



Webinar 3 – Sexting/Online Harms

Understanding the Motivation of Boys Sexting Behaviours & how do schools need to respond

Session Aims

- Explore a definition of sexting.
- Examine sexting as an issue by the:
 - Current incidence rates,
 - Age of exposure to sexting,
 - Influencing factors.
- Identify a typology model that moves beyond 'content' to address 'motivation'.
- Consider the role of the Designated Safeguarding Lead (DSL) and wider Leadership Team within a school or MAT in managing these issues.



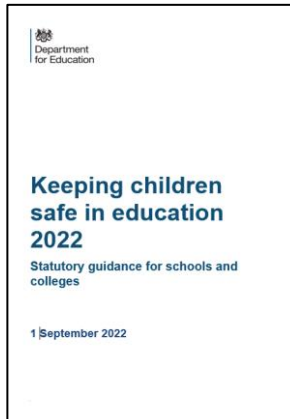
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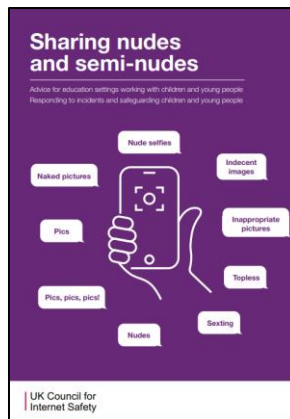
Key Documents



KCSIE '22 - para 157

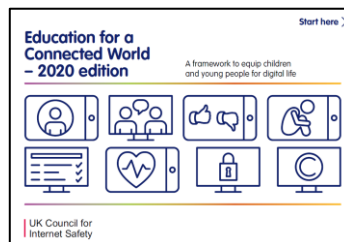
Consensual and non-consensual sharing of nude and semi-nude images and/or videos (also known as sexting or youth produced sexual imagery): the policy should include the school or college's approach to it...

Footnote 42 - Consensual image sharing, especially between older children of the same age, may require a different response. It might not be abusive but children still need to know it is illegal, whilst non-consensual is illegal and abusive.



The UKCIS Education Group 2020

Referenced within KCSIE this published guidance on sharing nudes and semi-nudes: with advice for education settings working with children and young people which outlines how to respond to an incident of nude and/or semi-nude images and/or videos being shared.



Education in a Connected World UKCIS

Referenced in the DfE Guidance on teaching on-line safety this guide shows the formation of an e-safety curriculum and advises at what age and phase key topics should be addressed within curriculum design.

What is Sexting

Images, videos or text generated:

- by children under the age of 18, or
- by 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 via a mobile phone, handheld device or website with people they may not even know.



Sexting – a definition

- Self generated imagery inc. nude or semi-nude pictures
- Sexual email/text message
- Sexual voice note
- Line drawings – Yaoi or Hentai
- Downloaded images & altered images
- Downloaded porn

- ✓ Passive – recipients of sext
- ✓ Active – senders of sext
- ✓ To known or unknown participants

Sext and the Law

It is important to be aware that 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 come under 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/create 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;
- disclose without consent so as to cause distress (revenge porn).

Sexual or Indecent?

‘Indecent’ isn’t defined in legislation. When cases are prosecuted the indecency of a photograph or film is decided by the court.

- Judgement is based on a recognised standard of propriety.
- In most cases if imagery contains a naked young person, topless girl, displays of genitals, sex acts or masturbation it will be deemed indecent.
- Indecent may also include overtly sexual images of young people in their underwear.

Normal or Criminal?

The laws around indecent images was created long before the mass adoption of the internet and mobile/digital photography.

The intention of guidance is NOT to criminalise children – but young people who create/share images are breaking the law.

Risky behaviours, natural curiosity, exploration of relationships

vs

Deliberate, harmful, spiteful - illegal

Dual Paradigm

Sociological Stance

- Normative behaviour
- Sexual Agency
- Adolescent Human
Right
- Digital Citizenship
- Technology mediated
sexual interaction

Safeguarding & Risk

- Aberrant behaviour
- Immature response
- Risk laden
- Long term effect
- Self generated images
of child abuse

Police Response

National Police Chiefs' Council (NPCC) have made it clear that incidents involving youth produced sexual imagery should primarily be treated as safeguarding issues.

Police need to be involved where multi-agency checks/response is required – but formal sanctions against a young person would only be considered proportionate in certain circumstances.

Police records MUST be recorded as a 'crime' and the young person has to be listed as a suspect, but as of January 2016 police discretion is allowed under Outcome 21:

'Further investigation, resulting from the crime report, which could provide evidence sufficient to support formal action being taken against the suspect is not in the public interest.'

This is a police decision.

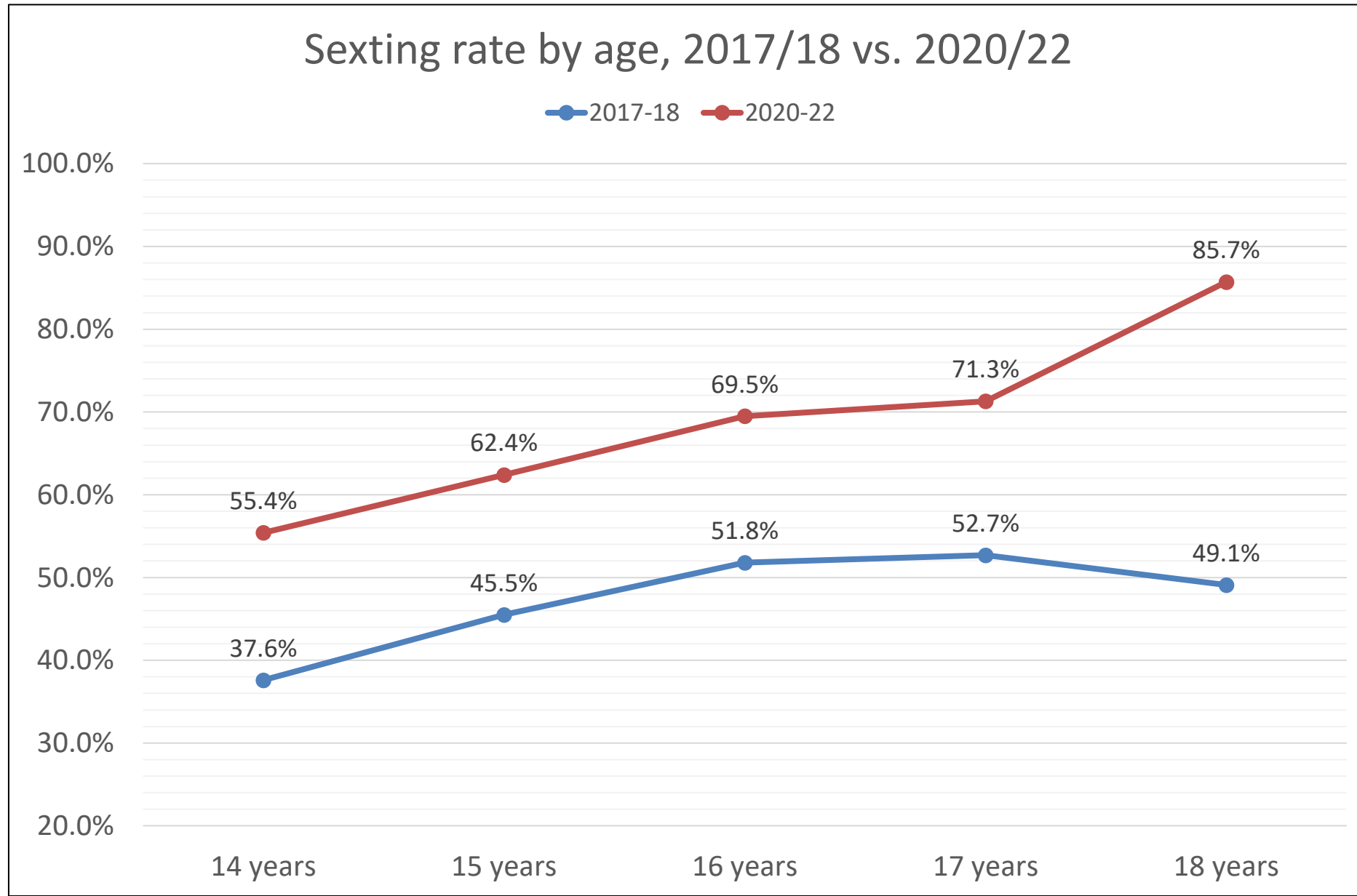
Academic Credibility

- Large scale longitudinal study – part of a PhD research project
- Largest study of its type
 - 45 participant schools across the country
 - 3797 participants aged 14-17yrs old
- Ethical approval and oversight by Newman University, Birmingham
- Mixed Methodological Approach
 - Sexting Behaviours Questionnaire
 - Stratified Sampling pupil Interviews
 - DSL opinions survey



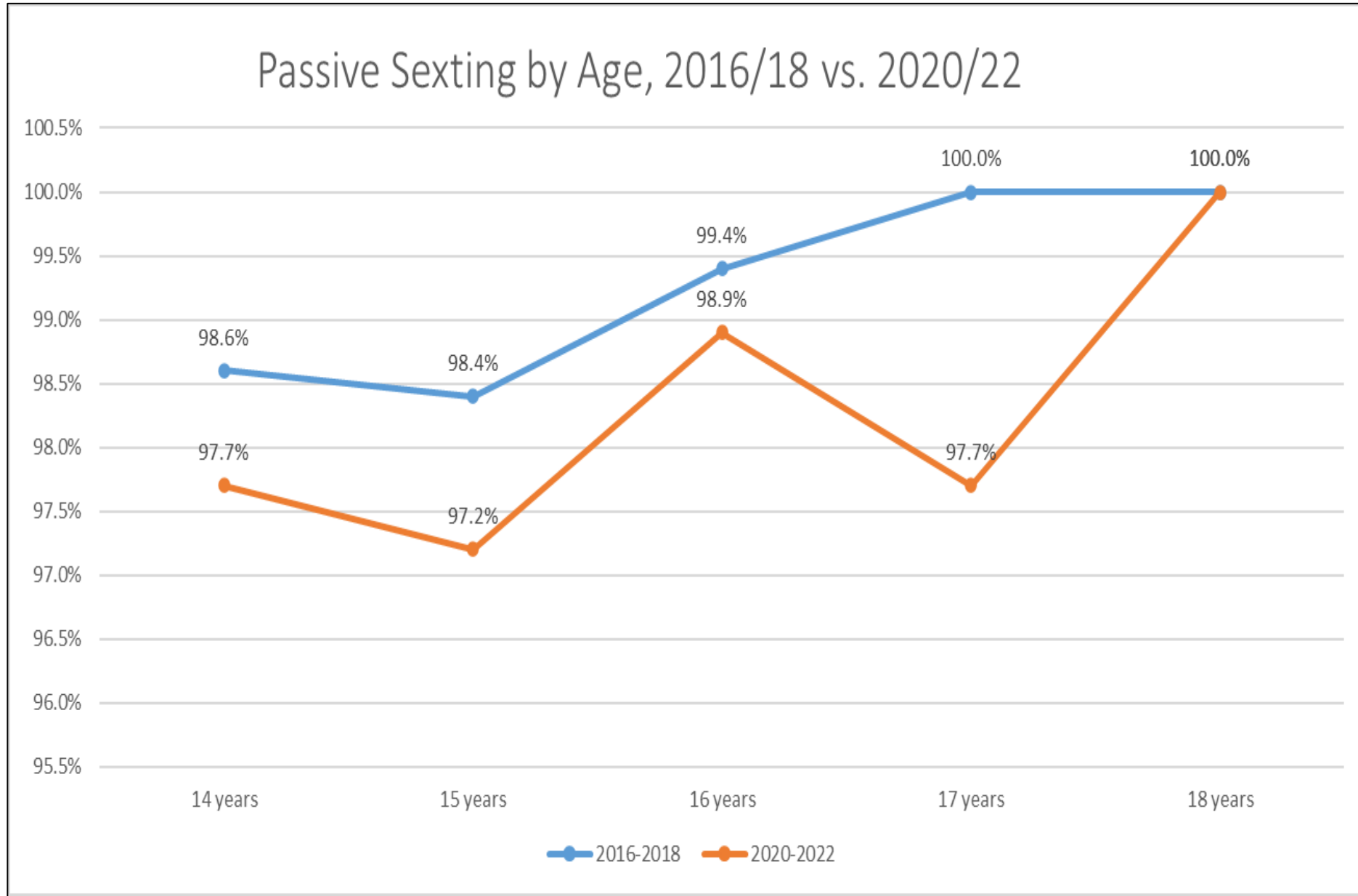
Profile: Age – 2018 vs. 2022

Needham 2023 (unpublished)



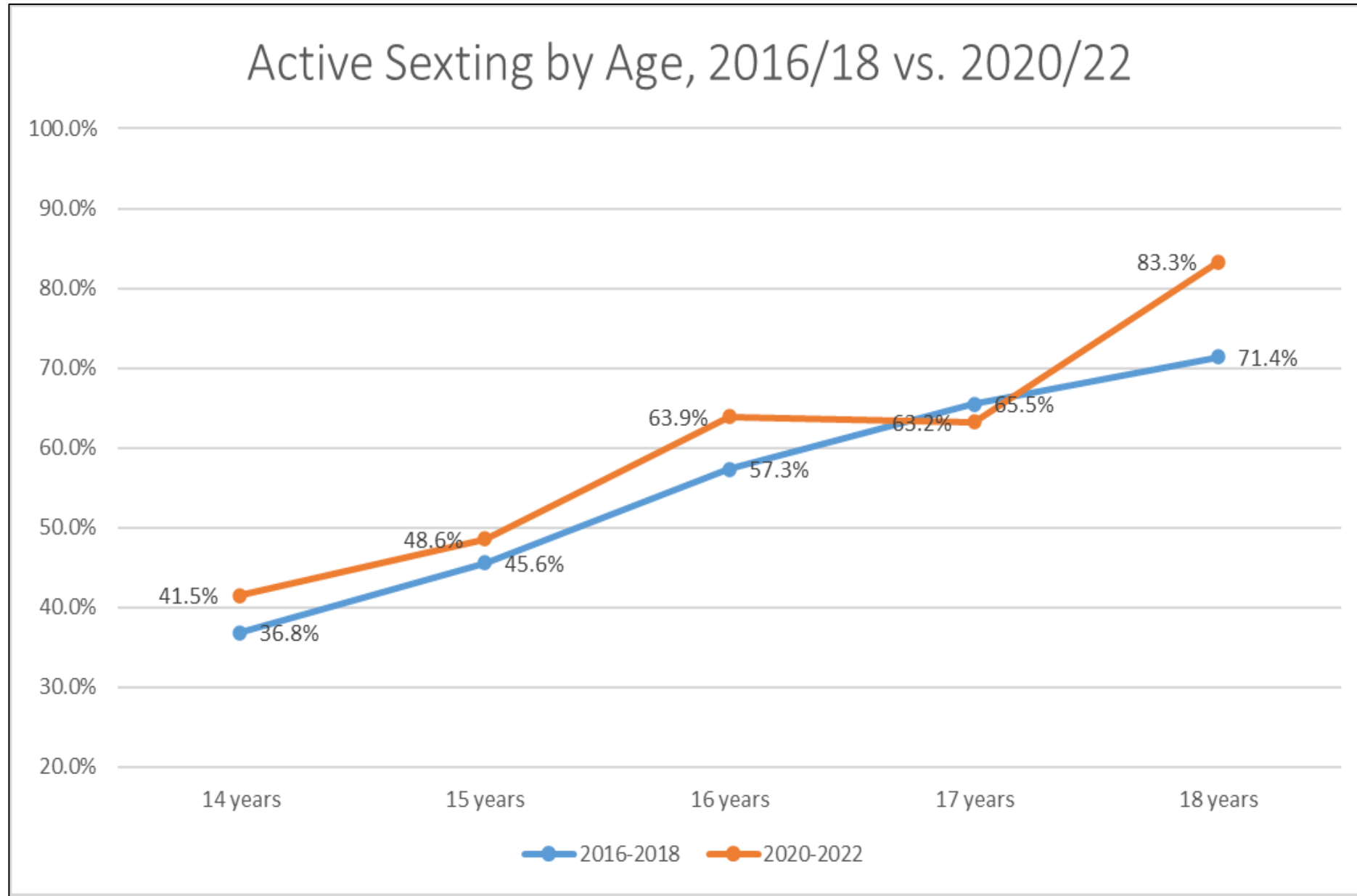
Profile: Age – Passive Sexting

Needham 2023 (unpublished)



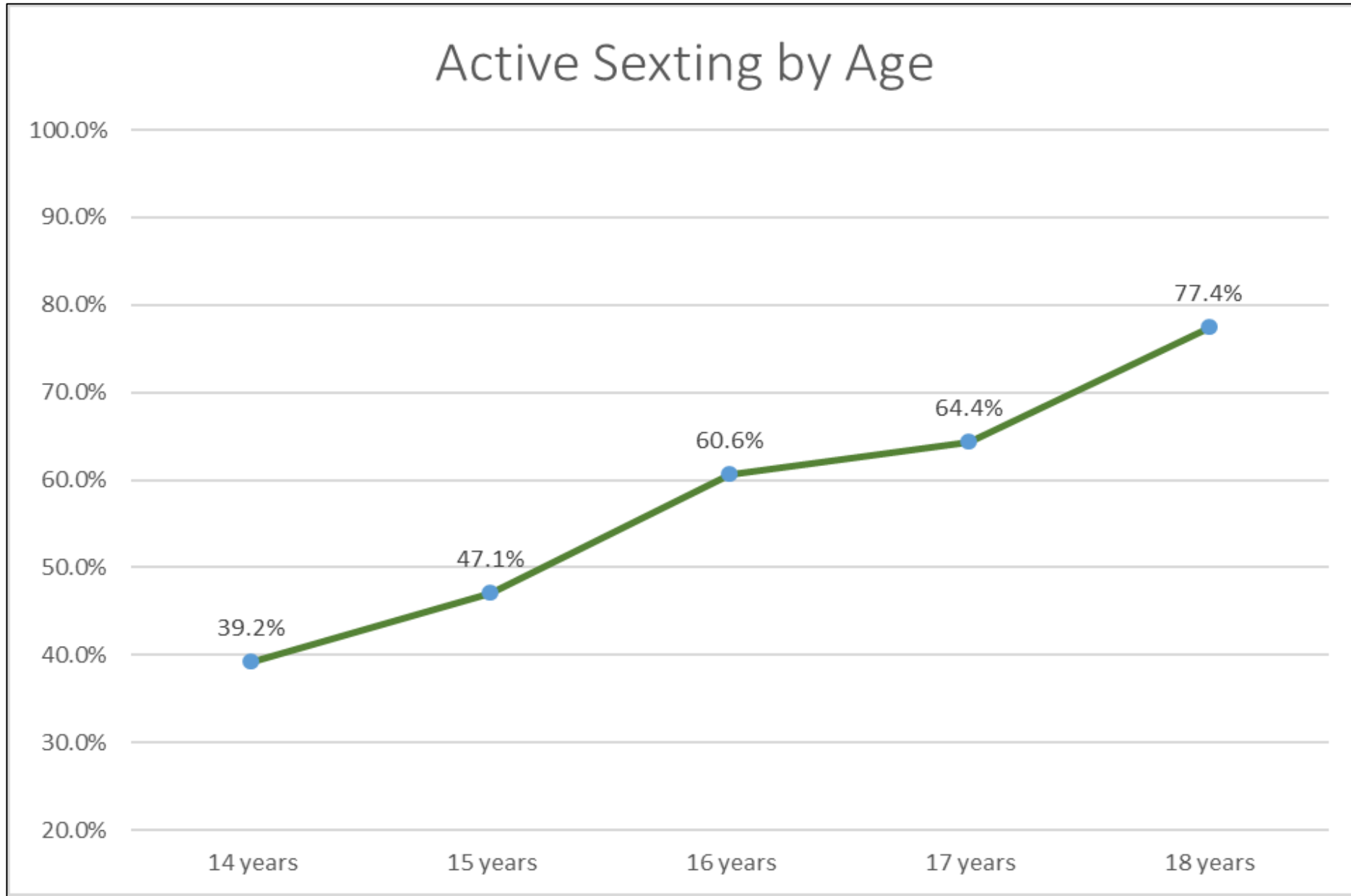
Profile: Age – Active Sexting

Needham 2023 (unpublished)

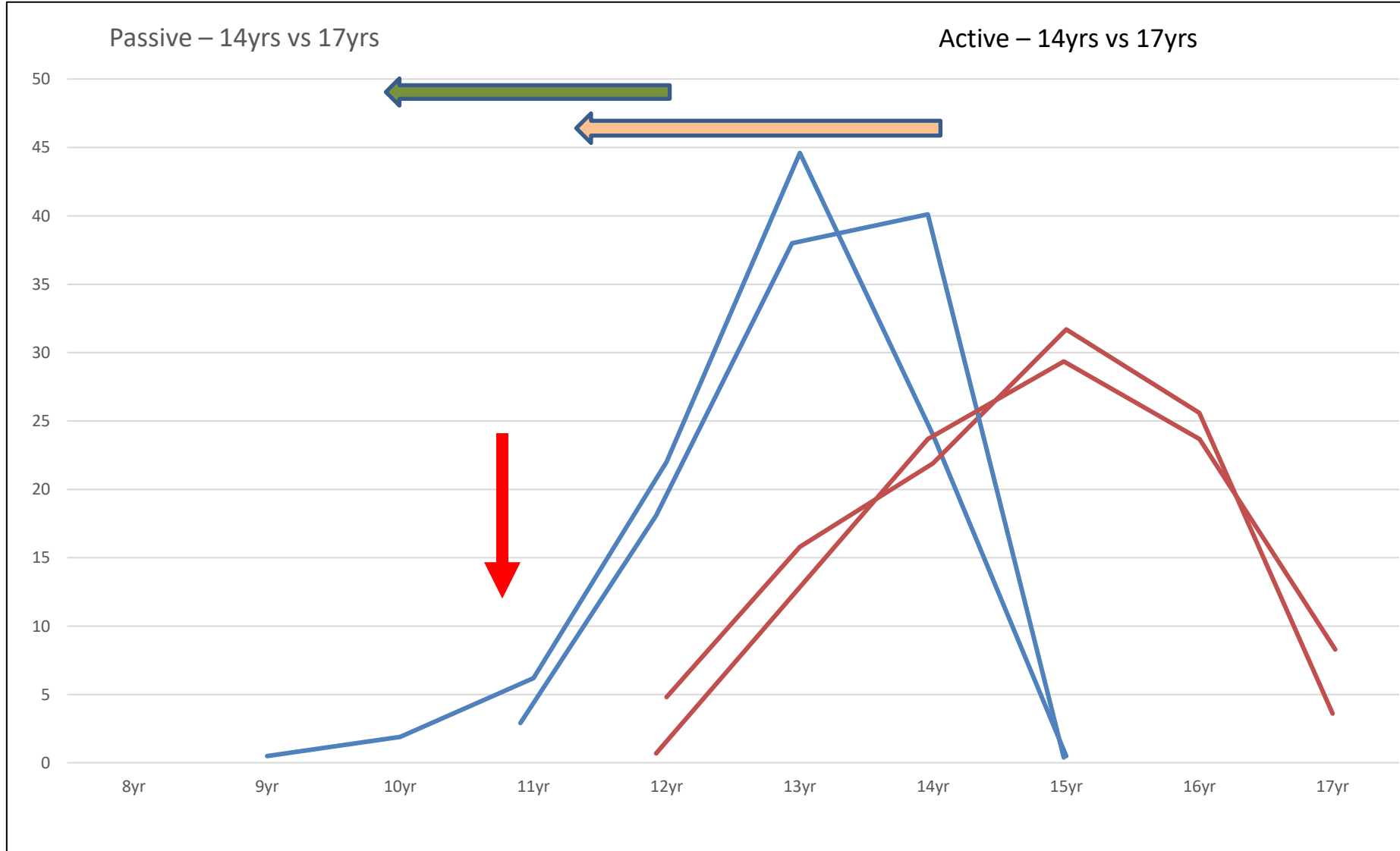


Profile: Age - Profile

Needham 2023 (unpublished)



First Exposure:



Factors:

- Passive sexting - Almost 100% exposure
- Active sexting - 62.7% average (55% - 72% range)
- LGBTQ+ - Higher incidence
- Faith - No discernible influence other than Islam
- Ethnicity - Similar pattern across ethnic groups other than South Asian
- Boarders - Higher incidence in boarding school education

Step 1 – Who should deal with the incident?

- Initial disclosure may be to a class teacher or peer
 - Safeguarding Policy must be followed
 - Initial concern completed and reported immediately
- All disclosures must be passed on to the DSL
 - A clear record of the incident should be made
- Senior Leadership should be informed
 - There may be instances where the image needs to be viewed and this should be done in accordance with protocols
- Police should be informed of illegal activity

Step 2a - Disclosure by a pupil

- Is the pupil disclosing about themselves receiving an image, sending an image or sharing an image?
- Is there an immediate risk to a young person or young people?
- Should a referral be made to the Police and/or Children's Social Care?
- Is it a school device or a personal device?
- How widely has the image been shared and is the device in their possession?
- Do they know where the image has ended up?
- Is there a need to contact other settings?
- Are the school child protection and safeguarding policies and practices being followed? E.g., is a member of the child protection team on hand and is their advice and support available?

Step 2b – Risk assessment

The DSL should consider:

- Why was the image shared – was there coercion or blackmail?
- Who has shared the imagery?
- Where has the image been shared?
- Were any adults involved in the sharing of the image?
- What is the impact on the pupils involved?
- Do the pupils have any additional vulnerabilities?
- Does the young person understand consent?
- Does the victim know the perpetrator?
- Has the young person taken part in this kind of activity before?

Step 2c – Risk Assessment – Significant Harm

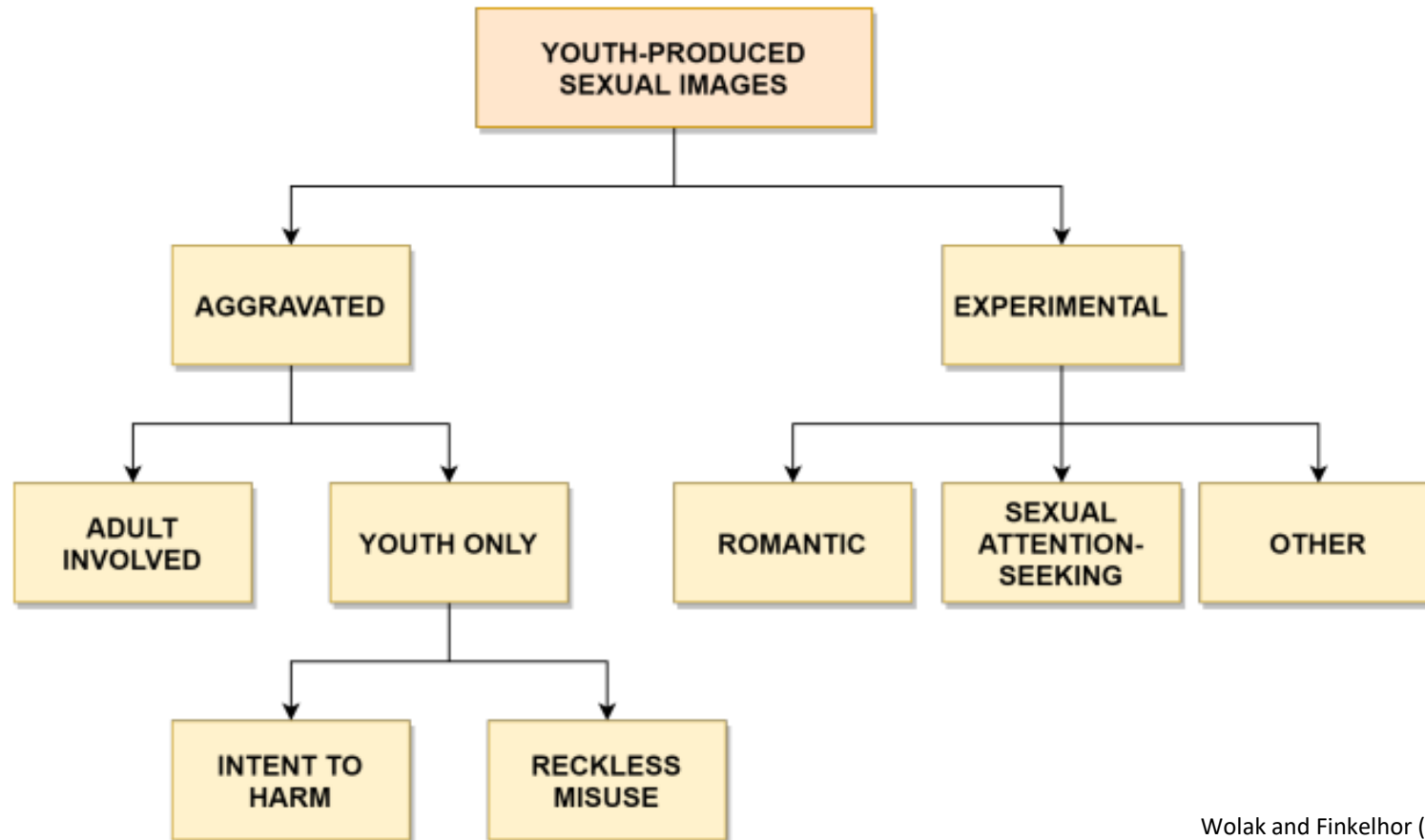
An immediate referral to police and/or social care should be made if:

- The incident involves an adult
- It is believed the young person was coerced, blackmailed or groomed
- There are issues around capacity to consent
- The imagery suggests sexual acts which are unusual for the young person's developmental stage or are violent
- The imagery involves sexual acts with any pupil under 13 yrs
- You suspect the pupil is at immediate risk of harm owing to the sharing of the imagery e.g. now presenting as suicidal or self harming.

If none of the above apply the school may decide to respond to the incident internally – but in line with their school policy.

Typologies

- Based on image content & criminality
 - COPINE Scale
 - Sentencing guidelines
 - Image content



Searching, Screening and Confiscation

Advice for schools

July 2022

As defined in Section 550ZA of the Education Act 1996, headteachers and staff they authorise have a statutory power to search a pupil or their possessions and confiscate any item that they have reasonable grounds for suspecting. This can include a mobile phone or electronic device:

- poses a risk to staff or pupils
- is an item identified in the school rules for which a search can be made
- is evidence in relation to an offence or
- is a prohibited item as defined in subsection (3) of the above act

Step 3 - Searching a device

A device can be examined, confiscated, and securely stored if there is reason to believe it contains files or data which relate to an offence, or which may cause harm to another person. This includes, but is not limited to, indecent images of children, pornography, abusive messages, images or videos, or evidence relating to suspected criminal behaviour.

When searching a mobile device the following conditions should apply:

- Staff should always consider the appropriate safeguarding response if they find images, data or files on an electronic device that they reasonably suspect are likely to put a person at risk
- The search should be sanctioned by the head teacher, should be undertaken by a staff member of the same sex as the person being searched, and where possible a member of the safeguarding team be present.



Never..

- Search a mobile device even in response to an allegation or disclosure if this is likely to cause additional stress to the pupil/young person UNLESS there is clear evidence to suggest that there is an immediate problem
- Print out any material for evidence
- Move any material from one storage device to another



Always...

- Inform the school Designated Safeguarding Lead (DSL)
- Record the incident
- Act in accordance with school safeguarding and child protection policies and procedures
- Inform relevant Senior Leadership Team about the alleged incident before searching a device

Step 4 – What to do with the image

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



Always..

- Confiscate and secure the device(s)



Never...

- View the image unless there is a clear reason to do so
- Send, share or save the image anywhere
- Allow pupils to do any of the above

Step 5a – Viewing the image

Adults should NOT view youth produced imagery unless there is good and clear reasons to do so. Responses to incidents should be based on what the DSL has been told about the content.

The DfE have agreed to 3 justifiable reasons why the DSL may have to look at the image:

1. It is the only way to make a decision about whether to involve other agencies, i.e. it is not possible to establish the facts from the young person
2. It is necessary to report the image to a website, app or other agency so as to have the image removed, or to support the young person with this.
3. It is unavoidable because the pupil presents the image directly or the image is found on a school device or network

Where possible the viewer should be the same sex as the victim.

Step 5b – What to do with the image

If the image has been shared across the school network, website or 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 your safeguarding and child protection policies and procedures

Step 6a – Deciding on a response

If inappropriate images of a child are found:

- Act in accordance with your child protection and safeguarding policy
- Store the device securely
- Carry out a risk assessment in relation to the young person
- Make a referral if needed
- Contact the police (**when appropriate**)
- Put the necessary safeguards in place for the pupil, e.g. they may need counselling support, and immediate protection
- Inform parents and/or carers about the incident and how it is being managed.

Step 6b - Assess the Motivation

As a measure of:

Social status

- Jokes with friends
- To feel wanted/belong
- Seeking favour

Body image

- Attractive enough
- Normal body shape
- Penile aesthetic
- Sexually attractive
- Scopophilia

Sex or romance

- Flirting
- Increase passion
- Increase intimacy
- Sexual arousal

Intention to harm

- In exchange for something
- Forced or coercion
- For money or gifts

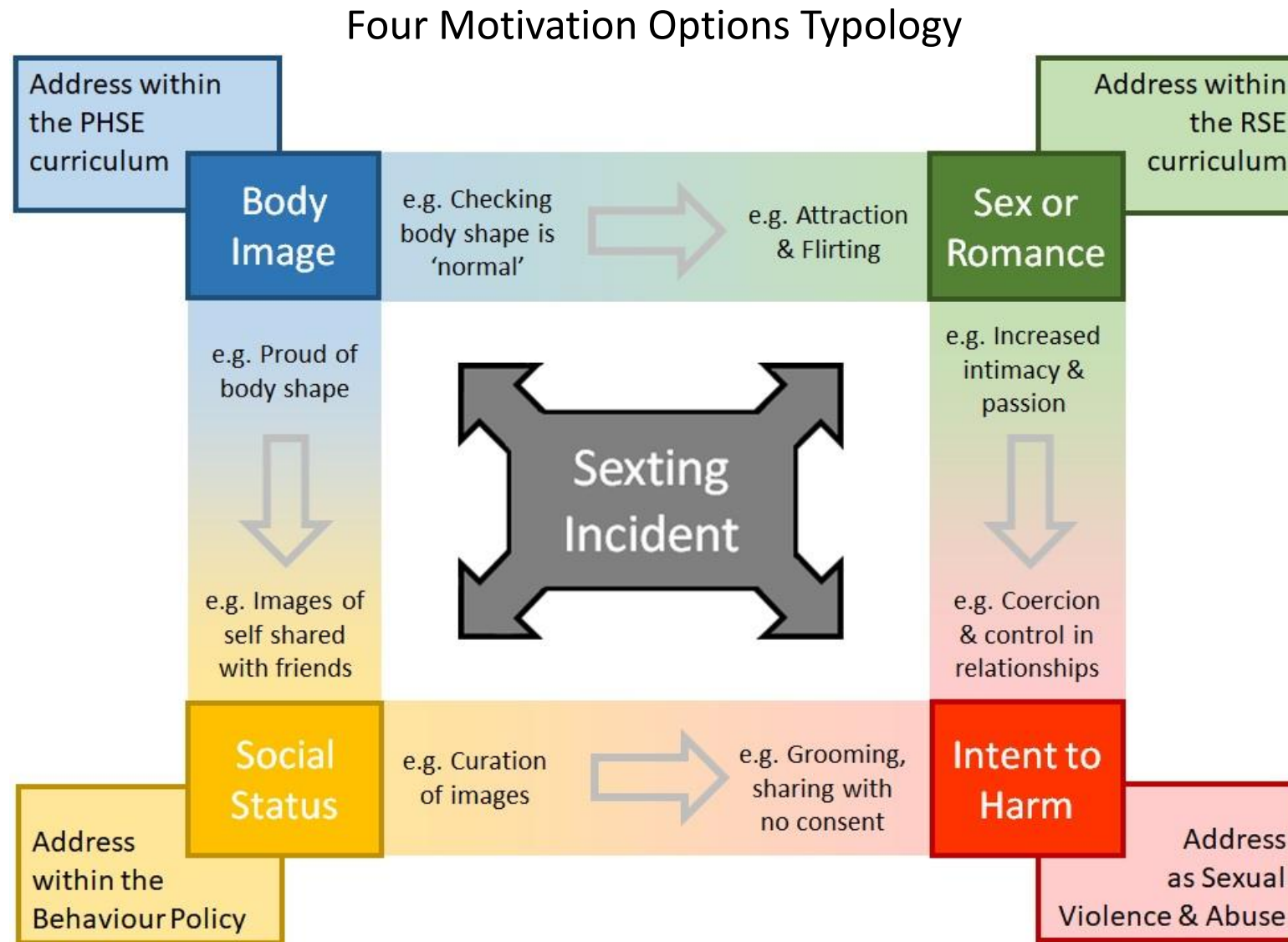
Step 6c - Assess Intention & Risk

| Normal | Inappropriate | Problematic | Abusive | Violent |
|--|---|---|--|--|
| <ul style="list-style-type: none">• Developmentally expected• Socially acceptable• Consensual, mutual, reciprocal• Shared decision making | <ul style="list-style-type: none">• Single instances of inappropriate sexual behaviour• Socially acceptable behaviour within peer group• Context for behaviour may be inappropriate• Generally consensual and reciprocal | <ul style="list-style-type: none">• Problematic and concerning behaviours• Developmentally unusual and socially unexpected• No overt elements of victimisation• Consent issues may be unclear• May lack reciprocity or equal power• May include levels of compulsivity | <ul style="list-style-type: none">• Victimising intent or outcome• Includes misuse of power• Coercion and force to ensure victim compliance• Intrusive• Informed consent lacking, or not able to be freely given by victim• May include elements of expressive violence | <ul style="list-style-type: none">• Physically violent sexual abuse• Highly intrusive• Instrumental violence which is physiologically and/or sexually arousing to the perpetrator• Sadism |

Hackett (2010)

Other assessment tools are available – use the ones identified by your School/Academy or Trust

Step 6d – Apply your conceptual response



Nb – this is a suggested good practice model and not a statutory approach

Needham (2023)

Step 7 – Containment & pupil reaction

There are cases in which victims have had to leave or change schools because of the impact of the incident.

- Anxiety - who has seen the image and where it has ended up
- Reassurance - regarding its removal from the platform on which it was shared
- Support - from the school, their parents and their friends
- Observation - parents should usually be told what has happened so that they can keep a watchful eye over their child
- Curriculum - reinforce to all pupils the impact and severe consequences that this behaviour can have
- Support for the alleged perpetrator

Whole School Approach – next steps

Consistent approach in school:

- pupil voice – encourage disclosure
- Remove heteronormative bias

Assessment Tools:

- Brook Traffic Light tool
- NSPCC – Hackett's Continuum
- Other tools

Curriculum Review:

- Age at which sexting is addressed
- PHSE Curriculum – body image
- RSE Curriculum – sex and romance

Policy Review:

- Behaviour Policy – social status
- Safeguarding Policy – intent to harm

Case Studies – what action would you take?

Case Study 1:

Tyrese and Chanelle are in year 11 and have been going out for 3 years. It has come to light that they have been sending images to each other since lockdown. Both sets of parents let them stay overnight at each other's houses, and this year Chanelle is going on holiday with Tyrese's family.

Case Study 2:

Michael and Peter who are in year 10 were 'making out' at a party this weekend. They were filmed and the clip was uploaded onto the social media story of a classmate. Peter is not 'out' to his parents and wider family and is concerned about this filmed clip.

Case Study 3:

Sarah in year 11 has complained that her ex-boyfriend (18yrs) has threatened to share pictures of her with his friends at college if she doesn't send more, he is also trying to get her to meet up with his friend who is starting an apprenticeship degree at university later this year.

Case Studies – what action would you take?

How were the disclosures made?

- What are the routes for disclosure in your school and could these be made more available?

How would you assess each scenario?

- What are the evident motivations?
- What are the risks?

What are the actions you are going to take?

- Immediate actions?
- Medium term?
- Longer term?

What support can you offer?

- Who do you need to involve?
- What support for the victims?
- What interventions for the alleged perpetrators?

Case Studies – what action would you take?

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Feedback, Q&A

