Consent Standards in the Kink Communities: A Comparative Study

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INTRODUCTION

The National Coalition for Sexual Freedom gathered data through the first Consent Counts Survey in 2012 in order to gauge attitudes about consent and consent violations within a power exchange context. The Consent Violations Survey was launched in 2014 to gather additional details about consent violations in a BDSM context including: the severity of the violations, who is being violated, where they were violated, the relationship and intent of those involved, the power dynamic at the time of the violation, as well as information about false accusations and how people who have committed consent violations.

Both surveys were conducted online using SurveyMonkey, and participation was recruited through various electronic means, such as distribution through website posts and email list-serves belonging to the NCFS Coalition Partners and members.

SAMPLE SIZES

Consent Counts Survey in 2012
5,667 respondents with 3,932 (70.8%) responding to every question.

Consent Violations Survey in 2014
4,598 respondents with 4,388 (95.5%) responding to every question.

ADDITIONAL INFORMATION

Disclosure Status
Q. Can you speak comfortably to your family and coworkers about your BDSM activities?
Consent Counts Survey – 75% said no
Consent Violations Survey – 71% said no
18% were not comfortable speaking to their primary partner about their BDSM activities.

Gender
Participants in the Consent Violations Survey were 55% female, 36% male, and nearly 10% identified as gender queer, transgender, gender fluid or agender.

Participants in the Consent Counts Survey were not asked their gender.

CONSENT VIOLATIONS

Q. Has your pre-negotiated limit ever been violated?
Consent Counts: 30.1% (n=4,415)
Consent Violations: 24.5% (n=4,503)

Q. Has your safeword or safesign ever been ignored?
Consent Counts: 14.9% (n=4,410)
Consent Violations: 13.1% (n=4,503)

Aggregate total:
Consent Counts Survey – 33%
Consent Violations Survey – 29%

Q. Were you of sound mind when the renegotiation occurred?
[234]

Q. When did the first consent violation happen to you?
[n=1,077]

Q. Why do you think your consent was violated?
[n=1,077]

Q. Did the person who violated your consent renegotiate after the BDSM activities were underway?
[n=1,044]

Q. Respondents who reported their consent was violated within a BDSM context were also asked: Were you ever sexually assaulted when you were an adult outside of a BDSM context?
[n=1,098]

RESULTS of Consent Violations Survey

Q. How was your consent violated?
[n=6061]

RESULTS of Consent Violations Survey

Q. How many times has your consent been violated?
[n=1,038]

Q. Have you ever been falsely reported of violating someone’s limits during play?
[n=6,622]

DISCUSSION

In the Consent Violations Survey, 747 females (31%), 213 males (13%) and 37 transgender people (18%) reported their limits/safeword were violated. For sexual assault: 8.9% (400/4515) reported nonconsensual oral, anal or vaginal acts while engaged in BDSM. The gender break down was 12.5% women (314/2511), 3% men (52/1651), 10.6% gender queer (24/226), and 8.7% transgender (10/115). By comparison, several surveys of the general population have found approximately 11-18% of women and 1-3% of men report experiencing forcible sexual assault in their lifetime, with even more (45% of women and 22% of men) encountering other forms of sexual violence.

As for the severity of the violations, half of the respondents said it wasn’t bad enough to report to the police or to community organizers. In all, 96 people (2% of total sample) reported an injury that required some kind of medical attention. Of those, 23 people (5.1%) reported receiving a serious physical injury that was life-threatening or serious enough to cause dysfunction in an organ or limb.

Only 29 people reported the violation to the police. This is much worse than traditional reporting rates: according to the Justice Department’s National Crime Victimization Survey: 2008–2012, sexual assault is one of the most under-reported crimes, with 68% of sexual assaults not reported.

Only 14% (144/1,039) accessed victim services, with 75% of those people seeing a mental health care provider. In all, 90% said the service providers were helpful.

One in five people reported that the person who violated their consent held a leadership role in a BDSM-leather-fetish group or event at the time it happened. Serial predators are an issue that involves potential civil liability for group and events: nearly 1 in 3 people know of someone else who was violated by the same person who violated their safeword or pre-negotiated limits. The results of this survey have led to education that has heightened self-policing efforts to remove serial violators from kink events as well as victim organizations and presenters.

This project was reviewed and endorsed by a community advisory board of the Community-Academic Consortium for Research on Alternative Sexualities (CARAS), a community-based research support organization which includes members of alternative sexualities communities. This project has scientific merit, follows ethical guidelines for research, and avoids community harm in its design and methods. https://www.carasresearch.org/

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To get a copy of the surveys, go to Resources, BDSM Surveys on: www.ncfsfreedom.org