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Teen sexting: prevalence, characteristics and legal treatment

Carolina Villacampa

University of Lleida, Spain

Abstract

Criminal policy adopted in sexual offences, initially intended to protect minors and youths, has led some countries to criminalise online sexual contact between teens themselves. Prevalent engagement in sexting by minors has already been subject to sanction in the US and could be sanctioned in European countries in the case of punitive criminal policy in this area becoming widespread. This study, conducted in Spain with a sample of 489 youths between the ages of 14 and 18, determines the lifetime prevalence of teen participation in sexting behaviours, the profile of those who sext, the dynamics of their participation and the emotional effects it can have on the parties involved. In light of the results, an approach to sexting is proposed that, in keeping with the discourse of normalcy, is based more on education than sanction, avoiding approaches that link this behaviour necessarily with the idea of deviation.

Keywords

sexting, prevalence, teenagers, effects, legal treatment.

1. Introduction

‘Sexting’, a portmanteau of the words ‘sex’ and ‘texting’, refers to communications of a sexual nature, including both text messages and images, sent via mobile phones and other electronic means (Calvert, 2009-2010; Chalfen, 2009; Ferguson, 2011; Katzman, 2010; Lenhart, 2009; Wolak and Finkelhor, 2011). The conceptualisation of this phenomenon has not been devoid of problems. The definitions of sexting offered in the literature have been so varied as to render comparison of the reported findings on the prevalence of sexting very difficult (Drouin et al., 2013; Klettke et al., 2014; Lievens, 2014; Ringrose et al., 2012). The above definition is broad, including both text messages and the sending of images, and not limited to pornographic content. In contrast, the concept of sexting used in this paper is narrower, including only communications of a sexual nature containing images (photographs or videos).

Despite the disparity of definitions, there is consensus regarding the need to differentiate within this category between ‘primary sexting’, consisting of the actual

production or self-production of the image, generally consensual, and ‘secondary sexting’, in which the image is sent with or without the consent of the person depicted in it (Calvert, 2009; Lievens, 2014; Ringrose et al., 2012; Wolak and Finkelhor, 2011). In addition, the typology of Wolak and Finkelhor (2011) introduces factors for assessing the harmfulness of sexting by differentiating between ‘experimental sexting’ –taking place in the context of an established romantic relationship, to generate romantic interest in another youth or for other reasons, but in the absence of any criminal behaviour- and ‘aggravated sexting’ –involving adults in the act or including criminal or abusive elements on the part of the minors themselves in relation to the creation, sending or possession of sexual images produced by minors-.

As this typology makes clear, some instances of sexting can be extremely harmful for the youths involved. However, based on the idea that every case of sexting might be uniformly harmful, one of the main consequences of the criminal policy fight undertaken in the US during the 1980s against sexual predators, grounded in real concerns but also in moral panic and stereotypes such as ‘stranger danger’ (Finkelhor, 2009; Jewkes, 2012; Yung, 2010), has been the adoption of legal measures to put an end to all cases of the activity across the board. Initially, the only objective of these legal measures was to address the problem of adult paedophiles who were allegedly taking advantage of the facilities offered by the widespread use of information technology to prey on increasing numbers of children. However, at the turn of the millennium, legal remedies adopted to react against adult sexual offenders had begun encompassing children involved in sexual communications through information technologies, whom it suddenly seemed necessary to protect from themselves and who ended up being accused of the commission of offences concerning child pornography by certain prosecutors. During the first decade of the new millenium concern regarding the risky sexual behaviour in which teens might engage began to grow, attracting the attention of the media (Best and Bogle, 2014).

As with other punitive legislative reactions, beyond the existence of a real danger, the sharing on social media of alarming information has helped to fuel what some have called a ‘moral panic’ over sexting (Crimmins and Seigfried-Spellar, 2014; Crofts et al., 2015; Hasinoff, 2015; Shariff, 2015). Timely publicising of extreme cases has led to the widespread consideration of sexting to be a risky behaviour, with the consequent overreaction of the US criminal justice system, giving rise to the paradox that laws designed to combat child pornography are now being used to punish children

themselves for sexting (Rahders, 2015; Thomas and Cauffman, 2014). According to the dichotomist approach to the opposition victim-perpetrator generally adopted in the context of sexual offences (McAlinden, 2014), children who sext cease to be viewed as ideal victims and become sanctionable subjects that no longer fit the ideal victim stereotype. These children end up running afoul of anti-child pornography laws initially designed to punish adults not only in the US, but also in Canada (Shariff, 2015) or Australia (Crofts et al., 2015; Blyth and Roberts, 2014-15).

In this highly punitive context, some scholars have embraced the application of anti-pornography laws to children (Duncan, 2010-2011). However, the majority view under US doctrine has advocated the adoption of a specific criminal justice solution for adolescents, albeit initially one of a punitive nature (Bosak, 2012; Hiffa, 2010-2011; Morris, 2014; Walters, 2010-2011). Although most Americans do not favour an approach completely removed from the context of criminal law (Barry, 2010-2011), the possibility of decriminalising such behaviours and respecting them as a manifestation of children's human rights, provided they are consensual, is increasingly accepted (Crofts et al., 2015; Gillespie, 2013; Lievens, 2014; Shariff, 2015; Simpson, 2013; Spooner and Vaughn, 2014; Wolak and Finkelhor, 2011), reserving sanctions solely for cases of non-consensual, secondary sexting. Some have even suggested the need to recognise young people's capacity to decide when sexting is consensual, regulating it as a sexual act and protecting the minors' right to engage in it (Hasinoff, 2015). These expert opinions have had their influence in the passage of ad hoc laws to fight teen sexting in 23 US states since 2009.

Some European countries could undergo with a similar process in this matter, criminalising the conduct of minors who self-produce child pornography (primary sexting), as well as the possession or acquisition of child pornography by other minors who receive such images, whether or not they then forward them on. In European countries, the category of criminally relevant conducts in terms of child pornography could be broadened, above all, by the effect of the provisions of the 2007 Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse ("Lanzarote Convention") and Directive 2011/93/EU on combating sexual abuse and sexual exploitation of children and child pornography. Although both documents take a victim-oriented approach, they have also entailed the assumption of a punitive policy at a global European level, establishing very broad requirements for what constitutes a conduct related to child pornography. This is true to such an extent

that sexting behaviours, that is, the production, accessing, acquisition, possession or distribution of sexts, involving the production or sending of pornographic material will fall within the scope of such recognised offences. Art. 20.3 of the Lanzarote Convention provides that the parties reserve the right not to apply its provisions to the production or possession of pornographic material in cases involving children who have reached the legal age for sexual activities when the images are produced and possessed by the children themselves, with their consent, and are solely for their own private use. Art. 8.3 of the Directive includes a similar provision with regard to the production, acquisition or possession of such material.

Whilst both texts establish the possibility for states not to criminalise these conducts, they leave the decision entirely to the state's discretion. In some European countries, the production, acquisition, possession and distribution of child and juvenile pornography is a crime that can be committed by teens themselves. Although this does not necessarily mean that currently the respective sections of the following national criminal laws are being enforced against teens, this could be the case in United Kingdom (section 1 Protection of Children Act 1978, section 160 Criminal Justice Act 1988 and section 62 Coroners and Justice Act 2009), Germany (sections 184b and 184c German Criminal Code, except for production), France (section 227-23 French Criminal Code), Italy (sections 600ter and 600quater Italian Criminal Code, except for self-production) or Spain (sections 183 ter and 189 Spanish Criminal Code). Some of these countries –Germany, France and Italy- have not even included a clause excluding the perpetrators of sexual offences against minors from criminal responsibility when they are minors too. Others, such as Spain, have included it, but in a way that does not exempt teenagers from criminal responsibility for sexting. In the Spanish Penal Code this clause was included only for cases of abuse, sexual aggression and online child grooming, but not for offences related to child pornography, the area in which sexting falls. In England and Wales, since January 2016, if a young person is found creating or sharing images, the police can choose to record that a crime has been committed but that taking formal action is not in the public interest (Home Office, 2016; Youth Justice Legal Centre-YJLC, 2016). The criminalization of teen sexting described above could likewise be happening in all those European countries that, upon transposing the referred European rules into national law, have not provided for the optional clauses excluding minors from criminal responsibility as proposed under the aforementioned international provisions.

Given that the current regulatory context in Europe allows minors to be held criminally responsible for engaging in secondary sexting (even if consensual, by accessing, possessing or distributing child pornography) or even primary sexting (by self-producing child pornography), it was deemed relevant to determine the prevalence of these behaviours amongst teenagers, as well as the effects they have on victims.

Studies on the prevalence of teen sexting have a much longer history in the US. The reported prevalence in that country varies considerably, ranging from 2% to 54%, due to differences in how the concept is defined and the methodologies used (Döring, 2014; Klettke et al., 2014). In the US, the initial estimates suggested high prevalence rates, of 20% or more (Associated Press and MTV, 2009; The National Campaign to Prevent Teen and Unplanned Pregnancy and CosmoGirl.com, 2008). Subsequent research indicated that the rates were much lower, with around 4% of minors having sent such images and 15% having received them (Lenhart, 2009), or 2.5% of respondents reporting having appeared in or created nude or nearly nude pictures or videos and 7.1% reporting having received them (Mitchell et al., 2012). The most recent studies on prevalence in the US suggest higher rates, with an annual prevalence of 7% (Hollander, 2015; Ybarra and Mitchell, 2014) or vital prevalences that can reach the 54% of the respondents reporting having sent sexts –only 28% containing images– (Strohmaier et al., 2014), as well as 20% having received them (Rice et al., 2015). As a consequence, sexting cannot be said to be rare amongst teens, although it is far more widespread amongst adults (Benotsch et al., 2013; Crimmins and Seigfried-Spellar, 2014; Gordon-Messer et al., 2013).

In Europe, according to the EU Kids Online II project, which sought to quantify online risk behaviours amongst adolescents in 25 European countries, 15% of children between the ages of 11 and 16 had received sexual messages or images from their peers, and 3% had sent them (Livingstone et al., 2011). A second analysis of the data collected within the framework of this project including 20 of the 25 initially participating countries found that 1-4% of girls between the ages of 11 and 16 had sent or published a sexual message (Baumgartner et al., 2014). With regard to the Spanish sample for the EU Kids Online II project, 1024 minors interviewed at home, 9% of children between the ages of 11 and 16 had received or seen sexts sent by peers, whilst only 1% had sent them in the year prior to the interview (Garmendia et al., 2011; Haddon et al., 2012). More recently, the Safeguarding teenager's intimate relationships' (STIR), involving a survey with 4,564 young people aged 14 an 17 in Bulgaria, Cyprus, England, Italy and

Norway, has shown that the highest proportion of young people sending sext messages only to a partner during or after the relationship was ended was in England (38%), followed by Norway (30%), Bulgaria (28%), Italy (22%) and Cyprus (10%) (Wood et al., 2015).

With regard to the existing literature focused on the effects of sexting on the people involved, a distinction can be drawn between studies based on the discourse of normalcy –sexting as a normal activity inherent to adolescents’ maturation process– and those grounded in the discourse of deviance –sexting as a risk activity with harmful effects for the people involved that should be avoided (Crofts et al. 2015; Döring, 2014; Lee and Crofts, 2015). Although there has been a gradual shift away from primarily alarmist discourses towards a more normalcy-based approach (Döring, 2014), the discourse of normalcy has been more clearly sustained in research conducted in Europe (Kerstens and Stol, 2014; Nielsen et al., 2015; Wood et al, 2015; Stanley et al., 2016) than in US. According to the deviance discourse, sexting is associated with sexually risky behaviours and drug use (Baumgartner et al., 2014; Benotsch et al., 2013; Crimmins and Seigfried-Spellar, 2014; Dir and Cyders, 2013; Gordon-Messer et al., 2013; Hollander, 2015; Rice et al., 2015; Temple et al., 2012; Van Ouytsel et al., 2014; Ybarra and Mitchell, 2014). Predictors of these conducts are sought in the currency of subjective norms that encourage them, which must be acted upon (Hudson and Fetro, 2015; Walrave et al., 2015). This view stresses the need to abstain from such behaviour due to the possibility of being the victim of harassment or other types of online abuse (Ahern and Mechling, 2013; Gámez-Guadix et al., 2015; Hinduja and Patchin, 2010; Hua, 2012; Korenis and Billick, 2013; Shariff, 2015) or in light of the potentially pernicious legal consequences of engaging in it (Strohmaier et al., 2014; Wolak and Finkelhor, 2011). However, without necessarily assuming the discourse of deviance, there is a growing body of literature stressing the correlation among sexting and physical and sexual abuse of romantic partners (Drouin et al., 2015; Renold et al., 2015; Stanley et al., 2016; Wood et al., 2015), leading to consider that the involvement of many young women in these behaviours and the way they experiment with it may be explained in terms of gender inequality.

Given the lack of empirical research on this topic with samples of teenagers in Spain as well as in other European countries, the main goal of this research consisted of determining the lifelong prevalence rates of these behaviours amongst Spanish teens. Besides, the research seeks to establish the profiles of youths who sext, as well as the

main characteristics of their sexting behaviours and their potential effect on the individuals involved, areas on which previous studies conducted in Spain have shed little light.

2. Method

2.1 Sample

The research was carried out with a sample of secondary school students between the ages of 14 and 18 studying in a city in western Catalonia (Spain). Data were collected on 489 teenagers studying third or fourth year ESO (compulsory secondary education), their first or second year of upper secondary school, or an intermediate vocational training programme, at one of five different public secondary schools located throughout the city in order to ensure a representative sample.

The sample was taken in a single city with a study population of some 12,000 individuals, but the results can be extrapolated to all of Catalonia, since by the size and age of the sample it can be considered representative. According to demographic statistics from 2015, a total of 419,761 individuals in the region are between the ages of 14 and 18, in relation to which a sample of 399 individuals ensures a confidence level of 95% and a margin of error of $\pm 5\%$ for $p=q=0.50$. Although the schools were selected with the purpose of including teens coming from different socio-economic, cultural and ethnic provenances, the qualitative representativeness of the sample is not guaranteed.

2.2 Procedure

Once the schools had been chosen, the purpose of the research was exposed in detail only to the respective school administrative teams to obtain their permission. Of the 8 centres originally contacted, 3 declined to take part in it and 5 accepted to intervene in writing. Parents were not informed about this research. The participation of students in this study was voluntary. However, it was decided not to collect data requiring informed consent in order to ensure the anonymity of the survey, as it has been done and expressly indicated in previous researches on sexting involving teenagers (Nielsen et al., 2015). The day the questionnaire had to be completed in one of the selected secondary schools, the researchers who administered the paper survey in it explained the content and the purpose of the research to the students with the help of the teachers involved, informing clearly about the voluntary nature, anonymity and confidentiality of it. The surveys were distributed to all students who were in class,

warning them that those who did not want to complete the survey could turn it in blank to the researchers at the end of the session. Students were supervised by the researchers themselves to assure that they fulfilled the questionnaires individually and to guarantee that those not willing to fulfil them could perform an alternative activity.

2.3 Measures

Data were collected by means of a questionnaire consisting of 30 questions, which participants answered anonymously at the five schools between February and March 2015. The questionnaire, which was modelled after that used in the third edition of the Youth Internet Safety Survey, was divided into two parts. In the first one, respondents were asked for general data (age, gender, place of residence), family socio-educational level and information and communication technology usage habits. The second part was centred on the phenomenological analysis of sexting itself. The questionnaire was pre-tested with 5 teenagers, aged between 14 and 17 years, and some adjustments were included to facilitate the understanding of the questions and also to update some of them.

The participants were asked exclusively about their participation in the production or dissemination of photographic and video material, not about their participation in the production or dissemination of sexual texts, as the aim was to analyse the prevalence of youth involvement in those conducts most closely related to child pornography.

As for the questions contained in the second part of the questionnaire, relating to their intervention in sexting behaviours, were focused on determining the degree to which the teenagers engaged in behaviours related to receiving and forwarding sexual pictures and videos or the degree to which they engaged directly in behaviours related to the self-production or other forms of involvement in the production of such pictures or videos. Respondents were also asked about the channel used to send the images, their motivations for engaging in these behaviours, the relationship between these behaviours and gender, the characteristics of the people considered to be responsible, the types of images sent, and the feelings the people involved experienced throughout the process.

Except for the question in which the respondents were asked if they considered that the incident had had something to do with the macho attitude of the person responsible, included anew in this research, the 14 remaining questions in this part of the questionnaire were based on those used in the third edition of the Youth Internet Safety

Survey, whose content was inferred from the publication of its main results in Mitchell et al. (2012).

The first set of 5 questions was tailored to determine the prevalence of intervention of teens in sexting. Firstly, they were asked if anyone had ever sent them electronically nude or nearly nude pictures or videos of kids who were under the age of 18 that someone else took. Secondly, they were asked if they had ever forwarded or posted any nude or nearly nude pictures or videos of other kids who were under the age of 18 that someone else took. Thirdly they were asked if they had ever taken part in the production of these images or videos, having taken nude or nearly nude images of themselves, of others or having allowed someone else to take these images from them.

In case of having answered positively any of the first set of questions, respondents were requested to give more information about the sexting episode. In relation to the characteristics of the person responsible, besides asking if they considered that the incident was caused by a macho attitude, respondents were asked who was the person they considered responsible of the incident (him/herself, someone the respondent meet online, partner or former partner, friend or acquaintance from school, friend or acquaintance from any other place, does not know, others), the gender and the age of the respondent (minor or of age).

As for the typology of images created, forwarded or received, respondents were asked if they considered them sexually explicit. Besides, they were concretely requested to say if the images had shown a sexual behaviour, a pornographic image, people in their underwear, people dressed in suggestive clothing or others. They were also asked if the images depicted minors.

In order to identify the dynamics of these behaviours, respondents were asked what the distribution channel of the images was, offering them the possibility to choose one or more options of an unclosed list of possible ways of dissemination. Also information about the frequency of the incidents (once, twice, between 3 and 5 times, more than 5 times) was gathered.

Respondents were also asked to choose one or multiple motivations or reasons for being involved in these incidents among the following options: as a consequence of a romantic relationship, harassment, joke, threats or blackmail or coercion, revenge, to try to start a sexual relationship, attention seeking, other types of personal conflict or they did not know.

Finally, respondents were asked how they felt during the incident. Question allowed them to choose among these options: upset/offended, anxious, afraid, embarrassed or other options (open answer).

2.4 Sample description

The characteristics of the sample resulting from the treatment of the questions included in the first part of the questionnaire are shown in Table 1.

Table 1. Characteristics of the youths in the sample (n=489)

		n	Percentage (%)
Gender	Male	244	49.9
	Female	245	50.1
Age	14	88	18
	15	142	29
	16	147	30
	17	83	17
	18	29	6
Living conditions	Live with parents (n=473)		
	-Father and mother	376	77
	-Only with father	14	2.9
	-Only with mother	51	10.4
	-Alternates between father and mother	32	6.3
	Do not live with parents (n=16)		
	-Extended family	9	1.8
	- Other locations	7	1.2
Highest level of parental education (*)	No education	7	1.4
	One parent with primary education	36	7.4
	One parent with secondary education	185	37.8
	One parent with a university degree	257	52.6
Internet usage habits	Goes online at home	479	98
	Other locations	10	2
Device used to go online (**)	Mobile phone	381	78
	Laptop	145	29.7
	Desktop PC	93	19
	Tablet	59	12
Place where they go online	The user's bedroom	293	60
	Communal rooms	196	40
How often they go online (*)	One day a week	6	1.2
	Between 2 and 4 days a week	54	11
	Between 5 and 7 days a week	429	87.7
	1 hour or less	54	11
	Between 1 and 2 hours	152	31
	More than 2 hours	282	57.7
Types of sites visited first	Social network sites	271	55.4
	Chats	123	25.2
	Blogs, forums, games, music, e-mail, etc.	95	19.4
People to whom they speak	People they know personally	465	95
	People they have only met online	24	5
Types of websites visited (**)	WhatsApp	479	98
	Facebook	411	84
	Gmail	323	66

Instagram	323	62
Twitter	171	35
Skype	171	35
Tuenti	24	4.9
MySpace	7	1.4

(*) Some categories do not add up to 100% due to rounding-up or missing data.

(**) Question allowing multiple answers

3. Results: participation of teens in sexting

3.1. Prevalence of sexting amongst adolescents

The main aim of this research was to determine the lifelong prevalence of sexting amongst teens. The rate varied depending on the type of sexting in question, as it is shown in table 2. The rate is quite high in passive behaviours, but falls sharply when the respondents were asked about conducts requiring active participation.

Table 2. Livelong prevalence of intervention in sexting behaviours

	n	Percentage (%)
Receipt of pictures or videos of nude or nearly nude children by digital means	140	28.6
Forwarding or producing pictures or videos of nude or nearly nude children	40	8.2
Production	39	7.9
- Taking pictures or making videos of themselves being nude or nearly nude (self-production)	34	7
- Posing nude or nearly nude for someone to photograph or film	15	3.1
- Having taken a video of another nude or nearly nude teenager (third-party production)	6	1.2

The lifetime prevalence rates of different types of sexting were not comparable with those obtained in the corresponding study in the US (Mitchell et al., 2012), which was used as a model for this research, due to differences in the makeup of the sample and the methodology used and because that study measured annual prevalence. As with the US sample, the prevalence of sexting amongst teens depended on the exact type of sexting in question, which remained high for the receipt of pictures and videos and markedly lower for the production thereof. Nor were the prevalence rates of teen sexting arising from this research comparable with those reported in the study conducted with a sample of Spanish teenagers within the framework of the EU Kids Online II project (Garmendia et al., 2011; Haddon et al., 2012). Once again, differences in the sample composition and methodology used (an oral interview at the respondent's home with a parent on the premises), as well as the fact that this study measured annual prevalence, can explain the differences in the reported prevalence rates.

It is worth noting that, when all possible forms of sexting by youths are looked at together, the overall lifelong prevalence of engagement in sexting behaviours is 33.5%. This means that more than one third of the population between the ages of 14 and 18 could be sexting. Such a prevalence rate of sexting amongst teens is more similar to that reported in early studies on prevalence in the US, which placed it at around at least 20% (Associated Press and MTV, 2009; The National Campaign to Prevent Teen and Unplanned Pregnancy and CosmoGirl.com, 2008), than it is to subsequent studies that led to the belief that the initially reported prevalence rates had overstated the problem (Lenhart, 2009; Mitchell et al., 2012). This high average prevalence is closer to the highest ones reported in recent quantitative studies in the US, such as that by Strohmaier et al. (2014).

In addition to the fact that they sought to quantify lifelong rather than annual prevalence, the differences in percentages reported for such behaviours in these American studies as compared to earlier ones, in which the reported rates were lower, may be due precisely to the method chosen to collect the data. In the studies reporting lower prevalence rates, the surveys were conducted orally by phone, whilst in the analysis reporting higher prevalence rates, such as this one or that by Strohmaier et al. (2014), the surveys offered a better guarantee of anonymity, as they were completed online or on paper and respondents were therefore not required to state their answers out loud. These methodologies may have encouraged respondents to disclose such behaviours. Besides, the increase in prevalence rates can also be explained because between 2008 and 2010, when the first quantitative analyses were carried out in the US, and 2014 and 2015, when the most recent studies were conducted, the use of mobile phones and other forms of online communication grew exponentially. Such considerations might also help to explain why the prevalence of teen sexting was higher in the research presented here than in that performed with a sample of Spanish teenagers in 2010-2011 (Garmendia et al., 2011).

3.2. Profile of the participants

3.2.1. Socio-demographic characteristics of the participants

Gender was not a determinant socio-demographic characteristic of the participants. No statistically significant differences were found in the types of conducts in which respondents engaged based on this variable. Girls were more likely to receive sexts (52% of girls vs 47% of boys), less likely to forward them (52% of boys vs 47% of

girls), and more likely to be involved in producing them (between 52 and 66% of cases, depending on the question). However, according to the logistic regression performed to determine the predictive value of gender, it was not a predictive variable for engaging in sexting behaviours. With regard to this lack of significance of gender as a predictor, the findings of this study did not differ from those reported in at least a segment of the existing literature (Hinduja and Patchin, 2010; Lenhart, 2009), although some studies have indicated that girls are more likely than boys to engage in sexting behaviours (Mitchell et al., 2012; Ybarra and Mitchell, 2014) and even more recent studies establish the relation between girls' participation in sexting and abusive intimate relations reproducing traditional gender patterns (Drouin et al., 2015; Stanley et al. 2016; Wood et al., 2015).

Age was a statistically significant variable for determining the types of sexting in which respondents engaged: the older the respondent, the more likely he or she was to participate directly in the production of pictures or videos ($\chi^2=13.394$, $p=0.01$ for self-production, and $\chi^2=10.880$, $p=0.02$ for third-party production) and to receive them ($\chi^2=10.834$, $p=0.02$). Specifically, 14- and 15-year-olds were the most likely to engage in conducts related to receiving such content (22% and 32% respectively), 15-year-olds were the most likely to engage in conducts related to forwarding or disseminating it (32%), and, with regard to production, 16-year-olds were the most likely to engage in conducts related to self-production (38%), and 17-year-olds the most likely to engage in conducts related both to third-party production and to self-production and posing (up to 40%). These findings confirm those of earlier studies, which largely found that participation in sexting increases with age (Baumgartner et al., 2014; Dake et al., 2012; Garmendia et al., 2011; Kopecký, 2011; Lenhart, 2009; Livingstone et al., 2011; Mitchell et al., 2012; Strassberg et al., 2013; Temple et al., 2012). Age was also a predictive variable for determining the likelihood of engagement in sexting behaviours, with the probability being highest amongst 17-year-olds (OR = 1.838).

In contrast, parental education was not a determinant for the purposes of establishing the profile of teenagers who engage in these types of behaviours. In all cases of sexting most of the participants lived with their parents and had at least one parent with secondary education or a university degree, which was also true for the sample in general. Nor were such variables predictive of the likelihood of engaging in sexting according to the logistic regression carried out.

3.2.2. ICT use of the participants

As was the case for the sample in general, most of the adolescents who engaged in sexting most often used the computer at home, followed by those who used it at school. However, behaviours related to the self-production of nude or nearly nude pictures or videos correlated more clearly with those who usually used the computer at home (n=33 at home vs n=19 at school). Likewise, keeping with the sample as a whole, adolescents who sexted usually used their mobile phones to go online. With regard to where they usually went online, again respondents were more likely to do so in their bedrooms than in communal rooms, especially when engaging in conducts related to receiving (64% vs 35%) and self-producing (66% vs 33%) photographs and videos. The breakdown between bedrooms and communal rooms was more even for conducts related to forwarding and disseminating such content (51% in their bedroom vs 48% in public rooms).

The heaviest Internet users were the most likely to engage in sexting behaviours. Most of the youths who engaged in sexting went online between five and seven days a week (with percentages in excess of 90% for those who received, forwarded and disseminated sexts and of around 80% for those who produced them) and did so for more than two hours a day (around 70% for those who received and forwarded sexts and 60% for those who produced them).

Most of the teenagers who engaged in sexting were most likely to visit social network sites when online. The highest prevalence rates were found amongst those most likely to check their social networks as opposed to those most likely to use chats (around 50% for those who visited social networks vs percentages of around 35% for those who accessed chats). Almost 95% of the respondents preferred to interact online with people they knew personally, as opposed to virtual friends, although this percentage sometimes fell below 90% in the case of teenagers who created photographs and videos.

3.3. Characteristics of the person responsible

In addition to questions on the characteristics of the sample members in general, the questionnaire included several questions intended to determine the characteristics of the individuals responsible for these conducts. In the presentation of the results, the characteristics of those sample members who had engaged in sexting behaviours are

discussed right before the characteristics of the individuals considered to be responsible for them precisely because most sample members considered either the respondent him or herself (28%) to be responsible or, otherwise, someone else, usually including the person who had taken or forwarded the photo (9%), that is, the actual participants in the conduct. Following this option, the second most common answer was for the respondent to indicate that he or she did not know who was responsible for it (25%). Less frequently chosen answers included: a friend or acquaintance from school (12%), a friend or acquaintance from somewhere else (11%), or a current or former romantic partner (10%).

Given the high rate at which respondents considered themselves to be responsible for these conducts, the bivariate analysis of the questions regarding who was responsible and what type of sexting conduct had been performed found that the groups most likely to consider themselves responsible were, by a clear margin, those who self-produced the material or filmed others to produce it (71 and 66% respectively) and, to a lesser extent, those who possessed it (50%). The cases in which participants were least likely to consider themselves responsible (19%), as well as most likely to state that they did not know who was responsible, were those involving the receipt of this content (27%). In cases of forwarding or dissemination, not only was the percentage of respondents who considered themselves responsible not low (31%), it was equal to the percentage of respondents who stated they did not know who was (31%). There was thus a clear tendency to consider oneself responsible for conducts related to production (primary sexting), as well as a certain tendency to consider others responsible in cases of forwarding (secondary sexting), despite the active involvement of the respondent.

By gender, the individuals considered responsible were mostly male (59% male vs 48% female). In contrast with the characteristics of the participants, males were much more likely to be considered responsible in cases involving the receipt of photographs and videos (60%) and production (65%, a figure that climbed to 83% in the case of third-party production). With regard to the forwarding or publicising of texts, although females were more numerous (52%), the difference was minor (47% males). A comparison of these results to those for the characteristics of the participants suggests that, according to the study sample, behaviours involving the receipt of photos and videos are generally carried out by boys, although the material itself more often refers to girls, something that is also true of behaviours related to the third-party production of such materials. In contrast, in cases of forwarding, the sex of the person considered

responsible for the conduct and that of the person to whom the material refers are more evenly distributed. These findings are consistent with those reported in some earlier studies that underscored the predominance of boys with regard to receiving sexts and of girls with regard to producing and sending them (Associated Press and MTV, 2009; Mitchell et al., 2012; Ybarra and Mitchell, 2014).

Such results could also be considered compatible with understandings of sexting that see a gender component in these conducts, whereby girls, in keeping with the passive role attributed to females, are more likely to produce images for consumption by boys, who might also be requesting them (Englander, 2012; Ringrose et al., 2012; Shariff, 2015; Stanley et al., 2016), fulfilling through this behaviour heteronormative expectations imposed on young women by the way in which they are viewed in society (Wood et al. 2015). In order to determine whether the people who engaged in these conducts associate them with this passive role attributed to girls and a demanding and exacting one to boys, the respondents were asked whether they thought the incident had anything to do with the sexist attitude of the person responsible. Despite the larger share of men considered responsible for some of these conducts, most of the respondents did not believe that the incident had to do with sexism (77% of cases vs 23% in which they did). However, the incident was considered to be due to a sexist attitude on the part of the person responsible 50% of the time in cases of third-party production of pornographic material.

With regard to age, a clear majority believed that the person responsible for the sexting behaviours was a minor (93%). However, when the behaviours were broken down by type, this overwhelmingly large share of respondents who considered minors responsible was observed in relation to the behaviours of receiving and forwarding or disseminating sexts (93% and 96%, respectively). With regard to production-related behaviours, the percentage of minors considered responsible decreased slightly (89 for self-production and 83% for third-party production).

3.4. Typology of the images received, forwarded or created

The prevalence of sexting conducts amongst the teens was determined by asking them about their involvement in the receipt, forwarding or creation of photos or videos depicting nude or nearly nude minors. In order to obtain more specific data about which of these materials might be considered to contain child pornography and which conducts could potentially lead to prosecution of the youth on child pornography

charges, the sample members were asked more specifically about the characteristics of these images.

In all, 78% of the respondents who answered this part of the survey reported that the material contained images of minors; in contrast, 9.2% of these respondents said it did not, and the remaining 12.6% said they did not know. Most of the material containing images of minors could be considered pornographic, as in 65% of cases, it consisted of sexually explicit images. Specifically, it mainly contained pornographic images and, to a lesser extent, depicted explicit sexual behaviours (17%). In contrast, in 35% of cases, the images were not considered sexually explicit, as the people shown in them were wearing underwear (29%) or dressed in suggestive clothing (3%). Images were more often called pornographic when they were received or forwarded, whereas in cases of participation in production-related behaviours, the most common response was that the image showed someone in his or her underwear.

3.5. Dynamics of the sexting

To determine how the sexting took place, respondents were asked about the channel through which they received the images, as well as the frequency with which some of these conducts occurred.

In terms of the channel through which the images were received, the results confirmed the hegemonic role of WhatsApp, not only in terms of the ICT usage habits of the sample members, but also as the network through which most of these images are passed around (64%). At a distant second is Facebook (15%), followed at an even greater distance by Skype (6%) and Twitter and Instagram (5%). Hotmail, Gmail and Chatroulette are hardly used for this purpose.

With regard to how often the respondents engaged in these activities, although this question was asked only in relation to the forwarding or dissemination of the photos or videos received (secondary sexting), in most cases the frequency was low. In 44% of cases of the forwarding or dissemination of material the conduct had occurred only once; in 23%, it had occurred twice. However, in more than 30% of cases, forwarding and dissemination behaviours were reiterated (23% between three and five times, and 10% more than five times).

3.6. Motivation to engage in sexting and emotional effects

In relation to the adolescents' motivations for sexting, the respondents were asked why they had engaged in these conducts. The largest share of respondents cited, first, the desire to take part in a joke (34%), second, that they did not know (29%), and, third, in connection with a romantic relationship (23%). At a considerable distance were revenge (3%), harassment (2%), an attempt to start a sexual relationship (2%), blackmail, coercion or threats (2%), attention seeking (2%), and other types of personal conflicts (1%). Based on the results of the question on motivation, adolescents who engaged in sexting largely seemed to trivialise their reasons for doing so and even not to take the matter particularly seriously, as they had not even given thought to what might have led them to do it, and, when they had, they tended to associate it with fun. These findings are in keeping with those that follow from the application of the discourse of normalcy, as opposed to the discourse of deviance, to sexting (Döring, 2014; Lee and Crofts, 2015). There does not seem to be a close link between engaging in sexting and suffering from harassment or cyber-bullying, as reported in other studies (Ahern and Mechling, 2013; Hinduja and Patchin, 2010; Hua, 2012; Korenis and Billick, 2013; Shariff, 2015), although this study did find that teenagers who had suffered from grooming –being sexually solicited online by adults or teens- were 1.5 times more likely to sext than those who had not (OR=1.525).

The limited consideration that the teens gave to the importance of engaging in these conducts was also reflected in the low emotional impact they seem to have on the individuals who participate in them. Respondents were asked whether their participation in the incident had made them feel upset/offended, anxious, afraid or embarrassed, leaving the answer open to allow them to indicate any other emotions they might have felt. Most of the respondents chose the option 'Other' (56%), because they did not feel affected by any of the negative emotions specifically included in the question's wording. Respondents chose the 'Other' option to indicate that they had felt indifferent towards the situation, that they had experienced it as something entirely normal (in some cases, because they had engaged in it with their partner), or that the incident had made them feel happy, surprised or even amused. In short, in most cases, respondents were clearly more likely to feel positive emotions as a result of their involvement in these types of behaviours than negative ones, even though no positive ones were explicitly included in the question's wording. The only exception to this general trend was observed in the emotions resulting from involvement in photographing or filming other nude or nearly nude minors, in which the parties involved were more likely to feel

upset, anxious or afraid than any of the positive emotions that might fall under 'Other'. However, whilst a minority, in 16% of cases participants reported feeling upset or offended, in 15% anxious, and in 8% afraid. Although a bivariate analysis on the sex of the participant and the feelings experienced did not yield statistically significant results, girls were more likely than boys to feel anxious (60% of respondents feeling so were girls) or afraid (80% of respondents were girls) as a consequence of the incident, while experiencing less intense feelings showed more balanced results for both sexes.

The findings of this research are consistent with those of other studies that have found that young people view involvement in these conducts with indifference, or even positively, as behaviours in which they engage naturally and for fun (Kerstens and Stol, 2014; Lee and Crofts, 2015; Nielsen et al., 2015), but also of those that highlight the major negative impact of sexting on girls than on boys (Wood et al., 2015), and confirm the results of previous research done in Spain suggesting a low emotional impact (Garmendia et al., 2011; Haddon et al., 2012).

4. Conclusion

The research presented here shows that sexting behaviours are common amongst teenagers between the ages of 14 and 18, and that they are increasingly more common the older the teenager is. On average, more than one-third of these teens have engaged at some point in at least one type of sexting involving an image or video showing a nude or nearly nude minor that, 65% of the time, can be considered pornographic. The lifelong prevalence of engagement in such behaviour is not low when measured in terms of the receipt of images or videos of a nude or nearly nude minor, although it is lower for conducts requiring more active involvement, such as forwarding, disseminating or creating such images.

Proof that these conducts cannot in any way be considered isolated incidents when they occur between older teens can be found in the motivations that the young people surveyed cited for engaging in them. Far from suggesting any intent to cause harm, the cited motivations seem to downplay the conducts, either because the young people identified them with taking part in a joke or because they had not even stopped to think about what led them to engage in them. Such conducts seem to be part of everyday life for many teenagers. They are integrated into their process of sexual maturation and may be accepted as another way of expressing sexuality by all age groups, although in cases of non-consensual sexting negative emotions prevailed. At the

same time, the research shows that teenagers consider themselves to be responsible for such conducts and, most of the time, the actual participants to be responsible, at least in cases of the production or forwarding of images.

In light of the data gathered from the research, the discourse of normalcy should begin to prevail over that of deviance in attempts to address these conducts from a political and regulatory perspective, but without forgetting that a gender dimension may also be consubstantial to sexting. Although some types of sexting, especially when it is non-consensual, clearly can be harmful and constitute genuine victimisation processes that may be accompanied by other abusive behaviours (such as bullying or cyber-bullying), most cases do not have these harmful implications and are experienced positively by teenagers. Given that sexting is not only not a minority option amongst minors but also a broadly common occurrence amongst young adults, and one that is not necessarily tied to negative effects, it should cease to be invariably viewed only as a risk behaviour.

Ceasing to consider this behaviour to necessarily entail negative consequences would also mean ceasing to ban it in general terms by means of regulatory instruments that are supposedly intended to protect the sexual integrity of children at the international and national level. It would be desirable for the laws of European states not to fall into the same paradox, so hard to explain from the point of view of the protection of the rights of children, in which the US, Canada or Australia have fallen, which has led to the treatment of some minors who have engaged in these conducts, even consensually, as genuine sexual predators. Thus, the possibility provided for under the Lanzarote Convention and Directive 2011/93/EU not to criminalise cases of production or possession of pornographic material depicting children who had reached the age of sexual consent at the time the images were produced, which was produced by the children themselves, and which they have in their possession, with their consent and for their own use, should be adopted by all states party. Including such an exception would mean incorporating into the corresponding national child pornography law a clause excluding minors from criminal responsibility similar to the so-called 'Romeo and Juliet' clauses provided for in certain state laws on sexual offences in the US to prevent sexual relations between consenting teens from being considered rape (Hasinoff, 2015; Wolak and Finkelhor, 2011).

In the case of European countries, regulatory assumption of the normalcy approach would entail not only ceasing to apply the criminal provisions on child

pornography in the cases in question, but also going even further and decriminalising all cases of consensual sexting, whether primary (when the person appearing in the images produced the material directly or posed voluntarily for someone else to produce it) or secondary (when the person appearing in the images has given his or her consent for them to be forwarded). The criminalisation of consensual sexting as a result of broad incriminations of offences related to child pornography might constitute a violation of the minors' fundamental rights as recognised under the European Convention on Human Rights, concretely the freedom of expression (art. 10 ECHR) and the right to a sexual identity as an intrinsic part of the right to respect for private life (art. 8 ECHR) (Gillespie, 2013). However, decriminalisation should be made being particularly careful to determine when sexting is consensual, since recent research has shown how some cases of supposedly consented sexting in the context of sentimental relationships may be in reality cases of sexual coercion (Drouin et al., 2015). At the same time, whilst voluntary sexting behaviours should be decriminalised, the criminalisation of non-consensual 'aggravated sexting' should be maintained. The question is whether such conducts, which would include both those in which minors are filmed or depicted without their consent and the non-consensual distribution of their image, would constitute a violation of the minor's sexual integrity or, primarily, of his or her privacy or own image, as claimed by existing literature on "revenge porn" (Fiedler, 2013-2014; Humbach, 2014-2015; Tungate, 2014).

Finally, although this paper has argued that the discourse of normalcy should be adopted, this does not mean that no action at all should be taken in the sphere of education to prevent sexting in general, and particularly harmful expressions of sexting, from occurring, taking special care to address this issue also from a gender perspective. The primary goal of such an educational approach should not be abstention from all types of sexting, but rather to re-educate minors so that, in those cases in which they do engage in such behaviours, they practice 'safe sexting' (Döring, 2014). In other words, an educational policy should be undertaken that makes teenagers jointly responsible for their safety, informs them of the risks these types of conducts may involve without magnifying them and enables them to take certain measures to protect themselves, such as sending these types of messages only to people they can trust to be discreet. This approach should not neglect the relation these behaviours may have with a gender perspective; to address it properly, young people should be made aware that sending sexual images may have a gender dimension -the fulfilment of certain heteronormative

expectations imposed on girls-, that could be counteracted by addressing gender inequalities among young (Stanley et al., 2015) and by emphasizing that partner coercive behaviour related to sexting may be considered a manifestation of intimate partner aggression (Drouin et al., 2015). Finally, for such educational programmes to be effective, both parents and teachers must also receive equally reliable information and training on this phenomenon, to complement that offered to the teenagers.

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