

**Consent, legally, is defined as agreeing by choice and having the freedom and capacity to make that choice.** Those last two are important because it means that even if someone says yes (i.e. makes a choice) it may be that legally they were not able to give their consent.

## What is Consent?

### Rape Crisis South London

Someone is free to make a choice if there isn't anything bad that would happen to them if they said no – for example if they were being threatened with violence (both by the perpetrator and/or by someone else such as a brothel owner or boyfriend), or if they had limited other choices to make – i.e. they felt they were forced into making a decision because they didn't feel they could do anything else. Freedom is also affected if there is a power imbalance between two people, because of age, status or some kind of dependency (i.e. drug use, financial control). Having the freedom to consent means doing something because you WANT to, not because something or someone is pressuring you one way or the other.

Capacity is about whether you are physically and/or mentally able to make a choice and to understand the consequences of that choice. It's the same as the law that says you may be physically able to drive a car when you are drunk but you are not mentally able to – hence making it illegal above a

certain limit – the law recognises that when you are drunk or high, you don't have true capacity to agree to sex. This doesn't mean you have passed out, like drink driving someone can still be physically able to have sex but they can't give legal consent. Capacity is also affected if you have some kinds of learning difficulties or by age... basically anything that means you aren't fully aware of what saying yes or no means.

**Consent is not ongoing** and needs to be negotiated not only every time you have sex (regardless of with same person or different) but even during sex as you start to do different things. **Consent is contextual** which means that if you agree to sex with particular stipulations (i.e. a condom), your consent is tied to this. If someone has sex with you outside of the particular context you specified, then this is **not** consensual.

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CONSENT

The easiest way to remember it is; you are doing things because YOU want to and you must check that the other person/s are doing things because THEY want to. How do you know if someone wants to do something? Not only words (i.e. verbal consent) but body language, actions, mutuality and reciprocity.

**An enthusiastic yes = enthusiastic consent.**

# I CONSENT

## **Sexual Violence Prevention for Young People**

**Rape Crisis South London**

How much do young people really understand the concept of sexual consent, both in law and in practice?

This short workshop, designed to be delivered over a double period, explains to young people aged 14–16 the legal definition of consent (including legal age); the limits to their capacity and freedom to give sexual consent; and the consequences of not seeking consent from a sexual partner.

It also introduces students to the concept of enthusiastic consent, which is founded on principles of mutuality, reciprocity and respect.

If you're interested in Rape Crisis South London delivering the I HEART CONSENT workshop in your school or youth setting please contact us:

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