

**WANT MORE
INFORMATION?**

Sexual Health Centre Lunenburg County
www.sexualhealthlunenburg.com
902 527 2868

Sexuality and U
<http://www.sexualityandu.ca/sexual-health/sex-and-the-law>

Sexting: Considerations for Canadian Youth
Prepared by The Sex Information and Education Council
of Canada
<http://sexualityandu.ca/uploads/files/CTRsextingEnglishApril2011.pdf>

TextEd
<https://texted.ca/app/en/>
Information and resources for teens about digital
communication!

**LET'S TALK ABOUT
EXPLICIT IMAGES**



WHAT IS SEXTING?

Sexting (a mix of "sex" and "texting") is the creation of explicit images or texts messages, shared over text, email, social media, etc.

According to the The Society of Obstetricians and Gynaecologists of Canada it's hard to tell how common sexting is because studies tend not to use a common definition of "explicit", and may include different kinds of media (for example, some may include images sent on Snapchat, some may not).

While people have been sending explicit images online since it was possible to do so, it does seem that as technology becomes more available, and people are more comfortable with online communication, that sexting has become more common.

Sending explicit photos and messages is a normal and healthy part of some relationships. However, like all sexual activity, there is some risk associated with it. It's important to understand these risks, and decide what you're comfortable with.

THINK ABOUT THIS:

- If you're using your phone to take explicit images what happens if it gets hacked or stolen? At the very least you should have a password on your phone that you don't share with anyone.
- Do you trust your partner not to share the photos without your permission? Would they share the image if they were mad at you or you broke up?
- How does sending explicit images and texts make you feel? Is it a positive experience or a negative experience? Like any other sexual experience, you should enjoy what you're doing. If sexting makes you feel bad, then it may not be something for you.
- Are you sharing images with someone you met online? Do you know how old they actually are? How do you know that you can trust them?
- Do you have clear consent from the person receiving the image? Sending unsolicited (non consensual) explicit images is sexual harassment.
- It is never okay to pressure or threaten someone into sending explicit images (or any sexual act). This is abuse.
- If an image is uploaded to the internet, it can be hard or impossible to remove. Consider keeping your face out of any images you create, this will help protect your privacy if the images are stolen or shared without your permission.

WHAT DO YOU KNOW ABOUT THE LAW?

You might not think of it as porn, but creating and sending images of yourself can be risky business. Especially if you're under 18.

While the law was never intended to prosecute minors who are sending photos of themselves to other minors, the law hasn't caught up to technology and it is possible for you to be charged with producing or possessing child pornography, even if the image is of yourself or your partner.

Child pornography laws in Canada forbid the production, distribution, and possession of child pornography. Child pornography is any visual representations of sexual activity of a person under the age of 18 years. It also includes the depiction of the genital or anal region of a person under 18 for sexual purposes. This definition includes real people and imaginary persons (for example cartoons meant as child porn are also illegal).

In *R v. Sharp* (a Supreme Court of Canada case), a "personal use exemption" was made so that young people would not be criminalized if they created or shared explicit images with a partner, provided they are the age of consent (see the Sexual Health Centre website for more information about the age of consent).

However, while minors can possess photos of a person, they are not allowed to share or distribute these photos outside of the relationship. This is especially true if you distribute a photo of someone without their permission.

For example, if you are 16 and you send your 16 year old partner an image with their consent (no exploitation or coercion), you aren't likely to be breaking the law. However, if that image is distributed outside of your relationship, you could be charged under child pornography laws.

You probably don't think of the images you send to a partner as pornography, let alone child pornography, but under the law it could be seen that way. And young people have been charged with possession or distribution in The USA, Australia and Canada (including in Nova Scotia).

Keep these things in mind and discuss them with your partner. Most importantly, respect your partner and NEVER share intimate photos of them without their permission.