

What does the law say about 'sexting'?

If it's sexually explicit text/chat between children (aged under 18):

'There may be a possible legal offence, but in these cases the detail of the text/chat should be considered. General sexual references would not necessarily constitute an offence but text/chat that incites a child to engage in sexual activity or to make or distribute sexual images of themselves or another child should be reported to local police for further guidance.'

Sexting and the Law - Police guide

In other words, talking about body parts is not illegal, but persuading another under 18 to share images of those body parts may be. The ultimate decision on this is down to the police.

If it's sexually explicit text/chat between an adult (18+) and a child (under 18), including requests for pictures of a sexual nature:

'There may be a possible offence and you should contact your local police station for further guidance. Do not delete or alter any material as it may be needed for evidence.' *Sexting and the Law - Police guide*

In other words, if an over 16 is contacting an under 16 with sexy chat, even if they are not asking for pictures yet, they could be committing an offense. Punishments can include for the worst cases, jail terms and being put on the sex-offenders register.

What if a child (under 18 years of age) takes a sexually explicit image of themselves?

'That child has committed an offence by making and possessing that image. If that child then sends the image to another person then the child has committed a further offence of distributing the image and the person who receives the image will also be liable for an offence of possessing the image.' *Sexting and the Law - Police guide*

In other words, if you are under 18 and you take a naked pic of yourself, you are 'creating an indecent image of a child.' If you then share this, you are sharing an indecent image of a child. Yes, even if it is yourself! It's still a criminal offense.

What if an adult sends a child a sexually explicit picture of themselves?

This is a criminal offense and should be reported to the police. It doesn't matter if the child intended to receive the image or not.

Remember - the legal consent age for sex is 16. The consent age for sharing indecent images of yourself is actually 18.