



Is someone **SHARING** or **THREATENING TO SHARE** your **INTIMATE IMAGE**

(aka a nude or sexually explicit image)

WITHOUT your consent?



We're so sorry this is happening to you!

Please know that there are resources available to try to get your images down and to provide you with the emotional, technical, or legal help you might need.

Before you take any steps that might result in the images being deleted, make sure you make a record of what has happened so you can have copies of the proof if needed (e.g. if you decide you want to get help and need proof of what happened to you).

See the "**Preserving Digital Evidence Toolkit**" from techsafety.ca for tips on how to do this.

Here are some options for how to respond:

OPTION TO CONTACT THE PERSON WHO SHARED THE IMAGE

If you feel safe doing so, you can contact the person who is sharing or threatening to share your image to let them know this is against the law.

If you know who is sharing/threatening to share the image and you feel safe contacting the person, you can send them the following message to let them know you do not consent to this behaviour and that it is illegal:

“Under Canadian criminal law it is illegal to share an intimate image (nude, semi-nude, or sexually explicit picture or video) of someone without their consent and courts can order you to delete any images in your possession. This is a notice to request that you delete intimate images of me in your possession and remove any images that have been distributed online or in any other manner. For more information on the relevant criminal law, see section 162.1 of the Canadian Criminal Code.”

In some cases, sending this notice will be enough to get the person who is sharing your image or threatening to share your image to end their harmful behaviour.

You can also ask friends or anyone who has received the image to tell the person to stop sharing it. They should also delete the image themselves and not share it further.

If this doesn't help, you might want to consider other technological or legal options for getting your images deleted.

TECH SUPPORT OPTIONS

It is often against the rules of a website or social media company to share nude images without consent. You can make a complaint to the social media companies, websites, and search engines where the images are posted to request that they remove your intimate image. On some platforms there are also options available that can stop the images from being posted in the first place.

You can find information about how to report your image on various social media platforms here: <https://revengepornhelpline.org.uk/information-and-advice/reporting-content/reporting-to-social-media>

And how to report to major pornography websites here: <https://revengepornhelpline.org.uk/information-and-advice/reporting-content/reporting-to-adult-sites>

Those who are 18+ can register their intimate image as a “hash” so that it cannot be posted or reposted on some platforms (including Facebook and Instagram). More info is available here: <https://stopncii.org>

Canadians under 18 can register their image as a “hash” to be automatically removed from online websites and platforms by project arachnid here (note that this option may result in police involvement in some cases): <https://projectarachnid.ca/en/survivors-contact>

You can apply to have the images removed from Google search results (so that they do not appear when someone searches your name) here: <https://support.google.com/websearch/answer/6302812?hl=en>

LEGAL OPTIONS

If you feel comfortable doing so, you can also contact the police, a lawyer, or other legal supports. Here is some information about the relevant laws that you might want to bring with you to report (please note that not all criminal justice staff are well informed about the law in this area, and you may want to come prepared and/or bring a support person as this can be a challenging experience for many).

Criminal Law (i.e., reporting to the police about a crime):

Offence for sharing an intimate image without consent

Sharing intimate images without consent is a criminal offence in Canada. If you report to police, you can mention section 162.1 of the Canadian Criminal Code which states that it is illegal to share or make available an intimate image of a person knowing that the person depicted in the image did not give their consent to that conduct, or being reckless as to whether or not that person gave their consent to that conduct.

See more details here: <https://laws-lois.justice.gc.ca/eng/acts/C-46/section-162.1.html>

Offence for secretly taking intimate images of someone

It is also a crime for someone to secretly take sexual or nude/partially-nude pictures of you if they are secretly taken. It is also a crime for someone to secretly take pictures of you if they are taken for a sexual purpose or if you are somewhere private where it is common to be naked, like a changeroom or a bedroom, whether you are fully naked or not. This is called voyeurism, and it is listed under section 162 of the Canadian Criminal Code.

See more details here: <https://laws-lois.justice.gc.ca/eng/acts/c-46/section-162.HTML>

Offence for trying to make someone do something by threatening to share images

If someone tries to make you do something by threatening to share your intimate images, such as telling you that you have to send more images, send them money, or do something sexual with them, this is also a crime. It is called extortion and is listed under section 346 of the Canadian Criminal Code.

See more details here: <https://laws-lois.justice.gc.ca/eng/acts/c-46/section-346.html>



Civil Law (i.e., asking a court to make an order for the person to take the images down or pay you for financial losses; sometimes this is called suing someone):

Some jurisdictions in Canada also have civil law supports and/or government bodies that can help with legal options and intimate image removal (e.g., CyberScan in Nova Scotia - <https://novascotia.ca/cyberscan/>, the Canadian Centre for Child Protection in Manitoba - <https://www.protectchildren.ca/en/>, or the Civil Resolution Tribunal in British Columbia - <https://civilresolutionbc.ca/>). Courts can use laws that protect people's intimate images or civil privacy laws to order someone to take the image down and/or delete it, and they can also award money to you to make up for the harm you experienced. However, you may need to hire a lawyer to help you with this.

You can learn more about various legal options that may be available to you here: <https://techsafety.ca/resources/toolkits/legal-remedies-for-image-based-abuse>

Copyright Law:

If you took the image yourself, you own the copyright to the image. If anyone posts it on the internet or shares it without your permission, they are making a copy of the image which breaches your copyright (i.e., you are the only person who is legally allowed to make copies of the image). This is true whether you are nude in the image or not, as long as you took the photo yourself.

You can report a copyright infringement complaint to a website, social media company, or internet intermediary, who will tell the person that posted it that they have breached your copyright and should take the content down. This is called a "notice and notice" system. Sometimes a copyright complaint can work better than other types of complaints to social media companies.

If the website is American, you can also make a complaint through the Digital Millennium Copyright Act (DMCA), which requires websites and social media companies tell the person that they may have violated your copyright, and the company itself will remove the image. This is called a "notice and takedown" system. For more information on how to file a DMCA complaint with a company see this post: <https://withoutmyconsent.org/resources/something-can-be-done-guide/take-down/>

This legal information is for general informational purposes only and does not constitute legal advice.



EMOTIONAL SUPPORTS

There are many emotional supports available to you depending on your specific concerns, some of these include:

Young people can contact

Kids Help Phone

Phone: 1 800 668 6868

Text: 686868

Website: <https://kidshelpphone.ca/>

Everyone can find more mental health support information here:

<https://www.canada.ca/en/public-health/services/mental-health-services/mental-health-get-help.html>

Adult women can contact

Battered Women's Support Services

For regional crisis lines visit:

<https://www.bwss.org/resources/transition-houses-in-canada/>

Website: <https://www.bwss.org/>



DIY: DIGITAL SAFETY PROJECT

This information sheet was created by the DIY: Digital Safety Team, you can learn more about our research team and find a variety of additional support resources that we have gathered on our website here:

<https://www.diydigitalsafety.ca/resources/support-services>