

Sexting, consent and young people's ethics: Beyond *Megan's Story*

Kath Albury* and Kate Crawford

Journalism & Media Research Centre, University of New South Wales, Sydney 2052 Australia

This article contrasts the *Megan's Story* campaign, a recent Australian media and policy response to sexting (the act of taking and transmitting naked or semi naked pictures via mobile phones) with interview responses drawn from an Australian study that has asked young people about mobiles and sexting. It considers local and international responses to sexting as 'child pornography,' raising questions about the adequacy and appropriateness of criminalizing young people's sexual self representation and communication. Based on young people's responses to sexting, the authors argue that there is an emerging ethics around the issue of consent being developed by young people. However, considerations of consent cannot be accounted for by the laws as they are presently framed, as under 18 year olds currently are not allowed to consent to any form of sexting. This disconnection between the law and uses of technology by consenting teenagers generates problems both for policy, education and legal systems. This paper suggests a response that would recognize the seriousness of incidents of bullying, harassment or abuse, and would also take into account the meaning that sexting has for young people in specific contexts and cultures.

'Think you know what happens to your images? Think again.' So warns a short video called *Megan's Story* that has recently been showing on Australian movie, television and computer screens. It aims to warn young people against the dangers of mobile 'sexting.' The term sexting has been in use for over 10 years, but has changed from referring primarily to text-based exchanges to now including sexual photographs and video (Albury, Funnell, and Noonan 2010). According to the National Centre for Missing and Exploited Children in the USA, the term refers to the practice of 'youth writing sexually explicit messages, taking sexually explicit photos of themselves or others in their peer group, and transmitting those photos and/or messages to their peers' (2009). We use the term to refer to both sexual text messages and images, but it is images that currently face serious legal penalties, and which are a key focus for this article.¹

Megan's Story, as a high-profile public campaign against sexting, provides a useful starting point for analysing the current understandings of sexting practices by young people. By using this 'safety film' as a template for some of the current assumptions and fears about sexting, we can begin to open up more detailed questions about the current realities: both the lived experiences of young people, and the legal framework in which their actions are judged. This article will compare some of the official responses to sexting alongside the interview responses of young people drawn from an Australian study that asked about mobiles and sexting (Crawford and Goggin 2011). Our aim is to illuminate the diversity of

*Corresponding author. Email: k.albury@unsw.edu.au

sexting experiences, motivations and contexts, and to argue that the application of child pornography laws to sexting is excessive and inappropriate, and fails to recognize the sexual agency and developing ethics of young people. While we recognize the severe impact of mediated bullying and harassment via mobile phones on young people, we are concerned that current legal and policy responses to sexting have failed to account for the range of meanings that young people themselves might apply to the practice.

While sexting is a relatively recent practice, ethics are already being established by young people for whom consent figures as a critical concept. Distinctions between positive and negative experiences of sexting are hinged on whether consent was given to make and share the images. However, the law as it is presently framed views under-18s as being unable to give consent to sexting, even when they are over the legal age for sexual consent. This is clearly out of step with the perceptions of young people, particularly those between the ages of 16 and 18, who already view themselves as having full sexual agency. Nonetheless, this group currently face serious charges for the production and distribution of child pornography if they should take pictures of themselves or others in a consensual context.

By considering these disparities, we hope to open up ground for legislative and educational policies that can respond to sexting incidents in such a way that allows for the sexual agency for young people and for vital issues of consent. This requires careful attention to the specific cultures and contexts in which sexting occurs, as well as to the agreement and intention of the participants. Such an approach would not trivialize incidents of bullying, harassment or abuse, and indeed we would support legal intervention in these cases. However, we also see space for responses that understand sexting as mediated form of self-representation and communication that might take place in the context of flirtation, relationships or friendships. Neither shaming nor criminalization is appropriate in these instances.

Megan's Story

In September 2010, *Megan's Story* appeared on YouTube. It was produced by ThinkUKnowAustralia, a partnership organization that includes the Australian Federal Police (AFP), the Virtual Global Taskforce and Microsoft Australia. According to the video description, it 'depicts a teenage girl's experience of sexting.' The stated goal of the video is to demonstrate that 'once something is created in a digital format and then shared, you lose control over who sees it and what they do with it' (ThinkUKnow 2010a).

The video begins with a teenaged girl called Megan, as she emerges from a women's bathroom into a school hallway. She holds her phone in her hand. She smiles to herself as she fastens the top button on her shirt. As she enters a classroom, we hear a mobile phone beep, as a boy in the class receives her message. Then we hear new beeps around the room, as the image is forwarded to other classmates. Another boy turns to her and nods suggestively. The teacher arrives and begins to mark the roll. Shots of Megan looking increasingly worried and upset are intercut with the beeping sound of incoming messages, and shots of her classmate's stares. Girls look at their phones, glare at Megan, and then turn away in disgust. Megan is close to tears. Finally the teacher's phone beeps. He looks at it, looks at Megan, and shakes his head in disappointment. Megan breaks down and runs from the room. A mature male voice-over delivers the full tag-line, over a ThinkUKnow logo: 'Think you know what happens to your images? Who will see them? How they will affect you? Think again.' The tag-line addresses only one subject – the 'you' who produced the initial image. In the narrative of *Megan's Story*, it seems the consequences of sexting are only serious for the subject of the image, and the result is public humiliation and sexual shame.

However, the accompanying Teacher's Discussion Guide (housed in a members-only area of the ThinkUKnow web site) suggests something different. According to the Guide, the video is designed to stimulate discussion of 'peer and relationship pressure, consequences of creating and sharing something in a digital format, [the] role of the bystander, gender stereotypes and sexual discrimination' and invites students to 'develop alternate endings depending on the actions of the classmates' (ThinkUKnow 2010b). The guide also suggests that students themselves investigate the legal consequences of sexting: 'Relevant legislation includes the Commonwealth Criminal Code 1995 as well as state/territory legislation around child pornography' (ThinkUKnow 2010b). Although the web site is hosted by the AFP, the video itself gives no indication of the criminal consequences for sexting, or indeed of any consequences for anyone other than Megan. Not only is there no indication that the other young people who forwarded Megan's text were participating in a criminal act, there is no mention of the Australian laws that classify all sexual images of young people under 18 as 'child pornography,' and potentially deem *all* producers and distributors of such images as sex offenders (see Albury, Funnell, and Noonan 2010).

In the absence of context, the video appears to be a morality tale: the story of a foolish young woman who 'thought she knew' (but should have known better) and was victimized as an inevitable result of her own actions. This narrative evokes the 'risk management' model of sexual violence prevention education critiqued by feminist scholars such as Sharon Marcus (1992) and Louise Hall (2004), in which women are defined as inherently at risk of sexual violence. At the same time, they are held responsible, as self-governing subjects, for predicting, evading and/or managing this risk: a model of 'crime prevention' in which perpetrators of abuse or violence are strangely absent. As a federally subsidized educational tool, *Megan's Story* seems to emphasize an individual incident of 'bad choices' and loss of control, without looking at the broader context of the classroom or the law. As such, it has provoked considerable debate among Australian bloggers, and within comments threads attached to news reports on sexting (Hearn 2010). In his reproduction of a letter he sent to the video's producers, blogger Jason Heeris asks the reader to 'imagine a drink-driving ad that showed a pedestrian being run over, the car zooming away, and then a caption that said "Watch where you're walking, pedestrians"' (Heeris 2010). The feminist blogger, Wildly Parenthetical, describes it this way:

All I could think was that if we didn't have such fucked up ideas about teenage girls and their sexuality, it wouldn't be damaging to forward the sext, it wouldn't be a thing that anyone would want to do, and if it did happen, he [the forwarder], and not she [Megan], would be the one who would be shamed. (Wildly Parenthetical 2010)

Certainly the individualizing admonishment to 'think again' offers no sense of the broader legal and political environment in which sexting might occur, or any critique of a culture that requires young women to preserve their 'reputations' by avoiding overt demonstrations of sexual knowingness and desire. Further, by trading on the propensity of teenagers to feel embarrassment about their bodies and commingling it with the anxiety of mobiles being ever present, the ad becomes a potent mix of technology fear and body shame.

But there is another way that this advertisement could send a message about the current risks of sexting. Each character involved could be visually labelled according to their legal liability for the production and distribution of child pornography. The girl taking a photo of her breasts and sending it to a boy: charged with production and distribution of child pornography. The boy sending it to other classmates: charged with possession and distribution of child pornography. The same charge could be made against every teenager in the classroom who forwards the text. Finally, the teacher, who would be charged with possession of child

pornography. This is a very different story, and vividly shows how serious the existing legal penalties are in such a situation, and highlights that the forms of responsibility are far more complex than those demanded of Megan. In sum, this advertisement fails to engage with the serious legal penalties facing young people who are charged for sexting, and the double role imposed on them as both criminals and vulnerable subjects.

There is a long history of social concern about young people and media technologies, stretching back to the early days of both radio and television (See Critcher 2003; Lumby and Fine 2006). Certainly, mobiles have been subject to a wide range of panics, from questions about excessive connectivity to social isolation (Crawford and Goggin 2011). However, an important approach to understanding representations of young people and media technologies is to study the actual practices and attitudes, as well as their associated meanings and contexts. This assists in placing social fears and panics into perspective, and gives young people the chance to speak for themselves and articulate their own ethics of engagement (Crawford and Goggin 2008). In the next section, we draw on an archive of interviews with young people in Australia to develop a more nuanced picture of how sexting practices are emerging. In particular, we are focusing on the multiple contexts in which sexting activities occur, which demonstrates a wide range of reasons, emotional responses and associations. In offering these empirical data, we do not mean to suggest that the interviewees we cite represent *all* young people. Rather, we offer them as a sample of the range of young people's responses to sexting that has informed our interpretation of current law and policy. Further, we believe close attention to young people's own accounts of sexting are a necessary first step in developing a typology of sexting. Such a typology would allow educators, policy-makers and legislators to develop more nuanced responses to individual incidents of sexting, taking account for the very different motivations and effects involved.

Findings from the young, mobile, networked study

How are young people really perceiving and engaging in sexting? If *Megan's Story* is not the whole story, what else emerges from lived accounts of sexting? How well are the legal penalties understood? In order to develop a more detailed analysis of the practice of sexting by young people, this article draws on interview data from a study that A/Professor Kate Crawford conducted with Professor Gerard Goggin over 2008–2011. This study provides important context for our research in this area, as it is one of the largest studies of mobile media use in Australia by young people and it included questions about sexting. First, we will detail the aims of the study, then share some of the perspectives of the respondents, and finally offer an analysis of various 'types' of sexting and our views on the current legal situation.

Crawford and Goggin's 'Young, Mobile, Networked' study gathered data about the patterns of use of mobile media technologies by young people, as well as observing shared perceptions and emotional responses to mobile technology (Goggin and Crawford 2011). A particular focus for the study is friendships and relationships, within which sexting emerged as a growing activity. It is important to note that the study was not primarily a study of sexting, nor did Crawford and Goggin interview young people aged under 18.² For this reason, the data presented here are offered primarily as backdrop to our concerns with current educational and legal frameworks. As such, it is intended to raise questions that might inform more nuanced legal and policy responses to young people's sexting practices.

During 2009, over 330 people were interviewed, all of whom were aged between 18 and 30 years. The participants were drawn from four states around Australia, from locations

that varied between inner-city urban areas to rural towns. Sites included city suburbs of Sydney and Melbourne, the Richmond-Tweed region in rural Northern NSW, the Gold Coast and the town of Port Augusta. Interviews lasted for 45–60 minutes, and included a formalized set of questions with sufficient flexibility to allow for particular topics to be discussed in greater detail depending on the interests of the respondents. As far as was possible, the study maintained a rough balance between genders, age, urban and rural residents, throughout the process.

During the interviews, it became clear that there were diverse options about the intersection of technology, sex, sociality and morality. Further, the word ‘sexting’ was not commonly preferred, with some participants describing it as a journalistic term rather than something used within peer groups. The majority of participants said they had never sent or received sexually explicit pictures of themselves. Many said they knew or had heard of someone who had either sent or received such images, with stories of received images being more frequent. This accords with data from the US gathered in 2010 by Pew Internet, which indicated that just 8% of 17-year-olds had sent explicit images, and 30% had received them (Pew 2010).

Significantly, the sexting scenarios described by participants in the Crawford and Goggin study were remarkably varied in terms of context, meaning and intention. Sexting was not only an activity occurring in the context of flirtation or sexual relationships, but also between friends, as a joke or during a moment of bonding. Some participants told of seeing or hearing about images that had circulated without consent, and this was considered funny, or disturbing or both. But there were several variations as to how the material came to be shared. In some cases, a sexually explicit image or video was discovered by others and circulated without consent:

Interviewee: I just think mobiles aren’t private at all . . . I had another friend who used to film naughty videos . . . Those movies didn’t have a password or anything and I don’t know how, but a whole lot of boys in my year ended up finding the videos on the phone and . . .

Facilitator: So this is while you were at school?

Interviewee: Yes. Everyone watched them and the girl got really embarrassed and stuff. I just thought maybe if it was your personal video camera or something then that’s a different thing. But it was on her mobile and it was at school and they didn’t have locks on them or anything.

This situation seems to have several parallels with the *Megan’s Story* video. The girl who was the subject of the video is described as the one who was embarrassed, even though she had not sent or shared the images. The boys who accessed her mobile without permission are not discussed in emotional terms, and neither did the participant mention any ramifications for them. In another case, sexual material was made with the consent of both parties but then circulated after a relationship ended. As one female respondent described:

[That] happened to my friend. His ex girlfriend had a video of them, and then after they broke up she was basically showing like everyone in our grade. Yeah, so it was pretty bad.

In this situation, while the video was made by both parties, only one has breached confidence and shown it to others. Both of these situations reflect elements of the classroom situation dramatized by the ThinkUKnow campaign. However, it is also clear that both participants were concerned about the breach in consent—showing images without permission—not by the act of recording the images themselves. Interestingly, neither story was told as a first-hand account. Those who shared personal stories of directly engaging in sexting themselves often included more positive elements. One female participant, who regularly sent sexual

images and texts, referred to it as 'just a different form of erotica.' For one male participant, sexting was a means of staying connected to a partner living overseas:

I haven't sent them to people recently but when I had a boyfriend I did. Especially like when he was in France we would, yeah, send sexy videos to each other all the time.

The participant described how the videos had been intimate, funny and personal, and that he felt a sense of sadness when he realized that in the wake of the breakup, most of the videos had been lost or deleted. Here sexting was positive because it had been completely consensual, and had a role in maintaining a relationship.

Sexting scenarios also emerge in what are primarily non-sexual situations. Examples included friendship bonding at parties or in the workplace, often between members of the same gender or within families. One male participant described a situation that was echoed by several other interviewees as something done 'as a joke':

One of my friends had the first camera phone that any of my friends had. The first thing I did was get it and take a picture down my pants and then set it as a background, but that type of a thing's more of a joke than the serious sexual type of thing.

Another male participant described working in a café where naked pictures were being sent between other male co-workers:

It became this running joke . . . so I took a photo of my balls and I went to work and I went, hey Trevor and I just flicked it and he said, 'oh you're naughty'. So, yeah, it's never been in relationships I've never done anything like that but just in terms of fun, yes.

Another factor that is rarely considered in discussions of sexting is aesthetics: young people make aesthetic discriminations about their use of mobile technology and what to share with others. As with previous genres of DIY or 'amateur porn' production (such as Polaroid photography or Super-8 film), some producers create clear criteria for acceptable and unacceptable images, with distinctions between 'good' and 'bad' examples of image style and quality (see McKee, Albury, and Lumby 2008).

In interviews, concerns with the beauty and erotic qualities of an image or video were more common in couples, particularly those who were sending images to each other as a way to maintain intimacy and connection. For example, as one female participant describes:

I've sent them, but then I've also looked at them and thought, 'oh, that's not it', because rarely are they aesthetically pleasing photographs, really. They're kind of a bit I don't know, a bit like over sharing you're better with words. But that's just a personality thing. I'm sure there are people that couldn't be more thrilled than if they were to get an MMS of bits.

One male participant, who was being interviewed with his girlfriend, described their early attempts at engaging in sexting as being unsuccessful, primarily because of concerns about image quality:

Maybe [my girlfriend] and I are too keen photographers we're not happy with the quality and we don't want to send something that looks like deep sea life.

Mobile phone camera technology has been lauded for its convenience and 'spreadability' (Jenkins 2007). Yet it is clear that for some users, issue of quality and the visual appeal of an image are more important for erotic content, thus making mobile photography and video less appealing. This is highly context dependent: in situations of peer bonding over a joke, or sending unsolicited images in order to embarrass or harass others, aesthetics are rarely at issue. Again, this highlights the very different kinds of concerns, ethics and aesthetics that pertain to different sexting scenarios, and the need to develop far more detailed typologies, with differentiated legal responses.

The last significant point we will observe from the interview archive is of considerable concern. Very few of the participants in the Young, Mobile, Networked study knew that there were any legal penalties attached to forms of sexting, let alone the very serious penalties attached to the production and distribution of child pornography. This was observed consistently across the age spectrum of 18–30-year-olds, and across the four states and in both urban and rural locations. Many believed sexting to be a fairly common use of mobile technology, and that, whether desirable or not, was something that would always happen.

Facilitator: Do you know that young people under 18 could face child pornography charges for taking [sexting] pictures?

Participant 1: What, taking photos of themselves? That's ridiculous though. Isn't it a matter of consent?

Participant 2: But picture messaging... it's absolutely what [the mobile] is meant for!

This lack of awareness about the legal framework surrounding sexting is widespread. While participants believed consent to be relevant, but this would only be possible if the legal framework incorporated issues of agency and sexual citizenship. Instead, under-18-year-olds are viewed as having no agency, and are deemed to be unable to give any form of consent. They are unrepresentable, even after the age of 16, when they are deemed over the age of consent. As we have seen from the multiple contexts where sexting occurs described in this article, there are many different reasons why young people might choose to take sexual images of themselves. As it stands, regardless of context or intention, all forms of sexting are equally subject to serious legal penalties.

Legal penalties

As it currently stands, Australian Federal Classification law is very broad in its coverage:

It does not permit any depictions of non adult persons, including those aged 16 or 17, nor of adult persons who look like they are under 18 years. Nor does it permit persons 18 years of age or over to be portrayed as minors.

(Australian Government 2008)

Further, young people under the age of 18 cannot legally consent to appear in images of a sexual nature (be it videos or photographs). Visual and textual representations are understood quite differently to actual physical activity. Although there are variations in laws from State to State, any image of a young person 'in a sexual context' may be deemed to constitute child pornography, even if it is a self-portrait (Griffith and Simon 2008). The charge is determined by the nature of the representation itself—not by the age of the person who produced it, or the context in which it was produced. Young people caught sexting risk being charged under the very legislation that is designed to protect them—they are simultaneously framed as both perpetrators *and* victims (Levine 2009). Yet there is no room for a more forensic account of consent, an issue that has a long legal history, and already emerged as vital to young people's own sense of ethics about sexting practices. There is now a schism between the social discourse of young people, which considers young people to have sexual agency and that consent is of central importance, and the law. This also results in the broad-brush application of child pornography charges in inappropriate contexts.

As legal scholars Robert Richards and Clay Calvert (2009) have noted, there are serious problems with defining *any* of the types of consensual sexting practice alongside child pornography:

Teenagers engaged in sexting are not knowingly harming minors in the same way that traditional child pornographers do. Indeed, in many of these instances, teens are sending photographs of themselves in a playful manner – a high tech form of flirting – using a forum that has become synonymous with their generation. Second, the draconian penalties that stem from child pornography convictions can decimate a teenager's life... Finally, the stigma attached to being labeled a child pornographer is lasting. (2009, 35)

They conclude that by requiring sexting teens to register, sex offender registries will lose their impact. A teenager 'who sent a nude photograph of herself to her boyfriend is not a threat to the community in the way that a convicted child molester is, but if such prosecutions are permitted, both are treated equally under the law' (2009, 36).

Sexting in context

While there have been several young people charged and convicted for sexting in the United States, to date, only one Australian has been charged as a result of sexting (Lenhart 2009, 3). The 18-year-old man from western Sydney exchanged naked and semi-naked pictures with a 13-year-old female. Although there was no evidence that their relationship ever moved beyond flirting and exchanging pictures, the young woman's father complained to the police after finding pictures on his daughter's phone (McClymont 2010). There was no indication that the young man had circulated or shared the texts or images with anyone else. He was initially charged with inciting a person under 16 to commit an act of indecency and possession of child pornography, although the child pornography charges were dropped on appeal (Danks 2010). In December 2010, the magistrate 'found the [indecency] offence proven,' but released the man on a good behaviour bond, without recording an offence (Danks 2010).

Despite the high level of public interest and concern about sexting, very little research has been conducted into the contexts in which it occurs. The four most cited studies were conducted in the United States in 2008 and 2009, and use varied categories define sexting (see Cox Communications 2009; Knowledge Networks 2009; Lenhart 2009; National Campaign to Reduce Teen and Unplanned Pregnancy 2009). Although most of these studies were survey based, Amanda Lenhardt's study for Pew Internet utilized focus groups. Lenhardt's study found that very few young people aged 12–17 had ever sent a sexually suggestive text (4%) and only 15% had received them. Lenhardt's participants identified three main contexts for sexting:

- (1) Exchange of images solely between two romantic partners;
- (2) Exchanges between partners that are shared with others outside the relationship; and
- (3) Exchanges between people who are not yet in a relationship, but where at least one person hopes to be.

(Lenhardt 2009, 1)

US consultant Nancy Willard identifies a number of additional contexts for sexting that she terms 'developmentally normal,' including: the digital equivalent of 'truth or dare' games; images created to 'show off'; and images created to 'gross out' (Willard 2010, 4). While she acknowledges that these situations can 'get out of hand,' she observes that they generally do not involve abuse or coercion. She then identifies sexting practices she views as more problematic, which she defines as 'harassment' (e.g. non-consensual change-room images); 'at-risk' (e.g. a young person seeking 'hook-ups' with adults); exploitation (e.g. images documenting sexual abuse, or distributed for purposes of revenge or blackmail) (Willard 2010, 4).

Willard calls for 'a rational response' to sexting, noting the heavy-handedness of charging minors with child pornography offences. Noting that the Knowledge Networks study found that 24% of 14-17-year-olds surveyed had engaged with some kind of sexting practice she asks: 'Is our country prepared to prosecute one-fourth of the American teen population for creating, possessing, or distributing nude images?' (Willard 2010, 10). Like Willard, we suggest that legal and policy responses to sexting be re-considered, taking into account the diversity of contexts in which sexting occurs. This re-consideration should include serious legal penalties for those who take or share sexual images of minors created in contexts of duress, violence (including self-harm) or harassment. However, in situations where images were made with full consent, there needs to be an acknowledgement of young people's potential for sexual agency, rather than casting them solely as either victims or perpetrators.

To acknowledge young people's agency does not mean that we view them as 'free to choose' in all circumstances. Rather, we argue that young people maintain their rights to a sexual citizenship that includes mediated self-representation (Albury, Funnell, and Noonan 2010). As Judith Butler puts it: 'If I have agency, it is opened up by the fact that I am constituted by a social world I never chose. That my agency is riven with paradox does not mean that it is impossible' (Butler 2004, 3).³ We argue that young people should not be universally prohibited from producing images or texts that reflect their experiences of sexual experience or imagination; and that these self-representations should not be interpreted solely through the lens of adult anxieties around technology and sexuality. This does not negate or dilute the need for legislation and other interventions that address bullying, harassment, violence or exploitation, whether face-to-face or mediated.

Conclusion

In January 2011, New Jersey State Assemblywoman Pam Lampitt introduced a bill designed to divert first-time sexting offenders who might otherwise face child porn charges into a 'diversionary' education program. The bill was supported by a Republican colleague who observed 'There are certain aspects (of life) in which the criminal law should not be involved, and this is one of them' (Delli Santi 2011; Friedman and DeMarco 2011). According to preliminary news reports, a children's court would determine 'whether the teen would be harmed by prosecution; whether he or she was unaware sexting was a crime; and whether the program would likely deter them from doing it again' (Delli Santi 2011).

While the notion of diversionary education still frames teenage sexting as deviant and potentially shameful, this move is at least the first step to removing images produced and circulated by young people from the category of child pornography. We suggest, however, that Australian legislators and educators should resist the temptation to shift sexting from the category of 'crime' to 'pathology.' Policy responses to sexting should do more than threaten young people with legal penalties or sexual shame. They should not only challenge the circumstances in which sexual bullying occurs, but actively promote ethical models of sexual communication (Carmody 2008). This requires a careful consideration of not just the specific meanings young people attribute to different kinds of sexual communication, but the broader contexts in which they occur.

We believe that both the legal and policy frameworks need to respond to the realities of young people's experiences, and the role played by technologies such as the mobile. By considering the practices and ethics of young people, a more attuned response can be developed that accounts for questions of context and consent, and will prevent teenagers being inappropriately charged as child pornographers. It is also a necessary step in taking a fuller account of the agency of young people.

Notes

1. As observed in the interviews for the Young, Mobile, Networked study, detailed below, many young people do not use the term 'sexting' at all. We are using it in this context because it is now commonly used in the literature – as seen in a substantial literature review by Dena Sacco (2010). Further, it is the term used in the discussions around *Megan's Story*.
2. The age group sampled in the Crawford and Goggin study are aged 18–30 years, and did not include under 18s which are currently the subject of child pornography laws if they engage in sexting. Nonetheless, we believe the study provides the necessary context from young people themselves, as it is one of the few large studies that has broached the topic of texting. Further, we argue that there is a need for ongoing research that compares these interviews under 18 year olds about their understandings of sexting.
3. On this point, we are indebted to Egan and Hawkes 2009.

Notes on contributors

Kath Albury is a Senior Lecturer at the Journalism and Media Research Centre at the University of New South Wales. Her research focuses on sexuality and gender in media and popular culture, with an emphasis on sexual learning and sexual ethics. She is the co author of *The Porn Report* (Melbourne University Publishing, 2008).

Kate Crawford is an Associate Professor at the Journalism and Media Research Centre at the University of New South Wales, and a Principal Researcher at Microsoft Research. Her work focuses on the political and cultural contexts for mobile and social media use. She wrote the award winning book *Adult Themes* (Pan Macmillan, 2006), and her next book is the co authored *Internet Adaptations: Language, Technology, Media, Power* (Palgrave Macmillan).

References

- Albury, K., N. Funnell, and E. Noonan. 2010. The politics of sexting: Young people, self representation and citizenship. In *Media democracy and change: Refereed proceedings of the Australian and New Zealand Communications Association Annual Conference*, ed. K. McCallum. Canberra, July 7–9. ISBN 987 1 74088 319 1. http://www.anzca.net/latest_conference_report/anzca10proceedings.html (accessed January 30, 2011).
- Australian Government. 2008. *Guidelines for the classification of films and computer games*. <http://www.comlaw.gov.au/Details/F2008C00126> (accessed January 25, 2011).
- Butler, J. 2004. *Undoing gender*. New York: Routledge.
- Carmody, M. 2008. *Sex and ethics: Young people and ethical sex*. South Yarra: Palgrave.
- Cox Communications. 2009. *Teen online & wireless safety survey: Cyberbullying, sexting and parental controls*. http://www.cox.com/takecharge/safe_teens_2009/media/2009_teen_survey_internet_and_wireless_safety.pdf (accessed February 7, 2010).
- Crawford, K., and G. Goggin. 2008. Handsome devils: Mobile imaginings of youth culture. *Global Media Journal, Australian Edition* 1, no. 1: 1–12.
- Crawford, K., and G. Goggin. 2011. Generation disconnections: Youth culture and mobile communication, in *The Mobile Communication Research Series: Volume II, Mobile Communication: Bringing Us Together or Tearing Us Apart?*, ed. Rich Ling and Scott Campbell, pp. 249–71. Piscataway, NJ: Transaction Publishers.
- Critcher, C. 2003. *Moral panics and the media*. Buckingham: Open University Press.
- Danks, K. 2010. Bond for Sydney man 'sexting' with teen. *The Daily Telegraph*, December 18. http://www.dailytelegraph.com.au/news/bond_for_sydney_man_sexting_with_teen/story_e6freuy9_1225972931904 (accessed January 25, 2011).
- Delli Santi, A. 2011. Bill would let 'sexting' NJ teens avoid charges. *Philly*, January 24. http://www.philly.com/philly/business/technology/20110124_ap_billwouldletsextingnjteensavoidcharges.html (accessed January 25, 2011).
- Egan, R. Danielle, and Gail Hawkes. 2009. The problem with protection: Or, why we need to move towards recognition and the sexual agency of children. *Continuum* 23, no. 3: 389–400.
- Goggin, G., and K. Crawford. 2011. Moveable types: Youth and the emergence of mobile social media in Australia. *Media Asia Journal* 37, no. 4: 224–32.

- Griffith, G., and K. Simon. 2008. *Child Pornography Law, Parliamentary library research service briefing paper 9/08*, New South Wales Parliamentary Library. <http://www.parliament.nsw.gov.au/prod/parlament/publications.nsf/key/ChildPornographyLaw> (accessed April 4, 2010).
- Friedman, M., and M. DeMarco. 2011. N.J bill would create education program on criminal, social consequences of sexting. *New Jersey Real Time News*, January 25. http://www.nj.com/news/index.ssf/2011/01/nj_bill_creates_education_prog.html (accessed January 25, 2011).
- Hall, R. 2004. "It Can Happen to You": Rape prevention in the age of risk management. *Hypatia* 19, no. 3: 1–19. <http://www.jstor.org/stable/3811091> (accessed February 3, 2009).
- Hearn, L. 2010. Teens in trouble for sexting like the stars. *The Age*, October 28. http://www.theage.com.au/digital/life/mobiles/teens_in_trouble_for_sexting_like_the_stars_20101028_174sn.html?comments=46#comments (accessed December 15, 2010).
- Heeris, J. 2010. ThinkUKnow: New government initiative to blame victims everywhere., The slightly disgruntled scientist. http://heeris.id.au/2010/thinkuknow_letter (accessed December 15, 2010).
- Jenkins, H. 2007. Slash me, mash me, spread me . . . confessions of an aca/fan., http://www.henryjenkins.org/2007/04/slash_me_mash_me_but_please_sp.html (accessed December 15, 2010).
- Knowledge Networks. 2009. *MTV Associated Press Digital Abuse Survey*. <http://www.athinline.org/about> (accessed January 12, 2011).
- Lenhart, A. 2009. Teens and sexting, Pew Internet Research, December 15, http://www.pewinternet.org/Reports/2009/Teens_and_Sexting.aspx (accessed April 30, 2010).
- Levine, J. 2009. Decent exposure http://www.judithlevine.com/2009/05/decent_exposure/ (accessed May 30, 2009).
- Lumby, C., and D. Fine. 2006. *Why TV is good for kids: Raising 21st century children*. Sydney: Pan Macmillan.
- Marcus, S. 1992. Fighting bodies, fighting words: A theory and politics of rape prevention. In *Feminists theorise the political*, eds. J. Butler and J. Scott, 385–403. New York: Routledge.
- McClymont, K. 2010. Prosecutor pursues first 'sexting' conviction in case involving naked 13 year old. *Sydney Morning Herald*, November 1. http://www.smh.com.au/technology/technology_news/prosecutor_pursues_first_sexting_conviction_in_case_involving_naked_13yearold_20101031_178xv.html (accessed January 28, 2011).
- McKee, A., K. Albury, and C. Lumby. 2008. *The porn report*. Carlton: Melbourne University Publishing.
- National Campaign to Reduce Teen and Unplanned Pregnancy. 2009. *Sex and tech: Results from a survey of teens and young adults*. <http://www.thenationalcampaign.org/sextech/> (accessed February 27, 2010).
- Pew Research Centre. 2010. Teens, adults and sexting: Data on sending and receiving sexually suggestive nude or nearly nude photos by America., Pew Internet Project, conference paper given at AOIR 2010, October 23. http://www.pewinternet.org/Presentations/2010/Oct/Teens_Adults_and_Sexting.aspx (accessed January 15, 2011).
- Richards, R.D., and C. Calvert. 2009. When sex and cell phones collide: Inside the prosecution of a teen sexting case. *Hastings Communications and Entertainment Law Journal* 32: 1–39.
- Sacco, D. 2010. Sexting: Youth practices and legal implications., Berkman Center for Internet & Society, Harvard University. http://cyber.law.harvard.edu/sites/cyber.law.harvard.edu/files/Sacco_Argudin_Maguire_Tallon_Sexting_Jun2010.pdf (accessed January 20, 2011).
- ThinkUKnowAustralia. 2010a. *Megan's Story*. <http://www.youtube.com/user/ThinkUKnowAUS#p/u/0/DwKgg35YbC4> (accessed December 10, 2010).
- ThinkUKnowAustralia. 2010b. Video discussion questions Teacher resource., http://www.thinkuknow.org.au/site/member_downloads.asp (accessed December 10, 2010).
- Wildly Parenthetical. 2010. Sexting and slut shaming, Hoyden about town., http://hoydenabouttown.com/20100915.8648/sexting_and_slut_shaming/ (accessed December 10, 2010).
- Willard, N. 2010. Sexting & youth: Achieving a rational response, Centre for Safe and Responsible Internet Use., <http://www.cyberbully.org/documents/sexting.pdf> (accessed January 25, 2011).