SAMPLE - Consent Policy and Procedures for Kink Groups

Introduction and Purpose

[Name of Group] strives to create an environment where like-minded individuals of all backgrounds and orientations can share their interests, journey, and exploration of kink and consensual non-monogamy. It is paramount to our group’s health that all activities between individuals do so with enthusiastic and ongoing consent.

We endeavor to create a safer community and event space. However, much like safer sex practices are without risk, we acknowledge that no play or activity between attendees is without physical, mental, or emotional risks.

This document outlines options and sets expectations for attendees experiencing consent issues inside and outside our events. We recognize that every consent incident is unique. While this policy sets the standards for our process for handling such incidents, there may be times where circumstances of a consent incident require a deviation from this standard. We will update this policy as we continue to evolve to better serve our community’s interests.

Consent Policy

“Consent” means a person’s willingness and ability to engage in a specific act. It is important to note that consent is the mutual creation of an agreement: aim for “YES!” not just the absence of “No.”

1. Do not touch anyone without their permission, and don’t base consent on what you’ve seen someone do with other people.

2. All activities must receive prior consent explicitly by verbal or written agreement rather than through gestures, body language, or past behavior.

3. Informed consent requires discussing the risks involved in the activity and the steps needed to reduce those risks, including study, training, technique, and safety measures.

4. Don’t re-negotiate in the middle of your scene unless it is to reject activities that were previously agreed to. A person who is in an altered state of mind of any kind, including play-induced headspace, may not be able to give informed consent.

5. The universal safewords are “RED” and “SAFEWORD.” Everyone is free to withdraw consent at any time during the activity. At the use of either of those words, the activity must end immediately.

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6. Do not attempt to participate in an ongoing scene unless invited explicitly by all current participants.

7. If you plan to engage in play that may have the appearance of being non-consensual, inform the staff before the beginning of the scene.

8. Each person should understand everyone’s limitations or barriers to their ability to consent to the planned activities, such as age, diminished mental capacity, or use of drugs or alcohol. If any participant in a scene appears intoxicated or impaired, the staff will stop the scene.

9. Do not pressure, force, coerce, or manipulate someone into consenting to anything.

10. Do not do anything likely to result in serious bodily injury or go beyond a participant’s expectations, even where the participant gave consent.

11. Don’t “out” anyone as kinky, non-monogamous, or any form of alt-sex to their family, friends, co-workers, or anyone outside of the alt community. Don’t use someone’s first/last name in person or online with others unless they give you specific permission to do so. Don’t share anyone’s Personally Identifiable Information (PII) in any form or format without their consent.

12. If you would like someone to cease contact with you, please tell them either verbally or by direct message: “Please don’t contact me anymore.” For example, suppose you request no contact with an organizer. In that case, you must designate another organizer who may contact you about group business.

Reporting a Consent Incident

We only take first-person reports and cannot act on hearsay or third-party reports. To ensure a timely response, please use the following methods to report:

- At events and demos, you can ask any event volunteer to connect you to the designated Consent Response Team (CRT) member present. Staff members are identifiable by the yellow safety vest they wear while on duty. Although we will not be able to go through our complete process during an event, we may take immediate action to provide a short-term resolution until we can gather more information and reach a final decision.
- Outside of events, you can also contact our Consent Response Team via email. You will receive an acknowledgment within 72 hours, followed by contact from a member of the CRT team. Please send your email here:

Sometimes it is more important to take care of the incident reporter’s needs than get the report immediately. The CRT is not law enforcement, nor are they qualified mental health professionals. The CRT may choose to direct reporters to resources to get immediate help and/or direct the reporter to the NCSF Incident Reporting & Response (IRR Team) for resources. When the reporter is no longer in crisis, the CRT can then take the report.

The reporter can provide a written report or verbal report to a member of the CRT during a private conversation about the incident in question. During a verbal report, please anticipate that we will ask questions and take notes in order to create the most accurate record possible for dissemination to the organizers. Please understand that our staff are unpaid volunteers with responsibilities outside of our community, so it may take up to one week to review your report fully.

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While this is not an exhaustive list, the following details should be included in any reports:
  • How would you prefer the CRT to contact you?
  • What name and pronouns do you prefer we use?
  • What would you like to tell us about this consent incident?
  • Do you remember what you discussed before the incident about what you wanted to do and your limits?
  • What do you recall saying or doing when this incident happened?
  • Were there any injuries?
  • Has this person done anything like this to you before or violated your consent?
  • Can you tell me about any people who might have seen what happened?
  • What would you like to happen next?

The CRT may ask additional questions regarding the specifics of the incident to gain a complete understanding. You may provide additional information such as any documents related to the incident or conversations in written form, screenshots, or images of the injury.

Using an Advocate

We recognize that repeatedly detailing a potentially traumatic experience to leaders of every group can be emotionally draining. We seek to provide alternatives for those who wish to delegate this process to a trusted party.

If you wish to work with an advocate or outside organization to make your consent incident report, we will work with them directly to take your report in the same methods outlined above. However, we must still confirm with you directly that you have authorized this person to act as your advocate and create a consent incident report on your behalf. From that point forward, the reporting of the consent incident and information gathering process will funnel through your advocate and we will not contact you directly about the details of the consent incident to every extent possible.

Consent Response Team

The CRT members will receive training in trauma reactions, crisis response, and how to take a report in a sensitive manner. The CRT will sign confidentiality agreements and won’t discuss anything reported to them with anyone other than the CRT/Organizers/Officers. The CRT will not make decisions about the reports and will remain neutral throughout the process (i.e., not acting as law enforcement, not crisis/trauma counselors/not Victim Advocates).

Our CRT process is as follows:
  • When we receive a first-person report of an incident, the CRT lead will assign a member to take the reports.
  • The reporter can request that any member of the CRT or organizers recuse themselves due to their relationship with the reported person.
  • If the reporter is in crisis, the CRT may refer them to a kink-aware crisis hotline or advocacy organization for immediate care. At an event, if an attendee needs to call 911 or an ambulance, the CRT will encourage them to do so and will wait until help arrives.
· The CRT is only empowered to talk to the reporter, the reported person, and anyone who witnessed the consent incident. The CRT is not empowered to talk to partners, metamours, or friends of the reporter or reported person about the incident. If the reporter would like a friend/partner present, they are there for support purposes only.
· The CRT will not try to bring the reporter and reported person together to discuss the incident or to perform a mediation or facilitate an apology. However, if it’s a minor incident, if the reported person wants to apologize and the reporter wants to hear an apology, then that is up to those involved.
· The CRT will reach out to those involved in the consent incident to individually hear their experiences. The CRT will limit their report gathering to a two-week period to ensure a timely response.
· Reports can be taken in writing or a face-to-face meeting.
· The CRT may request additional materials from any involved parties as we continue to collect information and attempt to resolve discrepancies. We believe in performing due diligence to ensure that everyone involved in a consent incident has the opportunity to have their voice heard before a decision is made.
· The CRT will provide a summary of the reports to the organizers from everyone involved in the consent incident, without putting their own inference in the reports.
· The CRT will include what the reporter would like to happen, without making any guarantees to the reporter.

Temporary Steps During Information Gathering

The organizers will be informed by the CRT as soon as a report of a consent incident is received, including a summary of who is involved and what happened. Depending on the nature of the initial report, individuals may be temporarily asked to refrain from attending in-person events and online while the information gathering process takes place. We recognize that this situation may be undesirable to individuals involved with a consent incident, but may need to take this measure until a final decision can be reached.

Confidentiality During Consent Incident Reporting

We will not share your report with parties not directly involved with the consent incident unless explicitly permitted and a clear reason to do so. We also will not share the full contents of the report with reported individuals or witnesses but may use details of your consent incident report to formulate specific questions to the involved parties in regards to the incident. The CRT will attempt to share as few personal details as is reasonably possible while still having a clear and specific conversation surrounding the incident.

The CRT will honor requests from individuals to not be named during the information gathering process or follow-up with the reported individual. If you wish to have your name left out of a report, please make this clear to the CRT member taking the consent incident report and it will only be shared with the organizers.
Evaluating Consent Incidents

After the information has been gathered by the CRT, the organizers will be given a summary of the experiences from the consent incident reports they received. The organizers primarily make decisions about:

- Violations of your rules and Consent Policy at your events and online entities (Click here for NCSF’s help with consent policy and procedures)
- Behaviors outside of the group that could be in violation of criminal law – see below.
- Outing or threats of outing of attendees, which therefore may present a risk to attendees (Click here for NCSF’s help with outing policy and procedures)
- Reports of sanctions or bans by other groups with a similar consent culture as our group.

Reports that could be a violation of criminal law include:

- **Physical assault** - Physical assault laws vary from state to state, but generally physical assault is the act of causing physical harm or unwanted physical contact upon another person (especially when the other party is injured).
- **Sexual assault** – Sexual assault laws vary from state to state, but generally sexual assault is an act in which one intentionally touches another person’s breasts, genitals or buttocks without that person’s consent or coerces or physically forces a person to engage in a sexual act against their will.
- **Blackmail** – The action of demanding payment or another benefit from someone in return for not revealing compromising or damaging information about them. Extortion is a similar crime.
- **Revenge Porn** – This type of abuse intersects with sexual abuse, as it involves the digital distribution of nude or sexually explicit photos and/or videos of a person without their consent. (It’s called “revenge” porn because the images or videos are often used as retaliation or as blackmail material by a current or former partner.)
- **Stalking** – This is following someone to their home or workplace without permission.
- **Harassment** – Harassment is repeatedly attempting to communicate with someone after they’ve asked for no contact, or engaging in threatening conduct directed at the other person or any member of their family or friends.

**Interpersonal disputes** are typically not within the scope of our group; however, we do have a rule to enable members to request no-contact. We do refer members to professional mediation, community support services, or trauma/ kink-aware counseling for issues such as:

- Emotional abuse
- Gaslighting
- Verbal abuse
- Humiliation
- Talking about bad experiences they had with someone
• Unpopular speech on social media
• Arguments on social media about ideology or ideas

We aim to treat every individual involved in a consent incident with fairness and compassion. While consent incidents are unique and varied, there is a common set of factors that we consistently evaluate in every case when determining the most appropriate response as a group. While this is not a complete list, it covers many important considerations:

• The severity and nature of the nonconsensual activity (e.g., unwanted hug, sexual assault, assault with injury)
• The nature of the consent incident (e.g., accident, ignorance, manipulation, coercion)
• The response of the individual who crossed a boundary (e.g., accepting responsibility for their behavior, showing empathy for the other party, desire to apologize, willingness to make changes in behavior)
• Power differentials between involved individuals (e.g., leadership position within the community, levels of experience, mentors, presenters, performers, owners, group officers)
• Multiple reports of consent incidents from unrelated people reporting the same person
• Reports of consent incidents by the reporter against multiple people
• Public documents like orders of protection, police reports, and sex offender registry
• Admissions of wrong-doing by the reported person
• Reports of sanctions or bans by other groups with a similar consent culture as your group
• Willingness of the reported person to defer to the needs and wishes of the reporter

Group Outcomes Regarding Incidents

Once the CRT submits the case summary, the organizers will decide on an outcome within a week. Nearly all decisions regarding consent incidents are made unanimously or by strong consensus of the organizers, and all are ultimately authorized by the group owner. Based on the decision of the organizers, one or more of the following actions may be taken. An individual who knowingly and intentionally creates a false report may also be subject to these actions.

Warnings
In some instances, individuals can violate consent or boundaries through inexperience, poor communication skills, or misunderstanding of expectations. In these cases, Leadership or staff will provide education about our Consent Policy and refer the individual to educational materials which cover these topics. We expect members of our community who receive formal warnings to take them seriously and adjust their behavior moving forward. Repeated warnings will result in more serious consequences.
Attendance Restrictions
If an individual violates any of our rules or Consent Policy or has repeated warnings, Leadership may request that a community member refrains from attending our events or a subset of our events for a set amount of time.

Banning
We reserve the right to ban any individual if they are not a good fit for our group. While this is not a decision that we make lightly, we recognize that this is the appropriate response in dealing with malicious consent incidents, incidents where an individual could be a danger to others in our community, or situations where an individual has proven unwilling or unable to adjust their behavior following repeated instances of less severe consent incidents that have previously resulted in a more lenient response. If an individual is barred from attending our events, they will also not be permitted to participate in our online groups and discussions, and vice versa.

Consent Incidents Involving Volunteers
We hold our volunteers, presenters, and organizers to a higher standard of conduct, and as such encourage the community to feel comfortable reporting any problematic behavior with such individuals to the CRT or a victims advocate. In addition to the normal actions outlined in this document, issues involving those in positions of trust may require additional immediate steps:

- Volunteers (registration, play space monitor, etc.) involved in a consent incident may be removed from their role at events or barred from further volunteering until the incident is evaluated by the organizers and a decision is made.
- Upcoming presenters and other educators involved in a consent incident may have their classes canceled or postponed until such a time as the consent incident can be evaluated by the organizers and a decision is made.
- If a member of the CRT or organizers is involved in an incident, they will be temporarily removed from the team while other members of the CRT will take the report, until such time as the consent incident can be evaluated by the rest of the organizers and a decision is made.

Notification of a Decision
When the organizers have reached a decision in response to a consent incident report, parties will be notified in the following order:

1. The Consent Response Team will be notified about the decision of the organizers.

2. The individual who placed the original consent incident report will be contacted by a member of the organizers with our decision. While it’s important to take into account the wishes of the reporter, the organizers must also consider our responsibility to our attendees and the group. The reporter will be made aware that the reported individual will also be informed of the decision by the organizers. If they would like to engage further with the person they reported to get mediation or an apology, they will be referred to a professional so they can do so. If it was a minor consent incident, the reporter can say how they would like to make contact with the reported person. Inform the reporter that a verbal apology is recommended rather than written

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because a written apology can be used in court.

3. The reported individual will be contacted by a member of the organizers to be told of our decision in regards to the report. If the reporter allows their name to be used, the reported person will be instructed to not reach out to the reporter or initiate contact at events or online (unless otherwise specified by the reporter), or additional sanctions may be applied. It’s up to the reporter to initiate any contact.
   • If it is a Warning or Restricted Attendance, and that individual has maintained an amicable relationship with the CRT and organizers during the process, we will also communicate at this time what behavior is problematic (as per confidentiality requests by the reporter) and changes that need to be made for that individual to be able to continue to attend our events. With minor incidents, if an apology is requested by the reporter, the leader will pass on that request along with how they can make contact, and inform the reported person that a verbal apology is better than a written apology for liability reasons.
   • If the person is Banned, they are told they are not a good fit for the group. We will provide no other information to protect the reporter, the group, and the membership from retaliation and liability.

4. Any witnesses who reported to the CRT will be told of the organizers’ action regarding the consent incident by a member of the organizers. We will request that the witness maintain confidentiality unless the reporter permits them to speak about what they witnessed.

5. If an individual is banned, the organizers may communicate our decision to leaders of other area groups or organizations running events. If this occurs, we will limit the disclosure to the general nature of the consent incident (e.g. sexual assault, outing). We will not disclose the identity of the individual who reported the consent incident or the personal details of the incident unless explicitly given permission to do so by the reporter.

6. In the event of a widely discussed or witnessed consent incident that results in a ban, we may acknowledge the ban and say this person is not a good fit for the group. If the person is a volunteer or part of the organizers, a brief statement about them stepping back from their volunteer responsibilities may be made.

7. The organizers and CRT will not discuss our decision with partners, friends, metamours, or other parties uninvolved with the consent incident. We don’t allow public discussions that name names and the specifics of consent incidents at our events or online entities due to the risk of additional harm and liability to the group, reporter, and any witnesses. Confidentiality is abiding even after the term of service is over.

Closing and Summary

In publishing this Consent Policy and Procedures, we hope that everyone involved with our group understands what happens when someone reports a consent incident to our group. We strive to foster the improvement of consent education with the goal of making instances where this policy must be relied upon few and far between, and we take consent incidents seriously in order to serve our goal of creating a safer community for everyone.