

Responding to Sexting (Youth Produced Sexual Imagery): Guidance for Professionals

This guidance applies to all agencies working with children and young people and includes (but is not limited to) schools, early years settings, youth groups, libraries, early help, social care, police and preventative services.

The guidance has been adapted from Kent Safeguarding Children Board's procedures for responding to incidents of self-generated sexual imagery, and the recently published document *Sexting in Schools and Colleges: Responding to Incidents and Safeguarding Young People* (UK Safer Internet Centre, 2016).

Schools and colleges should read the guidance produced by the UK Safer Internet Centre, in addition to this document.

What is 'Sexting'?

Interpretation of the term 'sexting' varies considerably, with children and young people, parents, carers and professionals often interpreting the term in many different ways. For the purpose of this guidance, 'sexting' will be referred to as 'Youth Produced Sexual Imagery' ([see Appendix A for further information](#)).

Youth Produced Sexual Imagery within the Wider Safeguarding Context

Youth produced sexual imagery is often considered to be commonplace within modern relationships. However it should raise professional concerns and in some cases may require further action or involvement with other agencies. Incidents of youth produced sexual imagery can broadly be defined as either 'experimental' or 'aggravated' (Wolak and Finkelhor, 2011), which are defined in more detail in Appendix B. Responding to incidents of youth produced sexual imagery will require informed, professional judgement.

Responding to Incidents of Youth Produced Sexual Imagery

When responding to incidents of youth produced sexual imagery, adults/professionals **should**:

- Reassure the victim
- Notify the Designated Safeguarding Lead as soon as possible

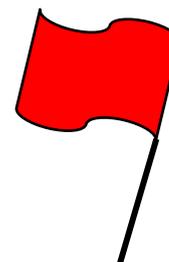
Once informed, the Designated Safeguarding Lead **should**:

- Review the situation and determine the incident category (e.g. aggravated or experimental). Any incident categorised as 'Aggravated: Adult involved' must be referred to the Milton Keynes Multi-Agency Safeguarding Hub immediately (tel: 01908 253169/70). Incidents categorised as 'Aggravated: Youth Only' should be considered very carefully to establish whether further referral is needed ([see Appendix B](#)).
- Assess the risks – using the questions included with Table 1 (below)
- Inform parents or carers as early as possible, unless doing so will put the young person at risk of harm. Any decision not to inform parents or carers should be made in conjunction with services such as Children's Social Care and/or the police. The Designated Safeguarding Lead should work with the young person to decide on the best approach for informing parents or carers.
- Decide whether onward referral is required (e.g. police or children's social care). If a child involved is already open to children's social care, the relevant social worker should be informed. If an incident has occurred outside of school consideration should be given to whether information should be shared with the Designated Safeguarding Lead at the child or young person's school. The family and young person should be consulted and advised when this information is being shared.
- Consider how to support all of the young people involved ([see Appendix C](#))

Table 1: Assessing the Risk: Key Considerations	
What is already known about the child(ren) or young people involved?	<ul style="list-style-type: none"> • Age of child(ren) or young people • Previous/current agency involvement • Vulnerability e.g. special educational needs, child in care etc.? • Immediate risk of harm • Multiple incidents
How has the imagery been shared?	<ul style="list-style-type: none"> • Public or private • Apps/services involved
What do we know about the intent or motivation behind creating or sharing the imagery?	<ul style="list-style-type: none"> • Adult involvement • Coercion or blackmail • Ability to “consent” • Image is extreme or violent
What is the impact on the child(ren) or young people involved?	<ul style="list-style-type: none"> • Emotional impact • Criminal consequences • Potential long term impact

Regardless of the incident category, incidents involving any of the following red flags **must be referred immediately** to the Multi-Agency Safeguarding Hub:

- The incident involves an adult
- There is reason to believe that the young person has been coerced, blackmailed or groomed, or if there are concerns about their capacity to consent (for example owing to special educational needs)
- What you know about the image suggests that the content depicts sexual acts which are unusual for the young person’s developmental stage or are violent
- The imagery involves sexual acts and the pupil in the imagery is under 13
- The young person has had previous involvement in an incident of youth produced sexual imagery
- You have reason to believe that a pupil is at immediate risk of harm owing to the sharing of the imagery, for example, the young person is presenting as suicidal



Adults/professionals should **NOT**:

- View youth produced sexual imagery unless there is a good reason to do so
- Copy, print or share the imagery; this is illegal

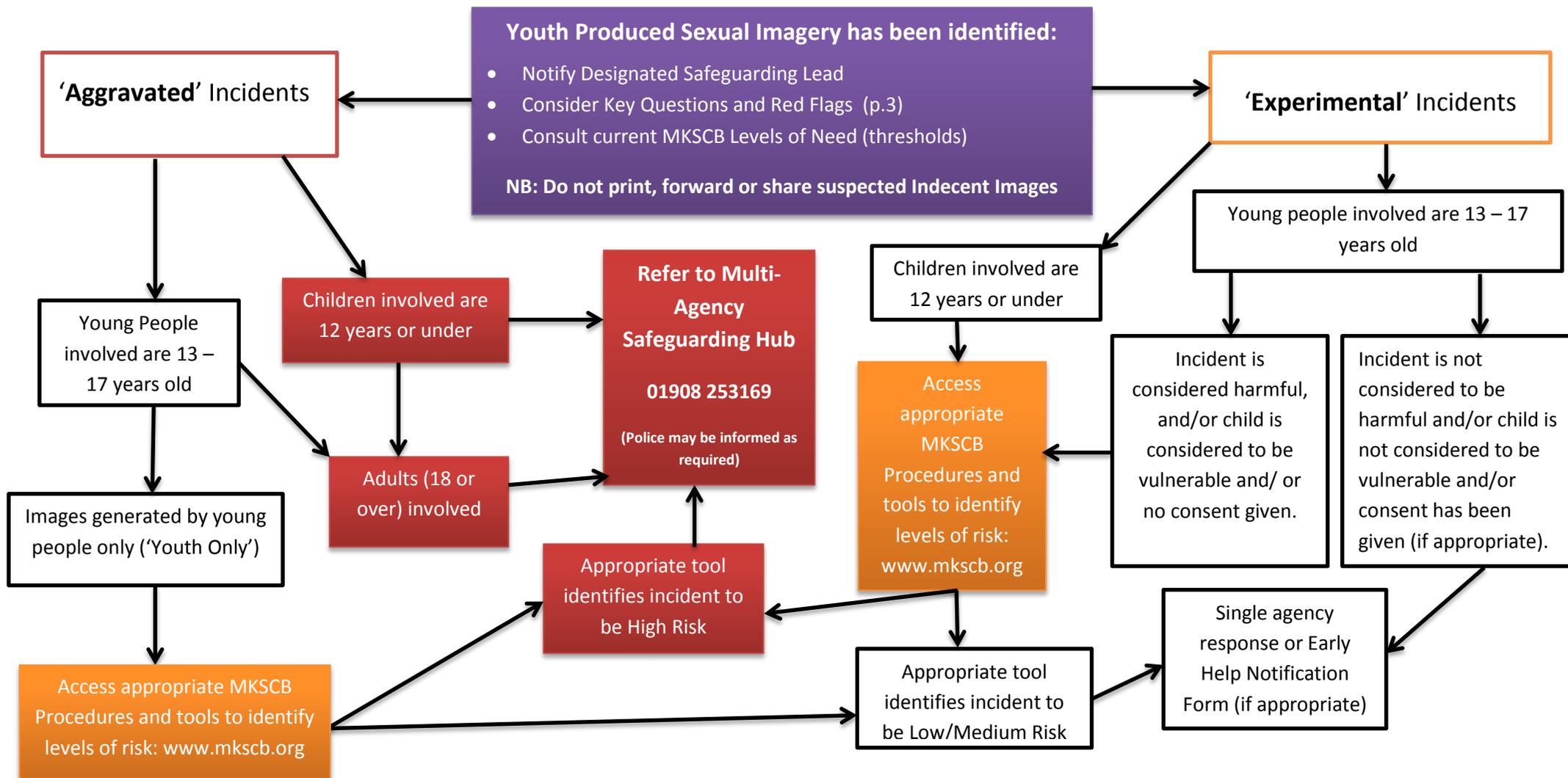
Risk Management

It is expected that all agencies will exercise professional judgement when responding to incidents of youth produced sexual imagery. MKSCB recommends that professionals consult the MKSCB Levels of Need thresholds document and the MKSCB Child Sexual Exploitation screening tool to inform their decision making. Professionals may also benefit from accessing other available harmful sexual behaviour toolkits, such as the [Brook Traffic Light tool](#), where appropriate. Professionals should discuss concerns with their agency designated/named safeguarding lead as soon as possible.

Recording Incidents

All incidents relating to youth produced sexual imagery should be recorded securely. This includes incidents that have been referred to external agencies. Records should include an overview of the incident, details of the young people involved and any action taken by the agency in responding to the incident. Where agencies decide not to refer the incident to the Multi-Agency Safeguarding Hub, their justification should be clearly recorded. This decision should also be endorsed by the agency lead for safeguarding.

Responding to Youth Produced Sexual Imagery



Appropriate Guidance and Risk Assessment Tools may Include:

- MKSCB Procedures: <http://mkscb.procedures.org.uk/>
- MKSCB Child Sexual Exploitation Screening Tool: <http://www.mkscb.org/wp-content/uploads/2016/03/MKSCB-CSE-Screening-Tool-February-2016-Approved-by-SG.doc>
- Brook Traffic Lights tool: <https://www.brook.org.uk/our-work/the-sexual-behaviours-traffic-light-tool>
- MKSCB Levels of Need: <http://mkscb.org/wp-content/uploads/2016/04/MKSCB-Levels-of-Need-updated-July-2016-FINAL-DOCUMENT.pdf>

Appendices

Appendix A: Defining 'Youth Produced Sexual Imagery'

Youth Produced Sexual Imagery (YPSI or "Sexting") can be defined as images or videos generated by children under the age of 18 that are of a sexual nature or are considered to be indecent. These images may be shared between children and young people and/or adults via a mobile phone, webcam, handheld device or website/app.

It is a crime to take, make, permit to take, distribute, show, possess, possess with intent to distribute, or to advertise indecent images of any person below the age of 18 (Crime and Justice Act 1988, section 160, Protection of Children Act, 1978, section 1,1,a).

Professionals should be aware the prosecution or criminalisation of children for taking indecent images of themselves and sharing them should be avoided where possible. Being prosecuted through the criminal justice system is likely to be upsetting and distressing for children and young people 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.

Appendix B: Experimental v Aggravated Incidents

'Experimental' Incidents

These incidents involve children or young people creating and sharing sexual imagery without additional concerns (such as adult involvement, intent to harm or reckless misuse). These incidents do not involve any apparent malice and involve the willing participation of the young people who were pictured. They can be classified as:

Romantic: Young people in ongoing relationships make images for themselves or each other, and the images are *not intended to be distributed beyond the pair*. For example two 16 year olds are in relationship and are sharing sexual images which are not shared beyond their relationship.

Sexual Attention Seeking: Images are made and *sent between or amongst young people* who were not known to be romantic partners, or where a young person takes pictures of themselves and sends them to many others or posts them online, presumably to draw sexual attention. For example a 13 year old shares a picture of their breasts to a 14 year old when "flirting" with them.

Other: May include cases that do not appear to have aggravating elements but 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 who did not appear to have sexual motives. For example an 11 year old taking pictures of their own genitals because they find it funny.

Children under 13 are given extra protection from sexual abuse under the Sexual Offences Act 2003. As such, a child under 13 cannot consent to sexual activity. Therefore, any situations of youth produced sexual imagery involving children under the age of 13 should be taken seriously as potentially indicative of wider safeguarding or child protection concerns.

'Aggravated' Incidents

These incidents involve additional criminal or abusive elements beyond the creation, sending or possession of sexual imagery. This may include the involvement of adults, for example soliciting sexual images from children and young people, or other illegal adult involvement. It may also involve

criminal or abusive behaviour by minors such as sexual abuse, extortion, deception or threats; malicious conduct arising from interpersonal conflicts; or creation or sending of images without the knowledge or against the will of those who were pictured. They can be classified as:

Adult Involved. An adult (aged 18 or over) has developed a relationship with and/or coerced a child (17 or under) in criminal sex offences. *The images are generally, but not always, solicited by the adult offender(s).* For example a 16 year old girl is coerced into sharing sexual images of herself with a 25 year old female.

Youth Only: Intent to Harm. Sexual or indecent images which were created by young people (aged 13-17) but have *been shared with the intent to cause harm or distress.* Cases may arise from interpersonal conflict such as break-ups and fights among friends or partners, involve criminal or abusive conduct such as blackmail, threats or deception or involve criminal sexual abuse or exploitation by juvenile offenders (aged 10-17). For example a 14 year old shares naked pictures of an ex-partner for revenge.

Youth Only: Reckless Misuse. Images are *taken, sent or shared by young people without the knowledge 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 intent to harm episodes. For example a 15 year old takes a photo of their friend topless whilst they are changing and shares it online as “a joke”.

Aggravated cases are likely to need to be discussed with specialist children’s services and/or the police. Use of the MKSCB procedures for Child Sexual Exploitation (including the CSE screening tool) and underage activity may be required alongside consideration for referral to external agencies. Wider contextual information may also be required for any referral made.

For victims aged 18 and over, professionals should be aware of the Criminal Justice and Courts Bill 2015 which states that sexually explicit images or videos of adults sent without consent electronically, with the intent to cause harm, is illegal. This includes the sharing of images without consent both on and offline and includes the physical distribution of images. This is also known as “revenge pornography”. Victims and professionals can contact the Revenge Porn helpline between 10am-4pm, Monday to Friday by telephone **0845 600 0459**, or anytime via email help@revengepornhelpline.org.uk or use the anonymous online reporting tool <http://www.revengepornhelpline.org.uk/>

Appendix C: Supporting Young People Involved

Young people involved in incidents of youth-produced sexual imagery may benefit from additional help and support and should be signposted to relevant, age-appropriate support and guidance.

Victims may benefit from having sight of the document ‘[So You Got Naked Online](#)’, created by the South West Grid for Learning.

Young people (including perpetrators) may also require additional support, such as counselling or other early help provision. Professionals can also refer young people to Brook (by calling 01908 606561 – extension 2), who may be able to provide targeted individual or group work around protective behaviours and or healthy relationships.

Young people can also be signposted to ChildLine. ChildLine have teamed up with the Internet Watch Foundation, and will support the young person to try and remove indecent images of them that are being hosted on the internet.