

**If it's sexually explicit text or chat between an adult and a child (this can include requests for pictures of a sexual nature):**

There may be an offence and you should contact the police on 22626. Do not delete or alter any material.

**If it's sexually explicit text or chat between children:**

There may still be a possible offence, but in these cases the detail of the text or chat should be considered. General sexual references would not necessarily constitute an offence but text or chat that incites a child to engage in sexual activity or to make or distribute sexual images of themselves or another child should be reported to the police. Do not delete or alter any material.

Please be aware that, while offences may technically have been committed by the child or children involved, the matter will be dealt with sensitively and will consider all of the circumstances. In particular, the age differences between children will be considered.



**If you are in any doubt you should always contact the police on 22626**

**In an emergency always call 999**

**For further information about sexting, keeping children safe online, or about the general safety and welfare of a child, please contact the Safeguarding Directorate on 23312.**

**Alternatively you can email:**  
[socialservicereferrals@helanta.co.sh](mailto:socialservicereferrals@helanta.co.sh)



**St Helena  
Government**

# **SEXTING AND THE LAW**

**A Guide to Help  
Professionals and the  
Public deal with  
Incidents of 'Sexting'**



## **Sexting - What is it and is it illegal?**

### **What is 'Sexting'?**

'Sexting' is when someone sends or receives a sexually explicit text, image or video on their mobile phone, tablet or computer. It can include sexual chat or requests for images of a sexual nature.

### **Is it illegal?**

This depends on what the image is or what the chat involves and who it is sent between. It is a crime to possess, take, make, distribute or show anyone an indecent or abuse image of a child or young person under 18 years of age. [Always remember that, while the age of consent is 16, the relevant age in relation to indecent images is 18.](#)

### **If it's a Sexually Explicit Image of an Adult and Sent Between Adults:**

There is no sexual offence, but if the image is unwanted then there may be other offences such as harassment or blackmail to consider. Any concerns should be reported to the police.

### **If it's a Sexually Explicit Image of an Adult and Sent Between Children:**

There is no sexual offence but it may, in some cases, be appropriate to contact the Safeguarding Directorate for advice and guidance.

### **If it's a Sexually Explicit Image of an Adult and Sent from an Adult to a Child:**

An offence may have occurred. Please contact the police on [22626](#) for further guidance.

### **If it's a Sexually Explicit Image of a Child (i.e.: under 18 years of age):**

You should contact the police on [22626](#) for advice and guidance. Do not delete the image and under no circumstances should you save the image, send it to another person or show it to anyone else as you may be committing an offence.

**Remember - if you are in any doubt always contact police on [22626](#) for further guidance.**



**If it is an emergency, always call 999.**



### **What if a Child (under 18 years of age) takes a Sexually Explicit Image of Themselves?**

That child has committed an offence by making and possessing that image. If that child then sends the image to another person, then the child has committed a further offence of distributing the image and the person who receives the image might be liable for an offence of possessing the image. [In these cases you should contact the police on 22626 for advice and guidance.](#)

Please be aware that, while offences may technically have been committed by the child or children involved, the matter will be dealt with sensitively and consideration will always be given to the circumstances involved.

### **If it's Sexually Explicit Text or Chat Between Adults (this can include requests for pictures of a sexual nature):**

There is no sexual offence but if this communication is unwanted then there may be other offences, such as harassment to consider. If this has happened to you, please speak to the police.