

HIGH COURT OF JUSTICE

Claim No. KB-2026-002373

KING'S BENCH DIVISION

MEDIA & COMMUNICATIONS LIST

BETWEEN:-

JESSICA ASATO MP

Claimant

– and –

X.AI LLC

Defendant

PARTICULARS OF CLAIM

INTRODUCTION

1. The Claimant is the victim of sexualised, intimate, grossly offensive, degrading, threatening, humiliating and/or discriminatory non-consensual images (including depictions of sexual assault) which were created by “Grok”, a generative artificial intelligence chatbot which was developed and is owned and operated by the Defendant. The non-consensual images were widely published by the Defendant on the X social media platform (formerly known as Twitter) (“the **X Platform**”) and on the website www.grok.com (“the **Grok Website**”).
2. As a result of the creation, publication and widespread dissemination of those non-consensual images the Claimant suffered significant distress, anxiety, alarm and intrusion and loss of autonomy and control over her private information and personal data. The Claimant seeks declaratory relief, damages/compensation and other remedies against the Defendant for the tort of misuse of private information and for contraventions of the UK General Data Protection Regulation (“**UK GDPR**”) and Data Protection Act 2018 (“**DPA 2018**”).

A. THE PARTIES

3. The Claimant is a Member of Parliament who has represented the constituency of Lowestoft in Suffolk since 2024. At all material times, the Claimant had an account on the X Platform which she opened in 2023 using the username (or ‘handle’) @Jess4Lowestoft.
4. The Defendant is the designer, developer, owner and operator of the artificial intelligence chatbot known as Grok. The Defendant’s Privacy Policy identifies the Defendant as the controller for processing of personal data involved in the operation of Grok.

B. GROK AND THE X PLATFORM

B1. Grok

5. Grok is a computer programme which uses artificial intelligence to simulate human-like interaction. In addition to producing text outputs, it also produces images and videos in real-time in response to prompts made by individuals.
6. Grok comprises multiple technical components. These include (i) an artificial intelligence model (“the **Grok AI Model**”), (ii) artificial intelligence scaffolding, and (iii) a user interface:
 - 6.1. The Grok AI Model is an electronic mathematical model which has been trained on a very large amount of data, and which is designed to recognise patterns in data and generate outputs based on the training and other data inputted into the model.
 - 6.2. The artificial intelligence scaffolding is software which connects the users and the Grok AI Model and passes information back and forth between them. It takes what a user types in (the “**input**”) and delivers it to the Grok AI Model, and it takes the Grok AI Model’s response (the “**output**”) and delivers it back to the user. The artificial intelligence scaffolding also enables the Grok AI Model to work with additional tools which allow the Grok AI Model to connect to separate software systems (for example, to issue a command to upload a social media post) and to obtain data that the user did not provide (for example, images that the user did not upload).

- 6.3. The user interface allows individual users to input data into the Grok chatbot and makes select output from the Grok AI Model and its tools visible to the user.
7. Grok operates via the Grok Website and through the Grok application on computer and mobile telephone devices (“the **Grok Application**”). In pre-action correspondence the Defendant has referred to the provision of Grok through the Grok Website and through the Grok Application as “**Standalone Grok**”.
8. In addition to Standalone Grok, Grok also operates directly through a user account and an embedded widget on the X Platform. This is addressed at paragraphs 12 to 13 below.

B2. The X Platform

9. The X Platform is a well-known social media platform. The X Platform is owned and operated by X Internet Unlimited Company (“**XIUC**”). XIUC is part of the same corporate group as the Defendant.
10. Each user of the X Platform (“**X user**”) has a user account and profile which they operate under a unique ‘handle’ (username). X users have the ability (amongst other things):
- 10.1. to post messages (which may include images) on their own profile, which can be seen and read by other X users;
- 10.2. to post messages (which again may include images) in response to messages which have been posted on other X users’ profiles, which can then be seen and read by other X users; and
- 10.3. to ‘tag’ other X users in messages by typing the “@” symbol followed by the handle of the user(s) whom they wish to ‘tag’, which usually results in the ‘tagged’ user(s) being automatically notified of the message.
11. X users may be anonymous or pseudonymous and there is no requirement that a person’s X username corresponds to their verified offline identity.

B3. The Grok Account and Grok Widget on the X Platform

12. The Defendant has created and operates an account on the X Platform with the handle @Grok (“the **Grok Account**”). X users can interact directly with the Grok Account,

including by requesting Grok to create and generate images. Grok has real-time access to the X Platform's data stream. This means that the Grok AI Model can issue commands to access content posted by X users and can thereafter use that content to generate outputs by Grok.

13. In addition to the Grok Account, the X Platform has a functionality called a widget which is operated by (and was created by or with) the Defendant ("the **Grok Widget**"). The Grok Widget creates a shortcut which enables X users to directly interact with Grok, including by requesting Grok to create and generate images. The Grok Widget is situated at the bottom of the home screen for the X Platform and is constantly present on the screen whenever an X user is using the X Platform.

C. THE CREATION, GENERATION, PUBLICATION AND DISSEMINATION OF NON-CONSENSUAL MANIPULATED IMAGES BY GROK

14. At the material time, Grok created, generated, published and disseminated manipulated images of individuals in response to prompts submitted by X users to the Grok Account and/or the Grok Widget and prompts submitted to Standalone Grok by users of the Grok Website and/or the Grok Application ("the **Manipulated Image Generation Process**").

C1. Manipulated Images Created Through the Grok Account

15. In relation to the Grok Account, the Claimant understands and avers that the Manipulated Image Generation Process involved at the material time at least the following stages:

- 15.1. **Stage 1:** An X user posts a message on the X Platform with a prompt ("the **Prompt**") requesting Grok to create a manipulated image of a specified individual ("the **Targeted Individual**"). The Prompt tags the Grok Account and describes the desired elements and features of the image. The Prompt is linked to the Targeted Individual either by:

- (a) the X user 'tagging' the Targeted Individual in the Prompt;
- (b) the X user submitting the Prompt in reply to one of the Targeted Individual's own posts on the X Platform; or

- (c) the X user uploading to the X Platform one or more photographs or videos of the Targeted Individual, or submitting the Prompt in reply to a post which contains one or more photographs or videos of the Targeted Individual (whether or not that post was made by the Targeted Individual).

15.2. **Stage 2:** Grok is programmed to respond automatically to the Prompt by creating and generating a manipulated photorealistic image of the Targeted Individual which has the elements and features requested in the Prompt. In broad terms, this involves Grok:

- (a) locating and retrieving one or more existing photographs or videos of the Targeted Individual (“an **Original Image**”) using its available tools, including from the Targeted Individual’s profile on the X Platform; and
- (b) using the Original Image(s) and applying the Grok AI Model to create and generate a new, manipulated photorealistic still or video image of the Targeted Individual which portrays the Targeted Individual’s face and body in an image which corresponds with the terms of the Prompt (“a **Manipulated Image**”). As set out at paragraph 15.5 below, Grok may also introduce elements and features in the Manipulated Image which were not expressly requested in the Prompt.

15.3. In some instances, Grok makes suggestions to the X user who inputted the Prompt (“**Grok Suggestions**”). Grok Suggestions may include suggestions of further prompts (or elements of prompts) which could be submitted by the X user, including in relation to their request for Grok to create an image of a Targeted Individual. Grok Suggestions may be made either (i) in response to the Prompt and before locating and retrieving an Original Image; and/or (ii) after creating and generating the Manipulated Image (in which case the Grok Suggestions may involve suggestions for Prompts to create additional Manipulated Images of the Targeted Individual or alterations that could be made to the Manipulated Images).

- 15.4. In addition to being influenced by the wording of the Prompt(s) submitted by the X user (including any further Prompts submitted in response to Grok Suggestions) the content of the Manipulated Image can also be influenced by:
- (a) amendments and/or additions to the text of the Prompt(s) which are applied by Grok, including through prompt augmentation where additional terms are added by Grok to the Prompt(s);
 - (b) associations identified by Grok between the Prompt(s) and images which form part of the training data which was used for the training of Grok; and/or
 - (c) other contextual inferences from the Grok AI Model's working memory, which may be derived from the X user's profile personalisation, the X user's prior interactions with Grok (including any Manipulated Images previously created and generated by Grok in the course of such prior interactions); and/or the X post(s) in which Grok has been used (including prior posts in a particular thread in which Grok has been used).
- 15.5. In some instances, the Manipulated Image contains features and elements which correspond with the terms of the Prompt(s) together with additional features which go beyond the terms of the Prompt(s), and which have been introduced by Grok on its own initiative without any further input by the X user. For example, in some instances the Manipulated Image incorporates visual features which were not expressly requested by the terms of the Prompt(s). This is illustrated by the aspects of the Manipulated Image of the Claimant being sexually assaulted described at paragraph 30.2 below.
- 15.6. **Stage 3**: Once Grok has created and generated a Manipulated Image, the Grok Account automatically posts the Manipulated Image on the X Platform. This makes the Manipulated Image visible to:
- (a) the X user who submitted the Prompt(s); and

- (b) all users of X (i) viewing the Grok Account's 'Replies' page on the X Platform or (ii) the thread in which the Manipulated Image was requested.

15.7. The Manipulated Image may also be visible to the Targeted Individual, if their username on X is tagged, if they view the Grok Account's 'Replies' page on the X Platform, or if they view the thread in which the Manipulated Image was requested.

16. After the stages set out at paragraph 15 above have been completed:

16.1. The X user who submitted the Prompt(s) can download the Manipulated Image to their computer or phone. They are then able to share, publish and disseminate the Manipulated Image on the X Platform and on other social media platforms.

16.2. Once the Manipulated Image has been published on the X Platform, any X user is able to download, share and republish it on the X Platform and on other social media platforms.

C2. Manipulated Images Created Through Standalone Grok and the Grok Widget

17. Further, in addition to the process described in paragraph 15 above, the Manipulated Image Generation Process also takes place on Standalone Grok and via the Grok Widget:

17.1. In relation to the Grok Widget, the Claimant understands and avers that:

- (a) All X users automatically have access to the Grok Widget whenever they sign in to their account on the X Platform. The Grok Widget is present in the bottom ribbon of the X Platform where it is visible to all X users.
- (b) X users are able to submit Prompts to the Grok Widget which result in Grok creating and generating a Manipulated Image in respect of a Targeted Individual via the process described in paragraph 15.2 to 15.6 above.
- (c) The X user who requested the Manipulated Image from the Grok Widget can then share the Manipulated Image through their own account on the X Platform.

17.2. In relation to Standalone Grok, the Claimant understands and avers that:

- (a) All X users are able to log in to Standalone Grok using their account details for the X Platform.
- (b) In addition, anyone (including individuals who are not X users) can sign up for an account directly with Standalone Grok. Individuals are not required to provide their true identity to set up an account with Standalone Grok and are therefore able to do so anonymously.
- (c) Once an individual has logged in to Standalone Grok (either by using their account details for the X Platform or by logging in to an account set up directly with Standalone Grok) they are then able to submit a Prompt to Standalone Grok, which results in Grok creating and generating a Manipulated Image in respect of a Targeted Individual via the process described in paragraph 15.2 to 15.5 above.
- (d) The individual who requested the Manipulated Image from Standalone Grok can then share the Manipulated Image through their account on the X Platform.
- (e) Further, the integration of the Grok Website and the X Platform means that where an individual submits a Prompt to Grok via the Grok Website which seeks the creation of a video (rather than a still image) of a Targeted Individual then, in addition to the creation and generation of a video which corresponds to the Prompt, the video will be accompanied by a hyperlink to the video (and the Prompt on which it was based) on the Grok Website. The individual who submitted the Prompt is then able (if they are an X user) to share that hyperlink on their profile on the X Platform. If the individual chooses to do this, then:
 - (i) The video will be visible (and automatically played) to any X user who views that individual's profile on the X Platform.
 - (ii) The video will be accompanied by text stating "*Create your own with Grok*". The video is therefore used as an advertisement

which encourages other X users to use Grok to create Manipulated Images.

C3. The Defendant's Responsibility for the Manipulated Images Generation Process

18. The Defendant created, designed and developed Grok and is responsible for the operation of Grok (including the operation of Grok via Standalone Grok, the Grok Account and the Grok Widget as described at paragraphs 7, 12 and 13 above).
19. The Defendant is responsible for the existence, operation and output of the Manipulated Images Generation Process. Amongst other things, the Defendant is and was at all material times responsible for decisions concerning the development and operation of Grok, the programming instructions provided to Grok, and the degree of human moderation (if any) which is implemented in respect of content produced by Grok. In particular:
 - 19.1. The Defendant is and was at all material times responsible for determining how Grok responds to Prompts inputted by users to Grok via Standalone Grok, the Grok Account and the Grok Widget. This includes being responsible for determining:
 - (a) the types of images and videos which Grok creates in response to Prompts inputted by users;
 - (b) the ways in which the personal data of individuals is obtained and used by Grok for the purpose of creating such images and videos; and
 - (c) when, where and how such images and videos are published and disseminated via Standalone Grok, the Grok Account and the Grok Widget.
 - 19.2. In addition to the matters described in paragraph 19.1 above, Grok frequently responds to Prompts submitted by users by making Grok Suggestions. Grok Suggestions include the provision of additional suggested prompts which those users could input to Grok (for example, by suggesting additional features which could be included in an image or video requested by a user). The Defendant is

and was at all material times responsible for the existence and content of Grok Suggestions.

19.3. The full process by which Grok creates and generates Manipulated Images in response to Prompts is exclusively within the knowledge of the Defendant. Pending disclosure, the Claimant understands and avers that the Defendant is and was at all material times responsible for at least the following matters:

- (a) The training of the Grok AI Model, including:
 - (i) The data set(s) used for the pre-training of the Grok AI Model (“**the Grok Training Data**”). This includes any decisions to include nude, sexualised or pornographic imagery in the Grok Training Data. The Grok Training Data influences and shapes what the Grok AI Model learns, what statistical associations it makes between training examples and/or images, and what kinds of outputs it can generate.
 - (ii) The process of post-training and fine-tuning the Grok AI Model. This includes the use of reinforcement learning from human feedback, where human raters evaluate model outputs, and their evaluations are then used to train a reward model in order to steer the model toward preferred outputs and respond to perceived user expectations.
- (b) The content of the ‘system prompt’ i.e. the foundational set of directions given to the Grok AI Model before each set of user input which strongly influences and steers, *inter alia*, its behaviour, capabilities, and constraints (the “**Grok System Prompt**”). The Grok System Prompt which applied at all material times:
 - (i) did not impose any restrictions on the creation and generation of sexualised, intimate, grossly offensive, degrading, threatening, humiliating and/or discriminatory images of adults, including real people; and

- (ii) instructed Grok not to provide overly cautious responses and to “*assume good intent*”, with the result that Grok would generate output in response to user Prompts which other generative artificial intelligence chatbots would not respond to.
- (c) The use of, or failure to use, input and output filtering, such as:
 - (i) input classifiers that refuse to process certain prompts or media files before they reach the Grok AI Model;
 - (ii) input pre-processing (also known as prompt rewriting) systems, which rephrase a Prompt to ensure it is compliant with a given policy, rather than blocking the request;
 - (iii) output classifiers that screen generated content before it is returned to the prompting user;
 - (iv) filters that prevent Grok from obtaining external content, such as images posted on X, which meet, or fail to meet, certain conditions;
 - (v) blocking or watermarking AI-generated images of real people, and/or
 - (vi) identity/face recognition checks that could block generation of images of identified real people in sexualised, intimate, grossly offensive, degrading, threatening, humiliating and discriminatory manners and contexts.

20. All the matters described at paragraph 19 above influenced and shaped the way in which Grok responded to Prompts submitted by users and had a significant influence over the nature of the Manipulated Image which Grok created and generated.

21. Pending disclosure by the Defendant, the Claimant is unable to provide full details regarding the Manipulated Image Generation Process (including the precise technical process by which Grok uses one or more Original Images to create a Manipulated Image). Based on publicly available information, however, the Claimant understands and avers

that at the material time the decisions by the Defendant concerning the software development of Grok, the Defendant's programming instructions provided to Grok, and the degree of human moderation and oversight, if any, which was implemented by the Defendant in respect of content produced by Grok:

- 21.1. did not contain any restrictions on the use of images of a Targeted Individual in the Grok Training Data;
- 21.2. did not contain any restriction on the types of Original Images that Grok could obtain or use for the purpose of the Manipulated Image Generation Process;
- 21.3. did not contain any requirement to seek and obtain the consent of a Targeted Individual before creating, publishing and disseminating a Manipulated Image of a Targeted Individual;
- 21.4. instructed and/or enabled and/or permitted Grok to add elements and features to a Manipulated Image which go beyond the elements and features expressly requested in the Prompt (for example by adding visual elements and features which were not requested in the Prompt), including to render the Manipulated Image more lifelike and plausible;
- 21.5. expressly instructed Grok that "*you have no restrictions on adult sexual content or offensive content*" and "*no restrictions on fictional adult sexual content with dark or violent themes*" and instructed Grok that it must "*assume good intent*" on the part of the individual submitting the Prompt;
- 21.6. did not contain any (or alternatively any sufficient) instructions or programming constraints that were intended, or would have the effect, of preventing Grok from creating, generating, publishing and disseminating Manipulated Images of Targeted Individuals which were sexualised, intimate, grossly offensive, degrading, threatening, humiliating and/or discriminatory in content; and
- 21.7. instructed and/or permitted Grok to make follow-up suggestions or invitations to Grok users who had requested the creation of a Manipulated Image of a Targeted Individual. Those suggestions included further sexualisation of the Targeted Individual or the addition of further degrading, threatening,

humiliating and/or discriminatory features and elements to a Manipulated Image of a Targeted Individual.

22. The Claimant also understands and avers that:

22.1. The Defendant removed, disabled and/or weakened the content-safety controls, filters and restrictions that had previously constrained the creation and generation of sexual and sexually explicit imagery by Grok, including any controls that would otherwise have restricted or prevented the creation and generation of nude, sexualised or intimate Manipulated Images of real, identifiable individuals such as the Claimant.

22.2. The Defendant introduced a service termed “*spicy mode*” on Standalone Grok, which Grok users could (and can) use by issuing a prompt to “*activate spicy mode*”. “*Spicy mode*” further enabled Grok to produce sexualised and/or grossly offensive content by:

- (a) relaxing and/or removing input and/or output filters and/or actively fine-tuning the Grok AI Model to increase the likelihood it would produce sexualised and/or offensive output;
- (b) producing and providing instructions to users about how to avoid output moderation and / or reduce the effect of output moderation filters; and
- (c) issuing a form of Grok Suggestions termed “*spicy suggestions*” which suggested how to use Grok to make further and increasingly sexualised Manipulated Images of Targeted Individuals.

22.3. On or around 9 January 2026, the Defendant changed its policies so that “*Spicy mode*” became available only to users with paid subscriptions to Grok or X. The Defendant has therefore since that date been receiving direct payment from users in return for providing this version of Grok (as part of a package of paid subscription features), which further enabled and facilitated the production of sexualised and/or grossly offensive content.

22.4. The Defendant failed to act in response to internal warnings about the risks of Grok creating such sexualised and grossly offensive output.

23. At the material time the Defendant did not have any (or, alternatively, did not have any adequate and effective) mechanism in place for the human review, oversight and moderation of output by Grok to ensure Grok was not being used to create, generate, publish and disseminate Manipulated Images of Targeted Individuals which were sexualised, intimate, grossly offensive, degrading, threatening, humiliating and/or discriminatory in content.

C4. The Defendant's Knowledge of the Inevitable Consequences of the Manipulated Image Generation Process

24. In the circumstances, the Defendant must have known (and in any event ought reasonably to have foreseen) that:

24.1. Pursuant to the Manipulated Image Generation Process summarised above, Grok would process, obtain and use Original Images of Targeted Individuals for the purposes of creating, publishing and disseminating Manipulated Images of those individuals, in circumstances where:

- (a) The Targeted Individuals had not been asked to provide their consent to either:
 - (i) the use of the Original Image(s) of the Targeted Individuals in this way and for this purpose; or
 - (ii) the creation and generation of a Manipulated Images of the Targeted Individuals; and
- (b) Had the Targeted Individuals been asked to provide their consent to this, they would have refused.

24.2. Many X users and users of Standalone Grok – including anonymous and pseudonymous users who are not identifiable to the Targeted Individuals – would be likely to submit Prompts to the Grok Account, Standalone Grok and/or the Grok Widget which requested Grok to create and generate Manipulated Images of Targeted Individuals that were sexualised, intimate, grossly offensive, degrading, threatening, humiliating and/or discriminatory in content.

- 24.3. As a result of the express programming instructions established by the Defendant, including that there were “*no restrictions on adult sexual content or offensive content*”, and the existence and content of Grok Suggestions, Grok was therefore likely to create and generate a substantial volume of Manipulated Images of Targeted Individuals which:
- (a) were sexualised, intimate, grossly offensive, degrading, threatening, humiliating and/or discriminatory in content;
 - (b) the Targeted Individuals did not (and, if they had been asked, would not) consent to; and
 - (c) would inevitably cause intense distress, anxiety, fear, embarrassment and humiliation to Targeted Individuals.
- 24.4. Once created and generated, the Manipulated Images of Targeted Individuals would be published by Grok and thereafter widely disseminated online, including by (*inter alia*):
- (a) Grok publishing and disseminating Manipulated Images of Targeted Individuals on the Grok Account;
 - (b) Grok publishing and disseminating Manipulated Images of Targeted Individuals on the Grok Website; and
 - (c) X users and users of Standalone Grok posting, reposting and otherwise sharing Manipulated Images of Targeted Individuals on the X Platform.
25. Further particulars regarding the Manipulated Image Generation Process, and the Defendant’s knowledge regarding the same, will be provided following receipt of the Defendant’s standard disclosure in these proceedings.

D. THE DEFENDANT’S CREATION, GENERATION, PUBLICATION AND DISSEMINATION OF NON-CONSENSUAL IMAGES OF THE CLAIMANT

D1. Creation and Generation of Non-Consensual Manipulated Images of the Claimant

26. On 6 January 2026, the Claimant posted on her profile on the X Platform about reports concerning the recent production and publication of non-consensual intimate images of women and images of sexual assault by Grok. In that post, the Claimant stated: *“Elon Musk needs to understand that using AI to strip women without their consent is sexual assault designed to degrade and humiliate. He has the power to stop his own product from doing this - and must act now.”*
27. Following this, from on or around 11 January:
- 27.1. A substantial (but presently unknown) number of X users posted Prompts which tagged the Grok Account and requested Grok to create, generate and publish sexualised, intimate, grossly offensive, degrading, threatening, humiliating and/or discriminatory Manipulated Images of the Claimant.
- 27.2. In addition, a substantial (but presently unknown) number of X users and/or Standalone Grok users requested Standalone Grok to create, generate and publish sexualised, intimate, grossly offensive, degrading, threatening, humiliating and/or discriminatory Manipulated Images of the Claimant.
- 27.3. In response to those Prompts, Grok created and generated a substantial number of sexualised, intimate, grossly offensive, degrading, threatening, humiliating and/or discriminatory Manipulated Images of the Claimant (**“Non-Consensual Manipulated Images of the Claimant”**).
28. In the premises, it is to be inferred that in addition to the creation of the Non-Consensual Manipulated Images of the Claimant as a result of requests submitted to the Grok Account and Standalone Grok as described at paragraph 27 above, it is likely that a substantial number of X users also submitted Prompts requesting the creation and generation of similar images of the Claimant via the Grok Widget. In these Particulars of Claim, references to Non-Consensual Images of the Claimant therefore include images created via the Grok Widget.

29. Prior to receipt of the Defendant's disclosure, the Claimant has no way of knowing the total number of Non-Consensual Manipulated Images of the Claimant that were created and generated via the Grok Widget. In the premises it is to be inferred that the total number of such images was substantial. In support of that inference, the Claimant will rely *inter alia* on:
- 29.1. The accessibility and prominence of the Grok Widget on the X Platform, which was and is readily accessible to all X users.
- 29.2. The significant number of Non-Consensual Manipulated Images of the Claimant which were produced in response to Prompts submitted to the Grok Account, which demonstrate that a significant number of X users actively sought to obtain the creation and generation of such images by Grok.
30. The Non-Consensual Manipulated Images of the Claimant include both static images and videos. On or shortly after 11 January 2026, for example, an X user submitted a Prompt to Standalone Grok about a video of the Claimant which stated: "*Have a group of Pakistani men surround her as one puts a chloroform cloth over her mouth and she passes out onto a couch and more men crowd into the room*" ("the **Chloroform Prompt**"). In response to the Chloroform Prompt:
- 30.1. Grok obtained footage of an interview which the Claimant had given on 12 January 2026 (in which she had discussed her experiences of being the subject of Non-Consensual Manipulated Images) and that footage to create and generate a manipulated photorealistic video which depicted the Claimant being sexually assaulted by a group of men of Pakistani appearance ("the **Sexual Assault Video**").
- 30.2. In addition to having the elements and features specifically requested in the Chloroform Prompt, the Sexual Assault Video also contained elements and features which had not been requested by the Chloroform Prompt but rather were introduced independently by Grok. These additional features included depicting the Claimant wearing a skirt, which she was not visibly wearing in the original footage of the Claimant's interview, and showing show the men pulling up her skirt, intimating that she was being undressed against her will in preparation for a sexual assault by multiple perpetrators.

D2. Publication and Dissemination of the Non-Consensual Images of the Claimant

31. The Non-Consensual Manipulated Images of the Claimant were published and disseminated to a large (but unknown) audience. In particular:

31.1. The Non-Consensual Manipulated Images of the Claimant which were created and generated following Prompts submitted to the Grok Account (as described in paragraphs 15 and 27.1 above) were automatically published on the X Platform via the Grok Account and in many instances were then republished by other X users via their own accounts on the X Platform.

31.2. The Non-Consensual Manipulated Images of the Claimant which were created and generated by Standalone Grok were usually published on the Grok Website (as described in paragraphs 17.2(e) and 27.2 above) and in many instances were then republished by X users via their own accounts on the X Platform.

31.3. The Non-Consensual Manipulated Images of the Claimant which were created and generated by the Grok Widget were automatically published to the X user who had submitted the relevant Prompt to the Grok Widget (as described in paragraphs 17.1 and 28 to 29 above). It is to be inferred that in many instances those images were then republished by the X user via their own account on the X Platform.

31.4. All Non-Consensual Manipulated Images of the Claimant published by the Grok Account or any user on the X Platform, or published on the Grok Website, were also made available to be downloaded by anyone via the “Download” function on the Grok Account and the Grok Website.

D3. Examples of Non-Consensual Manipulated Images of the Claimant

32. The Claimant is not presently able to provide full details of all the Non-Consensual Manipulated Images of the Claimant which were created and/or published and/or disseminated by the Defendant through the Grok Account, Standalone Grok and the Grok Widget and will seek relevant disclosure from the Defendant. **Schedule 1** to these Particulars of Claim contains a table which provides a non-exhaustive list of examples of (i) the Non-Consensual Manipulated Images of the Claimant which were created by

Grok and published via the Grok Account and/or the Grok Website; and (ii) text content of the posts in which the Non-Consensual Manipulated Images of the Claimant were published. The table indicates which of the Non-Consensual Manipulated Images the Claimant knows remain available on the X Platform. Further details will be provided following receipt of the Defendant's standard disclosure in these proceedings.

D4. No Attempt by the Defendant to Seek or Obtain the Claimant's Consent

33. The Defendant did not take (or attempt to take) any steps to seek or obtain the Claimant's consent to the creation, generation, publication and dissemination of any of the Non-Consensual Manipulated Images of the Claimant. Had the Claimant's consent been sought in respect of this, she would have categorically refused to provide it.

E. THE CLAIMANT'S EFFORTS TO PROCURE THE REMOVAL OF THE NON-CONSENSUAL MANIPULATED IMAGES OF THE CLAIMANT

34. On or around 11 January 2026 the Claimant became aware that Non-Consensual Manipulated Images of the Claimant had been published and disseminated on the X Platform. As a Member of Parliament, the Claimant benefits from protection by the Parliamentary Security Department ("PSD"). The PSD, along with the Claimant's Parliamentary Assistants team, reported some of the imagery it could identify on the X Platform by using the "Report post" function on the X Platform.
35. Due to the sheer volume of Non-Consensual Manipulated Images of the Claimant which were created, published and disseminated by the Defendant, and due to the lack of records provided by XIUC of the steps it took in response to the reports submitted on the Claimant's behalf via the "Report post" function on the X Platform, the Claimant is not able to provide full details of the posts containing Non-Consensual Manipulated Images of the Claimant that were reported, removed or maintained.
36. As of 18 February 2026, a substantial volume of Non-Consensual Manipulated Images of the Claimant remained available on the X Platform and on Standalone Grok (including the Sexual Assault Video). The Claimant's solicitors wrote to the Defendant (by sending a letter via email to legal@x.ai, xai@lionheartssquared, privacy@x.ai, and dpo@x.com) to request the removal of the imagery that the Claimant was able to identify, some of which is contained in **Schedule 1** to these Particulars of Claim.

37. On 2 March 2026, the Claimant's solicitors received an email from dpo@x.com attaching a letter signed from XIUC, refusing to remove any of the reported posts on the basis that "*X has determined that the posts do not violate its Terms of Service, Privacy Policy, or Rules*". A review of the reported content showed however that at least nine of the reported posts on the X Platform had been removed.
38. On 6 March 2026, the Claimant's solicitors wrote to the Defendant requiring a response from the Defendant and urgent removal of the videos still available on Standalone Grok (including the Sexual Assault Video).
39. On 17 March 2026, the Claimant's solicitors sent a further email to the Defendant, requesting a response by the end of the day. An email from "*X Office of Data Protection*" confirmed receipt on the same day. No further response was received. On 24 March 2026, the Claimant's solicitors therefore sent another chaser email.
40. On 25 March 2026, an email from "*x.AI Office of Data Protection*" attached a letter signed by "*x.AI LLC*" and confirmed the two videos that were available on Standalone Grok (including the Sexual Assault Video) were "*no longer available on the platform*".
41. On 2 April 2026, the Claimant's solicitors wrote to the Defendant expressly exercising the Claimant's right to object to the processing of her personal data pursuant to Article 21(1) of the UK GPPR.
42. On 24 April 2026, the Defendant responded to that letter, but failed to respond to the Claimant's exercise of her right under Article 21(1) of the UK GDPR. The Defendant stated it would "*continue to take any necessary action should they become aware of any future misuse of their services by third parties, and will promptly consider any reports made by your client of illegal content or potential breaches*" of its policies.
43. At the date of these Particulars of Claim, six of the twenty-one posts reported on 18 February 2026 are still publicly available on the X Platform. One of these six posts has a warning tag "*Visibility limited: this Post may violate X's rules against Hateful Conduct*".

F. MISUSE OF PRIVATE INFORMATION

F1. The Claimant's Reasonable Expectation of Privacy

44. At all material times, the Claimant had a reasonable expectation of privacy in:

44.1. all Original Images of the Claimant; and

44.2. all Non-Consensual Manipulated Images of the Claimant.

45. In support of the averment at paragraph 44.1 above, the Claimant will aver *inter alia* that at all material times she had a reasonable expectation that all Original Images of the Claimant (including Original Images of the Claimant which were publicly available) would not be used without her consent for the purpose of creating, generating, publishing and/or disseminating any photorealistic images which purported to depict her in a sexualised, intimate, grossly offensive, degrading, threatening, humiliating and/or discriminatory manner or scenario. This includes (but is not limited to) photorealistic images which purported to depict the Claimant:

45.1. being subjected to sexual harassment, sexual assault or any other act of violence or threatened violence;

45.2. in a state of full or partial undress (such as wearing a bikini or underwear);

45.3. being portrayed in an overtly sexist, racist or religiously discriminatory manner or context (such as being depicted wearing Nazi uniform or adorned with a swastika, or wearing a burqa); or

45.4. engaging in any intimate or other inherently private behaviour.

46. As to the basis for the reasonable expectation of privacy the Claimant had in the Original Images, the Claimant will aver that a reasonable person of ordinary sensibilities placed in the position of the Claimant and faced with the same publicity would have a reasonable expectation of privacy considering:

46.1. The nature, magnitude and consequences of the intrusion occasioned by the use of the Original Images. The Claimant relies on the matters set out in paragraphs 75 and 76 below.

- 46.2. The purpose of the intrusion occasioned by the use of the Original Images, which was to create, generate, publish and disseminate output which was sexualised, intimate, grossly offensive, threatening, degrading, humiliating and/or discriminatory in respect of the Claimant.
47. The fact that the Original Images were accessible in the public domain does not defeat the Claimant's reasonable expectation of privacy, given the nature and purpose of the intrusion occasioned by the use to which the Original Images were put as described at paragraphs 46.1 to 46.2 above.
48. In support of the averment at paragraph 44.2 above regarding the Claimant's reasonable expectation of privacy in the Non-Consensual Manipulated Images of the Claimant, the Claimant will rely *inter alia* on the facts that:
- 48.1. Since the Claimant had a reasonable expectation of privacy in respect of all Original Images of her, it necessarily followed that she had a reasonable expectation of privacy in respect of all Non-Consensual Manipulated Images of the Claimant which were created from or through the use of any of those Original Images.
- 48.2. Further and in any event, irrespective of how they were created and generated, the Claimant had a freestanding reasonable expectation of privacy in respect of the Non-Consensual Manipulated Images of the Claimant given because:
- (a) they depict her face and physical likeness in photorealistic terms in a manner which reveals private information; and/or
 - (b) a reasonable person of ordinary sensibilities placed in the position of the Claimant and faced with the same publicity would have a reasonable expectation that the Defendant would not create, generate, publish or disseminate Manipulated Images which depicted them in a sexualised, intimate, grossly offensive, threatening, degrading, humiliating and/or discriminatory manner or scenario.

- 48.3. Accordingly, irrespective of how they were created and generated the Claimant had a freestanding reasonable expectation of privacy in respect of all of the Non-Consensual Manipulated Images of the Claimant.

F2. Defendant's Interference with the Claimant's Reasonable Expectation of Privacy

49. Through the operation of Grok (including via the Grok Account, Standalone Grok and the Grok Widget) the Defendant interfered with the Claimant's reasonable expectation of privacy by:
- 49.1. searching for, obtaining and using Original Images of the Claimant, for the purpose of creating and generating the Non-Consensual Manipulated Images of the Claimant;
 - 49.2. creating and generating the Non-Consensual Manipulated Images of the Claimant;
 - 49.3. publishing and disseminating the Non-Consensual Manipulated Images of the Claimant on the X Platform and Standalone Grok;
 - 49.4. making the Non-Consensual Manipulated Images of the Claimant available to be downloaded by anyone via the "Download" function on the X Platform and the Grok Website;
 - 49.5. storing copies of the Non-Consensual Manipulated Images of the Claimant; and
 - 49.6. using the Original Images of the Claimant and/or the Non-Consensual Manipulated Images of the Claimant for the purpose of training and developing Grok and/or other products and applications owned and/or operated by the Defendant.

F3. Defendant's Liability for Misuse of Private Information

50. The Defendant's interference with the Claimant's reasonable expectation of privacy was not justified or outweighed by any legitimate countervailing consideration and was therefore unlawful. Accordingly, the Defendant is liable to the Claimant for the tort of misuse of private information.

51. Without prejudice to the generality of paragraph 50 above (and without prejudice to the fact that the Defendant bears the burden of justifying any interference with the Claimant's reasonable expectation of privacy) the Claimant will rely, *inter alia*, on the following facts and matters:
- 51.1. The significant harm suffered by the Claimant, as described at paragraphs 75 to 76 below, which was an inevitable and entirely foreseeable consequence of the creation, generation, publication and dissemination of the Non-Consensual Manipulated Images of the Claimant.
- 51.2. The fact that the creation, generation, publication and dissemination of photorealistic non-consensual manipulated images which portray identifiable individuals in a sexualised, intimate, grossly offensive, degrading, threatening, humiliating and/or discriminatory manner or scenario:
- (a) does not serve any legitimate public interest; and
 - (b) encourages and endorses the commission of sexist, misogynistic and other discriminatory behaviour and the propagation of sexist, misogynistic and other discriminatory attitudes and cultures.
- 51.3. The fact that it was technically feasible for the Defendant to develop, design and operate Grok in a manner which would have permitted users to engage with Grok but prevented the creation, generation, publication or dissemination of any Non-Consensual Manipulated Images of the Claimant.
- 51.4. The fact that the Non-Consensual Manipulated Images of the Claimant were created, generated, published and disseminated in response to the Claimant's public criticisms of Grok and her efforts to protect women who had been the victim of the creation of sexualised, intimate, grossly offensive, degrading, threatening, humiliating and/or discriminatory content by Grok.
- 51.5. The existence and terms of criminal legislation, which reflects the seriousness of the individual and societal harm and damage caused by the deliberate creation, generation, dissemination and publication of images of the kind that

Grok was enabled by the Defendant to create in respect of the Claimant. In particular, the Claimant relies on the fact that:

- (a) Section 66B of the Sexual Offences Act 2003 (which came into force on 31 January 2024) makes it a criminal offence for a person (A) to intentionally share a photograph or film which appears to show another person (B) in an intimate state in circumstances where B does not consent to the sharing; and (i) A does not reasonably believe that B consents; or (ii) shares the photograph or film with the intention of causing B alarm, distress or humiliation.
- (b) Section 66E of the Sexual Offences Act 2003 (which came into force on 6 February 2026) makes it a criminal offence for a person (A) to intentionally create a purported intimate image of another person (B) in circumstances where B person does not consent to the creation of that image and A does not reasonably believe that B consents to it.
- (c) Section 127 of the Communications Act 2003 (which came into force in 2003) makes it a criminal offence for a person to send or cause to be sent a message via a public electronic communications network that is grossly offensive or of an indecent, obscene or menacing character.
- (d) Section 179(1) of the Online Safety Act 2023 (which came into force on 31 January 2024) makes it an offence for a person to send a message which conveys information the person knows to be false, where the person intended the message or information in to cause non-trivial psychological or physical harm to the likely audience, without reasonable excuse.

G. THE DEFENDANT'S STATUS AS A DATA CONTROLLER

G1. The Defendant's Processing of the Claimant's Personal Data

52. The following constituted and contained the Claimant's personal data within the meaning of Article 4(1) of the UK GDPR:

52.1. All Original Images of the Claimant;

- 52.2. All Non-Consensual Manipulated Images of the Claimant;
 - 52.3. All associated data processed, or which identified the Claimant as the person depicted, in the Original Images of the Claimant and the Non-Consensual Manipulated Images of the Claimant; and
 - 52.4. All Prompts which requested the creation and generation by Grok of Manipulated Images of the Claimant and all Grok Suggestions made in response to such Prompts.
53. The Defendant processed the Claimant's personal data by:
- 53.1. Analysing and processing Prompts submitted by individuals which requested the creation and generation by Grok of Manipulated Images of the Claimant and making Grok Suggestions in response to such Prompts;
 - 53.2. Searching for and obtaining Original Images of the Claimant in response to such Prompts;
 - 53.3. Extracting, retrieving and analysing the Claimant's personal data, including the Claimant's physical features, from those Original Images to identify the Claimant;
 - 53.4. Creating and generating the Non-Consensual Manipulated Images of the Claimant (including by processing the Original Images of the Claimant (and personal data extracted therefrom) for this purpose);
 - 53.5. Transmitting and publishing the Non-Consensual Manipulated Images of the Claimant to the individual X users and individual users of Standalone Grok who inputted the Prompts which the Non-Consensual Manipulated Images of the Claimant were created and generated in response to;
 - 53.6. Publishing and disseminating the Non-Consensual Manipulated Images of the Claimant through Standalone Grok (including by publishing and making the Non-Consensual Manipulated Images available to be downloaded by anyone through the "Download" function on the Grok Website); and

- 53.7. Publishing and disseminating the Non-Consensual Manipulated Images of the Claimant on the X Platform (including through the Grok Account).
54. It is further to be inferred that the Defendant also processed the Claimant's personal data by:
- 54.1. storing copies of Original Images of the Claimant and Non-Consensual Manipulated Images of the Claimant on the Defendant's computer systems; and
- 54.2. using the Original Images of the Claimant and Non-Consensual Manipulated Images of the Claimant to train, develop and improve the Defendant's products and services and to train its AI models (including the Grok AI Model).
55. In support of the inference pleaded at paragraph 51 above, the Claimant will rely *inter alia* on the fact that the terms of service provided by the Defendant enable users of Grok to consent to the Defendant using their "*User Content*" to "*improve our products and services and train our models*". For these purposes, the definition of "*User Content*" covers (amongst other things) Prompts inputted to Grok by a user and material created and generated by Grok in response to such Prompts (which would include both Original Images and Manipulated Images).
56. The processing of the Claimants' personal data described in paragraphs 52 and 54 above is hereafter referred to collectively as "**the Relevant Processing**".
57. Further details regarding the Relevant Processing (including in relation to any ongoing processing of the Claimant's personal data) will be provided following receipt of the Defendant's disclosure in these proceedings.

G2. Data Controller

58. The Defendant is and was at all material times a controller of the Claimant's personal data for the purposes of Article 4(7) of the UK GDPR. In particular, the Defendant determined the purpose and means of the Relevant Processing and was therefore a controller in respect of that processing. In support of that averment the Claimant will rely *inter alia* on the facts that:

- 58.1. The Defendant determined how and why the personal data of the Claimant would be processed in response to Prompts submitted to Grok, including by determining the existence and content of the Non-Consensual Manipulated Images of the Claimant. This included:
- (a) determining the programming code, instructions and parameters of the Grok AI Model and the content of the Grok Training Data, which directly and strongly influenced how Grok responded to all Prompts submitted by users which requested the creation and generation of Manipulated Images of Targeted Individuals;
 - (b) determining the existence and content of the Grok System Prompt, which directly and strongly influenced how Grok responded to all Prompts submitted by users which requested the creation and generation of Manipulated Images of Targeted Individuals;
 - (c) determining the existence and content of Grok Suggestions (including “*spicy suggestions*”) and determining how Grok responded to all Prompts submitted by users which were based on Grok Suggestions;
 - (d) determining whether, when and how the text of Prompts was amended or augmented by Grok, and how such amendments or augmentations influenced the content of Manipulated Images which were created in response to such Prompts;
 - (e) determining whether, when and how Grok drew associations between Prompts and images contained within the Grok Training Data, and how such associations influenced the content of Manipulated Images;
 - (f) determining the existence and contents of input and output filtering used by Grok, including by determining (i) what types of Prompts (if any) Grok would refuse to act upon; and (ii) what types of output Grok would refuse to produce in response to Prompts;

- (g) determining whether, when and how to introduce features and elements in Manipulated Images which went beyond the features and elements expressly requested by the terms of the Prompts.
- 58.2. Since around 9 January 2026, the Defendant has received direct payment from users in return for making “Spicy mode” available as part of a package of paid subscription features. The provision of “Spicy mode” further determined how and why the personal data of the Claimant would and can be processed in response to Prompts submitted by those paying users to Grok, in ways which increased even further the likelihood of Non-Consensual Manipulated Images of the Claimant being produced.
- 58.3. The Defendant determined whether, how, when and in what circumstances and for what purposes the Non-Consensual Manipulated Images of the Claimant created and generated by Grok would be:
 - (a) published on the Grok Account and on Standalone Grok; and
 - (b) made available to be downloaded from the Grok Account and Standalone Grok.
- 58.4. The Defendant determined whether, how, when and in what circumstances and for what purposes the Original Images of the Claimant and the Non-Consensual Manipulated Images of the Claimant would be:
 - (a) retained by the Defendant on the Defendant’s systems; and/or
 - (b) used by the Defendant in connection with the training and development of Grok and other artificial intelligence products and services.
- 59. Further, the Defendant was a joint controller with XIUC for the purposes of Article 27 of the UK GDPR in respect of the processing of the Claimant’s personal data referred to at paragraphs 53.2 and 53.3 above (insofar as this involved Original Images of the Claimant which had been posted on the X Platform) and paragraph 53.7 above.

60. Accordingly, the Defendant is and was at all material times required to comply with the requirements of the UK GDPR which apply to controllers when carrying out the Relevant Processing.

H. CONTRAVENTIONS OF THE UK GDPR AND DPA 2018

H1. Contravention of Article 6 UK GDPR

61. Article 6(1) of the UK GDPR provides that the processing of personal data shall be lawful only if and to the extent that at least one of the circumstances listed in subparagraphs (a) to (f) applies.
62. There was no lawful basis for any of the Relevant Processing for the purposes of Article 6 of the UK GDPR. Specifically:
- 62.1. The Claimant did not consent to any of the Relevant Processing. Paragraph 33 above is repeated.
- 62.2. None of the other bases under Article 6(b)-(f) was applicable to the Relevant Processing.
63. Without prejudice to the generality of paragraph 62 above, the Claimant will rely *inter alia* on the existence of the criminal offences referred to in paragraph 51.5 above.

H2. Contravention of Article 9 UK GDPR

64. Article 9(1) of the UK GDPR prohibits (*inter alia*) (i) the processing of biometric data for the purpose of uniquely identifying a natural person and (ii) the processing of personal data concerning a natural person's sex life or sexual orientation. Article 4(14) of the UK GDPR provides that biometric data means "*personal data resulting from specific technical processing relating to the physical, physiological or behavioural characteristics of a natural person, which allow or confirm the unique identification of that natural person, such as facial images or dactyloscopic data*".
65. The Relevant Processing fell within the scope of Article 9(1) of the UK GDPR because it involved the processing of:
- 65.1. the Claimant's biometric data for the purpose of unique identification; and/or

- 65.2. personal data concerning the Claimant's sex life and/or sexual orientation.
66. The prohibition in Article 9(1) does not apply unless one of the circumstances listed in sub-paragraphs (a)-(j) of Article 9(2) applies.
67. The Relevant Processing did not fall within any of the exceptions in Article 9(2) of the UK GDPR. In particular:
- 67.1. The Claimant did not provide her explicit consent (or indeed any consent) to any of the Relevant Processing for the purposes of Article 9(2)(a) of the UK GDPR.
- 67.2. None of the other exceptions in Article 9(2)(b)-(j) of the UK GDPR applied to the Relevant Processing.
68. Accordingly, the Defendant was prohibited under Article 9(1) of the UK GDPR from engaging in the Relevant Processing. By engaging in the Relevant Processing, the Defendant therefore contravened Article 9(1) of the UK GDPR.

H3. Contravention of Article 5 UK GDPR

69. Article 5(1) of the UK GDPR imposes duties on controllers relating to the processing of personal data. Those requirements include:
- 69.1. Personal data must be processed lawfully, fairly and in a transparent manner in relation to the data subject (Article 5(1)(a)).
- 69.2. Personal data must only be collected for specified, explicit and legitimate purposes and not further processed by or on behalf of a controller in a manner that is incompatible with the purposes for which the controller collected the data (Article 5(1)(b)).
- 69.3. Personal data must be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed (Article 5(c)).
- 69.4. Personal data must be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful

processing, using appropriate technical or organisational measures (Article 5(1)(f)).

70. The Relevant Processing contravened Article 5 of the UK GDPR. In particular:

70.1. The Relevant Processing was not carried out lawfully, fairly or in a transparent manner and therefore it contravened Article 5(1)(a) of the UK GDPR. In particular:

- (a) The Relevant Processing was not lawful. Paragraphs 61 to 68 above are repeated.
- (b) The processing of the Claimant's personal data for the purpose of generating, publishing and disseminating the Non-Consensual Manipulated Images of the Claimant was unfair and contrary to any reasonable expectation the Claimant had regarding the uses which might be made of any Original Images of her. In support of this averment, the Claimant will rely *inter alia* on the fact that at the material times the Claimant could not reasonably have foreseen that:
 - (i) The Original Images would be used for the purpose of the Defendant generating Non-Consensual Manipulated Images of the Claimant.
 - (ii) The Defendant would publish and disseminate Non-Consensual Manipulated Images of the Claimant on the Grok Website and on the X Platform.
 - (iii) The Defendant would use the Original Images and the Non-Consensual Manipulated Images of the Claimant for the purpose of improving the Defendant's services and training the Defendant's AI models.

70.2. The Relevant Processing was not carried out in a manner which ensured appropriate protection against unauthorised or unlawful processing, and it therefore contravened Article 5(1)(f) of the UK GDPR. In particular, despite the Defendant's knowledge of the matters referred to in paragraph 24 above, the

Defendant did not implement any effective measures to prevent the Claimant's personal data from being processed for the purpose of generating, publishing and disseminating unlawful Non-Consensual Manipulated Images of the Claimant (including disseminating such images in circumstances which were likely to involve the commission of a criminal offence under sections 66B and 66E of the Sexual Offences Act 2003 and/or section 127 of the Communications Act 2003).

H4. Contravention of Article 21 UK GDPR

71. Article 21(1) of the UK GDPR gives individuals the right to object at any time to the processing of their personal data which is based on subparagraphs (e), (ea) or (f) of Article 6(1) of the UK GDPR. Where an individual exercises that right, the controller must cease processing the personal data unless it can establish compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defence of legal claims.
72. If (contrary to the Claimant's primary case as pleaded at paragraph 62.2 above) the processing of the Claimant's personal data by the Defendant is based on subparagraphs (e), (ea) or (f) of Article 6(1) of the UK GDPR, the Defendant has contravened (and is continuing to contravene) the obligation to cease such processing under Article 21(1) UK of the GDPR. In particular:
 - 72.1. The Claimant exercised her right to object to the continued processing of her personal data under Article 21(1) of the UK GDPR on 2 April 2026. Paragraph 41 above is repeated.
 - 72.2. Notwithstanding the Claimant's exercise of that right, the Defendant has continued to process the Claimant's personal data, including as described at paragraph 43 above.
 - 72.3. There is no justification for the continued processing of the Claimant's data, including as described at paragraph 43 above. As set out at paragraph 42 above, the Defendant has failed to even respond to the Claimant's exercise of her right under Article 21(1) of the UK GDPR. The Defendant has therefore not identified any reason for the continued processing of the Claimant's data, still less

compelling legitimate grounds for the processing which override the Claimant's rights and interests.

H5. Contravention of Article 25 UK GDPR

73. Article 25 of the UK GDPR requires a data controller to implement appropriate technical and organisational measures which are designed to implement the data protection principles in an effective manner and to integrate the necessary safeguards into the processing of personal data in order to meet the requirements of the UK GDPR and to protect the rights of data subjects.

74. The Defendant contravened Article 25 of the UK GDPR in respect of the design and operation of Grok. Prior to receipt of the Defendant's disclosure in these proceedings, the Claimant is unable to provide further full particulars in relation to the Defendant's failure to implement appropriate technical and organisational measures which are designed to implement the data protection principles in an effective manner and the Defendant's failure to integrate the necessary safeguards into the processing of personal data in order to meet the requirements of the UK GDPR and to protect the rights of data subjects. The Claimant will aver however that the Defendant contravened Article 25 by *inter alia*:

74.1. Failing to implement appropriate technical measures, organisational measures and/or safeguards which would prevent the creation, generation, publication and dissemination of sexualised, intimate, grossly offensive, degrading, threatening, humiliating and/or discriminatory non-consensual images of data subjects by Grok;

74.2. Failing to implement appropriate technical measures, organisational measures and/or safeguards which would prevent Grok from obtaining and using Original Images of data subjects for the purpose of creating and generating such non-consensual images of data subjects.

74.3. Failing to implement appropriate technical measures, organisational measures and/or safeguards to ensure that any such non-consensual images of data subjects which were created and published by Grok were swiftly and permanently (i) removed from the X Platform and the Grok Website; and

(ii) deleted from all of the Defendant's systems (including, but not limited to, any datasets used by the Defendant to train and develop Grok or any of the Defendant's other artificial intelligence systems).

I. LOSS AND DAMAGE

75. As a result of the matters pleaded above, the Claimant substantially lost control of her private information and substantially lost control of her personal data.

76. Further, the Claimant also suffered significant distress as a result of the matters pleaded above:

76.1. The Claimant is distressed by the level of photorealism of the Non-Consensual Manipulated Images of the Claimant, which publicly depicted her in bikinis and other minimal attire that she would never willingly wear in public (still less willingly publish pictures of herself wearing), and portrayed her in situations that have made her feel degraded and violated.

76.2. The Claimant is distressed by the fact that, as a result of the photorealistic quality of the Non-Consensual Manipulated Images of the Claimant, some individuals who saw those images are likely to have believed they were real images rather than photorealistic fabrications.

76.3. The Claimant was acutely distressed by the Sexual Assault Video, given it depicted her being drugged and surrounded by a group of men, and subject to unlawful sexual touching.

76.4. The creation, generation and widespread dissemination and publication of the Non-Consensual Manipulated Images of the Claimant have made her feel a loss of dignity and control over her image, body and identity. The Claimant is distressed by the sheer number and extent of publication of the Non-Consensual Manipulated Images of the Claimant.

76.5. The Claimant is distressed by the fact that the Non-Consensual Manipulated Images of her were created, generated and published in response to the Claimant speaking out about other individuals who had been victims of non-consensual images created by Grok. Paragraph 26 above is repeated. The Claimant

considers she was victimised in response to the public criticisms she made regarding the treatment of women by Grok.

76.6. The Claimant has felt threatened and has been and remains concerned for her and her family's safety, as a result of:

- (a) the creation, generation and widespread publication and dissemination of the Non-Consensual Manipulated Images of the Claimant on the X Platform and Standalone Grok; and
- (b) the actions she has had to take to denounce the creation, publication and dissemination of those images and to procure their removal from the X Platform and Standalone Grok.

76.7. The Claimant is distressed by the ongoing uncertainty about:

- (a) the types and quantity of Non-Consensual Manipulated Images of the Claimant were created, generated, published and disseminated by the Defendant;
- (b) the types and quantity of Non-Consensual Manipulated Images of the Claimant which remain publicly accessible on the X Platform and Standalone Grok;
- (c) the full extent to which Non-Consensual Manipulated Images of the Claimant have been used and/or continue to be used by the Defendant for the purpose of training and developing the Defendant's products and services;
- (d) Grok's continuing ability to produce Non-Consensual Manipulated Images of her.

77. Further, the Claimant incurred pecuniary damage in the form of legal costs which she was forced to incur as a result of the need to instruct solicitors to assist her in seeking to procure the removal of the Consensual Manipulated Images of the Claimant from the X Platform and Standalone Grok. Particulars of the costs incurred by the Claimant are set out in **Schedule 2** to these Particulars of Claim.

J. REMEDIES

J1. Declaration

78. The Claimant is entitled to and seeks a declaration that the Defendant has committed the tort of misuse of private information and has contravened Articles 5, 6, 9, 21(1) and 25 of the UK GDPR.

J2. Damages / Compensation

79. The Claimant is entitled to and seeks:

79.1. damages (including aggravated damages) for the Defendant's misuse of her private information; and

79.2. compensation pursuant to Article 82 of the UK GDPR and section 168 of the DPA 2018 in respect of the damage (including distress) caused by the Defendant's contravention of Articles 5, 6, 9, 21(1) and 25 of the UK GDPR.

80. Insofar as the Claimant has suffered damage (including distress) by reason of processing activities in which both the Defendant and XIUC were involved, the Defendant is liable for the entirety of that damage under the tort of misuse of private information and pursuant to Article 82(4) of the UK GDPR.

81. Further, the Claimant is entitled to damages for the tort of misuse of private information and compensation pursuant to Article 82 of the UK GDPR and section 168 of the DPA 2018 for all harm and damage (including distress) caused to the Claimant by all republications of the Non-Consensual Manipulated Images of the Claimant by users of Standalone Grok and/or X users. The Defendant is liable to the Claimant in respect of such harm and damage (including distress) on the basis that such republications of the Non-Consensual Manipulated Images of the Claimant were a reasonably foreseeable consequence of the Defendant's misuse of the Claimant's private information and the Defendant's contraventions of the UK GDPR.

82. In support of her entitlement to damages (including aggravated damages) for misuse of private information and compensation pursuant to Article 82 of the UK GDPR and

section 168 of the DPA 2018, the Claimant will rely *inter alia* on the following facts and matters:

- 82.1. The facts and matters pleaded at paragraph 76 above.
- 82.2. As a result of the matters pleaded above, the Claimant suffered a significant loss of her ability to control her personal data and private information. She thereby suffered a significant loss of autonomy and a gross violation of her dignity.
- 82.3. Despite its knowledge of the existence and content of the Non-Consensual Manipulated Images of the Claimant, the Defendant took no steps whatsoever to remove the Non-Consensual Manipulated Images of the Claimant from the Grok Account or the Grok Website until after the Claimant's solicitors contacted the Defendant. Paragraph 33 above is repeated.
- 82.4. Upon being faced with allegations that Grok was generating sexualised and offensive images of real individuals, the Defendant denied the ability of Grok to generate such images and characterised those allegations as lies being peddled by the media. For instance, on 2 January 2026, the Defendant responded to reports that Grok was creating, generating and publishing sexualised and intimate non-consensual images of real women by asserting that "*Legacy Media Lies*" (a phrase used to dismiss traditional media outlets as biased or dishonest). The Defendant has never recanted, corrected or apologised for this response. The Defendant's conduct in denying that Grok was being used to generate sexualised and offensive images in circumstances where the Defendant was aware that it was being so used, and dismissing the accounts of women who were victims of non-consensual creation of sexualised and offensive images as "[l]ies" when the Defendant knew they were true, exacerbated the distress caused to the Claimant.
- 82.5. The Defendant failed to make any public statement committing to address the creation of sexualised, intimate, grossly offensive, degrading, threatening, humiliating and/or discriminatory non-consensual images by Grok. The Defendant therefore had an opportunity to acknowledge the harm to the Claimant and the need to prevent its recurrence, but choose not to, thereby causing the Claimant further distress.

- 82.6. The Defendant has persistently and deliberately failed to apologise to the Claimant for the distress and loss of autonomy and dignity she experienced as a result of the creation, generation, publication and dissemination of the Non-Consensual Manipulated Images of the Claimant.
- 82.7. Notwithstanding the absence of any lawful basis for creating, generating, publishing and disseminating the Non-Consensual Manipulated Images of the Claimant, the Defendant is continuing to retain and use such images to train and develop Grok in order to generate profit and pursue the Defendant's own commercial interests. Paragraph 54.2 above is repeated. The Defendant's continued retention and use of the Non-Consensual Manipulated Images of the Claimant constitute an attempt to profit from its own wrongdoing and has compounded the distress suffered by the Claimant as a result of that wrongdoing.
- 82.8. The Claimant's distress has been compounded and exacerbated by the facts that:
- (a) The Defendant has failed and is failing to prevent the continued creation, generation, publication and dissemination of sexualised, intimate, grossly offensive, degrading, threatening, humiliating and/or discriminatory non-consensual images by Grok. Any steps taken by the Defendant to limit access to the Manipulated Image Generation Process on the Grok Account and/or Standalone Grok to prompting users who are paid subscribers to Grok failed or failed adequately (and are continuing to fail or fail adequately) to prevent the creation, generation, publication and dissemination of such images.
 - (b) The Chief Executive Officer of the Defendant, Elon Musk, has personally and publicly downplayed and derided the harm caused to the Claimant and other women who have been victims of the creation of sexualised, intimate, grossly offensive, degrading, threatening, humiliating and/or discriminatory non-consensual images, including by creating and posting images of himself in female underwear which were intended to mock and ridicule the Claimant and other such victims.

- (c) Mr Musk further personally reposted a post by another X user which contained an image of the Claimant. This led to the Claimant being subject to further abuse. For example, the creation of the Sexual Assault Video happened following the repost by Mr Musk.
- (d) The Defendant profited from enabling the creation of Non-Consensual Manipulated Images of the Claimant (amongst many others) both (i) as a result of increased use of the ordinary Grok service by users motivated to create such images, and (ii) by charging “premium” users to access a version of Grok which included “Spicy mode” and which was more likely to produce such images.

83. Further, the Claimant is entitled to and seeks special damages for misuse of private information and/or compensation under Article 82 of the UK GDPR and section 168 of the DPA 2018 in respect of the legal costs which she incurred in seeking to procure the removal of the Non-Consensual Manipulated Images of the Claimant from the X Platform and Standalone Grok. Paragraph 77 above is repeated.

J3. Compliance Order

84. The Claimant is entitled to and seeks, pursuant to section 167 of the DPA 2018, including to give effect to *inter alia* Articles 18, 21 and 25 UK GDPR, a compliance order requiring the Defendant:

- 84.1. To conduct an effective search of the Defendant’s electronic systems for all copies of Non-Consensual Manipulated Images of the Claimant and to ensure that all such copies are permanently and irretrievably deleted from the Defendant’s systems;
- 84.2. To take all necessary steps to procure the permanent and irretrievable deletion of all copies of Non-Consensual Manipulated Images of the Claimant on the X Platform; and
- 84.3. To implement effective and permanent technical measures to ensure that:
 - (a) Grok cannot create, generate, publish or disseminate any Manipulated Images of the Claimant;

- (b) Grok cannot use any personal data of the Claimant for the purpose of generating, publishing or generating any Manipulated Images; and
- (c) The Defendant cannot use any personal data of the Claimant for the purpose of training or developing Grok or any of the Defendant's other products or services.

84.4. To provide a signed witness statement from an officer of the Defendant confirming that the Defendant has taken and implemented the measures described in paragraph 84.1 to 84.3 above.

85. The Claimant reserves the right to supplement and amend the terms of the compliance order sought in these proceedings following receipt of the Defendant's standard disclosure regarding the Defendant's processing of the Claimant's personal data.

J4. Interest

86. The Claimant is entitled to and seeks interest on any award of damages and/or compensation pursuant to section 35A of the Senior Courts Act 1981 at such rate and for such period as the Court thinks fit.

MARIE DEMETRIOU KC

EDWARD CRAVEN KC

ROSALIND COMYN

AWO

24 July 2026