| **Sexual images and consent**  **Scenario 1:**  A couple send explicit images to each other during the course of their relationship. After they break up one of them shares the images as revenge for being hurt.  **Discuss the following:**  1. Are any of these scenarios consensual at any point? If so, when?  2. When did any of the scenarios change to become non-consensual?  3. Are any of these scenarios illegal? | **Scenario 2:**  At a party someone gets very drunk, they end up naked in bed with someone but pass out before having sex. The other person takes photos of them naked and shares them. | **Scenario 3:**  Someone puts a photo of themselves on Facebook in their underwear. This photo is printed out and shared around the school with abuse about the person written on it. |
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**Are any of these scenarios consensual at any point? If so, when?** 

In scenario 1, the couple sending explicit images to each other during their relationship may have done so consensually (although if they are under 18 this may still be a criminal offence, since this would technically qualify as indecent images of a person under 18). Scenario 2 is not consensual at any point because one of the young people is drunk to the point of passing out. In scenario 3, someone posting a photo of themselves in their underwear may be a free choice or it may have been done under pressure or manipulation. We do not know the person’s level of vulnerability and their capacity to make choices.

**When did any of the scenarios change to become non-consensual?**

In scenario 1, the situation clearly becomes non-consensual when the images are shared as revenge without the person’s permission. In scenario 2, the pictures are both taken and shared without the person’s permission. In scenario 3, the printing and sharing of the photos with abusive language is clearly non-consensual.

**Are any of these scenarios illegal?**

The scenarios above would be illegal and could be prosecuted under various laws including the Sexual Offences Act (2003), Malicious Communications Act (1988), Obscene Publications Act (1959) and Protection of Children Act (1978). If the victim is under 18 could also lead to the perpetrator being added to the Sex Offender Register.