# Are Sexual Deepfakes a Crime in Canada?

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**Abstract**

Does Canadian criminal law capture the creation and distribution of sexual deepfakes — images created using artificial intelligence to combine a person's face with images of another person's nude body? Two *Criminal Code* provisions seem relevant but raise questions about their application in this context. The prohibition on making, possessing, and distributing child pornography in s 163.1 captures deepfakes due in part to its wording but also its interpretation in *R v Sharpe*, SCC 2001, noting its application to "composite" images. But AI raises questions about the scope of the "private use" exception in *Sharpe* in cases where a person makes a deepfake using a third-party tool. The prohibition on distributing non-consensual intimate images in s 162.1 would apply to images of adults but is worded in a way that appears to exclude deepfakes. This article canvases the relevance of *Sharpe* to sexual deepfakes and argues that the intimate image offence in 162.1 should apply to deepfakes, due in part to dicta in *Sharpe* but also to Supreme Court holdings on principles of statutory interpretation.

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|---|---|
| Introduction | 2 |
| I. Ambiguity about the private use exception and artificial intelligence | 3 |
| II. Why 162.1 should apply to deepfakes | 6 |
| a. The meaning of "person" in *Sharpe* | 7 |
| b. The relevance of *Paré* to 162.1 | 8 |
| III. Concluding comments on Code revision and in remedies in tort | 11 |

## Introduction

In late December of 2024, the Toronto Star ran a story about a boy in high school who had created a series of pornographic deepfakes of other girls at his school using images of their faces on Instagram.[1] The pictures were discovered on his phone inadvertently, during a sleepover when a friend went looking for a selfie taken on his device. Once discovered, the girls were alerted (with screenshots) and soon police were at the boy's door.

Police grappled with whether creating and possessing the images was criminal. After questioning other boys believed to have seen the images and consulting with Crown, police decided not to proceed. They advised the girls and their parents that they did not believe what occurred was a crime without more evidence that the images had been shared.

Police appear to have concluded that only one provision of the *Criminal Code* applied — creation or possession of child pornography in section 163.1 — and there was a good chance the boy could rely on the "private use" exception in *R v Sharpe*.[2] The story points to a larger gap or ambiguity in Canadian criminal law around sexual deepfakes — one that Professor Suzie Dunn (Dalhousie) helped explain to the Star.

As Dunn points out in the story and details at greater length in earlier scholarship,[3] two *Code* provisions are relevant to sexual deepfakes: the prohibition in section 162.1 on non-consensual distribution of intimate images (NCII) and the prohibition in section 163.1 on making, distributing, or possessing child pornography. The first appears to be drafted in a way that excludes deepfakes; the second appears to capture them.

This matters because the intimate image offence applies to victims of any age. As Dunn notes, on a plain reading, section 162.1 would seem to capture only the distribution of authentic images. It prohibits sharing an "intimate image of a person", defining such an image as "a visual recording of a person made by any means ...in which the person is nude… or is engaged in explicit sexual activity." By contrast, section 163.1 captures images "made by electronic or mechanical means" of a person

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[1] Calvi Leon, "Deepfake victims caught in murky legal web" (28 Dec 2024) *Toronto Star* ["Deepfake victims"]. Deepfakes are images created using artificial intelligence (AI) to render a convincing but false depiction of one person by assembling portions of images of another person's body or face onto theirs, or falsely depicting them as being in a place they were not or doing something they did not do.

[2] 2001 SCC 2 [*Sharpe*]. *Criminal Code*, RSC 1985, C C-46 [*Code*].

[3] Suzie Dunn, "Legal Definitions of Intimate Images in the Age of Sexual Deepfakes and Generative AI" (2024) 69 McGill Law Journal (forthcoming) ["Legal Definitions"]; Jane Bailey, Jacquelyn Burkell, Suzie Dunn, Chandell Gosse, and Valerie Steeves, "AI and Technology-Facilitated Violence and Abuse" in Florian Martin-Bariteau & Teresa Scassa, eds., *Artificial Intelligence and the Law in Canada* (Toronto: LexisNexis Canada, 2021).

under 18 who "is engaged in or is depicted as engaged in explicit sexual activity." The application of these provisions bears out Dunn's reading. No Canadian court has applied section 162.1 to a deepfake, but two courts have applied section 163.1 to the creation of deepfake images in child pornography cases.[4]

There is also uncertainty about whether the "private use" exception in *R v Sharpe* would apply to a person who makes a sexual deepfake using an AI tool, as the boy in the Star story is alleged to have done. Briefly, one form of the exception requires creation by a person him or herself. Does using an AI tool preclude reliance on the defence — on the basis that it might, in some way, involve a third-party in the creation of the image?

In this short article, I explore these two ambiguities surrounding the application of the *Code* to sexual deepfakes. First, I canvass how the offences in 163.1 and the "private use" exception map onto deepfakes. I then outline why 162.1 should be read to apply to sexual deepfakes.[5] There are two arguments for this. One involves the Supreme Court's discussion in *Sharpe* of the meaning of "person" in section 163.1, providing reasons that readily apply to section 162.1. The second argument draws on the Supreme Court's endorsement of departures from the principle of strict construction in criminal law where a narrow reading would give rise to arbitrariness or defeat the larger aim or purpose of the provision.[6] This is what happens here if 162.1 is read strictly. I conclude by addressing how the *Code* might be amended to avoid ambiguity and whether tort legislation can, in the meantime, provide a meaningful deterrent.

**I. Ambiguity about the private use exception and artificial intelligence**

To be clear, section 163.1 of the *Code* appears to capture deepfake porn involving persons under 18 because it defines "child pornography" in part to mean

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[4] *R c Larouche*, 2023 QCCQ 1853, *R v Legault*, 2024 BCPC 29. Both are sentencing decisions following guilty pleas.

[5] A number of scholars have canvassed the scope and application of the intimate image offence, but Dunn's work, noted *supra* note 3, is to my knowledge the only scholarship exploring how s 162.1 might apply to sexual deepfakes. On other aspects of s 162.1, see Richard Jochelson, David Ireland, and Hannah Taylor, "Clearing Your History: A Review of Non-Consensual Distribution of Intimate Images in Canada and Future Responses" (2021) 54 U.B.C. L. Rev. 763; Lara Karaian and Dillon Brady, "Revisiting the 'Private Use Exception' to Canada's Child Pornography Laws: Teenage Sexting, Sex-Positivity, Pleasure, and Control in the Digital Age" (2020) 56.2 Osgoode Hall Law Journal 301; and Alexa Dodge, "Misunderstandings and Intentional Misrepresentations: Challenging the Continued Framing of Consensual and Nonconsensual Intimate Image Distribution as Child Pornography" (2024) 39:1 Can. J.L. & Soc'y 23.

[6] This is found in *R v Paré*, [1987] 2 SCR 618 [*Paré*] and in more recent Supreme Court jurisprudence canvassed below.

> a photographic… or other visual representation, whether or not it was made by electronic or mechanical means … that shows a person who is or is depicted as being under the age of eighteen years and is engaged in or is depicted as engaged in explicit sexual activity…[7]

The definition also includes images whose "dominant characteristic" is the "depiction, for a sexual purpose, of a sexual organ" of a young person.[8] The image, then, need not be of a person under 18 who is engaged in sexual activity or nude, but one that depicts them in this way. On a plain reading of the provision, however, there is still an ambiguity as to whether the image of "a person" depicted in this way must be authentic rather than a hand-drawn sketch or a composite of the body and face of two different people. The Supreme Court in *Sharpe* held that "a person" here can be a sketch or composite for reasons canvassed in the next segment below.[9]

In the Toronto high school case, the student created child pornography within the meaning of 163.1 by making images depicting classmates who are under 18 and nude. It was not clear whether he had shown them to anyone. The question was whether his creation of the images using an AI tool that he accessed online fell within the "private use" exception in *Sharpe*.[10]

In that case, the Supreme Court held that to avoid an unjustifiable limit of free expression under the *Charter*, a defence of "private use" had to be read into the offences of making and possessing child pornography in 163.1.[11] It contains two exceptions. The first involves "any written material or visual representation created by the accused alone, and held by the accused alone, exclusively for his or her own personal use."[12] The second involves recordings of lawful sexual activity for private use "created with the consent of those persons depicted."[13]

Sharpe had possessed both written materials and images. In defining the scope of the material captured in the first exception, McLachin CJ, for majority, emphasized the privacy surrounding the creation and possession of the material:

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[7] Section 163.1(1)(a)(i) of the *Code*, *supra* note 2.

[8] Section 163.1(1)(a)(ii) of the *Code*, *ibid.*

[9] *Sharpe*, *supra* note 2 at para 38.

[10] *Sharpe*, *supra* note 2.

[11] *Ibid* at para 117.

[12] *Ibid* at para 115.

[13] *Ibid* at para 128.

> The first class consists of self-created, privately held expressive materials. Private journals, diaries, writings, drawings and other works of the imagination, created by oneself exclusively for oneself, may all trigger the s. 163.1(4) offence. The law, in its prohibition on the possession of such materials, reaches into a realm of exceedingly private expression, where s. 2(b) values may be particularly implicated and state intervention may be markedly more intrusive….[14]

Concluding that this class of material should be excluded from the offences of making and possessing, McLachlin CJ qualified this by asserting that "[i]f materials where shown to be held with any intention other than for personal use, their possession would then fall outside the exception's aegis…"[15]

Does using an AI image creation tool take one outside of the private use exception? Professor Dunn conjectured in the Star article that using such a tool might involve the image being stored on company servers.[16] Whether this alone would take one out of the exception — would mean that the image was not "created by the accused alone, and held by the accused alone" — is one possibility. However, in *R v Dabrowski*,[17] the Ontario Court of Appeal held that:

> [a]lthough the "private use" exception should be applied with genuine caution, it goes too far to equate it in an absolute fashion with exclusive possession. Such an equation would render unlawful such activities as placing these videotapes in a safety deposit box or turning them over to a lawyer or other trusted person for safekeeping.
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> […] It is a factual question whether giving up exclusive possession results in a loss of strict privacy. Each case must be assessed on its own facts. Questions such as to whom was the material given, what was the purpose or reason for the transfer, what terms or conditions were agreed upon when the material was given up, what control did the accused maintain over the material, was the material in fact viewed by anyone other than the consensual participants, would be relevant, all in the context of the credibility of the accused and others.[18]

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[14] *Ibid* at para 75.

[15] *Ibid* at para 118.

[16] "Deepfake victims," *supra* note 1.

[17] 2007 ONCA 619.

[18] *Ibid* at paras 29-30. On the relation between privacy and control in the context of the "private use" exception, see Karaian and Brady, *supra* note 5.

I would suggest that without evidence that a company's storage of the image posed a real risk that someone else would access it, the fact that an image is stored on a company's server or within one's online account should not suffice on its own to preclude reliance on the exception. However, the risk of one's account being hacked (an ever-present risk with online accounts) might suffice to establish this risk. Temporary storage on an account no one else appears to have accessed might then bring a person within the *Sharpe* exception; but longer-term storage in an account without strong protections might not.

One further possibility to note is that with the advent of Apple AI and Microsoft's CoPilot, AI image creation tools are becoming a part of the operating system of phones and computers. Without getting into the details of how these tools work (and how hard it is to use them to make sexual images), we are moving into a phase where our devices can create images using AI models working on-device rather than in the cloud, on company servers. It is conceivable that a person could create a sexual deepfake using an on-device AI tool, lending support for the claim that they created and held it alone. In this case, the "private use" defence would apply.

**II. Why 162.1 should apply to deepfakes**

To reiterate the conundrum noted at the outset, section 163.1 of the *Code* is worded in a way that captures sexual deepfakes — but it applies only to images that depict persons under 18. The offence of non-consensual distribution of intimate images in section 162.1 would, on a plain reading, seem to capture only the distribution of authentic images. It defines "intimate image" in 162.1(2) as "a visual recording of a person made by any means ...in which the person is nude… or is engaged in explicit sexual activity." By contrast, section 163.1 prohibits creating, distributing, or possessing child pornography, which is defined (in 163.1(1)(a)) to mean a "visual representation…made by electronic or mechanical means, (i) that shows a person who is or is depicted as being under the age of eighteen years and is engaged in or is depicted as engaged in explicit sexual activity".

There are two arguments for reading section 162.1 (intimate images) to apply to deepfakes. One pertains to the Supreme Court's comments in *R v Sharpe* on the meaning of "person" in section 163.1(1)(a).[19] The other pertains to the Court's holding on strict construction in *R v Paré*[20] and in later case law.

[19] *Sharpe*, *supra* note 2.

[20] *Paré*, *supra* note 6.

**a. The meaning of "person" in *Sharpe***

To ascertain whether section 163.1 violated the *Charter*, McLachlin CJ's majority decision in *Sharpe* closely parsed the elements of the offence and its definition of child pornography. The Court considered directly whether "the prohibition on possession is confined to representations of actual persons, or whether it extends to drawings from the imagination, cartoons, or computer generated composites."[21] The definition in 163.1(1)(a) is, as noted, broad enough to extend to persons under 18 or person "depicted as being under 18". But left unclear is whether "person" there (as in section 162.1(2)) means the person him or herself or a composite.

Chief Justice McLachlin's reasons for extending the definition of "person" to include composites is relevant here:

> The available evidence suggests that explicit sexual materials can be harmful whether or not they depict actual children. Moreover, with the quality of contemporary technology, it can be very difficult to distinguish a "real" person from a computer creation or composite. Interpreting "person" in accordance with Parliament's purpose of criminalizing possession of material that poses a reasoned risk of harm to children, it seems that it should include visual works of the imagination as well as depictions of actual people. Notwithstanding the fact that "person" in the charging section and in s. 163.1(1)(b) refers to a flesh-and-blood person, I conclude that "person" in s. 163.1(1)(a) includes both actual and imaginary human beings.[22]

All of these reasons apply to intimate images in section 162.1(2), which again refers to "a visual recording of a person made by any means". Limiting this to an image of a person him or herself would overlook the harm of distributing sexual images that depict a person convincingly — a harm that arises whether or not the image is real. Just as Parliament's aim in criminalizing certain material in 163.1 was to curb the risk of harm to children (arising from the circulation of child porn generally), Parliament's aim in 162.1 was to curb the harm posed by violations of sexual privacy or integrity more broadly.[23] In both cases, the image need not be real to inflict real and serious harm.

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[21] *Sharpe*, *supra* note 2 at para 38.

[22] *Ibid at* para 38.

[23] Parliament's intentions can be gleaned from a paper by a working group commissioned by federal, provincial, and territorial ministers of justice and public safety to "identify potential gaps in the *Criminal Code* on cyberbullying and the non-consensual distribution of intimate images": Department of Justice, *Cyberbullying and the Non-consensual Distribution of Intimate Images* (Ottawa: Department of Justice, June 2013) at 2 and, on policy objectives, at 14-16. For further context on the addition of s 162.1 to the *Code*, see Julia Nicol & Dominique Valiquet, Legal and Social Affairs Division, Parliamentary Information and Research Service, *Legislative Summary: Bill C-13: An Act to Amend the Criminal Code, the Canada Evidence Act, the Competition Act and the*

The Chief Justice also parsed the meaning of "depicted" in section 163.1(1) and even though the word does not appear in section 162.1, her interpretation is relevant here. She asks: "[d]oes 'depicted' mean: (a) intended by the maker to depict; (b) perceived by the possessor as depicting; or (c) seen as being depicted by a reasonable observer?"[24] She asserts:

> The first and second interpretations are inconsistent with Parliament's objective of preventing harm to children through sexual abuse. The danger associated with the representation does not depend on what was in the mind of the maker or the possessor, but in the capacity of the representation to be used for purposes like seduction. It is the meaning which is conveyed by the material which is critical, not necessarily the meaning that the author intended to convey.[25]

A similar logic applies to the reading of the phrase "a visual recording of a person made by any means" in section 162.1(2). The danger that Parliament sought to target was not the fact of the literal distribution of a nude photo of a person, but the harm arising from the distribution of a nude photo that a reasonable observer would readily assume was that person.

**b. The relevance of *Paré* to 162.1**

Further support for a wider reading of "person" in section 162.1(2) can be found in the Supreme Court of Canada's decision in *R v Paré*[26] and in its more recent holdings on statutory interpretation in criminal law.[27]

In *Paré*, the accused murdered a boy two minutes after committing an indecent assault against him. A provision still found in the *Code* states that "murder is first degree murder in respect of a person when the death is caused by that person while committing" indecent assault or other offences.[28] Paré argued that because it happened two minutes later, the murder was not caused 'while committing' the assault — and he should be entitled to a literal reading. For centuries, courts have applied the principle of strict construction in criminal law.

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*Mutual Legal Assistance in Criminal Matters Act*, Publication no. 41-2-C13-E (11 December 2013, revised 28 August 2014). See more generally Danielle Keats Citron, "Sexual Privacy" (2019) 128 Yale Law Journal 1870.

[24] *Sharpe*, *supra* note 2 at para 42.

[25] *Ibid* at para 43.

[26] *Paré*, *supra* note 6.

[27] *La Presse inc. v Quebec*, 2023 SCC 22 [*La Presse*]; *R v Alex,* 2017 SCC 37 [*Alex*].

[28] This is found in what is now s 231(5) of the *Criminal Code*, raising to first-degree a murder carried out "while committing" a sexual assault, among other offences.

The Court held that it was time to update the doctrine. Writing for the Court, Wilson J noted that the original reasons for it (many offences resulting in capital punishment) have been "substantially eroded".[29] Ambiguities should still be settled in favour of the accused, since criminal penalties are severe.[30] But the question should now be whether "the narrow interpretation of 'while committing' is a reasonable one, given the scheme and purpose of the legislation."[31]

The narrow reading was not reasonable because one could not assume that Parliament meant to limit the meaning of 'while committing' to 'simultaneously.' Justice Wilson held that doing so would result in drawing arbitrary lines between when the assault ended and the murder began.[32] A wider reading of the provision (one that includes a murder immediately following) would also be the one that "best expresses the policy considerations that underlie the provision", i.e., more serious punishment (first degree) for more serious conduct.[33]

We have the same disconnect with larger purposes and arbitrariness if we read section 162.1(2) strictly — to apply only to real images of a person. The purpose of section 162.1 is to prevent not simply the non-consensual distribution of intimate images, but violations of a person's sexual privacy or integrity through the sharing of such images. If one could circumvent the application of 162.1 by merely doctoring a real image of one's partner nude before posting it online — allowing one to say "but it isn't actually her body" — that would make little sense. The harm is done regardless of the authenticity of the depiction.

Similarly, if section 162.1(2) captures only images of a person him or herself and not also what looks to be him or her, we run into arbitrariness akin to that in *Paré.* How do we distinguish between a grainy picture of a person good enough to make out and a doctored picture of them that seems real enough to be convincing? Why would non-consensual distribution of the one be criminalized and not the other?

One reason might be that in one case, a person consented to the creation of the image but not the distribution; in the other case, they consented to neither. But the gravamen of the offence lies in the non-consensual distribution of an intimate image. Do we not find the same gravamen in the sharing

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[29] *Paré*, *supra* note 6 at 630.

[30] *Ibid*.

[31] *Ibid* at 631.

[32] *Ibid* at 632.

[33] *Ibid*.

of a deepfake? Is the culprit not trying to do the same thing: compromise the victim's sexual privacy or integrity through exposure?

We might add that while section 162.1 contemplates the distribution of intimate images a person consented to have taken of them, it does not require this. The definition in section 162.1(2) does include an image "made by any means". Those means could include AI. So why does the image itself have to include only images of the person themselves? After all, every digital image is doctored to some degree by our devices.

The Supreme Court's recent holdings on statutory interpretation in criminal law provide further support for reading "person" in section 162.1(2) to include deepfakes. In *La Press inc. v Quebec*, the Court had to decide whether publication bans provided for in section 648(1) of the *Code*, which apply to "any portion of the trial at which the jury is not present," should be available prior to a jury being empanelled.[34] Chief Justice Wagner held for a unanimous Court that bans should be available prior to empanelment. He cited E.A. Dreidger for the broad proposition that "under the modern approach to statutory interpretation, 'the words of an Act are to be read in their entire context and in their grammatical and ordinary sense harmoniously with the scheme of the Act, the object of the Act, and the intention of Parliament'".[35] He added that "the plain meaning of the text is not in itself determinative and must be tested against the other indicators of legislative meaning — context, purpose, and relevant legal norms".[36] Moreover, the "apparent clarity of the words taken separately does not suffice because they 'may in fact prove to be ambiguous once placed in their context. The possibility of the context revealing a latent ambiguity such as this is a logical result of the modern approach to interpretation'."[37]

In *R v Alex*, the Supreme Court took this purposive approach to ascertain the meaning of the phrase "pursuant to a demand made" for a breath sample, which appears in evidentiary provisions of the *Code* on impaired driving.[38] The Court in that case was narrowly divided as to whether "demand" here meant 'lawful demand.' While a five-judge majority found that it did not mean 'lawful

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[34] *La Presse*, *supra* note 27.

[35] *La Presse*, *supra* note 27 at para 22, citing E. A. Driedger, *Construction of Statutes* (2nd ed. 1983) at 87. See also *Quebec (Commission des droits de la personne et des droits de la jeunesse) v. Directrice de la protection de la jeunesse du CISSS A*, 2024 SCC 43 at paras 23-24, and *R v Breault*, 2023 SCC 9 at para 26

[36] *La Presse*, *supra* note 27 at para 23, citing *Alex*, *supra* note 27 at para 31.

[37] *La Presse*, *supra* note 27 at para 23, citing *Montréal (City) v 2952-1366 Québec Inc.*, 2005 SCC 62 at para 10.

[38] *Alex*, *supra* note 27, considering ss 258(1)(c) and 258(1)(g) of the *Code* ( since repealed and replaced with a different scheme for evidence involving breath and other bodily samples found in section 320.31).

demand,' it arrived at this conclusion by considering the provision's larger purposes and the context at issue. The larger purposes were to "streamline proceedings by dispensing with unnecessary evidence" and to establish the "reliability of the breath test results and their correlation to the accused's blood-alcohol concentration at the time of the offence."[39] As Moldaver J held, "[t]he lawfulness of a breath demand has no bearing on these matters."[40] The dissenting opinion arrived at the opposite conclusion about the meaning of the phrase "pursuant to a demand" using a similar contextual and purposive analysis. Reading it not to mean 'lawful demand' would have the effect of rendering all of the preconditions for taking a sample irrelevant to the use of a sample in evidence. This could not be consistent with Parliament's larger aim of providing tools for prosecuting these cases in a way that preserves privacy and fair trial rights.

To summarize, both *Paré* and the Supreme Court's recent jurisprudence affirms that a plain or literal reading of a word or phrase in criminal law does not determine its scope or limits. This is to be ascertained in light of Parliament's broader purposes for a law, and the context in which it is applied. This approach supports reading "person" in 162.1(2) to include deepfakes, since they fall within the ambit of the conduct and harm that Parliament sought to target by including the offence in the *Code*.

## III. Concluding comments on Code revision and in remedies in tort

Parliament should, however, amend both sections 162.1(2) and 163.1(1) to make clear that both offences apply to sexual deepfakes. It could do so by following the example of recent provincial tort legislation that targets this kind of conduct directly through expansive definitions. In the meantime, courts should apply the reading of "person" in *Sharpe* to section 162.1(2) to capture the non-consensual distribution of sexual deepfakes, for the reasons set out above.

As Dunn has outlined, various provinces (aside from Ontario) have passed tort legislation making the non-consensual distribution of intimate images actionable without proof of damages.[41] And as she points out, all are worded in ways that clearly capture deepfakes. For example, in British Columbia's act, an "intimate image" is a "visual… representation of an individual, whether or not the individual is identifiable and whether or not the image has been altered in any way, in which the individual is or is depicted as…" engaged in sexual activity, nude or "nearly nude".[42] Manitoba's act was amended in 2024 to be more explicit about deepfakes, adding as a defined term "fake intimate image", which

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[39] *Alex*, *supra* note 27 at para 34.

[40] *Ibid*.

[41] Dunn, "Legal Definitions," *supra* note 2.

[42] *Intimate Images Protection Act*, SBC 2023, c C-11, s1.

means “any type of visual recording … that in a reasonably convincing manner, falsely depicts an identifiable person (i) as being nude or exposing their genital organs, anal region or breasts, or (ii) engaging in explicit sexual activity”.[43]

These provincial statutes set out various ways to try to have an image taken down or deleted once circulated. They also provide for court orders against platforms, third-parties, and search engines. All of them are potentially helpful, but how helpful (or realistic) they are as either a remedy for tort or a potential deterrent it may be too early to say. The federal *Online Harms Act* in Bill C-63 (which just died on the order paper with the proroguing of Parliament in early 2025) would have placed a host of obligations on platforms to prevent circulating NCII or take them down.[44] Given the bi-partisan support for the bill, it may be reprised in some form at some point soon. If so, this would provide an important means of curbing the distribution of these images and redress for those harmed.

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[43] Bill C-24: *Intimate Image Protection Amendment Act (Distribution of Fake Intimate Images)*, Manitoba, 1st Sess, 43rd Leg, 2024. Bill C-63, An Act to enact the Online Harms Act, 1st Sess, 44th Parl, 2024

[44] Bill C-63, *An Act to enact the Online Harms Act*, 1st Sess, 44th Parl, 2024.