

## **Sexting**

The term 'sexting' is derived from texting and refers to the sending of sexually provocative material.

This may include photos, videos and sexually explicit text from modern communication devices or applications, such as mobile phones, tablets, email, social networking sites and instant messaging services.

Specifically 'sexting' is images or videos generated:

- by children under the age of 18
- of children under the age of 18 that are of a sexual nature or are indecent

These images are shared between young people and/or adults using a mobile phone, handheld device or website, with people they may not even know.

Sexting can generally be categorised into two categories:

- aggravated
- experimental

### **Aggravated incidents**

Involving criminal or abusive elements beyond the creation, sending or possession of youth-produced sexual images.

### **Adult offenders**

Adults who develop relationships with and seduce underage teenagers, in criminal sex offences even without the added element of youth-produced images. Victims may be family friends, relatives, community members contacted using the internet.

Youth produced sexual images generally, but not always, are solicited by the adult offenders.

### **Youth only, intent to harm cases**

Arise from interpersonal conflict such as break-ups and fights among friends.

Involve criminal or abusive conduct such as blackmail, threats or deception

Involve criminal sexual abuse or exploitation by juvenile offenders.

### **Youth only, reckless misuse**

No intent to harm but images are taken or sent without the knowing or willing participation of the young person who is pictured.

In these cases, pictures are taken or sent thoughtlessly or recklessly and a victim may have been harmed as a result, but the culpability appears somewhat less than in the malicious episodes.

### **Experimental incidents**

Experimental incidents involve the creation and sending of youth produced sexual images, with no adult involvement, no apparent intent to harm or reckless misuse.

### **Romantic episodes**

Young people in ongoing relationships make images for themselves or each other, and images were not intended to be distributed beyond the pair.

### **Sexual attention seeking**

Images are made and sent between or among young people who were not known to be romantic partners, or where one youngster takes pictures and sends them to many others or posts them online, presumably to draw sexual attention.

### **Other**

Cases that do not appear to have aggravating elements, like adult involvement, malicious motives or reckless misuse, but also do not fit into the romantic or attention seeking sub-types. These involve either young people who take pictures of themselves for themselves (no evidence of any sending or sharing or intent to do so) or pre-adolescent children (age nine or younger) who did not appear to have sexual motives.

### **Legal implications for children and young people**

Young people involved in sharing sexual videos and pictures may be committing a criminal offence. Specifically, crimes involving indecent photographs (including fake images) of a

person under 18 years of age fall under [Section 1 of the Protection of Children Act 1978](#) and [Section 160 Criminal Justice Act 1988](#). Under this legislation it is a crime to:

- take an indecent photograph or allow an indecent photograph to be taken
- make an indecent photograph (this includes downloading or opening an image that has been sent via email)
- distribute or show such an image
- possess with the intention of distributing images
- possess and advertise such images

While any decision to charge individuals for such offences is a matter for the Crown Prosecution Service, it is unlikely to be considered in the public interest to prosecute children. However, children need to be aware that they may be breaking the law.

Although unlikely to be prosecuted, children and young people who send or possess images may be visited by police and on some occasions media equipment could be removed. This is more likely if they have distributed images.

The current position of Chief Police Officers (ACPO) position is that:

"ACPO does not support the prosecution or criminalisation of children for taking indecent images of themselves and sharing them. Being prosecuted through the criminal justice system is likely to be upsetting and distressing for children especially if they are convicted and punished. The label of sex offender that would be applied to a child or young person convicted of such offences is regrettable, unjust and clearly detrimental to their future health and wellbeing."

### **What to do and what not to do with an illegal image**

If the image has been shared across a personal mobile device, always:

- confiscate and secure the device(s)
- close down or switch the device off as soon as possible, this may prevent anyone removing evidence and remotely.

Never:

- view the image unless there is a clear reason to do so or view it without an additional adult present (this additional person does not need to view the image and certainly should not do so if they are of a different gender to the person whose image has been shared)
- send, share or save the image anywhere

- allow students to do any of these.

The viewing of an image should only be done to establish that there has been an incident which requires further action.

If the image has been shared across a school network, a website or a social network always:

- block the network to all users and isolate the image.

Never:

- send or print the image
- move the material from one place to another
- view the image outside of the protocols in the school's safeguarding and child protection policies and procedures.

## Resources

The child exploitation and online protection centre have created 'Nude Selfies: What parents and carers need to know'. This is a series of four short animated films for parents and carers offering advice on how to help keep their children safe from the risks associated with sharing nude and nearly nude images:

1. [Understanding why](#)
2. [Talking to your child](#)
3. [When should I be worried?](#)
4. [How to get help.](#)

There are [additional resources connected with the above clips and other online resources.](#)

The NSPCC's ShareAware campaign is aimed at eight to 12-year-old children and features two animations. [I saw your willy](#) and [Lucy and the boy](#) both are engaging films with a serious message that follow the stories of two children who share too much about themselves online.

South West Grid for Learning created a resource 'So you got naked online' that offers children, young people and parents advice and strategies to support the issues resulting from sexting incidents.

The following provide information and guidance on sexting concerns:

- [Sexting: What parents need to know](#)
- [Talking about sexting](#)
- [Sexting slang terms and information](#)
- [Sexting](#)
- [Worried your friend shares pictures they shouldn't?](#)