



How the Harassment, Harmful Communications and Related Offences Act 2020 Fails to Capture the Harms of Cyber Sexual Violence

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Abstract

This poster presentation will share how Ireland's Harassment, Harmful Communications and Related Offences Act 2020 fails to capture the range of harms experienced in Cyber Sexual Violence (CSV). I define CSV as "a non-physical, cyber-located, non-consensual or coerced act of a sexualised nature". This definition articulates that CSV is cyber-based and non-physical. Through synthesising the literature on CSV and the harm caused, I will explore the limitations of the Harassment, Harmful Communications and Related Offences Act 2020. The Harassment, Harmful Communications and Related Offences Act 2020 centres on perpetrators intentionally or recklessly causing harm or undertaking acts that would reasonably be assumed to cause another harm. Through framing harm from the perspective of the alleged perpetrator of CSV, I argue that the Harassment, Harmful Communications and Related Offences Act 2020 fails to capture the range and nuance of the harm experienced in CSV. CSV harms individuals, their relationships, and society by perpetuating a culture of non-consent. I concur with fellow feminist scholars that the policy and legislative responses to CSV should centre on harm from the perspective of the victim/survivor. In this poster presentation, I will illustrate that the Harassment, Harmful Communications and Related Offences Act 2020 is failing victims/survivors of CSV through its application of what harm is and when it occurred. This poster presentation includes details of how I am approaching my doctoral research on the lived experiences of women in Ireland of CSV, including its impact. Through my doctoral research, I aim to offer evidence-informed recommendations to enhance policy and legislation in Ireland further.

Keywords: Cyber Sexual Violence, Legislation, Ireland, Harm, Culture of Non-Consent