

# Sexual Consent



## Ask, every time!

As a university community, we consider the safety and wellbeing of our students and staff to be very important. We want to ensure as far as possible, that students are able to learn and achieve safely, free from abuse, harassment and harm.

The University of Bolton and the Bolton Students' Union are committed to raising awareness and understanding of the issues surrounding sexual consent, violence, assault and abuse.

The following guide provides information about sexual consent and where to go for support if you or someone you know has experienced sexual assault or rape.

### What is sexual consent?

Consent happens when all people involved in any kind of sexual activity agree to take part by choice. They also need to have the freedom and capacity to make that choice. Consent is necessary in all sexual activity.

The Sexual Offences Act 2003 says that someone consents to sexual activity if they:

- Agree by choice and
- Have both the freedom and capacity to make that choice.

If someone says 'no' to any kind of sexual activity, they are not agreeing to it.

But, if someone doesn't say 'no' out loud, that doesn't automatically mean that they have agreed to it either.

### Freedom to make choices

Freedom means not being constrained in any way to agree to sex or sexual activities.

Being forced, pressured, bullied, manipulated, tricked or scared takes away our freedom and capacity to make choices in lots of different situations. In such a situation a person might say 'yes' to sex but do so out of fear.

### Capacity to make the choice

Having capacity means the person can make and communicate a decision, understand the consequences and know they have a choice. If they cannot do this, they cannot give consent.

Someone may not have sufficient capacity to give consent if they have been drinking or taking drugs.

Someone does not have the capacity to consent if they are asleep or unconscious.

By law, someone under the age of 16 does not have the capacity to consent to sex.

Some people who have specific learning and processing related disabilities may find communicating consent a more complex task and may not be able to physically display enthusiasm. Having conversations around how to communicate consent can help to make sure everyone involved is clear and comfortable.

## What consent looks like:

Here are some examples of what consent does and doesn't look like in practice. To note this next section is not an exhaustive list of when consent is given or not, each scenario is different these are only examples of what consent may or may not look like.

Consent could include:

- Enthusiastically saying 'yes!'
- Talking to the other person about what you do and don't want, and listening to them in return.
- Checking in with the other person – for example, asking 'is this okay?', 'do you want to slow down?' or 'do you want to stop?'
- Respecting someone's choice if they say 'no'. And never trying to change their mind or put pressure them to do something they seem unwilling or don't want to do.

Consenting once doesn't mean the person is consenting at any point in the future. Someone agreeing to have sex or sexual activities one night doesn't mean they consent the following morning, day or in the future, people have a right to change their mind and consent should be sought on each occasion of sexual activity.

It also makes no difference if you're married to someone or in a relationship with them. You still need to get their consent. **Every. Single Time.**



## Consent does not look like:

- Feeling like you have to agree to sex or other sexual activity because you're worried about the other person's reaction if you say 'no'.
- Someone having sex with you or touching you in a sexual manner when you're asleep, unconscious.
- Someone continuing with sexual activity despite your non-verbal cues that you don't want it to continue or you're not sure – for example, if you pull away, freeze or seem uncomfortable.
- Someone assuming that you want to have sex or take part in other sexual activity because of your actions or what you're wearing – for example, flirting, accepting a drink, wearing a short skirt.
- Someone assuming that you want to have sex or take part in other sexual activity with them because you've had sex or taken part in other sexual activity with them before.
- Someone assuming that you want to take part in one type of sexual activity because you wanted to take part in another.
- Someone removing a condom during sex after you only agreed to have sex with one (what is known as 'stealthing').

Please know, however, that these are just a few examples of what consent doesn't look like.

If you didn't want something to happen then you didn't give your consent.

You also didn't give your consent if you weren't capable of deciding whether or not you wanted it – for example, if you were a child or if you were drunk or under the influence of substances like some prescription medications, and/or other drugs.

*And if there was no consent then it was sexual violence.*

**If you're in a sexual encounter with someone and they ask you to stop and you don't stop, you're committing a sexual offence. It's as simple as that.**

# FACTS

## **FACT:**

No one is ever to blame for being raped or sexually assaulted. Raping or sexually assaulting someone is always a crime and responsibility for that crime lies with the perpetrator or perpetrators.

## **FACT:**

There are gendered dynamics to sexual violence that mean women and girls are disproportionately affected, however, it's important to remember that anyone of any gender can experience sexual violence.

## **FACT:**

Sexual assaults and rapes can take place within marriages and relationships so it is a myth to say you cannot be sexually assaulted by your partner when you are in a relationship.

## **FACT:**

The vast majority of rapes and sexual assaults are committed by someone known and trusted by the victim.

## **FACT:**

Not saying 'no' is not the same as someone giving their consent. If someone seems unsure, stays quiet, moves away or doesn't respond, they are not agreeing to sexual activity.

## **FACT:**

Everyone responds differently to rape and other types of sexual violence, and there's no right or wrong way to be or to feel afterwards. It's common for people to feel numb after a traumatic event like rape or sexual assault. And some people don't feel the effects of trauma until a long time after a traumatic event has happened.

## Getting help

**If you have been the victim of rape or sexual assault, recently or in the past there is a range of support for you, whether or not you chose to make a report to the Police.**

**If there is an immediate risk:** In an emergency call 999.  
The Police are specially trained to help with sexual offences.

**University Security:** Our security team can provide support to any student when they are on campus, 24 hours a day, 7 days a week. You can contact them for advice or to report a concern by telephone: 01204 903666

**University Support:** Support is available from the Life Lounge, Student Mental Health and Wellbeing Services, Students' Union and Chaplaincy. However. Staff will always try and support and signpost you no matter what their role. Decisions will not be made for you and those services listed below are non-judgemental and will respect confidentiality. Only in limited safeguarding cases will data be shared with external organisations and in such cases staff will where possible try and discuss this with you in the first instance:

Students' Union, Chancellor's Mall 📞 01204 900850

The Life Lounge, T2, Eagle Tower 📞 01204 903566

Chaplaincy, Eagle Mall 📞 01204 903 415

## External Support

### Greater Manchester Police

🌐 <https://www.gmp.police.uk/>

📞 999 (Emergency) or 101 (Non-Emergency)

### St Mary's Sexual Assault Referral Centre (SARC)

If you have been raped or sexually assaulted St Mary's are there to help with the recovery from both physical and emotional effects of the assault. St Mary's offer high quality, comprehensive and coordinated forensic, counselling and medical services to men and women across Greater Manchester who have experienced rape or sexual assault and this support is available even if you choose not to report an incident or crime to the Police.

🌐 <https://www.stmaryscentre.org/> 📞 0161 276 6515 24 hours helpline

### **Greater Manchester Rape Crisis**

Greater Manchester Rape Crisis has worked in partnership with the Student's Union at The University of Manchester to develop a service to support women students (over the age of 18) across Greater Manchester who have experienced sexual violence. This may be childhood sexual abuse, rape as an adult, sexual assault, sexual harassment at work or on campus, and a range of other issues. Whenever it happened, whatever the circumstances, students can receive the support they need and deserve. Students who access the service must be enrolled at a college, university or on a training course in Greater Manchester.

Referrals to the service must be made by the person who has experienced the abuse by: email [studentservice@manchesterrapecrisis.co.uk](mailto:studentservice@manchesterrapecrisis.co.uk)

 <https://www.manchesterrapecrisis.co.uk>  0161 273 4591

**Samaritans** - Support no matter what you are going through

24 hours a day 365 days a year.


 <https://www.samaritans.org>  116 123

**Victim Support** - Free and confidential 24/7 support if you've been a victim of a crime (even if you haven't reported it to the police).

 <https://www.victimsupport.org.uk/>  0808 503 9054

**Rape Crisis England** - Charitable organisation working to end sexual violence and abuse, delivering specialist services to those affected by sexual violence.

 <https://rapecrisis.org.uk/about-us/>

 0808 802 9999 (8am to midnight 365 days a year)

**Survivors UK** - National online helpline for men aged over 13 who have experienced sexual violence at any time in their lives.

 <https://www.survivorsuk.org>

### **GALOP**

Advice and support to LGBT+ people who have experienced sexual violence, domestic violence, hate crime, biphobia, homophobia and transphobia.

 <https://galop.org.uk/>  0800 999 5428

