Women’s Health Grampians

Written submission to provide comment on the Victorian Parliament Law Reform Committee: Inquiry into Sexting

Submission author: Michelle Hunt
Project Worker: webWise Initiative
On behalf of: Women’s Health Grampians
PO BOX 414W, Ballarat West 3350
Contact Details: Michelle@whg.org.au
PH: 53 22 4100
Women’s Health Grampians (WHG) have been working in the area of cyber awareness and new technologies since 2009. Over this time WHG’s work in this area has included “Being Savvy in Cyber Space”; a health promotion project that produced a “Say No To Sexting” website and awareness campaign and the production of a “Simple Guide to Cyber Safety” booklet. Most recently WHG has been working on an Office for Youth funded webWise project. The WHG webWise project is addressing the issue of online technology and gender; and in particular the gendered nature of online bullying, sexting and internet use. The project is being developed using a youth participation peer education model and is targeting young people engaged in sport.

WHG’s submission will address two areas within the terms of reference, including:

1. the incidence, prevalence and nature of sexting in Victoria
2. the extent and effectiveness of existing awareness and education about the social and legal effect and ramifications of sexting

WHG is not addressing the issue of sexting and legal ramifications; however wishes to state that consistency in the legal ages of sexual consent and sexting as it relates to child pornography need to be consistent. In this regard; this submission is referring to sexting as it occurs between young women and men in Australia who are at the age of legal sexual consent.

1. The incidence, prevalence and nature of sexting in Victoria

In considering the incidence, prevalence and nature of sexting, WHG draws upon its area of expertise and considers how this issue may be experienced and considered differently by females and males. This area of expertise also extends to considering what this issue means for women’s overall health and wellbeing.

As part of its inquiry, WHG first asks that the Law Reform Committee consider the nature of sexting and how the issue can be experienced differently on the basis of gender. Further to this, WHG asks that the committee consider how this gendered experience of a digital modern media is reflective of already prevalent social norms and behaviours in our community.

Nature of sexting

i. Gendered Nature of Sexting

When discussing the issue of sexting, we are predominantly discussing the distribution of sexually explicit images of young women. This is of note and is indicative of the gendered nature of the problem and how it is reflective of broader social norms and stereotypes. Sexting is gendered in nature; it is the utilisation of a digital forum to reinforce already existing gender stereotypes and power relationships. This is the representation of women as sexual objects to be consumed by men and men as consumers who seek out sexually explicit images of women.
Sexting, particularly when images are distributed widely can also be considered on the continuum of violence against women. The wide distribution of a sexually explicit image; with or without consent is likely to result in sexual and psychological harm or suffering to the young woman directly involved. It is also potentially sexually and psychologically harmful to a broader group of young women. The large distribution of images subsequently exposes all young women to prevalent gendered attitudes and beliefs where a woman’s value and worth is judged by her sexuality and sexual attractiveness to men. Her sexuality is also then used to ridicule her and cause psychological harm.

The issue of violence against women and the health and economic costs this causes for our community have been addressed by local, state and federal governments as well as international bodies. The VicHealth Prevention of Violence Against Women framework draws on national and international data to develop primary prevention strategies (VicHealth, 2007). This framework identifies 3 factors as key determinants of violence against women. It identified that these key determinants need to be addressed for there to be any lasting social change in reducing the rates of violence against women. These 3 key determinants were identified as:

- Unequal power relations between men and women
- Adherence to gender stereotypes
- Broader cultures of violence

In considering the issue of sexting and in particular the gendered nature of sexting and its impact on women’s health and wellbeing, WHG identified the presence of these 3 key determinants in the problematic gendered nature of sexting amongst young people.

Sexting is reflective of unequal power relation between men and women and an adherence to gender stereotypes that represent men as sexually powerful and women as sexually available for the pleasure of men. The gendered nature of sexting is indicative of unequal power relations between men and women, where young women’s value and worth is measured in their sexual attractiveness to young men. This gender stereotype is reinforced by the response of male and female peers to sexting behaviour, with young women labelled and judged and young men feeling that it is their “right” to distribute sexual images of young women; including those they have been in an intimate relationship with.

ii. Broader cultures of violence

The sharing of a digital image between intimate or potential intimate partners can be seen as a demonstration of intimacy, trust or love. In these instances we could be witnessing a cultural shift in how intimacy is shared by young people in a digital age. Sexting that is limited to the sharing of sexual images between consenting partners is not problematic nor has it a need for legal intervention. However one of the key determinants of violence against women as identified by VicHealth, is a broader culture of violence and sexting is one media where these cultures of violence can be present in a new digital forum and contribute to violence against women.

As discussed, sexting, when explicit images of women are taken via coercion or distributed without consent is a form of violence against women. What may start as a young woman sharing a sexually
explicit image as an act of intimacy can be used against her by a young man in an act of sexual violence. When a young man distributes an image of an intimate partner that was once initially shared and trusted with him alone it becomes an act of violence. It is the broader culture of violence in our communities that normalises this behaviour and influences his decision making to believe that this act of violence against women is an acceptable behaviour. This is particularly the case if the young man states he is acting out of jealousy or hurt and he distributes what was once a private image; this act, which is an act of violence against women, is largely treated in society with a level of tacit approval. The distribution or posting of sexually explicit images without consent is a form of sexual harassment and abuse; regardless of the age of the persons involved. If a young woman sends an image of herself to an intimate partner who then shares this image with friends and then subsequently it is shared with a wider audience this act of sexting has become a form of abuse or harassment.

iii. Gender stereotypes

Further to the discussion as to the gendered nature of sexting, it is worth considering the differences in the gender of whose image is distributed and who does the distribution; particularly when images are shared without consent.

Gender stereotypes present in society would suggest that it is young women whose images would be shared by young men with or without consent. This is reflective of the stereotype of women as sexual objects to be consumed by men. It also reinforces a stereotype that men are not in control of their sexual desires and are acting out what comes “naturally”. Subsequently the expectation is that men cannot be expected to make respectful decisions about what images of women they share or delete. It also places an expectation on young men that they should desire and even require to receive a sexual image of women they are intimate with as a sign of trust or love.

The act of consent versus coercion is also worthy of consideration. When gender stereotypes that support and encourage young women to measure their value and worth on their sexual attractiveness and availability are prevalent, the issue of true consent and free will become blurred. These gender stereotypes, which both young men and women are subject to (young women as sexualised commodities and young men whose masculinity is measured on their desire for sexual explicit imagery from females) make it difficult to distinguish where on the continuum of free will and coercion “consent” is given. Thus, even when the sending of an image by a young woman is with consent, the influence of gender stereotypes and broader cultural norms may be influencing how much free will is involved in her decision making. It is only by advocating for and providing alternative examples of women’s sexuality that we can ensure young women are able to make decisions in their best interests and not those overly influence by negative gender stereotypes.

iv. Sexualisation of young women

Sexting as it refers to the distribution of sexually explicit material defined as pornography may be at a lower level than the distribution of images and content that is not rated as explicit however it is sexualised in nature. In WHG’s discussions with young men and women there were many anecdotes of young woman posting pictures of themselves fully clothed but in sexually suggestive poses and
asking facebook friends to rate them for their “hotness” or “sexiness”. Whilst it is unlikely this would be defined as illegal activity under child pornography laws, it is a sexualisation of young women, where young women are measuring their value and worth based on their sexual attractiveness and availability to young men.

We are experiencing what has been described as a “sexualisation of culture” with cultural materials such as advertising and music clips becoming increasingly sexualised. What defines this sexualisation is that it is heterosexual and gendered in nature and predominantly presents young women in sexual ways, as objects to be consumed and expectations that young men will be sexually interested in this representation. We are not seeing an increase in sexual imagery where sexual diversity is represented or where women and men are represented as sexual equals and where intimacy is shared rather women are passive objects to be consumed and men are the active consumers.

Sexting provides a digital forum where this sexualisation of young women can occur. In addition to normalising and reinforcing the idea that it is their sexual attractiveness and availability to young men that measures a young women’s value, sexting also normalises the idea that young men are motivated by their sexual desires.

**Incidence & Prevalence of sexting**

Despite public and media interest, there is limited research available into the incidence and prevalence of sexting and therefore community debate and discussion is largely informed by opinion, anecdotes and personal experience. Of the research that has been completed, there have been varied and inconsistent findings as to the incidence and prevalence of sexting rates. A recent survey in Australia suggested sexting rates as low as 7.3% amongst young women in grades 5 to year 11 (Association of Independent Schools of Victoria, 2009). A US study found that there are no reliable studies that give a true indication of sexting rates but predicted it is much lower than first believed (Lounsbury, Mitchell & Finkelhor, 2011).

Similarly, discussions in the Ballarat area with young people and organisations working with young people found inconsistencies in people’s opinions on the incidence of sexting as well as their opinions on whether the act of sexting was problematic. One young person described sexting as “something everyone’s done at least once” whilst others described it as not common and that only a few people would have participated in sexting.

Sexting as defined by the terms of reference of this inquiry is “the creating, sharing, sending or posting of sexually explicit messages or images via the internet, mobile phones or other electronic devices by people, especially young people”. As discussed, sexting can be used to define a broad range of behaviours; from consensual sharing of sexual images between intimate partners to non consensual widespread distribution of coerced images. The variance in the nature of sexting and different understandings of what this entails may contribute to why it is so difficult to determine a clear and accurate picture of the incidence and prevalence rates of sexting in the community.
2. The extent and effectiveness of existing awareness and education about the social and legal effect and ramifications of sexting

As a women’s health organisation WHG works to increase the health and wellbeing of women in our community. This includes decreasing the rates of violence against women and questioning and critiquing the cultures that support continued levels of violence against women. WHG asserts that the negative and harmful impacts of sexting are gendered in nature and are supported by the same cultures that VicHealth identified as supportive of violence against women as a whole; unequal power relations between men and women, gender stereotypes and cultures of violence. This is fundamentally an “old “problem with a new digital forum.

Current awareness and education campaigns about sexting have focused on the potential legal ramifications (the sending or receiving of sexual images of people aged under 18 is a violation of Australia’s child pornography laws) and warnings that once distributed, an explicit image is out of your control and can be further distributed without your knowledge and consent. These campaigns have focused on potential subsequent embarrassment, harm to future employment prospects and the impact on your digital and real life reputation if an image of you (generally young women) is distributed.

These campaigns have failed to address the primary causes of sexting and have focused attention on young women modifying their behaviour to reduce the risk of them being exploited and sexually harassed. For young men these campaigns have focused on avoiding legal ramifications such as being named on the sex offenders register. Whilst examples such as the “Tagged” education video have depicted the gendered nature of sexting in incidence (an image of a young women is distributed without consent by a young man) they have not demonstrated the gendered nature of sexting in nature. They have not questioned the gender stereotypes and gendered power inequalities that are present in the nature of sexting. As an example, to have done so would be to question the sense of male entitlement and privilege that supports a young man’s feeling that it is his “right” to distribute a sexual image of a former intimate partner without her consent. Instead the ethical and moral implications of this act and what it says about gender equality are not explored as thoroughly as the potential legal ones for the young man. The young woman however is depicted as paying a high social cost and is ridiculed for sending a sexual image to who was at the time an intimate partner; thus placing responsibility on the young women to not place herself at risk.

To continue to address the issue of sexting outside of a gendered framework is to ignore the gender inequalities and power imbalances that it represents. To do this reinforces the continued sexualisation of young women: as objects of sexual desire to be consumed by men and provided for their sexual pleasure. It also reinforces a social norm that young men are to seek out and consume sexual images of young women. This is similar in community attitudes that we have seen around issues of violence, sexual assault and the rape of women; the onus on the woman to protect herself and men are abdicated of responsibility. This approach is based on stereotypes that men are not responsible or in control of their own sexual desires and emotional responses and therefore women need to modify their behaviour to protect themselves from men’s base desires. This approach is not consistent with respectful relationship and sexual health education programs that are developed within the VicHealth Prevention of Violence Against Women framework. These programs encourage equal relationships based on respect and sexual equality where intimacy is shared and not exploited.
Public education campaigns are shown to experience most success when messaging is coordinated consistent and are part of a whole of community approach. This means that consistent messages and ideas are reinforced in a variety of settings and forums. Situating the issue of sexting within the VicHealth Prevention of Violence Against Women framework would consolidate respectful relationship and sexual health education programs. It also addresses the underlying gender stereotypes and unequal power relations which are present when sexting occurs and becomes sexual harassment and harmful to young women, thus addressing the underlying social and community beliefs that condone violence against women in this new digital forum.

RECOMMENDATIONS:

Further research into the prevalence and nature of sexting in young people and the broader community that uses a gendered framework to consider the differences in women’s and men’s experiences

*Gendered Framework: Consideration of the gender inequalities and differences present in our cultural and social institutions*

That all future sexting awareness campaigns be informed by the VicHealth Prevention of Violence Against Women framework

References

