

Sharing Private Sexual Images Without Consent – Scenarios workshop

LESSON PLAN

Participants:	Secondary, year 9 (can be adapted for 20-30 participants)
Length of lesson:	1 hour
Learning outcomes:	By the end of the session, participants should be able to: <ul style="list-style-type: none"> • to understand the need for a law in this area, • to understand criminal offences relating to intimate image abuse, and • to apply the criminal law to particular facts.

Activity and Timing:	Description:	Resources/materials needed:
Introduction & Aims 5 mins	<p>Introduce yourselves and the aims of the session.</p> <p>Ask the participants the following questions.</p> <ul style="list-style-type: none"> • Put your hand up if you have a phone? • Put your hand up if you have ever sent anyone a text on your phone? • Put your hand up if you have social media? <p>Explain how it is relevant to them (i.e. you all have social media).</p> <p>This means that what we are about to talk about applies to all of you. You need be aware so you don't become victims but also aware as active bystanders in case you see other people doing this behaviour.</p>	Slides 1.
Collaborate in Groups 15 mins	<p>Put the participants into groups (approx. 3-4 per group).</p> <ul style="list-style-type: none"> • Ask them to discuss and write notes on the following question; '<i>Why do you think we need laws on sharing private sexual images?</i>' Show slide 2 while they are working. • Give the groups three minutes to discuss and then ask each group to feedback their ideas. • Draw out common themes and go through some statistics on slides 3 and 4. • Say that you have some quotes on the impact from real cases and research studies that you are going to read out. • For mental health (slide 5) read out the following quote: <i>"I've actually, I have to go to counselling once a week now, I got quite depressed from it. I felt destroyed and upset and just, I wasn't worth anything".</i> • For physical health (slide 5) read out the following quote: 	<p>Slide 2-4</p> <p>Large piece of paper for each group.</p> <p>Felt-tip pens</p> <p>Slides 5-6</p>

	<p>“I think it’s made me physically ill, I’ve just been constantly sick since this all happened. I can’t sleep, I’m not really eating properly”.</p> <ul style="list-style-type: none"> • For career impacts (slide 6) read out the following quote: <i>“I have questioned whether or not I’ll go through with the teacher training, whether or not this does all come out, whether it would even be possible for me to teach.”</i> • For relationship impact (slide 6) read out the following quote: <i>“[I haven’t told my] family, I wanted to because my family thought so highly of [the perpetrator], they loved him and then when I finished with him they were very accusing and stuff like ‘why would you do that’”</i> 	
<p>Case Scenarios 15 mins</p>	<p>Let’s see what you think the law should be!</p> <p>In their groups invite participants to discuss each case one at a time and decide what they think and why. Give the groups 10 minutes to do this.</p> <p>Invite group discussion (lead with a different group feeding back first for different scenarios).</p>	<p>Scenario worksheet Slide 7</p>
<p>Run through the Current Criminal Law 10 mins</p>	<p>Go through the slides and outline what the law is.</p> <p>(slide 8) In 2024 the law changed! The Online Safety Act 2023 came into force and created some new offences in the much older Sexual offences Act 2003. The law covers three main categories of offences:</p> <ul style="list-style-type: none"> - Sending pictures of anyone’s genitals. - Intentionally sending intimate images without consent. - Threatening to share intimate images. <p>The law changed as a result of recommendations made by a body called The Law Commission. The Law Commission review different laws and how they work and makes suggestions for the to be improved.</p> <ul style="list-style-type: none"> • Let’s talk about the first offence (cross ref slide 9). <p>If someone sends a picture of another person’s genitals and then intend to send that picture it could be a criminal offence. If they send it with the intention that another person will see it and be caused alarm, distress or humiliation that is an offence. It is also an offence it is sent and the person sending does it for their own sexual gratification and is reckless about the other person being caused alarm, distress and humiliation.</p>	<p>Slides 8-14</p>

An example might be someone sending a 'dick pic' but it can be any image of any genitals.

- Let's talk about the second offence of intentionally sending intimate images without consent (slide 10)
Section 66B (1) is considered the base offence under the Sexual Offences Act 2003 and creates an offence of sharing intimate images without consent.

"Base offence" means that there are other more serious offences that can be built upon this one but we won't cover those today.

The base offence is important because if someone satisfies all three provisions, they may be found guilty of a sexual offence. So what are the base offence criteria?

The first is that a person (the perpetrator) intentionally shares a photograph or film which shows or appears to show another person in an intimate state.

Intimate state includes (among other things):

- the person participating or engaging in an act which a reasonable person would consider to be a sexual act,
- all or part of the person's exposed genitals, buttocks or breasts.

This covers altered/photoshopped images / deep fakes, for example a person's head on another person's body.

The second is that the victim does not consent to this, and the third is that A does not reasonably believe that B consents.

All three of these must be satisfied and present at the same time for an offence to be proved.

Turn to slide 11 - Engage with discussion, ask them their thoughts on each part.

- What do you think consent is?
- Why is it important?
- Key questions are on slides

In short consent is agreement when freely given and of course the person is able to change their mind.

- Do you think it is a crime to threaten to share? (Show slide 12)? What if there is no actual image which is the subject of the threats? Show slide 13 and explain that it can be and read the slide.

	Discussion re the punishment being up to two years imprisonment and that someone could sue you for compensation for feeling distressed. Slide 14.	
Compare back to Scenarios	<p>In your groups go back to the scenarios and see whether you think the criminal law as it currently stands has been broken. It can be helpful to take printed copies of slides 9, 10 and 13 to help the groups.</p> <ul style="list-style-type: none"> • Timothy and Kylie – deep fakes are included in the offence. Clear intention to send (so could be more serious than the offences we have discussed). No knowledge of consent or reasonable belief in it in the circumstances. • Molly and Callum – again intended to disclose, intimate image, no consent and doesn't appear to have consent. • Dhillon and Kate – appears to be a complete accident which does not give rise to criminal liability. • Victoria and David - illegal to threaten to share. It does not matter that she does not have the images. 	<p>Scenario sheet</p> <p>Printed copies of slides 9,10, and 13.</p>
Inform of Support Organisations 2 mins	Go through the different organisations which can help and encourage participants to take a picture of the slide if they are allowed phones.	Slide 16
Feedback & Reflection 5 mins	Hand out an exit ticket to each student. This will ask them to reflect on 3 things they learnt during the session, 2 things they found interesting and 1 question they have.	One exit ticket per student. See document titled Exit Ticket which has two on a page to save paper (can be cut up in advance of the session).

Evaluation:

1. *Review the exit tickets.*

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