EXPLANATORY MEMORANDUM TO

THE INTIMATE IMAGE REPORTS (TRUSTED FLAGGER) REGULATIONS 2026

2026 No. 1107

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Home Office and is laid before Parliament by Command of His Majesty.

2. Declaration

2.1 Satvir Kaur MP, Minister for Safeguarding and Violence Against Women and Girls, at the Home Office confirms that this Explanatory Memorandum meets the required standard.

2.2 Rachel Lloyd, Director of Violence Against Women and Girls and Safer Streets Mission Directorate, at the Home Office confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Jessica Taylor at the Home Office can be contacted by email at the following address with any queries regarding the instrument: vawgenquiries@homeoffice.gov.uk.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This instrument designates the South West Grid for Learning Trust as a 'trusted flagger' for intimate image content.

4.2 A 'trusted flagger' is an accredited person or organisation that has recognised expertise in detecting certain types of illegal or harmful content online. Reports submitted from a 'trusted flagger' are often treated as priority by online platforms, as these reports are considered more reliable and accurate than reports from the average user. This enables faster review of, and expedites action on, the content identified.

Where does the legislation extend to, and apply?

4.3 The extent of this instrument (that is, the jurisdiction(s) which the instrument forms part of the law of) is England and Wales, Scotland and Northern Ireland.

4.4 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England and Wales, Scotland and Northern Ireland.

5. Policy Context

What is being done and why?

5.1 The Crime and Policing Act 2026 places a duty on the Home Secretary to designate one or more 'trusted flaggers' for intimate image content. Intimate image content refers to content amounting to certain offences under the Sexual Offences Act 2003, including sharing an intimate image of a person without their consent. This is also referred to as non-consensual intimate image (NCII) abuse.

5.2 A ‘trusted flagger’ is an organisation recognised as highly credible in identifying illegal or harmful online content. It is able to use mechanisms such as expedited reporting routes to report (or “flag”) content to platform providers so the content can be taken down.

5.3 The South West Grid for Learning Trust is a charity which promotes the safe and secure use of technology, including by operating the Revenge Porn Helpline. As a registered charity and therefore a legal entity, the South West Grid for Learning Trust will be named as the ‘trusted flagger’ within this statutory instrument. The Home Office intends the ‘trusted flagger' services to be provided by the part of the Trust which operates as the Revenge Porn Helpline.

5.4 The Revenge Porn Helpline is the only dedicated helpline for victims of intimate image abuse in England and Wales and is recognised across the Devolved Governments. It is widely regarded as an expert in identifying and tackling NCII. While the Revenge Porn Helpline already has a number of partnerships with platforms who treat it as a ‘trusted flagger’, statutory designation will ensure recognition and prioritisation of the Revenge Porn Helpline’s reports across more platforms, including those outside of existing partnerships.

5.5 While this instrument will not place specific duties on how online platforms handle reports from a ‘trusted flagger’, this designation will provide statutory recognition and a level of assurance that the South West Grid for Learning Trust is a credible source to support platforms in accurately identifying intimate image content on their service and expedite its removal. This will be the first formally Government-designated ‘trusted flagger’ in the UK for an online harm. More than one ‘trusted flagger’ can be designated for intimate image content, meaning that additional organisations or individuals could be designated in the future.

5.6 The Revenge Porn Helpline offers a set of unique capabilities to support the removal of intimate image abuse online, including StopNCII.org, a tool that generates a hash (a unique digital fingerprint) of an image and shares it with participating companies to allow for the removal of any copies of the image present.[1] StopNCII.org is the only NCII hash database in the UK. It provides a distribution mechanism for the Revenge Porn Helpline to flag content to platforms.

5.7 Individuals are able to hash content depicting them through StopNCII.org without any external review of the content. While these hashes are shared with participating platforms, they are not verified as NCII. Only content that the Revenge Porn Helpline have assessed and verified as NCII content that will qualify for a ‘trusted flagger’ report, as this content is marked as verified within the StopNCII.org hash list. Content submitted directly through StopNCII.org without Revenge Porn Helpline involvement is treated as unverified and is therefore excluded from ‘trusted flagger’ reporting.

5.8 This instrument is being introduced as, historically, platforms’ responses to NCII have differed to other illegal harms, such as child sexual abuse material (CSAM) and terrorist content. As CSAM and terrorist offences do not require lack of consent, these types of content are treated as inherently illegal, meaning platforms remove this content once identified, without assessing consent. By contrast, responses to NCII have depended on establishing whether consent to the sharing of the content was given, which can be difficult. Designating a ‘trusted flagger’ will create a reliable route through which platforms can determine that content sharing is non-consensual and will bring NCII removal closer to the more consistent, timely and accurate removal seen in relation to other serious illegal harms, overall improving victim

[1] StopNCII.org. https://stopncii.org/

protection. Reports from 'trusted flaggers' are prioritised by platforms via dedicated channels that enable faster review and expedited action. Evidence from existing 'trusted flagger' arrangements shows that platforms will usually act on content reported by a 'trusted flagger', especially where the platforms have duties such as those under the Online Safety Act 2023 (OSA) – in the case of intimate image abuse, this would mean removing it.

5.9 The number of reported cases of intimate image abuse to the Revenge Porn Helpline grew from 500 in 2015 to over 24,000 in 2025.[2] This reflects a nearly 50-fold increase, underscoring the rapidly growing scale of the issue. Like other violence against women and girls (VAWG) crimes, intimate image abuse is thought to be vastly under-reported, with the Revenge Porn Helpline's modelling indicating that 3.18 million NCII are shared every year.[3] The scale of NCII online has attracted media attention and significant public concern, contributing to heightened demand for decisive action and calls for quicker and more consistent content removal.

5.10 The continued circulation of NCII causes prolonged trauma to victims, who often have to track and re-report images across multiple online platforms to have it removed. While the OSA places duties on platforms in relation to removal of NCII, individual platforms judge whether content is NCII according to Ofcom guidance, meaning different platforms may reach different conclusions.

5.11 Between June and September 2026, the Home Office conducted a commercial competition for the future provision of VAWG Helplines, including a specialist helpline for victims of NCII. That award did not determine eligibility or suitability for designation as a 'trusted flagger'. The competition and this designation have different purposes, criteria and decision-making arrangements. Each decision was considered separately, and neither appointment conferred an entitlement to nor predetermined the other.

5.12 The *'Freedom from Violence and Abuse: a cross-government strategy'* was published in December 2025 and commits to explore routes to ensure intimate images that are taken, created or shared without consent are removed online. This instrument aids in the delivery of this commitment by strengthening the consistent identification and removal of intimate image abuse online and supporting the Government's manifesto ambition to halve VAWG in a decade.

What was the previous policy, how is this different?

5.13 There is currently no centrally designated 'trusted flagger' for intimate image content in the UK. To date, 'trusted flagger' arrangements have been on a voluntary basis for online harm areas. This new measure will establish the first centrally designated 'trusted flagger' for NCII in the UK and could serve as precedent for future government-backed 'trusted flagger' arrangements across other online harm categories. Under the current system, the OSA places duties on platforms in relation to removal of NCII, including requiring them to assess and mitigate the risk of it on their services, provide users with effective reporting mechanisms, and have systems to remove it once they become aware of it. Individual platforms judge whether content is intimate image content according to Ofcom guidance, meaning different platforms may reach different conclusions.

[2] Revenge Porn Helpline Annual Reports. https://revengepornhelpline.org.uk/resources/helpline-research-and-reports/

[3] SWGfL. 12 March 2025. *The Scale of Non-Consensual Intimate Image (NCII) Abuse: A Data-Driven Global Analysis.* https://swgfl.org.uk/magazine/the-scale-of-non-consensual-intimate-image-ncii-abuse-a-data-driven-global-analysis/

5.14 This instrument designates a body to support platforms in consistently and reliably identifying intimate image content. While the Revenge Porn Helpline has already established itself as an expert organisation in identifying NCII, statutory recognition as a 'trusted flagger' will ensure prioritisation of the organisation's reports across more platforms and outside of existing partnerships.

6. Legislative and Legal Context

How has the law changed?

6.1 This instrument does not amend the existing criminal offences or online platform duties relating to intimate image content. Its legal effect is to designate the South West Grid for Learning Trust as suitable to make intimate image reports to providers of internet services and providers of internet access services for the purpose of assisting them to determine if content is intimate image content, pursuant to paragraph 1(1) of Schedule 14 to the Crime and Policing Act 2026.

6.2 Section 59(10A) of the OSA provides that "intimate image content" means content that amounts to an offence under section 66B(1), (2) and (3) of the Sexual Offences Act 2003 (sharing intimate image of a person without consent). Intimate image content is "illegal content" under the OSA.

6.3 The OSA requires certain online platforms to assess the risks of illegal content appearing on their service, take steps to prevent encountering it and have systems in place to quickly remove it when they become aware of it, with additional duties applying to "priority illegal content" which includes NCII (offences under section 66B of the Sexual Offences Act 2003 are specified in Schedule 7 to the OSA).

6.4 Ofcom, the independent online safety regulator, has produced Illegal Content Codes of Practice, which includes recommended measures that services can take to meet with their duties under the OSA. From 30 September 2026, Ofcom requires certain platforms to use hash-matching technology to detect and limit the spread of intimate images. This requirement is expected to complement this statutory instrument.

6.5 This designation complements additional intimate image content measures inserted into the OSA by the Crime and Policing Act 2026 – namely, section 10(3A) and (3B) and section 20A of the OSA, which include provisions that require online platforms to have systems and processes to remove reported intimate image content within 48 hours. Receiving reports from a 'trusted flagger' would help platforms in identifying and removing this content within this timeframe.

6.6 This legislation is required to give the South West Grid for Learning Trust statutory recognition as a 'trusted flagger', in fulfilment of the duty on the Home Secretary. Other, non-statutory avenues were not explored as they would not provide the necessary statutory basis envisaged by the Crime and Policing Act 2026, and guidance alone could not exercise the statutory designation power.

Why was this approach taken to change the law?

6.7 Continued reliance on voluntary arrangements between the Revenge Porn Helpline and individual platforms would not provide Government-backed statutory recognition across the sector. Parliament recognised this when it made the Crime and Policing Act 2026, which requires the Home Secretary to make a designation by regulations. This is the only possible approach to make the necessary changes.

7. Consultation

Summary of consultation outcome and methodology

7.1 No formal consultation was held for this instrument because it does not put additional duties or requirements on other parties.

7.2 The Revenge Porn Helpline and the South West Grid for Learning Trust were engaged throughout the passage of the primary legislation (the Crime and Policing Act 2026) and in the development of this statutory instrument. During the development of this instrument, the organisation confirmed their agreement in undertaking this function.

7.3 Designating a 'trusted flagger' relates to "internet services", which is a reserved matter under all three devolution settlements. The Devolved Governments have been notified of, and engaged with, on this designation during its development, and no concerns have been raised. The Minister wrote to counterparts in the Devolved Governments prior to this instrument being laid to notify them of the Government's intention to lay the instrument, its purpose, and set out its application across the UK.

8. Applicable Guidance

8.1 This instrument is not accompanied by guidance because it does not impose new duties or confer additional powers for online platforms in relation to reports submitted by a 'trusted flagger'. Existing guidance on 'trusted flagger' programmes can be found on gov.uk.[4]

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 An Impact Assessment for this instrument has been published on gov.uk as part of a wider assessment for the primary legislation (the Crime and Policing Act 2026).[5] The findings of this assessment are that there are no additional duties, costs or compliance burdens on businesses, stakeholders, total welfare, and households.

Impact on businesses, charities and voluntary bodies

9.2 There is no, or no significant, impact on business, charities or voluntary bodies. This is because this instrument will be used to designate a 'trusted flagger' but does not generate any additional cost or burdens, nor does it put additional requirements on parties.

9.3 Designating the South West Grid for Learning Trust as a 'trusted flagger' is not expected to have significant impact on the organisation. This has been further confirmed via engagement with South West Grid for Learning Trust as, through StopNCII.org, it already works with participating online platforms to identify and report intimate abuse content. StopNCII.org also provides a distribution mechanism to flag content to those platforms. The organisation therefore already has the expertise, systems and processes required to perform this function.

9.4 The legislation does not impact small or micro businesses.

[4] Gov.uk: 11 April 2023. *Guidance on trusted flagger programmes.* *https://www.gov.uk/government/publications/trusted-flagger-programmes*,.

[5] https://www.gov.uk/government/publications/crime-and-policing-act-2026-impact-assessments

9.5 There is no significant impact on the public sector because this instrument does not identify any public sector financial costs and formalises an existing role that is currently undertaken by the South West Grid for Learning Trust.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 Although this instrument does not impose monitoring requirements, the Government will maintain ongoing consideration of potential new designations of 'trusted flaggers' by the Home Secretary, as well as periodically assess the suitability and continued appropriateness of organisations already designated as 'trusted flaggers'.

10.2 The 'trusted flagger' designation will be reviewed following the introduction of any further secondary legislation arising from work on the development of a central register of hashes of intimate image material, as informed by the Government's six-month scoping exercise. This scoping exercise was a commitment made during the passage of the Crime and Policing Act 2026 to assess the requirements for establishing and operating a central register. Any further secondary legislation would be made under Schedule 14 to the Crime and Policing Act 2026 and a 'trusted flagger' designation may be ended if such legislation is made.

10.3 The instrument does not include a statutory review clause.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 None.

12. European Convention on Human Rights

12.1 As the instrument is subject to negative procedure and does not amend primary legislation, no statement is required.

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").