

Image-based abuse worksheet

**Part 1**

In each of the following scenarios:

- 1. Highlight the sexual image, photo or video referred to;**
- 2. underline the section that indicates consent was not given or was later taken away; and**
- 3. Write on the *first* link if the kind of image-based abuse that occurred was sharing, requesting, taking or a threat to do one of these things (or a combination).**

1. Jonathan sent a message to his girlfriend Caitlyn asking her for a topless picture. She wrote back that she didn't want to because she felt uncomfortable to but Jonathan kept persisting and telling Caitlyn that she had to do it to prove that she loved him until Caitlyn finally sent him an image of herself in a bra.

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2. Jenny was snapchatting Martha and they were both joking around. One picture contained Jenny's face and she was only wearing a sports bra. Martha screenshotted it. Jenny replied saying "omg how embarrassing. Why did you save that? Don't do anything with it!!". Martha and Jenny had a huge fight and Martha posted the image on Facebook with a caption about Jenny being easy.

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3. Alecto and Miles have been together for 3 years and in that time they have shared many intimate photos with each other and Skyped several times performing sexual acts. In one Skype session, Miles is very turned on by what Alecto is doing and decides to screen record it. He doesn't tell Alecto he is screen recording because he figures that they've sent enough photos and videos by now for it to be okay.

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4. Stacey lent her ex-boyfriend money and he promised to pay her back. He is now refusing to pay her back unless she sends him nude photos. He has also threatened to post videos he

took of them having sex together online. Stacey had no idea that he had filmed them together in the past.

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Using the following table, please revisit Part 1 and on the *second* line, please write down the relevant law(s) being broken in each scenario

S 91K Crimes Act 1900 (NSW)	Filming a person engaged in private act
S 91L Crimes Act 1900 (NSW)	Filming a person's private parts
S 91P Crimes Act 1900 (NSW)	Record intimate image without consent
S 91Q Crimes Act 1900 (NSW)	Distribute intimate image without consent
S 91R Crimes Act 1900 (NSW)	Threaten to record or distribute intimate image
S 474.17 Criminal Code Act 1995 (Cth)	Using a carriage service to menace, harass or cause offence

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**Part 2**

(i) Catherine and Spencer have been dating for 18 months and in that time they have exchanged nude photos. They are both over the age of 18 and agreed to share these photos with one another. Catherine and Spencer have now broken up and Spencer has threatened to share Catherine’s images on Facebook if she doesn’t agree to get back together. He has sent her several rude texts and made several threatening comments to Catherine in person, and via social media. Catherine is concerned about Spencer’s mental wellbeing and is not sure what to do. Pretend you are a lawyer and Catherine has written to you for legal advice – what would you say to her? **Pretend you are a lawyer and have been approached by Catherine and asked for legal advice on what she can do (consider the information you would want to provide to her, what laws you might refer to, what steps she might take and what support services you might recommend).**

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**(ii) How would you answer to the above scenario change if Catherine was 15 at the time of the photos being taken and Spencer was 19 at the time of making the threats.**

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Summary of today's lesson:

- Consent means free and voluntary agreement.
- Sexting refers to the consensual sharing of nude or intimate images.
- Image-based abuse refers to the non-consensual sharing, taking, or requesting of nude or intimate images.
- It is always illegal to take, share or threaten to take or share a person's intimate or private images.
- There are both legal and practical steps that can be taken to put an end to image based abuse.

### Helpful contacts:

You can contact the following counselling services for support:

You can call the **Kids Helpline** on 1800 55 1800 for free and private counselling (available 24 hours a day, but there can be a wait to get through). They are happy to talk to young people aged 5-25 about anything that's troubling them. You can also email them or chat online at <http://kidshelpline.com.au>.

**1800Respect** is a national helpline, providing counselling, information and support. They can be contacted on 1800 737 732, 24 hours a day, 7 days a week. You can check them out online here <https://www.1800respect.org.au/>

**1800MYLINE** is a national helpline for people needing counselling advice or referrals to helpful services. They can be contacted on 1800 695 463, 24 hours a day, 7 days a week. You can check them out online here <http://www.theline.org.au/get-help>

For free and confidential legal help, you can contact **Youth Law Australia**. You can access free legal information at [yla.org.au](http://yla.org.au) through their factsheets or access personalised legal advice at [lawmail.org.au](http://lawmail.org.au).

If you are experiencing image based abuse, you can also contact the **eSafety Commissioner** as a practical step to putting an end to the abuse. You can also check out their site for more helpful information about image based abuse. The Office of the eSafety Commissioner is committed to increasing online safety and supporting people to feel protected online. As part of this, they can hear reports on cyber-bullying and help to get the offensive material taken down. They also have helpful resources and guides on what you can do to remain safe online. You can check them outline at <https://www.esafety.gov.au/>