

# TECHNOLOGY-FACILITATED DOMESTIC ABUSE IN POLITICAL ECONOMY: A NEW THEORETICAL FRAMEWORK

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## AUTHORS NOTE

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## KEYWORDS

Technology; domestic abuse; coercive control.

## ABSTRACT

This paper presents a new theoretical framework around technology-facilitated domestic abuse (TFDA) in identifying four distinct types of omnipresent behaviour. Perpetrators are increasingly drawing upon networked technologies like smartphones, social media and GPS trackers in monitoring, controlling and abusing survivors. There is considerable academic literature developing in response to this. Whilst this scholarship is valuable, this paper argues that TFDA must be understood as a neoliberal manifestation of patriarchal legacies of misogyny and sexism. A failure to recognise this will serve to prioritise abusers' freedom to do harm over rights of survivors to be protected from harm.

## INTRODUCTION

In recent years, enquiry around domestic abuse has begun to identify how perpetrators draw upon technology to inflict old harms in new ways. Developments in networked communication during the past thirty years, whilst bringing about significant benefits for work and leisure, have made it easier for abusers to harass, monitor, and control. Smartphones, text messaging, social media and GPS location tracking are all examples of technologies repurposed for abuse. Technology-facilitated domestic abuse (TFDA) is on the increase (HM Government, 2019a; Refuge, 2019a). Technology is part and parcel of abuse in the twenty first century, rather than being something separate from or parallel to it (Douglas, Harris and Dragiewicz, 2019; Gilchrist et al, 2017). Survivors are likely to experience other forms of abusive behaviour including economic abuse, sexual abuse, emotional abuse and physical violence (Freed et al, 2018; Krebs, Breiding, Browne and Warner, 2011; Woodlock, 2017).

TFDA has become integral to coercive control, a course of conduct intended to deprive women of their liberties, freedoms and independence in domestic abuse situations (Pain, 2014; Pence and Paymar, 1993; Stark, 2007). The affordances of contemporary technologies enhance the capacity of abusers to engage in a plethora of coercive and controlling behaviours and present new challenges for those tasked with supporting survivors (Douglas et al 2019; Dragiewicz et al, 2018; Woodlock, 2017). Of particular importance is the concept of *omnipresence*, whereby abusers use technology to create a sense of constantly being present in a person's life (Woodlock, 2017). Abusers can be continually connected in a contemporary context of 'spacelessness' (Harris, 2018), eroding temporal and spatial barriers, the sense of disinhibition (Suler, 2004) around technological communication further facilitating harmful behaviours. For an abuser, omnipresence provides unprecedented levels of access to and information about an individual, which in turn, enables them to monitor, stalk, isolate and

degrade. Recent years have seen the criminalisation of several behaviours associated with the abuse of women and girls. Stalking laws have been introduced in England and Wales and all Australian states. Scotland has introduced the specific offence of domestic abuse. Revision of the criminal law may lead to abuse being taken more seriously, enhance redress for women and ensure that abuse is recognised as a matter of public significance. However, the gender-neutral nature of the aforementioned laws preclude consideration of the structural misogynistic drivers of abuse and can serve to revictimize women, drawing them into criminal justice and welfare systems as offenders and stigmatized dependents (Bumiller, 2008; Coker and Macquoid, 2015; Goodmark, 2011). In a social and cultural context of pervasive sexism, the impact of legal changes are limited by the persistence of patriarchal attitudes and beliefs about violence against women, most notably – *Why doesn't she just leave?* In an era of technology-facilitated abuse, where neoliberal tropes of individual responsibility inculcate patriarchal tenets, they have been joined by others: *Why doesn't she just change her phone number? Why doesn't she stop using social media?*

As the literature around TFDA grows, it is important to take stock of its contribution to the evidence base, identifying not only key themes and concepts but also omissions and challenges. Harris and Woodlock (2019) note that existing literature tends to focus upon the medium and the acts it enables rather than the actors or the context in which it occurs. This is an important observation, which is deserving of further attention. Despite enhanced knowledge of the nature and extent of TFDA and the response to it, broader structural themes remain underexplored. There is a need to understand how decisions to harm others are made within broader structures, combining the insights from existing empirical work with themes of motivation and aetiology, exploring the development of harmful individualistic subjectivities in political-economic contexts.

TFDA demonstrates that neoliberalism has been embraced by patriarchal power structures. Concepts like negative liberty and the sovereign individual have been seized to bolster misogynistic beliefs and attitudes, buttressing practices like victim-blaming and safety work. A robust feminist critique of systemic injustices has been hampered by the slow creep of neoliberal principles into second wave feminism. That feminist politics has shifted from redistribution to recognition within a political-economic context of neoliberalism is no coincidence. Feminist goals focused on transforming political economy have given way for a campaign to transform culture *within* a neoliberal framework. A politics of redistribution has been replaced with a politics of recognition (Fraser, 2013). Feminism's turn from the egalitarian to the cultural has compromised its capacity to stimulate change, with some arguing that it has served to legitimate many of the transformations borne out of the neoliberal machine (Fraser, 2013). Taking omnipresence (Woodlock, 2017) as its conceptual foundation and identifying four distinct types of omnipresent behaviour, this paper synthesises emergent work on TFDA with contemporary criminological and feminist theory to address the gaps that Harris and Woodlock (2019) identify. It is hoped this will be the impetus for new directions in research around TFDA, the appreciation of its patriarchal stem and neoliberal branches leading to new strands of enquiry and realistic calls for action. The paper proceeds by presenting a new conceptual framework of omnipresence, in which relevant behaviours are identified and contextualised under four key headings - *establishing omnipresence, overt omnipresence, covert omnipresence and retributive omnipresence*.

### ESTABLISHING OMNIPRESENCE

Omnipresence is multidimensional, involving a range of separate but related behaviours, which depend firstly upon the abuser establishing it within the abuse. In this preparatory phase, an abuser identifies and gains access to entry points that unlock further information about a survivor. Abusers gain privileged access to survivors' accounts and devices,

legitimated by traditional models of androcentric authority within family life. They are often the account holders for family phone plans and purchase devices for survivors, conferring authority to set up passwords and security information (Douglas et al, 2019; Dragiewicz et al, 2019; Freed et al, 2017, 2018; Kleinman, 2017; Matthews et al, 2017). Survivors who are financially dependent upon their abuser are particularly vulnerable, emphasising the interrelated nature of economic and technology-facilitated abuse (Freed et al, 2017, 2018). Abusers also mirror or pair secondary devices, for example an iPad with an iPhone to enable the iPad to be used to see the survivor's iPhone activity (Kleinman, 2017). Freed et al (2017) reported that some survivors shared passwords with the abuser in the early stages of abuse, when they perceived their situation with the abuser as a good relationship. Typical of the accelerated pace at which abusers embed themselves into survivor's lives (Borochowitz and Eisikovits, 2002; Horley, 2017; Stark, 2007), some attempted to access this information very soon after meeting the survivor,

She recalled that on their first date, her ex showed her all of his devices and offered to let her log in with her own profile on his computer. He watched her enter all of the information... "he watched me because I put the password in, I just kind of felt - because I had always protected my password and I thought [maybe this wasn't okay], but he's put me on his computer, so I guess we're sharing these things, but that was right from the beginning" (Dragiewicz et al, 2019: 18).

Device ownership and control enables the abuser to install spyware on devices (Chatterjee et al, 2018). Abusers are also able to purchase phones with pre-installed spyware, enabling "a streamlined abuser experience with the most invasive monitoring abilities" (Chatterjee et al, 2018: 8). Spyware and its capabilities are discussed in detail under *covert omnipresence*; however, the availability of such products highlights the commodification and marketisation

of abuse, supply emerging to meet demand amongst those with an intention to spy on others without their consent (Harkin, Molnar and Vowles, 2019).

Again, characteristic of the speed at which abusers infiltrate the lives of those they abuse, perpetrators were also quick to embed themselves in survivors' networks on social media platforms, often before women realised that they were being abused (Douglas et al, 2019). This access was later used to disrupt the survivor's supportive social relationships and professional lives. Other ways in which abusers established omnipresence included accessing a survivor's computer webcam or installing CCTV cameras around the home (Eterovic-Soric et al, 2017; Douglas et al, 2019). Abusers framed their behaviours in terms of care and concern, expressions of their commitment to sharing and mutuality with the survivor (Dragiewicz et al, 2019). One abuser explained that activating the phone's location tracker would help her when she was taking the bus, "You wouldn't think he was doing anything bad, he showed you what he was doing...I didn't realise it was going to be part of my entrapment" (Kleinman, 2017).

In justifying their actions, abusers drew upon common tropes of romantic love, where their perceptions and wants were prioritised via their heteronormative status as the dominant partner (Horley, 2017; Monckton-Smith, 2012). Male abusers embody insecure neoliberal subjectivity (Winlow and Hall, 2017), drawing upon proprietorial historical conventions of the femme covert (Monckton-Smith, 2010) to tackle the threat to the masculine self that women's increasing economic independence, cultural autonomy and formal equality represent. However, new 'flexible' labour markets, far from liberating women from the 'family wage' and enhancing their economic independence have further disadvantaged them given their disproportionate representation in the gig economy of zero hours contracts and part time work (Fraser, 2013), further fostering dependency within traditional models of patriarchal authority. Neoliberal notions of anxiety-driven interpersonal competition (Ellis,

2017) serve to justify the contemporary manifestations of patriarchal possession and control that TFDA represents. The sense of entitlement to monitor and control one's female intimate partner – essentially infringing upon their rights and freedoms – is validated by market-driven individualism (Raymen, 2019; Winlow and Hall, 2006). In establishing omnipresence, perpetrators are exercising *special liberty*, “doing what they think is necessary, on or beyond the boundaries or ethics and law, to secure their own acquisitive or expressive interests regardless of the welfare of others” (Hall and Winlow, 2018: 49). The economic and symbolic insecurity of neoliberalism rationalizes misogynistic pathological behaviours like TFDA. As such, whilst the decision to establish omnipresence is made by individual men, these decisions take place within a political-economic context built on centuries of patriarchal domination, in which violation of women's liberty does not preclude the pursuit of their own interests.

#### OVERT OMNIPRESENCE

Overt omnipresence was characterised by undisguised monitoring and control. The cunning and manipulative behaviour evident in *establishing omnipresence* continued. Abusers presented overt omnipresence as normal and reasonable, drawing on the increasing social acceptability of technology-facilitated omnipresence, particularly amongst younger age groups (Baym, 2015; Dragiewicz et al, 2018; Gilchrist et al, 2017). This normalisation of omnipresence served to minimise and romanticise stalking behaviours within TFDA (Eterovic-Soric et al 2017; Harris and Woodlock, 2019). This creates difficulties in identifying TFDA (Dragiewicz et al, 2018, 2019), particularly given the tendency of contemporary criminal justice systems to decontextualize domestic abuse, failing to see incidents as constitutive of abusive courses of conduct (Monckton-Smith, Williams and Mullane, 2014; Stark, 2007, 2009). Furthermore, even when abuse is recognised, reported



and prosecuted, the focus remains on a single snapshot of individual behaviour, with little regard given to the patriarchal structural catalysts of that behaviour.

Abusers go through phones and devices in front of survivors, checking emails, call logs and text messages (Dragiewicz et al, 2019). They incessantly call and text survivors (Douglas et al, 2019; Dragiewicz et al, 2019; Woodlock, 2017). Automated email and chat services can be programmed to send multiple messages throughout the day, ensuring maximum disruption for survivors at minimum effort for abusers (Eterovic-Soric et al, 2017). Jacinta, a participant in Douglas et al's study reported "he once in a period of six hours rang 109 times and texted 178 times" (2019: 566). The contents of incessant communication sometimes draw upon information gleaned during the *establishing omnipresence* stage. Susan, a participant in Douglas et al's study told of how her partner installed CCTV cameras throughout the house and remotely watched her, sending text messages like 'what are you watching on TV?' (2019: 563). Studies that examined post-separation behaviours, where a survivor had blocked an abuser's number or profile, told of how abusers would deploy innovations like VoIP technology to conceal or spoof their phone number, which bypasses safeguards such as caller ID and call blocking (Eterovic-Soric et al, 2017, Freed et al, 2018).

Abusers demand an immediate response to texts and calls, insistent that the survivor picks up or responds within a certain number of rings or minutes of receiving the text message and compels them to send pictures to 'prove' their whereabouts (Dragiewicz et al, 2019). Failure to comply is met with threats of violence or humiliation (Dragiewicz et al, 2019). This is a key example of technology being used to enforce the rules of coercive control (Stark, 2007). Technology is also deployed when punishing a survivor who breaks the rules. Radha, a participant in the study by Douglas et al explained that her abuser would only allow her access to technology when she agreed to his demands and did the things that he demanded of her, "if I don't listen to him he would just switch off the internet or hit me or cut off my

needs” (2019: 560). In addition, abusers destroyed survivors’ devices as punishment for perceived failures to comply with rules (Douglas et al, 2019; Dragiewicz et al, 2019; Freed et al, 2018; Matthews et al, 2017), damage of property being a key tactic of coercive control (Stark, 2007). One survivor noted how she had to cope without a phone after her abuser had broken it, “I work hard [...] to buy myself a phone. [...] so I had to find a way [to] save without him knowing. [...] I would just hide the money” (Matthews et al, 2017: 2195).

These experiences highlight how abusers use technology to engage in the isolating behaviours of coercive control, which “undermines the moorings of social authority and identity, eviscerating a woman’s selfhood and constraining her subjectivity” (Stark, 2007: 262). Restricting access to technology limits contact with friends and family, shutting down critical perspectives on the abuser. This also prevents access to opportunities for employment, further distancing survivors from the safety zone of the workplace in which independent identity and personhood are nurtured and exacerbating dependence upon the abuser (Stark, 2007). One participant stated,

“I’m in isolation. [...] I’ve not only been isolated to my home, and to take care of my children, but isolated in that – [separated] from work and my friends. And not being able to go anywhere. So financially I’m incapacitated to do anything” (Matthews et al, 2017: 2193).

The overt nature of omnipresence is reinforced with verbal threats and acts of aggression. Jia, a participant in Dragiewicz et al’s study was told by her abuser, “I know everything. So, wherever you hide, I can always find you” (2019: 25). Threats are veiled and may not be interpreted as malicious by a third party (Douglas et al, 2019; Gilchrist et al, 2017). As such, technology facilitates personalised abuse, the abuser tailoring it to specific vulnerabilities.

This behaviour may appear innocuous but is saturated with meaning when seen in the context of the abuse (Stark, 2007).

Survivors told of how they coped with overt omnipresence by accessing a device that the abuser did not know about (Matthews et al, 2017). They hid it, tried to erase evidence of their online activities through deleting emails and browsing histories and stopped or restricted their use of devices that the perpetrator had access to (Matthews et al, 2017). However, survivors were not always successful at covering their tracks, “I have a friend that I was emailing and telling about the situation and [my abuser] found out about it [...] it was deleted but it didn’t delete out of my phone like that. He went to the archives. He went through everything, and found it” (Matthews et al, 2017: 2196). The *safety work* (Kelly, 1988) that survivors engage in is often compromised by a lack of knowledge, confidence and effective advice around technology, exacerbated by feelings of stress and anxiety involved in coping with domestic abuse (Arief et al, 2014). Some of the safety advice that survivors receive from police and support services can heighten the risk of further harm, a point discussed in more detail later in this paper.

Overt omnipresence is the abuser’s performance of patriarchal dominance and power, an enactment of their perceived entitlement to control the survivor, which in turn is rooted in historical proprietary conceptualisations of women. It embodies *everyday terrorism*, a frequent and prolonged campaign to control a survivor through fear (Pain, 2014). The target audience for this display of special liberty (Hall and Winlow, 2018) is the survivor, whom the abuser distrusts, seeing them as an adversary to be controlled rather than an equal partner to be loved, indicative of the cultures of extreme interpersonal competition in late capitalism (Ellis, 2017). The misogynistic biological determinism inherent in historical notions of women as untrustworthy, deceitful and hysterical (D’Cruze and Jackson, 2009) combines with neoliberal tropes of hostile, aggressive competition to nurture continuous insecurity,

paranoia, fear of humiliation and an inability to trust other people (Ellis, 2017). In intimate relationships, abusers realise the benefits of women's continued subordination, which enables them to "translate their relative privilege in wider society into disproportionate levels of power and control in relationships" (Stark, 2009: 1513).

### COVERT OMNIPRESENCE

In *covert omnipresence*, the perpetrator is clandestine and surreptitious, collecting information about the survivor without their knowledge. Covert omnipresence can occur in tandem with overt omnipresence, continuing and intensifying after separation. The survivor's lack of awareness enhances the abuser's feelings of power, control, dominance and superiority. Survivors may *suspect* they are being monitored but are unable to identify how the abuser is doing this (Dragiewicz et al, 2019). As such, covert omnipresence has close links with gaslighting – a range of tactics employed within coercive control which aims to make a survivor doubt themselves, their perceptions of events and even their own sanity (Hightower, 2017). This can impact upon the survivor's decision-making as to whether they report their abuse and the response they receive if they do. As Dragiewicz et al, note, survivors are "often seen as paranoid" (2019: 29).

When survivors are away from their device, abusers check text messages without permission (Freed et al, 2017, 2018; Gilchrist et al 2017) and install spyware on their phones without consent (Douglas et al, 2019; Matthews et al, 2017). Eterovic-Soric et al (2017) note the emergence of what they term the *stalker app*, described as "a particular type of spyware available for mobile devices, whose primary purpose is to allow a user to covertly monitor a smartphone carried by another person" (2017: 280). Spyware enables access to texts, photos, calendars, contacts, location, call recordings, files stored on the device and internet search histories, with some enabling remote access to smartphone cameras and microphones

(Chatterjee et al, 2018; Citron, 2015; Fraser et al, 2010). Some spyware enables remote control of devices, allowing apps to be blocked, restricting what users can search for online, limiting the number of hours a phone can be used, locking the device or deleting all of its data (Chatterjee et al, 2018), further enabling isolation. Survivors sometimes only realise that stalkerware has been installed on their device when their abuser demonstrated detailed knowledge of their communication activities and / or turned up at locations they would not otherwise know about (Freed et al, 2017, 2018). In some cases, it was only after separation that the extent of the perpetrator's monitoring of them became clear (Dragiewicz et al, 2019).

Chatterjee et al (2018) describe the proliferation of *dual use apps* by abusers – apps which have a legitimate purpose but are easily and effectively re-appropriated as tools for abuse. This includes common technologies such as anti-theft apps like *Find My iPhone* and Android's *Find My Device* – which enable location tracking as well as the ability to wipe or lock the device (Chatterjee et al, 2018, Freed et al, 2018). Cloud-based file synchronization apps like OneDrive, which enable access to files across a range of devices, are also repurposed for abuse by those with knowledge of account passwords (Chatterjee et al, 2018; Dragiewicz et al, 2019; Freed et al, 2018). Some dual use apps are already integrated into an operating system when it is purchased - for example a family tracker like Verizon's *Family Locator*. Abusers do not require physical access to the device to obtain data from such apps, they can simply log in using the privileged access that their account holder status often affords them (Chatterjee et al, 2018).

Abusers draw upon their intimate knowledge of the survivor to guess passwords and answer security questions to gain access social media and other accounts (Freed et al, 2017, 2018). When unable to enter the survivor's account, or if blocked from viewing it, abusers monitor the profiles of the survivor's friends and family, engaging in *proxy stalking* (Melton, 2007). This tactic is used to glean information about the survivor, looking out for specific content,

for example when the survivor is tagged in a photo (Woodlock, 2017). In cases where friends on social media are not aware of the abuse, they may unwittingly disclose information that compromises a survivor's safety (Freed et al, 2017, 2018). Abusers also use impersonation, creating fake profiles in the survivor's name and using them to gather information (Dragiewicz et al, 2019; Woodlock, 2017).

The literature also detailed how abusers plant GPS trackers on survivors' vehicles or possessions to monitor their physical whereabouts (Dimond et al, 2011; Eterovic-Soric et al, 2017). This often takes place after separation, when an abuser does not have physical access to a survivor's phone. Emerging research is exploring the potential dangers of smart home devices and the internet of things (Leitao, 2019; Lopez-Niera et al, 2019). Lopez-Niera et al (2019) cite the case of Ross Cairns, convicted of stalking in 2018 after logging into an iPad that his ex-wife used to operate household utilities. He had gained access the iPad's microphone and listened in to her conversations with her mother (Lopez-Niera et al. 2019).

Abusers who have children with survivors and legal rights to see the child will use this access point to engage in covert omnipresence. Abusers use children's phones, games consoles or other devices to establish new means of monitoring the survivor after separation (Douglas et al, 2019; Freed et al, 2017, 2018; Marwick et al, 2019; Refuge, 2019a). Ingrid, a participant in Douglas et al's study (2019) told of how her ex-husband had inserted a GPS tracking device into a doll he had given to their daughter. This resulted in him discovering the location of a women's shelter and she was compelled to find alternative accommodation. Where abusers have legally enforceable rights to contact the child, survivors may not be allowed to remove items given to them by abusers, for example smartphones or tablets (Freed et al, 2018). In such cases, survivors are constantly on guard, investing considerable time in searching and checking children's toys and prams as well as devices like phones, smart

watches, computers and fitness trackers when their child returns after visitation (Dragiewicz et al, 2019).

The covert nature of omnipresence is informed by the desire to emerge victorious in *catching the survivor out* in violation of rules or expectations, proving that they were *right* to distrust them. This embodies the wider neoliberal injunction to emerge victorious and “fight hard and dirty...a daemonic drive to win at all costs” (Winlow, 2014: 41). In addition, the existence of a market in which spyware devices and software are freely available affords perpetrators the status of consumer-abusers, in which their rights and freedoms to consume are prioritised over the those of the survivor to be protected from the harms that spyware enables. Spy-gear stores openly sell audio bugs, microphones and hidden cameras (Eterovic-Soric et al, 2017). Spyware apps are available to purchase on popular app stores, where a reactive rather than proactive approach is taken to their removal (Chatterjee et al, 2018; Parsons et al, 2019). Spyware vendors provide customer support for those who have purchased their products but not for those who have been monitored without consent (Chatterjee et al, 2018; Harkin et al, 2019; Parsons et al, 2019). The literature avoids challenging the existence of this market, instead suggesting solutions aimed at better detection and security (Chatterjee et al, 2018; Eterovic-Soric et al, 2017; Freed et al, 2018;). Spyware is taken as a given, the misogynistic and proprietorial values associated with it remain unchallenged. Neoliberal criminal justice systems compound these issues by failing to enforce laws around the illegal manufacture, distribution and use of spyware (Citron, 2015; Parsons et al 2019). As such, wealth trumps wellbeing and the economy takes precedence - other social institutions and their organisational manifestations devalued and saturated with economic ideology (Messner, Thome and Rosenfeld, 2008). The rolled back neoliberal state washes its hands of its role as protector, limiting its role to ensuring the freedom of capital and placing the emphasis upon the individual to make ‘good’ decisions as ‘successful survivors’ that would end or prevent

their abuse (Bumiller, 2008). The neoliberal order has twisted second wave feminism's critique of welfare state paternalism, using it to "legitimate marketization and welfare state retrenchment" (Bumiller, 2008: 222).

### RETRIBUTIVE OMNIPRESENCE

Retributive omnipresence occurs when the survivor leaves the abuser and as such, is distinct from the punishment behaviours within overt and covert omnipresence. The survivor's assertion of agency and autonomy in leaving is perceived by the abuser as the ultimate breach of rules. The survivor's departure compromises the abuser's aim to destroy her liberty, essentially confirming that he has *failed*. Given the neoliberal onus on winning and the accompanying fear of humiliation (Ellis, 2017), abusers seek to regain control by deploying other methods of destroying the survivor's liberty. Whilst the aim of liberty-deprivation persists, the abuser 'changes the project',

...acts in which men attempt to possess women and "keep" them...may be followed by acts of revenge when possession, control and authority are lost...a man decides to 'change the project' from attempting to keep her within the relationship to destroying her for leaving it (Dobash and Dobash, 2015: 39).

Humiliation is a key objective in the technology-facilitated behaviours which follow, drawing upon access and information secured during *overt omnipresence* and *covert omnipresence* (Dragiewicz et al, 2019; Matthews et al, 2017). Abusers attempt to damage survivor's personal and professional reputations and further isolate them from the support they need in establishing independence. Retributive omnipresence features the continuation and exacerbation of technology-facilitated behaviours and the introduction of new behaviours. Switching and changing of technology-facilitated and in-person behaviours and one-to-one



behaviours to public behaviours is common as the perpetrator attempts regain control (Dragiewicz et al, 2019).

Abusers continue to incessantly text and call the survivor, but the volume increases, and content alternates between abuse and professions of love (Dragiewicz et al, 2019). Threats of self-harm are made and embellished using technology, “He sent me a suicide note via Facebook messenger along with graphic images of self-harm. I later found out that he just found the images online. I went round the next day and he was just sitting there on his Xbox.” (Refuge, 2019b).

Abusers unable to contact survivors using prior means – for example due to being blocked on social media - set up fake accounts from which to harass them (Dragiewicz et al, 2019; Freed et al, 2018). Abusers also harass the survivor’s friends and relatives (Dragiewicz et al, 2019; Woodlock, 2017). Data collected during overt and covert omnipresence is publicly shared to humiliate the survivor and destroy their dignity (Douglas et al, 2017; Dragiewicz et al, 2019; (Woodlock, 2017). Images depicting sexual victimization of the survivor often feature in accounts (Freed et al, 2018; Salter and Crofts, 2015; Woodlock, 2017). A support worker in Woodlock’s (2017) study described one such example, “One particular woman had her ex-partner saturate her page with information about how he gave her an STI – this information was read by her teenage son’s friends, among other people” (2017: 597).

Some abusers commission other individuals to assist in the abuse, including their new partners, friends or relatives (Douglas et al, 2019; Dragiewicz et al, 2019; Freed et al, 2018; Refuge, 2019b; Woodlock, 2017). Abusers attempt to control the narrative around the abuse, particularly when it had become known by those in the abuser and survivor’s social network (Yardley, 2017). Dragiewicz et al described one survivor’s experience, “Josie’s former partner stole her phone and wrote to all her Facebook friends to inform them that she had left

him, adding ‘I don’t know what happened to her. She’s not mentally okay’” (2019: 24). On social networking sites, abuse takes place in front of an audience, compounding already significant feelings of shame and embarrassment among survivors (Woodlock, 2017).

Abusers hijack survivor’s online accounts, deactivating and interfering with them, preventing survivors from using them (Douglas et al, 2019; Freed et al, 2018; Matthews et al, 2017). This restriction of survivor’s liberties as digital citizens involves selectively deleting emails and important official documentation - for example immigration papers (Dragiewicz et al, 2019). One survivor described how her abuser deleted information about jobs and impersonated her in online interactions with her friends, compromising both her employment prospects and her supportive relationships (Mathews et al, 2017). Eterovic-Soric et al (2017) noted the use of Distributed Denial of Service (DDOS) attacks to damage the livelihoods of survivors reliant upon the internet for their work. In DDOS attacks, abusers pay a fee to mobilise other computers to bombard a website with online traffic, which will dramatically slow down the network connections to and from the survivor’s network address (Eterovic-Soric et al, 2017).

Abusers draw support from strangers in their campaigns of harassment and humiliation. Fake profiles are set up in the survivor’s name – for example on dating sites and apps - encouraging others to abuse them. One support worker in Freed et al described how an abuser had placed an ad encouraging others to rape a survivor, giving her address and phone number, “People went to her house...and she was absolutely scared” (2018: 8). Eterovic-Soric et al described the phenomenon of the “human flesh search engine” (2017: 281) whereby abusers use crowdsourcing to locate and harass survivors under guises like finding a missing relative. Specialist websites for ‘revenge porn’ enable abusers to upload images and post survivor’s personal details (Eterovic-Soric et al, 2017). Some studies noted the practice of ‘doxing’ - releasing a repository of personal information about the survivor online to

encourage others to harass them (Dragiewicz et al, 2018; Eterovic-Soric et al, 2017). Whilst not commonly noted in other literature, Eterovic-Soric et al (2017) also identified the potential for abusers to draw upon tactics like swatting, “in which an individual falsely reports a crime at the survivor’s home in order to provoke an armed response by law enforcement” (Eterovic-Soric et al, 2017: 282). That abusers can deploy the assistance of strangers in TFDA should prompt broader questions about online misogyny. This is not simply about specialist sites where violence and abuse towards women and girls is legitimised and encouraged (see for example Van Valkenburgh, 2018) but misogynistic cultures on mainstream platforms (Dragiewicz et al, 2018). Google can be used to find information about how to perpetrate TFDA behaviours, leading to pages featuring stalking guides and YouTube video tutorials (Chatterjee et al, 2018; Eterovic-Soric et al, 2017; Freed et al, 2017). Online misogyny has been nurtured through a combination of persistent patriarchal norms and ‘freedoms’ associated with the neoliberal championing of the sovereign individual, serving to further legitimise TFDA. For example, freedom of speech is often cited as justification by social media platforms for refusing to remove misogynistic content (Dragiewicz et al, 2018).

The determined and strategic way in which abusers set about destroying survivors during retributive omnipresence is characteristic not only of the liberty-denying core of coercive control but of broader currents of misogynistic harm inherent in neoliberal political economies. Hall and Winlow (2018) draw upon Rousseau’s concept of *amour propre* – a competitive individual who gauges their success relative to the downfall and subjugation of others. They argue that the neoliberal subject is not satisfied simply by winning, but by the failure of others that their winning represents (Hall and Winlow, 2018). When abusers ‘change the project’ (Dobash and Dobash, 2015) and set about shaming and degrading the survivor, neoliberalism’s valuing of hostile competition enables this, leading to

interpretations of such behaviour as ‘just as bad as each other’. For abusers, avoiding humiliation is key and is particularly poignant in an age of social media where one’s personal life is performed in front of an audience (Yardley, 2017). Shame serves multiple functions in retributive omnipresence, jeopardising the survivor’s liberty and protecting the abuser from repercussions. Survivors cite shame as a key reason for not reporting TFDA to authorities (Harris and Woodlock, 2019; Woodlock, 2017). The neoliberal fetishization of the sovereign individual, responsabilised to protect themselves from harm, simply serves to enable misogynistic abuse, equating victimization with failure and domination with success. These points are further considered in the following section, which considers the literature on organisational responses to TFDA.

#### RESPONDING TO TFDA

The literature highlighted a disproportionate onus on survivors to change their behaviour, evidencing the deeply embedded nature of inherently individualistic *safety work* (Kelly, 1988). They were advised by police and support services to change their phone numbers, get a new device and / or delete social media accounts – in other words to simply disengage from technology and get offline (Citron, 2015; Dragiewicz et al, 2019; Eterovic-Soric et al, 2017; Freed et al, 2017; Woodlock et al, 2018). Freed et al term this the ‘scorched earth’ approach (2017). Such safety work is symptomatic of the neoliberal injunction for individuals to protect themselves, precluding the perpetrator’s responsibility for their choice to abuse and a consideration of the structures that enable these harms (Bumiller, 2008). A level playing field of victimhood is assumed, in which all enjoy the same rights and freedoms to safeguard themselves (Tolmie, 2018). It is supposed that all survivors can ‘just leave’, technologically disconnect from their abuser and start afresh. This approach overlooks the multiple and complex structurally mediated difficulties faced by survivors in living with TFDA, discussed in detail below.

Some survivors do not have the financial means to purchase new devices, change numbers or be released from family phone plans so feel compelled to maintain their technological status quo to keep in contact with family and friends (Matthews et al, 2017; Dragiewicz et al 2019). For others, to disconnect from technology is to disadvantage employment prospects, particularly among those dependent upon an online presence in their work (Freed et al, 2017; Matthews et al, 2017; Refuge, 2019b). A scorched earth approach is impossible for survivors who have children with their abuser, especially where court orders mandate communication (Dragiewicz et al, 2019; Freed et al, 2017; Matthews et al, 2017; Markwick et al, 2019). Furthermore, shared social circles make detaching from the abuser very challenging, particularly in an age of social media, where survivors do not always know how to manage privacy settings (Freed et al, 2017).

Those who do follow the scorched earth advice suffer multiple disadvantages. Survivors reported becoming even more isolated from their friends, family and professional networks (Douglas et al, 2019; Dragiewicz et al, 2019; Freed et al, 2017). In some instances, disconnecting exacerbates the nature and extent of the abuse (Eterovic-Soric et al, 2017; Freed et al, 2017). Cutting off an abuser's digital access to the survivor compromises their feelings of control and can result in escalation to physical following and / or violence (Chatterjee et al 2018; Douglas et al, 2019; Dragiewicz et al, 2019; Fraser et al, 2010; Freed et al, 2017, 2018; Matthews et al, 2017; Woodlock, 2017). One case worker noted,

[Disconnecting] often makes it worse. Clients are much more at risk when they actually separate from their abusers because he suddenly no longer has any control over that victim. So often the only thing left is through the phone, so he's going to start harassing you, calling, texting. If you change your number, now he's most likely going to go crazy. So that's when he's going to start stalking you any way he can. (Freed et al, 2017: 15-16).

As such, maintaining a channel of communication enables survivors to monitor the abuser's behaviour towards them (Dragiewicz et al, 2019; Freed et al, 2017). This draws on established knowledge that survivors are the experts in their own victimization and in the best position to make judgements about appropriate actions to keep themselves safe (Monckton-Smith, Williams and Mullane, 2014; Pain, 2014; Richards, Letchford and Stratton, 2008). However, this conceptualisation of survivors runs counter to the professionalisation and bureaucratisation of support services under neoliberalism, which privilege 'expert' knowledge and treat survivors as problems to be managed, processed and controlled (Bumiller, 2008).

The voluntary sector organisations that survivors often turn to for advice and support struggled to keep up with technological developments, assess technology-related risks and deliver specific actionable advice (Freed et al, 2017; Gilchrist et al, 2017; Lopez-Niera et al, 2019). In some instances, practices left survivors vulnerable to further victimization. A lack of resource and technological expertise in house - which affects police as well as voluntary sector organisations - often resulted in a game of pass the parcel to the next 'expert' via referrals to external companies like garages and technology stores to get vehicles checked for GPS trackers and phones scanned for spyware (Freed et al, 2017). It is highly unlikely that staff there are domestic abuse trained and such a level of access to personal data creates risks of secondary victimization.

A failure to recognise and respond to TFDA is not simply a matter of resource. Whilst reliance upon state funds left the voluntary sector significantly exposed as neoliberal governments across the world imposed austerity measures post-2008, much more is explained by the ideological legacy of the sector's entanglement with the state. Activism-focused organisations became increasingly neoliberalised from the 1980s, engaging in the bureaucratic practices that government funding demanded, quietening their critical voice and

bringing women into new relationships of stigmatized dependency, regulation and control at the hands of the state (Fraser, 2013). The independent activism, systemic critique and drive for emancipation and participatory citizenship that once characterised second wave feminism began to dilute as survivor organizations grew and took up offers of financial assistance from the neoliberal state, resulting in “individualized service and an assessment process that applies a calculus of harms to distinguish ‘worthy’ from ‘unworthy’ victims” (Stark, 2009: 1515)

As noted previously, neoliberal criminal justice systems tend to identify and respond only to isolated incidents rather than broader courses of abusive conduct (Dragiewicz et al, 2018; Dragiewicz et al, 2019). The non-physical nature of TFDA allows gendered behaviours like coercive control to go unseen, evidencing the ongoing strength of the violence model as an approach that only labels acts of physical violence that result in visible injury as ‘abuse’ (Monckton-Smith, Williams and Mullane, 2014; Stark, 2007). Control alone is not considered dangerous despite a plethora of evidence to the contrary (Monckton-Smith, 2019), therefore control via ‘remote’ technological means is even further minimised and trivialised. The judiciary came under significant scrutiny in the literature for their ignorance around TFDA. An attorney quoted in Freed et al, when describing abuse experienced by their client stated, “it went right over the judge’s head. She had no idea what I was talking about” (2017: 16). Dragiewicz et al (2019) highlight the damaging assumption made by Family Courts that survivors and abusers can co-parent and that where there is no face-to-face contact, there is no risk. This highlights the inherent sexism of criminal justice systems in actively protecting the androcentric family, even when women and children’s safety is the price to pay for preserving this bastion of patriarchal authority. Outdated legal frameworks are often blamed for ineffective responses to TFDA (Citron, 2015; Dragiewicz et al, 2018). However, law reform achieves little in the absence of systemic change – criminalization simply papers over

deeper cracks by individualizing TFDA and drawing attention away from the structural backdrop which facilitates the harmful subjectivities of abuse (Bumiller, 2008).

Further limiting the capacity to tackle TFDA is the tech industry's failure to mitigate against misogynistic harm in the design of new technologies, particularly in terms of dual-use technology (Arief et al, 2014; Dragiewicz et al, 2018; Lopez-Niera et al, 2019). Design processes are underpinned by assumptions that compound the risk of harm for domestic abuse survivors – for example that owners and users of accounts are one and the same, that end users do not intend to use the technologies for harm, that mutuality and trust exist between users who share a residence and that privacy issues focus upon 'stranger threats' emanating from outside of the home (Freed et al, 2018; Lau, Zimmerman and Schaub, 2018; Levy, 2018; Lopez-Niera et al, 2019). However, naivete does not explain the openly misogynistic nature of some products and services, compounded by structural inequalities underpinned by the systemic and pervasive sexism in the traditionally male dominated tech industries (Goode, 2019; Dragiewicz et al, 2018). Whilst many spyware apps are marketed for 'legitimate' purposes such as child monitoring or employee tracking and are repurposed for abuse, some are sold with explicit reference to spying upon intimate partners (Chatterjee et al, 2018; Harkin et al, 2019; Parsons et al, 2019). In addition, social media platforms often fail to remove content that survivors report as abusive because it does not marry up with their definitions of 'abuse' (Dragiewicz et al 2018; Dragiewicz et al, 2019). Reluctance to intervene in the freedoms of the market will continue to stymie the state's efforts to tackle TFDA. Despite promising action in the Australian context - via the setting up of nationally funded bodies to prevent and tackle TFDA (see for example Safe Connections Project – Dorozenko and Chung, 2018) and its integration into criminal and civil penalties - digital tools of abuse are readily available and those profiting from this market continue to operate with impunity, protected by the neoliberal guardian of patriarchy.



Government approaches to tackling TFDA, whilst appearing promising at first, simply pay lip service to the demands of advocates and campaigners given their failure to interrogate the structural drivers of abuse. In the English and Welsh context, the recent draft Domestic Abuse Bill (HM Government, 2019a) recognised TFDA as an issue requiring government intervention and identified the Online Harms White Paper (HM Government, 2019b) as the next step forward. However, this subsequent document contained no references to domestic abuse or coercive control – which in any event are abstracted from broader structural inequalities given the gender-neutral framing of these crimes. TFDA remains a low priority for patriarchal neoliberalism, which throws occasional crumbs to satiate contemporary feminism’s demands for recognition, suppressing the appetite for redistribution and the structural change that this would necessitate.

The failure to identify the importance of systemic change is the largest barrier in tackling TFDA, preventing a move from safety work to ‘freedom work’, “the labour required to create the conditions that enable women and children to be free from male violence” (Harris and Woodlock, 2019: 541). The persistence of patriarchy ensures that women are blamed for the TFDA they experience, framed as unwilling to help themselves, their behaviour under scrutiny in terms of how they have enabled abusers rather than why abusers have decided to do harm (Harris and Woodlock, 2019). Safety work distracts from the structural causes of TFDA, the need to hold perpetrators to account and the need for the market to mitigate against harms committed using their products and services (Citron, 2015; Douglas et al, 2019; Dragiewicz et al, 2018; Harris and Woodlock, 2019).

## CONCLUSIONS AND FUTURE DIRECTIONS FOR RESEARCH

This paper has proposed a fourfold conceptual framework of omnipresence which understands TFDA as a manifestation of misogynistic subjectivities nurtured by neoliberal

political economy. The paper has demonstrated the ways in which patriarchal power structures seized upon neoliberalism, enabling the continuation of proprietorial notions of masculinity via behaviours including TFDA. Tackling TFDA requires multiple things. It requires revision of legal frameworks. It requires investment in technical resources to investigate TFDA – for example forensic equipment to examine phones for the presence of stalking apps (Citron, 2015). It requires training of support service and criminal justice workforces in prevention, detection and prosecution. It requires the tech industries to anticipate and mitigate against TFDA. However, before any of these things can be achieved, it requires an acknowledgement that the roots of TFDA lie in patriarchal legacies of misogyny and sexism. The ineffective response to TFDA from governments, industry, criminal justice and the voluntary sector are simply the consequences of the wholesale and uncritical acceptance of both the disease of misogyny and its contemporary neoliberal symptoms. The failure to acknowledge how this harmful ideological hybrid maintains values which justify and facilitate women's subordination is enabling domestic abuse to adapt and thrive in the twenty-first century.

Shedding further light on the political economy of TFDA is a crucial step in tackling it. In perpetrating TFDA, abusers are not deviating from mainstream misogynistic social values, they are the extreme embodiment of them. This is an uncomfortable proposition but one which should not come as a surprise. As Nancy Fraser argues, "feminism has entered a dangerous liaison with neoliberalism" (2013: 14). Tackling TFDA involves a reprioritising of women's wellbeing over capital, linking a feminist critique to a critique of neoliberal capitalism. The omnipresence practiced by perpetrators echoes the surveillance and control that deviant groups are subjected to within the neoliberal state. The micro and macro policing of women's behaviour are mutually reinforcing examples of traditional patriarchal authority. For as long as we fail to acknowledge neoliberalism as the contemporary face of patriarchy,

within which pervasive sexism and abuse hide behind neoliberal freedom myths, we will continue to prioritise the abuser's freedom to do harm over the survivor's right to be protected from it.

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