Understanding Consent Workshop Agenda

Description:
This half-day workshop allows for a deep dive beyond “Yes means yes, and no means no.” Understanding consent and analyzing it requires an appreciation of the nuances of how consent works.

ATIXA’s expert faculty will lead the first half of the workshop in a detailed discussion of consent including legal and policy constructs, consent communication, implied consent/reciprocation, ratification, incapacitation, conditions on consent, and withdrawal of consent.

Participants will then work through a series of short case studies in small breakout groups to apply the lessons from the discussion. For the last hour, the participants will then come back together to discuss the case studies and weave all the course learning together into a cogent consent construct with feedback from the ATIXA faculty.

Learning Outcomes:
After completing this workshop, participants will be able to…

- Distinguish between different consent standards including pure consent and “affirmative” consent
- Explain the concept of implied consent and how it can inform investigation questions and policy determinations
- Understand how consent works in kink interactions
- Apply the ATIXA Consent Construct in practice
- Identify indicators of force or coercion and develop appropriate follow-up questions

Workshop Topics

Consent Definition & Theory
- Consent Defined
  - State Law vs. Institutional Policy
- Consent Theory
- Consent in Context
Consent Principles
- Reciprocation
  - Implied Consent
- 4-way Intersection of Each Interaction
- Social Constructs and Identities' Impact on Consent
- Ratification
- Conditions
- Reasonable Person Standard

Consent Analysis
- The Need to Separate Force from Consent from Incapacity
- Words or Actions Indicating Permission
- Consent is Not Baseball
- Consent to Specific Forms of Sexual Activity
- Levelling-up

Consent and Kink
- Kink Defined
- Consensual Non-consent

ATIXA Consent Construct
- The Three Questions

Incapacitation
- Incapacitation vs. Impairment
- Status of the Complainant
- Blackouts
- Evidence of Incapacity
- Assessing Facts

Force and Coercion
- Physical Violence
- Threats
- Intimidation
- Coercion

Case Studies
Note: Workshops do not include a standard break. Participants are welcome to eat and/or drink during the workshop and step away for other needs as necessary. Workshop start and end times for in-person events are determined by the host site. All virtual workshops take place from 11 AM – 3 PM ET unless otherwise specified.