FACT SHEET

Consent

What is consent?

It's ongoing *mutual agreement to participate* in kinky (and sexual?) activities[1]. Partners indicate their ongoing willingness (or not) to participate in activities[2], and to clarify boundaries with those activities or how they're being done. Everyone should both communicate and listen, it's not just one person's responsibility to communicate and another person's to listen.

The complexity of consent in kink

Consent has limits at the extremes, for example you can't consent to cut your legs off; its way outside social norms[3]; Some common kinks get lumped into such limits unfortunately[4,5]. Kinky people tend to focus on personal autonomy and choice rather than social norms as a result; Individuals determine what they are willing to do and worry less about society[6]. As protection though, consent is usually very explicit[7], with negotiation covering how to communicate consent[4]. Over time though consent can become more implicit between partners as trust is built[2].
Be cautious as laws defining consent vary a lot around the world[2], so check your laws out to understand how it's approached locally.

Communicating your consent (messages and mediums)

Ongoing honest conversation can be enough to communicate your consent. In some play types you may not be able to chat easily, so you need to think about what messages you may need to communicate, like[4]:

- Stop everything (I withdraw consent to continue, let's do aftercare)
- Pause and check in with me (I may or may not maintain consent)
- Continue (I give my consent)

Then choose the medium for your message compatible with your kink play (you may have a gag in your mouth, or your hands tied up!)[4,8]:

- **Words** – such as traffic light colors or specific safe words
- **Sounds** – specific numbers of grunts or finger clicks
- **Actions** – shaking your head or dropping an object held in the hand

Listening for consent

Communication is key to a positive kinky experience and prevents unintentional harm[9]. It also heightens intimacy and establishes trust that can allow for 'edgier' play later[9]. Listening involves:

- **Checking** for messages from a play partner
- **Asking** for a message periodically to confirm your perceptions[2]
- **Clarifying** any mixed messages (e.g. words/sounds disagree)[9]
- **Acknowledging** receipt of any message in a caring way[9]
- **Updating** your behavior to recognize changes in consent[4]

Remember that prior negotiations set the agenda for your scene together, but real time consent can override any prior negotiations[2,9]. When listening you must not bias your perceptions with your own desires, the aim is to listen to the intent of the other person's communication, not what you wish to hear[2]. Being caring (and not disappointed) when consent is withdrawn or changes builds trust[9]. Planning for how you will respond to a 'stop' or 'pause' type message will help you respond caringly in the moment.

KinkDojo.com

KinkDojo.com

Source of Risk	*Ways to Mitigate Risk*
I gave consent just before the activity but now I have changed my mind and want to stop. I don't want to disappoint someone	• Some knowledge of an activity and its risks is needed for consent[6], but we need to leave room for learning[10]. Discovering you don't like/can't do something and changing your mind is normal[2]. Someone not understanding you can change your mind is a 'red flag', perhaps avoid that person. • Asking to stop something can be difficult[2,8]. Negotiation should establish that anyone can opt out safely[4,6]. • Listening should emphasize **caring acknowledgments** of messages[9]; it reinforces that people aren't actually disappointed and supports communication.
Lots of things happen all at once, how do I consent to some (e.g. cuffs) and not others (e.g. rope) in the moment[4]	• The 'stop' and 'continue' messages are insufficient to handle nuance. 'Pause and check in' type messages are important to set up during negotiation. They allow for a conversation to occur where you can share nuance[9].
During a scene I can get into bottom or top space, making it hard to communicate or hard to listen[11]	• Kink can create an altered state of consciousness[11]. While lovely, it can impede communication/listening[3] increasing the risk of the scene. You need to disclose you may enter that state during negotiation. Maybe avoid entering that state or set additional boundaries if you plan to enter it. • Letting yourself go into an altered state exposes you to greater risk of an accidental consent violation, so choose to enter that space carefully; is this the right person and right activity to enter that space with this time around?
Consent was (nearly?) violated[12]	• Look out for deliberate 'not hearing' as miscommunication can be cover for deliberate consent violation attempts[4,13]. Test communications with a 'pause and check in' message early, if it's ignored then end the scene early. • If you are in an unexpected altered state during a scene[11] consider ending the scene early and debriefing.
If you have had a consent violation go somewhere safe. It's your choice to talk about it; if you want to, try speaking to friends/family, a counselor, medical practitioner or support service[14].	

Sources

1 Galilee-Belfer, M. BDSM, kink, and consent: What the law can learn from consent-driven communities. Ariz. L. Rev. 62, 507 (2020).

2 Wood, E. F., Rikkonen, K. J. & Davis, D. Definition, communication, and interpretation of sexual consent. Handbook of sexual assault and sexual assault prevention, 399-421 (2019).

3 Kim, N. S. Consentability: Consent and its limits. (Cambridge University Press, 2019).

4 Dunkley, C. R. & Brotto, L. A. The Role of Consent in the Context of BDSM. Sexual Abuse 32, 657-678, (2020).

5 Cagwin, K. Consent (sub) Culture: The Experiences of the BDSM Community, Kent State University, (2018).

6 Nielsen, M. E. J. Safe, sane, and consensual—consent and the ethics of BDSM. Int Journal of Applied Philosophy 24, 265-288 (2010).

7 Pitagora, D. Consent vs. coercion: BDSM interactions highlight a fine but immutable line. The New School Psych Bull 10, 27-36 (2013).

8 Bennett, T. Unorthodox Rules: The instructive potential of BDSM consent for law. Journal of Positive Sexuality 4, 4-11 (2018).

9 Williams, D., et al. From "SSC" and "RACK" to the "4Cs". Electronic Journal of Human Sexuality 17, 1-10 (2014).

10 Westlake, B. G., et al. A double-edged sword: the role of pornography in learning about BDSM. Sex Education, 1-15 (2023).

11 Zussman, M. et al. Shifts of consciousness in consensual S/M, bondage & fetish play. Anthrop of Consciousness 9, 15-38 (1998).

12 Ling, T. J. et al. BDSM, non-monogamy, consent, and stigma navigation. Archives of sexual behavior 51, 1075-1089 (2022).

13 Fanghanel, A. Asking for it: BDSM sexual practice and the trouble of consent. Sexualities 23, 269-286 (2020).

14 Bowling, J. et al. Disclosing and Reporting of Consent Violations Among Kink Practitioners in the United States. Violence Against Women, doi:10.1177/10778012221145299.