

# Sexting and inappropriate images

## 1 Definition of 'sexting'

There are a number of definitions of sexting but for the purposes of this advice sexting is simply defined as:

### Images or videos generated

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

## 2 What the law says

It is important to be aware that young people involved in sharing sexual videos and pictures may be committing a criminal offence. Specifically, crimes involving indecent photographs (including pseudo 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;**
- **advertise; and**
- **possess such images.**

### Sharing of sexual images

Pupils should learn that it is both a gross violation and a very serious offence to take or share sexual images of another person without their consent. Depending on the circumstances, sharing such images can be an offence under various different pieces of legislation, including the Sexual Offences Act (2003), Malicious Communications Act (1988), Obscene Publications Act (1959) and Protection of Children Act (1978). Sharing sexual images without consent is a form of sexual assault – and if the victim is under 18 it could also be classed as sharing images of child sexual abuse, which could lead to the perpetrator being subject to the notification requirements under Part 2 of the Sexual Offences Act 2003 (commonly referred to as the Sex Offender Register).

Pupils should also learn that it is illegal to produce, possess or distribute an indecent image of a person under the age of 18 – even if it is a picture of themselves. These laws have been created to protect children and young people. It is therefore unlikely that the police would prosecute a young person for taking or sharing pictures of themselves, unless they were concerned that the images were being used to harass or coerce, or shared with intent to harm. For further information, see advice from the [Association of Chief Police Officers](#).

- The NSPCC has produced resources to make it easier for children and young people to get help about 'sexting':  
<http://www.childline.org.uk/explore/onlinesafety/pages/sexting.aspx>
- CEOP (Child Exploitation and Online Protection) has developed [www.thinkuknow.co.uk](http://www.thinkuknow.co.uk), which contains a number of resources exploring the risks children and young people face online, including two films that address sharing of sexual images: [Exposed](#) and [First to a Million](#).
- Brook has produced a leaflet for young people called Ask Brook about relationships, safety and risk, which addresses on and offline safety and is supported by CEOP: <http://www.brook.org.uk/shop>
- The government has also made a commitment to tackling teenage relationship abuse. The 'This is Abuse' website (<http://thisisabuse.direct.gov.uk>) contains material to support young people in recognising abuse and dealing with it.

Creating a supportive environment for students in relation to the incident is very important.

Preventative educational programmes on sexting can be found on CEOP's advice-giving website [www.thinkunknow.co.uk](http://www.thinkunknow.co.uk) and the South West Grid for Learning have developed advice for young people at [www.swgfl.org.uk/sextinghelp](http://www.swgfl.org.uk/sextinghelp)

- Check the CEOP resources at [www.thinkuknow.co.uk](http://www.thinkuknow.co.uk) There is a film called *Exposed* and accompanying lesson plans for 11-16 year olds
- The children's charity Childnet [www.childnet-int.org](http://www.childnet-int.org) have developed a drama for secondary school-aged children on the issue of sexting
- Teachtoday is a source of advice for teachers on a variety of topics and does include information on the issue of sexting [www.teachtoday.eu](http://www.teachtoday.eu)
- The Southwest Grid for Learning have developed a resource for young people: 'So you got naked online' [www.swgfl.org.uk/sextinghelp](http://www.swgfl.org.uk/sextinghelp) which supports them in knowing what to do if things have gone wrong online



Provide support to parents in understanding the issues:

- The Vodafone digital parenting magazine is an excellent resource for parents on all aspects of e-safety View it online or order it here: [www.vodafone.com/parents](http://www.vodafone.com/parents)
- Talk Talk have also developed the HomeSafe challenge which again, targets all aspects of e-safety including sexting: [www.homesafechallenge.co.uk](http://www.homesafechallenge.co.uk)