

Other Sexual Harassment Concerns

The following are other aspects that as parents you may want to make yourself aware of in terms of sexual harassment that are considered as safeguarding concerns and illegal activity.



Upskirting

'Upskirting' typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is now a criminal offence. Anyone of any gender can be a victim.

Sexual harassment

Sexual harassment refers to unwanted conduct of a sexual nature that occurs online or offline. Sexual harassment violates a child's dignity and makes them feel intimidated, degraded or humiliated, and can create a hostile, sexualised or offensive environment. If left unchallenged, sexual harassment can create an atmosphere that normalises inappropriate behaviour and may lead to sexual violence. Sexual harassment includes:

- sexual comments
- sexual "jokes" and taunting
- physical behaviour, such as deliberately brushing against another student
- online sexual harassment, including non-consensual sharing of images and videos and consensual sharing of sexual images and videos (often known as sexting)
- inappropriate comments on social media
- exploitation, coercion and threats

Sexual violence

When referring to sexual violence, we are referring to sexual offences under the Sexual Offences Act 2003 as described below:

Rape: A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.

Assault by penetration: A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.

Sexual assault: A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

What is consent?

Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g. to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice. Sexual behaviour can also be harmful if one of the children is much older (especially where there is two years or more difference, or where one child is pre-pubescent and the other is not).