act 1984.

This disparity between the online and 'offline' world is not right and needs to be addressed. Pornographic content that would be refused classification in the 'offline' world, should not be available to view online.

As outlined in this chapter, evidence shows that degrading and violent behaviours and acts in pornography disproportionately affect women (I have seen these behaviours in pornography towards men, but these are more often in BDSM contexts, where consent and safe principles are clear). The content I believe should not be available online is that which the BBFC already refuses to classify, set out below:

- Material (including dialogue) likely to encourage an interest in sexually abusive activity, which may include adults role-playing as non-adults

- The portrayal of sexual activity which involves real or apparent lack of consent. Any form of physical restraint which prevents participants from indicating a withdrawal of consent

- The infliction of pain or acts which are likely to cause serious physical harm, whether real or (in a sexual context) simulated. Some allowance may be made for non-abusive, consensual activity

- Penetration by any object likely to cause physical harm

- Sexual threats, humiliation or abuse which do not form part of a clearly consenting role-playing game

I would also recommend adding racist content to this list, which the Review has identified as an issue on mainstream platforms. Additionally, I recommend adding content where a performer or creator has withdrawn their consent to being in a film, and where consensual content has been used without consent (known as 'stolen content' in this Review), to this 'unclassified' list.

I have explored two ways government could achieve parity between the 'offline' and online pornography landscapes, where the outcome is that legal but harmful content would not appear, or be allowed, online, as set out in **Recommendation 1**.

A Pornography Code of Practice

Recommendation 1 also details how government could regulate – if this was the direction chosen over making a low-level offence - prohibited ('legal but harmful') content and ensure platforms are implementing safety-by-design measures. Broadly, this could be done by using the existing legislative framework of the OSA, which is regulated by Ofcom. Ofcom could be required, through the OSA, to develop a pornography code of practice, supplementing duties on providers to tackle prohibited list content through measures such as content moderation and safety-by-design.

One of the most fundamental parts of this recommendation is that it would take away the ambiguity of what is prohibited from payment providers and put in place clear rules and provide transparency – the onus would be taken off them and put onto the platforms and the regulator.

Content Audits

While I anticipate that any prohibited list would be regulated by Ofcom through the OSA, I am concerned about the level of compliance from platforms to regulate, monitor, and remove content. I do not think it is appropriate to assume mainstream platforms will mark their own homework, and I also acknowledge that any additional prohibited content will be an adjustment for platforms to comply with. Measures must be put in place to hold platforms to account, and I believe that a body to audit content would be a good way to do this – see **Recommendation 9**.

The auditor would be a separate body who would conduct content audits to ensure sites that host pornographic content are appropriately tackling illegal and prohibited content. This approach would not only reinforce obligations if they were not being met by platforms, but also provide guidance and assistance to platforms who may be struggling with the changes brought about by a prohibited list.

The BBFC would be a suitable organisation to carry out these audits, as they have significant experience in moderating content. The BBFC has huge experience classifying 'offline' pornographic content, as well as developing the guidance for its R18 classification. This body could feed back any reports of non-compliance to companies directly as a first port-of-call, and then to Ofcom should issues persist. Any auditing body should work closely with the ombudsman given the role I recommend this body takes in receiving and supporting victim-survivors following incidents of IIA, abuse, control, coercion and trafficking in the pornography sector. More detail on the ombudsman is provided at **Recommendation 15**.

Accreditation scheme

Additionally, to ensure platforms which host online pornography comply with removing illegal or prohibited content from their sites I believe an accreditation programme would be useful. Companies who pass the aforementioned audit and therefore have demonstrated good practice in not hosting illegal or prohibited content (and making an active effort to reduce and remove such content from their site) under this scheme would receive accreditation of good practice.

Receiving this accreditation would be beneficial in three key ways. Firstly, through the demonstration that this platform is perpetuating the idea of 'good platforms', ones that are worthy of investment and usage. This would demonstrate to investors and financial services such as payment providers which sites are taking active steps to ensure their websites are safe and hosting legal content, so reducing the pressures on financial services to be pseudo regulators.

Secondly, this accreditation would incentivise companies, from the inside out, to adhere to new regulations and prohibited lists. Companies would be inclined to participate in ensuring that illegal or prohibited content is removed from their site to reduce reputational damage and maintain traffic to their site.

Lastly, this would work as a good public awareness-raising tool as the public could see which platforms are 'good'. It would provide the public with more of a say in the pornography they consume by informing them via the accreditation process whether there is the potential the content is illegal or prohibited, ultimately giving the viewer more autonomy over the online pornographic content they view. Therefore, as suggested in **Recommendation 10**, I believe an accreditation scheme would be useful in further tackling illegal and prohibited pornographic content available online.

Specific and Faster Business Disruption Measures

As outlined in **Chapter 1**, many pornography platforms are based outside the UK and there is very little transparency in how they operate. This makes it incredibly hard for Ofcom's business disruption measures through the OSA to quickly and effectively disrupt many pornography companies which we know are hard–to-reach, especially as business disruption measures under the OSA would need a court process, which could take time.

To this end, the whole ecosystem of how pornographic content proliferates needs to be looked at, with ancillary services - including advertisers, payment providers, data centres and media owners – being aware of the power they have in enabling platforms to operate. The body (at **Recommendation 9**) could expedite any reports of suspected non-compliance to these ancillary services, who could then deploy quicker disruption measures. See **Recommendation 12** for more detail.

Review of Regulators

The shift to online mediums has meant that we are increasingly seeing more online harms and threats emerging at pace, which play out in both in pornography and across other areas such as sextortion, online dating, gaming, catfishing, cyberbullying, and sexual assault online. These online harms need to take priority in regulation, so we are able to stay on the front foot and future-proof any regulatory response, as well as accompanying guidance and support. Australia's eSafety Commissioner is a great example of how a focused regulator on online harms can provide tailored guidance and regulatory oversight of emerging threats and online safety.

Whilst I have no doubt in Ofcom's expertise in online safety, I am concerned that it has a very broad regulatory remit which could limit the effectiveness of a regulatory response to online harms. I urge government to promptly review the aims, priorities and capacity of its regulators, to assess if any legacy areas under Ofcom could be moved out, giving them more space and focus to regulate the online landscape – see **Recommendation 13**.

Government Ownership

The Review is cognisant that for many of the recommendations above to be achieved, there needs to be ownership within government on pornography policy, its harms and the changing landscape. I have been struck in this process to find that pornography policy does not sit with one department, and the policy landscape is fragmented across departments, who all hold different and siloed policy levers in this space.

I believe this is one of the main reasons why harmful online pornography has been able to continually grow in scale and prevalence over the years with limited intervention, and it is why this parity between online and 'offline' does not yet exist. For progress to be made, tracked, and measured, it is imperative that one department has oversight of all pornography policy, which should sit explicitly in a ministerial portfolio, with other departments feeding in.

Many of my recommendations directly feed into government's ambition to halve violence against women and girls in the next decade, and its mission to make our streets safer. To this end, I would therefore recommend that the Home Office is the natural home for pornography policy. See **Recommendation 31** for more detail on this.

Global Collaboration

Lastly, in addition to domestic regulation, a global collaboration to regulate online pornography would help reshape the online space and protect people from harms. However, currently there is no such joined up approach.

The online world is borderless. Viewers can access content that is created all over the world. Research from the BBFC on behalf of the government found that, of the top 200 pornography sites in 2020, only 126 could be linked to a location.[166] Of those 126 sites where a location was

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[166] BBFC. (2020). BBFC research report commissioned by the DCMS: Further research on the traffic and functionality of adult sites.

identified, only four were based in the UK.[167] This means that UK viewers are largely accessing content and platforms that are filmed, uploaded or based in other parts of the world, where regulation and attitudes towards pornography may be very different.

It is for this reason that an isolated approach to addressing issues stemming from online pornography will not be effective in the long run. A whole-system, global response across disciplines is needed to illicit change in the industry and increase transparency. In engaging with some large-scale pornography companies, I heard about the rejections they faced when trying to join global alliances and major tech coalitions. While I can understand that some pornography companies do not have the cleanest of records, we will not see change in the industry if platforms which are taking steps to improve the industry are excluded from conversations or initiatives. A global coalition between government, civil society, academia, and industry would be a way to bring interested parties together to tackle global issues and harms from online pornography, while also encouraging transparency. See **Recommendation 32** for more information.

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[167] BBFC. (2020). BBFC research report commissioned by the DCMS: Further research on the traffic and functionality of adult sites.

Conclusion

While I reiterate my stance that the adult industry is a legal one and I do not set out to change that with this Review, something must be done to address the harmful pornography available online that can influence viewers, and which would not be allowed to be distributed by the BBFC and be so easily accessible in 'offline' formats.

Those types of content – 'legal but harmful' content - are captured in this chapter, with evidence gathered from the Call for Evidence, and through stakeholder engagement, to show the range of influence it can have on those who view it.

We are seeing the effects of legal but harmful pornographic content playing out in real life, in particular with younger people, and it is time that we take action to address this damaging online content by bringing parity with the offline world.

Chapter 3: Illegal Pornography & The Criminal Justice Response

Chapters 1 and 2 have introduced the regulatory framework governing pornography; for online content this is now primarily through the Online Safety Act 2023 (OSA). Alongside this sits legislation which defines illegal pornography and dictates the criminal consequences of making, possessing or distributing it, online and 'offline'.

This chapter seeks to determine if law enforcement and the justice system are responding to illegal pornography appropriately and if change is needed; which is one of the Review's six objectives. It therefore provides an overview of illegal pornography legislation currently in place, the police's response to it, prosecution and charging, as well as victim-survivor support.

Illegal Pornography: Legislative Overview

There are two major pieces of legislation which set out illegal pornography offences for England and Wales – the Criminal Justice and Immigration Act 2008, which outlines the extreme pornography possession offence, and the Obscene Publications Act 1959 (OPA), which makes it an offence to publish or distribute illegal material under this Act.

The extreme (illegal) pornography offence, which also extends to Northern Ireland, makes it illegal to possess 'extreme pornographic images'. These are defined at section 63 of the Criminal Justice and Immigration Act 2008. In Scotland, an offence under section 51A of the Civic Government (Scotland) Act 1982 criminalises the possession of an extreme pornographic image, which is defined in that section.

Extreme (illegal) pornography, as per section 63 of the Criminal Justice and Immigration Act 2008, is pornographic material that is 'grossly offensive', 'disgusting' or otherwise 'obscene' and that explicitly and realistically depicts: life threatening injury, serious injury to a person's anus, breasts or genitals; bestiality; necrophilia and assault by penetration. The law includes a defence of 'participation in consensual acts', which applies if the defendant participated in the act in the image consensually.[168] For full clarity, please note that this chapter will use the term 'extreme (illegal) pornography' to refer to content captured by the extreme (illegal) pornography possession offence under the Criminal Justice and Immigration Act 2008, as just defined.

This legislation applies both to digital and physical forms of pornographic material. 'Possessing' means having the image as a file on a mobile phone or computer,[169] or a printed/hard copy. If this material is published, this could also be captured by this offence as it

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[168] The defendant must show that it was them taking part in the acts, and if other individuals are depicted, that they consented to this activity. This only applies if the activity, or 'harm', is of the nature that someone can consent to under UK law. This defence is not applicable to bestiality images. For necrophilia images, the defendant must show that it was not actually a corpse.
[169] This includes a computer created/manipulated image.

could be evidence of possession. A file that has been deleted may also count as possession.[170] An 'image' is defined in legislation as meaning still images such as photographs, or moving images, such as films.

It is important to note given the devolved nature of this issue, that the equivalent Scottish offence contains a definition which is broadly similar. However, where the relevant act is one which results in, or is likely to result in, serious or severe injury, it does not specify which body part the injury must be inflicted on. This means that Scottish legislation is broader than English, Welsh and Northern Irish legislation in this regard.

As discussed in **Chapter 3**, the OSA sets out a list of priority offences in Schedule 7, which reflect the most serious and prevalent illegal content and activity. Possession of extreme (illegal) pornography is one of these offences. Services in scope of the illegal content duties (user-to-user and search services) must set up systems and processes to proactively tackle and minimise this type of content respectively, using measures such as content moderation and safety-by-design.[171] Where the provider rather than a user uploads or generates pornographic content, Part 5 provisions will apply under the OSA, and providers may face criminal liability if they publish extreme (illegal) pornographic content. It is likely that most mainstream pornography sites, where user-generated content is uploaded, will be considered Part 3 services.

The nature of Part 5 services having control over what they publish (like other online media outlets), means that they know exactly what they are publishing. Due to this, criminal liability is appropriate. Part 3 (user-to-user and search) service providers do not directly control the content which appears on the service (they are "intermediaries"). They benefit from protections from liability where they are not aware of content that gives rise to that liability. The illegal content duties are more proportionate for these types of service – Ofcom can take enforcement measures, up to and including applying for business disruption measures should a Part 3 service not comply with the illegal content duties. These are the most extreme enforcement measures, and Ofcom has to apply for a court order to use these.

The OPA is the other major piece of illegal pornography legislation in England and Wales. The OPA creates an offence of publishing (or having the intention of publishing for gain) 'obscene' articles. Under the OPA, content should be considered obscene if it has the tendency to 'deprave and corrupt' those likely to read, see or hear the material, regardless of whether this is online, broadcast or in physical form. However, this is not limited specifically to pornographic material; it can be any type of content. The OPA targets publishers (or would-be publishers) of material, while the extreme (illegal) pornography offence was introduced to place criminal liability on those possessing the most egregious pornographic content. In Scotland, the Civic Government (Scotland) Act 1982 also contains an offence of publishing, selling or distributing (or having or making for sale or distribution) obscene material (at s 51(2)).

The OPA and extreme (illegal) pornography offence both use an 'obscene' basis to frame part of the consideration of illegal pornographic material. When taking the Criminal Justice and

[170] Metropolitan Police. (n.d.) Pornography.
[171] Department for Science, Innovation and Technology. (2024). Guidance: Online Safety Act: explainer. Gov.uk

Immigration Act 2008 through the parliamentary process to create the extreme (illegal) pornography offence, the government added an obscenity threshold clause with the intention of making sure that only pornographic material that would already be caught by the OPA would be caught by the extreme (illegal) pornography offence.[172] Given it is criminal law, the OPA also informs the British Board of Film Classification's (BBFC) guidelines for classifying R18 pornographic content 'offline' (as discussed in **Chapter 1**). Although the Crown Prosecution Service's (CPS) guidance is non-exhaustive, most acts likely to be refused classification and therefore prohibited 'offline' may be caught by the OPA.

In terms of recent legislation, the OPA offence is not a 'priority offence' under the OSA, unlike the extreme (illegal) pornography offence. This is because it is a very broad offence against which it would be very difficult for regulated services to design systems and processes around. The OPA does not list content or material categories in the same way as the extreme (illegal) pornography offence and is not limited to pornographic material. User-to-user and search services nevertheless have duties to remove content where it is flagged to them or they become aware of it in any other way, and they have reasonable grounds to infer that all the elements of the OPA offence are made out.

Effectiveness of legislation: challenges and gaps impacting the CJS response to illegal pornography

Although the scope and objective of this chapter is primarily to address the effectiveness of the criminal justice response to illegal pornography, part of the challenge in responding is based on gaps within the legislation itself that create and compound issues with enforcing the law. It should also be noted that most mainstream sites do not allow illegal pornography, and prevent you from specifically searching for it. For example, the large pornography platforms I engaged with during this process were confident they had robust processes set up to ensure extreme (illegal) pornography was not available on their services. However, evidence provided to the Review has shown examples from some smaller sites that specialise in sharing illegal pornography.[173] [174]

Most of this section will concentrate on the extreme (illegal) pornography offence rather than issues with the OPA. This reflects the amount of evidence the Review received on extreme (illegal) pornography, the increased relevance of the extreme (illegal) pornography offence given it is a priority offence under the OSA, and because it is legislation specific to pornography.

Illegal pornography legislation: challenges and gaps

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[172] Lord Hunt of Kings Heath. Criminal Justice and Immigration Bill. Volume 699: debated on Monday 3 March 2008. Column 894.
[173] South West Grid for Learning. (2024). Submission to the Review's Call for Evidence.
[174] South West Grid for Learning's submission stated that over 200 sites reported to their Report Harmful Content platform included illegal pornography, and shared specific examples.

Non-fatal strangulation pornography

As well as criminalising assault by penetration, bestiality and necrophilia images, the extreme (illegal) pornography offence in England and Wales criminalises possession of material that explicitly and realistically depicts a threat to life, or serious injury to a person's anus, breasts or genitals.

As detailed in **Chapter 4**, I am particularly concerned with strangulation content – often known as 'choking' content[175] - that is available on many pornography sites and about the potential impact this has on consumers of it. Evidence discussed in **Chapter 4** shows that there is no safe way to strangle, given its more immediate medical risks (including the potential to cause unconsciousness and even stroke)[176] and the potential ongoing impact of strangulation on brain function and capacity.[177] Evidence provided to the Review, including from the End Violence Against Women (EVAW) Coalition and other stakeholders representing organisations tackling violence against women and girls (VAWG),[178] called for the extreme (illegal) pornography offence to clearly cover 'strangulation porn' and some forms of 'incest porn'.

Undertaking this Review, I have heard about differing interpretations of the extreme (illegal) pornography offence when it comes to non-fatal strangulation. Given the evidence around how unsafe this behaviour can be, the law cannot be seemingly open to interpretation on this issue. If pornography depicting non-fatal strangulation is not clearly and explicitly illegal to possess, effective enforcement will be impossible.

Non-fatal strangulation was made a stand-alone criminal offence through the Domestic Abuse Act 2021, which amended the Serious Crime Act 2015 to include the new offence. This was following concerns that perpetrators were avoiding punishment as sometimes non-fatal strangulation can leave no visible injury, making it difficult to prosecute under other offences. A defence is available where the person strangled consented to the strangulation. However, there can be no defence in law that the victim consented to non-fatal strangulation or suffocation if the victim suffers serious harm. In such instances, the suspect either intended to cause serious harm, or was reckless as to whether the victim would suffer serious harm, regardless of whether the victim seemingly gave consent to the acts that caused such harm.[179]

Engagement with government officials concluded that non-fatal strangulation and suffocation are already covered by the England and Wales extreme (illegal) pornography offence, on the basis that it would be a 'threat to life'. However, the nature of non-fatal strangulation is that it is non-fatal; the offence does not require that action actually or apparently threatens a person's life. It should be noted here that because, under the Scottish offence, the definition includes

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[175] Hone, J. (2024). 'I think it's natural': why has sexual choking become so prevalent among young people?, The Guardian.
[176] Institute For Addressing Strangulation. 2024. Strangulation and 'Choking' Factsheet.
[177] Institute For Addressing Stangulation. 2024. Strangulation: IFAS Position Statement.
[178] The 'VAWG Sector' submission to the Review's Call for Evidence was developed in partnership with the End Violence Against Women Coalition, Women's Aid Federation of England, Imkaan, Refuge, Welsh Women's Aid, Stay Safe East, South West Grid for Learning, Advance, Professor Clare McGlynn and Professor Fiona Vera-Gray.
[179] Home Office. (2024). Strangulation and suffocation. Gov.uk.

severe injury to any part of the body (and not just "anus, breasts or genitals"), non-fatal strangulation may be covered in Scotland–although this is not explicit.

This Review has not found evidence of anyone being prosecuted for content on the basis of pornography containing strangulation, and there is no additional specification or guidance to suggest non-fatal strangulation would explicitly be captured. The fact that the legal position is open to interpretation, even though Parliament has legislated to make non-fatal strangulation a criminal offence in England and Wales[180] under the Domestic Abuse Act 2021, and in the context of the harms identified in **Chapter 4**, is inadequate. I therefore recommend that government take steps to reconcile this to ensure the law is clear: that non-fatal strangulation is captured by illegal pornography legislation, primarily through the extreme (illegal) pornography offence. **Recommendation 2** outlines the approach that government could take to resolving this, though I also recommend that this is considered in the round as part of a legislative review, which is explained below and at **Recommendation 24**.

Some stakeholders called for the specification "to a person's anus, breasts or genitals" of a 'serious injury' to be removed and to capture serious injury inflicted on other body parts, including non-fatal strangulation, akin to the Criminal Justice and Licensing (Scotland) Act 2010. However, this inclusion would not be explicit, and as I have previously outlined, and I am concerned that this could leave the law open to interpretation and make enforcement challenging.

Incest pornography

Another gap this Review has found in illegal pornography offences is that incest pornography is not captured by the extreme (illegal) pornography offence. As detailed in **Chapter 2**, some research shows that one of the most common forms of sexually violent pornography online is sexual activity between family members – with much of the content featuring incestuous titles and encouraging sexual acts between family members.[181]

Where incest pornography involves depictions of children (and is therefore child sexual abuse material), the possession, making, sharing and publishing of such images is already captured by criminal law. See **Chapter 4** for further details on this.

It is also a criminal offence to have penetrative sexual activity with an adult family member (both blood-related and adopted), under the Sexual Offences Act 1956. However, possession of incest pornography is not an offence, nor are realistic depictions of incest in pornography. Although some mainstream platforms already prevent you from specifically searching for 'incest' content, and others do not host it, some have been able to get away with creating and sharing incest pornography under the guise of it 'not being real' and being a depiction of a fantasy. This concerns me greatly, and I am worried that normalisation of this content online could encourage devastating attitudes and actions, including child sexual abuse, which I have heard anecdotally. I recognise that much of this research is anecdotal, and there is limited data concluding or finding other potential impacts of incest pornography. I detail my approach to this

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[180] Non-fatal strangulation was also made a criminal offence in Northern Ireland in 2023.
[181] Vera-Gray, F. et al., (2021). Sexual violence as a sexual script in mainstream online pornography. British Journal of Criminology.

at **Recommendation 25**, where I encourage government to make the possession of incest pornography illegal.

Further subjectivity and ambiguity of the legislation

Other issues that I have identified with the underlying legislation are that, although the extreme (illegal) pornography offence specifies what comprises 'extreme' images for the purposes of the offence, the term 'extreme' is itself subjective. Many stakeholders asked for clarification as to how the Review was defining 'extreme' or 'illegal' pornography when outlining the formal scope of the Review in conversations, anecdotally highlighting this.

Academic specialists have also criticised legal definitions such as 'realistic' and 'solely or principally for sexual arousal'[182] in the extreme (illegal) pornography offence, arguing that these have left individuals vulnerable to arbitrary prosecution (issues with prosecution will be discussed in depth later in this chapter). Additionally, the Criminal Justice and Immigration Act 2008 does not define 'serious injury', which generates uncertainty over what images are captured[183], including how this interacts with consensual BDSM content.

Although most evidence provided to the Review focused on the effectiveness of the legislation in responding to extreme (illegal) content where humans are concerned, a gap was also highlighted by law enforcement stakeholders in relation to tackling bestiality content where inanimate objects, such as sex toys, are used to abuse animals. The bestiality element of the definition of an extreme image, under the Criminal Justice and Immigration Act 2008, is an explicit and realistic portrayal of "a person performing an act of intercourse or oral sex with an animal"[184], meaning that police forces cannot charge individuals for possessing content outside of that. This raises wider questions about whether criminal law governing illegal pornography is the right place for what may actually be animal cruelty detection and prevention measures.[185]

On a more fundamental point, I have heard objections to the criminalisation of material through illegal pornography legislation. I recognise the importance of balancing individuals' freedom of expression with the safety of users and performers. I have outlined my position on this in my foreword and recommend that government considers this balance carefully too, but I believe it is even more critical to reconcile where there are criminal consequences.

As previously noted, the legislation in this area uses an obscenity basis, with the OPA requiring assessment of materials that could 'deprave' and 'corrupt'. This outdated language invites moral judgement as to what the criminal justice system perceives might 'corrupt' an individual. Cnce the vehicle for prosecuting 'Lady Chatterley's Lover,'[186] and previously covering

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[182] Attwood, F., Smith, C. and Mercer, J. (2024). Submission to the Review's Call for Evidence.
[183] Rackley, E. and McGylnn, C. (2013). Prosecuting the Possession of Extreme Pornography: A Misunderstood and Mis-used Law. Criminal Law Review, pp.400-405.
[184] Legislation.gov.uk. (2008). Criminal Justice and Immigration Act 2008.
[185] McGlynn, C. and Rackley, E. (2009). Criminalising extreme pornography: a lost opportunity. Criminal Law Review. (4): 245-260.
[186] Attwood, F., Bale, C., and Barker, M. (2013). The Sexualisation Report.

depictions of oral sex,[187] [188] the OPA has also been criticised as being opaque and underpinned by conventional views about sexuality, with the ultimate definition of what constitutes illegal 'obscene' material being a contemporary jury's decision.[189]

Although the CPS refresh their guidance on the OPA and illegal (extreme) pornography offence, the OPA in particular is an old piece of legislation originating in 1959 and the illegal (extreme) pornography offence has not been comprehensively reviewed since it came in in 2008 (although amendments have been made since 2008, such as adding the assault by penetration - 'rape' - clause). This raises an issue that these offences have not largely been updated as technology, society and the wider pornography landscape have evolved.

Although the Review's focus is on the effectiveness of the criminal justice response to illegal pornography as it currently exists, these criticisms and gaps are important to highlight, both as part of a conversation about the reform needed and their impacts on enforcement. These challenges must be considered by the government in the round to ensure the criminal approach is fit-for-purpose in today's world but also balances freedom of expression. I have outlined a recommended approach to this at **Recommendation 24**.

I recognise that some of the arguments and evidence provided above could be seen to undermine my recommendation to government on ensuring non-fatal strangulation and incest pornography are made illegal to possess, publish and distribute. I know that any comprehensive review of legislation and enforcement will take time – but it is my position that whilst a longer-term legislative review gets under way, the government should ensure the legal position is as clear as possible on non-fatal strangulation in particular.

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[187] McGlynn, C. and Rackley, E. (2009). Criminalising extreme pornography: a lost opportunity. Criminal Law Review. (4): 245-260.
[188] Anderson. 1972. 1 Q.B. 304 CA (Crim Div).
[189] Anderson. 1972. 1 Q.B. 304 CA (Crim Div).

Illegal Pornography: Criminal Justice Response

Although the definition and extent of illegal pornography legislation does send a signal about the boundaries of what is legally acceptable to depict in pornography, any change to legislation must be accompanied by effective enforcement. This is why one of the Review's main objectives, and the defining task of this chapter, is to assess whether law enforcement and the justice system are responding to illegal pornography sufficiently, and if change is needed.

Evidence submitted by the National Police Chiefs Council (NPCC) highlighted that a "lack of funding and significant delays within the criminal justice system limits the effectiveness of the response to illegal pornography."[190] They identified that "this is an issue throughout the process, including grading images, investigations, and charging." [191]

This section will consider policing and charging, and then prosecution, focusing primarily on the extreme (illegal) pornography offence. Sentencing is a matter for the independent judiciary, where a Judge reaches a decision based on the unique circumstances of each case. The Review will not be assessing individual cases or this element of the system. The final element of this section will consider victim interaction with the criminal justice response, and what this indicates about its effectiveness.

Criminal justice response: policing

The Review has found that police forces take a reactive approach to extreme (illegal) pornography,[192] often only investigating potential possession alongside other offences or when content is found after searching devices for other information. The capacity of police to approach the offence beyond this is limited. This reflects the direction that police forces received when the offence was introduced, which was not to actively target members of the public but conduct investigations into unlawful possession only when prompted by suspicions or other investigations.[193] As well as this, a reactive approach is also the result of other challenges, which map across to the policing of other predominantly digital crimes:

- A lack of consistent, national standards across forces for illegal pornography investigations

- the recording of an incident is only undertaken if the police consider it as constituting a crime, on the balance of probabilities[194] (whilst of course this is appropriate to preserve privacy, respect private lives, and protect data, the subjectivity and uncertainty when it comes to identifying illegal pornography creates a challenge here)

- long wait times for digital forensics[195] to assess the content on any seized devices

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[190] National Police Chiefs Council. (2024). Submission to the Review's Call for Evidence.
[191] National Police Chiefs Council. (2024). Submission to the Review's Call for Evidence.
[192] National Police Chiefs Council. (2024). Submission to the Review's Call for Evidence.
[193] Williams, R. (2009). Police will not target offenders against law on violent porn. The Guardian.
[194] McGlynn, C., & Bows, H. (2019). Possessing Extreme Pornography: Policing, Prosecutions and the Need for Reform. The Journal of Criminal Law.
[195] A report in 2022 from His Majesty's Inspectorate of Constabulary and Fire and Rescue Service found that there is a backlog of 25,000 devices waiting to be examined.

- lack of clarity in some forces about what digital forensics are, awareness of digital material and how to recover sufficient evidence from devices such as mobile phones[196]

- few prevention initiatives, including through increased public awareness and education campaigns about illegal pornography (please see **Chapter 6** for more discussion of this)

In part due to different approaches across forces in recording extreme (illegal) pornography offences, as well as the reactive approach, little is known about the scale of actual extreme (illegal) pornography possession. The focus on investigating extreme (illegal) pornography offences alongside other investigations has also prompted the question as to whether there is a link between illegal pornography offences and other sexual or VAWG offences, but it is impossible to draw any robust conclusions, in part due to lack of data.

The Review's engagement with law enforcement stakeholders also raised broader issues on challenges to policing online crimes. For example, the rise of Virtual Private Network (VPN) usage was cited as hindering the effective response to intelligence around online crime globally, both by criminal justice stakeholders who spoke to the Review, as well as numerous responses from the public to our Call for Evidence. Internet Protocol (IP) addresses are often the focal line of inquiry and are easily circumvented by VPNs, which are widespread and often embedded into anti-virus software or device operating systems. It is important to note that VPNs have many legitimate, responsible and important uses, keeping users and organisations more secure. Although not without wider challenges, the use of VPNs or proxy servers can be blocked. For example, online platforms can reject a service request from a VPN.

Recommendation 4 outlines how government could begin to resolve some of these issues, by ensuring police take a nationally agreed and consistently implemented approach to effectively record and release data for better ongoing assessment of the illegal pornography legislation's effectiveness, and to understand potential links with VAWG offences.

Criminal justice response: charging and prosecution

There are also challenges in the criminal justice response with charging and prosecution. While robust data is limited, some evidence shows that the extreme (illegal) pornography offence is mostly used to prosecute the possession of bestiality images and is rarely used to prosecute possession of other illegal (extreme) pornography, which raises questions about its contemporary purpose. This could perhaps also be due to material that would have previously been captured by the OPA now falling under separate and more defined offences, for example, the Malicious Communications Act 1988.

Data published by the CPS on obscenity and extreme (illegal) pornography offences is available in its Violence against Women and Girls crime report.[197] This shows that in 2018 to 2019, of the offences that reached a first hearing in a magistrates' court, only 54 were for 'obscene publications' under the OPA. There were 1,075 offences reaching a magistrates'

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[196] His Majesty's Inspectorate of Constabulary and Fire and Rescue Services. (2022). An inspection into how well the police and other agencies use digital forensics in their investigations.
[197] Crown Prosecution Service. (n.d.). Violence Against Women and Girls.

court for possession of extreme pornographic images, and 28 for possessing an extreme pornographic image portraying assault by penetration (rape).[198]

Some research has also been undertaken through freedom of information requests sent to all 44 police forces across the UK to provide further insight into policing the extreme (illegal) pornography offence.[199] Data from 33 of those UK police forces revealed that, of the total number of charged cases, 85% of those cases related to bestiality images. The remaining charges for the other categories were as follows: 'life-threatening injury' (6% of charged offences), 'serious injury' (7%), necrophilia (less than 1%) and rape (1%). This, alongside the 28 cases of rape pornography that the CPS record charging in 2018 to 2019, suggests that the changes to the extreme (illegal) pornography offence to capture rape depictions has made little substantial difference to the operation of the offence.

Within the data available, the research found that in 64% of cases, another offence was recorded in addition to the extreme (illegal) pornography offence, with the majority being for sexual offences.[200] This is a notable trend given the harms discussed in **Chapter 4**, but it is difficult to draw clear conclusions without a representative evidence base and full assessment of current policing strategy and capability.

On cases that then reach prosecution, this research confirms a trend observed in previous findings: that the vast majority of defendants found guilty of a charge for possessing extreme (illegal) pornography related to bestiality images.[201] The total number of prosecutions and convictions, both for bestiality images and the other categories of content, is still low in comparison to the prevalence of this content online. Indeed, based on their work running helpline services which report harmful content for removal, South West Grid for Learning's (SWGfL) evidence to the Review highlighted the prevalence of extreme (illegal) pornography online, noting a particular prevalence of bestiality content. However, it should be noted that, for the extreme (illegal) pornography offence, the government did not envisage high numbers of prosecutions in the first place.[202]

The higher numbers of prosecutions for charges relating to bestiality images is likely to be linked to these depictions being more straightforward to identify and detect,[203] in comparison to content depicting 'serious injury' for example. An overview of a CPS case file review submitted to the Call for Evidence provides a snapshot of the prosecution approach.[204] This highlights

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[198] This data does not provide a full breakdown of the charging and subsequent prosecution rates for illegal pornography. It also only reports up to 2018-19; the Review could not locate or access the underlying data specific to pornography referenced on page A54.

[199] McGylnn, C. and Bows, H. (2019). Possessing Extreme Pornography: Policing, Prosecutions and the Need for Reform. Journal of Criminal Law. 83(6), 473-488.

[200] McGylnn, C. and Bows, H. (2019). Possessing Extreme Pornography: Policing, Prosecutions and the Need for Reform. Journal of Criminal Law. 83(6), 473-488.

[201] Antoniou, A. and Akrivos, D. 2017. The Rise of Extreme Porn—Legal and Criminological Perspectives on Extreme Pornography in England & Wales. Palgrave: London.

[202] Williams, R. (2009). Police will not target offenders against law on violent porn. The Guardian.

[203] Antoniou, A., McGylnn, C. and Woods, L. (2024). Pornography, the Online Safety Act 2023 and the need for further reform. Journal of Media Law.

[204] This review was undertaken by academics Antoniou, A. and Akrivos, D. who assessed prosecutorial decision-making in a sample of 16 case files involving extreme (illegal) pornography offences. These case files were drawn

some relevant observations but also reinforces the importance of improving data collection and understanding of the prosecutorial process, given this is one piece of analysis from before 2015.

This research identified that in the small number of cases assessed, when extreme (illegal) pornography offences were charged alongside other offences (notably those related to child sexual abuse and exploitation material), prosecutors tended to conclude that a prosecution was required. In comparison, where the extreme (illegal) pornography offence was stand-alone, the research found that prosecutors' charging decisions commonly centred on the technical aspect of possessing rather than the nature of the images themselves. With the exception of images depicting bestiality, the research found significant uncertainty in determining whether an image was within the 'life-threatening' or 'serious injury' category.

It is clear there is an issue across charging and prosecution of the illegal (extreme) pornography offence, in that bestiality content is the easiest to identify, charge and prosecute versus pornography showing serious injury, threat to life or assault by penetration. Whilst I recognise that content showing rape or serious harm would inherently be more difficult to judge than bestiality, this still indicates an ineffectiveness in enforcement against a huge swathe of what is currently defined as illegal (extreme) pornography.

More broadly, emphasis on the possession of illegal pornography does not necessarily reflect the way in which many users experience the internet today. This is where streaming, rather than downloading content, means that if an investigation was to be launched into watching or streaming certain content, the outcome would likely be limited as the content would not actually be stored and accessible on the computer.[205]

Some contemporary prosecutions under the OPA reflect a further issue. The subjectivity of this offence has led to over-charging in some cases, with prosecutions being brought in relation to the depiction of consensual, legal activities such as fisting.[206] For example, a person was acquitted by a jury in 2012 after a charge under the OPA for gay BDSM pornography he published, which was deemed not to be illegal.[207] Whilst updated guidance from the CPS[208] has sought to provide further clarity and address some of these subjectivity challenges, prosecutions and subsequent convictions under the OPA are still rare overall. This raises questions about its contemporary purpose in relation to illegal pornography, as considered earlier in this chapter.

There are clear, inherent issues with both pieces of legislation and their enforcement, which I recognise are perhaps not unique to the criminal justice response to illegal pornography. There is a lack of a standardised approach across the criminal justice system, based in a reactive,

from four different CPS areas (London, South East, West Midlands; Wales) on the basis that they could supply relevant files and were diverse in terms of their caseloads and geography. The review was facilitated by the then CPS Strategy and Policy Directorate. These case files are not statistically representative of CPS caseloads nor of all cases concerning extreme (illegal) pornography.

[205] National Police Chief's Council. (2024). Submission to the Review's Call for Evidence.
[206] Attwood, F., Bale, C. and Barker, M. (eds). (2013). The Sexualisation Report.
[207] Hodgson, N. (2012). Michael Peacock's acquittal is a victory for sexual freedom. The Guardian.
[208] Crown Prosecution Service (CPS). (2019). Obscene Publications.

low priority policing approach, continuing through to prosecution. This is not helped by confusing underlying legislation, which can be seen as too subjective or setting thresholds of illegality that are immensely difficult to prove, and have not been updated to reflect the nature of online pornography today.

The scope of this Review means I have focused on the effectiveness of the criminal justice response to illegal pornography as currently defined in legislation. However, I have identified more fundamental challenges. Therefore, I urge government to consider a legislative and enforcement review of the criminal offences in this area that can propose system-change measures with the issues I have highlighted in mind – **Recommendation 24** details more on this. This should include reviewing all legislation comprehensively, and assessing how additional training for police and the CPS could improve confidence in approaching any associated enforcement.

Criminal justice response: support for victim-survivors

Illegal pornography has an impact on victim-survivors who have been non-consensually depicted in content, for example survivors of trafficking or coercion. I have also found the criminal justice response is ineffective in relation to supporting those who have been affected by illegal pornography. It can also affect individuals who come across it inadvertently and are unsure what to do about it, or who question the effectiveness of enforcement if they do report it to the police, as frequently confirmed in anecdotal responses to the Review's Call for Evidence.

The extreme (illegal) pornography offence focuses on criminalising the possessor, and not the publisher, though publication is evidence of possession. The OSA will require online services including 'user-to-user' pornography platforms, to put in place systems and processes to proactively tackle priority illegal content, which includes extreme (illegal) pornography, and must remove any other illegal content where it is flagged to them. As these duties do not yet apply to providers, the Review cannot comment on their effectiveness. However, evidence contributed to the Review has highlighted issues with the criminal justice system that impact victim-survivors, which will not be changed with the OSA as currently designed.

For example, evidence provided by SWGfL, a charity forming part of the UK Safer Internet Centre, stated that their helpline services (the Revenge Porn Helpline and Report Harmful Content) report extreme (illegal) pornography for removal, but there is no identified or central service which removes such content. Once the OSA's illegal content duties are in force, platforms will have a duty to take down illegal content when it is reported to them or they become aware of it in any other way. However, this will not be done through a central system. Perhaps more pertinently, people who report to these helplines tend to be bystanders who report distress from coming across illegal pornography,[209] and tend not to go on to report it to

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[209] South West Grid for Learning provided a quote in their submission from an individual who had come across illegal (extreme) pornography online and was seeking help: "I have seen many more videos of women being forced to undress and have sex with dogs on this website, along with incest and other forms of assault. I am not sure if these were made by actors, but it looked very real, I'm also not sure if it's illegal, or how I even go about reporting this".

the police. Where reports have been made, SWGfL is not aware that the police have acted on any referrals made to remove the illegal pornography reported.

In some cases, this means that victim-survivors who have appeared in the illegal images or videos (for example, where the extreme (illegal) pornography contained realistic and explicit images of rape or serious injury) must navigate the criminal justice system themselves, even if platforms remove this content under the OSA's illegal content duties. They can seek support from specialist services such as the Revenge Porn Helpline, which is partially funded by the Home Office and run by SWGfL, but their wider process and interaction with the criminal justice system is inadequate.

#NotYourPorn's submission to the Call for Evidence reinforced the points made earlier about a lack of national consistency in police investigations, sharing an example where: "one police force has said that there was not enough evidence to pursue prosecution and with the same evidence in another case, investigated by a different force, they have pursued prosecution."[210] Indeed, the issue is summarised well by the statement below from #NotYourPorn, and more broadly applies to their experience supporting survivors of image-based sexual abuse, which will be discussed in **Chapter 4**:

> *"Survivors end up being their own investigator, police officer, advocate, barrister, paralegal because the professionals who should be doing these jobs are not adequately trained to do them properly…all accounts we have had from survivors state that their interaction with the criminal justice system left them retraumatised and unable to continue to pursue or seek further avenues to pursue justice."*

Submissions to the Review provided by EVAW Coalition and other stakeholders who tackle VAWG also emphasised the need to "adequately resource training and digital equipment for police, CPS and judiciary to improve the investigation and prosecution of online offending – namely non-consensual image abuse, coercion, exploitation and trafficking."[211] The lack of resources is worsened by the stigma that the Review has found to affect those working in the pornography sector more generally, and to an extent rarely faced in other industries, despite the sector's legal existence in the UK. **Chapter 4** will discuss this in further detail.

Anecdotal responses to the Review's Call for Evidence reinforce these issues, and the need for a more connected response and approach to not only the broader issue of illegal pornography, but supporting those affected by it:

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[210] #NotYourPorn is "fighting to…ensure comprehensive, survivor-informed, sex positive and consent-based policy in regard to and regulation of the porn industry and all online platforms to protect non-consenting adults, under 18s and sex workers from harm." They support and triage survivors of image-based sexual abuse and raise awareness of all forms of image-based sexual abuse.
[211] The 'VAWG Sector' submission to the Review's Call for Evidence was developed in partnership with the End Violence Against Women Coalition, Women's Aid Federation of England, Imkaan, Refuge, Welsh Women's Aid, Stay Safe East, South West Grid for Learning, Advance, Professor Clare McGlynn, and Professor Fiona Vera-Gray.

"There is a sense of threat to reporting illegal pornography regarding whether the reporter can be identified and punished for stumbling across it, this is removed by the ability to click a 'flag button' on websites anonymously"

"It would be helpful for there to be additional finance ringfenced to tackling [sic] illegal pornographic content"

"More primary and secondary prevention efforts are needed"

"It feels like there is not much point in reporting due to lack of response/impact. There is also so much stigma that victims find it hard to report."

"Police and courts have failed to enforce the law, as evidenced by the ready and easy access to illegal content online"

As well as implementing the previous recommendations specific to the legislation, and to the police and prosecutors' response to illegal pornography, there is an evident gap that the Review urges government to address: alleviating the onus on victim-survivors and individuals who are impacted by inadvertently coming across illegal pornography, to navigate a complicated criminal justice landscape where law enforcement may not be consistently and adequately trained to deal with the issues at hand. **Recommendation 15 and 16** present to government how it could remedy these issues for victim-survivors by having a dedicated ombudsman and specialised training for support services.

Conclusion

This chapter has sought to determine if law enforcement and the justice system are responding to illegal pornography sufficiently, and if change is needed, which is one of the Review's six main objectives.

The Review has found that the current approach is inadequate, with issues beginning with the legislation itself and affecting all stages of the criminal justice system. Change is needed. I make recommendations on how government could seek to make the legislative landscape fit-for-purpose to reflect the predominantly online pornography sector and build a bridge between victim-survivors and law enforcement. This can improve victim-survivors' interaction with the criminal justice system, ultimately helping more people to receive effective redress.

Chapter 4: Intimate Image Abuse and Child Sexual Abuse Material on Pornography Platforms

Content warning*: the topics discussed in this chapter may be particularly disturbing or distressing for some readers.*

As the previous chapters have sought to emphasise, pornography sits in a complex and fragmented legislative landscape across both regulation and criminal law.

This chapter looks at intimate image abuse (IIA) and child sexual abuse material (CSAM) legislation. **It is important to note that neither of these are pornography**, but the Review has received evidence that this abusive material appears on some platforms that host pornography, and it is therefore within the scope of this Review. This chapter sets out the issues around IIA and CSAM, as well as proposes outcomes that government should look to achieve when it comes to supporting victims and tackling these horrific crimes.

Whilst the Review cannot prove a causal link between pornography and this abusive material, it does discuss anecdotal evidence that viewing illegal content can be a gateway to committing illegal and abusive activity. It concludes more could be done across the sector to tackle IIA and CSAM, which is captured in my recommendations.

Intimate image abuse: current legal framework

IIA is not pornography, and to label it as such diminishes the seriousness of the crime and furthers the stigma and misunderstanding about the offence and the pornography sector.

However, laws which apply to pornographic content or images will often also apply to these images. There is evidence of IIA being distributed on pornography sites. The Revenge Porn Helpline (RPH) reported approximately 29% of online IIA content that they discovered was found on pornographic websites, including mainstream platforms.[212] On terminology, the RPH highlights issues with the term 'revenge porn', which it suggests does not accurately 'reflect the complexity of the issue'.[213] They note that they prefer to use the term 'intimate image abuse' as it is more 'inclusive and victim-supportive'.[214]

IIA is a form of image-based sexual abuse, which includes the taking or sharing of nude or sexual photographs or videos of another person without their consent. It also includes 'sextortion', which is the secret trading of nude or sexual images online, 'upskirting',

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[212] South West Grid for Learning. (2023). <u>Revenge Porn Helpline 2023 Annual Report</u>.
[213] South West Grid for Learning. (2023). <u>Revenge Porn Helpline 2023 Annual Report</u>.
[214] South West Grid for Learning. (2023). <u>Revenge Porn Helpline 2023 Annual Report</u>.

'downblousing', as well as using AI to construct these images, and the taking or sharing of sexual assault imagery.[215]

Reports to the RPH showed an increase each year from 2015 to 2020, doubling in 2020 alone during the COVID-19 pandemic.[216] Additionally, in 2023 the RPH saw a 106% increase in reports received compared to 2022.[217] In 2023, 34% of cases reported to RPH were sextortion-based, with nearly 93% of all sextortion cases involving male helpline clients.[218] Intimate images shared without consent made up 21% of cases, with women making up 71% of helpline clients, and where the gender of the perpetrator was known, 81% of those were men (most often a current or former partner).[219]

Research has shown the detrimental impacts IIA has caused to victim-survivors, including physical illness and mental health effects such as anxiety, depression, post-traumatic stress disorder, and suicidal thoughts.[220] Victim-survivors may also experience trust issues and feel a loss of dignity, privacy, and sexual autonomy. Combined, this range of harms can generate a wider form of cultural harm that impacts society at large. Cultural harm from image-based sexual abuse is created through the non-consensual creation and distribution of private sexual images being accepted as a 'harmless prank', where many perpetrators are not punished, and which can play a part in normalising a set of broader attitudes where sexual consent is ignored.[221] Many victim-survivors have bravely provided testimony about the impacts of their experiences, including in submissions to the Review's Call for Evidence and follow-up stakeholder engagement. Georgia Harrison's public evidence to the Women and Equalities Committee in May 2024 describes her experience as a victim-survivor of IIA:

> "It impacted me in every way you could imagine. So I always sort of compare it to grief… it got to the point where I was so emotionally affected by what happened to me that I ended up being physically ill as well, to the point where I was in hospital…This obviously also had a huge knock-on effect on my career…financially it was a massive hit to me…and definitely gives me a lot of fear that one day, if I do have a family, which is something that was always my intention , are my children going to be able to stumble across this footage because I am not protected in the right way by the Government for that not to be an issue right now?"[222]

There are a range of offences which target the non-consensual sharing of intimate images, however some argue that this legislative regime should go further. These offences, which I

[215] Henry, N. (2020). Image-Based Sexual Abuse: A Study on the Causes and Consequences of Non-consensual Nude or Sexual Imagery.
[216] Ward, Z. (n.d). Intimate image abuse, an evolving landscape.
[217] South West Grid for Learning. (2023). Revenge Porn Helpline 2023 Annual Report.
[218] South West Grid for Learning. (2023). Revenge Porn Helpline 2023 Annual Report.
[219] South West Grid for Learning. (2023). Revenge Porn Helpline 2023 Annual Report.
[220] Bates, S. (2016). Revenge Porn and Mental Health: A Qualitative Analysis of the Mental Health Effects of Revenge Porn on Female Survivors. Feminist Criminology.
[221] McGylnn, C. and Rackley, E. (2017). Image-Based Sexual Abuse. Oxford Journal of Legal Studies. 37(3), pp.534-561.
[222] UK Parliament. (2024). Tackling non-consensual intimate image abuse – Oral Evidence.

outline below, can be applied where an individual's intimate image or video is published or shared, for example on a pornography site, without their consent.

The English and Welsh IIA offences, when they were enacted in January 2024, replaced the old 'revenge pornography' offence (which has now been repealed). This was done through the Online Safety Act 2023 (OSA), which inserted the offences into the Sexual Offences Act 2003 at section 66B. To strengthen image-based sexual abuse offences, regulations under the OSA have made sharing intimate images without consent a 'priority offence'.[223] This requires providers of user-to-user services to have systems and processes to proactively remove and prevent such material from appearing on their platforms. Otherwise, they will face enforcement action which may include fines and other business disruption measures. This can include requiring facilities such as Internet Service Providers to restrict or block access to certain sites. The Review welcomes the government's commitment to strengthening the IIA offences regime. The priority offences are:

- a 'base' offence of sharing an intimate photograph or film without consent or reasonable belief in consent

- an offence of sharing an intimate photograph or film without consent, with intent to cause alarm, distress or humiliation. The maximum penalty is 2 years imprisonment

- an offence of sharing an intimate image without consent or a reasonable belief in consent, for the purpose of obtaining sexual gratification

- an offence of threatening to share an intimate image

The offences also apply to manufactured, edited, or altered images (including intimate images created artificially or synthetically, often labelled as 'deepfakes').

The current IIA offences have meant that a person has to share or threaten to share an image for an offence to be committed. From my conversations with stakeholders and evidence provided to the Review, it is clear that the current offences do not go far enough in protecting victims of IIA.

On 7 January 2025, the government announced new IIA offences that will be introduced as part of the Crime and Policing Bill later this year.[224] These new offences include the taking of intimate images without consent and the installation of equipment with intent to enable the taking of intimate images without consent.[225]

I greatly welcome and support these new offences, as the crucial starting point when it comes to intimate images should be one of consent. I met with others who have been campaigning on this issue, like Professor Clare McGlynn and Baroness Owen of Alderley Edge, and share their view on the need to shift away from offences that require a certain motive towards offences that are based on non-consent. As per **Recommendation 3**, I look forward to hearing further

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[223] UK Government. (2024). The Online Safety Act 2023 [Priority Offence Regulations 2024]. Legislation.gov.uk.
[224] UK Parliament. (2025). Written questions, answers and statements, tackling Intimate Image Abuse and Sexually Explicit Deepfakes.
[225] UK Parliament. (2025). Written questions, answers and statements, tackling Intimate Image Abuse and Sexually Explicit Deepfakes.

details about these new offences from the government, including how it will capture (among other things) non-consensual content made via nudification apps and other technology.

Technology and sites dedicated to creating pornographic deepfakes[226] are rife online, with research finding that one in every three deepfake tools allows users to easily create deepfake pornographic content,[227] and that it can take less than 25 minutes to create a free, 60-second pornographic deepfake video.[228] This can be quite a lucrative tool, with creators of pornographic deepfakes generating revenue from creating content on demand and selling access to libraries of thousands of videos to deepfake sites for a subscription fee. The Review sought evidence on just how many videos on deepfake sites predominantly contained or were purely IIA content. However, it is incredibly difficult to find quality, conclusive sources on this.

It is my understanding that the offences above, including the new offences, do not apply to imagery previously publicly shared where the person depicted has consented, or the person subsequently sharing reasonably believed that they had consented. This means that content shared or uploaded by online performers and creators, that is subsequently taken and posted elsewhere without their consent, is not captured by the offences of sharing or threatening to share an intimate image. This is a separate issue and is discussed in **Chapter 5**.

Victim-survivor support

In addition to seeking conviction of a perpetrator who has committed an IIA offence, victim-survivors can also seek the takedown of content via support from the RPH, which is partially funded by the Home Office and run by South West Grid for Learning (SWGfL).[229]

Victim-survivors can create a case on StopNCII.org (Stop Non-Consensual Intimate Image Abuse). This creates a digital fingerprint (hash), which is then sent to participating companies to look for and remove if it violates their IIA policy or obligations to remove illegal content. The RPH and Report Harmful Content estimate have reported over 330,000 individual pieces of online content with a 90% removal rate.[230] The 10% of content not removed is due to host-sites non-compliance with requests. StopNCII.org is operated by the RPH as part of SWGfL, and is being used to protect over 1,000,000 images from being share online without consent.[231]

Some platforms that host pornographic content are signed up as partners– including Pornhub, PlayHouse, and Reddit– which means they will receive cases and hashes from StopNCII.org. I

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[226] Some responses to the Review's Call for Evidence opposed the use of the term 'deepfakes' in reference to pornography, arguing that there is a fundamental lack of consent in AI-generated material or synthetic media, with these latter terms implying that the creation is in the hands of artificial intelligence rather than humans with intent. 'Deepfakes' are AI-generated content where a person's face or body has been digitally altered to appear as someone else, sometimes maliciously. Not all deepfakes are harmful or illegal; this is dependent on the content, and if consent was given, and their intentions.

[227] Security Hero. (2023). 2023 State of Deepfakes: Realities, Threats and Impact. Please note, this data is provided by a private data security company.

[228] Security Hero. (2023). 2023 State of Deepfakes: Realities, Threats and Impact. Please note, this data is provided by a private data security company.

[229] South West Grid for Learning is an online safety charity dedicated to empowering the safe and secure use of technology through innovation services, tools, content and policy. It forms one-third of the UK Safer Internet Centre, alongside Childnet and the Internet Watch Foundation.

[230] South West Grid for Learning. (2024). Submission to the Review's Call for Evidence.

[231] South West Grid for Learning. (2024). StopNCII.org Being Used to Protect Over 1,000,000 Images Online.

welcome this, and believe it is crucial that all platforms hosting pornographic content sign up as partners to stop the sharing of non-consensual intimate images on their platforms. The Review recommends that any regulatory framework for the pornography sector should mandate that platforms hosting pornographic content sign-up to StopNCII.org to enable comprehensive coverage across the sector and support more victim-survivors to seek redress.

As was discussed in reference to illegal pornography in **Chapter 3**, the Review has received evidence criticising the current approach to IIA and the process required for victim-survivors to seek justice and redress. **Chapter 3** highlighted #NotYourPorn's summary of the journey to justice for victim-survivors in reference to questions in the Call for Evidence about illegal pornography and IIA.

In particular, and since the Call for Evidence closed in March 2024, campaigners have also called for stronger, more comprehensive changes to image-based abuse laws to support survivors.[232] I strongly agree with the aims of the campaigners and, where in scope of the Review, I have endeavoured to ensure my recommendations can be helpful in meeting these campaign's objectives.

I have heard from stakeholders that victim-survivors of IIA can get excellent, specialist support from services such as #NotYourPorn, RPH, and private safety tech companies, who can support the takedown of images and signpost survivors to the police. That being said, it is clear that some victim-survivors do not know where to turn and there is a lack of trust in enforcement and investigation if they do consider reporting to the police.

Evidence provided in November 2024 by Sam Millar to the Women and Equalities Committee on non-consensual intimate image abuse stated that the police "do not have an infrastructure set up to provide a service that meets the needs of this legislation."[233] It was also stated that there is a "lack of understanding of the legislation" and "very little guidance" about how to undertake a good investigation, with national inconsistency in practice and a need for a trauma-informed curriculum.[234]

Whilst victims of other crimes often get referred to support services by the police and/or health services, many victims of IIA do not have a similar touchpoint. Because of this, they are often not consistently referred to supports they may need. Catherine Fookes MP, when giving evidence to the Women and Equalities Committee inquiry, noted that survivors need "one single person who then takes them through the process…who supports them and is their police liaison officer."[235] Sam Millar also agreed that having a point of contact in a station for any police officer to go to and to support victims is desirable, but the reactive operating model

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[232] Not Your Porn. (n.d.). Open letter to the Right Honourable Peter Kyle.

[233] Assistant Chief Constable Samantha Millar is Strategic Programme Director at the National Police Chiefs' Council for the Violence Against Women and Girls Taskforce.

[234] Women and Equalities Committee. (2024). Oral evidence: Tackling non-consensual intimate image abuse, HC 336. Wednesday 20 November 2024.

[235] Women and Equalities Committee. (2024). Oral evidence: Tackling non-consensual intimate image abuse, HC 336. Wednesday 20 November 2024.

currently in place (also discussed by this Review in reference to policing illegal pornography) limits this.[236]

It is important that survivors and victims have access to tailored support and guidance, and that stigma is removed from those seeking assistance. The Review recommends – as per **Recommendation 15** – that government strengthens its approach to preventing and tackling IIA and improving redress for victim-survivors through a dedicated ombudsman that leads on:

- a central point of guidance, information, and advocacy for victim-survivors, including supporting on securing redress and representation through the criminal justice system

- working with platforms to increase awareness of support available to victims of IIA. For example, platforms could signpost victims of IIA to national support provisions in the safety area of their websites and when they report IIA on a site

- providing specialised training to ensure support services and law enforcement are equipped to support victims of IIA and survivors of trafficking, control, coercion, and abuse in the pornography sector

- being the mediating body between victim-survivors, platforms, police and healthcare services, ensuring they get the support they need in a timely manner

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[236] Women and Equalities Committee. (2024). Oral evidence: Tackling non-consensual intimate image abuse, HC 336. Wednesday 20 November 2024.

Child Sexual Abuse Material

Child sexual abuse material (CSAM) is not pornography. It is important to avoid the use of terms such as 'child pornography', whether formally or informally, in the same way that it is inappropriate to label IIA as pornography, as this implies it is part of a consensual and legal commercial sector.

The Review's Terms of Reference included CSAM as part of its assessment of the wider enforcement landscape around pornography. There is evidence that CSAM has appeared on pornography sites, although we understand from stakeholders that due to efforts from the sector and civil society this material is increasingly uncommon on pornography sites. Evidence provided by the Internet Watch Foundation (IWF) also highlighted the use of adult pornography as a disguise by criminal websites that are used to display CSAM. There is a regime of criminal offences tackling the taking, making, possession, and distribution of indecent images of children which apply equally 'offline' and online. Further detail on this is provided in the Review's Call for Evidence,[237] but a summary is repeated here.

The Protection of Children Act 1978 creates a prohibition on the taking, making, distribution, showing, and possession with a view to distribute any indecent photograph or pseudo-photograph of a child under 18. This includes taking and sending explicit images of yourself if you are under 18. Section 160 of the Criminal Justice Act 1988 makes the simple possession of indecent photographs (or pseudo-photographs)[238] of children an offence. Section 62 of the Coroners and Justice Act 2009 creates an offence of possessing "prohibited images of children."[239] Described broadly, these are of non-photographic visual depictions of child sexual abuse, for example 'hentai' cartoons and computer-generated images of child sexual abuse.

The IWF is a charity that works in partnership with the internet industry, law enforcement, and government to remove child sexual abuse images and videos wherever they are hosted in the world and non-photographic images hosted in the UK. The public can report suspected online CSAM, and the IWF use the latest technology to proactively search the internet for CSAM. About 60% of the IWF's funding comes from over 200 global internet industry members including internet service providers, search engines, social media companies, and small operators; this includes some services in the pornography sector.[240] For example, Aylo partnered with the IWF to form an Advisory Board to establish a Standard of Good Practice for adult services to combat CSAM online.[241] The IWF note the importance of 'high-risk', often smaller sites also adopting a zero-tolerance approach. The Review emphatically agrees with this.

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[237] Department for Science, Innovation and Technology. (2024). Pornography regulation, legislation and enforcement. Gov.uk.
[238] The Protection of Children Act 1978 defines a psedo-photograph as "an image, whether made by computer-graphics or otherwise howsoever, which appears to be a photograph". This definition applies to offences under section 160 of the Criminal Justice Act 1988.
[239]UK Government (n.d.). Coroners and Justice Act 2009. Legislation.gov.uk.
[240] Internet Watch Foundation. (2023). OnlyFans in 'groundbreaking' partnership with Internet Watch Foundation.
[241] Internet Watch Foundation. (n.d.). Adult Content Standards in Combating Online Child Sexual Abuse Imagery.

The IWF's Advisory Board set out six principles for adult services to tackle CSAM. This includes in all countries where services are provided and across all sites, which the Review endorses.[242]

33. Adopt a zero-tolerance approach to child sexual abuse

34. Ensure transparency, with enforceable terms of service

35. Operate with accountability, with clear reporting mechanisms

36. Embrace technological tools and solutions

37. Collaborate with specialists

38. Embrace regulatory and safety initiatives, including voluntary principles

Evidence provided to the Review has shown that although there have been reports of CSAM on mainstream pornography sites, this content is not particularly prevalent. However, this has not always been the case on some mainstream sites. The Review received numerous responses to the Call for Evidence which referenced events of December 2020, where Mastercard, Visa, and Discover blocked the use of their payment processing on Pornhub following a New York Times investigation which found there was content featuring sexual assault, including the rape of children, and videos featuring victims of trafficking.[243] This decision, alongside the #Traffickinghub campaign run by Laila Mickelwait, with organisation Exodus Cry,[244] led to Pornhub removing over 10 million videos comprising of previously unverified content (the majority of its content at the time) and preventing unverified users from posting new content.[245]

Law enforcement, civil society organisations, and anecdotal Call for Evidence responses from individuals provided information on pathways taken by those who view CSAM. Some of this evidence highlighted the potential relevance (rather than causal nature) of having viewed pornography, especially illegal pornography, to subsequently viewing CSAM. Whilst there is anecdotal evidence exploring this pathway, there is not robust research demonstrating this empirically, and research that has been done generally relies on self-reporting– often by actual offenders rather than being representative of the general population. The Review directs readers to the recent work of the Lucy Faithfull Foundation,[246] a UK-wide charity that works to prevent child sexual abuse and runs the Stop It Now helpline. This service is available to anyone with concerns about child sexual abuse, including adults worried about their own or someone else's thoughts or actions towards children. In 2023, the Stop It Now helpline spoke

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[242] Internet Watch Foundation. (n.d.). Adult Content Standards in Combating Online Child Sexual Abuse Imagery.
[243] Kristof, N. (2020). The Children of Pornhub. The New York Times.
[244] Exodus Cry is an American Christian non-profit organisation which seeks the abolition of the legal commercial sex industry, including pornography.
[245] Paul, K. (2020). Pornhub removes millions of videos after investigation finds child abuse content. The Guardian.
[246] Please see the Lucy Faithfull Foundation report published in May 2024: What's porn got to do with it? The link between viewing adult pornography and online sexual offending against children. Available at: https://www.lucyfaithfull.org.uk/research/whats-porn-got-to-do-with-it-the-link-between-viewing-adult-pornography-and-online-sexual-offending-against-children/

to 3,400 individuals who contacted their helpline in a relevant target group[247] and 26% self-reported having a 'problem' with pornography.[248]

Evidence provided by the National Crime Agency (NCA) noted that online offenders arrested for the possession of extreme (illegal) pornography have stated the material they accessed became more extreme over time. The NCA assessed this was often linked to excessive consumption, and it is likely that sexual gratification began to diminish, and it became more difficult to satisfy their appetite. Please see **Chapter 2** for more discussion on viewing habits and prohibited content, and **Chapter 6** for discussion on 'problematic porn usage'.

Lastly, in our discussions, the NCA and IWF described how AI technology is now being used to create CSAM, with the 2024 IWF report provides further detail on this.[249]Both the IWF and NCA highlighted in engagement that the UK law is clear that to create, possess, or distribute even purely AI-generated CSAM material or 'pseudo-imagery' is just as illegal as traditional images and are investigated as such. They stressed that these images are harmful both where they draw on an image of a real child, as well as in the normalisation and escalation of abuse among offenders. I have also learnt how some AI models learn from data through a range of training techniques such as supervised learning or image annotation, 'scraping' the internet for images of children, from which perpetrators can create CSAM through prompts.

Tackling CSAM and IIA

Chapter 1 set out some of the potential harms of emerging technology, but there are also opportunities for new technology to keep users safer online. One important piece of safety technology that could be better utilised on platforms hosting pornographic content is hash-matching technology, or 'hashing'. Hashing assigns an image or video a 'hash', a unique digital signature which can then be compared against databases. This hash can be used to identify exact matches of the original content, and perceptual hashing can be used to determine if content is very similar to the original video or image.[250] Through 'hash-matching', content is compared to a database of hashes, or across a platform, and content can be identified. Hash-matching is used in the UK for identifying CSAM content, led by the IWF. The IWF reactively tackles and proactively searches for CSAM content, reporting the criminal content to law enforcement globally, or a sister hotline within INHOPE[251] (dependent on hosting location).

Under the OSA, user-to-user and search services in-scope are required to prevent and remove illegal content, which includes CSAM and IIA content. Ofcom can recommend the use of proactive technology to identify and remove CSAM content. However, this is not the case for IIA content. There are well-known cases in the UK of IIA content being shared online and taken down, on at least some sites, but then re-uploaded onto different platforms.[252] It is an onerous

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[247] These individuals were categorised as 'adults and U18s who have abused, are close to abusing or are worried about their thoughts or behaviours'.

[248] Lucy Faithfull Foundation. (2024). Submission to the Review's Call for Evidence

[249] Internet Watch Foundation. (2024). Artificial Intelligence (AI) and the Production of Child Sexual Abuse Imagery.

[250] Ofcom. (2022). Overview of Perceptual Hashing Technology.

[251] INHOPE is the International Association of Internet Hotlines.

[252] Zara McDermott's BBC documentary 'Revenge Porn' explored her experiences alongside others who have been affected by IIA. Available at: https://www.bbc.co.uk/programmes/p096h12v

process for victims to continuously fight to get their non-consensual intimate image removed. This process should be made easier so that IIA content only needs to be flagged once and from there can be taken down and prevented from being re-uploaded across platforms.

I therefore believe that proactive technology should be mandatory for IIA on platforms to standardise the process for removal and tackle the spread of this illegal content across sites – see **Recommendation 27**. I recognise this would go further than current OSA provisions for CSAM content, where proactive technology is not mandatory but is rather a measure companies can choose to take. Broadly, CSAM is not in the scope of the Review aside from where it is found on pornography sites, so whilst I am not making a formal recommendation on this, I urge government to review making proactive technology mandatory for CSAM also.

The Review understands that traditional image detection is based on hash-matching images against known images. Obviously, AI facilitates the manipulation of existing images and the creation of huge volumes of new images. Neither will be detected by hash-matching approaches. To this end, government should look to explore what type of technology could be used to identify and tackle AI-generated illegal IIA and CSAM, as set out in **Recommendation 28.**

Lastly, it is of paramount importance that companies and developers of AI models work to ensure that technology cannot inherently, or does not allow, illegal pornographic content or CSAM material to be created (both purposefully and inadvertently). This could be carried out at several intervention points; for instance, at the prompt-level developers could ban having combinations of prompts, as well as at the training and testing stages of AI. See **Recommendation 30** for the detail on this.

'Nudification' apps

'Nudification' apps, also known as 'nudify' or 'undress' apps, allow users to easily create pornographic content of any real-life person - celebrities, strangers, or anyone of whom the user has access to an image of. Although this is slightly outside of the specific scope of this Review, given the cross-cutting nature of these apps' harms, and with much of the content being described in the media as 'pornographic', I felt it right to include them in this Review.

Nudification apps are not allowed on Apple's App Store or the Google Play Store, and the platforms remove such apps once they are detected or reported.[253] Per Apple's App Review Guidelines, pornographic applications are not permitted and "apps with user-generated content or services that end up being used primarily for pornographic content…do not belong on the App Store and may be removed without notice".[254] The Google Play Store does not allow "apps that contain or promote sexual content…including pornography" and apps that "distribute non-consensual sexual content."[255] However, despite these terms, nudification apps can still be accessed via plug-ins or through the application's website, with some being easily accessible via a Virtual Private Network.

Children and young people have been reported to be using nudification apps, with some high-profile international cases reporting school children using nudification apps to create and share nonconsensual sexual images of their classmates and teachers.[256] [257] In evidence submitted to the Review, the UK Safer Internet Centre has found that nudification apps are impacting schoolchildren across the UK.[258] However, in evidence provided to the Review, the IWF stated that it believes many children do not know that using nudification apps and tools on images of their peers can be classified as an offence of making (and in some cases showing or distributing) an indecent (pseudo-)photograph of a child under the Protection of Children Act 1978.[259] This demonstrates the need for stronger regulation of such apps alongside better public awareness campaigns targeted at young people.

Nudification apps are low cost and straightforward; providing an entry point into creating pornographic deepfakes, and monitoring consent on such apps is not robust with many apps not requiring proof of consent to create content. Images created using nudification or nudify apps can impact victims emotionally, psychologically, and socially. Victims must live knowing nude images of them are available online and many younger victims struggle navigating social environments like school as a result – especially given that this content would constitute CSAM if those in the image are under 18 years old.

Nudification-app generated images have also been linked to sextortion with criminals using these images to entrap victims to send them money or to gain ransom payments from the

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[253] Maiberg, E. (2024). Apple removes nonconsensual AI nude apps following 404 media investigations. 404media.

[254] Apple. (n.d). App Review Guidelines.

[255] Google. (n.d.). Inappropriate Content.

[256] Hedgecoe, G. (2023). AI-generated naked child images shock Spanish town of Almendralejo. BBN News.

[257] Singer, (2024). Spurred by Teen Girls, States Move to Ban Deepfake Nudes. The New York Times.

[258] UK Safer Internet Centre. (2024). Submission to the Review's Call for Evidence.

[259] Internet Watch Foundation. (2024). Submission to the Review's Call for Evidence.

subjects of the images.[260] Although this is not pornography, it is important to highlight the full scale of harm from these apps. Internet Matters have explained that nude deepfakes and nudification app images are "a profound invasion of bodily, autonomy and dignity, and their impact can be life-shattering" with the organisation noting such content disproportionately impacts women and girls.[261] [262]

At a minimum, I believe nudification apps should be required to establish the age of users to ensure children cannot access or use these apps. Given the harms associated with nudification apps, especially to young people and women and girls, I firmly believe a further step is required and that these apps should not be accessible in the UK. As set out in **Recommendation 29**, government should consider a ban on apps where the sole purpose is for users to 'nudify' themselves or others. This could, for example, be a ban of the technology at device level so that users in the UK are not able to download these apps. Although these apps can also be used to make consensual content, the risk of non-consensual images being generated is high and harmful, and so the technology itself should be made inaccessible.

[260] Elsesser, K. (2023). Apps That Undress Women's Photos Surge in Popularity What Could Go Wrong? . Forbes.
[261] Landi, M. (2024). Apps that create deepfake nudes should be banned, says online safety group. Independent.
[262] Internet Matters. (2024). The New Face of Digital Abuse.

Conclusion

I have found that the current legal framework and criminal justice system for tackling Intimate Image Abuse, which causes significant harm to individuals, as well as cultural harm to our society, needs to go further to support victim-survivors and provide them with effective redress. Individuals must navigate a complex and inconsistent criminal justice system without a clear point of contact, a lack of trauma-informed care and no clear one pathway of support to seek justice. This onus is heavy to carry, and government needs to do more to change this state of play. The potential ease of abuse provided by nudification apps has appalled me, and I make recommendations to government as to how they can tackle the risk of non-consensual use of these apps by children.

On CSAM, given the scope of the Review, this chapter has discussed it in reference to where it is found on pornography platforms. Thanks to enormous progress from campaigners and the dedication of organisations like IWF it is now far less common on these platforms. Whilst I am not making a formal recommendation on this, I urge the government to review making proactive technology mandatory for CSAM as part of its broader work on online safety.

Chapter 5: Safety in the sector

This chapter will focus on safety in the sector, with a particular focus on exploitation and best practices to combat this. Some of this discussion may therefore be distressing or upsetting for readers. I will discuss performers' welfare, consent practices, and the financial discrimination those in the sector often experience. I should highlight that, although offline content is primarily produced by larger production companies, online content is a mix between user-generated content, smaller production companies and larger production companies. This means that the safeguards and best practices in this chapter are relevant to different types of content in different ways.

Human Trafficking

For the purposes of this Review, I will use the Home Office definition of human trafficking, which "involves the recruitment or movement of people for exploitation by the use of threat, force, fraud, or the abuse of vulnerability."[263] The National Crime Agency points out that "adult services websites often unwittingly play a key role in expanding trafficking offenders' client bases."[264] For example, as a recent court case in the United States showed, there are instances of adult service websites hosting advertisements for modelling jobs that instead coerced aspiring models and actors to participate in a pornographic shoot, signing a contract without proper time to consider, with the content being uploaded to platforms.[265] Because mainstream pornography websites host content that is made all over the world, but is available for UK consumers to view, overseas trafficking is still relevant to the UK market and regulation. Although I am aware many platforms take significant steps to address issues like this through consent forms, content detection, and tracking tools, I think it is important to highlight this issue. Improving our understanding of the prevalence of trafficking and its signifiers online, as well as preventing it from taking place, are among my top priorities in increasing safety in the pornography sector.

I have spoken to trafficking survivors as well as civil society groups working with survivors, but the exact extent of the issue is difficult to determine. In the UK, the National Referral Mechanism (NRM) is a Home Office framework for identifying and referring potential victims of modern slavery and ensuring they receive appropriate support.[266] If a first responder suspects someone is a victim of trafficking/modern slavery, they complete an online referral form, which is then considered by a relevant competent authority. Adults whose cases are under consideration have access to specialist, tailored support for a period of at least 30 days. Statistics published on the NRM indicate sexual exploitation accounted for 11% of adult NRM

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[263] Home Office and Office for Health Improvement and Disparities. (2022). Guidance: Human trafficking: migrant health guide. GOV.UK

[264] National Crime Agency. (2022). Modern Slavery and Human Trafficking. NCA.

[265] United States Attorney's Office. (2021). Press Release: Trafficking Sentence in GirlsDoPorn Sex Trafficking Conspiracy. Justice.gov.

[266] Further information available at: National Referral Mechanism (England and Wales).

referrals in 2023.[267] However, it is important to note that, despite the common association with the pornography sector, sexual exploitation is still an umbrella term for a variety of behaviours that do not necessarily involve pornography.

Some research findings depend on who comes forward. For example, while many victims of trafficking in the UK use the NRM, adults must provide informed consent to use it, whereas children under 18 must be referred to it and do not have to consent. Thus, the total may not represent the true number of victims. Likewise, "due to the hidden nature of the crime, and increased barriers to reporting as a result of increasingly tough anti-immigration laws and threats of deportation, many victims of modern slavery are unlikely to come forward."[268]

Exact prevalence is even more difficult to pin down when the methodologies are flawed or skewed, which is not properly acknowledged in headline reporting on the issue. The existing data is quite weak. For example, a 2016 literature review found that 78% of books on sex trafficking cited one of three reportedly flawed sources of prevalence data without acknowledging the limitations of these data sources.[269]

While female performers may face the brunt of occupational issues in the pornography sector,[270] they are also among the strongest voices in combating exploitation and demonstrating best practices in how to offer support and safeguards. In taking steps to combat trafficking, we must avoid assumptions, look to cases of best practice for how to reach victims, and regard trafficking as something which can be removed from the pornography sector, rather than an inherent component of it.

During this Review process, I have spoken to survivors who have been trafficked into pornography. Their experiences are harrowing and have emphasised just how little is known about this awful practice.

> *"Three and a half weeks was enough to damage me mentally and physically for life."*-Kate Zac, trafficking survivor and campaigner

While we have heard and reviewed reports that trafficking into pornography takes place, the prevalence and exact way in which this happens is difficult to confirm. To tackle trafficking in pornography, government first needs to understand how big the issue is, how it links to other forms of exploitation more broadly and how the criminals behind it operate. **Recommendation 17** therefore suggests how to improve empirical understanding, for example by commissioning research with academics, civil society, the pornography sector and law enforcement.

Another important facet of this issue, which is most helpful for trafficking victims and survivors, is an exit route. Fortunately, there are organisations that engage with trafficking victims and other individuals who want to leave the sector. They provide robust support, a space to talk

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[267] Home Office. (2023). Modern Slavery: NRM and DtN statistics, end of year summary 2023. GOV.UK
[268] Hestia. (2024). On our streets: The changing face of modern slavery in London. Hestia.
[269] Lerum, K, & Brents, B. G. (2016). Sociological Perspectives on Sex Work and Human Trafficking. Sociological Perspectives. 59(1).
[270] Grudzen, C. R. et al. (2009). Pathways to Health Risk Exposure in Adult Film Performers. Journal of Urban Health. 86(1): 67-78.

and recover a sense of independence. In the UK, organisations like We Are Survivors, which engages with men, and Women at the Well, a London-based drop-in centre, exemplify good practice in this space. In the US, Rahab's Daughters assesses the survivors they work with using the Arizona Matrix for Self-Sufficiency to determine which key areas of their lives need to be strengthened in order to decrease dependence on pornography or, where applicable, abusers.[271]

Welfare, harm and exploitation

While the job of this Review is to explore the issues within the sector and how it can be improved, it would be remiss not to acknowledge that some stakeholders in the sector indicated to us the ways in which their work is fulfilling and enjoyable. National Ugly Mugs (NUM), a UK-based charity that researches, designs and delivers safety tools and support services to sex workers, and advocates for their rights,[272] conducted a recent survey of its membership for this Review.[273] I am grateful to all the performers and creators who took the time and effort to respond, and to NUM for their facilitation and work on this survey. I will cite some of their findings below.

Further evidence from members of the Sex Workers' Union (SWU) states that working in the pornography sector has improved their wellbeing, financial circumstances, work/life balance, sense of autonomy, and mental health.[274] The support and education that is available, such as through organisations like NUM, SWU, Pineapple Support and SNAP Together improves workers' understanding of sexual health and consent, and helps them to establish professional boundaries on their own terms. Stakeholders have said that one of the critical ways to increase safety in the sector is through empowering performers, so that they are able to identify mistreatment or exploitation and speak out. And there are organisations such as DecrimNow, which campaigns to decriminalise sex work and eliminate the negative stigma that adult entertainment performers face.[275] I will address such stigma in greater detail below.

First, however, if we are to improve safety in the sector, we must understand how exploitation manifests and impacts workers' wellbeing. I have found vast disparities between how performers and creators of studio-produced pornography are safeguarded, versus those that are self-employed and create user-generated content hosted on tube or subscription platforms.

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[271] Massachusetts Government. (2020). Arizona Matrix for Self-Sufficiency.
[272] National Ugly Mugs. (n.d.) About. NUM.
[273] This survey received 43 responses over the course of 13 days from adult entertainment workers. NUM offered a £20 voucher for participants who were identified as industry members in dire need. Respondents were aged between 18 and 60 years old, with the majority (40%) aged 31-40 years. 63% of the sample identified as female, 16% as male, 9% as non-binary, 5% as transgender women and 2% as transgender men. Participants lived across the UK, the majority of whom were based in the South East, London, West Midlands and the Humber. The survey used non-probability sampling—promotion on social media and among sex worker groups and informal networks—which can lead to more biased results given the specific subject matter knowledge, but for the purposes of this report is useful as it includes direct testimonials from workers within the sector and is useful for hearing from hidden and marginalised populations.
[274] Sex Workers Union (SWU). 2024. Written Evidence for the Independent Review into Pornography Regulation, Legislation and Enforcement.
[275] DecrimNow. (n.d.). About. DecrimNow.

Lack of Ownership Over Online Content

For those working in the pornography sector, the shift to online pornography has largely reshaped how their content is disseminated and the audiences they can reach. Tube platforms have provided pornography creators with a global audience and the ability to share a wider range of content.[276] Additionally, for some performers, the shift to online has changed how they produce and distribute content; for example, while pornography creators continue to create 'traditional' pornographic videos that are shared on websites, we are also aware of individuals moving to pay-for-service platforms, where content can be made on demand and tailored to performer and customer desires.

Additionally, this shift to the online world for mainstream pornography has meant performers have much more flexibility and control in how and when they work. NUM noted that many performers feel empowered by their ability to express their sexuality and creativity through their own content, and that this empowerment comes from having control over their work, setting boundaries, and deciding which content they produce.

However, the lack of regulation and transparency around platforms' approach to the content they host — and decisions on what to remove — can pose issues for creators. As the Fairwork Sex Work Project's report on working conditions within the online sex work industry notes, these platforms "are digital intermediaries that enable interactions between sex workers and their clients."[277] I have heard from creators that some platforms can police content without transparency or notice, meaning it is not clear to creators on what basis their content is being removed. Likewise, contracts between performers and platforms lack clarity in terms of what types of content are allowed, leaving it to the performers to navigate ambiguous terms and conditions.[278] In both the Fairwork report and in our discussions, creators noted that they are often unaware of platforms' appeals processes, or find them unclear. They suggested that there should be a robust appeals process if content is removed from a site without notice, be it a dedicated pornography platform or a social media website, and they disagree on its categorisation. Indeed, as the Online Workers Working Group of the SWU stated in their submission to the Call for Evidence:

> "Online sex workers such as the webcam and porn performers in our union are exploited by unregulated male-owned adult platforms…which police our visibility, algorithmically privilege misogynistic and racist content…and take extortionate fees from our earnings."

Such an appeals process could provide performers with routes to request greater transparency from platforms about why content was removed or de-prioritised. As one performer told me:

> "Platforms are our greatest asset and our greatest exploiter. They can increase fees with no warning, delete our entire archive without notice or justification, and

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[276] Brown, N. (2022). The new campaign for a sex-free internet. Reason.

[277] Fairwork (forthcoming), Platform Sex Work: Working Conditions Within the Online Sex Work Industry. Oxford, United Kingdom.

[278] Fairwork (forthcoming), Platform Sex Work: Working Conditions Within the Online Sex Work Industry. Oxford, United Kingdom.

> *they can change their content rules on a dime ... we want accountability for the decisions they make." –Performers & Creators roundtable attendee*

Several stakeholders in the sector raised best practice standards for performer-safeguarding that take place on produced pornography sets (as opposed to user-generated content). These include the following:

1. A third-party Performer Liaison for directed/produced pornography: They are neutral parties entrusted to build relationships with the performers well before the film shoot, discuss the boundaries of content within the scenes, and call "cut" if those boundaries are overstepped, or if they recognise something is wrong. Unlike intimacy coordinators, they are hired by both the performer and producer, and the performer's fee is raised to compensate for the Liaison's presence.

2. A cooling off period: Following what are often intense film shoots, performers could be entitled to a pre-determined period of time to rest and recuperate, without risk of losing income. At minimum, performers should be entitled to take breaks on set; if a director does not respect this, performers should have reporting channels signposted to them before filming.

3. Behind-the-scenes content: Additional content — such as behind-the-scenes clips, performer interviews and release forms — helps ground a viewer in what pornography production involves. Such material states that what a viewer is about to watch is a production, not reality.

There is a clear issue of inconsistency between how platforms enforce safety protocols, processes and safeguards, depending on the type of content they produce – studio pornographic content, or hosting user-generated content. This means self-employed creators are not supported or safeguarded in the same way as those employed by a studio. This disparity needs to be tackled. See **Recommendation 21** for how the sector should action this by having in place consistent safety protocols, processes and safeguards to ensure all performers are consenting adults.

Negative Stigma and Financial Discrimination

I have heard from stakeholders that negative stigma and misconceptions of the pornography sector has led to harmful treatment from law enforcement, public authorities, medical practitioners and the finance sector. In particular, the financial sector can regard the pornography sector as highly risky, leading to issues such as payments being withheld, and to a pattern of financial discrimination.[279]

People working in the pornography sector often find their bank accounts cancelled with no notice, or their wages never appearing in their accounts; this not only affects performers, but also administrative staff at support organisations or unions. In my engagement, I heard cases where multiple banks cancelled a client's account due to them working in the sector.[280] More

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[279] Financial Conduct Authority. (2024). UK Payment Accounts Access and Closures: Update. FCA.
[280] Hacking//hustling. (n.d.). Online Platforms and Sex Worker Discrimination.

than 80% of SWU members have experienced some form of financial discrimination from banking services, including refusal of services such as mortgages and loans, account access restrictions, and fund seizure under investigation.[281] Likewise, the Free Speech Coalition's global 2023 survey reported that 63% of those earning money in the adult industry have lost a bank account or financial tool due to their income source.[282] It should be noted that the majority of that survey's respondents were based in North America, but this finding nonetheless corresponds with the experience of UK-based workers in the pornography sector with whom I have spoken.

Cancelling bank accounts of pornography sector workers is a dangerous practice, as it affects their ability to receive wages, make essential payments such as rent, and potentially increases their reliance on harmful individuals.

Financial independence and stability are essential in combatting exploitation, and financial discrimination against those working in the pornography sector contributes to a heightened risk of exploitation. A key component of independence is workers' ability to manage their finances, negotiate, and navigate any challenges that arise. This financial literacy, as various performer and victim-survivor support organisations mentioned in our engagement, is a critical tool when trying to exit the industry.

By making the sector safer and more ethical, risks to investment should also be reduced. In other words, greater, clearer regulation of the sector (as mentioned in Chapter 4) could reduce the risk profiles of pornography performers, platforms, dedicated tech companies and associated support organisations in financial services' eyes.

Additionally, financial institutions would be able to act consistently, with a clear idea of what is and is not legitimate. The Financial Conduct Authority (FCA) recently published a paper on this matter, in which they explicitly addressed the issues adult performers face with account closure. The report recommends, based on the latest Consumer Duty, that "a firm should consider how its interactions with the retail customer can support the customer's progress towards the objective of opening, using and enjoying the benefits of a payment account. This includes the proactive provision of information…and any relevant support the firm is able to offer when it decides to reject an application or terminate an existing payment account."[283]

When refusing or terminating accounts, firms should be clear about what their decision is, what it means for the customer and the steps the customer could take (which include highlighting other options available to the customer). Such decisions should be made on reasonable grounds, such as real risk of financial crime. The report further states, "we expect that firms' internal governance, policies and procedures should ensure that reasons for rejecting applications or terminating accounts do not lead to account access decisions that are contrary

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[281] Sex Workers Union. (2024). Submission to the Review's Call for Evidence.
[282] Free Speech Coalition. (2023). Financial Discrimination in the Adult Industry. FSC.
[283] Financial Conduct Authority. (2024). UK Payment Accounts Access and Closures: Update. FCA.

to their legal and regulatory obligations in relation to direct or indirect discrimination" and that staff involved in these decisions should receive adequate training to make these decisions.[284]

This would become a self-reinforcing cycle of decreased discrimination reducing risk of exploitation and opening the door for more investment into safety solutions that could significantly improve welfare in the sector.

The financial issues do not only affect individuals. As I mentioned above, pornography is considered a high-risk sector, and indeed the FCA points out that "the rationales given by firms for [account] exits were usually based on financial crime or reputational grounds."[285] However, to deter such crime or reputational damage, financial discrimination against legitimate work occurs, and as a secondary impact, there is a lack of investment and funding for ethical producers, and the development of safety tech, as highlighted in **Chapter 3**.

These companies provide a glimpse of different models of pornography, both in its treatment of performers and the content it produces. However, employees of these companies often face financial discrimination solely for working in pornography, even if they are not performers themselves. The Review has spoken to numerous self-titled 'ethical' sites to learn about their experiences, some of which have been detailed in **Chapter 2**. MakeLoveNotPorn (MLNP), which showcases content that seeks to end rape culture, and counter the so-called 'male gaze' of mainstream pornography, provided detailed evidence to the Review on this topic. In my discussion with the platform, I learned that it has struggled to secure venture capital funding — it took four years to obtain a business bank account — and that payment processor rates are higher for MLNP than for larger pornography sites. Without substantial funding behind the enterprise, they rely primarily on user subscriptions, which are hard to garner without advertising or opportunities to build a reputation. Likewise, the founder noticed the platform is de-prioritised in search results.

The growth of safety-tech and best practice platforms should be encouraged; investment could encourage the change required to address emerging harms and risks. Although the pornography sector is considered high-risk, the impacts of financial discrimination and misplaced regulatory responsibility can be more harmful than beneficial to both performers themselves and the wider UK economy. Stakeholders consulted for this Review, whose accounts have been cancelled, have cited increased mental health issues —from high stress to depression and isolation. This issue is quite complex, and often platform-dependent, but Government should consider financial discrimination in any future policymaking that affects this sector.

Financial discrimination in the pornography sector needs to be tackled, both to ensure those that work in it are not left vulnerable from de-banking, but also to ensure safety tech and the companies doing it right are able to flourish and innovate. Whilst more regulation on content and safety by design should this to some extent (as outlined in **Chapter 4**), government needs

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[284] Financial Conduct Authority. (2024). UK Payment Accounts Access and Closures: Update. FCA.
[285] Financial Conduct Authority. (2024). UK Payment Accounts Access and Closures: Update. FCA.

focused action in this space. See **Recommendation 18** for clearer direction on this matter by tackling barriers that those in the sector face in accessing financial services and investment.

Consent: Abuse of Consent, Withdrawal of Consent & Stolen Content

In pornography, consent not only applies to what one agrees to do on screen, but how and when a performer is paid, how their content is used, and for how long it is available to view. This section covers the three key areas in which consent issues arise: when consent is abused during filming/content creation (control, coercion and assault), when a performer wants to withdraw their consent after the content has been published, and when a performer's content is stolen and manipulated for someone else's gain.

Abuse of Consent

In my engagement with both performers and survivors of trafficking within the sector, some of them reported instances of coercion, in which producers (often male) will pressure their performers (often female) to participate in acts they do not want to do. I mentioned above the financial pressures a performer can face when deciding whether to consent to a certain act, but this does not solely take place in contract negotiations. I have heard from those I spoke to that on set, sometimes in the middle of filming, a performer might be put in a situation that was not part of their prior agreement, whether by the director or their scene partner(s), and be unable to report what can amount to sexual assault. This is especially concerning when a performer has already signed a release form on the condition that they perform certain acts, which they have consented to. Should that consent be violated or not respected during filming, the performer has limited resources to raise a complaint. The release form is what entitles a performer to receive pay for their work, which creates a power imbalance on set between producer and performer.

There are generally good protocols in place to provide assurance that a performer has consented to the acts performed in a specific video and that they are of age. Stakeholders consulted for the Review have reported that most mainstream platforms require performer release forms to be submitted before allowing a user to upload a video. It is right that platforms are cautious during this process and will not allow the video to be posted unless extra steps are taken. In addition, performers may be required to self-tape, or film themselves verbally providing consent, as well as confirmation that they were not coerced to perform.

Such protocols are hailed as good practice. A 2021 public attitudes survey conducted by the CEASE found that 81% of the British public supported laws to ensure people featured in pornography give their consent before videos are uploaded.[286] When I met with Alia Azariah, a survivor of trafficking in the pornography sector in the US, she raised the point that performers, sometimes aged 18 or 19, are often asked to sign a legal document with no lawyer present, and no prior warning that the contract may be written to protect the manager, not the performer.

However, performers have warned of workarounds that are unfortunately common on unethical film sets. For example, while someone can say on camera that they consent, they might have

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[286] Centre to End All Sexual Exploitation. (2021). CEASE.

been pressured to do so. It should be stated that I have not found these workarounds are necessarily common practice, but rather they are risks that current safeguards do not adequately address. Therefore, safeguards, such as the ones listed in the previous section, can help address this, alongside clear accountability and reporting routes.

Withdrawal of Consent

Pornography performers should have the freedom to change jobs when they are ready to leave the sector, yet face significant restrictions. Namely, when a performer no longer wants their content to be available online, or their content has been misused on a different platform, it can be difficult to ensure that content is removed. Given the inherently sexual and personally revealing nature of pornographic content, empowering performers with the ability to easily and thoroughly withdraw content without repercussions is critical.

Withdrawing consent, and therefore the content in which one appears, is not a decision that performers take lightly. There are costs associated with the creation of content, and its removal may mean that content no longer generates income, which could result in cutting off a segment of income to a performer, their co-star(s), producer or director. In some cases, if a user has purchased the content and may retain it offline, or subscribed to receive the performer's work, this makes it more difficult for a performer's content to be deleted completely. I acknowledge that there are obstacles to overcome due to contract law and cost recovery of film production. Nonetheless, I believe consent must supersede any other consideration. If a performer or ex-performer wants a video removed, I believe their request should be granted.

One of the solutions we have heard from stakeholders on this topic is to use technology such as hashing or a digital identity stamp to track down content that a performer has withdrawn their consent from. This involves an image or video being assigned a unique code, or 'hash', that allows one to track where the content is located across the web. When this content then appears on another platform, hashing enables a platform to locate it and take it down.

Platforms should also honour requests for removal within a reasonable period of time and the process should be transparent and simple. Platforms should actively publish transparency reports so that performers as well as users can judge them on their record.

To this end, there is a lack of streamlined standards and processes across the sector to enable performers and creators to withdraw consent and remove content. See **Recommendation 22** for my proposal on how the sector could tackle these issues.

Stolen Content

Content 'theft' presents multiple problems for performers. Primarily, they do not earn any money when their content is posted on free-to-view websites and, in some cases, performers have reported instances in which their videos have been re-edited, both with and without generative AI, to depict them performing extreme acts they did not consent to. As a response to the Call for Evidence highlighted:

> *"How come when people steal my content and post it online it's not illegal pornography? Where are the rules to protect sex workers…Please allow sex workers into revenge porn and illegal pornography discourse"* -Call for Evidence respondent

In 2021, the Revenge Porn Helpline conducted research with the University of Leicester, finding that the Helpline has seen an 80% increase in cases from sex workers from 2019 to 2023 – meaning 300 adults were seeking a type of support which is not provided by any dedicated UK service. 40% of survey respondents noted that they were able to report misuse to adult platforms but responses to this were inconsistent and lacked understanding and accountability.[287] NUM also highlighted this omission in their 2021 research into Sex Worker Experiences of Image-Based Abuses, finding that there was a lack of consequences for those who commit this 'visual violence' in online spaces.[288] In their response to the Call for Evidence, they highlighted pervasive content theft as an issue affecting workers in the industry, particularly due to the financial and emotional toll of trying to get content removed.

The primary mechanism used to remove content is the Digital Millennium Copyright Act (DMCA), a 1998 US law that entitles intellectual property owners to submit complaints to an online service provider who must remove the content in question.[289] Such complaints are referred to as DMCA Takedown Notices. Despite being enacted in the US, the amount of internet-related activity that has a sufficient link to the US's federal jurisdiction, and the fact that DMCA's provisions, as an implementing act, are aligned with international agreements, often means that companies are likely to comply with these takedown notices.[290]

However, in my discussions with both platforms and performers, I was told that while DMCA Takedown Notices are honoured on larger pornography websites, some smaller platforms are less likely to respond to such requests. In a mixed-methods study conducted by the Revenge Porn Helpline and South West Grid for Learning, it was reported that sex workers' complaints about their content being misused are largely ignored by platforms.[291]

According to performers who have undergone the process, as well as representatives from the Free Speech Coalition, takedowns are quite labour-intensive, and an individual often does not have the resources nor capacity to follow through and completely remove their content from the web. Takedowns involve chasing every website that features their content, manually submitting a request, and then tracking the status of each submission. The documentation can

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[287] Sanders, T., et al. (2023). Non-consensual sharing of images: Commercial content creators, sexual content creation platforms and the lack of protection. New Media & Society.

[288] Redman, S. and Waring, C. (2021). *Visual Violence: Sex Worker Experiences of Image-Based Abuses*. National Ugly Mugs.

[289] 105th Congress of the United States of America. (1998). Digital Millennium Copyright Act. U.S. Government Publishing Office.

[290] 105th Congress of the United States of America. (1998). Digital Millennium Copyright Act. U.S. Government Publishing Office.

[291] Sanders, T., et al. (2023). Non-consensual sharing of images: Commercial content creators, sexual content creation platforms and the lack of protection. New Media & Society.

be quite onerous to complete, and performers must use their legal names to validate their requests, whereas many in the sector use a professional alias for privacy and safety reasons.

There are cases of platforms helping their users protect their copyright, including through dedicated options to report stolen content, issuing DMCA takedown notices on behalf of performers and creators as well as providing advice on legal options. There are also companies offering content and copyright protection services, such as digital watermarking – please see the text box below for an example.

Best Practice: Image Angel

Image Angel helps safeguard pornographic material from unauthorised use and aims to prevent technology-facilitated violations of content creators' privacy. Using Image Angel, platforms can embed images with an invisible fingerprint, or digital watermark, containing a user's transaction ID, without compromising image quality. When a user views or downloads an image, the image URL is wrapped in an Image Angel URL to protect the original image. The URL is encrypted to further protect the watermark ID from being tampered with without detection. Should an image be downloaded and subsequently distributed elsewhere, perpetrators can be easily identified by tracing the watermark across the web.

Its technology can be integrated into any image-sharing platform via its API, and Image Angel offers tech support to ensure efficient implementation. At time of access, Image Angel has protected 24,561 images and 300 creators.

Furthermore, Image Angel offers support for victims whose content has been non-consensually shared/distributed. Its staff serve as an intermediary between victims and the identified platform, and work with platform administrators to combat the privacy violation. For example, Image Angel could advocate for the perpetrator's account to be removed, and/or to 'share their details with law enforcement and crime databases.' The website also offers a 24/7 chatbot and hotline number for creators whose protected images are stolen, and practical steps to act. These support services are free.

Overall, however, there are currently few if any consistent processes in place to tackle stolen content for performers. This was one of the primary issues I heard from those I spoke to in the sector, and it needs a joined-up sector approach to resolve. In addition to stolen content falling in the prohibited category as per **Recommendation 1,** I believe platforms should have robust protocols and processes in place to prevent and respond to stolen content, as I have set out in **Recommendation 23**.

Conclusion

As stated throughout this chapter, the need for more safety, protection and regulation is clear. Fortunately, this is supported by both performers and victims alike, as long as their experiences and needs are given equal weight in the policy development process. Without a unified approach to safety across the pornography sector, cracks will continue to form, leaving performers and content creators prone to exploitation. Likewise, such protocols could protect performers from being coerced into appearing in content or performing certain acts they would otherwise not consent to. The best practices highlighted above are just a few examples of what can be done to improve the status quo, but it is worth exploring and onboarding proven safety protocols across the sector, from age verification checks and proof of consent to health and safety support and reporting routes, should anything go wrong.

On exploitation and trafficking specifically, the evidence base on which the government could take action and support survivors trafficked into the pornography sector needs vital work. Until this is gathered, it is very difficult to determine the best way to tackle this problem. Equally, the government must continue to include performers and workers within the sector in conversations regarding how to reduce exploitation from producers, platforms and other bad actors.

As addressed in this chapter, there is considerable evidence of financial discrimination, inconsistent content moderation rules on platforms, and bad actors stealing performers' content and refusing to take it down. These practices must stop, as performers are doing legal and legitimate work.

Chapter 6: Pornography and Societal Change: Education, Awareness, Health & Community

When looking at the origins of many of the issues captured in this Review, I noticed a common thread: that no one wants to talk about pornography. Despite pornography consumption being very popular there remains a culture of shame and embarrassment tied to this content. The taboo around pornography has meant that education and awareness about its potential impacts, including impacts on health, for both children and adults, has been patchy and inconsistent.

Education is an extremely important preventative tool to ensure children are developing healthy attitudes towards sex and relationships. Discussions around the potential harmful impacts of viewing pornography, inadvertently or not, play a part in this. However, what is being taught in schools on this issue is not keeping up with the reality of what children are accessing online. We are seeing the influence pornography can have on children, including the normalisation of misogyny and attitudes towards women and girls, as well as distorted views of healthy relationships (see **Chapter 2**). I engaged with experts in the education sector who voiced how important it is to talk about pornography within the realms of relationships, sex and health education – but also how challenging and uncomfortable it is to do so. Many have voiced that teachers do not have the confidence or training to approach this very sensitive (and often controversial) topic with students.

Conversations and education on the impacts of pornography do not end in the classroom. Parents and carers also have a crucial role in having conversations with children on the potential impacts of pornography rather than simply leaving it to schools, especially because much of this content will be viewed at home on laptops or smartphones. I have heard that many parents and carers are largely unaware of resources available to aid them in starting these conservations. This, mixed with a limited public awareness of what types of content are available online, can leave many feeling ill-equipped to approach this topic with their children.

This chapter will analyse each of these areas, with recommendations aiming to promote a shift in culture on education and awareness on the potential impacts of pornography in the context of healthy relationships, consent, misogyny, health, and media literacy. I also acknowledge education is a devolved matter, and that policy and regulations surrounding education are dealt with differently by each administration. This chapter seeks to reflect the devolved nature of education, and while recommendations are primarily catered to the UK government, I have ensured they are broad enough to be appropriately adapted for Scotland, Wales, and Northern Ireland as needed.

The Influence of Online Pornography in the 'Real World'

Children should under no circumstances be accessing pornography. However, we know they are whether purposefully or inadvertently, as demonstrated by research from the British Board of Film Classification (BBFC) and Revealing Reality.[292] I have heard throughout the Review that children are increasingly using pornographic content where misogynistic and sexually violent behaviours are normalised, as an education tool. This then influences their everyday behaviours, which teachers are seeing being played out in schools.

> *"People are watching it [pornography] from a very young age and, for a lot of young people, it is their first sexual experience and therefore they're almost looking to porn to learn about sex and what to do to be good at sex…If young people are seeing that kind of messaging from pornography rather than loving or caring, respectful messages then they'll think that's what they need to do - whether they feel comfortable with it or not."- Dr Kate Howells, associate specialist in sexual health and member of the Institute of Psychosexual Medicine.[293]*

An anecdotal example provided to the Review from June 2024 reported that boys as young as 14 asked a teacher in Bridgend, Wales how to choke girls during sex.[294] Health experts commented that pornography was a key influence in this, contributing to the belief among children that choking is normal and teachers are being told 'by some children that they think that girls really want to be choked…'.[295] This is extremely concerning and demonstrates why we must not shy away from discussing the potential impacts of pornography in the context of healthy relationships, consent, misogyny, and media literacy, so that such behaviour does not become more normalised than it already has.

Though it is impossible to prove a causal link, as discussed in **Chapter 4**, evidence also shows the influence pornography has on the normalisation of misogyny and attitudes towards women and girls. In a Children's Commissioner report detailing the results from a survey of 1,000 16–21-year-olds about their experiences of online pornography, it is noted that 'young people expressed concern about the implications of violent pornography on their understanding of the difference between sexual pleasure and harm'.[296] 47% of respondents stated that girls 'expect' sex to involve physical aggression such as airway restriction or slapping, and a further 42% agreed that most girls enjoy these acts of aggression.[297] Further, this research found that a greater proportion of young people believed girls expect or enjoy aggressive sex more than boys.[298] While not explicitly stated, it is highly likely that pornography has contributed to the normalisation of these violent actions and attitudes towards women and girls. I will also discuss the potential impacts of pornography on men and boys later in this chapter.

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[292] BBFC and Revealing Reality. (2020). Young people, Pornography & Age-verification.
[293] Dunstan, G. (2024). Boys asking teachers how to choke girls during sex. BBC news.
[294] Dunstan, G. (2024). Boys asking teachers how to choke girls during sex. BBC news.
[295] Dunstan, G. (2024). Boys asking teachers how to choke girls during sex. BBC news.
[296] Children's Commissioner. (2023). 'A lot of it is actually just abuse' Young people and pornography.
[297] Children's Commissioner. (2023). 'A lot of it is actually just abuse' Young people and pornography.
[298] Children's Commissioner. (2023). 'A lot of it is actually just abuse' Young people and pornography.

This echoes what I heard from some stakeholder engagement and submissions to the Call for Evidence, where the potential correlation between the types of pornography some children access online and the sexist language they hear being used in schools, and sexualised behaviour was discussed.[299] This is further exacerbated by misogynist messaging that children are seeing online, including from figures such as Andrew Tate.[300] In 2021, Ofsted conducted a review of sexual abuse in schools and colleges, and found evidence to suggest that access to technology and the sharing of inappropriate images and videos is an issue in primary schools.[301] Incidents cited include viewing pornography, requests to look up pornography websites, and viewing inappropriate images on social media.[302] This influence is extremely concerning. Of course, I acknowledge there are likely many other factors that could contribute to children sharing inappropriate images and using sexist language but given the links between replicating harmful behaviour seen in pornography (see **Chapter 2**), it seems very likely pornography plays a role in shaping this behaviour.

The Role of Education

The PSHE Association, which is the national body for personal, social, health and economic (PSHE) education,[303] note that as with other harmful commodities such as alcohol, young people are likely to encounter pornography, and some will go on to view and use it regularly.[304] Robust education about the potential impacts of pornography – in the context of healthy relationships, consent, misogyny and media literacy – is a key first step in ensuring children can reflect on the impacts that pornography may have on their views and understanding of sex and relationships.

Above all else, the aim of teaching children and young people about the potential harms of pornography is to keep them safe and to ensure they have the right knowledge and skills to navigate this content should they see it. Considering the impacts we are seeing from children viewing pornographic content, I believe the government must approach education on harmful pornography (in the broader context of healthy relationships, consent, misogyny and media literacy) as a preventative measure in reducing violence against women and girls, whilst avoiding a narrative that pornography consumption is the sole cause of harmful behaviour.

> *"Addressing pornography in isolation will not solve the challenges faced by young people. Instead, we need to look at the entire ecosystem of sex, relationships and sexual development. Young people are learning from family, peers, school and the increasingly complex world of digital media. We need to talk with young people about their understandings of sex and relationships – body image,*

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[299] Shearing, H. (2022). Online porn: 'My pupils ask me about violence'. BBC news.
[300] Fazackerley, A. (2023). Don't talk to pupils about misogynist Andrew Tate, government urges teachers in England.
The Guardian.
[301] Ofsted. (2021). Review of sexual abuse in schools and colleges.
Gov.uk.
[302] Ofsted. (2021). Review of sexual abuse in schools and colleges. Gov.uk.
[303] PSHE Association. (n.d.) About us.
[304] PSHE Association. (2021). Teacher briefing-addressing pornography through PSHE education.

> *consent, social norms and stereotypes that surround sex and relationships." – Dr Emily Setty, Senior Lecturer at the University of Surrey* [305]

There is evidence on the positive impact such education can have, with research indicating that school-based sex education, (including lessons that discuss pornography), can have positive impacts on children and young people. The UK's Youth Endowment Fund's report on dating and relationship violence prevention, which reviews three meta-studies, found that relationship violence prevention lessons and activities can reduce all types of dating and relationship violence including emotional, physical and sexual violence, and violence that takes place online.[306] A systematic literature review of school-based relationship and sex education in the United States echoed these findings, having found strong evidence that school-based programmes can reduce sexual violence and domestic violence.[307] This review also found that such programmes result in improved knowledge and attitudes related to domestic violence including a reduction in rape myths, victim blaming, and sexist attitudes.[308] This is especially pertinent considering the harmful content children can be exposed to online, and demonstrates the importance of weaving lessons on the potential impact and harms from pornography into high-quality sex education.

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[305] University of Surrey. (2023). Teaching sex education in the digital age: dealing with the influence of pornography.

[306] Gaffney, H, Jolliffe, D, and White, H. (2022). Dating and Relationship Violence Prevention Toolkit technical report. Youth Endowment Fund.

[307] Goldfarb, E. and Lieberman, L. (2020). Three decades of research: The case for comprehensive sex education. The Journal of adolescent health. United States: Society for Adolescent Medicine, National Library of Medicine.

[308] Goldfarb, E. and Lieberman, L. (2020). Three decades of research: The case for comprehensive sex education. The Journal of adolescent health. United States: Society for Adolescent Medicine, National Library of Medicine.

Current Education on Relationships, Sex, and Health Education

Currently, secondary schools in England are required to cover pornography as part of their statutory requirement to teach relationships and sex education. Schools in Scotland, Wales and Northern Ireland also have curriculums that touch on pornography within the realms of healthy relationships. The potential impacts and harms of pornography are not taught in isolation but are instead woven into broader education on healthy relationships, sexuality, and health. While this seems like a sensible starting point for schools, evidence submitted to the Review indicates a strong belief that this education is significantly behind what young people are viewing and experiencing. Research by the BBFC and Revealing Reality found that many respondents felt discussions about pornography were missing from sex education, and that 48% of participating children aged 11-17 "want their school to teach more about sex and relationships."[309] This is particularly concerning considering findings shared earlier in this chapter, where children are turning to pornography as an education tool which may normalise any violence and harmful behaviours they see.

Relationships, sex and health education (RSHE) has been compulsory for secondary schools in England since 2020 and is required to be reviewed every three years.[310] According to the current statutory guidance, it aims to give young people the information they need to help develop healthy, nurturing relationships of all kinds, and should enable them to know what a healthy relationship looks like.[311] The statutory RSHE guidance states that by the end of their secondary education, pupils should know:[312]

- The impact of viewing harmful content

- that specifically sexually explicit material, e.g. pornography, presents a distorted picture of sexual behaviours, can damage the way people see themselves in relation to others, and negatively affect how they behave towards sexual partners

- the concepts of, and laws relating to, sexual consent, sexual exploitation, abuse, grooming, coercion, harassment, rape, domestic abuse…and how these can affect current and future relationships

- how people can actively communicate and recognise consent from others, including sexual consent, and how and when consent can be withdrawn (in all contexts, including online)

While it is excellent that the RSHE guidance addresses these areas, evidence shows that the RSHE objective that explicitly mentions pornography is not being taught effectively. In a poll of 1,001 young people aged 16 and 17 in England, the Sex Education Forum found that over

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[309] British Board of Film Classification. Revealing Reality. (2020). Young people, pornography & age verification.
[310] Department for Education. (n.d.) Relationships Education, Relationships and Sex Education (RSE) and Health Education. Gov.uk.
[311] Department for Education. (n.d.) Relationships Education, Relationships and Sex Education (RSE) and Health Education. Gov.uk.
[312] Department for Education. (n.d.) Relationships Education, Relationships and Sex Education (RSE) and Health Education. Gov.uk.

23% of respondents learnt nothing at all about pornography at school, with a combined 49% learning nothing at all or not enough.[313] Respondents also said that school is often the main source of information about pornography (20%), followed by social media (17%), pornography itself (15%), and parents and carers (3%).[314] When asked "what message, if anything, would you like to share with the Prime Minister and Education Minister (Secretary of State for Education) about RSE?", one respondent said:

> *"Not enough is being covered within lessons. Children often find the information from other untrustworthy sources such as pornography or their friends."*[315]

Another concern I heard is that teachers are worried about unintentionally exposing children to pornography before children even know such content exists. Deciding what stage children should be learning about the potential impacts of pornography is difficult, as children develop at different stages, are exposed to or access different things at different ages, but it is a critical first step to building age-appropriate, robust lessons. This has long been an area of debate between government and educators. In Summer 2024, the former government published updated draft guidance on RSHE for consultation.[316] This was contested by some organisations including education, safeguarding, child protection and ending violence against women groups.[317] These organisations felt the guidance did not go far enough in identifying the role RSHE can play in prevention of harm against things like sexual health, violence against women and girls, and safeguarding from sexual abuse.[318]

Additionally, in a roundtable with those in the education sector, participants expressed the view that there is a misconception that because RSHE guidance exists and includes high-level objectives, that it is being effectively taught in schools across the country. I have learned that this is not always the case, as many schools are not prioritising, or able to prioritise, RSHE for a variety of reasons. Existing RSHE statutory guidance is very high-level, and, by its nature, does not provide support, or train teachers how to deliver those lessons or how to approach difficult, sensitive messages about pornography.

I recognise the difficulties and complexities for teachers on how to approach discussions on pornography, and to do so in an age-appropriate way. Similarly, I recognise that teachers now being asked to spot the signs of incel culture among students, as per a recent article in The Times,[319] makes having these conversations even more difficult and puts significant pressure on them. This is why there is an urgent need for lessons and resources to be improved in this space, so that teachers can have clear guidance on how to approach this content. I also encourage Ofsted, who I have been told in roundtables hold significant influence in this space, to send clear messaging to schools that teaching about pornography (in the context of lessons

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[313] Sex Education Forum. (2024). Young People's RSE Poll 2024.
[314] Sex Education Forum. (2024). Young People's RSE Poll 2024.
[315] Sex Education Forum. (2024). Young People's RSE Poll 2024.
[316] Gov.uk. (2024). Review of the Relationships Education, Relationships and Sex Education (RSE) and Health Education statutory guidance. Government consultation.
[317] PSHE Strategic Partners Group. (2024). RSHE guidance joint position statement.
[318] PSHE Strategic Partners Group. (2024). RSHE guidance joint position statement.
[319] Smyth, C and Woolcock, N. (2024). Teachers told to spot 'toxic' incel culture in class to prevent attacks. The Times.

outlined above) should be prioritised. This would not only emphasise its importance but could encourage tighter oversight of schools' application of RSHE statutory guidance. See **Recommendation 7** for more details.

Support For Teachers, Parents & Carers

Addressing the potential harms of pornography is an incredibly difficult topic that can be uncomfortable for teachers, parents, carers, and students themselves. Engagement throughout this Review revealed that teachers often lack the confidence to teach about this topic and do not have specialised training to prepare them. In a similar vein, I have heard how challenging it is for parents and carers to initiate conversations with their children about the impacts of pornography, often unsure of resources that are available to aid them and build confidence.

To ensure that education is where we need it to be, and that discussions about the potential harms of pornography carry on outside the classroom, it is important that we get to a place where all parties have guidance and resources to confidently initiate these conservations.

Support for Teachers

I have heard from the education sector that there is variation in how pornography and its potential impacts are taught, and what types of training educators receive to teach about this sensitive topic. In any case, it is evident that a 'one size fits all model' will not be effective. Educators teach in ways they are most comfortable with, and children tend to learn and interpret things differently. It is my priority, no matter the teaching style, to ensure that all teachers are equipped and feel confident in teaching this topic, responding to questions from children, and encouraging open communication and critical thinking skills.

In a meeting, the Sex Education Forum highlighted that teachers are 'quite a varied workforce' when it comes to teaching about pornography in the context of healthy relationships under the RSHE guidance. Some are comfortable covering the topic and have open discussions, while others lack confidence and dilute their content with no options for children to ask questions. Organisations have created helpful resources to inform discussions between teachers and children including: a teaching brief from the PSHE Association,[320] resources from SWGfL,[321] and Childnet.[322] However, while these resources exist, they can only do so much and they do not address teachers' discomfort nor how to answer challenging questions from pupils.

There is no standardised, specialised training for teachers on how to approach sensitive topics such as pornography, which engagement with those working in education has assured me would help significantly. When asked by the Sex Education Forum to select from a list of possible actions from Government to help improve RSE, 57% of the 1,001 respondents aged 16 and 17 selected 'training for teachers as a means of improving their RSE' as their top priority.[323]

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[320] PSHE Association. (2021). Teacher briefing-addressing pornography through PSHE education.
[321] South West Grid for Learning. (n.d.) Let's talk about porn.
[322] Childnet. (n.d.) Teaching about online pornography (SEND).
[323] Sex Education Forum. (2024). Young People's RSE Poll 2024.

Additionally, there is limited consensus amongst those working in education on who should be delivering lessons on this topic: external training providers or teachers themselves. There is no easy answer to this, as there are benefits and downfalls to each. Some considerations include:

- Some stakeholders have mentioned that it is not uncommon for teachers who teach other subjects (e.g. maths) to also have responsibility for teaching RSHE and suggested that they are, therefore, not always the always the best placed to teach this topic, even with training, compared to external specialists.

- There is a potential role for an interdisciplinary approach to teaching about pornography, such as embedding a discussion in which pornography is incorporated into wider teaching about healthy relationships, respect, fair treatment, and online safety. algorithms and media literacy.[324]

- There is no continuity if external stakeholders teach this topic – some schools may think one presentation is enough to satisfy RSHE objectives, and it will fall on teachers to then answer questions from students or have discussions as they arise.

- Many schools have limited options and resources for external specialists to attend in-person, therefore creating even more inconsistency in how this topic is taught. In particular, there is often limited funding allocated to advancing education and skills in this space.

Based on conversations with stakeholders, and hearing pros and cons from each side, I am inclined to encourage an approach where external organisations with expertise in the areas of sex and healthy relationships can provide guidance to teachers as a means to build their confidence and supplement teachers' own lessons. This will likely require increased funding from government. However, it would clearly signal that up-skilling teachers on RSHE is a priority. Teachers should also be receiving clear and robust guidance from government, which could include standardised hours of training on the harms of pornography, and how to teach holistically with lessons on healthy relationships, consent, misogyny, and media literacy. Doing so will not only set clear guidance and expectations for teachers, it will also capitalise on the expertise of outside organisations to build confidence and establish clear boundaries for teachers on how to address the impacts of pornography. See Recommendations 6 and 7 for more details.

Support for Parents & Carers

Parents and carers also have a very important role to play in educating children and young people about healthy relationships, and the potential impact and harms of pornography. Research by the BBFC and Revealing Reality found that few young people had spoken about pornography with their parents, with most saying they would find it very uncomfortable.[325] This finding is interesting as it contrasts to what parents were claiming in the same survey, as 60% claimed to have spoken to their children about online pornography at least once or twice.

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[324] Representatives from the Sex Education Forum gave examples during our meetings of this style of education. For example, an IT or English teacher could incorporate discussions about pornography as part of teaching about algorithms, or wider media literacy.
[325] British Board of Film Classification. Revealing Reality. (2020). Young people, pornography & age verification.

However, talking to them about sex more generally, as opposed to discussing pornography and its influence specifically, was more common.[326] Anecdotally, I have heard that limiting factors for parents discussing this with children are discomfort, lack of supportive resources, and not fully grasping the prevalence and availability of pornography online.

Parents and carers need to feel confident discussing pornography and its impact with their children in an age-appropriate way, while ensuring their children do not feel judged or shamed. Ideally, these discussions would supplement what is being taught in schools. I am conscious that there are numerous considerations that may make it challenging to have these discussions, including cultural differences and vulnerable children who may not have adults in their lives who can provide sound information about sensitive topics. This is why it remains extremely important that teachers have the resources they need to support children on this matter, to complement discussions happening at home.

The Welsh Government's Family Guide to Talking about Pornography

The Welsh Government put together a [helpful resource for families](#) on how to talk about pornography with children and young people, which is shared on their government page.

This guide includes 'starter tactics' to initiating a conversation about pornography with your child, what is considered illegal pornography, and provides further resources that could be beneficial for parents and carers. One of these resources includes a guide from Internet Matters (see box below).

Existing Resources - Internet Matters Guide

In January 2023, Internet Matters created a comprehensive guide for parents and carers on how to have conversations with children about online pornography, what to talk about at different ages, and how to use parental controls.

This is an example of promising advice that could help prepare and support parents and carers in initiating conversations with children about the potential impact and harms of pornography in an age-appropriate way. It is important that resources like this are championed, and that parents and carers are aware that such resources exist.

There are numerous reputable resources that advise on how to appropriately engage with children about the potential impacts of pornography and harmful online content, as highlighted in the boxes in this section. Some prominent organisations also offer similar online guides,[327] such the NSPCC[328] and the Lucy Faithfull Foundation.[329] However, these excellent sources are rarely promoted by the UK government or education bodies. This can make it difficult for parents and carers to find these sources in the first place, and to identify which are reputable

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[326] British Board of Film Classification. Revealing Reality. (2020). [Young people, pornography & age verification.](#)
[327] Internet Matters. (n.d.). [Online pornography facts & advice.](#)
[328] NSPCC. (2024). [Online porn.](#)
[329] The Lucy Faithfull Foundation. (n.d.). [What's the problem? A guide for parents of children and young people who have got in trouble online.](#)

and provide credible, effective information. There should be an online space for parents and carers to access easy to understand information on how to talk to their children about pornography and its impacts (see Recommendation 8).

Scottish Government Parent Club Guide: Family, Friends & Relationships

The Scottish Government, via Parent Club, offers [extensive resources for parents and carers](#) on how to speak to children of different age groups about relationships with specific sections for older age groups on how to talk about topics such as sex, consent and pornography linking to resources from organisations

Public Awareness

As with children, it is important for adults to understand the impact of viewing pornography. Public awareness is instrumental in acknowledging issues in society and is a powerful way for people to start taking action.

The vast majority of anecdotal responses to the Review's Call for Evidence suggested that there is a lack of educational resources and information for the public about what constitutes illegal pornography. Evidence provided by South West Grid for Learning suggested there are gaps in public understanding of current illegal pornography and intimate image abuse laws, which also has an impact on individuals knowing whether or not, and how, to report this content if they inadvertently come across it.[330]

Discussions about pornography more generally still seem to be a taboo topic amongst adults, and I have no doubt that this has also contributed to low levels of awareness about what type of content is out there and how easily it can be accessed. This includes limited awareness about the availability of pornography on some social media platforms. Research by the Children's Commissioner found that X (formally Twitter) was the platform where the highest percentage of young people (aged 16-21) reported accessing pornography.[331]

When considering possible recommendations in this space, I investigated past public awareness campaigns and their effectiveness. I found that public awareness can be strengthened by informative, eye-catching campaigns that deliver a self-contained message, but also encourage viewers to learn more. Often, these campaigns have a specific hook or are tied to recent changes, such as changes in legislation. Past examples of effective public awareness communications campaigns include:

- Stoptober is a campaign to encourage smokers to quit smoking for the month of October. A 2019 evaluation of the campaign found largely positive results, effectively driving a sizeable proportion of smokers to attempt to quit.[332] Evaluation of the campaign in 2020 found that Stoptober continued to be effective, despite the impact of Covid.[333]

- THINK! was launched in 2000 as part of the Government's road safety strategy and set out targets to reduce road causalities.[334] It includes campaigns against drinking and driving, on wearing your seatbelt, and watching for motorcyclists. A previous evaluation has shown this campaign to work well in raising levels of awareness amongst young male drivers and those aged under 30 specifically.[335]

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[330] South West Grid for Learning. (2024). Submission to the Review's Call for Evidence. South West Grid for Learning is a charity forming part of the UK Safer Internet Centre.
[331] Children's Commissioner. (2023). 'A lot of it is actually just abuse' Young people and pornography.
[332] Public Health England. (2020). Stoptober 2019 Campaign evaluation.
[333] Public Health England. (2020). Stoptober 2019 Campaign evaluation.
[334] THINK!. (n.d.). Story of THINK!
[335] Angle, H et al. (2012). THINK! road safety campaign evaluation.

Promising Public Awareness Campaigns: GambleAware's Women's Gambling Harms Prevention Campaign

In 2022, GambleAware launched their Women's Gambling Harms Prevention Campaign that recognised the gendered differences in gambling habits, raised awareness of the gambling harms experienced specifically by women, and signposted steps women could take to keep their gambling levels fun, safe, and under control.

GambleAware's campaign saw traffic to their website grow 22% in the first week of the campaigns launch. 54% of the target audience recognised at least one element of the campaign and of those who recognised the campaign, 49% claimed to take action as a result of viewing.

While these examples are excellent case studies, there have been few public awareness campaigns about the potential impacts of pornography and affiliated areas, such as intimate image abuse (IIA). By no means am I suggesting that we have an awareness campaign with overtly public displays talking about the potential harms of pornography and affiliated areas. Any campaign in this area should be highly targeted and age-appropriate for whoever is viewing it. For more information, please see Recommendation 5.

While I am keen to re-emphasise that IIA is not pornography, reports to the Revenge Porn Helpline in 2023 rose by 106% in comparison to 2022,[336] and the creation of deepfakes has risen,[337] including those depicting pornographic content, and have been found on sites that host pornography. In some cases, viewers may not know they are watching IIA and therefore illegal content. This is one example where public awareness should be heightened, and a campaign could be beneficial. Not only could it raise awareness on IIA as a whole, but it could be used to educate the public on how to spot, report, and seek support for IIA.

Separately, there are numerous promising awareness campaigns that could be extended to capture potential impacts of pornography. Examples of these campaigns can be seen below, such as the Home Office's 'Enough' campaign and Police Scotland's 'That Guy' campaign, both of which address and provide important information relating to issues raised in this Review.

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[336] Revenge Porn Helpline. (2023). Revenge Porn Helpline 2023 Report.
[337] Research from Home Security Heroes in 2023 found that the total number of deepfake videos online in 2023 increased 550% from 2019. 98% of all deepfake videos online are 'deepfake' pornography videos, and 99% of the individuals targeted in this content are women. Please note, this data is provided by a private data security company.

Promising Public Awareness Campaigns: Home Office's 'Enough' Campaign

Under the former government, the Home Office released their 'Enough' campaign, which aimed to increase awareness of different abuse types and how to safely challenge them. It also included information on how to report abuse, provide resources for those who are worried about their behaviour, and guidance on how to seek support if you experience abuse.

The End Violence Against Women (EVAW) Coalition and VAWG sector's submissions to the Review called for this campaign to be expanded to include violent and pornographic content.

Promising Public Awareness Campaigns: Police Scotland's 'That Guy' Campaign

'That Guy' is a campaign from Police Scotland that aims to reduce rape, serious assault, and harassment by having frank conversations with men about sexual entitlement. The campaign encourages men to look at their attitudes and behaviours, and to stop contributing to a culture that targets, minimizes, demeans, and brutalises women.

The campaign includes articles on consent, the 'sinister' side of social media, how to 'talk to a mate', and 'stop a mate from going too far', in addition to many other important topics. It also includes contacts to Police Scotland and Rape Crisis Scotland national helpline for those seeking support.

Health Impacts of Pornography

Evidence submitted to this Review outlined the various impacts that pornography consumption may have on one's health, both mental and physical. This can include positive impacts for some.

However, some academic and stakeholder evidence indicates that frequent and high levels of viewing pornography are associated with one's mental and physical health. It is important to caveat that there are numerous contributing factors to health, and pornography use is one part of a wider ecosystem of factors that may play into this.

Problematic Pornography Use

Some high-risk activities, such as gambling and alcohol use, are recognised as types of addictions. Pornography, however, is not recognised as a formal addiction by the NHS, and therefore no reliable information or resources available on NHS websites. On the respective NHS websites for each of the four nations – NHS website for England, NHS Inform Scotland, NHS Wales, Health and Social Care (HSC) Northern Ireland – there are no results generated when searching for the phrases 'pornography' or 'pornography addiction'. When searching for 'sex addiction', NHS England, NHS Wales, and HSC Northern Ireland produced zero results, while NHS Scotland provided multiple articles relating to sexual health tests or how to find support for sexual violence.[338] While the topics of sex addiction and pornography addiction are both highly contentious areas, the complete lack of free, accessible, and reliable information relating to health and pornography poses a barrier for those seeking help and understanding about their pornography consumption. Additionally, I have heard there are no requirements for general practitioners to explore these issues with patients and they have little to no support services or pathways to refer patients to.

Problematic pornography use (PPU) is an umbrella term describing "persistent difficulties in reducing or controlling pornography use despite negative outcomes regarding personal, relational and/or occupational functioning."[339] The addictive elements of PPU are disputed amongst the academic community, though some research regards it as a common manifestation of Compulsive Sexual Behaviour Disorder.[340] Some researchers have noted that statistics regarding PPU are limited to people of legal age who engage in sexual activity, but that there is a likelihood that sexual activity starts before this for many.[341]

In their systematic review of online pornography addiction, de Alarcón et al. noted that while behaviour addictions form a largely unexplored field of study, online pornography has the potential for addiction considering the "triple A influence: accessibility, affordability,

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[338] NHS Inform. Search results 'Sex Addiction'. Accessed 22/10/2024.
[339] Vieira, C. and Griffiths, M.D. (2024). Problematic Pornography Use and Mental Health: A Systematic Review. Sexual Health and Compulsivity, Volume 31, Issue 3. Taylor and Francis Online.
[340] Vieira, C. and Griffiths, M.D. (2024). Problematic Pornography Use and Mental Health: A Systematic Review. Sexual Health and Compulsivity, Volume 31, Issue 3. Taylor and Francis Online.
[341] de Alarcón et al. (2019). Online Porn Addiction: What we Know and What we Don't–A Systemic Review. Journal of Clinical Medicine.

anonymity."[342] Their findings indicate that the shift to watching pornography online has had an impact on users and the 'triple A' factors could enhance the potential risk for PPU and other sexual behaviours.[343] In particular, anonymity is a key risk factor for this sexual behaviour developing into a problem.[344]

While for some individuals, viewing pornography is a form of tension relief[345] or sexual relaxation,[346] PPU has also been linked to negative sexual experiences. The physiological impacts of pornography consumption and PPU are of course dependent on the individual, and identifying trends can be difficult due to experiences differing greatly between individuals. But what can be understood is that routine, consistent, and problematic relationships with pornography have the potential to impact an individual's mind, body, and sexual experiences.

Given the limited volume of research in this area and lack of consensus amongst researchers, I recommend that the government conducts further consultation to understand whether PPU should be formally recognised as an addiction (see Recommendation 19). If recognised, this would likely result in resources and support being offered by the NHS.

Health impacts

The relationship between pornography and health is also a contentious area. Understanding contributing factors to one's mental and physical health is incredibly important, yet complex and multi-faceted. The link between PPU and health outcomes is not clear cut, as research has found that there are several mediating factors that can influence the association.[347]

While pornography can have positive impacts on body image for some young people – including making them felt confident and comforted by seeing similar body types to them reflected in pornography.[348] Research has indicated that many young people cite pornography as an influence in their struggle with body image. A BBFC report on young people and pornography found that many young people aged 16-18 feel pornography has a negative impact on their body image.[349] In this, negative impacts cited among male adolescent participants were mainly around penis size and concerns around not feeling muscular enough, whereas concerns from female adolescents were about breast and bum size, and how their

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[342] de Alarcón et al. (2019). Online Porn Addiction: What we Know and What we Don't–A Systemic Review. Journal of Clinical Medicine.
[343] de Alarcón et al. (2019). Online Porn Addiction: What we Know and What we Don't–A Systemic Review. Journal of Clinical Medicine.
[344] de Alarcón et al. (2019). Online Porn Addiction: What we Know and What we Don't–A Systemic Review. Journal of Clinical Medicine.
[345] Cooper A et al. (2004). Online sexual activity: An examination of potentially problematic behaviors. J Sex Addict Compulsivity. 11:129–143.
[346] Ross MW, Månsson S-A, and Daneback K. (2012). Prevalence, severity, and correlates of problematic sexual Internet use in Swedish men and women. Arch Sex Behav. 41:459–466.
[347] Vieira, C., & Griffiths, M. D. (2024). Problematic Pornography Use and Mental Health: A Systematic Review. Sexual Health and Compulsivity. Volume 31, Issue 3.
[348] British Board of Film Classification and Revealing Reality. (2020). Young people, Pornography, and Age-verification.
[349] British Board of Film Classification and Revealing Reality. (2020). Young people, Pornography, and Age-verification.

genitalia looked.[350] Additionally, of those surveyed within the BBFC's report, 29% agreed that "I feel bad about my body when I see how people look in porn", and 35% said they "…worry about what other people think of my body because I don't look like the actors you see in porn."[351]

However, we must acknowledge that other factors could contribute to how young people feel about their bodies; with pornography being one part of a wider media-influenced landscape. Social media, online shopping websites, and television programmes were also cited as influencing how one felt about their body image.[352]

The Review has also heard about the potential physical impacts of pornography. I heard powerful anecdotal evidence from Louise Barraclough, a lead nurse and specialist safeguarding lead at a Sexual Assault Referral Centre, about her research on the link between pornography and harmful sexual behaviour in children, based on children referred into their Centre. She talked of the influence of pornography on changing sexual expectations of young men and women, including increased desire to try certain sexual acts without realising the injury it could cause to their bodies. While other sources could be influencing people to experiment with certain sexual acts (such as tv shows, books or magazines, and peer pressure), the influence pornography has on this cannot be ignored.

Again, while physical health impacts stemming from pornography consumption vary, the Review also heard anecdotal evidence on how pornography-assisted masturbation amongst men is leading to concerns around erectile dysfunction. While there is limited academic evidence on this, and I recognise that there are other evidenced contributing factors, we must acknowledge the role that problematic pornography use might play. In particular, the frequent watching of hardcore pornography online could lead some to be desensitised to what they experience in real life, leading to physical impacts such as erectile dysfunction.

While this section acknowledges that pornography is part of a list of factors that could contribute to one's physical, mental, and sexual health, it is paramount that services be available (without judgement) to those who are seeking them. It is incredibly important that these issues are better understood, cared for, and acknowledged across the medical community to ensure clear pathways of support are established for those seeking support for problematic pornography use, and the impacts pornography may have on one's health (see Recommendation 20 for more details).

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[350] British Board of Film Classification and Revealing Reality. (2020). Young people, Pornography, and Age-verification.
[351] British Board of Film Classification and Revealing Reality. (2020). Young people, Pornography, and Age-verification.
[352] British Board of Film Classification and Revealing Reality. (2020). Young people, Pornography, and Age-verification.

Impacts on Men & Boys

In May 2023, Ofcom found that out of 13.8 million UK adults who visited an online service for pornographic content, 10.1 million of them were men.[353] Men and boys are impacted by pornography in a variety of ways, with impacts not just being limited to the potential that they perpetuate or replicate the violence they have witnessed in pornography. This issue needs to be discussed carefully as whilst it is certainly true that the majority of perpetrators of violence against women and girls are men, I firmly believe we need to avoid the narrative that all men and boys are inherently violent towards women. Increasingly, this has potential to create harmful assumptions and stereotypes that compound isolation and can encourage 'toxic masculinity' among men and boys.

With the election of the new Labour government, we are fortunate that tackling violence against women and girls is a clearly stated priority as part of the Take Back Our Streets mission. As findings in this Review have demonstrated, women and girls are disproportionately affected by the current set-up of the pornography industry, and mainstream pornographic content often perpetuates misogynistic and violent ideals towards women. However, these ideals also set a standard of 'being a man' that many young men feel they need to replicate, and many young women feel they must tolerate. I therefore find it extremely important that this Review discusses men and boys' lived experiences and acknowledges that they are also victims of harmful pornographic content.

In recent years we have seen a rise in the number of harmful individuals who are promoting dangerous ideals in debates about masculinity and gender roles. For example, research has found that of 2,587 UK adults who had heard of Andrew Tate's statements about men and women, three in ten young men (aged 16 to 29) agreed that Tate raised important points and one in five did not find Tate's views offensive.[354] I have also heard concerns from the Men and Boys Coalition, a network of organisations and professionals committed to highlighting and taking action on gender-specific issues impacting men and boys, about the broader psychological context in which young men and boys find themselves. In particular they highlighted the impact of COVID-19 lockdowns on socialising patterns and time spent at home, and also where young men and boys are experiencing isolation and loneliness, thereby consuming pornography at higher rates.

Impacts of Online Pornography on Men and Boys

In his book 'Man Disconnected', psychologist Philip Zimbardo found that men and boys are spending more time online but, unlike women and girls who are unified across shared experiences and increased sense of connection, men and boys are increasingly disconnected from one another and isolated.[355] Tied to this increased online presence is higher levels of 'socially isolated pornography consumption', which Zimbardo believes is "worse for young people who have never had real-life sexual encounters" as "they see sex as only as a physical

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[353] Ofcom. (2023). Online Nation 2023.
[354] Ipsos. (2024), Emerging tensions? How younger generations are dividing on masculinity and gender equality. Kings Global Institute for Women's Leadership.
[355] Zimbardo, P. and Coulombe, N.D. (2016). Man Disconnected. Penguin Random House. Page xii.

performance, mechanical arrangements of body parts, without romance, emotion, intimacy, communication, negotiating, sharing, and even touching, and kissing."[356] Similar to findings in Chapter 4, Zimbardo noted that while some young men are aware pornography is a fantasy, for others pornography can be seen as the norm or something they strive to replicate.[357] This then creates harmful stereotypes and sexual experiences for young men and their partners.[358]

> *"Problematic porn use is the symptom, not the disease. If boys are getting obsessed with online porn, then it's very likely there are deeper problems" – Ally Fogg, Chair and Co-Founder of the Men and Boys Coalition*

ManKind Initiative's submission to the Call for Evidence highlighted that although there is limited academic research on the impact of pornography on boys and men, anecdotally pornography does impact the ways men and boys perceive themselves, how others (including women and girls who watch pornography) perceive them, and can negatively affect body image. Broadly speaking, male pornography performers are often portrayed as conventionally 'handsome', have good physical fitness, larger penises, and the ability to maintain stamina throughout sexual experiences.[359] This, for some viewers, can lead to insecurities and feelings of shame, ultimately impacting men and boys' self-esteem and mental health as viewers are not privy to what happens behind the scenes.[360] Pornography forms part of a wider media environment; the Mental Health Foundation reported that men are "surrounded by images of idealised body types" and that men and boys have demonstrated increased concerns around body image, with 28% of men aged 18 and above reporting feeling anxious because of body image issues in 2019.[361]

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[356] Zimbardo, P. and Coulombe, N.D. (2016). Man Disconnected. Penguin Random House. Page 30.
[357] Zimbardo, P. and Coulombe, N.D. (2016). Man Disconnected. Penguin Random House. Page 30.
[358] Zimbardo, P. and Coulombe, N.D. (2016). Man Disconnected. Penguin Random House. Page 30.
[359] Zimbardo, P. and Coulombe, N.D. (2016). Man Disconnected. Penguin Random House. Page 30-31.
[360] Zimbardo, P. and Coulombe, N.D. (2016). Man Disconnected. Penguin Random House. Page 30-31.
[361] Mental Health Foundation. (2019). Millions of men in the UK affected by body image issues – Mental Health Foundation survey.

Education and Training Initiatives

Men At Work Men At Work CIC trains a wide range of professionals in delivering the #12Dialogues programme for boys and young men, following founder Michael Conroy's experience delivering citizenship and wellbeing programmes in secondary schools. They seek to unpick social influences, including pornography, that affect the values and beliefs of boys and young men – and consider how some of these can manifest in problematic behaviours.

Progressive Masculinity is an organisation that aims to reshape the understanding of masculinity for men and boys through challenging outdated models of masculinity and promoting a healthier and more open-minded perspective. This organisation creates non-judgemental spaces where boys and men can safely explore their masculinity, discuss what it can mean to be a man in today's world and celebrate their incredible potential. They run school workshops for pupils to raise their self-esteem and emotional intelligence, as well as challenge models of masculinity centred around power, control and dominance. Progressive Masculinity gives boys and young men the agency to design their own models of masculinity based on their personal values to become the kind of men, friends, partners and fathers this world needs.

Violence Experienced by Men and Boys

ManKind's submission to the Review called for this report to be clear that men and boys are victims of violence, illegal pornography, and negative impacts of pornography in general, some of which has been discussed already.

I want to acknowledge the harmful impacts of violence experienced by men and boys. In 2022/2023, the Office for National Statistics found that in England and Wales, 712,000 men were victims of domestic abuse.[362] Additionally,16% of domestic abuse cases involved a male victim and female perpetrator in Scotland.[363] And the Police Service of Northern Ireland found 33% of domestic abuse victims were male.[364] Therefore, we must continue to raise the public's awareness that men and boys can and do fall victim to violence, and that greater support is needed to help all victims regardless of their gender identity.

This Review has also heard about the impacts of intimate image abuse and sextortion on men and boys. The Revenge Porn Helpline reported that in 2023, sextortion was the main form of intimate image abuse reported, making up over a third of reports.[365] Additionally, when the Review met with We Are Survivors, the largest sexual harms survivor organisation for men and boys in the UK, they raised concerns around male victims being sexually assaulted or exploited and non-consensual images ending up on pornography platforms. A report published by Survivors UK found that 45% of gay and bisexual men reported having experienced sexual assault, but 37% of those who had been assaulted felt they could not speak to anyone after

[362] Office for National Statistics. (2024). Domestic abuse in England and Wales overview: November 2024.
[363] Scottish Government. (2024). Domestic abuse: statistics recorded by the police in Scotland, 2022-23.
[364] Police Service of Northern Ireland. (2024). Domestic Abuse Tables Period Ending 30th September 2024
[365] Revenge Porn Helpline. (2023). The Revenge Porn Helpline.

experiencing it.[366] Of the respondents, only 14% who had experienced sexual assault reported it to the police, with one third of those expressing that they felt it was not taken seriously or believed.[367] Additionally, a quarter of respondents (24%) reported an intimate picture of them had been shared with a third party without their consent; 15% of respondents had experienced someone threatening or blackmailing them by using an intimate picture of them; and 17% had been filmed whilst engaging in sexual activity without their consent.[368] These findings are completely unacceptable, and I believe that police training needs to improve in this area. This broader issue is discussed in depth in Chapter 4 – as intimate image abuse, including sextortion, is not pornography.

We must move away from harmful narratives that men and boys are inherently violent and seek to understand the root causes of this, as well as a positive shift in culture. Education and support are greatly needed for men and boys themselves, as are tools for those wanting to help and support the men and boys in their lives.

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[366] Thomson, S. and Beresford, M. (2021). Silenced Survivors: Understanding gay and bisexual men's experience with sexual violence and support services in the UK. Survivors UK.
[367] Thomson, S. and Beresford, M. (2021). Silenced Survivors: Understanding gay and bisexual men's experience with sexual violence and support services in the UK. Survivors UK.
[368] Thomson, S. and Beresford, M. (2021). Silenced Survivors: Understanding gay and bisexual men's experience with sexual violence and support services in the UK. Survivors UK.

LGBTQIA+ People's Experiences

When speaking with stakeholders in the LGBTQIA+ community and reviewing research on people within this community's experiences with online pornography, stakeholders and researchers often used the phrase 'queer'.[369] Therefore, to avoid misquoting or incorrectly reporting findings, the Review has used the phrase where appropriate. We must acknowledge the nuances and different experiences of queer people to ensure that their voices are not left behind, and the relationship between and role of pornography in the queer community is better understood.

Younger generations are increasingly identifying as part of the LGBTQIA+ community[370, 371] and research has found LGBTQIA+ youth more likely to consume pornography at an earlier age than heterosexual youth.[372] Pornography can also provide LGBTQIA+ youth with sexual scripts that differ from the heteronormative scripts often found in mainstream media.[373] Aorta Films, an ethical queer pornography platform, told the Review how queer pornography can reflect the bodies and identities of those under-represented in mainstream pornography, supporting queer individuals by centring and celebrating difference.

Some research indicates that gay and bisexual men have higher rates of pornography usage than heterosexual men, with reasons including the use of pornography as a form of sex education, the wide availability of specific queer categories, and sexual exploration.[374] [375] However, concerns have also been raised around the impact of pornography on queer men's sexual health, with studies suggesting that viewership of 'bareback pornography', male on male sexual intercourse without the use of a condom, can impact queer men's inclination to engage in risky sexual behaviours.[376]

Evidence submitted to this Review has shown that online pornography depicting force, physical aggression or violence, is also prevalent in LGBTQIA+ pornography and that violence is not just portrayed towards women. In their analysis of 415 video scenes of gay pornographic videos, Fritz & Bowling (2022) found that 31% of all scenes on two of the most popular free online pornography tube sites contained at least one act of physical aggression.[377] The majority of aggression came in the form of spanking (20% of scenes) and bondage (7% of

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[369] Queer is a term "used by those wanting to reject specific labels of romantic orientation, sexual orientation, and/or gender identity." This term includes but is not limited to gay and lesbian people as well as transgender and non-binary individuals. Stonewall. (n.d.) List of LGBTQ+ terms.

[370] Booth, R. and Goodie, M. (2023). Young people in England and Wales twice as likely to identify as LGB+, The Guardian

[371] BBC News. (2024). Census reveals Scotland's LGBT numbers for first time.

[372] Bothe, B. et al. (2019). Problematic and Non-Problematic Pornography Use Among LGBTQ Adolescents: a Systematic Literature Review. Current Addition Reports.

[373] Fritz, N. and Bowling, J. (2022). Sexual Behaviors and Aggression in Gay Pornography, Journal of Homosexuality.

[374] Demant, D. et al., (2024). The nexus between porn and psychosocial/psychosexual well-being among gay and bisexual men. Porn Studies.

[375] Shewey, D. (2018), The Paradox of Porn: Notes of Male Gay Sex Culture. Joybody Books.

[376] Jonas, Kai J. et al.,(2014). "Bareback" Pornography Consumption and Safe-Sex Intentions of Men Having Sex with Men. Archives of Sexual Behavior.

[377] Fritz, N. and Bowling, J. (2022), Sexual Behaviors and Aggression in Gay Pornography, Journal of Homosexuality.

scenes). Forced fellatio was also found in 27% of scenes, which researchers assess may impact gay sexual scripts.[378] It should be noted that this research found aggression levels were lower than in heterosexual pornography scenes, and that the types of physical aggression 'typically' depicted in heterosexual pornography,[379] such as gagging, choking, and openhanded slapping were not as prevalent in gay pornography.

Additionally, research into opposite and same sex pornography videos from a mainstream pornography website found that female on female (f/f) pornography featured higher levels of verbal and physical aggression than male to female (m/f) pornography.[380] In comparison to male on male and m/f pornography videos, f/f content had the highest amount of verbal aggression as well as featured various forms of physical aggression such as spanking and choking.[381] However, the researchers argue that the explanation for this can stem from the assumption that the main viewers of f/f pornography are male.[382] Further research indicates that the f/f category is often created for heterosexual male audiences, which has led to stereotypes of hyper-sexualisation amongst queer women and normalised violence against queer women.[383]

Regardless of the sexual orientation of those appearing in pornographic content, I am concerned about online pornography that contains, depicts, and encourages physical aggression or violence. From stakeholder engagement, submissions, and research within this Review, it has become apparent that we need to support individuals of all sexualities, in relation to their pornography consumption, as well as to ensure that education about pornography reflects its diversity, and the diversity of its consumers.

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[378] Fritz, N. and Bowling, J. (2022), Sexual Behaviors and Aggression in Gay Pornography, Journal of Homosexuality.
[379] Fritz, N. and Bowling, J. (2022), Sexual Behaviors and Aggression in Gay Pornography, Journal of Homosexuality.
[380] Seida, K. and Shor, E. (2019) Aggression and Pleasure in Opposite-Sex and Same-Sex Mainstream Online Pornography: A Comparative Content Analysis of Dyadic Scenes, The Journal of Sex Research.
[381] Seida, K. and Shor, E. (2019) Aggression and Pleasure in Opposite-Sex and Same-Sex Mainstream Online Pornography: A Comparative Content Analysis of Dyadic Scenes, The Journal of Sex Research.
[382] Seida, K. and Shor, E. (2019) Aggression and Pleasure in Opposite-Sex and Same-Sex Mainstream Online Pornography: A Comparative Content Analysis of Dyadic Scenes, The Journal of Sex Research.
[383] Ciaralli, S.R. (2022). Queer Pornography: Women and AFAB individuals' sexual exploration through their pornography consumption.

Conclusion

It is of paramount importance that children have the right knowledge and critical thinking skills should they come across pornography or harmful content online. As set out in this chapter, it is critical that age-appropriate teachings on the potential impact and harms of pornography are taught in schools as part of a wider curriculum on healthy relationships, consent, misogyny, and media literacy. To do this effectively do this, a multi-pronged, blended approach is needed, whereby teachers, parents, and carers have the materials they need to confidently hold discussions with children on this topic.

Public awareness for adults on the harms and potential impacts of pornography is vitally needed. Not only would this work towards ending the taboo associated with speaking about online pornography, but it would also raise awareness on the potential impacts and harms of related issues such as intimate image abuse. Similarly, further awareness and acknowledgment is needed on the influence of pornography on potential health impacts of viewers, including problematic pornography use.

We must not shy away from addressing the impacts that online pornography has on men and boys. Ending violence against women and girls requires broader societal discussion around men and boys, and it is imperative that we move away from the notion that men and boys are solely perpetrators of violence. Furthermore, I am concerned about the support provided to queer men and boys and the potential exclusion of specific sexual minority experiences from healthcare guidance. More education is needed for boys and young men, especially in their formative years, to obtain better information on themselves, sex, and relationships.

I want to express by gratitude to all teachers, parents and carers, and organisations that took the time engage with the Review. I hope recommendations in this space will be helpful in providing support and increasing public awareness on these important areas going forward.

Annex A: Terms of Reference

Context

As the way we consume media and access content rapidly changes, the government is committed to ensuring the legislation, regulation and law enforcement response to online pornography is fit for purpose to tackle exploitative, abusive and illegal content online.

This Independent Review is separate to, but builds on, the Online Safety Act, which will hold social media companies and pornography services accountable for ensuring children cannot view pornography, with a new higher standard on the age verification or age estimation tools they must use.

Pornographic material is subject to several distinct regimes in terms of regulation and criminal offences. These fulfil different functions and are designed to complement each other to provide protection for victims while ensuring freedom of speech and expression.

Firstly, there are regulatory regimes aimed at regulating how pornography is commercially produced and distributed to ensure that it does not lead to behaviour which is harmful to society. This includes regulations which commercial producers/distributors of all material distributed offline, including pornography, must meet to be able to sell their products. These regimes include specific 'breach' offences which producers/distributors can commit if they breach their obligations under the regulations.

Separately, there are currently several criminal offences which can be committed in relation to pornographic material, which apply equally online and 'offline'. There is also a very robust regime of offences tackling the possession, taking and making of indecent images of children.

The government wants to ensure any legislation and regulation operates appropriately for all pornographic content, and to ensure that there is an effective regulatory, criminal justice system and law enforcement response to illegal pornographic content online. The Review will take an evidence-based approach to developing a range of recommendations for the government on how to best to achieve this.

Objectives

The Review will:

assess the available evidence base on the prevalence and harmful impact of illegal pornography online, and the impact of other forms of legal pornography online on viewers including emerging AI-generated pornography, and on viewer's attitudes to violence against women and girls.

assess the public's awareness and understanding of existing regulation and legislation of pornography.

review obligations on online pornography providers, including new rules included in the Online Safety Act, and how this compares to existing physical and broadcast media regulation, to assess the case for options for aligning the online and offline regulation of pornographic content.

consider whether the criminal justice system and law enforcement agencies' response to illegal pornographic content is sufficient, and what changes to enforcement or the criminal law may be needed.

assess the prevalence of modern slavery/human trafficking and pornography to better understand the links between the two, and what can be done to enable the reporting and identification of exploitation and trafficking in the pornography industry.

consider what preventative and information resources can be provided to children, their parents and carers, and adults on the impact of pornography.

Purpose and Scope

The Review will undertake an independent assessment of the legislation, regulation and enforcement of online pornography. This will respond to calls to further align the online and offline regulation of pornography services, and to ensure that existing criminal offences for the possession, distribution and publication of adult pornography are being adequately enforced online. The Review will have a particular focus on:

the current regulatory landscape, including relevant regimes such as the Video Recordings Act 1984, the Communications Act 2003 and the Licensing Act 2003. The Review will also assess international comparisons, and, depending on the Review's findings, consider how to achieve better alignment of online and 'offline' regulation of pornographic content;

the effectiveness and the challenges law enforcement face in responding to incidents including:

those which may breach the current criminal offences for the possession, distribution and publication of adult pornography, including but not limited to extreme pornography and non-consensual pornographic content. This could also include consideration of the experiences of victims, which could help inform regulation and help direct the scope of the Review as it progresses;

modern slavery and human trafficking offences under the Modern Slavery Act 2015 which relate to adults in pornographic content; and

child sexual exploitation and abuse (CSEA) material on pornography sites. Although CSEA is not pornography, the Review will consider learning from the existing robust legal and

enforcement framework for CSEA which also applies to content on pornography sites. This aspect could include considering if changes to the criminal law would address any law enforcement challenges

understanding the links between trafficking and exploitation and pornography services, and what the criminal justice system and enforcement response can do to prevent this;

the potential role of prevention and information resources in relation to adults and children's access to pornography, including the value of further advice and guidance for children, parents and carers.

Timing

The Review will aim to be completed by Summer 2024.

Governance

The Review will be led by an independent Lead Reviewer, Baroness Gabby Bertin.

The Lead Reviewer will be supported by a secretariat within the Department for Science, Innovation and Technology, and will include close engagement with key experts and stakeholders from across government, the Crown Prosecution Service, law enforcement, relevant regulators, industry and civil society representatives, and others with expertise in this area.

The Review will involve cross-government input, including from the Home Office, Department for Science, Innovation and Technology, Ministry of Justice, Department for Culture Media and Sport, Department for Education, Department of Health and Social Care and Equality Hub.

In conducting assessments and making recommendations to government, the Review will take account of the requirements of the Public Sector Equality Duty.

Annex B: Methodology and stakeholders

It was of utmost importance to me that this Review and its recommendations are evidence-based. Given this, the Review's method for evidence-collection came under two pillars: a Call for Evidence (CfE) and extensive stakeholder engagement across a breadth of key stakeholders.

Call for Evidence

In January 2024, the Review issued a CfE inviting responses from the public, subject matter experts, and interested organisations to strengthen the Review's evidence base and inform its recommendations.

The CfE was administered via Qualtrics XM's survey platform. Respondents were informed of their rights to confidentiality, how their data would be used and processed, how to make a complaint, and were required to give their informed consent before proceeding to the survey. In total, the CfE comprised 39 questions, with opportunities for participants to attach files to support their responses such as documents, images, and videos. Contributors were also given the opportunity to email their responses. Questions were separated into four sections:

1. The Prevalence of Illegal Pornography Online, and the Impact of Legal Online Pornography

2. Comparing the Regulation of Pornographic Content Accessed via Physical Media, Broadcast or Video-on-Demand, Against the Regulation of Online Pornographic Content Accessed via Commercial Pornography Websites and User-to-User Sites

3. The Response to Illegal Pornographic Content and Exploitation and Abuse in the Pornography Industry

4. Education and Information Resources on Pornography

Contributors had eight weeks to submit their responses. The Review received 502 responses from a variety of stakeholders, namely civil society organisations, academics, and individual members of the public. Each chapter of this report has a set of corresponding CfE questions that informed my conclusions. They are listed below:

Chapter 1: The Changing Pornography Landscape

Question Number	Question Text
Q12	What evidence can you provide on the prevalence of pornography appearing in augmented or virtual reality environments?

Q13	What evidence can you provide on the prevalence of AI-generated pornography?
Q14	What evidence can you provide on the positive and/or negative impacts of AI-generated pornography on viewers? This can include the impact on relationships, psychological impacts and/or sexual behaviours.
Q15	What evidence can you provide on the impacts of AI-generated pornography on performers of pornography, where they have consented to their images/likeness/voice being used?
Q16	What evidence can you provide on the impacts of AI-generated pornography on performers of pornography, where the subject has not necessarily consented to their images/likeness/voice being used?
Q17	Does AI-generated pornography present a different type of harm, both to the viewer as well as societal attitudes towards sex or relationships, compared to non-AI-generated pornography? Please provide any examples to support this.
Q18	What evidence can you provide on the positive and/or negative impacts of augmented reality or virtual reality-generated pornography on viewers? This can include the impact on relationships, mental health and/or sexual behaviours.
Q19	What impact has pornography's shift to online mediums had on viewers? This could include impacts on accessibility, attitudes, violence against women and girls, etc. Please provide evidence to support this.
Q21 (a) and (b)	What evidence can you provide on the number of people watching pornography? (a) online (via a dedicated pornography website or social media; or (b) offline (via physical media such as DVD)?
Q23	What evidence can you provide on the effectiveness of the existing regulatory regimes for pornographic content (illegal and legal)? This can include online content, video-on-demand, broadcasting, advertising, and physical media.
Q24	Are there likely to be any unintended consequences of further regulatory alignment? Please provide any examples you have to support this.

Q25 (a) and (b)	Considering pornography's regulatory landscape, including the not yet fully in-force regulations on user-to-user platforms and pornography publishers through the Online Safety Act 2023 (see section 2.1, paragraph 30), do you think there are:
	any gaps in the regulation of online pornography? Please provide evidence and detail any reasoning; or
	any gaps in regulation of offline pornography? Please provide evidence and detail any reasoning.
Q29 (a) and (b)	What evidence can you provide on efforts made by the pornography industry to tackle and combat the following appearing on their services:
	illegal pornographic content; or
	child sexual abuse and exploitation material?
Q33	What evidence can you provide on the effectiveness of specific measures, in diverting viewers from accessing illegal pornographic content online? For example, nudge tactics (design features which encourage, or 'nudge', users to make a different decision)

Chapter 2: The Harms of Online Pornography

Question Number	Question Text
Q1	What evidence can you provide on the public's attitudes towards pornography? This can include positive or negative attitudes from individuals of any age.
Q2	What evidence can you provide on how legal pornography positively affects the behaviours of viewers? This can include relationships, psychological impacts and/or sexual behaviours of viewers.
Q3	What evidence can you provide on how legal pornography adversely affects the behaviours of viewers? This can include relationships, psychological impacts and/or sexual behaviours of viewers.
Q4	Is there evidence to suggest a link between viewing specific types of legal pornography (such as violent legal pornography) and subsequent attitudes towards relationships, psychological impacts and/or sexual behaviours of viewers?

Q5	Is there evidence to suggest links between viewing specific types of pornography and viewers' attitudes towards violence against women and girls?
Q6	What evidence can you provide to show the prevalence of users who view legal pornography, and then go on to view illegal pornography or child sexual exploitation and abuse material (either deliberately or inadvertently)? Please make clear whether evidence included refers to material watched deliberately or inadvertently.
Q9	What evidence can you provide on how illegal pornography affects the behaviours of viewers? This can include relationships, psychological impacts and/or sexual behaviours of viewers.
Q14	What evidence can you provide on the positive and/or negative impacts of AI-generated pornography on viewers? This can include the impact on relationships, psychological impacts and/or sexual behaviours.
Q16	What evidence can you provide on the impacts of AI-generated pornography on performers of pornography, where the subject has not necessarily consented to their images/likeness/voice being used?
Q18	What evidence can you provide on the positive and/or negative impacts of augmented reality or virtual reality-generated pornography on viewers? This can include the impact on relationships, mental health and/or sexual behaviours.
Q19	What impact has pornography's shift to online mediums had on viewers? This could include impacts on accessibility, attitudes, violence against women and girls, etc. Please provide evidence to support this.
Q22	Please provide any evidence that shows there are different impacts on viewers who view pornographic content on social media and/or dedicated pornography websites, compared to viewing pornography on a physical medium (such as physical pornography videos)?

Chapter 3: Illegal Pornography and the Criminal Justice Response

Question Number	Question Text
Q4	Is there evidence to suggest a link between viewing specific types of legal pornography (such as violent legal pornography) and

	subsequent attitudes towards relationships, psychological impacts and/or sexual behaviours of viewers?
Q6	What evidence can you provide to show the prevalence of users who view legal pornography, and then go on to view illegal pornography or child sexual exploitation and abuse material (either deliberately or inadvertently)? Please make clear whether evidence included refers to material watched deliberately or inadvertently.
Q7	What evidence can you provide on the proportion of UK residents that have intentionally or unintentionally viewed illegal pornography online? Please make clear whether evidence included refers to intentional or unintentional viewing.
Q10(a)	What evidence can you provide of legal pornography viewing habits that might lead a person to deliberately view: Illegal pornography?
Q11(a)	What evidence can you provide of legal pornography viewing habits that might lead a person to inadvertently view: Illegal pornography
Q26	What evidence can you provide on the effectiveness of the criminal justice system response to tackling illegal pornographic content throughout the stages of law enforcement, prosecution and the court system?
Q27	In your view, how can the criminal justice system's response to tackling illegal pornographic content be strengthened?
Q28(a)(b)	In your view, how is the current response by the criminal justice system impacting individuals' decisions to report on: illegal pornography;
Q29(a)	What evidence can you provide on efforts made by the pornography industry to tackle and combat the following appearing on their services: illegal pornographic content

Chapter 4: Intimate Image Abuse & Child Sex Abuse Material on Pornography Platforms

Question Number	Question Text
Q8	What evidence can you provide on the prevalence of child sexual abuse and exploitation content appearing on pornography sites?
Q10(b)	The Review is seeking to understand what might lead a person to view illegal pornography or child sexual exploitation and abuse material. What evidence can you provide of legal pornography viewing habits that might lead a person to deliberately view: Child sexual exploitation and abuse material?
Q11(b)	What evidence can you provide of legal pornography viewing habits that might lead a person to inadvertently view: Child sexual exploitation and abuse material?
Q28(c)	In your view, how is the current response by the criminal justice system impacting individuals' decisions to report on: child sexual abuse and exploitation content that appears on pornography sites?
Q29(b)	What evidence can you provide on efforts made by the pornography industry to tackle and combat the following appearing on their services: Child sexual abuse and exploitation material?

Chapter 5: Safety in the Sector

Question Number	Question Text
Q15	What evidence can you provide on the impacts of AI-generated pornography on performers of pornography, where they have consented to their images/likeness/voice being used?
Q20	Are performers appearing in pornographic content receiving adequate protections from harm in the industry? Please provide any evidence to support this.
Q28(b)	In your view, how is the current response by the criminal justice system impacting individuals' decisions to report on:

	modern slavery/human trafficking in pornography
Q30	What evidence can you provide on the prevalence of modern slavery/human trafficking in the pornography industry?
Q31	What evidence can you provide on the efforts made by the pornography industry to track and counter instances of modern slavery/human trafficking?
Q32	How has the increase in online pornography and ease of access, positively and/ or negatively impacted adult performers? Please provide evidence to support this.

Chapter 6: Education, Public Awareness and Cultural Change

Question Number	Question Text
Q34(a)(b)	What education / information are you aware of being available for adults about: (a)the potential impact of viewing pornography? This can include some types of legal pornography which convey violent or misogynistic assumptions about sex and relationships. i) In your view, how effective is this education / information? b) what constitutes illegal pornography? i) In your view, how effective is this education / information?
Q35(a)(b)	What education / information are you aware of being available for children about: the impact of viewing pornography? This can include some types of legal pornography which conveys violent or misogynistic assumptions about sex and relationships. i) In your view, how effective is this education / information? what constitutes illegal pornography? i) In your view, how effective is this education / information?
Q36	What evidence can you provide on what motivates children, parents and carers to seek information about pornography and its harmful impacts?

Q37	In your view, how could parents / carers be better supported to educate their children about pornography? Please provide any evidence you have to support this.
Q38	In your view, what information or support would be helpful for adults who are concerned about their own consumption of pornography? Please provide any evidence you have to support this.

Stakeholder Engagement

The Review Secretariat, which was comprised of civil servants seconded from DSIT, was responsible for coordinating meetings and supporting my engagement with key stakeholders. This strand of the Review was separated into three phases:

Phase 1	18 December 2023 – 22 March 2024	Introductions and scoping across key policy areas.
Phase 2	8 April – 18 June 2024	Follow-up discussions, in-depth roundtables, introductions with additional contacts. Engagement pause required during and after general election period
Phase 3	18 September – 16 December 2024	Follow-up group discussions, testing recommendations and policy direction, rapid bilats with additional contacts.

Meetings and roundtables were conducted either in-person or via videoconferencing software, depending on participant location and availability. As work carried on, stakeholders often recommended contacts, such as specific subject matter experts for further discussion and/or anecdotal evidence, further extending the Review's engagement.

Given the breadth of the Review, a wide range of policy expertise and input was required. Therefore, across government, the Review consulted with the following HMG departments, seeking expertise:

Department for Science, Innovation and Technology

Ministry of Justice

Home Office

Department for Culture Media and Sport

Department for Education

Department of Health and Social Care

Government Equalities Office

Foreign, Commonwealth and Development Office

HM Treasury

Specialist Roundtables

To help me better understand the key thematic areas comprising the Review's scope, the Review convened 11 roundtables with subject matter experts in their respective fields. The small groups served as follow-up conversations with a reduced cast list to respond to more targeted questions as the final report took shape. The following subjects/stakeholder groups were covered:

Child Safety

VAWG & Sexual Violence

Child Sexual Abuse and Exploitation

Human Trafficking and Modern Slavery

Education

Adult Entertainment

Online Performers and Content Creators

Addiction and Relationship Support

Violence Against Men & Boys and Boys' Education

Alongside over 500 submissions to the Call for Evidence, in total, the Review consulted 135 stakeholders through 153 meetings (with the Review having met some stakeholders multiple times). In line with transparency guidance provided by the Cabinet Office, a list of stakeholders that the Review formally engaged with are below, comprising organisations and individuals:

#NotYourPorn

Adult Industry Association

Advertising Standards Authority (ASA)/Committees of Advertising Practice (CAP)

afterglow

Alia Azariah, survivor of trafficking in pornography

All-Party Parliamentary Group on Commercial Sexual Exploitation

Aorta Films

Apple

Australian Government

Aylo

Barnardo's

British Board of Film Classification

BT Group

Centre of Expertise on Child Sexual Abuse

Centre to End All Sexual Exploitation (CEASE)

Childnet

Choice

Christian Action, Research and Education

Crown Prosecution Service (CPS)

Czech Republic Government

Decrim Now

DefyAbuse

Department for Culture, Media and Sport

Department for Education

Department for Science, Innovation and Technology

Department of Health and Social Care

Dr Ben Brewster

Dr Elly Hanson

Dr Emily Setty

Dr Paula Hall

End Violence Against Women (EVAW) Coalition

Erika Lust Films

eSafety commissioner (Australia)

Foreign, Commonwealth and Development Office

Free Speech Coalition

FrolicMe

Frontline healthcare professional at Royal Devon University Healthcare, NHS

Home Office

Institute for Addressing Strangulation

Internet Watch Foundation

Jennifer Lyon Bell / Blue Artichoke Films

Jonny Hunt

Kate Zac, trafficking survivor and campaigner

Laila Mickelwait

Lucy Faithfull Foundation

Madelaine Thomas, founder of deterrent-based prevention software; Image Angel

MakeLoveNotPorn

ManKind Initiative

Mastercard

Men and Boys Coalition

Meta

Michael Conroy, Founder / Director Men At Work CIC

Microsoft

Miriam Cates

NAHT (National Association of Head Teachers)

National Crime Agency (NCA)

National Police Chiefs Council (NPCC)

Nina Vaaranen-Valkonen, Protect Children

Ofcom

Officials from foreign administrations

Officials from the Department of Justice, Northern Ireland

Officials from the Executive Office Ending Violence Against Women and Girls Programme Team, Northern Ireland

Ofsted (Office for Standards in Education, Children's Services and Skills)

OnlyFans

PayPal

Pineapple Support

Porn Better

Premier Christian Communications

Professor Abhilash Nair

Professor Alessandra Lemma

Professor Clare McGlynn

Professor Clarissa Smith, Northumbria University and Co-editor Porn Studies Journal

Professor Fiona Vera-Gray

Professor John Mercer, Birmingham City University and Co-editor Porn Studies Journal

Professor Mark Griffiths

Professor Sam Lundrigan

Professor Sonia Livingstone

PSHE Association

Rahab's Daughters

Rape Crisis England & Wales

Reddit

Refuge

Relate

Revenge Porn Helpline

Roisha Hughes – Reading the Room Ltd

Safeline

Segpay

Sex Education Forum

Sex workers, individual performers and creators from the Online Working Group within the Sex Workers Union

Simon Bailey

Snap Inc.

Stay Safe East

Support Network for Adult Professionals (SNAP) Together

T3K.AI

TechUK

The Association of Police and Crime Commissioners

The Association of School and College Leaders (ASCL)

The Baroness Benjamin

The Baroness Harding of Winscombe

The Baroness Kidron

The Baroness Owen of Alderley Edge

The Children's Commissioner for England and her office

The Domestic Abuse Commissioner for England and Wales

The Fawcett Society

The Independent Anti-Slavery Commissioner

The Lord Bethell

The Lord Farmer

The Other Half

The RAP Project

The Reward Foundation

The Rt Hon Sir Jeremy Wright MP

The Rt Hon Sir Sajid Javid

The Victims' Commissioner for England and Wales

TikTok

TrafficJunky

UK Feminista

UK Finance

UK Safer Internet Centre

Unseen

Verifymy

Virgin Media O2

We Are Survivors

WebGroup Czech Republic

Women's Aid (Women's Aid Federation of England)

XBIZ

xHamster