



## Indecent images of children: guidance for young people

*Home Office*

**Taking, making, sharing and possessing indecent images and pseudo-photographs of people under 18 is illegal.**

**A pseudo-photograph is an image made by computer-graphics or otherwise which appears to be a photograph.**

### This can include:

- photos
- videos
- tracings and derivatives of a photograph
- data that can be converted into a photograph

### Different terms and what they mean

Definitions of some of the terms used in the legislation:

- ‘indecent’ is not defined in legislation but can include penetrative and non-penetrative sexual activity
- ‘making’ can include opening, accessing, downloading and storing online content
- ‘sharing’ includes sending on an email, offering on a file sharing platform, uploading to a site that other people have access to, and possessing with a view to distribute

### Working together

The UK government is working with partner organisations including the Internet Watch Foundation (IWF) and the Marie Collins Foundation to ensure everyone knows the law and understands that:

- looking at sexual images or videos of under 18s is illegal, even if you thought they looked older
- these are images of real children and young people, and viewing them causes further harm
- if you stumble across sexual images or videos of someone who could be under 18 online, you should report it to the Internet Watch Foundation (IWF) - reporting is easy, anonymous and could help to save a child from ongoing harm.

## **What's the law?**

Indecent photographs of children:

- under the Protection of Children Act 1978 (as amended), the UK has a strict prohibition on the taking, making, circulation, and possession with a view to distribution of any indecent photograph or pseudo photograph of a child and such offences carry a maximum sentence of 10 years' imprisonment
- section 160 of the Criminal Justice Act 1988 also makes the simple possession of indecent photographs or pseudo photographs of children an offence and carries a maximum sentence of 5 years' imprisonment
- there are defences for those aged over the age of consent (16) who produce sexual photographs for their own use within a marriage or civil partnership; these defences are lost if such images are distributed

## **The term 'making' could include:**

- opening an attachment to an email containing an image
- downloading an image from a website onto a computer screen
- storing an image in a directory on a computer
- accessing a website in which images appeared by way of an automatic "pop up" mechanism

## **Types of examples covered by these laws could include the following:**

- a person under the age of 18 who creates, possesses and/or shares sexual imagery of themselves with a peer under the age of 18 or adult over 18
- a person under the age of 18 who possesses and/or shares sexual imagery created by another person under the age of 18 with a peer under the age of 18 or an adult over 18
- a person over the age of 18 who creates, possesses and/or shares sexual imagery of a person under the age of 18

Please be aware this list is not exhaustive and other situations could also be covered by these offences.

### **More information and support**

If you have any suspicion or concerns that a child may be at risk, always contact the police. If a child is in immediate danger, dial 999 and ask to speak to the police.

Get more information and support from:

- Internet Watch Foundation – an independent charity that aims to help victims of child sexual abuse worldwide by identifying and removing online sexual imagery of under 18s, offering a place for the public to report suspected indecent images of children anonymously.
- Marie Collins Foundation – a charity enabling children who have suffered sexual abuse and exploitation online to recover and live safe, fulfilling lives.
- National Crime Agency CEOP – a command of the NCA working with child protection partners across the UK to identify and eradicate threats to children.
- Samaritans – a suicide prevention charity with a 24-hour confidential helpline.
- NSPCC – a charity working to protect children and prevent abuse.
- Stop It Now! – a child abuse prevention campaign and anonymous helpline for individuals worried about their own sexual thoughts or behaviour towards children or that of others.

### **When indecent images are discovered:**

- Teachers, parents, students (whoever else is involved) should NOT share or comment on it.
- If images are being circulated on Twitter, Instagram, Facebook or any other social media, it must be reported by the person that has seen the images using the built-in reporting options. Making a note of the account it has been posted on.
- Fake accounts can be closed down easily using the websites reporting features.
- The school can confiscate any mobile they suspect has indecent images which then can be seized if required.
- Teachers/professionals can also contact the Safer Internet Centre helpline for advice (they have an excellent working relationship with Twitter/Instagram and Facebook and others).
- Advice can also be sought from CEOP and any incidents reported by using the CEOP Safety Centre.
- Facebooks family safety centre - advice and tools for parents and teachers
- Facebook procedures for law enforcement
- Twitter - safety tips and advice for parents
- Twitter - safety tips and advice for young people
- Instagram – Privacy & Safety Centre