

Safer Internet Forum 2011

Date: 21 October 2011

Session: Exposed online – a workshop looking at the emergence of “sexting” and challenges for parents and young people

Part 1 (9:00 – 10:30): What do children, young people, parents and teachers need to know about sexting?

1. Theatre show “<3 me”

The session moderated by Ms Barbara Buchegger from the Austrian Safer Internet Centre started with a theatre show “<3 me” (“Love me”) performed by the Swedish theatre company “Ung utan pung”. The show focused on the young people’s use of online technologies and in short sketches, sometimes even engaging the audience, demonstrated issues like:

- different understanding of cyberbullying between adults and teenagers
- young people’s motivation for exposing themselves online
- text messages translated literally in real life
- Facebook, eBay, YouTube etc.

The project was conceived by the Swedish National Youth Board which was looking for an innovative way of raising awareness among young people using the internet. The Board commissioned the theatre company to create a show which would reflect the young people’s online lives in a realistic but still amusing manner, without moralizing. The theatre group based its show on one of the Board’s resources and experience of its own members. Now the theatre company performs for schools all over Sweden and on its website it offers teachers resources (methodology) for the follow-up exercises with their students.



2. Ms Justine Pardoën, chief editor of the parents' magazine www.ouders.nl

Ms Pardoën spoke about the sexting phenomenon from the perspective of a parent. She said that online sex is a normal part of the sexual life of youngsters today; however it should be noted that youngsters of different ages have also different online sex experiences. It starts with online flirting: boys asking sexually explicit questions and girls receiving proposals for dates. Sexting, though, is not harmless. In many countries, there are serious legal implications for persons involved in making, possessing and sharing nude pictures of adolescents. In Holland, youngsters from the age of 12 can be charged of child pornography and the criminal record can stay with them for 80 years. Young people should be aware of that but can we expect teachers to teach youngsters about sex and the legal aspects? The law does not take into account that online sexuality is normal for youngsters; moreover, teenagers who are sexting are not making child pornography.

What should be done:

- The law that was made to protect children should not harm them.
- More research on youth sexuality badly needed
- Schools should educate young people also in the sphere of sexuality
- Do not punish sexting as such but rather republishing!

Ms Pardoën then spoke about the [campaign](#) which run 2006 in Holland (in cooperation with the foundation My child online) which spread the message that there is nothing wrong with online sex, but young people need to be aware of the consequences.

Questions from the audience:

One of the youth panelists did not agree that online sex is normal.

Answer: Calling sexting „normal“ does not automatically imply that it is acceptable. It means that it is happening happening too much. But maybe we should really change our ideas about what is normal. Ms Pardoën cannot judge if sexting is right or wrong.

Another youth panelist asked if Ms Pardoën can say what is “healthy sexting” and what is “unhealthy sexting”.

Answer: No, it is not possible because there is little information about the phenomenon and therefore more research should be done.

Karl Hopwood added: What can start as harmless sexting, can turn very badly. Experimentation is ok, but the aspect with technology can be dangerous.

Final remarks by Ms Pardoën: The discussion on sexting should not focus on morality. The normal sexual development of youngsters should not be spoiled by the threat of criminal punishment.

Part 2 (11:00 – 12:30): Insights from research and legislation on sexting in Europe

The 2nd part of the session was moderated by Mr Jon Brown of eNACSO/NSPCC and offered some interaction with the audience through the use of a voting tool. The audience could anonymously express their opinion on issues related to sexting in 4 votes.

The first vote ended with the following results:

What do you understand by the term "Sexting"?

- a) *Sex texting - sexual images exchanged via texting: 78,8%*
- b) *Sex rating - rate images by "hotness": 3%*
- c) *Sex dating - meeting someone online to have sex:3%*
- d) *Sex editing - editing sex scenes on social networks: 6,1%*



3. Dr. Ethel Quayle: User generated content and young people

Ms Quayle from the University of Edinburgh focused in her presentation on the findings from the project ROBERT (Risktaking Online Behaviour Empowerment through Research and Training). She asserted that there is a very high level of hypocrisy in terms of teen sexual content online. This “self-produced child pornography” is a sort of sexual exploration done by young people. They are sexting without coercion and without adult participation. Such sexual behavior is not criminalized among adults but we are near doing it for adolescents. Anyway, youth sexting is a problematic issue – the images actually meet the legal definition of child pornography and the images once posted are not possible to limit. The existing typology of sexting, distinguishing between aggravated and experimental images, also does not solve the problem. There are also other aspects which need to be taken into account: frequency and volume of sexting, nature of the content, sending images of self to others without their consent, taking and distributing images regardless of consent, images are offensive to older people...

At the end of her presentation, Ms Quayle shared with the audience a real-life sexting story that she witnessed on a train full of students. One of them took a photo of another one under her skirt and sent it out to other friends who were in the same carriage, they started looking on their cell phones and started pointing with their fingers on the girl who had no idea what happened.

To illustrate the popularity of sexting in the current pop culture, she played a music video clip by [Taio Cruz - Dirty Picture \(feat. Ke\\$ha\)](#) with chorus “Take a dirty picture for me, send a dirty picture to me”.



After the presentation 2 subsequent votes in audience were taken:

Have you ever sent or received a sexually explicit message, video or photograph?

- a) yes: 51,5%*
- b) no: 39,4%*
- c) don't know: 0%*

Sexting is not a social problem. It is part of a young person's social interactions.

- a) Strongly agree: 12,1%*
- b) Agree: 30,7%*
- c) Indifferent 12,1%*
- d) Disagree 27,3%*
- e) Strongly disagree 12,1%*

4. Prof. Alisdair A. Gillespie: Legal Responses to Adolescent Production

Mr. Gillespie, professor of criminal law at the De Montfort University in Leicester focused on the legal aspects of sexting and the paradoxical situation in the national legislation. Paradox of ages: we are still talking about children, but there is a divergence in biological, social and legal aspect of being a child - the age of criminal responsibility (10 in England), age of majority, age of consent (massive differences across Europe from 13 to 16), age of “a child” from the purposes of child abuse images. The criminal charge for a young person in possession of nude image of his/her boy/girlfriend can be higher (10 years) than for actually having sex with an underage person (3 years of prison; in the UK).

Legal Responses: most jurisdictions echo the Californian District in Florida in 2007: the 16-year-old girl was sending topless pictures to her 17-year old boyfriend. The boy was a “victim” in this case, the girl was sentenced. Is this exploitation? How to identify child protection? Most jurisdictions do not differentiate between this (sexting) and child pornography and have high penalties for such cases. Children are now prosecuted for sexting – we are misusing the criminal law here. Therefore it would be worthwhile to consider decriminalizing child sexting from certain age.

Many states are exempting child sexting in cases where the child reached age of consent, the image was produced consensually and is held for their own use. Is this realistic? Instead of criminal justice response, there should be educational and child protection response to sexting. Just because the law says it is illegal does not mean it requires a criminal justice response.



5. Ms Barbara Buchegger: Sexting – results of survey among European youths

Ms Buchegger presented results of a survey that she carried out this month with the help of Insafe and the national Safer Internet Centres. The anonymous survey was carried out through an online form and the respondents were young people from 28, mostly European countries. The 365 respondents aged from 14 to 19 answered the question “Imagine you would receive a message/video/image with a sexual reference. How would you feel?” showed that respondents had rather negative associations (embarrassment, afraid others would see, disgust...) with receiving sexually explicit content. However, 40% indicated they would be surprised. 24% would be curious and 9% would like it. Even though 63% of the respondents were female, the survey clearly showed the difference between the reaction of girls and boys to sexting. For example many more girls would feel disgust if receiving a sexually explicit message, whereas just a few girls would like it. Also age plays the key role in young people’s reactions. Feeling of curiosity increases from 5% in the age group 12 – 13 year olds to 25% in the oldest age group. On the other hand, feeling of embarrassment decreases with the age. The survey also showed that we seem to have pretty similar issues and

challenges all over the Europe. There are no big differences between the individual countries.

The complete results of the survey will be made available to the Insafe network after the Safer Internet Forum 2011.

Questions and comments from the audience:

Malice is the most important aspect in sexting. The depicted person is the victim and the offender is the person who maliciously sent out the picture where he/she did not have the right. We should also change our perspectives and not look at the person on the picture as the stupid one. It is necessary to more concentrate on the person who shared it.

The workshop closed with the final vote:

Would you know where to seek help if you were a victim of sexting?

- a) *Yes: 57,6%*
- b) *No: 15.2*
- c) *Don't know 6%*

Summary:

Issue:

Sexting is a common activity among youngsters; however, it is a new phenomenon, chiefly for adults, parents, schools and LEAs. On the one hand, it is an experimental activity which is a part of the normal sexual development of every young person, on the other hand, the combination with technology makes this phenomenon dangerous. The problem with sexting is that it has much in common with child pornography and therefore young people are criminalized for taking and/or possessing sexually explicit images of themselves or their boy/girlfriends even though there was no coercion or adult involvement whatsoever. There is an urgent need of a serious research of sexting which should also contribute to the better understanding of its effects on youth development and helping the criminal law to keep protecting children instead of criminalizing them.

Emerging trends:

Sexting is becoming widespread – also the voting during the session showed that a good half of the audience actually has somehow been involved in it (sending, receiving sexually explicit content online).

Paradox of ages in the criminal law: youngsters can have sex before they are 18 but sending and taking nude pictures under the 18 is illegal. The criminal law is not reflecting the young people's life and situation and young people end up being prosecuted.

Cyberbullying and portrait rights were mentioned in the theatre show which was used as an example of awareness raising at the beginning of the session.

Actors in the field:

Researchers, LEA, teachers, NGOs.

Challenges and opportunities:

- Serious research about sexting needed (incl. its effects on youth development)
- Improve the legislation – when do we protect youth with our laws and when do we harm them with the same laws?
- Is there “good” and “bad” sexting? What is sexting and what is child pornography (aka CAI). Different views of the younger and the older generation.
- Portrait rights and understanding the intent of sharing the images – malicious?
- How to achieve better awareness raising for parents – how to target them and reach them?

Best practice:

- the Swedish theatre show
- the Dutch awareness raising campaign (video)

Recommendations:

- ensure research not only from the perspective of child protection but also from the perspective of sexual development
- respond to sexting through education and social work instead of criminal charges on young people
- treat sexting without moralization
- minimize the paradoxes in law
- awareness raising