Dear Vaughn,

Attached is my Submission for the Inquiry into Sexting, based on the ‘Sexting and Young People Study’, conducted by me, Shelley Walker, for a Masters by Research in Primary Health Care at the University of Melbourne, under the supervision of Assoc. Professor Lena Sanci and Assoc. Professor Meredith Temple-Smith. I would like to provide the Law Reform Committee with an advanced hard copy of my thesis, ‘Sexting and Young People’, which is currently under assessment. I do this on the understanding, that the document be accepted in confidence until such time that approval has been given for the document to be made public. That is, the Law Reform Committee would need to seek our approval before any part of this thesis is published.

Yours sincerely

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Inquiry into Sexting
Submission to the Parliament of Victoria Law Reform Committee

Sexting and young people study

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‘Sexting and Young People’ is a qualitative study (2010-2012), involving focus group and individual interviews with 12 key informants, and individual interviews with 33 young women and men aged 15–18 years. An absence of published studies undertaken in the area of sexting and young people, particularly from an Australian perspective, prompted this study, which focuses on the nature of sexting, the reasons why young people are involved in the behaviour and potential solutions for addressing negative consequences. Findings of this study have important implications for aspects of each of the terms of reference for the Inquiry into Sexting.

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

1.1 Prevalence of sexting

Whilst my study does not address prevalence, that all young people had stories to share, and that all young people were concerned to some degree about the potential negative implications for those involved in the behaviour is of significance and concern.

A lack of published studies about sexting and young people exist, particularly from an Australian perspective. Most studies and consumer surveys about sexting and young people have been quantitative, however their reliability in determining true prevalence of the phenomenon is uncertain. Reported rates of involvement in the behaviour have varied from 4% (Lenhart 2009) to 40% (Australian Girlfriend Magazine 2007), dependant on the sample under study, and the way in which ‘sexting’ is defined. A lack of consistency across prevalence studies and surveys in regards to how the behaviour is described makes it difficult to compare and contrast findings.

Furthermore, although at least a dozen prevalence studies have been conducted worldwide, only a handful have involved a true population sample (Cox Communications & The National Centre for Missing and Exploited Children 2009; AP-MTV 2009; AP-MTV 2011; Lenhart 2009), less than half were Australian, and many have not involved those under 18 years. Two widely cited studies (Lenhart 2009; Crimes Against Children Research Centre), did involve minors, however both required parent consent for young people to participate, which may have prevented young people honestly disclosing and sharing information about their involvement in sexting, for fear of removal of technological privileges.

Moreover, it is also possible that sexting has been under-reported in some studies because participants were unwilling to disclose involvement in the behaviour due to fear of social disapproval or legal prosecution (Adams 2009; Gaylord Forbes 2011).
Australian prevalence data is needed, particularly to determine who is involved, how often and in what capacity, so that responses can be targeted at the right groups of young people. In particular prevalence data is required from those who may be most at risk, with particular attention to groups identified by key informants and young people in my study, including young people in their early teens, young people from non English speaking backgrounds, and young people with disabilities.

1.2 The nature of sexting

While ‘sexting’ is a term used by legislators, law enforcement, educators and mass media, results of my study suggest young people do not use this term. This finding has implications for the design of prevalence surveys, educational resources and information targeting young people, which should include language that is relevant for them.

Conversations with young people in my study have highlighted that the roles of young people involved in sexting are potentially more complex than has been reported in previous surveys, studies and literature on the topic. For example, the terms ‘subject, producer, distributor, and recipient’ (Ryan 2010), often overlap, as interviews with young people have revealed that ‘subjects’, who are usually girls, are most often ‘producers’ too, and ‘recipients’, who are usually boys, are often ‘distributors’ too. Furthermore, the terms ‘victim, receiver, forwarder and saver’ (Shah 2010) fail to recognise that the victim is not always the person in the SEI, an assumption often made. As many young people in my study shared stories of having been shown or sent sexually explicit images without actually consenting to this first, their role could be defined as ‘receivers’ of the image, but also ‘victims’, because they were frequently disgusted by the images they viewed. Finally, my findings have also revealed an additional role not discussed in the literature – that of the ‘requester’ of the sexually explicit images, who incidentally is usually a male, and often reportedly uses pressure or coercion to obtain the image.

Although most studies and surveys on sexting and young people highlight at least some difference in sexting behaviour between girls and boys, some authors have continued to argue there is little difference in the behaviour across gender (Funnell 2009; Lenhart 2009); my results contradict this view. Sexually explicit images were much more likely to be of girls, most were reportedly sent to boys, and most involved self-produced images. Whilst there were reports of self-produced images of boys (usually involving their penises) sent to girls, these reports were much fewer. This finding has important implications for prevention and education; responses need to be underpinned by an understanding of the social forces that influence the behaviour.

Another important finding of our study that has implications for existing awareness and education responses about the social and legal effect and ramifications of sexting, is the view that those in the middle years (aged 9-14), who are transitioning from childhood to adolescence, were more likely to be involved in sexting. This result is in line with what is known about developmental stages of adolescence and brain development; those in their early teens are more inclined to act on impulse, engage in risky behaviour and be less capable of thinking through potential consequences of their behaviour (Johnson, Blum & Giedd 2009). Given concerns exist regarding the needs of this cohort, having received little policy attention in Australia and sometimes dubbed the ‘forgotten years’ (NSW Government 2009; ARACY 2011; Commonwealth of Australia 2009), future research about sexting, should endeavour to engage with this target group.

Of additional significance in the findings of this study was that young people shared many stories of sexually explicit images posted on social networking sites (SNS), which is not surprising given SNS use is the most popular online activity for Australian young people (ACMA 2009). This fact is, however, not captured in most literature on sexting. Another important finding is that sexually explicit images are not always shared with others via text, email or posting on SNS, as is referred to in most literature, with some young people suggesting that being shown images on other people’s hand held
devices in person may be more common than being sent an SEI via SMS. This finding highlights a gap in data gathered from prevalence studies, and has important implications for future research and educational responses.

2. The extent and effectiveness of existing awareness and education about the social and legal effect and ramifications of sexting

Many young people in this study believed it was important they received accurate information about the potential implications of involvement in the behaviour of sexting, however, responses also highlight that education is clearly not the only answer. Most of the literature about addressing harms associated with sexting is based on the premise that if young people understood the potential consequences of their behaviour they would not participate in sexting (Katzman 2009; Muscari 2009; Ryan 2010; Brown, Keller & Stern 2009). This view is contrary not only to evidence related to risk-taking and young people (Zirkel 2009), but also to our discussions with young people that revealed many were aware of the potential negative consequences of sexting, including the legal implications, however they felt this was not a factor that would prevent young people’s participation in the behaviour. When asked if knowing about the potential harmful implications of sexting (including the legal consequences in particular) would make a difference to young people’s behaviour, many young people thought not. There was a general feeling that young people do not think it through, and believe ‘it wont happen to me’. A couple of young women actually felt that knowing the potential illegality of the behaviour made it even more appealing for some young people to participate in sexting. This fits with some of what is known about young people and risk taking behaviour.

Although some young people felt the schools they attended had delivered useful information about sexting, that many others criticised schools for not doing this effectively, or not doing it at all, is of concern. Although there are signs of improvement in this area (Smith et al. 2009), more consistent, comprehensive sexual health education that provides opportunities to explore the non-biological aspects of sex and relationships, including issues like sexting, is still needed.

Despite the fact that many online campaigns and video resources have been developed to warn young people and parents of the potential dangers of sexting, that most participants of our study were not aware of these resources, is a finding that also has important implications for policy and practice in the area of prevention. Participants’ distrust for educative resources developed by government agencies, and a view that young people do not access educative information about issues like sexting online, is also of significance to those designing educative responses, as is that most of the current education campaigns and resources targeting young people about sexting, do not appear to have been informed by young people’s views.

A research project conducted by the Cooperative Research Centre for Young People, Technology and Wellbeing (Third, Richardson, Collin, Rahilly & Bolzan 2011), that involved young people educating adults about keeping safe online, has implications for solutions in this area. The project sought to address the technological disconnect between adults and young people and highlighted many benefits of involving young people in teaching adults (including parents in particular) about social networking and cybersafety.

3. The appropriateness and adequacy of existing laws, especially criminal offences and the application of the sex offenders register, that may apply to the practice of sexting, particularly with regard to the creation, possession and transmission of sexually suggestive or explicit messages and images ...

A unanimous view amongst young people in my study, which was supported by key informants and in the literature (McGrath 2009; Powell 2009) that current legislation to deal with sexting is not appropriate, suggests the need for legislative change in this area is critical to ensure young people
are not doubly victimised by a legal system that does not recognise the underlying social pressures that contribute to the behaviour.

While policy makers, educators and parents continue to debate the issues regarding young people’s experience and use of new digital technologies, ‘the voices and experiences of young people remain largely absent’ (Weber & Dixon 2007, p. 5). One of the most important findings of my study therefore, is that young people believe they should be involved in the design of solutions, a view also reflected in the literature (Weber & Dixon 2007; Collin, Rahilly, Richardson & Third 2011) and amongst key informants. Results of my study highlight and affirm that when young people are invited to participate in discussion about issues that affect them, that they will have valuable things to say. The meaningful and insightful contributions shared by young people in this study have proved they certainly have the capacity to help shape the way we respond to the issues created by sexting.