

LOCKERS

Information and Resources for Schools Around
the Sharing of Explicit Self-Generated Images

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Foreword

The rapid rate at which new technologies develop and the unpredictable ways in which they are often adopted by children, has presented many unforeseen opportunities and challenges to schools, parents and the wider community. Access to the internet and smart phone devices has changed the nature of how people communicate with each other. One of these changes is the sending of provocative or sexual photos, messages or videos, or what has become commonly known as “sexting”

While sharing suggestive images or text messages can appear as innocent fun to some young people, sexting can have serious social and legal consequences. The making, taking, permitting to be taken, showing, possession and/or distribution of indecent images of minors is a criminal offence; so schools need to be very careful about how they handle such incidents.

For school leaders, it is important to be well informed when encountering incidents involving the sharing of explicit images in their school. When self-created sexual images are shared non-consensually, the repercussions can seriously undermine the wellbeing of students. Malicious sharing can take the form of cyberbullying while abusive sharing could indicate a child protection concern. This resource aims to provide some useful information to help school leaders to deal effectively with sexting incidents that may arise.

In addition, we need to take action within the classroom in order to raise awareness and to prevent potentially harmful behaviour associated with this issue. National and international research has consistently shown that the qualified classroom teacher in having a powerful impact on influencing students’ attitudes, values and behaviour, is best placed to work sensitively and consistently with pupils. This resource outlines a series of lessons which deal with sexting and non-consensual sharing of explicit images and which are underpinned by the principles of the SPHE curriculum.

It is hoped that this resource will also help pupils to establish and maintain more positive relationships with each other and will equip them to deal more effectively with interpersonal conflict as the lessons involve the development of empathy, resilience, and assertiveness.

I would like to sincerely thank all of those involved in the development of this resource; the members of the PDST Health and Wellbeing team and the PDST Technology in Education team, the Special Education Support Service, the Inspectorate in the Department of Education and Skills, the HSE Crisis Pregnancy Programme, Pauline Walley SC, Brian Hallissey BL, and An Garda Síochána.

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Section 1:

Information for Schools Around the Sharing of Explicit Self-Generated Images





Introduction

The term ‘sexting’ was coined in early 21st century; it is a concatenation of the words sex and text. It was originally used to describe the exchange of sexual content, text and images, on mobile phones. In the last few years, it has come to cover the sharing of sexual text, video, and photographic content using mobile phones, apps, social networking services and other internet technologies. While technical definitions sometimes include the exchange of pornographic content, for the purpose of this guide we will focus on the sharing of explicit images that are self-created. Images in this case are both photographic and video content. In other words, we will focus predominantly on issues around the sharing of ‘nude selfies’ as they are called by young people.

This document seeks to inform school leaders and teachers on the practice of sexting by young people in Ireland. The purpose is to highlight considerations for schools, should incidents involving the sharing of explicit images occur. A school’s role in these cases is primarily to protect and support the children involved and not to lead an investigation into the incident. This is a challenging, complicated, and sensitive situation for schools to address; not least because cases involving explicit images of minors could be considered criminal offences, according to the Child Pornography and Trafficking Act 1998. Prosecutions under this act can result in severe sanctions that can have a life-changing impact. For this reason we are keen to stress that information contained in this document does not constitute legal advice. Schools are advised to notify the Gardaí and seek specific legal advice when cases of this nature arise.



Key guidelines for addressing the topic of non-consensual sharing of explicit images with a class

1. It is advisable that teachers have completed the introduction to SPHE two-day course. It’s important that teachers are aware of any possible issues that students in the class might have before commencing the Lockers programme.
2. It is good practice for teachers to liaise with the guidance counsellor and class tutor before teaching the Lockers programme. The school principal and parents should also be informed in advance.
3. Teachers should collaborate with their schools’ Special Educational Needs (SEN) departments to ensure that the lessons and key messages are accessible to all.

More detailed best-practice guidelines are included at the start of the education resource.



Why should you care?

It's important that you are well informed when you encounter incidents involving the sharing of explicit images in your school. Unfortunately, when self-created images are shared non-consensually, the repercussions can seriously undermine the wellbeing of students in your care. Malicious sharing can be a form of cyberbullying while abusive sharing could indicate a child protection concern.

Explicit images can be shared in the context of an intimate relationship but also in different scenarios. People share intimate content as a way of attracting attention or flirting with potential romantic interests. Peer pressure can be a contributory factor in some young people's sexting. Students, particularly vulnerable students and those with weaker digital skills, might create intimate content unbeknownst to themselves when they forget to turn off cameras. In other, more worrying cases, students can be coerced, forced or tricked into creating explicit images of themselves.

It can be very distressing when explicit self-created images, initially exchanged in confidence, are shared without consent with a wider audience. Students who are the victims of non-consensual sharing (often referred to as revenge porn; a practice where sexting content is maliciously distributed, without consent, to gain revenge and cause public humiliation) or sextortion (a form of extortion where the criminal threatens to distribute explicit content of the victim unless the victim pays a sum of money or sends more explicit content) might suffer from depression or anxiety and could be in immediate danger.

As possessing or distributing explicit images of minors can be a criminal offence, you need to be very careful about how you handle incidents. The steps you take to resolve incidents can be at odds with how you deal with other incidents of cyberbullying. When addressing issues of cyberbullying it is sometimes recommended to keep the messages and posts as evidence of the bullying and always to record the incident, as detailed in the *Anti-Bullying Procedures*. The format of your records of incidents involving explicit images of children under the age of 17 should take into consideration that storage and dissemination of these images could be deemed an offence under the Child Pornography and Trafficking Act 1998.

When incidents involving explicit images occur you should refer the case to the Gardaí for investigation. You should also consult and work with the Tusla - Child and Family Agency to ensure the children involved receive the necessary support and protection.

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Background information and context

Why do children sext?

This has been the subject of a great deal of academic research in recent years. There are many reasons why children exchange explicit messages. Often messages are exchanged as part of a romantic relationship, as a means of furthering the relationship or as part of the initial flirting stage. Some children even describe sexting as a form of safe sex as “you can’t get pregnant from it and you can’t transmit STD’s”.¹ There are other reasons why children sext. Many of these motives conform to those that inspire other teenage behaviours.

1. **Sexual expression:** Children in romantic relationships sext as a way to further their relationships and as means of showing their trust in one another². They also use sexting as a form of flirting and as an incentive to start a relationship. Sexting can also be used to express one’s sexuality (whereas some people might use fashion to highlight their femininity or masculinity, others might post sexting images online).
2. **Communication:** Children sext to communicate with each other. Younger teens sometimes send sexually suggestive messages to platonic friends as a form of humour. For children in established romantic relationships, reciprocity can be the motivation for sending sexts as for every sext you send, you can expect to receive one in return.³ A feature of sexting that appeals to young people is that it is usually a private form of communication, safe from adult intervention.
3. **Attention/affirmation:** There have been numerous examples within pop culture of people who owe their celebrity status and subsequent fortune to a leaked sex tape. This has led some young people to believe that they may get spotted and secure a career as a model or television personality if they post provocative pictures online.⁴ Other young people use sexts to gain the attention, affirmation and admiration of potential romantic interests.
4. **Social and peer pressure:** Wider societal pressures contribute to some young people sexting. The ‘sexualisation of culture’ means that many young people feel there’s an expectation to look a certain way and be sexually active.⁵ This pressure extends to sending sexts. Peer pressure can further exacerbate the pressure on young people to sext.

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5. **Impression management:** Many young people take selfies or self-produced photos as doing so allows them to assert control over how they are represented to the wider world.⁶ You could almost say that selfies and sexting images are the self-portraits of the modern age. The selective and self-produced nature of sexts can provide young people with something of a protective front for when they're engaged in intimate communication.
 6. **Accidental/reckless:** Some children have accidentally produced sexting content. This has occurred when children haven't realised that webcams on computers or handheld devices were in operation and got changed in view of the cameras. In a world where someone seems always to have a camera phone at the ready, it's easy to create and distribute sexting content recklessly and without thinking of the consequences.
 7. **Coercion/blackmail and revenge:** Unfortunately there have been incidents where young people are coerced into creating and sending sexting content.⁷ Once a party has been sent one intimate image, this person can use this image to blackmail the victim into sending more images. There are cases where criminals have preyed on young people and used sexting content to extort large sums of money. In other cases, sexting content has been distributed by a spurned lover, looking to gain revenge on an ex-partner.
 8. **Experimental:** As children grow up, it's reasonable that they might want to understand how their bodies are changing. Some children take pictures of their naked bodies to help them get a better view of their own bodies.⁸ They mightn't ever intend to distribute these images but, by legal definition, these personal images could be considered child pornography and could also become sexts, were the images to be shared.



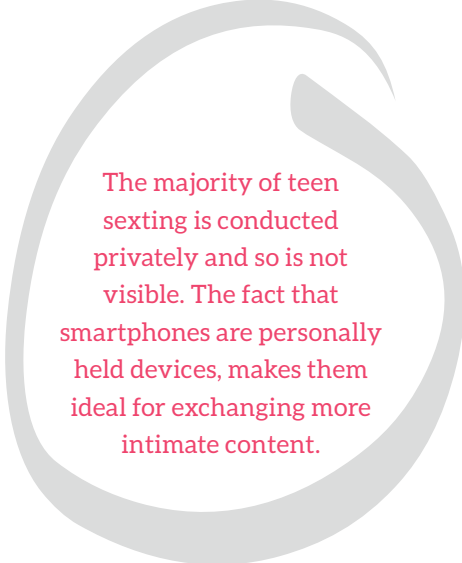
Context for sexting

➤ Where does sexting occur?

It can be difficult to pinpoint exactly where teen sexting occurs for a number of reasons. Firstly, technologies and particular apps' popularity can be so transient that teens will have already moved onto the next big thing by the time adults catch up. Secondly, the majority of teen sexting is conducted privately and so is not especially visible.⁹

Access to smartphones certainly makes it easier for teens to sext.¹⁰ The free messaging services, such as WhatsApp, Viber, Snapchat and Facebook Messenger, make it very easy and cheap to share photos and videos with any person who has a smartphone or tablet. The move from texting to messaging services means that sexts are no longer limited to written content, as users do not incur the same charges that they once did for sending pictures. The rise of smartphones has also made sexting easier as smartphones can connect to the internet but do not require a wifi connection.¹¹

The fact that smartphones are personally held devices, makes them ideal for exchanging more intimate content. Young people might previously have been nervous about sending sexting images on a family computer or laptop, for fear that their parents would find out. Smartphones and closed messaging apps, now commonly available, give young people a greater sense of privacy. Parents often monitor and use some of the more established social networks. Young people prefer to use apps and services that are not being used by their parents/carers for sexting.¹²



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The motivation for sexting can really determine the services that young people use for sexting. If the young people are in a private romantic relationship they might be more inclined to use a private messaging app or a video calling service. People in the early stages of a relationship or flirting with each other might prefer an ethereal app where the content “disappears” after a few seconds. Young people looking for attention and affirmation and seeking to conform to particular norms might post their provocative pictures on a public social network.¹³ Teenagers specifically looking for people with whom they can exchange sexts might turn to dating apps or particular social media platforms.¹⁴

Gathering numerous sexting images can improve a person's (often a boy's) status and standing within a peer group.¹⁵ These people persuade or coerce other young people into sending intimate images. These images are then stored in a folder on a phone or shared with friends in a private messaging group chat.

Who's involved?

For the most part, sexting takes place amongst peers. Sexting usually occurs in the context of a desired or established or romantic relationship with peers,¹⁶ often following a certain amount of persuasion and due to the pressure of social expectation.¹⁷

Both the *EU Kids Online* and *Net Children Go Mobile* research shows that older kids are more likely to have received sexual messages online. Whereas only 4% of 11-12 year olds had received sexual images, 22% of 15-16 year olds had. While the majority of kids surveyed were not upset by the sexual messages they received, girls were more likely than boys to have found the content upsetting.¹⁸

As well as being older, children who engage in sexting are also more likely to have partaken in a range of risky online and offline behaviours.¹⁹ It is also believed that sexting practices and experiences are influenced by culture, class, race, sexuality and gender.²⁰

There have been a number of unfortunate incidents where young people have been coerced into sending sexting images by professional criminal circles. These circles, often based in foreign countries, usually lead the young people to believe that they are speaking with a potential love interest. Once these criminals have received a number of explicit images/videos they use the images to blackmail the young person into sending large sums of money. These criminals threaten to share the private, intimate content online if the young person doesn't pay up.

Consequences for wellbeing

Sexting is not a normal part of teenage life. It is an activity in which the majority of teenagers do not partake. It also must be said that sexting doesn't necessarily lead to harm. A part of adolescent development can include a newfound interest in sexuality and romantic relations.²¹ Sexting can be an expression of this interest.

At the same time, there are plenty of cases where sexting has gone wrong and the content shared in confidence has been misused. When this happens there can be serious, negative consequences for the wellbeing of those involved. In addition to significant social and psychological effects, there have been incidents where young people have died by suicide and where criminal investigations have resulted.

Often times it can be difficult to draw the line between abusive sexting and cyberbullying as sexting can be coercive and linked to harassment, bullying and violence.²² While cyberbullying is the online risk that upsets children the most, the effects of sexting are quite similar to those of cyberbullying. Sexting can lead to paranoia and feelings of isolation²³, anxiety and shame that the pictures might be shared non-consensually. For teens who sext there is also a considerable fear of sanctions that might be imposed on them by parents and schools.²⁴ Often these fears and anxieties aren't actually realised.

Girls are most adversely affected by sexting. Girls who sext are often referred to as 'sluts' and are ultimately denigrated by their peers.²⁵ There is a prevalent culture of victim blaming around sexting, with many people blaming the person who originally sent the images for any misfortune s/he endures. This practice was reported as being one of the most harmful in the *Net Children Go Mobile* research.²⁶ In addition to being subjected to oppressive beauty norms and placed under increased visual scrutiny through sexts,²⁷ girls are also more likely to suffer reputation damage as a result of sexts sent. The ubiquitous nature of the internet makes repeated sexual requests of girls easier. Also, disinhibition means that because people can't see their victims, they are more likely to send very sexually abusive messages. Unfortunately, females are usually on the receiving end of these messages.

Receiving explicit messages can be particularly upsetting, worrying and confusing for younger and more vulnerable children.²⁸ Sexting amongst very young children can be a sign that the children have been exposed to sexual behaviour or indeed been sexually abused.²⁹

The Prevalence of sexting

Research which looks at the sexting behaviours of adolescents in Ireland has found that almost half have been asked to send sexually explicit images at some point. *It's not just sexy pics: An investigation into sexting behaviour and behavioural problems in adolescents*³⁰ was carried by the National Anti-Bullying Research and Resource Centre. The study involved 848 students aged between 15-18 and attending fourth to sixth year in post-primary schools across the country.

Key findings:

- More than half of teenagers surveyed have been asked to send naked pictures of themselves through text, email or via an app, with 44% saying they have been asked frequently and 12% only been asked once. However, more than three quarters (76%) of the respondents had not sent such an image. These findings are comparable with previous international research showing that adolescents tend to report more passive than active sexting behaviour.
- Mostly, sexts were asked, sent and received by a romantic partner (boyfriend or girlfriend, followed by someone they had a crush on).
- More girls (29%) than boys (15%) have been asked to send a sexually explicit image.
- Boys are more likely to ask for and receive sexually explicit images. These findings are in accordance with previous research showing that boys are more likely to ask for and receive sexually explicit images.
- 30% of students had frequently received a sexually explicit image (a sext) when they really didn't want to, including almost 22% of girls, and 15% had received an image in such a manner on one occasion. This finding indicates that, especially for girls, receiving unwanted sexts might be experienced as an intrusive experience.

Research carried out by Zeeko ³¹ aimed at understanding the current digital trends among teenagers in Ireland found the rate of sexting rises as the teenagers get older with 4% of first year students said they had sent a sext image, while 34% of sixth years said they had done it. The report finds that Irish teenagers are more likely to engage in sexting the older they get, with 13% of secondary students admitting they had sent nude or semi-nude photos or videos of themselves. Boys are twice as likely as girls to sext - 17% for boys compared to 9% of girls. In DEIS secondary schools, percentages of sexting behaviours are higher, especially for males and with respect to categories considered as riskier, such as sexting a non-partner and someone met online for the first time.



Legal framework

Ireland has recently introduced specific criminal legislation - Harassment, Harmful Communications and Related Offences Act 2020 - to address the non-consensual sharing of explicit content and “revenge porn”.

➤ What is revenge porn?

Sharing explicit images of someone without their consent with the intention of causing harm could be considered harassment. Revenge porn is the popular term for the malicious distribution of intimate images, without consent of the person involved, to gain revenge and cause public humiliation. It most commonly occurs when a relationship breaks up and a jilted lover seeks to gain revenge on a former partner.

◀ Harassment, Harmful Communications and Related Offences Act 2020

The Act creates two offences. Before considering the offences in detail, it is useful to set out the relevant definitions under the Act. It states:

“intimate image”, in relation to a person, means any visual representation (including any accompanying sound or document) made by any means including any photographic, film, video or digital representation—

- (a) of what is, or purports to be the person’s genitals, buttocks or anal region and, in the case of a female, her breasts,
- (b) of the underwear covering the person’s genitals, buttocks or anal region and, in the case of a female, her breasts,
- (c) in which the person is nude, or
- (d) in which the person is engaged in sexual activity;

“harm” includes psychological harm;

“publish” means publish, other than by way of broadcast, to the public or to a portion of the public.

It is therefore important to note the following:

- An intimate image includes an image of a person in their underwear. The person in the image or video does not need to be naked or fully undressed.

- The wide definition of “publish” will include the distribution of an image or video on WhatsApp, Snapchat or any other social media platform.
- A picture or a video of a person engaged in sexual activity is also included. For a picture or video involving sexual activity, the person depicted can be fully clothed and it will still constitute an intimate image.
- A photoshopped picture or a “deepfake” video will constitute an intimate image if it “purports” to be an image or video of that person. Therefore, photoshopping a person’s face onto a naked body, will be an offence under the Act.

Section 2 - Distributing, publishing or threatening to distribute or publish intimate image without consent with intent to cause harm or being reckless as to whether harm is caused

This offence was introduced to specifically deal with instances of “revenge porn”. It is the most serious of the new offences introduced under the Act and carries the most serious penalties if convicted.

This offence is focused on the distribution and publication, or threat to distribute or publish intimate images with an intent to cause harm or being reckless as to whether harm is caused.

Under Section 2 of the Act:

A person who distributes, publishes or threatens to distribute or publish an intimate image of another person—

- without that other person’s consent, and
- with intent to cause harm to, or being reckless as to whether or not harm is caused to, the other person,

is guilty of an offence.

(2) For the purposes of subsection (1), a person causes harm to another person where—

- he or she, by his or her acts, intentionally or recklessly seriously interferes with the other person’s peace and privacy or causes alarm or distress to the other person, and

- (b) his or her acts are such that a reasonable person would realise that the acts would seriously interfere with the other person's peace and privacy or cause alarm or distress to the other person.

The first key issue is consent. If there is no consent to distribute the intimate image, then the first requirement for an offence under the Act is complete.

AS noted above, the offence clearly criminalises the typical case of "revenge porn" i.e. when a person sends an intimate image of their ex-partner to one of their friends, to hurt them and get revenge. They send the image knowing that this will cause alarm and distress to the victim.

However, the section is wider and covers more than just those situations.

A threat to distribute the image is sufficient to trigger the provisions of the Act, even if the image is never sent to anyone. Furthermore, even if the threat was a joke and the person who made the threat never actually intended to send the image, it is still an offence.

If the victim (the person depicted in the image or video) is not alarmed or distressed, it will still be an offence if it seriously interfered with their peace and privacy. This means that, for example, if a picture of the victim getting changed and depicting them in their underwear is sent (or threatened to be sent), an offence will be committed if it is deemed to be a serious interference with their peace and privacy – even if the victim is not actually caused alarm or distress. Whether it is an interference with the person's peace or privacy will be a matter for a Judge or jury to decide, but in most cases, the distribution of an intimate image would seriously interfere with a person's peace and privacy.

If the person who sends (or threatened to send) the image did not seriously believe or realise that it would cause distress to the victim, an offence may still have been committed as Subsection 2(b) provides that if a "reasonable person" would realise that the act of sending the image, or threatening to send it, would cause distress to the victim. Therefore, jokingly threatening to send a picture of your friend in their underwear into a WhatsApp group is an offence if a "reasonable person" would realise that the threat would cause them alarm or distress or interfere with their peace and privacy. In most cases, it is likely that a "reasonable person" would realise that sending or threatening to distribute an intimate image would cause alarm or distress.

It is also important to remember that it does not matter if the image was taken by the victim. The typical revenge porn situation begins with a girlfriend who takes a nude selfie and sends it to her boyfriend. When they break up, he sends it to his friends. This is an offence as he did not have her consent to send it to anyone. It does not matter that it was originally taken by the girlfriend and sent to her boyfriend.

Even if the girlfriend never finds out her ex-boyfriend sent it to his friends and is never caused distress or alarm, it is still an offence because a reasonable person would realise that the acts (i.e. sending it to his friends) would seriously interfere with the other person's peace and privacy or cause alarm or distress to his ex-girlfriend. The moment the image is sent to his friends, the offence has been committed.

A conviction under Section 2 can lead to up to 7 years imprisonment.

Section 3 - Recording, distributing or publishing intimate images without consent


Not all cases of intimate image distribution may involve intention to cause distress. Sometimes, such content is shared spontaneously or without considering the impact on the victim, especially in the case of young people, or is re-distributed by third parties. These cases may not be capable of being prosecuted under Section 2 above because the intent to cause alarm, distress or harm element may not be present.

Under S.3 a person is guilty of an offence where—

- (a) he or she records, distributes or publishes an intimate image of another person without that other person's consent, and
- (b) that recording, distribution or publication, as the case may be, seriously interferes with that other person's peace and privacy or causes alarm, distress or harm to that other person.

This is what is known as a "strict liability" offence as the person who records, distributes or publishes the image without consent, does not need to have intended to cause harm.

This offence will criminalise a person who makes an intimate recording or picture of another person or distributes or publishes it.



This offence was introduced to criminalise behaviour that falls short of the intentional, egregious, activity associated with “revenge porn”. The offence of taking or distributing an intimate image without consent may, in some respects, be thought of as being associated with the behaviour known as “sexting” but it differs in a fundamental way in that it is committed only where the intimate image is taken without consent.³²

It is also different to Section 2 as there is no requirement to distribute the intimate image and the recording is sufficient on its own to complete the offence.

The DPP is likely to rely on Section 3 if there is a possibility that they may not be able to prove the required intent under Section 2.

An example of a Section 3 offence would be where a secret recording is made of a person undressing and it is never distributed or published.

The maximum penalty for this offence is 2 years imprisonment.

For both offences under Section 2 and 3, if the perpetrator of the offence is or was in an intimate relationship with the victim of the offence, it will be an aggravating factor that the Judge will take into account when determining what the appropriate sentence should be.

The Act sends a clear message that taking or sharing intimate images without the consent of the person will not be tolerated under any circumstances.

There is also a third new offence that has been introduced under the 2020 Act which is also appropriate to note. S.4 of the Act creates an offence of “**Distributing, publishing or sending threatening or grossly offensive communication**”

A person who by any means (i) distributes or publishes any threatening or grossly offensive communication about another person, or (ii) sends any threatening or grossly offensive communication to another person with the intent to cause harm will have committed an offence.

Like Section 2, a person intends to cause harm where he or she, by his or her acts, intentionally seriously interferes with the other person's peace and privacy or causes alarm or distress to the other person.

This offence will cover situations where the perpetrator distributes or publishes a threat or grossly offensive communications to the victim or about the victim and is likely to be used to address cyberbullying. It can cover once-off threatening or grossly offensive communications.

This offence carries a maximum sentence of up to two years imprisonment.

An offence under S.4 may be used to prosecute the unsolicited sending of "nude selfies" to persons. Sending "nude selfies" will also be an offence of exposure under S.45 of the Criminal Law (Sexual Offences) Act 2017 (see below).

Child Trafficking and Pornography Act 1998

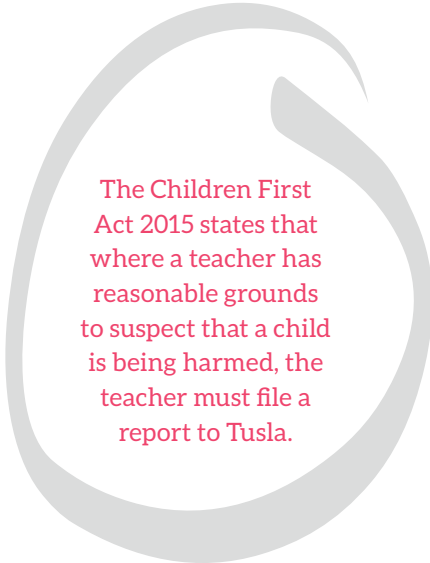
The sharing of explicit images of minors is captured by the Child Trafficking and Pornography Act 1998 . This Act was designed to protect children from exploitation. If sexual images or videos of a child (which has been recently amended to now include persons under 18 years of age) are shared or stored on a device the Act can be invoked, provided the content shared meets the definition of child pornography. Self-produced explicit images exchanged by adolescents, under the age of 18, could be considered as child pornography.

The Child Trafficking and Pornography Act 1998 has been recently amended by the Criminal Law (Sexual Offences) Act 2017.

It's useful to consider how the Child Trafficking and Pornography Act 1998 defines child pornography. It states:

“child pornography” means –

- (a) any visual representation—



The Children First Act 2015 states that where a teacher has reasonable grounds to suspect that a child is being harmed, the teacher must file a report to Tusla.

- (i) that shows, or in the case of a document relates to, a person who is or is depicted as being a child and who is engaged in or is depicted as being engaged in real or simulated sexually explicit activity,
 - (ii) that shows, or in the case of a document relates to, a person who is or is depicted as being a child and who is or is depicted as witnessing any such activity by any person or persons, or
 - (iii) that shows, for a sexual purpose, the genital or anal region of a child or of a person depicted as being a child,
- (b) any audio representation of a person who is or is represented as being a child and who is engaged in or is represented as being engaged in explicit sexual activity,
 - (c) any visual or audio representation that advocates, encourages or counsels any sexual activity with children which is an offence under any enactment, or
 - (d) any visual representation or description of, or information relating to, a child that indicates or implies that the child is available to be used for the purpose of sexual exploitation within the meaning of section 3.

In short, any photo, video or audio recording that shows a child engaged in sexual activity, or that focuses specifically on the genital region of a child is considered as child pornography. It is less clear whether content that is provocative rather than sexually explicit is illegal. Part (d) of the Act could be interpreted so that almost any provocative content produced or sent by a child could be considered as child pornography. Ultimately only a court would decide if particular content could be considered illegal under this section.

All cases involving the creation, distribution or possession of explicit images of children are potentially criminal and should be reported to An Garda Síochána. The duty to notify the Gardaí in these cases would appear to be required by the Withholding of Information on Offences Against Children and Vulnerable Persons Act 2012 and more recently under the Children First Act 2015.

The Children First Act further bolsters the reporting requirements that are placed on teachers (and other “mandated persons” who work with children). The Act places reporting duties on a statutory footing and provides that

where a mandated person knows, believes or has reasonable grounds to suspect that a child is being harmed, has been harmed or is at risk of being harmed, they must report that belief or suspicion to the Agency. The mandated person must also report disclosures by a child.

The Child Trafficking and Pornography Act states that the creation, distribution and possession of child pornography are all illegal. This could be interpreted as meaning that anyone who creates, sends, shares, stores or even just receives explicit images of a child under the age of 17 could potentially be prosecuted under the 1998 Act.

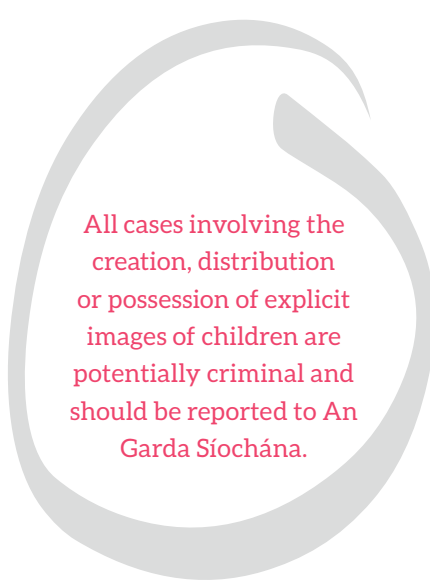
The age of consent for sexual activity in Ireland is 17. Where two persons, both under 17 engage in sexual activity they risk prosecution. Whether or not they will be prosecuted is at the discretion of the DPP. There is an immunity from prosecution for girls under 17. If persons record themselves engaging in sexual activity it will also be an offence under the 1998 Act.

In cases of self-generated explicit content or 'nude selfies', the person him/herself can be the creator, distributor and possessor of illegal content. The law in this area was designed to protect children from exploitation and not to criminalise their reckless acts. That said, approaches will differ from Garda Station to Garda Station. There is no protocol in place directing Gardaí on how to deal with 'nude selfies' of adolescents. .

What are the punishments?

As the Act was not originally intended to deal with 'nude selfies' of teens, but rather for people guilty of trading in child abuse images, the punishments for people found guilty under the Act are harsh. Punishments include imprisonment, a fine and also placement on the sex offenders register. With certain offences there is a discretion as to whether an individual is placed on the register (such as where the two persons involved are similar in age). However, the offences of creation, distribution and possession of child pornography contain no such discretion. Therefore, if a person is convicted of such an offence, they will automatically be placed on the register for at least 2 ½ years.

Although the Harassment, Harmful Communications and Related Offences Act 2020 was introduced to specifically deal with revenge porn and the non-consensual distribution of intimate images, where the person depicted is under 18, the Child Trafficking and Pornography Act 1998 will still apply. The DPP may still prosecute under both Acts.



All cases involving the creation, distribution or possession of explicit images of children are potentially criminal and should be reported to An Garda Síochána.

Criminal Law (Sexual Offences) Act 2017

The Criminal Law (Sexual Offences) Act 2017 also created an offence of “Causing a child to watch sexual activity.”

Section 6 states that) A person who, for the purpose of obtaining sexual gratification or corrupting or depraving a child, intentionally causes a child (a) to watch another person engaging in sexual activity, or (b) to look at an image of that person or another person engaging in sexual activity, shall be guilty of an offence and shall be liable on conviction on indictment to imprisonment for a term not exceeding 10 years.

Child is defined under this offence as a person under 17.

It is therefore possible that sending a nude selfie to a person under 17 will amount to an offence under this section if the image or recording constituted “sexual activity”.

Section 45 also provides that: A person who exposes his or her genitals intending to cause fear, distress or alarm to another person is guilty of an offence.

There is no age limit for this offence and again, where an unsolicited “nude selfie” is sent to another person then it is likely that an offence will have been committed under this section.

Non-Fatal Offences Against the Person Act 1997

It is possible that sending unsolicited “nude selfies” or sending messages looking for such images may come within the definition of the term ‘harassment’ under the 1997 Act. For behaviour to be considered as harassment it needs to be ‘persistent’, so a once off message would not be harassment. Previously, the communication needed to be directly with the victim but the law was recently changed and communication with the victim or “about” the victim is enough to cause an offence to be committed. Therefore, posting harassing messages on a webpage will still constitute harassment even if the messages are not sent directly to the victim.

Data Protection Acts and GDPR

The other legal principles to be considered when it comes to non-consensual sharing of explicit images are privacy and data protection. Under data protection law, individuals have the right not to have their personal data, including their

image, collected and published without consent. Anyone who publishes private content online could be seen to be violating data protection laws and could have a civil lawsuit brought against them.

Current data protection laws are not, however, a very robust remedy to, or protection from, the problem of non-consensual sharing of explicit images. These laws offer compensation for damage done but do not protect the victim from damage that can occur immediately when the content is shared.

The Online Safety and Media Regulation Bill is currently being drafted and when commenced, will introduce a new set of laws which aims to create a regulatory framework to deal with the spread and amplification of harmful online content. This is aimed towards holding the social media platforms and companies responsible if they fail to remove harmful material that is posted on their sites.

Children First Act 2015

This legislation was recently enacted to further safeguard children from harm. It is possible that some of the offences under the Child Trafficking and Pornography Act 1998 may trigger mandatory reporting to the Child and Family Agency. The new offences set out in the Harassment, Harmful Communications And Related Offences Act 2020 do not trigger any mandatory reporting under the Children First Act 2015.

The Act states that “[a] provider of a relevant service shall ensure, as far as practicable, that each child availing of the service from the provider is safe from harm while availing of that service.” Relevant services include “a school or centre of education”. The Act requires a relevant service to “undertake an assessment of any potential for harm to a child while availing of the service and to prepare a written statement (a “child safeguarding statement”) specifying the service being provided and the principles and procedures to be observed to ensure as far as practicable, that a child, while availing of the service, is safe from harm.

The Act states that where a “mandated person” (which includes a teacher registered with the Teaching Council), believes or has reasonable grounds to suspect, on the basis of information that he or she has received, acquired or becomes aware of in the course of his or her employment or profession as such a mandated person, that a child— (a) has been harmed, (b) is being harmed, or (c) is at risk of being harmed,

he or she shall, as soon as practicable, report that knowledge, belief or suspicion, as the case may be, to the Agency.

There are certain exceptions to the requirement to report (under Section 14(3)) where

- (a) a child between the age of 15-17 is involved in sexual activity with a person no more than two years older, and;
- (b) where the mandated person knows or believes that there is no material difference in capacity or maturity between the parties engaged in the sexual activity concerned, and;
- (c) the relationship between the parties engaged in the sexual activity concerned is not intimidatory or exploitative of either party, and;
- (d) the child concerned has made known to the mandated person his or her view that the activity, or information relating to it, should not be disclosed to the Agency and the mandated person relied upon that view.

The Act specifies certain sexual offences which are defined as sexual activity under the Act. Recent amendments to the 2015 Act have changed the definition of sexual activity for the purposes of the 2015 Act. It now includes S.5A of the 1998 Act as a “triggering” offence. S.5A provides that a) a person who causes, incites, compels or coerces, or (b) recruits, invites or induces, a child to participate in a pornographic performance, or gains from such participation, shall be guilty of an offence. It does not include the possession and distribution offences under section 5 and 6 of the Child Trafficking and Pornography Act.

It would seem therefore that that the Children First Act, 2015 may still potentially impose reporting duties on schools in instances of sexting/non-consensual sharing of intimate images where there are underage persons involved.

This Act was commenced in December 2017 and all schools should ensure that they are aware of the implications of the legislation.

➤ Civil Law and the School's Duty of Care

A school must also note the potential exposure to civil law litigation which may arise on foot of the sexting/non-consensual sharing of intimate images. It is well established that a school owes a duty of care to its students and the duty extends to ensuring students are not exposed to a risk of injuries caused by bullying. Given the nature of sexting/non-consensual sharing of intimate images, it is at least arguable, that a school will be expected to take active steps in ensuring that its students are informed as to the dangers and consequences of such activity. A school that ignores the obvious development of sexting/non-consensual sharing of intimate images in classrooms and in the school risks being found negligent by a Court.

The Courts have yet to consider the extent of the duty of care in respect of cyberbullying or sexting/non-consensual sharing of intimate images. However, schools should be aware that they do owe a duty to their students and they must ensure that the standard of care is reached in order to avoid a finding that they failed to discharge the duty. It is clear from previous Court cases that the duty of care owed by a school can extend beyond the hours of the school day and outside of school grounds. For cases involving bullying, the Court of Appeal in the UK has held that exceptional circumstances might arise when failing to take reasonable steps to combat bullying occurring outside the school would give rise to a breach of its duty of care to a pupil.³³ Whether the Courts will include harm resulting from instances where there has been bullying or sexting/non-consensual sharing of intimate images, remains to be seen. Schools should take a proactive approach and ensure that the issue is directly addressed. This way, should the Courts extend the duty of care to cover such issues, schools will be in a much stronger position to show that they did meet the standard of care expected of them and they did all that was reasonable (by educating the students and having strong, well-researched policies and procedures in place).

Implications for school policy

Your policy should clearly state that the sharing of explicit images is an unacceptable and absolutely prohibited behaviour, with serious consequences and sanctions for those involved.

Your anti-bullying policy could be amended to include the following line: The non-consensual sharing of sexting content always warrants a report, regardless of whether the teacher thinks the incident warrants a report.


Reviewing and amending the code of behaviour and anti-bullying policy

You should consider amending your code of behaviour and anti-bullying policy to make specific mention of the sharing of explicit images and in particular the sharing of explicit images of pupils without their permission. You should clearly state that it is an unacceptable and absolutely prohibited behaviour, with serious consequences and sanctions for those involved.

If you are amending your code of behaviour, you should also outline the sanctions that will be enforced. A board of management may decide, as part of the school's policy on sanctions, and following the consultation process with the principal, parents, teachers, and students, that non-consensual sharing of explicit images of pupils in the school automatically incurs suspension as a sanction. However, a general decision to impose suspension for this type of behaviour does not remove the duty to follow due process and fair procedures in each case.

As noted in the *Anti-Bullying Procedures for Primary and Post-Primary Schools* "isolated or once-off incidents of intentional negative behaviour including a once-off offensive or hurtful text message or other private messaging do not fall within [the *Procedures*] definition of bullying and should be dealt with, as appropriate, in accordance with the school's code of behaviour". Sexting often occurs via private messaging services and so could fall outside the remit of the anti-bullying policy. For this reason it is especially important that sexting is addressed in a school's code of behaviour and also added to the school's anti-bullying policy. A single incident of non-consensual sharing can have a serious effect on a student and may constitute both harassment and the distribution of child pornography.

The *Anti-Bullying Procedures for Primary and Post-Primary Schools* note that "placing a once-off offensive or hurtful public message, image or statement on a social network site or other public forum where that message, image or statement can be viewed and/or repeated by other people will be regarded as bullying behaviour". When intimate content is distributed publicly, maliciously and without consent, the behaviour can be addressed under the anti-bullying policy. For example, your policy could be amended to include the following line: The non-consensual sharing of sexting content always warrants a report, regardless of whether the issue is resolved within 20 days and whether the teacher thinks the incident warrants a report.



A school's code of behaviour can apply outside of school time when the impact of a particular behaviour is felt in school and when the wellbeing of members of the school community is compromised.

Both the code of behaviour and anti-bullying policy can highlight the fact that all incidents involving creating, storing, or sharing of explicit images of children under the age of 17 will be reported to the Gardaí and Tusla. Incidents should be handled under the child protection policy when a disclosure takes place, when there is a risk of harm or when there's a likelihood that abuse has taken place.

The board of management must ensure that members of school staff have sufficient familiarity with the school's anti-bullying policy and code of behaviour to enable them to apply the policies effectively and consistently, when required. Supports for staff should be appropriate to the individual's role. The board of management must also make appropriate arrangements to ensure that temporary and substitute staff have sufficient awareness of the school's code of behaviour and its anti-bullying policy.

You might also consider making changes to your school's Acceptable Use Policy.

◀ **Applying sanctions for behaviours that occur outside of school time**

As sexting is most likely to take place outside of school hours, it is important that schools specifically mention it in their policies, if they intend to impose sanctions on students. Usually, school policies and codes of behaviour only apply when students are in school or involved in school activities. However, a school's code of behaviour can apply outside of school time when the impact of a particular behaviour is felt in school and when the wellbeing of members of the school community is compromised. Schools have a duty of care for all students. If a behaviour has a particularly negative impact on students, schools can protect students by prohibiting this behaviour in their codes of behaviour.

As noted in the National Education Welfare Board's (NEWB) publication *Developing a Code of Behaviour: Guidelines for Schools*: "where a student is alleged to have engaged in serious misbehaviour outside school, when not under the care or responsibility of the school, a judgement would have to be made that there is a clear connection with the school and a demonstrable impact on its work, before the code of behaviour applies. The school authorities may need to get legal advice where the situation is complex".³⁴

Also, as part of the *Anti-Bullying Procedures* schools have a responsibility to deal with bullying that occurs within school and outside school if it has a negative impact on the student within the school.


➤ **Communicating changes to the code of behaviour and anti-bullying policy on the topic of sexting**

The NEWB recommends that all members of the school community should be involved in the review and revision of school policies, and in discussions around acceptable behaviour.

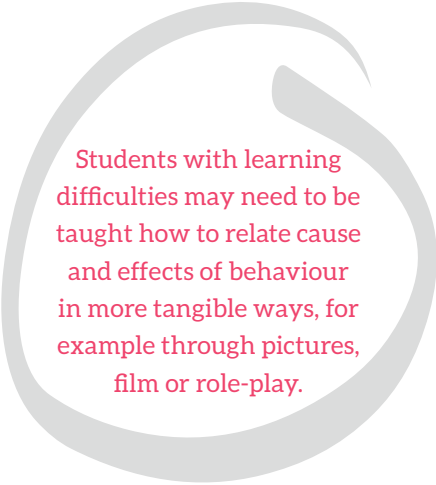
It's important that parents and students are aware of the legal and other consequences of sharing explicit images of children and the school policy on this matter. This can be done when a student is first registered with a school by having the parents and students sign the code of behaviour, which has been amended to include specific mention of sexting as a prohibited behaviour. By signing the code of behaviour the parents agree that the code is acceptable to them and that they will make all reasonable efforts to ensure compliance with the code by their child.

The NEWB guidelines state: "A requirement that parents (particularly parents new to the school) sign the code of behaviour is not enough to achieve parental support for the code. A programme will be needed to help parents to understand the school's goals and standards, how they can assist in supporting their child and the help they can expect from the school if they need it. The Principal and Deputy Principal have a particular role in ensuring that there are additional communication mechanisms so that parents understand the norms and values underpinning the code and the importance of parental support for maintaining positive student behaviour"³⁶.

One way that schools can communicate changes to school policies on sexting and secure parental support for the policies is by holding information nights or meetings for parents on the topic, in addition to having them read and sign the policies. Information nights will give parents, of both new and existing students, an opportunity to learn about the topic and to engage with school personnel on the changes that have been made to the policies.



It's important that parents and students are aware of the legal and other consequences of sharing explicit images of children and the school policy on this matter.



Students with learning difficulties may need to be taught how to relate cause and effects of behaviour in more tangible ways, for example through pictures, film or role-play.

When the changes have been made, schools will need to bring the students up to speed on the amended policies. One of the ways of communicating changes to students is by having them use the code of behaviour as a basis for their own class charter. A class charter can help students to establish the forms of acceptable and unacceptable behaviour and to articulate these standards in a way that is easy for all students to understand. Upon the amendment of the code of behaviour, class charters might be amended to include the following: “I agree not to share images, video or other content online with the intention to harm another person”.

Finally, it is important that students have lessons focused specifically on the topic and that they learn how to live up to the standards expected of them.

Communicating policy changes to students with special educational needs


NEWB Guidelines for School: “Class teachers and specialist personnel (such as the Learning Support Teacher, Resource teacher, Special Needs Assistant) should check that standards and rule [changes] are communicated in a way that students with special educational needs can understand. It will be helpful to check for this understanding from time to time, especially where a student with special needs is acting in a way that would usually be seen as being in breach of the rules.”

“Teachers may need support in understanding how best to help a student with special educational needs to conform to the behavioural standards and expectations of the school. For some students, visual prompts and pictures may be needed. Some students may need opportunities to practise observing the rules, with feedback on their progress.”³⁷

“Students with learning difficulties may need to be taught how to relate cause and effects of behaviour in more tangible ways, for example through pictures, film or role-play. They may not be able to predict consequences as easily as their peers and so may be vulnerable.”³⁸

Referrals

School policies should clearly state that, in accordance with the *Children First* and the *Child Protection Procedures for Primary and Post-Primary Schools*, all incidents involving explicit images of children will be referred to the Gardaí and to Tusla - Child and Family Agency.



Considerations for dealing with an incident

School personnel have a supportive, not an investigative, role in dealing with incidents involving the sharing of explicit images of children. Schools should refer all cases of sexting to the Gardaí, who are in a better position to determine whether an offence has taken place and to lead an investigation. Schools should also seek their own legal advice, at the earliest possible opportunity. It can be useful for schools to refer to their management body (e.g. Education and Training Boards, Joint Managerial Body, Association of Community and Comprehensive Schools) as a source of legal support. The information contained in this document is not legal advice. Should a case be brought for prosecution, a school's actions in responding to the incident could be under scrutiny and the school personnel will need the support of a legal professional.

It is very important that schools create a supportive environment for students who are victims of non-consensual sexting. Schools should consider addressing any issues that arise through awareness campaigns and relevant relationship and sexuality education programmes. They should also help students affected access the various support services, including those offered by the school guidance counsellor and those offered by Tusla.



Disclosure

Policy should outline the protocols to be followed in the case of a disclosure about the sharing of explicit content from a student. The procedure to be followed should involve the normal child protection practices.

Here are the steps you should take if you or another staff member receives a disclosure from a student about the sharing of intimate content:

- 1. Listen supportively to the student.** A child making a disclosure could be very distressed and in a vulnerable position. It is important always to put the child first when receiving the disclosure. The teacher receiving the disclosure should be careful not to damage the trust the student has shown in confiding in the teacher. It is also important, however, that the teacher makes clear that in order to resolve the case other adults (notably the DLP and parents) will need to be informed. The teacher should listen compassionately and without making any judgement on what the child is saying.
- 2. Record the disclosure,** using the child's own words. It is the teacher's role to support the student, rather than




School personnel have a supportive, not an investigative, role in dealing with incidents involving the sharing of explicit images of children.

investigate the incident. However, in order to support the students involved appropriately, the teacher will need to establish certain facts about the incident. The child should not be questioned unless the details he/she is giving are unclear. The teacher should avoid using leading questions and instead should use open questions. When incidents of non-consensual sexting occur, it is likely that sanctions will be imposed both by the school and by the criminal justice system. These sanctions will likely be challenged in a legal way by the parents of the student involved. Schools will need to be very careful in how they handle and record the incidents and will need to seek their own legal counsel.

- 3. Avoid compromising the evidence.** Any incident involving the underage sharing of intimate content could potentially be a criminal matter. For this reason, how evidence is stored could have a bearing on a trial. Many schools reserve the right to confiscate phones and other electronic devices in their school rules. However, confiscating devices when incidents involving explicit images of children have taken place could potentially jeopardise a legal case. Schools should engage with the Gardaí, who have the expertise and facilities to preserve the evidence, at the earliest opportunity.

Schools should also ensure that there is a clear policy in place in respect of the school's right to search a student, or their property in cases where there is evidence that a serious criminal offence may have occurred. Schools should have such a policy in place for illegal substances (drugs, alcohol) and for dangerous articles (knives, weapons etc.). This policy should be expressly extended to cover instances where the school reserves the right to search a student where it is necessary to prevent the distribution of child pornography. Note that the search should only relate to the mobile device itself and not the data contained therein. The data searches should only be conducted by the Gardaí and a physical search of a student for a phone should only take place by a member of school staff where it is not practical to wait for the assistance of the Gardaí. Members of the Gardaí have specific statutory powers to stop and search, whereas members of the public do not have such powers and risk civil litigation if a search is carried out in a manner which violates the student's rights. It is essential that both students and staff are made fully aware of the policy.



It is very important that schools create a supportive environment for students who are victims of non-consensual sexting.

4. **Inform the Designated Liaison Person (DLP), parents and Gardaí.** When a teacher receives a disclosure about an incident of underage sharing of intimate content, his/her first point of contact is the school's DLP. The teacher should pass on an account of the disclosure to the DLP. The teacher and the DLP will then refer the case to the Gardaí for investigation and the DLP should seek advice from the Tusla - Child and Family Agency on supporting the students involved. In some cases, notably incidents of a grooming, coercive or harassing nature, the incidents will need to be referred to Tusla. In all cases of underage sharing of intimate content, the parents of students involved should be informed. The DLP should always record how the sexting incident was handled by the school, detailing any reports/referrals made.
5. **Ensure the students receive the necessary support.** A student is likely to feel distressed and will need pastoral support during the disclosure and following the event. The teacher should refer the student to the school's guidance counsellor and pastoral care system. The school should also inform the student's parents/guardians, unless doing so might put the child at further risk of harm. The school might also make the child aware of ISPCC Childline's services (Phone: 1800 66 66 66, Text: 50101).

◀ **Considerations for handling individual cases**


The following issues should be considered to ensure individual cases are handled appropriately:

People involved

What age are the people involved? If the child involved is very young, the sharing of intimate images might be a sign that there are risks to the welfare of the child. Sexual activity at a young age is an indicator that a child might have been abused or exposed to sexual activity. If the child involved is pre-pubertal, s/he cannot give consent to sexual activities and so the incident should be referred to Tusla.

Incidents of sexting among older students may not be cause for concern but as all cases of underage sexting are potentially illegal, these incidents will all need to be reported to the Gardaí for investigation. A student's parents should also always be informed when the school becomes aware that a student has been involved in sexual activity.

If the child involved is very young, the sharing of intimate images might be a sign that there are risks to the welfare of the child.



It is extremely important that schools do not copy, save or store any sexting content.

Was there an adult involved in this incident? If an adult was involved in the production or dissemination of the sexting material, illegal activity has taken place and the incident should be referred to Tusla and the Gardaí immediately.

Were other young people involved in creating/sharing the image? It is important to find out who else was involved as the welfare of other young people might be at risk.

Are the young people involved particularly vulnerable? Have they suffered abuse and could their actions be influenced by the behaviour of adults? When dealing with vulnerable children it is important to seek specific advice from Tusla.

Wellbeing

Does the student need immediate support or protection? The effects of non-consensual sharing on a person's wellbeing can be very serious. If a family member or friend has been involved in creating the explicit images, it may not be safe for the child to go home that evening. Tusla and the Gardaí should be contacted and their advice should be followed by the school. If the student is upset and distressed it might be advisable to draw on the services of the school counsellor, where possible. Support should also involve educating the student on how to deal with and prevent against incidents of online sharing going wrong.

Are you concerned about the wellbeing of other people involved? Do they need counselling/education? If other young people are involved, it is important that they too receive the necessary support. This might involve contacting the principal of a neighbouring school.



Some critical considerations

- Immediately inform the Gardaí and consult Tusla when made aware of an incident of sexting, involving minors.
- Do not send, save, print out or move from one device to another any sexting content involving minors. It is illegal to create, share or possess explicit content that features or involves minors and there is no exemption for school staff.
- Seek legal advice on how to handle any evidence brought to your attention.
- All records must be collected, stored and maintained in accordance with data protection legislation, The Data Protection Acts, 1988 and 2003. Due to the sensitive and personal nature of sexting incidents, any reports or records created regarding sexting incidents should be considered as highly confidential and placed in a secure location by the DLP. It is extremely important that schools do not copy, save or store any sexting content as to do so could potentially result in the school being implicated in the possession or distribution of child pornography.



Referrals to other agencies

1. It's important to **inform the Gardaí**. They will establish if the sexting content could be criminal.
2. It will be necessary to get advice from **Tusla** on how to support students involved. If you suspect that a child might have been subject to abuse, school personnel will need to refer the case to Tusla and the Gardaí.
3. Inform **parents/guardians/carers** about the sexting incident and how it is being handled. This communication will need to be managed carefully, especially if school personnel have child protection concerns. Some parents mightn't be familiar with the term sexting while others might rush to the conclusion that their child is in the wrong for sharing the picture in the first place. Informing parents of incidents of sexting requires sensitivity. Parents might not have been aware that their child had been in a romantic relationship or they may have explicitly prohibited their child from having romantic relationships. Explain to the parents/guardians/carers that the student may require additional support and make sure the parents/guardians/carers know how to access the necessary support.
4. Contact **hotline.ie** to report child pornography or images/videos that show other illegal activity. All internet service providers, including social media services, have tools that can be used to report and have illegal content removed. All content that falls under the definition for child pornography is illegal and will be removed. Most social media services also prohibit the non-consensual sharing of intimate content ('revenge porn') and will remove it when they have been notified of its existence.



Awareness and prevention

➤ Curriculum integration

The topic of sexting is best addressed in the context of the SPHE classroom, and more specifically in the lessons that deal with the topic of Relationships and Sexuality Education. It could be addressed in the implementation of the curriculum both at junior and senior cycle levels. Teaching resources on the topic include this resource, from Webwise and B4UDecide, from the HSE Crisis Pregnancy Programme.

◀ Awareness and prevention

The role of the school in promoting awareness and in helping prevent the non-consensual sharing of intimate images should not be underestimated. School-based initiatives can either reinforce positive efforts of parents or help counteract their unsuccessful attempts to change unacceptable behaviour. A positive school culture and climate is vital in preventing harassment of any kind, in this case sexual and online harassment. In accordance with the *Anti-Bullying Procedures*, all schools must implement education and prevention strategies, including awareness raising measures, to address the topic of cyberbullying.

Measures to raise awareness and prevent non-consensual sexting should examine the different types of non-consensual and consensual sexting and should engage pupils in addressing problems when they arise. In particular, strategies need to help foster empathy, respect and resilience. Prevention and awareness raising measures should also focus on educating pupils on appropriate online behaviour, and on developing a culture of reporting any concerns about sexting. Prevention strategies should take particular account of the needs of pupils with disability or with SEN and also should take into account the age and gender of the students targeted.

➤ Referral to support

All awareness raising campaigns should direct students to reputable sources of support. Education and awareness raising initiatives should highlight how the support available in the school can be accessed by students. Awareness raising efforts might also direct students to the list of helping organisations found in Appendix 2.

Endnotes

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- 3 Julia Lipmann and Scott Campbell. "Damned If You Do, Damned If You Don't...If You're a Girl: Relational and Normative Contexts of Adolescent Sexting in the United States." *Journal of Children and Media*, 8:4 (2014): 378.
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- 11 Jessica Ringrose, Rosalind Gill, Sonia Livingstone and Laura Harvey, "A qualitative study of children, young people and 'sexting': a report prepared for the NSPCC," (2012), 27.
- 12 *Ibid.*, 27.
- 13 *Ibid.*, 13.
- 14 SPIRTO, "Self-produced sexual images: Context and consequences. A summary of research findings," *Self Produced Images Risk Taking Online*, accessed 26 November 2015; available from http://www.spirto.health.ed.ac.uk/download/website_files/SPIRTO_Summary_20InterviewsAnalysis_FINAL.pdf
- 15 Ringrose, 13.
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- 17 SPIRTO.
- 18 Brian O'Neill and Thuy Dinh, *Net Children Go Mobile: Full findings from Ireland* (Dublin: Dublin Institute of Technology, 2015), 45.
- 19 Jessica Ringrose, Rosalind Gill, Sonia Livingstone and Laura Harvey, "A qualitative study of children, young people and 'sexting': a report prepared for the NSPCC," (2012), 15.
- 20 *Ibid.*, 25.
- 21 Julia Lipmann and Scott Campbell. "Damned If You Do, Damned If You Don't...If You're a Girl: Relational and Normative Contexts of Adolescent Sexting in the United States." *Journal of Children and Media*, 8:4 (2014): 373.
- 22 Ringrose, 7.
- 23 Charlotte Aynsley and others, eds., *'Sexting' in schools: advice and support around self-generated images*, 20.
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N18

LOCKERS

An SPHE Resource on the Non-Consensual Sharing of Intimate Images

nice pic

YUM DECENT!!

BOOK



Bronagh is a net SLUT



HOT STUFF Call me YUM!! I WANT YA I SO WOULD CALL ME CALL ME

Oh yeah!! N19

gone viral

cu ck s

Get a load of dis



Introduction to this resource

This educational resource was developed to support schools as they address the issue of non-consensual sharing of intimate images, in the context of the Social Personal and Health Education (SPHE) class.

The topic is best addressed in the context of the SPHE classroom, and more specifically in the lessons that deal with the topic of Relationships and Sexuality Education (RSE). It can be addressed in the implementation of the curriculum both at junior and senior cycle levels.

The role of the school in promoting awareness and in helping prevent the non-consensual sharing of intimate images should not be underestimated. This resource sets out to foster empathy, respect and resilience and to help young people understand the consequences of their actions.



When to use this resource

This resource is mapped to the Junior Cycle SPHE curriculum and is intended for use with second and third year students, as part of the RSE programme. However, this curriculum mapping shouldn't be limiting. It is expected that the resource could be adapted for use with Senior Cycle students and particularly with Transition Year students. Certain activities could be used in English media studies classes and in religion classes.

The resource can be used in response to problems that arise around the sharing of intimate content online and as a preventative measure.

Students with Special Educational Needs (SEN) may need additional support in accessing this resource. They should be enabled to understand and use language appropriate to particular situations and given every opportunity to place learning in its functional context.

Special consideration should be given when working with very vulnerable young people some of whom have been victims of extreme sexual abuse. For these 'children' a different approach or response is required and should be done by a person with suitable qualifications.

In the National Education Psychology Service continuum of support model this resource is in the 'Support for All' category. Unfortunately, hurt and fragile young people exist in too many schools around the country; teachers must be mindful of that when addressing the issue of sexting.



Be in Ctrl

Be in Ctrl is an SPHE resource developed by Webwise, in partnership with An Garda Síochána. It contains three lesson plans, an information pack for school leaders, and will be supported by a Garda Schools' Talk. The Be In Ctrl teaching resource has been developed to support teachers as they address the topic of online sexual coercion and extortion - often referred to as 'webcam blackmail'. It aims to help students in post-primary schools understand that online sexual coercion and extortion of children is a crime, to raise awareness of safe online communication and promote help-seeking and reporting incidents.

The Be in Ctrl resource complements Lockers and both focus on educating students on appropriate online behaviour and developing a culture of reporting concerns while fostering empathy, respect and resilience. It is recommended Lockers is used in the SPHE class before the Be in Ctrl resource.


Be in Ctrl can be ordered and downloaded from www.webwise.ie/beinctrl

Best-practice guidelines

TIP!
Check the students' emotional state before and after each lesson.

1. Due to the sensitive nature of this material, teacher preparation before each lesson is essential.
2. Check the students' emotional state, before and after each lesson. This could be done by asking students how they feel about the topic about to be explored, before the lesson and by then asking if their feelings have changed at the end of the lesson. You could also use an ice-breaker game to check how students are emotionally. A simple game involves asking students what the weather is like with them. The students then describe their emotional state through a weather forecast (e.g. "There was a damp and dreary start to the day in Tom Town but things have started to pick up now and we might even get some sun in the evening"). It is important that teachers are aware of the school's child protection policy and that they follow its procedures carefully in cases where students make sensitive disclosures in the SPHE class.
3. Know your students well and be aware of any possible issues they may have before teaching each lesson.
4. Be aware of all the supports available to you and to the students in your school. It is important to be well informed on the school's Child Safeguarding Statement, Bullying Policy and Child Protection Procedures before teaching the lessons in this pack.
5. These lessons deal with sensitive issues that can impact on the wellbeing of students in your class. For this reason, it is advisable that teachers have completed the introduction to SPHE two-day course before delivering this programme.
6. Inform your students of the supports available to them and highlight how each support can be accessed. If necessary, arrange for introductions before lessons take place. The school should distribute the list of supports included in Appendix 2 and draw students' attention to this resource.
7. Liaise with the guidance counsellor, pastoral care team or class tutor before embarking on this programme.
8. Leave time for debriefing at the end of the lessons. The suggested activities might sometimes take longer than indicated. Feel free to alter and omit activities to ensure that you address the specific needs of your class.

-
9. Discuss the content of these lessons with the SPHE team at your school. They may not all be trained in how to deliver these lessons or in how to teach SPHE.
 10. Ensure that the principal and parents are aware of the programme and when it will be taught in school. Parents (or in the case of a student over 18, the student him/herself) have a right to request that a student does not attend lessons on the basis that they disagree with the content. A sample letter to parents is included in Appendix 4.
 11. Establish ground rules around classroom behaviour and etiquette before attempting to introduce the sensitive topics addressed in this programme. See Appendix 1 for sample ground rules.
 12. Give students time to develop the level of emotional literacy needed to access all content. It is advised that this topic not be introduced until after students have developed their emotional-literacy skills in modules such as 'How I see myself and others' and 'Being an adolescent'.
 13. Follow the guidelines on school visits (see Appendix 3) if inviting someone in to speak on the topics covered in this resource. There are people who speak on this topic but not all of them meet the standards of the Department of Education and Skills (DES), according to DES Circular 0023/2010.
 14. Promote strong home/ school links. Due to the amount of time young people spend online in the home environment, it is important to gain parents support in reinforcing appropriate behaviour online. Webwise provide additional supports to help parents talk with confidence to their children about the benefits and risks of the online environment, including Parent's Guide to A Better Internet available to download at <https://www.webwise.ie/parents/>.



Best-practice guidelines for using the resource with students with SEN

1. To ensure that this programme is accessible to all students it is advisable for the SPHE teacher to consult and collaborate with the SEN department. They may provide advice pertaining to students with SEN in terms of differentiation, thus ensuring that the students can access the material, participate in the lessons and benefit from a full understanding of this issue. This is essential as students with SEN can be particularly vulnerable.
2. Due consideration should be given to planning for differentiation prior to the lessons being delivered. Vocabulary may need to be pre-taught to students with SEN to ensure that there is a full understanding of the content. There are four occasions in this resource where two versions of a worksheet have been developed, to allow for differentiation.
3. Teachers should be familiar with the SPHE guidelines for students with general learning disabilities at https://www.sess.ie/sites/default/files/Resources/Cirricular_Material/PP_SPHE.pdf. 'SPHE also explores growth, change, and personal and safety issues. This is important to students with mild general learning disabilities, since their inability to cue into social situations can often leave them more vulnerable to abuse and exploitation. The development of personal care skills is fundamental in the presentation of self to others. Much work is required in this area for these students, and careful planning for this section, in the context of RSE and the Stay Safe Programme, is recommended'.
4. The Special Education Support Service (SESS) course, Puberty, Relationships and Sexuality for Students with Autism and the seminar, 3'Rs to Bullying for Students with SEN, may be relevant training for some teachers
5. Consultation with parents of students with SEN may need to occur before the lessons take place. If the student has access to an SNA, the role and responsibility of the SNA will need to be very clearly defined.
6. When establishing classroom ground rules with students with SEN, it's a good idea to represent these ground rules visually. Rather than develop a list of rules, it might be best to have students create pictures to show the expected behaviour.

-
7. It is very important to follow through on how to get help, particularly if students have poor social and communication skills. Remember that students with SEN can be particularly vulnerable to exploitation and therefore follow through is essential.
 8. Additional teaching resources recommended to support students individual learning needs should be deployed in accordance with the guidelines provided in the DES Circular No 0014/2017 available at http://www.sess.ie/sites/default/files/inline-files/cl0014_2017.pdf.



Lesson 1:

The law on sharing intimate content



Lesson 1: The law on sharing intimate content



Core concept:

Being able to recognise that sharing intimate content is illegal for minors and the harm that sharing someone else's intimate content, without their permission, can cause will encourage students to act responsibly when they encounter intimate content online or when considering sending a sext.



Outcome:

Students will be able to determine when the exchange of intimate content online is illegal and will begin to consider the steps that can be taken when the exchange of intimate content online causes harm.



Curriculum links:

Junior Cycle SPHE Short Course: Strand 3:

Team up: The relationship spectrum; Sexuality, gender identity and sexual health

Junior Cycle SPHE: Modules: Relationships and sexuality; Friendship



Resources needed:

Worksheets 1.1 and 1.2



Methodologies:

Quiz, walking debate, group work, discussion



Differentiating this lesson for students with SEN

- Depending on the nature of the student's SEN, there may be a need to have several lessons prior to this lesson to decode and demystify the complex language surrounding this topic. If a student has a reading age of 8, for example, he/she will find it extremely difficult to access language such as 'explicit', 'consensual', 'non-consensual'. If a student has a moderate general learning disability content such as 'genitals' and 'topless' would need to be pre-taught thus ensuring that the learning task is compatible with prior learning.

- Some students with SEN, particularly those with dyslexia, may be unable to read/write answers to the questions in Worksheet 1.1: Private Pics Online Quiz. Due to the complex nature of the topic and language the use of assistive technology could be employed to ensure that the students can access the text and express their thoughts on the matter. Speech to Text technology or vice versa may also be of benefit here.
- Some teenagers with SEN may lack social judgement and may find it difficult to comprehend right from wrong or legal from illegal. Carefully scaffolding Activity 2 may assist these students in grasping the concept of legal/illegal. This is particularly pertinent as these students need to develop the skills to protect themselves. SESS provide training in Social Stories™ (<http://www.sess.ie/social-stories-30>).
- The walking debate in Activity 2 uses higher order thinking skills such as critical thinking. Due consideration should be given to the task to include all students.



Teachers' note:

It is advisable to read the **best-practice guidelines** before engaging in lesson delivery. Before leading any of the activities included in this resource, it's important that you have established clear ground rules with the class and that students see the SPHE class as an open and caring environment. Take the time to outline the supports available to students (both inside and outside of school), should they be affected by any of the issues discussed in the class and need to talk to someone. Highlight the fact that if there are any disclosures indicating underage sexual activity, you will be obliged to report the incident to the Designated Liaison Person. It is best to try to avoid discussing real cases, familiar to the students, and instead to focus discussions on the cases presented in the lessons.

ACTIVITY 1:

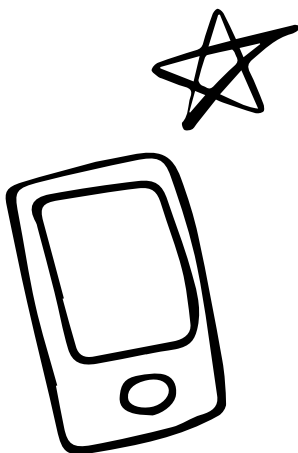
Private Pics Online Quiz - Establishing the facts



1. Explain to students that today's class will focus on sending intimate content online or through other technologies (commonly known as 'sexting') and in particular on identifying when this behaviour is illegal and more problematic. To set the context for the activities that come next, get the class to watch Forever (www.webwise.ie/lockers).



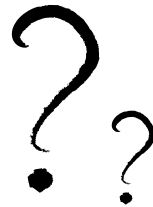
2. After watching Forever, explain to the class that you don't expect them all to know everything about sexting and that you want to emphasise that sexting is not something that everyone does. However fact, the sharing of intimate content without consent is always illegal. When the participants are under 18 it can even constitute a breach of the criminal laws which relate to child pornography.. The purpose of these lessons is to help prepare students should they ever find themselves being pressured to send intimate content or in a sexting situation that goes wrong.
3. This first activity will help inform you on the students' level of knowledge on the sharing of intimate content. The activity will also get students to think about some of the issues around the non-consensual sharing of intimate content.
4. Have students complete **Worksheet 1.1: Private Pics Online Quiz**. When students have finished the quiz, provide feedback on the correct answers. **The FYI sheet** will provide you with the information you need to give students the correct answers.





Worksheet 1.1:

Private Pics Online Quiz



1. What is sexting?

2. Taking, possessing or sharing intimate images of someone under the age of 18 is illegal.

True False

3. Taking, possessing or sharing intimate images of someone over the age of 18 without their consent is illegal.

True False

4. An intimate image is one which shows: (tick all that apply)

- people engaged in a sex act
- a topless guy
- a topless girl
- the genital region of a guy or girl

SHARING



5. Sharing intimate content to get revenge is illegal in Ireland.

True False

6. What does the word 'consent' mean?

7. Give some examples of when you might need to give consent.

8. Sharing someone else's nude selfies without consent is illegal.

True False

9. What does 'non-consensual' sharing mean?



FYI: Private Pics Online Quiz

The answers

1. Sexting is the sharing of sexual text, video, and photographic content using mobile phones, apps, social networking services and other internet technologies.
2. True. When minors are involved in sexting, the Child Trafficking and Pornography Act 1998 comes into effect, provided the content shared is sexually explicit and meets the definition of child pornography. There will also be breaches of the Harassment, Harmful Communications and Related Offences Act 2020 if the images meet the definition of “intimate image” under the Act and if the images have been taken, distributed or published without their consent.
3. True. The Harassment, Harmful Communications and Related Offences Act 2020 has been introduced to specifically criminalise revenge porn. If the pictures are taken, distributed or published without consent, an offence will have been committed and conviction can lead to imprisonment.
4. People engaging in a sex act, a topless girl, a girl in her bra, a guy in his boxers and the genital region of a guy or girl will all come within the definition of an intimate image under the Harassment, Harmful Communications and Related Offences Act 2020. If the person, or one of the persons in the picture is under 18, then the picture will also constitute child pornography under the Child Trafficking and Pornography act 1998. A topless guy would not meet the definition of an intimate image under the 2020 Act, but if he was under 18 then it is possible it would be deemed to be child pornography as the act states that any picture that suggests a child is available for sexual exploitation is illegal. Ultimately only a court could decide if a suggestive topless picture of a guy or a girl could be considered as explicit and illegal under the 1998 Act.
5. True. Sharing intimate images to get revenge on someone (commonly known as ‘revenge porn’) is now illegal in Ireland since the enactment of the Harassment, Harmful Communications and Related Offences Act 2020.
6. ‘Consent’ is the permission or agreement to allow something to happen.
7. Your school will often ask your parents to sign a consent form to allow you to go on a class trip or to be photographed and featured on a school website. You might also have heard the term ‘consent’ with regard to the age of consent for sexual intercourse. The age of consent is the age at which a person is thought to be mature enough legally to agree to partake in sexual acts.
8. True. Sharing someone’s nude selfies without consent is illegal under the Harmful Communications and Related Offences Act 2020, which is criminal legislation and can lead to imprisonment. Under data protection law, individuals have the right not to have their personal data, including their image, collected and published without consent. Anyone who publishes private content, received via sexts, online could be seen to be violating data protection laws or copyright laws and could have a civil lawsuit brought against them. If the people involved are under 18 the images could also be considered child pornography. Sharing explicit images of minors could result in prosecution for the distribution of child pornography. Penalties can include jail time and inclusion on the sex offender’s register. Repeated sharing of images could be considered as harassment.
9. Non-consensual sharing is the sharing of online content without the permission of the person who is the subject of the image or video.

ACTIVITY 2: Examining the different types of behaviour



Teachers' note:

There is a certain amount of judgement required in determining whether cases of sexting are illegal or not. Sexting between underage students will amount to a breach of the Child Trafficking and Pornography Act 1998, whether or not there is consent involved. Unsolicited “nude selfies” of the genital region may constitute offences under the 1998 Act and the Criminal Law (Sexual Offences) Act 2017. Where the images are shared without consent, then there will be breaches of the Harassment, Harmful Communications and Related Offences Act 2020 whether the students are over 18 or not. Some cases are clear cut and others are not and it is generally difficult to say for certain what the legal consequences might be. Ultimately these would only be decided by a judge. It is, however, important to highlight to students that it is illegal for any minors to be involved in the exchange of explicit content and minors involved can have very serious criminal charges brought against them. There is also no doubt as to the unlawful nature of taking or sharing of intimate images without consent since the recent introduction of the 2020 Act.

1. Once students have a clear idea on when it is illegal to exchange intimate content, have them work in pairs to analyse the case studies on **Worksheet 1.2: Legal or Illegal**.
2. Students will examine and discuss each of the case studies on the worksheet. They then will indicate whether what happened is legal or not.
3. You might choose to have students discuss these cases through a walking debate, rather than through pairs work. If using a walking debate, mark one side of the class as legal and one side as illegal. Then read the different scenarios out loud before having students move to different sides of the room depending on whether they think what happened is legal or illegal. In a walking debate, students then give their reasons for choosing a particular side and other students are free to change their mind by moving to the opposing half of the classroom.
4. Discuss the correct answers with the class, being sure to highlight any illegal behaviour.

Case study 1: Illegal. Not only are the images explicit and of someone who is underage (and by taking and sending the picture, Adam has committed two offences under the Child Trafficking and Pornography Act 1998 and two offences under the Criminal Law (Sexual Offences) Act 2017), namely “Causing child to watch sexual activity” and “Exposure, offensive conduct of sexual nature” but sending the unwanted images repeatedly could also be considered a form of harassment under the Non-Fatal Offences Against the Person Act 1997 and also may be an offence of sending grossly offensive communications under S.4 of the Harassment, Harmful Communications and Related Offences Act 2020.

Case study 2: Legal. The images are not explicit and are shared consensually.

Case study 3: Illegal. The images themselves are illegal, as Barry is under 18. When Laura then shares the images without Barry’s permission she commits an offence under the Harassment, Harmful Communications and Related Offences Act 2020.

Case study 4: Legal. Though Shauna is underage, the images are not explicit and are shared consensually.

Case study 5: Illegal. Even though Tommy and Zoe are old enough to consent to sexual intercourse, this activity is still illegal as Tommy didn’t get consent for recording. This is a clear breach of the Harassment, Harmful Communications and Related Offences Act 2020. Also, because Zoe is a child as defined under the Child Trafficking and Pornography Act, 1998, the recording constitutes child pornography.



Worksheet 1.2:



Legal or Illegal?

Case study 1:

Adam (16) sends Emma (14) lots of nude selfies. She never asked for these images and is bothered by the images. They make her feel upset as they are quite explicit. Adam keeps sending the images because he enjoys getting a rise out of Emma.

Legal/Illegal/Depends?.....
Reason:

Case study 2:

Shane (16) sends Kevin (15) lots of selfies. They have been going out for 6 months and occasionally send various topless photos to each other.

Legal/Illegal/Depends?.....
Reason:

Case study 3:

Barry (17) sends Laura (18) nude selfies using an app where photos last for only a few seconds. He really didn't want to send the pictures but Laura said she'd break up with him if he didn't "live a little". Before sending the pictures he makes Laura promise that she won't record any of the images. Against Barry's will, Laura decides to save some of the pictures. One day Barry and Laura have a fight. Laura shares the pictures online to get her own back on Barry.

Legal/Illegal/Depends?.....
Reason:

Case study 4:

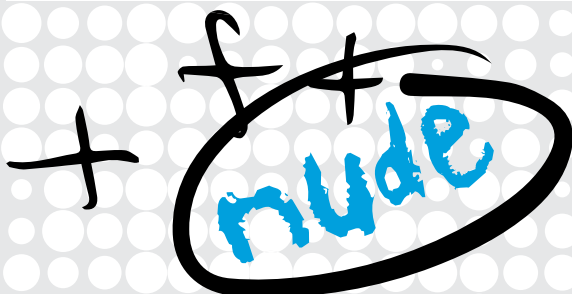
Shauna (16) sends Conor (18) pictures of her sunbathing on holidays. The pictures are sexy but not explicit. Shauna really wants to be a model and so gives Conor permission to post some of her sexy bikini pictures to an online modelling contest.

Legal/Illegal/Depends?.....
Reason:

Case study 5:

Tommy (19) really wants some erotic videos of his girlfriend but is afraid to ask. Instead he decides to film them while they're having sex. His girlfriend, Zoe (17), has no idea that he is filming them.

Legal/Illegal/Depends?.....
Reason:



ACTIVITY 3: Is there consent?

1. As a precursor to a class discussion, students will compare what happened in case study 2 with what happened in case study 3 and what happened in case study 4 with what happened in case study 5.
2. Ask students to identify how the cases differ. This activity will help students to establish that sharing intimate content is most harmful and upsetting when images/videos are shared non-consensually or without the permission of those involved.
3. The following questions will help to direct the discussion:

Q. How do the cases differ?

Sample answer: In cases 2 and 4 images are shared consensually and no harm is caused. In cases 3 and 5 there is a lack of consent. In case 3, Laura shares Barry's image, without his consent and in an attempt to get revenge on him. In case 5, Tommy doesn't get Zoe's consent before creating explicit content. Both Zoe and Barry have reason to be very upset at what has happened. They trusted their partners and this trust has now been abused.

Q. What does consent mean? Do you have to get verbal or written agreement or can consent be implied?

Sample answer: In order to have consent to post or share a photo, you must have gotten explicit permission to share the photo. You will need to have indicated where you intend to share the photo and have gotten either verbal or written confirmation that you have permission to share the content. The sending of a sext does not imply that the recipient has consent or permission to share the image in other contexts.

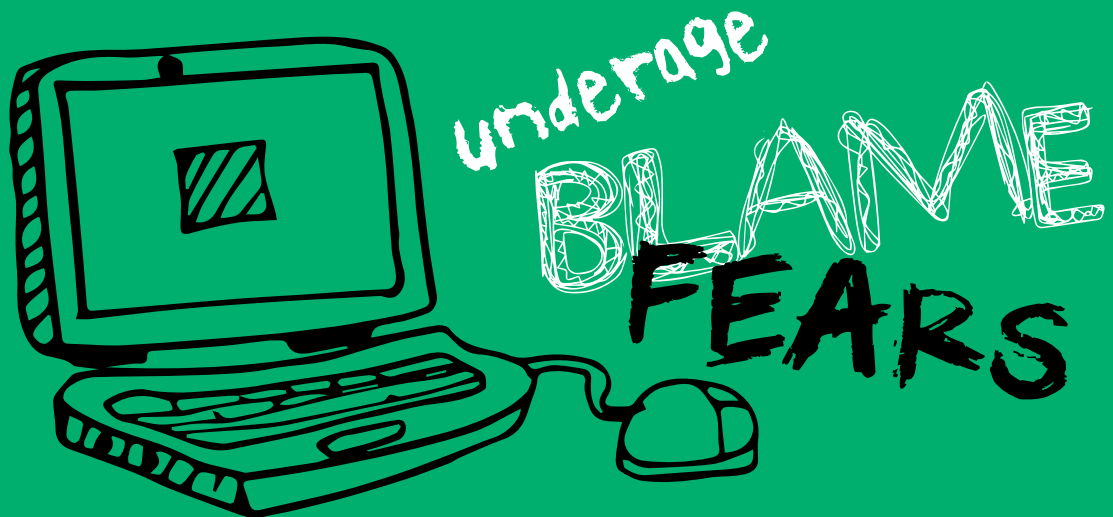
Q. What should Barry and Zoe do to address the situations in which they find themselves?

Sample answer: Barry and Zoe should first try to speak to their partners and have them delete the content before it spreads any further. If Tommy and Laura refuse to remove the explicit content, Zoe and Barry should report the incident to the Gardaí as there have been criminal offences committed by Tommy and Laura. They should also report the post using the reporting tools on the relevant social networks. Most social networks have a policy against the non-consensual sharing of intimate images and will remove content once they are notified. They could also report the incident to the Data Protection Commissioner. Both Barry and Zoe might also seek support from family, friends, teachers and Childline.



Lesson 2:

When online sharing goes wrong



Lesson 2: When online sharing goes wrong



Core concept:

This lesson gives students an opportunity to explore the emotions involved in incidents of non-consensual sharing of intimate content and to develop strategies for coping effectively and compassionately.



Outcome:

Students will be able to respond in a sympathetic, empathetic and effective manner to witnessing or being involved in incidents of non-consensual sharing.



Curriculum links:

Junior Cycle SPHE Short Course: Strand 3: Team up: The relationship spectrum

Junior Cycle SPHE: Modules: Relationships and sexuality; Friendship



Resources needed:

For *Your Eyes Only* video animation (available to watch and download at www.webwise.ie/lockers), worksheets 2.1 and 2.2



Methodologies:

Video analysis, reflective diary writing



Differentiating this lesson for students with SEN

- Some students with general learning disabilities may struggle to access the animation, due to its abstract nature. To enable these students to access the animation, provide an introduction to the animation, explaining the context and topic addressed.
- Writing a diary entry can be challenging for students with literacy difficulties. For Activity 2, use the differentiated worksheet 2.1 (b) to assist students who may have slow

processing or memory difficulties in figuring out the main points. Students with SEN may have difficulty in reading aloud. Avoid putting pressure on individual students to read aloud.



Teachers' note:

It is advisable to read the **best-practice guidelines** before engaging in lesson delivery. Before leading any of the activities included in this resource, it's important that you have established clear ground rules with the class and that students see the SPHE class as an open and caring environment. Take the time to outline the supports available to students (both inside and outside of school), should they be affected by any of the issues discussed in the class and need to talk to someone. Highlight the fact that if there are any disclosures indicating underage sexual activity, you will be obliged to report the incident to the Designated Liaison Person. It is best to try to avoid discussing real cases, familiar to the students, and instead to focus discussions on the cases presented in the lessons.



ACTIVITY 1: Empathising with those involved



1. Explain to the students that today's class will focus on how incidents of non-consensual sharing can affect those involved. The lesson will also begin to consider how to help those involved in incidents of harmful non-consensual sharing.
2. After watching *For Your Eyes Only* (www.webwise.ie/lockers), students will create short fact files for each of the characters featured in the film using **Worksheet 2.1 (a) or (b)** (there are two versions of the same worksheet. Worksheet 2.1 (a) is intended for the majority of students while Worksheet 2.1 (b) is intended for students with SEN). These profiles will help the students to empathise with those involved in upsetting incidents of non-consensual sharing.
3. In pairs, students will then discuss how they think the different characters might feel and consider what might have caused them to do what they did.



Worksheet 2.1 (a):

Why did they share the pictures?

Complete the fact files for each of the characters in the video.
Try to put yourself in the minds of the different characters.
Use the words below to help you describe how they felt.



Name: Bronagh 

Age: 15

Likes:

Why I sent the picture:

A word and an emoji that describes:
how I felt before I sent the picture:

how I felt when I sent the picture:

how I feel now about what happened:

Name: Seán 

Age: 15

Likes:

Why I sent the picture:

A word and an emoji that describes:
how I felt when Bronagh shared the picture:

how I felt when I shared the picture:

how I feel now about what happened:



Worksheet 2.1 (b):

Why did they share the pictures?

Pretend you are Bronagh or Seán.

Fill in the fact file.

This will help you see why they shared the pictures.

Name: Bronagh Seán

Age: 15

I sent the pictures:

To get attention

Because other people were sending pictures

By mistake

Because I wanted to send them

Because I was asked to send them

Circle the emoji that describes:

How I felt before I sent the pictures:



How I felt when I sent the pictures:



How I feel now about what happened:



ACTIVITY 2:

Coming to terms with the aftermath

1. Get students to reflect on *For Your Eyes Only* (www.webwise.ie/lockers) by writing a diary entry (using **Worksheet 2.2 (a) or (b)**) from the perspective of Bronagh.
2. After completing the activity, students will read the diary entries to each other and discuss the issues raised.
3. Students will specifically discuss what could be done to help victims in coming to terms with incidents of non-consensual sharing of intimate content. Be sure to direct students to the support services available in the school and to the helping organisations listed in Appendix 2.





Worksheet 2.2 (a):

Dear Diary



Write a diary entry from Bronagh’s perspective. In the diary entry talk about how it felt going into school after the photo had been shared. In the diary entry consider any fears you have about what will happen next and how you intend to face those fears. Finally, think about what could be done to make life easier for victims of non-consensual sharing of intimate content.

Dear Diary,

So I did it! I faced the music in school today. It was probably the hardest thing I’ve ever had to do... to face all those people, knowing that they’ve seen me like this.

I’m really not sure if tomorrow will be any better. I worry that...

In order to get through this whole ordeal I’m going to:

I wish things could be different for me and for all victims.

Please let tomorrow be easier!

Bronagh 



Dear Diary

Pretend you are Bronagh. Write a diary entry. In the diary entry describe what happened when you went into school after the photo had been shared.

Dear Diary,

Today was the worst day in school ever. Everyone had seen the photo.

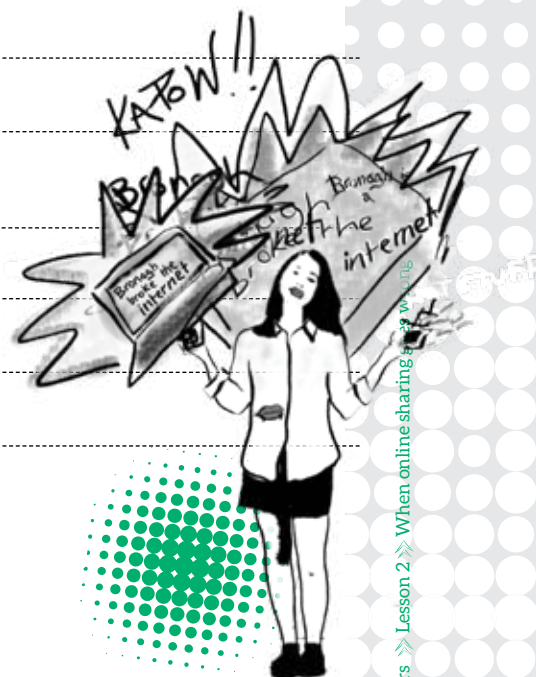
I felt:

When I saw Seán

It helped me when:

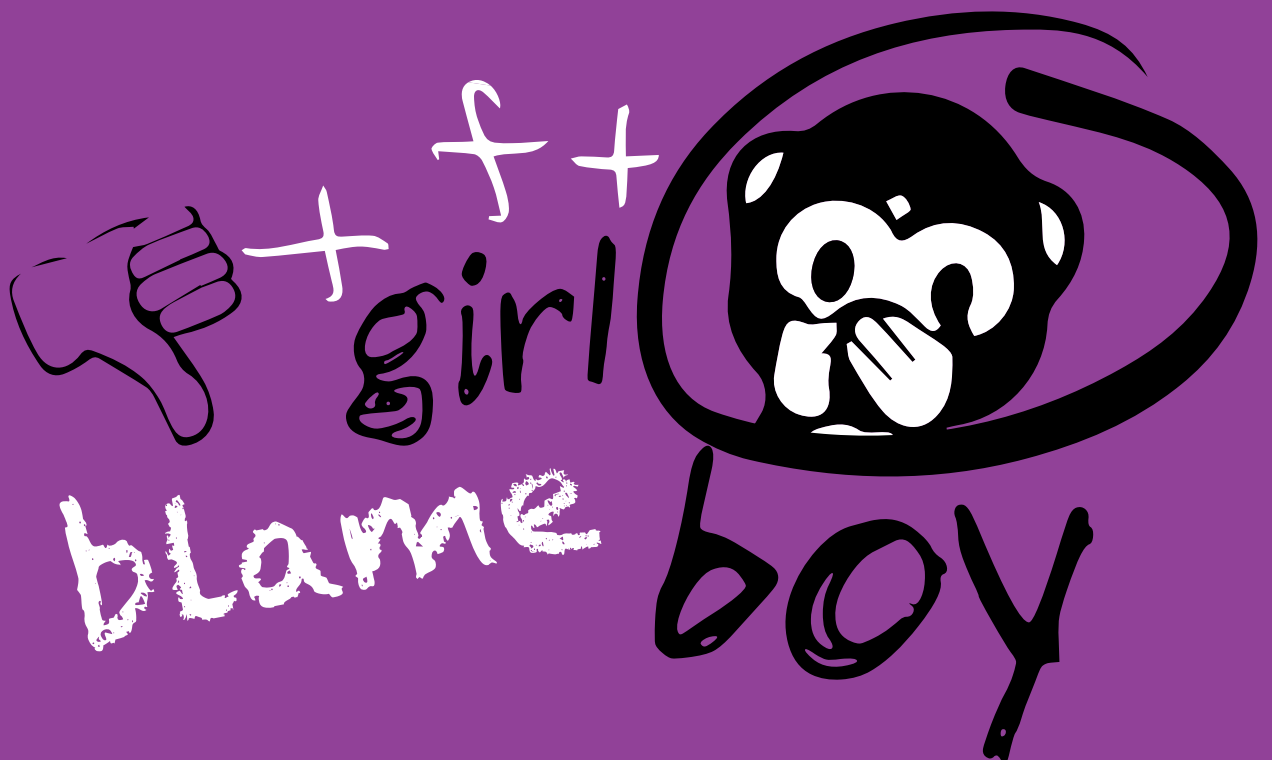
I hope things will be easier tomorrow!

Bronagh ★



Lesson 3:

Victim blaming



Lesson 3: Victim blaming



Core concept:

This lesson gives students an opportunity to explore the issue of victim blaming, which can often arise when incidents of non-consensual sharing have occurred.



Outcome:

Students will be able to respond in a sympathetic, effective and non-victim blaming manner to witnessing or being involved in incidents of non-consensual sharing.



Curriculum links:

Junior Cycle SPHE Short Course: Strand 3:

Team up: Media influence on relationships and sexuality

Junior Cycle SPHE: Modules: Relationships and sexuality; Friendship; Influences and decisions



Resources needed:

For Your Eyes Only (available to watch and download at www.webwise.ie/lockers) video animation, extract from *Asking For It*, worksheet 3.1



Methodologies:

Video analysis, reading comprehension, class discussion



Differentiating this lesson for students with SEN

- Consider using the pictures in this resource to explain the concept of victim blaming. This may be essential if the student's ability to process information, read social cues or make abstract connections is diminished in some way.
- Activity 2: Asking For It is optional. The reading age of the extract is approximately 16 years so is more suitable for use with older students or with students of high ability.



Teachers' note:

It is advisable to read the **best-practice guidelines** before engaging in lesson delivery. Before leading any of the activities included in this resource, it's important that you have established clear ground rules with the class and that students see the SPHE class as an open and caring environment. Take the time to outline the supports available to students (both inside and outside of school), should they be affected by any of the issues discussed in the class and need to talk to someone. Highlight the fact that if there are any disclosures indicating underage sexual activity, you will be obliged to report the incident to the Designated Liaison Person. It is best to try to avoid discussing real cases, familiar to the students, and instead to focus discussions on the cases presented in the lessons.

ACTIVITY 1: Victim blaming



1. Re-watch *For Your Eyes Only* (www.webwise.ie/lockers). In *For Your Eyes Only*, Seán's defence was that Bronagh shouldn't have sent the sexts in the first place. This is an example of victim blaming.
2. Throughout history and in modern day society, there are countless examples of cases where the victim is held responsible for his/her own violation. Have you ever heard the phrase "oh, he/she was asking for it"? Often times that phrase can indicate a case of victim blaming. Victims of rape are sometimes blamed for their own rape because of their choice of clothing or because they didn't fight back. People feel that a person who gets beaten up or mugged while walking home late at night should have known better than to walk through a dangerous area. When money is stolen from a locker in school, the victim can sometimes be blamed for being careless and leaving the locker unlocked in the first place. A guy who gets knocked out by his opponent on a football pitch can be blamed for taunting or mouthing off in the first place.
3. Lead a class discussion on the following questions:

Q. Can you give other examples of victim blaming?

Q. Why do you think Seán and the other students were inclined to blame Bronagh for what happened?

Sample answer: Seán was inclined to blame Bronagh for what happened to deflect the blame and protect himself. One of the reasons why the other students might have blamed Bronagh was to distance themselves from what happened. Doing this might have given the other students a false sense that this would not have happened to them. Another reason why people blame a victim is because they fear change and don't want to highlight the crime that has taken place.

Q. Do you think the comments written on the lockers were fair?

Sample answer: The comments written on the lockers were extremely hurtful. The name-calling that Bronagh endured is never justified and is a form of bullying that should be reported to school management immediately. Some people might argue that Bronagh must take a certain level of personal responsibility for what happened, given the fact that she took the photo in

the first place. However, Bronagh never gave consent for the photo to be shared and could not have imagined that the photo would be shared as it was.

4. Have the students imagine they are Bronagh's friend. Have the students use **Worksheet 3.1** to write a note to Bronagh, expressing their support and advising her on where to go for help. It might be useful to distribute the list of helping organisations found in Appendix 2.





Worksheet 3.1:

Dear Bronagh

You are Bronagh's friend and are horrified at the abuse she has endured. You decide to drop a note in her locker to try to make her smile and to support her. In the message you should give her advice on who could offer help. Feel free to draw a picture if you think this would be more effective.

A NOTE FROM...



ACTIVITY 2:

(optional activity,
suited for use with
senior cycle students):

Asking For It

1. Have students read the **extract from Louise O'Neill's book, *Asking For It***. When an 18-year-old girl is raped by members of the local football team, her community turns on her. Pictures of the boys violating the victim, Emma, are shared all over social media and yet the community justifies their footballing heroes' behaviour by blaming Emma for being drunk, for wearing provocative clothes, for "asking for it". This extract from the book is an opinion piece that appears in the local newspaper.
2. After reading the extract, have students consider the impact that victim blaming and reading the newspaper article might have on Emma, the victim of rape. Discuss this issue, using the following questions to lead the discussion.

Q. How might Emma feel, having read this article?

Q. Why do you think people blame victims for the crime that has been committed against them?

Sample answer: One reason people blame a victim/survivor is to distance themselves from an unpleasant occurrence. This gives people a false sense that this could not happen to them. Another reason why people blame a victim is because they fear change, are ashamed and don't want to highlight the crime that has taken place.

Q. Explain how the extract is an example of victim blaming.

Sample answer: The author of this piece is very selective about the details she includes in the piece. She highlights the poor emotional well-being of a bereaved mother to encourage the reader to sympathise with the accused. Meanwhile she never describes how the victim, Emma, or her family have been affected by the crime. Instead the journalist uses a hyperbolic final sentence to place the blame for the crime firmly on the victim and thus manipulates her readers into agreeing with her vein of thought.

3. Have the students prepare a television news report on the Ballinatoom case. The case is about to be heard in court. In the report the students must avoid victim blaming and should also avoid using language that might prejudice the case.

ACTIVITY 2:**Extract from Asking For It by Louise O'Neill**

When an 18-year-old girl is raped by members of the local football team, her community turns on her. Pictures of the boys violating the victim, Emma, are shared all over social media and yet the community justifies their footballing heroes' behaviour by blaming Emma for being drunk, for wearing provocative clothes, for "asking for it". This extract from the book is an opinion piece that appears in the local newspaper. After reading the extract, consider the questions that follow.

I thumb through the paper (a photo of Bernadette and Sheila at a charity event – where was Mam?), a drizzle of olive oil turning the paper transparent in the middle of the page, stopping when I find what I'm looking for. 'As many of my loyal readers will know,' Veronica Horan writes, 'I have been writing about the degradation of Ireland's ethical value system for some time now. Spoiled by indulgent parenting during the Celtic Tiger years, the youth of today show no sense of community spirit or civic duty. Nowhere is this more clear than in our young women. You can see them on a Saturday night, falling over in their high-heeled shoes, skirts worn so short that you can see their knickers. That is if they deign to wear underwear. You can spout all the nonsense you like about equal rights, but the truth is – women have to take responsibility for themselves and their own safety. If they are going to insist on wearing such revealing clothes, if they are going to insist on getting so drunk that they can barely stand, then they must be prepared to bear the consequences. The so-called "Ballinatoon Girl" should ask a few questions of herself. Did anyone force her to drink so much? Did anyone force her to take illegal drugs, as it has been alleged she did? No. And yet she is asking us to place the blame upon four young men. These youngsters have continued to protest their innocence. And I believe them. I've never experienced anything like it before. I have watched as their lives have fallen apart, I have watched the effects this heinous accusation has had on their families. The mother of one of the men, vulnerable after the death of a son many years ago, is reported to be suffering from a nervous breakdown. Has the Ballinatoon Girl given any thought to this poor woman and her emotional well-being? I think not. I doubt that she cares that as a result of her actions our community is being torn apart at its very foundations.'

Q. How might Emma feel, having read this article?

Q. Why do you think people blame victims for the crime that has been committed against them?

Q. Explain how the extract is an example of victim blaming.

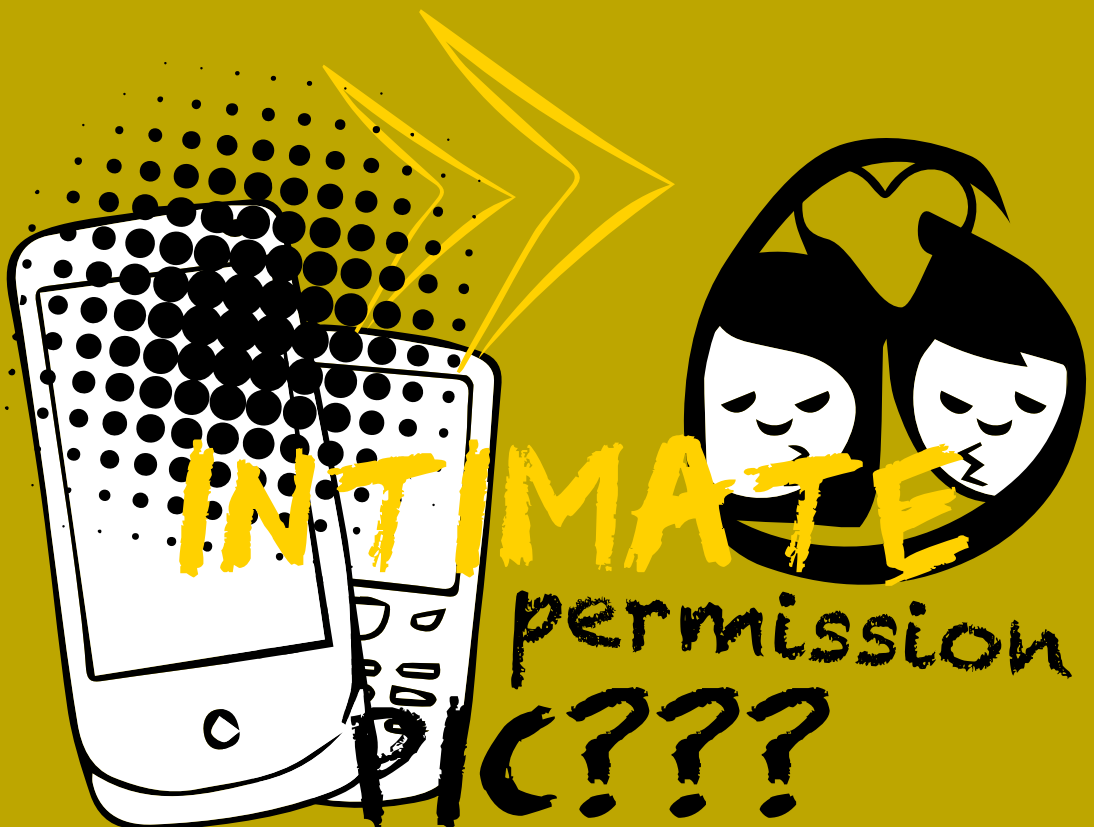
**INTIMATE
permission
PIC???**





Lesson 4:

Peer pressure and non-consensual sharing



Lesson 4: Peer pressure and non-consensual sharing



Core concept:

Non-consensual sharing and subsequent victim blaming can be as a result of a number of harmful gender stereotypes, media influences and peer pressure. This lesson gives students an opportunity to analyse the influence of peers in incidents of non-consensual sharing.



Outcome:

Students will have debated how peer pressure can contribute to the prevalence of non-consensual sharing of intimate content and a culture of victim blaming.



Curriculum links:

Junior Cycle SPHE Short Course: Strand 3: Team up: The relationship spectrum

Junior Cycle SPHE: Modules: Relationships and sexuality; Influences and decisions



Resources needed:

Just For Fun video animation (available to watch and download at www.webwise.ie/lockers), Worksheet 4.1



Methodologies:

Video analysis, debate



Differentiating this lesson for students with SEN

- Some students with general learning disabilities may struggle to access the animation, due to the abstract nature of the animation. To enable these students to access the animation, provide an introduction to the animation, explaining the context and topic addressed.
- Dedicated lessons may be needed to explain the concept of peer pressure to students with SEN, depending on their needs.
- Significant scaffolding may need to occur to enable students with SEN to participate in the debates in Activity 2.



Teachers' note:

It is advisable to read the **best-practice guidelines** before engaging in lesson delivery. Before leading any of the activities included in this resource, it's important that you have established clear ground rules with the class and that students see the SPHE class as an open and caring environment. Take the time to outline the supports available to students (both inside and outside of school), should they be affected by any of the issues discussed in the class and need to talk to someone. Highlight the fact that if there are any disclosures indicating underage sexual activity, you will be obliged to report the incident to the Designated Liaison Person. It is best to try to avoid discussing real cases, familiar to the students, and instead to focus discussions on the cases presented in the lessons.

ACTIVITY 1:

When the fun gets out of hand – tackling peer pressure



1. Explain to the students that today's class will focus on the pressures that can cause one to share intimate content, without permission.
2. After watching *Just For Fun* (www.webwise.ie/lockers), students will use **Worksheet 4.1** to examine how peer pressure influenced Seán's actions. The worksheet will also help the students to recognise the potential consequences for Seán.
3. In pairs, students will then discuss their answers and consider the different factors that cause one to share intimate content, without consent.

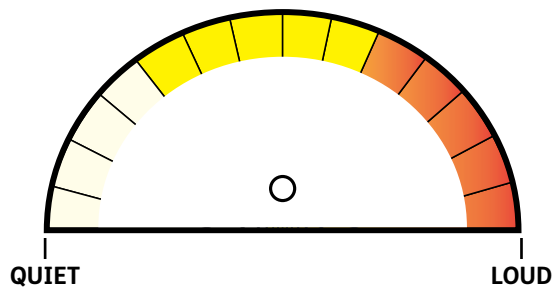


Worksheet 4.1:

When the fun gets out of hand – tackling peer pressure

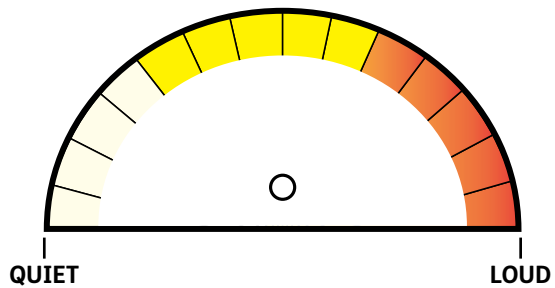
As you re-watch *Just For Fun*, fill in the noise-o-meters below to capture the audience’s reaction at three key moments.

a. At the start of the gameshow



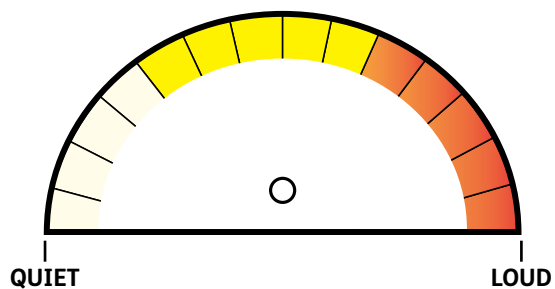
How did this reaction influence Seán? _____

b. When Seán takes and sends the first selfie



How did this reaction influence Seán? _____

c. Just before Seán shares Bronagh’s picture



How did this reaction influence Seán? _____



Worksheet 4.1:

When the fun gets out of hand – tackling peer pressure

(continued)

1. When did Seán go too far?

2. The studio audience fades into the background when the consequences of Seán's actions become apparent. What message does this metaphor convey?

3. What do you think will happen as a result of Seán's actions?

4. Is there anything Seán could do to rectify the situation?

ACTIVITY 2:

Peer pressure to send intimate content

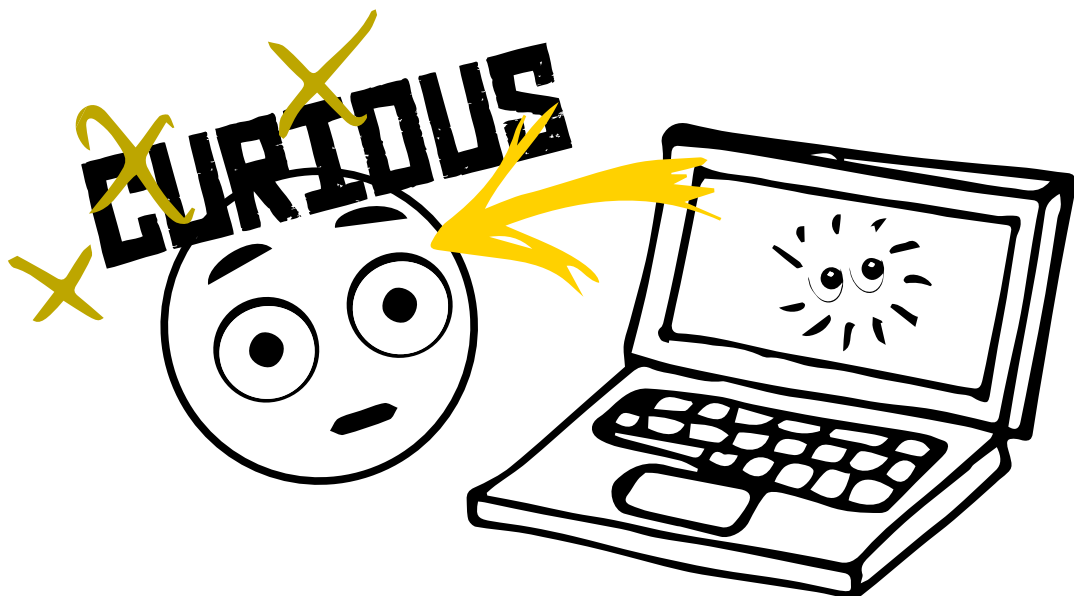
1. To examine further the attitudes and pressures that cause one to share intimate content, lead a class debate on the following topics:

If the person really liked you, they wouldn't make you send a nude

Young people are under pressure to send intimate images

There is more pressure on girls than on boys to sext

2. Make sure to highlight to students the fact that explicit images and photos of a minor are illegal, under the Child Trafficking and Pornography Act. No matter how much pressure young people are put under, they should not create or distribute these images. Also, remind students that though, sometimes, it might seem as if everyone is sexting and exchanging explicit images, this is not the case. Only a minority of students participate in this behaviour.



Lesson 5:

The influence of media and
gender stereotypes



Lesson 5: The influence of media and gender stereotypes



Core concept:

Non-consensual sharing and subsequent victim blaming can be as a result of a number of harmful gender stereotypes, media influences and peer pressure. This lesson gives students an opportunity to analyse these influences, pressures and stereotypes and to develop strategies for promoting a culture of greater respect in online communications.



Outcome:

Students will have analysed how the media and gender stereotypes can contribute to the prevalence of non-consensual sexting and a culture of victim blaming. Students will develop strategies for tackling harmful peer pressure.



Curriculum links:

Junior Cycle SPHE Short Course: Strand 3:

Team up: Media influence on relationships and sexuality

Junior Cycle SPHE: Modules: Relationships and sexuality; Influences and decisions



Resources needed:

Newspapers and magazines, Tips for resisting the pressure advice sheet, Worksheet 5.2, list of helping organisations from Appendix 2



Methodologies:

Video analysis, debate, media analysis



Differentiating this lesson for students with SEN

- Dedicated lessons may be needed to explain the concepts of gender stereotypes and media influences to students with SEN, depending on their needs.



Teachers' note:

It is advisable to read the **best-practice guidelines** before engaging in lesson delivery. Before leading any of the activities included in this resource, it's important that you have established clear ground rules with the class and that students see the SPHE class as an open and caring environment. Take the time to outline the supports available to students (both inside and outside of school), should they be affected by any of the issues discussed in the class and need to talk to someone. Highlight the fact that if there are any disclosures indicating underage sexual activity, you will be obliged to report the incident to the Designated Liaison Person. It is best to try to avoid discussing real cases, familiar to the students, and instead to focus discussions on the cases presented in the lessons.

ACTIVITY 1: Gender issues

1. This lesson will help the students develop strategies for recognising and resisting the pressures, stereotypes and influences that can lead to non-consensual sharing.
2. Seán's actions in the animations, viewed in previous classes, were both reckless and harmful. Students will consider the following question:

Q. What do Seán's actions tell us about his attitude towards women?

Sample answer: Seán's actions show a lack of respect for Bronagh and her right to privacy. He violates the trust she showed in him by sending the pictures on to his friends. He uses the pictures to gain status with his friends. Though he mightn't have intended it, Seán's actions show that he thinks of women as prizes to show off.

3. Have students examine some magazines, newspapers and other forms of media to see how the media might have influenced how Seán treats Bronagh and to see if Seán's attitude is commonly held.

Q. Are there differences around how the media treats women's bodies and sexuality, as opposed to men's?

Sample answer: It is much more common for journalists to comment on women's bodies and to judge and describe a female celebrity based on her physical attributes. In certain publications there are many example where a woman's beauty and sex-appeal is used to sell a product. Men are seldom used in this way. The sexualisation of women's bodies wrongly normalises the practice of seeing women primarily as sexual objects. This attitude could influence how men treat the women in their lives.

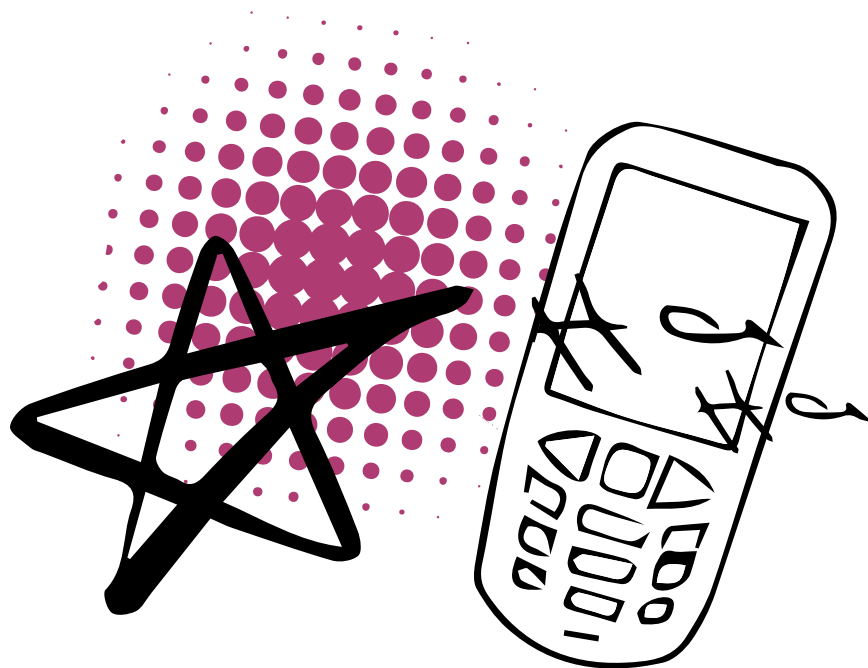
Q. What could be done to encourage young people to treat each other with greater respect?

Sample answer: It is important that young people are educated on treating others with respect, both online and offline. Here, it can be useful to help young people empathise with others and to see situations from different perspectives. It's also important that young people are made aware of the pressures and stereotypes that might influence their actions and are given advice on overcoming these pressures. When it comes to sending nudes, it's important that young people seriously consider the potential consequences of sending the messages. They should wait till they are of age and in a loving and trusting relationship before sending nudes.

ACTIVITY 2:

Resisting the pressure

1. Give each student a handout with **Tips for resisting the pressure** and encourage them to read the tips (again, differentiated versions of the advice sheet are included).
2. Get each student to complete **Worksheet 5.2**. This worksheet requires students to compose a text in which they demonstrate an ability to be assertive and resist giving in to peer pressure.
3. Have the students exchange ideas for responding to the text.





Worksheet 5.2:

Resisting the pressure

Seán is being pressured to send intimate pictures of his girlfriend, Bronagh, to his friends. Write the text message that Seán sends in reply to this group message. In the message Seán needs to resist the peer pressure and make it clear that he won't be sending the private images along. You might find the **Tips for resisting the pressure** advice sheet useful.

← GROUP CHAT: The Boyos 🤪

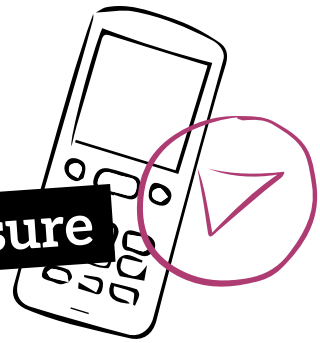
Nah, I don't believe Seán. Like what girl would send him a nude?! 😏😏 He looks like he's 10. Pics or it didn't happen, Seán!!! ✓

Blank text input area for writing a reply message.

Tips for resisting the pressure (a)

Check out these tips that will

help you resist peer pressure



DON'T MAKE IT WORSE:

Don't accuse or blame the other person for anything, simply state your views and wishes. Listen to what they say and acknowledge their point of view. "Yes, I hear what you're saying, but I'm still not going to..."

EXPECT THE PERSON TO ACCEPT WHAT YOU'RE SAYING:

If this person cares about you, they will accept what you are saying and will not continue to put pressure on you.

WATCH THE TEXT SPEAK:

Is it bullying or banter? Without body language and facial expressions, it's often hard to know the difference. Make sure you're clear on what the other person is saying before replying. Sometimes it might even be best to clarify things in person.

SAY SOMETHING POSITIVE FIRST:

Begin by saying something positive to the other person, for example:
"You are my friend but..."
"I want to have a good time but..."
"I really like you, but I don't want to..."

YOU DON'T NEED TO GIVE A REASON:

Avoid being manipulated into giving further explanations. If the person requests a reason, repeat a short, clear statement, such as: "I've already said I don't want to and I'm not going to change my mind."

USE SHORT CLEAR STATEMENTS:

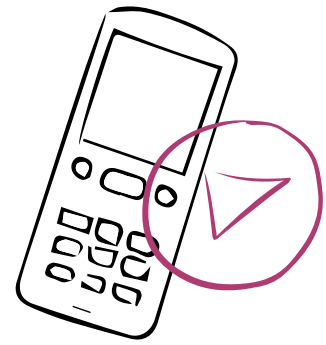
"I don't feel like..."
"I think it's unfair to ..."
"I'm not going to ..."

WALK AWAY OR BLOCK THE SENDER:

Constant messaging can put you under a lot of pressure to do something you don't want to do. In extreme situations, where you are not being heard and your safety is under threat, you may need to walk away or block the person who is pressuring you.


Tips for resisting the pressure (b)


Check out these tips that will help you resist peer pressure




Use short clear statements.


Don't blame the other person. It could make things worse.

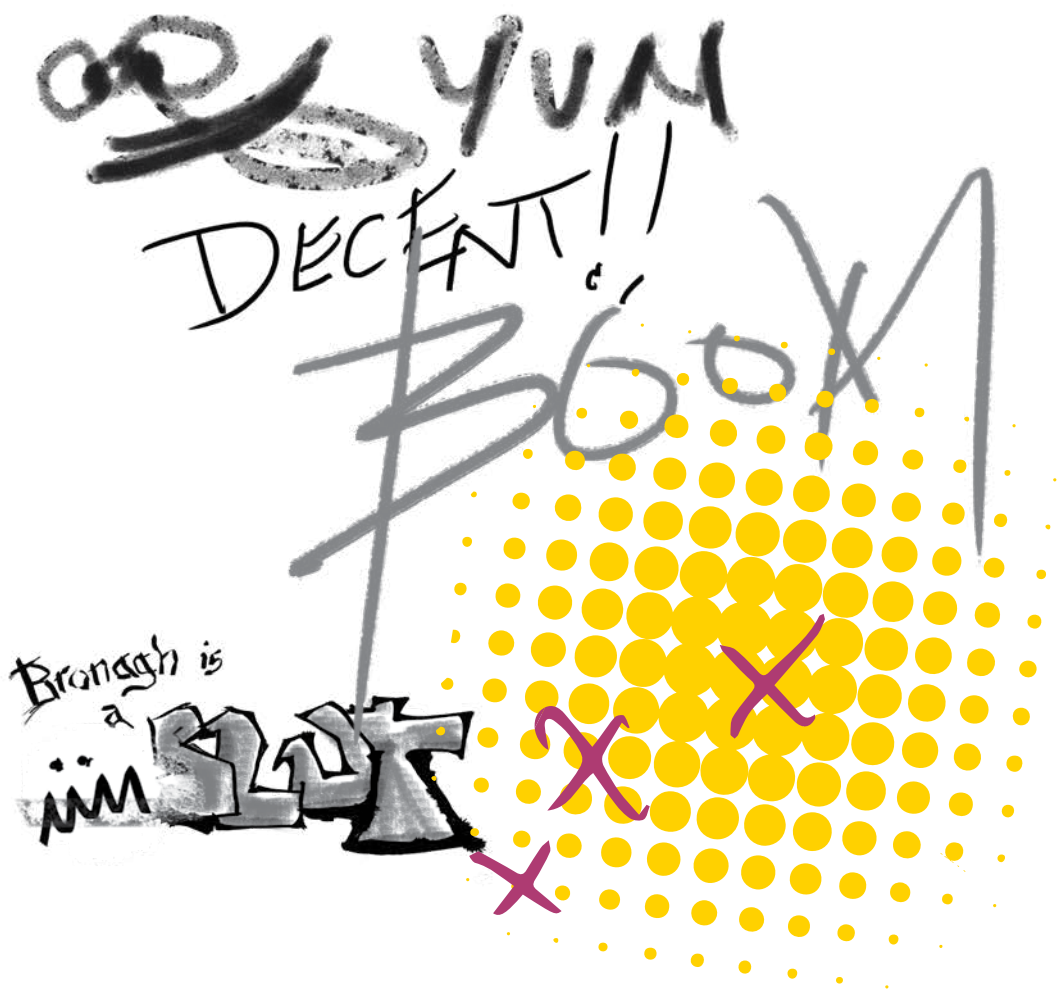
If the person cares about you they will accept what you say. 

Watch the text speak: Is it bullying or banter? 


Say something positive first.


You don't need to give a reason.


If you feel scared, walk away or block the sender.



Lesson 6:

Getting help when your digital
content seems to last forever



Lesson 6: Getting help when your digital content seems to last forever



Core concept:

Exploring the persistent nature of digital content will help students to become more responsible in their sexting and photo sharing practices.



Outcome:

Students will create an awareness campaign to support people who are the victims of non-consensual sharing of intimate content. Students will be able to report incidents of non-consensual sharing, take steps to prevent the offending content from spreading further and access support services.



Curriculum links:

Junior Cycle SPHE Short Course: Strand 2
Minding myself and others: Anti-bullying and
Strand 3 Team up: The relationship spectrum
Junior Cycle SPHE: Modules: Friendship;
Relationships and sexuality education



Resources needed:

Role play on Worksheet 6.1, list of helping organisations from Appendix 2



Methodologies:

Role play, group work



Differentiating this lesson for students with SEN

- Good participation in Activity 1 is dependent upon students having good literacy skills. The roles of Deirdre, Paul and Jack have been differentiated so that they should be accessible for weaker readers. Students with SEN may have difficulty in reading aloud. Avoid putting pressure on individual students to read aloud.
- For students with additional needs Activity 3 may be more manageable than Activities 1 and 2 and could serve to reinforce knowledge gained in the previous lessons. Use the differentiated worksheet, Worksheet 6.3 (b), for students with weaker literacy skills.



Teachers' note:

It is advisable to read the **best-practice guidelines** before engaging in lesson delivery. Before leading any of the activities included in this resource, it's important that you have established clear ground rules with the class and that students see the SPHE class as an open and caring environment. Take the time to outline the supports available to students (both inside and outside of school), should they be affected by any of the issues discussed in the class and need to talk to someone. Highlight the fact that if there are any disclosures indicating underage sexual activity, you will be obliged to report the incident to the Designated Liaison Person. It is best to try to avoid discussing real cases, familiar to the students, and instead to focus discussions on the cases presented in the lessons.

ACTIVITY 1: Persistent nature of digital content

1. Give eleven students in the class a different character to play. Each student should read out the script presented on **Worksheet 6.1**. This activity doesn't involve any improvisation on the parts of the students.
2. Each script explains how the character ended up seeing the sexting images. The students will read their scripts in turn and gradually the class will learn how persistent digital content can be and how difficult it is to control who sees a sext once it's been shared digitally.



Teachers' note:

You will need to take great care when assigning roles for this activity. Some students might have direct experience of a similar incident themselves. It might be best to seek volunteers to read the scripts, where possible.

Again, you should also highlight the fact that the creation, sharing or possession of sexting images involving minors is illegal.



The persistent nature of digital content

**1. Deirdre (Victim)**

Hi! I'm Deirdre and I'm 16. I love hip hop, designing cards and my amazing boyfriend, Paul. We've been together for a year now. We have so much fun together. I find school and living with my family pretty stressful. Paul helps me get through the day! Even though I love him, I'm not ready to have sex yet. I know it will happen someday. For the moment, I send him some photos that are for his eyes only! He likes them a lot and that makes me feel good about myself.

2. Paul (Boyfriend)

Yo, I'm Paul and I'm 16. I hope to direct films one day. Deirdre and I live near each other but we didn't meet until we went to the Gaeltacht. We get on because we're both pretty laid back and creative. Being a teenager can be frustrating. It can be hard to get your own space. At least when we message and snap each other I know my nosy older sisters won't see the pictures. They're private!

3. Gavin (Paul's best friend)

Hey, I'm Gav and I'm Paul's best friend...or at least I used to be, until he met Deirdre. We used to spend all our days making stunt videos for YouTube, trying to go viral but now he's no time for that. The other day I was looking through some of our old footage, in a shared online folder, when I came across some dirty pictures of Deirdre. Obviously Paul, the eejit, had synced it so that his photos are backed up online. Finally Paul's dream of going viral will come true when I post these pics online. He might even cop on to himself too.

4. Ellie (Deirdre's younger cousin)

Oh my gosh, gross! I can't believe this is happening to me. So my name's Ellie and I'm in first year. I've finally just managed to get in with the cool kids and ditch those loser friends from primary school when this happens. There are naked pictures of my cousin, Deirdre, literally all over the school and all over the internet. Does she not know I'm trying to make a good impression here? I wouldn't mind but we look pretty similar so most people actually think we're sisters. Now everyone is going to think that I've no class and that I'm easy. She is disgusting.

5. Ms. Kenny (A teacher in Deirdre's school)

One of those days for which college does not prepare you! I'm a French and history teacher here in St Mary's but my real passion is basketball. For years we've failed to get beyond the group stages in any competition and then today we did it! Our minor girls team won the regional final. Still cannot believe it! Afterwards, the girls wanted to get some photos with the trophy. I took one of their phones to capture the moments. When I went to take a photo, the most recent images popped up first. Amongst them were several naked pictures of a girl whom I recognise from school. I think she's in one of the older years. I'm going to have to show these pictures to the principal. I think this could be serious.

6. Mark (Deirdre's father)

As if I hadn't been having a tough enough day, now I've just been called into Deirdre's school by the principal. When I arrived into work this morning an unknown person had sent me a link to a website. Assuming it was spam, I just deleted the message. However, then my eldest son texted me to say that there were naked photos of Deirdre all over this website and that I needed to do something about it. Can you imagine it? Pictures of my little girl on a website with anyone gaping at her! Needless to say she's distraught. I've spent all morning trying to get the photos removed, to fix things like parents always do, but the owners of the site seem to be based half way across the world and aren't responding. Wait till I get my hands on whoever did this to her.

The persistent nature of digital content



7. Garda Fitzpatrick

Unfortunately, cases like this are not so uncommon these days. The photos of Deirdre were brought to my attention by the principal up in St Mary's, when she first learned of the incident. Though we did our best to help get the pictures removed as quickly as possible, at that stage the damage had been done. Once the photos get out there, it's almost impossible to remove them completely. We've compiled a file on the case but it's hard to know what will happen now. Deirdre's family want to see Gavin punished for what he did. If he's prosecuted, I think Paul will be too, though Paul never intended to harm Deirdre.

8. Orla (University classmate)

When I first met Deirdre, I knew she seemed familiar. I thought it might be because we're both so similar. We both study Arts in UCD but our real passion lies in performing arts. We became really close friends after working together in the college musical society. Deirdre's great fun and a very pretty girl. I have to say I thought it was a bit odd when I realised how nervous she gets around guys, especially on nights out. It wasn't until second semester that a few of us put two and two together. Of course, we'd all seen the photos back in 6th year when they were all over the internet. None of us have talked to Deirdre about it. It's kind of like a giant elephant in the room.

9. Stephanie (Recruiter)

January is a very busy time for us. People make New Year's resolutions to change jobs. Meanwhile, lots of companies are kicking off new projects and looking to hire in big numbers. We recently had an exciting job to fill in the PR industry. When we met Deirdre, she seemed like the perfect candidate. She's very innovative and had been communications manager with a large musical society. We were just about to offer her the job when something came up. As part of the background checks we perform on all prospective candidates, we found some explicit pictures of her that were indexed online. Anyone could find them, by performing a simple search. Because reputation management is key to this business, we'd have serious reservations about hiring Deirdre after seeing those pictures.

10. Cathal (Deirdre's husband)

Dee and I met when we were 30. After hitting the big 3-0 I realised it was finally time to get my life in order. I joined an online dating service and met Dee. Initially she seemed quite withdrawn. She wouldn't give away much in her texts and I felt she mustn't be that interested. I decided to meet her, nonetheless and, well, the rest is history! It was only after we'd been dating for about a year that she told me about the photos and how they'd haunted her for most of her adult life. Obviously, I wish she hadn't had to endure that pain but it doesn't change how I feel about her. Who doesn't have some pics from their past that they'd rather bury?

11. Jack (Deirdre's grandchild)

Hey, I'm Jack and I'm 12 years old. For history, everyone in 6th class has to do a project on the oldest person they know. I'm doing my project on my Granny Dee. I'm going to ask her some questions. I've used the internet to look at the apps Granny Dee used. Most of the apps don't exist now! It's kind of cool to see the messages Granny Dee sent her friends when she was my age. There were also some nude pictures. These freaked me out! The quality of them is so bad, I'm not sure if they're real. I guess people didn't care about their privacy back then.

ACTIVITY 2:

How to cope and get help

1. In groups, the students will analyse the stories told by the different characters in Activity 1. Each group will be assigned two characters' stories to examine.
2. The different groups will then try to answer the following questions:

Q. What could have been done to prevent the incident from getting out of hand, as it did?

Sample answer: Solutions will include: reporting the content to the service hosting the content, asking the offender to remove the material, submitting a right to be forgotten claim, reporting the incident to a school/the Gardaí, seeking support from family/friends/teachers/ISPCC Childline.

Q. What could have been done to prevent your character from seeing the images?

Q. What support would the characters involved have needed, in coming to terms with the incident?

3. After the groups have had some time to discuss actions that could have been taken to prevent the incident from getting out of hand, they should present and discuss these actions with the whole class.



ACTIVITY 3:
(optional):
Run an awareness
campaign

1. Using the lessons learned in Activities 1 and 2, students will create their own awareness campaigns to address the issue of non-consensual sharing of images.
2. The students will again work in groups and will choose to focus on any of the following topics:
 - Helping victims find support and communicating that they are not to blame.
 - Helping offenders/bystanders recognise that sharing other people's private images is always wrong.
 - Supporting victims of non-consensual sharing of intimate images.
 - Communicating the effects of non-consensual sharing on the victim.
 - Highlighting the fact that sharing explicit images is illegal for people under the age of 18.
 - Highlighting school policy on sexting.
 - Any other relevant topic.
3. **Worksheet 6.3** will help students to plan and refine their awareness campaign (a differentiated version of the worksheet is included).



Developing an awareness campaign



Use this worksheet to help you develop your awareness campaign.

1. What skills do you have? These might be useful for your campaign.

- Art
- Music
- Videography
- Public speaking
- Drama
- Writing
- Design
- Digital media
- Social media

Other:

2. What action might you be interested in exploring in your campaign?

- Communicating to victims that they are not to blame.
- Helping people recognise that sharing other people’s private images is always wrong.
- Supporting victims of the non-consensual sharing of intimate content.
- Communicating the effects of non-consensual sharing.
- Highlighting that sharing explicit images is illegal for people under the age of 17
- Another relevant topic:

3. Target audience?

4. Your campaign message?

5. What will be your campaign call to action? (e.g., Reach out, Just do it, Stand up to . . .)
.....

6. The following are suggestions for a school-wide awareness campaign. Pick one or develop your own unique method.

- Run a poster campaign.
- Create information leaflets or magazines.
- Run a social media campaign
- Create video resources that promote responsible photo-sharing.
- Have students make and record a pledge to be respectful online.
- Deliver a talk to younger students and peers.
- Other:

7. Research other awareness campaigns. www.watchyourspace.ie and www.saferinternetday.ie both have ideas for different internet safety awareness campaigns.



Worksheet 6.3 (b):

Developing an awareness campaign

Use this worksheet to help you develop your awareness campaign.

1. What skills do you have? These might be useful for your campaign.

Art



Music



Videography



Public speaking



Drama



Social media



Other:.....

2. Target audience?

Children

Teenagers

Adults

3. Your campaign message?.....

4. The following are suggestions for a school-wide awareness campaign.

Pick one or choose your own method.

Run a poster campaign.

Create leaflets or magazines.

Run a social media campaign

Create a video on safe photo-sharing.

Have students make a promise to be kind online.

Give a talk to younger students.

Other:

5. Research other awareness campaigns. www.watchyourspace.ie and www.saferinternetday.ie both have ideas for different internet safety activities.

Appendices

Appendix 1: Sample ground rules

- Show respect to everyone.
- Give everyone a chance to speak.
- Listen actively and attentively to everyone.
- What is shared in class, stays in class.
- Ask for clarification if you are confused.
- Do not interrupt one another.
- Challenge one another, but do so respectfully.
- Critique ideas, not people.
- Do not offer opinions without supporting evidence.
- Avoid put-downs (even humorous ones).
- Take responsibility for the quality of the discussion.
- Build on one another's comments; work towards shared understanding.
- Always have materials needed for class in front of you.
- Do not monopolise discussions.
- Use I statements: I think, I feel, I believe.
- Don't give examples of your own experience or examples of what has happened to others.
- Everyone has the freedom to change their opinion based on reflective discussion.
- If you are offended by anything said during discussion, acknowledge it immediately.

Appendix 2: Who to turn to for help

General

Barnardos

Barnardos works with vulnerable children and their families in Ireland and campaigns for the rights of all children.

www.barnardos.ie
1850 222300

ISPCC Childline

ISPCC Childline offers a phone service, a text support service (text 'Talk' to 50101) and an online chat service to help support young people. There is also a special text service for young people experiencing bullying (text 'Bully' to 50101).

www.childline.ie
1800 666666

SpunOut

SpunOut is a youth-focused website. It aims to promote general well-being and healthy living amongst young people.

www.spunout.ie

Teen-Line Ireland

Teen-Line Ireland is a free phone-support service for teenagers who need someone to talk to.

www.teenline.ie
1800 833634

Mental health and well-being

Aware

Aware offers depression and related mood-disorder support services in the forms of local support groups, a helpline and various education courses.

www.aware.ie
1890 804848

Jigsaw

The National Centre for Youth Mental Health. Jigsaw provide supports to young people with their mental health by working closely with communities across Ireland.

www.jigsaw.ie

GROW

GROW is a mental-health organisation that helps people who have suffered, or who are suffering, from mental-health problems. It provides a helpline and support groups nationally.

www.grow.ie
1890 474474

MyMind

MyMind is a community-based provider of mental-health services.

www.mymind.org

076 6801060

Your Mental Health

This website, developed by the HSE, aims to improve awareness and understanding of mental health and well-being in Ireland.

www.yourmentalhealth.ie

The National Office for Suicide Prevention

The National Office for Suicide Prevention oversees the implementation of 'ReachOut', coordinates suicide-prevention efforts and speaks with agencies and individuals active in suicide prevention.

www.nosp.ie

01 6201672

Pieta House

Pieta House is a residential centre for the prevention of self-harm or suicide in Lucan, Co. Dublin. It has outreach centres and centres of excellence around Ireland.

www.pieta.ie

1800247247

ReachOut

ReachOut aims to provide quality assured mental-health information and inspiring real-life stories by young people to help other young people get through tough times.

ie.reachout.com

01 7645666

Samaritans

Samaritans offers support for people struggling to cope, including those contemplating suicide, through a helpline.

www.samaritans.org

1850 116123

Eating disorders

Bodywhys

Bodywhys supports people affected by eating disorders. It offers confidential support and information services for people affected by eating disorders.

www.bodywhys.ie

1890 200444

Gender and sexuality

Gay Switchboard Dublin

Gay Switchboard Dublin offers non-directive listening support.

www.gayswitchboard.ie

01 8721055

BeLong To Youth Project

BeLong To supports lesbian, gay, bisexual and transgender young people in Ireland.

www.belongto.org

01 6706223

Transgender Equality Network Ireland (TENI)

TENI seeks to improve conditions and advance the rights and equality of trans people and their families.

www.teni.ie

01 8733575

LGBT Helpline

The LGBT Helpline provides a listening support and information service for lesbian, gay, bisexual and transgender people as well as their family and friends.

www.lgbt.ie

1890 929539

ShoutOut

ShoutOut delivers workshops for students, teachers and parents in secondary schools across Ireland which tackle homophobic and transphobic bullying.

www.shoutout.ie

0851139249

Internet safety

Hotline.ie

The hotline.ie service provides an anonymous facility for the public to report suspected illegal content encountered on the internet.

www.hotline.ie

1890 610710

Webwise

Webwise is the Irish Internet Safety Awareness Centre, funded by the DES and the EU Safer Internet Programme. It raises awareness of online safety issues and good practice among students, their parents and teachers.

www.webwise.ie

Data Protection Commissioner

The Data Protection Commissioner ensures that those who keep data comply with data-protection principles. The website gives information on individuals' rights and on organisations' responsibilities.

www.dataprotection.ie

Internet safety departments

YouTube

www.youtube.com/yt/policyandsafety/en-GB/

Facebook

www.facebook.com/help/

Twitter

about.twitter.com/safety

Instagram

help.instagram.com/667810236572057

Snapchat

snapchat.com/safety

Sexual assault

Cosc

Cosc is the National Office for the Prevention of Domestic, Sexual and Gender-based Violence.

www.cosc.ie

The Dublin Rape Crisis Centre

The Dublin Rape Crisis Centre is a national organisation offering a wide range of services to women and men who are affected by rape, sexual assault, sexual harassment or childhood sexual abuse.

The services include a national 24-hour helpline.

www.drcc.ie

1800 77 88 88

The Men's Development Network

The Men's Development Network (MDN) works with men to deal with the issues facing themselves, their families, their communities and society. Stopping men's perpetration of domestic abuse and violence against women is a major part of their work.

www.mens-network.net

Rape Crisis Network Ireland

Rape Crisis Network Ireland (RCNI) is a specialist information and resource centre on rape and all forms of sexual violence.

www.rcni.ie

SAFE Ireland

SAFE Ireland is the only national organisation representing frontline domestic violence services in Ireland.

www.safeireland.ie

Sexual Health and Crisis Pregnancy Programme

The HSE Sexual Health & Crisis Pregnancy Programme is a national programme tasked with developing and implementing a national strategy to address the issue of crisis pregnancy in Ireland.

www.crisispregnancy.ie

My Options

All the information and support you need in an unplanned pregnancy.

www2.hse.ie/unplanned-pregnancy/

Sexual Assault Treatment Unit

A Sexual Assault Treatment Unit (SATU) is a safe place to go if you have been raped or sexually assaulted. They look after all genders and gender identities, aged 14 years and over.

www2.hse.ie/sexual-assault-treatment-units/

Appendix 3: Guidelines for school visits

DES Circular 0023/2010

Talks and programmes delivered by outside agencies or speakers must be consistent with and complementary to the school's ethos and SPHE or RSE programme. Visits should be planned, researched and implemented in partnership with school personnel.

It is of the utmost importance that classroom teachers remain in the classroom with the students. The presence of the classroom teacher should ensure that the school follows appropriate procedures for dealing with any issues that may arise as a result of the external inputs.

Relevant teachers need to liaise with and be involved with all visitors and external agencies working with the school and the whole staff needs to be made aware of same.

It is strongly recommended that parents should be consulted and made aware of any such visiting people or agencies to classrooms and schools.

All programmes and events delivered by visitors and external agencies must use appropriate, evidence-based methodologies with clear educational outcomes. Such programmes are best delivered by those specifically qualified to work with the young people for whom the programmes are designed.

All programmes, talks, interventions and events should be evaluated by students and teachers in terms of the subject matter, messages, structure, methodology and proposed learning outcomes.

Inappropriate teaching approaches not to be used by school visitors include:

Scare tactics: Information that induces fear and exaggerates negative consequences is inappropriate and counterproductive.

Sensationalist interventions: Interventions that glamorise or portray risky behaviour in an exciting way are inappropriate and can encourage inappropriate risk-taking.

Testimonials: Stories focused on previous dangerous lifestyles can encourage the behaviour they were designed to prevent by creating heroes or heroines of individuals who give testimony.

Information that is not age-appropriate: Giving information to students about behaviours they are unlikely to engage in can be counterproductive in influencing values, attitudes and behaviour.

Once-off or short-term interventions: Short-term interventions, whether planned or in reaction to a crisis, are ineffective.

Normalising young people's risky behaviour: Giving the impression to young people, directly or indirectly, that all their peers will engage or are engaging in risky behaviours could put pressure on them to do things they would not otherwise do.

Appendix 4: Sample letter to parents

Dear Parent,

We are planning to use a programme called Lockers as part of your child's Social, Personal and Health Education (SPHE) and Relationships and Sexuality Education (RSE) programme. Lockers is an educational resource developed to support schools as they address the issue of non-consensual sharing of intimate images (sometimes referred to as 'sexting') in the context of the SPHE class.

This resource emphasises the fact that the creation and sharing of intimate pictures and videos by minors is illegal. The resource also sets out to foster empathy, respect and resilience among young people affected by non-consensual sharing and to help young people understand the consequences of sharing intimate content online.

The Lockers programme was developed by Webwise, the internet safety initiative of the Department of Education and Skills and has been endorsed by all the partners in education.

As you are the primary educator of your child in the area of relationships and sexuality, it is very important that our RSE programme is planned in consultation with you. Please feel free to familiarise yourself with the content of the Lockers programme, at www.webwise.ie/teachers/resources, and to contact the school if you wish to discuss the programme further/withdraw your child from SPHE classes while this programme is being run.

Yours sincerely,

Appendix 5: Glossary

app: An app (short for application) is a software program. An app typically refers to software used on smartphones, tablets or other mobile devices. Apps are usually available through application distribution platforms, such as the Apple App Store and Google Play. Some apps are free while others must be bought.

consensual: An activity is consensual when all parties agree to it.

cyberbullying: Bullying carried out through the use of information and communication technologies and other online technologies. Placing a once-off offensive or hurtful public message, image or statement on a social network site or other public forum where that message, image or statement can be viewed and/or repeated by other people is regarded as bullying behaviour.

disinhibition: A lack of restraint that occurs when people aren't directly confronted with the negative consequences of bullying behaviour online. People posting messages on the internet tend not to feel as responsible for their actions or words as they might otherwise.

emoji/emoticon: A representation of a facial expression, such as a smile or frown, created by various combinations of keyboard characters. Emoji are generally used in electronic communications to convey the writer's feelings or intended tone.

ethereal app: An app where messages self-destruct or disappear from the recipient's phone after a few seconds.

explicit content: According to the Child Trafficking and Pornography Act, any photo, video or audio recording that shows a child engaged in sexual activity, or that focuses specifically on the genital region of a child is considered as child pornography and thus illegal. It is less clear whether content that is provocative rather than sexually explicit is illegal. Part (d) of the act could be interpreted so that almost any provocative content produced or sent by a child could be considered as child pornography. Ultimately only a court would decide if particular content could be considered illegal under this section.

group chat: A messaging feature that allows users to communicate with a group of friends at once.

harassment: A criminal offence which is said to occur when any person harasses another, without lawful authority, by persistently pestering, besetting or communicating with him or her. Harassment is deemed to occur where a person seriously interferes with the other's peace and privacy or causes alarm, distress or harm to the other. Legislation has been used to prosecute individuals in cases of telephone harassment and stalking and harassment carried out over the internet.

messaging services: Allow users to send texts in real time, using the internet. When these apps are used on mobile phones, often they are used as a cheaper substitution for regular text messaging.

minor: A child under the age of 18 years.

non-consensual: The sharing of online content without the permission of the person who owns the content (usually pictures or videos).

nude selfies: Colloquial term used by teenagers to describe self-produced intimate images.

report: When users encounter illegal, abusive or inappropriate content on a social networking service, they should use the report-abuse mechanisms to notify the social networking service of the content. Moderators of the service then review the content in light of the report and remove any content that violates their policies.

revenge porn: A practice where sexting content is maliciously distributed, without consent, to gain revenge and cause public humiliation.

right to be forgotten: Under European data protection regulations, citizens have a right to be forgotten and to request that certain information about them be removed from search engine results.

selfies/self-created images: A type of self-portrait photograph, typically taken with a hand-held digital camera or camera phone.

sexting: The exchange and sharing of sexual text, video, and photographic content using mobile phones, apps, social networking services and other internet technologies. While technical definitions sometimes include the exchange of pornographic content, we use the term sexting to describe the sharing of explicit images that are self-created.

sextortion: A form of extortion where the criminal threatens to

distribute explicit content of the victim unless the victim pays a sum of money or sends more explicit content

sharing/distribution: This involves sharing content produced or distributed by another social network user with your social network of friends or followers. Sharing content greatly increases the amount of people that the content reaches.

smartphone: A mobile phone that is capable of performing many of the functions of a computer. A smartphone typically has a large screen and an operating system capable of running general-purpose apps.

social networking: Connecting, communicating and collaborating with others on the internet via online communities. Social networking services can provide an outlet for creativity and expression. Care should be taken by students when disclosing personal information on social networking services.

victim blaming: When a victim is held responsible for his/her own violation. An example of victim blaming is when a victim of non-consensual sharing of explicit content is blamed for sharing the content in the first place.

About us

The Webwise initiative is part of the PDST Technology in Education team. This team promotes and supports the integration of ICT in teaching and learning in first and second level schools in Ireland. The main functions of PDST Technology in Education is the provision of a range of ICT-related supports to schools including ICT policy development, advice, professional development, content and exemplar functions.

The PDST is a cross-sectoral support service managed by Dublin West Education Centre (DWEC) under the remit of the Teacher Education and ICT Policy sections of the Department of Education and Skills (DES) and offers professional development support to primary and post-primary teachers and principals. The work of the PDST contributes to school improvement by providing high quality CPD on curricular and educational issues and by fostering reflective practice and ongoing development among teachers.

PDST was established in September 2010 as a new, generic, integrated and cross-sectoral support service for schools. The establishment of PDST marked the culmination of an amalgamation of a number of stand-alone support services. Today, PDST encompasses the supports previously supplied by other support services and programmes, including the National Centre for Technology in Education (now known as PDST Technology in Education).

Webwise also works closely with the Health and Wellbeing team in the PDST. This team provides supports for school leaders and teachers in prevention and intervention for bullying. They also support the implementation of SPHE in primary and post-primary schools.

Historically, the National Centre for Technology in Education (NCTE) had been a partner in a succession of EU funded Safer Internet Programmes since 2000. The NCTE set up the Webwise initiative in 2005 to act as the Irish national internet safety awareness centre funded by the EU Safer Internet Programme and the Department of Education and Skills. Webwise has been the Irish member of the Insafe network ever since. The role of the national awareness centre has been to promote a safer, more effective use of the internet by children in Ireland.

The Safer Internet Ireland Centre provides safer internet awareness, Hotline and helpline functions and activities as the Safer Internet Centre for the Republic of Ireland. Awareness raising is carried out by the PDST through its Webwise initiative.

The project is a consortium of industry, education, child welfare and government partners that provide Safer Internet awareness, hotline and helpline functions and activities for the Republic of Ireland. The Professional Development Service for Teachers (PDST) through its Webwise initiative, Childline, the National Parents Council, and the Internet Service Providers Association of Ireland are the partners in the consortium. It is coordinated by the Office for Internet Safety (OIS) to develop national initiatives promoting the safer use of electronic media and enhance protection of the vulnerable, particularly children, against the downside of the Internet. This consortium builds on the experience gained from the previous highly successful but independently run Safer Internet projects.

N18



N2

N19

N2



An Roinn Oideachais
Department of Education



An Roinn Dlí agus Cirt
Department of Justice



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