AGENDA (40 mins)

* Welcome – 5 mins
* Underage Consent – Frances Gould – 7 minutes
* Alcohol and Consent – Lucy Nguyen – 7 minutes
* Vulnerable Adults and Consent – Ramanan Thavarajah – 7 minutes
* Social Media and Consent – Shafiqur Rahman – 7 minutes
* Wrap-up and Q&A – 5 mins

**SLIDE 1 – TITLE PAGE**

“Alcohol and Consent – Too Drunk To Say Yes?”

**SLIDE 2 - STATISTICS**

* Between 2011 and 2016, the number of reported rapes rose by 123%
* Over the same period convictions rose only 11%
* Most people are likely to be sexually assaulted or raped by someone known to them
* About half of violent crime is perpetrated by an offender who is under the influence of alcohol
* Over 25% of people think that drunk victims of sexual assault are at least partly responsible for what happened to them

**SLIDE 3 – Question 1**

Q1 - Can you consent to sex/sexual activity if you are drunk?

A – Yes

* B – No
* ANSWER: YES – just because someone has consumed alcohol doesn’t mean that they cannot consent to sex or sexual activity.
* BUT – it might be hard to convey consent to the other person because
  + Alcohol affects the ability to communicate clearly;
  + People may be more likely to disregard messages they’re being sent if they’re drinking;
  + Alcohol can give people tunnel vision, which makes them more determined to get that one thing they are focused on; and
  + Alcohol can increase aggressiveness, which can be disastrous when it comes to sex.

**SLIDE 4 – Question 2**

Can you consent to sex/sexual activity if you are too drunk to stand up?

* A – Yes
* B – No
* ANSWER: Probably not. The law says that a person consents if he/she agrees by choice and has the freedom and capacity to make that choice. If you are so drunk you are passed out, you cannot give consent.

**SLIDE 5 – Question 3**

What if someone hasn’t said anything, and hasn’t physically resisted?

* A – They consent
* B – They do not consent
* ANSWER: Silence is not consent, it must be given freely and explicitly. An absence of consent is not consent.

**SLIDE 6 – Question 4**

What if you are accused of sexual assault whilst you were drunk– can you say you were too drunk to know what you were doing?

* A – YES, because you were drunk, this negates any wrongdoing, you wouldn’t have done it if you were sober.
* B – NO, intoxication is no defence.
* ANSWER: NO, this was used as a defence at the trial of two Vanderbilt University football players who claimed they couldn’t be responsible for the rape of an unconscious woman because they were just too drunk to know what they were doing.

**SLIDE 7 – Question 5**

What if someone says ‘no’ to sex when sober, but says ‘yes’ when drinking?

* A – This is consent
* B – This is not consent
* ANSWER – You need to proceed with caution, people change their minds all the time but alcohol changes inhibitions and decision making. You would need to consider how much the person has had to drink, and if they have ever given you an indication that they want to have sex with you when sober?

**SLIDE 8 – Question 6**

What if you’re at a party and someone is very drunk and you just kiss them / grope them?

* A – Kissing/groping without consent ISN’T sexual assault
* B – Kissing/groping without consent IS sexual assault

ANSWER: Kissing or groping without someone’s consent is still sexual assault.

The law states in S.3(1) Of the Sexual Offences Act 2003 that an commits an offence if they intentionally touch another person sexually without their consent, and that person does not reasonably believe that the other person consents.

**SLIDE 9 – Problems (1/2)**

What if you consent, but you were so drunk you can’t remember it the next day?

* + You might well have given consent
  + Judgement is impaired under the influence of alcohol
  + In Canada, a recent case acquitted a cab driver who was found with his trousers down, an unconscious woman in the back of his car, and his DNA on her mouth. The Judge said that the woman’s lack of memory did not equal a lack of consent.
  + Presumption of innocent until proven guilty and his guilt has to be proved beyond a reasonable doubt
  + How does this affect women who have been raped and sexually assaulted whilst intoxicated? They will be less likely to report it.

**SLIDE 10 – Problems (2/2)**

What if you can’t remember the other person giving consent to sex?

* + Obviously, this is a huge problem, as you will have no defence, despite what happened

**SLIDE 11 - Safety**

* Make sure you know what you are drinking, and how much
* Don’t drink on an empty stomach
* Make sure someone knows where you are and you have someone you trust that you can call if things go wrong

**SLIDE 12 – How to be sure of consent?**

* Legally, the issue of consent can be very confusing, especially where alcohol is involved
* The best rule is that if you or a partner have been drinking, make sure to check in regularly about any sex that you’re having.
* Ask things like:
  + Do you still want to do this?
  + Is this okay?
  + Do you need a break?
  + Are you having fun?
  + What do you want to do next?
* It can be wise to ask yourself:
  + Can this person communicate clearly?
  + Are they coherent?
  + Are they sober enough to know fully what is going on?

**SLIDE 13 – Where you can get help**

* someone you trust
* a doctor or practice nurse at your GP surgery
* a voluntary organisation, such as Women’s Aid, Victim Support, The Survivors Trust or Survivors UK (for male victims of sexual assault) the Rape Crisis national freephone helpline on 0808 802 9999 (12-2.30pm and 7-9.30pm every day of the year)
* a hospital accident and emergency (A&E) department
* a genitourinary medicine (GUM) or sexual health clinic
* a contraceptive clinic
* a young people’s service
* NHS 111
* the police, or dial 101
* in an emergency, dial 999

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